

07-1163-CD
Abram Patz vs Aaron Beatty

Abram Patz vs Aaron Beatty
2007-1163-CD

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

ABRAM D. PATZ,

CIVIL DIVISION

Plaintiff,

Docket No. : 07-1163-C

vs.

Code No.: OT 002

AARON M. BEATTY,

Defendant.

**PRAECIPE TO ISSUE WRIT OF
SUMMONS**

Filed on behalf of Plaintiff:
Abram D. Patz

Counsel of Record for this Party:
Thomas D. Hall, Esquire
Pa I.D. # 70417

Woomer & Hall LLP
2945 Banksville Road, Suite 200
Pittsburgh, PA 15216-2749
(412) 388-0848

JURY TRIAL DEMANDED

pd \$85.00 Atty
FILED No cc
M 12.00 LM
JUL 23 2007 2CC + 1W/1
(LM) to shff.
William A. Shaw
Prothonotary/Clerk of Courts

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

ABRAM D. PATZ,

CIVIL DIVISION

Plaintiff,

Docket No. :

vs.

Code No.: OT 002

AARON M. BEATTY,

Defendant.

PRAECIPE TO ISSUE WRIT OF SUMMONS

TO THE PROTHONOTARY:

Kindly issue a Writ of Summons in Civil Action against the above-named

Defendant.

Respectfully submitted July 19, 2007.

JURY TRIAL DEMANDED

Woomer & Hall LLP



Thomas D. Hall, Esquire
Pa I.D. # 70417
Attorney for Plaintiff

Woomer & Hall LLP
2945 Banksburg Road, Suite 200
Pittsburgh, PA 15216-2749
(412) 388-0848

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

COPY

SUMMONS

Abram D. Patz

Vs.

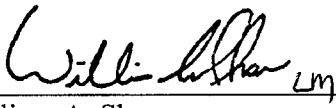
NO.: 2007-01163-CD

Aaron M. Beatty

TO: **AARON M. BEATTY**

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: 7/23/2007



William A. Shaw
Prothonotary

Issuing Attorney:

Thomas D. Hall Esq.
2945 Banksville Road, Suite 200
Pittsburgh, PA 15216-2749
(412) 388-0848

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

ABRAM D. PATZ, : No. 2007-01163-CD
Plaintiff, : TYPE OF PLEADING:
: **PRAECIPE FOR ENTRY OF**
: **APPEARANCE**
v. :
AARON M. BEATTY, : TYPE OF CASE: CIVIL
Defendant. : FILED ON BEHALF OF:
: **DEFENDANT**
: :
: COUNSEL OF RECORD FOR
: FOR THIS PARTY:
: CHENA L. GLENN-HART, ESQ.
: I.D. NO. 82750
: KATHERINE V. OLIVER, ESQ.
: I.D. NO. 77069
: McQUAIDE, BLASKO,
: FLEMING & FAULKNER, INC.
: 811 University Drive
: State College, PA 16801
: PH# (814) 238-4926

FILED NO CC
m/w/gle/01
SEP 12 2007
66

William A. Shaw
Prothonotary/Clerk of Courts

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

ABRAM D. PATZ,

: No. 2007-01163-CD

Plaintiff,

VS.

AARON M. BEATTY,

Defendant.

PRAECIPE FOR ENTRY OF APPEARANCE

TO THE PROTHONOTARY:

Please enter our appearance on behalf of the Defendant, Aaron M. Beatty, in the above-captioned matter.

McQUAIDE, BLASKO,
FLEMING & FAULKNER, INC.

Dated: September 11, 2007

By: 

Chena L. Glenn-Hart, Esquire
I.D. No. 82750
Katherine V. Oliver, Esquire
I.D. No. 77069
811 University Drive
State College, PA 16801
(814) 238-4926

Attorneys for Defendant

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

ABRAM D. PATZ, : No. 2007-01163-CD
Plaintiff, : TYPE OF PLEADING:
: **PRAECLPSE FOR RULE TO FILE**
: **COMPLAINT**
v. :
AARON M. BEATTY, : TYPE OF CASE: CIVIL
Defendant. : FILED ON BEHALF OF:
: **DEFENDANT**
: :
: COUNSEL OF RECORD FOR
: FOR THIS PARTY:
: CHENA L. GLENN-HART, ESQ.
: I.D. NO. 82750
: KATHERINE V. OLIVER, ESQ.
: I.D. NO. 77069
: McQUAIDE, BLASKO,
: FLEMING & FAULKNER, INC.
: 811 University Drive
: State College, PA 16801
: PH# (814) 238-4926

FILED *No cc*
11/11/06/01 SEP 12 2007 Rule to
Atty Glenn-Hart
William A. Shaw
Prothonotary/Clerk of Courts
(610)

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

ABRAM D. PATZ, :
Plaintiff, : No. 2007-01163-CD
vs. :
AARON M. BEATTY, :
Defendant. :
:

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of our Praeclipe for Entry of Appearance and Praeclipe for Rule to File Complaint on behalf the Defendant Aaron M. Beatty, in the above-captioned matter was mailed by U.S. 1st Class Mail, postage prepaid, on this 11th day of September, 2007, to the parties of record:

Thomas D. Hall, Esquire
Woomer and Hall
2945 Banksville Road, Suite 200
Pittsburgh, PA 15216-2749

McQUAIDE, BLASKO,
FLEMING & FAULKNER, INC.

By: Chena L. Glenn-Hart
Chena L. Glenn-Hart, Esquire
I.D. No. 82750
Katherine V. Oliver, Esquire
I.D. No. 77069
811 University Drive
State College, PA 16801
(814) 238-4926

Attorneys for Defendant

FILED

SEP 12 2007

William A. Shaw
Prothonotary/Clerk of Courts

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

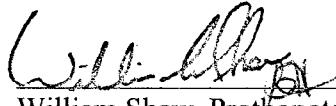
ABRAM D. PATZ, :
Plaintiff, : No. 2007-01163-CD
vs. :
AARON M. BEATTY, :
Defendant. :
:

COPY

RULE

To: Abram D. Patz
c/o Thomas D. Hall, Esquire
Woomer and Hall
2945 Banksville Road, Suite 200
Pittsburgh, PA 15216-2749

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 Shaw, Prothonotary
[SEAL]

Dated: September 12, 2007

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

ABRAM D. PATZ,

Plaintiff,

v.

AARON M. BEATTY,

Defendant.

: No. 2007-01163-CD

: TYPE OF PLEADING:
CERTIFICATE OF SERVICE

: TYPE OF CASE: CIVIL

: FILED ON BEHALF OF:
DEFENDANT

: COUNSEL OF RECORD FOR
: FOR THIS PARTY:
: CHENA L. GLENN-HART, ESQ.
: I.D. NO. 82750
: KATHERINE V. OLIVER, ESQ.
: I.D. NO. 77069
: McQUAIDE, BLASKO,
: FLEMING & FAULKNER, INC.
: 811 University Drive
: State College, PA 16801
: PH# (814) 238-4926

FILED

SEP 19 2007

Wm A. Shaw
Prothonotary/Clerk of Courts

44/C

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

ABRAM D. PATZ, :
Plaintiff, : No. 2007-01163-CD
vs. :
AARON M. BEATTY, :
Defendant. :
:

CERTIFICATE OF SERVICE

I hereby certify that the Court's Rule dated September 12, 2007, in the above-captioned matter was mailed by U.S. 1st Class Mail, postage prepaid, on this 18th day of September, 2007, to the parties of record:

Thomas D. Hall, Esquire
Woomer and Hall
2945 Banksville Road, Suite 200
Pittsburgh, PA 15216-2749

McQUAIDE, BLASKO,
FLEMING & FAULKNER, INC.

By: 
Chena L. Glenn-Hart, Esquire
I.D. No. 82750
Katherine V. Oliver, Esquire
I.D. No. 77069
811 University Drive
State College, PA 16801
(814) 238-4926

Attorneys for Defendant

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

ABRAM D. PATZ, : No. 2007-01163-CD
Plaintiff, : TYPE OF PLEADING:
: **CERTIFICATE OF SERVICE**
v. :
AARON M. BEATTY, : TYPE OF CASE: CIVIL
Defendant. : FILED ON BEHALF OF:
: **DEFENDANT**
: COUNSEL OF RECORD FOR
: FOR THIS PARTY:
: CHENA L. GLENN-HART, ESQ.
: I.D. NO. 82750
: KATHERINE V. OLIVER, ESQ.
: I.D. NO. 77069
: McQUAIDE, BLASKO,
: FLEMING & FAULKNER, INC.
: 811 University Drive
: State College, PA 16801
: PH# (814) 238-4926

FILED NO cc
m 11/03/07
OCT 17 2007
LM
William A. Shaw
Prothonotary/Clerk of Courts

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

ABRAM D. PATZ, :
Plaintiff, : No. 2007-01163-CD
vs. :
AARON M. BEATTY, :
Defendant. :

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of a Notice of Intent to File Praecipe for Judgment of Non Pros in the above-captioned matter was mailed by U.S. 1st Class Mail, postage prepaid, on this 16th day of October, 2007, to the attorney of record:

Thomas D. Hall, Esquire
Woomer and Hall
2945 Banksville Road, Suite 200
Pittsburgh, PA 15216-2749

McQUAIDE, BLASKO,
FLEMING & FAULKNER, INC.

By:



Chena L. Glenn-Hart, Esquire
I.D. No. 82750
Katherine V. Oliver, Esquire
I.D. No. 77069
811 University Drive
State College, PA 16801
(814) 238-4926

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

ABRAM D. PATZ,

CIVIL DIVISION

Plaintiff,

Docket No. : 07-1163-CD

vs.

AARON M. BEATTY,

Defendant.

**NOTICE OF SERVICE OF
PLAINTIFF'S INTERROGATORIES AND
REQUEST FOR PRODUCTION OF
DOCUMENTS DIRECTED TO
DEFENDANT**

Filed on Behalf of Plaintiff:
Abram D. Patz

Counsel of Record for this Party:
Thomas D. Hall, Esquire
Pa. I.D. # 70417

Woomer & Hall LLP
2945 Banksburg Road, Suite 200
Pittsburgh, PA 15216
(412) 388-0848

JURY TRIAL DEMANDED

FILED
OCT 19 2007 NO CC
LAW
William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

ABRAM D. PATZ,

CIVIL DIVISION

Plaintiff,

Docket No. : 07-1163-CD

vs.

AARON M. BEATTY,

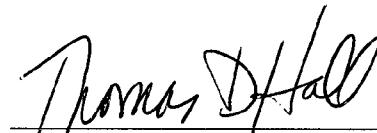
Defendant.

NOTICE OF SERVICE

NOTICE IS HEREBY GIVEN that the undersigned did cause to be served on October 16, 2007 a true and correct copy of *Plaintiff's Interrogatories and Request for Production of Documents Directed to Defendant* was served by First Class U.S. Mail, postage prepaid, upon the following:

Chena L. Glenn-Hart, Esquire
McQuaide Blasko
811 University Drive
State College, PA 16801-6699
(*Counsel for Defendant Aaron M. Beatty*)

Woomer & Hall LLP



Thomas D. Hall, Esquire
Pa I.D. # 70417
Attorney for Plaintiff

Woomer & Hall LLP
2945 Banksburg Road, Suite 200
Pittsburgh, PA 15216-2749
(412) 388-0848

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

ABRAM D. PATZ,

CIVIL DIVISION

Plaintiff,

Docket No. : 07-1163-CD

vs.

AARON M. BEATTY,

COMPLAINT IN CIVIL ACTION

Defendant.

Filed on Behalf of Plaintiff:
Abram D. Patz

Counsel of Record for this Party:
Thomas D. Hall, Esquire
Pa. I.D. # 70417

Woomer & Hall LLP
2945 Banksburg Road, Suite 200
Pittsburgh, PA 15216
(412) 388-0848

JURY TRIAL DEMANDED

FILED NO
OCT 19 2007
(68)

William A. Shaw
Prothonotary/Clerk of Courts

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

ABRAM D. PATZ,

CIVIL DIVISION

Plaintiff,

Docket No. : 07-1163-CD

vs.

AARON M. BEATTY,

Defendant.

NOTICE TO DEFEND

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the Complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

**David S. Meholic
Clearfield County Courthouse
230 East Market Street
Clearfield, PA 16830
(814) 765-2641 ext. 5982**

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

ABRAM D. PATZ,

CIVIL DIVISION

Plaintiff,

Docket No. : 07-1163-CD

vs.

AARON M. BEATTY,

Defendant.

COMPLAINT IN CIVIL ACTION

AND NOW comes Plaintiff Abram D. Patz, by and through his attorneys Thomas D. Hall, Esquire and Woomer & Hall LLP and complains and alleges as follows:

1. Plaintiff Abram D. Patz (hereinafter "Plaintiff") is an adult individual residing at 444 Guy Avenue, DuBois, Clearfield County, Pennsylvania 15801.
2. Defendant Aaron M. Beatty (hereinafter "Defendant") is an adult individual residing at 278 Montego Bay Road, DuBois, Clearfield County, Pennsylvania 15801.
3. On or about November 11, 2005 at approximately 9:20 pm, Plaintiff was a pedestrian walking along Quarry Avenue in DuBois, Clearfield County, Pennsylvania.
4. On the aforementioned date and time, Defendant was operating a 2002 Toyota LXS along Quarry Avenue in DuBois, Clearfield County, Pennsylvania approaching the portion of road where Plaintiff was walking.
5. On the aforementioned date and time, Defendant's vehicle violently struck Plaintiff, causing Plaintiff's body to strike the windshield of Defendant's vehicle.
6. As a direct and proximate result of the aforementioned collision, Plaintiff suffered the following injuries, some or all of which are or may be permanent in nature:
 - a. Left nondisplaced femoral head and neck fractures;

- b. Left acetabular fracture;
- c. Left hip fracture;
- d. Intrapelvic hematoma;
- e. Closed head injury;
- f. Bruises, contusions and other injuries in or about the nerves, muscles, bones, tendons, ligaments and vessels of the body; and
- g. Nervousness, emotional tension, anxiety and depression.

7. As a direct and proximate result of the aforementioned collision, Plaintiff sustained the following damages, some or all of which are or may be permanent in nature:

- a. Great pain, suffering, inconvenience, embarrassment, mental anguish, and emotional and psychological trauma;
- b. Plaintiff has been and will be required to expend large sums of money for medical treatment and care, hospitalization, medical supplies, surgical appliances, rehabilitation and therapeutic treatment, medications and other attendant services;
- c. Plaintiff has lost earnings and his earning capacity has been greatly reduced and may be permanently impaired;
- d. Inability to enjoy various pleasures of life that were previously enjoyed; and
- e. Loss and impairment of his general health, strength and vitality.

8. Plaintiff's injuries and damages were the direct and proximate result of the carelessness, recklessness and negligence of Defendant generally and in the following particulars:

- a. In failing to ensure that the movement of Defendant's vehicle could be made with safety;

- b. In failing to abide by the Motor Vehicle Code, specifically §3361 of the Pennsylvania Motor Vehicle Code relating to Driving Vehicle at Safe Speed;
- c. In failing to operate Defendant's steering wheel, brakes or other mechanisms of Defendant's vehicle in a manner so as to avoid the accident;
- d. In failing to sound Defendant's horn or otherwise warn nearby motorists and pedestrians of the danger created by Defendant's vehicle;
- e. In ignoring traffic control devices and the rules of the road as they apply to traffic control devices and speed limits;
- f. In ignoring traffic control devices and the rules of the road as they apply to pedestrians;
- g. In failing to maintain Defendant's vehicle in a condition safe for its intended use;
- h. In failing to keep Defendant's vehicle under proper control;
- i. In being an aggressive driver;
- j. In being inattentive and failing to maintain a sharp lookout of the roadway and surrounding traffic conditions;
- k. In failing to avoid hitting Plaintiff when the Defendant saw or should have seen Plaintiff on the side of the roadway in full view of the Defendant;
- l. In failing to observe with reasonable care the traffic and road conditions, including the location of Plaintiff;
- m. In operating his vehicle at a high, dangerous and reckless speed;
- n. In failing to have proper control of his vehicle;
- o. In driving recklessly;
- p. In driving too fast for the conditions of the roadway;
- q. In failing to inspect the vehicle he was operating to ensure against any mechanical defects;

- r. In failing to operate his vehicle in a manner which was reasonably safe for the public, including but not limited to Plaintiff;
- s. In operating his vehicle in violation of the Pennsylvania Motor Vehicle Code; and
- t. In failing to take any measure to avoid the accident.

WHEREFORE, Plaintiff demands judgment for damages against Defendant in an amount in excess of the jurisdictional limits of compulsory arbitration, together with court costs, interest and such other and further relief as this Honorable Court may deem just and equitable.

JURY TRIAL DEMANDED

Respectfully submitted,



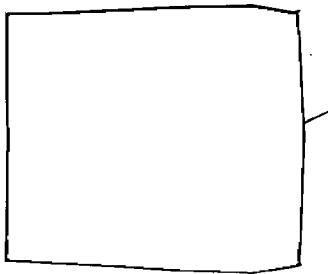
Thomas D. Hall, Esquire
Pa. I.D. # 70417
Attorney for Plaintiffs

Woomer & Hall LLP
2945 Banksville Road, Suite 200
Pittsburgh, PA 15216
(412) 388-0848

VERIFICATION

I, Abram D. Patz, being duly sworn according to law, depose and say that the facts contained in the foregoing Complaint in Civil Action are true and correct to the best of my knowledge, 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 authorities.

Abram D. Patz
Abram D. Patz



CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on October 16, 2007 a true and correct copy of ***Complaint in Civil Action*** was served by first class U.S. mail, postage prepaid, upon Defendant's counsel, to-wit:

Chena L. Glenn-Hart, Esquire
McQuaide Blasko
811 University Drive
State College, PA 16801-6699
(*Counsel for Defendant Aaron M. Beatty*)

Woomer & Hall LLP



Thomas D. Hall, Esquire
Pa I.D. # 70417
Attorney for Plaintiff

Woomer & Hall LLP
2945 Banksville Road, Suite 200
Pittsburgh, PA 15216-2749
(412) 388-0848

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

ABRAM D. PATZ,

: No. 2007-01163-CD

Plaintiff,

: TYPE OF PLEADING:

: **DEFENDANT'S ANSWER WITH
NEW MATTER TO PLAINTIFF'S
COMPLAINT**

v.

AARON M. BEATTY,

: TYPE OF CASE: CIVIL

Defendant.

: FILED ON BEHALF OF:

: **DEFENDANT**

: COUNSEL OF RECORD FOR
FOR THIS PARTY:
CHENA L. GLENN-HART, ESQ.
I.D. NO. 82750
KATHERINE V. OLIVER, ESQ.
I.D. NO. 77069
McQUAIDE, BLASKO,
FLEMING & FAULKNER, INC.
811 University Drive
State College, PA 16801
PH# (814) 238-4926

FILED NO CC
M 10/29/2007
NOV 06 2007
(6)

William A. Shaw
Prothonotary/Clerk of Courts

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

ABRAM D. PATZ, :
Plaintiff, : No. 2007-01163-CD
VS. :
AARON M. BEATTY, :
Defendant. :
:

NOTICE TO PLEAD

TO: Abram D. Patz
c/o Thomas D. Hall Esquire
Woomer & Hall LLP
2945 Banksville Road, Suite 200
Pittsburgh, PA 15216-2749

YOU ARE HEREBY notified to file a written response to the enclosed Answer with New
Matter to Plaintiff's Complaint within twenty (20) days from the date of service hereof or a
judgment may be entered against you.

McQUAIDE, BLASKO,
FLEMING & FAULKNER, INC.

By:



Chena L. Glenn-Hart, Esquire
I.D. No. 82750
Katherine V. Oliver, Esquire
I.D. No. 77069
811 University Drive
State College, PA 16801
(814) 238-4926

Attorneys for Defendant

Dated: November 5, 2007

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

ABRAM D. PATZ, : No. 2007-01163-CD
Plaintiff, :
VS. :
AARON M. BEATTY, :
Defendant. :
:

DEFENDANT'S ANSWER TO NEW MATTER
TO PLAINTIFF'S COMPLAINT

AND NOW, comes Defendant Aaron M. Beatty, by and through his attorneys, McQuaide, Blasko, Fleming & Faulkner, Inc., to file the instant Answer with New Matter to Plaintiff's Complaint and in support thereof avers as follows:

1. Denied. After reasonable investigation, Defendant is without knowledge and information sufficient to form a belief as to the truth of the allegations at paragraph 1. The same are therefore denied and strict proof thereof demanded.

2. Admitted in part and denied in part. It is admitted that Defendant Aaron M. Beatty is an adult individual. It is denied that Defendant resides at 278 Montego Bay Road in DuBois, Clearfield County, Pennsylvania. To the contrary, Defendant currently resides at 300.5 Deemer Avenue, Falls Creek, Clearfield County, Pennsylvania 15840.

3. Denied. Upon information and belief, on or about November 11, 2005 at approximately 9:20 p.m., Plaintiff was walking on Quarry Avenue in DuBois, Clearfield County, Pennsylvania.

4. Admitted.

5. Admitted in part and denied in part. It is admitted only that contact was made between the Defendant's vehicle and Plaintiff. The balance of the allegations at paragraph 5 are denied.

6(a-g). Denied. After reasonable investigation, Defendant is without knowledge and information sufficient to form a belief as to the truth of the allegations at paragraph 6(a-g). The same are therefore denied and strict proof thereof demanded. By way of further response, the allegations at paragraph 6(a-g) are denied pursuant to Pa.R.C.P. 1029(e). Any and all negligence of Defendant is strictly denied.

7(a-e). Denied. After reasonable investigation, Defendant is without knowledge and information sufficient to form a belief as to the truth of the allegations at paragraph (a-e). The same are therefore denied and strict proof thereof demanded. By way of further response, the allegations at paragraph 7(a-e) are denied pursuant to Pa.R.C.P. 1029(e). Any and all negligence of Defendant is strictly denied.

8(a-t). Denied. Allegations at paragraph 8(a-t) are denied pursuant to Pa.R.C.P. 1029(e). Any and all negligence of Defendant is strictly denied.

WHEREFORE, Defendant Aaron M. Beatty respectfully requests that this Honorable Court enter judgment in his favor and dismiss Plaintiff's Complaint, with prejudice and costs of suit.

NEW MATTER

9. The allegations at paragraphs 1 through 8 are incorporated by reference as though set forth at length herein.

10. Defendant hereby asserts and raises all those defenses and/or limitations on damages available to him by reason of the terms and provisions of the Pennsylvania Motor Vehicle Financial Responsibility Law, as amended.

11. To the extent Plaintiff is insured under a policy bearing the limited tort option, his claim is barred or reduced accordingly.

12. To the extent Plaintiff's medical expenses have been paid or are payable under a policy of insurance, the same may not be pled, proven or recovered in the instant action.

13. To the extent Plaintiff's lost wages, if any, have been paid or are payable under a policy of insurance, the same may not be pled, proven or recovered in the instant action.

14. At the time of the accident, Plaintiff was walking on the roadway at night while dressed in black pants and a black sweatshirt with the hood up.

15. The area of the roadway where Plaintiff was walking was a blind curve and was not illuminated by any artificial lighting.

16. To the extent Plaintiff was comparatively/contributorily negligent in the occurrence of the accident, his claim is barred or reduced accordingly.

WHEREFORE, Defendant Aaron M. Beatty respectfully requests that this Honorable Court enter judgment in his favor and dismiss Plaintiff's Complaint, with prejudice and costs of suit.

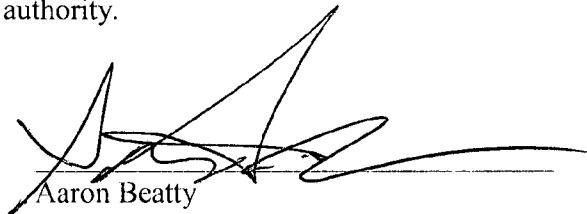
McQUAIDE, BLASKO,
FLEMING & FAULKNER, INC.

By: 
Chena L. Glenn-Hart, Esquire
I.D. No. 82750
Katherine V. Oliver, Esquire
I.D. No. 77069
811 University Drive
State College, PA 16801
(814) 238-4926
Attorneys for Defendant

Dated: November 5, 2007

VERIFICATION

The undersigned verifies that he is authorized to make this Verification on his own behalf, and that the statements made in the foregoing Answer with New Matter to Plaintiff's Complaint are true and correct to the best of her knowledge, information and belief. The undersigned understands that false statements herein are subject to the penalties of 18 Pa. C.S.A. § 4904, related to unsworn falsification to authority.



Aaron Beatty

Dated: 11/1/07

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

ABRAM D. PATZ, : No. 2007-01163-CD
Plaintiff, :
VS. :
AARON M. BEATTY, :
Defendant. :
:

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of Defendant's Answer With New Matter to Plaintiff's Complaint, in the above-captioned matter was mailed by U.S. 1st Class Mail, postage prepaid, on this 5th day of November, 2007, to the parties of record:

Thomas D. Hall, Esquire
Woomer and Hall
2945 Banksburg Road, Suite 200
Pittsburgh, PA 15216-2749

McQUAIDE, BLASKO,
FLEMING & FAULKNER, INC.

By: 
Chena L. Glenn-Hart, Esquire
I.D. No. 82750
Katherine V. Oliver, Esquire
I.D. No. 77069
811 University Drive
State College, PA 16801
(814) 238-4926

Attorneys for Defendant

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

ABRAM D. PATZ, : No. 2007-01163-CD
: Plaintiff, : TYPE OF PLEADING:
: : **CERTIFICATE OF SERVICE**
: :
: v. :
: :
AARON M. BEATTY, : TYPE OF CASE: CIVIL
: Defendant. : FILED ON BEHALF OF:
: : **DEFENDANT**
: :
: : COUNSEL OF RECORD FOR
: : FOR THIS PARTY:
: : CHENA L. GLENN-HART, ESQ.
: : I.D. NO. 82750
: : KATHERINE V. OLIVER, ESQ.
: : I.D. NO. 77069
: : McQUAIDE, BLASKO,
: : FLEMING & FAULKNER, INC.
: : 811 University Drive
: : State College, PA 16801
: : PH# (814) 238-4926

FILED NO
NOV 09 2007
Clerk
William A. Shaw
Prothonotary/Clerk of Courts

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

ABRAM D. PATZ,

: No. 2007-01163-CD

Plaintiff,

vs.

AARON M. BEATTY,

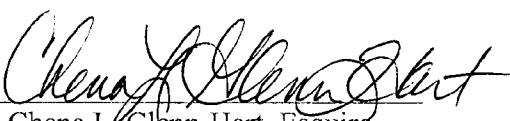
Defendant.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of Defendant Aaron M. Beatty's Interrogatories and Request for Production of Documents Directed to Plaintiff (Set One) and Second Request for Production of Documents and Tangible Things Directed to Plaintiff in the above-captioned matter was mailed by regular mail, postage prepaid, at the Post Office, State College, Pennsylvania, on this 8th day of November, 2007 to the attorney(s) of record:

Thomas D. Hall Esquire
Woomer & Hall LLP
2945 Banksville Road, Suite 200
Pittsburgh, PA 15216-2749

McQUAIDE, BLASKO,
FLEMING & FAULKNER, INC.

By: 
Chena L. Glenn-Hart, Esquire
I.D. No. 82750
Katherine V. Oliver, Esquire
I.D. No. 77069
811 University Drive
State College, PA 16801
(814) 238-4926
Attorneys for Defendant

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103017
NO: 07-1163-CD
SERVICE # 1 OF 1
SUMMONS

PLAINTIFF: ABRAM D. PATZ
vs.
DEFENDANT: AARON M. BEATTY

FILED

0/3/00
DEC 05 2007

William A. Shaw

SHERIFF RETURN

NOW, July 31, 2007 AT 2:20 PM SERVED THE WITHIN SUMMONS ON AARON M. BEATTY DEFENDANT AT 278 MONTEGO BAY ROAD AKA SEC 13 LOT 76, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO LISA BEATTY, MOTHER A TRUE AND ATTESTED COPY OF THE ORIGINAL SUMMONS AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: COUDRIET / NEVLING

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	WOOMER	6812	10.00
SHERIFF HAWKINS	WOOMER	6812	36.43

Sworn to Before Me This

____ Day of _____ 2007

So Answers,

*Chester A. Hawkins
by Marilynn Hanks*
Chester A. Hawkins
Sheriff

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

ABRAM D. PATZ,

: No. 2007-01163-CD

Plaintiff,

: TYPE OF PLEADING:

v.

AARON M. BEATTY,

: TYPE OF CASE: CIVIL

Defendant.

: FILED ON BEHALF OF:

DEFENDANT

: COUNSEL OF RECORD FOR
FOR THIS PARTY:

: CHENA L. GLENN-HART, ESQ.

: I.D. NO. 82750

: KATHERINE V. OLIVER, ESQ.

: I.D. NO. 77069

: McQUAIDE, BLASKO,

: FLEMING & FAULKNER, INC.

: 811 University Drive

: State College, PA 16801

: PH# (814) 238-4926

FILED NO
m 11:04 PM
DEC 19 2007
WM

William A. Shaw
Prothonotary/Clerk of Courts

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

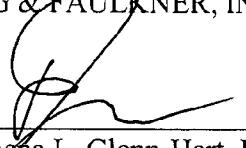
ABRAM D. PATZ, :
Plaintiff, : No. 2007-01163-CD
vs. :
AARON M. BEATTY, :
Defendant. :
:

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of Defendant's Answers to Plaintiff's Interrogatories and Request for Production of Documents, in the above-captioned matter was mailed by U.S. 1st Class Mail, postage prepaid, on this 18th day of December, 2007, to the parties of record:

Thomas D. Hall, Esquire
Woomer and Hall
2945 Banksville Road, Suite 200
Pittsburgh, PA 15216-2749

McQUAIDE, BLASKO,
FLEMING & FAULKNER, INC.

By: 

Chena L. Glenn-Hart, Esquire
I.D. No. 82750
Katherine V. Oliver, Esquire
I.D. No. 77069
811 University Drive
State College, PA 16801
(814) 238-4926

Attorneys for Defendant

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

ABRAM D. PATZ,

: No. 2007-01163-CD

Plaintiff,

: TYPE OF PLEADING:

v.

CERTIFICATE OF SERVICE

AARON M. BEATTY,

: TYPE OF CASE: CIVIL

Defendant.

: FILED ON BEHALF OF:
DEFENDANT

: COUNSEL OF RECORD FOR
FOR THIS PARTY:
: CHENA L. GLENN-HART, ESQ.
: I.D. NO. 82750
: KATHERINE V. OLIVER, ESQ.
: I.D. NO. 77069
: McQUAIDE, BLASKO,
: FLEMING & FAULKNER, INC.
: 811 University Drive
: State College, PA 16801
: PH# (814) 238-4926

FILED
M 11/03/07
JAN 03 2008
IN
William A. Shaw
Prothonotary/Clerk of Courts

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

ABRAM D. PATZ, :
Plaintiff, : No. 2007-01163-CD
vs. :
AARON M. BEATTY, :
Defendant. :
:

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of Defendant's Third Request for Production of Documents and Tangible Things Directed to Plaintiff in the above-captioned matter was mailed by regular mail, postage prepaid, at the Post Office, State College, Pennsylvania, on this 2nd day of January, 2008 to the attorney(s) of record:

Thomas D. Hall Esquire
Woomer & Hall LLP
2945 Banksburg Road, Suite 200
Pittsburgh, PA 15216-2749

McQUAIDE, BLASKO,
FLEMING & FAULKNER, INC.

By: 
Chena L. Glenn-Hart, Esquire
I.D. No. 82750
Katherine V. Oliver, Esquire
I.D. No. 77069
811 University Drive
State College, PA 16801
(814) 238-4926

Attorneys for Defendant

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

ABRAM D. PATZ,

: No. 2007-01163-CD

Plaintiff,

: TYPE OF PLEADING:
CERTIFICATE OF SERVICE

v.

AARON M. BEATTY,

: TYPE OF CASE: CIVIL

Defendant.

: FILED ON BEHALF OF:
DEFENDANT

: COUNSEL OF RECORD FOR
: FOR THIS PARTY:
: CHENA L. GLENN-HART, ESQ.
: I.D. NO. 82750
: KATHERINE V. OLIVER, ESQ.
: I.D. NO. 77069
: McQUAIDE, BLASKO,
: FLEMING & FAULKNER, INC.
: 811 University Drive
: State College, PA 16801
: PH# (814) 238-4926

FILED No CC.
m/1:45cm
JAN 07 2008


William A. Shaw
Prothonotary/Clerk of Courts

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

ABRAM D. PATZ, :
Plaintiff, : No. 2007-01163-CD
vs. :
AARON M. BEATTY, :
Defendant. :
:

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of Defendant's Notice of Intent to Serve Subpoenas for Production of Documents and Things Directed to DuBois Regional Medical Center and Altoona Regional Health System in the above-referenced matter was mailed by U.S. First Class Mail, postage paid, this 4th day of January, 2008, to the attorney of record:

Thomas D. Hall, Esquire
Woomer and Hall
2945 Banksville Road, Suite 200
Pittsburgh, PA 15216-2749

McQUAIDE, BLASKO,
FLEMING & FAULKNER, INC.

By: 
Chena L. Glenn-Hart, Esquire
I. D. No. 82750
Katherine V. Oliver, Esquire
I.D. No. 77069
811 University Drive
State College, PA 16801
(814) 238-4926
Attorneys for Defendant

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

ABRAM D. PATZ, : No. 2007-01163-CD
Plaintiff, : TYPE OF PLEADING:
: **CERTIFICATE PREREQUISITE**
v. :
AARON M. BEATTY, : TYPE OF CASE: CIVIL
Defendant. : FILED ON BEHALF OF:
: **DEFENDANT**
: COUNSEL OF RECORD FOR
: FOR THIS PARTY:
: CHENA L. GLENN-HART, ESQ.
: I.D. NO. 82750
: KATHERINE V. OLIVER, ESQ.
: I.D. NO. 77069
: McQUAIDE, BLASKO,
: FLEMING & FAULKNER, INC.
: 811 University Drive
: State College, PA 16801
: PH# (814) 238-4926

FILED
M 11/17/07 NO CC
JAN 15 2008
GK
William A. Shaw
Prothonotary/Clerk of Courts

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

ABRAM D. PATZ, : No. 2007-01163-CD
Plaintiff, :
vs. :
AARON M. BEATTY, :
Defendant. :
:

CERTIFICATE
PREREQUISITE TO SERVICE OF SUBPOENAS
PURSUANT TO RULE 4009.22

As a prerequisite to service of subpoenas for documents and things pursuant to Rule 4009.22, Defendant certifies that:

- 1) a notice of intent to serve the subpoenas with a copy of the subpoenas attached thereto were mailed or delivered to the party at least twenty days prior to the date on which the subpoenas are sought to be served,
- 2) a copy of the notice of intent, including the proposed subpoenas, are attached to this certificate,
- 3) Plaintiff's attorney has waived the 20-day objection period; and
- 4) the subpoenas which will be served are identical to the subpoenas which are attached to the notice of intent to serve the subpoenas.

McQUAIDE, BLASKO,
FLEMING & FAULKNER, INC.

By: 
Chena L. Glenn-Hart, Esquire

I. D. No. 82750
Katherine V. Oliver, Esquire
I.D. No. 77069
811 University Drive
State College, PA 16801
(814) 238-4926

Attorneys for Defendant

Dated: January 14, 2008

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

ABRAM D. PATZ,

: No. 2007-01163-CD

Plaintiff,

vs.

AARON M. BEATTY,

Defendant.

**NOTICE OF INTENT TO SERVE A SUBPOENA TO PRODUCE
DOCUMENTS AND THINGS FOR DISCOVERY PURSUANT TO RULE 4009.21**

Defendant intends to serve subpoenas identical to those attached to this notice to DuBois Regional Medical Center and Altoona Regional Health System. You have twenty (20) days from the date listed below in which to file of record and serve upon the undersigned any objection to the subpoenas. If no objection is made, the subpoenas may be served.

McQUAIDE, BLASKO,
FLEMING & FAULKNER, INC.

By:



Chena L. Glenn Hart, Esquire

I. D. No. 82750

Katherine V. Oliver, Esquire

I.D. No. 77069

811 University Drive

State College, PA 16801

(814) 238-4926

Attorneys for Defendant

Dated: January 4, 2008

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

ABRAM D. PATZ, :
Plaintiff, : No. 2007-01163-CD
vs. :
AARON M. BEATTY, :
Defendant. :
.

**SUBPOENA TO PRODUCE DOCUMENTS OR THINGS
FOR DISCOVERY PURSUANT TO RULE 4009.22**

TO: *Altoona Regional Health System
Attention: Medical Records Custodian
620 Howard Avenue
Altoona, PA 16601-4899*

Within twenty (20) days after service of this subpoena, you are ordered by the court to produce the following documents or things: *See attached.*

at: *McQuaide Blasko Law Offices, 811 University Drive, State College, PA 16801*

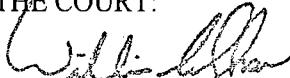
You may deliver or mail legible copies of the documents or produce things by this subpoena, together with the certificate of compliance, to the party making this request at the address listed above. You have the right to seek, in advance, the reasonable cost of preparing the copies or producing the things sought.

If you fail to produce the documents or things required by this subpoena, within twenty (20) days after its service, the party serving this subpoena may seek a court ordering compelling you to comply with it.

THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: *Chena L. Glenn-Hart, Esquire*
ADDRESS: *811 University Drive, State College, PA 16801*
TELEPHONE: *(814) 238-4926*
SUPREME CT ID# *82750*
ATTORNEY FOR: *Defendant*

BY THE COURT:



William Shaw, Prothonotary/Clerk
Civil Division
[Seal of the Court]

Dated: January 7, 2008

DOCUMENTS TO BE PRODUCED

Any and all records for as long as you retain same and regardless of treating physician on Abram D. Patz (DOB: 1/19/1987), including but not limited to, treatment invoices and/or payment ledgers, treatment notes, reports, history/physical examination, progress notes, laboratory reports, x-ray/CT scan/MRI reports, consultation reports, physical/occupational/rehabilitation therapy progress notes (inpatient and outpatient), prognosis for future care and treatment, prescription records, any and all correspondence pertaining to Mr. Patz's health status (regardless of source), etc. **We reserve the right to obtain copies of radiology films using this subpoena after we have had an opportunity to review any records or radiology reports that are received in response to this request.**

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

ABRAM D. PATZ, : No. 2007-01163-CD
Plaintiff, :
vs. :
AARON M. BEATTY, :
Defendant. :
:

**SUBPOENA TO PRODUCE DOCUMENTS OR THINGS
FOR DISCOVERY PURSUANT TO RULE 4009.22**

TO: *DuBois Regional Medical Center*
Attention: Medical Records Custodian
100 Hospital Avenue
DuBois, PA 15801

Within twenty (20) days after service of this subpoena, you are ordered by the court to produce the following documents or things: *See attached.*

at: *McQuaide Blasko Law Offices, 811 University Drive, State College, PA 16801*

You may deliver or mail legible copies of the documents or produce things by this subpoena, together with the certificate of compliance, to the party making this request at the address listed above. You have the right to seek, in advance, the reasonable cost of preparing the copies or producing the things sought.

If you fail to produce the documents or things required by this subpoena, within twenty (20) days after its service, the party serving this subpoena may seek a court ordering compelling you to comply with it.

THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: *Chena L. Glenn-Hart, Esquire*
ADDRESS: *811 University Drive, State College, PA 16801*
TELEPHONE: *(814) 238-4926*
SUPREME CT ID#: *82750*
ATTORNEY FOR: *Defendant*

BY THE COURT:

William Shaw LM
William Shaw, Prothonotary/Clerk
Civil Division
[Seal of the Court]

Dated: January 7, 2008

Abram D. Patz vs. Aaron M. Beatty

DOCUMENTS TO BE PRODUCED

Any and all records for as long as you retain same and regardless of treating physician on Abram D. Patz (DOB: 1/19/1987), including but not limited to, treatment invoices and/or payment ledgers, treatment notes, reports, history/physical examination, progress notes, laboratory reports, x-ray/CT scan/MRI reports, consultation reports, physical/occupational/rehabilitation therapy progress notes (inpatient and outpatient), prognosis for future care and treatment, prescription records, any and all correspondence pertaining to Mr. Patz's health status (regardless of source), etc. **We reserve the right to obtain copies of radiology films using this subpoena after we have had an opportunity to review any records or radiology reports that are received in response to this request.**

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

ABRAM D. PATZ, :
Plaintiff, : No. 2007-01163-CD
vs. :
AARON M. BEATTY, :
Defendant. :
:

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Certificate Prerequisite to Service of Subpoenas Directed to DuBois Regional Medical Center and Altoona Regional Health System in the above-captioned matter was mailed by U.S. 1st Class Mail, postage prepaid, on this 14th day of January, 2008, to the attorney of record:

Thomas D. Hall, Esquire
Woomer and Hall
2945 Banksville Road, Suite 200
Pittsburgh, PA 15216-2749

McQUAIDE, BLASKO,
FLEMING & FAULKNER, INC.

By: 
Chena L. Glenn-Hart, Esquire
I. D. No. 82750
Katherine V. Oliver, Esquire
I.D. No. 77069
811 University Drive
State College, PA 16801
(814) 238-4926
Attorneys for Defendant

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

ABRAM D. PATZ,

Plaintiff,

vs.

AARON M. BEATTY,

Defendant.

: No. 2007-01163-CD
: **NOTICE OF SERVICE OF**
: **PLAINTIFF'S ANSWERS TO**
: **DEFENDANT AARON M. BEATTY'S**
: **INTERROGATORIES AND REQUEST**
: **FOR PRODUCTION OF DOCUMENTS**
: **DIRECTED TO PLAINTIFF (SET ONE)**
: Filed on Behalf of Plaintiff:
: Abram D. Patz
: Counsel of Record for this Party:
: Thomas D. Hall, Esquire
: Pa. I.D. # 70417
: Woomer & Hall LLP
: 2945 Banksville Road, Suite 200
: Pittsburgh, PA 15216
: (412) 388-0848
: **JURY TRIAL DEMANDED**

FILED *no cc*
M 10 5061
JAN 22 2008
LS

William A. Shaw
Prothonotary/Clerk of Courts

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

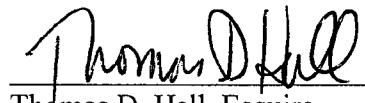
ABRAM D. PATZ, :
Plaintiff, : No. 2007-01163-CD
vs. :
AARON M. BEATTY, :
Defendant. :
:

NOTICE OF SERVICE

NOTICE IS HEREBY GIVEN that the undersigned did cause to be served on January 10,
2008 a true and correct copy of *Plaintiff's Answers to Defendant Aaron M. Beatty's
Interrogatories and Request for production of Documents Directed to Plaintiff (Set One)* was
served by first class U.S. mail, postage prepaid, upon Defendant's counsel, to-wit:

Chena L. Glenn-Hart, Esquire
McQuaide Blasko Fleming & Faulkner, Inc.
811 University Drive
State College, PA 16801-6699
(*Counsel for Defendant Aaron M. Beatty*)

Woomer & Hall LLP



Thomas D. Hall, Esquire
Pa I.D. # 70417
Attorney for Plaintiff

Woomer & Hall LLP
2945 Banksville Road, Suite 200
Pittsburgh, PA 15216-2749
(412) 388-0848

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

ABRAM D. PATZ,

: No. 2007-01163-CD

Plaintiff,

:

vs.

AARON M. BEATTY,

Defendant.

: **NOTICE OF SERVICE OF
PLAINTIFF'S RESPONSES TO
DEFENDANT AARON M. BEATTY'S
SECOND REQUEST FOR
PRODUCTION OF DOCUMENTS AND
TANGIBLE THINGS DIRECTED TO
PLAINTIFF**

: Filed on Behalf of Plaintiff:
Abram D. Patz

: Counsel of Record for this Party:
Thomas D. Hall, Esquire
Pa. I.D. # 70417

: Woomer & Hall LLP
: 2945 Banksburg Road, Suite 200
: Pittsburgh, PA 15216
: (412) 388-0848

: **JURY TRIAL DEMANDED**

FILED NO
M 10:58 AM
JAN 22 2008
S

William A. Shaw
Prothonotary/Clerk of Courts

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

ABRAM D. PATZ, :
Plaintiff, : No. 2007-01163-CD
vs. :
AARON M. BEATTY, :
Defendant. :
:

NOTICE OF SERVICE

NOTICE IS HEREBY GIVEN that the undersigned did cause to be served on January 18, 2008 a true and correct copy of *Plaintiff's Responses to Defendant Aaron M. Beatty's Second Request for Production of Documents and Tangible Things Directed to Plaintiff* was served by first class U.S. mail, postage prepaid, upon Defendant's counsel, to-wit:

Chena L. Glenn-Hart, Esquire
McQuaide Blasko Fleming & Faulkner, Inc.
811 University Drive
State College, PA 16801-6699
(*Counsel for Defendant Aaron M. Beatty*)

Woomer & Hall LLP



Thomas D. Hall, Esquire
Pa I.D. # 70417
Attorney for Plaintiff

Woomer & Hall LLP
2945 Banksville Road, Suite 200
Pittsburgh, PA 15216-2749
(412) 388-0848

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

ABRAM D. PATZ,

Plaintiff,

VS.

AARON M. BEATTY

Defendant.

No. 2007-01163-CD

FILED NOCC
M10:58621
JAN 22 2013 LM
William A. Shaw
Prothonotary/Clerk of Courts

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

ABRAM D. PATZ, :
Plaintiff, : No. 2007-01163-CD
vs. :
AARON M. BEATTY, :
Defendant. :
:

NOTICE OF SERVICE

NOTICE IS HEREBY GIVEN that the undersigned did cause to be served on January 18, 2008 a true and correct copy of *Plaintiff's Responses to Defendant's Third Request for Production of Documents and Tangible Things Directed to Plaintiff* was served by first class U.S. mail, postage prepaid, upon Defendant's counsel, to-wit:

Chena L. Glenn-Hart, Esquire
McQuaide Blasko Fleming & Faulkner, Inc.
811 University Drive
State College, PA 16801-6699
(*Counsel for Defendant Aaron M. Beatty*)

Woomer & Hall LLP



Thomas D. Hall, Esquire

Pa I.D. # 70417
Attorney for Plaintiff

Woomer & Hall LLP
2945 Banksville Road, Suite 200
Pittsburgh, PA 15216-2749
(412) 388-0848

FILED

JAN 30 2008

~(12:30/08)

William A. Shaw

Prothonotary/Clerk of Courts

NO C/C

(60)

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

ABRAM D. PATZ,

Plaintiff,

vs.

AARON M. BEATTY,

Defendant.

: No. 2007-01163-CD
: **NOTICE OF SERVICE OF**
: **PLAINTIFF'S SUPPLEMENTAL**
: **ANSWERS TO**
: **DEFENDANT AARON M. BEATTY'S**
: **INTERROGATORIES AND REQUEST**
: **FOR PRODUCTION OF DOCUMENTS**
: **DIRECTED TO PLAINTIFF (SET ONE)**

: Filed on Behalf of Plaintiff:
: Abram D. Patz

: Counsel of Record for this Party:
: Thomas D. Hall, Esquire
: Pa. I.D. # 70417

: Woomer & Hall LLP
: 2945 Banksville Road, Suite 200
: Pittsburgh, PA 15216
: (412) 388-0848

: **JURY TRIAL DEMANDED**

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

ABRAM D. PATZ, :
Plaintiff, : No. 2007-01163-CD
vs. :
AARON M. BEATTY, :
Defendant. :
:

NOTICE OF SERVICE

NOTICE IS HEREBY GIVEN that the undersigned did cause to be served on January 28, 2008 a true and correct copy of *Plaintiff's Supplemental Answers to Defendant Aaron M. Beatty's Interrogatories and Request for Production of Documents Directed to Plaintiff (Set One)* was served by first class U.S. mail, postage prepaid, upon Defendant's counsel, to-wit:

Chena L. Glenn-Hart, Esquire
McQuaide Blasko
811 University Drive
State College, PA 16801-6699
(*Counsel for Defendant Aaron M. Beatty*)

Woomer & Hall LLP



Thomas D. Hall, Esquire
Pa I.D. # 70417
Attorney for Plaintiff

Woomer & Hall LLP
2945 Banksville Road, Suite 200
Pittsburgh, PA 15216-2749
(412) 388-0848

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

ABRAM D. PATZ, : No. 2007-01163-CD
Plaintiff, : TYPE OF PLEADING:
: **CERTIFICATE OF SERVICE**
v. :
AARON M. BEATTY, : TYPE OF CASE: CIVIL
Defendant. : FILED ON BEHALF OF:
: **DEFENDANT**
: :
: COUNSEL OF RECORD FOR
: FOR THIS PARTY:
: CHENA L. GLENN-HART, ESQ.
: I.D. NO. 82750
: KATHERINE V. OLIVER, ESQ.
: I.D. NO. 77069
: McQUAIDE, BLASKO,
: FLEMING & FAULKNER, INC.
: 811 University Drive
: State College, PA 16801
: PH# (814) 238-4926

FILED NO
APR 12 2010
WM

William A. Shaw
Prothonotary/Clerk of Courts

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

ABRAM D. PATZ,

: No. 2007-01163-CD

Plaintiff,

vs.

AARON M. BEATTY,

Defendant.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of Defendant's Notice of Deposition and Request for Production of Documents in the above-captioned matter was mailed by regular mail, postage prepaid, at the Post Office, State College, Pennsylvania, on this 1st day of April, 2008, to the attorney of record:

Thomas D. Hall, Esquire
Woomer and Hall
2945 Banksville Road, Suite 200
Pittsburgh, PA 15216-2749

McQUAIDE, BLASKO,
FLEMING & FAULKNER, INC.

By:



Chena L. Oliver-Hart, Esquire
I. D. No. 82750
Katherine V. Oliver, Esquire
I.D. No. 77069
811 University Drive
State College, PA 16801
(814) 238-4926

Attorneys for Defendant

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

ABRAM D. PATZ,

CIVIL DIVISION

Plaintiff,

Docket No. : 07-1163-CD

vs.

AARON M. BEATTY,

Defendant.

**NOTICE OF SERVICE OF NOTICE OF
DEPOSITION OF AARON BEATTY**

Filed on behalf of Plaintiff:
ABRAM D. PATZ

Counsel for Record for this Party:
Thomas D. Hall, Esquire
Pa I.D. # 70417

Woomer & Hall LLP
2945 Banksville Road, Suite 200
Pittsburgh, PA 15216-2749
(412)388-0848

JURY TRIAL DEMANDED

*FILED NO cc
MAY 10 2001
APR 02 2001
LS*
William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

ABRAM D. PATZ,

CIVIL DIVISION

Plaintiff,

Docket No. : 07-1163-CD

vs.

AARON M. BEATTY,

Defendant.

NOTICE OF SERVICE

I hereby certify on March 31, 2008, that a true and correct copy of the foregoing *Notice of Deposition of Aaron Beatty* served upon the following, by First-Class U.S. mail, postage prepaid:

Chena L. Glenn-Hart, Esquire
McQuaide Blasko
811 University Drive
State College, PA 16801-6699
(Counsel for Defendant Aaron M. Beatty)

Respectfully Submitted,

By:



Thomas D. Hall, Esquire
PA I.D. # 70417
Counsel for Plaintiff

Woomer & Hall LLP
2945 Banksville Road, Suite 200
Pittsburgh, PA 15216-2749
(412)388-0848

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

ABRAM D. PATZ,

Plaintiff,

v.

AARON M. BEATTY,

Defendant.

No. 2007-01163-CD

TYPE OF PLEADING:

CERTIFICATE OF SERVICE

FILED

OCT 16 2008

11/11/08
William A. Shaw
Prothonotary/Clerk of Courts

W.C.C.

TYPE OF CASE: CIVIL

FILED ON BEHALF OF:

DEFENDANT

COUNSEL OF RECORD FOR
FOR THIS PARTY:
CHENA L. GLENN-HART, ESQ.
I.D. NO. 82750
KATHERINE V. OLIVER, ESQ.
I.D. NO. 77069
McQUAIDE, BLASKO,
FLEMING & FAULKNER, INC.
811 University Drive
State College, PA 16801
PH# (814) 238-4926

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

ABRAM D. PATZ,

: No. 2007-01163-CD

Plaintiff,

VS.

AARON M. BEATTY,

Defendant.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of Defendant's Notice of Intent to Serve Subpoenas for Production of Documents and Things Directed to Deniz Baysal, M.D., Thomas J. Bradley, M.D. and Blair Orthopedic Associates & Sports Medicine in the above-referenced matter was mailed by U.S. First Class Mail, postage paid, this 15th day of October, 2008, to the attorney of record:

Thomas D. Hall, Esquire
Woomer and Hall
2945 Banksville Road, Suite 200
Pittsburgh, PA 15216-2749

McQUAIDE, BLASKO,
FLEMING & FAULKNER, INC.

By:


Chena L. Glenn-Hart, Esquire

I. D. No. 82750

Katherine V. Oliver, Esquire

I.D. No. 77069

811 University Drive

State College, PA 16801

(814) 238-4926

Attorneys for Defendant

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

FILED

ABRAM D. PATZ,

: No. 2007-01163-CD

OCT 22 2008

Plaintiff,

: TYPE OF PLEADING:

William A. Shaw
Prothonotary/Clerk of Courts

: CERTIFICATE PREREQUISITE

no c/c

v.

AARON M. BEATTY,

: TYPE OF CASE: CIVIL

Defendant.

: FILED ON BEHALF OF:
DEFENDANT

: COUNSEL OF RECORD FOR
FOR THIS PARTY:
CHENA L. GLENN-HART, ESQ.
I.D. NO. 82750
KATHERINE V. OLIVER, ESQ.
I.D. NO. 77069
McQUAIDE, BLASKO,
FLEMING & FAULKNER, INC.
811 University Drive
State College, PA 16801
PH# (814) 238-4926

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

ABRAM D. PATZ, : No. 2007-01163-CD
Plaintiff, :
VS. :
AARON M. BEATTY, :
Defendant. :
:

CERTIFICATE
PREREQUISITE TO SERVICE OF SUBPOENAS
PURSUANT TO RULE 4009.22

As a prerequisite to service of subpoenas for documents and things pursuant to Rule 4009.22, Defendant certifies that:

- 1) a notice of intent to serve the subpoenas with a copy of the subpoenas attached thereto were mailed or delivered to the party at least twenty days prior to the date on which the subpoenas are sought to be served,
- 2) a copy of the notice of intent, including the proposed subpoenas, are attached to this certificate,
- 3) Plaintiff's attorney has waived the 20-day objection period; and
- 4) the subpoenas which will be served are identical to the subpoenas which are attached to the notice of intent to serve the subpoenas.

McQUAIDE, BLASKO,
FLEMING & FAULKNER, INC.

By: 

Chena L. Glenn-Hart, Esquire

I. D. No. 82750

Katherine V. Oliver, Esquire

I.D. No. 77069

811 University Drive
State College, PA 16801

(814) 238-4926

Attorneys for Defendant

Dated: October 21, 2008

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

ABRAM D. PATZ, : No. 2007-01163-CD
Plaintiff, :
vs. :
AARON M. BEATTY, :
Defendant. :
:

**NOTICE OF INTENT TO SERVE A SUBPOENA TO PRODUCE
DOCUMENTS AND THINGS FOR DISCOVERY PURSUANT TO RULE 4009.21**

Defendant intends to serve subpoenas identical to those attached to this notice to Deniz Baysal, M.D., Thomas J. Bradley, M.D. and Blair Orthopedic Associates & Sports Medicine. You have twenty (20) days from the date listed below in which to file of record and serve upon the undersigned any objection to the subpoenas. If no objection is made, the subpoenas may be served.

McQUAIDE, BLASKO,
FLEMING & FAULKNER, INC.

By: 
Chena L. Glena-Hart, Esquire
I. D. No. 82750
Katherine V. Oliver, Esquire
I.D. No. 77069
811 University Drive
State College, PA 16801
(814) 238-4926
Attorneys for Defendant

Dated: October 15, 2008

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

ABRAM D. PATZ,

: No. 2007-01163-CD

Plaintiff,

vs.

AARON M. BEATTY,

Defendant.

**SUBPOENA TO PRODUCE DOCUMENTS OR THINGS
FOR DISCOVERY PURSUANT TO RULE 4009.22**

TO: Thomas J. Bradley, M.D.
Attn: Medical Records Custodian
701 Sunflower Drive
DuBois, PA 15801

Within twenty (20) days after service of this subpoena, you are ordered by the court to produce the following documents or things: *See attached.*

at: *McQuaide Blasko Law Offices, 811 University Drive, State College, PA 16801*

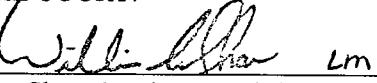
You may deliver or mail legible copies of the documents or produce things by this subpoena, together with the certificate of compliance, to the party making this request at the address listed above. You have the right to seek, in advance, the reasonable cost of preparing the copies or producing the things sought.

If you fail to produce the documents or things required by this subpoena, within twenty (20) days after its service, the party serving this subpoena may seek a court ordering compelling you to comply with it.

THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: *Chena L. Glenn-Hart, Esquire*
ADDRESS: *811 University Drive, State College, PA 16801*
TELEPHONE: *(814) 238-4926*
SUPREME CT ID# *82750*
ATTORNEY FOR: *Defendant*

BY THE COURT:



William Shaw, Prothonotary/Clerk
Civil Division
[Seal of the Court]

Dated: January 7, 2008

Abram D. Patz vs. Aaron M. Beatty

DOCUMENTS TO BE PRODUCED

Any and all records for as long as you retain same and regardless of treating physician on Abram D. Patz (DOB: 1/19/1987), including but not limited to, treatment invoices and/or payment ledgers, treatment notes, reports, history/physical examination, progress notes, laboratory reports, x-ray/CT scan/MRI reports, consultation reports, physical/occupational/rehabilitation therapy progress notes (inpatient and outpatient), prognosis for future care and treatment, prescription records, any and all correspondence pertaining to Mr. Patz's health status (regardless of source), etc. **We reserve the right to obtain copies of radiology films using this subpoena after we have had an opportunity to review any records or radiology reports that are received in response to this request.**

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

ABRAM D. PATZ, :
Plaintiff, : No. 2007-01163-CD
vs. :
AARON M. BEATTY, :
Defendant. :
:

**SUBPOENA TO PRODUCE DOCUMENTS OR THINGS
FOR DISCOVERY PURSUANT TO RULE 4009.22**

TO: Deniz Baysal, M.D.
Lexington Orthopedic Associates, Inc.
Attn: Medical Records Custodian
620 Howard Avenue
Altoona, PA 16601

Within twenty (20) days after service of this subpoena, you are ordered by the court to produce the following documents or things: *See attached.*

at: *McQuaide Blasko Law Offices, 811 University Drive, State College, PA 16801*

You may deliver or mail legible copies of the documents or produce things by this subpoena, together with the certificate of compliance, to the party making this request at the address listed above. You have the right to seek, in advance, the reasonable cost of preparing the copies or producing the things sought.

If you fail to produce the documents or things required by this subpoena, within twenty (20) days after its service, the party serving this subpoena may seek a court ordering compelling you to comply with it.

THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: *Chena L. Glenn-Hart, Esquire*
ADDRESS: *811 University Drive, State College, PA 16801*
TELEPHONE: *(814) 238-4926*
SUPREME CT ID# *82750*
ATTORNEY FOR: *Defendant*

BY THE COURT:



William Shaw, Prothonotary/Clerk
Civil Division
[Seal of the Court]

Dated: January 7, 2008

Abram D. Patz vs. Aaron M. Beatty

DOCUMENTS TO BE PRODUCED

Any and all records for as long as you retain same and regardless of treating physician on Abram D. Patz (DOB: 1/19/1987), including but not limited to, treatment invoices and/or payment ledgers, treatment notes, reports, history/physical examination, progress notes, laboratory reports, x-ray/CT scan/MRI reports, consultation reports, physical/occupational/rehabilitation therapy progress notes (inpatient and outpatient), prognosis for future care and treatment, prescription records, any and all correspondence pertaining to Mr. Patz's health status (regardless of source), etc. **We reserve the right to obtain copies of radiology films using this subpoena after we have had an opportunity to review any records or radiology reports that are received in response to this request.**

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

ABRAM D. PATZ,

: No. 2007-01163-CD

Plaintiff,

vs.

AARON M. BEATTY,

Defendant.

**SUBPOENA TO PRODUCE DOCUMENTS OR THINGS
FOR DISCOVERY PURSUANT TO RULE 4009.22**

TO: Blair Orthopedic Associates & Sports Medicine
Attn: Medical Records Custodian
3000 Fairway Drive
Altoona, PA 16602

Within twenty (20) days after service of this subpoena, you are ordered by the court to produce the following documents or things: *See attached.*

at: *McQuaide Blasko Law Offices, 811 University Drive, State College, PA 16801*

You may deliver or mail legible copies of the documents or produce things by this subpoena, together with the certificate of compliance, to the party making this request at the address listed above. You have the right to seek, in advance, the reasonable cost of preparing the copies or producing the things sought.

If you fail to produce the documents or things required by this subpoena, within twenty (20) days after its service, the party serving this subpoena may seek a court ordering compelling you to comply with it.

THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: *Chena L. Glenn-Hart, Esquire*
ADDRESS: *811 University Drive, State College, PA 16801*
TELEPHONE: *(814) 238-4926*
SUPREME CT ID# *82750*
ATTORNEY FOR: *Defendant*

BY THE COURT:



William Shaw, Prothonotary/Clerk
Civil Division
[Seal of the Court]

Dated: January 7, 2008

Abram D. Patz vs. Aaron M. Beatty

DOCUMENTS TO BE PRODUCED

Any and all records for as long as you retain same and regardless of treating physician on Abram D. Patz (DOB: 1/19/1987), including but not limited to, treatment invoices and/or payment ledgers, treatment notes, reports, history/physical examination, progress notes, laboratory reports, x-ray/CT scan/MRI reports, consultation reports, physical/occupational/rehabilitation therapy progress notes (inpatient and outpatient), prognosis for future care and treatment, prescription records, any and all correspondence pertaining to Mr. Patz's health status (regardless of source), etc. **We reserve the right to obtain copies of radiology films using this subpoena after we have had an opportunity to review any records or radiology reports that are received in response to this request.**

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

ABRAM D. PATZ, : No. 2007-01163-CD
Plaintiff, :
vs. :
AARON M. BEATTY, :
Defendant. :

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Certificate Prerequisite to Service of Subpoenas Directed to Deniz Baysal, M.D., Thomas J. Bradley, M.D. and Blair Orthopedic Associates & Sports Medicine in the above-captioned matter was mailed by U.S. 1st Class Mail, postage prepaid, on this 21st day of October, 2003, to the attorney of record:

Thomas D. Hall, Esquire
Woomer and Hall
2945 Banksville Road, Suite 200
Pittsburgh, PA 15216-2749

McQUAIDE, BLASKO,
FLEMING & FAULKNER, INC.

By:


Chena L. Glenn-Hart, Esquire

I. D. No. 82750

Katherine V. Oliver, Esquire

I.D. No. 77069

811 University Drive

State College, PA 16801

(814) 238-4926

Attorneys for Defendant

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

ABRAM D. PATZ, : No. 2007-01163-CD
Plaintiff, : TYPE OF PLEADING:
: **CERTIFICATE OF SERVICE**
v. :
AARON M. BEATTY, : TYPE OF CASE: CIVIL
Defendant. : FILED ON BEHALF OF:
: **DEFENDANT**
: :
: COUNSEL OF RECORD FOR
: FOR THIS PARTY:
: CHENA L. GLENN-HART, ESQ.
: I.D. NO. 82750
: KATHERINE V. OLIVER, ESQ.
: I.D. NO. 77069
: McQUAIDE, BLASKO,
: FLEMING & FAULKNER, INC.
: 811 University Drive
: State College, PA 16801
: PH# (814) 238-4926

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William A. Shaw
Prothonotary/Clerk of Courts

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

ABRAM D. PATZ, :
Plaintiff, : No. 2007-01163-CD
VS. :
AARON M. BEATTY, :
Defendant. :
:

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of Defendant's Notice of Intent to Serve a Subpoena for Production of Documents and Things Directed to Gregory Sachs, M.D. in the above-referenced matter was mailed by U.S. First Class Mail, postage paid, this 3rd day of December, 2008, to the attorney of record:

Thomas D. Hall, Esquire
Woomer and Hall
2945 Banksville Road, Suite 200
Pittsburgh, PA 15216-2749

McQUAIDE, BLASKO,
FLEMING & FAULKNER, INC.

By:


Chena L. Glenn-Hart, Esquire

I. D. No. 82750

Katherine V. Oliver, Esquire

I.D. No. 77069

811 University Drive
State College, PA 16801
(814) 238-4926

Attorneys for Defendant

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

ABRAM D. PATZ, : No. 2007-01163-CD

Plaintiff, : TYPE OF PLEADING:

CERTIFICATE PREREQUISITE

v.

AARON M. BEATTY, : TYPE OF CASE: CIVIL

Defendant. : FILED ON BEHALF OF:
DEFENDANT

: COUNSEL OF RECORD FOR
FOR THIS PARTY:
CHENA L. GLENN-HART, ESQ.
I.D. NO. 82750
KATHERINE V. OLIVER, ESQ.
I.D. NO. 77069
McQUAIDE, BLASKO,
FLEMING & FAULKNER, INC.
811 University Drive
State College, PA 16801
PH# (814) 238-4926

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William A. Shaw
Prothonotary/Clerk of Courts

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

ABRAM D. PATZ, : No. 2007-01163-CD
Plaintiff, :
vs. :
AARON M. BEATTY, :
Defendant. :
:

CERTIFICATE
PREREQUISITE TO SERVICE OF A SUBPOENA
PURSUANT TO RULE 4009.22

As a prerequisite to service of a subpoena for documents and things pursuant to Rule 4009.22, Defendant certifies that:

- 1) a notice of intent to serve the subpoena with a copy of the subpoena attached thereto was mailed or delivered to the party at least twenty days prior to the date on which the subpoena is sought to be served,
- 2) a copy of the notice of intent, including the proposed subpoena, is attached to this certificate,
- 3) Plaintiff's attorney has waived the 20-day objection period; and
- 4) the subpoena which will be served is identical to the subpoena which is attached to the notice of intent to serve the subpoena.

McQUAIDE, BLASKO,
FLEMING & FAULKNER, INC.

By: 
Chena L. Glenn-Hart, Esquire
I. D. No. 82750
Katherine V. Oliver, Esquire
I.D. No. 77069
811 University Drive
State College, PA 16801
(814) 238-4926
Attorneys for Defendant

Dated: December 9, 2008

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

ABRAM D. PATZ,

: No. 2007-01163-CD

Plaintiff,

VS.

AARON M. BEATTY,

Defendant.

**NOTICE OF INTENT TO SERVE A SUBPOENA TO PRODUCE
DOCUMENTS AND THINGS FOR DISCOVERY PURSUANT TO RULE 4009.21**

Defendant intends to serve a subpoena identical to that attached to this notice to Gregory Sachs, M.D. You have twenty (20) days from the date listed below in which to file of record and serve upon the undersigned any objection to the subpoena. If no objection is made, the subpoena may be served.

McQUAIDE, BLASKO,
FLEMING & FAULKNER, INC.

By: 
Chena L. Glenn-Hart, Esquire
I. D. No. 82750
Katherine V. Oliver, Esquire
I.D. No. 77069
811 University Drive
State College, PA 16801
(814) 238-4926
Attorneys for Defendant

Dated: December 3, 2008

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

ABRAM D. PATZ,

No. 2007-01163-CD

Plaintiff,

vs.

AARON M. BEATTY,

Defendant.

**SUBPOENA TO PRODUCE DOCUMENTS OR THINGS
FOR DISCOVERY PURSUANT TO RULE 4009.22**

TO: **Gregory Sachs, M.D.**
Attention: Medical Records Custodian
635 B Maple Avenue
DuBois, PA 15801

Within twenty (20) days after service of this subpoena, you are ordered by the court to produce the following documents or things: *See attached.*

at: *McQuaide Blasko Law Offices, 811 University Drive, State College, PA 16801*

You may deliver or mail legible copies of the documents or produce things by this subpoena, together with the certificate of compliance, to the party making this request at the address listed above. You have the right to seek, in advance, the reasonable cost of preparing the copies or producing the things sought.

If you fail to produce the documents or things required by this subpoena, within twenty (20) days after its service, the party serving this subpoena may seek a court ordering compelling you to comply with it.

THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: *Chena L. Glenn-Hart, Esquire*
ADDRESS: *811 University Drive, State College, PA 16801*
TELEPHONE: *(814) 238-4926*
SUPREME CT ID# *82750*
ATTORNEY FOR: *Defendant*

BY THE COURT:



William Shaw, Prothonotary/Clerk
Civil Division
[Seal of the Court]

Dated: January 7, 2008

Abram D. Patz vs. Aaron M. Beatty

DOCUMENTS TO BE PRODUCED

Any and all records for as long as you retain same and regardless of treating physician on Abram D. Patz (DOB: 1/19/1987), including but not limited to, any and all records of Thomas J. Bradley, M.D. which are now housed at your facility, treatment invoices and/or payment ledgers, treatment notes, reports, history/physical examination, progress notes, laboratory reports, x-ray/CT scan/MRI reports, consultation reports, physical/occupational/rehabilitation therapy progress notes (inpatient and outpatient), prognosis for future care and treatment, prescription records, any and all correspondence pertaining to Mr. Patz's health status (regardless of source), etc. **We reserve the right to obtain copies of radiology films using this subpoena after we have had an opportunity to review any records or radiology reports that are received in response to this request.**

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

ABRAM D. PATZ, : No. 2007-01163-CD
Plaintiff, :
vs. :
AARON M. BEATTY, :
Defendant. :
:

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Certificate Prerequisite to Service of a Subpoena Directed to Gregory Sachs, M.D. in the above-captioned matter was mailed by U.S. 1st Class Mail, postage prepaid, on this 9th day of December, 2008, to the attorney of record:

Thomas D. Hall, Esquire
Woomer and Hall
2945 Banksburg Road, Suite 200
Pittsburgh, PA 15216-2749

McQUAIDE, BLASKO,
FLEMING & FAULKNER, INC.

By: 
Chena L. Glenn-Hart, Esquire
I. D. No. 82750
Katherine V. Oliver, Esquire
I.D. No. 77069
811 University Drive
State College, PA 16801
(814) 238-4926
Attorneys for Defendant

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

ABRAM D. PATZ,

: No. 2007-01163-CD

Plaintiff,

: TYPE OF PLEADING:
CERTIFICATE OF SERVICE

v.

AARON M. BEATTY,

: TYPE OF CASE: CIVIL

Defendant.

: FILED ON BEHALF OF:
DEFENDANT

: COUNSEL OF RECORD FOR
FOR THIS PARTY:
: DOMINICK J. MURACCO, ESQ.
: I.D. NO. 91381
: CHENA L. GLENN-HART, ESQ.
: I.D. NO. 82750
: KATHERINE V. OLIVER, ESQ.
: I.D. NO. 77069
: McQUAIDE, BLASKO,
: FLEMING & FAULKNER, INC.
: 811 University Drive
: State College, PA 16801
: PH# (814) 238-4926

5
FILED No CC.
m 12:40 pm
MAR 30 2009

William A. Shaw
Prothonotary/Clerk of Courts

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

ABRAM D. PATZ, : No. 2007-01163-CD
Plaintiff, :
VS. :
AARON M. BEATTY, :
Defendant. :
:

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of Defendant's Notice of Intent to Serve Subpoenas for Production of Documents and Things Directed to David Claypoole and Sharon McGregor in the above-referenced matter was mailed by U.S. First Class Mail, postage paid, this 27th day of March, 2009, to the attorney of record:

Thomas D. Hall, Esquire
Woomer and Hall
2945 Banksville Road, Suite 200
Pittsburgh, PA 15216-2749

McQUAIDE, BLASKO,
FLEMING & FAULKNER, INC.

By: 

Dominick J. Muracco, Esquire
I.D. No. 91381
Chena L. Glenn-Hart, Esquire
I. D. No. 82750
Katherine V. Oliver, Esquire
I.D. No. 77069
811 University Drive
State College, PA 16801
(814) 238-4926

Attorneys for Defendant

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

ABRAM D. PATZ, : No. 2007-01163-CD
Plaintiff, : TYPE OF PLEADING:
: **CERTIFICATE PREREQUISITE**
v. :
AARON M. BEATTY, : TYPE OF CASE: CIVIL
Defendant. : FILED ON BEHALF OF:
: **DEFENDANT**
: COUNSEL OF RECORD FOR
: FOR THIS PARTY:
: DOMINICK J. MURACCO, ESQ.
: I.D. NC. 91381
: CHENA L. GLENN-HART, ESQ.
: I.D. NO. 82750
: KATHERINE V. OLIVER, ESQ.
: I.D. NO. 77069
: McQUAIDE, BLASKO,
: FLEMING & FAULKNER, INC.
: 811 University Drive
: State College, PA 16801
: PH# (814) 238-4926

FILED
M 11:42 a.m. 6/6
APR 07 2009

NO CC

William A. Shaw
Prothonotary/Clerk of Courts

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

ABRAM D. PATZ, : No. 2007-01163-CD
Plaintiff, :
VS. :
AARON M. BEATTY, :
Defendant. :
:

CERTIFICATE
PREREQUISITE TO SERVICE OF SUBPOENAS
PURSUANT TO RULE 4009.22

As a prerequisite to service of subpoenas for documents and things pursuant to Rule 4009.22, Defendant certifies that:

- 1) a notice of intent to serve the subpoenas with a copy of the subpoenas attached thereto were mailed or delivered to the party at least twenty days prior to the date on which the subpoenas are sought to be served,
- 2) a copy of the notice of intent, including the proposed subpoenas, are attached to this certificate,
- 3) Plaintiff's attorney has waived the 20-day objection period; and
- 4) the subpoenas which will be served are identical to the subpoenas which are attached to the notice of intent to serve the subpoenas.

McQUAIDE, BLASKO,
FLEMING & FAULKNER, INC.

By: 

Dominick J. Muracco, Esquire
I.D. No. 91381
Chena L. Glenn-Hart, Esquire
I. D. No. 82750
811 University Drive
State College, PA 16801
(814) 238-4926
Attorneys for Defendant

Dated: April 6, 2009

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

ABRAM D. PATZ,

: No. 2007-01163-CD

Plaintiff

vs.

AARON M. BEATTY,

Defendant

**NOTICE OF INTENT TO SERVE SUBPOENAS TO PRODUCE
DOCUMENTS AND THINGS FOR DISCOVERY PURSUANT TO RULE 4009.21**

Defendant intends to serve subpoenas identical to those attached to this notice to David Claypoole and Sharon McGregor. You have twenty (20) days from the date listed below in which to file of record and serve upon the undersigned any objection to the subpoenas. If no objection is made, the subpoenas may be served.

McQUAIDE, BLASKO,
FLEMING & FAULKNER, INC.

By: 

Dominick J. Muracco, Esquire
I.D. No. 91381
Chena L. Glenn-Hart, Esquire
I. D. No. 82750
Katherine V. Oliver, Esquire
I.D. No. 77069
811 University Drive
State College, PA 16801
(814) 238-4926

Attorneys for Defendant

Dated: March 27, 2009

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

ABRAM D. PATZ, : No. 2007-01163-CD
Plaintiff, :
vs. :
AARON M. BEATTY, :
Defendant. :
:

**SUBPOENA TO PRODUCE DOCUMENTS OR THINGS
FOR DISCOVERY PURSUANT TO RULE 4009.22**

TO: *David Claypoole
444 Guy Avenue
DuBois, PA 15801*

Within twenty (20) days after service of this subpoena, you are ordered by the court to produce the following documents or things: *any and all documents, photographs, reports, records, or any other materials associated with the above-captioned case.*

at: *McQuaide Blasko Law Offices, 811 University Drive, State College, PA 16801*

You may deliver or mail legible copies of the documents or produce things by this subpoena, together with the certificate of compliance, to the party making this request at the address listed above. You have the right to seek, in advance, the reasonable cost of preparing the copies or producing the things sought.

If you fail to produce the documents or things required by this subpoena, within twenty (20) days after its service, the party serving this subpoena may seek a court ordering compelling you to comply with it.

THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: *Dominick J. Muracco, Esquire*
ADDRESS: *811 University Drive, State College, PA 16801*
TELEPHONE: *(814) 238-4926*
SUPREME CT ID# *91381*
ATTORNEY FOR: *Defendant*

BY THE COURT:


William Shaw, Prothonotary/Clerk
Civil Division
[Seal of the Court]

Dated: March 30, 2009

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

ABRAM D. PATZ,

: No. 2007-01163-CD

Plaintiff,

vs.

AARON M. BEATTY,

Defendant.

**SUBPOENA TO PRODUCE DOCUMENTS OR THINGS
FOR DISCOVERY PURSUANT TO RULE 4009.22**

TO: *Sharon McGregor
444 Guy Avenue
DuBois, PA 15801*

Within twenty (20) days after service of this subpoena, you are ordered by the court to produce the following documents or things: *any and all documents, photographs, reports, records, or any other materials associated with the above-captioned case.*

at: *McQuaide Blasko Law Offices, 811 University Drive, State College, PA 16801*

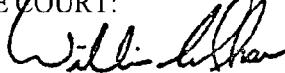
You may deliver or mail legible copies of the documents or produce things by this subpoena, together with the certificate of compliance, to the party making this request at the address listed above. You have the right to seek, in advance, the reasonable cost of preparing the copies or producing the things sought.

If you fail to produce the documents or things required by this subpoena, within twenty (20) days after its service, the party serving this subpoena may seek a court ordering compelling you to comply with it.

THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: *Dominick J. Muracco, Esquire*
ADDRESS: *811 University Drive, State College, PA 16801*
TELEPHONE: *(814) 238-4926*
SUPREME CT ID# *91381*
ATTORNEY FOR: *Defendant*

BY THE COURT:



in

William Shaw, Prothonotary/Clerk
Civil Division
[Seal of the Court]

Dated: March 30, 2009

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

ABRAM D. PATZ,

: No. 2007-01163-CD

Plaintiff,

VS.

AARON M. BEATTY,

Defendant.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Certificate Prerequisite to Service of Subpoenas Directed to David Claypoole and Sharon McGregor in the above-captioned matter was mailed by U.S. 1st Class Mail, postage prepaid, on this 6th day of April, 2009, to the attorney of record:

Thomas D. Hall, Esquire
Woomer and Hall
2945 Banksville Road, Suite 200
Pittsburgh, PA 15216-2749

McQUAIDE, BLASKO,
FLEMING & FAULKNER, INC

By: 

~~Dominick J. Muraoco, Esquire
I.D. No. 91381
Chena L. Glenn-Hart, Esquire
I. D. No. 82750
811 University Drive
State College, PA 16801
(814) 238-4926~~

Attorneys for Defendant

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

ABRAM D. PATZ,

: No. 2007-01163-CD

Plaintiff,

: TYPE OF PLEADING:
CERTIFICATE OF SERVICE

v.

AARON M. BEATTY,

: TYPE OF CASE: CIVIL

Defendant.

: FILED ON BEHALF OF:
DEFENDANT

: COUNSEL OF RECORD FOR
FOR THIS PARTY:
: CHENA L. GLENN-HART, ESQ.
: I.D. NO. 82750
: KATHERINE V. OLIVER, ESQ.
: I.D. NO. 77069
: McQUAIDE, BLASKO,
: FLEMING & FAULKNER, INC.
: 811 University Drive
: State College, PA 16801
: PH# (814) 238-4926

s
FILED
MAY 18 2009
JUN 18 2009
no cc
IS

William A. Shaw
Prothonotary/Clerk of Courts

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

ABRAM D. PATZ, : No. 2007-01163-CD
Plaintiff, :
vs. :
AARON M. BEATTY, :
Defendant. :
:

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of Defendant Aaron M. Beatty's
Interrogatories Directed to Plaintiff (Set Two) in the above-captioned matter was mailed by
regular mail, postage prepaid, at the Post Office, State College, Pennsylvania, on this 5th day of
June, 2009 to the attorney of record:

Thomas D. Hall, Esquire
Woomer and Hall
2945 Banksville Road, Suite 200
Pittsburgh, PA 15216-2749

McQUAIDE, BLASKO,
FLEMING & FAULKNER, INC.

By:



Chena L. Glenn-Hart, Esquire
I.D. No. 82750
Katherine V. Oliver, Esquire
I.D. No. 77069
811 University Drive
State College, PA 16801
(814) 238-4926

Attorneys for Defendant

FILED

JUN 08 2009

William A. Shaw
Prothonotary/Clerk of Courts

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

ABRAM D. PATZ, : No. 2007-01163-CD
Plaintiff, : TYPE OF PLEADING:
v. : **MOTION TO COMPEL**
AARON M. BEATTY, : **PLAINTIFF'S DISCOVERY**
Defendant. : **RESPONSES**
: TYPE OF CASE: CIVIL
: FILED ON BEHALF OF:
: **DEFENDANT**
: COUNSEL OF RECORD FOR
: FOR THIS PARTY:
: CHENA L. GLENN-HART, ESQ.
: I.D. NO. 82750
: KATHERINE V. OLIVER, ESQ.
: I.D. NO. 77069
: McQUAIDE, BLASKO,
: FLEMING & FAULKNER, INC.
: 811 University Drive
: State College, PA 16801
: PH# (814) 238-4926

BS **FILED**
NOV 12 2009 *BS* NO CC
William A. Shaw
Prothonotary/Clerk of Courts

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

ABRAM D. PATZ, :
Plaintiff, : No. 2007-01163-CD
vs. :
AARON M. BEATTY, :
Defendant. :
.

DEFENDANT'S MOTION TO COMPEL DISCOVERY

AND NOW, comes Defendant, Aaron M. Beatty, by and through his attorneys, McQuaide, Blasko, Fleming & Faulkner, Inc., to respectfully move this Honorable Court pursuant to Pa.R.C.P. 4019 to issue an appropriate Order compelling Plaintiff to fully and completely answer Defendant's Discovery Requests. In support thereof, Defendant avers as follows:

1. Plaintiff commenced this personal injury action via Writ of Summons filed on July 23, 2007. Plaintiff filed a Complaint on October 22, 2007 in response to Defendant's Rule to File Complaint.
2. On November 5, 2007, Defendant filed an Answer with New Matter to Plaintiff's Complaint.
3. Plaintiff's Complaint seeks damages for personal injuries allegedly sustained by Plaintiff as a result of a motor vehicle-pedestrian accident that occurred on November 11, 2005 in Dubois, Clearfield County, Pennsylvania.

4. By way of discovery, the parties have exchanged initial Interrogatories and Requests for Production and responses thereto.

5. Additionally, the parties have conducted the depositions of the Plaintiff, Defendant, Officer Steve Maholtz, Jessica Delaney, Edwin Claypoole and Sharon McGregor.

6. Most recently as regards discovery, on June 5, 2009, Defendant served Interrogatories (Set Two) on Plaintiff. (See Interrogatories (Set Two) attached hereto as Exhibit A).

7. In accordance with the Pennsylvania Rules of Civil Procedure, Plaintiff was required to provide responses to said discovery requests within thirty (30) days of the date of service. (See Exhibit A).

8. Defendant's Interrogatories (Set Two) seek the identity of additional witnesses to the incident at issue, and were directed to Plaintiff as a result of Plaintiff's counsel's indication that additional witnesses had been identified.

9. Specifically, within a written correspondence dated March 26, 2009, Plaintiff's counsel stated that "while in Clearfield for recent depositions, [he] did some independent investigation on [his] own and believe that [he has] found some witnesses to the event itself." (See correspondence dated March 26, 2009 attached hereto as Exhibit B).

10. Plaintiff's responses to Defendant's Interrogatories (Set Two) were due on or before July 5, 2009, yet as of the time of the filing of this Motion, Plaintiff has not yet provided responses and/or objections thereto.

11. In this regard, on or about September 1, 2009, having not yet received Plaintiff's discovery responses, undersigned counsel sent written correspondence to Plaintiff's counsel inquiring as to the status of Plaintiff's discovery responses. (See correspondence dated

September 1, 2009 attached hereto as Exhibit C).

12. Subsequently, on September 30, 2009, undersigned counsel again sent written correspondence to Plaintiff's counsel inquiring as to the status of Plaintiff's discovery responses. (See correspondence dated September 30, 2009 attached hereto as Exhibit D).

13. The September 30, 2009 correspondence also requested a response on or before October 16, 2009 to avoid the necessity of this Court's involvement via this instant motion.

14. On or about October 15, 2009, undersigned counsel received email correspondence from Plaintiff's counsel's office requesting that Defendant's Interrogatories be sent via email attachment. Undersigned counsel immediately sent Defendant's Interrogatories (Set Two) to Plaintiff's counsel's office via email attachment as requested.

15. As of the date of the filing of this Motion and despite more than three months beyond the due date for Plaintiff's discovery responses, Plaintiff has yet to provide responses and/or objections to Defendant's discovery requests.

16. Most recently, on October 29, 2009, undersigned counsel sent email correspondence to Plaintiff's counsel's office inquiring as to the status of Plaintiff's responses, but as of this time, undersigned counsel has received no response.

17. Plaintiff's failure to engage in the exchange of full and complete discovery has severely prejudiced Defendant in that preparation of this case and pursuit of any and all aspects of discovery has been drastically frustrated.

18. Defendant has been more than reasonable in allowing Plaintiff sufficient time for his discovery responses and has reasonably attempted to avoid involving this Honorable Court in the discovery process.

19. Additionally, Plaintiff's full and complete responses will allow Defendant a

meaningful opportunity to assess this case, and determine what, if any, additional written and/or depositions are necessary. Plaintiff's production of his discovery responses will help to avoid any ongoing litigation delay and allow this case to proceed in a more efficient manner.

20. As shown in Exhibits C and D attached hereto, Defendant's counsel has communicated with Plaintiff's counsel in an effort to resolve the within issues without court intervention, but such efforts were unsuccessful in reaching a satisfactory resolution.

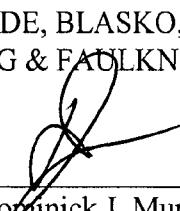
21. Accordingly, undersigned counsel certifies that in accordance with Clearfield County Local Rule 208.2(e) he has attempted to confer with Plaintiff's counsel to resolve this matter without Court action, but has been unsuccessful.

WHEREFORE, Defendant requests that this Honorable Court grant this motion and direct Plaintiff to provide full and complete responses to its discovery requests within ten (10) days or suffer appropriate sanctions.

Respectfully submitted,

McQUAIDE, BLASKO,
FLEMING & FAULKNER, INC.

By: _____


Dominick J. Muracco, Esquire
I.D. No. 91381
Chena L. Glenn-Hart, Esquire
I.D. No. 82750
811 University Drive
State College, PA 16801
(814) 238-4926

Attorney for Defendant

Dated: October 30, 2009

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

ABRAM D. PATZ,

: No. 2007-01163-CD

Plaintiff,

vs.

AARON M. BEATTY,

Defendant.

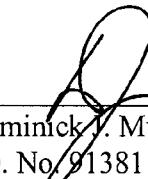
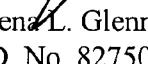
CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of Defendant's Motion to Compel Plaintiff's Discovery Responses in the above-referenced matter was mailed by U.S. First Class Mail, postage paid, this 30th day of October, 2009, to the attorney of record:

Thomas D. Hall, Esquire
Woomer and Hall
2945 Banksville Road, Suite 200
Pittsburgh, PA 15216-2749

McQUAIDE, BLASKO,
FLEMING & FAULKNER, INC.

By: _____


Dominick J. Muracco, Esquire
I.D. No. 91381

Chenal L. Glenn-Hart, Esquire
I. D. No. 82750
811 University Drive
State College, PA 16801
(814) 238-4926

Attorneys for Defendant

EXHIBIT “A”

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

ABRAM D. PATZ, :
Plaintiff, : No. 2007-01163-CD
VS. :
AARON M. BEATTY, :
Defendant. :

**DEFENDANT AARON M. BEATTY'S INTERROGATORIES DIRECTED
TO PLAINTIFF (SET TWO)**

TO: Abram D. Patz
c/o Thomas D. Hall, Esquire
Woomer and Hall
2945 Banksville Road, Suite 200
Pittsburgh, PA 15216-2749

Please take notice that you are hereby required pursuant to the Pennsylvania Rules of Civil Procedure, to serve upon the undersigned, within thirty (30) days from service hereof, your Answers to the Interrogatories provided by Defendant Aaron M. Beatty, in writing and under oath.

These shall be deemed to be continuing Interrogatories. If, between the time of your Answers and the time of trial of this case, you or anyone acting on your behalf learn of any further information not contained in your Answers, you shall promptly furnish said information to the undersigned by Supplemental Answers.

McQUAIDE, BLASKO,
FLEMING & FAULKNER, INC.

By: 
Chena L. Glenn-Hart, Esquire
I.D. No. 82750
Katherine V. Oliver, Esquire
I.D. No. 77069
811 University Drive
State College, PA 16801
(814) 238-4926
Attorneys for Defendant

Dated: June 3, 2009

DEFINITIONS

A. "You" and/or "your" means Plaintiff, his agents and employees and others acting on his behalf with regard to asserting the cause of action to be set forth in Plaintiff's Complaint in the above-captioned case.

B. "Document" shall mean any writing (whether handwritten, typed, printed or otherwise made), drawing, graph, chart, photograph, phonograph record, videotape, or electronic or mechanical matter (including microfilm of any kind or nature, tape or recording), or other data compilations from which information can be obtained (translated, if necessary, by Defendant, through detection devices into reasonably usable form), and shall include, without limiting the generality of the foregoing, all records, correspondence, telegrams, teletypes, agreements, studies, reports, drafts, memoranda, and computer print outs.

C. As used herein "identify", when used in reference to an individual, means his/her full name and present or last known residence and business address, his/her present or last known position or title and business affiliation, and his/her position at the time in question.

D. "Health care provider" means a person, corporation, facility, institution or other entity licensed or approved by the Commonwealth to provide health care or professional services as a physician, including a medical doctor and a doctor of osteopathy and a doctor of podiatry; hospital; nursing home; health maintenance organization; or an officer, employee or agent of any of them acting in the course and scope of his/her employment.

Where the Interrogatories request that documents be identified, an identification of it should include at least the following: author, addressee, type of document, date, subject matter, and the name and address of the person or party presently having custody of the document and any known copies of it.

INSTRUCTIONS FOR ANSWERING INTERROGATORIES

A. In accordance with Pa. R.C.P. Rule 4005, the original of these written Interrogatories have been served upon you to be answered by the party served of, if the party served is a public or private corporation or similar entity or a partnership or association, by any officer or agent, who shall furnish such information as is available to the party.

B. In accordance with Pa. R.C.P. Rule 4006, written answers shall be inserted in the spaces provided in the Interrogatories. If there is not sufficient space to answer an Interrogatory, the remainder of the answer shall follow on a supplemental sheet.

C. In accordance with Pa. R.C.P. Rule 4006(b), a sufficient answer to such an Interrogatory shall be to specify the records from which the answer may be derived or ascertained.

D. Please serve the answers to Interrogatories in accordance with the Rules of Civil Procedure.

INTERROGATORY

1. Please identify any and all witnesses to the accident that serves as a basis for Plaintiff's Complaint and/or to any statements made by any parties or witnesses to the events surrounding the accident as referenced in the March 26, 2009 correspondence of Attorney Thomas Hall. As to each witness, please provide the following:

- (a) Name;
- (b) Residential address;
- (c) Residential telephone number;
- (d) Business address;
- (e) Business telephone number;
- (f) Cellular phone number; and
- (g) The facts to which each witness is expected to testify.

ANSWER:

McQUAIDE, BLASKO,
FLEMING & FAULKNER, INC.

By:



Chena L. Glenn-Hart, Esquire

I.D. No. 82750

Katherine V. Oliver, Esquire

I.D. No. 77069

811 University Drive

State College, PA 16801

(814) 238-4926

Dated: June 5, 2009

Attorneys for Defendant

EXHIBIT “B”

Woomer & Hall LLP

ATTORNEYS AT LAW

Robert B. Woomer
Thomas D. Hall*
Richard G. Talarico
George E. Clark
*Also admitted in West Virginia

2945 Banksville Road
Suite 200
Pittsburgh, PA 15216-2749
(412) 388-0848
Fax (412) 388-0946
Toll Free 1-800-686-0848
www.resultmatters.com

March 26, 2009

Chena L. Glenn-Hart, Esquire
McQuaide, Blasko, Fleming & Faulkner, Inc.
811 University Drive
State College, PA 16801

Re: Abram Patz vs. Aaron Beatty
Clearfield County Court of Common Pleas Case No. 07-1163-CD

Dear Ms. Glenn-Hart:

My client respectfully demands policy limits in this case. As you know from the recent deposition, at the time of the accident, Aaron Beatty, your client, was driving on a suspended license and was not charged by the investigating officer. As the investigating officer has testified, he knows Mr. Beatty and his family for more than fifteen years and it seems apparent to me that is the reasons why no charges were ever filed. Additionally, it calls into question the statements supposedly made by Mr. Patz at the time of his hospitalization. The only witness to that statement is the police officer, who, in my mind, has compromised his own credibility. Moreover, if Mr. Patz had something "suicidal" in the emergency room within earshot of a emergency room nurse, defies explanation that he was not examined by a psychiatrist in the hospital or placed on a "302" status.

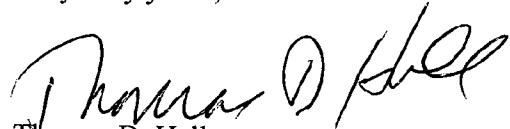
As you well know, Mr. Patz' hip injury was severe. The case is well worth over six figures, if, in front of a jury if liability is established.

I will also advise you that while in Clearfield for the recent depositions, I did some independent investigation on my own and believe that I have found some witnesses to the event itself, by two statements made by your client and Jessica Delaney following the accident. However, I have been unable to confirm this with certainty to date.

Please let me know if there is any interest in discussing resolution. As you know, your client has taken the position of no liability. I believe recent events call that assessment into question.

Thank you for your attention to the foregoing.

Very truly yours,


Thomas D. Hall
e-mail: thall@resultmatters.com

TDH/kam

EXHIBIT “C”



MCQUAIDE BLASKO

ATTORNEYS AT LAW

811 University Drive, State College, Pennsylvania 16801-6699
Additional offices in Hershey and Hollidaysburg

(814) 238-4926

FAX (814) 234-5620
www.mqlaw.com

September 1, 2009

Thomas D. Hall, Esquire
Woomer and Hall
2945 Banksburg Road, Suite 200
Pittsburgh, PA 15216-2749

**Re: Abram D. Patz vs. Aaron M. Beatty
Clearfield County No. 2007-01163-CD**

Dear Mr. Hall:

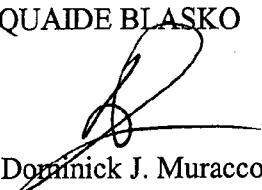
As you know, on June 3, 2009 we served Defendant's Interrogatories (Set Two) for Answer by your client, but as of this time have yet to receive a response. Specifically, these Interrogatories requested the identity of any and all witnesses to the accident at issue in this case as referenced in your March 26, 2009 correspondence wherein you indicated that based upon your own independent investigation, you "believe that you have found some witnesses to the event." It is my intention to schedule the depositions of those witnesses as well as the deposition of Sergeant Dilullo of the DuBois City Police Department. If possible, I would like to coordinate all of those depositions on the same day.

Thank you in advance for your cooperation and prompt attention to this matter. Kindly provide responses to Defendant's Interrogatories (Set Two) on or before September 18, 2009 to avoid the need to file a motion to compel. If you wish to discuss this matter further, please do not hesitate to contact me.

Very truly yours,

McQUAIDE BLASKO

By:


Dominick J. Muracco

DJM/nlc

cc: Karen Beisner (Claim No. 38-K786-028)

MCQUAIDE, BLASKO, FLEMING & FAULKNER, INC.

State College Office: John W. Blasko R. Mark Faulkner David M. Weixel Steven S. Hurvitz James M. Horne Wendell V. Courtney Darryl R. Slimak Mark Righter Daniel E. Bright Janine C. Gismondi John A. Snyder April C. Simpson Allen P. Neely Katherine V. Oliver Katherine M. Allen Wayne L. Mowery, Jr. Chena L. Glenn-Hart Livinia N. Oluwolé Cristin R. Long Anthony A. Simon Dominick J. Muracco Amanda L. Seelye Thomas S. Schrack Aaron T. Brooks Philip K. Miles, III Ashley D. Cooper Suzette V. Sims

Hershey Office: Grant H. Fleming Maureen A. Gallagher Michael J. Mohr Jonathan B. Stepanian Erin K. Dragann

Hollidaysburg Office: Thomas M. Reese J. Benjamin Yeager Sean M. Burke Michael P. Routh

EXHIBIT “D”



MCQUAIDE BLASKO

ATTORNEYS AT LAW

811 University Drive, State College, Pennsylvania 16801-6699
Additional offices in Hershey and Hollidaysburg

(814) 238-4926

FAX (814) 234-5620
www.mqlaw.com

September 30, 2009

Thomas D. Hall, Esquire
Woomer and Hall
2945 Banksville Road, Suite 200
Pittsburgh, PA 15216-2749

Re: Abram D. Patz vs. Aaron M. Beatty
Clearfield County No. 2007-01163-CD

Dear Mr. Hall:

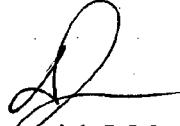
This serves as follow-up to my correspondence to you dated September 1, 2009 and our interrogatories wherein we requested additional information regarding the identity of any and all witnesses to the accident at issue in this case. As you know, this request arises because in your letter dated March 26, 2009, you indicate that based upon your own independent investigation, you "believe that you have found some witnesses to the event." If you have in fact found additional witnesses, kindly identify those individuals. Otherwise, please indicate that you do not have any additional witnesses. If additional witnesses exist, I would like to begin to coordinate the depositions of those individuals.

Thank you in advance for your cooperation and prompt attention to this matter. If I do not hear from you by October 16, 2009, I will assume that a motion to compel this information will be necessary.

Very truly yours,

McQUAIDE BLASKO

By:


Dominick J. Muracco

DJM/nlc

cc: Karen Beisner (Claim No. 38-K786-028)

MCQUAIDE, BLASKO, FLEMING & FAULKNER, INC.

State College Office: John W. Blasko R. Mark Faulkner David M. Weixel Steven S. Hurvitz James M. Horne Wendell V. Courtney Darryl R. Slimak Mark Righter Daniel E. Bright Janine C. Gismondi John A. Snyder April C. Simpson Allen P. Neely Katherine V. Oliver Katherine M. Allen Wayne L. Mowery, Jr. Chena L. Glenn-Hart Livinia N. Ohuwelé Cristin R. Long Anthony A. Simon Dominick J. Muracco Amanda L. Seelye Thomas S. Schrak Aaron T. Brooks Philip K. Miles, III Ashley D. Cooper Suzette Y. Sims

Hershey Office: Grant H. Fleming Maureen A. Gallagher Michael J. Mohr Jonathan B. Stepanian Erin K. Dragann

Hollidaysburg Office: Thomas M. Reese J. Benjamin Yeager Sean M. Burke Michael P. Routh

John G. Love (1893-1966) Roy Wilkinson, Jr. (1915-1995) Delbert J. McQuaide (1936-1997)

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

ABRAM D. PATZ, : No. 2007-01163-CD
Plaintiff, :
vs. :
AARON M. BEATTY, :
Defendant. :
:

ORDER

AND NOW, this _____ day of _____, 2009, upon consideration of the
foregoing Motion to Compel Discovery, it is hereby ordered that:

- (1) a rule is issued upon the respondent to show cause why the moving party is not entitled to the relief requested;
- (2) the respondent shall file an answer to the motion within _____ days of this date;
- (3) the motion shall be decided under Pa. R.C.P. 206.7;
- (4) depositions and all other discovery shall be completed within _____ days of this date;
- (5) an evidentiary hearing on disputed issues of material fact shall be held on _____, in the Clearfield County Courthouse, Clearfield, Pennsylvania, in Courtroom No. _____.
- (6) argument shall be held on _____, in Courtroom No. _____ of the Clearfield County Courthouse; and
- (7) notice of entry of this order shall be provided to all parties by the moving party.

BY THE COURT:

J.

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

ABRAM D. PATZ,

: No. 2007-01163-CD

Plaintiff,

VS.

AARON M. BEATTY,

Defendant.

ORDER

AND NOW, this 5th day of November, 2009, upon consideration of

Defendant's Motion to Compel Plaintiff's Discovery Responses, said Motion is GRANTED. It

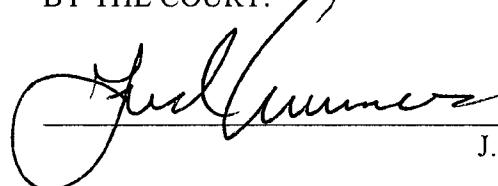
is hereby ORDERED that Plaintiff shall produce to Defendant full and complete responses to

twenty (20)

Defendant's Interrogatories (Set Two) within ~~ten (10)~~ days of the date of this Order, or suffer

appropriate sanctions.

BY THE COURT:



J.

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FILED
NOV 05 2009

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Attg Muracco

Boe
William A. Shaw
Prothonotary/Clerk of Courts

FILED

NOV 05 2009

William A. Shaw
Prothonotary/Clerk of Courts

DATE: 11/5/09

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:

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

ABRAM D. PATZ,

CIVIL DIVISION

Plaintiff,

Docket No.: 07-1163-CD

vs.

AARON M. BEATTY,

**PRAECIPE TO PLACE CASE AT
ISSUE**

Defendant.

Filed on behalf of Plaintiff:
Abram D. Patz

Counsel of Record for this Party:
Thomas D. Hall, Esquire
Pa I.D. # 70417

Woomer & Hall LLP
2945 Banksburg Road, Suite 200
Pittsburgh, PA 15216-2749
Tele # (412) 388-0848
Fax # (412) 388-0946

JURY TRIAL DEMANDED

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

ABRAM D. PATZ,

CIVIL DIVISION

Plaintiff,

Docket No.: 07-1163-CD

vs.

AARON M. BEATTY,

Defendant.

PRAECIPE TO PLACE CASE AT ISSUE

To: Prothonotary:

Please place the above captioned case at issue.

JURY TRIAL DEMANDED

Respectfully submitted,

BY:



Thomas D. Hall
Attorney for Plaintiff
PA I.D. #: 70417

Woomer & Hall LLP
2945 Banksville Road, Suite 200
Pittsburgh, PA 15216-2749
Tele # (412) 388-0848

CERTIFICATE OF SERVICE

I hereby certify that on this 26 day of April, 2010, a true and correct copy of the foregoing *Praecipe to Place Case At-Issue* was served by First Class U.S. Mail, postage prepaid, upon the following:

Chena Glenn-Hart, Esq.
McQuaide, Blaske, Fleming & Faulkner, Inc.
811 University Drive
State College, PA 16801
Attorney for: Aaron Beatty

Clearfield County Court of Common Pleas
Prothonotary
1 North 2nd Street
Clearfield, PA 16830

BY: Thomas D. Hall
Thomas D. Hall
Attorney for Plaintiff
PA I.D. #: 70417

Woomer & Hall LLP
2945 Banksville Road, Suite 200
Pittsburgh, PA 15216-2749
Tele # (412) 388-0848

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

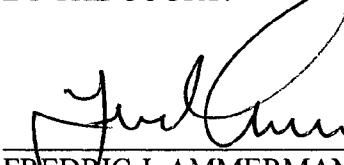
CA

ABRAM D. PATZ :
vs. : No. 2007-1163-CD
AARON M. BEATTY :
:

ORDER

AND NOW, this 3 day of May, 2010, it is the Order of the Court that a pre-trial conference in the above-captioned matter shall be and is hereby scheduled for Tuesday, June 22, 2010 at 9:00 A.M. in Judges Chambers, Clearfield County Courthouse, Clearfield, PA.

BY THE COURT:


FREDRIC J. AMMERMAN
President Judge

FILED ^{ICC}
MAY 04 2010 *Old Artys*
S *Hall*
William A. Shaw *Glenn Hart Oliver*
Prothonotary/Clerk of Courts
(60)

FILED

MAY 04 2010

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

DATE: 5/4/10

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:

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

ABRAM D. PATZ,

Plaintiff,

vs.

AARON M. BEATTY,

Defendant.

CIVIL DIVISION

Docket No.: 07-1163-CD

**PLAINTIFF'S MOTION TO CANCEL
PRETRIAL CONFERENCE**

Filed on behalf of Plaintiff:
Abram D. Patz

Counsel of Record for this Party:
Thomas D. Hall, Esquire
PA I.D. # 70417

Woomer & Hall LLP
2945 Banksville Road, Suite 200
Pittsburgh, PA 15216-2749
Tele # (412) 388-0848
Fax # (412) 388-0946

JURY TRIAL DEMANDED

FILED No CC.
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JUN 14 2010 610
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William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

ABRAM D. PATZ,

CIVIL DIVISION

Plaintiff,

Docket No.: 07-1163-CD

vs.

AARON M. BEATTY,

Defendant.

PLAINTIFF'S MOTION TO CANCEL PRETRIAL CONFERENCE

AND NOW, comes Plaintiff, Abram D. Patz, by and through his attorneys, Thomas D. Hall, Esquire, and Woomer & Hall LLP, and files the instant Motion as follows:

1. Plaintiff's Counsel is not able to attend the Pretrial Conference scheduled on Tuesday, June 22, 2010 at 9:00 a.m. due to multiple time conflicts.
2. Plaintiff's Counsel has notified Defendant's Counsel of this request and there is no objection to the cancellation.
3. The parties further agree that this case should be removed from the trial list due to the need for additional discovery.

WHEREFORE, Plaintiff requests that the Honorable Court cancel the Pretrial Conference in this case scheduled on Tuesday, June 22, 2010 at 9:00 a.m.

Woomer & Hall LLP

BY:

for

Thomas D. Hall

Attorney for Plaintiff

PA I.D. # 70417

CERTIFICATE OF SERVICE

I hereby certify that on this 11th day of JUNE, 2010, a true and correct copy of the foregoing Motion to was served by First Class U.S. Mail, postage prepaid, upon the following:

Chena Glenn-Hart, Esq.
McQuaide, Blasko, Fleming & Faulkner, Inc.
811 University Drive
State College, PA 16801
Attorney for: Aaron Beatty

Clearfield County Court of Common Pleas
Attn: Prothonotary
1 North 2nd Street
Clearfield, PA 16830

Clearfield County Court of Common Pleas
Attn: Honorable Fredric J. Ammerman
1 North 2nd Street
Clearfield, PA 16830
VIA FACSIMILE @ (814) 765-7649

BY:


Thomas D. Hall
Attorney for Plaintiff
PA I.D. # 70417

Woomer & Hall LLP
2945 Banksville Road, Suite 200
Pittsburgh, PA 15216-2749
Tele # (412) 388-0848

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

ABRAM D. PATZ,

CIVIL DIVISION

Plaintiff,

Docket No.: 07-1163-CD

vs.

AARON M. BEATTY,

Defendant.

ORDER OF COURT

AND NOW, this _____ day of _____, 2010 it is hereby ordered
that the Pretrial Conference in this case scheduled on Tuesday, June 22, 2010 at 9:00 a.m. is
cancelled.

BY THE COURT:

J.

CA

FILED No. C.

11:15 am
JUN 14 2010

4
William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

ABRAM D. PATZ,

CIVIL DIVISION

Plaintiff,

Docket No.: 07-1163-CD

vs.

AARON M. BEATTY,

**PRAECIPE TO STRIKE CASE FROM
TRIAL LIST**

Defendant.

Filed on behalf of Plaintiff:
Abram D. Patz

Counsel of Record for this Party:
Thomas D. Hall, Esquire
Pa I.D. # 70417

Woomer & Hall LLP
2945 Banksburg Road, Suite 200
Pittsburgh, PA 15216-2749
Tele # (412) 388-0848
Fax #

JURY TRIAL DEMANDED

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

ABRAM D. PATZ,

CIVIL DIVISION

Plaintiff,

Docket No.: 07-1163-CD

vs.

AARON M. BEATTY,

Defendant.

PRAECEIPE TO STRIKE CASE FROM TRIAL LIST

TO THE PROTHONOTARY

Kindly remove this case from the trial list, by agreement of the parties.

Respectfully submitted June 11, 2010.

Woomer & Hall LLP

BY:


Thomas D. Hall
Attorney for Plaintiff
PA I.D. #: 70417

2945 Banksville Road, Suite 200
Pittsburgh, PA 15216-2749
Tele # (412) 388-0848

CERTIFICATE OF SERVICE

I hereby certify that on this 11th day of June 2010, a true and correct copy of the foregoing Praecipe to Satisfy Award and Discontinue was served by First Class U.S. Mail, postage prepaid, upon the following:

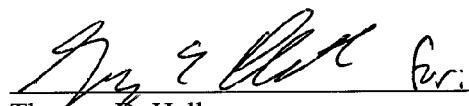
Blasko, Fleming & Faulkner, Inc.
811 University Drive
State College, PA 16801
Attorney for: Aaron Beatty

Clearfield County Court of Common Pleas
Attn: Prothonotary
1 North 2nd Street
Clearfield, PA 16830

Clearfield County Court of Common Pleas
Attn: Honorable Fredric J. Ammerman
1 North 2nd Street
Clearfield, PA 16830

Woomer & Hall LLP

BY:



Thomas D. Hall
Attorney for Plaintiff
PA I.D. #: 70417

2945 Banksville Road, Suite 200
Pittsburgh, PA 15216-2749
Tele # (412) 388-0848

CA

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

ABRAM D. PATZ,
Plaintiff

vs

AARON M. BEATTY,
Defendant

* NO. 07-1163-CD

*
*
*
*

ORDER

AND NOW, this 15th day of June, 2010, upon receipt and review of the Plaintiff's Motion to Cancel Pre-trail Conference; it is the ORDER of this Court that the Pre-Trial conference scheduled for June 22, 2010 be and is hereby canceled.

BY THE COURT,



FREDRIC J. AMMERMAN
President Judge

FILED
04/08/2011
JUN 15 2010
S (60)

William A. Shaw
Prothonotary/Clerk of Courts

102 Atlys:
Hall

Glenn-Hast/Oliver

FILED

JUN 15 2010

William A. Shaw
Prothonotary/Clerk of Courts

DATE: 6/15/10

You are responsible for serving all appropriate parties.

X The Prothonotary's office has provided service to the following parties:
Plaintiff(s) X Plaintiff(s) Attorney _____ Other _____
Defendant(s) X Defendant(s) Attorney _____ Other _____
Special Instructions:

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

ABRAM D. PATZ, : No. 2007-1163-CD
Plaintiff :
vs. : TYPE OF PLEADING
JAMIE A. SMITH, : CERTIFICATE OF SERVICE
Defendant. : (Notice of Intent to Serve Subpoena)
: TYPE OF CASE: CIVIL
: FILED ON BEHALF OF DEFENDANT
: COUNSEL OF RECORD FOR THIS PARTY
: Chena L. Glenn-Hart, Esquire
: I.D. No. 82750
: McQUAIDE BLASKO, INC.
: 811 University Drive
: State College, PA 16801
: Telephone: (814) 238-4926
: Dated: February 28, 2011

FILED NO CC
MTO:5/6/11
FEB 01 2011

William A. Shaw
Prothonotary/Clerk of Courts

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

ABRAM D. PATZ, :
Plaintiff : No. 2007-1163-CD
vs. :
AARON M. BEATTY, :
Defendant :
:

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of Defendant's *Notice of Intent to Serve Subpoena for Production of Documents and Things* directed to Clearfield-Jefferson Community Mental Health Center was served on counsel of record on February 28, 2011, by United States First Class mail , postage prepaid, addressed as follows:

Thomas D. Hall, Esquire
Woomer and Hall
2945 Banksville Road, Suite 200
Pittsburgh, PA 15216-2749

McQUAIDE BLASKO, INC.

By: 
Chena L. Glenn-Hart, Esquire
I.D. No. 82750
811 University Drive
State College, PA 16801-6699
Telephone: (814) 238-4926

FILED

JAN 01 2011

William A. Shaw
Prothonotary/Clerk of Courts

FILED

MAR 08 2011

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William A. Shaw

Prothonotary/Clerk of Courts

No 41

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

ABRAM D. PATZ, : No. 2007-1163-CD
Plaintiff :
vs. : TYPE OF PLEADING
CERTIFICATE PREREQUISITE
TO SERVICE OF SUBPOENA
AARON M. BEATTY, :
Defendant : TYPE OF CASE: CIVIL
: FILED ON BEHALF OF:
DEFENDANT
: COUNSEL OF RECORD FOR
THIS PARTY:
Chena L. Glenn-Hart, Esquire
I.D. No. 82750
McQUAIDE BLASKO, INC.
811 University Drive
State Coilege, PA 16801
Telephone: (814) 238-4926
: Dated: March 3, 2011

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

ABRAM D. PATZ, :
Plaintiff : No. 2007-1163-CD
vs. :
AARON M. BEATTY, :
Defendant :
:

**CERTIFICATE PREREQUISITE TO SERVICE
OF A SUBPOENA PURSUANT TO RULE 4009.22**

As a prerequisite to service of subpoena for documents and things pursuant to Rule 4009.22, Defendant certifies that:

- 1) a notice of intent to serve the subpoena with a copy of the subpoena attached thereto was mailed to the party at least twenty days prior to the date on which the subpoena is sought to be served;
- 2) a copy of the notice of intent, including the proposed subpoena, is attached to this certificate;
- 3) By letter dated March 1, 2011, counsel for Plaintiff waived the objection period; and
- 4) the subpoena which will be served is identical to the subpoena which is attached to the notice of intent to serve the subpoena.

McQUAIDE BLASKO, INC.

By:


Chena L. Glenn-Hart, Esquire
I.D. No. 82750
811 University Drive
State College, PA 16801-6699
Telephone: (814) 238-4926

Attorneys for Defendant
Aaron M. Beatty

Dated: March 3, 2011

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

ABRAM D. PATZ,

No. 2007-1163-CD

Plaintiff

vs.

AARON M. BEATTY,

Defendant

NOTICE OF INTENT TO SERVE SUBPOENA
TO PRODUCE DOCUMENTS AND THINGS FOR DISCOVERY
PURSUANT TO RULE 4009.21

Defendant intends to serve a subpoena identical to the one attached to this notice on Clearfield-Jefferson Community Mental Health Center. You have twenty (20) days from the date listed below in which to file of record and serve upon the undersigned any objection to the subpoenas. If no objection is made, the subpoenas may be served.

McQUAIDE BLASKO, INC.

By:



Chena L. Glenn-Hart, Esquire
I.D. No. 82750
811 University Drive
State College, PA 16801-6699
Telephone: (814) 238-4926

Dated: February 28, 2011

Attorneys for Defendant
Aaron M. Beatty

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

ABRAM D. PATZ,

: No. 2007-1163-CD

Plaintiff

vs.

AARON M. BEATTY,

Defendant

**SUBPOENA TO PRODUCE DOCUMENTS OR THINGS
FOR DISCOVERY PURSUANT TO RULE 4009.22**

TO: *Clearfield-Jefferson Community Mental Health Center
Attention: Christine Martz
100 Caldwell Drive
DuBois, PA 15801*

Within twenty (20) days after service of this subpoena, you are ordered by the court to produce the following documents or things: see attached

at: *McQuaide Blasko Law Offices, 811 University Drive, State College, PA 16801*

You may deliver or mail legible copies of the documents or produce things by this subpoena, together with the certificate of compliance, to the party making this request at the address listed above. You have the right to seek, in advance, the reasonable cost of preparing the copies or producing the things sought.

If you fail to produce the documents or things required by this subpoena, within twenty (20) days after its service, the party serving this subpoena may seek a court ordering compelling you to comply with it.

THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: *Chena L. Glenn-Hart, Esquire*
ADDRESS: *McQuaide Blasko Law Offices, 811 University Drive, State College, PA 16801*
TELEPHONE: *(814) 238-4926*
SUPREME CT ID# *82750*
ATTORNEY FOR: *Defendant*

BY THE COURT:

Dated: _____

William A. Shaw, Prothonotary/Clerk
Civil Division
[Seal of the Court]

TO: Clearfield-Jefferson Community Mental Health Center
RE: Abram D. Patz
DOB: 01-19-1987

DOCUMENTS TO BE PRODUCED

Any and all records FROM 1998 TO THE PRESENT regardless of treating physician pertaining to ABRAM D. PATZ, including but not limited to treatment invoices and/or payment ledgers, treatment notes, reports, history/physical examination, progress notes, laboratory reports, x-ray/CT scan/MRI reports, consultation reports, physical/occupational/rehabilitation therapy progress notes (inpatient and outpatient), prognosis for future care and treatment, prescription records, any and all correspondence pertaining to Mr. Patz's health status (regardless of source), etc.

We reserve the right to obtain copies of radiology films using this subpoena after we have had an opportunity to review any records or radiology reports that are received in response to this request.

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

ABRAM D. PATZ, :
Plaintiff : No. 2007-1163-CD
vs. :
AARON M. BEATTY, :
Defendant :

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of Defendant's *Certificate Prerequisite to Service of Subpoena Pursuant to Rule 4009.22* directed to Clearfield-Jefferson Community Mental Health Center was served on counsel of record by United States First Class mail, postage prepaid, on March 3, 2011, addressed as follows:

Thomas D. Hall, Esquire
Wommer and Hall
2945 Banksville Road, Suite 200
Pittsburgh, PA 15216-2749

McQUAIDE BLASKO, INC.

By: 
Chena L. Glenn-Hart, Esquire
I.D. No. 82750
811 University Drive
State College, PA 16801-6699
Telephone: (814) 238-4926

FILED
MAR 08 2011
William A. Shaw
Prothonotary/Clerk of Courts

100-00000000
4/10/2011

2011-03-08 10:30:22

FILED No CC
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JUN 13 2011 (610)

William A. Shaw
Prothonotary/Clerk of Courts

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

ABRAM D. PATZ, : No. 2007-1163-CD
Plaintiff : JURY TRIAL DEMANDED
vs. : TYPE OF PLEADING
AARON M. BEATTY, : **PRAECEIPE TO LIST CASE
FOR TRIAL**
Defendant : TYPE OF CASE: CIVIL
: FILED ON BEHALF OF:
: **DEFENDANT**
: COUNSEL OF RECORD FOR
: THIS PARTY:
: Chena L. Glenn-Hart, Esquire
: I.D. No. 82750
: McQUAIDE BLASKO, INC.
: 811 University Drive
: State College, PA 16801
: Telephone: (814) 238-4926
: Fax: (814) 238-9624
: Dated: June 10, 2011

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

ABRAM D. PATZ, :
Plaintiff : No. 2007-1163-CD
vs. :
AARON M. BEATTY, : JURY TRIAL DEMANDED
Defendant :
:

PRAECIPE TO LIST CASE FOR TRIAL

TO THE PROTHCNOTARY:

Please place the above-captioned matter on the Trial List for the next term of Civil Court.

Pursuant to LR 212.2, I certify on behalf of Defendant Aaron M. Beatty that the pleadings are complete, that all preliminary motions have been resolved, that all discovery has been completed, and that the case is in all respects ready for trial.

McQUAIDE BLASKO, INC.

By:


Chena L. Glenn-Hart, Esquire
I.D. No. 82750
811 University Drive
State College, PA 16801
Telephone: (814) 238-4926
Fax: (814) 238-9624

Attorneys for Defendant
Aaron M. Beatty

Dated: June 10, 2011

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

ABRAM D. PATZ, :
Plaintiff : No. 2007-1163-CD
vs. :
AARON M. BEATTY, : JURY TRIAL DEMANDED
Defendant :
:

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of Defendant's *Praeclipe to List Case for Trial* was served on counsel of record on June 10, 2011, by United States First Class mail, postage prepaid, addressed as follows:

Thomas D. Hall, Esquire
Woomer and Hall
2945 Banksville Road, Suite 200
Pittsburgh, PA 15216-2749

McQUAIDE BLASKO, INC.

By:


Chena L. Glenn-Hart, Esquire
I.D. No. 82750
811 University Drive
State College, PA 16801

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

FILED

ABRAM D. PATZ

Plaintiff

vs.

AARON M. BEATTY

Defendant

NO. 2007-1163-CD

S JUN 21 2011
0/12:20/11
William A. Shaw
Prothonotary/Clerk of Courts

Court to

Atty's

Government

T. Hale

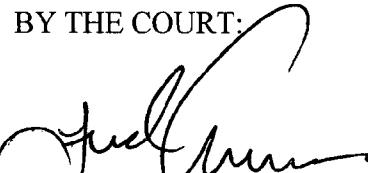
w/ name

ORDER

AND NOW, this 21 day of June, 2011, it is the Order of the Court that a pre-trial conference in the above-captioned matter shall be and is hereby scheduled for Thursday, July 14, 2011, at 11:00 AM in Judge's Chambers, Clearfield County Courthouse, Clearfield, PA.

Additionally, Civil Jury Selection in this matter shall be and is hereby scheduled for Wednesday, July 27, 2011 at 9:00 AM in Courtroom No. 1 of the Clearfield County Courthouse, Clearfield, Pennsylvania. **All Plaintiffs, Defendants, and their attorneys must be present for Jury Selection.**

BY THE COURT:


FREDRIC J. AMMERMAN
President Judge

FILED
JUN 21 2011
William A. Shaw
Prothonotary/Clerk of Court

DATE: 6/21/11
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 Other
Special Instructions:

FILED No CC
m1 10.53cm
JUN 27 2011

William A. Shaw
Prothonotary/Clerk of Courts

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

ABRAM D. PATZ, : No. 2007-1163-CD
: Plaintiff : JURY TRIAL DEMANDED
: vs. : TYPE OF PLEADING
: : CERTIFICATE OF SERVICE
AARON M. BEATTY, : (June 21, 2011 Order)
: Defendant : TYPE OF CASE: CIVIL
: : FILED ON BEHALF OF:
: : DEFENDANT
: : COUNSEL OF RECORD FOR
: : THIS PARTY:
: : Chena L. Glenn-Hart, Esquire
: : I.D. No. 82750
: : McQUAIDE BLASKO, INC.
: : 811 University Drive
: : State College, PA 16801
: : Telephone: (814) 238-4926
: : Fax: (814) 238-9624
: : Dated: June 24, 2011

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

ABRAM D. PATZ, :
Plaintiff : No. 2007-1163-CD
vs. :
AARON M. BEATTY, : JURY TRIAL DEMANDED
Defendant :
:

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Court's Order dated June 21, 2011 was served on counsel of record on June 24, 2011, by United States First Class mail, postage prepaid, addressed as follows:

Thomas D. Hall, Esquire
Woomer and Hall
2945 Banksville Road, Suite 200
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McQUAIDE BLASKO, INC.

By:


Chena L. Glenn-Hart, Esquire
I.D. No. 82750
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Attorneys for Defendant
Aaron M. Beatty

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

ABRAM D. PATZ
Plaintiff

* NO. 07-1163-CD

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*
*

AARON M. BEATTY
Defendant

vs

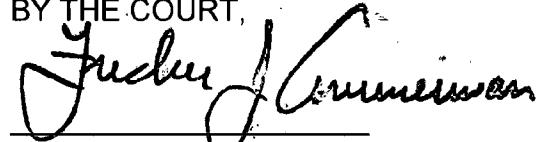
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ORDER

NOW, this 14th day of July, 2011, following status conference with counsel for the parties as set forth above, it is the ORDER of this Court as follows:

1. Jury Selection will be held on **July 27, 2011** commencing at 9:00 a.m. in Courtroom No. 1 of the Clearfield County Courthouse, Clearfield, Pennsylvania; and
2. Jury Trial is hereby scheduled for **September 26, 27 and 28, 2011**, commencing at 9:00 a.m. each day in Courtroom No. 1 of the Clearfield County Courthouse.

BY THE COURT,



FREDRIC J. AMMERMAN
President Judge

FILED

JUL 19 2011

ICC Atlys:

Hall

S William A. Shaw
Promonotary/Clerk of Courts

Glen-Hart

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William A. Shaw
Prothonotary/Clerk of Courts

DATE: 7/19/11

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 No CC

01/14/2011
SEP 02 2011

William A. Shaw
Prothonotary/Clerk of Courts

Copy to CIA

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

ABRAM D. PATZ,

CIVIL DIVISION

Plaintiff,

Docket No. : 07-1163-CD

vs.

**PRAECIPE TO SETTLE AND
DISCONTINUE**

AARON M. BEATTY,

Defendant.

Filed on behalf of Plaintiff:
Abram D. Patz

Counsel of Record for this Party:
Thomas D. Hall, Esquire
PA I.D. # 70417

Woomer & Hall LLP
2945 Banksburg Road, Suite 200
Pittsburgh, PA 15216-2749
Tele # (412) 388-0848
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JURY TRIAL DEMANDED

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

ABRAM D. PATZ,

CIVIL DIVISION

Plaintiff,

Docket No. : 07-1163-CD

vs.

AARON M. BEATTY,

Defendant.

PRAECIPE TO SETTLE AND DISCONTINUE

To: Prothonotary

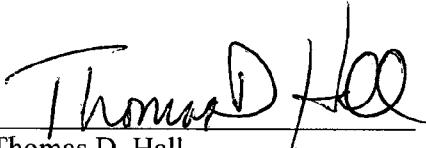
Kindly mark the above-captioned case settled and discontinued.

Respectfully submitted,

Woomer & Hall LLP

August 30, 2011

BY:


Thomas D. Hall
Attorney for Plaintiff
PA I.D. # 70417

2945 Banksville Road, Suite 200
Pittsburgh, PA 15216-2749
Tele # (412) 388-0848

CERTIFICATE OF SERVICE

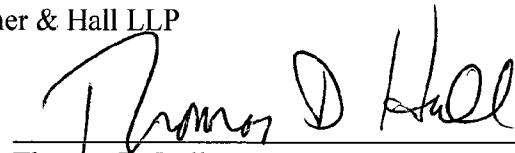
I hereby certify that on this 30th day of August, 2011, a true and correct copy of the foregoing Praeclipe to Settle and Discontinue was served by First Class U.S. Mail, postage prepaid, upon the following:

Chena Glenn-Hart, Esq.
McQuaide, Blasko, Fleming & Faulkner, Inc.
811 University Drive
State College, PA 16801
Attorney for: Aaron Beatty

Clearfield County Prothonotary
Clearfield County Courthouse
1 North 2nd Street
Clearfield, PA 16830

Woomer & Hall LLP

BY:


Thomas D. Hall
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PA I.D. # 70417

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