

08-1621-CD

C. Bungo vs Rickey Bungo et al

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

CHRISTOPHER P. BUNGO,  
Plaintiff

VS

RICKEY THOMAS BUNGO,  
JOHN S. BUNGO,  
GENE WARD, and  
GERALD WARD,  
Defendants

No. 08-1621-CD

\* Type of Case: Partition

\* Type of Pleading: Complaint

\* Filed on Behalf of: Plaintiff

\* Counsel of Record for this Party:

*Chris*  
\* CHRIS A. PENTZ, Esquire  
\* Supreme Court I.D. # 39232  
\* 207 East Market Street  
\* P. O. Box 552  
\* Clearfield PA 16830  
\* 814 765-4000

\* Filed by:

*Chris*  
\* Chris A. Pentz, Esquire  
\* 207 East Market Street  
\* P. O. Box 552  
\* Clearfield, PA 16830  
\* 814 765-4000

Date: 8-26-08

FILED  
08-08-08  
AUG 28 2008  
Atty pd \$95.00  
WCC Atty Pentz  
WCC Atty pd \$95.00

William A. Shaw  
Prothonotary/Clerk of Courts

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

CHRISTOPHER P. BUNGO,	*
Plaintiff	*
	*
vs	*
	NO.
	*
RICKEY THOMAS BUNGO,	*
JOHN S. BUNGO,	*
GENE WARD, and	*
GERALD WARD,	*
Defendants	*

NOTICE

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty days after this Complaint is 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 the relief claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

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

Office of Court Administrator  
Clearfield County Courthouse  
230 East Market St  
Clearfield, PA 16830

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

CHRISTOPHER P. BUNGO, \*  
Plaintiff  
\*  
vs No.  
\*  
RICKEY THOMAS BUNGO,  
JOHN S. BUNGO,  
GENE WARD, and  
GERALD WARD, \*  
\*  
Defendants \*

COMPLAINT IN EQUITY - PARTITION

1. Plaintiff, Christopher P. Bungo, is an individual residing at PO Box 5, West Decatur, Pennsylvania 16878.

2. Defendant, Rickey Thomas Bungo, is an individual residing at 303 Durbin St, P.O. Box 17, Ramey, Pennsylvania 16671.

3. Defendant, John S. Bungo, is an individual residing at 24 Railroad Street, Box 112, Ramey, Pennsylvania 16671.

4. Defendant, Gene Wardo, is an individual residing at 716 Pauline Street, Philipsburg, Pennsylvania 16866.

5. Defendant, Gerald Wardo, is an individual residing at 4395 Main Street, Houtzdale, Pennsylvania 16651.

6. Plaintiff and Defendants are the owners of oil and gas rights to certain real estate in Clearfield County as described in the attached exhibits, and all the interests of the parties in the property are held as tenants in common and are undivided.

7. The parties acquired the oil and gas title to the property as follows:

a. Christopher P. Bungo owns a 50% interest as set forth in Exhibit A.

b. Rickey Thomas Bungo owns a 12.5% interest as set forth in Exhibit B.

c. John S. Bungo owns a 12.5% interest as set forth in Exhibit B.

d. Gene Wardo owns a 12.5% interest as set forth in Exhibit C.

e. Gerald Wardo owns a 12.5% interest as set forth in Exhibit C.

8. No person other than the parties to this suit has any interest in the oil and gas rights.

9. No partition or division of the property has ever been made, although plaintiff has requested the defendant to join with him in making one.

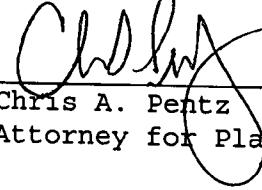
WHEREFORE, plaintiff demands that:

(a) the Court decree partition of the oil and gas rights;

(b) the share or shares to which the respective parties are entitled be set out to them in severalty and that all proper and necessary conveyances and assurances be executed for carrying such partition into effect; and that, if the real estate cannot be divided without prejudice to or spoiling the whole, such proper and necessary sale or sales of the same may be made by such persons and in such manner as the Court may direct.

(c) such other and further relief be granted as the Court deems just and proper.

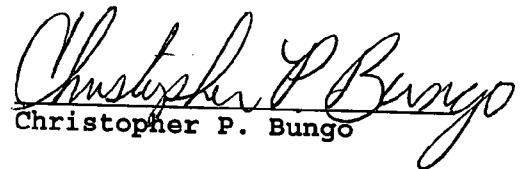
Respectfully submitted this 26 day of Aug, 2008

  
\_\_\_\_\_  
Chris A. Pentz  
Attorney for Plaintiff

VERIFICATION

I, Christopher P. Bungo, verify that the statements made in this facts set forth on the complaint are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. §4904 relating to unsworn falsification to authorities.

\_\_\_\_\_  
Date

  
Christopher P. Bungo

**LAST WILL AND TESTAMENT**

**OF**

**LOIS J. BUNGO**

KNOW ALL MEN BY THESE PRESENTS, that I, **LOIS J. BUNGO**, of 406 Curtin Street, Osceola Mills, Clearfield County, Pennsylvania, being of sound and disposing mind, memory and understanding, do hereby make, publish and declare this to be my Last Will and Testament, hereby revoking and making null and void any and all former Wills and/or Codicils heretofore by me made.

**FIRST:** I do direct my personal representative hereinafter named to pay all my just debts and funeral expenses as soon as may be found convenient after my decease.

**SECOND:** I give, devise, and bequeath, all the rest and remainder of my property, whether real or personal, and wheresoever situate to my son, Christopher P. Bungo, to be distributed among my children as he deems appropriate.

**LASTLY:** I do nominate, constitute and appoint my son, Christopher P. Bungo, as Executor of this my Last Will and Testament with full power to sell and convey any or all real estate of which I may die seized of at private or public sale for such price or prices as he may determine without Leave of Court or posting security therefore. If my aforesaid son, Christopher P. Bungo,

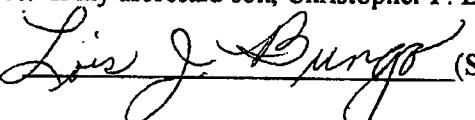
 (SEAL)

Exhibit  
A

is unable or unwilling to serve as Executor of my estate, then I do nominate, constitute and appoint my son, Charles T. Bungo, as Executor of this my Last Will and Testament.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 11<sup>th</sup> day of July, 2000, to this my Last Will and Testament being written upon two (2) sheets of paper, both of which contain my signature.

  
(SEAL)

Signed, sealed, published and declared by the Testatrix as and for her Last Will and Testament, in the presence of us, who in her presence and at her request and in the presence of each other, have hereunto subscribed our names as witnesses thereto.

Melinda D. Gallaher  
Joan E. Bracken

-2-

Exhibit  
A

REGISTER OF WILLS OF CLEARFIELD COUNTY  
OATH OF SUBSCRIBING WITNESS

Joan F Bracken

Melinda D. Gallaher

(each) a subscribing witness to the will/codicil presented herewith, (each) being duly qualified according to law, depose(s) and say(s) that they were present and saw Louis J. Bungo, the testat rx, sign the same and that they signed as a witness at the request of testat rx in her presence and (in the presence of each other) (in the presence of the other) subscribing witness(es).

Sworn to or affirmed and subscribed before  
me this 19<sup>th</sup> day of

August 2003

Karen L. Starck

For the Register

**My Commission Expires  
First Monday in January, 2004**

KAREN L. STARCK  
REGISTER AND RECORDER  
CLEARFIELD COUNTY  
Pennsylvania

INSTRUMENT NUMBER  
**200314800**

RECORDED ON  
**Aug 19, 2003**

**10:51:41 AM**

FILE NUMBER

**2003-438**

Total Pages: 4

RECORDING FEES - **\$20.00**  
ORPHANS COURT/REGISTER OF  
WILLS

**TOTAL \$20.00**

CUSTOMER

NADDEO & ASSOCIATES

Joan F Bracken

(Name)

132 Potram Dr. Philipsburg PA 16866

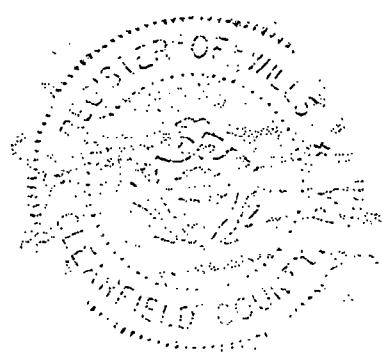
(Address)

Melinda D. Gallaher

(Name)

82 Blue Eyes Lane, Munson PA 16860

(Address)



This is to certify that the information here given is correctly copied from an original certificate of death duly filed with me as Local Registrar. The original certificate will be forwarded to the State Vital Records Office for permanent filing.

**WARNING: It is illegal to duplicate this copy by photostat or photograph.**

Fee for this certificate, \$2.00



### Local Registrar

Oct. 23-2002

Date

P 8612760

No

H105.14 Rev. 237

COMMONWEALTH OF PENNSYLVANIA • DEPARTMENT OF HEALTH • VITAL RECORDS  
**CERTIFICATE OF DEATH**

NAME OF DECEDENT (First, Middle, Last) <b>Lois Jeanne Bungo</b>				SEX <input checked="" type="checkbox"/> female	SOCIAL SECURITY NUMBER <b>159 - 24 - 1830</b>	DATE OF DEATH (Month, Day, Year) <b>October 20, 2002</b>
AGE (See Birthdate)	UNDER 1 YEAR <b>73</b>	UNDER 1 DAY <b>Yrs.</b>	DATE OF BIRTH <b>12-01-1928</b>	BIRTHPLACE (City and State or Foreign Country) <b>Pittsburgh, CA</b>	PLACE OF DEATH (Check only one - see instructions on other side)	
MONTH, DAY, YEAR		Hours	Minutes	HOSPITAL <input type="checkbox"/> JAIL/PRISON <input type="checkbox"/> EMERGENCY <input type="checkbox"/> DOA <input type="checkbox"/>	OTHER Nursing Home <input type="checkbox"/> Residence <input checked="" type="checkbox"/> Other <input type="checkbox"/>	PLACE - American Indian, Black, White, etc. <b>white</b>
CITY, BORO, TWP. OF DEATH <b>Osceola Mills Boro.</b>				FACILITY NAME (If not institution, give street and number) <b>406 Curtin Street</b>		WAS DECEDENT OF HISPANIC ORIGIN? <b>No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> If yes, specify Cuban, Mexican, Puerto Rican, etc. 0.</b>
COUNTY OF DEATH <b>Clearfield Co.</b>				DECEDENT'S EDUCATION <b>Elementary School <input type="checkbox"/> College <input type="checkbox"/></b>		MARITAL STATUS - Married <b>Never Married, Widowed, Divorced (Specify) Widowed</b>
DECEDENT'S USUAL OCCUPATION <b>homemaker</b>				DECEDENT'S INDUSTRY <b>homemaker</b>		SURVIVING SPOUSE <b>none</b>
DECEDENT'S MAILING ADDRESS (Street, City/Town, State, Zip Code) <b>406 Curtin Street Osceola Mills, PA 16666</b>				DECEDENT'S ACTUAL RESIDENCE <b>Clearfield Co.</b>		17a. Did decedent live in a town/village? <b>No <input type="checkbox"/> Yes, decedent lived in <input type="checkbox"/></b>
17a. State <b>Pennsylvania</b>				17b. County <b>Clearfield Co.</b>		17c. Was decedent buried in actual place of death? <b>No <input type="checkbox"/> Yes, decedent buried in <input checked="" type="checkbox"/> Osceola Mills Borough</b>
FATHER'S NAME (First, Middle, Last) <b>Charles McQuown</b>				MOTHER'S NAME (First, Middle, Maiden Surname) <b>Victoria Benovic</b>		19. INFORMANT'S MAILING ADDRESS (Street, City/Town, State, Zip Code) <b>406 Curtin Street, Osceola Mills, PA 16666</b>
INFORMANT'S NAME (Type/Print) <b>Christopher P. Bungo</b>				PLACE OF DISPOSITION - Name of Cemetery, Cemetery or Other Place <b>Immaculate Conception Cem.</b>		LOCATION - City/Town, State, Zip Code <b>RD Osceola Mills, PA 16666</b>
20a. METHOD OF DISPOSITION <b>Burial <input checked="" type="checkbox"/> Cremation <input type="checkbox"/> Removal from State <input type="checkbox"/></b>				DATE OF DISPOSITION <b>October 23, 2002</b>		21a. NAME AND ADDRESS OF FACILITY <b>Heath F.H., 701 Lingle St., Osceola Mills, PA 16666</b>
21a. Other (Specify) <b>Other</b>				21b. LICENSE NUMBER <b>FD-011518-L</b>		21c. DATE SIGNED <b>(Month, Day, Year)</b>
22a. SIGNATURE OF FUNERAL SERVICE LICENSED PERSON ACTING AS SUCH <b>Charles P. Bungo</b>				22b. TIME OF DEATH <b>3:23 A.M.</b>		22c. WAS CASE REFERRED TO MEDICAL EXAMINER/CORONER? <b>No <input type="checkbox"/></b>
22a. Complete items 23-26 only when certifying physician is not available at time of death to certify cause of death.				22b. To the best of my knowledge, death occurred at the time, date and place stated. <b>(Signature and Title)</b>		22c. <b>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></b>
23a. Name 24-26 must be completed by person who pronounces death.				23b. DATE PRONOUNCED DEAD (Month, Day, Year) <b>OCTOBER 20, 2002</b>		23c. Approximate interval between death and death certificate.
24. PART I: Enter the diseases, injuries or complications which caused the death. Do not enter the mode of dying, such as cardiac or respiratory arrest, shock or heart failure. List only one cause on each line.				24. DUE TO OR AS A CONSEQUENCE OF: <b>ovarian carcinoma w/ metastases</b>		24. PART II: Other significant conditions contributing to death, but not resulting in the underlying cause given in PART I. <b>None</b>
IMMEDIATE CAUSE (First disease or condition resulting in death) <b>ovarian carcinoma w/ metastases</b>				25. DUE TO OR AS A CONSEQUENCE OF: <b>None</b>		25. DUE TO OR AS A CONSEQUENCE OF: <b>None</b>
SEQUENTIALLY LIST CONDITIONS, DISEASES, INJURIES, OR COMPLICATING CAUSES, ENTERING UNDERLYING CAUSE (Disease or injury that caused death resulting in death) LAST				26. DUE TO OR AS A CONSEQUENCE OF: <b>None</b>		26. DUE TO OR AS A CONSEQUENCE OF: <b>None</b>
27. PART I: Was an autopsy performed?				27. DATE OF INJURY (Month, Day, Year) <b>30a. 2002</b>		27. TIME OF INJURY <b>30a. 2002</b>
27. PART I: Was an autopsy performed?				27. INJURY AT WORK? <b>Yes <input type="checkbox"/> No <input type="checkbox"/></b>		27. DESCRIBE HOW INJURY OCCURRED. <b>None</b>
28a. WERE AUTOPSY FINDINGS RELEVANT TO COMPLETION OF CAUSE OF DEATH? <b>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></b>				28b. MANNER OF DEATH <b>Natural <input checked="" type="checkbox"/> Homicide <input type="checkbox"/> Accident <input type="checkbox"/> Pending investigation <input type="checkbox"/> Suicide <input type="checkbox"/> Could not be determined <input type="checkbox"/></b>		28c. PLACE OF INJURY - At home, home, street, factory, office building, etc. (Specify) <b>30a. 30b. 30c.</b>
28a. WERE AUTOPSY FINDINGS RELEVANT TO COMPLETION OF CAUSE OF DEATH? <b>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></b>				28b. MANNER OF DEATH <b>Natural <input checked="" type="checkbox"/> Homicide <input type="checkbox"/> Accident <input type="checkbox"/> Pending investigation <input type="checkbox"/> Suicide <input type="checkbox"/> Could not be determined <input type="checkbox"/></b>		28c. LOCATION (Street, City/Town, State) <b>30a. 30b. 30c.</b>
CERTIFIER (Check only one) CERTIFYING PHYSICIAN (Physician certifying cause of death when another physician has pronounced death and completed item 23) To the best of my knowledge, death occurred due to the cause(s) and manner as stated. To the best of my knowledge, death occurred at the time, date, and place, and due to the cause(s) and manner as stated.				31a. SIGNATURE AND TITLE OF CERTIFIER <b>ROBERT L. HALL</b>		31b. LICENSE NUMBER <b>2482</b>
CERTIFYING PHYSICIAN (Physician both pronouncing death and certifying cause of death) To the best of my knowledge, death occurred at the time, date, and place, and due to the cause(s) and manner as stated.				31b. NAME AND ADDRESS OF PERSON WHO COMPLETED CAUSE OF DEATH (Item 27) Type or Print <b>ROBERT L. HALL 905 UNIVERSITY DR. STATE COLLEGE, PA</b>		31c. DATE SIGNED (Month, Day, Year) <b>10/20/02</b>
MEDICAL EXAMINER/CORONER On the basis of examination and/or investigation, in my opinion, death occurred at the time, date, and place, and due to the cause(s) and manner as stated.				32. REGISTRAR SIGNATURE AND NUMBER <b>1441514</b>		32. DATE FILED (Month, Day, Year) <b>Oct. 23 - 2002</b>

County Parcel No. \_\_\_\_\_

## This Deed,

MADE the 20<sup>th</sup> day of December  
 in the year nineteen hundred and -ninety-five. —

BETWEEN GEORGE BUNCO and HELEN BUNCO, his wife, both of Box 21, Ramey,  
 Clearfield County, Pennsylvania 16671, Grantors and Parties of the First Part, —

— AND —

RICKEY THOMAS BUNCO, of P. O. Box 17, Ramey, Clearfield County, Pennsylvania  
 16671, and JOHN SCOTT BUNCO, of Ramey, Clearfield County, Pennsylvania 16671,  
 as tenants in common, Grantees and Parties of the Second Part, —

WITNESSETH, That in consideration of

ONE (\$1.00) DOLLAR ————— Dollars,  
 in hand paid, the receipt whereof is hereby acknowledged, the said grantor-s — do hereby grant  
 and convey to the said grantee-s — their heirs and assigns, —

All. their one-fourth (1/4) interest in all coal, oil, gas and other minerals  
 beneath the surface of the premises described herein, except the "B" vein of coal  
 and the mining rights previously reserved unto Berwind-White Coal Mining Company,  
 its successors and assigns. Said premises situate in Gulich Township, Clearfield  
 County, Pennsylvania.

BEGINNING at a stone in line of land of D. K. Ramey estate at corner of land  
 formerly of Edwards Heirs, now of H. E. Fulkerson, and running along line of land  
 of Ramey Estate, North Four degrees Thirty minutes East (N 4° 30' E), Twenty-  
 three Hundred Thirty (2,330') feet to post, to land of said Ramey Estate; thence  
 South Eighty-four degrees East (S 84° E) Eleven Hundred and Ninety-six (1,196')  
 feet to a post at land of H. E. Fulkerson; thence along said Fulkerson land,  
 South Five degrees (S 5°) Twenty-six Hundred Forty (2,640') feet to a post stone  
 corner; thence along line of lands of same, North Seventy degrees West (N 70° W)  
 Seven Hundred (700') feet to stone; thence along lands of Fulkerson and the land  
 formerly of the Edwards Heirs, North Seventy-two degrees Fifteen minutes West (N  
 72° 15' W) Five Hundred Thirty (530') feet to a post at place of beginning.  
 CONTAINING Sixty-six (66) acres, more or less.

EXCEPTING AND RESERVING, however, out of the same, that certain piece or parcel  
 of land, sold and conveyed by the said Luke Millward to Roy Fox, by deed dated  
 February 1, 1906, and recorded in Clearfield County in Deed Book No. 155, Page  
 11, bounded and described as follows: BEGINNING at an apple tree on public road  
 leading from Janesville to Tyrone; thence along said road Twenty-eight (28) rods  
 and Six (6') feet to a post; thence North along land Sixteen (16) rods, Thirteen  
 (13') feet to a telephone pole; thence West along land of Sadie Lee, Fifteen (15)  
 rods and Eight (8') feet to an apple tree at the place of beginning.

Exhibit  
B

ALSO EXCEPTING AND RESERVING, nevertheless, from this grant, that certain piece or parcel of land, conveyed by Luke Millward to George W. Millward by deed dated June 29, 1908, and recorded in Clearfield County in Deed Book No. 174, Page 57, which was afterwards conveyed by the said George W. Millward unto Desire Desfosse, et ux.

UNDER AND SUBJECT, nevertheless, to such express and/or implied exceptions, reservations, conditions, easements, covenants, restrictions, conveyances out and limitations as are contained in all prior deeds of record.

ALSO ALL their one-fourth (1/4 Interest in all coal, oil, gas and other minerals beneath the surface of the premises described herein, except the "B" vein of coal and the mining rights previously reserved unto Berwind-White Coal Mining Company, its successors and assigns. Said premises situate in Gulich Township, Clearfield County, Pennsylvania.

BEGINNING at an iron pin on the Northeast side of Pennsylvania Route 857 at the Southwest corner of land now or formerly of William D. Cunningham, et ux.; thence along the Northeast side of Pennsylvania Route 857 South Sixty-nine degrees Thirty-seven minutes Twenty seconds East (S 69° 37' 20" E) a distance of Twenty and Ninety-seven hundredths (20.97') feet to an iron pin at the Southeast corner of land now or formerly of Seckinger; thence along Seckinger North Four degrees Eighteen minutes East (N 4° 18' E) a distance of Four Hundred Twenty-seven and Nineteen hundredths (427.19') feet to an iron pin; thence South Zero degrees Twenty-nine minutes Forty-five seconds East (S 0° 29' 45" E) a distance of Four Hundred Thirty-six and Fifty hundredths (436.50') feet to an iron pin and place of beginning.

BEING the Grantor's one-fourth (1/4) interest in all coal, oil, gas and other minerals, except the "B" vein of coal beneath of the surface of the herein described premises as was reserved unto Grantors and others in deed entered for record in the Office for the Recording of Deeds of Clearfield County, Pennsylvania, in Deeds and Records Volume 1722, Page 582, on December 8, 1995.

## NOTICE

THIS IS A FATHER AND MOTHER TO SONS TRANSFER.

In accordance with the provisions of "The Bituminous Mine Subsidence and Land Conservation Act of 1968", I/we, the undersigned grantee/grantees, hereby certify that I/we know and understand that I/we may not be obtaining the right of protection against subsidence resulting from coal mining operations and that the purchased property may be protected from damage due to mine subsidence by a private contract with the owners of the economic interest in the coal. I/we further certify that this certification is in a color contrasting with that in the deed proper and is printed in twelve point type preceded by the word "notice" printed in twenty-four point type.

Witness:

.....  
.....  
.....

This ..... day of .....

THIS DOCUMENT MAY NOT SELL, CONVEY, TRANSFER, INCLUDE OR INSURE THE TITLE TO THE COAL AND RIGHT OF SUPPORT UNDERNEATH THE SURFACE LAND DESCRIBED OR REFERRED TO HEREIN, AND THE OWNER OR OWNERS OF SUCH COAL MAY HAVE THE COMPLETE LEGAL RIGHT TO REMOVE ALL OF SUCH COAL AND, IN THAT CONNECTION, DAMAGE MAY RESULT TO THE SURFACE OF THE LAND AND ANY HOUSE, BUILDING OR OTHER STRUCTURE ON OR IN SUCH LAND. THE INCLUSION OF THIS NOTICE DOES NOT ENLARGE, RESTRICT OR MODIFY ANY LEGAL RIGHTS OR ESTATES OTHERWISE CREATED, TRANSFERRED, EXCEPTED OR RESERVED BY THIS INSTRUMENT. (This Notice is set forth pursuant to Act No. 253, approved September 10, 1968, as amended.)

VOL 1726 NO 274

AND the said grantor, will, ~~will~~ — **SPECIALLY** — WARRANT AND FOREVER DEFEND the property hereby conveyed.

IN WITNESS WHEREOF, said grantors, ~~he~~ ~~she~~ ~~they~~ ~~have~~ ~~hereunto~~ set — their — hands and seals; the day and year first above-written.

Sealed and delivered in the presence of

Ronald E. Archer  
as to both

George Bungo [Seal]  
George Bungo  
Helen B. Bungo [Seal]  
Helen Bungo [Seal]  
[Seal]  
[Seal]  
[Seal]  
[Seal]

#### CERTIFICATE OF RESIDENCE

I hereby certify, that the precise residence of the grantee as herein is as follows:

Rickey Thomas Bungo, Box 17, Ramey, PA. 16671  
John Scott Bungo, Ramey, PA. 16671

Ronald E. Archer

Attorney or Agent for Grantee

NTS

Commonwealth of Pennsylvania

County of ..... CLEARFIELD

ss.

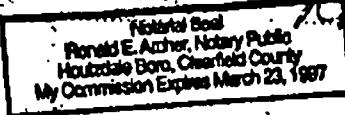
On this, the 20<sup>th</sup> day of December 19 95, before me, a Notary Public,  
the undersigned officer, personally appeared GEORGE BUNGO and HELEN BUNGO  
known to me (or satisfactorily proven) to be the person as whose names are subscribed to the within  
instrument, and acknowledged that they executed the same for the purpose therein  
contained.

IN WITNESS WHEREOF, I have ~~hereunto~~ set my hand and

Notarial

seal.

My Commission Expires .....



State of .....  
County of ..... } ss.

Vol 1726 PAGE 375

On this, the 19 day of December, before me  
the undersigned officer, personally appeared  
known to me (or satisfactorily proven) to be the person whose name subscribed to the within  
instrument, and acknowledged that executed the same for the purpose therein  
contained.

IN WITNESS WHEREOF, I have hereunto set my hand and

seal.

My Commission Expires .....

I hereby CERTIFY that this document  
recorded in the Recorder's Office of .....

Clearfield County, Pennsylvania.

CLEARFIELD COUNTY  
RECORDED OF RECORD

TIME 11:15 AM 12-22-95  
BY Karen L. Starck  
PLS 1350

Karen L. Starck, Recorder



*Karen L. Starck*  
Karen L. Starck  
Recorder of Deeds

Commonwealth of Pennsylvania

County of .....

ss.

RECORDED in the Office for Recording of Deeds, etc., in and for the said  
County, in Deed Book No. 1350, Page 5

WITNESS my hand and official seal this 19 day of December, 1995

Recorder of Deeds

*Deed*

WARRANTY DEED  
The Commonwealth Co. of Pennsylvania, Pa.

ERICK BUNCO, et ux., Grantors  
and Parties of the First Part,  
AND  
NICKY THOMAS BUNCO, et al.,  
Grantees and Parties of the  
Second Part.

Dated Dec 22 1995

For mineral rights in premises  
in Callie Township, Clearfield  
County, Pennsylvania.

Consideration \$1.00

Recorded Dec 22 1995

Entered for Record in the Recorder's  
Office of Clearfield County, Pennsylvania,  
County, the 19 day of Dec 1995,  
19 95

Recorder Karen L. Starck

Entered of Record Dec 22 1995 11:15 A Karen L. Starck, Recorder

RONALD E. ARCHER  
ATTORNEY AT LAW  
MOUNTDALE, PENNSYLVANIA

# His Deed,

MADE the 16th day of APRIL

in the year nineteen hundred and seventy-eight.

BETWEEN GEORGE BUNGO, of Ramey, Pennsylvania, and IRENE BUNGO, his  
sister, of New York, New York, as joint tenants with the right of  
survivorship and not as tenants in common, Grantors,

## — AND —

IRENE BUNGO, of New York, New York, a one-fourth (1/4) interest;  
GEORGE BUNGO and HELEN BUNGO, his wife, of Ramey, Pennsylvania, as  
tenants by the entireties, a one-fourth (1/4) interest; SAMUEL BUNGO  
and LOIS BUNGO, his wife, of Osceola Mills, Pennsylvania, as tenants  
by the entireties, a one-fourth (1/4) interest; GERALD WARD, of  
Madera, Pennsylvania, a one-eighth (1/8) interest; GENE WARD, of  
Madera, Pennsylvania, a one-eighth (1/8) interest., Grantees and Parties  
of the second Part.

WITNESSETH, That in consideration of

ALL that certain tract of land situate in Gulich Township, Clearfield County, Pennsylvania, bounded and described as follows, to wit: —

**THE FIRST THEREOF:**

BEGINNING at a stone in line of land of D. K. Ramey Estate at corner of land formerly of Edwards Heirs, now of H. E. Fulkerson, and running along line of land of Ramey Estate, North Four degrees Thirty minutes East ( $N 4^{\circ} 30' E$ ), Twenty-three Hundred and Thirty (2330') feet to a post, to land of said Ramey Estate, thence South Eighty-four degrees East ( $S 84^{\circ} E$ ), Eleven Hundred and Ninety-six (1196') feet to a post at land of H. E. Fulkerson; thence along said Fulkerson land, South Five degrees ( $S 5^{\circ}$ ), Twenty-six Hundred and Forty (2640') feet to a post stone corner; thence along line of lands of same, North Seventy degrees West ( $N 70^{\circ} W$ ), Seven Hundred (700') feet to stone; thence along lands of Fulkerson and the land formerly of the Edwards Heirs, North Seventy-two degrees and Fifteen minutes West ( $N 72^{\circ} 15' W$ ), Five Hundred and Thirty (530') feet to a post at place of beginning. Containing Sixty-six (66) acres, more or less.

EXCEPTING AND RESERVING, however, out of the same, that certain piece or parcel of land, sold and conveyed by the said Luke Millward to Roy Fox, by deed dated February 1, 1906, and recorded in Clearfield County in Deed Book No. 155, Page 11, bounded and described as follows: BEGINNING at an apple tree on public road leading from Janesville to Tyrone, thence along said road Twenty-eight (28) rods and Six (6') feet to a post; thence North along land Sixteen (16) rods, Thirteen (13') feet to a telephone pole; thence West along land of Sadie Lee, Fifteen (15) rods and Eight (8') feet to an apple tree at the place of beginning.

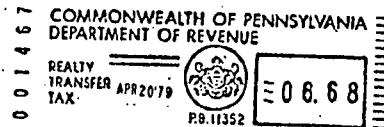
# Exhibit C

ALSO, EXCEPTING and RESERVING, nevertheless, from this grant, that certain piece or parcel of land, conveyed by Luke Millward to George W. Millward by deed dated June 29, 1908, and recorded in Clearfield County in Deed Book No. 174, Page 57, which was afterwards conveyed by the said George W. Millward unto Desire Desfosse, et. ux.

It is also covenanted and agreed that included in the conveyance is the dwelling house located on said premises with sink and water supply equipment; also all out buildings, orchard and all timber growing or situate on said premises and includes everything on the land conveyed by this Deed except the "B" vein of coal and the mining rights reserved unto Berwind White Coal Mining Company, their successors or assigns.

UNDER AND SUBJECT, Nevertheless, to such express and/or implied exceptions, reservations, conditions, easements, covenants, restrictions, conveyances out and limitations as are contained in all prior Deeds of record.

BEING the same premises as were conveyed to Grantors herein by deed of Frank Bungo, Jr., Widower, dated April 3, 1963, and recorded in the Office for the Recording of Deeds of Clearfield County, Pennsylvania, on April 15, 1963, in Deed Book Vol. 501, Page 170, in which the said Grantor reserved a life estate in the above described premises. Frank Bungo, Jr., passed away on July 10, 1966, thus terminating his life estate in the above described premises.



## NOTICE

In accordance with the provisions of "The Bituminous Mine Subsidence and Land Conservation Act of 1960", I/we, the undersigned grantee/grantees, hereby certify that I/we know and understand that I/we may not be obtaining the right of protection against subsidence resulting from coal mining operations and that the purchased property may be protected from damage due to mine subsidence by a private contract with the owners of the economic interest in the coal. I/we further certify that this certification is in a color contrasting with that in the deed proper and is printed in twelve point type preceded by the word "notice" printed in twenty-four point type.

Witness: .....

This ..... day of .....

THIS DOCUMENT MAY NOT SELL, CONVEY, TRANSFER, INCLUDE OR INSURE THE TITLE TO THE COAL AND RIGHT OF SUPPORT UNDERNEATH THE SURFACE LAND DESCRIBED OR REFERRED TO HEREIN, AND THE OWNER OR OWNERS OF SUCH COAL MAY HAVE THE COMPLETE LEGAL RIGHT TO REMOVE ALL OF SUCH COAL AND, IN THAT CONNECTION, DAMAGE MAY RESULT TO THE SURFACE OF THE LAND AND ANY HOUSE, BUILDING OR OTHER STRUCTURE ON OR IN SUCH LAND. THE INCLUSION OF THIS NOTICE DOES NOT ENLARGE, RESTRICT OR MODIFY ANY LEGAL RIGHTS OR ESTATES OTHERWISE CREATED, TRANSFERRED, EXCEPTED OR RESERVED BY THIS INSTRUMENT. (This Notice is set forth pursuant to Act No. 255, approved September 10, 1965, as amended.)

## NOTICE

In accordance with the provisions of "The Bituminous Mine Subsidence and Land Conservation Act of 1966", I/we, the undersigned grantee/grantees, hereby certify that we know and understand that I/we may not be obtaining the right of protection against subsidence resulting from coal mining operations and that the purchased property may lie protected from damage due to mine subsidence by a private contract with the owners of the economic interest in the coal. I/we further certify that this certification is in a color contrasting with that in the deed proper and is printed in twelve point type preceded by the word "notice" printed in twenty-four point type.

WITNESS:

DATE

<u>Joseph Dyclo Jr</u>	<u>9/20/78</u>	<u>Irene Bungo</u>
<u>Ronald C. Archibald</u>		<u>Irene Bungo</u>
<u>Ronald C. Archibald</u>		<u>George Bungo</u>
<u>Ronald C. Archibald</u>		<u>Helen Bungo</u>
<u>Ronald C. Archibald</u>		<u>Samuel Bungo</u>
<u>Ronald C. Archibald</u>		<u>Lois Bungo</u>
<u>Ronald C. Archibald</u>		<u>Gerald Wardo</u>
<u>Ronald C. Archibald</u>		<u>Gene Wardo</u>

AND the said grantors will -specially - WARRANT AND FOREVER DEFEND the property hereby conveyed.

IN WITNESS WHEREOF, said grantors -have -hereunto set -their-hands and seals, the day and year first above-written.

Sealed and delivered in the presence of

Ronald E. Archer  
Joseph Blyszak Jr.

George Bungo (SEAL)  
George Bungo (SEAL)

CERTIFICATE OF RESIDENCE

I hereby certify, that the precise residence of the grantee  
Sam Bungo  
406 Curtin St.  
Osceola Mills, Pa. 16666

herein is as follows:

Ronald E. Archer  
Attorney or Agent for Grantee

Commonwealth of Pennsylvania  
County of CLEARFIELD } SS:

On this, the 16<sup>th</sup> day of April 1978, before me a Notary Public  
the undersigned officer, personally appeared GEORGE BUNGO

known to me (or satisfactorily proven) to be the person whose name is subscribed to the within  
instrument, and acknowledged that he executed the same for the purpose therein  
contained.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial seal.

Ronald E. Archer  
Notary Public  
My Commission Expires RONALD E. ARCHER, Notary Public  
Houzdale, Clearfield Co., Pa.  
My Commission Expires March 23, 1981

STATE OF NEW YORK  
County of NEW YORK } SS:

On this, the 20<sup>th</sup> day of SEPT. 1978, before me, a Notary Public  
the undersigned officer, personally appeared IRENE BUNGO  
known to me (or satisfactorily proven) to be the person whose name is subscribed to the within  
instrument, and acknowledged that she executed the same for the purpose therein  
contained.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial seal.

CLEARFIELD CO. SS  
ENTERED OF RECORD My Commission Expires

Time 11:57 A.M. 4-20-79  
By Ronald Archer  
Fees 18.00  
Cecil A. Burns, Recorder

JOSEPH BLYZAK  
NOTARY PUBLIC, State of New York  
No. 41-1059350, Qualified in Queens Co.  
Term Expires March 30, 1979

Entered of Record April 20 1979, 11:57 A.M. Cecil Burns, Recorder

FILED

AUG 28 2008

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
NO: 08-1621-CD

CHRISTOPHER P. BUNGO

vs

RICKY THOMAS BUNGO, JOHN S. BUNGO, GENE WARD and GERALD WARD  
COMPLAINT IN EQUITY-PARTITION

SERVICE # 2 OF 4

SERVE BY: 09/27/2008

HEARING:

PAGE: 104587

FILED

08-5164  
SEP 09 2008

William A. Shaw  
Prothonotary/Clerk of Courts

DEFENDANT: JOHN S. BUNGO  
ADDRESS: 24 RAILROAD ST., BOX 112  
RAMEY, PA 16671

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS: VACANT OCCUPIED

ATTEMPTS

**SHERIFF'S RETURN**

NOW, 9-8-08 AT 10:49 AM PM SERVED THE WITHIN

COMPLAINT IN EQUITY-PARTITION ON JOHN S. BUNGO, DEFENDANT

BY HANDING TO Rickey Bungo Brother

A TRUE AND ATTESTED COPY OF THE ORIGINAL DOCUMENT AND MADE KNOW TO HIM / HER THE CONTENTS THEREOF.

ADDRESS SERVED 303 Durbin St.  
Ramey Pa. 16671

NOW \_\_\_\_\_ AT \_\_\_\_\_ AM / PM POSTED THE WITHIN

COMPLAINT IN EQUITY-PARTITION FOR JOHN S. BUNGO

AT (ADDRESS) \_\_\_\_\_

NOW \_\_\_\_\_ AT \_\_\_\_\_ AM / PM AFTER DILIGENT SEARCH IN MY BAILIWICK,

I MAKE RETURN OF **NOT FOUND** AS TO JOHN S. BUNGO

REASON UNABLE TO LOCATE \_\_\_\_\_

SWORN TO BEFORE ME THIS

\_\_\_\_ DAY OF \_\_\_\_\_ 2008

So Answers: CHESTER A. HAWKINS, SHERIFF

BY:

James C. Davis  
Deputy Signature

James C. Davis  
Print Deputy Name

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
NO: 08-1621-CD

CHRISTOPHER P. BUNGO

vs

RICKEY THOMAS BUNGO, JOHN S. BUNGO, GENE WARD and GERALD WARD  
COMPLAINT IN EQUITY-PARTITION

SERVICE # 1 OF 4

SERVE BY: 09/27/2008

HEARING:

PAGE: 104587

**FILED**

08/5/08  
SEP 9 2008

William A. Shaw  
Prothonotary/Clerk of Courts

DEFENDANT: RICKEY THOMAS BUNGO  
ADDRESS: 303 DURBIN ST., PO BOX 17  
RAMEY, PA 16671

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS:  VACANT  OCCUPIED

ATTEMPTS

**SHERIFF'S RETURN**

NOW, 9-8-08 AT 10:49 AM PM SERVED THE WITHIN

COMPLAINT IN EQUITY-PARTITION ON RICKEY THOMAS BUNGO, DEFENDANT

BY HANDING TO Rickey Thomas Bungo, Defendant

A TRUE AND ATTESTED COPY OF THE ORIGINAL DOCUMENT AND MADE KNOW TO HIM / HER THE CONTENTS THEREOF.

ADDRESS SERVED 303 Durbin St., P.O. Box 17, Ramey, Pa 16671

NOW \_\_\_\_\_ AT \_\_\_\_\_ AM / PM POSTED THE WITHIN

COMPLAINT IN EQUITY-PARTITION FOR RICKEY THOMAS BUNGO

AT (ADDRESS) \_\_\_\_\_

NOW \_\_\_\_\_ AT \_\_\_\_\_ AM / PM AFTER DILIGENT SEARCH IN MY BAILIWICK,

I MAKE RETURN OF **NOT FOUND** AS TO RICKEY THOMAS BUNGO

REASON UNABLE TO LOCATE \_\_\_\_\_

SWORN TO BEFORE ME THIS

\_\_\_\_ DAY OF \_\_\_\_\_ 2008

So Answers: CHESTER A. HAWKINS, SHERIFF

BY:

James E. Davis  
Deputy Signature  
JAMES E. DAVIS  
Print Deputy Name

FILED

SEP 09 2008

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
NO: 08-1621-CD

CHRISTOPHER P. BUNGO

vs

RICKEY THOMAS BUNGO, JOHN S. BUNGO, GENE WARD and GERALD WARD  
COMPLAINT IN EQUITY-PARTITION

SERVICE # 4 OF 4

SERVE BY: 09/27/2008 HEARING: PAGE: 104587

DEFENDANT: GERALD WARD  
ADDRESS: 4395 MAIN ST.  
HOOTZDALE, PA 16651

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

**FILED**  
01/23/2008  
SEP 11 2008  
William A. Shaw  
Prothonotary/Clerk of Courts

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS: VACANT OCCUPIED

ATTEMPTS 9-8-08 - a/f/c 9-10-08 - n/f/h

**SHERIFF'S RETURN**

NOW, 9-11-08 AT 1:49 AM/PM SERVED THE WITHIN

COMPLAINT IN EQUITY-PARTITION ON GERALD WARD, DEFENDANT

BY HANDING TO Gerard Wardo, Def.

A TRUE AND ATTESTED COPY OF THE ORIGINAL DOCUMENT AND MADE KNOW TO HIM / HER THE CONTENTS THEREOF.

ADDRESS SERVED 4395 Main St.  
Houtzdale, Pa. 16651

NOW \_\_\_\_\_ AT \_\_\_\_\_ AM / PM POSTED THE WITHIN

COMPLAINT IN EQUITY-PARTITION FOR GERALD WARD

AT (ADDRESS) \_\_\_\_\_

NOW \_\_\_\_\_ AT \_\_\_\_\_ AM / PM AFTER DILIGENT SEARCH IN MY BAILIWICK,

I MAKE RETURN OF **NOT FOUND** AS TO GERALD WARD

REASON UNABLE TO LOCATE \_\_\_\_\_

SWORN TO BEFORE ME THIS

\_\_\_\_\_  
DAY OF \_\_\_\_\_ 2008

So Answers: CHESTER A. HAWKINS, SHERIFF

BY:

James E. Davis  
Deputy Signature  
James E. Davis  
Print Deputy Name

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
PENNSYLVANIA

Christopher Bungo  
(Plaintiff)

CIVIL ACTION

NO. 08-1621-C0

(Street Address)

Type of Case: Partition

(City, State ZIP)

Type of Pleading: Response

vs.

John S Bungo  
(Defendant)

Filed on Behalf of:

John S. Bungo  
(Plaintiff/Defendant)

PO Box 112 24 Railroad St

(Street Address)

Ramey PA 16671

(City State ZIP)

FILED No CC.

0/10/45cm  
SEP 18 2008 610

William A. Shaw  
Prothonotary/Clerk of Courts

John S. Bungo  
(Filed by)

PO Box 112 24 Railroad St  
(Address) Ramey PA 16671

814-378-5799  
(Phone)

John S Bungo  
(Signature)

**JOHN S. BUNGO**  
24 Railroad Street  
PO Box 112  
Ramey, PA 16671  
Phone: 814-378-5799

**CASE # 08-1621-CD**  
**CASY TYPE PARTITION**

**Defendant: JOHN S. BUNGO**

I am responding to the Partition Complaint that was recently filed by Christopher Bungo.

I acknowledge that I currently own 12.5% of the gas and oil rights through a deed transferred down from my father, George Bungo, whose wishes were that I could possibly benefit from these rights sometime in my future.

I was taken by complete surprise when I received this complaint and after reading the papers numerous times, I can not believe that Chris Bungo would misrepresent himself by signing the verification statement attached, because there was never *any* discussions with Mr. Bungo specifically pertaining to the ground held together with other relatives. I was never so disappointed that someone would attempt to force this type of action with me, making it sound that I was not a participating party to any attempts from reputable gas or oil companies about the possibility of future benefits to myself.

I am totally against asking the court to force me to set a price on something as intangible as gas or oil. If these minerals are found under the piece of ground in question, can you really tell me how much or how little is there. This action could have an adverse affect on my future finances, if I were to loose out on lease agreements and future royalties.

I would be very willing to participate in any negotiations with respectable gas or oil companies that would benefit ALL involved. I believe that some of the others feel the same way, and feel compelled now to draw lines in the sand to protect themselves. How can we feel any differently?

I appreciate the courts time in this personal response because I am not in the financial situation to splurge funds on attorneys and their expenses. I would ask that we all try to work for the benefit of all involved, and keep the division of the property as stipulated in the deed.

John S. Bungo

 9-18-08

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

CHRISTOPHER P. BUNGO,  
Plaintiff

No. 08-1621-CD

vs.

RICKEY THOMAS BUNGO,  
JOHN S. BUNGO,  
GENE WARDO, and  
GERALD WARDO,

Defendants

Type of Pleading  
PRAECIPE FOR APPEARANCE

Filed on Behalf of:  
GERALD WARDO, ONE OF  
ABOVE DEFENDANTS

Counsel of Record for  
this Party:

Richard A. Bell, Esquire  
PA I.D. #06808  
BELL, SILBERBLATT &  
WOOD  
318 East Locust Street  
P.O. Box 670  
Clearfield, PA 16830

(814) 765-5537

FILED  
013:3781 NO cc  
SEP 18 2008 610

William A. Shaw  
Prothonotary/Clerk of Courts

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

CHRISTOPHER P. BUNGO,  
Plaintiff

No. 08-1621-CD

vs.

RICKEY THOMAS BUNGO,

JOHN S. BUNGO,

GENE WARDO, and

GERALD WARDO,

Defendants

PRAECIPE FOR APPEARANCE

To William A. Shaw, Prothonotary:

Please enter my Appearance in the above matter on behalf of GERALD  
WARDO, one of the above named Defendants.

BELL, SILBERBLATT & WOOD  
BY

Dated: 9/18/08

  
\_\_\_\_\_  
RICHARD A. BELL, ESQUIRE

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

CHRISTOPHER P. BUNGO,  
Plaintiff

No. 08-1621-CD

vs.

RICKEY THOMAS BUNGO,

JOHN S. BUNGO,

GENE WARDO, and

GERALD WARDO,

Defendants

CERTIFICATE OF SERVICE

I hereby certify that a copy of a Praeclipe For Appearance, in the above matter  
was mailed the 18th day of September, 2008 by regular mail postage  
prepaid at the post office in Clearfield, PA 16830 to the following:

Chris A. Pentz, Esquire  
207 East Market Street  
P O Box 552  
Clearfield, PA 16830

  
Richard A. Bell, Esquire  
Attorney for Gerald Wardo

**FILED**

**SEP 18 2008**

William A. Shaw  
Prothonotary/Clerk of Courts

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
PENNSYLVANIA

**FILED**

SEP 24 2008

0/10-20/c  
William A. Shaw  
Notary/Clerk of Courts  
W# C/C C/C

Christopher P. Bunge  
(Plaintiff)

(Street Address)

- CIVIL ACTION

No. 08-1621-cp

Type of Case: Partitions

Type of Pleading: Complaint

Filed on Behalf of:

Rickey Thomas Boring

(Plaintiff/Defendant)

vs. Rickey T. Bungo  
John S. Bungo  
Gene Ward  
Gerard Ward (Defendant)

P.O. BOX 303, Durbin, S.D.  
(Street Address)

Box 17 Ramay Pa 16671  
(City, State ZIP)

Pickey Thomas Bunn  
(Filed by)

303 Durbin St Box 17 Ramsey MN 55316  
(Address)

814-378-5798  
(Phone)

John T. Bixby  
(Signature)

**Rick Bungo  
305 Durbin Street  
PO Box 17  
Ramey, PA 16671  
Phone: 814-378-7456**

**CASE # 08-1621-CD  
CASY TYPE PARTITION**

**Defendant: RICK BUNGO**

I, Rick Bungo am replying to the Partition Compliant that was filed by Christopher Bungo.

I acquired the 12.5% of the gas and oil rights from a deed transferred from my father, George Bungo. His desires were that I could possibly benefit from these rights for financial help in my future.

After reading the complaint several times, I find it totally absurd that Chris Bungo would falsify himself by signing the verification statement indicating that all in the complaint was true. At no time was there ever a discussion, as indicated on #9, between him and myself in the division or partition of the gas and oil rights.

This compliant portrays me as an unwilling participant to any discussions with reputable gas and oil companies, or the benefits of which all could financially gain. I believe that it would be difficult at this time to set any monetary value for something that has not even been determined to be under the ground.

I am very willing to join in with all the persons involved to contract with a respectable gas or oil company that pays a fair price along with established royalties and divide these funds between all per their inherited share.

I would like to thank the court for their time in considering my personal response. I would really like to see this situation resolved by all working together not the friction that this compliant has developed.

Rick Bungo

*Rick T. Bungo 8-24-08*

FILED

SEP 24 2008

William A. Shaw  
Prothonotary/Clerk of Courts

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

CHRISTOPHER P. BUNGO,  
Plaintiff

No. 08-1621-CD

vs.

RICKEY THOMAS BUNGO,  
JOHN S. BUNGO,  
GENE WARD, and  
GERALD WARD,  
Defendants

*(F)*  
**FILED**

SEP 25 2008

67 11.15 (m)  
William A. Shaw  
Prothonotary/Clerk of Courts  
n c/c

Type of Pleading  
PRAECIPE FOR APPEARANCE

Filed on Behalf of:  
GENE WARD, ONE OF  
ABOVE DEFENDANTS

Counsel of Record for  
this Party:

Richard A. Bell, Esquire  
PA I.D. #06808  
BELL, SILBERBLATT &  
WOOD  
318 East Locust Street  
P.O. Box 670  
Clearfield, PA 16830

(814) 765-5537

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

CHRISTOPHER P. BUNGO,  
Plaintiff

No. 08-1621-CD

vs.

RICKEY THOMAS BUNGO,  
JOHN S. BUNGO,  
GENE WARDO, and  
GERALD WARDO,

Defendants

PRAECIPE FOR APPEARANCE

To William A. Shaw, Prothonotary:

Please enter my Appearance in the above matter on behalf of GENE  
WARDO, one of the above named Defendants.

BELL, SILBERBLATT & WOOD  
BY

Dated: 9/24/08

  
\_\_\_\_\_  
RICHARD A. BELL, ESQUIRE

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

CHRISTOPHER P. BUNGO,  
Plaintiff

No. 08-1621-CD

vs.

RICKEY THOMAS BUNGO,  
JOHN S. BUNGO,  
GENE WARD, and  
GERALD WARD,

Defendants

CERTIFICATE OF SERVICE

I hereby certify that a copy of a Praeclipe For Appearance, in the above matter  
was mailed the 24th day of September, 2008 by regular mail postage  
prepaid at the post office in Clearfield, PA 16830 to the following:

Chris A. Pentz, Esquire  
207 East Market Street  
P O Box 552  
Clearfield, PA 16830

  
\_\_\_\_\_  
Richard A. Bell, Esquire  
Attorney for Gene Wardo

William A. Shaw  
Prothonotary/Clerk of Courts

SEP 25 2008

FILED

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

CHRISTOPHER P. BUNGO,  
Plaintiff

No. 08-1621-CD

vs.

RICKEY THOMAS BUNGO,  
JOHN S. BUNGO,  
GENE WARDO, and  
GERALD WARDO,

Defendants

**FILED**

DEC 09 2008  
0/11/08  
William A. Shaw  
Prothonotary/Clerk of Courts  
No 9/1  
60

Type of Pleading  
ANSWER & NEW MATTER

Filed on Behalf of:  
GENE WARDO, AND  
GERALD WARDO,  
DEFENDANTS

Counsel of Record for  
this Party:

Richard A. Bell, Esquire  
PA I.D. #06808  
BELL, SILBERBLATT &  
WOOD  
318 East Locust Street  
P.O. Box 670  
Clearfield, PA 16830

(814) 765-5537

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

CHRISTOPHER P. BUNGO,  
Plaintiff

No. 08-1621-CD

vs.

RICKEY THOMAS BUNGO,  
JOHN S. BUNGO,  
GENE WARD, and  
GERALD WARD,

Defendants

NOTICE TO PLEAD

TO: Chris A. Pentz, Esquire  
207 East Market Street  
P O Box 552  
Clearfield, PA 16830

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

  
Richard A. Bell, Esquire  
Attorney for Defendants  
Gene Wardo and Gerald Wardo

12-9-08

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

CHRISTOPHER P. BUNGO,  
Plaintiff

No. 08-1621-CD

vs.

RICKEY THOMAS BUNGO,  
JOHN S. BUNGO,  
GENE WARD, and  
GERALD WARD,

Defendants

ANSWER AND NEW MATTER

NOW COMES, Gene Wardo and Gerald Wardo and jointly file this Answer and New Matter to the Complaint of the Plaintiff by their attorney Richard A. Bell, of Bell, Silberblatt & Wood as follows:

1. Admitted.
2. Admitted.
3. Admitted.
4. Admitted.
5. Admitted.
6. Admitted that the parties are the owners of the oil and gas rights, but the Exhibits attached to the Complaint do not spell out how the parties acquired their interest, or now only own the oil and gas rights.
7. The percentages pled in paragraph seven are admitted.
8. Admitted.
9. Nine is neither admitted nor denied. It is admitted that no partition has ever been made, but although the parties have discussed the undivided interest, there has been no request to join in a partition action.

NEW MATTER

Gene Wardo and Gerald Wardo file the following New Matter:

10. The Defendants, Gene Wardo and Gerald Wardo submit that it is not possible to partition the fractional interest owned by the parties any more than they are presently held.

11. Many of the oil and gas companies are not going forward with leasing oil and gas at this time, and the market is in a state of flux, and therefore it is submitted that it would be very difficult to set a value on the interest if this action provides to a sale.

WHEREFORE, Defendants Gene Wardo and Gerald Wardo submit that this action is premature at this time and request that said action be dismissed.

BELL, SILBERBLATT & WOOD  
By

  
\_\_\_\_\_  
Richard A. Bell, Esquire  
Attorney for Defendants Gene Wardo  
and Gerald Wardo

VERIFICATION

WE, Gene Wardo and Gerald Wardo, Defendants, state that the statements in the within Answer, and New Matter are true and correct to the best of our knowledge, information and belief. This verification is made subject to the penalties of 18 Pa. C.S.A. §4904 relating to unsworn falsifications to authorities.

Dated: 12/6/08

Gene Wardo  
GENE WARDO

Gerald Wardo  
GERALD WARDO

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

CHRISTOPHER P. BUNGO,  
Plaintiff

No. 08-1621-CD

vs.

RICKEY THOMAS BUNGO,

JOHN S. BUNGO,

GENE WARDO, and

GERALD WARDO,

Defendants

CERTIFICATE OF SERVICE

I hereby certify that a copy of the Answer and New Matter, in the above matter  
was mailed the 9<sup>th</sup> day of December, 2008 by regular mail postage  
prepaid at the post office in Clearfield, PA 16830 to the following:

Chris A. Pentz, Esquire  
207 East Market Street  
P O Box 552  
Clearfield, PA 16830



12-9-08

Richard A. Bell, Esquire  
Attorney for Gene Wardo  
And Gerald Wardo

Prothonotary/Clerk of Courts  
William A. Shaw

DEC 09 2008

FILED

FILED

JAN 06 2009

012:30/06 GJO

William A. Shaw

Prothonotary/Clerk of Courts

S CCR to ATT

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

CHRISTOPHER P. BUNGO,  
Plaintiff

\*

\*

\*

vs

\* NO. 08-1621-CD

\*

RICKEY THOMAS BUNGO,  
JOHN S. BUNGO,  
GENE WARD, and  
GERALD WARD,  
Defendants

\*

\*

\*

\*

\* Type of Case: Partition

\*

\*

\* Type of Pleading: Reply to New  
\* Matter

\*

\*

\* Filed on Behalf of: Plaintiff

\*

\* Counsel of Record for this Party:

\*

\*

\*

\* CHRIS A. PENTZ, Esquire

\* Supreme Court I.D. # 39232

\* 207 East Market Street

\* P. O. Box 552

\* Clearfield PA 16830

\* 814 765-4000

\*

\*

\* Filed by:

\*

\*

\*

\* Chris A. Pentz, Esquire

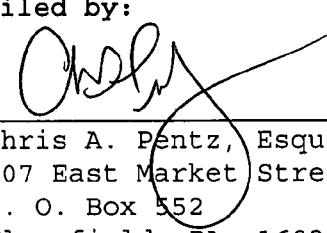
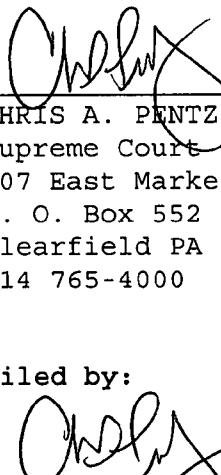
\* 207 East Market Street

\* P. O. Box 552

\* Clearfield, PA 16830

\* 814 765-4000

Date: \_\_\_\_\_



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

CHRISTOPHER P. BUNGO, \*  
Plaintiff \*  
\*  
VS \* No. 08-1621-CD  
\*  
RICKEY THOMAS BUNGO, \*  
JOHN S. BUNGO, \*  
GENE WARD, and \*  
GERALDO WARD, \*  
Defendants \*  
\*

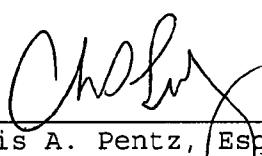
REPLY TO NEW MATTER

1. Paragraph 10 of New Matter is denied. The Plaintiff believes and therefore avers that the property in question can either be divided as provided by law or in the alternative that the interest can be sold pursuant to the Partition laws of the Commonwealth of Pennsylvania.

2. Paragraph 11 of the New Matter is denied. The Petitioner believes and therefore avers that the interest in question can be properly evaluated for purposes of the Partition Action and a subsequent sale.

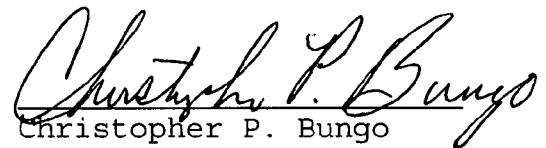
WHEREFORE, the Plaintiff demands the relief as set forth in his Complaint.

Respectfully submitted this 6 day of Jan, 2009

  
\_\_\_\_\_  
Chris A. Pentz, Esquire  
I.D. # 39232  
207 East Market Street  
Clearfield PA 16830  
814 765-4000

VERIFICATION

I, CHRISTOPHER P. BUNGO, verify that the statements made in this Reply are true and correct. I understand that false statements herein are made subject to the penalties of Pa.C.S. § 4904 relating to unsworn falsification to authorities.

  
Christopher P. Bungo

Prothonotary/Clerk of Courts  
William A Shaw

JAN 06 2009

**FILED**

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 104587  
NO: 08-1621-CD  
SERVICE # 3 OF 4  
COMPLAINT IN EQUITY-PARTITION

PLAINTIFF: CHRISTOPHER P. BUNGO

vs.

DEFENDANT: RICKY THOMAS BUNGO, JOHN S. BUNGO, GENE WARD and GERALD WARD

**SHERIFF RETURN**

---

NOW, September 05, 2008, SHERIFF OF CENTRE COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN COMPLAINT IN EQUITY-PARTITION ON GENE WARD.

NOW, September 22, 2008 AT 7:25 PM SERVED THE WITHIN COMPLAINT IN EQUITY-PARTITION ON GENE WARD, DEFENDANT. THE RETURN OF CENTRE COUNTY IS HERETO ATTACHED AND MADE PART OF THIS RETURN.

5  
**FILED**  
013:45pm  
JAN 08 2009  
William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 104587  
NO: 08-1621-CD  
SERVICES 4  
COMPLAINT IN EQUITY-PARTITION

PLAINTIFF: CHRISTOPHER P. BUNGO

VS.

DEFENDANT: RICKEY THOMAS BUNGO, JOHN S. BUNGO, GENE WARD and GERALD WARD

**SHERIFF RETURN**

---

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	PENTZ	3374	40.00
SHERIFF HAWKINS	PENTZ	3374	87.63
CENTRE CO.	PENTZ	3375	45.50

Sworn to Before Me This

So Answers,

\_\_\_\_ Day of \_\_\_\_\_ 2009

  
Chester A. Hawkins  
Sheriff

# **SHERIFF'S OFFICE**

## **CENTRE COUNTY**

Rm 101 Court House, Bellefonte, Pennsylvania, 16823 (814) 355-6803

**SHERIFF SERVICE**  
**PROCESS RECEIPT, AND AFFIDAVIT OF RETURN**

**INSTRUCTIONS FOR SERVICE OF PROCESS:** You must file one instruction sheet for each defendant. Please type or print legibly. Do not detach any copies.

1. Plaintiff(s) Christopher P. Bungo	2. Case Number 08-1621-CD
3. Defendant(s) Rickey Thomas Bungo et al	4. Type of Writ or Complaint: Complaint 502323
<p><b>SERVE</b> → <b>AT</b> { 5. Name of Individual, Company, Corporation, Etc., to Serve or Description of Property to be Levyed, Attached or Sold. Gene Wardo</p> <p>6. Address (Street or RFD, Apartment No., City, Boro, Twp., State and Zip Code) 716 Pauline Street, Philipsburg, PA 16866</p>	
7. Indicate unusual service: <input type="checkbox"/> Reg Mail <input type="checkbox"/> Certified Mail <input type="checkbox"/> Deputize <input type="checkbox"/> Post <input type="checkbox"/> Other	
Now, _____ 20_____. I, SHERIFF OF CENTRE COUNTY, PA., do hereby deputize the Sheriff of _____ County to execute this Writ and make return thereof according to law. This deputation being made at the request and risk of the plaintiff. _____	
Sheriff of Centre County	
8. SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE	

**NOTE ONLY APPLICABLE ON WRIT OF EXECUTION: N.B. WAIVER OF WATCHMAN** – Any deputy sheriff levying upon or attaching any property under within writ may leave same without a watchman, in custody of whomsoever is found in possession, after notifying person of levy or attachment, without liability on the part of such deputy or the sheriff to any plaintiff herein for any loss, destruction or removal of any such property before sheriff's sale thereof.

9. Print/Type Name and Address of Attorney/Originator Chris A Pentz 207 MARKET STREET CLEARFIELD PA 16830	10. Telephone Number (814) 765-4000	11. Date
12. Signature		

SPACE BELOW FOR USE OF SHERIFF ONLY - DO NOT WRITE BELOW THIS LINE

13. I acknowledge receipt of the writ of complaint and affidavit shown in the copy of the complaint and affidavit attached hereto.

**TO BE COMPLETED BY SHERIFF**

On the \_\_\_\_\_, day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock, M.

Defendant not found because:

Moved  Unknown  No Answer  Vacant  Other

### Remarks:

Advance Costs 75.00	Docket 9.00	Service 9.00	Sur Charge 0.00	Affidavit 2.50	Mileage 25.00	Postage	Misc.	Total Costs 45.50	Costs Due or Refund (29.50)
------------------------	----------------	-----------------	--------------------	-------------------	------------------	---------	-------	----------------------	--------------------------------

17. AFFIRMED and subscribed to before me this 29

### So Answer.

**18. Signature of Dep. Sheriff**

19. Date

20. day of <u>Sept</u> 20 08	18. Signature of Dep. Sheriff 	19. Date <u>9/25/08</u>
21. Signature of Sheriff 	22. Date <u>9/25/08</u>	

23. COMMONWEALTH OF PENNSYLVANIA

## **SHERIFF OF CENTRE COUNTY**

Amount Pd. Page

**25. Date Received**



CHESTER A. HAWKINS  
SHERIFF

# Sheriff's Office Clearfield County

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

OFFICE (814) 765-2641  
FAX (814) 765-5915  
ROBERT SNYDER  
CHIEF DEPUTY  
MARILYN HAMM  
DEPT. CLERK  
CYNTHIA AUGHENBAUGH  
OFFICE MANAGER  
KAREN BAUGHMAN  
CLERK TYPIST  
PETER F. SMITH  
SOLICITOR

## DEPUTATION

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

PAGE 104587

TERM & NO. 08-1621-CD

CHRISTOPHER P. BUNGO

COMPLAINT IN EQUITY-PARTITION

VS.

RICKEY THOMAS BUNGO, JOHN S. BUNGO, GENE WARD and GERALD WARD

**SERVE BY: 09/27/08  
COURT DATE:**

**MAKE REFUND PAYABLE TO CHRIS PENTZ, ESQ.**

**SERVE:** GENE WARD

**ADDRESS:** 716 PAULINE ST., PHILIPSBURG, PA 16866

Know all men by these presents, that I, CHESTER A. HAWKINS, HIGH SHERIFF OF CLEARFIELD COUNTY, State of Pennsylvania, do hereby depelize the SHERIFF OF CENTRE COUNTY, Pennsylvania to execute this writ. This Depetation being made at the request and risk of the Plaintiff this day, September 05, 2008.

RESPECTFULLY,

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

CHESTER A. HAWKINS,  
SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA

**FILED**

**JAN 08 2009**

William A. Shaw  
Prothonotary/Clerk of Courts

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

CHRISTOPHER P. BUNGO,  
Plaintiff,

v.

No. 08-1621-CD

RICKEY THOMAS BUNGO,  
JOHN S. BUNGO,  
GENE WARD and  
GERALD WARD,  
Defendants

FILED

JAN 13 2009

12:30 C  
William A. Shaw

William F. Shaw  
Prothonotary/Clerk of Courts  
No. 41C (GIC)

Type of Case: Partition

Type of Pleading:  
**Certificate of Service**

Filed on Behalf of: Plaintiff

Counsel of Record  
for this Party:

CHRIS A. PENTZ, ESQUIRE  
Supreme Court ID No.: 39232  
207 East Market Street  
PO Box 552  
Clearfield, PA 16830  
814-765-4000

Date: 2-13-69

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

CHRISTOPHER P. BUNGO,  
Plaintiff,

v.

RICKEY THOMAS BUNGO,  
JOHN S. BUNGO,  
GENE WARDO and  
GERALD WARDO,  
Defendants.

\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*

No. 08-1621-CD

CERTIFICATE OF SERVICE

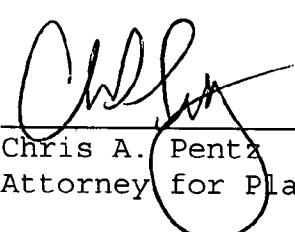
I, Chris A. Pentz, Esquire, do hereby certify that a certified copy of Plaintiff's Reply to New Matter filed in the above-captioned action was served on the following person and in the following manner on the 13 day of January, 2009.

FIRST-CLASS MAIL, POSTAGE PREPAID

Richard A. Bell, Esquire  
Bell, Silberblatt & Wood  
318 East Locust Street  
PO Box 670  
Clearfield, PA 16830

Rickey T. Bungo  
303 Durbin Street  
PO Box 17  
Ramey, PA 16671

John S. Bungo  
24 Railroad Street  
PO Box 112  
Ramey, PA 16671

  
Chris A. Pentz  
Attorney for Plaintiff

**FILED**  
JAN 13 2008  
William A. Shaw  
Prothonotary/Clerk of Courts

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

CHRISTOPHER P. BUNGO,  
Plaintiff,

v.

RICKEY THOMAS BUNGO,  
JOHN S. BUNGO,  
GENE WARD and  
GERALD WARD,  
Defendants.

\*  
\*  
\*  
\*  
\* No. 08-1621-CD  
\*

\* Type of Case: Partition

\*  
\*  
\* Type of Pleading:  
\* Certificate of Service

\* Filed on Behalf of: Plaintiff

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

\*  
\* CHRIS A. PENTZ, ESQUIRE  
\* Supreme Court ID No.: 39232  
\* 207 East Market Street  
\* PO Box 552  
\* Clearfield, PA 16830  
\* 814-765-4000

Date: 2/9/09

**FILED**  
03:45P.M. GC  
**FEB 09 2009**  
S  
William A. Shaw  
Prothonotary/Clerk of Courts  
GTO

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

CHRISTOPHER P. BUNGO,  
Plaintiff,

v.

RICKEY THOMAS BUNGO,  
JOHN S. BUNGO,  
GENE WARD and  
GERALD WARD,  
Defendants.

\*  
\*  
\*  
\*  
\* No. 08-1621-CD  
\*  
\*

**CERTIFICATE OF SERVICE**

I, Chris A. Pentz, Esquire, do hereby certify that a true and correct copy of Notice of Intent to Enter Judgment by Default filed in the above-captioned action was served on the Defendant, Rickey T. Bungo and the Defendant, John S. Bungo, in the following manner on the 9th day of February, 2009.

**FIRST-CLASS MAIL, POSTAGE PREPAID**

Richard A. Bell, Esquire  
Bell, Silberblatt & Wood  
318 East Locust Street  
PO Box 670  
Clearfield, PA 16830

Rickey T. Bungo  
303 Durbin Street  
PO Box 17  
Ramey, PA 16671

John S. Bungo  
24 Railroad Street  
PO Box 112  
Ramey, PA 16671

  
Chris A. Pentz  
Attorney for Plaintiff

**FILED**  
**FEB 09 2009**

William A. Shaw  
Prothonotary/Clerk of Courts

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

CHRISTOPHER P. BUNGO,  
Plaintiff,

v.

RICKEY THOMAS BUNGO,  
JOHN S. BUNGO,  
GENE WARDO and  
GERALD WARDO,  
Defendants.

\*  
\*  
\*  
\*  
\*  
\*

NO. 08-1621-CD

FILED No CC.  
03:30pm  
MAR - 4 2009  


William A. Shaw  
Prothonotary/Clerk of Courts

\* Type of Case: Partition

\*  
\*  
\*  
\*  
\*  
\*

\* Type of Pleading:  
Certificate of Service

\*  
\*  
\*  
\*  
\*

\* Filed on Behalf of: Plaintiff

\*  
\*  
\*  
\*  
\*  
\*

\* Counsel of Record  
for this Party:

\* CHRIS A. PENTZ, ESQUIRE  
\* Supreme Court ID No.: 39232  
\* 207 East Market Street  
\* PO Box 552  
\* Clearfield, PA 16830  
\* 814-765-4000

Date: 3/4/09

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

CHRISTOPHER P. BUNGO,  
Plaintiff,

v.

RICKEY THOMAS BUNGO,  
JOHN S. BUNGO,  
GENE WARDO and  
GERALD WARDO,  
Defendants.

\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*

No. 08-1621-CD

CERTIFICATE OF SERVICE

I, Chris A. Pentz, Esquire, do hereby certify that a true and correct copy of Reply to Defendants' Rickey Thomas Bungo and John S. Bungo, New Matter, filed in the above-captioned action was served on the Defendants in the following matter on the 4th day of March, 2009.

FIRST-CLASS MAIL, POSTAGE PREPAID

Rickey T. Bungo  
303 Durbin Street  
PO Box 17  
Ramey, PA 16671

John S. Bungo  
24 Railroad Street  
PO Box 112  
Ramey, PA 16671

Richard A. Bell, Esquire  
Bell, Silberblatt & Wood  
318 East Locust Street  
PO Box 670  
Clearfield, PA 16830

  
Chris A. Pentz,  
Attorney for Plaintiff

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

CHRISTOPHER P. BUNGO,  
Plaintiff,

v.

RICKEY THOMAS BUNGO,  
JOHN S. BUNGO,  
GENE WARDO and  
GERALD WARDO,  
Defendants.

\*  
\*  
\*  
\*  
\* No. 08-1621-CD  
\*

\* Type of Case: Partition  
\*  
\*  
\* Type of Pleading:  
\* Reply to Defendants',  
\* Rickey Thomas Bungo and  
\* John S. Bungo, New Matter  
\*  
\* Filed on Behalf of: Plaintiff  
\*  
\*  
\*  
\*  
\* Counsel of Record  
\* for this Party:  
\*  
\* CHRIS A. PENTZ, ESQUIRE  
\* Supreme Court ID No.: 39232  
\* 207 East Market Street  
\* PO Box 552  
\* Clearfield, PA 16830  
\* 814-765-4000

Date: 3/4/09

FILED *5cc*  
03/04/2009 *Atty Pentz*  
MAR 04 2009  
S  
William A. Shaw  
Prothonotary/Clerk of Courts

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

CHRISTOPHER P. BUNGO,  
Plaintiff,

v.

\*

\*

\*

\* No. 08-1621-CD

\*

RICKEY THOMAS BUNGO,  
JOHN S. BUNGO,  
GENE WARDO and  
GERALD WARDO,  
Defendants.

\*

\*

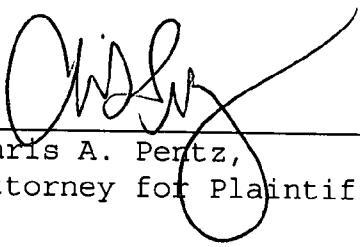
\*

**REPLY TO DEFENDANTS', RICKEY THOMAS BUNGO  
AND JOHN S. BUNGO, NEW MATTER**

1. Paragraph 10 is denied. The Plaintiff believes and therefore avers that the property in question can either be divided as provided by law or in the alternative the interest can be sold pursuant to the partition laws of the Commonwealth of Pennsylvania.

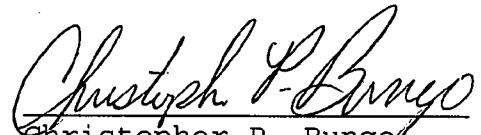
2. Paragraph 11, no response required.

Respectfully submitted,

  
\_\_\_\_\_  
Chris A. Pentz,  
Attorney for Plaintiff

VERIFICATION

I, CHRISTOPHER P. BUNGO, verify that the statements made in this Reply are true and correct. I understand that false statements herein are made subject to the penalties of Pa.C.S. § 4904 relating to unsworn falsification to authorities.

  
Christopher P. Bungo

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

CHRISTOPHER P. BUNGO,  
Plaintiff,

v.

RICKEY THOMAS BUNGO,  
JOHN S. BUNGO,  
GENE WARD and  
GERALD WARD,  
Defendants.

\* No. 08-1621-CD

\* Type of Case: Partition

\* Type of Pleading:

\* Praeclipe to Mark Discontinued

\* Filed on Behalf of: Plaintiff

\* Counsel of Record  
for this Party:

\* CHRIS A. PENTZ, ESQUIRE  
\* Supreme Court ID No.: 39232  
\* 207 East Market Street  
\* PO Box 552  
\* Clearfield, PA 16830  
\* 814-765-4000

Date: 10/29/12

FILED 5cc  
03/30/12 Atty Pentz  
S 05120 2012  
William A. Shaw  
Prothonotary/Clerk of Courts  
6K

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

CHRISTOPHER P. BUNGO,  
Plaintiff,

v.

RICKEY THOMAS BUNGO,  
JOHN S. BUNGO,  
GENE WARD and  
GERALD WARD,  
Defendants.

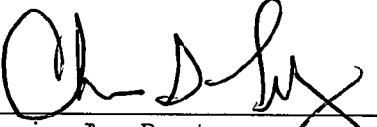
\*  
\*  
\*  
\*  
\*  
\*

No. 08-1621-CD

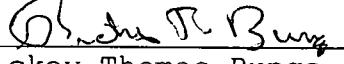
**PRAECIPE TO MARK DISCONTINUED**

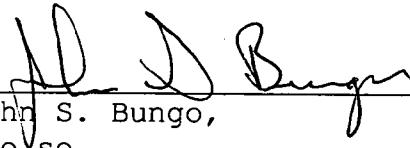
TO THE PROTHONOTARY:

Please mark the above captioned matter discontinued.

  
Chris A. Pentz,  
Attorney for Plaintiff

  
Richard A. Bell,  
Attorney for Gene Wardo and  
Gerald Wardo

  
Rickey Thomas Bungo,  
pro se

  
John S. Bungo,  
pro se

FILED

OCT 29 2012

William A. Shaw  
Prothonotary/Clerk of Courts

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

CHRISTOPHER P. BUNGO,  
Plaintiff,

RICKEY THOMAS BUNGO,  
JOHN S. BUNGO,  
GENE WARD and  
GERALD WARD,  
Defendants.

No. 08-1621-CD

FILED

S OCT 31 2012  
013:30 W  
William A. Shaw  
Prothonotary/Clerk of Courts

no 4c

Type of Case: Partition

### Type of Pleading:

## **Certificate of Service**

Filed on Behalf of: Plaintiff

Counsel of Record  
for this Party:

CHRIS A. PENTZ, ESQUIRE  
Supreme Court ID No.: 39232  
207 East Market Street  
PO Box 552  
Clearfield, PA 16830  
814-765-4000

Date: 10/31/12

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

CHRISTOPHER P. BUNGO,  
Plaintiff,

v.

RICKEY THOMAS BUNGO,  
JOHN S. BUNGO,  
GENE WARDO and  
GERALD WARDO,  
Defendants.

\*  
\*  
\*  
\*  
\*  
\*  
\*

No. 08-1621-CD

**CERTIFICATE OF SERVICE**

I, Chris A. Pentz, Esquire, do hereby certify that a certified copy of the Praeclipe to Mark Discontinued filed in the above-captioned action was served on the following persons and in the following manner on the 31st day of October, 2012.

FIRST-CLASS MAIL, POSTAGE PREPAID

Richard A. Bell, Esquire  
Bell, Silberblatt & Wood  
318 East Locust Street  
PO Box 670  
Clearfield, PA 16830

Rickey T. Bungo  
303 Durbin Street  
PO Box 17  
Ramey, PA 16671

John S. Bungo  
24 Railroad Street  
PO Box 112  
Ramey, PA 16671

  
\_\_\_\_\_  
Chris A. Pentz,  
Attorney for Plaintiff

**FILED**

OCT 31 2012

PROBATE DIVISION  
WILLIAM STONE  
CLERK OF COURTS