

08-1676-CD
Erie Insurance Co vs J. P. Donmoyer Inc

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

ERIE INSURANCE COMPANY :
As subrogee of Michael Koppenhaver, and : No: 2008-1676-CD
MICHAEL KOPPENHAVER :
as use plaintiff : Civil Action--Law
v. :
J.P. DONMOYER, INC. : JURY TRIAL DEMANDED

PRAECIPE TO EXEMPLIFY

TO THE PROTHONOTARY:

Please transfer the above captioned docket to the Clinton County Court of Common Pleas
docket no. 1254-08.

Respectfully submitted:


Sonya Kivisto, Esquire
Attorney ID 92919

Marcello & Kivisto, LLC
1200 Walnut Bottom Road
Third Floor, Suite 331
Carlisle, PA 17015
Phone: (717)240-4686
Fax: (717)-258-4686

4 FILED NO CC
12/25/2009 APP 17 2009 Atty pd.
15.00
C William A. Shaw
Prothonotary/Clerk of Courts

MICHAEL KOPPENHAVER and
KAREN KOPPENHAVER, his wife,
Plaintiffs

V.

J.P. DONMOYER, INC. and
EDWARD CARNES,
Defendants.

ERIE INSURANCE COMPANY
As subrogee of Michael Koppenhaver, and
MICHAEL KOPPENHAVER
as use plaintiff

1

J.P. DONMOYER, INC.

IN THE COURT OF COMMON PLEAS
CLINTON COUNTY, PENNSYLVANIA
No: 1254-08
Civil Action--Law
JURY TRIAL DEMANDED

: IN THE COURT OF COMMON PLEAS
: CLEARFIELD COUNTY, PENNSYLVANIA
:
:
: No: 2008-1676-CD
:
: Civil Action - Law
:
:
: JURY TRIAL DEMANDED

ORDER

AND NOW, this

day of

consideration of Defendants' Motion to Coordinate and Consolidate, it is hereby

ORDERED that the case docketed at Clearfield County Civil Action No. 2008-1676-CD
at Defendants expense
is transferred to Clinton County and is coordinated and consolidated for all purposes in

the action docketed to Clinton County Civil Action No. 1254-08.

Discovery notices may not be filed
of record unless
content is alleged! See Rule 26.

117-6 P 2 27
A
IN THE COURT OF COMMON PLEAS OF CLINTON COUNTY, PENNSYLVANIA
CERTIFIED FROM CIVIL RECORDS OF THE COURT OF COMMON PLEAS AT LOCK HAVEN, PA THIS 17 DAY OF JUNE 1981
STERRY L. HARRISON, Prothonotary
Clinton County, Pennsylvania

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

Copy

**Erie Insurance Company as subrogee
of Michael Koppenhaver and
Michael Koppenhaver**

Vs.

CASE #2008-01676-CD

J. P. Donmoyer Inc.

CERTIFICATION OF DOCKET ENTRIES

**I, William A. Shaw, Prothonotary of the Court of Common Pleas of
Clearfield County, Pennsylvania, do hereby certify that the attached is a certified
and full copy of the docket entries in the above captioned case.**

**IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the
Seal of the Court, on the 21st day of April, 2009.**

William A. Shaw

Prothonotary

BY:

William A. Shaw

Deputy

Date: 4/21/2009

Time: 08:47 AM

Page 1 of 1

Clearfield County Court of Common Pleas

User: BHUDSON

ROA Report

Case: 2008-01676-CD

Current Judge: No Judge

Erie Insurance Company, et alvs. J. P. Donmoyer Inc.

Civil Other-COUNT

Date		Judge
9/8/2008	New Case Filed.	No Judge
	Filing: Civil Complaint Paid by: Schultz, Mark C. (attorney for Erie Insurance Company) Receipt number: 1925762 Dated: 9/8/2008 Amount: \$95.00 (Check) For: Erie Insurance Company (plaintiff) 1CC Atty.	No Judge
10/10/2008	Sheriff Return, October 9, 2008 Returned the within Complaint "NOT SERVED, TIME EXPIRED" as to J.P. Donmoyer Inc. So Answers, Chester A. Hawkins, Sheriff by s/Marilyn Hamm Shff Hawkins costs pd by Cohen \$24.00	No Judge
10/27/2008	Filing: Reinstate Complaint Paid by: Schultz, Mark C. (attorney for Erie Insurance Company) Receipt number: 1926525 Dated: 10/27/2008 Amount: \$7.00 (Check) For: Erie Insurance Company (plaintiff) Filed by s/ Mark C. Schultz, Esquire. 1CC & 1 Compl. Reinstated to Atty; 2 Compl. Reinstated to Sheriff	No Judge
2/13/2009	Sheriff Return, November 19, 2008, Sheriff of Lebanon County was deputized November 25, 2008 at 9:30 am Served the within Complaint on J.P. Donmoyer Inc. So Answers, Chester A. Hawkins, Sheriff by s/Marilyn Hamm Shff Hawkins costs pd by Cohen \$22.00 Lebanon Co. costs pd by Cohen \$67.00	No Judge
3/20/2009	Praecipe for Entry of Appearance, filed by Atty. Kivisto no cert. copies. Enter appearance of Atty. Kivisto on behalf of Defendant J.P. Donmoyer.	No Judge
3/23/2009	Answer With New Matter, filed by s/ Sonya Kivisto, esquire. No CC	No Judge
4/17/2009	Filing: Praecipe to Exemplify Paid by: Kivisto, Sonya (attorney for J. P. Donmoyer Inc.) Receipt number: 1929047 Dated: 4/17/2009 Amount: \$15.00 (Check) For: J. P. Donmoyer Inc. (defendant) No CC April 21, 2009, Case transferred to Clinton County.	No Judge

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

APR 21 2009

Attest.

William E. Hudson
Prothonotary/
Clerk of Courts

MARCELLO & KIVISTO, LLC

**1200 WALNUT BOTTOM ROAD
THIRD FLOOR, SUITE 331
CARLISLE, PA 17015
T: (717)240-4686
F: (717)258-4686**

WWW.CDL-LAW.COM

M&K

*Matthew J. Monaghan
(717)240-4686
mmonaghan@cdl-law.com*

April 15, 2009

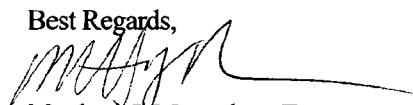
Clinton County Prothonotary Office
230 East Water Street
Lockhaven, PA 17745

RE: Koppenhaver and Koppenhaver v. J.P. Donmoyer, Inc and Carnes.
No. 1254-08

To Whom It May Concern:

Enclosed you will find Erie Insurance Company v. J.P. Donmoyer, docketed at No. 2008-1676-CD in the Clearfield County Court of Common Pleas. On April 6, 2009, an order was filed with your office to coordinate and consolidate Clearfield County Civil Action No. 2008-1676-CD with Clinton County Civil Action No. 1254-08. I have attached a copy of said order. Should you have any questions, please do not hesitate to contact my office.

Best Regards,


Matthew J. Monaghan, Esq.
Marcello & Kivisto, LLC

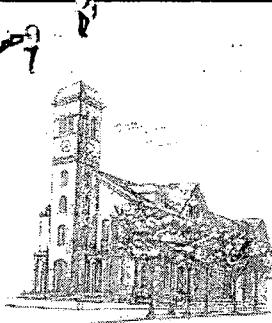
Please return the below receipt and return to the Clearfield County Prothonotary's Office in the enclosed postage-paid envelope. Thank you.

William A. Shaw
Clearfield Co. Prothonotary

08-1676-CD

Erie Insurance Company and Michael Koppenhaver vs. J.P. Donmoyer, Inc.

On _____, 200____, I have received the above-captioned case,
transferred to Clinton County.



Clearfield County Office of the Prothonotary and Clerk of Courts

William A. Shaw **Jacki Kendrick** **Bonnie Hudson** **David S. Ammerman**
Prothonotary/Clerk of Courts Deputy Prothonotary/Clerk of Courts Administrative Assistant Solicitor

PO Box 549, Clearfield, PA 16830 ■ Phone: (814) 765-2641 Ext. 1330 ■ Fax: (814) 765-7659 ■ www.clearfieldco.org

COPY

April 21, 2009

Matthew J. Monaghan, Esq.
Sonya Kivisto, Esq.
1200 Walnut Bottom Road, 3rd Floor, Ste. 331
Carlisle, PA 17015

Mark C. Schultz, Esq.
2001 Market St., #2900
Philadelphia, PA 19103

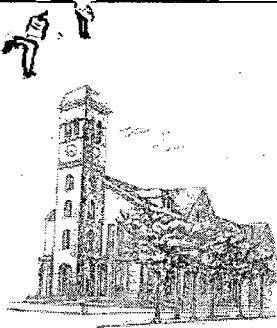
Re: Erie Insurance Company et al vs. J.P. Donmoyer, Inc.
Clearfield County Case No. 08-1676-CD
Clinton County Case No. 1254-08

Dear Counsel:

Please be advised the above-captioned case has been transferred to Clinton County this date, pursuant to Attorney Matthew J. Monaghan, Esq.'s Praeclipe to Transfer the Record filed April 17, 2009, filed in response to the Order to Coordinate and Consolidate filed in Clinton County April 6, 2009.

Sincerely,

William A. Shaw
Prothonotary



Clearfield County Office of the Prothonotary and Clerk of Courts

William A. Shaw
Prothonotary/Clerk of Courts

Jacki Kendrick
Deputy Prothonotary/Clerk of Courts

Bonnie Hudson
Administrative Assistant

David S. Ammerman
Solicitor

PO Box 549, Clearfield, PA 16830 • Phone: (814) 765-2641 Ext. 1330 • Fax: (814) 765-7659 • www.clearfieldco.org

APR 21 2009

Matthew J. Monaghan, Esq.
Sonya Kivisto, Esq.
1200 Walnut Bottom Road, 3rd Floor, Ste. 331
Carlisle, PA 17015

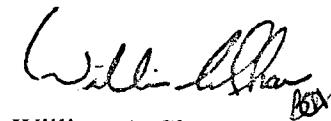
Mark C. Schultz, Esq.
2001 Market St., #2900
Philadelphia, PA 19103

Re: Erie Insurance Company et al vs. J.P. Donmoyer, Inc.
Clearfield County Case No. 08-1676-CD
Clinton County Case No. 1254-08

Dear Counsel:

Please be advised the above-captioned case has been transferred to Clinton County this date, pursuant to Attorney Matthew J. Monaghan, Esq.'s Praeclipe to Transfer the Record filed April 17, 2009, filed in response to the Order to Coordinate and Consolidate filed in Clinton County April 6, 2009.

Sincerely,



William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

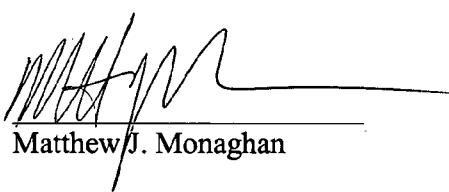
ERIE INSURANCE COMPANY :
As subrogee of Michael Koppenhaver, and : No: 2008-1676-CD
MICHAEL KOPPENHAVER :
as use plaintiff : Civil Action--Law
v.
J.P. DONMOYER, INC. : JURY TRIAL DEMANDED

CERTIFICATE OF SERVICE

I certify that the foregoing **Praecipe to Exemplify** in the within action was served upon the following by enclosing the same in an envelope addressed as follows, postage prepaid and depositing same in the United States Mail, First Class Mail, in Carlisle, PA on the **20th day of April, 2009**.

Mark C. Schultz, Esquire
Cohen, Placitella & Roth
Two Commerce Square, Suite 2900
2001 Market Street
Philadelphia, PA 19103

W. Scott Henning, Esq.
Handler, Henning, and Rosenberg, LLP
1300 Linglestown Road
Harrisburg, PA 17110



Matthew J. Monaghan

FILED NO
m112-13801 cc
APR 22 2009
S
William A. Shaw
Prothonotary/Clerk of Courts

COPY

MARCELLO & KIVISTO, LLC

M&K

WWW.CDL-LAW.COM

**1200 WALNUT BOTTOM ROAD
THIRD FLOOR, SUITE 331
CARLISLE, PA 17015
T: (717)240-4686
F: (717)258-4686**

Matthew J. Monaghan
(717)240-4686
mmonaghan@cdl-law.com

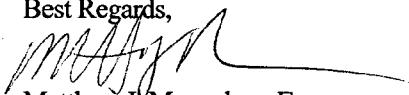
April 15, 2009

Clinton County Prothonotary Office
230 East Water Street
Lockhaven, PA 17745

RE: Koppenhaver and Koppenhaver v. J.P. Donmoyer, Inc and Barnes
No. 1254-08

To Whom It May Concern:

Enclosed you will find Erie Insurance Company v. J.P. Donmoyer, docketed at No. 2008-1676-CD in the Clearfield County Court of Common Pleas. On April 6, 2009, an order was filed with your office to coordinate and consolidate Clearfield County Civil Action No. 2008-1676-CD with Clinton County Civil Action No. 1254-08. I have attached a copy of said order. Should you have any questions, please do not hesitate to contact my office.

Best Regards,

Matthew J. Monaghan, Esq.
Marcello & Kivisto, LLC

Please return the below receipt and return to the Clearfield County Prothonotary's Office in the enclosed postage-paid envelope. Thank you.

William A. Shaw
Clearfield Co. Prothonotary

08-1676-CD

Erie Insurance Company and Michael Koppenhaver vs. J.P. Donmoyer, Inc.

On April 23, 2009, I have received the above-captioned case, RE
transferred to Clinton County.

⁵
FILED
RE APR 27 2009
William A. Shaw
Prothonotary/Clerk of Courts

Sherry Garrison

Cohen, Placitella & Roth, P.C.
BY: MARK C. SCHULTZ, ESQUIRE
Attorney ID No.: 21650
Two Commerce Square, Suite 2900
Philadelphia, PA 19103
(215) 567-3500
(215) 567-6019 – Facsimile
mschultz@cplaw.com

ATTORNEYS FOR PLAINTIFF

ERIE INSURANCE COMPANY
As subrogee of Michael Koppenhaver
and
MICHAEL KOPPENHAVER as use Plaintiff

: COURT OF COMMON PLEAS
: CLEARFIELD COUNTY, PA
: Civil Action No.: 2008-1676-CD

Plaintiffs,

v.

J.P. DONMOYER, INC.

Defendant.

PRAECLPICE TO DISCONTINUE

TO THE PROTHONOTARY:

Kindly mark the within-in action discontinued without prejudice.

BY:

MARK C. SCHULTZ
Attorney for Plaintiff

Dated: July 31, 2009

5 FILED 1cc + 1 cert of
m 2:06pm 18 SC issued to
AUG 17 2009 ATTY Schultz
William A. Shaw
Prothonotary/Clerk of Courts

CERTIFICATE OF SERVICE

I hereby certify that I served the within Praecipe to Discontinue upon the following counsel:

Sonya Kivistö, Esquire
Marcello & Kivistö, LLC
1200 Walnut Bottom Road, Suite 331
Carlisle, PA 17015

W. Scott Henning, Esquire
Handler, Henning & Rosenberg, LLP
1300 Linglestown Road
Harrisburg, PA 17110

COHEN, PLACITELLA & ROTH, PC

BY:

MARK C. SCHULTZ
Attorney for Plaintiff

Dated: July 31, 2009

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

Copy

Erie Insurance Company
Michael Koppenhaver

Vs.
J. P. Donmoyer Inc.

No. 2008-01676-CD

CERTIFICATE OF DISCONTINUATION

Commonwealth of PA
County of Clearfield

I, William A. Shaw, Prothonotary of the Court of Common Pleas in and for the County and Commonwealth aforesaid do hereby certify that the above case was on August 17, 2009, marked:

Discontinued without prejudice

Record costs in the sum of \$92.00 have been paid in full by Mark C. Schultz Esq.
Record costs in the sum of \$15.00 have been paid in full by Sonya Kivistö Esq.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 17th day of August A.D. 2009.

William A. Shaw *LM*

William A. Shaw, Prothonotary