

08-1735-CD
Cynthia Williams vs Pamela Bradley et al

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

CYNTHIA L. WILLIAMS,
an adult individual;

PLAINTIFF,

:
: No. 08-1735-CD

v.

PAMELA W. BRADLEY, an adult individual,
THOMAS J. BRADLEY, MD, an adult individual,
THOMAS J. BRADLEY, MD, P.C., a
Pennsylvania for Profit Corporation, and
DRMC, a Pennsylvania Not for Profit Corporation.

DEFENDANTS.

:
: Type of Pleading:

:
: NOTICE OF SERVICE

:
: Filed By:

:
: Plaintiff

:
: Counsel of Record:

:
: Theron G. Noble, Esquire
Ferraraccio & Noble
301 East Pine Street
Clearfield, PA 16830
: (814)-375-2221
PA I.D.#: 55942

pd \$95.00
FILED 10/20/08 am 6CC A/H
SEP 15 2008 Noble
William A. Shaw
Prothonotary/Clerk of Courts

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

CYNTHIA L. WILLIAMS,)
an adult individual;)
)
PLAINTIFF,)
)
v.)
)
PAMELA W. BRADLEY, an adult individual,)
THOMAS J. BRADLEY, MD, an adult individual,)
THOMAS J. BRADLEY, MD, P.C., a)
Pennsylvania for Profit Corporation, and)
DRMC, a Pennsylvania Not for Profit Corporation.)
)
DEFENDANTS.)

No. 08-_____ -CD

NOTICE TO DEFEND

YOU HAVE BEEN SUED IN COURT. IF YOU WISH TO DEFEND AGAINST THE CLAIM 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 CLAIM IN THE COMPLAINT OR FOR ANY OTHER CLAIM OR RELIEF REQUESTED BY THE PLAINTIFF(S). 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 AN ATTORNEY, OR CANNOT FIND ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Court Administrator
c/o Clearfield County Courthouse
2nd and Market Streets
Clearfield, PA 16830
(814)-765-2641

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

CYNTHIA L. WILLIAMS,)
an adult individual;)
PLAINTIFF,)
v.) No. 08-_____ -CD
PAMELA W. BRADLEY, an adult individual,)
THOMAS J. BRADLEY, MD, an adult individual,)
THOMAS J. BRADLEY, MD, P.C., a)
Pennsylvania for Profit Corporation, and)
DRMC, a Pennsylvania Not for Profit Corporation.)
DEFENDANTS.)

NOW COMES, Cynthia L. Williams, Plaintiff, by and through her counsel of record, Theron G. Noble, Esquire, of Ferraraccio & Noble, who avers as follows in support of her CIVIL COMPLAINT:

The Parties

1. That Plaintiff is Cynthia L. Williams, who at all material times was and is an adult individual residing at 49 Thomas Road, Brockway, Jefferson County, Pennsylvania.
2. That first defendant is Pamela W. Bradley, an adult individual who, upon information and belief, does and at all material times did reside at 74 Columbus Court, Treasure Lake, Sandy Township, Clearfield County, Pennsylvania 15801.
3. That second defendant is Thomas J. Bradley, MD, an adult individual who, upon information and belief, did at the time of the complained of incident reside at 74 Columbus Court, Treasure Lake, Sandy Township, Clearfield County, Pennsylvania

15801, and with an unknown current location.

4. That third defendant is Thomas J. Bradley, MD, P.C., upon information and belief, a duly formed and existing Pennsylvania for profit corporation, primarily engaged in the business of the practice of medicine with primary office located at 701 Sunflower Drive, DuBois, Clearfield County, Pennsylvania 15801.

5. That fourth defendant is DRMC, upon information and belief a duly formed and existing Pennsylvania not for profit corporation, primarily engaged in the business of providing health care for the DuBois and surrounding area through a general hospital and ownership of numerous physician practices and ancillary services, with a primary physical address of 200 Hospital Avenue, DuBois, Clearfield County, Pennsylvania.

Background

6. That Cynthia L. Williams, hereinafter Ms. Williams, on or about December 14, 2006, was employed by Defendant Thomas J. Bradley, MD, P.C., as a registered nurse and was also employed by DRMC as a registered nurse working in its psychiatric unit, as a charge nurse, a position of with some supervisory responsibilities.

7. That for a period of time prior to December 14, 2006, Ms. Williams worked each job on a full time basis with a typical routine of performing her duties for Defendant Thomas J. Bradley, MD, P.C., starting in the morning, would proceed to her shift at DRMC's psychiatric facility at the former Maple Avenue Hospital, also known as DRMC East, about 100 feet from the office of Defendant Thomas J. Bradley, MD, P.C., at 3:00 P.M., perform those duties until her shift ended at 11:30 P.M., and would either return to Defendant Thomas J. Bradley, MD, P.C., to finish up her duties or proceed home if no other tasks remained.

8. That on the morning of December 14, 2006, Defendant Thomas J. Bradley, MD called Ms. Williams and requested her to come to work as she was needed to perform some tasks.
9. That Ms. Williams had not gone to work on December 14, 2006 for Defendant Thomas J. Bradley, MD, P.C., as she had been informed by other employees that her employment had been terminated.
10. That when Defendant Thomas J. Bradley, MD called Ms. Williams on the morning of December 14, 2006, Ms. Williams inquired whether she in fact was terminated from employment and was told she was not terminated and requested to come to work to perform her duties as a registered nurse which included amongst other job tasks, reviewing lab reports for its patients.
11. That Defendant Pamela W. Bradley and Defendant Thomas J. Bradley, MD, were husband and wife, and upon information and belief still are married.
12. That upon information and belief, Defendant Pamela W. Bradley was also employed by Defendant Thomas J. Bradley, MD, P.C., as a registered nurse, although Defendant Pamela W. Bradley did not work regular or full time hours for a period of time leading up to December 14, 2006.
13. That upon information and belief, Defendant Pamela W. Bradley, as the spouse of Defendant Thomas J. Bradley, MD also held a position as an officer, director and/or stockholder in Defendant Thomas J. Bradley, MD, P.C..
14. That on December 14, 2006, and for a period of time before that date, Defendant Pamela W. Bradley believed that Ms. Williams and Defendant Thomas J. Bradley, MD, were engaging in “an affair” in which the aforementioned two adults were having sexual

relations.

15. That Defendant Thomas J. Bradley, MD knew on, or prior to December 14, 2006, that his wife, Defendant Pamela W. Bradley, believed he was having such an affair with Ms. Williams.

16. That upon information and belief, on and prior to December 14, 2006, Defendant Thomas J. Bradley, MD was aware and knew that his wife, Defendant Pamela W. Bradley was prone to be physically aggressive in nature and had in fact physically attacked him on prior occasions, including one such incident approximately one week prior to the herein complained of incident.

17. That on December 14, 2006, specifically in the morning, Defendant Thomas J. Bradley, MD was addicted to and under the influence of illegal narcotics.

18. That upon information and belief, that at a time prior to December 14, 2006, Defendant Thomas J. Bradley, MD was treated for and was on some type of monitoring for a similar addiction to illegal substances.

19. That upon information and belief Defendant DRMC was well aware that Defendant Thomas J. Bradley, MD had issues in his past with substance abuse, which occurred while Defendant Thomas J. Bradley, MD was engaged in the practice of medicine in the DuBois area and held privileges with Defendant DRMC.

20. That on December 14, 2006, Defendant Thomas J. Bradley, MD held privileges to practice medicine at DRMC and did in fact rent office space from Defendant DRMC which owns the office building located at 701 Sunflower Drive in which Defendant Thomas J. Bradley, MD did practice through Defendant Thomas J. Bradley, MD, P.C..

21. That on the morning of December 14, 2006, at approximately 10:30 A.M., as Ms.

Williams reported to Defendant Thomas J. Bradley, MD, P.C., to perform her employment duties as requested by Defendant Thomas J. Bradley, MD, P.C., through Defendant Thomas J. Bradley, MD, Defendant Pamela W. Bradley was also present, which was unknown to Ms. Williams until she arrived at its office.

22. That as she started to perform her employment duties, Ms. Williams went to retrieve phone messages and a FAX containing lab reports of patients, Ms. Williams passed by Defendant Pamela W. Bradley when Defendant Pamela W. Bradley started screaming at Ms. Williams, accusing her of lying on her time sheets.

23. Ms. Williams proceeded back to her work area and retrieved her time sheets to present to the office manager who was also present with Defendant Pamela W. Bradley to demonstrate that she did keep accurate time sheets and Defendant Pamela W. Bradley then ripped up the time sheets and threw them at Ms. Williams hitting her in the face, all the while continuing to scream various things at Ms. Williams.

24. Ms. Williams again retreated back to her work area and proceeded to process more lab reports and discovered one showed a significant danger to a patient so she proceeded to the office of Defendant Dr. Bradley to inform him of this circumstance which needed immediate attention.

25. As Ms. Williams proceeded to Dr. Bradley's office she heard Defendant Pamela W. Bradley now screaming at Defendant Thomas J. Bradley, MD, apparently arguing about whether Ms. Williams was or was not terminated, but considering the patient's needs, Ms. Williams proceeded to attempt to speak with Dr. Bradley, as was the office's customary practice, so as to inquire where the patient should be sent for the much needed injection as the lab report indicated.

26. As she proceeded to open the door to Dr. Bradley's office, upon information and belief, Defendant Pamela W. Bradley slammed the door on Ms. Williams, striking her in the face, breaking her glasses and knocking her back and off of her feet, as she slammed into the floor, Ms. Williams felt something pop in her lower back.

27. A short time later, the office staff decided to have a meeting to "sort this out" and when Ms. Williams proceeded to enter the room in which the meeting was to be held, Defendant Pamela W. Bradley proceeded to repeatedly slam the door on Ms. Williams' arm.

28. Ms. Williams then proceeded back to her office, attempted to lock the door, so that she could collect herself in order to finish review of the labs and call in meds so that she could leave, when Defendant Pamela W. Bradley entered the area, again screaming as before at Ms. Williams and refused to leave.

29. During this confrontation, Defendant Pamela W. Bradley again started ripping up things, this time being the lab reports, refused to leave and punched Ms. Williams in the throat, causing Ms. Williams to again suffer pain, be in fear to the point she urinated her pants.

30. A short time later a security guard came, apparently from DRMC East, to escort Ms. Williams from the premises.

31. That no one from Defendant Thomas J. Bradley, MD, P.C., at any time attempted to protect Ms. Williams from the aforementioned attacks by Defendant Pamela W. Bradley including Defendant Thomas J. Bradley, MD, who was under the influence of narcotics to the point he remained in his office in a cowled position as he later admitted to Ms. Williams, knowing that these attacks were on going.

32. That as a direct and proximate result of the attacks by Defendant Pamela W. Bradley as herein detailed, Ms. Williams did suffer injuries, consisting of abrasions, contusions, and internal damage to her face, arms, throat, neck and back, requiring extensive medical treatment including surgeries.
33. That as a result of the aforementioned injuries, some of which are permanent in nature, Ms. Williams also became incontinent.
34. That as a direct and proximate result of her aforementioned physical injuries, Ms. Williams experienced pain and suffering, and does so still experience pain and suffering, for which she should be compensated in an amount to be determined at time of trial.
35. That as a direct and proximate result of her aforementioned physical injuries, Ms. Williams has lost an ability to enjoy life in the manner she did prior to these attacks by Defendant Pamela W. Bradley for which she should be compensated in an amount to be determined at time of trial.
36. That as a direct and proximate result of her aforementioned physical injuries, Ms. Williams lost income from gainful employment and continues to lose such income, which upon information and belief, will be a permanent loss of income, for which she should be compensated in an amount to be determined at time of trial.
37. That as a direct and proximate result of her aforementioned physical injuries, Ms. Williams incurred, and does continue to incur medical expenses, for which she should be compensated in an amount to be determined at time of trial.
38. That as a direct and proximate result of the attacks inflicted upon her by Defendant Pamela W. Bradley and her aforementioned physical injuries, Ms. Williams was embarrassed, humiliated and prone to depression, and to some extent remains as such, for

which she should be compensated in an amount to be determined at time of trial.

39. That as a direct and proximate result of the attacks inflicted upon her by Defendant Pamela W. Bradley and her aforementioned physical injuries, Ms. Williams was placed in fear and to some extent remains as such, for which she should be compensated in an amount to be determined at time of trial.

40. That as a direct and proximate result of the attacks inflicted upon her by Defendant Pamela W. Bradley and her aforementioned physical injuries, Ms. Williams received scarring which is believed to be permanent, for which she should be compensated in an amount to be determined at time of trial.

41. That as a result of the aforementioned attack by Defendant Pamela W. Bradley, Ms. Williams also suffered an injury to her left knee, requiring to this day for her to wear a brace, for which she should also be compensated for in an amount to be determined.

Count I: v. Defendant Pamela W. Bradley
Assault

41B. That the averments of paragraphs 1 - 41, inclusive, are hereby incorporated as if again fully set forth at length.

42. That the aforementioned acts by Defendant Pamela W. Bradley on December 14, 2006, were intentional and were done with the specific intent to cause physical injury and mental injury to Ms. Williams.

43. In the alternative, the aforementioned acts by Defendant Pamela W. Bradley on December 14, 2006, were intentional and were done knowing that such acts of physical violence were likely to cause physical and mental injury to Ms. Williams, placing Ms.

Williams in imminent fear for her well being.

44. In the alternative, the aforementioned acts by Defendant Pamela W. Bradley on December 14, 2006, were done with reckless disregard to the safety of Ms. Williams.

45. That the series of assaults inflicted upon Ms Williams by Defendant Pamela W. Bradley on December 14, 2006, were the legal cause of the resulting damages suffered by Ms. Williams, whether or not intended or foreseen.

46. That in addition to the economic and non-economic damages suffered by Ms. Williams, for which Defendant Pamela W. Bradley is liable in amounts to be determined at time of trial, Defendant Pamela W. Bradley should also be liable for punitive damages, in an amount to also be determined at time of trial, to encourage Defendant Pamela W. Bradley, and others, from so acting in the future.

WHEREFORE, Plaintiff demands JUDGMENT in her favor and against Defendant Pamela W. Bradley, in an amount to be determined at time of trial, but in excess of Twenty Thousand Dollars (\$20,000), together with interest, costs of prosecution, attorney's fees and punitive damages.

Count II: v. Defendant Pamela W. Bradley

Intentional Infliction of Emotional Distress

47. That the averments of paragraphs 1 - 46, inclusive, are hereby incorporated as if again fully set forth at length.

48. That the aforementioned acts of Defendant Pamela W. Bradley on December 14, 2006, are extreme and outrageous conduct, in which Defendant Pamela W. Bradley intended to cause bodily injury to Ms. Williams.

49. That as a direct and proximate result of Defendant Pamela W. Bradley's aforementioned extreme and outrageous conduct, Ms. Williams did suffer and continues to suffer, severe emotional distress, including depression and anxiety attacks, for which she should be compensated for in an amount to be determined at time of trial.

WHEREFORE, Plaintiff demands JUDGMENT in her favor and against Defendant Pamela W. Bradley, in an amount to be determined at time of trial, but in excess of Twenty Thousand Dollars (\$20,000), together with interest, costs of prosecution, attorney's fees and punitive damages.

Count III: v. Defendant Pamela W. Bradley

Reckless Infliction of Emotional Distress

50. That the averments of paragraphs 1 - 49, inclusive, are hereby incorporated as if again fully set forth at length.

51. That the aforementioned acts of Defendant Pamela W. Bradley on December 14, 2006, are extreme and outrageous conduct, in which Defendant Pamela W. Bradley recklessly caused bodily injury to Ms. Williams.

52. That as a direct and proximate result of Defendant Pamela W. Bradley's aforementioned extreme and outrageous conduct, Ms. Williams did suffer and continues to suffer, severe emotional distress including depression and anxiety attacks, for which she should be compensated for in an amount to be determined at time of trial.

WHEREFORE, Plaintiff demands JUDGMENT in her favor and against Defendant Pamela W. Bradley, in an amount to be determined at time of trial, but in excess of Twenty Thousand Dollars (\$20,000), together with interest, costs of

prosecution, attorney's fees and punitive damages.

**Count IV: v. Defendant Thomas J. Bradley, MD;
Negligence**

53. That the averments of paragraphs 1 - 52, inclusive, are hereby incorporated as if again fully set forth at length.
54. That upon information and belief, on or about December 14, 2006, Defendant Thomas J. Bradley, MD knew, or was aware, that Defendant Pamela W. Bradley, his wife, had a propensity to engage in physically aggressive acts towards others.
55. That upon information and belief, Defendant Pamela W. Bradley had physically attacked Defendant Thomas J. Bradley, MD on occasions prior to December 14, 2006.
56. That Defendant Thomas J. Bradley, MD knew or was aware on, or about December 14, 2006, that Defendant Pamela W. Bradley believed that he, Defendant Thomas J. Bradley, MD, was having an affair, including sexual relations with Ms. Williams.
57. That, upon information and belief, Defendant Pamela W. Bradley had demanded of Defendant Thomas J. Bradley, MD, prior to December 14, 2006, to terminate Ms. Williams from her employment with Defendant Thomas J. Bradley, MD, P.C.,.
58. That Defendant Thomas J. Bradley, MD, as the person in charge of Defendant Thomas J. Bradley, MD, P.C..'s office, had a duty to provide an environment free of unreasonable risks harm to others, including his staff, Ms. Williams included.
59. That Defendant Thomas J. Bradley, MD was negligent in that:
 - (a) He permitted a person, namely his wife, Defendant Pamela W. Bradley, to be at Defendant Thomas J. Bradley, MD, P.C..'s office, being aware that she was prone to physically aggressive behavior;

(b) He permitted a person, namely his wife, Defendant Pamela W. Bradley, to be at Defendant Thomas J. Bradley, MD, P.C.,'s office, being aware that she was prone to physically aggressive behavior, further knowing that she held animosity towards Ms. Williams;

(c) He permitted a person, namely his wife, Defendant Pamela W. Bradley, to be at Defendant Thomas J. Bradley, MD, P.C.,'s office, being aware that she was prone to physically aggressive behavior, further knowing that she held animosity towards Ms. Williams and that he, Defendant Thomas J. Bradley, MD, had summoned Ms. Williams to work on December 14, 2006; and

(d) That once Defendant Pamela W. Bradley commenced with the series of assaults upon Ms. Williams, Defendant Thomas J. Bradley, MD did nothing to stop the attacks, even failing to call security for assistance.

60. That as a direct and proximate result of Defendant Thomas J. Bradley, MD's negligence, Ms. Williams suffered the aforementioned injuries and damages.

WHEREFORE, Plaintiff demands JUDGMENT in her favor and against Defendant Thomas J. Bradley, MD, in an amount to be determined at time of trial, but in excess of Twenty Thousand Dollars (\$20,000), together with interest and costs of prosecution.

**Count V: v. Defendant Thomas J. Bradley, MD;
Negligence**

61. That the averments of paragraphs 1 - 60, inclusive, are hereby incorporated as if again fully set forth at length.

62. That on the morning of December 14, 2006, Defendant Thomas J. Bradley, MD was

under the influence of narcotics.

63. That upon information and belief, Defendant Thomas J. Bradley, MD had a documented history of narcotic abuse.

64. That Defendant Thomas J. Bradley, MD was negligent in that on the morning of December 14, 2006, he was under the influence of narcotics to a point which rendered him incapable of rendering sound judgment.

65. That as a direct and proximate result of the aforementioned negligence of Defendant Thomas J. Bradley, MD, Ms. Williams suffered her aforementioned injuries and resulting damages in that he created a situation in which his wife, Defendant Pamela W. Bradley, whom he knew to be physically aggressive and held animosity towards Ms. Williams, would be present with Ms. Williams, and once the attacks started, he failed to take any action to stop or otherwise prevent the on going and continued attacks.

WHEREFORE, Plaintiff demands JUDGMENT in her favor and against Defendant Thomas J. Bradley, MD, in an amount to be determined at time of trial, but in excess of Twenty Thousand Dollars (\$20,000), together with interest and costs of prosecution.

**Count VI: v. Defendant Thomas J. Bradley, MD, P.C.;
Negligence**

66. That the averments of paragraphs 1 - 65, inclusive, are hereby incorporated as if again fully set forth at length.

67. That on December 14, 2006, that Defendant Pamela W. Bradley was an employee of Defendant Thomas J. Bradley, MD, P.C..

68. That upon information and belief, on December 14, 2006, that Defendant Pamela W.

Bradley held a supervisory position over other employees of Defendant Thomas J.

Bradley, MD, P.C..

69. That upon information and belief, on December 14, 2006, that Defendant Pamela W. Bradley was a corporate officer, director and or owned shares of stock in Defendant Thomas J. Bradley, MD, P.C..

70. That on December 14, 2006, that Defendant Thomas J. Bradley, MD was an employee of Defendant Thomas J. Bradley, MD, P.C..

71. That upon information and belief, on December 14, 2006, that Defendant Thomas J. Bradley, MD held a supervisory position over other employees of Defendant Thomas J. Bradley, MD, P.C..

72. That upon information and belief, on December 14, 2006, that Defendant Thomas J. Bradley, MD was a corporate officer, director and or owned shares of stock in Defendant Thomas J. Bradley, MD, P.C..

73. That Defendant Thomas J. Bradley, MD, P.C., had a duty to protect its staff and business visitors from unreasonable risk of harm, and to aid its staff, including Ms. Williams, once exposed to risk of harm.

74. That Defendant Thomas J. Bradley, MD, P.C., was negligent in the exercise of its aforementioned duty as follows:

(a) it failed to remove or caused to be removed Defendant Pamela W. Bradley whom it knew, or should have known, had a propensity of physically aggressive behavior;

(b) it failed to remove or caused to be removed Defendant Pamela W. Bradley whom it knew, or should have known, had a propensity of physically aggressive behavior and held animosity towards Ms. Williams;

(c) once Defendant Pamela W. Bradley started to attack Ms. Williams, it failed to protect Ms. Williams from such further attacks;

(d) it failed to detect that the person in charge of its office, Defendant Thomas J. Bradley, MD, was, and upon information and belief, had been for sometime reporting to work under the influence of narcotics;

(e) it created a situation, knowing the underlying circumstances as herein aforementioned, by summoning Ms. Williams to work when Defendant Pamela W. Bradley was present; and

(f) it acted as aforementioned in (a) - (e) because on the morning of December 14, 2006, Defendant Thomas J. Bradley, MD was under the influence of narcotics.

75. That the aforementioned negligence of Defendant Thomas J. Bradley, MD, P.C., was a direct and proximate cause of the injuries and resulting damages suffered by Ms. Williams.

WHEREFORE, Plaintiff demands JUDGMENT in her favor and against Defendant Thomas J. Bradley, MD, P.C., in an amount to be determined at time of trial, but in excess of Twenty Thousand Dollars (\$20,000), together with interest and costs of prosecution.

**Count VII: v. Defendant DRMC;
Negligence**

76. That the averments of paragraphs 1 - 75, inclusive, are hereby incorporated as if again fully set forth at length.

77. That upon information and belief, Defendant DRMC was the employer of Defendant Thomas J. Bradley, MD.

78. That upon information and belief, Defendant DRMC and Defendant Thomas J. Bradley, MD had an independent contractor relationship.
79. That upon information and belief, Defendant DRMC was the landlord for Defendant Thomas J. Bradley, MD, P.C..
80. That upon information and belief, Defendant DRMC investigated and continued to issue privileges and credentials, based upon such investigations, to Defendant Thomas J. Bradley, MD to practice medicine at its facilities and on its property.
81. That upon information and belief, as a general hospital providing medical services to the DuBois Area, Defendant DRMC has a duty imposed under state and/or federal law to assure that the physicians to whom it grants privileges and/or credentials to practice medicine are not doing so under the influence of narcotics.
82. That upon information and belief, Defendant DRMC has a stated policy that it will not permit those under the influence of substances to engage in the practice of medicine in or about the premises it owns or otherwise controls, thereby imposing upon itself such a duty to assure its own policies are not being violated.
83. That as a result of the aforementioned relationships between Defendant DRMC and Defendant Thomas J. Bradley, MD and/or Defendant Thomas J. Bradley, MD, P.C., Defendant DRMC owed a duty, or in the alternative accepted a duty which was imposed on itself, to Ms. Williams as a member of the public and/or as an employee of Defendant Thomas J. Bradley, MD, P.C., to assure the reasonable safety of those persons, in particular Ms. Williams, having a business and or professional relationship with Defendant Thomas J. Bradley, MD and/or Defendant Thomas J. Bradley, MD, P.C..
84. That Defendant DRMC was negligent in these aforementioned duty or duties as

follows:

- (a) It knew that Defendant Thomas J. Bradley, MD had a history of narcotic abuse;
- (b) It failed to properly monitor Defendant Thomas J. Bradley, MD for substance abuse, especially in particular in light of knowing his history of previous substance abuse;
- (c) It failed to detect that Defendant Thomas J. Bradley, MD was abusing narcotics;
- (d) It failed to properly supervise Defendant Thomas J. Bradley, MD under the attenuate circumstances to such a degree that he was practicing and had been practicing medicine, including the administration of his office, under the influence of narcotics;
- (e) It failed to detect that Defendant Thomas J. Bradley, MD, because of narcotic abuse, was not properly administrating to Defendant Thomas J. Bradley, MD, P.C.; and
- (f) By continuing to issue privileges, grant credentials and provide office space to Defendant Thomas J. Bradley, MD and Defendant Thomas J. Bradley, MD, P.C., thereby enabled him and it to engage in the aforementioned tortuous conduct.

84. That as a direct and proximate result of Defendant DRMC's negligence, Ms.

Williams suffered the aforementioned injuries and damages.

WHEREFORE, Plaintiff demands JUDGMENT in her favor and against Defendant DRMC, in an amount to be determined at time of trial, but in excess of Twenty Thousand Dollars (\$20,000), together with interest and costs of prosecution.

Miscellaneous Averments

85. That the aforementioned liability of all defendants is joint and several.

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

CYNTHIA L. WILLIAMS,)
an adult individual;)
PLAINTIFF,)
v.) No. 08-_____ -CD
PAMELA W. BRADLEY, an adult individual,)
THOMAS J. BRADLEY, MD, an adult individual,)
THOMAS J. BRADLEY, MD, P.C., a)
Pennsylvania for Profit Corporation, and)
DRMC, a Pennsylvania Not for Profit Corporation.)
DEFENDANTS.)

VERIFICATION

I, Cynthia L. Williams, Plaintiff, do hereby swear and affirm that I have read the foregoing CIVIL COMPLAINT and that the averments therein contained are true and correct to the best of my knowledge, information and belief. Furthermore, I am over the age of 18 years of age and give this unsworn statement knowing it is to authorities and subject to the penalties of 18 Pa.C.S.A. 4904.

So made this 4 day of September, 2008.

By,

Cynthia L. Williams, Plaintiff
Cynthia L. Williams, Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
NO: 08-1735-CD

CYNTHIA L. WILLIAMS
vs
PAMELA W. BRADLEY a1

SERVICE # 4 OF 4

COMPLAINT

SERVE BY: 10/15/2008 HEARING: PAGE: 104666

DEFENDANT: DRMC, A Pennsylvania not for Profit corp.
ADDRESS: 200 HOSPITAL AVE.
DUBOIS, PA 15801

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/PIC

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS: VACANT OCCUPIED

ATTEMPTS 708 T.L. R.D. _____

FILED

013:56:671
SEP 25 2008

William A. Shaw
Prothonotary/Clerk of Courts

SHERIFF'S RETURN

NOW, 09-25-08 AT 1:30 AM/PM SERVED THE WITHIN

COMPLAINT ON DRMC, A Pennsylvania not for Profit corp., DEFENDANT

BY HANDING TO GREG VOLPE / DIRECTOR RISK MANAGEMENT

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

ADDRESS SERVED 100 Hospital Ave, Dubois, PA 15801

NOW _____ AT _____ AM / PM POSTED THE WITHIN

COMPLAINT FOR DRMC, A Pennsylvania not for Profit corp.

AT (ADDRESS) _____

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

I MAKE RETURN OF **NOT FOUND** AS TO DRMC, A Pennsylvania not for Profit corp.

REASON UNABLE TO LOCATE _____

SWORN TO BEFORE ME THIS

DAY OF _____ 2008

So Answers: CHESTER A. HAWKINS, SHERIFF

BY: Mark A. Center
Deputy Signature

Mark A. Center
Print Deputy Name

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
NO: 08-1735-CD

CYNTHIA L. WILLIAMS
vs
PAMELA W. BRADLEY al

SERVICE # 1 OF 4

COMPLAINT

SERVE BY: 10/15/2008 HEARING: PAGE: 104666

DEFENDANT: PAMELA W. BRADLEY

ADDRESS: 74 COLUMBUS COURT, TREASURE LAKE Sec 14c Lot 716
DUBOIS, PA 15801

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS: VACANT

OCCUPIED

ATTEMPTS 590-0821

FILED

03:56 P.M. GC
SEP 30 2008

60
William A. Shaw
Prothonotary/Clerk of Courts

SHERIFF'S RETURN

NOW, 09-30-08 AT 1:10 AM / PM SERVED THE WITHIN

COMPLAINT ON PAMELA W. BRADLEY, DEFENDANT

BY HANDING TO BRIDGET BRADLEY / DAUGHTER OF DEF.

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

ADDRESS SERVED SEC 14C LOT 716 TREASURE LAKE, DUBOIS, PA. 15801

NOW _____ AT _____ AM / PM POSTED THE WITHIN

COMPLAINT FOR PAMELA W. BRADLEY

AT (ADDRESS) _____

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

I MAKE RETURN OF **NOT FOUND** AS TO PAMELA W. BRADLEY

REASON UNABLE TO LOCATE _____

SWORN TO BEFORE ME THIS

DAY OF 2008

So Answers: CHESTER A. HAWKINS SHERIFF

BY:


Deputy Signature


MARK A. CONDRIFT

Print Deputy Name

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
NO: 08-1735-CD

CYNTHIA L. WILLIAMS
vs
PAMELA W. BRADLEY al

SERVICE # 2 OF 4

COMPLAINT

SERVE BY: 10/15/2008

HEARING:

PAGE: 104666 Sec 14C Lot 716

598-0822

DEFENDANT: THOMAS J. BRADLEY, MD 371-6470 Sec 9 Lot 11
ADDRESS: DRMC 708 T.L. RD.
DUBOIS, PA 15801

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/PIC

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS:

VACANT

OCCUPIED

ATTEMPTS

708 T.L. RD.

09-25-08 W/H

Not @ T.L. AS OF 09-30-08

09-30-08 W/H

SHERIFF'S RETURN

NOW, 10-01-08 AT 11:45 AM SERVED THE WITHIN

COMPLAINT ON THOMAS J. BRADLEY, MD, DEFENDANT

BY HANDING TO THOMAS BRADLEY M.D. / DEFENDANT

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

ADDRESS SERVED 100 Block of Forest Ave, Dubois, PA 15801

NOW _____ AT _____ AM / PM POSTED THE WITHIN **FILED**

03:55pm

OCT 01 2008

COMPLAINT FOR THOMAS J. BRADLEY, MD

AT (ADDRESS) _____

S

William A. Shar
Prothonotary/Clerk of Courts

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

I MAKE RETURN OF **NOT FOUND** AS TO THOMAS J. BRADLEY, MD

REASON UNABLE TO LOCATE _____

SWORN TO BEFORE ME THIS

So Answers: CHESTER A. HAWKINS, SHERIFF

BY:

Mark A. Condit
Deputy Signature

Mark A. Condit
Print Deputy Name

DAY OF 2008

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
NO: 08-1735-CD

CYNTHIA L. WILLIAMS
vs
PAMELA W. BRADLEY al

SERVICE # 3 OF 4

COMPLAINT

SERVE BY: 10/15/2008 HEARING: PAGE: 104666 Sec 14c Lot 716

DEFENDANT: THOMAS J. BRADLEY, MD, PC a Pennsylvania for Profit Corp. 371-CA-70
ADDRESS: 701 SUNFLOWER DRIVE OR DRMC 708 T.L. RD.
DUBOIS, PA 15801

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/PIC

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS: VACANT

ATTEMPTS 708 T.L. ROAD 09-25-08 N/H Not at T.L. Road or at Clerk of Courts

Go to Breast of Dam on Far Side Columbus Ct. 3rd on R 08-30-08 N/H
SHERIFF'S RETURN

NOW, 10-01-08 AT 11:45 AM PM SERVED THE WITHIN

COMPLAINT ON THOMAS J. BRADLEY, MD, PC a Pennsylvania for Profit Corp., DEFENDANT

BY HANDING TO THOMAS BRADLEY M.D. / DEFENDANT

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

ADDRESS SERVED 100 Block of Forest Ave. Dubois, PA. 15801

NOW _____ AT _____ AM / PM POSTED THE WITHIN

COMPLAINT FOR THOMAS J. BRADLEY, MD, PC a Pennsylvania for Profit Corp.

AT (ADDRESS) _____

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

I MAKE RETURN OF **NOT FOUND** AS TO THOMAS J. BRADLEY, MD, PC a Pennsylvania for Profit Corp.

REASON UNABLE TO LOCATE _____

SWORN TO BEFORE ME THIS

DAY OF 2008

So Answers: CHESTER A. HAWKINS, SHERIFF

BY: Mark A. Conditt
Deputy Signature

Mark A. Conditt

Print Deputy Name

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

CYNTHIA L. WILLIAMS, an adult
individual,

Plaintiff,

vs.

PAMELA W. BRADLEY, an adult
individual, THOMAS J. BRADLEY, MD,
an adult individual, THOMAS J.
BRADLEY, MD, P.C., a Pennsylvania for
Profit Corporation, and DRMC, a
Pennsylvania Not for Profit Corporation,

Defendants.

CIVIL DIVISION

No. 08-1735-CD

Issue No.

PRAECIPE FOR APPEARANCE

Filed on behalf of DRMC, one of the
defendants.

Counsel of Record for This Party:

David R. Johnson, Esquire
PA I.D. #26409

THOMSON, RHODES & COWIE, P.C.
Firm #720
1010 Two Chatham Center
Pittsburgh, PA 15219

(412) 232-3400

FILED NO
m 10:55 AM CC
OCT 03 2008
S William A. Shaw
Prothonotary/Clerk of Courts
GJW

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

CYNTHIA L. WILLIAMS, an adult
individual,

Plaintiff,

vs.

PAMELA W. BRADLEY, an adult
individual, THOMAS J. BRADLEY, MD,
an adult individual, THOMAS J.
BRADLEY, MD, P.C., a Pennsylvania for
Profit Corporation, and DRMC, a
Pennsylvania Not for Profit Corporation,

Defendants.

CIVIL DIVISION

No. 08-1735-CD

Issue No.

PRAECIPE FOR APPEARANCE

Filed on behalf of DRMC, one of the
defendants.

Counsel of Record for This Party:

David R. Johnson, Esquire
PA I.D. #26409

THOMSON, RHODES & COWIE, P.C.
Firm #720
1010 Two Chatham Center
Pittsburgh, PA 15219

(412) 232-3400

FILED NO
m 10:55 AM CC
OCT 03 2008
S William A. Shaw
Prothonotary/Clerk of Courts
GID

PRAECIPE FOR APPEARANCE

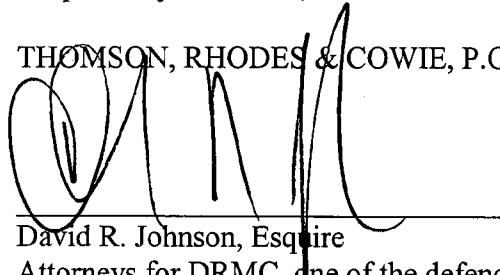
TO: PROTHONOTARY

Kindly enter our appearance on behalf of DRMC, one of the defendants.

JURY TRIAL DEMANDED.

Respectfully submitted,

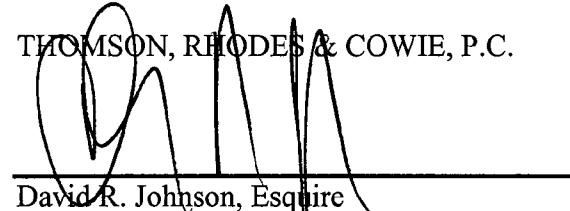
THOMSON, RHODES & COWIE, P.C.


David R. Johnson, Esquire
Attorneys for DRMC, one of the defendants.

CERTIFICATION OF SERVICE

I hereby certify that a true and correct copy of the within PRAECIPE FOR APPEARANCE has been served upon the following counsel of record and same placed in the U.S. Mails on this 1st day of Oct., 2008:

Theron G. Noble, Esquire
Ferraraccio & Noble
301 East Pine Street
Clearfield, PA 16830

THOMSON, RHODES & COWIE, P.C.


David R. Johnson, Esquire
Attorneys for DRMC, one of the defendants.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CYNTHIA L. WILLIAMS, an adult
individual,

Plaintiff,

vs.

PAMELA W. BRADLEY, an adult
individual, THOMAS J. BRADLEY, MD,
an adult individual, THOMAS J.
BRADLEY, MD, P.C., a Pennsylvania for
Profit Corporation, and DRMC, a
Pennsylvania Not for Profit Corporation,

Defendants.

NOTICE TO PLEAD

TO THE PLAINTIFF:

You are hereby notified to file a written
response to the enclosed Preliminary
Objections within twenty (20) days of
service hereof or a default judgment may
be entered against you.

Bradley

Brad R. Korinski, Esquire
Attorneys for the defendant
incorrectly identified as "DRMC"

CIVIL DIVISION

No. 08-1735-CD

Issue No.

PRELIMINARY OBJECTIONS

Filed on behalf of the defendant incorrectly
identified as "DRMC."

Counsel of Record for This Party:

David R. Johnson, Esquire
PA I.D. #26409

Brad R. Korinski, Esquire
PA I.D. #86831

THOMSON, RHODES & COWIE, P.C.
Firm #720
1010 Two Chatham Center
Pittsburgh, PA 15219

(412) 232-3400

5 **FILED** 2cc
M 11/30/08 Atty Korinski
OCT 10 2008

BSA
William A. Shaw
Prothonotary/Clerk of Courts

PRELIMINARY OBJECTIONS

NOW COMES the defendant incorrectly identified as "DRMC," by and through its attorneys, Thomson, Rhodes & Cowie, P.C., and files the following preliminary objections, stating as follows.

1. This lawsuit involves a physical altercation that occurred on December 14, 2006 at the office of co-defendant Thomas J. Bradley, M.D. between the plaintiff Cynthia L. Williams, a nurse in Dr. Bradley's office and co-defendant Pamela W. Bradley, the wife of Thomas J. Bradley, M.D. who was also employed in the same office as a nurse.

2. According to the complaint, Mrs. Bradley harbored the belief that plaintiff and Dr. Bradley were involved in a romantic affair. When Mrs. Bradley confronted plaintiff, the putative paramour, about this affair, Mrs. Bradley purportedly attacked plaintiff causing her to suffer bodily and emotional harm.

3. Plaintiff contends that Dr. Bradley had knowledge of both the on-going "attack" and his wife's propensity toward aggressive behavior but did nothing to prevent or stop the incident.

4. Plaintiff has named "DRMC" as a defendant in this lawsuit on the erroneous basis that, alternatively: (a) "DRMC" employed Dr. Bradley; (b) "DRMC" acted as the landlord for Dr. Bradley; and (c) "DRMC" issued privileges and credentials to Dr. Bradley. The complaint sets forth a single cause of action sounding in negligence against "DRMC," and also includes a claim for punitive damages.

A. DEMURRER
(The Defendant Identified Only as "DRMC" Is Not an Entity
Capable of Being Sued)

5. Plaintiff has incorrectly identified "DRMC" as a defendant. In the complaint, plaintiff alleges "DRMC" operates a general hospital and owns numerous physician practice groups; plaintiff also contends "DRMC" acted as the employer of Dr. Bradley. (See Complaint, ¶ 5, ¶ 77).

6. The defendant referred to as "DRMC" does not exist. It is not a corporation, partnership, individual or entity. "DRMC" owns no property, possess no assets or employees. "DRMC" cannot be a party to a lawsuit. In identifying "DRMC" as a defendant, it is believed plaintiff seeks to name DuBois Regional Medical Center. However, "DRMC" is merely a popularly utilized acronym and is not an official, actual or extant entity in its own right.

WHEREFORE, the defendant improperly identified as "DRMC" respectfully requests that this Honorable Court to grant its preliminary objection in the nature of a demurrer on the basis that it is not an entity capable of being sued.

B. DEMURRER TO COUNT VII OF COMPLAINT
(The Allegations Do Not State or Imply Any Act or Omission
By "DRMC" Which Caused Harm to Plaintiff)

7. Plaintiff alleges throughout the complaint that prior to and during the alleged assault committed by Mrs. Bradley that Dr. Bradley was under the influence of narcotics. Plaintiff posits Dr. Bradley's narcotics usage as one of the reasons for Dr. Bradley's failure to come to the defense of plaintiff while she was being pummeled by Mrs. Bradley.

8. Paragraphs 83(a), (b), (c), (d), (e) and (f) of Count VII of the complaint allege negligence on the part of "DRMC" in the following ways:

- ¶ 83(a): ["DRMC"] knew that Defendant Thomas J. Bradley, M.D. had a history of narcotic abuse.
- ¶ 83(b): ["DRMC"] failed to properly monitor Defendant Thomas J. Bradley, M.D. for substance abuse, especially in particular in light of knowing his history of previous substance abuse.
- ¶ 83(c) ["DRMC"] failed to detect that Defendant Thomas J. Bradley, M.D. was abusing narcotics.
- ¶ 83(d): ["DRMC"] failed to properly supervise Defendant Thomas J. Bradley, M.D. under the attenuate circumstances to such a degree that he was practicing and had been practicing medicine, including the administration of his office, under the influence of narcotics.
- ¶ 83(e): ["DRMC"] failed to detect that Defendant Thomas J. Bradley, M.D., because of narcotic abuse, was not properly administrating to Defendant Thomas J. Bradley, M.D., P.C.
- ¶ 83(f): ["DRMC"] by continuing to issue privileges, grant credentials and provide free office space to Defendant Thomas J. Bradley, M.D. and Defendant Thomas J. Bradley, M.D., P.C. thereby enabled him and it to engage in the aforementioned tortuous conduct.

9. Plaintiff's claims and injuries in this case stem from a purported assault committed by Dr. Bradley's wife in Dr. Bradley's office because of Mrs. Bradley's belief that plaintiff and Dr. Bradley were engaged in a relationship of a sexual/romantic nature. Plaintiff alleges that Dr. Bradley and/or his professional corporation should have afforded her some protection from this physical altercation.

10. None of the above allegations against "DRMC" state, suggest or imply any act or omission which caused harm, nor do these allegations involve areas where defendant "DRMC" had a duty to act for the benefit of plaintiff.

11. Since the subject matter set forth in these paragraphs neither identifies a cause of harm nor breach of legal duty, there is no basis for plaintiff to claim that defendant "DRMC" may be liable to her as a result of the alleged conduct. Moreover, the above-referenced allegations relate to matters which are not factually related or connected to the alleged assault.

WHEREFORE, defendant "DRMC" requests this Honorable Court sustain its demurrer to Count VII of the complaint, and dismiss defendant "DRMC" from this lawsuit with prejudice.

C. DEMURRER TO COUNT VII OF COMPLAINT
("DRMC" Had No Duty to Prevent the Intentional Torts
Which Serve as the Subject Matter of the Complaint)

12. The sum and substance of plaintiff's liability theory against "DRMC" is that it permitted plaintiff to become the victim of an intentional assault and battery committed by co-defendant Dr. Bradley's wife.

13. There are no factual allegations set forth in the complaint establishing that the alleged assault and battery was committed by an employee of "DRMC." Moreover, given the nature of the alleged acts, DRMC cannot be held vicariously responsible for any such assault.

See R.A. First Church of Christ, 748 A.2d 692, 699-700 (Pa. Super. 2000).

14. There are no facts alleged which Mrs. Bradley as an employee, servant or agent of "DRMC." Nonetheless, assuming *arguendo* that Mrs. Bradley acted as an agent, servant or employee of "DRMC" or that her husband, co-defendant Dr. Bradley, was such an agent, servant or employee, the nature of the alleged assault in the complaint precludes the imposition of liability against "DRMC" because the act could not have been performed within the course and scope of either Mrs. Bradley's or Dr. Bradley's agency, servitude or employment.

WHEREFORE, the defendant "DRMC" respectfully requests that this Honorable Court grant its demurrer to Count VII of the complaint, and dismiss defendant "DRMC" from this lawsuit with prejudice.

D. DEMURRER TO COUNT VII OF COMPLAINT
(In View of the Facts Plead in the Complaint, Causation Cannot Be
Established as a Matter of Law)

15. Plaintiff complains she was assaulted by Mrs. Bradley because Mrs. Bradley believed plaintiff and Dr. Bradley were engaging in an affair. Plaintiff further complains that Dr. Bradley did not protect her from this assault. As to defendant "DRMC," plaintiff alleges that "DRMC" failed to properly supervise Dr. Bradley in terms of his alleged narcotics use. Indeed, there is no direct allegation that "DRMC" permitted the assault to occur or that "DRMC" should have protected plaintiff from the violence she alleges was visited upon her.

16. Even if one assumes "DRMC" had some duty to ensure Dr. Bradley was not using illicit drugs, and if Dr. Bradley was actually using such drugs, there are absolutely no facts plead in the complaint whereby a connection can be drawn to establish that "DRMC's" failure to supervise Dr. Bradley in terms of his drug use caused or precipitated the actions of Mrs. Bradley. As a matter of law, the actions of "DRMC" cannot be a substantial factor in the harm suffered by plaintiff.

WHEREFORE, the defendant "DRMC" respectfully requests that this Honorable Court grant its demurrer to Count VII of the complaint, and dismiss defendant "DRMC" from this lawsuit with prejudice.

E. MOTION TO STRIKE PURSUANT TO Pa. R.C.P. 1028(a)(2)
(All Allegations Concerning Dr. Bradley's Narcotics Use Constitute
Scandalous and Impertinent Matter)

17. The complaint is replete with allegations that Dr. Bradley engaged in illicit use of narcotics and other drugs. Yet, the crux of plaintiff's liability theory is that she was: (a) assaulted by Mrs. Bradley; and (b) Dr. Bradley did not properly protect her from this assault or render aid to her while it was occurring.

18. As is set forth above, "DRMC"s" alleged duty to prevent Dr. Bradley from using drugs is not factually connected from the assault purportedly committed by Mrs. Bradley.

19. The purported drug use of Dr. Bradley bears no relevance to any element of plaintiff's liability claims. The only ostensible purpose of including such averments in the complaint is to tend to blacken and impugn the reputation of Dr. Bradley in the community, as well as "DRMC" where Dr. Bradley practices medicine as a physician.

WHEREFORE, the defendant "DRMC" respectfully requests that this Honorable Court grant its Motion to Strike and thereby direct plaintiff to file an Amended Complaint removing any and all averments pertaining to any drug/narcotic use by Thomas J. Bradley, M.D.

F. MOTION TO STRIKE PUNITIVE DAMAGE CLAIMS

20. In the "Wherefore Clause" of her complaint, plaintiff asserts an entitlement to punitive damages against defendant "DRMC."

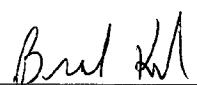
21. Under well-established legal precedent, punitive damages may only be awarded in Pennsylvania where, "a person's actions are of such an outrageous nature as to demonstrate intentional, willful, wanton or reckless conduct" and are awarded to punish that person for such conduct. SHV Coal, Inc. v. Continental Grain Co., 587 A.2d 702 (Pa. 1991).

22. Here, plaintiff has alleged no facts to possibly support a finding of outrageous conduct on the part of "DRMC." The complaint does not contain any factual averments that "DRMC" acted in an intentional, willful, wanton or reckless manner toward plaintiff. Indeed, as concerns "DRMC," the allegations of the complaint are not that "DRMC" failed to protect plaintiff but only that "DRMC" failed to supervise Dr. Bradley, who, in turn, failed to protect plaintiff. Given the attenuated factual circumstances in this lawsuit, it is wholly inappropriate for the specter of punitive damages to be visited against "DRMC."

23. Having utterly failed to meet her burden to aver specific facts to support this claim, plaintiff cannot establish a right to punitive damages in this factual and contextual vacuum
WHEREFORE, the defendant "DRMC" respectfully requests that this Honorable Court grant its Motion to Strike, thereby removing all claims for punitive damages from the Complaint which had been plead against "DRMC."

Respectfully Submitted,

THOMSON, RHODES & COWIE, P.C.



David R. Johnson, Esquire
Brad R. Korinski, Esquire
Attorneys for the defendant incorrectly identified as
"DRMC."

CERTIFICATION OF SERVICE

I hereby certify that a true and correct copy of the within document has been served upon the following counsel of record and same placed in the U.S. Mails on this 8th day of Oct, 2008:

Theron G. Noble, Esquire
Ferraraccio & Noble
301 East Pine Street
Clearfield, PA 16830

THOMSON, RHODES & COWIE, P.C.



David R. Johnson, Esquire
Brad R. Korinski, Esquire
Attorneys for the defendant incorrectly identified as
"DRMC."

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CYNTHIA L. WILLIAMS, an adult
individual,

CIVIL DIVISION

No. 08-1735-CD

Plaintiff,

Issue No.

vs.

PAMELA W. BRADLEY, an adult
individual, THOMAS J. BRADLEY, MD,
an adult individual, THOMAS J.
BRADLEY, MD, P.C., a Pennsylvania for
Profit Corporation, and DRMC, a
Pennsylvania Not for Profit Corporation,

Defendants.

ORDER OF COURT

AND NOW, on this _____ day of _____, 2008, upon
consideration of the preliminary objections to plaintiff's Complaint filed by defendant "DRMC,"
it is hereby ORDERED, ADJUDGED and DECREED that said preliminary objections are
hereby SUSTAINED.

BY THE COURT:

J.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CYNTHIA L. WILLIAMS, an adult
individual,

CIVIL DIVISION

No. 08-1735-CD

Plaintiff,

Issue No.

vs.

PAMELA W. BRADLEY, an adult
individual, THOMAS J. BRADLEY, MD,
an adult individual, THOMAS J.
BRADLEY, MD, P.C., a Pennsylvania for
Profit Corporation, and DRMC, a
Pennsylvania Not for Profit Corporation,

Defendants.

ORDER OF COURT

AND NOW on this 13th day of October, 2008, it is hereby
ORDERED, ADJUGED and DECREED that oral argument on DRMC's preliminary objections
is scheduled for the 17th day of November, 2008, at 11:00
a.m./p.m. before Judge Ammerman in Courtroom No. 1 of the Clearfield
County Courthouse.

BY THE COURT:



J.

FILED 2CC
014.00601
OCT 13 2008
60
Amy Kosinski

William A. Shaw
Prothonotary/Clerk of Courts

DATE: 10/13/08

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

OCT 13 2008

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CYNTHIA L. WILLIAMS, an adult individual,

CIVIL DIVISION

Plaintiff,

No. 08-1735-CD

vs.

Issue No.

PAMELA W. BRADLEY, an adult individual,
THOMAS J. BRADLEY, MD, an adult
individual, THOMAS J. BRADLEY, MD, P.C.,
a Pennsylvania for Profit Corporation, and
DRMC, a Pennsylvania Not for Profit
Corporation,

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OCT 20 2008
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William A. Shaw
Prothonotary/Clerk of Courts

Defendants.

AFFIDAVIT OF SERVICE

Before me, the undersigned authority, personally appeared Brad R. Korinski, Esquire, who, being duly sworn, deposes and says that a true and correct copy of the Judge Ammerman's October 13, 2008, Scheduling Order, along with a true and correct copy the Preliminary Objections in the above-captioned case was served upon the following this 16th day of October, 2008:

Theron G. Noble, Esquire
Ferraraccio & Noble
301 East Pine Street
Clearfield, PA 16830

Thomas J. Bradley, M.D.
74 Columbus Court
Treasure Lake, PA 15801

Pamela W. Bradley
74 Columbus Court
Treasure Lake, PA 15801

Thomas J. Bradley, M.D., P.C.
701 Sunflower Drive
DuBois, PA 15801

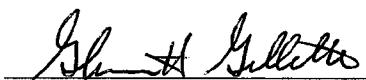
THOMSON, RHODES & COWIE, P.C.



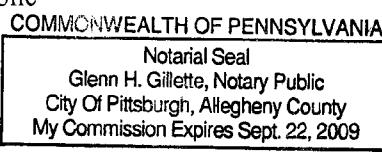
Brad R. Korinski, Esquire

Sworn to and subscribed before me

this 16th day of October, 2008.



Notary Public

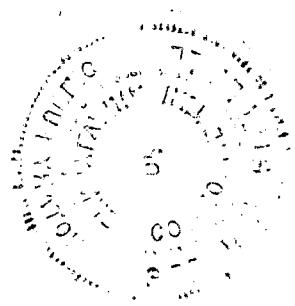


Member, Pennsylvania Association of Notaries

FILED

OCT 20 2008

William A. Shaw
Prothonotary/Clerk of Courts



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

CYNTHIA L. WILLIAMS, an Adult Individual

Plaintiff,

v.

PAMELA W. BRADLEY, an Adult
Individual, THOMAS J. BRADLEY, M.D.
an Adult Individual, THOMAS J. BRADLEY, MD.,
P.C., a Pennsylvania for Profit
Corporation, and DUBOIS REGIONAL
MEDICAL CENTER, a Pennsylvania
Non Profit Corporation

Defendants.

No. 2008 - 1735

ISSUE:
Praeclipe for Appearance

Filed on behalf of Defendant:
Thomas J. Bradley, M.D.,

Counsel of Record:
Louis C. Schmitt, Jr., Esquire
PA ID# 52459
McIntyre, Hartye & Schmitt
P.O. Box 533
Hollidaysburg, PA 16648
(814) 696-3581

JURY TRIAL DEMANDED

I hereby certify that a true and correct
copy of the within was mailed to all
counsel of record this 24th day of October,
2008.

Attorney for Defendant

FILED
M 19 2561 NOCC
OCT 27 2008
S
JAS
William A. Shaw
Prothonotary/Clerk of Courts
COPY TO CIA

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

CYNTHIA L. WILLIAMS, an Adult Individual

No. 2008 - 1735

Plaintiff,

v.

PAMELA W. BRADLEY, an Adult
Individual, THOMAS J. BRADLEY, M.D.
an Adult Individual, THOMAS J. BRADLEY, M.D.,
P.C., a Pennsylvania for Profit
Corporation, and DUBOIS REGIONAL
MEDICAL CENTER, a Pennsylvania
Non Profit Corporation

Defendants.

JURY TRIAL DEMANDED

PRAECIPE FOR APPEARANCE

TO: PROTHONOTARY

Enter my Appearance on behalf of THOMAS J. BRADLEY, M.D. Papers may be
served at the address set forth below.

Atorneys for Defendant
Thomas J. Bradley, M.D.

McINTYRE, HARTYE & SCHMITT
Louis C. Schmitt, Jr., Esquire
PA I.D. #52459
P.O. Box 533
Hollidaysburg, PA 16648-0533
PH: (814) 696-3581
FAX: (814) 696-9399

Date: October 24, 2008

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CYNTHIA L. WILLIAMS, an adult individual,

Plaintiff,

vs.

PAMELA W. BRADLEY, an adult individual, THOMAS J. BRADLEY, M.D., an adult individual, THOMAS J. BRADLEY, M.D., P.C., a Pennsylvania for Profit Corporation, and DRMC, a Pennsylvania Not for Profit Corporation,

Defendants.

CIVIL DIVISION

No. 08-1735-CD

S
FILED No. 5
m 11:55 am
OCT 27 2008


William A. Shaw
Prothonotary/Clerk of Courts

PRAECIPE FOR APPEARANCE

Filed on behalf of Defendant,
Pamela W. Bradley

Counsel of Record for This Party:

CHRISTOPHER M. FLEMING, ESQUIRE
Pa. I.D. #29300

SNYDER & ANDREWS
11269 Perry Highway, Suite 400
Wexford, PA 15090-9389
(724) 934-0388

JURY TRIAL DEMANDED

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CYNTHIA L. WILLIAMS, an adult
individual,

Plaintiff,

CIVIL DIVISION

No. 08-1735-CD

vs.

PAMELA W. BRADLEY, an adult individual,
THOMAS J. BRADLEY, M.D., an adult
individual, THOMAS J. BRADLEY, M.D.,
P.C., a Pennsylvania for Profit
Corporation, and DRMC, a Pennsylvania
Not for Profit Corporation,

Defendants.

PRAECIPE FOR APPEARANCE

TO: PROTHONOTARY

Please enter my appearance on behalf of the Defendant, *Pamela W. Bradley*, in the
above-captioned matter.

SNYDER & ANDREWS



Christopher M. Fleming, Esquire
Attorney for Pamela W. Bradley

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **Praecipe for Appearance** was served upon the following counsel by U.S. Mail, first class, postage prepaid, on the 21st day of October, 2008, addressed as follows:

Theron G. Noble, Esquire
Ferraraccio & Noble
301 East Pine Street
Clearfield, PA 16830
(Counsel for Plaintiff)

Louis C. Schmitt, Jr., Esquire
McIntyre Hartye & Schmitt
PO Box 533
Hollidaysburg PA 16648
(Counsel for Thomas J. Bradley, M.D.)

DRMC
200 Hospital Avenue
Dubois, PA 15801



Christopher M. Fleming, Esquire

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

CYNTHIA L. WILLIAMS,
an adult individual;

PLAINTIFF,

v.

PAMELA W. BRADLEY, an adult individual,
THOMAS J. BRADLEY, MD, an adult individual,
THOMAS J. BRADLEY, MD, P.C., a
Pennsylvania for Profit Corporation, and
DRMC, a Pennsylvania Not for Profit Corporation.

DEFENDANTS.

: No. 08- 1735 -CD

5 **FILED**
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OCT 28 2008 *No CC.*
LM

: William A. Shaw
Prothonotary/Clerk of Courts

: Type of Pleading:

: **1st Amended Civil Complaint**

: Filed By:

: **Plaintiff**

: Counsel of Record:

: Theron G. Noble, Esquire
Ferraraccio & Noble
301 East Pine Street
Clearfield, PA 16830
(814)-375-2221
PA I.D.#: 55942

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

CYNTHIA L. WILLIAMS,)
an adult individual;)
)
PLAINTIFF,)
)
v.)
)
PAMELA W. BRADLEY, an adult individual,)
THOMAS J. BRADLEY, MD, an adult individual,)
THOMAS J. BRADLEY, MD, P.C., a)
Pennsylvania for Profit Corporation, and)
DRMC, a Pennsylvania Not for Profit Corporation.)
)
DEFENDANTS.)
)
No. 08- 1735 -CD

NOTICE TO DEFEND

YOU HAVE BEEN SUED IN COURT. IF YOU WISH TO DEFEND AGAINST THE CLAIM 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 CLAIM IN THE COMPLAINT OR FOR ANY OTHER CLAIM OR RELIEF REQUESTED BY THE PLAINTIFF(S). 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 AN ATTORNEY, OR CANNOT FIND ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Court Administrator
c/o Clearfield County Courthouse
2nd and Market Streets
Clearfield, PA 16830
(814)-765-2641

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

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v.) No. 08- 1735 -CD
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FIRST AMENDED CIVIL COMPLAINT

NOW COMES, Cynthia L. Williams, Plaintiff, by and through her counsel of record, Theron G. Noble, Esquire, of Ferraraccio & Noble, who avers as follows in support of her CIVIL COMPLAINT:

The Parties

1. That Plaintiff is Cynthia L. Williams, who at all material times was and is an adult individual residing at 49 Thomas Road, Brockway, Jefferson County, Pennsylvania.
2. That first defendant is Pamela W. Bradley, an adult individual who, upon information and belief, does and at all material times did reside at 74 Columbus Court, Treasure Lake, Sandy Township, Clearfield County, Pennsylvania 15801.
3. That second defendant is Thomas J. Bradley, MD, an adult individual who, upon

information and belief, did at the time of the complained of incident reside at 74 Columbus Court, Treasure Lake, Sandy Township, Clearfield County, Pennsylvania 15801, and with an unknown current location.

4. That third defendant is Thomas J. Bradley, MD, P.C., upon information and belief, a duly formed and existing Pennsylvania for profit corporation, primarily engaged in the business of the practice of medicine with primary office located at 701 Sunflower Drive, DuBois, Clearfield County, Pennsylvania 15801.

5. That fourth defendant is DRMC, upon information and belief a duly formed and existing Pennsylvania not for profit corporation, primarily engaged in the business of providing health care for the DuBois and surrounding area through a general hospital and ownership of numerous physician practices and ancillary services, with a primary physical address of 200 Hospital Avenue, DuBois, Clearfield County, Pennsylvania.

5A. In the alternative, that fourth defendant is DuBois Regional Medical Center, hereinafter "DRMC", upon information and belief a duly formed and existing Pennsylvania not for profit corporation; primarily engaged in the business of providing health care for the DuBois and surrounding area through a general hospital and ownership of numerous physician practices and ancillary services, with a primary physical address of 200 Hospital Avenue, DuBois, Clearfield County, Pennsylvania.

Background

6. That Cynthia L. Williams, hereinafter Ms. Williams, on or about December 14, 2006, was employed by Defendant Thomas J. Bradley, MD, P.C., as a registered nurse and was also employed by DRMC as a registered nurse working in its psychiatric unit, as a charge nurse, a position of with some supervisory responsibilities.

7. That for a period of time prior to December 14, 2006, Ms. Williams worked each job on a full time basis with a typical routine of performing her duties for Defendant Thomas J. Bradley, MD, P.C., starting in the morning, would proceed to her shift at DRMC's psychiatric facility at the former Maple Avenue Hospital, also known as DRMC East, about 100 feet from the office of Defendant Thomas J. Bradley, MD, P.C., at 3:00 P.M., perform those duties until her shift ended at 11:30 P.M., and would either return to Defendant Thomas J. Bradley, MD, P.C., to finish up her duties or proceed home if no other tasks remained.

8. That on the morning of December 14, 2006, Defendant Thomas J. Bradley, MD called Ms. Williams and requested her to come to work as she was needed to perform some tasks.

9. That Ms. Williams had not gone to work on December 14, 2006 for Defendant Thomas J. Bradley, MD, P.C., as she had been informed by other employees that her employment had been terminated.

10. That when Defendant Thomas J. Bradley, MD called Ms. Williams on the morning of December 14, 2006, Ms. Williams inquired whether she in fact was terminated from employment and was told she was not terminated and requested to come to work to perform her duties as a registered nurse which included amongst other job tasks, reviewing lab reports for its patients.

11. That Defendant Pamela W. Bradley and Defendant Thomas J. Bradley, MD, were husband and wife, and upon information and belief still are married.

12. That upon information and belief, Defendant Pamela W. Bradley was also employed by Defendant Thomas J. Bradley, MD, P.C., as a registered nurse, although Defendant

Pamela W. Bradley did not work regular or full time hours for a period of time leading up to December 14, 2006.

13. That upon information and belief, Defendant Pamela W. Bradley, as the spouse of Defendant Thomas J. Bradley, MD also held a position as an officer, director and/or stockholder in Defendant Thomas J. Bradley, MD, P.C..

14. That on December 14, 2006, and for a period of time before that date, Defendant Pamela W. Bradley believed that Ms. Williams and Defendant Thomas J. Bradley, MD, were engaging in "an affair" in which the aforementioned two adults were having sexual relations.

15. That Defendant Thomas J. Bradley, MD knew on, or prior to December 14, 2006, that his wife, Defendant Pamela W. Bradley, believed he was having such an affair with Ms. Williams.

16. That upon information and belief, on and prior to December 14, 2006, Defendant Thomas J. Bradley, MD was aware and knew that his wife, Defendant Pamela W. Bradley was prone to be physically aggressive in nature and had in fact physically attacked him on prior occasions, including one such incident approximately one week prior to the herein complained of incident.

17. That on December 14, 2006, specifically in the morning, Defendant Thomas J. Bradley, MD was addicted to and under the influence of illegal narcotics.

18. That upon information and belief, that at a time prior to December 14, 2006, Defendant Thomas J. Bradley, MD was treated for and was on some type of monitoring for a similar addiction to illegal substances.

19. That upon information and belief Defendant DRMC was well aware that Defendant

Thomas J. Bradley, MD had issues in his past with substance abuse, which occurred while Defendant Thomas J. Bradley, MD was engaged in the practice of medicine in the DuBois area and held privileges with Defendant DRMC.

20. That on December 14, 2006, Defendant Thomas J. Bradley, MD held privileges to practice medicine at DRMC and did in fact rent office space from Defendant DRMC which owns the office building located at 701 Sunflower Drive in which Defendant Thomas J. Bradley, MD did practice through Defendant Thomas J. Bradley, MD, P.C..

21. That on the morning of December 14, 2006, at approximately 10:30 A.M., as Ms. Williams reported to Defendant Thomas J. Bradley, MD, P.C., to perform her employment duties as requested by Defendant Thomas J. Bradley, MD, P.C., through Defendant Thomas J. Bradley, MD, Defendant Pamela W. Bradley was also present, which was unknown to Ms. Williams until she arrived at its office.

22. That as she started to perform her employment duties, Ms. Williams went to retrieve phone messages and a FAX containing lab reports of patients, Ms. Williams passed by Defendant Pamela W. Bradley when Defendant Pamela W. Bradley started screaming at Ms. Williams, accusing her of lying on her time sheets.

23. Ms. Williams proceeded back to her work area and retrieved her time sheets to present to the office manager who was also present with Defendant Pamela W. Bradley to demonstrate that she did keep accurate time sheets and Defendant Pamela W. Bradley then ripped up the time sheets and threw them at Ms. Williams hitting her in the face, all the while continuing to scream various things at Ms. Williams.

24. Ms. Williams again retreated back to her work area and proceeded to process more lab reports and discovered one showed a significant danger to a patient so she proceeded

to the office of Defendant Dr. Bradley to inform him of this circumstance which needed immediate attention.

25. As Ms. Williams proceeded to Dr. Bradley's office she heard Defendant Pamela W. Bradley now screaming at Defendant Thomas J. Bradley, MD, apparently arguing about whether Ms. Williams was or was not terminated, but considering the patient's needs, Ms. Williams proceeded to attempt to speak with Dr. Bradley, as was the office's customary practice, so as to inquire where the patient should be sent for the much needed injection as the lab report indicated.

26. As she proceeded to open the door to Dr. Bradley's office, upon information and belief, Defendant Pamela W. Bradley slammed the door on Ms. Williams, striking her in the face, breaking her glasses and knocking her back and off of her feet, as she slammed into the floor, Ms. Williams felt something pop in her lower back.

27. A short time later, the office staff decided to have a meeting to "sort this out" and when Ms. Williams proceeded to enter the room in which the meeting was to be held, Defendant Pamela W. Bradley proceeded to repeatedly slam the door on Ms. Williams' arm.

28. Ms. Williams then proceeded back to her office, attempted to lock the door, so that she could collect herself in order to finish review of the labs and call in meds so that she could leave, when Defendant Pamela W. Bradley entered the area, again screaming as before at Ms. Williams and refused to leave.

29. During this confrontation, Defendant Pamela W. Bradley again started ripping up things, this time being the lab reports, refused to leave and punched Ms. Williams in the throat, causing Ms. Williams to again suffer pain, be in fear to the point she urinated her

pants.

30. A short time later a security guard came, apparently from DRMC East, to escort Ms. Williams from the premises.

31. That no one from Defendant Thomas J. Bradley, MD, P.C., at any time attempted to protect Ms. Williams from the aforementioned attacks by Defendant Pamela W. Bradley including Defendant Thomas J. Bradley, MD, who was under the influence of narcotics to the point he remained in his office in a cowled position as he later admitted to Ms. Williams, knowing that these attacks were on going.

32. That as a direct and proximate result of the attacks by Defendant Pamela W. Bradley as herein detailed, Ms. Williams did suffer injuries, consisting of abrasions, contusions, and internal damage to her face, arms, throat, neck and back, requiring extensive medical treatment including surgeries.

33. That as a result of the aforementioned injuries, some of which are permanent in nature, Ms. Williams also became incontinent.

34. That as a direct and proximate result of her aforementioned physical injuries, Ms. Williams experienced pain and suffering, and does so still experience pain and suffering, for which she should be compensated in an amount to be determined at time of trial.

35. That as a direct and proximate result of her aforementioned physical injuries, Ms. Williams has lost an ability to enjoy life in the manner she did prior to these attacks by Defendant Pamela W. Bradley for which she should be compensated in an amount to be determined at time of trial.

36. That as a direct and proximate result of her aforementioned physical injuries, Ms. Williams lost income from gainful employment and continues to lose such income, which

upon information and belief, will be a permanent loss of income, for which she should be compensated in an amount to be determined at time of trial.

37. That as a direct and proximate result of her aforementioned physical injuries, Ms. Williams incurred, and does continue to incur medical expenses, for which she should be compensated in an amount to be determined at time of trial.

38. That as a direct and proximate result of the attacks inflicted upon her by Defendant Pamela W. Bradley and her aforementioned physical injuries, Ms. Williams was embarrassed, humiliated and prone to depression, and to some extent remains as such, for which she should be compensated in an amount to be determined at time of trial.

39. That as a direct and proximate result of the attacks inflicted upon her by Defendant Pamela W. Bradley and her aforementioned physical injuries, Ms. Williams was placed in fear and to some extent remains as such, for which she should be compensated in an amount to be determined at time of trial.

40. That as a direct and proximate result of the attacks inflicted upon her by Defendant Pamela W. Bradley and her aforementioned physical injuries, Ms. Williams received scarring which is believed to be permanent, for which she should be compensated in an amount to be determined at time of trial.

41. That as a result of the aforementioned attack by Defendant Pamela W. Bradley, Ms. Williams also suffered an injury to her left knee, requiring to this day for her to wear a brace, for which she should also be compensated for in an amount to be determined.

Count I: v. Defendant Pamela W. Bradley
Assault

41B. That the averments of paragraphs 1 - 41, inclusive, are hereby incorporated as if again fully set forth at length.

42. That the aforementioned acts by Defendant Pamela W. Bradley on December 14, 2006, were intentional and were done with the specific intent to cause physical injury and mental injury to Ms. Williams.

43. In the alternative, the aforementioned acts by Defendant Pamela W. Bradley on December 14, 2006, were intentional and were done knowing that such acts of physical violence were likely to cause physical and mental injury to Ms. Williams, placing Ms. Williams in imminent fear for her well being.

44. In the alternative, the aforementioned acts by Defendant Pamela W. Bradley on December 14, 2006, were done with reckless disregard to the safety of Ms. Williams.

45. That the series of assaults inflicted upon Ms Williams by Defendant Pamela W. Bradley on December 14, 2006, were the legal cause of the resulting damages suffered by Ms. Williams, whether or not intended or foreseen.

46. That in addition to the economic and non-economic damages suffered by Ms. Williams, for which Defendant Pamela W. Bradley is liable in amounts to be determined at time of trial, Defendant Pamela W. Bradley should also be liable for punitive damages, in an amount to also be determined at time of trial, to encourage Defendant Pamela W. Bradley, and others, from so acting in the future.

WHEREFORE, Plaintiff demands JUDGMENT in her favor and against Defendant Pamela W. Bradley, in an amount to be determined at time of trial, but in excess of Twenty Thousand Dollars (\$20,000), together with interest, costs of prosecution, attorney's fees and punitive damages.

Count II: v. Defendant Pamela W. Bradley
Intentional Infliction of Emotional Distress

47. That the averments of paragraphs 1 - 46, inclusive, are hereby incorporated as if again fully set forth at length.
48. That the aforementioned acts of Defendant Pamela W. Bradley on December 14, 2006, are extreme and outrageous conduct, in which Defendant Pamela W. Bradley intended to cause bodily injury to Ms. Williams.
49. That as a direct and proximate result of Defendant Pamela W. Bradley's aforementioned extreme and outrageous conduct, Ms. Williams did suffer and continues to suffer, severe emotional distress, including depression and anxiety attacks, for which she should be compensated for in an amount to be determined at time of trial.

**WHEREFORE, Plaintiff demands JUDGMENT in her favor and against
Defendant Pamela W. Bradley, in an amount to be determined at time of trial, but
in excess of Twenty Thousand Dollars (\$20,000), together with interest, costs of
prosecution, attorney's fees and punitive damages.**

Count III: v. Defendant Pamela W. Bradley
Reckless Infliction of Emotional Distress

50. That the averments of paragraphs 1 - 49, inclusive, are hereby incorporated as if again fully set forth at length.
51. That the aforementioned acts of Defendant Pamela W. Bradley on December 14, 2006, are extreme and outrageous conduct, in which Defendant Pamela W. Bradley recklessly caused bodily injury to Ms. Williams.

52. That as a direct and proximate result of Defendant Pamela W. Bradley's aforementioned extreme and outrageous conduct, Ms. Williams did suffer and continues to suffer, severe emotional distress including depression and anxiety attacks, for which she should be compensated for in an amount to be determined at time of trial.

WHEREFORE, Plaintiff demands JUDGMENT in her favor and against Defendant Pamela W. Bradley, in an amount to be determined at time of trial, but in excess of Twenty Thousand Dollars (\$20,000), together with interest, costs of prosecution, attorney's fees and punitive damages.

**Count IV: v. Defendant Thomas J. Bradley, MD;
Negligence**

53. That the averments of paragraphs 1 - 52, inclusive, are hereby incorporated as if again fully set forth at length.

54. That upon information and belief, on or about December 14, 2006, Defendant Thomas J. Bradley, MD knew, or was aware, that Defendant Pamela W. Bradley, his wife, had a propensity to engage in physically aggressive acts towards others.

55. That upon information and belief, Defendant Pamela W. Bradley had physically attacked Defendant Thomas J. Bradley, MD on occasions prior to December 14, 2006.

56. That Defendant Thomas J. Bradley, MD knew or was aware on, or about December 14, 2006, that Defendant Pamela W. Bradley believed that he, Defendant Thomas J. Bradley, MD, was having an affair, including sexual relations with Ms. Williams.

57. That, upon information and belief, Defendant Pamela W. Bradley had demanded of Defendant Thomas J. Bradley, MD, prior to December 14, 2006, to terminate Ms. Williams from her employment with Defendant Thomas J. Bradley, MD, P.C.,

58. That Defendant Thomas J. Bradley, MD, as the person in charge of Defendant Thomas J. Bradley, MD, P.C.'s office, had a duty to provide an environment free of unreasonable risks harm to others, including his staff, Ms. Williams included.

59. That Defendant Thomas J. Bradley, MD was negligent in that:

(a) He permitted a person, namely his wife, Defendant Pamela W. Bradley, to be at Defendant Thomas J. Bradley, MD, P.C.'s office, being aware that she was prone to physically aggressive behavior;

(b) He permitted a person, namely his wife, Defendant Pamela W. Bradley, to be at Defendant Thomas J. Bradley, MD, P.C.,'s office, being aware that she was prone to physically aggressive behavior, further knowing that she held animosity towards Ms. Williams;

(c) He permitted a person, namely his wife, Defendant Pamela W. Bradley, to be at Defendant Thomas J. Bradley, MD, P.C.,'s office, being aware that she was prone to physically aggressive behavior, further knowing that she held animosity towards Ms. Williams and that he, Defendant Thomas J. Bradley, MD, had summoned Ms. Williams to work on December 14, 2006; and

(d) That once Defendant Pamela W. Bradley commenced with the series of assaults upon Ms. Williams, Defendant Thomas J. Bradley, MD did nothing to stop the attacks, even failing to call security for assistance.

60. That as a direct and proximate result of Defendant Thomas J. Bradley, MD's negligence, Ms. Williams suffered the aforementioned injuries and damages.

WHEREFORE, Plaintiff demands JUDGMENT in her favor and against Defendant Thomas J. Bradley, MD, in an amount to be determined at time of trial,

but in excess of Twenty Thousand Dollars (\$20,000), together with interest and costs of prosecution.

**Count V: v. Defendant Thomas J. Bradley, MD;
Negligence**

61. That the averments of paragraphs 1 - 60, inclusive, are hereby incorporated as if again fully set forth at length.
62. That on the morning of December 14, 2006, Defendant Thomas J. Bradley, MD was under the influence of narcotics.
63. That upon information and belief, Defendant Thomas J. Bradley, MD had a documented history of narcotic abuse.
64. That Defendant Thomas J. Bradley, MD was negligent in that on the morning of December 14, 2006, he was under the influence of narcotics to a point which rendered him incapable of rendering sound judgment.
65. That as a direct and proximate result of the aforementioned negligence of Defendant Thomas J. Bradley, MD, Ms. Williams suffered her aforementioned injuries and resulting damages in that he created a situation in which his wife, Defendant Pamela W. Bradley, whom he knew to be physically aggressive and held animosity towards Ms. Williams, would be present with Ms. Williams, and once the attacks started, he failed to take any action to stop or otherwise prevent the on going and continued attacks.

WHEREFORE, Plaintiff demands JUDGMENT in her favor and against Defendant Thomas J. Bradley, MD, in an amount to be determined at time of trial, but in excess of Twenty Thousand Dollars (\$20,000), together with interest and costs of prosecution.

**Count VI: v. Defendant Thomas J. Bradley, MD, P.C.;
Negligence**

66. That the averments of paragraphs 1 - 65, inclusive, are hereby incorporated as if again fully set forth at length.
67. That on December 14, 2006, that Defendant Pamela W. Bradley was an employee of Defendant Thomas J. Bradley, MD, P.C..
68. That upon information and belief, on December 14, 2006, that Defendant Pamela W. Bradley held a supervisory position over other employees of Defendant Thomas J. Bradley, MD, P.C..
69. That upon information and belief, on December 14, 2006, that Defendant Pamela W. Bradley was a corporate officer, director and or owned shares of stock in Defendant Thomas J. Bradley, MD, P.C..
70. That on December 14, 2006, that Defendant Thomas J. Bradley, MD was an employee of Defendant Thomas J. Bradley, MD, P.C..
71. That upon information and belief, on December 14, 2006, that Defendant Thomas J. Bradley, MD held a supervisory position over other employees of Defendant Thomas J. Bradley, MD, P.C..
72. That upon information and belief, on December 14, 2006, that Defendant Thomas J. Bradley, MD was a corporate officer, director and or owned shares of stock in Defendant Thomas J. Bradley, MD, P.C..
73. That Defendant Thomas J. Bradley, MD, P.C., had a duty to protect its staff and business visitors from unreasonable risk of harm, and to aid its staff, including Ms. Williams, once exposed to risk of harm.

74. That Defendant Thomas J. Bradley, MD, P.C., was negligent in the exercise of its aforementioned duty as follows:

- (a) it failed to remove or caused to be removed Defendant Pamela W. Bradley whom it knew, or should have known, had a propensity of physically aggressive behavior;
- (b) it failed to remove or caused to be removed Defendant Pamela W. Bradley whom it knew, or should have known, had a propensity of physically aggressive behavior and held animosity towards Ms. Williams;
- (c) once Defendant Pamela W. Bradley started to attack Ms. Williams, it failed to protect Ms. Williams from such further attacks;
- (d) it failed to detect that the person in charge of its office, Defendant Thomas J. Bradley, MD, was, and upon information and belief, had been for sometime reporting to work under the influence of narcotics;
- (e) it created a situation, knowing the underlying circumstances as herein aforementioned, by summoning Ms. Williams to work when Defendant Pamela W. Bradley was present; and
- (f) it acted as aforementioned in (a) - (e) because on the morning of December 14, 2006, Defendant Thomas J. Bradley, MD was under the influence of narcotics.

75. That the aforementioned negligence of Defendant Thomas J. Bradley, MD, P.C., was a direct and proximate cause of the injuries and resulting damages suffered by Ms. Williams.

WHEREFORE, Plaintiff demands JUDGMENT in her favor and against Defendant Thomas J. Bradley, MD, P.C., in an amount to be determined at time of trial, but in excess of Twenty Thousand Dollars (\$20,000), together with interest and

costs of prosecution.

**Count VII: v. Defendant DRMC;
Negligence**

76. That the averments of paragraphs 1 - 75, inclusive, are hereby incorporated as if again fully set forth at length.
77. That upon information and belief, Defendant DRMC was the employer of Defendant Thomas J. Bradley, MD.
- 77A. That in the alternative, upon information and belief, Defendant DRMC had been for a period of time, securing the practices of various primary care physicians, which included in some instances, purchases of said practices for outright ownership, or in other situations other mechanisms in which DRMC harbored control over the primary care practice(s).
78. That upon information and belief, Defendant DRMC and Defendant Thomas J. Bradley, MD had an independent contractor relationship.
79. That upon information and belief, Defendant DRMC was the landlord for Defendant Thomas J. Bradley, MD, P.C..
80. That upon information and belief, Defendant DRMC investigated and continued to issue privileges and credentials, based upon such investigations, to Defendant Thomas J. Bradley, MD to practice medicine at its facilities and on its property.
81. That upon information and belief, as a general hospital providing medical services to the DuBois Area, Defendant DRMC has a duty imposed under state and/or federal law to assure that the physicians to whom it grants privileges and/or credentials to practice medicine are not doing so under the influence of narcotics.

82. That upon information and belief, Defendant DRMC has a stated policy that it will not permit those under the influence of substances to engage in the practice of medicine in or about the premises it owns or otherwise controls, thereby imposing upon itself such a duty to assure its own policies are not being violated.

83. That as a result of the aforementioned relationships between Defendant DRMC and Defendant Thomas J. Bradley, MD and/or Defendant Thomas J. Bradley, MD, P.C., Defendant DRMC owed a duty, or in the alternative accepted a duty which was imposed on itself, to Ms. Williams as a member of the public and/or as an employee of Defendant Thomas J. Bradley, MD, P.C., and/or DRMC, to assure the reasonable safety of those persons, in particular Ms. Williams, having a business and or professional relationship with Defendant Thomas J. Bradley, MD and/or Defendant Thomas J. Bradley, MD, P.C..

84. That Defendant DRMC was negligent in these aforementioned duty or duties as follows:

- (a) It knew that Defendant Thomas J. Bradley, MD had a history of narcotic abuse;
- (b) It failed to properly monitor Defendant Thomas J. Bradley, MD for substance abuse, especially in particular in light of knowing his history of previous substance abuse;
- (c) It failed to detect that Defendant Thomas J. Bradley, MD was abusing narcotics;
- (d) It failed to properly supervise Defendant Thomas J. Bradley, MD under the attenuate circumstances to such a degree that he was practicing and had been practicing medicine, including the administration of his office, under the influence of narcotics;
- (e) It failed to detect that Defendant Thomas J. Bradley, MD, because of narcotic

abuse, was not properly administrating to Defendant Thomas J. Bradley, MD, P.C.;

(f) By continuing to issue privileges, grant credentials and provide office space to Defendant Thomas J. Bradley, MD and Defendant Thomas J. Bradley, MD, P.C., thereby enabled him and it to engage in the aforementioned tortuous conduct;

(g) Upon information and belief, it failed to properly monitor Defendant Thomas J. Bradley, MD for use of illegal narcotics by utilizing a system which enabled Defendant Thomas J. Bradley, MD to continue using narcotics without DRMC detecting said use;

(h) It failed to control Defendant Thomas J. Bradley, MD and Defendant Thomas J. Bradley MD, P.C., from administering to his and/or its practice of medicine under the influence of narcotics, of which it should have been aware under the exercise of reasonable care;

(i) It failed to provide a safe and secure environment for the premises it leased or in some manner permitted Defendant Thomas J. Bradley and/or Defendant Thomas J. Bradley, MD, P.C. from using; and/or

(j) It failed to exercise proper control over the premises it leased or in some manner permitted Defendant Thomas J. Bradley and/or Defendant Thomas J. Bradley, MD, P.C. from using.

84. That as a direct and proximate result of Defendant DRMC's negligence, Ms. Williams suffered the aforementioned injuries and damages.

WHEREFORE, Plaintiff demands JUDGMENT in her favor and against Defendant DRMC, in an amount to be determined at time of trial, but in excess of Twenty Thousand Dollars (\$20,000), together with interest and costs of prosecution.

Miscellaneous Averments

85. That the aforementioned liability of all defendants is joint and several.
86. That venue is proper.
87. That jurisdiction is proper.

WHEREFORE, Plaintiff demands JUDGMENT in her favor and against all Defendants, in an amount to be determined at time of trial, but in excess of Twenty Thousand Dollars (\$20,000), together with interest and costs of prosecution, and in circumstances appropriate, punitive damages and attorney's fees.

Respectfully Submitted,



Theron G. Noble, Esquire
Attorney for Plaintiff
Ferraraccio & Noble
301 E. Pine Street
Clearfield, PA 16830
(814)-375-2221
PA I.D. #: 55942

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VERIFICATION

I, Theron G. Noble, Esquire, of Ferraraccio & Noble, does hereby verify, that to the best of my knowledge, information and belief, based upon VERIFICATION to the original CIVIL COMPLAINT filed in this matter, that the attached and foregoing FIRST AMENDED CIVIL COMPLAINT is true and correct. Said VERIFICATION is made pursuant to 18 Pa.C.S.A. §4904, relating to unsworn falsification to authorities.

This 27 day of October, 2008.

Respectfully Submitted,



Theron G. Noble, Esquire
Attorney for Plaintiff
Ferraraccio & Noble
301 E. Pine Street
Clearfield, PA 16830
(814)-375-2221
PA I.D. #: 55942

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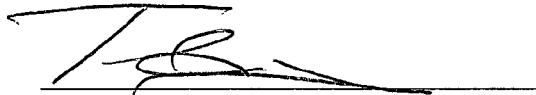
CERTIFICATE OF SERVICE

I, Theron G. Noble, Esquire, of Ferraraccio & Noble, does hereby certify this 27th day of October, 2008, that I did mail a true and correct copy of Plaintiff's FIRST AMENDED CIVIL COMPLAINT, to the below indicated persons, being all counsel for Defendants, via United States Mail, postage prepaid, first class, addressed as follows:

Brad R. Korinski, Esquire
Thomas, Rhodes, Cowie, P.C.
Two Chatham Center, Tenth Floor
Pittsburgh, PA 15219-3499

Christopher M. Fleming, Esquire
Snyder & Andrews
11269 Perry Highway, Suite 400
Wexford, PA 15090

Respectfully Submitted,



Theron G. Noble, Esquire
Attorney for Plaintiff
Ferraraccio & Noble
301 E. Pine Street
Clearfield, PA 16830
(814)-375-2221
PA I.D. #: 55942

ORIGINAL

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

CYNTHIA L. WILLIAMS, an Adult Individual

No. 2008-1735

Plaintiff,

ISSUE: Preliminary Objections

Y.

PAMELA W. BRADLEY, an Adult
Individual, THOMAS J. BRADLEY, M.D.
an Adult Individual, THOMAS J. BRADLEY, MD.,
P.C., a Pennsylvania for Profit
Corporation, and DUBOIS REGIONAL
MEDICAL CENTER, a Pennsylvania
Non Profit Corporation

Defendants.

Filed on behalf of Defendant:
Thomas J. Bradley, M.D.,

Counsel of Record:
Louis C. Schmitt, Jr., Esquire
PA ID# 52459
McIntyre, Hartye & Schmitt
P.O. Box 533
Hollidaysburg, PA 16648
(814) 696-3581

FILED

OCT 31 2008

M/10:30/w

5 William A. Shaw

Prothonotary/Clerk of Courts

NO Cigar. (open)

JURY TRIAL DEMANDED

I hereby certify that a true and correct copy of the within was mailed to all counsel of record this 30th day of October, 2008

Attorney for Defendant

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

CYNTHIA L. WILLIAMS, an Adult Individual : No. 2008 - 1735

Plaintiff,

v.

PAMELA W. BRADLEY, an Adult
Individual, THOMAS J. BRADLEY, M.D.
an Adult Individual, THOMAS J. BRADLEY, M.D.,
P.C., a Pennsylvania for Profit
Corporation, and DUBOIS REGIONAL
MEDICAL CENTER, a Pennsylvania
Non Profit Corporation

Defendants. : JURY TRIAL DEMANDED

PRELIMINARY OBJECTIONS

AND NOW, comes defendant THOMAS J. BRADLEY, M.D., by and through his
attorneys, McIntyre, Hartye & Schmitt, and files the following Preliminary Objections in
response to plaintiff's Complaint, saying as follows:

1. This lawsuit was commenced by way of plaintiff's Complaint filed on September 15, 2008. (A copy of plaintiff's Complaint is attached hereto as Exhibit "A".)
2. In her Complaint, plaintiff Cynthia L. Williams claims that she suffered personal injuries on December 14, 2006, when she was attacked by defendant Pamela W. Bradley while at the medical offices of defendant Thomas J. Bradley, M.D.

DEMURRER/MOTION TO STRIKE

3. Defendant Thomas J. Bradley, M.D. hereby incorporates by reference Paragraphs 1 and 2 of these Preliminary Objections, as if fully set forth herein.
4. The claims asserted against defendant Thomas J. Bradley, M.D. are set forth in Count IV and Count V of plaintiff's Complaint. Both of those Counts indicate that the claims of the plaintiff against defendant Thomas J. Bradley, M.D. sound in

"Negligence", only. However, the Ad Damnum clause which follows Paragraph 87 of plaintiff's Complaint demand judgment in her favor "against all Defendants," for "punitive damages and attorney's fees".

5. The plaintiff's Complaint in this matter sets forth absolutely no factual basis whatsoever from which one can reasonably infer that defendant Thomas J. Bradley, M.D. committed acts with malice, or evidencing a design of violence, injury, or oppression to the plaintiff, or that he had reason to know of facts which created a high risk harm to this particular plaintiff, and proceeded to act in conscious disregard or indifference to that risk. Nor is there any basis set forth in the plaintiff's Complaint for the recovery of attorney's fees.

WHEREFORE, defendant THOMAS J. BRADLEY, M.D. respectfully requests that this Honorable Court dismiss plaintiff's claims asserted against him in the nature of punitive damages and attorney's fees.

Respectfully submitted,

McINTYRE, HARTYE & SCHMITT

BY:

Attorney for Defendant

**Louis C. Schmitt, Jr., Esquire
PA I.D. No. 52459**

P.O. Box 533
Hollidaysburg, PA 16648-0533
PH: (814) 696-3581
FAX: (814) 696-9399

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

CYNTHIA L. WILLIAMS, an Adult Individual

No. 2008 - 1735

Plaintiff,

v.

PAMELA W. BRADLEY, an Adult
Individual, THOMAS J. BRADLEY, M.D.
an Adult Individual, THOMAS J. BRADLEY, M.D.,
P.C., a Pennsylvania for Profit
Corporation, and DUBOIS REGIONAL
MEDICAL CENTER, a Pennsylvania
Non Profit Corporation

Defendants.

JURY TRIAL DEMANDED

PROPOSED ORDER

AND NOW, this _____ day of _____, 2008, upon consideration
of the Preliminary Objections filed on behalf of defendant THOMAS J. BRADLEY, M.D.,
and any response thereto, it is hereby **ORDERED, ADJUDGED, AND DECREED** that
all of plaintiff's claims for punitive damages and attorney's fees asserted against
defendant Thomas J. Bradley, M.D. are **DISMISSED**, with prejudice.

BY THE COURT:

J.

EXHIBIT 'A'

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

CYNTHIA L. WILLIAMS,
an adult individual;

PLAINTIFF,

v.

PAMELA W. BRADLEY, an adult individual,
THOMAS J. BRADLEY, MD, an adult individual,
THOMAS J. BRADLEY, MD, P.C., a
Pennsylvania for Profit Corporation, and
DRMC, a Pennsylvania Not for Profit Corporation.

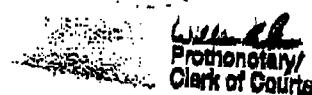
DEFENDANTS.

No. 08-1735-CD

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

SEP 15 2008

Attest,


Prothonotary/
Clerk of Courts

Type of Pleading:

NOTICE OF SERVICE

Filed By:

Plaintiff

Counsel of Record:

Theron G. Noble, Esquire
Ferraraccio & Noble
301 East Pine Street
Clearfield, PA 16830
(814)-375-2221
PA I.D.#: 55942

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

CYNTHIA L. WILLIAMS,
an adult individual;

PLAINTIFF,

v.

PAMELA W. BRADLEY, an adult individual,
THOMAS J. BRADLEY, MD, an adult individual,
THOMAS J. BRADLEY, MD, P.C., a
Pennsylvania for Profit Corporation, and
DRMC, a Pennsylvania Not for Profit Corporation.

DEFENDANTS.

No. 08- 1735 .CD

NOTICE TO DEFEND

YOU HAVE BEEN SUED IN COURT. IF YOU WISH TO DEFEND AGAINST THE CLAIM 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 CLAIM IN THE COMPLAINT OR FOR ANY OTHER CLAIM OR RELIEF REQUESTED BY THE PLAINTIFF(S). 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 AN ATTORNEY, OR CANNOT FIND ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Court Administrator
c/o Clearfield County Courthouse
2nd and Market Streets
Clearfield, PA 16830
(814)-765-2641

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

)
CYNTHIA L. WILLIAMS,)
an adult individual;)
PLAINTIFF,)
v.)
PAMELA W. BRADLEY, an adult individual,)
THOMAS J. BRADLEY, MD, an adult individual,)
THOMAS J. BRADLEY, MD, P.C., a)
Pennsylvania for Profit Corporation, and)
DRMC, a Pennsylvania Not for Profit Corporation.)
DEFENDANTS.)
No. 08-1735-CD

NOW COMES, Cynthia L. Williams, Plaintiff, by and through her counsel of record, Theron G. Noble, Esquire, of Ferraraccio & Noble, who avers as follows in support of her CIVIL COMPLAINT:

The Parties

1. That Plaintiff is Cynthia L. Williams, who at all material times was and is an adult individual residing at 49 Thomas Road, Brockway, Jefferson County, Pennsylvania.
2. That first defendant is Pamela W. Bradley, an adult individual who, upon information and belief, does and at all material times did reside at 74 Columbus Court, Treasure Lake, Sandy Township, Clearfield County, Pennsylvania 15801.
3. That second defendant is Thomas J. Bradley, MD, an adult individual who, upon information and belief, did at the time of the complained of incident reside at 74 Columbus Court, Treasure Lake, Sandy Township, Clearfield County, Pennsylvania

15801, and with an unknown current location.

4. That third defendant is Thomas J. Bradley, MD, P.C., upon information and belief, a duly formed and existing Pennsylvania for profit corporation, primarily engaged in the business of the practice of medicine with primary office located at 701 Sunflower Drive, DuBois, Clearfield County, Pennsylvania 15801.

5. That fourth defendant is DRMC, upon information and belief a duly formed and existing Pennsylvania not for profit corporation, primarily engaged in the business of providing health care for the DuBois and surrounding area through a general hospital and ownership of numerous physician practices and ancillary services, with a primary physical address of 200 Hospital Avenue, DuBois, Clearfield County, Pennsylvania.

Background

6. That Cynthia L. Williams, hereinafter Ms. Williams, on or about December 14, 2006, was employed by Defendant Thomas J. Bradley, MD, P.C., as a registered nurse and was also employed by DRMC as a registered nurse working in its psychiatric unit, as a charge nurse, a position of with some supervisory responsibilities.

7. That for a period of time prior to December 14, 2006, Ms. Williams worked each job on a full time basis with a typical routine of performing her duties for Defendant Thomas J. Bradley, MD, P.C., starting in the morning, would proceed to her shift at DRMC's psychiatric facility at the former Maple Avenue Hospital, also known as DRMC East, about 100 feet from the office of Defendant Thomas J. Bradley, MD, P.C., at 3:00 P.M., perform those duties until her shift ended at 11:30 P.M., and would either return to Defendant Thomas J. Bradley, MD, P.C., to finish up her duties or proceed home if no other tasks remained.

8. That on the morning of December 14, 2006, Defendant Thomas J. Bradley, MD called Ms. Williams and requested her to come to work as she was needed to perform some tasks.
9. That Ms. Williams had not gone to work on December 14, 2006 for Defendant Thomas J. Bradley, MD, P.C., as she had been informed by other employees that her employment had been terminated.
10. That when Defendant Thomas J. Bradley, MD called Ms. Williams on the morning of December 14, 2006, Ms. Williams inquired whether she in fact was terminated from employment and was told she was not terminated and requested to come to work to perform her duties as a registered nurse which included amongst other job tasks, reviewing lab reports for its patients.
11. That Defendant Pamela W. Bradley and Defendant Thomas J. Bradley, MD, were husband and wife, and upon information and belief still are married.
12. That upon information and belief, Defendant Pamela W. Bradley was also employed by Defendant Thomas J. Bradley, MD, P.C., as a registered nurse, although Defendant Pamela W. Bradley did not work regular or full time hours for a period of time leading up to December 14, 2006.
13. That upon information and belief, Defendant Pamela W. Bradley, as the spouse of Defendant Thomas J. Bradley, MD also held a position as an officer, director and/or stockholder in Defendant Thomas J. Bradley, MD, P.C..
14. That on December 14, 2006, and for a period of time before that date, Defendant Pamela W. Bradley believed that Ms. Williams and Defendant Thomas J. Bradley, MD, were engaging in "an affair" in which the aforementioned two adults were having sexual

relations.

15. That Defendant Thomas J. Bradley, MD knew on, or prior to December 14, 2006, that his wife, Defendant Pamela W. Bradley, believed he was having such an affair with Ms. Williams.
16. That upon information and belief, on and prior to December 14, 2006, Defendant Thomas J. Bradley, MD was aware and knew that his wife, Defendant Pamela W. Bradley was prone to be physically aggressive in nature and had in fact physically attacked him on prior occasions, including one such incident approximately one week prior to the herein complained of incident.
17. That on December 14, 2006, specifically in the morning, Defendant Thomas J. Bradley, MD was addicted to and under the influence of illegal narcotics.
18. That upon information and belief, that at a time prior to December 14, 2006, Defendant Thomas J. Bradley, MD was treated for and was on some type of monitoring for a similar addiction to illegal substances.
19. That upon information and belief Defendant DRMC was well aware that Defendant Thomas J. Bradley, MD had issues in his past with substance abuse, which occurred while Defendant Thomas J. Bradley, MD was engaged in the practice of medicine in the DuBois area and held privileges with Defendant DRMC.
20. That on December 14, 2006, Defendant Thomas J. Bradley, MD held privileges to practice medicine at DRMC and did in fact rent office space from Defendant DRMC which owns the office building located at 701 Sunflower Drive in which Defendant Thomas J. Bradley, MD did practice through Defendant Thomas J. Bradley, MD, P.C..
21. That on the morning of December 14, 2006, at approximately 10:30 A.M., as Ms.

Williams reported to Defendant Thomas J. Bradley, MD, P.C., to perform her employment duties as requested by Defendant Thomas J. Bradley, MD, P.C., through Defendant Thomas J. Bradley, MD, Defendant Pamela W. Bradley was also present, which was unknown to Ms. Williams until she arrived at its office.

22. That as she started to perform her employment duties, Ms. Williams went to retrieve phone messages and a FAX containing lab reports of patients, Ms. Williams passed by Defendant Pamela W. Bradley when Defendant Pamela W. Bradley started screaming at Ms. Williams, accusing her of lying on her time sheets.

23. Ms. Williams proceeded back to her work area and retrieved her time sheets to present to the office manager who was also present with Defendant Pamela W. Bradley to demonstrate that she did keep accurate time sheets and Defendant Pamela W. Bradley then ripped up the time sheets and threw them at Ms. Williams hitting her in the face, all the while continuing to scream various things at Ms. Williams.

24. Ms. Williams again retreated back to her work area and proceeded to process more lab reports and discovered one showed a significant danger to a patient so she proceeded to the office of Defendant Dr. Bradley to inform him of this circumstance which needed immediate attention.

25. As Ms. Williams proceeded to Dr. Bradley's office she heard Defendant Pamela W. Bradley now screaming at Defendant Thomas J. Bradley, MD, apparently arguing about whether Ms. Williams was or was not terminated, but considering the patient's needs, Ms. Williams proceeded to attempt to speak with Dr. Bradley, as was the office's customary practice, so as to inquire where the patient should be sent for the much needed injection as the lab report indicated.

26. As she proceeded to open the door to Dr. Bradley's office, upon information and belief, Defendant Pamela W. Bradley slammed the door on Ms. Williams, striking her in the face, breaking her glasses and knocking her back and off of her feet, as she slammed into the floor, Ms. Williams felt something pop in her lower back.

27. A short time later, the office staff decided to have a meeting to "sort this out" and when Ms. Williams proceeded to enter the room in which the meeting was to be held, Defendant Pamela W. Bradley proceeded to repeatedly slam the door on Ms. Williams' arm.

28. Ms. Williams then proceeded back to her office, attempted to lock the door, so that she could collect herself in order to finish review of the labs and call in meds so that she could leave, when Defendant Pamela W. Bradley entered the area, again screaming at Ms. Williams and refused to leave.

29. During this confrontation, Defendant Pamela W. Bradley again started ripping up things, this time being the lab reports, refused to leave and punched Ms. Williams in the throat, causing Ms. Williams to again suffer pain, be in fear to the point she urinated her pants.

30. A short time later a security guard came, apparently from DRMC East, to escort Ms. Williams from the premises.

31. That no one from Defendant Thomas J. Bradley, MD, P.C., at any time attempted to protect Ms. Williams from the aforementioned attacks by Defendant Pamela W. Bradley including Defendant Thomas J. Bradley, MD, who was under the influence of narcotics to the point he remained in his office in a cowed position as he later admitted to Ms. Williams, knowing that these attacks were on going.

32. That as a direct and proximate result of the attacks by Defendant Pamela W. Bradley as herein detailed, Ms. Williams did suffer injuries, consisting of abrasions, contusions, and internal damage to her face, arms, throat, neck and back, requiring extensive medical treatment including surgeries.
33. That as a result of the aforementioned injuries, some of which are permanent in nature, Ms. Williams also became incontinent.
34. That as a direct and proximate result of her aforementioned physical injuries, Ms. Williams experienced pain and suffering, and does so still experience pain and suffering, for which she should be compensated in an amount to be determined at time of trial.
35. That as a direct and proximate result of her aforementioned physical injuries, Ms. Williams has lost an ability to enjoy life in the manner she did prior to these attacks by Defendant Pamela W. Bradley for which she should be compensated in an amount to be determined at time of trial.
36. That as a direct and proximate result of her aforementioned physical injuries, Ms. Williams lost income from gainful employment and continues to lose such income, which upon information and belief, will be a permanent loss of income, for which she should be compensated in an amount to be determined at time of trial.
37. That as a direct and proximate result of her aforementioned physical injuries, Ms. Williams incurred, and does continue to incur medical expenses, for which she should be compensated in an amount to be determined at time of trial.
38. That as a direct and proximate result of the attacks inflicted upon her by Defendant Pamela W. Bradley and her aforementioned physical injuries, Ms. Williams was embarrassed, humiliated and prone to depression, and to some extent remains as such, for

which she should be compensated in an amount to be determined at time of trial.

39. That as a direct and proximate result of the attacks inflicted upon her by Defendant Pamela W. Bradley and her aforementioned physical injuries, Ms. Williams was placed in fear and to some extent remains as such, for which she should be compensated in an amount to be determined at time of trial.

40. That as a direct and proximate result of the attacks inflicted upon her by Defendant Pamela W. Bradley and her aforementioned physical injuries, Ms. Williams received scarring which is believed to be permanent, for which she should be compensated in an amount to be determined at time of trial.

41. That as a result of the aforementioned attack by Defendant Pamela W. Bradley, Ms. Williams also suffered an injury to her left knee, requiring to this day for her to wear a brace, for which she should also be compensated for in an amount to be determined.

Count I: v. Defendant Pamela W. Bradley
Assault

41B. That the averments of paragraphs 1 - 41, inclusive, are hereby incorporated as if again fully set forth at length.

42. That the aforementioned acts by Defendant Pamela W. Bradley on December 14, 2006, were intentional and were done with the specific intent to cause physical injury and mental injury to Ms. Williams.

43. In the alternative, the aforementioned acts by Defendant Pamela W. Bradley on December 14, 2006, were intentional and were done knowing that such acts of physical violence were likely to cause physical and mental injury to Ms. Williams, placing Ms.

Williams in imminent fear for her well being.

44. In the alternative, the aforementioned acts by Defendant Pamela W. Bradley on December 14, 2006, were done with reckless disregard to the safety of Ms. Williams.

45. That the series of assaults inflicted upon Ms Williams by Defendant Pamela W. Bradley on December 14, 2006, were the legal cause of the resulting damages suffered by Ms. Williams, whether or not intended or foreseen.

46. That in addition to the economic and non-economic damages suffered by Ms. Williams, for which Defendant Pamela W. Bradley is liable in amounts to be determined at time of trial, Defendant Pamela W. Bradley should also be liable for punitive damages, in an amount to also be determined at time of trial, to encourage Defendant Pamela W. Bradley, and others, from so acting in the future.

WHEREFORE, Plaintiff demands JUDGMENT in her favor and against Defendant Pamela W. Bradley, in an amount to be determined at time of trial, but in excess of Twenty Thousand Dollars (\$20,000), together with interest, costs of prosecution, attorney's fees and punitive damages.

Count II: v. Defendant Pamela W. Bradley
Intentional Infliction of Emotional Distress

47. That the averments of paragraphs 1 - 46, inclusive, are hereby incorporated as if again fully set forth at length.

48. That the aforementioned acts of Defendant Pamela W. Bradley on December 14, 2006, are extreme and outrageous conduct, in which Defendant Pamela W. Bradley intended to cause bodily injury to Ms. Williams.

49. That as a direct and proximate result of Defendant Pamela W. Bradley's aforementioned extreme and outrageous conduct, Ms. Williams did suffer and continues to suffer, severe emotional distress, including depression and anxiety attacks, for which she should be compensated for in an amount to be determined at time of trial.

WHEREFORE, Plaintiff demands JUDGMENT in her favor and against Defendant Pamela W. Bradley, in an amount to be determined at time of trial, but in excess of Twenty Thousand Dollars (\$20,000), together with interest, costs of prosecution, attorney's fees and punitive damages.

Count III: v. Defendant Pamela W. Bradley
Reckless Infliction of Emotional Distress

50. That the averments of paragraphs 1 - 49, inclusive, are hereby incorporated as if again fully set forth at length.

51. That the aforementioned acts of Defendant Pamela W. Bradley on December 14, 2006, are extreme and outrageous conduct, in which Defendant Pamela W. Bradley recklessly caused bodily injury to Ms. Williams.

52. That as a direct and proximate result of Defendant Pamela W. Bradley's aforementioned extreme and outrageous conduct, Ms. Williams did suffer and continues to suffer, severe emotional distress including depression and anxiety attacks, for which she should be compensated for in an amount to be determined at time of trial.

WHEREFORE, Plaintiff demands JUDGMENT in her favor and against Defendant Pamela W. Bradley, in an amount to be determined at time of trial, but in excess of Twenty Thousand Dollars (\$20,000), together with interest, costs of

prosecution, attorney's fees and punitive damages.

**Count IV: v. Defendant Thomas J. Bradley, MD;
Negligence**

53. That the averments of paragraphs 1 - 52, inclusive, are hereby incorporated as if again fully set forth at length.

54. That upon information and belief, on or about December 14, 2006, Defendant Thomas J. Bradley, MD knew, or was aware, that Defendant Pamela W. Bradley, his wife, had a propensity to engage in physically aggressive acts towards others.

55. That upon information and belief, Defendant Pamela W. Bradley had physically attacked Defendant Thomas J. Bradley, MD on occasions prior to December 14, 2006.

56. That Defendant Thomas J. Bradley, MD knew or was aware on, or about December 14, 2006, that Defendant Pamela W. Bradley believed that he, Defendant Thomas J. Bradley, MD, was having an affair, including sexual relations with Ms. Williams.

57. That, upon information and belief, Defendant Pamela W. Bradley had demanded of Defendant Thomas J. Bradley, MD, prior to December 14, 2006, to terminate Ms. Williams from her employment with Defendant Thomas J. Bradley, MD, P.C.,.

58. That Defendant Thomas J. Bradley, MD, as the person in charge of Defendant Thomas J. Bradley, MD, P.C.'s office, had a duty to provide an environment free of unreasonable risks harm to others, including his staff, Ms. Williams included.

59. That Defendant Thomas J. Bradley, MD was negligent in that:

(a) He permitted a person, namely his wife, Defendant Pamela W. Bradley, to be at Defendant Thomas J. Bradley, MD, P.C.'s office, being aware that she was prone to physically aggressive behavior;

(b) He permitted a person, namely his wife, Defendant Pamela W. Bradley, to be at Defendant Thomas J. Bradley, MD, P.C.,'s office, being aware that she was prone to physically aggressive behavior, further knowing that she held animosity towards Ms. Williams;

(c) He permitted a person, namely his wife, Defendant Pamela W. Bradley, to be at Defendant Thomas J. Bradley, MD, P.C.,'s office, being aware that she was prone to physically aggressive behavior, further knowing that she held animosity towards Ms. Williams and that he, Defendant Thomas J. Bradley, MD, had summoned Ms. Williams to work on December 14, 2006; and

(d) That once Defendant Pamela W. Bradley commenced with the series of assaults upon Ms. Williams, Defendant Thomas J. Bradley, MD did nothing to stop the attacks, even failing to call security for assistance.

60. That as a direct and proximate result of Defendant Thomas J. Bradley, MD's negligence, Ms. Williams suffered the aforementioned injuries and damages.

WHEREFORE, Plaintiff demands JUDGMENT in her favor and against Defendant Thomas J. Bradley, MD, in an amount to be determined at time of trial, but in excess of Twenty Thousand Dollars (\$20,000), together with interest and costs of prosecution.

**Count V: v. Defendant Thomas J. Bradley, MD;
Negligence**

61. That the averments of paragraphs 1 - 60, inclusive, are hereby incorporated as if again fully set forth at length.

62. That on the morning of December 14, 2006, Defendant Thomas J. Bradley, MD was

under the influence of narcotics.

63. That upon information and belief, Defendant Thomas J. Bradley, MD had a documented history of narcotic abuse.

64. That Defendant Thomas J. Bradley, MD was negligent in that on the morning of December 14, 2006, he was under the influence of narcotics to a point which rendered him incapable of rendering sound judgment.

65. That as a direct and proximate result of the aforementioned negligence of Defendant Thomas J. Bradley, MD, Ms. Williams suffered her aforementioned injuries and resulting damages in that he created a situation in which his wife, Defendant Pamela W. Bradley, whom he knew to be physically aggressive and held animosity towards Ms. Williams, would be present with Ms. Williams, and once the attacks started, he failed to take any action to stop or otherwise prevent the on going and continued attacks.

WHEREFORE, Plaintiff demands JUDGMENT in her favor and against Defendant Thomas J. Bradley, MD, in an amount to be determined at time of trial, but in excess of Twenty Thousand Dollars (\$20,000), together with interest and costs of prosecution.

**Count VI: v. Defendant Thomas J. Bradley, MD, P.C.;
Negligence**

66. That the averments of paragraphs 1 - 65, inclusive, are hereby incorporated as if again fully set forth at length.

67. That on December 14, 2006, that Defendant Pamela W. Bradley was an employee of Defendant Thomas J. Bradley, MD, P.C..

68. That upon information and belief, on December 14, 2006, that Defendant Pamela W.

Bradley held a supervisory position over other employees of Defendant Thomas J.

Bradley, MD, P.C..

69. That upon information and belief, on December 14, 2006, that Defendant Pamela W. Bradley was a corporate officer, director and or owned shares of stock in Defendant Thomas J. Bradley, MD, P.C..

70. That on December 14, 2006, that Defendant Thomas J. Bradley, MD was an employee of Defendant Thomas J. Bradley, MD, P.C..

71. That upon information and belief, on December 14, 2006, that Defendant Thomas J. Bradley, MD held a supervisory position over other employees of Defendant Thomas J. Bradley, MD, P.C..

72. That upon information and belief, on December 14, 2006, that Defendant Thomas J. Bradley, MD was a corporate officer, director and or owned shares of stock in Defendant Thomas J. Bradley, MD, P.C..

73. That Defendant Thomas J. Bradley, MD, P.C., had a duty to protect its staff and business visitors from unreasonable risk of harm, and to aid its staff, including Ms. Williams, once exposed to risk of harm.

74. That Defendant Thomas J. Bradley, MD, P.C., was negligent in the exercise of its aforementioned duty as follows:

(a) it failed to remove or caused to be removed Defendant Pamela W. Bradley whom it knew, or should have known, had a propensity of physically aggressive behavior;

(b) it failed to remove or caused to be removed Defendant Pamela W. Bradley whom it knew, or should have known, had a propensity of physically aggressive behavior and held animosity towards Ms. Williams;

(c) once Defendant Pamela W. Bradley started to attack Ms. Williams, it failed to protect Ms. Williams from such further attacks;

(d) it failed to detect that the person in charge of its office, Defendant Thomas J. Bradley, MD, was, and upon information and belief, had been for sometime reporting to work under the influence of narcotics;

(e) it created a situation, knowing the underlying circumstances as herein aforementioned, by summoning Ms. Williams to work when Defendant Pamela W. Bradley was present; and

(f) it acted as aforementioned in (a) - (e) because on the morning of December 14, 2006, Defendant Thomas J. Bradley, MD was under the influence of narcotics.

75. That the aforementioned negligence of Defendant Thomas J. Bradley, MD, P.C., was a direct and proximate cause of the injuries and resulting damages suffered by Ms. Williams.

WHEREFORE, Plaintiff demands **JUDGMENT** in her favor and against Defendant Thomas J. Bradley, MD, P.C., in an amount to be determined at time of trial, but in excess of Twenty Thousand Dollars (\$20,000), together with interest and costs of prosecution.

Count VII: v. Defendant DRMC;
Negligence

76. That the averments of paragraphs 1 - 75, inclusive, are hereby incorporated as if again fully set forth at length.

77. That upon information and belief, Defendant DRMC was the employer of Defendant Thomas J. Bradley, MD.

78. That upon information and belief, Defendant DRMC and Defendant Thomas J. Bradley, MD had an independent contractor relationship.
79. That upon information and belief, Defendant DRMC was the landlord for Defendant Thomas J. Bradley, MD, P.C..
80. That upon information and belief, Defendant DRMC investigated and continued to issue privileges and credentials, based upon such investigations, to Defendant Thomas J. Bradley, MD to practice medicine at its facilities and on its property.
81. That upon information and belief, as a general hospital providing medical services to the DuBois Area, Defendant DRMC has a duty imposed under state and/or federal law to assure that the physicians to whom it grants privileges and/or credentials to practice medicine are not doing so under the influence of narcotics.
82. That upon information and belief, Defendant DRMC has a stated policy that it will not permit those under the influence of substances to engage in the practice of medicine in or about the premises it owns or otherwise controls, thereby imposing upon itself such a duty to assure its own policies are not being violated.
83. That as a result of the aforementioned relationships between Defendant DRMC and Defendant Thomas J. Bradley, MD and/or Defendant Thomas J. Bradley, MD, P.C., Defendant DRMC owed a duty, or in the alternative accepted a duty which was imposed on itself, to Ms. Williams as a member of the public and/or as an employee of Defendant Thomas J. Bradley, MD, P.C., to assure the reasonable safety of those persons, in particular Ms. Williams, having a business and or professional relationship with Defendant Thomas J. Bradley, MD and/or Defendant Thomas J. Bradley, MD, P.C..
84. That Defendant DRMC was negligent in these aforementioned duty or duties as

follows:

- (a) It knew that Defendant Thomas J. Bradley, MD had a history of narcotic abuse;
- (b) It failed to properly monitor Defendant Thomas J. Bradley, MD for substance abuse, especially in particular in light of knowing his history of previous substance abuse;
- (c) It failed to detect that Defendant Thomas J. Bradley, MD was abusing narcotics;
- (d) It failed to properly supervise Defendant Thomas J. Bradley, MD under the attenuate circumstances to such a degree that he was practicing and had been practicing medicine, including the administration of his office, under the influence of narcotics;
- (e) It failed to detect that Defendant Thomas J. Bradley, MD, because of narcotic abuse, was not properly administrating to Defendant Thomas J. Bradley, MD, P.C.; and
- (f) By continuing to issue privileges, grant credentials and provide office space to Defendant Thomas J. Bradley, MD and Defendant Thomas J. Bradley, MD, P.C., thereby enabled him and it to engage in the aforementioned tortuous conduct.

84. That as a direct and proximate result of Defendant DRMC's negligence, Ms.

Williams suffered the aforementioned injuries and damages.

WHEREFORE, Plaintiff demands JUDGMENT in her favor and against Defendant DRMC, in an amount to be determined at time of trial, but in excess of Twenty Thousand Dollars (\$20,000), together with interest and costs of prosecution.

Miscellaneous Averments

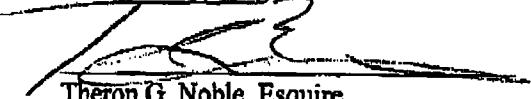
85. That the aforementioned liability of all defendants is joint and several.

86. That venue is proper.

87. That jurisdiction is proper.

WHEREFORE, Plaintiff demands JUDGMENT in her favor and against all Defendants, in an amount to be determined at time of trial, but in excess of Twenty Thousand Dollars (\$20,000), together with interest and costs of prosecution, and in circumstances appropriate, punitive damages and attorney's fees.

Respectfully Submitted,



Theron G. Noble, Esquire
Attorney for Plaintiff
Ferraraccio & Noble
301 E. Pine Street
Clearfield, PA 16830
(814)-375-2221
PA I.D. #: 55942

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

CYNTHIA L. WILLIAMS,)
an adult individual;)
PLAINTIFF,)
v.) No. 08-1735-CD
PAMELA W. BRADLEY, an adult individual,)
THOMAS J. BRADLEY, MD, an adult individual,)
THOMAS J. BRADLEY, MD, P.C., a)
Pennsylvania for Profit Corporation, and)
DRMC, a Pennsylvania Not for Profit Corporation.)
DEFENDANTS.)

VERIFICATION

I, Cynthia L. Williams, Plaintiff, do hereby swear and affirm that I have read the foregoing CIVIL COMPLAINT and that the averments therein contained are true and correct to the best of my knowledge, information and belief. Furthermore, I am over the age of 18 years of age and give this unsworn statement knowing it is to authorities and subject to the penalties of 18 Pa.C.S.A. 4904.

So made this 4 day of September, 2008.

By,

Cynthia L. Williams, Plaintiff
Cynthia L. Williams, Plaintiff

ORIGINAL

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

CYNTHIA L. WILLIAMS, an Adult Individual

Plaintiff,

v.

PAMELA W. BRADLEY, an Adult
Individual, THOMAS J. BRADLEY, M.D.
an Adult Individual, THOMAS J. BRADLEY, MD.,
P.C., a Pennsylvania for Profit
Corporation, and DUBOIS REGIONAL
MEDICAL CENTER, a Pennsylvania
Non Profit Corporation

Defendants.

No. 2008 – 1735

**ISSUE: Praeclipe for
Argument List**

Filed on behalf of Defendant:
Thomas J. Bradley, M.D.,

Counsel of Record:
Louis C. Schmitt, Jr., Esquire
PA ID# 52459
McIntyre, Hartye & Schmitt
P.O. Box 533
Hollidaysburg, PA 16648
(814) 696-3581

FILED

OCT 31 2008

10/20/08
William A. Shaw
Prothonotary/Clerk of Courts
NO CUST COPIES

JURY TRIAL DEMANDED

I hereby certify that a true and correct
copy of the within was mailed to all
counsel of record this 28th day of
October, 2008

Attorney for Defendant

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

CYNTHIA L. WILLIAMS, an Adult Individual

No. 2008 - 1735

Plaintiff,

v.

PAMELA W. BRADLEY, an Adult
Individual, THOMAS J. BRADLEY, M.D.
an Adult Individual, THOMAS J. BRADLEY, M.D.,
P.C., a Pennsylvania for Profit
Corporation, and DUBOIS REGIONAL
MEDICAL CENTER, a Pennsylvania
Non Profit Corporation

Defendants.

JURY TRIAL DEMANDED

PRAEICE FOR ARGUMENT LIST

TO: PROTHONOTARY

Kindly list the above-captioned matter on the next available argument list. The
matter to be argued is Preliminary Objections filed on behalf of defendant, Thomas J.
Bradley, M.D.

Respectfully submitted,

McINTYRE, HARTYE & SCHMITT

Attorney for Defendant

LOUIS C. SCHMITT, JR., ESQUIRE
PA ID. No. 52459
P. O. Box 533
Hollidaysburg, PA 16648
(814) 696-3581
(814) 696-9399 - FAX

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

CYNTHIA L. WILLIAMS, an Adult Individual : No. 2008 - 1735

Plaintiff,

v.

PAMELA W. BRADLEY, an Adult
Individual, THOMAS J. BRADLEY, M.D.
an Adult Individual, THOMAS J. BRADLEY, M.D.,
P.C., a Pennsylvania for Profit
Corporation, and DUBOIS REGIONAL
MEDICAL CENTER, a Pennsylvania
Non Profit Corporation

Defendants.

JURY TRIAL DEMANDED

ORDER

AND NOW, this _____ day of _____, 2008, upon
consideration of the Preliminary Objections filed on behalf of defendant, Thomas J.
Bradley, M.D., and any response thereto, it is hereby ORDERED as follows:

1. Oral argument upon the Preliminary Objections will be held on _____,
_____, 2008, at _____.M. in Courtroom No. _____ of the
Clearfield County Courthouse in Clearfield, Pennsylvania.
2. Plaintiff/Respondent shall file a response concerning the issues raised in the
Preliminary Objections on or before _____, 2008.
3. Notice of the entry of this Order shall be served by the Prothonotary.

BY THE COURT,

J.

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

CYNTHIA L. WILLIAMS, an Adult Individual,

Plaintiff

vs.

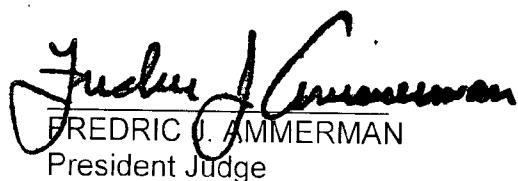
NO. 08-1735-CD

PAMELA W. BRADLEY, an Adult Individual, THOMAS*
J. BRADLEY, M.D., an Adult Individual, THOMAS J. *
BRADLEY, M.D., P.C., a Pennsylvania for Profit *
Corporation and DUBOIS REGIONAL MEDICAL *
CENTER, a Pennsylvania Non Profit Corporation, *
Defendants *

O R D E R

NOW, this 5th day of November, 2008, upon consideration of the Preliminary Objections filed by Louis C. Schmitt, Jr., Esquire on behalf of Defendant Thomas J. Bradley, M.D., it is the ORDER of this Court that argument on said Preliminary Objections is scheduled for the **17th day of November, 2008 at 11:00 a.m.** in Courtroom No. 1 of the Clearfield County Courthouse, Clearfield, PA 16830.

BY THE COURT,


FREDRIC L. AMMERMAN
President Judge

FILED *6cc*
01/06/2008 *Att'y Schmitt*
NOV 06 2008
S *60*
William A. Shaw
Prothonotary/Clerk of Courts

FILED

NOV 06 2008

William A. Shaw
Prothonotary/Clerk of Courts

DATE: 11/06/08

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

CYNTHIA L. WILLIAMS, an adult individual,

Plaintiff,

vs.

PAMELA W. BRADLEY, an adult individual,
THOMAS J. BRADLEY, MD, an adult individual,
THOMAS J. BRADLEY, MD, P.C., a Pennsylvania for
Profit Corporation, and DRMC, a Pennsylvania Not
for Profit Corporation,

Defendants.

CIVIL DIVISION

No. 08-1735-CD

Issue No.

**PRELIMINARY OBJECTIONS TO PLAINTIFF'S
AMENDED COMPLAINT**

Filed on behalf of the defendant incorrectly identified as
"DRMC."

Counsel of Record for This Party:

David R. Johnson, Esquire
PA I.D. #26409

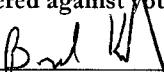
Brad R. Korinski, Esquire
PA I.D. #86831

THOMSON, RHODES & COWIE, P.C.
Firm #720
1010 Two Chatham Center
Pittsburgh, PA 15219

(412) 232-3400

TO THE PLAINTIFF:

You are hereby notified to file a written response to
the enclosed Preliminary Objections to Plaintiff's
Amended Complaint within twenty (20) days of
service hereof or a default judgment may be
entered against you.



Brad R. Korinski, Esquire
Attorneys for the defendant incorrectly identified
as "DRMC"

FILED 4CC
M/11/2008 Atty Korinski
NOV 13 2008
S

William A. Shaw
Prothonotary/Clerk of Courts

PRELIMINARY OBJECTIONS TO PLAINTIFF'S AMENDED COMPLAINT

NOW COMES the defendant incorrectly identified as "DRMC," by and through its attorneys, Thomson, Rhodes & Cowie, P.C., and files the following preliminary objections to plaintiff's amended complaint, stating as follows.

1. This lawsuit involves a purported physical altercation that occurred on December 14, 2006 at the office of co-defendant Thomas J. Bradley, M.D. between the plaintiff Cynthia L. Williams, a nurse in Dr. Bradley's office, and co-defendant Pamela W. Bradley, the wife of Thomas J. Bradley, M.D.

2. According to the amended complaint, Mrs. Bradley harbored the belief that plaintiff and Dr. Bradley were involved in a romantic affair. When Mrs. Bradley confronted plaintiff, the putative paramour, about the affair, Mrs. Bradley is alleged to have repeatedly attacked plaintiff causing her to suffer bodily and emotional harm.

3. Plaintiff contends Dr. Bradley had knowledge of both the on-going "attack" and his wife's propensity toward aggressive behavior but did nothing to prevent or stop the incident.

4. Plaintiff has named "DRMC" as a defendant in this lawsuit on the erroneous basis that, alternatively, (a) "DRMC" employed Dr. Bradley; (b) "DRMC" owned or controlled Dr. Bradley's medical practice, (c) Dr. Bradley had an independent contractor relationship with "DRMC," (d) "DRMC" acted as Dr. Bradley's landlord, and (e) "DRMC" issued privileges/credentials to Dr. Bradley to practice medicine in its hospital. The amended complaint sets forth a single cause of action sounding in negligence against "DRMC," and also includes a claim for punitive damages and attorney fees.

A. DEMURRER TO COUNT VII OF AMENDED COMPLAINT
(The Allegations Do Not State or Imply Any Act or Omission
By "DRMC" Which Caused Harm to Plaintiff)

5. Plaintiff alleges that prior to and during the alleged assault committed by Mrs. Bradley that Dr. Bradley was under the influence of narcotics. Plaintiff posits Dr. Bradley's narcotics usage as one of the reasons for Dr. Bradley's failure to come to the defense of plaintiff while she was being pummeled by Mrs. Bradley.

6. Paragraphs 84 (a), (b), (c), (d), (e), (f), (g), (h), (i) and (j) of Count VII of the amended complaint allege negligence on the part of "DRMC" in the following ways:

- ¶ 84(a): ["DRMC"] knew that Defendant Thomas J. Bradley, M.D. had a history of narcotics abuse.
- ¶ 84(b): ["DRMC"] failed to properly monitor Defendant Thomas J. Bradley, M.D. for substance abuse, especially in particular in light of knowing his history of previous substance abuse.
- ¶ 84(c) ["DRMC"] failed to detect that Defendant Thomas J. Bradley, M.D. was abusing narcotics.
- ¶ 84(d): ["DRMC"] failed to properly supervise Defendant Thomas J. Bradley, M.D. under the attenuate circumstances to such a degree that he was practicing and had been practicing medicine, including the administration of his office, under the influence of narcotics.
- ¶ 84(e): ["DRMC"] failed to detect that Defendant Thomas J. Bradley, M.D., because of narcotic abuse, was not properly administrating to Defendant Thomas J. Bradley, M.D., P.C.
- ¶ 84(f): ["DRMC"] by continuing to issue privileges, grant credentials and provide free office space to Defendant Thomas J. Bradley, M.D. and Defendant Thomas J. Bradley, M.D., P.C. thereby enabled him and it to engage in the aforementioned tortuous conduct.
- ¶ 84(g): ["DRMC"] failed to properly monitor Dr. Bradley for use of illegal narcotics by utilizing a system which enabled Dr. Bradley to continue using narcotics without DRMC detecting said use.
- ¶ 84(h) ["DRMC"] failed to control Dr. Bradley ... from administering to his ... practice of medicine under the influence of narcotics, of which it should have been aware under the exercise of reasonable care.
- ¶ 84(i) ["DRMC"] failed to provide a safe and secure environment for the premises it leased or in some manner permitted Dr. Bradley ... from using.
- ¶ 84(j) ["DRMC"] failed to exercise proper control over the premises it leased or in some manner permitted Dr. Bradley from using.

7. Plaintiff's claims and injuries in this case stem from a purported assault committed by Dr. Bradley's wife in Dr. Bradley's office because of Mrs. Bradley's belief that plaintiff and Dr. Bradley were engaged in a relationship of a sexual/romantic nature. Plaintiff alleges that Dr. Bradley and/or his professional corporation should have afforded her some protection from this physical altercation. There is no obvious factual or logical relationship plead between Dr.

Bradley's purported drug use, DRMC's alleged allowance of that drug use, and the physical assault allegedly perpetrated by Mrs. Bradley.

8. None of the above allegations against "DRMC" in the amended complaint state, suggest or imply any act or omission which caused direct harm to plaintiff, nor do these allegations involve areas where defendant "DRMC" had a duty to act for the benefit of plaintiff.

9. Since the subject matter set forth in these paragraphs neither identifies a cause of harm nor breach of legal duty, there is no basis for plaintiff to claim that defendant "DRMC" may be liable to her as a result of the alleged conduct. Moreover, the above-referenced allegations relate to matters which are not factually related or connected to the alleged assault.

WHEREFORE, defendant "DRMC" requests this Honorable Court sustain its demurrer to Count VII of the amended complaint, and dismiss defendant "DRMC" from this lawsuit with prejudice.

B. DEMURRER TO COUNT VII OF AMENDED COMPLAINT
("DRMC" Had No Duty to Prevent the Intentional Torts
Which Serve as the Subject Matter of the Complaint)

10. The sum and substance of plaintiff's liability theory against "DRMC" is that it permitted plaintiff to become the victim of an intentional assault and battery committed by co-defendant Dr. Bradley's wife.

11. There are no factual allegations set forth in the amended complaint establishing that the alleged assault and battery was committed by an employee of "DRMC." There is no averment that DRMC had the duty to supervise and control Mrs. Bradley or that DRMC had any awareness of any supposed "dangerous propensities" possessed by this woman. Moreover, given the nature of the alleged intentional acts, DRMC cannot be held vicariously responsible for such assault. *See R.A. First Church of Christ*, 748 A.2d 692, 699-700 (Pa. Super. 2000).

12. There are no facts alleged which Mrs. Bradley as an employee, servant or agent of "DRMC." Nonetheless, assuming *arguendo* that Mrs. Bradley acted as an agent, servant or employee of "DRMC" or that her husband, co-defendant Dr. Bradley, was such an agent, servant or employee, the nature of the alleged assault in the

complaint precludes the imposition of liability against "DRMC" because the act could not have been performed within the course and scope of either Mrs. Bradley's or Dr. Bradley's agency, servitude or employment.

WHEREFORE, the defendant "DRMC" respectfully requests that this Honorable Court grant its demurrer to Count VII of the amended complaint, and dismiss defendant "DRMC" from this lawsuit with prejudice.

C. DEMURRER TO COUNT VII OF AMENDED COMPLAINT
(In View of the Facts Plead in the Complaint, Causation Cannot Be
Established as a Matter of Law)

13. Plaintiff complains she was assaulted by Mrs. Bradley because Mrs. Bradley believed plaintiff and Dr. Bradley were engaging in an affair. Plaintiff further complains that Dr. Bradley did not protect her from this assault. As to defendant "DRMC," plaintiff alleges that "DRMC" failed to properly supervise Dr. Bradley in terms of his alleged narcotics use or that it somehow did not provide safe premises. Indeed, there is no direct allegation that "DRMC" permitted the assault to occur or that "DRMC" should have protected plaintiff from the violence she alleges was visited upon her.

14. In paragraphs (i) and (j) of the amended complaint, plaintiff conclusory avers that DRMC failed to provide a "safe and secure environment," and "failed to exercise proper control" over the premises. However, plaintiff does not deign to offer any specific facts, nor does plaintiff elaborate how these alleged deficiencies caused any harm to plaintiff.

15. Even if one assumes "DRMC" had some duty to ensure Dr. Bradley was not using illicit drugs, and if Dr. Bradley was actually using such drugs, there are absolutely no facts plead in the complaint whereby a connection can be drawn to establish that "DRMC's" failure to supervise Dr. Bradley in terms of his drug use caused or precipitated the actions of Mrs. Bradley. As a matter of law, the actions of "DRMC" cannot be a substantial factor in the harm suffered by plaintiff.

WHEREFORE, the defendant "DRMC" respectfully requests that this Honorable Court grant its demurrer to Count VII of the amended complaint, and dismiss defendant "DRMC" from this lawsuit with prejudice.

D. MOTION TO STRIKE PURSUANT TO Pa. R.C.P. 1028(a)(2)
(All Allegations Concerning Dr. Bradley's Narcotics Use Constitute
Scandalous and Impertinent Matter)

16. The complaint is replete with allegations that Dr. Bradley engaged in illicit use of narcotics and other drugs. Yet, the crux of plaintiff's liability theory is that she was: (a) assaulted by Mrs. Bradley; and (b) Dr. Bradley did not properly protect her from this assault or render aid to her while it was occurring. Candidly, even if Dr. Bradley's drug use is true, it has nothing whatsoever to do with the harm that was allegedly inflicted upon plaintiff by Mrs. Bradley.

17. As is set forth above, "DRMC"s" alleged duty to prevent Dr. Bradley from using drugs is not factually connected from the assault purportedly committed by Mrs. Bradley.

18. The purported drug use of Dr. Bradley bears no relevance to any element of plaintiff's liability claims. The only ostensible purpose of including such averments in the complaint is to tend to blacken and impugn the reputation of Dr. Bradley in the community, as well as "DRMC" where Dr. Bradley practices medicine as a physician.

WHEREFORE, the defendant "DRMC" respectfully requests that this Honorable Court grant its Motion to Strike and thereby direct to remove any and all averments pertaining to any drug/narcotic use by Thomas J. Bradley, M.D.

E. MOTION TO STRIKE PUNITIVE DAMAGE CLAIMS AND CLAIMS FOR ATTORNEY FEES

19. In the "Wherefore Clause" of the amended complaint, plaintiff asserts an entitlement to punitive damages and attorney fees against defendant "DRMC."

20. There is no legal basis whatsoever for legal/attorney fees to be assessed against any of the defendants to this litigation.

21. Under well-established legal precedent, punitive damages may only be awarded in Pennsylvania where, "a person's actions are of such an outrageous nature as to demonstrate intentional, willful, wanton or reckless conduct"

and are awarded to punish that person for such conduct. SHV Coal, Inc. v. Continental Grain Co., 587 A.2d 702 (Pa. 1991).

22. Here, plaintiff has alleged no facts to possibly support a finding of outrageous conduct on the part of "DRMC." The complaint does not contain any factual averments that "DRMC" acted in an intentional, willful, wanton or reckless manner toward plaintiff. Indeed, as concerns "DRMC," the allegations of the amended complaint are not that "DRMC" failed to specifically protect plaintiff, but only that "DRMC" failed to supervise Dr. Bradley, who, in turn, failed to protect plaintiff. The amended complaint is completely bereft of any facts showing that DRMC knew or should have known that plaintiff stood in any danger. Given the attenuated factual circumstances in this lawsuit, it is wholly inappropriate for the specter of punitive damages to be visited against "DRMC."

23. Having utterly failed to meet her burden to aver specific facts to support this claim, plaintiff cannot establish a right to punitive damages in this factual and contextual vacuum

WHEREFORE, the defendant "DRMC" respectfully requests that this Honorable Court grant its Motion to Strike, thereby removing all claims for punitive damages and attorney fees from the amended complaint.

Respectfully Submitted,

THOMSON, RHODES & COWIE, P.C.



David R. Johnson, Esquire
Brad R. Korinski, Esquire
Attorneys for the defendant incorrectly identified as
"DRMC."

CERTIFICATION OF SERVICE

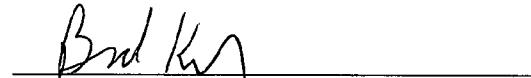
I hereby certify that a true and correct copy of the within document has been served upon the following counsel of record and same placed in the U.S. Mails on this 10/4/07 day of Nov, 2008.

Theron G. Noble, Esquire
Ferraraccio & Noble
301 East Pine Street
Clearfield, PA 16830

Louis C. Schmitt, Jr., Esquire
McIntyre, Hartye & Schmitt
P.O. Box 533
Hollidaysburg, PA 16648

Christopher M. Fleming, Esquire
Law Office of Snyder & Andrews
11269 Perry Highway, Suite 400
Wexford, PA 15090

THOMSON, RHODES & COWIE, P.C.



David R. Johnson, Esquire
Brad R. Korinski, Esquire
Attorneys for the defendant incorrectly identified as
"DRMC."

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CYNTHIA L. WILLIAMS, an adult individual,

CIVIL DIVISION

Plaintiff,

No. 08-1735-CD

vs.

Issue No.

PAMELA W. BRADLEY, an adult individual,
THOMAS J. BRADLEY, MD, an adult individual,
THOMAS J. BRADLEY, MD, P.C., a Pennsylvania for
Profit Corporation, and DRMC, a Pennsylvania Not
for Profit Corporation,

Defendants.

ORDER OF COURT

AND NOW, on this _____ day of _____, 2008, upon consideration of the
preliminary objections to plaintiff's amended complaint filed by defendant "DRMC," it is hereby ORDERED,
ADJUDGED and DECREED that said preliminary objections are hereby SUSTAINED.

BY THE COURT:

J.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CYNTHIA L. WILLIAMS, an adult
individual,

CIVIL DIVISION

No. 08-1735-CD

Plaintiff,

Issue No.

vs.

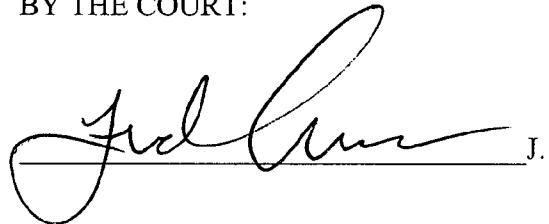
PAMELA W. BRADLEY, an adult
individual, THOMAS J. BRADLEY, MD,
an adult individual, THOMAS J.
BRADLEY, MD, P.C., a Pennsylvania for
Profit Corporation, and DRMC, a
Pennsylvania Not for Profit Corporation,

Defendants.

ORDER OF COURT

AND NOW on this 13th day of November, 2008, it is hereby
ORDERED, ADJUGED and DECREED that oral argument on DRMC's preliminary objections
to plaintiff's amended complaint is scheduled for the 11th day of
January, 2009, at 1:30 a.m./p.m. before Judge
Ammerman in Courtroom No. 1 of the Clearfield County Courthouse.

BY THE COURT:



FILED *4cc*

019-44801
NOV 14 2008

Auty Korinski
(61)

William A. Shaw
Prothonotary/Clerk of Courts

FILED

NOV 14 2008

William A. Shaw
Prothonotary/Clerk of Courts

DATE: 11/14/08

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
CIVIL DIVISION-LAW

CYNTHIA L. WILLIAMS, an Adult Individual

Plaintiff,

v.

PAMELA W. BRADLEY, an Adult
Individual, THOMAS J. BRADLEY, M.D.
an Adult Individual, THOMAS J. BRADLEY, MD.,
P.C., a Pennsylvania for Profit
Corporation, and DUBOIS REGIONAL
MEDICAL CENTER, a Pennsylvania
Non Profit Corporation

Defendants.

No. 2008 - 1735

ISSUE:

**PRELIMINARY
OBJECTIONS TO
PLAINTIFF'S FIRST
AMENDED CIVIL
COMPLAINT**

Filed on behalf of Defendant:
Thomas J. Bradley, M.D.,

Counsel of Record:
Louis C. Schmitt, Jr., Esquire
PA ID# 52459
McIntyre, Hartye & Schmitt
P.O. Box 533
Hollidaysburg, PA 16648
(814) 696-3581

JURY TRIAL DEMANDED

I hereby certify that a true and correct
copy of the within was mailed to all
counsel of record this 20th day of
November, 2008

Attorney for Defendant

FILED NO cc
mio:3260
NOV 21 2008

W.A. Shaw
Prothonotary/Clerk of Courts

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

CYNTHIA L. WILLIAMS, an Adult Individual

No. 2008 – 1735

Plaintiff,

v.

PAMELA W. BRADLEY, an Adult
Individual, THOMAS J. BRADLEY, M.D.
an Adult Individual, THOMAS J. BRADLEY, M.D.,
P.C., a Pennsylvania for Profit
Corporation, and DUBOIS REGIONAL
MEDICAL CENTER, a Pennsylvania
Non Profit Corporation

Defendants.

JURY TRIAL DEMANDED

PRELIMINARY OBJECTIONS TO PLAINTIFF'S FIRST AMENDED CIVIL COMPLAINT

AND NOW, comes defendant, THOMAS J. BRADLEY, MD, by and through his
attorneys, McINTYRE, HARTYE & SCHMITT, and files the following Preliminary
Objections in response to plaintiff's First Amended Civil Complaint, saying as follows:

1. This lawsuit was commenced by way of plaintiff's original Complaint filed on September 15, 2008.
2. On October 28, 2008, plaintiff filed her First Amended Civil Complaint. (A copy of Plaintiff's First Amended Civil Complaint is attached hereto as exhibit "A".).
3. Plaintiff's First Amended Civil Complaint was served on defendant Thomas J. Bradley, M.D. on November 13, 2008.

DEMURER/MOTION TO STRIKE

4. Defendant Thomas J. Bradley, M.D. hereby incorporates by reference paragraphs 1 through 3 of these Preliminary Objections, as if fully set forth herein.
5. The claims asserted against defendant Thomas J. Bradley, M.D., are set forth in Count IV and Count V of Plaintiff's First Amended Civil Complaint. Both of those Counts indicate that the claims of the plaintiff against defendant Thomas J. Bradley,

M.D. sound in "Negligence", only. However the ad damnum clause which follows paragraph 87 of Plaintiff's First Amended Civil Complaint demands judgment in her favor "against all defendants,"..."in circumstances appropriate," for "costs of prosecution", "punitive damages and attorneys fees."

6. The plaintiff's First Amended Civil Complaint in this matter sets forth absolutely no factual basis whatsoever from which one can reasonably infer defendant Thomas J. Bradley, M.D. committed acts with malice, or evidencing a design of violence, injury or oppression to the plaintiff, or that he had reason to know of facts which created a high risk of harm to this particular plaintiff, and proceeded to act in conscious disregard or indifference to that risk. Nor is there any basis set forth in the plaintiff's Complaint for the recovery of "costs of prosecution", or "attorneys fees."

WHEREFORE, defendant Thomas J. Bradley, M.D. respectfully requests that this Honorable Court dismiss plaintiff's claims asserted against him in the nature of costs of prosecution, punitive damages, and attorneys fees.

Respectfully submitted,

McINTYRE, HARTYE & SCHMITT

Attorney for Defendant
THOMAS J. BRADLEY, M.D.

Louis C. Schmitt, Jr., Esquire
PA ID# 52459
P.O. Box 533
Hollidaysburg, PA 16648
(814) 696-3581
(814) 696-9399 FAX

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

CYNTHIA L. WILLIAMS,
an adult individual;

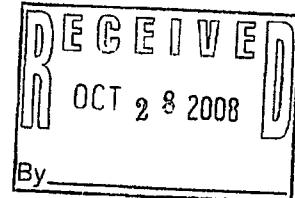
PLAINTIFF,

v.

PAMELA W. BRADLEY, an adult individual,
THOMAS J. BRADLEY, MD, an adult individual,
THOMAS J. BRADLEY, MD, P.C., a
Pennsylvania for Profit Corporation, and
DRMC, a Pennsylvania Not for Profit Corporation.

DEFENDANTS.

No. 08- 1735 -CD



Type of Pleading:

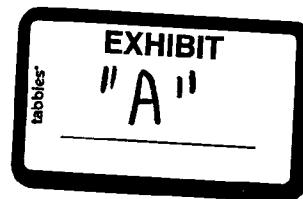
1st Amended Civil Complaint

Filed By:

Plaintiff

Counsel of Record:

Theron G. Noble, Esquire
Ferraraccio & Noble
301 East Pine Street
Clearfield, PA 16830
(814)-375-2221
PA I.D.#: 55942



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

CYNTHIA L. WILLIAMS,)
an adult individual;)
)
PLAINTIFF,)
)
v.) No. 08- 1735 -CD
)
)
PAMELA W. BRADLEY, an adult individual,)
THOMAS J. BRADLEY, MD, an adult individual,)
THOMAS J. BRADLEY, MD, P.C., a)
Pennsylvania for Profit Corporation, and)
DRMC, a Pennsylvania Not for Profit Corporation.)
)
DEFENDANTS.)

NOTICE TO DEFEND

YOU HAVE BEEN SUED IN COURT. IF YOU WISH TO DEFEND AGAINST THE CLAIM 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 CLAIM IN THE COMPLAINT OR FOR ANY OTHER CLAIM OR RELIEF REQUESTED BY THE PLAINTIFF(S). 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 AN ATTORNEY, OR CANNOT FIND ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Court Administrator
c/o Clearfield County Courthouse
2nd and Market Streets
Clearfield, PA 16830
(814)-765-2641

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PENNSYLVANIA
(CIVIL DIVISION)

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Pennsylvania for Profit Corporation, and)
DRMC, a Pennsylvania Not for Profit Corporation.)
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FIRST AMENDED CIVIL COMPLAINT

NOW COMES, Cynthia L. Williams, Plaintiff, by and through her counsel of record, Theron G. Noble, Esquire, of Ferraraccio & Noble, who avers as follows in support of her CIVIL COMPLAINT:

The Parties

1. That Plaintiff is Cynthia L. Williams, who at all material times was and is an adult individual residing at 49 Thomas Road, Brockway, Jefferson County, Pennsylvania.
2. That first defendant is Pamela W. Bradley, an adult individual who, upon information and belief, does and at all material times did reside at 74 Columbus Court, Treasure Lake, Sandy Township, Clearfield County, Pennsylvania 15801.
3. That second defendant is Thomas J. Bradley, MD, an adult individual who, upon

information and belief, did at the time of the complained of incident reside at 74 Columbus Court, Treasure Lake, Sandy Township, Clearfield County, Pennsylvania 15801, and with an unknown current location.

4. That third defendant is Thomas J. Bradley, MD, P.C., upon information and belief, a duly formed and existing Pennsylvania for profit corporation, primarily engaged in the business of the practice of medicine with primary office located at 701 Sunflower Drive, DuBois, Clearfield County, Pennsylvania 15801.

5. That fourth defendant is DRMC, upon information and belief a duly formed and existing Pennsylvania not for profit corporation, primarily engaged in the business of providing health care for the DuBois and surrounding area through a general hospital and ownership of numerous physician practices and ancillary services, with a primary physical address of 200 Hospital Avenue, DuBois, Clearfield County, Pennsylvania.

5A. In the alternative, that fourth defendant is DuBois Regional Medical Center, hereinafter "DRMC", upon information and belief a duly formed and existing Pennsylvania not for profit corporation, primarily engaged in the business of providing health care for the DuBois and surrounding area through a general hospital and ownership of numerous physician practices and ancillary services, with a primary physical address of 200 Hospital Avenue, DuBois, Clearfield County, Pennsylvania.

Background

6. That Cynthia L. Williams, hereinafter Ms. Williams, on or about December 14, 2006, was employed by Defendant Thomas J. Bradley, MD, P.C., as a registered nurse and was also employed by DRMC as a registered nurse working in its psychiatric unit, as a charge nurse, a position of with some supervisory responsibilities.

7. That for a period of time prior to December 14, 2006, Ms. Williams worked each job on a full time basis with a typical routine of performing her duties for Defendant Thomas J. Bradley, MD, P.C., starting in the morning, would proceed to her shift at DRMC's psychiatric facility at the former Maple Avenue Hospital, also known as DRMC East, about 100 feet from the office of Defendant Thomas J. Bradley, MD, P.C., at 3:00 P.M., perform those duties until her shift ended at 11:30 P.M., and would either return to Defendant Thomas J. Bradley, MD, P.C., to finish up her duties or proceed home if no other tasks remained.
8. That on the morning of December 14, 2006, Defendant Thomas J. Bradley, MD called Ms. Williams and requested her to come to work as she was needed to perform some tasks.
9. That Ms. Williams had not gone to work on December 14, 2006 for Defendant Thomas J. Bradley, MD, P.C., as she had been informed by other employees that her employment had been terminated.
10. That when Defendant Thomas J. Bradley, MD called Ms. Williams on the morning of December 14, 2006, Ms. Williams inquired whether she in fact was terminated from employment and was told she was not terminated and requested to come to work to perform her duties as a registered nurse which included amongst other job tasks, reviewing lab reports for its patients.
11. That Defendant Pamela W. Bradley and Defendant Thomas J. Bradley, MD, were husband and wife, and upon information and belief still are married.
12. That upon information and belief, Defendant Pamela W. Bradley was also employed by Defendant Thomas J. Bradley, MD, P.C., as a registered nurse, although Defendant

Pamela W. Bradley did not work regular or full time hours for a period of time leading up to December 14, 2006.

13. That upon information and belief, Defendant Pamela W. Bradley, as the spouse of Defendant Thomas J. Bradley, MD also held a position as an officer, director and/or stockholder in Defendant Thomas J. Bradley, MD, P.C..
14. That on December 14, 2006, and for a period of time before that date, Defendant Pamela W. Bradley believed that Ms. Williams and Defendant Thomas J. Bradley, MD, were engaging in "an affair" in which the aforementioned two adults were having sexual relations.
15. That Defendant Thomas J. Bradley, MD knew on, or prior to December 14, 2006, that his wife, Defendant Pamela W. Bradley, believed he was having such an affair with Ms. Williams.
16. That upon information and belief, on and prior to December 14, 2006, Defendant Thomas J. Bradley, MD was aware and knew that his wife, Defendant Pamela W. Bradley was prone to be physically aggressive in nature and had in fact physically attacked him on prior occasions, including one such incident approximately one week prior to the herein complained of incident.
17. That on December 14, 2006, specifically in the morning, Defendant Thomas J. Bradley, MD was addicted to and under the influence of illegal narcotics.
18. That upon information and belief, that at a time prior to December 14, 2006, Defendant Thomas J. Bradley, MD was treated for and was on some type of monitoring for a similar addiction to illegal substances.
19. That upon information and belief Defendant DRMC was well aware that Defendant

Thomas J. Bradley, MD had issues in his past with substance abuse, which occurred while Defendant Thomas J. Bradley, MD was engaged in the practice of medicine in the DuBois area and held privileges with Defendant DRMC.

20. That on December 14, 2006, Defendant Thomas J. Bradley, MD held privileges to practice medicine at DRMC and did in fact rent office space from Defendant DRMC which owns the office building located at 701 Sunflower Drive in which Defendant Thomas J. Bradley, MD did practice through Defendant Thomas J. Bradley, MD, P.C.
21. That on the morning of December 14, 2006, at approximately 10:30 A.M., as Ms. Williams reported to Defendant Thomas J. Bradley, MD, P.C., to perform her employment duties as requested by Defendant Thomas J. Bradley, MD, P.C., through Defendant Thomas J. Bradley, MD, Defendant Pamela W. Bradley was also present, which was unknown to Ms. Williams until she arrived at its office.
22. That as she started to perform her employment duties, Ms. Williams went to retrieve phone messages and a FAX containing lab reports of patients, Ms. Williams passed by Defendant Pamela W. Bradley when Defendant Pamela W. Bradley started screaming at Ms. Williams, accusing her of lying on her time sheets.
23. Ms. Williams proceeded back to her work area and retrieved her time sheets to present to the office manager who was also present with Defendant Pamela W. Bradley to demonstrate that she did keep accurate time sheets and Defendant Pamela W. Bradley then ripped up the time sheets and threw them at Ms. Williams hitting her in the face, all the while continuing to scream various things at Ms. Williams.
24. Ms. Williams again retreated back to her work area and proceeded to process more lab reports and discovered one showed a significant danger to a patient so she proceeded

to the office of Defendant Dr. Bradley to inform him of this circumstance which needed immediate attention.

25. As Ms. Williams proceeded to Dr. Bradley's office she heard Defendant Pamela W. Bradley now screaming at Defendant Thomas J. Bradley, MD, apparently arguing about whether Ms. Williams was or was not terminated, but considering the patient's needs, Ms. Williams proceeded to attempt to speak with Dr. Bradley, as was the office's customary practice, so as to inquire where the patient should be sent for the much needed injection as the lab report indicated.

26. As she proceeded to open the door to Dr. Bradley's office, upon information and belief, Defendant Pamela W. Bradley slammed the door on Ms. Williams, striking her in the face, breaking her glasses and knocking her back and off of her feet, as she slammed into the floor, Ms. Williams felt something pop in her lower back.

27. A short time later, the office staff decided to have a meeting to "sort this out" and when Ms. Williams proceeded to enter the room in which the meeting was to be held, Defendant Pamela W. Bradley proceeded to repeatedly slam the door on Ms. Williams' arm.

28. Ms. Williams then proceeded back to her office, attempted to lock the door, so that she could collect herself in order to finish review of the labs and call in meds so that she could leave, when Defendant Pamela W. Bradley entered the area, again screaming as before at Ms. Williams and refused to leave.

29. During this confrontation, Defendant Pamela W. Bradley again started ripping up things, this time being the lab reports, refused to leave and punched Ms. Williams in the throat, causing Ms. Williams to again suffer pain, be in fear to the point she urinated her

pants.

30. A short time later a security guard came, apparently from DRMC East, to escort Ms. Williams from the premises.

31. That no one from Defendant Thomas J. Bradley, MD, P.C., at any time attempted to protect Ms. Williams from the aforementioned attacks by Defendant Pamela W. Bradley including Defendant Thomas J. Bradley, MD, who was under the influence of narcotics to the point he remained in his office in a cowled position as he later admitted to Ms. Williams, knowing that these attacks were on going.

32. That as a direct and proximate result of the attacks by Defendant Pamela W. Bradley as herein detailed, Ms. Williams did suffer injuries, consisting of abrasions, contusions, and internal damage to her face, arms, throat, neck and back, requiring extensive medical treatment including surgeries.

33. That as a result of the aforementioned injuries, some of which are permanent in nature, Ms. Williams also became incontinent.

34. That as a direct and proximate result of her aforementioned physical injuries, Ms. Williams experienced pain and suffering, and does so still experience pain and suffering, for which she should be compensated in an amount to be determined at time of trial.

35. That as a direct and proximate result of her aforementioned physical injuries, Ms. Williams has lost an ability to enjoy life in the manner she did prior to these attacks by Defendant Pamela W. Bradley for which she should be compensated in an amount to be determined at time of trial.

36. That as a direct and proximate result of her aforementioned physical injuries, Ms. Williams lost income from gainful employment and continues to lose such income, which

upon information and belief, will be a permanent loss of income, for which she should be compensated in an amount to be determined at time of trial.

37. That as a direct and proximate result of her aforementioned physical injuries, Ms. Williams incurred, and does continue to incur medical expenses, for which she should be compensated in an amount to be determined at time of trial.

38. That as a direct and proximate result of the attacks inflicted upon her by Defendant Pamela W. Bradley and her aforementioned physical injuries, Ms. Williams was embarrassed, humiliated and prone to depression, and to some extent remains as such, for which she should be compensated in an amount to be determined at time of trial.

39. That as a direct and proximate result of the attacks inflicted upon her by Defendant Pamela W. Bradley and her aforementioned physical injuries, Ms. Williams was placed in fear and to some extent remains as such, for which she should be compensated in an amount to be determined at time of trial.

40. That as a direct and proximate result of the attacks inflicted upon her by Defendant Pamela W. Bradley and her aforementioned physical injuries, Ms. Williams received scarring which is believed to be permanent, for which she should be compensated in an amount to be determined at time of trial.

41. That as a result of the aforementioned attack by Defendant Pamela W. Bradley, Ms. Williams also suffered an injury to her left knee, requiring to this day for her to wear a brace, for which she should also be compensated for in an amount to be determined.

Count I: v. Defendant Pamela W. Bradley
Assault

41B. That the averments of paragraphs 1 - 41, inclusive, are hereby incorporated as if again fully set forth at length.

42. That the aforementioned acts by Defendant Pamela W. Bradley on December 14, 2006, were intentional and were done with the specific intent to cause physical injury and mental injury to Ms. Williams.

43. In the alternative, the aforementioned acts by Defendant Pamela W. Bradley on December 14, 2006, were intentional and were done knowing that such acts of physical violence were likely to cause physical and mental injury to Ms. Williams, placing Ms. Williams in imminent fear for her well being.

44. In the alternative, the aforementioned acts by Defendant Pamela W. Bradley on December 14, 2006, were done with reckless disregard to the safety of Ms. Williams.

45. That the series of assaults inflicted upon Ms Williams by Defendant Pamela W. Bradley on December 14, 2006, were the legal cause of the resulting damages suffered by Ms. Williams, whether or not intended or foreseen.

46. That in addition to the economic and non-economic damages suffered by Ms. Williams, for which Defendant Pamela W. Bradley is liable in amounts to be determined at time of trial, Defendant Pamela W. Bradley should also be liable for punitive damages, in an amount to also be determined at time of trial, to encourage Defendant Pamela W. Bradley, and others, from so acting in the future.

WHEREFORE, Plaintiff demands JUDGMENT in her favor and against Defendant Pamela W. Bradley, in an amount to be determined at time of trial, but in excess of Twenty Thousand Dollars (\$20,000), together with interest, costs of prosecution, attorney's fees and punitive damages.

Count II: v. Defendant Pamela W. Bradley
Intentional Infliction of Emotional Distress

47. That the averments of paragraphs 1 - 46, inclusive, are hereby incorporated as if again fully set forth at length.
48. That the aforementioned acts of Defendant Pamela W. Bradley on December 14, 2006, are extreme and outrageous conduct, in which Defendant Pamela W. Bradley intended to cause bodily injury to Ms. Williams.
49. That as a direct and proximate result of Defendant Pamela W. Bradley's aforementioned extreme and outrageous conduct, Ms. Williams did suffer and continues to suffer, severe emotional distress, including depression and anxiety attacks, for which she should be compensated for in an amount to be determined at time of trial.

**WHEREFORE, Plaintiff demands JUDGMENT in her favor and against
Defendant Pamela W. Bradley, in an amount to be determined at time of trial, but
in excess of Twenty Thousand Dollars (\$20,000), together with interest, costs of
prosecution, attorney's fees and punitive damages.**

Count III: v. Defendant Pamela W. Bradley
Reckless Infliction of Emotional Distress

50. That the averments of paragraphs 1 - 49, inclusive, are hereby incorporated as if again fully set forth at length.
51. That the aforementioned acts of Defendant Pamela W. Bradley on December 14, 2006, are extreme and outrageous conduct, in which Defendant Pamela W. Bradley recklessly caused bodily injury to Ms. Williams.

52. That as a direct and proximate result of Defendant Pamela W. Bradley's aforementioned extreme and outrageous conduct, Ms. Williams did suffer and continues to suffer, severe emotional distress including depression and anxiety attacks, for which she should be compensated for in an amount to be determined at time of trial.

WHEREFORE, Plaintiff demands JUDGMENT in her favor and against Defendant Pamela W. Bradley, in an amount to be determined at time of trial, but in excess of Twenty Thousand Dollars (\$20,000), together with interest, costs of prosecution, attorney's fees and punitive damages.

**Count IV: v. Defendant Thomas J. Bradley, MD;
Negligence**

53. That the averments of paragraphs 1 - 52, inclusive, are hereby incorporated as if again fully set forth at length.

54. That upon information and belief, on or about December 14, 2006, Defendant Thomas J. Bradley, MD knew, or was aware, that Defendant Pamela W. Bradley, his wife, had a propensity to engage in physically aggressive acts towards others.

55. That upon information and belief, Defendant Pamela W. Bradley had physically attacked Defendant Thomas J. Bradley, MD on occasions prior to December 14, 2006.

56. That Defendant Thomas J. Bradley, MD knew or was aware on, or about December 14, 2006, that Defendant Pamela W. Bradley believed that he, Defendant Thomas J. Bradley, MD, was having an affair, including sexual relations with Ms. Williams.

57. That, upon information and belief, Defendant Pamela W. Bradley had demanded of Defendant Thomas J. Bradley, MD, prior to December 14, 2006, to terminate Ms. Williams from her employment with Defendant Thomas J. Bradley, MD, P.C.,

58. That Defendant Thomas J. Bradley, MD, as the person in charge of Defendant Thomas J. Bradley, MD, P.C.'s office, had a duty to provide an environment free of unreasonable risks harm to others, including his staff, Ms. Williams included.

59. That Defendant Thomas J. Bradley, MD was negligent in that:

(a) He permitted a person, namely his wife, Defendant Pamela W. Bradley, to be at Defendant Thomas J. Bradley, MD, P.C.'s office, being aware that she was prone to physically aggressive behavior;

(b) He permitted a person, namely his wife, Defendant Pamela W. Bradley, to be at Defendant Thomas J. Bradley, MD, P.C.'s office, being aware that she was prone to physically aggressive behavior, further knowing that she held animosity towards Ms. Williams;

(c) He permitted a person, namely his wife, Defendant Pamela W. Bradley, to be at Defendant Thomas J. Bradley, MD, P.C.'s office, being aware that she was prone to physically aggressive behavior, further knowing that she held animosity towards Ms. Williams and that he, Defendant Thomas J. Bradley, MD, had summoned Ms. Williams to work on December 14, 2006; and

(d) That once Defendant Pamela W. Bradley commenced with the series of assaults upon Ms. Williams, Defendant Thomas J. Bradley, MD did nothing to stop the attacks, even failing to call security for assistance.

60. That as a direct and proximate result of Defendant Thomas J. Bradley, MD's negligence, Ms. Williams suffered the aforementioned injuries and damages.

WHEREFORE, Plaintiff demands JUDGMENT in her favor and against Defendant Thomas J. Bradley, MD, in an amount to be determined at time of trial,

but in excess of Twenty Thousand Dollars (\$20,000), together with interest and costs of prosecution.

**Count V: v. Defendant Thomas J. Bradley, MD;
Negligence**

61. That the averments of paragraphs 1 - 60, inclusive, are hereby incorporated as if again fully set forth at length.
62. That on the morning of December 14, 2006, Defendant Thomas J. Bradley, MD was under the influence of narcotics.
63. That upon information and belief, Defendant Thomas J. Bradley, MD had a documented history of narcotic abuse.
64. That Defendant Thomas J. Bradley, MD was negligent in that on the morning of December 14, 2006, he was under the influence of narcotics to a point which rendered him incapable of rendering sound judgment.
65. That as a direct and proximate result of the aforementioned negligence of Defendant Thomas J. Bradley, MD, Ms. Williams suffered her aforementioned injuries and resulting damages in that he created a situation in which his wife, Defendant Pamela W. Bradley, whom he knew to be physically aggressive and held animosity towards Ms. Williams, would be present with Ms. Williams, and once the attacks started, he failed to take any action to stop or otherwise prevent the on going and continued attacks.

WHEREFORE, Plaintiff demands JUDGMENT in her favor and against Defendant Thomas J. Bradley, MD, in an amount to be determined at time of trial, but in excess of Twenty Thousand Dollars (\$20,000), together with interest and costs of prosecution.

**Count VI: v. Defendant Thomas J. Bradley, MD, P.C.;
Negligence**

66. That the averments of paragraphs 1 - 65, inclusive, are hereby incorporated as if again fully set forth at length.
67. That on December 14, 2006, that Defendant Pamela W. Bradley was an employee of Defendant Thomas J. Bradley, MD, P.C..
68. That upon information and belief, on December 14, 2006, that Defendant Pamela W. Bradley held a supervisory position over other employees of Defendant Thomas J. Bradley, MD, P.C..
69. That upon information and belief, on December 14, 2006, that Defendant Pamela W. Bradley was a corporate officer, director and or owned shares of stock in Defendant Thomas J. Bradley, MD, P.C..
70. That on December 14, 2006, that Defendant Thomas J. Bradley, MD was an employee of Defendant Thomas J. Bradley, MD, P.C..
71. That upon information and belief, on December 14, 2006, that Defendant Thomas J. Bradley, MD held a supervisory position over other employees of Defendant Thomas J. Bradley, MD, P.C..
72. That upon information and belief, on December 14, 2006, that Defendant Thomas J. Bradley, MD was a corporate officer, director and or owned shares of stock in Defendant Thomas J. Bradley, MD, P.C..
73. That Defendant Thomas J. Bradley, MD, P.C., had a duty to protect its staff and business visitors from unreasonable risk of harm, and to aid its staff, including Ms. Williams, once exposed to risk of harm.

74. That Defendant Thomas J. Bradley, MD, P.C., was negligent in the exercise of its aforementioned duty as follows:

- (a) it failed to remove or caused to be removed Defendant Pamela W. Bradley whom it knew, or should have known, had a propensity of physically aggressive behavior;
- (b) it failed to remove or caused to be removed Defendant Pamela W. Bradley whom it knew, or should have known, had a propensity of physically aggressive behavior and held animosity towards Ms. Williams;
- (c) once Defendant Pamela W. Bradley started to attack Ms. Williams, it failed to protect Ms. Williams from such further attacks;
- (d) it failed to detect that the person in charge of its office, Defendant Thomas J. Bradley, MD, was, and upon information and belief, had been for sometime reporting to work under the influence of narcotics;
- (e) it created a situation, knowing the underlying circumstances as herein aforementioned, by summoning Ms. Williams to work when Defendant Pamela W. Bradley was present; and
- (f) it acted as aforementioned in (a) - (e) because on the morning of December 14, 2006, Defendant Thomas J. Bradley, MD was under the influence of narcotics.

75. That the aforementioned negligence of Defendant Thomas J. Bradley, MD, P.C., was a direct and proximate cause of the injuries and resulting damages suffered by Ms. Williams.

WHEREFORE, Plaintiff demands JUDGMENT in her favor and against Defendant Thomas J. Bradley, MD, P.C., in an amount to be determined at time of trial, but in excess of Twenty Thousand Dollars (\$20,000), together with interest and

costs of prosecution.

**Count VII: v. Defendant DRMC;
Negligence**

76. That the averments of paragraphs 1 - 75, inclusive, are hereby incorporated as if again fully set forth at length.
77. That upon information and belief, Defendant DRMC was the employer of Defendant Thomas J. Bradley, MD.
- 77A. That in the alternative, upon information and belief, Defendant DRMC had been for a period of time, securing the practices of various primary care physicians, which included in some instances, purchases of said practices for outright ownership, or in other situations other mechanisms in which DRMC harbored control over the primary care practice(s).
78. That upon information and belief, Defendant DRMC and Defendant Thomas J. Bradley, MD had an independent contractor relationship.
79. That upon information and belief, Defendant DRMC was the landlord for Defendant Thomas J. Bradley, MD, P.C..
80. That upon information and belief, Defendant DRMC investigated and continued to issue privileges and credentials, based upon such investigations, to Defendant Thomas J. Bradley, MD to practice medicine at its facilities and on its property.
81. That upon information and belief, as a general hospital providing medical services to the DuBois Area, Defendant DRMC has a duty imposed under state and/or federal law to assure that the physicians to whom it grants privileges and/or credentials to practice medicine are not doing so under the influence of narcotics.

82. That upon information and belief, Defendant DRMC has a stated policy that it will not permit those under the influence of substances to engage in the practice of medicine in or about the premises it owns or otherwise controls, thereby imposing upon itself such a duty to assure its own policies are not being violated.

83. That as a result of the aforementioned relationships between Defendant DRMC and Defendant Thomas J. Bradley, MD and/or Defendant Thomas J. Bradley, MD, P.C., Defendant DRMC owed a duty, or in the alternative accepted a duty which was imposed on itself, to Ms. Williams as a member of the public and/or as an employee of Defendant Thomas J. Bradley, MD, P.C., and/or DRMC, to assure the reasonable safety of those persons, in particular Ms. Williams, having a business and or professional relationship with Defendant Thomas J. Bradley, MD and/or Defendant Thomas J. Bradley, MD, P.C.

84. That Defendant DRMC was negligent in these aforementioned duty or duties as follows:

- (a) It knew that Defendant Thomas J. Bradley, MD had a history of narcotic abuse;
- (b) It failed to properly monitor Defendant Thomas J. Bradley, MD for substance abuse, especially in particular in light of knowing his history of previous substance abuse;
- (c) It failed to detect that Defendant Thomas J. Bradley, MD was abusing narcotics;
- (d) It failed to properly supervise Defendant Thomas J. Bradley, MD under the attenuate circumstances to such a degree that he was practicing and had been practicing medicine, including the administration of his office, under the influence of narcotics;
- (e) It failed to detect that Defendant Thomas J. Bradley, MD, because of narcotic

abuse, was not properly administrating to Defendant Thomas J. Bradley, MD, P.C.;

- (f) By continuing to issue privileges, grant credentials and provide office space to Defendant Thomas J. Bradley, MD and Defendant Thomas J. Bradley, MD, P.C., thereby enabled him and it to engage in the aforementioned tortuous conduct;
- (g) Upon information and belief, it failed to properly monitor Defendant Thomas J. Bradley, MD for use of illegal narcotics by utilizing a system which enabled Defendant Thomas J. Bradley, MD to continue using narcotics without DRMC detecting said use;
- (h) It failed to control Defendant Thomas J. Bradley, MD and Defendant Thomas J. Bradley MD, P.C., from administering to his and/or its practice of medicine under the influence of narcotics, of which it should have been aware under the exercise of reasonable care;
- (i) It failed to provide a safe and secure environment for the premises it leased or in some manner permitted Defendant Thomas J. Bradley and/or Defendant Thomas J. Bradley, MD, P.C. from using; and/or
- (j) It failed to exercise proper control over the premises it leased or in some manner permitted Defendant Thomas J. Bradley and/or Defendant Thomas J. Bradley, MD, P.C. from using.

84. That as a direct and proximate result of Defendant DRMC's negligence, Ms. Williams suffered the aforementioned injuries and damages.

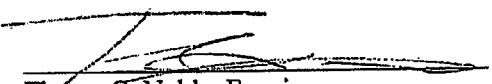
WHEREFORE, Plaintiff demands JUDGMENT in her favor and against Defendant DRMC, in an amount to be determined at time of trial, but in excess of Twenty Thousand Dollars (\$20,000), together with interest and costs of prosecution.

Miscellaneous Averments

85. That the aforementioned liability of all defendants is joint and several.
86. That venue is proper.
87. That jurisdiction is proper.

WHEREFORE, Plaintiff demands JUDGMENT in her favor and against all Defendants, in an amount to be determined at time of trial, but in excess of Twenty Thousand Dollars (\$20,000), together with interest and costs of prosecution, and in circumstances appropriate, punitive damages and attorney's fees.

Respectfully Submitted,



Theron G. Noble, Esquire
Attorney for Plaintiff
Ferraraccio & Noble
301 E. Pine Street
Clearfield, PA 16830
(814)-375-2221
PA I.D. #: 55942

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

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No. 08- 1735 -CD

VERIFICATION

I, Theron G. Noble, Esquire, of Ferraraccio & Noble, does hereby verify, that to the best of my knowledge, information and belief, based upon VERIFICATION to the original CIVIL COMPLAINT filed in this matter, that the attached and foregoing FIRST AMENDED CIVIL COMPLAINT is true and correct. Said VERIFICATION is made pursuant to 18 Pa.C.S.A. §4904, relating to unsworn falsification to authorities.

This 27 day of October, 2008.

Respectfully Submitted,



Theron G. Noble, Esquire
Attorney for Plaintiff
Ferraraccio & Noble
301 E. Pine Street
Clearfield, PA 16830
(814)-375-2221
PA I.D. #: 55942

IN THE COURT OF COMMON PLEAS, CLEARFIELD COUNTY,
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THOMAS J. BRADLEY, MD, an adult individual,)
THOMAS J. BRADLEY, MD, P.C., a)
Pennsylvania for Profit Corporation, and)
DRMC, a Pennsylvania Not for Profit Corporation.)
)
DEFENDANTS.)
No. 08- 1735 -CD

CERTIFICATE OF SERVICE

I, Theron G. Noble, Esquire, of Ferraraccio & Noble, does hereby certify this 27th day of October, 2008, that I did mail a true and correct copy of Plaintiff's FIRST AMENDED CIVIL COMPLAINT, to the below indicated persons, being all counsel for Defendants, via United States Mail, postage prepaid, first class, addressed as follows:

Brad R. Korinski, Esquire Thomas, Rhodes, Cowie, P.C. Two Chatham Center, Tenth Floor Pittsburgh, PA 15219-3499	Christopher M. Fleming, Esquire Snyder & Andrews 11269 Perry Highway, Suite 400 Wexford, PA 15090
--	--

Respectfully Submitted,



Theron G. Noble, Esquire
Attorney for Plaintiff
Ferraraccio & Noble
301 E. Pine Street
Clearfield, PA 16830
(814)-375-2221
PA I.D. #: 55942

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

CYNTHIA L. WILLIAMS, an Adult Individual

Plaintiff,

v.

PAMELA W. BRADLEY, an Adult
Individual, THOMAS J. BRADLEY, M.D.
an Adult Individual, THOMAS J. BRADLEY, MD.,
P.C., a Pennsylvania for Profit
Corporation, and DUBOIS REGIONAL
MEDICAL CENTER, a Pennsylvania
Non Profit Corporation

Defendants.

No. 2008 - 1735

ISSUE:
**PRAECIPE FOR
ARGUMENT LIST**

Filed on behalf of Defendant:
Thomas J. Bradley, M.D.,

Counsel of Record:
Louis C. Schmitt, Jr., Esquire
PA ID# 52459
McIntyre, Hartye & Schmitt
P.O. Box 533
Hollidaysburg, PA 16648
(814) 696-3581

JURY TRIAL DEMANDED

I hereby certify that a true and correct
copy of the within was mailed to all
counsel of record this 20TH day of
NOVEMBER, 2008.

Attorney for Defendant

FILED NO CC
10:39 AM
Nov 21 2008
S
William A. Shaw
Prothonotary/Clerk of Courts

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

CYNTHIA L. WILLIAMS, an Adult Individual

No. 2008 - 1735

Plaintiff,

v.

PAMELA W. BRADLEY, an Adult
Individual, THOMAS J. BRADLEY, M.D.
an Adult Individual, THOMAS J. BRADLEY, M.D.,
P.C., a Pennsylvania for Profit
Corporation, and DUBOIS REGIONAL
MEDICAL CENTER, a Pennsylvania
Non Profit Corporation

Defendants.

JURY TRIAL DEMANDED

PRAECIPE FOR ARGUMENT LIST

TO: PROTHONOTARY

Kindly list the above-captioned matter on the next available argument list. The
matter to be argued is Preliminary Objections to Plaintiff's First Amended Civil Complaint
filed on behalf of defendant, Thomas J. Bradley, M.D.

Respectfully submitted,

McINTYRE, HARTYE & SCHMITT

Attorney for Defendant
THOMAS J. BRADLEY, M.D.

LOUIS C. SCHMITT, JR., ESQUIRE
PA ID. No. 52459
P. O. Box 533
Holidaysburg, PA 16648
(814) 696-3581
(814) 696-9399 - FAX

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

CYNTHIA L. WILLIAMS, an Adult Individual

No. 2008 - 1735

Plaintiff,

v.

PAMELA W. BRADLEY, an Adult
Individual, THOMAS J. BRADLEY, M.D.
an Adult Individual, THOMAS J. BRADLEY, M.D.,
P.C., a Pennsylvania for Profit
Corporation, and DUBOIS REGIONAL
MEDICAL CENTER, a Pennsylvania
Non Profit Corporation

Defendants.

JURY TRIAL DEMANDED

ORDER

AND NOW, this 24 day of November, 2008, upon
consideration of the Preliminary Objections TO Plaintiff's First Amended Civil Complaint
filed on behalf of defendant, Thomas J. Bradley, M.D., and any response thereto, it is
hereby ORDERED as follows:

1. Oral argument upon the Preliminary Objections will be held on January,
1, 2009, at 1:30 P.M. in Courtroom No. 1 of the
Clearfield County Courthouse in Clearfield, Pennsylvania.
2. Plaintiff/Respondent shall file a response concerning the issues raised in the
Preliminary Objections on or before December 16, 2008.
3. Notice of the entry of this Order shall be served by the Prothonotary.

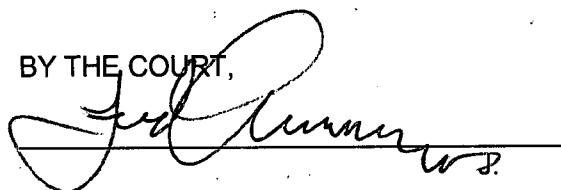
FILED

cc Attns:

Noble
Johnson
Fleming
Schmitt

03/05/09
NOV 24 2008
William A. Shaw
Prothonotary/Clerk of Courts

BY THE COURT,



cc Thomas J. Bradley, MD PC
701 Sunflower Drive
Dubois, PA 15801

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CYNTHIA L. WILLIAMS, an adult individual,

CIVIL DIVISION

Plaintiff,

No. 08-1735-CD

vs.

Issue No.

PAMELA W. BRADLEY, an adult individual,
THOMAS J. BRADLEY, MD, an adult
individual, THOMAS J. BRADLEY, MD, P.C.,
a Pennsylvania for Profit Corporation, and
DRMC, a Pennsylvania Not for Profit
Corporation,

Defendants.

AFFIDAVIT OF SERVICE

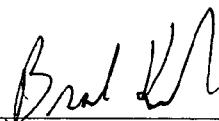
Before me, the undersigned authority, personally appeared Brad R. Korinski, Esquire, who, being duly sworn, deposes and says that a true and correct copy of the Judge Ammerman's November 13, 2008, Scheduling Order, along with a true and correct copy the Preliminary Objections in the above-captioned case were served upon the following this 18th day of November, 2008:

Theron G. Noble, Esquire
Ferraraccio & Noble
301 East Pine Street
Clearfield, PA 16830

Louis C. Schmitt, Jr., Esquire
McIntyre, Hartye & Schmitt
P.O. Box 533
Hollidaysburg, PA 16648

Christopher M. Fleming, Esquire
Law Office of Snyder & Andrews
11269 Perry Highway, Suite 400
Wexford, PA 15090

THOMSON, RHODES & COWIE, P.C.



Brad R. Korinski, Esquire

Sworn to and subscribed before me

this 20 day of November, 2008.


Kathleen A. Freiss, Notary Public
COMMONWEALTH OF PENNSYLVANIA
Notary Public Notarial Seal
Kathleen A. Freiss, Notary Public
City Of Pittsburgh, Allegheny County
My Commission Expires Nov. 24, 2011
Member, Pennsylvania Association of Notaries

9
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William A. Shaw
Prothonotary/Clerk of Courts

FILED

NOV 24 2008

William A. Shaw
Prothonotary/Clerk of Courts

mc and-cc@pdif.ind

Black, F. M. Newell

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CYNTHIA L. WILLIAMS, an adult individual,

Plaintiff,

vs.

PAMELA W. BRADLEY, an adult individual, THOMAS J. BRADLEY, M.D., an adult individual, THOMAS J. BRADLEY, M.D., P.C., a Pennsylvania for Profit Corporation, and DRMC, a Pennsylvania Not for Profit Corporation,

Defendants.

CIVIL DIVISION

No. 08-1735-CD

ANSWER, NEW MATTER and CROSSCLAIM 1031.1

Filed on behalf of Defendant,
Pamela W. Bradley

Counsel of Record for This Party:

CHRISTOPHER M. FLEMING, ESQUIRE
Pa. I.D. #29300

SNYDER & ANDREWS
11269 Perry Highway, Suite 400
Wexford, PA 15090-9389
(724) 934-0388

JURY TRIAL DEMANDED

You are hereby notified to file written response to the enclosed NEW MATTER within 20 days from service hereof or a judgment may be entered against you.

By: Christopher M. Fleming, Esquire

FILED NO CC
11:00 AM
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S

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CYNTHIA L. WILLIAMS, an adult
individual,

Plaintiff,

CIVIL DIVISION

No. 08-1735-CD

vs.

PAMELA W. BRADLEY, an adult individual,
THOMAS J. BRADLEY, M.D., an adult
individual, THOMAS J. BRADLEY, M.D.,
P.C., a Pennsylvania for Profit
Corporation, and DRMC, a Pennsylvania
Not for Profit Corporation,

Defendants.

ANSWER, NEW MATTER AND CROSSCLAIM 1031.1

AND NOW, Comes the Defendant, Pamela Bradley, by and through her attorneys,
SNYDER & ANDREWS, per Christopher M. Fleming, and files the following Answer, New
Matter and Crossclaim 1031.1 and states as follows:

1. Paragraph 1 of Plaintiff's Complaint is admitted.
2. Paragraph 2 of Plaintiff's Complaint is denied. Defendant Pamela W. Bradley
resides at 411 Treasure Lake, Dubois, Pennsylvania 15801.
3. Paragraphs 3, 4, 5 and 5A of Plaintiff's Complaint are admitted.
6. After reasonable investigation, the Defendant lacks sufficient information to form
a belief as to the truth of the allegations set forth in Paragraph numbers 6, 7, 8, 9, and
10 of Plaintiff's Complaint and therefore said allegations are denied and strict proof is
demanded at time of trial.
11. Paragraph 11 of Plaintiff's Complaint is admitted.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CYNTHIA L. WILLIAMS, an adult
individual,

Plaintiff,

CIVIL DIVISION

No. 08-1735-CD

vs.

PAMELA W. BRADLEY, an adult individual,
THOMAS J. BRADLEY, M.D., an adult
individual, THOMAS J. BRADLEY, M.D.,
P.C., a Pennsylvania for Profit
Corporation, and DRMC, a Pennsylvania
Not for Profit Corporation,

Defendants.

ANSWER, NEW MATTER AND CROSSCLAIM 1031.1

AND NOW, Comes the Defendant, Pamela Bradley, by and through her attorneys,
SNYDER & ANDREWS, per Christopher M. Fleming, and files the following Answer, New
Matter and Crossclaim 1031.1 and states as follows:

1. Paragraph 1 of Plaintiff's Complaint is admitted.
2. Paragraph 2 of Plaintiff's Complaint is denied. Defendant Pamela W. Bradley
resides at 411 Treasure Lake, Dubois, Pennsylvania 15801.
3. Paragraphs 3, 4, 5 and 5A of Plaintiff's Complaint are admitted.
6. After reasonable investigation, the Defendant lacks sufficient information to form
a belief as to the truth of the allegations set forth in Paragraph numbers 6, 7, 8, 9, and
10 of Plaintiff's Complaint and therefore said allegations are denied and strict proof is
demanded at time of trial.
11. Paragraph 11 of Plaintiff's Complaint is admitted.

12. Paragraph 12 of Plaintiff's Complaint is admitted as to the allegation that she was employed by the defendant, Dr. Thomas Bradley. As to the balance of the allegations in said paragraph, this defendant is without sufficient knowledge as to the meaning of regular or full time hours. Therefore the same is denied and strict proof demanded at trial.

13. Paragraph 13 of Plaintiff's Complaint is denied pursuant to Pa.R.C.P. 1029.

14. Paragraph 14 of Plaintiff's Complaint is denied pursuant to Pa.R.C.P. 1029.

15. Paragraph 15 of Plaintiff's Complaint is directed to a Defendant other than this Defendant; therefore, no answer is required by this Defendant. However, should an answer be required, it is hereby specifically denied and strict proof is demanded at time of trial.

16. Paragraph 16 and 17, 18 19, 20 of Plaintiff's Complaint is directed to a Defendant other than this Defendant, therefore, no answer is required. However, should an answer be required, it is hereby specifically denied pursuant to Pa.R.C.P. 1029. Strict proof is demanded at time of trial.

21. After reasonable investigation, the Defendant lacks sufficient information to form a belief as to the truth of the allegations set forth in Paragraph numbers 21 of Plaintiff's Complaint and therefore said allegations are denied and strict proof is demanded at time of trial. It is admitted that Defendant Pamela Bradley was present on said date.

22. In accordance with amended Pa. R.C.P. 1029, effective September 1, 1994, the Defendant, Pamela Bradley denies the factual averments contained in Paragraphs 22, 23, 24, 25, 26, 27, 28, and 29 and all of their subparagraphs of the Plaintiff's Complaint.

30. After reasonable investigation, the Defendant lacks sufficient information to form a belief as to the truth of the allegations set forth in Paragraph numbers 30 and 31 of Plaintiff's Complaint and therefore said allegations are denied and strict proof is demanded at time of trial.

32. In accordance with amended Pa. R.C.P. 1029, effective September 1, 1994, the Defendant, Pamela Bradley denies the factual averments contained in Paragraphs 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 41B, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, and 52 and all of their subparagraphs of the Plaintiff's Complaint.

53. Paragraphs 53 through 84 of Plaintiff's Complaint are directed to a Defendant other than this Defendant, therefore, no answer is required. However, should an answer be required, it is hereby specifically denied pursuant to Pa.R.C.P. 1029. Strict proof is demanded at time of trial.

85. Paragraphs 85, 86 and 87 are conclusions of law and therefore, no answer is required by this Defendant. Should an answer be required, it is specifically denied. Strict proof is demanded at time of trial.

NEW MATTER

8. In accordance with amended Pa. R.C.P. 1030, the Defendant raises the affirmative defenses of contributory/comparative negligence and assumption of the risk.

9. Plaintiff's cause of action is barred by the applicable statute of limitations and/or Plaintiff's failure to prosecute the present action.

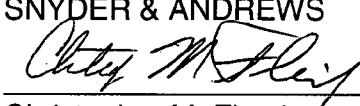
WHEREFORE, it is requested that this Honorable Court enter judgment for the Defendant and against the Plaintiff.

CROSSCLAIM 1031.1

10. In the event that it is determined that Plaintiffs are entitled to recover upon one or more of their causes of action, it is averred that the direct and proximate cause of same was the negligence, carelessness and recklessness of the Co-Defendants, Thomas J. Bradley, M.D., Thomas J. Bradley, M.D., P.C. and DRMC, and that said Co-Defendants are solely and exclusively liable to Plaintiff upon their cause of action. As a basis therefore, this Defendant refers to and incorporates by reference those allegations of negligence set forth against this Defendant, in Plaintiff's Complaint.

11. Alternatively, in the event that it is determined that this Defendant is liable to Plaintiffs on one or more of the causes of action advanced, which said liability is hereby specifically denied, it is averred that Co-Defendants are jointly and severally liable with this Defendant or, alternatively, is liable over to this Defendant in indemnity and/or contribution.

WHEREFORE, Defendant, Pamela Bradley demands judgment in her favor and against Co-Defendants, Thomas J. Bradley, M.D., Thomas J. Bradley, M.D., P.C. and DRMC and the Plaintiffs.

SNYDER & ANDREWS
By: 
Christopher M. Fleming
Attorney for Defendant Pamela W. Bradley

VERIFICATION

I, Christopher M. Fleming, Attorney for the Defendant Pamela Bradley, verify that the averments of fact made in the foregoing Answer, New Matter and New Matter 1031 are true and correct based upon information and belief. I understand that averments of fact in said document are made subject to the penalties of 18 Pa. C.S. Section 4904 to unsworn falsifications to authorities.

Date: 11/29/08



Christopher M. Fleming, Esquire

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

FILED
PA

DEC 16 2008

11/16/08
William A. Shaw
Prothonotary/Clerk of Courts

NP Client

APR

CYNTHIA L. WILLIAMS,
an adult individual;

PLAINTIFF,

v.

PAMELA W. BRADLEY, an adult individual,
THOMAS J. BRADLEY, MD, an adult individual,
THOMAS J. BRADLEY, MD, P.C., a
Pennsylvania for Profit Corporation, and
DRMC, a Pennsylvania Not for Profit Corporation.

DEFENDANTS.

No. 08- 1735 -CD

Type of Pleading:

**REPLY TO NEW MATTER OF
DEFENDANT PAMELA W. BRADLEY**

Filed By:

Plaintiff

Counsel of Record:

Theron G. Noble, Esquire
Ferraraccio & Noble
301 East Pine Street
Clearfield, PA 16830
(814)-375-2221
PA I.D.#: 55942

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

)
CYNTHIA L. WILLIAMS,)
an adult individual;)
)
PLAINTIFF,)
)
v.)
)
PAMELA W. BRADLEY, an adult individual,)
THOMAS J. BRADLEY, MD, an adult individual,)
THOMAS J. BRADLEY, MD, P.C., a)
Pennsylvania for Profit Corporation, and)
DRMC, a Pennsylvania Not for Profit Corporation.)
)
DEFENDANTS.)
)
No. 08- 1735 -CD

REPLY TO NEW MATTER OF DEFENDANT
PAMELA W. BRADLEY

NOW COMES, Cynthia L. Williams, Plaintiff, by and through her counsel of record, Theron G. Noble, Esquire, of Ferraraccio & Noble, who avers as follows in support of her Reply to New Matter of Defendant Pamela W. Bradley:

8. - 9. The same are conclusions of law for which no responses are deemed necessary.

To the extent such a response may be necessary, the same are DENIED and strict proof demanded at time of trial.

WHEREFORE, Plaintiff demands JUDGMENT in her favor and against all Defendants, in an amount to be determined at time of trial, but in excess of Twenty Thousand Dollars (\$20,000), together with interest and costs of prosecution, and in circumstances appropriate, punitive damages and attorney's fees.

Respectfully Submitted,



Theron G. Noble, Esquire
Attorney for Plaintiff
Ferraraccio & Noble
301 E. Pine Street
Clearfield, PA 16830
(814)-375-2221
PA I.D. #: 55942

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

CYNTHIA L. WILLIAMS,)
an adult individual;)
)
 PLAINTIFF,)
)
 v.)
)
 PAMELA W. BRADLEY, an adult individual,)
 THOMAS J. BRADLEY, MD, an adult individual,)
 THOMAS J. BRADLEY, MD, P.C., a)
 Pennsylvania for Profit Corporation, and)
 DRMC, a Pennsylvania Not for Profit Corporation.)
)
 DEFENDANTS.)

No. 08-1735-CD

CERTIFICATE OF SERVICE

I, Theron G. Noble, Esquire, of Ferraraccio & Noble, counsel for Plaintiff, does hereby certify this 15th day of December 2008, that I did mail a true and correct copy of Plaintiff's REPLY TO NEW MATTER OF DEFENDANT PAMELA W. BRADLEY, via United States mail, first class, postage prepaid, to all counsel of records as set forth below:

Christopher M. Fleming, Esquire
Snyder & Andrews
11269 Perry Highway, Suite 400
Wexford, PA 15090

Brad R. Korinski, Esquire
Thomson, Rhodes & Cowie, P.C.
Two Chatham Center, Tenth Floor
Pittsburgh, PA 15219-3400

Louis C. Schmitt, Jr.
McIntyre, Hartye & Schmitt
P.O. Box 533
Hollidaysburg, PA 16648

Dennis J. Stofko, Esquire
P.O. Box 5500
Johnstown, PA 15904

Respectfully Submitted,



Theron G. Noble, Esquire
Attorney for Plaintiff
Ferraraccio & Noble
301 E. Pine Street
Clearfield, PA 16830
(814)-375-2221
PA I.D. #: 55942

FILED *(F)*

DEC 16 2008

William A. Shaw
Prothonotary/Clerk of Courts

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

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

DEC 16 2008

Attest,

William A. Shaw
Prothonotary
Clerk of Courts

CYNTHIA L. WILLIAMS,
an adult individual;

PLAINTIFF,

v.

PAMELA W. BRADLEY, an adult individual,
THOMAS J. BRADLEY, MD, an adult individual,
THOMAS J. BRADLEY, MD, P.C., a
Pennsylvania for Profit Corporation, and
DRMC, a Pennsylvania Not for Profit Corporation.

DEFENDANTS.

No. 08- 1735 -CD

Type of Pleading:

**REPLY TO POs OF DEFENDANT
THOMAS J. BRADLEY, M.D.**

Filed By:

Plaintiff

Counsel of Record:

Theron G. Noble, Esquire
Ferraraccio & Noble
301 East Pine Street
Clearfield, PA 16830
(814)-375-2221
PA I.D.#: 55942

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

)
CYNTHIA L. WILLIAMS,)
an adult individual;)
)
PLAINTIFF,)
)
v.)
)
PAMELA W. BRADLEY, an adult individual,)
THOMAS J. BRADLEY, MD, an adult individual,)
THOMAS J. BRADLEY, MD, P.C., a)
Pennsylvania for Profit Corporation, and)
DRMC, a Pennsylvania Not for Profit Corporation.)
)
DEFENDANTS.)
)

No. 08- 1735 -CD

PLAINTIFF'S REPLY TO PRELIMINARY OBJECTIONS
FILED BY DEFENDANT THOMAS J. BRADLEY, M.D.

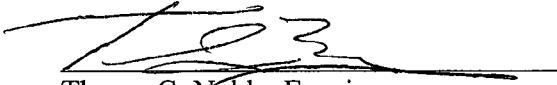
NOW COMES, Cynthia L. Williams, Plaintiff, by and through her counsel of record, Theron G. Noble, Esquire, of Ferraraccio & Noble, who avers as follows in support of her Reply to Preliminary Objections filed by Defendant Thomas J. Bradley, M.D.:

1. - 3. Admitted.
4. Plaintiff hereby incorporates her response to averments 1 - 3, inclusive as if the same were fully set forth at length.
5. Admitted.
6. Denied. Plaintiff believes and therefore pleads that the actions of Defendant Thomas J. Bradley, M.D., as pled and as he acted in general and in particular on the subject date, did constitute a high degree of risk and did so act in a conscious disregard or indifference to

that risk such that a jury could reasonably conclude said Defendant was reckless and therefore punitive damages would be appropriate in such circumstances.

Wherefore, Plaintiff respectfully requests that Defendant Thomas J. Bradley, M.D.'s PRELIMINARY OBJECTIONS be DISMISSED, or in the alternative that Plaintiff be permitted to include a count for "recklessness" such that punitive damages are proper.

Respectfully Submitted,



Theron G. Noble, Esquire
Attorney for Plaintiff
Ferraraccio & Noble
301 E. Pine Street
Clearfield, PA 16830
(814)-375-2221
PA I.D. #: 55942

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

CYNTHIA L. WILLIAMS,)
an adult individual;)
)
 PLAINTIFF,)
) No. 08- 1735 -CD
 v.)
)
 PAMELA W. BRADLEY, an adult individual,)
 THOMAS J. BRADLEY, MD, an adult individual,)
 THOMAS J. BRADLEY, MD, P.C., a)
 Pennsylvania for Profit Corporation, and)
 DRMC, a Pennsylvania Not for Profit Corporation.)
)
 DEFENDANTS.)

CERTIFICATE OF SERVICE

I, Theron G. Noble, Esquire, of Ferraraccio & Noble, counsel for Plaintiff, does hereby certify this 15th day of December 2008, that I did mail a true and correct copy of Plaintiff's REPLY TO PRELIMINARY OBJECTIONS OF DEFENDANT THOMAS J. BRADLEY, M.D., via United States mail, first class, postage prepaid, to all counsel of records as set forth below:

Christopher M. Fleming, Esquire
Snyder & Andrews
11269 Perry Highway, Suite 400
Wexford, PA 15090

Brad R. Korinski, Esquire
Thomson, Rhodes & Cowie, P.C.
Two Chatham Center, Tenth Floor
Pittsburgh, PA 15219-3400

Louis C. Schmitt, Jr.
McIntyre, Hartye & Schmitt
P.O. Box 533
Hollidaysburg, PA 16648

Dennis J. Stofko, Esquire
P.O. Box 5500
Johnstown, PA 15904

Respectfully Submitted,



Theron G. Noble, Esquire
Attorney for Plaintiff
Ferraraccio & Noble
301 E. Pine Street
Clearfield, PA 16830
(814)-375-2221
PA I.D. #: 55942

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

CYNTHIA L. WILLIAMS,
an adult individual;

PLAINTIFF,

: No. 08- 1735 -CD

v.

PAMELA W. BRADLEY, an adult individual,
THOMAS J. BRADLEY, MD, an adult individual,
THOMAS J. BRADLEY, MD, P.C., a
Pennsylvania for Profit Corporation, and
DRMC, a Pennsylvania Not for Profit Corporation.

DEFENDANTS.

: Type of Pleading:

: **REPLY TO POs
OF DEFENDANT DRMC**

: Filed By:

: **Plaintiff**

: Counsel of Record:

: Theron G. Noble, Esquire
Ferraraccio & Noble
301 East Pine Street
Clearfield, PA 16830
(814)-375-2221
PA I.D.#: 55942

FILED NO CC
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William A. Shaw
Prothonotary/Clerk of Courts

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

CYNTHIA L. WILLIAMS,)
an adult individual;)
PLAINTIFF,)
v.) No. 08- 1735 -CD
PAMELA W. BRADLEY, an adult individual,)
THOMAS J. BRADLEY, MD, an adult individual,)
THOMAS J. BRADLEY, MD, P.C., a)
Pennsylvania for Profit Corporation, and)
DRMC, a Pennsylvania Not for Profit Corporation.)
DEFENDANTS.)

REPLY TO PRELIMINARY OBJECTIONS OF DRMC

NOW COMES, Cynthia L. Williams, Plaintiff, by and through her counsel of record, Theron G. Noble, Esquire, of Ferraraccio & Noble, who avers as follows in support of her Reply to PRELIMINARY OBJECTIONS OF DRMC:

1. Admitted.
2. Denied. To the extent such response indicates that such an affair did actually occur, the same is denied. All else is Admitted.
3. Admitted.
4. Admitted in part, denied in part.. To the extent defendants asserts that Plaintiff is "erroneous" the same is DENIED. All else is admitted.

Count "A"

5. Admitted.
6. Admitted.
7. Denied. Assuming the facts as set forth are true, as should be at this conjecture, it was DRMC's enabling Dr. Bradley's use of illegal narcotics which led to this entire sorted situation.
8. Denied. For the reasons set forth above, and in light of Defendant's litany of involvement as per Averment 6, the same is DENIED.
9. Denied. For the reasons set forth above, and in light of Defendant's litany of involvement as per Averment 6, the same is DENIED.

WHEREFORE, Plaintiff respectfully requests that Defendants Preliminary Objection "A" be Dismissed.

Count "B"

10. Denied. The sum and substance of Plaintiff's cause of action against this Defendant is that it enabled Dr. Bradley to lose control of his office when this Defendant owed a duty to Ms Williams, as an employee of this Defendant, an employee of Dr. Bradley's practice and as a member of the general public in a situation it owed a duty, imposed by law and/or self imposed by DRMC, to prevent such outlandish conduct.
11. Denied. Again, this defendant shifts the focus from its lack of control of Dr. Bradley to the outrageous acts of Mrs. Bradley when in fact, as per response to averment 10, the lack of control over Dr. Bradley was a direct and proximate cause of the injuries suffered by Ms. Williams.

12. See response to Averment 11.

WHEREFORE, Plaintiff respectfully requests that Defendants Preliminary Objection "B" be Dismissed.

Count "C"

13. See response to averment 10 and 11.

14. See response to averment 10 and 11.

15. See response to averment 10 and 11.

WHEREFORE, Plaintiff respectfully requests that Defendants Preliminary Objection "C" be Dismissed.

Count "D"

16. Denied. First, it was Dr. Bradley who summoned Ms. Williams to his office to work knowing that his wife was (i) there, or would be there; (ii) had propensity towards violence; and (iii) held animosity towards Ms. Williams. See Averments 10, 14, 15 and 16 of Plaintiff's First Amended Civil Complaint. Plaintiff asserts that it was Dr. Bradley's poor judgment, i.e. his negligence, which set this whole series of events in progress. Once set in motion, it was Dr. Bradley who failed to protect Ms. Williams from the series of assaults being inflicted on her by Mrs. Bradley. See Averment 31 of Plaintiff's First Amended Civil Complaint. Also, attached hereto, as Exhibit "A", is a portion of Dr. Bradley's testimony at Ms. William's Workmens' Compensation Hearing wherein he openly admitted, under oath, about his use of illegal narcotics.

17. Denied. For the reasons previously herein stated, the same is DENIED.

18. Denied. For the reasons previously herein stated, the same is DENIED. Plaintiff further states that Dr. Bradley's escapades do certainly blacken and impugn his,

DRMC's, the medical community and professional communities as well as the entire DuBois/Clearfield County community reputation, however, the same are necessary evils when one chooses to engage in such behavior and another, namely this defendant, enables the situation to rise to the level it did.

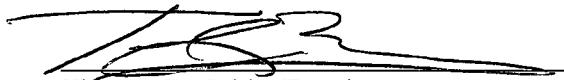
WHEREFORE, Plaintiff respectfully requests that Defendants Preliminary Objection "D" be Dismissed.

Count "E"

19. - 23. The same are legal conclusions for which no response is necessary. However, to the extent such a response might be deemed necessary, Plaintiff would request, as it has done with other defendants in this case, to keep open the specter of punitive damages because the conduct of this defendant and other defendants certainly could amount to "recklessness" and satisfy the threshold for punitive damages. As to this defendant, Plaintiff has certainly established an issue of negligence in its conduct but what is unknown at this time is to what level it was aware of Dr. Bradley's prior narcotic use and what it was attempting to do to prevent the same. Plaintiff knows something was there but is not sure of the exact circumstances. Depending on what is learned in further investigation on this issue might reasonably permit imposition punitive damages. With statute of limitations concerns in mind, Plaintiff respectfully requests that this issue be left alone at this time and dealt with through a Motion for Partial Summary Judgment after discovery has been permitted.

WHEREFORE, Plaintiff respectfully requests that Defendants Preliminary Objection "E" be Dismissed.

Respectfully Submitted,



Theron G. Noble, Esquire
Attorney for Plaintiff
Ferraraccio & Noble
301 E. Pine Street
Clearfield, PA 16830
(814)-375-2221
PA I.D. #: 55942

1 testified you saw on December 16, 2006, and you later
2 saw the MRI, and that's the extent of your treatment;
3 correct?

4 A. It is.

5 Q. And that MRI report was sometime in January?

6 A. Yes.

7 Q. Okay. 2007. Okay. Your license on December
8 16th, 2006 was current?

9 A. Yes.

10 Q. Is it current now?

11 A. Currently, I have voluntarily submitted my license
12 to the State.

13 Q. Can you tell me why?

14 A. In their volunteer program. Beginning in the
15 summer of 2005 I had started using narcotics.

16 Q. What kind of narcotics?

17 A. Hydrocodone.

18 Q. And that continued through in the calendar year of
19 2006?

20 A. Yes.

21 Q. Were you taking that --- were you taking that drug
22 on a daily basis?

23 A. Yes.

24 Q. Can you tell me, the Judge and Mr. Schmitt, you
25 know, was there a dosage that you would take?

Exhibit "A"

1 A. They're ten milligram hydrocodone. I would take
2 typically eight a day.

3 Q. And what was a day? Would you be under the
4 influence of the hydrocodone when you were at the
5 office?

6 A. Yes.

7 Q. Do you recall if you were under the influence of
8 hydrocodone on December 14th, 2006?

9 A. Yes.

10 Q. Did the hydrocodone, what kind of drug is that?

11 A. It's an opiate derived pain medication.

12 Q. And then were you --- can a doctor prescribe
13 medication for himself, or was this something you
14 taking from samples in the office?

15 A. I would call the pharmacy, and say I needed it for
16 the office and go get it.

17 Q. Okay. We spoke about the injections you were
18 giving Ms. Williams in 2006, and you were here for her
19 testimony today. That did occur in the summer of
20 2006?

21 A. Yes.

22 Q. On more than one occasion?

23 A. It occurred one time then, and I have a vague idea
24 that it occurred once previously, possibly in early
25 2006, early 2005.

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

CYNTHIA L. WILLIAMS,)
an adult individual;)
)
PLAINTIFF,)
)
)
v.)
)
PAMELA W. BRADLEY, an adult individual,)
THOMAS J. BRADLEY, MD, an adult individual,)
THOMAS J. BRADLEY, MD, P.C., a)
Pennsylvania for Profit Corporation, and)
DRMC, a Pennsylvania Not for Profit Corporation.)
)
)
DEFENDANTS.)

No. 08-1735-CD

CERTIFICATE OF SERVICE

I, Theron G. Noble, Esquire, of Ferraraccio & Noble, counsel for Plaintiff, does hereby certify this 18th day of December 2008, that I did mail a true and correct copy of Plaintiff's REPLY TO PRELIMINARY OBJECTIONS OF DEFENDANT DRMC, via United States mail, first class, postage prepaid, to all counsel of records as set forth below:

Christopher M. Fleming, Esquire
Snyder & Andrews
11269 Perry Highway, Suite 400
Wexford, PA 15090

Brad R. Korinski, Esquire
Thomson, Rhodes & Cowie, P.C.
Two Chatham Center, Tenth Floor
Pittsburgh, PA 15219-3400

Louis C. Schmitt, Jr.
McIntyre, Hartye & Schmitt
P.O. Box 533
Hollidaysburg, PA 16648

Dennis J. Stofko, Esquire
P.O. Box 5500
Johnstown, PA 15904

Respectfully Submitted,


Theron G. Noble, Esquire
Attorney for Plaintiff
Ferraraccio & Noble
301 E. Pine Street
Clearfield, PA 16830
(814)-375-2221
PA I.D. #: 55942

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

CYNTHIA L. WILLIAMS, an adult
Individual,

Plaintiff

v.

PAMELA W. BRADLEY, an adult
Individual; THOMAS J. BRADLEY,
MD, an adult individual; THOMAS
J. BRADLEY, MD, PC, a
Pennsylvania for profit
Corporation; and DRMC, a
Pennsylvania not for profit
Corporation,

Defendants

: No. 08-1735-CD
:
: Type of Pleading:
: **PRAECIPE TO ENTER**
: **WRITTEN APPEARANCE**
: **with attached**
: **CERTIFICATE OF SERVICE**
:
: Filed on behalf of:
: Defendant, Thomas J.
: Bradley, MD, PC
:
: Counsel of Record for
: This Party:
: Mary L. Pothoven, Esq.
: Supreme Court ID#72164
: PO Box 218
: Reynoldsville, PA 15851
: (814)653-2243

FILED ^{1CC}
M1:01 Box Atty Pothoven
JAN 06 2009
S William A. Shaw
Prothonotary/Clerk of Courts
Copy to CIA
(60)

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

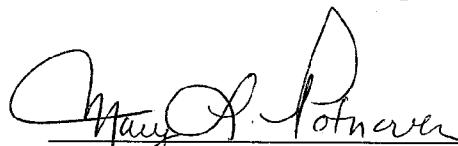
CYNTHIA L. WILLIAMS, an adult : No. 08-1735-CD
Individual, :
Plaintiff :
: v. :
: PAMELA W. BRADLEY, an adult :
Individual; THOMAS J. BRADLEY, :
MD, an adult individual; THOMAS :
J. BRADLEY, MD, PC, a :
Pennsylvania for profit :
Corporation; and DRMC, a :
Pennsylvania not for profit :
Corporation, :
Defendants :
:

PRAECIPE TO ENTER APPEARANCE

To The Prothonotary:

Please enter my appearance for Thomas J. Bradley,
M.D., P.C., one of the defendants in the above captioned
matter.

Date: December 31, 2008



Mary J. Pothoven, Esq.
Attorney for Defendant
Thomas J. Bradley, M.D., P.C.

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

CYNTHIA L. WILLIAMS, an adult Individual,	:	No. 08-1735-CD
Plaintiff	:	
v.	:	
PAMELA W. BRADLEY, an adult Individual; THOMAS J. BRADLEY, MD, an adult individual; THOMAS J. BRADLEY, MD, PC, a Pennsylvania for profit Corporation; and DRMC, a Pennsylvania not for profit Corporation,	:	
Defendants	:	

CERTIFICATE OF SERVICE

I, Mary L. Pothoven, Esquire, hereby attest a true copy of PRAECIPE TO ENTER WRITTEN APPEARANCE was served on the following:

THERON G. NOBLE, ESQUIRE
FERRACCIO AND NOBEL
301 EAST PINE STREET
CLEARFIELD PA 16830

David R. Johnson, Esquire
Thompson Rhodes & Cowie, PC
1010 Two Chatham Center
Pittsburgh PA 15219

Christopher M. Flemming, Esquire
Snyder & Andrews
11269 Perry Highway, Ste. 400
Wexford PA 15090-9389

Lewis C. Schmitt, Jr., Esquire
McIntyre, Hartye & Schmitt
PO Box 533
Hollidaysburg PA 16648

on December 31, 2008, by regular first-class mail, postage
prepaid.

Respectfully submitted:



Mary L. Pothoven, Esquire

Date: December 31, 2008

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 104666
NO: 08-1735-CD
SERVICES 4
COMPLAINT

PLAINTIFF: CYNTHIA L. WILLIAMS
vs.
DEFENDANT: PAMELA W. BRADLEY a1

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	NOBLE	3513	40.00
SHERIFF HAWKINS	NOBLE	3513	103.11

S
FILED
013:30pm
JAN 14 2008

William A. Shaw
Prothonotary/Clerk of Courts

Sworn to Before Me This

So Answers,

____ Day of _____ 2008



Chester A. Hawkins
Sheriff

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

CYNTHIA L. WILLIAMS, an adult
individual,

Plaintiff

vs.

NO. 2008-01735-CD

PAMELA W. BRADLEY, an adult
individual; THOMAS J. BRADLEY, MD.,
an adult individual; THOMAS J. BRADLEY,
M.D., PC., a Pennsylvania for Profit Corporation;
D.R.M.C., a Pennsylvania Not for Profit
Corporation,

Defendants

ORDER

AND NOW, this 21st day of January 2009 upon consideration of the Preliminary Objections filed by the Defendants, Thomas J. Bradley, M.D., and D.R.M.C., it is the ORDER of this Court as follows:

1. The Defendant Thomas J. Bradley's Preliminary Objection to the Plaintiff's First Amended Complaint, Count IV, is hereby DENIED.
2. The Defendant Thomas J. Bradley's Preliminary Objection to Plaintiff's First Amended Complaint, Count V, is hereby GRANTED and Ordered STRICKEN. The claims set forth within the Plaintiff's First Amended Complaint in Count V are hereby DISMISSED, with PREJUDICE.

FILED

01/10/09 6:01
JAN 22 2009

5
William A. Shaw
Prothonotary/Clerk of Courts

ICCA Atys:
Noble
C. Fleming
L. Schnitt
Pothoven
D. Johnson

ICC Law Library
(without memo)

3. The Defendant D.R.M.C.'s Preliminary Objection to Plaintiff's First Amended Complaint, Count VII, is hereby GRANTED and Ordered STRICKEN. The claims set forth within the Plaintiff's First Amended Complaint in Count VII are hereby DISMISSED, with PREJUDICE

BY THE COURT,



FREDRIC J. AMMERMAN
President Judge

FILED

JAN 22 2009

William A. Shaw
Prothonotary/Clerk of Courts

Social Institutions:

Plaintiff(s) Plaintiff(s) Attorney _____
 Defendant(s) Defendant(s) Attorney _____
 Other _____

The Prothonotary's Office has provided service to the following parties:
You are responsible to serve all summons and papers.

DATE: 1/22/09

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CYNTHIA L. WILLIAMS, an adult individual,

Plaintiff,

vs.

PAMELA W. BRADLEY, an adult individual, THOMAS J. BRADLEY, M.D., an adult individual, THOMAS J. BRADLEY, M.D., P.C., a Pennsylvania for Profit Corporation, and DRMC, a Pennsylvania Not for Profit Corporation,

Defendants.

CIVIL DIVISION

No. 08-1735-CD

VERIFICATION

Filed on behalf of Defendant,
Pamela W. Bradley

Counsel of Record for This Party:

CHRISTOPHER M. FLEMING, ESQUIRE
Pa. I.D. #29300

SNYDER & ANDREWS
11269 Perry Highway, Suite 400
Wexford, PA 15090-9389
(724) 934-0388

JURY TRIAL DEMANDED

S **FILED** No cc
M 11:55 AM
JAN 23 2009
William A. Shaw
Prothonotary/Clerk of Courts

VERIFICATION

COMMONWEALTH OF PENNSYLVANIA)
)
 COUNTY OF WESTMORELAND) SS:

I verify that the statements made in this ANSWER, NEW MATTER AND CROSSCLAIM 1031.1 are true and correct; that the attached ANSWER, NEW MATTER AND CROSSCLAIM 1031.1 are based upon information which I have furnished to my counsel and information which has been gathered by my counsel in the preparation of the lawsuit. The language of the ANSWER, NEW MATTER AND CROSSCLAIM 1031.1 are that of counsel and not of Defendant. I have read the ANSWER, NEW MATTER AND CROSSCLAIM 1031.1 and to the extent that the ANSWER, NEW MATTER AND CROSSCLAIM 1031.1 are based upon information which I have given to my counsel, it is true and correct to the best of my knowledge, information and belief. To the extent that the content of the ANSWER, NEW MATTER AND CROSSCLAIM 1031.1 are that of counsel, I have relied upon counsel in making this Verification. I understand that false statements herein made are subject to the penalties of 18 Pa. C.S.A. Section 4904, relating to unsworn falsifications to authorities.

Date: 12-30-01

Pamela W. Bradley
Pamela W. Bradley

C9
11

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

CYNTYIA L. WILLIAMS, an adult
Individual,

Plaintiff

v.

PAMELA W. BRADLEY, an adult
Individual; THOMAS J. BRADLEY,
MD, an adult individual; THOMAS
J. BRADLEY, MD, PC, a
Pennsylvania for profit
Corporation; and DRMC, a
Pennsylvania not for profit
Corporation,

Defendants

: No. 08-1735-CD
:
: Type of Pleading:
: **PRELIMINARY**
: **OBJECTIONS TO**
: **PLAINTIFF'S FIRST**
: **AMENDED CIVIL COMPLAINT**
: **with attached ORDER OF**
: **COURT**
:
: Filed on behalf of:
: Defendant, Thomas J.
: Bradley, MD, PC
:
: Counsel of Record for
: This Party:
: Mary L. Pothoven, Esq.
: Supreme Court ID#72164
: PO Box 218
: Reynoldsville, PA 15851
: (814)653-2243

FILED *2cc*
JAN 29 2009 *Atty Pothoven*
S
William A. Shaw
Prothonotary/Clerk of Courts
60

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

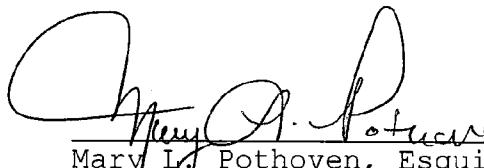
CYNTYIA L. WILLIAMS, an adult : No. 08-1735-CD
Individual, ::
Plaintiff ::
v. ::
PAMELA W. BRADLEY, an adult ::
Individual; THOMAS J. BRADLEY, ::
MD, an adult individual; THOMAS ::
J. BRADLEY, MD, PC, a ::
Pennsylvania for profit ::
Corporation; and DRMC, a ::
Pennsylvania not for profit ::
Corporation, ::
Defendants ::
:

NOTICE TO PLEAD

TO THE PLAINTIFF:

YOU ARE HEREBY NOTIFIED TO FILE A WRITTEN RESPONSE TO THE
ENCLOSED PRELIMINARY OBJECTIONS WITHIN TWENTY (20) DAYS OF
SERVICE HEREOF OR A DEFAULT JUDGMENT MAY BE ENTERED AGAINST
YOU.

Date: 11/27/09


Mary L. Pothoven, Esquire
Attorney for Defendant, Thomas
J. Bradley, MD, PC

6. Plaintiff's First Amended Complaint fails to allege any actions on the part of Thomas J. Bradley, MD, PC, which would demonstrate intentional, willful, wanton or restless conduct thus entitling Plaintiff to an award of punitive damages. Neither does Plaintiff's allegations demonstrate conduct of outrageous nature by Defendant, Thomas J. Bradley, MD, PC, as a basis for an award of punitive damages. Neither, are any facts alleged in Plaintiff's Complaint which would allow for recovery of attorneys fees and costs of prosecution.

WHEREFORE, Thomas J. Bradley, MD, PC, respectfully requests this Honorable Court dismiss Plaintiff's claims against it for punitive damages, costs of prosecution and attorneys fees.

**C. MOTION TO STRIKE PURSUANT TO PA. R.C.P. 1028(A)(2)
(All Allegations Concerning Dr. Bradley's Narcotics Use
Constitute Scandalous and Impertinent Matter.)**

7. The complaint is replete with allegations that Dr. Bradley engaged in illicit use of narcotics and other drugs. Yet, the crux of Plaintiff's liability theory is that she was: (a) assaulted by Mrs. Bradley; and (b) Dr. Bradley did not properly protect her from this assault or render aid to her while it was occurring.

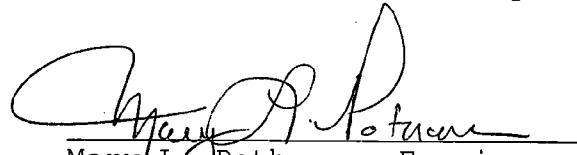
8. The purported drug use of Dr. Bradley bears no relevance to any element of Plaintiff's liability claims.

The only purpose of including such averments in the complaint is to tend to blacken and impugn the reputation of Dr. Bradley in the community.

WHEREFORE, Defendant, Thomas J. Bradley, MD, PC, respectfully requests this Honorable Court grant its Motion to Strike and thereby directs Plaintiff to file an Amended Complaint removing any and all averments pertaining to any drug/narcotic use by Thomas J. Bradley, MD, PC.

Respectfully submitted by:

Date: 1/27/09



Mary L. Pothoven, Esquire
Attorney for Defendant,
Thomas J. Bradley, MD, PC

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

CYNTYIA L. WILLIAMS, an adult : No. 08-1735-CD
Individual, :
Plaintiff :
: v. :
: :
PAMELA W. BRADLEY, an adult :
Individual; THOMAS J. BRADLEY, :
MD, an adult individual; THOMAS :
J. BRADLEY, MD, PC, a :
Pennsylvania for profit :
Corporation; and DRMC, a :
Pennsylvania not for profit :
Corporation, :
Defendants :
:

ORDER OF COURT

AND NOW, on this _____ day of _____, 2009,
upon consideration of the Preliminary Objections to
Plaintiff's First Amended Civil Complaint filed by
Defendant, Thomas J. Bradley, MD, PC, it is hereby ORDERED
AND DECREED said Preliminary Objections are hereby
sustained.

By the Court,

Judge

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

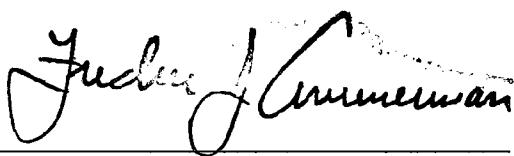
CYNTHIA L. WILLIAMS, an adult : No. 08-1735-CD
Individual, :
Plaintiff :
: v. :
: :
PAMELA W. BRADLEY, an adult :
Individual; THOMAS J. BRADLEY, :
MD, an adult individual; THOMAS :
J. BRADLEY, MD, PC, a :
Pennsylvania for profit :
Corporation; and DRMC, a :
Pennsylvania not for profit :
Corporation, :
Defendants :
:

ORDER

AND NOW, this 4th day of February, 2009, upon
consideration of the Preliminary Objections to Plaintiff's First
Amended Civil Complaint filed on behalf of Defendant, Thomas J.
Bradley, M.D., and any response thereto, it is hereby ORDERED as
follows:

1. Oral argument upon the Preliminary Objections will be
held on March 12, 2009, at 10:00 A.m. in Courtroom
No. 1 of the Clearfield County Courthouse in Clearfield,
Pennsylvania.

2. Notice of the entry of this Order shall be served by the
Defendant's Counsel.



President Judge

FILED 4CC
04.00 AM
FEB 04 2009
S William A. Shaw
Prothonotary/Clerk of Courts
Pothoven CIO

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

CYNTHIA L. WILLIAMS,
an adult individual;

PLAINTIFF,

: No. 08- 1735 -CD

v.

PAMELA W. BRADLEY, an adult individual, :
THOMAS J. BRADLEY, MD, an adult individual, :
THOMAS J. BRADLEY, MD, P.C., a :
Pennsylvania for Profit Corporation, and :
DRMC, a Pennsylvania Not for Profit Corporation. :

DEFENDANTS.

: Type of Pleading:

NOTICE OF SERVICE

: Filed By:

: Plaintiff

: Counsel of Record:

: Theron G. Noble, Esquire
Ferraraccio & Noble
: 301 East Pine Street
: Clearfield, PA 16830
: (814)-375-2221
: PA I.D.#: 55942

5 **FILED** NOCC
m/2/43/09
FEB 06 2009
WM
William A. Shaw
Prothonotary/Clerk of Courts

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

CYNTHIA L. WILLIAMS,)
an adult individual;)
)
 PLAINTIFF,)
)
 v.)
)
 PAMELA W. BRADLEY, an adult individual,)
 THOMAS J. BRADLEY, MD, an adult individual,)
 THOMAS J. BRADLEY, MD, P.C., a)
 Pennsylvania for Profit Corporation, and)
 DRMC, a Pennsylvania Not for Profit Corporation.)
)
 DEFENDANTS.)
)

No. 08- 1735 -CD

CERTIFICATE OF SERVICE

I, Theron G. Noble, Esquire, of Ferraraccio & Noble, counsel for Plaintiff, does hereby certify this 4th day of February, 2009, that I did propound Plaintiff's FIRST REQUEST FOR PRODUCTION OF DOCUMENTS, via United States mail, first class, postage prepaid, to all counsel of record as set forth below:

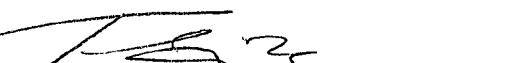
Christopher M. Fleming, Esquire
Snyder & Andrews
11269 Perry Highway, Suite 400
Wexford, PA 15090

Brad R. Korinski, Esquire
Thomson, Rhodes & Cowie, P.C.
Two Chatham Center, Tenth Floor
Pittsburgh, PA 15219-3400

Louis C. Schmitt, Jr.
McIntyre, Hartye & Schmitt
P.O. Box 533
Hollidaysburg, PA 16648

Mary L. Pothoven, Esquire
P.O. Box 218
Reynoldsville, PA 15851

Respectfully Submitted,



Theron G. Noble, Esquire
Attorney for Plaintiff
Ferraraccio & Noble
301 E. Pine Street
Clearfield, PA 16830
(814)-375-2221
PA I.D. #: 55942

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

CYNTYIA L. WILLIAMS, an adult Individual, Plaintiff v. PAMELA W. BRADLEY, an adult Individual; THOMAS J. BRADLEY, MD, an adult individual; THOMAS J. BRADLEY, MD, PC, a Pennsylvania for profit Corporation; and DRMC, a Pennsylvania not for profit Corporation, Defendants

: No. 08-1735-CD
: Type of Pleading:
: **CERTIFICATE OF SERVICE**
: Filed on behalf of:
: Defendant, Thomas J.
: Bradley, MD, PC
: Counsel of Record for
: This Party:
: Mary L. Pothoven, Esq.
: Supreme Court ID#72164
: PO Box 218
: Reynoldsville, PA 15851
: (814) 653-2243

S
FILED ^{cc}
M 12:45 PM Atty Pothoven
FEB 17 2009

William A. Shaw
Prothonotary/Clerk of Courts

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

CYNTYIA L. WILLIAMS, an adult	:	No. 08-1735-CD
Individual,	:	
Plaintiff	:	
	:	
v.	:	
	:	
PAMELA W. BRADLEY, an adult	:	
Individual; THOMAS J. BRADLEY,	:	
MD, an adult individual; THOMAS	:	
J. BRADLEY, MD, PC, a	:	
Pennsylvania for profit	:	
Corporation; and DRMC, a	:	
Pennsylvania not for profit	:	
Corporation,	:	
Defendants	:	
	:	

CERTIFICATE OF SERVICE

I, Mary L. Pothoven, Esquire, hereby attest a true copy of PRELIMINARY OBJECTIONS TO DEFENDANT'S FIRST AMENDED CIVIL COMPLAINT; BRIEF IN SUPPORT OF PRELIMINARY OBJECTIONS AND ORDER was served on the following:

THERON G. NOBLE, ESQUIRE
FERRACCIO AND NOBLE
301 EAST PINE STREET
CLEARFIELD PA 16830

David R. Johnson, Esquire
Thompson Rhodes & Cowie, PC
1010 Two Chatham Center
Pittsburgh PA 15219

Christopher M. Flemming, Esquire
Snyder & Andrews
11269 Perry Highway, Ste. 400
Wexford PA 15090-9389

Lewis C. Schmitt, Jr., Esquire
McIntyre, Hartye & Schmitt
PO Box 533
Hollidaysburg PA 16648

on February 10, 2009, by regular mail, postage prepaid.

Respectfully submitted:



Mary I. Pothoven, Esquire

Date: February 10, 2009

FILED

FEB 17 2009

William A. Shaw
Prothonotary/Clerk of Courts

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

CYNTHIA L. WILLIAMS, an Adult Individual

No. 2008 - 1735

Plaintiff,

ISSUE:

v.

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

PAMELA W. BRADLEY, an Adult
Individual, THOMAS J. BRADLEY, M.D.
an Adult Individual, THOMAS J. BRADLEY, MD.,
P.C., a Pennsylvania for Profit
Corporation, and DUBOIS REGIONAL
MEDICAL CENTER, a Pennsylvania
Non Profit Corporation

Filed on behalf of Defendant:
Thomas J. Bradley, M.D.,

Defendants.

Counsel of Record:
Louis C. Schmitt, Jr., Esquire
PA ID# 52459
McIntyre, Hartye & Schmitt
P.O. Box 533
Hollidaysburg, PA 16648
(814) 696-3581

JURY TRIAL DEMANDED

I hereby certify that a true and correct
copy of the within was mailed to all
counsel of record this 20TH day of
FEBRUARY, 2009.

Attorney for Defendant

5
FILED NO CC
M 19 10 2009
FEB 23 2009
William A. Shaw
Prothonotary/Clerk of Courts

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

CYNTHIA L. WILLIAMS, an Adult Individual : No. 2008 - 1735

Plaintiff,

v.

PAMELA W. BRADLEY, an Adult
Individual, THOMAS J. BRADLEY, M.D.
an Adult Individual, THOMAS J. BRADLEY, M.D.,
P.C., a Pennsylvania for Profit
Corporation, and DUBOIS REGIONAL
MEDICAL CENTER, a Pennsylvania
Non Profit Corporation

Defendants. : JURY TRIAL DEMANDED

**NOTICE OF SERVICE OF INTERROGATORIES
AND REQUEST FOR PRODUCTION OF DOCUMENTS
DIRECTED TO PLAINTIFFS**

TO: PROTHONOTARY

You are hereby notified that on the 20TH day of FEBRUARY, 2009, Defendant, THOMAS J. BRADLEY, M.D. served Interrogatories and Request for Production of Documents Directed to Plaintiff, by mailing the original of same via First Class U.S. Mail, postage prepaid, addressed to the following:

Theron G. Noble, Esquire
Ferraraccio & Noble
301 East Pine Street
Clearfield, PA 16830

McINTYRE, HARTYE & SCHMITT

Attorney for Defendant,
THOMAS J. BRADLEY, M.D.

Louis C. Schmitt, Jr., Esquire
PA I.D. No. 52459
P. O. Box 533
Hollidaysburg, PA 16648-0533
(814) 696-3581

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

CYNTHIA L. WILLIAMS, an Adult Individual

Plaintiff,

v.

PAMELA W. BRADLEY, an Adult
Individual, THOMAS J. BRADLEY, M.D.
an Adult Individual, THOMAS J. BRADLEY, MD.,
P.C., a Pennsylvania for Profit
Corporation, and DUBOIS REGIONAL
MEDICAL CENTER, a Pennsylvania
Non Profit Corporation

Defendants.

No. 2008 - 1735

ISSUE:

**REPLY TO CROSS-CLAIM
PURSUANT TO RULE
1031.1**

Filed on behalf of Defendant:
Thomas J. Bradley, M.D.

Counsel of Record:
Louis C. Schmitt, Jr., Esquire
PA ID# 52459
McIntyre, Hartye & Schmitt
P.O. Box 533
Hollidaysburg, PA 16648
(814) 696-3581

JURY TRIAL DEMANDED

I hereby certify that a true and correct
copy of the within was mailed to all
counsel of record this 24th day of
February, 2009.

Attorney for Defendant

FILED NO
110361
FEB 25 2009
S
cc
GRC

William A. Shaw
Prothonotary/Clerk of Courts

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

CYNTHIA L. WILLIAMS, an Adult Individual

No. 2008 - 1735

Plaintiff,

v.

PAMELA W. BRADLEY, an Adult
Individual, THOMAS J. BRADLEY, M.D.
an Adult Individual, THOMAS J. BRADLEY, M.D.,
P.C., a Pennsylvania for Profit
Corporation, and DUBOIS REGIONAL
MEDICAL CENTER, a Pennsylvania
Non Profit Corporation

Defendants.

JURY TRIAL DEMANDED

REPLY TO CROSS-CLAIM PURSUANT TO RULE 1031.1

AND NOW, comes, THOMAS J. BRADLEY, M.D., an adult individual, by and
through his counsel, McINTYRE, HARTYE & SCHMITT, and files the following Reply to
Cross-Claim Pursuant to Rule 1031.1 asserted on behalf of co-defendant Pamela W.
Bradley, saying as follows:

1. The allegations contained in paragraph 10 constitute conclusions of law
to which no response is required. In the event a response may be required, those
allegations are denied, and strict proof thereof is demanded at the time of trial.
2. The allegations contained in paragraph 11 constitute conclusions of law
to which no response is required. In the event a response may be required, those
allegations are denied, and strict proof thereof is demanded at the time of trial.

WHEREFORE, defendant Thomas J. Bradley, M.D., an adult individual, denies any and all liability to any party in this matter, and respectfully requests that this Honorable Court enter judgment in his favor, with prejudice.

Respectfully submitted,

McINTYRE, HARTYE & SCHMITT

Attorney for Defendant
THOMAS J. BRADLEY, M.D.

Louis C. Schmitt, Jr., Esquire
PA ID# 52459
P.O. Box 533
Hollidaysburg, PA 16648
(814) 696-3581

FILED

FEB 25 2009

William A. Shaw
Prothonotary/Clerk of Courts

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

CYNTHIA L. WILLIAMS,
an adult individual;

PLAINTIFF,

: No. 08-1735-CD

v.

PAMELA W. BRADLEY, an adult individual,
THOMAS J. BRADLEY, MD, an adult individual,
THOMAS J. BRADLEY, MD, P.C., a
Pennsylvania for Profit Corporation, and
DRMC, a Pennsylvania Not for Profit Corporation.

DEFENDANTS.

: Type of Pleading:

:
**REPLY TO POs OF DEFENDANT
THOMAS J. BRADLEY, M.D., P.C.**

: Filed By:

:
Plaintiff

: Counsel of Record:

: Theron G. Noble, Esquire
Ferraraccio & Noble
: 301 East Pine Street
: Clearfield, PA 16830
: (814)-375-2221
: PA I.D.#: 55942

FILED *1/2*
M 1:00 PM
FEB 26 2009 6W
S

William A. Shaw
Prothonotary/Clerk of Courts

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

CYNTHIA L. WILLIAMS,)
an adult individual;)
PLAINTIFF,)
v.) No. 08- 1735 -CD
PAMELA W. BRADLEY, an adult individual,)
THOMAS J. BRADLEY, MD, an adult individual,)
THOMAS J. BRADLEY, MD, P.C., a)
Pennsylvania for Profit Corporation, and)
DRMC, a Pennsylvania Not for Profit Corporation.)
DEFENDANTS.)

PLAINTIFF'S REPLY TO PRELIMINARY OBJECTIONS
FILED BY DEFENDANT THOMAS J. BRADLEY, M.D., P.C.

NOW COMES, Cynthia L. Williams, Plaintiff, by and through her counsel of record, Theron G. Noble, Esquire, of Ferraraccio & Noble, who avers as follows in support of her Reply to Preliminary Objections filed by Defendant Thomas J. Bradley, M.D., P.C.:

Background

1. - 4. Plaintiffs CIVIL COMPLAINT speaks for itself, as such there is not need to respond.

Issue I: Motion to Strike Punitive Damage, Attorney's Fees and Prosecution Claims

5. - 6. Denied. Plaintiff contends that Defendant Dr. Bradley's intentional narcotic use and abuse is such that a jury could reasonably determine that his reckless conduct was a substantial factor in the causation of Ms. William's significant injuries.

Issue II: Motion to Strike Narcotic Use

7. - 8. Denied. Although it is true that a portion of Plaintiff's CIVIL COMPLAINT alleges that Dr. Bradley and his corporation did nothing to protect Ms. Williams once the series of attacks commenced, this is an extreme under statement of this defendants involvement. It is Plaintiff's position that Dr. Bradley and ergo his corporation was negligent/reckless not only as above stated but also in calling Ms. Williams into work knowing that his wife (Defendant Pam Bradley) was going to be present, knowing that she held animosity towards Ms. Williams and knowing that she was very prone to physically aggressive behavior. Specifically, that Dr. Bradley did as such while under the influence of narcotics, as he has admitted under oath in an ancillary proceeding, a copy of which has been previously provided to this Court, which impaired his judgment in this matter (and most likely other situations).

Wherefore, Plaintiff respectfully requests that Defendant Thomas J. Bradley, M.D., P.C.'s PRELIMINARY OBJECTIONS be DISMISSED, or in the alternative that Plaintiff be permitted to include a count for "recklessness" such that punitive damages are proper.

Respectfully Submitted,



Theron G. Noble, Esquire
Attorney for Plaintiff
Ferraraccio & Noble
301 E. Pine Street
Clearfield, PA 16830
(814)-375-2221
PA I.D. #: 55942

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

CYNTHIA L. WILLIAMS,)
an adult individual;)
)
 PLAINTIFF,)
)
 v.)
)
 PAMELA W. BRADLEY, an adult individual,)
 THOMAS J. BRADLEY, MD, an adult individual,)
 THOMAS J. BRADLEY, MD, P.C., a)
 Pennsylvania for Profit Corporation, and)
 DRMC, a Pennsylvania Not for Profit Corporation.)
)
 DEFENDANTS.)
)

No. 08-1735-CD

CERTIFICATE OF SERVICE

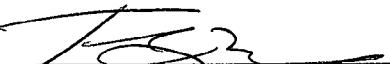
I, Theron G. Noble, Esquire, of Ferraraccio & Noble, counsel for Plaintiff, does hereby certify this 25th day of February, 2009, that I did mail a true and correct copy of Plaintiff's REPLY TO PRELIMINARY OBJECTIONS OF DEFENDANT THOMAS J. BRADLEY, M.D., P.C. via United States mail, first class, postage prepaid, to all counsel of record as set forth below:

Louis C. Schmitt, Jr.
McIntyre, Hartye & Schmitt
P.O. Box 533
Hollidaysburg, PA 16648

Mary L. Pothoven, Esquire
P.O. Box 218
Reynoldsville, PA 15851

Christopher M. Fleming, Esquire
Snyder & andrews
11269 Perry Hgwy, Suite 400
Wexford, PA 15090

Respectfully Submitted,



Theron G. Noble, Esquire
Attorney for Plaintiff
Ferraraccio & Noble
301 E. Pine Street
Clearfield, PA 16830
(814)-375-2221
PA I.D. #: 55942

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

CYNTHIA L. WILLIAMS, an Adult Individual

No. 2008 - 1735

Plaintiff,

v.

PAMELA W. BRADLEY, an Adult
Individual, THOMAS J. BRADLEY, M.D.
an Adult Individual, THOMAS J. BRADLEY, MD.,
P.C., a Pennsylvania for Profit
Corporation, and DUBOIS REGIONAL
MEDICAL CENTER, a Pennsylvania
Non Profit Corporation

Defendants.

**ISSUE:
NOTICE OF SERVICE OF
DISCOVERY REQUESTS FOR
CODEFENDANT
PAMELA BRADLEY**

Filed on behalf of Defendant:
Thomas J. Bradley, M.D.,

Counsel of Record:
Louis C. Schmitt, Jr., Esquire
PA ID# 52459
McIntyre, Hartye & Schmitt
P.O. Box 533
Hollidaysburg, PA 16648
(814) 696-3581

JURY TRIAL DEMANDED

I hereby certify that a true and correct copy of the within was mailed to all counsel of record this 27TH day of FEBRUARY, 2009.

~~Attorney for Defendant~~

5
FILED NO cc
M 10:04 AM
MAR 02 2009
William A. Shaw
Prothonotary/Clerk of Courts

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

CYNTHIA L. WILLIAMS, an Adult Individual : No. 2008 - 1735

Plaintiff,

v.

PAMELA W. BRADLEY, an Adult
Individual, THOMAS J. BRADLEY, M.D.
an Adult Individual, THOMAS J. BRADLEY, M.D.,
P.C., a Pennsylvania for Profit
Corporation, and DUBOIS REGIONAL
MEDICAL CENTER, a Pennsylvania
Non Profit Corporation

Defendants.

JURY TRIAL DEMANDED

**NOTICE OF SERVICE OF REQUEST FOR PRODUCTION OF DOCUMENTS
DIRECTED TO CODEFENDANT PAMELA BRADLEY**

TO: PROTHONOTARY

You are hereby notified that on the 27TH day of **FEBRUARY, 2009**, Defendant, THOMAS J. BRADLEY, M.D. served Request for Production of Documents Directed to Codefendant Pamela W. Bradley, by mailing the original of same via First Class U.S. Mail, postage prepaid, addressed to the following:

Pamela W. Bradley c/o
Christopher M. Fleming, Esquire
Law Office of Snyder & Andrews
11269 Perry Highway, Suite 400
Wexford, PA 15090

McINTYRE, HARTYE & SCHMITT

Attorney for Defendant,
THOMAS J. BRADLEY, M.D.

Louis C. Schmitt, Jr., Esquire
PA I.D. No. 52459
P. O. Box 533
Hollidaysburg, PA 16648-0533
(814) 696-3581

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

CYNTHIA L. WILLIAMS, an adult Individual, Plaintiff v. PAMELA W. BRADLEY, an adult Individual; THOMAS J. BRADLEY, MD, an adult individual; THOMAS J. BRADLEY, MD, PC, a Pennsylvania for profit Corporation; and DRMC, a Pennsylvania not for profit Corporation, Defendants

: No. 08-1735-CD
: Type of Pleading:
: **CERTIFICATE OF SERVICE**
: Filed on behalf of:
: Defendant, Thomas J. Bradley, MD, PC
: Counsel of Record for This Party:
: Mary L. Pothoven, Esq.
: Supreme Court ID#72164
: PO Box 218
: Reynoldsville, PA 15851
: (814) 653-2243

FILED
10125200200
MAR 10 2004 Atty Pothoven

William A. Shaw
Prothonotary/Clerk of Courts

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

CYNTHIA L. WILLIAMS, an adult
Individual,

Plaintiff

v.

PAMELA W. BRADLEY, an adult
Individual; THOMAS J. BRADLEY,
MD, an adult individual; THOMAS
J. BRADLEY, MD, PC, a
Pennsylvania for profit
Corporation; and DRMC, a
Pennsylvania not for profit
Corporation,

Defendants

: No. 08-1735-CD
:
: Type of Pleading:
: **CERTIFICATE OF SERVICE**
:
:
: Filed on behalf of:
: Defendant, Thomas J.
: Bradley, MD, PC
:
: Counsel of Record for
: This Party:
: Mary L. Pothoven, Esq.
: Supreme Court ID#72164
: PO Box 218
: Reynoldsville, PA 15851
: (814) 653-2243

5 **FILED**
10/12/2009 200
MAR 10 2009 Atty Pothoven

William A. Shaw
Prothonotary/Clerk of Courts

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

CYNTHIA L. WILLIAMS, an adult	:	No. 08-1735-CD
Individual,	:	
Plaintiff	:	
	:	
v.	:	
	:	
PAMELA W. BRADLEY, an adult	:	
Individual; THOMAS J. BRADLEY,	:	
MD, an adult individual; THOMAS	:	
J. BRADLEY, MD, PC, a	:	
Pennsylvania for profit	:	
Corporation; and DRMC, a	:	
Pennsylvania not for profit	:	
Corporation,	:	
Defendants	:	
	:	

CERTIFICATE OF SERVICE

I, Mary L. Pothoven, Esquire, hereby attest a True Copy of the Motion For Continuance was served on the Plaintiff, Cynthia L. Williams, by mailing a copy to her attorney, Theron G. Noble, Esquire, at his address of 301 East Pine Street, Clearfield, Pennsylvania 16830, by regular mail, postage prepaid, on March 9, 2009.

A True Copy of the Motion For Continuance and Order was also served on the following by regular mail, postage prepaid, on March 9, 2009:

David R. Johnson, Esquire
Thompson Rhodes & Cowie, PC
1010 Two Chatham Center
Pittsburgh PA 15219

Christopher M. Flemming, Esquire
Snyder & Andrews
11269 Perry Highway, Ste. 400
Wexford PA 15090-9389

Lewis C. Schmitt, Jr., Esquire
McIntyre, Hartye & Schmitt
PO Box 533
Hollidaysburg PA 16648

Respectfully submitted:



Mary J. Pothoven, Esquire

Date: March 9, 2009

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

CYNTHIA L. WILLIAMS, an adult
Individual,

Plaintiff

v.

PAMELA W. BRADLEY, an adult
Individual; THOMAS J. BRADLEY,
MD, an adult individual; THOMAS
J. BRADLEY, MD, PC, a
Pennsylvania for profit
Corporation; and DRMC, a
Pennsylvania not for profit
Corporation,

Defendants

: No. 08-1735-CD
:
: Type of Pleading:
: **MOTION FOR CONTINUANCE**
:
:
: Filed on behalf of:
: Defendant, Thomas J.
: Bradley, MD, PC
:
: Counsel of Record for
: This Party:
: Mary L. Pothoven, Esq.
: Supreme Court ID#72164
: PO Box 218
: Reynoldsville, PA 15851
: (814) 653-2243

FILED *acc*
7/10/2009 *Atty Pothoven*
MAR 10 2009
GK

William A. Shaw
Prothonotary/Clerk of Courts

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

CYNTHIA L. WILLIAMS, an adult
Individual, : No. 08-1735-CD
Plaintiff :
v. : Type of Pleading:
PAMELA W. BRADLEY, an adult : **MOTION FOR CONTINUANCE**
Individual; THOMAS J. BRADLEY, :
MD, an adult individual; THOMAS :
J. BRADLEY, MD, PC, a :
Pennsylvania for profit : Filed on behalf of:
Corporation; and DRMC, a : Defendant, Thomas J.
Pennsylvania not for profit : Bradley, MD, PC
Corporation, :
Defendants : Counsel of Record for
: This Party:
: Mary L. Pothoven, Esq.
: Supreme Court ID#72164
: PO Box 218
: Reynoldsburg, PA 15851
: (814) 653-2243

FILED *acc*
3/10/2009 *Atty Pothoven*
MAR 10 2009
GK

William A. Shaw
Prothonotary/Clerk of Courts

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

MOTION FOR CONTINUANCE

To The Honorable Court:

AND NOW, comes the undersigned, counsel for Thomas J. Bradley, MD, PC, and respectfully requests Your Honorable Court for a continuance of the Oral Argument currently scheduled for March 12, 2009 at 10:00 a.m. and in support thereof, avers the following:

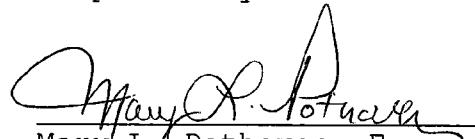
1. That the Court scheduled an Oral Argument in the above-captioned matter on the Defendant's, Thomas J. Bradley, MD, PC, Preliminary Objections to Plaintiff's First Amended Complaint for Thursday, March 12, 2009 at 10:00 a.m.

2. That I, Mary L. Pothoven, Esquire, counsel for the Defendant, Thomas J. Bradley, MD, PC, was recently advised by Nationwide Insurance, liability insurance carrier for Dr. Thomas J. Bradley, MD, PC, that they have reviewed their prior denial of coverage and agreed to provide defense for Dr. Thomas J. Bradley's medical corporation. Nationwide's attorney will, therefore, be substituting in as legal counsel for the corporation in place of Mary L. Pothoven, Esquire. Nationwide's attorney will need a reasonable amount of time to obtain my file and prepare for said hearing.

3. That the office of Mary L. Pothoven, Esquire contacted the office of counsel for the Plaintiff and explained the situation and said office had no objection to a continuance of said Oral Argument.

WHEREFORE, counsel for the Defendant corporation, Thomas J. Bradley, MD, PC, respectfully requests Your Honorable Court to reschedule the Oral Argument to a date and time mutually convenient for all parties.

Respectfully submitted:



Mary L. Pothoven, Esq.
Attorney for Plaintiffs

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

CYNTHIA L. WILLIAMS, an adult
Individual,

Plaintiff

v.

PAMELA W. BRADLEY, an adult
Individual; THOMAS J. BRADLEY,
MD, an adult individual; THOMAS
J. BRADLEY, MD, PC, a
Pennsylvania for profit
Corporation; and DRMC, a
Pennsylvania not for profit
Corporation,

Defendants

: No. 08-1735-CD
:
: Type of Pleading:
: **ORDER**
:
:
: Filed on behalf of:
: Defendant, Thomas J.
: Bradley, MD, PC
:
: Counsel of Record for
: This Party:
: Mary L. Pothoven, Esq.
: Supreme Court ID#72164
: PO Box 218
: Reynoldsville, PA 15851
: (814) 653-2243

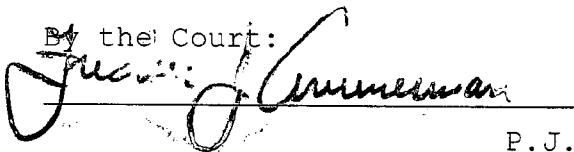
6/10
FILED *03/17/09* *sec* *Atty Pothoven*
MAR 11 2009
S *(CA notified both*
William A. Shaw *Counsel)*
Prothonotary/Clerk of Courts

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

CYNTHIA L. WILLIAMS, an adult : No. 08-1735-CD
Individual, :
Plaintiff :
: v. :
: PAMELA W. BRADLEY, an adult :
Individual; THOMAS J. BRADLEY, :
MD, an adult individual; THOMAS :
J. BRADLEY, MD, PC, a :
Pennsylvania for profit :
Corporation; and DRMC, a :
Pennsylvania not for profit :
Corporation, :
Defendants :
:

ORDER

AND NOW, this 11th day of March, 2009, upon
consideration of the foregoing Motion, it is hereby ORDERED
AND DECREED that the Oral Argument scheduled for March 12,
2009, at 10:00 a.m. has been continued to May 1
2009, at 1:30 o'clock P.m. in Courtroom 4 of the
Clearfield County Courthouse in Clearfield, Pennsylvania.

By the Court:

P.J.

FILED

MAR 11 2009

William A. Shaw
Prothonotary/Clerk of Courts

DATE: 3/11/09

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
CIVIL DIVISION-LAW

CYNTHIA L. WILLIAMS, an Adult Individual

Plaintiff,

v.

PAMELA W. BRADLEY, an Adult
Individual, THOMAS J. BRADLEY, M.D.
an Adult Individual, THOMAS J. BRADLEY, MD.,
P.C., a Pennsylvania for Profit
Corporation, and DUBOIS REGIONAL
MEDICAL CENTER, a Pennsylvania
Non Profit Corporation

Defendants.

No. 2008 - 1735

ISSUE:
**ANSWER, NEW MATTER
AND RULE 1031.1
CROSS-CLAIM**

Filed on behalf of Defendant:
Thomas J. Bradley, M.D.,

Counsel of Record:
Louis C. Schmitt, Jr., Esquire
PA ID# 52459
McIntyre, Hartye & Schmitt
P.O. Box 533
Hollidaysburg, PA 16648
(814) 696-3581

JURY TRIAL DEMANDED

I hereby certify that a true and correct
copy of the within was mailed to all
counsel of record this 16th day of
MARCH, 2009.

Attorney for Defendant

FILED
NOV 11 2009 NO CC
S MAR 17 2009
60
William A. Shaw
Prothonotary/Clerk of Courts

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

CYNTHIA L. WILLIAMS, an Adult Individual : No. 2008 – 1735

Plaintiff,

v.

PAMELA W. BRADLEY, an Adult
Individual, THOMAS J. BRADLEY, M.D.
an Adult Individual, THOMAS J. BRADLEY, M.D.,
P.C., a Pennsylvania for Profit
Corporation, and DUBOIS REGIONAL
MEDICAL CENTER, a Pennsylvania
Non Profit Corporation

Defendants. : JURY TRIAL DEMANDED

ANSWER, NEW MATTER AND RULE 1031.1 CROSS - CLAIM

AND NOW, comes defendant, THOMAS J. BRADLEY, M.D., an adult individual, (hereinafter referred to as "defendant"), by and through his attorneys, McINTYRE, HARTYE & SCHMITT, and files the following Answer, New Matter and Rule 1031.1 Cross-Claim in response to the plaintiff's First Amended Civil Complaint, saying as follows:

1. Admitted.
2. Admitted.
3. The allegations contained in paragraph 3 of Plaintiff's First Amended Civil

Complaint are admitted in part and denied in part. It is admitted that at the time of the complained of incident, defendant resided at 704 Columbus Court, Treasure Lake, Sandy Township, Clearfield County, Pennsylvania, 15801. It is denied that the defendant resides at an unknown current location. To the contrary, defendant currently resides at 708 Treasure Lake Road, Sandy Township, Clearfield County, Pennsylvania, 15801.

4. The allegations contained in paragraph 4 of plaintiff's First Amended Civil Complaint are admitted in part and denied in part. It is admitted that defendant Thomas J. Bradley, M.D., P.C. is a duly formed and existing Pennsylvania for profit corporation. It is denied that it is primarily engaged in the business of the practice of medicine with primary offices located at 701 Sunflower Drive, DuBois, Clearfield County, Pennsylvania 15801. To the contrary, that entity no longer is engaged in the business of the practice of medicine.

5. Defendant is without sufficient knowledge or information, after reasonable investigation, to form a belief as to the truth of the allegations contained in paragraph 5 of plaintiff's First Amended Civil Complaint. Those allegations are therefore denied, and strict proof thereof is demanded at the time of trial.

6. Admitted.

7. Admitted.

8. Admitted.

9. Defendant is without sufficient knowledge or information, after reasonable investigation, to form a belief as to the truth of the allegations contained in paragraph 9 of plaintiff's First Amended Civil Complaint. Those allegations are therefore denied, and strict proof thereof is demanded at the time of trial.

10. The allegations contained in paragraph 10 of the plaintiff's First Amended Civil Complaint are admitted in part and denied in part. It is admitted that defendant called plaintiff on the morning of December 14, 2006 and requested that she come to work to perform her duties. It is denied that the plaintiff inquired at that time whether she in fact was terminated from employment and was told that she was not terminated.

11. Admitted.

12. Admitted.

13. Denied.

14. Admitted.
15. Admitted.
16. Denied.
17. The allegations contained in paragraph 17 of plaintiff's First Amended Civil Complaint are denied as stated. To the contrary, on December 14, 2006, specifically in the morning, defendant Thomas J. Bradley, M.D. was addicted to and under the influence of narcotics.
18. Admitted.
19. Defendant is without sufficient knowledge or information, after reasonable investigation, to form a belief as to the truth of the allegations contained in paragraph 19 of plaintiff's First Amended Civil Complaint. Those allegations are therefore denied, and strict proof thereof is demanded at the time of trial.
20. Admitted.
21. The allegations contained in paragraph 21 of plaintiff's First Amended Civil Complaint are admitted in part and denied in part. It is admitted only that on the morning of December 14, 2006, at approximately 10:30 am, the plaintiff reported to defendant Thomas J. Bradley, M.D., P.C. to perform her employment duties as requested by defendant Thomas J. Bradley, M.D., P.C., through defendant Thomas J. Bradley, M.D. Defendant is without sufficient knowledge or information, after reasonable investigation, to form a belief as to the truth of the remaining allegations contained in paragraph 21 of plaintiff's First Amended Civil Complaint; those remaining allegations are therefore denied, and strict proof thereof is demanded at the time of trial.
22. Defendant is without sufficient knowledge or information, after reasonable investigation, to form a belief as to the truth of the allegations contained in paragraph 22 of plaintiff's First Amended Civil Complaint. Those allegations are therefore denied, and strict proof thereof is demanded at the time of trial.

23. Defendant is without sufficient knowledge or information, after reasonable investigation, to form a belief as to the truth of the allegations contained in paragraph 23 of plaintiff's First Amended Civil Complaint. Those allegations are therefore denied, and strict proof thereof is demanded at the time of trial.

24. Defendant is without sufficient knowledge or information, after reasonable investigation, to form a belief as to the truth of the allegations contained in paragraph 24 of plaintiff's First Amended Civil Complaint. Those allegations are therefore denied, and strict proof thereof is demanded at the time of trial.

25. Defendant is without sufficient knowledge or information, after reasonable investigation, to form a belief as to the truth of the allegations contained in paragraph 25 of plaintiff's First Amended Civil Complaint. Those allegations are therefore denied, and strict proof thereof is demanded at the time of trial.

26. The allegations contained in paragraph 26 of plaintiff's First Amended Civil Complaint are admitted in part and denied in part. It is admitted only that defendant Pamela W. Bradley at some point slammed a door. Defendant is without sufficient knowledge or information, after reasonable investigation, to form a belief as to the truth of the remaining allegations contained in paragraph 26 of plaintiff's First Amended Civil Complaint; those remaining allegations are therefore denied, and strict proof thereof is demanded at the time of trial.

27. Denied.

28. Defendant is without sufficient knowledge or information, after reasonable investigation, to form a belief as to the truth of the allegations contained in paragraph 28 of plaintiff's First Amended Civil Complaint. Those allegations are therefore denied, and strict proof thereof is demanded at the time of trial.

29. Defendant is without sufficient knowledge or information, after reasonable investigation, to form a belief as to the truth of the allegations contained in paragraph 29

of plaintiff's First Amended Civil Complaint. Those allegations are therefore denied, and strict proof thereof is demanded at the time of trial.

30. Admitted.

31. Denied.

32. The allegations contained in paragraph 32 of plaintiff's First Amended Civil Complaint constitute conclusions of law to which no response is required. In the event a response may be required, those allegations are denied, and strict proof thereof is demanded at the time of trial.

33. Defendant is without sufficient knowledge or information, after reasonable investigation, to form a belief as to the truth of the allegations contained in paragraph 33 of plaintiff's First Amended Civil Complaint. Those allegations are therefore denied, and strict proof thereof is demanded at the time of trial.

34. The allegations contained in paragraph 34 of plaintiff's First Amended Civil Complaint constitute conclusions of law to which no response is required. In the event a response may be required, those allegations are denied, and strict proof thereof is demanded at the time of trial.

35. The allegations contained in paragraph 35 of plaintiff's First Amended Civil Complaint constitute conclusions of law to which no response is required. In the event a response may be required, those allegations are denied, and strict proof thereof is demanded at the time of trial.

36. The allegations contained in paragraph 36 of plaintiff's First Amended Civil Complaint constitute conclusions of law to which no response is required. In the event a response may be required, those allegations are denied, and strict proof thereof is demanded at the time of trial.

37. The allegations contained in paragraph 37 of plaintiff's First Amended Civil Complaint constitute conclusions of law to which no response is required. In the

event a response may be required, those allegations are denied, and strict proof thereof is demanded at the time of trial.

38. The allegations contained in paragraph 38 of plaintiff's First Amended Civil Complaint constitute conclusions of law to which no response is required. In the event a response may be required, those allegations are denied, and strict proof thereof is demanded at the time of trial.

39. The allegations contained in paragraph 39 of plaintiff's First Amended Civil Complaint constitute conclusions of law to which no response is required. In the event a response may be required, those allegations are denied, and strict proof thereof is demanded at the time of trial.

40. The allegations contained in paragraph 40 of plaintiff's First Amended Civil Complaint constitute conclusions of law to which no response is required. In the event a response may be required, those allegations are denied, and strict proof thereof is demanded at the time of trial.

41. Defendant is without sufficient knowledge or information, after reasonable investigation, to form a belief as to the truth of the allegations contained in paragraph 41 of plaintiff's First Amended Civil Complaint. Those allegations are therefore denied, and strict proof thereof is demanded at the time of trial.

COUNT I

41.(B) By way of response to the allegations contained in paragraph 41B of plaintiff's First Amended Civil Complaint, defendant hereby incorporates by reference his responses to paragraphs 1 through 41 thereof, as if fully set forth herein.

42. The allegations contained in paragraph 42 are directed to parties other than defendant, and therefore no response is required.

43. The allegations contained in paragraph 43 are directed to parties other than defendant, and therefore no response is required.

44. The allegations contained in paragraph 44 are directed to parties other than defendant, and therefore no response is required.

45. The allegations contained in paragraph 45 are directed to parties other than defendant, and therefore no response is required.

46. The allegations contained in paragraph 46 are directed to parties other than defendant, and therefore no response is required.

WHEREFORE, defendant Thomas J. Bradley, M.D., an adult individual, denies any and all liability to the plaintiff upon Count I of her First Amended Civil Complaint, and respectfully requests that this Honorable Court enter judgment in his favor, with prejudice.

COUNT II

47. By way of response to the allegations contained in paragraph 47 of plaintiff's First Amended Civil Complaint, defendant hereby incorporates by reference his responses to paragraphs 1 through 46 thereof, as if fully set forth herein.

48. The allegations contained in paragraph 48 are directed to parties other than defendant, and therefore no response is required.

49. The allegations contained in paragraph 49 are directed to parties other than defendant, and therefore no response is required.

WHEREFORE, defendant Thomas J. Bradley, M.D. an adult individual, denies any and all liability to the plaintiff upon Count II of her First Amended Civil Complaint, and respectfully requests that this Honorable Court enter judgment in his favor, with prejudice.

COUNT III

50. By way of response to the allegations contained in paragraph 50 of plaintiff's First Amended Civil Complaint, defendant hereby incorporates by reference his responses to paragraphs 1 through 49 thereof, as if fully set forth herein.

51. The allegations contained in paragraph 51 are directed to parties other than defendant, and therefore no response is required.

52. The allegations contained in paragraph 52 are directed to parties other than defendant, and therefore no response is required.

WHEREFORE, defendant Thomas J. Bradley, M.D. denies any and all liability to the plaintiff upon Count III of her First Amended Civil Complaint, and respectfully requests that this Honorable Court enter judgment in his favor, with prejudice.

COUNT IV

53. By way of response to the allegations contained in paragraph 53 of plaintiff's First Amended Civil Complaint, defendant hereby incorporates by reference his responses to paragraph 1 through 52 thereof, as if fully set forth herein.

54. Denied.

55. Denied.

56. Admitted.

57. Denied.

58. The allegations contained in paragraph 58 of plaintiff's First Amended Civil Complaint constitute conclusions of law to which no response is required. In the

event a response may be required, those allegations are denied, and strict proof thereof is demanded at the time of trial.

59. Denied. A-D denied.

60. The allegations contained in paragraph 60 of plaintiff's First Amended Civil Complaint constitute conclusions of law to which no response is required. In the event a response may be required, those allegations are denied, and strict proof thereof is demanded at the time of trial.

WHEREFORE, defendant Thomas J. Bradley, M.D., an adult individual, denies any and all liability to the plaintiff upon Count IV of her First Amended Civil Complaint, and respectfully requests that this Honorable Court enter judgment in his favor, with prejudice.

COUNT V

61. By way of response to the allegations contained in paragraph 61 of plaintiff's First Amended Civil Complaint, defendant hereby incorporates by reference his responses to paragraphs 1 through 60 thereof, as if fully set forth herein.

62. The allegations set forth in Count V of plaintiff's First Amended Civil Complaint have been stricken and dismissed with prejudice, pursuant to the Court's Order of January 21, 2009, a copy of which is attached hereto as exhibit "A" and incorporated herein by reference.

63. The allegations set forth in Count V of plaintiff's First Amended Civil Complaint have been stricken and dismissed with prejudice, pursuant to the Court's Order of January 21, 2009, a copy of which is attached hereto as exhibit "A" and incorporated herein by reference.

64. The allegations set forth in Count V of plaintiff's First Amended Civil Complaint have been stricken and dismissed with prejudice, pursuant to the Court's

Order of January 21, 2009, a copy of which is attached hereto as exhibit "A" and incorporated herein by reference.

65. The allegations set forth in Count V of plaintiff's First Amended Civil Complaint have been stricken and dismissed with prejudice, pursuant to the Court's Order of January 21, 2009, a copy of which is attached hereto as exhibit "A" and incorporated herein by reference.

WHEREFORE, defendant Thomas J. Bradley, M.D., an adult individual, denies any and all liability to the plaintiff upon Count V of her First Amended Civil Complaint, and respectfully requests that this Honorable Court enter judgment in his favor, with prejudice.

COUNT VI

66. By way of response to the allegations contained in paragraph 66 of plaintiff's First Amended Civil Complaint, defendant hereby incorporates by reference his responses to paragraphs 1 through 65 thereof, as if fully set forth herein.

67. The allegations contained in paragraph 67 are directed to parties other than defendant, and therefore no response is required.

68. The allegations contained in paragraph 68 are directed to parties other than defendant, and therefore no response is required.

69. The allegations contained in paragraph 69 are directed to parties other than defendant, and therefore no response is required.

70. The allegations contained in paragraph 70 are directed to parties other than defendant, and therefore no response is required.

71. The allegations contained in paragraph 71 are directed to parties other than defendant, and therefore no response is required.

72. The allegations contained in paragraph 72 are directed to parties other than defendant, and therefore no response is required.

73. The allegations contained in paragraph 73 are directed to parties other than defendant, and therefore no response is required.

74. The allegations contained in paragraph 74 are directed to parties other than defendant, and therefore no response is required.

75. The allegations contained in paragraph 75 are directed to parties other than defendant, and therefore no response is required.

WHEREFORE, defendant Thomas J. Bradley, M.D., an adult individual, denies any and all liability to the plaintiff upon Count VI of her First Amended Civil Complaint, and respectfully requests that this Honorable Court enter judgment in his favor, with prejudice.

COUNT VII

76. By way of response to the allegations contained in paragraph 76 of plaintiff's First Amended Civil Complaint, defendant hereby incorporates by reference his responses to paragraphs 1 through 75 thereof, as if fully set forth herein.

77. The allegations set forth in Count VII of plaintiff's First Amended Civil Complaint have been stricken and dismissed with prejudice, pursuant to the Court's Order of January 21, 2009, a copy of which is attached hereto as exhibit "A" and incorporated herein by reference.

78. The allegations set forth in Count VII of plaintiff's First Amended Civil Complaint have been stricken and dismissed with prejudice, pursuant to the Court's Order of January 21, 2009, a copy of which is attached hereto as exhibit "A" and incorporated herein by reference.

79. The allegations set forth in Count VII of plaintiff's First Amended Civil Complaint have been stricken and dismissed with prejudice, pursuant to the Court's Order of January 21, 2009, a copy of which is attached hereto as exhibit "A" and incorporated herein by reference.

80. The allegations set forth in Count VII of plaintiff's First Amended Civil Complaint have been stricken and dismissed with prejudice, pursuant to the Court's Order of January 21, 2009, a copy of which is attached hereto as exhibit "A" and incorporated herein by reference.

81. The allegations set forth in Count VII of plaintiff's First Amended Civil Complaint have been stricken and dismissed with prejudice, pursuant to the Court's Order of January 21, 2009, a copy of which is attached hereto as exhibit "A" and incorporated herein by reference.

82. The allegations set forth in Count VII of plaintiff's First Amended Civil Complaint have been stricken and dismissed with prejudice, pursuant to the Court's Order of January 21, 2009, a copy of which is attached hereto as exhibit "A" and incorporated herein by reference.

83. The allegations set forth in Count VII of plaintiff's First Amended Civil Complaint have been stricken and dismissed with prejudice, pursuant to the Court's Order of January 21, 2009, a copy of which is attached hereto as exhibit "A" and incorporated herein by reference.

84. The allegations set forth in Count VII of plaintiff's First Amended Civil Complaint have been stricken and dismissed with prejudice, pursuant to the Court's Order of January 21, 2009, a copy of which is attached hereto as exhibit "A" and incorporated herein by reference.

WHEREFORE, defendant Thomas J. Bradley, M.D., an adult individual, denies any and all liability to the plaintiff upon Count VII of her First Amended Civil Complaint, and respectfully requests that this Honorable Court enter judgment in his favor, with prejudice.

MISCELLANEOUS AVERMENTS

85. The allegations contained in paragraph 85 constitute conclusions of law to which no response is required.

86. The allegations contained in paragraph 86 constitute conclusions of law to which no response is required.

87. The allegations contained in paragraph 87 constitute conclusions of law to which no response is required.

WHEREFORE, defendant Thomas J. Bradley, M.D., an adult individual, denies any and all liability to the plaintiff upon her First Amended Civil Complaint, and respectfully requests that this Honorable Court enter judgment in his favor, with prejudice.

NEW MATTER

By way of further answer to the allegations contained in plaintiff's First Amended Civil Complaint, and in support of his defenses against those allegations, defendant Thomas J. Bradley, M.D., an adult individual, sets forth the following statements as New Matter:

88. In the event the plaintiff has suffered damages as alleged in her First Amended Civil Complaint, those damages may have been caused by defendant Pamela W. Bradley, or by individuals or entities other than defendant Thomas J. Bradley, M.D., an adult individual, and over whom defendant Thomas J. Bradley, M.D., an adult individual, neither exercised nor had the right or duty to exercise control, and for whose actions or omissions defendant Thomas J. Bradley, M.D., an adult individual, is not responsible or otherwise legally liable.

89. At the time of the incident on December 14, 2006 plaintiff Cynthia L. Williams was employed by defendant Thomas J. Bradley, M.D., P.C.

90. At the time of the incident on December 14, 2006 defendant Thomas J. Bradley, M.D., an adult individual, was employed by Thomas J. Bradley, M.D., P.C.

91. At the time of the incident on December 14, 2006 defendant Pamela W. Bradley, an adult individual, was employed by Thomas J. Bradley, M.D., P.C.

92. At the time of the incident which took place on December 14, 2006, plaintiff Cynthia L. Williams was in the same employ as defendant Thomas J. Bradley, M.D., an adult individual.

93. At the time of the incident which took place on December 14, 2006, plaintiff Cynthia L. Williams was in the same employee as defendant, Pamela W. Bradley, an adult individual.

94. At the time of the incident on December 14, 2006 plaintiff Cynthia L. Williams, Pamela W. Bradley, an adult individual, and Thomas J. Bradley, M.D., an adult individual, were in the same employ with Thomas J. Bradley, M.D., P.C.

95. Plaintiff Cynthia L. Williams has commenced and prosecuted a workers' compensation proceeding against defendant Thomas J. Bradley, M.D., P.C. and in fact has received workers' compensation benefits relating to the incident of December 14, 2006.

96. Defendant Thomas J. Bradley, M. D., an adult individual, is immune from liability for negligence pursuant to the Workers' Compensation Act, 77 Pa. S. § 72, otherwise known as "co-employee immunity".

97. This Honorable Court is barred under by the exclusivity of the Workers' Compensation Act exercising jurisdiction from over the plaintiff's claims relating to the December 14, 2006 incident.

WHEREFORE, defendant Thomas J. Bradley, M.D., an adult individual, denies any and all liability to the plaintiff upon her First Amended Civil Complaint, and respectfully requests that this Honorable Court enter judgment in his favor, with prejudice.

RULE 1031.1 CROSS-CLAIM AGAINST DEFENDANT PAMELA W. BRADLEY

AND NOW, comes defendant, THOMAS J. BRADLEY, M.D., an adult individual, by and through his attorneys, McINTYRE, HARTYE & SCHMITT, and pursuant to Rule 1031.1 of the Pennsylvania Rules of Civil Procedure asserts a Cross-Claim for contribution and/or indemnification against co-defendant Pamela W. Bradley, and in support thereof sets forth the following:

98. Without admitting the liability of any party to this action or the truth of those allegations, defendant Thomas J. Bradley, M.D. incorporates herein by reference the allegations in the plaintiff's First Amended Civil Complaint that have been made against co-defendant Pamela W. Bradley. Defendant Thomas J. Bradley, M.D. further incorporates herein by reference his New Matter as averred in response to the plaintiff's First Amended Civil Complaint, insofar as the averments set forth in defendant Thomas J. Bradley, M.D.'s New Matter may apply to co-defendant Pamela W. Bradley

99. Defendant Thomas J. Bradley, M.D. denies any and all liability to the plaintiff under any theory or cause of action which she may have set forth in her First Amended Civil Complaint. However, if it is determined at the time of trial that the damages allegedly suffered by the plaintiff entitle her to any recovery for which defendant Thomas J. Bradley, M.D. may be held liable, then, and in that event only, defendant Thomas J. Bradley avers that he is entitled to contribution and/or indemnification from co-defendant Pamela W. Bradley, insofar as she may be jointly or severally liable with defendant Thomas J. Bradley, M.D., or liable over to defendant Thomas J. Bradley, M.D. or liable directly to the plaintiff.

WHEREFORE, defendant Thomas J. Bradley, M.D. denies any and all liability to any party in this action, but hereby demands contribution and/or indemnification from co-defendant Pamela W. Bradley in this action in the event defendant Thomas J. Bradley, M.D. may be found liable to the plaintiff.

Respectfully submitted,

McINTYRE, HARTYE & SCHMITT

Attorney for Defendant
THOMAS J. BRADLEY, M.D.

Louis C. Schmitt, Jr., Esquire
PA ID# 52459
P.O. Box 533
Hollidaysburg, PA 16648
(814) 696-3581

Notice to Plead

To: Plaintiff

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.

Attorney for Defendant

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

CYNTHIA L. WILLIAMS, an adult
individual,

Plaintiff

vs.

NO. 2008-01735-CD

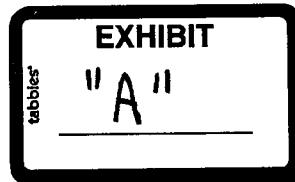
PAMELA W. BRADLEY, an adult
individual; THOMAS J. BRADLEY, MD.,
an adult individual; THOMAS J. BRADLEY,
M.D., PC., a Pennsylvania for Profit Corporation;
D.R.M.C., a Pennsylvania Not for Profit
Corporation,

Defendants

ORDER

AND NOW, this 21st day of January 2009 upon consideration of the Preliminary Objections filed by the Defendants, Thomas J. Bradley, M.D., and D.R.M.C., it is the ORDER of this Court as follows:

1. The Defendant Thomas J. Bradley's Preliminary Objection to the Plaintiff's First Amended Complaint, Count IV, is hereby DENIED.
2. The Defendant Thomas J. Bradley's Preliminary Objection to Plaintiff's First Amended Complaint, Count V, is hereby GRANTED and Ordered STRICKEN. The claims set forth within the Plaintiff's First Amended Complaint in Count V are hereby DISMISSED, with PREJUDICE.



3. The Defendant D.R.M.C.'s Preliminary Objection to Plaintiff's First Amended Complaint, Count VII, is hereby GRANTED and Ordered STRICKEN. The claims set forth within the Plaintiff's First Amended Complaint in Count VII are hereby DISMISSED, with PREJUDICE

BY THE COURT,

/S/ Fredric J Ammerman

FREDRIC J. AMMERMAN
President Judge

I hereby certify that the foregoing
and all other papers in this original
statement filed in this cause.

JAN 22 2000

Attest,

Frederic J. Ammerman
President Judge
Clark County, WA

File No. NW 326 NH

VERIFICATION

I, Thomas J. Bradley, M.D., do hereby verify that I have read the foregoing Answer, New Matter, and Rule 1031.1 Cross-Claim. The statements therein are correct to the best of my personal knowledge or information and belief.

This statement and verification are made subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn fabrication to authorities, which provides that if I make knowingly false averments I may be subject to criminal penalties.

Thomas J. Bradley, M.D.

Thomas J. Bradley, M.D.

Date: 3/11/09

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CYNTHIA L. WILLIAMS, an adult
individual,
Plaintiff,

VS.

PAMELA W. BRADLEY, an adult individual,
THOMAS J. BRADLEY, M.D., an adult
individual, THOMAS J. BRADLEY, M.D.,
P.C., a Pennsylvania for Profit
Corporation, and DRMC, a Pennsylvania
Not for Profit Corporation,

Defendants.

CIVIL DIVISION
No. 08-1735-CD

FILED NO. C
M 11:55AM
MAR 23 2009
William A. Shaw
Prothonotary/Clerk of Courts

**NOTICE OF SERVICE OF
DISCOVERY**

Filed on behalf of Defendant,
Pamela W. Bradley

Counsel of Record for This Party:

CHRISTOPHER M. FLEMING, ESQUIRE
Pa. I.D. #29300

SNYDER & ANDREWS
11269 Perry Highway, Suite 400
Wexford, PA 15090-9389
(724) 934-0388

JURY TRIAL DEMANDED

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CYNTHIA L. WILLIAMS, an adult
individual,

Plaintiff,

CIVIL DIVISION

No. 08-1735-CD

VS.

PAMELA W. BRADLEY, an adult individual,
THOMAS J. BRADLEY, M.D., an adult
individual, THOMAS J. BRADLEY, M.D.,
P.C., a Pennsylvania for Profit
Corporation, and DRMC, a Pennsylvania
Not for Profit Corporation,

Defendants.

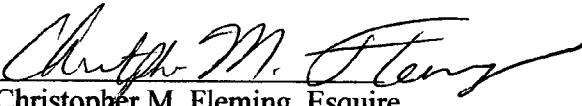
NOTICE OF SERVICE

TO THE PROTHONOTARY:

COMES NOW, the Defendant, Pamela W. Bradley, by and through her counsel,
Christopher M. Fleming, Esquire, and certify that Interrogatories and Request for Production of
Documents directed to Plaintiff were served upon all counsel in accordance with the
Pennsylvania Rules of Civil Procedure, by United States mail, postage prepaid on this 18th day of

March, 2009.

Dated: March 6, 2009

By: 
Christopher M. Fleming, Esquire
SNYDER & ANDREWS
11269 Perry Highway, Suite 400
Wexford, PA 15090
(724) 934-0388

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **Notice of Service of Discovery** was served upon the following counsel by U.S. Mail, first class, postage prepaid, on the 18th day of March, 2009, addressed as follows:

Theron G. Noble, Esquire
Ferraraccio & Noble
301 East Pine Street
Clearfield, PA 16830
(Counsel for Plaintiff)

Louis C. Schmitt, Jr., Esquire
McIntyre Hartye & Schmitt
PO Box 533
Hollidaysburg PA 16648
(Counsel for Thomas J. Bradley, M.D)

Brad R. Korinski, Esquire
Thomson Rhodes & Cowie
1010 Chatham Center
Pittsburgh, PA 15219
(counsel for DRMC)


Christopher M. Fleming, Esquire

PROTHONOTARY'S OFFICE

RECEIVED PROTHONOTARY'S OFFICE, MASSACHUSETTS, BOSTON, MASSACHUSETTS
APRIL 22 2009 AND FILED IN PROTHONOTARY'S OFFICE, MASSACHUSETTS, BOSTON, MASSACHUSETTS
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APRIL 22 2009

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William A. Shaw
Prothonotary/Clerk of Courts

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APRIL 22 2009

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CYNTHIA L. WILLIAMS, an adult individual,

Plaintiff,

vs.

PAMELA W. BRADLEY, an adult individual, THOMAS J. BRADLEY, MD, an adult individual, THOMAS J. BRADLEY, MD, PC, a Pennsylvania for Profit Corporation, and DRMC, a Pennsylvania Not for Profit Corporation,

Defendants.

CIVIL DIVISION

NO.: 08-1735-CD

PRAECIPE FOR APPEARANCE

(JURY TRIAL DEMANDED)

Filed on Behalf of Defendant,
Thomas J. Bradley, MD, PC, a
Pennsylvania for Profit Corporation.

Counsel of Record for this Party:

PETER B. SKEEL, ESQUIRE
PA I.D. #30805

SUMMERS, McDONNELL, HUDDOCK,
GUTHRIE & SKEEL, L.L.P.

Firm #911

The Gulf Tower, Suite 2400
707 Grant Street
Pittsburgh, PA 15219

(412) 261-3232

#16933

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S William A. Shaw
Prothonotary/Clerk of Courts
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IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CYNTHIA L. WILLIAMS, an adult
individual,

CIVIL DIVISION

NO.: 08-1735-CD

Plaintiff,

vs.

(JURY TRIAL DEMANDED)

PAMELA W. BRADLEY, an adult
individual, THOMAS J. BRADLEY, MD, an
adult individual, THOMAS J. BRADLEY,
MD, PC, a Pennsylvania for Profit
Corporation, and DRMC, a Pennsylvania
Not for Profit Corporation,

Defendants.

PRAECIPE FOR APPEARANCE

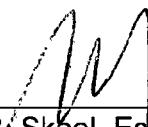
To: The Prothonotary

Kindly enter the Appearance of the undersigned, Peter B. Skeel, Esquire, of the law firm
of Summers, McDonnell, Hudock, Guthrie & Skeel, L.L.P., on behalf of the Defendant, Thomas
J. Bradley, MD, PC, a Pennsylvania for Profit Corporation, in the above case.

Jury Trial Demanded

Respectfully submitted,

SUMMERS, McDONNELL, HUDOCK, GUTHRIE & SKEEL


Peter B. Skeel, Esquire
Attorney for Defendant, Thomas J. Bradley, MD, PC,
a Pennsylvania for Profit Corporation.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **Praecipe for Appearance** has been served via first-class U.S. mail, postage prepaid, this 17th day of March, 2009, addressed as follows:

THERON G. NOBLE, ESQUIRE
FERRARACCIO & NOBLE
301 E. PINE STREET
CLEARFIELD, PA 16830
(Counsel for Plaintiff)

LOUIS C. SCHMITT, JR., ESQUIRE
MCINTYRE, HARTYE & SCHMITT
PO BOX 533
HOLLIDAYSBURG, PA 16648

CHRISTOPHER M. FLEMING, ESQUIRE
SNYDER & ANDREWS
11279 PERRY HIGHWAY, SUITE 400
WEXFORD, PA 15090

BRAD R. KORINSKI, ESQUIRE
THOMSON, RHODES & COWIE, P.C.
TWO CHATHAM CENTER, 10th FLOOR
PITTSBURGH, PA 15219

MARY L. POTHONEN, ESQUIRE
LAW OFFICES OF QUERINO R. TORRETTI
600 EAST MAIN STREET
P.O. BOX 218
REYNOLDSVILLE, PA 15851

SUMMERS, McDONNELL, HUDDOCK, GUTHRIE & SKEEL

Peter B. Skeel, Esquire
Attorney for Defendant, Thomas J. Bradley, MD, PC,
a Pennsylvania for Profit Corporation.

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

CYNTHIA L. WILLIAMS,
an adult individual;

PLAINTIFF,

: No. 08- 1735 -CD

v.

PAMELA W. BRADLEY, an adult individual,
THOMAS J. BRADLEY, MD, an adult individual,
THOMAS J. BRADLEY, MD, P.C., a
Pennsylvania for Profit Corporation;

DEFENDANTS.

Type of Pleading:

: REPLY TO NEW MATTER OF
: THOMAS J. BRADLEY, M.D.

Filed By:

: Plaintiff

: Counsel of Record:

: Theron G. Noble, Esquire
: Ferraraccio & Noble
: 301 East Pine Street
: Clearfield, PA 16830
: (814)-375-2221
: PA I.D.#: 55942

FILED NO Cc
1152804
MAR 26 2009

S William A. Shaw
Prothonotary/Clerk of Courts

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

CYNTHIA L. WILLIAMS,)
an adult individual;)
)
 PLAINTIFF,)
)
 v.) No. 08-1735-CD
)
)
 PAMELA W. BRADLEY, an adult individual,)
 THOMAS J. BRADLEY, MD, an adult individual,)
 THOMAS J. BRADLEY, MD, P.C., a)
 Pennsylvania for Profit Corporation, and)
 DRMC, a Pennsylvania Not for Profit Corporation.)
)
 DEFENDANTS.)

PLAINTIFF'S REPLY TO NEW MATTER OF
DEFENDANT THOMAS J. BRADLEY, M.D.

AND NOW, comes the Plaintiff, Cynthia L. Williams, by and through her counsel of record, Theron G. Noble, Esquire, of Ferraraccio & Noble, who avers as follows in support of her REPLY TO NEW MATTER OF DEFENDANT THOMAS J. BRADLEY, M.D.:

88. Admitted in part, Denied in part. It is admitted that Plaintiff's injuries were caused in part by Defendant Pamela W. Bradley. It is specifically DENIED that Defendant Thomas J. Bradley, M.D., did not have either the right or duty to exercise control over Defendant Pamela W. Bradley under the attenuate facts and circumstances and strict proof is therefore demanded at time of trial.

89. Admitted. By way of further response, she was also employed at DuBois Regional Medical Center.

90. After reasonable investigation the same is unknown to Plaintiff at this time. As such, the same is DENIED and strict proof is demanded at time of trial.

91. After reasonable investigation the same is unknown to Plaintiff at this time. As such, the same is DENIED and strict proof is demanded at time of trial.

92. After reasonable investigation the same is unknown to Plaintiff at this time. As such, the same is DENIED and strict proof is demanded at time of trial.

93. After reasonable investigation the same is unknown to Plaintiff at this time. As such, the same is DENIED and strict proof is demanded at time of trial.

94. After reasonable investigation the same is unknown to Plaintiff at this time. As such, the same is DENIED and strict proof is demanded at time of trial.

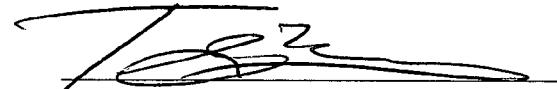
95. Admitted. By way of further response, the same was resolved in such a manner that did not preclude the commencement of this sauit as brought.

96. The same is a legal conclusion for which no response is deemed necessary. To the extent such a response might be deemed necessary, the same is DENIED and strict proof is demanded at time of trial.

97. The same is a legal conclusion for which no response is deemed necessary. To the extent such a response might be deemed necessary, the same is DENIED and strict proof is demanded at time of trial.

WHEREFORE, Plaintiff requests the relief as prayed for in her FIRST AMENDED CIVIL COMPLAINT and respectfully request JUDGMENT so entered in her favor.

Respectfully Submitted,



Theron G. Noble, Esquire
Attorney for Plaintiff
Ferraraccio & Noble
301 E. Pine Street
Clearfield, PA 16830
(814)-375-2221
PA I.D. #: 55942

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

CYNTHIA L. WILLIAMS,)
an adult individual;)
)
 PLAINTIFF,)
)
 v.)
)
 PAMELA W. BRADLEY, an adult individual,)
 THOMAS J. BRADLEY, MD, an adult individual,)
 THOMAS J. BRADLEY, MD, P.C., a)
 Pennsylvania for Profit Corporation, and)
 DRMC, a Pennsylvania Not for Profit Corporation.)
)
 DEFENDANTS.)
)

No. 08- 1735 -CD

CERTIFICATE OF SERVICE

I, Theron G. Noble, Esquire, of Ferraraccio & Noble, counsel for Plaintiff, does hereby certify this 25th day of March, 2009, that I did mail a true and correct copy of Plaintiff's REPLY TO NEW MATTER OF DEFENDANT THOMAS J. BRADLEY, M.D., via United States mail, first class, postage prepaid, to all counsel of record as set forth below:

Louis C. Schmitt, Jr.
McIntyre, Hartye & Schmitt
P.O. Box 533
Hollidaysburg, PA 16648

Peter B. Skeel, Esquire
Summers, McDonnell, et.al.
Gulf Tower, Suite 2400
707 Grant St.
Pittsburgh, PA 15219

Christopher M. Fleming, Esquire
Snyder & andrews
11269 Perry Hwy, Suite 400
Wexford, PA 15090

Respectfully Submitted,



Theron G. Noble, Esquire
Attorney for Plaintiff
Ferraraccio & Noble
301 E. Pine Street
Clearfield, PA 16830
(814)-375-2221
PA I.D. #: 55942

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

CYNTHIA L. WILLIAMS, an Adult Individual,
Plaintiff

vs.

PAMELA W. BRADLEY, an Adult Individual, THOMAS*
J. BRADLEY, M.D., an Adult Individual, THOMAS J.
BRADLEY, M.D., P.C., a Pennsylvania for Profit
Corporation and DUBOIS REGIONAL MEDICAL
CENTER, a Pennsylvania Non Profit Corporation,
Defendants

* NO. 08-1735-CD

FILED

5 MAY 01 2009
013:40 PM (GD)

William A. Shaw
Prothonotary/Clerk of Courts
CEN to NOBLE

C. FLEMING
L. SCHMITT

M. POTHOVEN
D. JOHNSON

ORDER

NOW, this 1st day of May, 2009, upon consideration of the Preliminary
Objections filed on January 29, 2009 by Mary L. Pothoven, Esquire on behalf of
Defendant Thomas J. Bradley, M.D., PC, it is the ORDER of this Court that said
Preliminary Objections be and are hereby DISMISSED.

BY THE COURT,



FREDRIC J. AMMERMAN
President Judge

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CYNTHIA L. WILLIAMS, an adult individual,

Plaintiff,

vs.

PAMELA W. BRADLEY, an adult individual, THOMAS J. BRADLEY, MD, an adult individual, THOMAS J. BRADLEY, MD, PC, a Pennsylvania for Profit Corporation, and DRMC, a Pennsylvania Not for Profit Corporation,

Defendants.

CIVIL DIVISION

NO.: 08-1735-CD

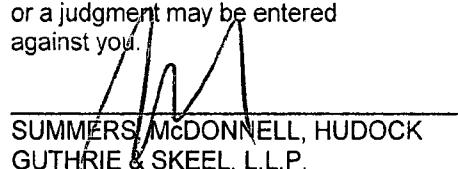
ANSWER, NEW MATTER AND CROSS-CLAIM PURSUANT TO Pa.R.C.P. 1031.1

(JURY TRIAL DEMANDED)

Filed on Behalf of Defendant, Thomas J. Bradley, MD, PC, a Pennsylvania for Profit Corporation.

TO: ALL PARTIES

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


SUMMERS, McDONNELL, HUDOCK
GUTHRIE & SKEEL, L.L.P.

SUMMERS, McDONNELL, HUDOCK,
GUTHRIE & SKEEL, P.C.

Firm #911

The Gulf Tower, Suite 2400
707 Grant Street
Pittsburgh, PA 15219

(412) 261-3232

#16933

W. A. Shaw
FILED NO CC
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10:56 AM

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CYNTHIA L. WILLIAMS, an adult
individual,

Plaintiff,

vs.

PAMELA W. BRADLEY, an adult
individual, THOMAS J. BRADLEY, MD, an
adult individual, THOMAS J. BRADLEY,
MD, PC, a Pennsylvania for Profit
Corporation, and DRMC, a Pennsylvania
Not for Profit Corporation,

Defendants.

CIVIL DIVISION

NO.: 08-1735-CD

(JURY TRIAL DEMANDED)

ANSWER, NEW MATTER AND CROSS-CLAIM PURSUANT TO Pa.R.C.P. 1031.1

AND NOW, comes the Defendant, Thomas J. Bradley, MD, PC, by its attorneys, Peter B. Skeel and Summers, McDonnell, Hudock, Guthrie & Skeel, P.C., and files this Answer, New Matter and Cross-Claim Pursuant to Pa.R.C.P. 1031.1 as follows:

ANSWER

1. Paragraph 1 is admitted.

2. Paragraph 2 is admitted.

3. Paragraph 3 is admitted in part. It is admitted that at the time of the incident, Defendant resided at 704 Columbus Court, Treasure Lake, Sandy Township, Clearfield County, Pennsylvania 15801. It is averred that Defendant currently resides at 708 Treasure Lake Road, Sandy Township, Clearfield County, Pennsylvania 15801.

4. Paragraph 4 is admitted in part. It is admitted that Thomas J. Bradley, MD, PC is a duly formed and existing Pennsylvania for profit corporation. It is denied that the entity is primarily engaged in the business of the practice of medicine with offices

located at 701 Sunflower Drive, DuBois, Clearfield County, Pennsylvania 15801. It is averred that this entity is no longer engaged in the business of the practice of medicine.

5. Paragraph 5 is directed solely to the Co-Defendant, DuBois Regional Medical Center, and no response is required from this Defendant.

6. Paragraph 6 is admitted.

7. Paragraph 7 is admitted.

8. Paragraph 8 is admitted.

9. Paragraph 9 is denied. After reasonable investigation, this Defendant is without sufficient information so as to form a belief as to the truth of the averments and, accordingly, the same are denied and proof thereof is demanded at the time of trial.

10. Paragraph 10 is admitted in part. It is admitted that Thomas J. Bradley, MD called the Plaintiff on the morning of December 14, 2006 requesting that she come to work to perform her duties. It is denied that Plaintiff inquired whether she was in fact terminated from employment and was told that she was not terminated.

11. Paragraph 11 is admitted.

12. Paragraph 12 is admitted.

13. Paragraph 13 is denied. It is denied that Pamela W. Bradley was an officer, director, or stockholder in Thomas J. Bradley, MD, PC.

14. Paragraph 14 is admitted.

15. Paragraph 15 is admitted.

16. Paragraph 16 is directed solely to the Co-Defendant, Thomas J. Bradley. Accordingly, no response is required from this Defendant. To the extent that further response is required, the allegations contained in paragraph 16 are denied pursuant to Pennsylvania Rule of Civil Procedure 1029. By way of still further answer, the

allegations contained in paragraph 16 constitute conclusions of law to which no responsive pleading is required.

17. Paragraph 17 is denied. It is specifically denied that on the morning of December 14, 2006, Defendant Thomas J. Bradley was addicted to and under the influence of illegal narcotics.

18. Paragraph 18 is admitted.

19. Paragraph 19 is directed solely to the Co-Defendant, DuBois Regional Medical Center. Accordingly, no response is required from this Defendant. In the event that further response is required, the allegations contained in paragraph 19 are denied pursuant to Pennsylvania Rule of Civil Procedure 1029.

20. Paragraph 20 is admitted.

21. Paragraph 21 is admitted in part. It is admitted that the Plaintiff reported to perform employment duties at approximately 10:30 a.m. on December 14, 2006. The remaining allegations are denied pursuant to Pennsylvania Rule of Civil Procedure 1029. By way of further answer, should further answer be required, after reasonable investigation, this Defendant is without sufficient information so as to form a belief as to the truth of the averments. Accordingly, the same are denied and proof thereof is demanded at the time of trial.

22. Paragraph 22 is denied pursuant to Pennsylvania Rule of Civil Procedure 1029. By way of further answer, should further answer be required, after reasonable investigation, this Defendant is without sufficient information so as to form a belief as to the truth of the averments. Accordingly, the same are denied and proof thereof is demanded at the time of trial.

23. Paragraph 23 is denied pursuant to Pennsylvania Rule of Civil Procedure 1029. By way of further answer, should further answer be required, after reasonable investigation, this Defendant is without sufficient information so as to form a belief as to the truth of the averments. Accordingly, the same are denied and proof thereof is demanded at the time of trial.

24. Paragraph 24 is denied pursuant to Pennsylvania Rule of Civil Procedure 1029. By way of further answer, should further answer be required, after reasonable investigation, this Defendant is without sufficient information so as to form a belief as to the truth of the averments. Accordingly, the same are denied and proof thereof is demanded at the time of trial.

25. Paragraph 25 is denied pursuant to Pennsylvania Rule of Civil Procedure 1029. By way of further answer, should further answer be required, after reasonable investigation, this Defendant is without sufficient information so as to form a belief as to the truth of the averments. Accordingly, the same are denied and proof thereof is demanded at the time of trial.

26. Paragraph 26 is denied pursuant to Pennsylvania Rule of Civil Procedure 1029. By way of further answer, should further answer be required, after reasonable investigation, this Defendant is without sufficient information so as to form a belief as to the truth of the averments. Accordingly, the same are denied and proof thereof is demanded at the time of trial.

27. Paragraph 27 is denied pursuant to Pennsylvania Rule of Civil Procedure 1029. By way of further answer, should further answer be required, after reasonable investigation, this Defendant is without sufficient information so as to form a belief as to

the truth of the averments. Accordingly, the same are denied and proof thereof is demanded at the time of trial.

28. Paragraph 28 is denied pursuant to Pennsylvania Rule of Civil Procedure 1029. By way of further answer, should further answer be required, after reasonable investigation, this Defendant is without sufficient information so as to form a belief as to the truth of the averments. Accordingly, the same are denied and proof thereof is demanded at the time of trial.

29. Paragraph 29 is denied pursuant to Pennsylvania Rule of Civil Procedure 1029. By way of further answer, should further answer be required, after reasonable investigation, this Defendant is without sufficient information so as to form a belief as to the truth of the averments. Accordingly, the same are denied and proof thereof is demanded at the time of trial.

30. Paragraph 30 is denied pursuant to Pennsylvania Rule of Civil Procedure 1029. By way of further answer, should further answer be required, after reasonable investigation, this Defendant is without sufficient information so as to form a belief as to the truth of the averments. Accordingly, the same are denied and proof thereof is demanded at the time of trial.

31. Paragraph 31 is denied pursuant to Pennsylvania Rule of Civil Procedure 1029. By way of still further answer, the allegations contained in paragraph 31 are specifically denied.

32. Paragraph 32 is denied pursuant to Pennsylvania Rule of Civil Procedure 1029. By way of further answer, should further answer be required, the allegations constitute conclusions of law to which no responsive pleading is required. By way of still further answer, should further answer be required, after reasonable investigation, this

Defendant is without sufficient information so as to form a belief as to the truth of the averments. Accordingly, the same are denied and proof thereof is demanded at the time of trial.

33. Paragraph 33 is denied pursuant to Pennsylvania Rule of Civil Procedure 1029. By way of further answer, should further answer be required, the allegations constitute conclusions of law to which no responsive pleading is required. By way of still further answer, should further answer be required, after reasonable investigation, this Defendant is without sufficient information so as to form a belief as to the truth of the averments. Accordingly, the same are denied and proof thereof is demanded at the time of trial.

34. Paragraph 34 is denied pursuant to Pennsylvania Rule of Civil Procedure 1029. By way of further answer, should further answer be required, the allegations constitute conclusions of law to which no responsive pleading is required. By way of still further answer, should further answer be required, after reasonable investigation, this Defendant is without sufficient information so as to form a belief as to the truth of the averments. Accordingly, the same are denied and proof thereof is demanded at the time of trial.

35. Paragraph 35 is denied pursuant to Pennsylvania Rule of Civil Procedure 1029. By way of further answer, should further answer be required, the allegations constitute conclusions of law to which no responsive pleading is required. By way of still further answer, should further answer be required, after reasonable investigation, this Defendant is without sufficient information so as to form a belief as to the truth of the averments. Accordingly, the same are denied and proof thereof is demanded at the time of trial.

36. Paragraph 36 is denied pursuant to Pennsylvania Rule of Civil Procedure 1029. By way of further answer, should further answer be required, the allegations constitute conclusions of law to which no responsive pleading is required. By way of still further answer, should further answer be required, after reasonable investigation, this Defendant is without sufficient information so as to form a belief as to the truth of the averments. Accordingly, the same are denied and proof thereof is demanded at the time of trial.

37. Paragraph 37 is denied pursuant to Pennsylvania Rule of Civil Procedure 1029. By way of further answer, should further answer be required, the allegations constitute conclusions of law to which no responsive pleading is required. By way of still further answer, should further answer be required, after reasonable investigation, this Defendant is without sufficient information so as to form a belief as to the truth of the averments. Accordingly, the same are denied and proof thereof is demanded at the time of trial.

38. Paragraph 38 is denied pursuant to Pennsylvania Rule of Civil Procedure 1029. By way of further answer, should further answer be required, the allegations constitute conclusions of law to which no responsive pleading is required. By way of still further answer, should further answer be required, after reasonable investigation, this Defendant is without sufficient information so as to form a belief as to the truth of the averments. Accordingly, the same are denied and proof thereof is demanded at the time of trial.

39. Paragraph 39 is denied pursuant to Pennsylvania Rule of Civil Procedure 1029. By way of further answer, should further answer be required, the allegations constitute conclusions of law to which no responsive pleading is required. By way of still

further answer, should further answer be required, after reasonable investigation, this Defendant is without sufficient information so as to form a belief as to the truth of the averments. Accordingly, the same are denied and proof thereof is demanded at the time of trial.

40. Paragraph 40 is denied pursuant to Pennsylvania Rule of Civil Procedure 1029. By way of further answer, should further answer be required, the allegations constitute conclusions of law to which no responsive pleading is required. By way of still further answer, should further answer be required, after reasonable investigation, this Defendant is without sufficient information so as to form a belief as to the truth of the averments. Accordingly, the same are denied and proof thereof is demanded at the time of trial.

41. Paragraph 41 is denied pursuant to Pennsylvania Rule of Civil Procedure 1029. By way of further answer, should further answer be required, the allegations constitute conclusions of law to which no responsive pleading is required. By way of still further answer, should further answer be required, after reasonable investigation, this Defendant is without sufficient information so as to form a belief as to the truth of the averments. Accordingly, the same are denied and proof thereof is demanded at the time of trial.

COUNT I - ASSAULT
Cynthia L. Williams v. Pamela W. Bradley

41b. Paragraphs 1 through 41 of this Answer are incorporated by reference as though the same were set forth at length fully herein.

42. Paragraph 42 is directly solely to the Co-Defendant, Pamela W. Bradley. Accordingly, no response is required from this Defendant. In the event that further

answer is required, the allegations contained in paragraph 42 are denied pursuant to Pennsylvania Rule of Civil Procedure 1029.

43. Paragraph 43 is directly solely to the Co-Defendant, Pamela W. Bradley. Accordingly, no response is required from this Defendant. In the event that further answer is required, the allegations contained in paragraph 43 are denied pursuant to Pennsylvania Rule of Civil Procedure 1029.

44. Paragraph 44 is directly solely to the Co-Defendant, Pamela W. Bradley. Accordingly, no response is required from this Defendant. In the event that further answer is required, the allegations contained in paragraph 44 are denied pursuant to Pennsylvania Rule of Civil Procedure 1029.

45. Paragraph 45 is directly solely to the Co-Defendant, Pamela W. Bradley. Accordingly, no response is required from this Defendant. In the event that further answer is required, the allegations contained in paragraph 45 are denied pursuant to Pennsylvania Rule of Civil Procedure 1029.

46. Paragraph 46 is directly solely to the Co-Defendant, Pamela W. Bradley. Accordingly, no response is required from this Defendant. In the event that further answer is required, the allegations contained in paragraph 46 are denied pursuant to Pennsylvania Rule of Civil Procedure 1029.

WHEREFORE, Defendant, Thomas J. Bradley, MD, PC, denies that it is liable to the Plaintiff for any sum whatsoever and demands that Plaintiff's Complaint be dismissed with costs assessed against the Plaintiff.

JURY TRIAL DEMANDED

COUNT II – INTENTION INFILCTION OF EMOTION DISTRESS
Cynthia L. Williams v. Pamela W. Bradley

47. Paragraphs 1 through 46 of this Answer are incorporated by reference as though the same were set forth at length fully herein.

48. Paragraph 48 is directly solely to the Co-Defendant, Pamela W. Bradley. Accordingly, no response is required from this Defendant. In the event that further answer is required, the allegations contained in paragraph 48 are denied pursuant to Pennsylvania Rule of Civil Procedure 1029.

49. Paragraph 49 is directly solely to the Co-Defendant, Pamela W. Bradley. Accordingly, no response is required from this Defendant. In the event that further answer is required, the allegations contained in paragraph 49 are denied pursuant to Pennsylvania Rule of Civil Procedure 1029.

WHEREFORE, Defendant, Thomas J. Bradley, MD, PC, denies that it is liable to the Plaintiff for any sum whatsoever and demands that Plaintiff's Complaint be dismissed with costs assessed against the Plaintiff.

JURY TRIAL DEMANDED

COUNT III – RECKLESS INFILCTION OF EMOTION DISTRESS
Cynthia L. Williams v. Pamela W. Bradley

50. Paragraphs 1 through 49 of this Answer are incorporated by reference as though the same were set forth at length fully herein.

51. Paragraph 51 is directly solely to the Co-Defendant, Pamela W. Bradley. Accordingly, no response is required from this Defendant. In the event that further answer is required, the allegations contained in paragraph 51 are denied pursuant to Pennsylvania Rule of Civil Procedure 1029.

52. Paragraph 52 is directly solely to the Co-Defendant, Pamela W. Bradley. Accordingly, no response is required from this Defendant. In the event that further answer is required, the allegations contained in paragraph 52 are denied pursuant to Pennsylvania Rule of Civil Procedure 1029.

WHEREFORE, Defendant, Thomas J. Bradley, MD, PC, denies that it is liable to the Plaintiff for any sum whatsoever and demands that Plaintiff's Complaint be dismissed with costs assessed against the Plaintiff.

JURY TRIAL DEMANDED

COUNT IV – NEGLIGENCE
Cynthia L. Williams v. Pamela W. Bradley

53. Paragraphs 1 through 52 of this Answer are incorporated by reference as though the same were set forth at length fully herein.

54. Paragraph 54 is directly solely to the Co-Defendant, Pamela W. Bradley. Accordingly, no response is required from this Defendant. In the event that further answer is required, the allegations contained in paragraph 54 are denied pursuant to Pennsylvania Rule of Civil Procedure 1029. By way of still further answer, the allegations contained in paragraph 54 are denied. It is denied that Pamela W. Bradley had a propensity to engage in physically aggressive acts towards others.

55. Paragraph 55 is directly solely to the Co-Defendant, Pamela W. Bradley. Accordingly, no response is required from this Defendant. In the event that further answer is required, the allegations contained in paragraph 55 are denied pursuant to Pennsylvania Rule of Civil Procedure 1029.

56. Paragraph 56 is directly solely to the Co-Defendant, Pamela W. Bradley. Accordingly, no response is required from this Defendant. In the event that further

answer is required, the allegations contained in paragraph 56 are denied pursuant to Pennsylvania Rule of Civil Procedure 1029.

57. Paragraph 57 is directly solely to the Co-Defendant, Pamela W. Bradley. Accordingly, no response is required from this Defendant. In the event that further answer is required, the allegations contained in paragraph 57 are denied pursuant to Pennsylvania Rule of Civil Procedure 1029.

58. Paragraph 58 is directly solely to the Co-Defendant, Pamela W. Bradley. Accordingly, no response is required from this Defendant. In the event that further answer is required, the allegations contained in paragraph 58 are denied pursuant to Pennsylvania Rule of Civil Procedure 1029.

59. Paragraph 59 is directly solely to the Co-Defendant, Pamela W. Bradley. Accordingly, no response is required from this Defendant. In the event that further answer is required, the allegations contained in paragraph 59 are denied pursuant to Pennsylvania Rule of Civil Procedure 1029.

WHEREFORE, Defendant, Thomas J. Bradley, MD, PC, denies that it is liable to the Plaintiff for any sum whatsoever and demands that Plaintiff's Complaint be dismissed with costs assessed against the Plaintiff.

JURY TRIAL DEMANDED

COUNT V – NEGLIGENCE
Cynthia L. Williams v. Thomas J. Bradley, MD

61. Paragraphs 1 through 60 of this Answer are incorporated by reference as though the same were set forth at length fully herein.

62. Paragraph 62 is directly solely to the Co-Defendant, Thomas J. Bradley, MD. Accordingly, no response is required from this Defendant. In the event that further

answer is required, the allegations contained in paragraph 62 are denied pursuant to Pennsylvania Rule of Civil Procedure 1029.

63. Paragraph 63 is directly solely to the Co-Defendant, Thomas J. Bradley, M.D. Accordingly, no response is required from this Defendant. In the event that further answer is required, the allegations contained in paragraph 63 are denied pursuant to Pennsylvania Rule of Civil Procedure 1029.

64. Paragraph 64 is directly solely to the Co-Defendant, Thomas J. Bradley, M.D. Accordingly, no response is required from this Defendant. In the event that further answer is required, the allegations contained in paragraph 64 are denied pursuant to Pennsylvania Rule of Civil Procedure 1029.

65. Paragraph 65 is directly solely to the Co-Defendant, Thomas J. Bradley, M.D. Accordingly, no response is required from this Defendant. In the event that further answer is required, the allegations contained in paragraph 65 are denied pursuant to Pennsylvania Rule of Civil Procedure 1029.

WHEREFORE, Defendant, Thomas J. Bradley, MD, PC, denies that it is liable to the Plaintiff for any sum whatsoever and demands that Plaintiff's Complaint be dismissed with costs assessed against the Plaintiff.

JURY TRIAL DEMANDED

COUNT VI – NEGLIGENCE
Cynthia L. Williams v. Thomas J. Bradley, MD, PC

66. Paragraphs 1 through 65 of this Answer are incorporated by reference as though the same were set forth at length fully herein.

67. Paragraph 67 is admitted.

68. The allegations contained in paragraph 68 are denied pursuant to Pennsylvania Rule of Civil Procedure 1029.

69. Paragraph 69 is denied pursuant to Pennsylvania Rule of Civil Procedure 1029. By way of further answer, the allegations contained in paragraph 69 are denied.

70. Paragraph 70 is admitted.

71. Paragraph 71 is denied. Said paragraph sets forth conclusions of law to which no responsive pleading is required. By way of further answer, the allegations contained in paragraph 71 are denied pursuant to Pennsylvania Rule of Civil Procedure 1029.

72. Paragraph 72 is admitted.

73. Paragraph 73 is denied pursuant to Pennsylvania Rule of Civil Procedure 1029. By way of further answer, the allegations contained in paragraph 73 constitute conclusions of law to which no responsive pleading is required.

74. Paragraph 74 is denied pursuant to Pennsylvania Rule of Civil Procedure 1029. By way of further answer, should further answer be required, the allegations contained in paragraph 74 constitute conclusions of law to which no responsive pleading is required. By way of still further answer, it is specifically denied that Defendant was negligent at any time relevant hereto and each and every allegation of negligence contained in subparagraphs (a) through (f) are specifically denied. It is averred, to the contrary, that the Defendant conducted itself in a careful, lawful, and prudent fashion at all relevant times.

75. Paragraph 75 is denied pursuant to Pennsylvania Rule of Civil Procedure 1029. By way of further answer, should further answer be required, the allegations contained in paragraph 75 constitute conclusions of law to which no responsive pleading is required. By way of still further answer, it is specifically denied that Defendant was negligent at any time relevant hereto. As to the allegations regarding

injuries and damages, after reasonable investigation this Defendant is without sufficient information so as to form a belief as to the truth of the averments. Accordingly, the same are denied and proof is demanded at trial.

WHEREFORE, Defendant, Thomas J. Bradley, MD, PC, denies that it is liable to the Plaintiff for any sum whatsoever and demands that Plaintiff's Complaint be dismissed with costs assessed against the Plaintiff.

JURY TRIAL DEMANDED

COUNT VII – NEGLIGENCE
Cynthia L. Williams v. DRMC

76. Paragraphs 1 through 75 of this Answer are incorporated by reference as though the same were set forth at length fully herein.

77. Paragraph 77 is directly solely to the Co-Defendant, DuBois Regional Medical Center. Accordingly, no response is required from this Defendant. In the event that further answer is required, the allegations contained in paragraph 77 are denied pursuant to Pennsylvania Rule of Civil Procedure 1029.

78. Paragraph 78 is directly solely to the Co-Defendant, DuBois Regional Medical Center. Accordingly, no response is required from this Defendant. In the event that further answer is required, the allegations contained in paragraph 78 are denied pursuant to Pennsylvania Rule of Civil Procedure 1029.

79. Paragraph 79 is directly solely to the Co-Defendant, DuBois Regional Medical Center. Accordingly, no response is required from this Defendant. In the event that further answer is required, the allegations contained in paragraph 79 are denied pursuant to Pennsylvania Rule of Civil Procedure 1029.

80. Paragraph 80 is directly solely to the Co-Defendant, DuBois Regional Medical Center. Accordingly, no response is required from this Defendant. In the event

that further answer is required, the allegations contained in paragraph 80 are denied pursuant to Pennsylvania Rule of Civil Procedure 1029.

81. Paragraph 81 is directly solely to the Co-Defendant, DuBois Regional Medical Center. Accordingly, no response is required from this Defendant. In the event that further answer is required, the allegations contained in paragraph 81 are denied pursuant to Pennsylvania Rule of Civil Procedure 1029.

82. Paragraph 82 is directly solely to the Co-Defendant, DuBois Regional Medical Center. Accordingly, no response is required from this Defendant. In the event that further answer is required, the allegations contained in paragraph 82 are denied pursuant to Pennsylvania Rule of Civil Procedure 1029.

83. Paragraph 83 is directly solely to the Co-Defendant, DuBois Regional Medical Center. Accordingly, no response is required from this Defendant. In the event that further answer is required, the allegations contained in paragraph 83 are denied pursuant to Pennsylvania Rule of Civil Procedure 1029.

84. Paragraph 84 is directly solely to the Co-Defendant, DuBois Regional Medical Center. Accordingly, no response is required from this Defendant. In the event that further answer is required, the allegations contained in paragraph 84 are denied pursuant to Pennsylvania Rule of Civil Procedure 1029.

WHEREFORE, Defendant, Thomas J. Bradley, MD, PC, denies that it is liable to the Plaintiff for any sum whatsoever and demands that Plaintiff's Complaint be dismissed with costs assessed against the Plaintiff.

JURY TRIAL DEMANDED

COUNT VIII – MISCELLANEOUS AVERMENTS

85. Paragraph 85 is denied pursuant to Pennsylvania Rule of Civil Procedure 1029. By way of further answer, should further answer be required, the allegations constitute conclusions of law to which no responsive pleading is required.

86. Paragraph 86 is denied pursuant to Pennsylvania Rule of Civil Procedure 1029. By way of further answer, should further answer be required, the allegations constitute conclusions of law to which no responsive pleading is required.

87. Paragraph 87 is denied pursuant to Pennsylvania Rule of Civil Procedure 1029. By way of further answer, should further answer be required, the allegations constitute conclusions of law to which no responsive pleading is required.

WHEREFORE, Defendant, Thomas J. Bradley, MD, PC, denies that it is liable to the Plaintiff for any sum whatsoever and demands that Plaintiff's Complaint be dismissed with costs assessed against the Plaintiff.

JURY TRIAL DEMANDED

NEW MATTER

88. Paragraphs 1 through 87 of this Answer are incorporated by reference as though the same were set forth at length fully herein.

89. Any injuries or damages allegedly sustained by the Plaintiff were due to the conduct of third parties over whom this Defendant had no control.

90. This Defendant pleads the doctrine of superseding intervening cause as an affirmative defense.

91. It is averred that at the time of the incident, the Plaintiff was employed by Thomas J. Bradley, MD, PC.

92. It is averred that at the time of the incident, Thomas J. Bradley, MD was employed by Thomas J. Bradley, MD, PC.

93. It is averred that at the time of the incident, Pamela W. Bradley was employed by Thomas J. Bradley, MD, PC.

94. It is averred that Plaintiff has commenced and prosecuted a workers' compensation proceeding against Thomas J. Bradley, MD, PC and has received workers' compensation benefits as a result of the incident of December 14, 2006.

95. This Defendant, Thomas J. Bradley, MD, PC, is immune from liability pursuant to 77 P.S. §481 and, therefore, pleads the provisions of the Workers' Compensation Act as a bar to recovery.

96. This Defendant avers that the exclusivity provisions of the Pennsylvania Workers' Compensation Act bar Plaintiff's claim and this Defendant avers that this court has no jurisdiction over the Plaintiff's claims.

97. 77 P.S. §481 provides, in pertinent part, that "the liability of an employer under this Act shall be exclusive and in place of any and all other liability to such employees, his legal representative, husband or wife, parents, dependents, next of kin or anyone otherwise entitled to damages in any action at law or otherwise on account of any injury or death as defined in §301(c)(1) and (2) or occupational disease as defined in §108." Accordingly, Plaintiff's claim is barred due to immunity from suit and this court lacks jurisdiction over the Plaintiff's claim as to this Defendant.

WHEREFORE, Defendant, Thomas J. Bradley, MD, PC, denies that it is liable to the Plaintiff for any sum whatsoever and demands that Plaintiff's Complaint be dismissed with costs assessed against the Plaintiff.

JURY TRIAL DEMANDED

CROSS-CLAIM PURSUANT TO Pa.R.C.P. 1031

Thomas J. Bradley, MD, PC v. Pamela W. Bradley

98. In the event that Plaintiff is entitled to recovery, solely for the purpose of the assertion of this cross-claim, the allegations contained in Plaintiff's Complaint directed to Pamela W. Bradley are incorporated by reference as though the same were set forth at length fully herein.

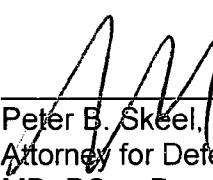
99. In the event that Plaintiff is entitled to recover, which right of recovery is specifically denied, this Defendant avers that the Co-Defendant, Pamela W. Bradley, is alone liable to the Plaintiff or is liable over to this Defendant for contribution and/or indemnity.

WHEREFORE, Defendant, Thomas J. Bradley, MD, PC, denies that it is liable to any party for any sum whatsoever and, in the alternative, demands contribution and/or indemnity from the Co-Defendant, Pamela W. Bradley.

JURY TRIAL DEMANDED

Respectfully submitted,

SUMMERS, McDONNELL, HUOCK,
GUTHRIE & SKEEL


Peter B. Skeel, Esquire
Attorney for Defendant, Thomas J. Bradley,
MD, PC, a Pennsylvania for Profit Corporation.

ATTORNEY VERIFICATION

I, **Peter B. Skeel**, being the attorney for Defendant, **Thomas J. Bradley, MD, PC**, in the within action, am duly authorized to make this Verified Statement on their behalf. I hereby verify that the statements set forth in the foregoing **Answer, New Matter and Cross-Claim Pursuant to Pa.R.C.P. 1031.1** are true and correct to the best of my information and belief.

I understand that false statements made herein are subject to the penalties of 18 Pa. C.S. Section 4904, relating to unsworn falsifications to authorities.

Dated: 8/12/09



Peter B. Skeel, Esquire

#16933

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **Answer, New Matter and Cross-Claim Pursuant to Pa.R.C.P. 1031.1** has been served via first-class U.S. mail, postage prepaid, this 12th day of August, 2009, addressed as follows:

THERON G. NOBLE, ESQUIRE
FERRARACCIO & NOBLE
301 E. PINE STREET
CLEARFIELD, PA 16830
(Counsel for Plaintiff)

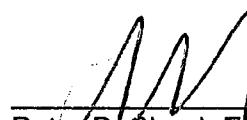
LOUIS C. SCHMITT, JR., ESQUIRE
MCINTYRE, HARTYE & SCHMITT
PO BOX 533
HOLLIDAYSBURG, PA 16648

CHRISTOPHER M. FLEMING, ESQUIRE
SNYDER & ANDREWS
11279 PERRY HIGHWAY, SUITE 400
WEXFORD, PA 15090

BRAD R. KORINSKI, ESQUIRE
THOMSON, RHODES & COWIE, P.C.
TWO CHATHAM CENTER, 10TH FLOOR
PITTSBURGH, PA 15219

MARY L. POTHOVEN, ESQUIRE
LAW OFFICES OF QUERINO R. TORRETTI
600 EAST MAIN STREET
P.O. BOX 218
REYNOLDSVILLE, PA 15851

SUMMERS, McDONNELL, HUDDOCK,
GUTHRIE & SKEEL


Peter B. Skeel, Esquire
Attorney for Defendant, Thomas J. Bradley,
MD, PC, a Pennsylvania for Profit Corporation.
a Pennsylvania for Profit Corporation.

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

S FILED

CYNTHIA L. WILLIAMS, an Adult Individual

Plaintiff,

v.

PAMELA W. BRADLEY, an Adult Individual, THOMAS J. BRADLEY, M.D., an Adult Individual, THOMAS J. BRADLEY, MD., P.C., a Pennsylvania for Profit Corporation, and DUBOIS REGIONAL MEDICAL CENTER, a Pennsylvania Non Profit Corporation

Defendants.

No. 2008 - 1735

ISSUE:

Notice of Service of
Interrogatories and Request for
Production of Documents
Directed to Co-Defendant
Thomas J. Bradley, M.D., P.C. -
Dated August 20, 2009

AUG 21 2009
M 10:30 AM
William A. Shaw
Prothonotary/Clerk of Courts
No C/C

Filed on behalf of Defendant:
Thomas J. Bradley, M.D.,

Counsel of Record:
Louis C. Schmitt, Jr., Esquire
PA ID# 52459
McIntyre, Hartye & Schmitt
P.O. Box 533
Hollidaysburg, PA 16648
(814) 696-3581

JURY TRIAL DEMANDED

I hereby certify that a true and correct copy of the within was mailed to all counsel of record this 20th day of August, 2009.

Attorney for Defendant

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

CYNTHIA L. WILLIAMS, an Adult Individual

No. 2008 - 1735

Plaintiff,

v.

PAMELA W. BRADLEY, an Adult
Individual, THOMAS J. BRADLEY, M.D.
an Adult Individual, THOMAS J. BRADLEY, M.D.,
P.C., a Pennsylvania for Profit
Corporation, and DUBOIS REGIONAL
MEDICAL CENTER, a Pennsylvania
Non Profit Corporation

Defendants.

JURY TRIAL DEMANDED

**NOTICE OF SERVICE OF INTERROGATORIES
AND REQUEST FOR PRODUCTION OF DOCUMENTS DIRECTED TO
CO-DEFENDANT THOMAS J. BRADLEY, M.D., P.C. - DATED AUGUST 20, 2009**

TO: PROTHONOTARY

You are hereby notified that on the **20th** day of **August, 2009**, Co-Defendant, Thomas J. Bradley, M.D. served Interrogatories and Request for Production of Documents Directed to Thomas J. Bradley, M.D., P.C., by mailing the original of same via First Class U.S. Mail, postage prepaid, addressed to the following:

Peter B. Skeel, Esquire
Summers, McDonnell, Hudock, Guthrie
& Skeel, L.L.P.
The Gulf Tower, Suite 2400
707 Grant Street
Pittsburgh, PA 15219

~~MCINTIRE, HARTYE & SCHMITT~~

Attorney for Defendant,
THOMAS J. BRADLEY, M.D.

Louis C. Schmitt, Jr., Esquire
PA I.D. No. 52459
P. O. Box 533
Hollidaysburg, PA 16648-0533
(814) 696-3581

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

CYNTHIA L. WILLIAMS,
an adult individual;

PLAINTIFF,

: No. 08- 1735 -CD

v.

PAMELA W. BRADLEY, an adult individual,
THOMAS J. BRADLEY, MD, an adult individual,
THOMAS J. BRADLEY, MD, P.C., a
Pennsylvania for Profit Corporation;

DEFENDANTS.

5 **FILED**

AUG 24 2009

18:30 AM
William A. Shaw
Prothonotary/Clerk of Courts

No 91 (6)

Type of Pleading:

REPLY TO NEW MATTER OF
THOMAS J. BRADLEY, M.D., PC

Filed By:

Plaintiff

Counsel of Record:

Theron G. Noble, Esquire
Ferraraccio & Noble
301 East Pine Street
Clearfield, PA 16830
(814)-375-2221
PA I.D.#: 55942

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

CYNTHIA L. WILLIAMS,)
an adult individual;)
)
 PLAINTIFF,)
)
 v.)
)
 PAMELA W. BRADLEY, an adult individual,)
 THOMAS J. BRADLEY, MD, an adult individual,)
 THOMAS J. BRADLEY, MD, P.C., a)
 Pennsylvania for Profit Corporation, and)
 DRMC, a Pennsylvania Not for Profit Corporation.)
)
 DEFENDANTS.)
)

) No. 08- 1735 -CD

REPLY TO NEW MATTER OF DEFENDANT
THOMAS J. BRADLEY, MD, PC

NOW COMES, Cynthia L. Williams, Plaintiff, by and through her counsel of record, Theron G. Noble, Esquire, of Ferraraccio & Noble, who avers as follows in support of her Reply to New Matter of Defendant THOMAS J. BRADLEY, MD, PC:

88. Plaintiff hereby incorporates averments 1 - 87, inclusive, of her First Amended Civil Complaint as if the same were again fully set forth at length.
89. The same is a legal conclusion for which no response is deemed necessary. To the extent such a response might be deemed necessary, it is specifically DENIED that this responding did not have control over such third parties and is responsible for said acts for this reason and for the reasons set forth in Plaintiff's First Amended Civil Complaint.

90. The same is a legal conclusion for which no response is deemed necessary.

91. Admitted.

92. Admitted.

93. Denied. If in fact Defendant Pamela W, Bradley was so employed she had not been working regularly or in a capacity known to Plaintiff but may have been merely placed on the payroll for the convenience of her husband, Defendant Thomas J. Bradley, MD. As such, the same is DENIED and strict proof demanded at time of trial.

94. Admitted.

95. The same is a conclusion of law for which no response is deemed necessary.

96. The same is a conclusion of law for which no response is deemed necessary. By way of further response, Plaintiff avers that the same is not applicable due to the intentional nature of the acts herein complained.

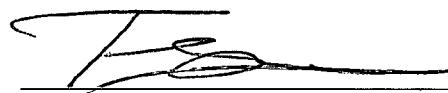
97. See response to averment 96.

ANSWER TO CROSS CLAIM

98 - 99. The same are directed to other parties and therefore no response is deemed necessary.

WHEREFORE, Plaintiff demands JUDGMENT in her favor and against all Defendants, in an amount to be determined at time of trial, but in excess of Twenty Thousand Dollars (\$20,000), together with interest and costs of prosecution, and in circumstances appropriate, punitive damages and attorney's fees.

Respectfully Submitted,



T.G. Noble
THERON G. NOBLE, ESQUIRE
Attorney for Plaintiff
Ferraraccio & Noble
301 E. Pine Street
Clearfield, PA 16830
(814)-375-2221
PA I.D. #: 55942

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

CYNTHIA L. WILLIAMS,)
an adult individual;)
PLAINTIFF,)
v.)
PAMELA W. BRADLEY, an adult individual,)
THOMAS J. BRADLEY, MD, an adult individual,)
THOMAS J. BRADLEY, MD, P.C., a)
Pennsylvania for Profit Corporation, and)
DEFENDANTS.)
No. 08- 1735 -CD

VERIFICATION

I, Cynthia L. Williams, Plaintiff, do hereby swear and affirm that I have read the foregoing REPLY TO NEW MATTER OF DEFENDANT THOMAS J. BRADLEY, MD, PC, and that the averments therein contained are true and correct to the best of my knowledge, information and belief. Furthermore, I am over the age of 18 years of age and give this unsworn statement knowing it is to authorities and subject to the penalties of 18 Pa.C.S.A. 4904.

So made this 19th day of August, 2009.

By,


Cynthia L. Williams, Plaintiff

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

CYNTHIA L. WILLIAMS,)
an adult individual;)
)
 PLAINTIFF,)
) No. 08- 1735 -CD
 v.)
)
 PAMELA W. BRADLEY, an adult individual,)
 THOMAS J. BRADLEY, MD, an adult individual,)
 THOMAS J. BRADLEY, MD, P.C., a)
 Pennsylvania for Profit Corporation, and)
)
 DEFENDANTS.)

CERTIFICATE OF SERVICE

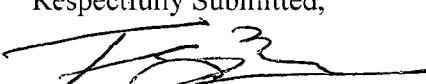
I, Theron G. Noble, Esquire, of Ferraraccio & Noble, counsel for Plaintiff, does hereby certify this 21st day of August, 2009, that I did mail a true and correct copy of Plaintiff's REPLY TO NEW MATTER OF DEFENDANT THOMAS J. BRADLEY, M.D. PC, via United States mail, first class, postage prepaid, to all counsel of record as set forth below:

Louis C. Schmitt, Jr.
McIntyre, Hartye & Schmitt
P.O. Box 533
Hollidaysburg, PA 16648

Peter B. Skeel, Esquire
Summers, McDonnell, et.al.
Gulf Tower, Suite 2400
707 Grant St.
Pittsburgh, PA 15219

Christopher M. Fleming, Esquire
Snyder & Andrews
11269 Perry Hwy, Suite 400
Wexford, PA 15090

Respectfully Submitted,



Theron G. Noble, Esquire
Attorney for Plaintiff
Ferraraccio & Noble
301 E. Pine Street
Clearfield, PA 16830
(814)-375-2221
PA I.D. #: 55942

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

CYNTHIA L. WILLIAMS, an adult
Individual, : No. 08-1735-CD
Plaintiff :
v. : Type of Pleading:
PAMELA W. BRADLEY, an adult : **PRAECIPE FOR WITHDRAWAL**
Individual; THOMAS J. BRADLEY, : **OF APPEARANCE**
MD, an adult individual; THOMAS :
J. BRADLEY, MD, PC, a : Filed on behalf of:
Pennsylvania for profit : Defendant, Thomas J.
Corporation; and DRMC, a : Bradley, MD, PC
Pennsylvania not for profit :
Corporation, : Counsel of Record for
Defendants : This Party:
 : Mary L. Pothoven, Esq.
 : Supreme Court ID#72164
 : PO Box 218
 : Reynoldsville, PA 15851
 : (814) 653-2243

FILED
M 1:04 P.M. 6K
SEP 21 2009 2cc Atty
S
William A. Shaw
Prothonotary/Clerk of Courts
64

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

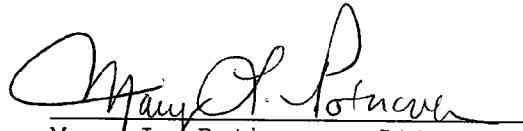
CYNTHIA L. WILLIAMS, an adult : No. 08-1735-CD
Individual, :
Plaintiff :
: v. :
: :
PAMELA W. BRADLEY, an adult :
Individual; THOMAS J. BRADLEY, :
MD, an adult individual; THOMAS :
J. BRADLEY, MD, PC, a :
Pennsylvania for profit :
Corporation; and DRMC, a :
Pennsylvania not for profit :
Corporation, :
Defendants :
:

PRAECIPE FOR WITHDRAWAL OF APPEARANCE

TO THE PROTHONOTARY:

Please withdraw my appearance on behalf of Thomas J. Bradley, one of the defendants in the above captioned matter.

Date: September 16, 2009



Mary L. Pothoven, Attorney
for Thomas J. Bradley

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CYNTHIA L. WILLIAMS, an adult
individual,

Plaintiff,

vs.

PAMELA W. BRADLEY, an adult individual,
THOMAS J. BRADLEY, M.D., an adult
individual, THOMAS J. BRADLEY, M.D.,
P.C., a Pennsylvania for Profit
Corporation, and DRMC, a Pennsylvania
Not for Profit Corporation,

Defendants.

CIVIL DIVISION

No. 08-1735-CD

**PRAECIPE TO WITHDRAW/ENTER
APPEARANCE**

Filed on behalf of Defendant,
Pamela W. Bradley

Counsel of Record for This Party:

CHRISTOPHER M. FLEMING, ESQUIRE
Pa. I.D. #29300

SNYDER & ANDREWS
11269 Perry Highway, Suite 400
Wexford, PA 15090-9389
(724) 934-0388

JURY TRIAL DEMANDED

FILED
M10:45AM
SEP 24 2009
S Copy
William A. Shaw
Prothonotary/Clerk of Courts
to CIA
(60)

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CYNTHIA L. WILLIAMS, an adult
individual,

Plaintiff,

CIVIL DIVISION

No. 08-1735-CD

vs.

PAMELA W. BRADLEY, an adult individual,
THOMAS J. BRADLEY, M.D., an adult
individual, THOMAS J. BRADLEY, M.D.,
P.C., a Pennsylvania for Profit
Corporation, and DRMC, a Pennsylvania
Not for Profit Corporation,

Defendants.

PRAECIPE TO WITHDRAW APPEARANCE

TO: PROTHONOTARY

Please withdraw my appearance on behalf of the Defendant, *Pamela W. Bradley*, in
the above-captioned matter.

SNYDER & ANDREWS

Date: 9/22/09


Christopher M. Fleming, Esquire

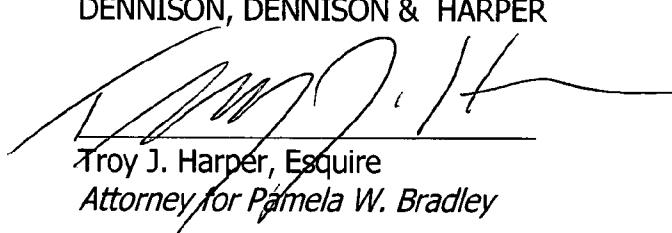
PRAECIPE TO ENTER APPEARANCE

TO: PROTHONOTARY

Please enter my appearance on behalf of the Defendant, *Pamela W. Bradley*, in the
above-captioned matter.

DENNISON, DENNISON & HARPER

Date: 9/22/09


Troy J. Harper, Esquire
Attorney for Pamela W. Bradley

FILED

SEP 24 2009

William A. Shaw
Prothonotary/Clerk of Courts

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

CYNTHIA L. WILLIAMS, an adult Individual, Plaintiff : No. 08-1735-CD
v. :
PAMELA W. BRADLEY, an adult Individual; THOMAS J. BRADLEY, MD, an adult individual; THOMAS J. BRADLEY, MD, PC, a Pennsylvania for profit Corporation; and DRMC, a Pennsylvania not for profit Corporation, Defendants : Type of Pleading:
: **CERTIFICATE OF SERVICE**
: Filed on behalf of:
: Defendant, Thomas J. Bradley, MD, PC
: Counsel of Record for This Party:
: Mary L. Pothoven, Esq.
: Supreme Court ID#72164
: PO Box 218
: Reynoldsville, PA 15851
: (814) 653-2243

FILED
M 10:37 AM
SEP 25 2009
NOCC
LS
William A. Shaw
Prothonotary/Clerk of Courts

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

CYNTHIA L. WILLIAMS, an adult	:	No. 08-1735-CD
Individual,	:	
Plaintiff	:	
	:	
v.	:	
	:	
PAMELA W. BRADLEY, an adult	:	
Individual; THOMAS J. BRADLEY,	:	
MD, an adult individual; THOMAS	:	
J. BRADLEY, MD, PC, a	:	
Pennsylvania for profit	:	
Corporation; and DRMC, a	:	
Pennsylvania not for profit	:	
Corporation,	:	
Defendants	:	
	:	

CERTIFICATE OF SERVICE

I, Mary L. Pothoven, Esquire, hereby attest a True
Copy of the Praeclipe for Withdrawal of Appearance was
served on the Plaintiff, Cynthia L. Williams, by mailing a
copy to her attorney, Theron G. Noble, Esquire, at his
address of 301 East Pine Street, Clearfield, Pennsylvania
16830, by regular mail, postage prepaid, on March 9, 2009.

A True Copy of the Praeclipe for Withdrawal of
Appearance was also served on the following by regular
mail, postage prepaid, on September 23, 2009:

David R. Johnson, Esquire
Thompson Rhodes & Cowie, PC
1010 Two Chatham Center
Pittsburgh PA 15219

Peter B. Skeel, Esq.
Summers McDonnell & Hudock
Guthrie & Skeel, LLP
Gulf Tower
707 Grant Street, Ste. 2400
Pittsburgh PA 15219-1908

Christopher M. Flemming, Esquire
Snyder & Andrews
11269 Perry Highway, Ste. 400
Wexford PA 15090-9389

Lewis C. Schmitt, Jr., Esquire
McIntyre, Hartye & Schmitt
PO Box 533
Hollidaysburg PA 16648

Respectfully submitted:


Mary L. Pothoven, Esquire

Date: September 23, 2009

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CYNTHIA L. WILLIAMS, an adult individual,

Plaintiff,

vs.

PAMELA W. BRADLEY, an adult individual, THOMAS J. BRADLEY, MD, an adult individual, THOMAS J. BRADLEY, MD, PC, a Pennsylvania for Profit Corporation, and DRMC, a Pennsylvania Not for Profit Corporation,

Defendants.

CIVIL DIVISION

NO.: 08-1735-CD

**SUPPLEMENTAL VERIFICATION TO
ANSWER, NEW MATTER AND CROSS-
CLAIMS PURSUANT TO Pa.R.C.P.
1031.1**

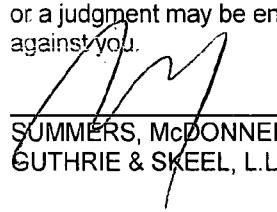
(JURY TRIAL DEMANDED)

Filed on Behalf of Defendant,
Thomas J. Bradley, MD, PC, a
Pennsylvania for Profit Corporation.

Counsel of Record for this Party:

TO: ALL PARTIES

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



SUMMERS, McDONNELL, HUDDOCK
GUTHRIE & SKEEL, L.L.P.

PETER B. SKEEL, ESQUIRE
PA I.D. #30805

SUMMERS, McDONNELL, HUDDOCK,
GUTHRIE & SKEEL, L.L.P.

Firm #911

The Gulf Tower, Suite 2400
707 Grant Street
Pittsburgh, PA 15219

(412) 261-3232

#16933

FILED NO CC
M 12 3 2009
OCT 01 2009
S 15
William A. Shaw
Prothonotary/Clerk of Courts

VERIFICATION

Defendant verifies that he/she is the Defendant in the foregoing action; that the foregoing **ANSWER, NEW MATTER AND CROSS-CLAIM PURSUANT TO Pa.R.C.P.**

1031.1 is based upon information which he/she has furnished to his/her counsel and information which has been gathered by his/her counsel in the preparation of the lawsuit.

The language of the **ANSWER, NEW MATTER AND CROSS-CLAIM PURSUANT TO**

Pa.R.C.P. 1031.1 is that of counsel and not of the Defendant. Defendant has read the

ANSWER, NEW MATTER AND CROSS-CLAIM PURSUANT TO Pa.R.C.P. 1031.1 and

to the extent that the **ANSWER, NEW MATTER AND CROSS-CLAIM PURSUANT TO**

Pa.R.C.P. 1031.1 is based upon information which he/she has given to his/her counsel, it

is true and correct to the best of his/her knowledge, information and belief. To the extent

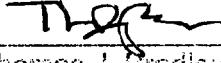
that the content of the **ANSWER, NEW MATTER AND CROSS-CLAIM PURSUANT TO**

Pa.R.C.P. 1031.1 is that of counsel, he/she has relied upon counsel in making this

Affidavit. Defendant understands that false statements herein are made subject to the

penalties of 18 Pa.C.S. §4904, relating to unsworn falsification to authorities.

Date: 9/17/05



By: Thomas J. Bradley, MD, authorized
representative of Defendant, Thomas J.
Bradley, MD, PC

#16933

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **Supplemental Verification to Answer, New Matter and Cross-Claims Pursuant to Pa.R.C.P. 1031.1** has been served via first-class U.S. mail, postage prepaid, this 29th day of September, 2009, addressed as follows:

Theron G. Noble, Esquire
FERRARACCIO & NOBLE
301 E. Pine Street
Clearfield, PA 16830
(*Counsel for Plaintiff*)

Louis C. Schmitt, Jr., Esquire
MCINTYRE, HARTYE & SCHMITT
PO Box 533
Hollidaysburg, PA 16648

Troy J. Harper, Esquire
DENNISON, DENNISON & HARPER
293 Main Street
Brookville, PA 15825
(*Counsel for Pamela W. Bradley*)

Brad R. Korinski, Esquire
David R. Johnson, Esquire
THOMSON, RHODES & COWIE, P.C.
Two Chatham Center, 10th Floor
Pittsburgh, PA 15219

Mary L. Pothoven, Esquire
LAW OFFICES OF QUERINO R. TORRETTI
600 East Main Street
P.O. Box 218
Reynoldsville, PA 15851
(*Counsel for Thomas J. Bradley, MD*)

SUMMERS, McDONNELL, HUOCK,
GUTHRIE & SKEEL



Peter B. Skeel, Esquire
Attorney for Defendant, Thomas J. Bradley,
MD, PC, a Pennsylvania for Profit Corporation.
a Pennsylvania for Profit Corporation.

FILED

OCT 01 2009

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CYNTHIA L. WILLIAMS, an adult individual,

Plaintiff,

vs.

PAMELA W. BRADLEY, an adult individual, THOMAS J. BRADLEY, MD, an adult individual, THOMAS J. BRADLEY, MD, PC, a Pennsylvania for Profit Corporation, and DRMC, a Pennsylvania Not for Profit Corporation,

Defendants.

CIVIL DIVISION

NO.: 08-1735-CD

STIPULATION OF COUNSEL

(JURY TRIAL DEMANDED)

Filed on Behalf of Defendant,
Thomas J. Bradley, MD, PC, a
Pennsylvania for Profit Corporation.

Counsel of Record for this Party:

PETER B. SKEEL, ESQUIRE
PA I.D. #30805

SUMMERS, McDONNELL, HUDDOCK,
GUTHRIE & SKEEL, P.C.

Firm #911

The Gulf Tower, Suite 2400
707 Grant Street
Pittsburgh, PA 15219

(412) 261-3232

#16933

FILED
APR 14 2010
NO CC
S
William A. Shaw
Prothonotary/Clerk of Courts
C60

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CYNTHIA L. WILLIAMS, an adult
individual,

Plaintiff,

vs.

PAMELA W. BRADLEY, an adult
individual, THOMAS J. BRADLEY, MD, an
adult individual, THOMAS J. BRADLEY,
MD, PC, a Pennsylvania for Profit
Corporation, and DRMC, a Pennsylvania
Not for Profit Corporation,

Defendants.

CIVIL DIVISION

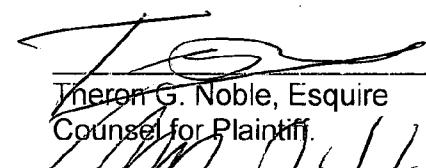
NO.: 08-1735-CD

(JURY TRIAL DEMANDED)

STIPULATION OF COUNSEL

AND NOW, comes the Defendant, Thomas J. Bradley, MD, PC, by its attorneys, Peter B. Skeel and Summers, McDonnell, Hudock, Guthrie & Skeel, P.C., and files this Consent pursuant to Pennsylvania Rule of Civil Procedure 1033 as follows:

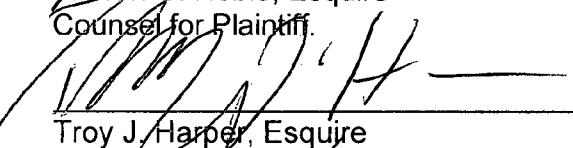
The parties hereto consent to the filing of an Amended New Matter by Thomas J. Bradley, MD, PC to raise the defense of release.



Theron G. Noble, Esquire
Counsel for Plaintiff.

2/27/10

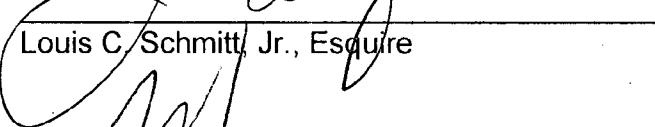
Date



Troy J. Harper, Esquire
Counsel for Defendant Pamela W. Bradley.

3/31/10

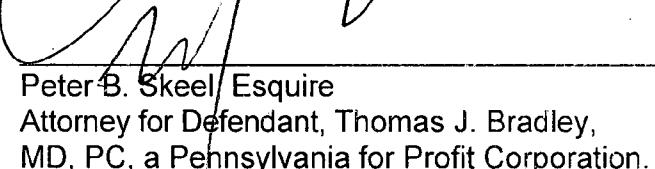
Date



Louis C. Schmitt, Jr., Esquire

4/5/10

Date



Peter B. Skeel, Esquire
Attorney for Defendant, Thomas J. Bradley,
MD, PC, a Pennsylvania for Profit Corporation.

1-27-2010

Date

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **Stipulation of Counsel** has been served via first-class U.S. mail, postage prepaid, this 12 day of April, 2010, addressed as follows:

Theron G. Noble, Esquire
FERRARACCIO & NOBLE
301 E. Pine Street
Clearfield, PA 16830
(*Counsel for Plaintiff*)

Louis C. Schmitt, Jr., Esquire
McINTYRE, HARTYE & SCHMITT
PO Box 533
Hollidaysburg, PA 16648

Troy J. Harper, Esquire
DENNISON, DENNISON & HARPER
293 Main Street
Brookville, PA 15825
(*Counsel for Pamela W. Bradley*)

Brad R. Korinski, Esquire
David R. Johnson, Esquire
THOMSON, RHODES & COWIE, P.C.
Two Chatham Center, 10th Floor
Pittsburgh, PA 15219

Mary L. Pothoven, Esquire
LAW OFFICES OF QUERINO R. TORRETTI
600 East Main Street
P.O. Box 218
Reynoldsville, PA 15851
(*Counsel for Thomas J. Bradley, MD*)

SUMMERS, McDONNELL, HUDOCK, GUTHRIE & SKEEL


Peter B. Skeel, Esquire
Attorney for Defendant, Thomas J. Bradley, MD, PC,
a Pennsylvania for Profit Corporation.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CYNTHIA L. WILLIAMS, an adult individual,

Plaintiff,

vs.

PAMELA W. BRADLEY, an adult individual, THOMAS J. BRADLEY, MD, an adult individual, THOMAS J. BRADLEY, MD, PC, a Pennsylvania for Profit Corporation, and DRMC, a Pennsylvania Not for Profit Corporation,

Defendants.

CIVIL DIVISION

NO.: 08-1735-CD

AMENDMENT TO NEW MATTER

(JURY TRIAL DEMANDED)

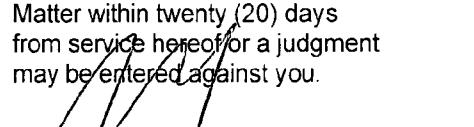
Filed on Behalf of Defendant,
Thomas J. Bradley, MD, PC, a
Pennsylvania for Profit Corporation.

Counsel of Record for this Party:

PETER B. SKEEL, ESQUIRE
PA I.D. #30805

TO: ALL PARTIES

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



SUMMERS, McDONNELL, HUDDOCK,
GUTHRIE & SKEEL, P.C.

SUMMERS, McDONNELL, HUDDOCK,
GUTHRIE & SKEEL, P.C.

Firm #911

The Gulf Tower, Suite 2400
707 Grant Street
Pittsburgh, PA 15219

(412) 261-3232

#16933

FILED
APR 14 2010
S
William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CYNTHIA L. WILLIAMS, an adult
individual,

Plaintiff,

vs.

CIVIL DIVISION

NO.: 08-1735-CD

PAMELA W. BRADLEY, an adult
individual, THOMAS J. BRADLEY, MD, an
adult individual, THOMAS J. BRADLEY,
MD, PC, a Pennsylvania for Profit
Corporation, and DRMC, a Pennsylvania
Not for Profit Corporation,

Defendants.

(JURY TRIAL DEMANDED)

AMENDMENT TO NEW MATTER

AND NOW, comes the Defendant, Thomas J. Bradley, MD, PC, by its attorneys,
Peter B. Skeel and Summers, McDonnell, Hudock, Guthrie & Skeel, P.C., and files this
Amendment to New Matter as follows:

98. The Defendant pleads the defense of release as an affirmative defense.
The Defendant avers that on or about August 1, 2008, the Plaintiff entered into a
Release Agreement, a copy of which is attached hereto as Exhibit "A." It is averred that
pursuant to the terms of the Release Agreement, all or a portion of the claims against
this Defendant are released, and this action is barred in whole or in part.

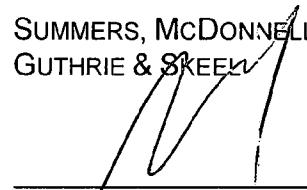
99. The Defendant pleads the fact of the Release Agreement and the terms of
the Release Agreement as an affirmative defense.

WHEREFORE, Defendant, Thomas J. Bradley, MD, PC, denies that it is liable to the Plaintiff for any sum whatsoever and demands that Plaintiff's Complaint be dismissed with costs assessed against the Plaintiff.

JURY TRIAL DEMANDED

Respectfully submitted,

SUMMERS, McDONNELL, HUOCK,
GUTHRIE & SKEEL


Peter B. Skeel, Esquire
Attorney for Defendant, Thomas J. Bradley,
MD, PC, a Pennsylvania for Profit Corporation.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF LABOR AND INDUSTRY
BUREAU OF WORKERS' COMPENSATION
1171 S. CAMERON STREET, ROOM 103
HARRISBURG, PA 17104-2501
(TOLL FREE) 800-482-2383
TTY 800-362-4228
www.dli.state.pa.us

COMPROMISE AND
RELEASE AGREEMENT BY
STIPULATION PURSUANT
TO SECTION 449 OF THE
WORKERS'
COMPENSATION ACT

Date of Injury: 12 / 14 / 2006
MM DD YYYY

PA BWC Claim Number: 3093418
(IF KNOWN)

Employee

First Name	Last Name	
<u>Cynthia</u>	<u>Williams</u>	
Street 1		
<u>49 Thomas Road</u>		
Street 2		
City/Town	State	Zip Code
<u>Brockway</u>	<u>PA</u>	<u>15824</u>
County	Telephone	
<u>Jefferson</u>	<u>814-265-1237</u>	

Employer

Name		
<u>Dr. Thomas Bradley</u>		
Street 1		
<u>PO Box 218</u>		
Street 2		
City/Town	State	Zip Code
<u>DuBois</u>	<u>PA</u>	<u>15801</u>
County	FEIN	
<u>Clearfield</u>		
Telephone		

TO THE PARTIES: DO NOT SUBMIT THIS
AGREEMENT TO THE BUREAU. SUBMIT
IT TO THE ASSIGNED WORKERS' COM-
PENSATION JUDGE.

TO THE EXTENT THIS AGREEMENT
REFERENCES AN INJURY FOR WHICH
LIABILITY HAS NOT BEEN RECOGNIZED
BY AGREEMENT OR BY ADJUDICATION,
THE TERM "INJURY" AS USED IN THIS
AGREEMENT SHALL MEAN "ALLEGED
INJURY".

Insurer or Third Party Administrator (if self-insured)

Name		
<u>Nationwide Insurance Company</u>		
Street 1		
<u>PO Box 69080</u>		
Street 2		
City/Town	State	Zip Code
<u>Harrisburg</u>	<u>PA</u>	<u>17106</u>
County	Bureau Code	
Telephone		
<u>717-657-6486</u>		
Insurer/TPA Claim Number	FEIN	
<u>5437WC89642912140551</u>		

1. This is an agreement in the case of the above listed employee and the above listed employer, insurer, or third party administrator in regards to an injury or occupational disease.

2. State the date of injury or occupational disease 12 / 14 / 2006
MM DD YYYY

3. State the average weekly wage of the employee, as calculated under Section 309. \$ /wk

4. State the injury, the precise nature of the injury, and the nature of the disability, whether total or partial.

The employer does not recognize or accept liability for any alleged work injury.

5. State the weekly compensation rate paid or payable. \$745.00/wk

6. State the amount of indemnity benefits paid or due and unpaid to the employee or dependent up to the date of the stipulation or agreement or death. \$0.00

7. State the amount of the payment of indemnity benefits to be made at or after the date of the stipulation or agreement or death, and the length of time such payment of benefits is to continue. \$100,000.00 for
full compromise and release for future indemnity and medical benefits.

EXHIBIT

8. Does this claim arise out of the death of an employee? Yes No
If Yes, provide the following information:
a. Date of death: / /
 MM DD YYYY
b. Name and address of the widow or widower (include any maiden names, aliases and name upon remarriage, if applicable):
n/a

c. Names, addresses and dates of birth of all children:
n/a

d. If it is claimed that the dependency of any child continues beyond the age of eighteen (18) years, identify that child and state specifically the factual basis for this claim.
n/a

e. State the name, address and relationship to the employee of any other person claiming to be a dependent, together with a brief summary of the factual basis for this claim.
n/a

9. Summarize all of the medical benefits paid, or due and unpaid, to or on behalf of the employee (or each dependent identified in Paragraph 8 above) up to the date of this agreement.

The employer does not recognize or accept liability for any alleged work injury.

10. Summarize all benefits to be paid on and after the date of this stipulation or agreement for reasonable and necessary medical treatment causally related to the injury and the length of time such payment of benefits is to continue.

As of August 1, 2008, Employee is responsible for cost of treatment regarding her work injury. By virtue of this Settlement Agreement, Employee releases Employer/Insurer/TPA from liability for the payment of all future medical bills/expenses/benefits incurred as a result of the December 14, 2006 work injury.

11. Is there an actual or potential lien for subrogation under Section 319? Yes No
If Yes, state the name and address (if known) of the entity asserting the lien and the total amount of compensation, including medicals, paid or payable, which should be allowed to that entity.

Employer/Insurer/TPA is unaware of any third-party claim having been filed by or on behalf of Employee. However, Employer/Insurer/TPA waives all rights pursuant to Section 319 of the Pennsylvania Workers' Compensation Act to enforce its medical and indemnity subrogation lien, against any third-party recovery that Employee has received or will receive in the future.

12. Are there any current child or spousal support orders in place against the claimant? Yes No
If Yes, please explain:

Employee and her counsel agree, per the attached Statement pursuant to 23 Pa. C.S.A. Section 4308.1(F) and the attachments thereto, that there are no spousal and/or child support liens against the employee.

13. List all benefits received by, or available to, the claimant; e.g. Social Security (Disability or Retirement) private health insurance. Medicare, Medicaid, etc. For such benefits, list the amount(s), period of payments of benefits, and status of eligibility determination.

Employee is currently receiving social security disability benefits. Employee is not currently receiving Medicare benefits. Employee has taken the interests of the Centers for Medicare/Medicaid Services (CMS) and the need for a Workers' Compensation Medicare Set Aside Arrangement (WCMSA) into account, and does not believe that the need for a WCMSA exists at the present time. If, however, CMS determines that a WCMSA is required, then the employee is totally and wholly responsible for complying with the directives of CMS regarding the funding of the WCMSA. Employee agrees that the employer/insurer/TPA bear no responsibility for any directives from CMS for administration of the WCMSA. As a condition of the settlement, if CMS determines that a WCMSA is required, the employee agrees to provide copies of all correspondence to and correspondence from CMS for approval of a WCMSA to employer/insurer/TPA. See also Social Security Addendum paragraph below.

13a.

For the purposes of computing social security disability benefits that Employee may receive in the future, the parties stipulate and agree as follows:

The sum of \$100,000.00 represents payment of all future wage and medical claims for workers' compensation. "0" is in consideration of waiver of future medical claims. The sum of \$100,000.00 represents all future wage claims for workers' compensation. This sum is compensation for impairment of the Claimant's earning power for the remainder of her life. Out of this sum, the Claimant is paying \$20,000.00 in attorney's fees. The Claimant will net the sum of \$80,000.00. The Claimant's remaining life expectancy (according to United States Life Tables, 2003, National Vital Statistics Reports; Vol. 52 No. 14, National Center for Health Statistics 2006) is 32.5 years or 390 months. Therefore, even though the above amount is paid in a lump sum, the Claimant's monthly workers' compensation benefit, for the purpose of determining the setoff by the Social Security Administration, if any, amounts to \$205.12 per month for 390 months commencing the day before the date of the written Decision granting the Compromise and Release. The commencement date represents the last payment of temporary total disability benefits. See Sciarotta v. Bowen, 837 F.2d 135, 140-141 (3d Cir. 1987).

14. Check as appropriate:

A vocational evaluation of the employee was completed on _____ / _____ / _____ by _____
A copy of this report is attached hereto.

- Q R -

A vocational evaluation of the employee has been waived by mutual agreement of the parties.

15. State the issues involved in this claim, and the reasons why the parties are entering into this agreement.

The parties wish to completely resolve all aspects of this claim without further current and potential future litigation regarding Employee's receipt of wage loss and medical benefits, and believe that this resolution is in the best interests of the parties.

- .16. The fee agreement between claimant and counsel must be attached.
17. Employer shall be responsible for litigation costs in the total amount of \$4,883.51.
18. Miscellaneous provisions, if any.

The employee and her attorney, James R. Schmitt, Esquire, have entered in a Fee Agreement whereby twenty percent (20%) or \$20,000.00 will be deducted from the settlement proceeds and made payable to James R. Schmitt, Esquire.

By virtue of this Agreement, the employee releases the Employer/Insurer/TPA from all liability arising out of the December 14, 2006 work-related injury. The employee releases the Employer/Insurer/TPA from all liability for the payment of past, present, and future wage loss and medical benefits, consistent with the foregoing paragraphs.

In exchange, the employee will receive a lump sum payment of \$100,000.00, representing full and final settlement for her release of the Employer/Insurer/TPA from all liability discussed above.

Upon approval of the Compromise and Release Agreement and payment of the sum set forth herein, the employee agrees to fully and forever release and waive any future entitlement to proceed with any claim for wage loss and medical benefits the employee has under the Pennsylvania Workers' Compensation Act, as amended, against the Employer and its Insurer/TPA, regarding the December 14, 2006 work injury. This Agreement releases all existing claims and any claims which may arise as a result of any future change in the Pennsylvania Workers' Compensation Act.

The employee agrees to never seek to re-open this workers' compensation claim, or to challenge this resolution, or file a Petition against the Employer/Insurer/TPA under the Pennsylvania Workers' Compensation Act, as amended, regarding the injury set forth herein, or any sequela therefrom.

The employee has further agreed not to appeal the Decision of the Judge approving this Agreement and has executed a Waiver of Right to Appeal.

REMINDER TO PARTIES: Upon approval of this Agreement, please promptly withdraw all appeals pending before the Workers' Compensation Appeal Board, Commonwealth Court, Pennsylvania Supreme Court, etc., which are also resolved by this Agreement.

EMPLOYEE'S CERTIFICATION

1. I certify that I have read this entire agreement, or to the best of my knowledge, information and belief (if applicable) this agreement has been read to me, and I understand all of the contents of this agreement as well as the full legal significance and consequences of entering into this agreement.
2. I understand that, if this agreement is approved, I will receive only the benefits mentioned in this agreement, unless the agreement provides specifically for additional amounts. I understand that my employer, its insurance company or its administrator will never have to pay any other workers' compensation benefits for the injury.
3. Except for the amounts or benefits listed in this agreement, I have been offered nothing of value to convince me to sign this agreement.
4. I have been represented by an attorney of my own choosing during this case. My attorney has explained to me the content of this agreement and its effects upon my rights. CSR (Employee's Initials)

-OR-

I have not been represented by an attorney of my own choosing. However, I have been told that I have the right to be represented by an attorney of my own choosing in this proceeding. I have made my own decision not to have an attorney represent me. _____ (Employee's Initials)

5. Unless specifically stated in this agreement, I understand that this agreement is a compromise and release of a workers' compensation claim, and is not considered an admission of liability by employer and/or insurer and/or administrator.

DO NOT SIGN THIS DOCUMENT UNLESS YOU UNDERSTAND THE FULL LEGAL SIGNIFICANCE OF THIS AGREEMENT.

All parties have read this agreement and agree to its contents. We understand that under this agreement, all petitions are resolved.

Dated: 08 01 2008

MM DD YYYY

Elmer N. Willis

WITNESS TO EMPLOYEE'S SIGNATURE

James R. Schmitt

WITNESS TO EMPLOYEE'S SIGNATURE

Elmer N. Willis

EMPLOYEE (SIGNATURE)

James R. Schmitt

EMPLOYEE'S COUNSEL - James R. Schmitt

For

EMPLOYER/INSURER/THIRD PARTY ADMINISTRATOR (SIGNATURE)

William J. Walls

EMPLOYER/INSURER/THIRD PARTY ADMINISTRATOR COUNSEL

William J. Walls

If not witnessed above, this agreement must be notarized as follows:

AFFIDAVIT/ACKNOWLEDGMENT:

Before me, the undersigned Notary Public, in and for the aforesaid County and State, personally appeared _____ who being first duly sworn, does depose and state that he/she knows (or has satisfactorily proven to be) the individual identified as the employee in the foregoing compromise and release agreement; and that he/she has executed the foregoing compromise and release agreement for the purposes stated herein.

NOTARY PUBLIC

THE COMPROMISE AND RELEASE AGREEMENT IS NOT VALID AND BINDING UNLESS APPROVED BY A WORKERS' COMPENSATION JUDGE IN A DECISION.

Any individual filing misleading or incomplete information knowingly and with intent to defraud is in violation of Section 1102 of the Pennsylvania Workers' Compensation Act and may also be subject to criminal and civil penalties through Pennsylvania Act 165.

Auxiliary aids and services are available upon request to individuals with disabilities.

Equal Opportunity Employer/Program

12/661596.v1

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF LABOR AND INDUSTRY
BUREAU OF WORKERS' COMPENSATION
1171 S. CAMERON STREET, ROOM 103
HARRISBURG, PA 17104-2501

CYNTIA WILLIAMS : Bureau Claim no. 3093418

Claimant : :

vs. : :

DR. THOMAS BRADLEY : :

Employer : :

AMENDED
LEGAL BILL OF COSTS

1)	Sargent's Court Reporting, 3/2/07 preliminary hearing.....	\$222.50
2)	Sargent's Court Reporting, 7/13/07 hearing transcript.....	\$298.25
3)	Sargent's Court Reporting, 9/11/07 hearing transcript.....	\$181.25
4)	IOD Incorporated, Dr. Kraus records	\$102.70
5)	Duplications, Dr. Kraus records	\$34.31
6)	Dr. Kraus deposition fee 2/29/08	\$2,000.00
7)	Dr. Kraus, review medical records	\$1,800.00
8)	Sargent's Court Reporting, Dr. Kraus deposition transcript	\$244.50

TOTAL DUE\$4,883.51

CONTINGENT FEE AGREEMENT FOR REPRESENTATION
IN A WORKERS' COMPENSATION MATTER

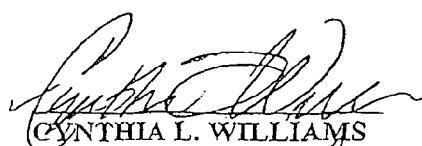
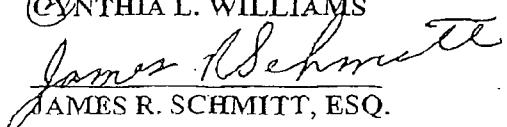
That I, CYNTHIA L. WILLIAMS, for myself, my heirs and assigns, do make constitute and appoint JAMES R. SCHMITT, ESQUIRE, SCHMITT & COLETTA, P.C. my true and lawful attorneys to act for me and on my behalf, in my name, place and stead, to institute and maintain action or actions at law or otherwise against any person, persons or organization to recover damages or to effectuate any equitable remedy which relates to all matters arising out of a workers' compensation matter AND to do all lawful acts requisite for effecting same, hereby ratifying and confirming all that the said attorneys or their substitute or substitutes shall do herein by virtue of the presents.

IT IS UNDERSTOOD AND AGREED by the undersigned that JAMES R. SCHMITT, ESQ., SCHMITT & COLETTA, shall receive as compensation twenty (20%) percent of the gross sum of all benefits secured by them for me by way of trial or agreement or if the claim is accepted or benefits are reinstated; it being understood that in the event said attorneys do not recover any amount by way of agreement or trial or acceptance, they shall not be entitled to receive any fee. It is further understood and agreed that I shall pay to said attorneys any and all costs, charges and expenses incurred by them in connection with this case as they accrue.

In cases where there is an agreement or acceptance of an award by trial with a result favorable to me, but where no immediate award of compensation is made, I agree to pay reasonable counsel fees as agreed upon between me and my attorney.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 25th day of

June, 2007.


CYNTHIA L. WILLIAMS

JAMES R. SCHMITT, ESQ.

Federal I.D. 23-2909313

2-1

ATTORNEY VERIFICATION

I, Peter B. Skeel, being the attorney for Defendant, Thomas J. Bradley, MD, PC, in the within action, am duly authorized to make this Verified Statement on their behalf. I hereby verify that the statements set forth in the foregoing **AMENDMENT NEW MATTER** are true and correct to the best of my information and belief.

I understand that false statements made herein are subject to the penalties of 18 Pa. C.S. Section 4904, relating to unsworn falsifications to authorities.

Dated: 4.12.2010


Peter B. Skeel, Esquire

#16933

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **Amended New Matter** has been served via first-class U.S. mail, postage prepaid, this 12 day of April, 2010, addressed as follows:

Theron G. Noble, Esquire
FERRARACCIO & NOBLE
301 E. Pine Street
Clearfield, PA 16830
(*Counsel for Plaintiff*)

Louis C. Schmitt, Jr., Esquire
MCINTYRE, HARTYE & SCHMITT
PO Box 533
Hollidaysburg, PA 16648

Troy J. Harper, Esquire
DENNISON, DENNISON & HARPER
293 Main Street
Brookville, PA 15825
(*Counsel for Pamela W. Bradley*)

Brad R. Korinski, Esquire
David R. Johnson, Esquire
THOMSON, RHODES & COWIE, P.C.
Two Chatham Center, 10th Floor
Pittsburgh, PA 15219

Mary L. Pothoven, Esquire
LAW OFFICES OF QUERINO R. TORRETTI
600 East Main Street
P.O. Box 218
Reynoldsville, PA 15851
(*Counsel for Thomas J. Bradley, MD*)

SUMMERS, McDONNELL, HUDDOCK,
GUTHRIE & SKEEL

Peter B. Skeel, Esquire
Attorney for Defendant, Thomas J. Bradley,
MD, PC, a Pennsylvania for Profit Corporation.
a Pennsylvania for Profit Corporation.

FILED NO CC
MAY 17 2010
William A. Shaw
Prothonotary/Clerk of Courts
101

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CYNTHIA L. WILLIAMS, an adult
individual,

Plaintiff,

vs.

PAMELA W. BRADLEY, an adult
individual, THOMAS J. BRADLEY, MD, an
adult individual, THOMAS J. BRADLEY,
MD, PC, a Pennsylvania for Profit
Corporation, and DRMC, a Pennsylvania
Not for Profit Corporation,

Defendants.

CIVIL DIVISION

NO.: 08-1735-CD

**SUPPLEMENTAL VERIFICATION TO
AMENDMENT TO NEW MATTER**

(JURY TRIAL DEMANDED)

Filed on Behalf of Defendant,
Thomas J. Bradley, MD, PC, a
Pennsylvania for Profit Corporation.

Counsel of Record for this Party:

PETER B. SKEEL, ESQUIRE
PA I.D. #30805

SUMMERS, McDONNELL, HUDDOCK,
GUTHRIE & SKEEL, P.C.

Firm #911

The Gulf Tower, Suite 2400
707 Grant Street
Pittsburgh, PA 15219

(412) 261-3232

#16933

VERIFICATION

Defendant verifies that he/she is the Defendant in the foregoing action; that the foregoing **AMENDMENT NEW MATTER** is based upon information which he/she has furnished to his/her counsel and information which has been gathered by his/her counsel in the preparation of the lawsuit. The language of the **AMENDMENT NEW MATTER** is that of counsel and not of the Defendant. Defendant has read the **AMENDMENT NEW MATTER** and to the extent that the **AMENDMENT NEW MATTER** is based upon information which he/she has given to his/her counsel, it is true and correct to the best of his/her knowledge, information and belief. To the extent that the content of the **AMENDMENT NEW MATTER** is that of counsel, he/she has relied upon counsel in making this Affidavit. Defendant understands that false statements herein are made subject to the penalties of 18 Pa.C.S. §4904, relating to unsworn falsification to authorities.

Date: 5/1/10

Thomas J. Bradley
By: Thomas J. Bradley, MD, authorized
representative of Defendant, Thomas J.
Bradley, MD, PC

#16933

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **Supplemental Verification to Amendment to New Matter** has been served via first-class U.S. mail, postage prepaid, this 13 day of May, 2010, addressed as follows:

Theron G. Noble, Esquire
FERRARACCIO & NOBLE
301 E. Pine Street
Clearfield, PA 16830
(*Counsel for Plaintiff*)

Louis C. Schmitt, Jr., Esquire
MCINTYRE, HARTYE & SCHMITT
PO Box 533
Hollidaysburg, PA 16648

Troy J. Harper, Esquire
DENNISON, DENNISON & HARPER
293 Main Street
Brookville, PA 15825
(*Counsel for Pamela W. Bradley*)

Brad R. Korinski, Esquire
David R. Johnson, Esquire
THOMSON, RHODES & COWIE, P.C.
Two Chatham Center, 10th Floor
Pittsburgh, PA 15219

Mary L. Pothoven, Esquire
LAW OFFICES OF QUERINO R. TORRETTI
600 East Main Street
P.O. Box 218
Reynoldsville, PA 15851
(*Counsel for Thomas J. Bradley, MD*)

SUMMERS, McDONNELL, HUOCK,
GUTHRIE & SKEEL



Peter B. Skeel, Esquire
Attorney for Defendant, Thomas J. Bradley,
MD, PC, a Pennsylvania for Profit Corporation.
a Pennsylvania for Profit Corporation.

16933

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

CYNTHIA L. WILLIAMS,
an adult individual;

PLAINTIFF,

v.

PAMELA W. BRADLEY, an adult individual,
THOMAS J. BRADLEY, MD, an adult individual,
THOMAS J. BRADLEY, MD, P.C., a
Pennsylvania for Profit Corporation;

DEFENDANTS.

FILED

S JUL 19 2010
m/1.00/ (C)
No. 08- 1735 -CD William A. Shaw
Prothonotary/Clerk of Courts
1 case by
MTR

Type of Pleading:

**PRAECIPE TO SETTLE
AND DISCONTINUE**

Filed By:

Plaintiff

Counsel of Record:

Theron G. Noble, Esquire
Ferraraccio & Noble
301 East Pine Street
Clearfield, PA 16830
(814)-375-2221
PA I.D.#: 55942

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

CYNTHIA L. WILLIAMS,)
an adult individual;)
)
 PLAINTIFF,) No. 08- 1735 -CD
)
 v.)
)
 PAMELA W. BRADLEY, an adult individual,)
 THOMAS J. BRADLEY, MD, an adult individual,)
 THOMAS J. BRADLEY, MD, P.C., a)
 Pennsylvania for Profit Corporation, and)
)
 DEFENDANTS.)

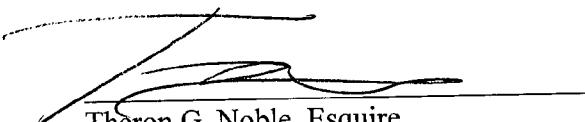
PRAECIPE TO DISCONTINUE

To: William A. Shaw, Prothonotary

Date: July 1, 2010

Please mark the above captioned case, SETTLED, ENDED and FOREVER
DISCONTINUED with prejudice.

Respectfully Submitted,



Theron G. Noble, Esquire
Attorney for Plaintiff
Ferraraccio & Noble
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