

F. Cortez Bell, Jr	ROBERT A. WILLIAMS	JANUARY 10, 1985 COMPLAINT-PARTITION, filed by F. Cortez Bell, Jr., Atty for Plff. 1 cert atty.
	85-1-EQU.	JANUARY 14, 1985 MOTION FOR PUBLICATION AND ORDER, filed by F. Cortez Bell, Jr., Atty for Plff.
Betty Zimmerman	JESSIE H. GORDON MARIAM O. ZIMMERMAN PAUL MILLER: EDWARD MILLER: ANNIE MILLER: HUGH MILLER: LOUIS (Lewis) MILLER: EVERETT McCARTNEY CLARK PETERSON: EDWARD PETERSON: BETTY SHELTON: RUTH CORSE: LUKE and NELLIE MILLER: CATHERINE JOHNSON and GOTHARD JOHNSON: JOHN F. CHILTON: OLIVE TROXELL: and LINDA TROXELL, their heirs, devisees or assigns.	AND NOW, to-wit, this 11th day of January, 1985, upon consideration of the forgoing Motion, the Plaintiff is granted leave to make service of the Complaint on unknown Defendants, their heirs, devisees or assigns by publication in the Progress of Clearfield, Pennsylvania, a newspaper of general circulation, once a week for three(3) consecutive weeks. By the Court, s/John K. Reilly, Jr., President Judge.
Ronald Archer		MARCH 13, 1985, ANSWER TO COMPLAINT IN CIVIL ACTION-PARTITION, filed by Betty Zimmerman, Esq.
		APRIL 26, 1985, MOTION FOR PUBLICATION and ORDER, filed by F. Cortez Bell, Jr., Esq.
		AND NOW, to-wit, this 26th day of April, 1985, upon consideration of the foregoing Motion, the Plaintiff is granted leave to make service of Notice of Default on unknown and unlocated defendants, thier heirs, devisees or assign, by publication in The Progress of Clearfield, Pennsylvania, a newspaper of general circulation, once a week for three (3) consecutive weeks. BY THE COURT: /s/ John K. Reilly, Jr., P.J.
		MAY 14, 1985, PRAECIPE, filed.
		One copy certified to atty
		Please enter my appearance on behalf of the Defendant, Catherine Johnson, by and through her executor, Chester I. Johnson. /s/ Ronald Archer, Esq.
		MAY 14, 1985, ANSWER TO COMPLAINT IN CIVIL ACTION-PARTITION, filed by Ronald Archer, Esq.
		One copy certified to atty.
		MAY 28, 1985, PRAECIPE, filed.
		Pursuant to Rules 1511 and 1557 of the Pennsylvania Rules of Civil Procedure, please enter a judgment that there shall be partition because of a default or admission in the above matter in favor of the Plaintiff and against the Defendants relating to the property described on Exhibit "A" attached hereto.
		It is hereby certified that notice of intention to file this Praecipe was give to the Defendants in default by publication in The Progress, a newspaper of general circulation in and about Clearfield County, Pennsylvania on May 5, 9, abd 16, 1985 pursuant to Order of Court, dated the 26th day of April, 1985. such publication having been after the default occured and at least ten (10) days prior to the date of filing this Praecipe. A Copy of the notice published is attached hereto. /s/ F. Cortez Bell, Jr.
		JUNE 14, 1985, MOTION FOR HEARING & ORDER, filed NOW THIS, 13 day of June, 1985, on Motion of the Plaintiffs, hearing is set pursuant to Pa. R.C.P. 1557 to be held the 10 day of July, 1985, at 1:30 P.M. o'clock to determine the co-tenants and the nature and extent of their interest in the property which is the subject of this action. BY THE COURT: John K. Reilly, Jr President Judge.
		JANUARY 9, 1986, ORDER AND DECREE, filed.
		NOW, January 9, 1986, counsel having agreed to same, it is hereby ordered and decreed that the claimed interests by the parties in and to the premises here involved are as follows:
		Robert A. Williams- 37/96ths interest in all the coal, stone and other minerals in and under the 100 acres of land herein involved and as set forth in paragraph 3 of the Complaint the same being comprosed of a 1/96ths interest purchased from Calvin Peterson and wife as set forth in plaintiffs Exhibit 1 together with a 3/8ths interest conveyed to him by John Oskorip and Eva Oskorip, Trustees, et al as set forth in plaintiffs Exhibit 2.
		Jessie H. Gordon and Miriam O. Zimmerman- 53/96ths interest therein
		Chester I. Johnson- 1/16th interest or 6/96 therein BY THE COURT: /s/ John A Cherry, S,
		JANUARY 20, 1986, MOTION FOR PRELIMINARY CONFERENCE & ORDER, filed
		NOW, this 22nd day of January, 1986, judgment of partition having been duly entered and this Court, by Order and Decree dated January 9, 1986, having set forth the Co-tenants and their respective interests in the premises, the parties or their attorneys are directed to appear at the Courtroom in the Courthouse at Clearfield, Pennsylvania on the 2nd day of April, 1986, at 1:30 o'clock P.M., for a Preliminary Conference pursuant to Pa. R.C.P. No. 1558, which conference will be expected to cover att matters permitted under such Rule. /s/ Joseph S. Ammerman, Judge.
		APRIL 3, 1986, ORDER, filed.
		Now April 2, 1986, the parties having settled all contentious matters in the above-stated cause and are proceeding to file necessary and proper Amendment to the Complaint to reflect the accuracy of Title, it is ordered that hearing be dispensed with and that this matter shall be concluded by Counsels action hereafter. BY THE COURT: /s/ John A, Cherry, Senior Judge.
		MAY 16, 1986, AMENDMENT TO COMPLAINT, filed by F. Cortez Bell, Jr, Esq.



85-1-EQU

JUNE 5, 1986, PRAECIPE, filed  
Plaintiff having purchased the outstanding property interests of all  
Defendants, please mark the above action discontinued.  
/s/ F. Cortez Bell, Jr., Esq.

DISCONTINUED



James A.  
Naddeo

DIANNA LIU, an individual

85-2-EQU

SHIRISH SHAH, an individual  
and SEVEN SEAS FINANCIAL  
ASSOCIATES, INC., a  
Pennsylvania Corporation

Pro	by Atty	40.00
	by Atty	
Shff Hawkins		27.60
	by Atty	
Shff Surcharge		4.00
Pro	by atty	5.00

JANUARY 23, 1985, COMPLAINT IN EQUITY, filed by James A. Naddeo  
Two Copies Certified to Attorney.

FEBRUARY 1, 1985, SHERIFF'S RETURN, filed.  
Now, Jan 28, 1985 at 10:15 AM EST served within  
Complaint on William Richmond, Asst Mgr. for Seven  
Seas Financial Assc, Inc., deft at his place of  
employment.

Now, Jan 28, 1985 at 1:18 PM EST served within  
Complaint on Shirish Shah, deft. at his place of  
employment. So answers, Chester A. Hawkins, Shff By,  
/s/ Marilyn Wood

MARCH 18, 1985, ANSWER, NEW MATTER and COUNTER-  
CLAIM, filed by Robert Hanek, Esq.

APRIL 1, 1985, ANSWER TO NEW MATTER and COUNTER-  
CLAIM, filed by James Naddeo, Esq.

One copy certified to atty.

APRIL 23, 1985, NOTICE OF TAKING DEPOSITION OF  
SHIRISH SHAH, filed by James A. Naddeo, Esq.

MAY 16, 1985, DEFENDANTS' REQUEST FOR PRODUCTION  
OF DOCUMENTS TO PLAINTIFF, filed by Robert Hanek, Esq

MAY 16, 1985, NOTICE OF DIANNA LIU, filed by  
Robert Hanek, Esq.

DECEMBER 16, 1985, PRAECIPE, filed.

NOW COME counsel of record for the above captioned  
parties and request the Prothonotary of Clearfield  
County to mark the above captioned cases settled and  
discontinued with prejudice to both parties. /s/  
James A. Naddeo, Esq

SETTLED DISCONTINUED WITH PREJUDICE

MARCH 28, 1985, ACCEPTANCE OF SERVICE, filed  
On behalf of the Plaintiff, I hereby accept service  
of a copy of the Defendant's Answer, New Matter and  
Counterclaim in the above captioned matter this  
18th day of March, 1985. /s/ James A. Naddeo, Esq.



ada ada na Xidaa ' ' Fes



James A. Naddeo	JACKSON L. GATES, an individual	<p>FEBRUARY 12, 1985, COMPLAINT IN EQUITY, filed by James A. Naddeo One Copy Certified to Attorney MARCH 5, 1985, SHERIFF'S RETURN, filed. Now, February 13, 1985 Eugene L. Coon, Sheriff of Allegheny County was deputized by Chester A. Hawkins Sheriff of Clearfield County to serve the within Complaint on Video Surveys, Inc., defendant. Now, February 20, 1985 served the within Complaint on Video Surveys, Inc., defendant by deputizing the Sheriff of Allegheny County. The return of Sheriff Coon is hereto attached and made a part of this return stating that he served Ray Kulis, Mgr./s/ Chester A. Hawkins, Shff by Marilyn Wood.</p> <p>MARCH 8, 1985, DEFENDANTS PRELIMINARY OBJECTIONS TO PLAINTIFF'S COMPLAINT, filed by Michael Wallish, Esq. One copy certified to atty MARCH 8, 1985, BRIEF IN SUPPORT OF DEFENDANTS PRELIMINARY OBJECTIONS, filed by Micheal Wallisch, Esq One copy taken to Judge</p> <p>MAY 24, 1985, MEMORANDUM AND ORDER, filed WHEREFORE, the Court enters the following: NOW, this 23rd day of May, 1985, it is the ORDER of this Court the Defendant's Preliminary Objections by and are hereby dismissed. BY THE COURT: John K. Reilly, Jr President Judge.</p> <p>JUNE 18, 1985, ANSWER TO COMPLAINT, NEW MATTER AND COUNTERCLAIM, filed by Michael A. WALLISCH, Esq.</p> <p>JULY 8, 1985, ANSWER TO NEW MATTER, filed by James A. Naddeo, Esq. 1 copy cert Atty</p> <p>SEPTEMBER 9, 1985, NOTICE OF TAKING DEPOSITION OF ANTHONY S. KULIS, filed by James A. Naddeo, Esq</p> <p>SEPTEMBER 26, 1985, PRAECIPE, filed. Enter our appearance for Defendant, Video Surveys, Inc. as local counsel./s/ Laurance Seaman, Esq</p> <p>SEPTEMBER 26, 1985 NOTICE OF DEPOSITION OF JACKSON GATES, filed by James A. Naddeo, Esq.</p> <p>AUGUST 19, 1986, PRAECIPE, filed . One Copy Certified to Attorney Please place the above captioned case on the list for trial. BELIN, BELIN &amp; NADDEO By s/ James A. Naddeo, Attorney for Plaintiff</p>																		
Laurance Seaman	VIDEO SURVEYS, INC., a Pennsylvania corporation	<p>85-3-EQU</p> <table><tr><td>Pro</td><td>by Atty</td><td>40.00</td></tr><tr><td>Shff</td><td>by atty</td><td>21.00</td></tr><tr><td>surg</td><td>by atty</td><td>2.00</td></tr><tr><td>Shff</td><td></td><td></td></tr><tr><td>Coon</td><td>by atty</td><td>24.25</td></tr><tr><td>Notary</td><td>by atty</td><td>2.00</td></tr></table> <p>JULY 8, 1987 STIPULATION filed One copy certified Attorney ORDER NOW, the 8 day of July, 1987, in accordance with an agreement of settlement and Stipulation of the parties hereto, said Stipulation is approved and incorporated herein, and the Complaint is hereby dismissed with prejudice. Furthermore, Defendant's Counterclaim, whether titled Counterclaim or New Matter, is dismissed without prejudice, the Defendant having the express right to pursue at any later time, within the appropriate statute of limitations, any claims Defendants may have against Plaintiff arising out of the License Agreement and Employment Agreement between the parties, which claims arose prior to the date of this Order. It is also the Order of this Court that the said License Agreement and Employment Agreement are terminated as of the date of this Order. Plaintiff is directed to return to Defendant for redemption by it all shares of stock of the Plaintiff in the Defendant, without any additional consideration. BY THE COURT: John K. Reilly, Jr., President Judge</p>	Pro	by Atty	40.00	Shff	by atty	21.00	surg	by atty	2.00	Shff			Coon	by atty	24.25	Notary	by atty	2.00
Pro	by Atty	40.00																		
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Notary	by atty	2.00																		



Anthony S. Guido	JOHN B. GREEN, JR. and GERALD J. GAETA, t/a GAETA'S APPLIANCES, Plaintiffs	FEBRUARY 21, 1985, COMPLAINT IN EQUITY, filed by Anthony S. Guido Two Copies Certified to Sheriff. MARCH 5, 1985, SHERIFF'S RETURN, filed. Now, February 26, 1985, at 5:58 PM EST served the with- in Complaint in Equity on Mildred Gearhart, defendant at her place of residence, 415 Daly Street, DuBois, Clearfield County, Penna. by handing to Mildred Gearhart a true and attested copy of the original Complaint in Equity and made known to her the contents thereof. Now, February 26, 1985 at 5:58 PM EST served the with- in Complaint in Equity on Isaac F. Gearhart, defendant at his place of residence, 415 Daly St., DuBois, Clearfield County, Penna. by handing to Isaac F. Gearhart a true and attested copy of the original Complaint in Equity and made known to him the contents thereof. /a/ Chester A. Hawkins, Shff by Marilyn Wood.
85-4-EQU	ISAAC F. GEARHART and MILDRED GEARHART, Defendants	JUNE 10, 1985, PRAECIPE, filed Please mark the above case settled and discontinued. /s/ Anthony S. Guido
		<div>SETTLED</div> <div>DISCONTINUED</div>
	Pro by Atty 40.00 Shff by atty 42.80 surg by atty 4.00 Pro <i>by atty</i> 5.00	



Charles C. Mason, Jr Micheal P. Yeager	LAUREL OF DUBOIS, a limited Partnership, Plaintiff			APRIL 22, 1985, COMPLAINT IN EQUITY, filed by Charles Mason, Jr., Esq. Three copies certified to atty. April 22, 1985, AFFIDAVIT OF SERVICE, filed. Personally appeared before me, the undersigned authority, Peter Pagliassoti, who, being duly sworn according to law, deposes and says that he served the Complaint in Equity at the above number and term upon Dolores Yoke, Secretary of Anthony S. Guido, Esquire Attorney for the Penn Traffic Company, at his office located at Damus Building, DuBois, Pennsylvania at 3:40 PM on April 22, 1985. /s/ Peter Pagliassoti. APRIL 22, 1985, AFFIDAVIT OF SERVICE, filed. Personally appeared before me, the undersigned authority, Peter Pagliassoti, who, being duly sworn according to law, deposes and says that he served the Complaint in Equity at the above number and term upon Raymond Heath at the main office of the Riverside Markets, a division of The Penn Traffic Company at Shaffer Road, DuBois, Pennsylvania at 3:30 PM on April 22, 1985. /s/ Peter Pagliassoti. APRIL 22, 1985, ORDER, filed. Six copies certified to atty. NOW, this 22nd day of April, 1985, upon consideration of Plaintiff's Complaint in Equity, it is the ORDER of this Court that Hearing thereon shall be held Tuesday, Apr; 23, 1985, at 11:00 am. BY THE COURT: /s/ John K. Reilly, Jr., P.J. APRIL 23, 1985, ORDER, filed. NOW, this 23rd day of April, 1985, this being the day and date set for hearing into the above-captioned Complaint in Equity, upon agreement of the parties, it is the ORDER of this Court that said hearing be and is hereby continued to May 1, 1985, at 1:00 P.M. upon condition that Defendant shall maintain business as usual in tis super market located in Plaintiffs mall in Dubois, Pennsylvania, and that Defendant shall submit to Plaintiff before the close of business on Monday, April 29, 1985, its plans in writing for its continued use of said super market. And further, that neither party shall release the contents of this Order to any news media publication. BY THE COURT: /s/ John K. Reilly, Jr., P.J. APRIL 29, 1985, PRELIMINARY OBJECTIONS, Filed by Anthony Guido, Esq. MAY 1, 1985, SUBPOENA TO RAYMOND HEATH % THE PENN TRAFFIC COMPANY, filed. MAY 2, 1985, ORDER, filed. NOW, this 1st day of May, 1985, this being the day and date set for Hearing into the above-captioned Petition for Temporary Injunction, upon agreement of the Parties, as set forth in the attached stipulation, it is the ORDER of this Court that Hearing be and is hereby continued generally. BY THE COURT: /s/ John K. Reilly, Jr., p.J.
Anthony Guido	THE PENN TRAFFIC COMPANY, a Pennsylvania Corporation, Defendant	85-5-EQU	Pro by atty 40.00 Shff by atty 12.00	

Filed in Box 3 caw

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Anthony B.  
Trambley

NEW SHAWMUT MINING COMPANY,  
a Corporation

85-6-EQU

ERNEST CATALDO and AGNES  
CATALDO, husband and wife  
Defendants

and

OMAR IVES and LILLIAN IVES,  
husband and wife

Pro	by Atty	40.00
Shff		
Hawkins	by Atty	26.40
Surg.	by Atty	4.00

MAY 31, 1985, COMPLAINT IN PARTITION--EQUITY, filed  
by Anthony B. Trambley  
Two Copies Certified to Sheriff.

JUNE 10, 1985, SHERIFF'S RETURN, filed  
NOW, June 5, 1985, at 9:35 AM DST served the within  
Complaint in Partition on Agnes Cataldo, defendant  
at her place of residence, Tyler, RD#1, Penfield,  
Clearfield County, Penna. by handing to Agnes Cataldo  
a true and attested copy of the original Complaint  
in Parition and made known to her the contents  
thereof.

NOW, June 5, 1985 at 9:50 AM DST served the within  
Complaint in Partition of Lillian Ives, defendant  
at her place of residence, Tyler, RD#1, Penfield,  
Clearfield County Penna, by handing to Lillian  
Ives a true and attested copy of the original  
Complaint in Partition and made known to her the  
contents thereof.

/s/ Chester A. Hawkins by Marilyn Wood

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Joseph Colavecchi

LEON BARTO; DONNA BURGNER; MICHAEL HARRIS; LINDA ALT; STEVEN HARRIS; CAROL HOY; WILLIAM HOY; NADINE PYLE; PATRICK O'SHELL; CLARE MCGARVEY; AND DORIS MILES

85-7-EQU

Edward J. Bilik.

NICHOLAS NINOSKY, JR. and DESSIE M. NINOSKY, his wife; MICHAEL J. ZABINSKI and DONNA J. ZABINSKI, his wife; and KENNETH L. ROWLES and SANDRA L. ROWLES, his wife

Pro	by Atty	40.00
Shff	by atty	68.40
surg	by atty	12.00

JUNE 12, 1985, COMPLAINT IN PARTITION, EQUITY, filed by Colavecchi & Ryan  
Six Copies Certified to Sheriff  
One Copy Certified to Attorney

JULY 11, 1985, SHERIFFS RETURN, filed.

NOW June 14, 1985 at 1:45 pm DST served the within Complaint in Partition on Nicholas Ninosky Jr., Defendant.

NOW June 14, 1985 at 1:45 pm DST served the within Complaint in Partition of Nicholas Ninosky, Jr., Husband of Dessie M. Ninosky, deft.

NOW June 14, 1985, at 1:45 pm DST served the within Complaint in Partition on Nicholas Ninosky, Jr., Brother of Donna J. Zabinski, deft.

NOW June 14, 1985, at 1:45 pm DST served the within Complaint in Partition on Nicholas Ninosky, Jr., Brother in Law of Michael J. Zabinski, deft.

NOW July 8, 1985 at 11:50 am DST served the within Complaint in Partition on Snadra L. Rowles deft.

NOW July 8, 1985 at 11:50 am DST served the within Complaint in Partition on Sandra L. Rowles Wife of Kennery L. Rowles, Deft. /a/ Chester A. Hawkins, Shff by Marilyn Wood.

AUGUST 27, 1985, ENTRY OF APPEARANCE, filed  
Please enter my appearance on behalf of the defendants in the above captioned matter, Nicholas Ninosky, Jr., Dessie M. Ninosky, Michael J. Zabinski, Donna J. Zabinski, Kenneth L. Rowles and Sandra L. Rowles. /s/ Edward J. Bilik, Esq. 1 cert Atty.

OCTOBER 27, 1985, ORDER DIRECTING PARTITION, filed.  
AND NOW, this 15th day of October, 1985, it is ORDERED, ADJUDGED, AND DECREED that partition be made of the coal rights situated in Chest Township, Clearfield County, Pennsylvania, being bounded and described as follows:

BEGINNING at a stone corner of lands known as the Drinker lands, being the original corner of the Alexander Jackson and Samuel Jackson Warrant; thence by line of Michael Musser Warrant, North eighty-three and one-half (83½) degrees West one hundred twenty (120) perches to a post on the public road; thence by the same and land now or formerly of John Frailey and others, South twenty-five and one-half (25½) degrees West one hundred seventy and two tenths (170.2) perches to a post; thence South thirty-three (33) degrees East eighteen and four tenths (18.4) perches to a post; thence South fifteen (15) degrees East thirty-three (33) perches to a post on line now or formerly of Mary A. Hockenberry; thence by same South sixty (60) degrees East forty-six and one-half (46½) perches to a post on line now or formerly of John Hockenberry; thence by same and lands of thers North

thirth-three and one-half (33½) degrees East two hundred fifty (250) perches to place of beginnings.  
Beleived to consist of approximately one hundred twenty-five (125) acres and fifty (50) perches of coal rights.

The above property shall be partitioned among the parties as follows:

The Coal rights under Assessment Map Number 109-F18-10; Map Number 109-F18-10.1 and Map Number 109-F18-50, said coal rights are owned as follows:

1. Leon Barto - 1/15th interest
2. Donna Burgner - 1/30th interest
3. Michael Harris - 1/150th Interest
4. Linda Alt - 1/150th interest
5. Steve harris - 1/150th Interest
6. Carol Hoy - 1/150th interest
7. Bill Hoy - 1/150th Interest
8. Nadine Pyle - 1/30th interest
9. Patrick O'Shell - 1/30th interest
10. Calre McGarvey - 1/15th Interest
11. Doris Miles - 1/15th Interest
12. Nicholas Ninosky, jr. and Dessie M. Ninosky - 2/3 interest.

The Coal rights under Clearfield County Assessment Map Number 109-F18-51 shall be partitioned as follows:

1. Leon Barto - 1/15th interest
2. Donna Burgner - 1/30th interest
3. Michael Harris - 1/150th Interest.
4. Linda Alt - 1/150th interest
5. Steve Harris - 1/150th interest
6. Carol Hoy - 1/150th interest
7. Bill Hoy - 1/150th interest
8. Nadine Pyle - 1/30th interest
9. Patrick O'Shell - 1/30th interest
10. Clare McGarvey - 1/15th interest
11. Doris Miles - 1/15th interest
12. Michael J. Zabinski and Donna J. Zabinski - 2/3 interest.

The Coal rights udner Clearfield County Assessment Map Number 109-F18-10.2 shall be partitioned as follows:

1. Leon Barto - 1/15th interest
2. Donna Burgner - 1/30th interest



CONTINUED FROM PAGE LL, 85-7-EQU LEON BARTO al vs. NICHOLAS NINOSKY, JR. al  
OCTOBER 17, 1985, ORDER, continued.

3. Michael Harris - 1/150th interest
4. Linda Alt - 1/150th interest
5. Steve Harris - 1/150th interest
6. Carol Hoy - 1/150th Interest
7. Bill Hoy - 1/150th interest
8. Nadine Plye - 1/30th interest
9. Patrick O'Shell - 1/30th interest
10. Calre McGarvey - 1/15th interest
11. Doris Miles - 1/15th interest
12. Kenneth L. Rowles and  
Sandra L. Rowles - 2/3 interest.

The coal rights to Clearfield County Assessment Map Number 109-F18-16 shall be partitioned as follows:

1. Leon Barto - 1/15th interest
2. Donna Burgner - 1/30th interest
3. Michael Harris - 1/150th interest
4. Linda Alt - 1/150th interest
5. Steve Harris - 1/150th interest
6. Carol Hoy - 1/150th interest
7. Bill Hoy - 1/150th interest
8. Nadine Pyle - 1/30th interest
9. Patrick O'Shell - 1/30th interest
10. Clare McGarvey - 1/15th interest
11. Doris Miles - 1/15th interest
12. Nicholas Ninosky, Jr. and  
Dessie M. Ninosky - 2/3 interest.

BY THE COURT: /s/ John K. Reilly, Jr., President Judge.

OCTOBER 17, 1985, ORDER FOR APPOINTMENT OF MASTER, filed.

AND NOW, this 15th day of October, 1985, after preliminary conference thereon between the parties, and pursuant to Rule 1558(b), it is here and now ORDERED that J. RICHARD MATTERN, ESQUIRE, be appointed Master to conduct a sale of the property and to otherwise act upon any and all matters relating to the carrying out of the Order of Partition. BY THE COURT: John K. Reilly, Jr., President Judge.

DECEMBER 11, 1985, FIRST AMENDED COMPLAINT, filed by Joseph Colavecchi, Esq.  
No Copies

NOVEMBER 18, 1986 MASTER'S REPORT filed  
DECREE NISI

AND NOW, this 19 day of November, 1986, after reviewing the report of J. Richard Mattern II, Esquire, Master In Partition in the above-captioned case, the Court hereby approves the proposed Schedule of Distribution and does further direct the Master to make, execute and deliver a deed to Nicholas Ninosky, Jr. and Dessie M. Ninosky, the purchasers at the Private Sale, said deed to be in the form attached to the report, and to make distribution to the parties as set forth in the report.

Unless exceptions are filed to the within Decree Nisi within twenty (20) days from the date hereof, the same shall become final without further Order of Court. BY THE COURT: John K. Reilly, Jr., P.J.



William C. Kriner

MUSTANG COAL AND CONTRACT-  
ING CORPORATION

85-8-EQU

JUNE 13, 1985, COMPLAINT IN EQUITY, filed by William C. Kriner  
One Copy Certified to Attorney.

JULY 2, 1985, AFFIDAVIT OF SERVICE, filed  
NOW, June 26, 1985, at 2:35 P.M. o'clock DST served  
the within Complaint in Equity on Michael J. McNaul,  
Secretary for Bloom Township, defendant at his place  
of residence, RD, Grampian, Clearfield County, Penna.  
by handing to Michael J. McNaul a true and attested  
copy of the original Complaint in Equity and made  
known to him the contents thereof.  
/s/ Chester A. Hawkins by Marilyn Wood.

JULY 29, 1985, ANSWER AND COUNTERCLAIM, filed by  
Barbara H. Schickling, Esq.  
One copy certified to atty

AUGUST 16, 1985, PRELIMINARY OBJECTIONS TO COUNTER-  
CLAIM, filed by William Kriner, Esq.

OCTOBER 1, 1985, ORDER, filed.

AND NOW, this 16th day of September, 1985, follow-  
ing argument on the Preliminary Objections of  
plaintiff to defendants counterclaim and upon agreement  
of counsel for the parties, it is ORDERED AND DECREED  
as follows:

1. That the defendant shall return to the Plain-  
tiff the \$15,000.00 Bond dated November 5, 1979, upon  
the plaintiff presenting to the defendant a Bond in  
the amount of \$5,000.00 with the same terms and  
conditions as the present \$15,000.00 Bond.

2. The Counterclaim filed by the Defendant shall  
only be valid from February 4, 1982 and in all other  
respects such Counterclaim is barred prior to that  
date by virtue of Agreement dated February 4, 1982  
by and between defendant and Nick Sadoti whereby  
Nick Sadoti paid for damages to roadways from coal  
hauling up to and including said date.

3. That the preliminary Objections to counter-  
claim filed by the Plaintiff are hereby dismissed and  
the Plaintiff is hereby ordered to file a reply to  
the defendants Counterclaim as modified by this  
Order, within twenty (20) days of this Order. BY THE  
COURT: /s/ John A. Cherry, S.J.

SEPTEMBER 10, 1985, ANSWERS TO PRELIMINARY  
OBJECTIONS TO COUNTERCLAIM, filed by Barbara H.  
Schickling, Esq.

APRIL 23, 1987, ORDER, filed

NOW, April 23, 1987, upon agreement of counsel,  
it is hereby ORDERED that Paragraph 2 of the Order  
dated September 16, 1985, be and is hereby Amended to  
read as follows:

That the Counterclaim filed by the Defendant shall  
only be valid from the date when Plaintiff, Mustang  
Coal and Contracting Corporation, assumed the coal  
mining and hauling operations of Nick Sadoti, and in  
all other respects, such Counterclaim is barred prior  
to that date by virtue of agreement dated February 4,  
1982, by and between Defendant and Nick Sadoti,  
whereby Nick Sadoti is paid for damages to roadways  
from coal hauling up to and including the date they  
surrendered such coal mining and hauling operations.

It is the Further Order of this Court that  
Plaintiff shall file answer to Counterclaim within Ten  
(10) days from date. BY THE COURT:  
John A. Cherry, Senior Judge.

MAY 13, 1987 REPLY TO COUNTERCLAIM filed by William C. Kriner, Esq.  
Two copies certified Attorney

JUNE 23, 1987 REPLY TO NEW MATTER filed by Barbara H. Schickling, Esq.  
One copy certified Attorney

JUNE 24, 1987 PETITION FOR VIEW OF ROAD filed by Barbara H. Schickling, Esq.  
One copy certified Attorney

RULE TO SHOW CAUSE

AND NOW, this 24th day of June, 1987, a rule is granted upon Mustang Coal & Contracting  
Corporation, Plaintiff, in the above-captioned action, to show cause why the roads in Bloom  
Township, Clearfield County, Pennsylvania, should not be viewed as set forth in the Petition of  
The Board of Township Supervisors of Bloom Township.

Rule Returnable 26 day of June, 1987, at the Clearfield County Courthouse, at 8:30 A.M.  
All proceedings to stay meanwhile. BY THE COURT: John A. Cherry, Judge

SEPTEMBER 24, 1987, TRANSCRIPT OF HEARING, filed in trans. drawer "B"  
Envelope of Exhibits attached to transcript.



Cont'd from Pg. 13

85-8-EQU

MUSTANG COAL vs BLOOM TWP.

DECEMBER 1, 1987, MEMORANDUM AND ORDER NISI, filed  
 NOW, November 30, 1987, it is hereby Ordered that the Plaintiff tar and chip T-484 to the extent of three-tenths of a mile as agreed; and an additional sum of Six Hundred Fifty (\$650.00) Dollars be paid to the Defendant. It is further Ordered upon same being completed by the Plaintiff this Court shall, upon proof thereof being submitted, release the Plaintiff from the said Bond of Five Thousand (\$5,000) Dollars.

This Order shall become absolute untill exceptions be filed within ten (10) days from date. BY THE COURT: John A. Cherry, Senior Judge.

DECEMBER 2, 1987, ENVELOPE CONTAINING EXHIBITS OF CASE 85-8-EQU,  
 filed in trans. drawer "B"

DECEMBER 10, 1987, PLAINTIFF'S EXCEPTIONS, filed by William C. Kriner, Esq.

DECEMBER 10, 1987, DEFENDANT'S EXCEPTIONS, filed by Barbara H. Schickling, Esq.

SEPTEMBER 28, 1988, AMENDED ORDER, filed

AND NOW, this 28th day of September, 1988, upon consideration of the foregoing Motion, the following Order is entered which shall amend and supersede the Order Nisi dated November 30, 1987. It is hereby ORDERED and DECREED that the Plaintiff shall tar and chip township Road T-461 for a distance of approximately Two Thousand Six Hundred (2,600) feet so that said road is in as "good or better" conditiation than prior to its removal, and pay to the Defendant the sum of Six Hundred Fifty (\$650.00) Dollars. It is the further Order of this Court that the tarring and chipping be completed within thirty (30) days of this Order and upon completion of this work and payment being made, this Court shall, upon proof thereof being submitted, release the Plaintiff from the bonding obligation dated November 5, 1979, in the amount of Fifteen Thousand (\$15,000.00) Dollars [reduced by a prior Order of this Court to a sum of Five Thousand (\$5,000.00) Dollars], and from the bonding obligation dated November 5, 1979, in the amount of Eighteen Thousand (\$18,000.00) Dollars.

This Order shall become absolute unless exceptions be filed within ten (10) days from date. BY THE COURT: John A. Cherry, Sr. J.

OCTOBER 6, 1988, MOTION TO MODIFY ORDER, filed by William C. Kriner, Esq.

3 copies cert to atty.

CERTIFICATE OF SERVICE:

I hereby certify that a true and correct copy of the foregoing Motion to Modify Order was served this 6th day of October, 1988, by hand delivery on the following: Barbara H. Schickling, Esq. /s/ Wm. Kriner, Esq.

OCTOBER 6, 1988, PLAINTIFF'S EXCEPTIONS, filed by William C. Kriner, Esq.

3 copies cert to atty.

CERTIFICATE OF SERVICE:

I, William C. Kriner, Esq. hereby certify that a true and correct copy of the foregoing Plaintiff's Exceptions was served, by hand delivery, this 6th day of October, 1988, upon the following: Barbara H. Schickling, Esq. /s/ Wm. C. Kriner, Esq.

NOVEMBER 9, 1988 ORDER filed.

NOW, November, 9, 1988, upon consultation with counsel, for both of the above stated parties, we hereby Amend the Order of September 28, 1988, to provide that the tarring and chipping of Township Road T-461 for A distance of Two Thousand SixHundred (2,600) feet on or before the expiration of Thirty (30) days from the said date of September 28, 1988, to require that the same be completed on or before April 15, 1989. weather perm itting. The bond now in existance shall be continued until all matters required by this and the preceding Order of September 28, 1988, have been complied with. It is the further Order of the Court that the provision for payment of Six Hundred Fifty (\$650.00) dollars in cash shall be paid forthwith. Upon said payment the Five Thousand(\$5,000.00) dollar bond shall be released.

In all other respects, including the bonding obligation in the amount of Eighteen thousand (\$18,000.00) dollars, shall remain in effect. by the court /s/ John A.Cherry, Senior Judge, 2/Cert Atty Schickling, 1/Cert Atty Kriner.

SEPTEMBER 27, 1989, PETITION, filed by William C. Kriner, Esquire.

SEPTEMBER 27, 1989, RULE TO SHOW CAUSE, filed.

And now, this 26th day of September, 1989, upon consideration of the foregoing Petition filed by the Plaintiff, Mustand Coal & Contracting, A Rule is hereby issued to the Defendant, Bloom Township Board of Supervisors, to show cause why the Bond in teh amount of Eighteen thousand (\$18.000) Dollars, should not be returned to the Plaintiff forthwith.

Rule Returnable on the 10th day of October, 1989, at 2:30 o'clock P.M. in Court-room No. 1. BY THE COURT: /s/ John K. Reilly, Jr., President Judge.

CERTIFICATE OF SERVICE, filed.

OCTOBER 6, 1989, ANSWER AND NEW MATTER, filed by Barbara H. Schickling, Esq.  
 1 cert/Atty

CERTIFICATE OF SERVICE, filed

I hereby certify that a copy of the foregoing Answer and New matter was hand delivered to the following on October 6, 1989: William C. Kriner, Esq. /s/ Barbara H. Schickling, Esq.

AUGUST 9, 1990, TRANSCRIPT OF HEARING AND EXHIBIT, filed in Trans Dr. "B"

AUGUST 9, 1990, TRANSCRIPT OF HEARING AND EXHIBIT, filed in Trans Drawer "B"

SEPTEMBER 17, 1991, PETITION FOR FORFEITURE OF BOND, filed by Barbara H. Schickling, ESq. 2 cert/Atty

RULE, filed

AND NOW, this 16th day of September, 1991, upon consideration of the Motion of Barbara H. Schickling, Esquire, it is the ORDER of this Court that a Rule be issued upon the Respondent, Mustang coal & Contracting to show cause why the Prayer of the



Joseph J. Lee

THOMAS MERLE CURRY

85-9-EQU

JAMES ROBERT MCTAVISH, SR.

Pro	by Atty	20.00
	by atty	
Shff	Hawkins	17.00
	by atty	
Shff	Surchg	2.00

JUNE 18, 1985, PRAECIPE FOR WRIT OF SUMMONS IN EQUITY, filed by Joseph J. Lee

Issue writ of Summons in Equity captioned as per above. Mark the same as Lis Penden against the Defendant, James Robert McTavish, Sr. in above case. s/ Joseph J. Lee, Attorney for Plaintiff

JUNE 18, 1985, WRIT OF SUMMONS ISSUED TO SHERIFF FOR SERVICE.

JULY 3, 1985 AFFIDAVIT OF SERVICE, filed.

NOW, June 26, 1985 served the within Summons in Equity on James Robert McTavish, Sr., defendant at Market St., Clearfield, Clearfield County, PA (Courthouse) by handing to James Robert McTavish, Sr. a true and attested copy of the original Summons in Equity and made known to him the contents thereof. So answers, Chester A. Hawkins, Sheriff by Marilyn Wood.

FEBRUARY 22, 1994, ORDER, filed 1 cert/Atty Kriner 1 cert/Atty Schickling  
 NOW, this 22nd day of February, 1994, following hearing and briefs, it is the ORDER of this Court that Plaintiff's Petition for Release of Bond be and is hereby denied. It is the further ORDER of this Court that Plaintiff's Petition for Forfeiture of Bond be and is hereby granted to the extent that a sufficient amount of said bond shall be used to return T-461 located in Bloom township, Clearfield County, Pennsylvania, to the condition it was in at the time of the agreement between the parties as testified to at the hearings hereon and as discussed in the Opinion of this Court dated November 7, 1993. BY THE COURT John K. Reilly, Jr. P.J.

JUNE 2, 1994, PETITION REQUESTING PLAINTIFF TO DEPOSIT BOND MONEY INTO COURT,  
 filed by Barbara H. Schickling, Esq. 2 cert/Atty Schickling  
RULE RETURNABLE, filed

AND NOW, this 1st day of June, 1994, upon consideration of the PETITION REQUESTING PLAINTIFF TO DEPOSIT BOND MONEY INTO COURT, filed by the Defendant, it is hereby ORDERED and DECREED that a Rule is issued upon the Plaintiff to show cause why the relief prayed for in the Petition should not be granted.

Rule returnable and a hearing thereon to be held on the 14th day of June, 1994, at 9:00 am in Courtroom No 1 of the Clearfield County Courthouse, Clearfield, Pennsylvania. BY THE COURT: John K. Reilly, Jr, P.J.

JUNE 3, 1994, CERTIFICATE OF SERVICE, filed

June 3, 1994, PETITION AND RULE MAILED TO ATTY Schickling, Kriner. /s/ arf.

JUNE 16, 1994, ANSWER TO PETITION REQUESTING PLAINTIFF TO DEPOSIT BOND MONEY INTO COURT, filed by William C. Kriner, ESq. 2 cert/Atty Kriner

CERTIFICATE OF SERVICE, filed

June 16, 1994, ANSWER TO PETITION REQUESTING PLAINTIFF TO DEPOSIT BOND MONEY INTO COURT SERVED TO: Ms. Barbara H. Schickling, ESq. /s/ William C. Kriner, Esq.

JULY 19, 1994, ORDER, filed 1 cert/Atty Kriner, Schickling

AND NOW, this 18th day of July, 1994, following RETURN of the Rule issued on Mustang Coal & Contracting at the request of the Petition of Bloom Township Board of Supervisors for the Plaintiff to Deposit Bond Money into Court, it is hereby ORDERED and DECREED that the bond to be used to return T-461 located in Bloom Township, Clearfield County, Pennsylvania, is forfeited in the amount of \$14,652.60 and shall be paid to Bloom Township forthwith to be used to return T-461 to the condition it was in at the time of the agreement between the parties as has been testified to at the various hearings held in this case and discussed in prior Opinions of this Court. BY THE COURT: John K. Reilly, Jr, P.J.



Richard A. Bell	NATHANIEL D. YINGLING	JUNE 24, 1985, COMPLAINT ACTION IN EQUITY AND DECLARATORY JUDGMENT, filed by Richard A. Bell, Esquire One Copy Certified--held in our office.
	85-10-EQU	7-7-85 SERVICE ACCEPTED BY CARL A. BELIN, ESQ. JULY 17, 1985, ANSWER TO COMPLAINT AND NEW MATTER, filed by Carl A. Belin, Jr., Esq. JULY 31, 1985, REPLY TO NEW MATTER, filed by Richard Bell, Esq. OCTOBER 15, 1985, MOTION FOR JUDGMENT ON THE PLEADING and ACCEPTANCE OF SERVICE, filed. Service accepted this 15th day of October 1985. /s/ Richard Bell, Esq. OCTOBER 22, 1985, ANSWER TO MOTION FOR JUDGMENT ON PLEADINGS FILED BY DEFENDANTS, filed by Richard A. Bell, Esq. MAY 8, 1986, OPINION and ORDER, filed. NOW, May 7, 1986, after careful consideration and in accordance with the foregoing, it is ordered that defendants Motion for Judgment on the Pleadings is denied. The parties shall further proceed under the Pennsylvania Rules of Civil Procedure. BY THE COURT: /s/ John A. Cherry, Senior Judge APRIL 8, 1987 REQUEST FOR ADMISSION filed by Carl A. Belin, Jr., Esq. CERTIFICATE OF SERVICE FEBRUARY 16, 1988, REQUEST FOR PRODUCTION OF DOCUMENTS, filed by Carl A. Belin, Jr., Esq. 1 cert/Atty FEBRUARY 16, 1988, CERTIFICATE OF SERVICE, filed. This is to certify that the undersigned has on this date served an original and two (2) copies of Interrogatories in the above-captioned matter by depositing aforesaid document in the U.S. Postal Service, postage prepaid, first class mail this 16th day of February, 1988 and addressed as follows: Richard A. Bell, Esq. /s/ Carl A. Belin, Jr., Esq. MARCH 3, 1988, PLAINTIFF'S ANSWER TO DEFENDANTS' INTERROGATORIES, filed by Richard A. Bell, Esq. MARCH 3, 1988, NOTICE OF TAKING ORAL DEPOSITION OF NATHANIEL D. YINGLING, filed by Carl A. Belin, Jr., Esq. 1 cert/Atty. MARCH 8, 1988, PLAINTIFF'S MOTION FOR PROTECTIVE ORDER AND ORDER OF COURT, filed. 1 "Order" cert/Atty Belin NOW THIS 4th day of March, 1988, upon consideration of the within Motion, Argument is scheduled on the Motion on the 14th day of March, 1988, at 2:30 pm. Notice of the time for Argument and a copy of the Motion shall be served on counsel for the Defendants with personally or by regular mail, before Honorable John A. Cherry. BY THE COURT: John K. Reilley, Jr., P.J. MARCH 14, 1988, ANSWER TO MOTION FOR PROTECTIVE ORDER AND CERTIFICATE OF SERVICE, filed by Carl A. Belin, Jr., Esq. MARCH 18, 1988 OPINION & ORDER, filed (copies mailed to atty's by CA) NOW, this 17th day of March, 1988, following hearing, it is the Order of this Court that Plaintiff's Motion for Protective Order is hereby denied; and Plaintiff is hereby Ordered to make the requested information, if in his possession or rights of possession, available to the Defendant at the earliest practical date, but not later than thirty (30) days from date. BY THE COURT: John A. Cherry, Senior Judge. MARCH 21, 1988, NOTICE OF DEPOSITION OF JEAN H. BACHARACH, FILED by Richard A. Bell, Esq. NOVEMBER 8, 1988, JOINT PRAECIPE TO DISCONTINUE, filed Please mark the above-captioned action settled, discontinued and ended. /s/ Richard A. Bell, and Carl A. Belin, Jr, Esq.
	Pro by Atty 40.00	
	Pro by Atty 5.00	
	SETTLED	DISCONTINUED ENDED



RULE CONT.

Petitioner's Petition for Forfeiture of Bond not be granted.

Rule Returnable and hearing thereon to be held the 18th day of October, 1991, at 9:00 AM in Courtroom No. 1 of the Clearfield County Courthouse, Clearfield, PA  
BY THE COURT: John K. Reilly, Jr., P.J.

SEPTEMBER 30, 1991, ANSWER AND NEW MATTER, filed by William C. Kriner, Esq. 3 cert/Atty  
CERTIFICATE OF SERVICE, filed

I, William C. Kriner, Hereby certify that a true and correct copy of the foregoing Answer and New Matter was served by US Mail, first class this 30th day of September, 1991, upon the following; Barbara Schickling, Esq. /s/ William C. Kriner, Esq.

OCTOBER 17, 1991, REPLY TO NEW MATTER, filed by Barbara H. Schickling, Esq  
on behalf of Bloom Twp Supervisors 1 cert/Atty  
CERTIFICATE OF SERVICE, filed

I, Barbara H. Schickling, hereby certify that a true and correct copy of the foregoing Reply to New Matter was served by being hand delivered this 17th day of October, 1991, to the following: William C. Kriner, Esq. /s/ Barbara H. Schickling, Esq.

NOVEMBER 7, 1991, OPINION AND ORDER, filed

NOW, this 7th day of November, 1991, following hearing, it is the ORDER Of this Court that Plaintiff's Petition for Release of Bond be and is hereby denied. It is the further ORDER of this Court that Deendant's Petition for Forfeiture of Bond be and is hereby granted to the extent that a sufficient amount of said bond shall be used to return R-461 located in Bloom Township, Clearfield County, Pennsylvania, to the condition it was in at the time of the agreement between the parties as testified to at the hearing hereon and as discussed in the attached Opinion. BY THE COURT: John K. Reilly, Jr., P.J.

MAY 18, 1992, PETITION TO ENFORCE COURT ORDER, filed by Barbara H. Schickling, Esq. 2 cert/Atty

RULE TO SHOW CAUSE, filed

AND NOW, this 18th day of May, 1992, upon consideration of the within Petition to Enforce Court Order, a Rule is granted upon Respondent, Mustang Coal & Contracting to show cause why the relief requested in said Petition should not be granted.

RULE RETURNABLE, with hearing thereon on the 1st day of June, 1992, at 1:30 pm in Courtroom 1, Clearfield, Clearfield County, Pennsylvania. BY THE COURT: John K. Reilly, Jr., P.J.

MAY 19, 1992, CERTIFICATE OF SERVICE, filed

AND NOW, this 19th day of May, 1992, I, Barbara H. Schickling, Esquire, who, being duly sworn according to law, deposes and says that I served a certified copy of the Petition to Enforce Court Order, in the above-captioned matter, by hand delivering the same on the 19th day of May, 1992, to the following: Mustang Coal & Contracting, Plaintiff c/o William C. Kriner, Esq. /s/ Barbara H. Schickling, Esq.

MAY 26, 1992, AFFIDAVIT, filed

AND NOW, this 26th day of May, 1992, I, Barbara H. Schickling, Esquire, who being duly sworn according to law, deposes and says that I served a certified copy of the Petition to Enforce Court Order, in the above-captioned action on Mustang Coal and contracting, REspondent, in the above-captioned action on Mustang Coal and Contracting, Respondent, in the above-captioned action, by sending said copy by Certified Mail No. P 622 492 328, return receipt requested, restricted delivery, to the said Respondent at its last known address, to-wit: PO Box 632 Somerset, PA, 15501. /s/ Barbara H. Schickling, Esq.

JUNE 1, 1992, ANSWER TO PETITION TO ENFORCE COURT ORDER, filed by William C. Kriner, Esq.

CERTIFICATE OF SERVICE, filed

I hereby certify that on the 1st day of June, 1992, I served a copy fo the foregoing ANSWER TO PETITION TO ENFORCE COURT ORDER upon Barbara H. Schickling, Esquire, by personal service at the folliowng address: Barbara H. Schickling, Esq. /s/ William C. Kriner, Esq.

JUNE 2, 1992, ORDER, filed

NOW, this 1st day of June, 1992, following argument into Defendnat's Petition to Enforce Order, it si the ORDER Of this Court that said matter be and is hereby continued for a period not less than thirty (30) days to provide the parties with an opportunity to amicably agree upon an independent contractor to tar and chip the subject road to a depth of at least 1½ inches, failing which the matter shall be rescheduled for further hearing. BY THE COURT: John K. Reilly, Jr., P.J.

SEPTEMBER 21, 1992 MOTION AND ORDER, filed.

Motion, filed by Barbara Schickling, Esquire.

ORDER, filed.

AND NOW, this 21, day of September, 1992, upon consideration of the within Motion Requesting Hearing, a hearing on Defendant's Petition to Enforce Order continued from June 1, 1992, is hereby rescheduled for the 21st day of October, 1992, at 10:00 o'clock A.M. in Courtroom No.- of the Clearfield County Courthouse, Clearfield, Pennsylvania. BY THE COURT: s/ JOHN K. REILLY, JUDGE.  
THREE COPIES CERTIFIED TO ATTORNEY.

MAY 27, 1993, ORDER, filed

NOW, this 26th day of May, 1993, following hearing and briefs in the above-captioned matter, it is the ORDER Of this Court that Defendant Bloom Township Board of Supervisors shall proceed to repair the subject road to return it to the condition that it was in prior to the operation s of Mustang coal & Contracting and that payment therefor not to exceed \$14,652.60 shall be made from the bond posted by Mustang Coal and Contracting. BY THE COURT: JOHN K. Reilly, Jr., P.J.



Benjamin  
Novak

TERRENCE B. ALLESHUSKI  
2274 Reading Blvd.  
West Lawn, PA 19609  
AND  
STANLEY F. BIALEK  
182 Portland Avenue  
West Lawn, PA 19609  
AND  
MARC GABEL  
1810 Portland Avenue  
West Lawn, PA 19609

85-11-EQU

RICHARD L. FRANKS  
7 Crosskeys Rd, Box 144  
Collegeville, PA 19426  
AND  
SANDY CREEK FOREST, INC  
7 Crosskeys Rd, Box 144  
Collegeville, PA 19426

Pro	by Atty	20.00
Shff	by atty	25.00
surg	by atty	4.00
Shff		
Lalley	by atty	24.00

JUNE 24, 1985, PRAECIPE FOR WRIT OF SUMMONS, filed  
by Benjamin Novak, Esquire  
Enter my appearance for the Plaintiffs and issue a  
summons in a civil action (equity, assumpsit, trespass)  
in the above-captioned matter. NOVAK, STOVER & McCARTY,  
By /s/ Benjamin Novak, Esquire  
JUNE 24, 1985, WRIT OF SUMMONS ISSUED TO SHERIFF FOR  
SERVICE.

JULY 23, 1985, SHERIFFS RETURN, filed.  
Now July 11, 1985 Frank P. Lalley, Acting Sheriff  
of Montgomery County was deputized by Chester A. Hawkins  
Sheriff of Clearfield County to serve the within  
Summons in Equity on Richard L. Franks & Sandy Creek  
Forest Inc., Defendant  
Now, July 16, 1985 served the within Writ of  
Summons in Equity on Richard L. Franks & Sandy Creek  
Forest Inc., defendants by deputizing the Sheriff of  
Montgomery County. The return of Acting Sheriff Lalley  
is hereto attached and made a part of this return  
stating that he served James Lovette, P.I.C. /a/ Chester  
A. Hawkins, Shff by marilyn Wood.





Daniel R.  
Goodemote

COMMONWEALTH OF PENNSYL-  
VANIA, ACTING BY ATTORNEY  
GENERAL LeROY S. ZIMMERMAN

JUNE 25, 1985, ASSURANCE OF VOLUNTARY COMPLIANCE--IN  
EQUITY, filed by Daniel R. Goodemote, Deputy Attorney  
General  
Two Copies Certified to Commonwealth of PA.

85-12-EQU

HUGHES-STARR, INC.  
ROUTE 219 S., RD1, BOX 16  
DuBois, PA 15801

Pro      by Deft      20.00

--	--	--	--



Anthony S.  
Guido

SHORTWAY MOTELS, INC.

85-13-EQU

R. Edward  
Ferraro

SANDY TOWNSHIP MUNICIPAL  
AUTHORITY and SANDY TOWN-  
SHIP.

Pro	by atty	40.00
Shff	by atty	27.60
surg	by atty	4.00

JULY 8, 1985, COMPLAINT, filed by Anthony S. Guido, Esq.  
2 copies cert Shff.

JULY 19, 1985, SHERIFFS RETURN, filed.

Now July 9, 1985 at 9:15 am DST served the within Complaint in Equity on Gretchen Powers, Secretary for Sandy Township Municipal Authority defendant at her place of employment, Municipal Building DuBois, Clearfield County, Penna by handing to Gretchen Powers a true and attested copy of the original Complaint in Equity and made known to her the contents thereof.

Now July 9, 1985 at 9:15 am DST served the within Complaint in Equity on Gretchen Powers, secretary for Sandy Twp. defendant at her place of employment, Municipal Bldg. DuBois Clearfield County, Penna by handing to Gretchen Powers a true and attested copy of the original Complaint in Equity and made known to her the contents thereof. /a/ Chester A. Hawkins, Shff by Marilyn Wood.

SEPTEMBER 12, 1985, ANSWER AND NEW MATTER,  
filed by R. Edward Ferraro, Esq.  
One copy certified.

NOVEMBER 6, 1985, REPLY TO NEW MATTER, filed by Anthony Guido, Esq.

MARCH 2, 1987 PRAECIPE filed

Place the above case on the nonjury trial list.  
s/Anthony S. Guido, Esq.

DECEMBER 10, 1987, MOTION OF DEFENDANTS FOR SUMMARY JUDGMENT, filed. by R. Edward Ferraro, 3 cert/Atty

DECEMBER 10, 1987, ORDER, filed 3 cert/Atty  
AND NOW, this 10 day of December, 1987, upon presentation of a Motion of Defendants for Summary Judgment,

IT IS HEREWITH ORDERED AND DECREED that a Rule to Show Cause why the Motion of Defendants should not be granted.

Rule returnable and Hearing to be held the 18th day of December, 1987 at 9:00 o'clock am in Courtroom, Clfd. Co. Courthouse, North Second St., Clfd., PA 16830. BY THE COURT: John K. Reilly, Jr., P.J.

DECEMBER 21, 1987, ORDER, filed.

NOW, this 18th day of December, 1987 upon agreement of the parties, it is the ORDER of this Court that that portion of Plaintiff's Complaint sounding in equity be and is hereby dismissed and the above proceedings are certified to the law side of the Court for resolution. It is the further ORDER of this Court that twenty (20) days from date hereof. BY THE COURT: John K. Reilly, Jr., P.J.

JANUARY 5, 1988 AMENDED COMPLAINT, filed by Anthony S. Guido, Esq.

FEBRUARY 25, 1988, ANSWER TO AMENDED COMPLAINT & NEW MATTER, filed by R. Edward Ferraro, Esq.  
1 cert-ATTY

CERTIFICATION OF SERVICE, filed.

GREGORY M. KRUK, ESQ., being duly sworn according to law, deposes and states that he sent one true and correct copy of the Answer to Amended Complaint, and New Matter to Plaintiff's Attorney, Anthony S. Guido, by regular mail on the 24th day of February, 1988. /s/ Gregory M. Kruk, Esq.

MARCH 16, 1988, REPLY TO NEW MATTER, filed by Anthony S. Guido, Esq.

NOVEMBER 3, 1988, CERTIFICATE OF READINESS, filed by Anthony S. Guido, Esq







DONALD A. HARTLE &  
PATRICIA HARTLE.

85-14-EQU

RICHARD L. FRANKS  
SANDY CREEK FOREST, INC.

Pro	by atty	20.00
Shff	by atty	25.00
Surg	by atty	4.00
Shff		
Lalley	by atty	24.00

JULY 9, 1985 WRIT OF SUMMONS, filed by Benjamin Novak, Esq.

SUMMONS ISSUED TO SHERIFF FOR SERVICE.

JULY 23, 1985, SHERIFF'S RETURN, filed.

Now July 11, 1985, Frank P. Lalley, Acting Sheriff of Montgomery County was deputized by Chester Hawkins, Sheriff of Clearfield County to serve the within Summons in Equity on Richard L. Franks and Sandy Creek Forest Inc., defendant.

Now, July 16, 1985 served the within Summons in Equity on Richard L. Franks and Sandy Creek Forest Inc., defendants by deputizing the Sheriff of Montgomery County, The return of Acting Sheriff Lalley is hereto attached and made a part of this return stating that he served James Lovette, P.I.C./a/ Chester A. Hawkins, Shff by Marilyn Wood







Joseph Colavecchi	JOSEPH COLAVECCHI	JULY 23, 1985, COMPLAINT IN PARTITION/EQUITY, filed by Colavecchi & Ryan Five Copies Certified to Attorney.
	85-15-EQU	AUGUST 26, 1985, ENTRY OF APPEARANCE, filed Enter My appearance for Margaret Beam Carruthers, c/o Ralph B. Carruthers, and Mildred Beam Dick, c/o Ralph B. Carruthers. /s/ Thomas F. Morgan, Esq.
		AUGUST 26, 1985, ACCEPTANCE OF SERVICE, filed I, Thomas F. Morgan, Esquire, attorney for the Defendants, Margaret Beam Carruthers and Mildred Beam Dick, hereby accept service of all documents in regard to the above captioned matter. /s/ Thomas F. Morgan, Esq.
Andrew P. Gates Thomas F. Morgan.	HERSCHEL GRAHAM and LOUISE GRAHAM; and MARGARET BEAM CARRUTHERS and MILDRED BEAM DICK	SEPTEMBER 4, 1985, ACCEPTANCE OF SERVICE, filed. I, Andrew P. Gates, Esquire, am hereby authorized to accept service of the Complaint and all other papers filed in this matter on behalf of Defendants, Herschel Graham and Amy Louise Graham. /s/ Andrew Gates, Esq.
		SEPTEMBER 4, 1985, PRAECIPE, filed. Kindly enter my appearance in the above captioned matter, on behalf of Defendants Herschel Graham and Amy Louise Graham. /s/ Andrew Gates, Esq.
		OCTOBER 8, 1985 ORDER DIRECTING PARTITION, filed by Joseph Colavecchi, Atty for Plff. 5 cert atty.
		ORDER NOW, this 8th day of October, 1985, it is ORDERED, ADJUDGED AND DECREED that partition be made of real estate consisting of approximately thirty-two (32) acres situated in Bradford Township, Clearfield County, Pennsylvania, having Clearfield County Assessment Map Number 106-06-3, among the parties named in Plaintiff's Complaint, as follows: to Herschel P. Graham and Amy Louise Graham, his wife: two-sixth share to Joseph Colavecchi: one-sixth share to Margaret Beam Carruthers: three twelfths share to Mildred Beam Dick: three twelfths share BY THE COURT, s/John K. Reilly, Jr., President Judge.
	Pro by Atty 40.00	OCTOBER 8, 1985 ORDER FOR APPOINTMENT OF MASTER, filed by Joseph Colavecchi, Atty for Plff. AND NOW, this 8th day of October, 1985, after preliminary conference thereon between the parties, and pursuant to Rule 1558(b), it is here and now ORDERED that FREDRIC J. AMMERMAN, Esquire, be appointed Master to conduct a sale of the property and to otherwise act upon any and all matters relating to the carrying out of the Order of Partition. BY THE COURT, s/John K. Reilly, Jr., President Judge.
		MAY 14, 1986, PRAECIPE, filed. Please find attached hereto for filing a true and correct copy of the real estate appraisal of the subject 32 acre tract as prepared by Richard J. Provost CA-S
		JUNE 12, 1986, STATEMENT OF COSTS, filed by Joseph Colavecchi, esq.
		AUGUST 12, 1986, NOTICE OF INTENTION OF FILING MASTER'S REPORT AND DECREE NISI, filed by Fredric J. Ammerman, Esq.
		AUGUST 26, 1986 MASTER'S REPORT, filed by Fredric Ammerman, Esq.
		AUGUST 26, 1986 DECREE NISI, filed by Fredric Ammerman, Esq.
		AND NOW, to wit, this 25th day of August, 1986, the report of the Master, Fredric J. Ammerman, Esq., in the above-captioned matter, is hereby approved for filing and directed to be filed, and it is further appearing to the Court that notice of Master's intention to file said report was given by the parties in interest on the ___ day of August, 1986, and will appear of record, and after consideration of said report, it is ORDERED, ADJUDGED and DECREED as follows: a. The sale of the subject premises to Herschel and Louise Graham for the amount of \$10,000.00 is hereby confirmed by the Court and that upon delivery of the said \$10,000.00 to the Master that a deed in the form as attached to the Master's Report as Exhibit "B" be executed by the Master and delivered to the said purchasers: b. The proceeds of the sale of the subject premises be divided among the parties pursuant to their respective interests following payment of the Master's fee and all costs pursuant to the schedule of distribution attached to the Master's Report as Exhibit "D". c. Upon filing of an Affidavit of Proof of Distribution that the proceeds have been distributed (Exhibit "E") pursuant to this Order that the Master be discharged from the duties of his office. d. The Court approves and incorporates all recommendations of the Master as set forth in his Report and, providing that there are no exceptions filed to this Order or the said Master's Report within twenty (20) days of the date of this Order that the Master shall make distribution pursuant to the schedule of distribution at the expiration of the said twenty (20) days or at such earlier time as the parties shall stipulate. BY THE COURT, s/John K. Reilly, Jr., President Judge.
		AUGUST 26, 1986 NOTICE OF FILING OF MASTER'S REPORT AND DECREE NISI, filed by Fredric Ammerman, Esq.



## EQUITY DOCKET #14

CONTINUED FROM PAGE 27 85-15-EQU JOSEPH COLAVECCHI -vs- HERSCHEL GRAHAM and LOUISE GRAHAM a1

SEPTEMBER 29, 1986 AFFIDAVIT OF DISTRIBUTION filed

Fredric J. Ammerman, Esquire, as Master in Partition being duly sworn deposes and says that the following were the distributions made in regard to the above case:

Income (Received from Herschel &amp; Louise Graham) \$10,000.00

## Distributions:

Herschel and Louise Graham	\$2,902.81
Joseph Colavecchi	1,451.84
Margaret Beam Carruthers and Mildred Beam Dick	<u>4,349.17</u>

8,703.82

BALANCE \$ 1,296.81

## Master's Fees:

850.00

BALANCE \$ 446.18

## Costs Advanced:

Joseph Colavecchi, for filing Complaint	40.00
Fredric J. Ammerman, for Appraiser's Report	<u>300.00</u>

BALANCE 340.00

\$ 106.18

Michael R. Lytle, Recorder  
for Transfer Tax66.67

BALANCE \$ 39.51

Betty A. Owens, Tax Collector  
County and Township Taxes  
Carruthers & Dick  
(deducted from their  
distribution)

\$ 5.49

Betty A. Owens, Tax Collector  
School Taxes34.02\$ 39.51

BALANCE 0.00

s/Fredric J. Ammerman, Esquire  
Master in Partition



J.L. Lehman

ROBERT P. MOONEY

85-16-EQU

DORIS NESMAN, Administra-  
trix of the Estate of  
Grace Nesman

Pro	by Atty	40.00
Shff	by atty	21.00
surg	by atty	2.00
Shff		
Maggs	by atty	20.50
Shff		
Hawkins	by atty	14.00
Shff		
maggs	by atty	27.50
Pro	by Atty	9.00

JULY 26, 1985, COMPLAINT IN EQUITY, filed by Lehman & Kasubick

One Copy Certified to Attorney.

SEPTEMBER 18, 1985, SHERIFF'S RETURN, filed.

Now August 15, 1985 William Maggs, Sheriff of Clinton County was deputized by Chester A. Hawkins, Sheriff of Clearfield County to serve the within Complaint in Equity on Doris Nesman, defendant.

Now, August 30, 1985 attempted to serve the within Complaint in Equity on D ris Nesman, defendant by deputizing the Sheriff of Clinton County. the Return of Sheriff Maggs is hereto attached stating not able to locate within the amount of time given./a/ Chester Hawkins, Shff by Marilyn Wood.

SEPTEMBER 18, 1985, PRAECIPE, filed.

Please reinstate the complaint filed on the above captioned matter./s/ John Lehman, Esq/

SEPTEMBER 24, 1985, COMPLAINT REINSTATED AND REISSUED TO SHERIFF FOR SERVICE./s/ dru

NOVEMBER 25, 1985, SHERIFF'S RETURN, filed

NOW, September 24, 1985 Willaim D. Magga, Sheriff of Clinton County, was deputized by Chester A. Hawkins Sheriff of Clearfield County to serve the within Complaint in Equity on Doris Nesman, defendant.

NOW, October 7, 1985 served the within Complaint in Equity on Doris Nesman, defendant by deputizing the Sheriff of Clinton County. The return of Sheriff Maggs is hereto attached and made a part of this return. /s/ Chester A. Hawkins by Marilyn Hamm.

NOVEMBER 21, 1986 ANSWER filed by Charles R. Rosamilia, Jr., Esq.

CERTIFICATE OF SERVICE

Two copies certified Attorney

NOVEMBER 21, 1986 PETITION FOR INTERVENTION filed by Charles R. Rosamilia, Jr., Esq.

CERTIFICATE OF SERVICE

ORDER

AND NOW, this 24th day of November, 1986, based upon consideration of the attached Petition for Intervention, IT IS HEREBY ORDERED that a Rule to show cause be entered upon the Plaintiff, Robert P. Mooney, to show cause why the request to intervene shall not be granted to the said Herebert E. Nesman, to be joined as an additional Defendant in the above action.

Rule returnable the 7th day of January, 1987, at 10:30 o'clock A.M. in Courtroom of the Clearfield County Courthouse, Clearfield, Pennsylvania.

Said Rule to Show Cause shall be served on the parties by the Prothonotary of Clearfield County.

BY THE COURT: Joseph S. Ammerman, J.

11/25/86 Two copies certified Attorney

JANUARY 9, 1986, ORDER, filed

2 copies cert Judge A.

NOW, this 9th day of January, 1987, it is the ORDER of the Court that the above matter which was scheduled for consideration of a Petition to Intervene filed on behalf of Herbert E. Nesman be and is hereby continued for twenty (20) days.

BY THE COURT: Joseph S. Ammerman, Judge.

FEBRUARY 23, 1987 PRAECIPE FOR DEFAULT JUDGMENT filed

Upon certification set forth below, please enter Default Judgment against the Defendant in the above captioned matter. s/J. L. Lehman, Esq.

Default Judgment is entered in favor of the Plaintiff and against the Defendant.

DEFAULT JUDGMENT



Prothonotary

JULY 28, 1987 MOTION TO WITHDRAWAL OF PETITION FOR INTERVENTION & ORDER, filed

AND NOW, this 28th day of July, 1987, upon consideration of the attached Motion for Withdrawal of Petition for Intervention, it is hereby Ordered and granted that the Petition for Intervention is withdrawn due to the resolution of matters between Plaintiff and Intervenor by amicable settlement. BY THE COURT: Joseph S. Ammerman, Judge.



Cont'd from Pg. 29

85-16-EQU

MOONEY vs NESMAN

JULY 28, 1987, MOTION FOR PRAYER REQUESTED & ORDER, filed  
AND NOW, this 28th day of July, 1987, upon entry of Default Judgment in the above matter and upon Motion for Prayer Requested attached hereto, it is hereby ordered and decreed that Raymond Witherow, Prothonotary of Clearfield County, Pennsylvania, shall execute as transferor or assignor, the one stock certificate conveying 51 shares of stock in Bar 53, Inc., to Robert P. Mooney, Plaintiff in the name and place of Doris Nesman, Administratrix of the Estate of Grace Nesman, and this Order shall be full and complete authorization for said Prothonotary to execute said stock certificate.  
BY THE COURT: Joseph S. Ammerman, Judge.

AUGUST 7, 1987 ORDER COMPLIED WITH THIS DAY. SIGNED AND GIVEN TO ATTORNEY J. L. LEHAMN. /s/ Ray Witherow, Prothonotary.



Timothy E. Durant	SKY HAVEN COAL, INC.	<p>AUGUST 1, 1985, COMPLAINT IN ACTION TO ENJOIN REMOVAL OF ESCROW FUNDS AND TO COMPEL PAYMENT OF CONTRACTUAL AMOUNT TO PLAINTIFF, filed by Timothy E. Durant. Three Copies Certified to Attorney.</p> <p>AUGUST 1, 1985, MOTION FOR PRELIMINARY INJUNCTION, filed by Timothy E. Durant.</p> <p>AUGUST 1, 1985, AFFIDAVIT TO DISPENSE WITH NOTICE, of Joseph A. Owens, President Sky Haven Coal, Inc., filed by Timothy E. Durant. Four Copies Certified to Attorney.</p> <p>AUGUST 1, 1985, ORDER, filed by Timothy E. Durant. Six Copies Certified to Attorney.</p> <p>AND NOW, August 1, 1985, the plaintiff having filed an affidavit that immediate and irreparable loss and damage will result to him before the matter can be heard on Motion, upon consideration of the Complaint and the affidavit herein referred to, it is Ordered and Decreed that a preliminary injunction issue upon security, being entered by the plaintiff in the sum of \$5,000.00.</p> <p>Upon entry of said security, the defendant is enjoined and restrained from secreting, transferring or withdrawing in person or by agents or joint owners asset from any accounts in his name (whether individually or jointly) in the Keystone National Bank, 1200 Old Town Road, P.O. Box 127, Clearfield, Pennsylvania, or the Merchants National Bank of Kittanning, P.O. Box 352, Kittanning, Pennsylvania or any other bank until further order of this Court or upon signed consent of the plaintiff.</p> <p>The defendant is further ordered, directed and compelled to pay to plaintiff not later than August 12, 1985, the \$277,446.43 not in dispute and interest thereon at the legal rate from July 20, 1985.</p> <p>The Keystone National Bank and the Merchants National Bank of Kittanning are directed not to pay, transfer or permit withdrawal of any further funds to, by or on behalf of the defendant from the date of this Order until further order of this Court. Said banks are further ordered to provide this Court forthwith a statement of the amount held by them on behalf of the defendant whether individually or jointly.</p> <p>August 2, 1985, at 1:30 P.M. in the Main Courtroom at the Clearfield County Courthouse, Clearfield, Pennsylvania, is fixed as the time and place of hearing of plaintiff's motion to continue the injunction. Service on the defendant shall be made by First Class United States Mail at 413 The Bigelow, Pittsburgh, Pennsylvania 15219 and upon his attorney Stephen Israel, Esquire at 1109 Grant Building, Pittsburgh Pennsylvania 15219 by certified U.S. Mail return receipt requested or by personal service and upon the said banks by certified U.S. Mail return receipt requested or by personal service. BY THE COURT: s/ John K. Reilly, Jr., President Judge</p> <p>AUGUST 1, 1985, INJUNCTION BOND, filed by Timothy E. Durant. Three Copies Certified to Attorney.</p> <p>SURETY IN THE AMOUNT OF \$5,000.00 TO BE PAID TO COMMONWEALTH OF PENNSYLVANIA.</p> <p>AUGUST 2, 1985, ORDER, filed. Seven Copies Certified to Attorney.</p> <p>NOW, this 2nd day of August, 1985, this being the day and date set for hearing into the above-captioned Motion for Preliminary Injunction, the Defendant having failed to appear either in person or by counsel, it is the ORDER of this Court that said Order entered by the Plaintiff on August 1, 1985, in the above-captioned matter be and is hereby continued in effect upon the same terms and conditions with the exception that no disposition is made with regards to the requirement that the Defendant pay to the Plaintiff the sum of \$277,446.43 pending hearing thereon. Said Order shall remain in effect until further Order of Court. By the Court, /s/ John K. Reilly, Jr., President Judge</p> <p>AUGUST 5, 1985, AFFIDAVIT OF SERVICE of Rita E. Peters, filed by Timothy E. Durant.</p> <p>AUGUST 5, 1985, AFFIDAVIT OF SERVICE of Timothy E. Durant, filed by Timothy E. Durant.</p> <p>AUGUST 9, 1985, PRAECIPE FOR APPEARANCE, filed</p> <p>Please enter my appearance on behalf of the Defendant Robert Woods, t/d/b/a Craig Coal Mining Company in the above captioned case. /s/ Stephen Israel, Esq.</p> <p>AUGUST 8, 1985, AGREEMENT AND STIPULATION, filed by Timothy Durant, Esq.</p> <p>AUGUST 8, 1985, DECREE, filed. THREE COPIES CERTIFIED TO ATTY</p> <p>NOW, this 8th day of August, 1985, upon agreement and stipulation of counsel presented to the court and filed this court that:</p> <p>1. The preliminary injunction heretofore entered in this case is hereby lifted as to The Merchants National Bank of Kittanning, Pennsylvania.</p> <p>2. Two Hundred Seventy-six Thousand Four Hundred Forty-six and Thirty Three Hundredths (\$276,446.33) Dollars are hereby authorized to be transferred from the Keystone National Bank account of the Defendant (Account No. 40-51278) to the plaintiff immediately.</p> <p>3. Any balance left in said account No. 40-51278 shall be retained in the Keystone National Bank and invested and reinvested as the parties may agree but neither this balance nor any of the proceeds thereof shall be released unless by the signature of both of counsel or both parties or by Court Order.</p> <p>4. The plaintiff will not make any further pre-judgment attachments nor obtain any further pre-hearing injunctions against the defendant and the defendant will not do anything which will prejudice the plaintiffs ability to collect if he should prevail upon his action in court</p> <p>BY THE COURT: /s/ John K. Reilly, Jr., P.J.</p> <p>AUGUST 14, 1985, AFFIDAVIT OF SERVICE OF STEPHEN ISRAEL, ESQUIRE, filed by Timothy Durant, Esq.</p> <p>AUGUST 14, 1985, AFFIDAVIT OF SERVICE OF THE MERCHANTS NATIONAL BANK OF KITTANING, filed by Timothy Durant, Esq.</p>
Stephen Israel	ROBERT WOODS, t/d/b/a CRAIG COAL MINING COMPANY	
	85-17-EQU	
	Pro by Atty 40.00	
	Pro by Atty 5.00	



JULY 20, 1988, ORDER, filed 1 cert/Atty Durant

NOW, this 20th day of July, 1988, following argument into Preliminary Objections filed on behalf of both parties above-named, it is the ORDER of this Court that both objections be and are hereby dismissed upon condition that counsel for Robert Woods, t/d/b/a Craig Coal Mining Company, Defendant above-named, forthwith accept service of the Complaint filed on June 30, 1987, and that Answer to said Complaint be filed within twenty (20) days from date hereof.

It is the futher ORDER of this Court that upon agreement of the parties, the above-captioned matter and proceedings to 85-17-EQU shall be consolidated for purpose of trial. And, further, that Defendant above-named shall file Responsive Pleadings in the equity action within twenty (20) days from date hereof. BY THE COURT: John K. Reilly, Jr., P.J

AUGUST 5, 1988, PETITION FOR RULE TO DISMISS THE ABOVE ACTION AND ORDER, filed 1 Rule Issued on T. Durant by Reg Mail, 1 cert Atty Silvestri, Esq.

AND NOW, to wit, this 5th day of August, 1988, upon consideration of the foregoing PETITION, It is hereby ORDERED that a rule is issued upon Plaintiff to show cause why the above-captioned action should not be dismissed for inactivity under Pennsylvania Rule of Judicial Administration 1901. BY THE COURT: John K. Reilly, Jr., P.J.

AUGUST 25, 1988, ANSWER TO PETITION FOR RULE TO DISMISS THE ABOVE ACTION, filed by Timothy E. Durant, Esq. 6 cert/Atty

AUGUST 25, 1988, ANSWER TO MOTION TO DISSOLVE INJUNCTION, filed by Timothy E. Durant, Esq. 6 cert/Atty

AUGUST 25, 1988, REPLY TO PRELIMINARY OBJECTIONS, filed by Timothy E. Durant, Esq. 6 cert/Atty

AUGUST 08, 1988, MOTION TO DISSOLVE INJUNCTION, filed by John M. Silvestri, Esq

AUGUST 8, 1988, PRELIMINARY OBJECTIONS, filed by John M. Silvestri, Esq.

SEPTEMBER 21, 1988, ORDER, filed  
1 cert atty Durant; 1 cert atty Silvestri.

NOW, this 20th day of September, 1988, this being that day and date set for hearing into Defendant's Motion to Dissolve Preliminary Injunction and the Preliminary Ojbections to Plaintiff's Complaint filed to the above captioned action in equity, it is the ORDER of this Court that proceedings thereon be and are hereby continued for a period not to exceed forty (40) days.

BY THE COURT: John K. Reilly, Jr President Judge.

OCTOBER 11, 1988 DEPOSITION OF JOSEPH A. OWENS filed by Timothy E. Durant, Esq.

FEBRUARY 15, 1991, PETITION FOR TERMINATION UNDER AP.R.J.A. NO 1901, filed by John M. Silvestri, Esq.

MARCH 13, 1991, ORDER, filed

NOW THIS 13th day of March, 1991, following argument on Defendant's Petitions for Termination, it is ordered as follows:

ROBERT WOODS shall be deposed within thirty (30) days herefrom.

Within ten (10) days after defense counsel's receipt of the transcript of said deposition, defense counsel may file a request for hearing and argument on the three Petitions to Terminate filed in these actions, the Preliminary Objections filed at No 85-17-EQU. and the Motion to Dissolve Injunction filed at no. 85-17-EQU.

Within ninety (90) days after the transcript is received by counsel, these cases shall be placed on the trial list by either party who wishes to proceed. BY THE COURT: John K. Reilly, Jr., P.J.

MAY 12, 1992, PRAECIPE TO SETTLE, DISCONTINUE AND END, filed

Please mark the above captioned action settled, discontinued and ended with regard to the equity action only. /s/ Timothy E. Durant, Esq.

SETTLED

DISCONTINUED

ENDED



Hazel Heny	LOCAL 2686, AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, AFL-CIO, By its Trustee Ad Litem, HAZEL HENY, R.D. Box 614A Oseeola Mills, PA 16666	AUGUST 23, 1985, COMPLAINT IN EQUITY, filed by Hazel Heny. One Copy Certified to Hazel Heny.
	8/23/85 \$1,000 Cash Bond Clfd B & Trust	85-18-EQU
	FREDERICK RALSON, CONTROLL- ER OF THE COUNTY OF CLEARFIELD P.O. BOX 11 Clearfield, PA 16830	ORDER AND NOW, this 23 day of August, 1985, upon consideration of the Plaintiff's Motion for Preliminary Injunction, ex parte, it is hereby Ordered and Decreed: 1. The Defendant is hereby enjoined preliminarily from paying over to Alfred Medzie any monies otherwise due and owing Alfred Medzie by the County of Clearfield and/or its retirement system, pending the outcome of any claims the Plaintiff may have against Alfred Medzie; 2. The Plaintiff shall post a bond in the amount of \$1.00; 3. A Rule to Show Cause returnable 9:30 a.m. Monday, August 26, 1985, upon the Defendant to consider whether a preliminary injunction shall issue. By the Court: s/ John K. Reilly, Jr., J. AUGUST 23, 1985, \$1.00 CASH BOND PAID.
		AUGUST 23, 1985, AFFIDAVIT, filed by Hazel Heny.
		AUGUST 23, 1985, ORDER, filed. NOW, this 23rd day of August, 1985, in considera- tion of the attached receipt, it is the ORDER of this Court that injunction entered against the Defendant dated this date be and is hereby dissolved. By the Court s/ John K. Reilly, Jr., President Judge
		SEPTEMBER 4, 1985, PRAECIPE FOR DISCONTINUANCE, filed. Kindly discontinue the above-captioned matter without prejudice./s/ Hazel Heny
	Pro by <i>plff.</i>	40.00
	Pro by Plff	5.00
		DISCONTINUED WITHOUT PREJUDICE



JULY 19, 1988, ANSWER TO MOTION TO COMPEL RESPONSE TO DISCOVERY AGAINST KARTHAUS TOWNSHIP, filed by Stephen C. Braverman, Esq & James D. Morris, Esq  
CERTIFICATE OF SERVICE, filed by James D. Morris, esq

JULY 19, 1988, ANSWER TO MOTION TO COMPEL RESPONSE TO DISCOVERY AGAINST COVINGTON TOWNSHIP, filed by Stephen C. Braverman, Esq. & James D. Morris, esq  
CERTIFICATE OF SERVICE, filed by James D. Morris, Esq.

JULY 19, 1988, ANSWER TO MOTION FOR PROTETION, filed by Stephen C. Braverman, Esq & James D. Morris, Esq  
CERTIFICATE OF SERVICE, filed by James D. Morris, Esq.

SEPTEMBER 6, 1988, MOTION FOR SUMMARY JUDGMENT FILED ON BEHALF OF WILLIAM DIEGERT AND GLORIA DIEGERT, filed by Jeffrey W. Stover, Esq. 1 cert/Atty

OCTOBER 3, 1988, PLAINTIFFS' ANSWER TO MOTION FOR SUMMARY JUDGMENT OF DEFENDANTS, WILLIAM DIEGERT AND GLORIA DIEGERT, filed by Stephen C. Braverman, Esq & James D. Morris, Esq.  
CERTIFICATE OF SERVICE, filed by James D. Morris, Esq.

JULY 13, 1989, DEFENDANT'S RESPONSE TO REQUEST FOR PRODUCTION BY CONVINGTON TOWNSHIP, filed by John A. Mihalik, Esq.

CERTIFICATE OF SERVICE, filed  
I, John A. Mihalik, Esq., do hereby certify that I served a true and correct copy of the attached document in the above-caption action upon the following individual by first class mail, postage pre-paid addressed as follows: Stanley Geary, Esq.; Jeffrey W. Stover, Esq, PO Box 828, State College, PA 16801; Richard Mattern, Esq.; James D. Morris, Esq, 1800 Three Mellon Bank Center Philadelphia, PA 19102; F. Cortez Bell, III, Esq, 900 Oliver Building, Pittsburgh, PA 15222-5369; Richard P. Nuffort, Esq, 22 South Duke St., Lancaster, PA 17102; Andrew Gates, Esq. /s/ John A. Mihalik, Esq.

NOVEMBER 16, 1990, PRAECIPE TO ENTER APPEARANCE, filed  
Kindly enter my appearance as counsel on behalf of Plaintiffs, Quehanna-Covington-Karthaus Area Authority, Girard Township, Karthaus Township and Covington Township, in the above-captioned matter. Kindly note my change of address and firm. /s/ Charles E. Gutshall, Esq.

CERTIFICATE OF SERVICE, filed  
I, CHARLES E. GUTSHALL, Esquire, of the law firm of Klett Lieber Rooney & Schorling, do hereby certify that I am this 15th day of November, 1990, serving a true and correct copy of the foregoing PRAECIPE TO ENTER APPEARANCE upon counsel of record by depositing a copy thereof in the US Mail, postage prepaid, addressed as follows: Andrew P. Gates, Esq; John A. Mihalik, Esq, 29 East Main St, Bloomsburg, PA 17815 Stanley R. Geary, Esq, 900 Oliver Building, Pittsburgh, PA 15222-5369; J. Richard Mattern, III, Esq; Richard P. Nuffort, Esq, 22 South Duke St, Lancaster, PA 17102; E. Cortez Bell, Esq; & Jeffrey W. Stover, Esq, NOVAK, STOVER & McCARTY, 412 S Allen St, Po Box 828, State College, PA 16804. /s/ Charles E. Gutshall, Esq.

JANUARY 31, 1991, PRAECIPE, filed  
Please withdraw my appearance on behalf of Mel Hugney, Deft, in the above-captioned action. /s/ J. Richard Mattern, II, Esq.

AUTHORIZATION FOR WITHDRAWAL OF REPRESENTATION, /s/ Melvin Hugney, Deft.

FEBRUARY 11, 1991, MOTION TO AMEND COMPLAINT, PROPOSED ORDER, PETITION FOR RULE TO AMEND COMPLAINT AND RULE, filed by Andrew P. Gates and Charles E. Gutshall, Esqs 1 cert/Atty Gates  
RULE RETURNABLE, filed 1 cert/Atty Mihalik  
AND NOW, this 11th day of February, 1991, in consideration of Plaintiffs' Petition for Rule to Amend Complaint, a Rule is entered upon all Defendants to show cause why this Court should not grant leave for Plaintiffs to file a Second Amended complaint.  
Rule Returnable dated 5th day of March, 1991 at 1:30 PM in Court Room \_\_\_\_\_. BY THE COURT: John K. Reilly, Jr., P.J.

FEBRUARY 11, 1991, MOTION FOR SUMMARY JUDGMENT AND ORDER, filed by Andrew P. Gates and Charles E. Gutshall, Esqs

FEBRUARY 12, 1991, MOTION TO COMPEL DISCOVERY AGAINST GIRARD TOWNSHIP OF BEHALF OF DEFENDANTS, filed by John A. Mihalik, Esq. 1 cert/Atty  
ORDER, filed  
AND NOW TO-WIT, this 11th day of February, 1991, upon consideration of the attached motion to compel discovery a pre-hearing conference shall be held on the 5th day of March 1991, at 1:30 PM in the Courtroom No \_\_\_\_, Clearfield County Courthouse, Clearfield PA. BY THE COURT: John K. Reilly, Jr., P.J.

FEBRUARY 12, 1991, MOTION TO COMPEL DISCOVERY AGAINST COVINGTON TOWNSHIP ON BEHALF OF DEFENDANTS, filed by John A. Mihalik, Esq 1 cert/Atty  
ORDER, filed  
AND NOW TO-WIT, this 11th day of February, 1991, upon consideration of the attached motion to compel discovery a pre-hearing conference shall be held on the 5th day of March, 1991 at 1:30 PM in the Courtroom NO. \_\_\_\_, Clearfield County Courthouse, Clearfield Pennsylvania. BY THE COURT: John K. Reilly, Jr., P.J.

FEBRUARY 12, 1991, MOTION TO COMPEL DISCOVERY AGAINST KARTHAUS TOWNSHIP OF BEHALF OF DEFENDANTS, filed by John A. Mihalik, Esq. 1 cert/Atty  
ORDER, filed  
AND NOW TO-WIT, this 11th day of February, 1991, upon consideration of the attached motion to compel discovery a pre-hearing conference shall be held on the 5th day of March, 1991 at 1:30 PM in the Courtroom NO. \_\_\_\_, Clearfield County Courthouse, Clearfield Pennsylvania. BY THE COURT: John K. Reilly, Jr., P.J.

FEBRUARY 12, 1991, MOTION TO COMPEL DISCOVERY AGAINST QUEHANNA-COVINGTON-KARTHAUS AREA AUTHORITY ON BEHALF OF DEFENDANTS, filed by John A. Mihalik, Esq. 1 cert/Atty







NOW, September 3, 1985 John H. Kramer, Shff of Berks County was deputized by Chester A. Hawkins, Shff of Clearfield County to serve the within complaint on Terrence Allushuski, Stanley Bialek, Mark Gabel, defendants.

NOW, September 9, 1985 served the within Complaint of Stanley Bialek, defendant by deputizing the Shff of Berks Count.

NOW, September 9, 1985 served the within Complaint on Mark Gabel, defendant by deputizing the Shff of Berks County.

NOW, September 10, 1985 served the within Complaint on Terrence Allushuski, defendant by deputizing the Sheriff of Berks County.

NOW, September 3, 1985, Daniel G. Grow, Shff of Schuylkill County was deputized by Chester A. Hawkins, Shff of Clearfield County to serve the within Complaint on William Diegert and Gloria Diegert, defendant.

NOW, September 11, 1985-served the within Complaint on William Diegert, defendant by deputizing the Shff of Schuylkill County.

NOW, September 11, 1985 served the within Complaint on Gloria Diegert, defendant by deputizing ther Shff of Schuylkill County.

NOW, September 3, 1985 Willaim H. Livingston, Shff of Dauphin County was deputized by Chester A. Hawkins Shff of Clearfield County To serve the within Complaint on John M. Basardi and M. Louise Seesholtz, defendant.

NOW, September 12, 1985, attempted to serve the within Complaint on John M. Bastardi, and M. Louise Seesholtz, defendants by deputizing the Shff of Dauplin County. The return of Shff Livingston is hereto attached and made a part of this return marked "NOT FOUND".

NOW September 3, 1985, Eugene L. Coon, Shff of Allegheny County was deputized by Chester A. Hawkins, Shff of Clearfield County to serve the within Complaint on Otho Otte, Irene Otte, Donald Hartle, and Patricia Hartle, defendants

NOW, September 14, 1985 served the within Complaint on Otho Otte and Irene Otte, defendant be deputizing the Shff of Allegheny County.

NOW, September 17, 1985, served the within Complaint on Donald and Patricia Hartle, defendants by deputizing the Shff of Allegheny County.

NOW, September 3, 1985, Thomas Williams, Shff of Lancaster County was deputized by Chester A. Hawkins, Shff of Clearfield County to serve the within Complaint on William H. LeFever, Sharon L. LeFever, Marilyn Heller, Joseph Heller, William P. Kambic and Norine M. Kambic, defendants.

NOW, September 12, 1985 served the within Complaint on Willaim M. LeFever, defendat by deputizing the Shff of Lancaster County.

NOW, September 12, 1985 served the within Complaint on Sharon L. LeFever, defendant by deputizing the Shff of Lancaster County.

NOW, September 16, 1985 served the witin Complaint on Marilyn Heller, defendant by deputizing the Shff of Lancaster County.

NOW, September 16, 1985, served the within Complaint on Joseph Heller, defendant by deputizing the Shff of Lancaster County.

NOW, September 16, 1985, served the within Complaint on William P. Kambic, defendant by deputizing the Shff of Lancaster County.

NOW, September 16, 1985, Served the within Complaint on Norine M. Kambic, defendant by deputizing the Shff of Lancaster County.

NOW, September 3, 1985 John W. Peck, Shff of Westmoreland County was deputized by Chester A. Hawkins, Shff Of Clearfield County to served the within Complaint on John Silinsky, William Silinsky, Clarence L. Kubrick and Charmaine Kubick, deft.

NOW, September 16, 1985 attempted to serve the within Complaint on John & William Silinsky, defendants by deputizing the Shff of Westmoreland County. The return of Shff Peck is hereto attached and made a part of this return marked "NOT FOUND", several attempts, not home.

NOW, September 16, 1985 attempted to serve the within Complaint on Clarence L. and Charmaine Kubrick, defendants by deputizing the Shff of Westmoreland County. The return of Shff Peck is hereto attached and made a part of this return marked "NOT FOUND" this address is in Allegheny County. These Complaints were reinstated September 24, 1985 and setn to Allegheny County.

NOW, September 3, 1985 Frank P. Lalley, Shff of Montgomery County was deputized by Chester A. Hawkins, Shff of Clearfield County to serve the within Complaint on Stanford L. Large, Jr., Dennis Flynn, Dawn Flynn, and Saady Creek Forest Ind., defendant.

NOW, September 17, 1985 served the within Complaint on Sandy Creek Forest, Inc. defendant by deputizing the Shff of Montgomery County.

NOW, September 17, 1985 served the within Complaint on Dennis Flynn, defendant by deputizing the Shff of Montgomery County.

NOW, September 17, 1985 served the within Complaint on Dawn Flynn, defendant by deputizing the Shff of Montgomerty County.

NOW, September 20, 1985 attempted to serve the within complaint on Stanford L. Large, Jr., defendant by deputizing the Shff of Montgomery County. The return of Shff Lalley is hereto attached and made a part of this return "NOT FOUND"

NOW, September 3, 1985, Mark E. Leemer, Jr., Shff of Huntingdon County was deputized by Chester A. Hawkins Shf of Clearfield County to serve the witin Complaint on Robert & Sharon Royer, defendants.

NOW, September 11, 1985 attempted to serve the within Complaints on Robert & Sharon Royer, defendants by deputizing the Shff of Huntingdon County. Return of Shff Leamer is attached stating that defendant live in Centre County.

NOW, September 16, 1985 Garry Kunes, Shff of Centre County was deputized by Chester A. Hawkins Shff of Clearfield County to serve the within Complaints on Robert & Sharon Royer, defendants.

NOW, September 19, 1985, served the within Complaint on Sharon Royer, defendant by deputizing the Shff of Centre County.

NOW, September 19, 1985, served the within Complaint on Robert Royer, defendant by deputizing the Sff of Centre County.

NOW, September 23, 1985 at 3:25 PM DST served the within Complaint on Betsy Hugney, Wife of Mel Hugney, defendant at her place of residence,

/s/ Chester A. Hawkins by Marilyn Wood

OCTOBER 14, 1985, PRAECIPE FOR ENTRY OF APPEARANCE, filed.

One copy certified to atty

Kindly enter my appearance in the above-captioned matter on behalf of Defendants DENNIS FLYNN and DAWN FLYNN. /s/ F. Cortez Bell, III, Esq.



OCTOBER 14, 1985, SHERIFF'S RETURN, filed.

Now, September 24, 1985, Eugene L. Coon, Sheriff of Allegheny County was deputized by Chester A. Hawkins, Sherriff of Clearfield County to serve the within Complaint on Charles and Charmaine Kubrick, defendants.

Now, September 30, 1985 served the within Complaint on Clarence Kubrick, defendant by deputizing the Sheriff of Allegheny County. The return of Sheriff Coon is hereto attached and made a part of this return stating that he served Charmaine Kubrick, wife of defendant

Now, September 30, 1985 served the within Complaint on Charmaine Kubrick, defendant by deputizing the Sheriff of Allegheny County. The return of Sheriff Coon is hereto attached and made a part of this return. /s/ Chester A. Hawkins, Shff by Marilyn Wood.

OCTOBER 16, 1985, PRELIMINARY OBJECTIONS, filed by F. Cortez Bell, III, Esq.

Two copies certified to atty

OCTOBER 23, 1985, PLAINTIFFS ANSWER TO PRELIMINARY OBJECTIONS OF DEFENDANTS CLARENCE L. KUBRICK AND CHARMAINE KUBRICK, filed by Andrew Gates, Esq.

One copy certified to atty

OCTOBER 23, 1985, PLAINTIFFS ANSWER TO PRELIMINARY OBJECTIONS OF DEFENDANTS OTHO M. OTTE AND IRENE G. OTTE, filed by Andrew Gates, Esq.

One copy certified to atty

OCTOBER 22, 1985, PLAINTIFFS ANSWER TO PRELIMINARY OBJECTIONS OF DEFENDANT, JOHN M. BASTARDI et al, filed by Andrew Gates, Esq.

One copy certified to atty

OCTOBER 29, 1985, PRELIMINARY OBJECTIONS FOR JOSEPH HELLER AND MARILYN HELLER, filed by Novak & Stover, Esqs.

One copy certified to atty

OCTOBER 29, 1985, PRELIMINARY OBJECTIONS FOR DONALD A. HARTLE AND PATRICIA HARTLE, filed by Novak & Stover, Esqs.

One copy certified to atty

OCTOBER 29, 1985, PRELIMINARY OBJECTIONS FOR WILLIAM DIEGERT AND GLORIA DIEGERT, filed by Novak & Stover, Esqs.

One copy certified to atty

OCTOBER 29, 1985, PRELIMINARY OBJECTIONS FOR ROBERT TOYER AND SHARON ROYER, filed by Novak & Stover, Esqs.

One copy certified to atty

OCTOBER 29, 1985, PRELIMINARY OBJECTIONS FOR TERRENCE ALLUSHUSKI, STANLEY BIALEK AND MARK GABEL, filed by Novak & Stover, Esqs.

One copy certified to atty

OCTOBER 29, 1985, PRELIMINARY OBJECTIONS FOR JAMES F. HARROLD AND DOREEN F. HARROLD, filed by Novak & Stover, Esqs.

One copy certified to atty

OCTOBER 29, 1985, PLAINTIFFS ANSWER TO DEFENDANT SANDY CREEK FOREST INC.'S PRELIMINARY OBJECTIONS, filed by Andrew Gates, Esq.

One copy certified to atty

OCTOBER 30, 1985, CERTIFICATE OF SERVICE, filed by Novak & Stover, Esqs.

One copy certified to atty

NOVEMBER 13, 1985, ANSWER TO MOTION TO DISMISS COMPLAINT ON THE BASIS OF LACHES, filed by Andrew P. Gates, Esq.

NOVEMBER 21, 1985, CERTIFICATE OF SERVICE, filed

I hereby certify that I mailed by regular U.S. mail on the 21st day of November, 1985, a true and correct copy of Plaintiffs' Answers to those other Preliminary Objections to which we were required to respond to: Stanley R. Geary, Esq., Rose, Schmidt, Chapman, Duff & Hasley 900 Oliver Building, Pittsburgh, PA 15222-5369 /s/ Andrew P. Gates, Esq.

NOVEMBER 21, 1985, CERTIFICATE OF SERVICE, filed

I hereby certify that I mailed by regular U.S. mail on the 21st day of November, 1985, a true and correct copy of Plaintiffs' Answers to those other Preliminary Objections to which we were required to respond to: J. Richard Mattern, Esq., 211 East Pine St. Clearfield, PA 16830. /s/ Andrew P. Gates, Esq.

NOVEMBER 21, 1985, CERTIFICATE OF SERVICE, filed

I hereby certify that I Mailed by regular U.S. Mail on the 21st day of November, 1985, a true and correct copy of Plaintiffs' Answers to those other Preliminary Objections which we were required to respond to: F. Cortez Bell, III, Esq., Bell, Silberblatt & Swoope, 318 East Locust St, P.O. Box 670, Clearfield, PA 16830. /s/ Andrew P. Gates, Esq.

NOVEMBER 21, 1985, CERTIFICATE OF SERVICE, filed

I hereby certify that I mailed by regular U.S. mail on the 21st day of November, 1985, a true and correct copy of Plaintiffs' Answers to those other Preliminary Objections to which we were required to respond to: Richard P. Nuffort, Esq., Zimmerman, Pfannebecker & Nuffort, 22 South Duke St., Lancaster, PA 17602. /s/ Andrew P. Gates, Esq.

NOVEMBER 21, 1985, CERTIFICATE OF SERVICE, filed

I hereby certify that I mailed by regular U.S. Mail on the 21st day of November, 1985, a true and correct copy of Plaintiff's Answers to those other Preliminary Objections to which we were required to respond to: Jeffrey W. Stover, Esq., Novak, Stover & McCarty., P.O. Box 828 State College, PA 16801. /s/ Andrew P. Gates, Esq.

NOVEMBER 21, 1985, CERTIFICATE OF SERVICE, filed

I hereby certify that I mailed by regular U.S. mail on the 21st day of November, 1985, a true and correct copy of Plaintiff's Answers to those other Preliminary Objections to which we were required to respond to: John A. Mihalik, Esq. Hummel, James & Mihalik, 29 East Main Street, Bloomsburg, PA 17815. /s/ Andrew P. Gates, Esq.

DECEMBER 5, 1985, CERTIFICATE OF SERVICE, filed

I hereby certify that I have served a copy of the Preliminary Objections which have been filed on behalf of Melvin Hugney, as follows:

Service by First Class Mail on October 3, 1985, Andrew P. Gates, Esq.

Service by First Class Mail On November 26, 1985, John A. Mihalik, Esq., Stanley G. Geary, Esq.

F. Cortez Bell, III, Esq., Richard P. Nuffort, Esq., Jeffrey W. Stover, Esq., Stanford L.

Large, Jr., Mr. and Mrs. Alton Hollabaugh., Mr. and Mrs. Willaim Kambic., Mr. and Mrs. John

Silinsky, SEE ORIGINAL FOR ADDRESSES. /s/ J. Richard Mattern, II, Esq.

DECEMBER 18, 1985, AFFIDAVIT OF SERVICE, filed by Andrew Gates, Esq.

DECEMBER 18, 1985, LETTER, filed.



CONTINUED FROM PAGE 36A

85-19-EX QUEHANNA-COVINGTON-KARTHAUS AUTH. vs. SANDY CREEK FOREST, INC

DECEMBER 30, 1985, PRAECIPE FOR DEFAULT JUDGMENT, filed.

Enter judgment in favor of Quehanna-Covington-Karthaus Area authority et al, Plaintiffs herein, and against Alton D. Hollabaugh one of the Defendants herein, for failure to file an Answer or other responsive pleading to the Complaint which was served upon Defendant, Alton D. Hollabaugh, by Certified Mail, return receipt requested on September 21, 1985, with Plaintiffs having further served upon said Defendant by regular mail postage prepaid the required notice dated December 11, 1985, of their intent to take a default judgment against said defendant with said photocopies of said notice, and Attorney's Certification of Service, being attached hereto and made a part hereof as Exhibits "A: and "B". /s/ Andrew P. Gates, Esquire.

Judgment is entered in favor of the Plaintiff and against the Defendant for the failure to file an Answer.

JUDGMENT IN EQUITY

CERTIFICATE OF SERVICE, filed.

*Raymond Netherman*  
Prothonotary

DECEMBER 30, 1985, PRAECIPE FOR DEFAULT JUDGMENT, filed.

Enter judgment in favor of Quehanna-Covington-Karthaus Area Authority et al, Plaintiffs herein, and against Naomi M. Hollabaugh one of the Defendants herein, for failure to file an Answer or other responsive pleading to the Complaint which was served upon Defendant, Naomi M. Hollabaugh, by Certified Mail, return receipt requested on September 16, 1985 with Plaintiffs having further served upon said Defendant by regular mail postage prepaid the required notice dated December 11, 1985 of their intent to take a default judgment against said defendant with said photocopies of said notice, and Attorney's certification of Service, being attached hereto and made a part hereof as Exhibits "A" and "B". /s/ Andrew P. Gates, Esq.

Judgment is entered in favor of the Plaintiff and against the Defendant for failure to file an Answer.

JUDGMENT IN EQUITY

CERTIFICATE OF SERVICE, filed

*Raymond Netherman*  
Prothonotary

JANUARY 24, 1986, MOTION and ORDER, filed by Andrew Gates, Esq.

AND NOW, this 24th day of January, 1986, upon reading and considering the foregoing Motion, it is the ORDER of this Court that:

1. Defendants, Alton D. Hollabaugh and Naomi M. Hollabaugh, are permanently enjoined restrained and prohibited from: (a) constructing an on-lot septic system on lot 13 or any other lot of the Sandy Creek Forest Subdivision; (b) spreading or deposition any chemicals whatsoever on lot 13 or any other lot of the Sandy Creek Forest Subdivision (c) fording or crossing any streams, creeks or tributaries in said subdivision; (d) developing the properties in question; and (e) conducting any other activity which would tend to pollute and/or pose a threat to the integrity of Plaintiffs reservoir;

2. Defendants Alton D. Hollabaugh and Naomi D. Hollabaugh are permanently enjoined, restrained and prohibited from making use of any existing on-lot septic systems on lot 13 or any other lot within the Sandy Creek Forest Subdivision; and

3. The Court retains jurisdiction of this matter to ascertain that this Order is obeyed BY THE COURT: /s/ John K. Reilly, Jr., P.J.

MARCH 25, 1986, DEFENDANT SANDY CREEK FOREST INC'S BRIEF IN SUPPORT OF PRELIMINARY OBJECTIONS, filed by John A. Mihalik, Esq. 1 copy Judge Reilly

APRIL 18, 1986, MOTION FOR EXPEDITIOUS TREATMENT, RULE TO SHOW CAUSE and ORDER, filed by Jeffery Stover, Esq

One copy certified to atty

Upon Motion of Jeffrey W. Stover, Esquire the Court hereby grants a rule upon the Plaintiffs to show cause why Defendants Motion for Expeditious treatment should not be granted Rule Returnable for hearing the 24th day of Une, A.D. 1986 at 10:30 am Courtroom No 1, Clearfield County Courthouse, Clearfield, Pa. BY THE COURT: /a/ John K. Reilly, Jr. P.J.

ORDER

AND NOW, this 25th day of April, 1986, after hearing and consideration of the foregoing Motion for Expeditious Treatment it is

ORDERED that a hearing be held on the Preliminary Objections on June 24, 1986 at 10:30 am in Courtroom No. 1 of the Clearfield County Courthouse,

AND IT IS FURTHER ORDERED that all parties to this matter shall cooperate as outlined in Benjamin Novaks letter attached to the Petition as Exhibit "A" in the preparation of all hydrogeological surveys and studies which shall be necessary to the expeditious resolution of this Matter again as outlined in Exhibit "A" of the Petition, the costs to be shared equally by the parties. BY THE COURT: /s/ John K. Reilly, Jr., P.J.

MAY 1, 1986, ANSWER TO MOTION FOR EXPEDITIOUS TREATMENT, filed by Andrew P. Gates, Esq.



Cont'd Fr. Pg 36/b 85-19-EQU QUEHANNA-COVINGTON-KARTHAUS vs. SANDY CREEK FOREST

MAY 19, 1986, ANSWER TO MOTION FOR EXPEDITIOUS TREATMENT FILED ON BEHALF OF CLARENCE L. KUBRICK & CHARMAINE KUBRICK, filed by Stanley R. Geary, Esq.

MAY 19, 1986, ANSWER TO MOTION FOR EXPEDITIOUS TREATMENT FILED ON BEHALF OF OTHO M. OTTE & IRENE G. OTTE, filed by Stanley R. Geary, Esq.

MAY 28, 1986, ANSWER TO COMPLAINT, filed by Richard P. Nuffort, Esq.

MAY 28, 1986, PROOF OF SERVICE, filed by Richard P. Nuffort, Esq.

AUGUST 6, 1986, BRIEF IN SUPPORT OF PRELIMINARY OBJECTIONS OF DEFENDANTS, JOHN M. BASTARDI AND M. LOUISE SEESHOLTZ AND DENNIS FLYNN AND DAWN FLYNN, filed by F. Cortez Bell, III, Esq.

Seven copies certified to atty

OCTOBER 20, 1986 MEMORANDUM AND ORDER filed

ORDER

NOW, this 15th day of October, 1986, upon consideration of Preliminary Objections filed on behalf of the Defendants, it is the ORDER of this Court that said Objections be and are hereby dismissed in part and granted in part consistent with the foregoing Memorandum of Law. It is the further ORDER of this Court that Plaintiffs shall file an amended Complaint within twenty (20) days from date hereof. By the Court, John K. Reilly, Jr., President Judge

NOVEMBER 10, 1986, AMENDED COMPLAINT, filed by Andrew P. Gates.

DECEMBER 3, 1986 SANDY CREEK FOREST'S PRELIMINARY OBJECTIONS TO AMENDED COMPLAINT filed by John A. Mihalik, Esq.

One copy certified Attorney

DECEMBER 10, 1986 PRAECIPE filed

One copy certified Attorney

Kindly enter out appearance on behalf of Norine M. Kambic, a/k/a Norine M. Shindle, in the above matter. s/Jeffrey W. Stover, Esq., of Novak, Stover & McCarty

CERTIFICATE OF SERVICE

DECEMBER 10, 1986 PRELIMINARY OBJECTIONS TO AMENDED COMPLAINT filed by Jeffrey W. Stover

One copy certified Attorney

CERTIFICATE OF SERVICE

DECEMBER 12, 1986 ANSWER AND NEW MATTER OF CLARENCE L. KUBRICK AND CHARMAINE KUBRICK TO AMENDED COMPLAINT filed by Stanley R. Geary, Esq.

DECEMBER 12, 1986 ANSWER AND NEW MATTER OF OTHO OTTE AND IRENE OTTE TO AMENDED COMPLAINT filed by Stanley R. Geary, Esq.

DECEMBER 17, 1986 PRELIMINARY OBJECTIONS TO AMENDED COMPLAINT filed by F. Cortez Bell, III, Esq. (Filed on behalf of John M. Bastardi)

CERTIFICATE OF SERVICE

Ten copies certified Attorney

DECEMBER 17, 1986 PRELIMINARY OBJECTIONS TO AMENDED COMPLAINT filed by F. Cortez Bell, III, Esq. (Filed on behalf of Dennis and Dawn Flynn)

CERTIFICATE OF SERVICE

Ten copies certified Attorney

JANUARY 13, 1987 REPLY TO NEW MATTER OF DEFENDANTS, CLARENCE L. KUBRICK AND CHARMAINE KUBRICK filed by Andrew P. Gates, Esq.

CERTIFICATE OF SERVICE

JANUARY 13, 1987 REPLY TO NEW MATTER OF DEFENDANTS, OTHO OTTE AND IRENE OTTE filed by Andrew P. Gates, Esq.

CERTIFICATE OF SERVICE

JANUARY 13, 1987 PLAINTIFFS' PRELIMINARY OBJECTIONS TO DEFENDANT SANDY CREEK FOREST, INC. PRELIMINARY OBJECTIONS TO PLAINTIFFS' AMENDED COMPLAINT filed by Andrew P. Gates, Esq.

CERTIFICATE OF SERVICE

JANUARY 13, 1987 PLAINTIFFS' PRELIMINARY OBJECTIONS TO THE PRELIMINARY OBJECTIONS TO PLAINTIFFS' AMENDED COMPLAINT OF DEFENDANTS DENNIS FLYNN AND DAWN FLYNN, AND JOHN M. BASTARDI AND M. LOUISE SEESHOLTZ a/k/a M. LOUISE BASTARDI filed by Andrew P. Gates, Esq.

CERTIFICATE OF SERVICE

JANUARY 13, 1987 PLAINTIFFS' PRELIMINARY OBJECTIONS TO THE PRELIMINARY OBJECTIONS TO PLAINTIFFS' AMENDED COMPLAINT OF JAMES F. HARROLD ET AL filed by Andrew P. Gates, Esq.

CERTIFICATE OF SERVICE

JANUARY 21, 1987 ORDER filed

NOW, this 21st day of January, 1987, following argument on Plaintiffs' Preliminary Objections to the Preliminary Objections to Plaintiffs' Amended Complaint filed on behalf of various named Defendants, it is the ORDER of this Court that said Preliminary Objections be and are hereby dismissed. By the Court, John K. Reilly, Jr., President Judge

JANUARY 21, 1987 ORDER filed

NOW, this 21st day of January, 1987, following argument into Preliminary Objections filed on behalf of Dennis Flynn and Dawn Flynn, Sandy Creek Forest, Inc., Stanford L. Large, Jr., William M. LeFever, Sharon L. LeFever, James F. Harrold, Doreen F. Harold, Donald A. Hartle, Patricia Hartle, William P. Kambic, Norine M. Kambic, Mel Hugney, Robert Royer, Sharon Royer, William Diegart, Terrence Allushuski, Stanley Bialek, Mark Gavel, Joseph Heller, Marilyn Heller, John Silinsky, William Silinsky, it is the ORDER of this Court that said Preliminary Objections be and are hereby sustained to the extent that the bases on which Plaintiffs may seek remedy at trial are limited to the following. First, the alleged affects of septic systems including the matter of the soil content of the area on the subject water supply and second, the alleged use



CONTINUED FROM 36C QUEHANNA-COVINGTON-KARTHAUS AREA AUTHORITY al -vs- SANDY CREEK FOREST, INC al

JANUARY 21, 1987 ORDER continued  
of chemicals on the premises of the Defendants and the affect thereof on the subject water supply.  
By the Court, John K. Reilly, Jr., President Judge

JANUARY 21, 1987 ORDER filed  
NOW, this 21st day of January, 1987, following argument into Preliminary Objections in the  
nature of laches filed on behalf of John M. Bastardi and M. Louise Seesholtz, Defendants  
above-named, it is the ORDER of this Court that said Preliminary Objections be and are hereby  
sustained and the Complaint filed against said Defendants stricken. By the Court, John K.  
Reilly, Jr., President Judge

FEBRUARY 11, 1987 ANSWER AND NEW MATTER OF DENNIS FLYNN AND DAWN FLYNN TO AMENDED COMPLAINT  
filed by F. Cortez Bell, III, Esquire  
CERTIFICATE OF SERVICE  
One copy certified Attorney

FEBRUARY 18, 1987 ORDER filed  
NOW, this 18th day of February, 1987, upon consideration of this Court's Order dated  
January 21, 1987, it is the ORDER of this Court that said Order be and is hereby amended to  
include the following: "Defendants shall file responsive pleadings to the Complaint on or before  
March 10, 1987." By the Court, John K. Reilly, Jr., President Judge

FEBRUARY 23, 1987 ANSWER TO AMENDED COMPLAINT filed by Richard P. Nuffort, Esq.  
One copy certified Attorney

FEBRUARY 23, 1987 PROOF OF SERVICE filed by Richard P. Nuffort, Esq.  
One copy certified Attorney

MARCH 9, 1987 ANSWER AND NEW MATTER OF DEFENDANTS JAMES F. HARROLD AND DOREEN F. HARROLD  
filed by Jeffrey W. Stover, Esq.  
One copy certified Attorney  
CERTIFICATE OF SERVICE

MARCH 9, 1987 ANSWER AND NEW MATTER OF DEFENDANTS WILLIAM DIEGERT AND GLORIA DIEGERT  
filed by Jeffrey W. Stover, Esq.  
One copy certified Attorney  
CERTIFICATE OF SERVICE

MARCH 9, 1987 ANSWER AND NEW MATTER OF DEFENDANTS TERRENCE ALLUSHUSKI, STANLEY BIALEK and  
MARK GABEL filed by Jeffrey W. Stover, Esq.  
One copy certified Attorney  
CERTIFICATE OF SERVICE

MARCH 9, 1987 ANSWER AND NEW MATTER OF DEFENDANTS JOSEPH HELLER AND MARILYN HELLER filed  
by Jeffrey W. Stover, Esq.  
One copy certified Attorney  
CERTIFICATE OF SERVICE

MARCH 9, 1987 ANSWER AND NEW MATTER OF DEFENDANTS ROBERT ROYER AND SHARON ROYER filed by  
Jeffrey W. Stover, Esq.  
One copy certified Attorney  
CERTIFICATE OF SERVICE

MARCH 9, 1987 ANSWER AND NEW MATTER OF DEFENDANTS NORINE M. KAMBIC, a/k/a NORINE M. SHINDLE  
filed by Jeffrey W. Stover, Esq.  
One copy certified Attorney  
CERTIFICATE OF SERVICE

MARCH 9, 1987 ANSWER AND NEW MATTER OF DEFENDANTS DONALD A. HARTLE AND PATRICIA HARTLE  
filed by Jeffrey W. Stover, Esq.  
One copy certified Attorney  
CERTIFICATE OF SERVICE

MARCH 10, 1987 ANSWER AND NEW MATTER OF SANDY CREEK FOREST, INC. TO PLAINTIFFS' AMENDED  
COMPLAINT filed by John A. Mihalik, Esq.  
One copy certified Attorney  
CERTIFICATE OF SERVICE

DUE TO AMOUNT OF PAPERS, ALL PAPERS FILED IN LEGAL DRAWER "M"

MARCH 19, 1987 VERIFICATION OF RICHARD FRANKS OF SANDY CREEK FOREST, INC. filed

MARCH 25, 1987 FIRST SET OF INTERROGATORIES AND FIRST REQUEST FOR PRODUCTION OF DOCUMENTS  
DIRECTED TO PLAINTIFFS filed on behalf of Defendants Otho and Irene Otte and Clarence and  
Charmaine Kubrick by Stanley R. Geary, Esq.  
CERTIFICATE OF SERVICE

APRIL 2, 1987 REPLY TO NEW MATTER OF DEFENDANTS, DONALD A. HARTLE AND PATRICIA HARTLE  
filed by Andrew P. Gates, Esq.  
CERTIFICATE OF SERVICE

APRIL 2, 1987 REPLY TO NEW MATTER OF DEFENDANTS, NORINE M. KAMBIC A/K/A NORINE SHINDLE  
filed by Andrew P. Gates, Esq.  
CERTIFICATE OF SERVICE

APRIL 2, 1987 REPLY TO NEW MATTER OF DEFENDANTS, ROBERT ROYER AND SHARON ROYER filed by  
Andrew P. Gates, Esq.  
CERTIFICATE OF SERVICE



etal

etal

Andrew P. Gates, Esq.

THREE  
Gates, Esq.

filed by Andrew P. Gates, Esq.

Andrew P. Gates, Esq.

GABEL filed by Andrew P. Gates, Esq.

filed by Andrew P. Gates, Esq.

by Andrew P. Gates, Esq.

FOR PRODUCTION filed by Andrew P. Gates, Esq.

JUNE 15, 1987 NOTICE OF SERVICE OF INTERROGATORIES filed

Take notice that Interrogatories have been served on the following Defendants:

- (a) Otho and Irene Otte and Clarence and Charmaine Kubrick;
- (b) Sandy Creek Forest, Inc.;
- (c) William M. LeFever and Sharon L. LeFever;
- (d) James F. Harrold and Doreen F. Harrold
- (e) William Diegert and Gloria Diegert;
- (f) Terrence Allushuski, Stanley Bialek and Mark Gabel;
- (g) Joseph Heller and Marilyn Heller;
- (h) Robert Royer and Sharon Royer;
- (i) Donald A. Hartle and Patricia Hartle;
- (j) Norine M. Kambic, a/k/a Norine Shindle; and
- (k) Dennis Flynn and Dawn Flynn

which are attached hereto and made a part hereof as Exhibits "A" through "K". s/Andrew P. Gates,  
Esq.

OTTE AND CLARENCE AND CHARMAINE KUBRICK filed by Andrew P. Gates, Esq.

Defendants William M. and Sharon L. LeFever

One copy certified Attorney

JULY 6, 1987 ANSWERS TO REQUEST FOR PRODUCTION OF DOCUMENTS filed by Richard P. Nuffort, Esq.

JULY 10, 1987, PRAECIPE FOR DEFAULT JUDGMENT, filed

Enter judgment in favor of Quehanna-Covington-Karthus area Authority et al, Plaintiffs herein, and against Mel Hugney, a/k/a Melvin Hugney, one of the Defendants herein, for failure to file an Answer or other responsive pleading to the Amended Complaint which was served upon said Defendant's attorney J. Richard Mattern, III, Pursuant to the Pennsylvania Rule of Civil Procedure by regular mail, postage prepaid on November 12, 1986 with Plaintiffs having further served upon said Defendant and his attorney by regular mail postage prepaid the required notice dated June 8, 1987 of their intent to take a default judgment against said Defendant with said photocopies of said notice, and Attorney's Certification of Service of the Motion and Amended Complaint, being attached hereto and made a part hereof as Exhibits "A", "B" and "C". /s/ Andrew P. Gates, Esq.

MEL HUGNEY a/k/a/ MELVIN HUGNEY, in the above captioned matter for failure to file  
and Answer.

## DEFAULT JUDGMENT

Prothonotary



CONTINUED FROM PAGE 36E 85-19-EQU QUEHANNA-COVINGTON-KARTHAUS AREA AUTHORITY al -vs- SANDY CREEK FOREST, INC

JULY 13, 1987 PROOF OF SERVICE filed

I hereby certify that I am this 8th day of July, 1987, serving a true and correct copy of Defendants William M. LeFever and Sharon L. LeFever's Answers to Interrogatories as well as Answers to Request for Production of Documents upon the person and in the manner indicated below, which service satisfies the requirement of local Rule 251.

Service by first-class mail addressed as follows: John A. Mihalik, Esq.; F. Cortez Bell III, Esq.; Jeffrey W. Stover, Esq.; Rick Mattern, Esq.; Andrew P. Gates, Esq.; Stanley R. Geary, Esq. (see original for addresses). s/Richard P. Nuffort, Esq.

One copy certified Attorney

JULY 22, 1987, MOTION & ORDER, filed

AND NOW, this 28th day of July, 1987, upon reading and considering the foregoing Motion, it is the ORDER of this Court that:

1. Defendant, Mel Hugney, A/k/a Melvin Hugney, is permanently enjoined, restrained and prohibited from: (a) constructing an on-lot septic system on Lot 5 or any other lot of the Sandy Creek Forest Subdivision; (b) spreading or depositing any chemicals whatsoever on lot 5 or any other lot of the Sandy Creek Forest Subdivision; (c) fording or crossing any streams, creeks, or tributaries in said subdivision; (d) developing lot 5 of the Sandy Creek Forest Subdivision; and (e) conducting any other activity which would tend to pollute and/or pose a threat to the integrity of Plaintiffs reservoir;

2. Defendant, Mel Hugney, a/k/a Melvin Hugney, is permanently enjoined, restrained and prohibited from making use of any existing on-lot systems of lot 5 or any other lot within the Sandy Creek Forest Subdivision and

3. The Court retains jurisdiction of this matter to ascertain that this Order is obeyed. BY THE COURT: John K. Reilly, Jr President Judge.

SEPTEMBER 2, 1987 RESPONSES TO INTERROGATORIES AND REQUEST FOR PRODUCTION DIRECTED TO DEFENDANTS, OTHO AND IRENE OTTE AND CLARENCE AND CHARMAINE KUBRICK filed by Stanley R. Geary, Esq.

CERTIFICATE OF SERVICE

OCTOBER 16, 1987, ANSWERS TO INTERROGATORIES ON BEHALF OF DEFENDANT SANDY FOREST, INC., filed by John A. Mihalik, Esq.

CERTIFICATE OF SERVICE

OCTOBER 28, 1987, INTERROGATORIES AND REQUEST FOR PRODUCTION DIRECTED TO DEFENDANTS, DENNIS AND DAWN FLYNN, filed by Andrew P. Gates. 7 Copies Cert/Atty

NOVEMBER 30, 1987, DEFENDANTS ANSWER TO PLAINTIFF' INTERROGATORIES BY JOSEPH HELLER AND MARILYN HELLER, filed BY Jeffrey W. Stover, Esq. 1 cert/Atty.

NOVEMBER 30, 1987, DEFENDANTS ANSWER TO PLAINTIFFS' INTERROGATORIES BY NORINE M. KRAMBIC a/k/a NORINE M. SHINDLE, filed by Jeffrey W. Stover, Esq. 1 cert/Atty

NOVEMBER 30, 1987, DEFENDANTS ANSWER TO PLAINTIFFS' INTERROGATORIES BY ROBERT ROYER AND SHARON ROYER, filed by Jeffrey W. Stover, Esq. 1 cert/Atty.

NOVEMBER 30, 1987, DEFENDANTS ANSWER TO PLAINTIFFS' INTERROGATORIES BY DONALD A. HARTLE AND PATRICIA HARTLE, filed by Jeffrey W. Stover, Esq. 1 cert/Atty.

NOVEMBER 30, 1987, DEFENDANTS ANSWER TO PLAINTIFFS' INTERROGATORIES BY JAMES F. HARROLD AND DOREEN F. HARROLD, filed by Jeffrey W. Stover, Esq. 1 cert/Atty.

DECEMBER 9, 1987, AFFIDAVIT OF SERVICE, filed

NOW, November 23, 1987, served the within Subpoena on Records Mgr. Clearfield County Planning Commission, by handing to Rhonda Bash, Records Mgr. /s/ Chester A. Hawkins by Marilyn Hamm.

JANUARY 6, 1988, DEFENDANTS ANSWER TO PLAINTIFFS' INTERROGATORIES, filed by Jeffrey W. Stover, Esq. 1 cert atty.

JANUARY 6, 1988, DEFENDANTS ANSWER TO PLAINTIFFS' INTERROGATORIES, filed by Jeffrey W. Stover, Esq. 1 cert atty

JUNE 23, 1988, ENTRY OF APPEARANCE, filed

Kindly enter our appearance as co-counsel on behalf of the Plaintiffs in the above captioned matter. /s/ Stephen C. Braverman, Esq. & James D. Morris, Esq.

JUNE 23, 1988, NOTICE OF DEPOSITION, filed

Please take notice that the Deposition of any or all officers, directors, or managing agents on behalf of Sandy Creek Forest, Esq. will be taken.

/s/ Andrew P. Gates, Esq.

CERTIFICATE OF SERVICE:

The foregoing Notice of Deposition was served on the following by U.S. Mail. John A. Mihalik, Esq. ; F. Cortez Bell, III, Esq; Jeffrey W. Stover, Esq; Rick Mattern, Esq; Stanley R. Geary, Esq; & Richard P. Nuffort, Esq.

JUNE 23, 1988, NOTICE OF DEPOSITION, filed

Please take notice that the Deposition of Richard Franks will be taken.

/s/ Andrew P. Gates, Esq.

CERTIFICATE OF SERVICE:

The foregoing Notice of Deposition was served on the following by U.S. Mail: John A. Mihalik, Esq.; F. Cortez Bell, III, Esq; Jeffrey W. Stover, Esq; Rick Mattern, Esq; Stanley R. Geary, Esq; & Richard P. Nuffort, Esq.

JULY 19, 1988, ANSWER TO MOTION TO COMPEL RESPONSE TO DISCOVERY AGAINST GIRARD TOWNSHIP, filed by Stephen C. Braverman, Esq & James D. Morris, Esq

CERTIFICATE OF SERVICE, filed by James D. Morris, Esq.

JULY 19, 1988, ANSWER TO MOTION TO COMPEL RESPONSE TO DISCOVERY AGAINST QUEHANNA-COVINGTON-KARTHAUS AREA AUTHORITY, filed by Stephen C. Braverman, Esq & James D. Morris, Esq.

CERTIFICATE OF SERVICE, filed by James D. Morris, Esq.



Jeffrey W.  
Stover

JAMES F. HARROLD and  
DOREEN F. HARROLD, his  
wife  
115 N. Gotwalt Street  
York, PA 17404

85-20-EQU

RICHARD L. FRANKS,  
7 Crosskeys Road, Box 144  
Collegeville, PA 19426

AND

SANDY CREEK FOREST, INC.  
7 Crosskeys Road, Box 144  
Collegeville, PA 19426

Pro	by Atty	40.00
Shff	by atty	25.00
surg	by atty	4.00
Shff		
Lalley	by atty	24.00

SEPTEMBER 10, 1985, PRAECIPE FOR WRIT OF  
SUMMONS, filed by Benjamin Novak & Associates.

SEPTEMBER 10, 1985, SUMMONS ISSUED TO SHERIFF FOR  
SERVICE.

Enter my appearance for the Plaintiffs and issue  
a summons in a civil action (equity, assumpsit, trespass,  
in the above-captioned matter. NOVAK, STOVER & McCARTY,  
By s/ Jeffrey W. Stover

SEPTEMBER 23, 1985, SHERIFF'S RETURN, filed.

Now September 11, 1985 Francis B. Lalley, Sheriff  
of Montgomery County was deputized by Chester A.  
Hawkins, Sheriff of Clearfield County to serve the  
within Writ of Summons on Richard L. Franks and Snady  
Creek Forest Inc., Defendant

Now September 17, 1985 served the within Writ of  
Summons on Richard L. Franks and Sandy Creek Forest  
Inc., defendants by deputizing the Sheriff of Mont-  
gomery County. The return of Sheriff Lalley is hereto  
attached and made a part of this return stating that  
he served James Lovett, P.I.C./a/ Chester A. Hawkins  
Shff by Marilyn Wood.



CONT. FR PG 34 QUEHANNA-COVINGTON-KARTHAUS AREA AUTHORITY al vs. SANDY CREEK FOREST, INC al  
85-19-EQU

ORDER, filed

AND NOW TO-WIT, this 11th day of February, 1991, upon consideration of the attached motion to compel discovery a pre-hearing conference shall be held on the 5th day of March, 1991 at 1:30 PM in the Courtroom NO. \_\_\_\_, Clearfield County Courthouse, Clearfield Pennsylvania. BY THE COURT: John K. Reilly, Jr., P.J.

FEBRUARY 12, 1991, MOTION TO STRIKE FROM TRIAL LIST ON BEHALF OF DEFENDANT, SANDY CREEK FOREST, INC, filed by John A. Mihalik, Esq. 7 cert/Atty

CERTIFICATE OF SERVICE, filed

I, John A. Mihalik, Esq, do hereby certify taht I served a true and correct copy of the attached document in the above-captioned action upon the following individual by first class mail, postage pre-paid addressed as follows: Andrew P. Gates, Esq; Ricahrd P. Nuffort, Esq, Stanley Geary, Esq, F. Cortez Bell, III, Esq, Jeffrey W. Stover, ESq,; James D. Morris, Esq. /s/ John A. Mihalik, ESq.

FEBRUARY 12, 1991, OBJECTION TO DEFENDANT SANDY CREEK FOREST, INC'S MOTION TO STRIKE CASE FROM TRIAL LIST, filed by Stanley R. Geary, Esq.

PROOF OF SERVICE, filed

I hereby certify that on February 11, 1991, a true and correct copy of the foregoing Objections was served by regular mail, postage preapid, on the following: John A. Mihalik, Esq; F. Cortez Bell, III, Esq; Jeffrey W. Stover, Esq; Charles E. Gutshall, Esq; Rick Mattern, ESq; Andrew P. Gates, Esq; Richard P. Nuffort, Esq. /s/ Stanley R. Geary, Esq.

FEBRUARY 12, 1991, ORDER, filed 1 cert/Atty

NOW, this 11th day of February, 1991, upon consideration of Defendant Sandy Creek Forest, Inc's Motion to Strike from Trial List in the above-captioned matter, it is the ORDER Of this Court that said Motion be and is hereby denied. BY THE COURT: John K. Reilly, Jr, P.J.

FEBRUARY 11, 1991, CERTIFICATE OF SERVICE, filed

I, Andrew P. Gates, Esquire do hereby certify that on February 8, 1991, I served a true and correct copy of the Motion to Amend Complaint Petition for Rule to Amend Complaint and Motion for Summary Judgment in the above captioned action upon the following individuals by first class mail, postage pre-paid addressed as follows: Stanley R. Geary Esq; Jeffrey Stover, ESq; John Mihalik, Esq; F. Cortez Bell, III, Esq; and Richard P. Nuffort, Esq. /s/ Andrew P. Gates, Esq.

FEBRUARY 19, 1991, NOTICE OF DEPOSITION ADDRESSED TO QUEHANNA-COVINGTON-KARTHAUS AREA AUTHORITY, FILED ON BEHALF OF DEFENDANT, SANDY CREEK FOREST, INC, filed by John A. Mihalik, Esq. 1 cert/Atty

CERTIFICATE OF SERVICE, filed

I, Thomas E. Leipold, ESquire, do hereby certify that I served a true and correct copy of the attached Notice of Deposition in the above-captioned action upon the following individuals by first class mail, postage pre-paid addressed as follows: Andrew P. Gates, ESq; Richard P. Nuffort, Esq; Stanley Geary, Esq; F. Cortez Bell, III, Esq; and Jeffrey W. Stover, Esq. /s/ Thomas E. Leipold, Esq.

FEBRUARY 19, 1991 , NOTICE OF DEPOSITION ADDRESSED TO COVINGTON TOWNSHIP FILED ON BEHALF OF DEFENDANT, SANDY CREEK FOREST, INC, filed by John A. Mihalik, ESq. 1 cert/Atty

CERTIFICATE OF SERVICE, filed

I, Thomas E. Leipold, ESquire, do hereby certify that I served a true and correct copy of the attached Notice of Deposition in the above-captioned action upon the following individuals by first class mail, postage pre-paid addressed as follows: Andrew P. Gates, ESq; Richard P. Nuffort, Esq; Stanley Geary, Esq; F. Cortez Bell, III, Esq; and Jeffrey W. Stover, Esq. /s/ Thomas E. Leipold, Esq.

FEBRUARY 19, 1991, NOTICE OF DEPOSITION OF GIRARD TOWNSHIP FILED ON BEHALF OF DEFENDANT, SANDY CREEK FOREST, INC, filed by John A. Mihalik, ESq 1 cert/Atty

CERTIFICATE OF SERVICE, filed

I, Thomas E. Leipold, ESquire, do hereby certify that I served a true and correct copy of the attached Notice of Deposition in the above-captioned action upon the following individuals by first class mail, postage pre-paid addressed as follows: Andrew P. Gates, ESq; Richard P. Nuffort, Esq; Stanley Geary, Esq; F. Cortez Bell, III, Esq; and Jeffrey W. Stover, Esq. /s/ Thomas E. Leipold, Esq.

FEBRUARY 19, 1991, NOTICE OF DEPOSITION OF KARTHAUS TOWNSHIP FILED ON BEHALF OF DEFENDANT, SANDY CREEK FOREST, INC, filed by John A. Mihalik, ESq.

CERTIFICATE OF SERVICE, filed

I, Thomas E. Leipold, ESquire, do hereby certify that I served a true and correct copy of the attached Notice of Deposition in the above-captioned action upon the following individuals by first class mail, postage pre-paid addressed as follows: Andrew P. Gates, ESq; Richard P. Nuffort, Esq; Stanley Geary, Esq; R. Cortez Bell, III, Esq; and Jeffrey W. Stover, Esq. /s/ Thomas E. Leipold, Esq.

FEBRUARY 22, 1991, CERTIFICATE OF SERVICE, filed

I, Andrew P. Gates, ESquire do hereby certify that on February 22, 1991, I served a true and correct copy of the Brief in Support of Plaintiffs' Motion for Summary Judgmetn, Affidavit of Walter Kuzemchok; Affidavit of Paul Sayers and Order in the above captioned action upon the following individuals by first class mail, postage pre-paid addressed as follows: Stanley R. Geary, Esq; Jeffrey Stover, ESq; John Mihalik, Esq; F. Cortez Bell, III, Esq; Ricahed P. Nuffort, Esq. /s/ Andrew P. Gates, Esq.

CONT. TO PG 42



<del>Anthony S. Guido -</del> John R. Carfley	ROBERT A. DAHLIN	<u>SEPTEMBER 19, 1985, COMPLAINT/EQUITY</u> , filed by Anthony S. Guido One Copy Certified to Sheriff	
	85-21-EQU	<u>OCTOBER 7, 1985, AFFIDAVIT OF SERVICE</u> , filed. Now October 2, 1985 at 10:10 am DST served the within Complaint in Equity on Gary Bamat, Asst. Controller for defendant at his place of employment, PO Box 189, Westover, Clearfield County, Penna. by handing to Gary Bamat a true and attested copy of the original Complaint in Equity and made known to him the contents thereof. /s/ Chester A. Hawkins, Shff by Marilyn Wood.	
Joseph Colavecchi	KRISTIANSON AND JOHNSON COAL COMPANY, INC.	<u>OCTOBER 10, 1985, PRAECIPE FOR APPEARANCE</u> , filed. Please enter my appearance on behalf of Kristianson and Johnson Coal Company, Inc., Defendant in the above-caption action. /s/ Joseph Colavecchi, Esq.	
		<u>NOVEMBER 5, 1985, ANSWER, NEW MATTER AND COUNTERCLAIM</u> , filed by Joseph Colavecchi, Esq. Four copies certified to atty	
		<u>NOVEMBER 19, 1985, REPLY TO NEW MATTER &amp; ANSWER TO COUNTERCLAIM</u> , filed by Anthony S. Guido, Esq.	
		<u>FEBRUARY 16, 1988, PRAECIPE</u> , filed Please withdraw my appearance on behalf of the Plaintiff, Robert A. Dahlin, in the above captioned matter. /s/ Anthony S. Guido, Esq.	
		<u>FEBRUARY 16, 1988, PRAECIPE</u> , filed Please enter my appearance on behalf of Robert A. Dahlin, Plaintiff, in the above captioned matter. /s/ John Carfley, Esq.	
	Pro Shff surg	by Atty by atty by atty	40.00 34.40 2.00
		<u>MARCH 4, 1988, AMENDED REPLY TO NEW MATTER AND AMENDED ANSWER TO COUNTERCLAIM</u> , filed by John R. Carfley Esq.	
		<u>MARCH 10, 1988, PRAECIPE</u> , filed. Kindly list the above captioned matter on the next Civil Trial List. As Attorney for the Plaintiff, I certify that no motions are outstanding and that discovery has been completed and the case is ready for trial; the case is to be heard non-jury; and that I am serving notice of this Praecipe on Attorney for Defendant. /s/ John R. Carfley, Esq.	
		<u>AUGUST 23, 1988, ORDER</u> , filed NOW, this 22nd day of August, 1988, it is the ORDER of this Court that the above captioned case be and is hereby removed from the Non-Jury Trial List until either counsel files a Certificate of Readiness and Praecipe for Non-Jury Trial. BY THE COURT: John K. Reilly, Jr President Judge.	



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Anthony S.  
Guido

PATWIL, INC.

SEPTEMBER 23, 1985, COMPLAINT/EQUITY, filed by  
Anthony S. Guido  
One Copy Certified to Sheriff

OCTOBER 2, 1985, AFFIDAVIT OF SERVICE, filed.

85-22-EQU

NOW September 24, 1985 at 11:20 AM DST served  
the within Complaint in Equity on Donald B. Tubbs,  
defendant at his place of residence, TL, Box 210,  
DuBois, Clearfield County, Penna by handing to  
Donald Tubbs, a true and attested copy of the original  
Complaint in Equity and made known to him the contents  
thereof. /a/ Chester A. Hawkins, Shff by Marilyn Wood.

OCTOBER 16, 1985, PRELIMINARY OBJECTIONS, filed by  
David P. King, Esq.

DONALD B. TUBBS

Pro	by Atty	40.00
Shff	by atty	23.60
surg	by atty	2.00



FEBRUARY 25, 1991, AFFIDAVIT OF WALT KUZEMCHOCK, CHAIRMAN, QUEHANNA-COVINGTON-KARTHAUS AREA AUTHORITY TO SECOND AMENDED COMPLAINT, filed by Andrew P. Gates, Esq.

FEBRUARY 27, 1991, ANSWER OF DEFENDANT, SANDY CREEK, FOREST, INC, TO PLAINTIFFS' PETITION FOR RULE TO AMEND COMPLAINT, filed by John A. Mihalik, Esq, 1 cert/Atty

FEBRUARY 27, 1991, CERTIFICATE OF SERVICE, filed

I, Thomas E. Leipold, Esquire, do hereby certify that I served true and correct copies of the Rules or Orders entered by the Court in relation to teh Motions to Compel Discovery filed against each of the Plaintiffs by the Defendant, Sandy Creek Forest, Inc, in the above-captioned action upon the following individuals by first class mail, postage pre-paid addressed as follows: Andrew P. Gates, Esq.; Richard P. Nuffort, Esq, ZIMMERMAN, PFANNEBECKER & NUFFORT, 22 South Duke St, Lancaster, PA 17602; Stanley Geary, Esq, BUCHANAN INGERSOLL, P.C., 600 Grant ST, 58th Floor, Pittsburgh, PA 15219; F. Cortez Bell, III, Esq, & Jeffrey W. Stover, Esq, NOVAK, STOVER & McCARTY, PO Box 828, State College, PA 16801. /s/ Thomas E. Leipold, Esq.

MARCH 4, 1991, RESPONSE TO PALINTIFFS' PETITION FOR RULE TO AMEND COMPLAINT, filed. 1 Cert Atty. Filed by Stanley R. Geary, Esq.

PROOF OF SERVICE

I hereby certify that on February 28, 1991, a true and correct copy of the foregoing Response was served by regular mail, postage prepaid, on the following:

- 1) John A. Mihalik, Esq., James & Mihalik, 29 East Main St., Bloomsburg, PA
  - 2) F. Cortez Bell, III, Esq., Bell, Silberblatt & Swoope, 318 East Locust St., P.O. Box 670, Clearfield, PA
  - 3) Jeffrey W. Stover, Esq., Novak, Stover, & McCarty, P.O. Box 828, State College, PA
  - 4) Charles E. Gutshall, Esq., Klett, Lieber, Rooney, & Schorling, 340 N. 3rd St., Suite 600, Harrisburg, PA
  - 5) Rick Mattern, Esq., 211 East Pine St., Clearfield, PA 16830
  - 6) Andrew P. Gates, Esq., Gates & Seaman, Marino Bldg., P.O. Box 864, Clearfield, PA
  - 7) Richard P. Nuffort, Esq., Zimmerman, Pfannebecker & Nuffort, 22 South Duke Street, Lancaster, PA.
- s/ STANLEY R. GEARY, ESQ.

MARCH 5, 1991, DEFENDANTS' RESPONSE TO PLAINTIFFS' PETITION FOR RULE TO AMEND COMPLAINT, filed F. Cortez Bell, III, Esq. 6 cert/Atty

CERTIFICATE OF SERVICE, filed

I, F. Cortez Bell, III, Esquire, do hereby certify that I served a true and correct copy of the attached Defendants' Response to Plaintiffs' Petition for Rule to Amend Complaint upon the following individuals by first class mail, postage prepaid addressed as follows: Andrew P. Gates, Esq; Richard P. Nuffort, Esq; Stanley Geary, ESq; Thomas E. Leipold, Esq; Jeffrey W. Stover, Esq; and Charles E. Gutshall, ESq. /s/ F. Cortez Bell, III, Esq.

MARCH 6, 1991, ORDER, filed

NOW, this 5th day of March, 1991, upon consideration of Plaintiffs' Petition to amend Complaint and responses thereto, and argument and briefs thereon, it is the ORDER of this Court that said Petition be and is hereby denied. BY THE COURT: John K. Reilly, Jr., P.J.

MARCH 6, 1991, EXHIBITS, filed in Legal M.

MARCH 5, 1991, ANSWER TO PETITION FOR RULE TO AMEND COMPLAINT, filed by Jeffrey W. Stover, Esq. 7 cert/Atty

MARCH 8, 1991, NOTICE OF DEPOSITION, filed by Andrew P. Gates, ESq and Charles E. Gutshall, Esq.

CERTIFICATE OF SERVICE, filed

I, Charles E. Gutshall, Esquire do hereby certify that on March 7, 1991 I served a true and correct copy of the Deposition Notice in the above captioned action upon the following individual by telecopier and first class mail, postage pre-paid on the following: Stanley R. Geary, Esq; Jeffrey Stover, Esq; John Mihalik, Esq; F. Cortez Bell, III, Esq; Richard P. Nuffort, Esq. /s/ Charles E. Gutshall, Esq.

MARCH 11, 1991, SUPPLEMENTAL RESPONSES TO INTERROGATORIES AND REQUEST FOR PRODUCTION DIRECTED TO DEFENDANTS, OTHO AND IRENE OTTE AND CLARENCE AND CHARMAINE KUBRICK, filed by Stanley R. Geary, Esq.

CERTIFICATE OF SERVICE, filed

I hereby certify that on March 11, 1991, a true and correct copy of the foregoing Supplemental Responses to Interrogatories and Request for Production Directed to Defendants, Otho and Irene Otte and Clarence and Charmaine Kubrick was served by first-class mail, postage prepaid, on each of the following: John A. Mihalik, Esq. F. Cortez Bell, III, Esq; Jeffrey W. Stover, Esq; Rick Mattern, Esq; Charles E. Gutshall, Esq; Richard P. Nuffort, Esq. /s/ Stanley R. Geary, Esq.

MARCH 13, 1991, MOTION TO STRIKE FILED IN RESPONSE TO PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT, filed Jeffrey W. Stover, Esq

CERTIFICATE OF SERVICE, filed

I hereby certify that I am this day serving the foregoing document upon the person and in the manner indicated below: SERVICE BY FIRST CLASS MAIL ADDRESSED AS FOLLOWS: Andrew P. Gates, Esq; Stanley R. Geary, Esq; F. Cortez Bell, III, Esq; Charles E. Gutshall, Esq; Thomas E. Leipold, Esq; and Ricahrd P. Nuffort, Esq. DATED this 13th day of March, 1991. /s/ Marsha K. Walker, Sec to Jeffrey W. Stover, Esq.

MARCH 13, 1991, ANSWER TO PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT, filed by Jeffrey W. Stover, Esq.

CERTIFICATE OF SERVICE, filed

I hereby certify that I am this day serving the foregoing document upon the person and in the manner indicated below: SERVICE BY FIRST CLASS MAIL ADDRESSED AS FOLLOWS: Andrew P. Gates, Esq; Stanley R. Geary, Esq; F. Cortez Bell, III, Esq; Charles E. Gutshall, Esq; Thomas E. Leipold, Esq; and Richard P. Nuffort, ESq. DATED this 13th day of March, 1991. /s/ Marsha K. Walker, Sec to Jeffrey W. Stover, Esq.

MARCH 13, 1991, REPLY TO PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT, filed by Stanley R. Geary, Esq.



Jeffrey W.  
Stover

ROBERT ROYER and  
SHARON ROYER, his wife  
Box 399  
Pennsylvania Furnace, PA  
16865

85-23-EQU

RICHARD L. FRANKS  
7 Crosskeys Road, Box 144  
Collegeville, PA 19426

AND

SANDY CREEK FOREST, INC  
7 Crosskeys Road, Box 144  
Collegeville, PA 19426

Pro	by Atty	40.00
Shff	by atty	25.00
surg	by atty	4.00
Shff		
Lalley	by atty	24.00

SEPTEMBER 27, 1985, PRAECIPE FOR WRIT AND WRIT OF  
SUMMONS, filed by Jeffrey W. Stover  
Three Copies Certified to Attorney.

Enter my appearance for the Plaintiffs and issue  
a summons in a civil action (equity, assumpsit,  
trespass) in the above-captioned matter. NOVAK, STOVER  
McCARTY, By Jeffrey W. Stover, Esquire

SEPTEMBER 27, 1985, SUMMONS ISSUED TO SHERIFF FOR  
SERVICE.

OCTOBER 18, 1985, SHERIFF'S RETURN, filed.

Now September 30, 1985, Frank Lalley, Sheriff of  
Montgomery County was deputized by Chester A. Hawkins,  
Sheriff of Clearfield County to serve the within  
Writ of Summons on Richard L. Franks and Sandy  
Creek Forest Inc., Defendants.

Now October 7, 1985 served the within Writ of  
Summons on Richard L. Franks and Sandy Creed Forest  
Inc., defendant by deputizing the Sheriff of Mont-  
gomery County. The return of Sheriff Lalley is here  
to attached and made a part of this return stating  
that he served Jane Maris, PIC./a/ Chester A. Hawkins  
by Marilyn Wood



CERTIFICATE OF SERVICE, filed

I hereby certify that on March 12, 1991, a true and correct copy of the foregoing Reply to Motion for Summary Judgment was served by regular mail, postage prepaid, on the following: John A. Milhalik, Esq; F. Cortez Bell, III, Esq, Jeffrey W. Stover, Esq; Rick Mattern, Esq; Richard P. Nuffort, Esq and Charles E. Gutshall, Esq. /s/ Stanley R. Geary, Esq.

MARCH 15, 1991, AFFIDAVIT OF RICHARD L. FRANKS PRESIDENT OF SANDY CREEK FOREST., INC. IN OPPOSITION TO PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT, filed by s/RICHARD C. FRANKS

MARCH 15, 1991, ANSWER OF DEFENDANT, SANDY CREEK FOREST, INC., TO PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT, filed by s/JOHN A. MIHALIK, ESQ.

CERTIFICATE OF SERVICE, filed.

I, Thomas E. Leipold, Esq, do hereby certify that I served a true and correct copies of the attached Answer of Defendant, Sandy Creek Forest, Inc., to Plaintiffs' Motion for Summary Judgment in the above-captioned action upon the following individual(s) by personally delivering the same.

- 1) Andrew P. Gates, Esq., Gates & Seaman, Marino Bld., P.O.Box 846, Clearfield, PA 16830
- 2) Richard P. Nuffort, Esq., Zimmerman, Pfannebecker & Nuffort, 22 S. Duke St., Lancaster, PA 17602
- 3) Stanley Geary, Esq., Buchanan Indersoll, P.C., 600 Grant St., 58th Floor, Pittsburgh, PA 15219
- 4) F. Cortez Bell, III, Esq., Bell, Silberblatt & Swoope, PO Box 670, Clearfield, PA 16830
- 5) Jeffrey W. Stover, Esq., Novak, Stover & McCarty, P.O. Box 828, State College, PA 16801
- 6) Charles E. Gutshall, Esq., Klett, Lieber, Rooney & Schorling, 240 N. 3rd St., Suite 600, Harrisburg, PA. 17101. s/THOMAS E. LEIPOLD, ESQ.

MARCH 15, 1991, NOTICE OF DEPOSITON, filed by s/ANDREW P. GATES & s/CHARLES E. GUTSHALL, esq.

CERTIFICATE OF SERVICE, filed.

I hereby certify that on March 13, 1991, I served a true and correct copy of the Deposition Notice in the above captioned action upon the following individual(s) by first class mail, postage pre-paid on the following: Stanly R. Geary, Esq., Jeffrey Stover, Esq., John Mihalik, Esq., F. Cortez Bell, III, Esq., & Richard P. Nuffort, Esq., s/Charles E. Gutshall, Esq

MARCH 18, 1991, PLAINTIFFS' ANSWERS TO INTERROGATORIES OF DEFENDANT, SANDY CREEK FOREST, INC, filed Andrew P. Gates, Esq.

CERTIFICATE OF SERVICE, filed

I, Andrew P. Gates, Esquire do hereby certify that on March 18, 1991 I served a true and correct copy of the Answers of Plaintiffs, Quehanna-Covington-Karthaus Area Authority to Interrogatories of Defendant, Sandy Creek Forest, Inc in the above captioned action upon the following individual by first class mail, postage pre-paid addressed as follows: Stanley R. Geary, Esq.; Jeffrey Stover, Esq; John Mihalik, Esq; F. Cortez Bell, III, Esq; & Richard P. Nuffort, Esq. /s/ Andrew P. Gates, Esq.

MARCH 18, 1991, RESPONSE OF PLAINTIFF, QUEHANNA-COVINGTON-KARTHAUS AREA AUTHORITY TO REQUEST FOR PRODUCTION OF DOCUMENTS OF DEFENDANT, SANDY CREEK FOREST, INC, filed by Andrew P. Gates, Esq.

CERTIFICATE OF SERVICE, filed

I, Andrew P. Gates, Esquire do hereby certify that on March 15, 1991 I served a true and correct copy of the Response of Plaintiff, Quehanna-Covington-Karthaus Area Authority, to Request for Production of Documents of Defendant, Sandy Creek Forest, Inc in the above captioned action upon the following individual by first class mail, postage pre-paid on the following: Stanley R. Geary, Esq; Jeffrey Stover, Esq; John Mihalik, Esq' F. Cortez Bell, III, Esq; & Richard P. Nuffort, Esq. /s/ Andrew P. Gates, Esq.

MARCH 18, 1991, RESPONSE OR PLAINTIFF, QUEHANNA-COVINGTON-KARTHAUS AREA AUTHORITY, TO SUPPLEMENTAL REQUEST FOR PRODUCTION OF DOCUMENTS OF DEFENDANT, SANDY CREEK FOREST, INC, filed by Andrew P. Gates, Esq.

CERTIFICATE OF SERVICE, filed

I, hereby certify that on March 15, 1991 I served a true and correct copy of the Response of Plaintiff, Quehanna-Covington-Karthaus Area Authority, to Supplemental Request for Production of Documents of Defendant, Sandy Creek Forest, Inc in the above captioned action upon the following individual by first class mail, postage pre-paid on the following: Stanley R. Geary, Esq; Jeffrey Stover, Esq; John Mihalik, Esq; F. Cortez Bell, III, Esq & Richard P. Nuffort, Esq. /s/ Andrew P. Gates, Esq.

MARCH 18, 1991, ANSWERS OF PLAINTIFF, QUEHANNA-COVINGTON-KARTHAUS AREA AUTHORITY, TO SUPPLEMENTAL INTERROGATORIES OF DEFENDANT, SANDY CREEK FOREST, INC, filed by Andrew P. Gates, Esq.

CERTIFICATE OF SERVICE, filed

I, Andrew P. Gates, Esquire do hereby certify that on March 18, 1991, I served a true and correct copy of the Answers of Plaintiffs, Quehanna-Covington-Karthaus Area Authority to Supplemental Interrogatories of Defendant, Sandy Creek Forest, Inc, in the above captioned action upon the following individual by first class mail, postage pre-paid addressed as follows: Stanley R. Geary, Esq; Jeffrey Stover, Esq; John Mihalik, Esq; F. Cortez Bell, III, Esq; & Richard P. Nuffort, Esq. /s/ Andrew P. Gates, Esq.

MARCH 18, 1991, MOTION, filed by Andrew P. Gates, Esq.

MARCH 22, 1991, NOTICE OF DEPOSITION OF WILLIAM DIEGERT OR GLORIA DIEGERT and NORINE KAMBIC, NOW KNOWN AS NORINE SHINDLE, filed by s/ANDREW P. GATES, ESQ.

CERTIFICATE OF SERVICE, filed.

I, Andrew P. Gates, Esq. do hereby certify that on March 22, 1991, I served a true and correct copy of the Deposition Notice, in the above captioned action upon the following individual(s) by first class mail, postage pre-paid addressed as follows:

- 1) Stanley R. Geary, Esq., Buchanan Indersoll PC, 58th Floor - 600 Grant St., Pittsburgh, Pa. 15219
- 2) Jeffrey Stover, Esq., Novak, Stover, & McCarty, PO Box 828, State College, Pa. 16801
- 3) John Mihalik, Esq., Hummel, James & Mihalik, 29 E. Main St., Bloomsburg, Pa. 17815-1989
- 4) F. Cortez Bell, III, Esq., Bell, Silberblatt & Swoope, PO Box 670, Clearfield, Pa 16830
- 5) Richard P. Nuffort, Esq., Zimmerman, Pfannebecker & Nuffort, 22 S. Duke St., Lancaster, Pa. S/ANDREW P. GATES, ESQ.



James A. Naddeo	GERALDINE SALTSMAN	SEPTEMBER 30, 1985, COMPLAINT/EQUITY, filed by Belin, Belin & Naddeo One Copy Certified to Attorney.	
	85-24-EQU	OCTOBER 29, 1985, AFFIDAVIT OF SERVICE, filed NOW, October 22, 1985 at 9:56 AM O'clock DST served the within Complaint in Equity on Jean Saltsman, Wife of Irvin D. Saltsman, defendant at her place of residence, Box 51, Buck Run Rd., Frenchville, Clearfield County, Penna. by handing to Jean Saltsman a true and attested copy of the original Complaint in Equity and made known to her the contents thereof. /s/ Chester A Hawkins by Marilyn Hamm.	
Barbara Schickling	IRVIN D. SALTSMAN	NOVEMBER 27, 1985, DEFAULT NOTICE, filed by James A. Naddeo, Esq 1 cert atty	
		DECEMBER 9, 1985, PRELIMINARY OBJECTIONS, filed by Barbara Schickling, Esq. One copy certified to atty	
		MAY 20, 1986, BRIEF IN SUPPORT OF DEFENDANT'S PRELIMINARY OBJECTIONS STATEMENT OF THE CASE, filed by Barbara Schickling, Esq.	
		AUGUST 15, 1986, AGREEMENT, filed by Barbara Schickling, Esq. 2 cert atty	
		AUGUST 15, 1986, ORDER, filed 3 cert atty	
		AND NOW, this 18th day of August, 1986, upon agreement of the parties filed of record, it is the ORDER of this Court that Husband shall pay the sum of Three Hundred Fifty (\$350.00) Dollars per month for the support of the parties' children until the youngest child, Rodney, reaches the age of eighteen (18) years or upon the completion of high school, whichever event shall first occur and upon the eighteenth birthday of Rodney or upon his completion of high school, Husband shall pay to Wife the Sum of Three Hundred and Fifty (\$350.00) Dollars per month until all the current arrearages and any subsequent arrearages due and owing on said date are paid in full.	
		If is the FURTHER ORDER Of this Court that the Support Order entered September 11, 1985, is vacated and the Support Order Dated November 17, 1981, providing for support in the amount of Three Hundred Fifty (\$350.00) Dollars per month effective November 1, 1981, is reinstated.	
		BY THE COURT: Joseph.S. Ammerman, Judge.	
	Pro	by Atty	40.00
	Shff	by atty	28.80
	Surg	by atty	2.00



MARCH 25, 1991, NOTICE OF DEPOSITION OF DESIGNEE OF SANDY CREEK FOREST, INC, filed by Andrew P. Gates, Esq

CERTIFICATE OF SERVICE, filed

I, Jules S. Henshell, do hereby certify that on March 22, 1991 I served a true and correct copy of the Deposition Notice in the above-captioned action upon the following individual by telecopier and first class mail, postage pre-paid on the following; Stanley R. Geary, Esq; Jeffrey Stover, Esq; John Mihalik, Esq; F. Cortez Bell III, Esq; & Richard P. Nuffort, Esq. /s/ Jules S. Henshell, Esq.

MARCH 28, 1991, ORDER, filed

NOW, this 28th day of March, 1991, it is hereby ORDERED that Plaintiffs' Motion for Summary Judgment is GRANTED. It is further ORDERED that:

a) Defendants' failure to obtain sewage permits for the on-lot sewage systems at the Sandy Creek Forest Development as required by the Pennsylvania Sewage Facilities Act ("SFA") 35 P.S. §750.1 et seq. and Covington Township Ordinance No. 83-1 ("Ordinance") and failure to obtain permitting under Pennsylvania's Dam Safety and Encroachments Act ("DSEA") 32 P.S. §693.3 et seq., for vehicular crossings of Sandy Creek constitutes a public nuisance;

b) Defendants are permanently enjoined, restrained and prohibited from constructing or occupying any buildings or installing or operating any sewage facilities at the Sandy Creek Forest Development unless and until sewage permits issued under the SFA and Ordinance are obtained authorizing the use of these buildings and facilities;

c) Defendants are permanently enjoined from fording or crossing Sandy Creek unless and until a permit issued under Pennsylvania's Dam Safety and Encroachments Act, 32 P.S. §693.3 et seq. is obtained authorizing such activity. Opinion to follow. BY THE COURT: John K. Reilly, Jr., P.J.

Summary Judgment is entered in favor of the Plaintiff and against the Defendant per Court Order dated March 28, 1991.

SUMMARY JUDGMENT

*Allen D. Biez*  
Prothonotary

APRIL 10, 1991, APPLICATION FOR RECONSIDERATION, filed by Jeffrey W. Stover, Esq.  
CERTIFICATE OF SERVICE, filed

I hereby certify that I am this day serving the foregoing document upon the person and in the manner indicated below: SERVICE BY FIRST CLASS MAIL, ADDRESSED AS FOLLOWS: Stanley R. Geary Esq; Thomas E. Leipold, Esq; Charles E. Gutshall, Esq; Andrew P. Gates, Esq. /s/ Marsha K. Walker, Sec to Jeffrey W. Stover, Esq.

APRIL 15, 1991, ORDER OF COURT GRANTING RECONSIDERATION, filed 1 cert/Atty

AND NOW, this 15th day of April, 1991, upon consideration of the Application for Reconsideration filed by Defendants Robert Royer, et al., it is

ORDERED that Reconsideration of this Court's Order dated March, 28, 1991, is hereby expressly GRANTED, and argument is scheduled threoon at 2:30 PM on the 20th day of May, 1991, in Courtroom NO. 1 of the Clearfield County Courthouse, at which time Plaintiffs shall show cause why the Order of this Court should not be modified as requested in Defendants' Application. BY THE COURT: John K. Reilly, Jr., P.J.

APRIL 18, 1991, NOTICE OF APPEAL, filed by Stanley R. Geary 1 cert/Comwth Ct

APRIL 23, 1991, SUPPLEMENT TO PLAINTIFFS' SUMMARY JUDGMENT RECORD, filed by Andrew P. Gates, Esq.

CERTIFICATE OF SERVICE, filed

I, Andrew P. Gates, Esquire do hereby certify that on Supplement to Plaintiffs' Supplement to Plaintiffs' Summary Judgment Record in the above captioned action upon the following individual by first class mail, postage pre-paid addressed as follows: Stanley R. Geary, Esq; Jeffrey Stover, Esq; John Mihalik, Esq; F. Cortez Bell, III, Esq; Richard P. Nuffort, Esq. /s/ Andrew P. Gates, Esq.

APRIL 23, 1991, NOTICE OF SUMMARY JUDGMENT, (ORDER OF COURT) MAILED TO JAMES D. MORRIS, ESQ, SEND BACK, ADDRESSEE IS NO LONGER AFFILIATED WITH THIS FIRM NO FORWARDING ADDRESS.

APRIL 26, 1991, NOTICE OF APPEAL, filed by Thomas E. Leipold, Esq. 1 cert/SC

CERTIFICATE OF SERVICE, filed

I hereby certify that I am this day serving the foregoing document by a first class mail in accordance with PA R.A.P. 121 upon the following persons at the following addresses: Honorable John K. Reilly, Jr., Andrew P. Gates, Esq; Richard P. Nuffort, Esq; Stanley Geary, Esq; Raymond L. Billotte, CA, F. Cortez Bell, III, Esq; Jeffrey W. Stover, Esq; Charles E. Gutshall, Esq. /s/ Thomas E. Leipold, Esq.

MAY 1, 1991, COMWTH COURT # 919 CD 1991, filed

MAY 2, 1991, COMWTH COURT # 945 CD 1991, filed

MAY 20, 1991, ORDER, filed

NOW, this 20th day of May, 1991, this being the day and date set for hearing into Application for Reconsideration of Order filed on behalf of certain Defendants above-named, it is the ORDER of this Court that said Application be and is hereby denied. BY THE COURT: John K. Reilly, Jr., P.J.

JUNE 18, 1991, NOTICE OF APPEAL, filed by Jeffrey W. Stover, Esq. 1 cert/SC 4 cert/Atty

JULY 3, 1991, TRANSCRIPT OF POTENTIAL AND RAL IMPACTS OF SANDY CREEK FOREST DEVELOPMENT ON THE WATER SUPPLY OF THE QUEHANNA-COVINGTON-KARTHAUS AREA AUTHORITY, ON MARCH 10, 1991, filed

JULY 10, 1991, COMMONWEALTH COURT DOCKET #1369 CD 1991, filed

JULY 10, 1991, MEMORANDUM, filed by the COURT: /s/John K. Reilly, Jr., P.J.

JULY 11, 1991, ALL PAPERS MAILED TO COMWTH COURT. /s/ arb

JULY 12, 1991, SENDERS RECEIPT P 373 571 441, filed

JULY 17, 1991, RETURN RECEIPT, filed



Jeffrey W.  
Stover

KENNETH W. HELLER,  
LINDA S. COGAR, and  
KENT EARL HELLER  
R.D.#3 Airport Road  
Pottstown, PA 19464

85-25-EQU

RICHARD L. FRANKS  
7 Crosskeys Road, Box144  
Collegeville, PA 19426  
AND  
SANDY CREEK FOREST, INC.  
7 Crosskeys Rd, Box 144  
Collegeville, PA 19426

Pro	by Atty	40.00
Shff	by atty	25.00
Surg	by atty	4.00
Shff		
Lalley	by atty	24.00

OCTOBER 16, 1985, PRAECIPE FOR WRIT OF SUMMONS, filed  
by Jeffrey W. Stover, Esquire  
Enter my appearance for the Plaintiffs and issue  
a summons in a civil action (equity, assumpsit, trespass)  
in the above-captioned matter. NOVAK, STOVER & McCARTY,  
By s/ Jeffrey W. Stover, Esquire

OCTOBER 16, 1985, SUMMONS ISSUED TO SHERIFF FOR SERVICE.

NOVEMBER 6, 1985, SHERIFF'S RETURN, filed.  
Now October 16, 1985, Francis P. Lalley, Sheriff of Montgomery  
County was deputized by Chester A. Hawkins, Sheriff of Clearfield  
County to serve the within Writ of Summons on Richard L. Franks  
and Sandy Creek Forest Inc., defendant.  
Now, October 30, 1985 served the within Writ of Summons on  
Richard L. Franks, and Sandy Creek Forest Inc., defendants by  
deputizing the Sheriff of Montgomery County. The return of  
Sheriff Lalley is hereto attached and made a part of this  
return stating that he served Jane Marris, P.I.C. /a/ Chester  
A. Hawkins, Shff by Marilyn Hamm



FILED IN CV-25

CONTINUED FROM PAGE #46, QUEHANNA-COVINGTON-KARTHAUS AREA AUTHORITY, et al vs. SANDY CREEK FOREST, INC. et al 85-19-EQU

NOVEMBER 27, 1991, PETITION FOR RULE TO SHOW CAUSE, filed. FOUR (4) COPIES CERT TO ATTY, filed by S/CHARLES E. GUTSHALL, ESQ.  
RULE, filed

AND NOW this 27th day of November, 1991, it is hereby ORDERED, ADJUDGES AND DECREED as follows:  
 A Rule is hereby granted upon defendnats Terrence Allushuski, Stanley Bialek, Mark Gabel, Joseph Heller, Marilyn Heller, James F. Harrold and Doreen F. Harrold to show cause why they should not be held in contempt of Court.

A hearing is scheduled for January 27, 1992, at 1:30PM  
 BY THE COURT: S/JOHN K. REILLY, JR., PRESIDENT JUDGE

NOVEMBER 27, 1991, CERTIFICATE OF SERVICE, filed.

I, Andrew P. Gates, Esquire do hereby certify athta on November 27, 1991, I served a true and correct copy of the Petition for Rule to Show Cause in the above capationed action upon the following individual(s) by first class mail, postage pre-paid addressed as follows:

- 1) STANLEY R. GEARY, ESQ., BUCHANAN INDERSOLL P.C., 58th FLOOR - 600 GRANT ST., PITTSBURGH, PA. 15219
  - 2) JEFFREY STOVER, ESQ., NOVAK, STOVER, & MC CARTY, PO BOX 828, STATE COLLEGE, PA. 16801
  - 3) THOMAS E. LEIPOLD, ESQ., HUMMEL, JAMES & MIHALIK, 29 EAST MAIN ST., BLOOMSBURG, PA. 17815-1989
  - 4) RICHARD P. NUFFORT, ESQ., ZIMMERMAN, PFANNEBECKER & NUFFORT, 22 S. DUKE ST., LANCASTER, PA. 17602
- S/ANDREW P. GATES, ESQUIRE

JANUARY 9, 1992, PRELIMINARY OBJECTIONS IN FORM OF MOTION FOR MORE SPECIFIC PLEADING, filed Jeffrey W. Stover, Esq.

CERTIFICATE OF SERVICE, filed

I hereby certify certify that I have this day served the foregoing document upon the person and in the manner indicated below: SERVICE BY IRST CLASS MAIL, POSTAGE PRE-PAID ADDRESSED AS FOLLOWS: Andrew P. Gates, Esq; Stanley R. Geary, Esq; Thomas E. Leipold, Esq; and Richard P. Nuffort, Esq.

RULE, UNSIGNED BY JUDGE REILLY, JR, P.J.

JANUARY 21, 1992, RESPONSE TO DEFENDANTS' PRELIMINARY OBJECTIONS IN FORM OF MOTION FOR MORE SPECIFIC PLEADING, filed by Charles E. Gutshall, Esq.

CERTIFICATE OF SERVICE, filed

I, W. Gregory Rhodes, hereby certify that atrue and correct copy of the foregoing Response to Defendant' Preliminary Objections in Form of Motion for more Specific Pleading was served this 20th day of January, 1992, by first class mail, upon the following: Jeffrey W. Stover, Esq. /s/ W. Gregory Rhodes, Esq.

JANUARY 22, 1992, ANSWER TO PETITION FOR RULE TO SHOW CAUSE, filed by jeffrey W. Stover, Esq. 1 cert/Atty

CERTIFICATE OF SERVICE, filed

I hereby certify that I have this day served the foregoing documents upon the person and in the manner indicated below: SERVICE BY FIRST CLASS MAIL, POSTAGE, PRE-PAID, ADDRESSED AS FOLLOWS: Andrew P. Gates, Esq; Stanley R. Geary, Esq; Thomas E. Leipold, Esq and Richard P. Nuffort, Esq. /s/ marsha K. Walker, Sec to Jeffrey W. Stover, Esq.

APRIL 2, 1992, ORDER FROM. COMWTH COURT, filed

NOW, April 1, 1992, the Order of the Court of Common Pleas of Clearfield County, dated march 28, 1991, at No. 85-19-EQU is affirmed. /s/ David W. Craig, P.J.

MAY 7, 1992, LETTER FROM SUPERIOR COURT TO JEFFREY W. STOVER, ESQ. filed

AUGUST 12, 1992, MOTION TO COMPEL SETTLEMENT, filed by Jeffrey W. Stover, Esq.

AUGUST 18, 1992, RULE TO SHOW CAUSE, filed 1 cert/Atty

Upon Motion of Jeffrey W. Stover, ESquire, the Court hereby grants a rule upon the Plaintiffs to show cause why Defendants' Motion to Compel Settlement should not be granted. Rule returnable for hearing the 24th day of August, 1992, at 1:30 pm Courtroom No 1, Clearfield County Courthouse, Clearfield, Pennsylvania. BY THE COURT: John K. Reilly, Jr., P.J.



Barbara Schickling

JOHN BRANDON,  
Plaintiff

OCTOBER 21, 1985, COMPLAINT, filed by Barbara Schickling, Esq.  
Two copies certified to atty

OCTOBER 31, 1985, SHERIFF'S RETURN, filed.

Now October 22, 1985 at 1:50 PM DST served the within Complaint on Gertrude J. Amilkavich, defendant at her place of residence 722 W. Weber Ave., DuBois, Clearfield County, Penna. by handing to Gertrude J. Amilkavich a true and attested copy of the original Complaint and made known to her the contents thereof.

Now, October 22, 1985 at 1:50 pm DST served the within Complaint on Gertrude J. Amilkavich, Wife of John R. Amilkavich at her place of residence, 722 W. Weber Ave., DuBois, Clearfield County, Penna. by handing to Gertrude J. Amilkavich a true and attested copy of the original Complaint and made known to her the contents thereof. /s/ Chester A. Hawkins, Shff by Marilyn Hamm.

DECEMBER 9, 1985, PRELIMINARY OBJECTI ONS, filed by David P. King, Esq.

JANUARY 22, 1986, ORDER, filed  
NOW, January 22, 1986, Barbara H. Schickling, Esq., Attorney for John B. Brandon, Plaintiff, and David P. King, Esq., Attorney for John R. Amilkavich and Gertrude J. Amilkavich, Defendants, having appeared before the Court and agreed to this Order, it is ordered and directed that the Preliminary Objections filed by the Defendant by sustained in the matter of the request for specific performance of the contract with leave to the Plaintiff to amend.  
BY THE COURT: Joseph S. Ammerman, Judge.

JUNE 12, 1986, AMENDED COMPLAINT, filed  
1 copy cert atty

AUGUST 18, 1986, NOTICE OF INTENTION TO FILE PRAECIPE FOR ENTRY OF DEFAULT JUDGMENT, filed by Barbara H. Schickling, Esq.

AUGUST 18, 1986, CERTIFICATE OF SERVICE, filed  
This is to certify that I, Barbara H. Schickling Esquire, did serve a certified copy of the Amended Complaint on behalf of John B. Brandon, Plaintiff, in the above captioned matter on the 12th day of June, 1986, via U.S. Mail, First Class, postage prepaid, addressed to the following: David P. King, Esq.  
/s/ Barbara H. Schickling, Esq.

AUGUST 28, 1986, ANSWER TO AMENDED COMPLAINT, filed by David P. King, Esq. 1 cert atty

SEPTEMBER 15, 1986, CERTIFICATION OF READINESS AND PRAECIPE FOR TRIAL, filed

Defendants, by their attorney, hereby certify that the above captioned matter is at issue and ready for trial. Kindly place the above captioned matter on the following trial List: Arbitration.

The amount in controversy is in excess of \$10,000.00 . Estimated time: 2 hours.  
/s/ Barbara H. Schickling, Esq.

SEPTEMBER 19, 1986, CERTIFICATION OF READINESS AND PRAECIPE FOR TRIAL, filed by Barbara H. Schickling

Plaintiff by his attorney, hereby certifies that the above-captioned matter is at issue and ready for trial.

Kindly place the above-captioned matter on the following trial list: Arbitration.  
The amount in controversy is not in excess of \$10,000.00. Estimated time: 2 hours. Respectfully submitted, s/ Barbara H. Schickling, Esquire, Attorney for Defendants

SEPTEMBER 25, 1986, LETTER MAILED TO ATTORNEY BY C.A. OFFICE, SCHEDULING ARBITRATION HEARING, filed.

OCTOBER 15, 1986 NOTICE OF INTENT TO OFFER APPRAISAL AND SUPPORTING DATA AT ARBITRATION HEARING filed by Barbara H. Schickling

CERTIFICATE OF SERVICE

One copy certified Attorney

NOVEMBER 6, 1986, OATH OR AFFIRMATION OF ARBITRATORS, filed.

Now, this 6 day of November, 1986, we the undersigned, having been appointed arbitrators in the above case do hereby swear, or affirm, that we will hear the evidence and allegations of the parties and justly and equitably try all matters in variance submitted to us, determine the matters in controversy, make an award, and transmit the same to the Prothonotary within twenty (20) days of the date of hearing of the same. s/ Thomas Morgan, Chairman; s/ Scott V. Jones, s/ Robin Foor; s/ John A. Ayres, Jr., s/ Allan F. Kirk.

Now, this 6 day of November, 1986, we, the undersigned arbitrators appointed in this case, after having been duly sworn, and having heard the evidence and allegations of the parties, do award and find as follows:

JUDGMENT IN FAVOR OF THE DEFENDANT.  
s/ Scott V. Jones, Chairman; s/ John A. Ayres, Jr., s/ Robin Foor

ENTRY OF AWARD

Now, this 6 day of November, 1986, I hereby certify that the above award was entered of record this date in the proper dockets and notice by mail of the return and entry of said award duly given to the parties or their attorneys. WITNESS MY HAND AND THE SEAL OF THE COURT, s/ Raymond Witherow, Prothonotary by s/ Nanette L. Sturniolo

85-26-EQU

Pro	by atty	40.00
Shff	by atty	27.60
surg	by atty	4.00
Pro	by atty	15.00

David P.  
King

JOHN R. AMILKAVICH and  
GERTRUDE J. AMILKAVICH,  
Defendants



Barbara H. Schickling

TIMOTHY GEPPERT

85-27-EQU

CHARLES L. GEPPERT

Pro	by Atty	20.00
Shff	by atty	18.92
surg	by atty	2.00

OCTOBER 30, 1985, PRAECIPE FOR WRIT OF SUMMONS IN EQUITY ACTION, filed by Barbara H. Schickling, Esquire  
Kindly issue a Writ of Summons in an Equity Action in the above-captioned matter against Charles L. Geppert, Defendant. The claim is for specific performance. Certify the same to the Sheriff of Clearfield with directions to serve the named Defendant at his last known address, to wit: Pembroke Station, Danbury, Connecticut, 06810.  
s/ Barbara H. Schickling, Esquire Attorney for Plaintiff

OCTOBER 30, 1985, SUMMONS ISSUED TO SHERIFF FOR SERVICE.

JANUARY 23, 1986, SHERIFFS RETURN, filed.  
Now, November 9, 1985 served the within Writ of Summons on Charles L. Geppert, Defendant by Certified Mail P 024 805 671 at Pembroke Station, Danbury, CT. 06810 being his last known address. The return receipt is hereto attached and made a part of this return endorsed by agent for defendant. Letter was sent marked "ADDRESSEE ONLY".  
Now, November 18, 1985 served the within Writ of Summons on Charles Geppert, defendant. Return receipt card is attached endorsed by defendant. /a/ Chester A. Hawkins, Shff by Marilyn Hamm



use this pg. for

85.27.2gn



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Joseph Colavecchi	HELEN SCHAETZL and WILBUR SCHAETZL	NOVEMBER 20, 1985, COMPLAINT IN PARTITION/EQUITY, filed by Joseph Colavecchi Seven Copies Certified to Attorney.  JANUARY 21, 1986, PRAECIPE FOR APPEARANCE, filed. Please enter my Appearance on behalf of Defendants JULIA CODE; GARY KEENE and MARIA KEENE, in the above captioned matter. /s/ Ann B. Wood, Esq. One copy certified to atty JANUARY 21, 1986, ANSWER AND NEW MATTER, filed by Ann B. Wood, Esq. One copy certified to atty  JANUARY 28, 1986, REPLY, filed by Joseph Colavecchi, Esq.  FEBURAY 3, 1986, MOTION FOR ORDER OF PARTITION AND APPOINTMENT OF MASTER, filed. One copy certified to Atty Wood One copy certified to Colavecchi RULE, AND NOW, this 5th day of February, 1986, upon consideration of the foregoing Motion, a Rule is issued and directed to Ann B. Wood, attorney for Julia Code, Gary Keene and Maria Keene, to show cause why an Order directing partition should not be issued by this Court and why a further Order should not be issued by this Court appointing a Master to conduct a sale of this property, said sale to be limited to the parties to this partition action. This Rule is returnable the 3rd day of March, 1986 at 10:30 am at the Clearfield County Courthouse BY THE COURT: /s/ John K. Reilly, Jr., P.J. FEBRUARY 12, 1986, ANSWER TO MOTION FOR ORDER OF PARTITION AND APPOINTMENT OF MASTER, filed by Ann Wood One copy certified to atty  FEBRUARY 27, 1986, REPLY TO ANSWER FILED BY JULIA CODE, GARY KEENE AND MARIA KEENE, filed by Joseph Colavecchi, Esq.  APRIL 4, 1986, ORDER, filed. NOW, this 4th day of April, 1986, this being the day and date set for preliminary conference into the above-captioned action in partition, the Court being satisfied that the property is not subject to physical division, it is the Order of this Court that Richard Milgrub, Esquire be and is hereby appointed Master to proceed to evaluate the premises and offer the tract at private sale to the parties herein. If such sale is not successful, the master is hereby empowered to offer the same at public sale. BY THE COURT: /s/ John K. Reilly, Jr., P.J.  APRIL 30, 1986, CLAIM SEEKING ALLOWANCE FOR IMPROVEMENTS AND REPAIRS, filed by Joseph Colavecchi, Esq.
Ann B. Wood	JULIA CODE; GARY KEENE and MARIA KEENE	
	85-28-EQU	
	Pro by Atty 40.00	
		JUNE 12, 1986, STATEMENT OF COSTS, FILED JUNE 19, 1986, NOTICE OF SALE, filed by Richard Milgrub, Esq 2 cert atty JUNE 20, 1986, CERTIFICATE OF SERVICE, filed I, Julie R. Janke, do hereby certify that on the 19th day of June, 1986, I served a certified copy of Notice of Sale, on: Ann B. Wood, Esq & Joseph Colavecchi, Esq. by United States mail, postage prepaid, at their addresses as shown above. /s/ Julie R. Janke, JUNE 25, 1986, OBJECTIONS TO CLAIM SEEKING ALLOWANCE FOR IMPROVEMENTS AND REPAIRS, filed by Ann B. Wood, Esq. 2 cert atty JULY 9, 1986, ANSWER TO OBJECTIONS TO CLAIM SEEKING ALLOWANCE FOR IMPROVEMENTS AND REPAIRS, filed by Joseph Colavecchi, Esq. OCTOBER 14, 1986 MASTER'S REPORT filed One copy certified Attorney ORDER CONFIRMING MASTER'S PARTITION SALE NOW, this 13 day of October, 1986, the return of sale of the Katie Bulka property which is the subject of this action, coming on to be heard, and it appearing therefrom that Richard H. Milgrub, the Master heretofore appointed by Order of this Court to sell the land therein described, did, on July 10, 1986, sell in the manner required by Order of this Court, said lands to one Helen Schaetzl and Wilbur Schaetzl, at the price of \$16,000.00, that being the highest price bid therefore and it appearing to said Court that said sale was just and reasonable and in all respects regular, and no exceptions having been filed thereto, and said sum of \$3,333.33 (5/24ths of the bid price of \$16,000.00) having been paid to the Master, it is therefore ORDERED, ADJUDGED and DECREED that said sale be, and the same hereby is, in all respects confirmed and that said return be, and is hereby is, approved. It is further Ordered, adjudged and decreed that said Master deliver to said purchasers a deed for the premises so sold. BY THE COURT: John K. Reilly, Jr., Judge



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Timothy E. Durant

MAMIE B. BLOOM, JENNIE BLOOM ERIKSON, LENA C. PATTERSON, EDITH E. BLOOM, ALFRED W. BLOOM, THELMA I. BLOOM, MARION B. BLOOM, REYNOLD A. BLOOM, JOHN B. BLOOM, ADLAI EUGENE BLOOM, GENEVIEVE WOLFE, LILLIAN P. McQUOWN, MILDRED L. PATTERSON and HARMONY GAS & OIL COMPANY

Petitioners

85-29-EQU

James A. Naddeo

SYLVAN BLOOM, MEREDITH BLOOM, ARDETH BLOOM and HALBERT BLOOM

Respondents

Pro	by Atty	40.00
Shff	by atty	65.20
surg	by atty	8.00
Shff		
Lalley	by atty	20.00

NOVEMBER 21, 1985, PETITION TO COMPEL EXECUTION OF OIL AND GAS LEASE OR PERMIT DEVELOPMENT IN ABSENCE OF EXECUTION, filed by Timothy E. Durant  
No Copies.

RULE:

AND NOW, this 9 day of December, 1985, upon consideration of the foregoing action, a rule is granted on respondents, SYLVAN BLOOM, MEREDITH BLOOM, ARDETH BLOOM and HALBERT BLOOM, to show cause if any why this case should not be heard on an expedited basis and why they should not be required to promptly execute leases equivalent to those executed by the petitioners and in favor of Harmony Gas & Oil Company and, in the absence of such execution, why the Court should not permit the petitioners to develop and drill the gas and pay the respondents' pro-rata shares into Court on the same terms as obtained by the petitioners.

Rule returnable the 8th day of January, 1986, at 9:00 o'clock A.M. in the Main Courtroom of the Clearfield County Courthouse, Clearfield, Pennsylvania.  
BY THE COURT: s/ John K. Reilly, Jr., President Judge

DECEMBER 9, 1985, PRAECIPE, filed by Timothy E. Durant

Please reinstate the above captioned Petition. s/ Timothy E. Durant.

DECEMBER 9, 1985, FOUR PETITIONS REISSUED AND REINSTATED TO SHERIFF FOR SERVICE.

DECEMBER 31, 1985, PRELIMINARY OBJECTIONS, filed by James A. Naddeo, Esq.

One copy certified to atty

JANUARY 8, 1986, COMPLAINT TO COMPEL EXECUTION OF OIL AND GAS LEASE OR PERMIT DEVELOPMENT IN ABSENCE OF EXECUTION, filed by Timothy Durant, Esq.

Five copies certified to atty

JANUARY 15, 1986, SHERIFF'S RETURN, filed.

Now December 10, 1985, at 1:15 pm EST served the within Petition & Rule on Meredith Bloom, defendant at his place of residence, New Millport, Clearfield County, Penna by handing to Meredith Bloom a true and attested copy of the original Petition & Rule and made known to him the contents thereof.

Now December 11, 1985 at 2:45 pm EST served the within Petition & Rule on Ardeth Bloom, defendant at his place of residence, 108 S. 2nd St., Clearfield Clearfield County Penna by handing to Ardeth Bloom a true and attested copy of the original Petition & Rule and made known to him the contents thereof.

Now December 10, 1985, Francis Lalley, Sheriff of Montgomery County was deputized by Chester Hawkins Sheriff of Clearfield County to serve the within Petition and Rule on Halbert Bloom, Deft.

Now, December 17, 1985 served the within Petition & Rule on Halbert Bollm, defendant by deputizing the Sheriff of Montgomery County, The return of Sheriff Lalley is hereto attached and made a part of this return stating that he served Dale Bloom, son of defendant,

Now December 31, 1985 at 10:30 am EST served the within Petition & Rule on Sylvan Bloom, defendant at his place of residence Box 13, New Millport, Clearfield County, Penna by handing to Sylvan Bloom a true and attested copy of the original Petition & Rule and made known to him the contents thereof.

/a/ Chseter A. Hawkins, Shff by Marilyn Wood

JANUARY 20, 1986, PRELIMINARY OBJECTIONS, filed by James A. Naddeo, Esq.

One copy certified to atty

JANUARY 20, 1986, ACCEPTANCE OF SERVICE, filed by James A. Naddeo, Esq.

One copy certified to atty



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Timothy E.  
Durant

DONALD D. GRAFFIUS

85-30-EQU

ROSE MARIE A. (GRAFFIUS)  
ADNISKEY  
a/k/a  
ROSE MARIE MORANDO

Pro	by Atty	40.00
Shff	by atty	20.00
surg	by atty	2.00
Pro	<i>by atty</i>	9.00

DECEMBER 16, 1985, COMPLAINT IN PARTITION/EQUITY, filed  
by Timothy E. Durant  
Two Copies Certified to Attorney

JANUARY 15, 1986, AFFIDAVIT OF SERVICE, filed.  
NOW, December 27, 1985, at 9:30 am EST served  
the within Complaint in Partition on Rose Marie  
Graffius, defendnt at her place of Residence, RD,  
Shiloh, Clearfield County, Penna by handing to Rose  
Marie Graffius a true and attested copy of the original  
Complaint in Partition and made known to her the  
contents thereof. /a/ Chester A. Hawkins, Shff by Marilyn  
Wood

JANUARY 21, 1986, CERTIFICATE OF SERVICE BY MAIL,  
filed by Timothy E. Durant, Esq.

FEBRUARY 3, 1986, PRAECIPE FOR ENTRY OF JUDGMENT,  
filed.

Enter judgment in favor of the Plaintiff against  
the Defendant in the above captioned matter for failure  
to file an Answer to Plaintiffs Complaint.

I hereby certify that I have mailed a copy of  
this Praecipe to every other party who has appeared  
in this action or to their attorney of record. /s/  
Timothy E. Durant, Esq.

JUDGMENT is entered in favor of the Plaintiff  
and against the Defendant in the above captioned matter  
for failure to file an Answer to Complaint.

DEFAULT JUDGMENT

*Raymond M. Peterson*  
Prothonotary

FEBRUARY 3, 1986, CERTIFICATE OF SERVICE BY MAIL,  
filed.



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Commwth of PA

COMMONWEALTH OF PENNSYLVANIA, ACTING BY  
ATTORNEY GENERAL LeROY S. ZIMMERMAN

86-1-EQUITY

DENNIS PRINGLE, d/b/a  
PRINGLE CONSTRUCTION  
314 Shaffer Avenue  
DuBois, PA 15801

Pro by Plff 20.00  
Pro *My Plff* 9.00

JANUARY 7, 1986, ASSURANCE OF VOLUNTARY COMPLIANCE/  
EQUITY, filed by Plaintiff.  
Two Copies Certified to Commonwealth.

FEBRUARY 24, 1989, PETITION FOR FORFEITURE  
OF CIVIL PENALTIES, filed by E. Barry Creany,  
Deputy Atty. General 2 copies cert.

FEBRUARY 24, 1989, CERTIFICATION OF SERVICE  
OF NOTICE OF INTENTION TO PRESENT PETITION, filed  
I, E. Barry Creany, being duly sworn according  
to law, do hereby depose and say that I gave notice  
of petitioner's intention to present the petition  
in the above captioned matter to the Court by  
U.S. Mail February 23, 1989, upon the Defendant  
and his counsel of record at the following addresses:  
Dennis Pringle d/b/a Pringle Construction Co.  
319 E. Weber Ave., DuBois, PA. 15801 and  
Kurt S. Rishor, Esq. 215 Morgan Center, 101 E.  
Diamon St. Butler, PA 16001. /s/ E. Barry Creany.

MARCH 31, 1989, CERTIFICATEION OF SERVICE OF NOTICE  
OF DEFAULT, filed  
I, William A. Ryan being duly sworn according to  
law, depose and say that I am an Agent in the Ebensburg  
Regional Office of Attorney General, Bureau of Consumer  
Protection and that I personally served a copy of the  
attached Notice of Default pursuant to PA. R.C.P. NO.  
237.1, upon Dennis Pringle by mailing the same by  
certified mail, return receipt requested, to the  
Defendant's residence at 319 East Weber Avenue, DuBois,  
PA, on March 23, 1989. A copy of said notice was  
likewise served upon the Defendant's attorney Kurt  
Rishor at 208 Morgan Center, Butler, PA 16601.  
/s/ William A. Ryan, Agent

APRIL 25, 1989, PRAECIPE FOR ENTRY OF JUDGMENT  
PURSUANT TO PA. R.C.P. NO. 1511, filed  
Please enter judgment by default against Dennis  
Pringle individually and d/b/a Pringle Construction  
Company in the above captioned action. /s/ E.  
Barry Creany, Dpty Atty General.

Judgment is entered in favor of the Plaintiff and  
against the Defendant for failure to file an answer.  
DEFAULT JUDGMENT

*Raymond M. Nathan*  
Prothonotary

MAY 15, 1989, CERTIFICATE OF SERVICE, filed  
I, William A. Ryan being duly sworn according  
to law, depose and say that I am an Agent in the  
Egensburg Regional Office of Attorney General,  
Bureau of Consumer Protection and that I personally  
served a copy of the attached letter giving notice  
to the addressees that a hearing was to be conducted  
in the above matter on May 15, 1989 at 10:00 A.M.  
This notice was sent to the following addressess  
by certified mail, return receipt requested:  
Kurt S. Rishor, Esq. 208 Morgan Center, Butler,  
PA; Dennis A. Pringle d/b/a Pringle Construction  
Co. 319 E. Weber Ave. DuBois, PA.  
/s/ William A. Ryan, Esq.

JUNE 15, 1989, ORDER, filed 3 cert/Judge, "A"  
NOW, this 14th day of June, 1989, after hearing it is the ORDER of the Court pursuant to  
Section 8 of the Unfair Trade Practices and Consuemr Protection Law, 73P.S. Section 201-8  
that Dennis Pringle is assessed a civil penalty in the amount of \$100.00. Furthermore,  
Mr. Pringle is directed to reimburse the Commonwealth in the amount of \$9.00 for the entry  
of a judgment in this matter. BY THE COURT: Joseph S. Ammerman, Judge.







R. Denning  
Gearhart

MORRIS TOWNSHIP

JANUARY 9, 1986, COMPLAINT IN EQUITY, filed by  
R. Denning Gearhart  
One Copy Certified to Attorney.

ORDER

NOW THIS 9th day of January, 1986, on reading the Complaint in this cause and on Motion of R. Denning Gearhart, Attorney for Plaintiff:

It is Ordered that the above named Defendant, Andrew Pollock, show cause before this Court on the 17 day of January, 1986, at 2:15 o'clock P.M., at the Clearfield County Courthouse, Clearfield, Pennsylvania, why a Preliminary Injunction should not issue during the pendency of this action, according the prayer of such Complaint.

It is further Ordeeed that Plaintiff cause a copy of this Order, together with a copy of the Complaint, to be served on Defendant forthwith. BY THE COURT, s/ Joseph S. Ammerman, Judge

JANUARY 15, 1986, PRELIMINARY OBJECTIONS, filed by James A. Naddeo, Esq.

One copy certified to atty

FEBRUARY 18, 1986, ORDER, filed.

NOW, this 18th day of February, 1986, the Plaintiff having filed a Complaint in Equity with a request for injunctive relief, and the Defendant having filed Preliminary Objections and indicating by James A. Maddeo, Esq., his counsel, the withdrawal of said Preliminary Objections, testimony having been testimony having been taken on January 17, 1986 at 2:15 pm and a view having been held by the Court on Tuesday, January 21, 1986 at 11:00 am at the site in question in the presence of George Arsenich, Supervisor of Morris Township, Clearfield County, Pennsylvania and his counsel, Richard A. Ireland, Esq. and Andrew Pollock and James A. Naddeo, Esquire his counsel the relief prayed for is granted and it is the ORDER of this Court that a preliminary injunction is granted and the Defendant is ordered to cease maintaining the excavation in question and is required to backfill it within ten (10) days from the date hereof to preserve the health, welfare and safety of the public. BY THE COURT: s/ Joseph Ammerman, Judge

FEBRUARY 21, 1986, NOTICE OF APPEAL, filed by James A. Naddeo, Esq.

One copy certified to Superior Court

FEBRUARY 21, 1986, PETITION TO STAY AND/OR MODIFY ORDER, filed by James A. Naddeo, Esq.

One copy certified to atty

FEBRUARY 24, 1986, ORDER, filed.

One copy certified to Atty Naddeo

AND NOW, this 24th day of February, 1986, upon consideration of the petition of counsel for the defendant in the above captioned case seeking a stay of the Court's Order of February 18, 1986, and /or modification of said Order, of this Court that said application be and is hereby denied. BY THE COURT: s/ Joseph S. Ammerman, Judge

MARCH 3, 1986, ORDER FROM SUPERIOR COURT, filed.

AND NOW, to-wit this 28th day of February, 1986, upon application for Stay a temporary stay of the trial court's order of February 18, 1986, is hereby granted to March 14, 1986, Appellee shall file an answer to the Application for Stay by March 7, 1986. Jurisdiction is retained pending a further order of this Court. PER CURIAM/s/ Eleanor R. Valecko, Deputy Prothonotary, Superior Court

MARCH 10, 1986, NOTICE OF APPEAL FROM SUPERIOR COURT, OFFICIAL DOCKET NO. 00252PGH86, filed

MARCH 14, 1986, ORDER OF SUPERIOR COURT, filed.

One copy certified to Judge Ammerman

AND NOW, to wit, this 12th day of March, 1986, upon consideration of the Application For Stay and Answer thereto, the application is hereby denied. The temporary stay entered February 28, 1986 is hereby vacated PER CURIAM/s/ Eleanor R. Valecko, Pro.

MARCH 21, 1986, PETITION TO FIND DEFENDANT IN CONTEMPT OF COURT and RULE RETURNABLE, filed.

NOW THIS 21st day of March, 1986, in consideration of the foregoing Petition to find Defendant/Respondent in Contempt of Court a Rule is issued upon the Defendant/Respondent to show cause why he should not be found in Contempt.

Rule Returnable on the 25th day of March, 1986, at 2:30 pm in the Chambers of the Honorable Joseph S. Ammerman. BY THE COURT: s/ Joseph S. Ammerman, Judge.

MARCH 26, 1986, ORDER, filed.

One copy certified to Gearhart

NOW, March 25, 1986, after hearing in the above-matter, this court finds that there has been no substantial abatement of the nuisance, and ORDEPS that pursuant of Pennsylvania Rule of Civil Procedure 1529 (b) the sheriff of Clearfield County forthwith take the necessary steps to abate the nuisance, including but not limited to backfilling, and that the sheriff be authorized to hire such agents or equipment and manpowers as necessary to perform said task, and that the costs be taxed to Andrew Pollock, the defendant. BY THE COURT: s/ Joseph S. Ammerman, Judge.



JULY 9, 1986, TRANSCRIPT OF PROCEEDINGS, filed in trans. drawer "P"

JULY 9, 1986, EXCERPT OF PROCEEDINGS, filed in trans drawer "P"

JULY 9, 1986, ORDER, filed 2 cert judge.

NOW, this 8th day of July, 1986, it is the ORDER of the Court that the Order of March 25, 1986, be and is hereby rescinded. BY THE COURT: Joseph S. Ammerman, Judge.

AUGUST 18, 1986, ORDER, filed 2 cert Judge A.

NOW, this 14th day of August, 1986, it is the ORDER of the Court, pursuant to Rule 1925(b) of the Pennsylvania Rules of Appellate Procedure, that the Defendant in the above captioned case file with the Court of Common Pleas of Clearfield County, Pennsylvania, a concise statement of the matters complained of on the appeal to the Superior Court. BY THE COURT: Joseph S. Ammerman, Judge.

AUGUST 18, 1986, ORDER, filed 2 cert Judge A.

NOW, this 14th day of August, 1986, it is the ORDER of the Court that the Order of February 18, 1986, be and is hereby amended by adding the following paragraph:

This Order is necessitated by the Court's finding after hearing and view of the property that the excavation constitutes a public nuisance and poses a serious ongoing danger to the health, safety and welfare of the residents in the area and to vehicular and pedestrian traffic on Township Road 685.

BY THE COURT: Joseph S. Ammerman, Judge.

AUGUST 22, 1986, PRAECIPE FOR DISCONTINUANCE, FROM SUPERIOR COURT, filed

APPEAL DISCONTINUED

NOVEMBER 14, 1986, SHERIFF'S RETURN, filed

NOW, August 29, 1986 at the direction of Court Order dated July 8, 1986 return the within Order "NOT SERVED" /s/ Chester A. Hawkins by Marilyn Hamm.

OCTOBER 20, 1987, BRIEF FOR PLAINTIFF, filed by Richard Ireland, Esq.

OCTOBER 20, 1987, BRIEF FOR DEFENDANT, filed by James A. Naddeo, Esq.

OCTOBER 20, 1987, BRIEF IN SUPPORT OF DEFENDANT'S PRELIMINARY OBJECTIONS,  
filed by James A. Naddeo, Esq.

OCTOBER 20, 1987, LETTER TO JUDGE AMMERMAN, FROM JAMES A. NADDEO, filed

OCTOBER 20, 1987, LETTER TO JUDGE AMMERMAN, FROM RICHARD IRELAND, filed



Joseph  
Colavecchi

EUGENE T. LUNSFORD and  
RUTH J. LUNSFORD

JANUARY 13, 1986, PETITION TO COMPEL TRANSFER OF  
LIQUOR LICENSE, filed by Colavecchi & Ryan.  
Three Copies Certified to Attorney

RULE

AND NOW, this 9th day of January, 1986, upon  
consideration of the foregoing Petition, a Rule is  
hereby issued and directed to Robert Z. Hronyetz and  
Jeannette A. Hronyetz, to show cause why this Court  
should not order that Defendants reconvey the liquor  
license presently in their names to the Plaintiffs or  
in the alternative that they show cause why this Court  
should not direct that the liquor license presently  
in the name of Defendants be reissued in the name of  
Eugene T. Lunsford and Ruth J. Lunsford, his wife,  
subject to the rules and regulations of the Pennsyl-  
vania Liquor Control Board and assuming that the  
Plaintiffs qualify.

This Rule is returnable the 17 day of January,  
1986 at 1:30 P.M. at the Clearfield County Courthouse.  
BY THE COURT, s/ Joseph S. Ammerman, Judge

JANUARY 15, 1986, PRAECIPE FOR APPEARANCE, filed  
by Belin, Belin & Naddeo

Please enter my appearance on behalf of the  
defendant, Jeannette A. Hronyetz, in the above caption-  
ed case. BELIN, BELIN & NADDEO, By s/ James A. Naddeo,  
Attorney for Defendant, Jeannette A. Hronyetz

JANUARY 15, 1986, PRELIMINARY OBJECTIONS, filed  
by James A. Naddeo  
Two Copies Certified to Attorney

JANUARY 15, 1986, CERTIFICATE OF SERVICE, filed  
by Belin, Belin & Naddeo

86-3-EQU

James A.  
Naddeo

ROBERT Z. HRONYETZ and  
JEANNETTE A. HRONYETZ

Pro by Atty 40.00



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Toni M. Cherry	MARILYN DOE RICHARDS	JANUARY 14, 1986, COMPLAINT IN EQUITY, filed by Toni M. Cherry One Copy Certified to Attorney.	
	86-4-EQU	JANUARY 31, 1986, AFFIDAVIT OF SERVICE, filed. NOW, Jan 21, 1986 at 10:55 a.m. o'clock EST served within Complaint on Deft. at his place of employment. So answers, Chester A. Hawkins, Shff By s/ Marilyn Hamm FEBRUARY 3, 1986, MOTION FOR PRELIMINARY INJUNCTION and RULE, filed. one copy certified to shff one copy certified to atty AND NOW, this 5th day of February, 1986, a Rule is granted on the Defendant, MAURICE DOE, to show cause why a Preliminary Injunction should not issue as prayed for. Rule returnabel on the 27th day of February, 1986, at 11:00 am on Second Floor of the Clearfield, Pa. BY THE COURT: /s/ Joseph S. Ammerman, Judge. FEBRUARY 10, 1986, AFFIDAVIT OF SERVICE, filed. NOW February 10, 1986 at 9:50 am EST served the within Motion & Rule on Maurice Doe, defendant at Market St., Clearfield County Courthouse, Clearfield, Penna by handing to Maurice Doe a true and attested cipy of the original Motion & Rule and made known to him the contents thereof. /a/ Chester A. Hawkins, Shff by Marilyn Hamm. FEBRUARY 12, 1986, ANSWER TO COMPLAINT AND NEW MATTER, filed by James A. Naddeo, Esq. One copy certified to atty FEBRUARY 13, 1986, ANSWER TO MOTION FOR PRELIMINARY INJUNCTION, filed by James A. Naddeo, Esq. One copy certified to atty MARCH 5, 1986, REPLY TO NEW MATTER, filed by Toni M. Cherry, Esq. One copy certified to atty	
James A. Naddeo	MAURICE DOE	AUGUST 27, 1986, REQUEST FOR PRODUCTION OF DOCUMENTS, filed by Toni M. Cherry, Esq. 2 cert atty	
	Pro by Atty 40.00 Shff Hawkins by Atty 31.20 Shff Surcharge by Atty 2.00 shff by atty 23.60 surg by atty 2.00 Shff by atty 19.43 Surg. by atty 2.00	OCTOBER 3, 1986 RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS filed by James A. Naddeo, Esquire One copy certified Attorney JANUARY 6, 1987 PETITION TO WITHDRAW AS COUNSEL filed ORDER AND NOW, this 6th day of January, 1987, upon consideration of the Petition of James A. Naddeo, Esquire, counsel of record for the defendant in the above captioned case, it is hereby ORDERED and DIRECTED that said application to withdraw as counsel be heard on the 20th day of January, 1987, at 1:45 p.m. at the Clearfield County Court House, Clearfield, Pennsylvania. BY THE COURT, Joseph S. Ammerman, J. One copy certified to Attorney JANUARY 20, 1987 ANSWER AND NEW MATTER filed by Toni M. Cherry, Esq. Two copies certified Attorney JANUARY 22, 1987 ANSWER TO NEW MATTER filed by James A. Naddeo, Esq. One copy certified Attorney CERTIFICATE OF SERVICE JANUARY 20, 1987 MOTION FOR PRELIMINARY INJUNCTION filed PRELIMINARY INJUNCTION AND NOW, this 23rd day of January, 1987, upon consideration of the Plaintiff's verified Motion for Preliminary Injunction, Plaintiff's verified Complaint in Equity and the affidavits attached thereto, and it appearing to the Court that immediate irreparable harm will be sustained by Plaintiff before a hearing can be held on Plaintiff's Motion for Preliminary Injunction in that, before such hearing can be held, Defendant will already have sold all of his interest in the Burger King restaurant and said Burger King restaurant will have been sold to third parties, it is ORDERED that, upon Plaintiff posting a security bond with the Prothonotary in the amount of \$2,500.00, the Defendant, MAURICE DOE, his agents, partners, employees, representatives and assigns, and all persons acting in concert with him, be and they are hereby enjoined and prohibited from selling any interest in the Burger King Restaurant located on Route 255 North, DuBois, Sandy Township, Clearfield County, Pennsylvania, to anyone; and it is further ORDERED, that the Defendant, MAURICE DOE, be and is hereby enjoined and prohibited from borrowing or otherwise transacting any business on his interest in the Burger King restaurant in Sandy Township, Clearfield County, Pennsylvania; and it is further ORDERED that Defendant, MAURICE DOE, is enjoined from transferring any of his shares in said Burger King restaurant to Barbara Van Horn Colsey or to any other person; and it is further ORDERED that pursuant to Pa. R.C.P. No. 1531(d), a hearing pertaining to the continuance of this Preliminary Injunction will be held on March 17, 1987, at 11:00 o'clock A.M. in Courtroom of the Clearfield County Courthouse, Second Floor, Second and Market Streets, Clearfield, Pennsylvania; and FURTHER, A rule is hereby entered upon the Defendant to show cause, at the above date and time why this Preliminary Injunction should not be continued. BY THE COURT, Joseph S. Ammerman, Judge BOND in the amount of \$2,500.00 Surety Fireman's Insurance Company of Newark, New Jersey 1/23/87 Two copies certified Attorney	



CONTINUED FROM PAGE 65    86-4-EQU    MARILYN DOE RICHARDS -vs- MAURICE P. DOE

JANUARY 29, 1987, AMENDED PETITION FOR LEAVE TO WITHDRAW AS COUNSEL, filed  
by James A. Naddeo, Esq.    1 cert to Atty

FEBRUARY 17, 1987 STIPULATION filed

We, the undersigned counsel of record for the above captioned parties, do hereby agree to entry of the Order attached hereto. s/James A. Naddeo, Esq. s/Toni M. Cherry, Esq.

ORDER

NOW THIS 17th day of February, 1987, being the day and date set for re-hearing upon application of James A. Naddeo, Esquire to be granted permission to withdraw as counsel for the defendant in the above captioned case, it is the Order of this Court that counsel be permitted to withdraw. BY THE COURT, Joseph S. Ammerman, Judge

FEBRUARY 20, 1987 PRAECIPE filed

Please withdraw my appearance on behalf of the defendant, Maurice P. Doe. s/James A. Naddeo

FEBRUARY 26, 1987, SHERIFF'S RETURN, filed

NOW, January 26, 1987, mailed the within Motion for Preliminary Injunction to Maurice Doe, defendant by Certified mail #P429558343 at c/o Timothy Doe, 138 Stonebroke, Simi Valley, CA 93065 being his last known address. The letter is hereby attached and made a part of this return marked "UNCLAIMED", The letter was sent "Addressee Only".  
/s/ Chester A. Hawksin by Marilyn Hamm.



Toni M. Cherry

THURMAN F. GARDNER and AMANDA D. GARDNER

JANUARY 17, 1986, COMPLAINT/EQUITY, filed by Toni M. Cherry  
One Copy Certified to Sheriff

JANUARY 31, 1986, SHERIFF'S RETURN, filed.  
Now, Jan 20, 1986 mailed the within Complaint to Alice I. Hillard, deft by certified Mail P024809189. The letter is attached and marked "FORWARDING ORDER EXPIRED". So answers, Chester A. Hawkins, Shff By s/ Marilyn Hamm

86-5-EQU

APRIL 5, 1989, PRAECIPE FOR REINSTATE COMPLAINT, filed

Please reinstate the Complaint filed in the above-captioned case for failure to serve within the time allowed. The original attempt at service was thwarted because Defendant had moved and the forwarding Order expired prior to the time that service was attempted. The whereabouts of the Defendant have only now been discovered and it has been learned that ALICE I. HILLARD resides at 5617 East Comden St., Pima County, Tucson, Arizona, where service may now be attempted. /s/ Toni M. Cherry, Esq.

ALICE I. HILLARD

APRIL 6, 1989, RE-INSTATED AND RE-ISSUED TO SHFF. FOR SERVICE.

APRIL 26, 1989, AFFIDAVIT OF SERVICE, filed  
NOW, April 17, 1989, mailed the within Complaint on Alice I. Hillard, Deft. by Certified Mail #p 706 900 044. at 5617 East Camden Street, Pima County, Tucson, Ariz 85700, being last known address. The return receipt is hereto attached and made a part of this return endorsed by Allice Hillard, Deft. /s/ Chester A. Hawkins, Shff, by Darlene Shultz.

Pro	by Atty	40.00
	by Atty	
Shff	Hawkins	15.77
	by Atty	
Shff	Surcharge	2.00
Pro		5.00
Shff	by Atty (Reinstated)	18.20
Pro	<i>by atty</i>	9.00

JULY 10, 1989, PRAECIPE FOR ENTRY OF DEFAULT JUDGMENT, filed

Pursuant to PA R.C.P. 237.1, please enter judgment in favor of the above Plaintiffs, THURMAN F. GARDNER and AMANDA D. GARDNER, and against the Defendant, ALICE I. HILLARD, for failure to appear or file an Answer within twenty (20) days from the date of service of the Complaint, or within ten (10) days from the date of service of the Notice to Take Default Judgmetn. Attached hereto is the Affidavit of Service and a copy of the Notice of Intention to Take a Default Judgment if answer is not filed within ten (10) days. /s/ Toni M. Cherry, Esq.

Judgment is entered in favor of the Plaintiffs and against the Defendants for failure to file an Answer.

DEFAULT JUDGMENT IN EQUITY

*Raymond Nithesana*  
Prothonotary

JULY 10, 1989 NOTICE OF DEFAULT JUDGMENT IN EQUITY MAILED TO DEFTS.

CERTIFICATE OF SERVICE, filed

I hereby certify that a true and correct copy of the Praecipe for Entry of Default Judgment in the above-captioned matter was mailed by regular mail, postage prepaid, at the Post Office, DuBois, PA, on this 7th day of July, 1989, to ALICE I. HILLARD, Defendant in teh above-captioned case, at 5617 East Camden Street, Tucson, Arizona 85700. /s/ Toni M. Cherry, Esq.

FEBRUARY 20, 1990, MOTION FOR FIANL DECREE, filed by Toni M. Cherry, Esq. 1 cert/Atty  
RULE RETURNABLE, filed

AND NOW, this 15th day of February, 1990, in consideration of the foregoing Motion and the facts contained therein, a Rule is hereby issued upon the Defendant, to show cause, if any she has, why the Prayer of the Plaintiffs should not be granted and why an Order directing the Register and Recorder of Deeds to execute a deed conveying the premises in Bigler Township, Clearfield County, Pennsylvania, known as South Madera, which is more correctly described herein as Exhibit "A" to the Plaintiffs should not be issued.

Rule Returnable by the 9th day of March, 1990, for answer only. BY THE COURT: John K. Reilly, Jr., P.J.

JUNE 18, 1990, AFFIDAVIT OF SERVICE, filed

Personally appeared before me, the undersigned official, TONI M. CHERRY, Attorney for Thurman F. Gardner and Amanda D. Gardner, who, being duly sworn according to law, deposes and says that she is the Attorney for the above named Plaintiffs and, as such, is duly authorized to make this affidavit and that she did mail a certified copy of the Motion for Final Decree together with Rule Returnable issued by the Court to the above named Defendant, Alice I. Hilliard both by Certified Mail, Return Receipt Requested and by First Class Mail to her last known address at 5617 East Camden Street, Tucson, Arizona 85700 on February 22, 1990 and the same were both returned to her marked with a forwarding address for teh Defendant at 6717 E. Mary



Drive, Tucson, Arizona 85730 by the United States Postal Service. Furthermore, that on March 5, 1990 she did again forward a Certified Copy of the said Motion and Rule Returnable to the Defendant at the address given to her by the US Postal Service by Certified Mail Return Receipt Requested and another Certified copy to the Defendant by First Class mail, Postage Prepaid. That the Copy sent by Certified Mail was returned to her and was marked unclaimed as of April 14, 1990 but the copy of said Motion and Rule Returnable sent by Regular Mail was never returned and is presumed to have been served upon the Defendant on March 5, 1990. /s/ Toni M. Cherry, Esq.

JUNE 18, 1990, ORDER, filed

AND NOW, this 18th day of June, 1990, this matter having come before the Court on a request for the issuance of a final decree upon the judgment taken by the Plaintiffs on default and it appearing that the Defendant, ALICE I. HILLARD, was properly served with a certified copy of the Complaint filed in the above-captioned matter and that over twenty(20) days elapsed from the time that she was so served until the time that a Notice of Intention to Take Default Judgment was sent to her and it also appearing from the record that more than ten (10) days have elapsed from the time that she was sent a Notice of Intention to Take Default Judgment and no appearance having been entered on behalf of the said Defendant either by answer or in person, and it being past the time scheduled for the return of the Rule issued upon the Defendant which was returnable on March 9, 1990, and there being no response from the Defendant after being properly served with a certified copy of the Motion for Order filed on behalf of the Plaintiffs together with the Rule, and it also appearing that Plaintiffs have fulfilled their part of the bargain to acquire ownership of the premises which are the subject of this action, it is hereby.

ORDERED AND DECREED that the Register and Recorder of Clearfield County execute a deed conveying the premises situate in Bigler Township, Clearfield County, Pennsylvania, and being known as part of Lot 13 in the General Plan of South Madera to the Plaintiffs, THURMAN F. GARDNER and AMANDA D. GARDNER, Husband and wife, and the said Register and Recorder, Michael R. Lytle, is hereby directed to execute a deed conveying said premises to THURMAN F. GARDNER and AMANDA D. GARDNER, Husband and wife, as Tenants by the Entireties on behalf of the Defendant, ALICE I. HILLARD. BY THE COURT:  
John K. Reilly, Jr, P.J.



Richard H. Milgrub	CHARLES E. BLAKE, SR.	<p>JANUARY 21, 1986, COMPLAINT/EQUITY, filed by Milgrub &amp; Lhota Two Copies Certified to Attorney.</p> <p>JANUARY 22, 1986, AFFIDAVIT OF SERVICE, filed by Milgrub &amp; Lhota</p> <p>JANUARY 22, 1986, MOTION FOR PRELIMINARY INJUNCTION, filed by Milgrub &amp; Lhota Two Copies Certified to Attorney.</p> <p>RULE</p> <p>AND NOW, this 21 day of January, 1986, upon consideration of the foregoing Motion for Preliminary Injunction, it is hereby Ordered that a Rule be issued against Allstate Insurance Company to show cause why the relief requested in said Motion should not be granted.</p> <p>RULE RETURNABLE and hearing thereon on the 24 day of January, 1986, at 9:4t o'clock A.M. before The Honorable Joseph S. Ammerman, Judge, at the Clearfield County Courthouse, Clearfield, Pennsylvania. BY THE COURT: s/ Joseph S. Ammerman, J.</p>
Barbara H. Schickling	ALLSTATE INSURANCE COMPANY	<p>JANUARY 23, 1986, AFFIDAVIT OF SERVICE, filed I, Julie R. Janke, do hereby certify that on the 22nd day of January, 1986, I served a certified copy of Plaintiff's Motion for Preliminary Injunction and Rule on Allstate Insurance Company, Defendant, by personal service, at Allstate's local office at 240 East Market Street, Clearfield, Pennsylvania. /s/ Julie R. Janke,</p> <p>JANUARY 31, 1986, PRAECIPE, filed Please enter my appearance on behalf of the Defendant, Allstate Insurance Company, in the above captioned matter. /s/ Barbara H. Schickling, Esq.</p> <p>JANUARY 31, 1986, PRELIMINARY OBJECTIONS, filed by Barbara H. Schickling, Esq.</p> <p>JANUARY 31, 1986, ORDER, filed NOW, this 31st day of January, 1986, the parties being before the Court on the 24th day of January, 1986, at 9:45 O'clock A.M. on a Motion for Preliminary Injunction to which a rule was issued returnable said date, the Court continued the matter until this date to facilitate the filing of further pleadings, the relief being prayed for not being necessary prior to the 31st day of January, 1986, until which date the matter was continued; the parties again appearing on th this date as per the Order of Court and Preliminary Objections having been filed by the Defendant, the Defendant is given until Tuesday, February 4, 1986, at 4:00 o'clock P.M. to file a Brief in Support of its position, and the Plaintiff is given until Thursday, February 6, 1986, at 4:00 o'clock P.M. to file a brief in response, whereupon it is anticipated that the Court will promptly issue a ruling. BY THE COURT: Joseph S. Ammerman, Judge.</p> <p>FEBRUARY 6, 1986, BRIEF IN SUPPORT OF PLAINTIFF'S MOTION FOR PRELINIMARY INJUNCTION, filed by Richard Milgrub, Esq. Two copies certified to atty</p> <p>FEBRUARY 7, 1986, AFFIDAVIT OF SERVICE, filed.</p> <p>FEBRUARY 18, 1986, ORDER, filed. Two copies certified to Judges Sec. NOW, the 18th day of February, 1986, Charles E. Blake, Sr., Plaintiff, by Richard H. Milgrub, Esquire, his counsel, having moved for a preliminary injunction and a rule returnable having been issued and the petition considered in the presence of the Plaintiff and his counsel and Allstate Insurance Company, the Defendant being represented by its counsel, Barbara Schickling, Esquire and an Order having been issued the 31st day of January, 1986, Briefs were ordered filed by counsel for Plaintiff and Defendant and having been received and considered it is the ORDER of this Court that the defendant and its officers, agents, servants and employees be and are hereby enjoined from any action which would terminate the Plaintiffs lost wages until there can be a full hearing; the Defendant to bring current the payments under said policy and maintain said payments pending a full hearing, which is set down to be heard before this Court on March 3, 1986 at 2:00 PM BY THE COURT: /s/ Joseph Ammerman, Judge</p> <p>MARCH 13, 1986, ORDER, filed. AND NOW, this 13th day of March, 1986, it is the ORDER of this Court that the previously entered Order granting a preliminary injunction whereby Allstate was to make income loss payments to Charles Blake is and is hereby rescinded. BY THE COURT: /s/ Joseph S. Ammerman, Judge.</p> <p>JULY 31, 1986, BRIEF IN SUPPORT OF PLAINTIFF'S REQUEST FOR ATTORNEY FEES, filed by Richard Milgrub, Esq.</p> <p>OCTOBER 16, 1986 ORDER filed Two copies certified Judge Ammerman NOW, this 16th day of October, 1986, the above captioned matter having been submitted to the Court upon Briefs, the Plaintiff having failed to request an evidentiary hearing, the Court is unable to find as a matter of law or fact that the Defendant acted in bad faith in denying insurance coverage; therefore, it is the ORDER of the Court that Plaintiff's request for attorney's fees be denied. BY THE COURT: Joseph S. Ammerman, Judge</p>



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Edward V.  
Cherry

IN RE:

TRUSTS OF RICHARD HYLAN  
LEWIS, established by  
Irrevocable Trust Agree-  
ment dated November 5,  
1965, by HOLLIS L. LEWIS,  
as Settlor and THE UNION  
BANKING AND TRUST COMPANY,  
as Trustee

JANUARY 24, 1986, PETITION/EQUITY, filed by Gleason,  
Cherry & Cherry  
One Copy of Order Certified to Attorney Cherry.

ORDER

NOW, this 22 day of January, 1986, upon consideration of the foregoing Petition, it is

ORDERED AND DECREED that the two Trusts established by HOLLIS L. LEWIS, as Settlor, THE UNION BANKING AND TRUST COMPANY OF DuBOIS, PENNSYLVANIA, as Trustee, RICHARD HYLAN LEWIS, as primary beneficiary, and the issue of Richard Hylan Lewis, contingent beneficiaries, dated November 5, 1965, respectively, are terminated, and THE UNION BANKING AND TRUST COMPANY OF DUBOIS, PENNSYLVANIA, is hereby authorized to distribute all of the principal and any undistributed income of said Trusts to the said RICHARD HYLAN LEWIS, son of HOLLIS L. LEWIS, free and clear of said Trusts. BY THE COURT, s/ John K. Reilly, Jr., Judge

86-7-EQU

Pro by Atty 40.00



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David P. King	JOHN TARTAL, JR.	<u>FEBRUARY 18, 1986, COMPLAINT, IN EQUITY</u> , filed by David P. King One Copy Certified to Attorney.
	86-8-EQU	
	CHRISTINE M. TARTAL, now CHRISTINE M. CRAIG	
	Pro by Atty 40.00	



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Grossinger & Gordon  
Earle D. Lees, Jr.

PETER J. LIVOLSI AND ALBERT W. BETLER, TRUSTEES, ON BEHALF OF THE LABORERS' DISTRICT COUNCIL OF WESTERN PENNSYLVANIA WELFARE FUND AND LABORERS' DISTRICT COUNCIL OF WESTERN PENNSYLVANIA PENSION FUND

86-9-EQU

William Miller

SHIRLEY T. ROBERTS, LOIS PHILLIPS, CLAUDIA JOHNS, GREGORY LYNN TURNER AND DOROTHY A MILLER, INDIVIDUALLY AND AS ADMINISTRATRIX OF THE ESTATE OF LLOYD TURNER

Barbara Schickling

Pro	by atty	40.00
	by Atty	
Shff	Hawkins	42.40
	by Atty	
Shff	Kunes	31.80
	by Atty	
Shff	Surcharge	8.00
Shff	by atty	35.20
Surg	by atty	4.00

FEBRUARY 20, 1986, BILL IN EQUITY FOR INTERPLEADER, filed by Grossinger & Gordon, Esqs. 1 copy to shff one to ORDER OF COURT, filed.

NOW, this 3rd day of March, 1986, the Petition of the Laborers' District Council of Western Pennsylvania Welfare Fund and Laborers' District Council of Western Pennsylvania Pension Fund is granted, and it is hereby ordered:

(1) Respondents Shirley T. Roberts, Lois Phillips, Claudia Johns, Gregory Lynn Turner, and Dorothy A. Miller, individually and as Administratrix of the Estate of Lloyd Turner are enjoined from commencing or further prosecuting any action in any court against Laborers' District Council of Western Pennsylvania Pension Fund to enforce in whole or in part any claim against them relating to benefits payable as the result of the death of Lloyd Turner, except as a party to the above entitled action.

(2) Petitioners, Laborers' District Council of Western Pennsylvania Pension Fund are to hold any and all monies payable as benefits resulting from the death of Lloyd Turner, subject to further Order from this Court directing said Funds to make payment of such benefits to a beneficiary or beneficiaries determined by this Court to be entitled to receive such benefits and thereafter the said Funds shall be discharged from any and all claims by the Respondents or any other claimants for benefits payable as a result of the death of Lloyd Turner.

(3) Petitioners may deduct from the amount of said death benefits all costs actually incurred by them including reasonable attorneys fees in the amount of Five Hundred (\$500.00) Dollars, incurred in bringing this interpleader action to be paid from said death benefits in the first instance.

(4) The Petitioners-Complainants are directed to serve a copy of this Order and the Bill in Equity for Interpleader in this action by service pursuant to Pa. R.C.P. 1504, upon the following listed Respondents: Shirley T. Roberts, Lois Phillips, Claudia Johns, Dorothy A. Miller and Gregory Lynn Turner

(5) Counsel for PETITIONERS are directed to simultaneously serve a copy of this Order and the Bill in Equity for Interpleader by first class United States Mail, postage prepaid upon: Barbara Schickling, Esq. and Girard Kasubick, Esq.

(6) All Respondents having an interest in the benefits subject to this interpleader action are directed to file in the above entitled action in the Office of the Prothonotary of the Court of Common Pleas of Clearfield County an answer within twenty days after being served with copies of the Bill in Equity for Interpleader and this Order and all pleadings hereto fore filed in the above entitled action if said service was made within your county, or within thirty days of said service if said service was made within any other county of this Commonwealth copies of all such answers as may be filed shall be served by first class United States mail, postage prepaid, upon all other parties, or their counsel, including counsel for the Petitioners.

BY THE COURT: /s/ John K. Reilly, JR., P.J.,  
MARCH 21, 1986, PRAECIPE FOR APPEARANCE, filed.  
Kindly enter our appearance on behalf of Shirley T. Roberts in the above referenced matter. /s/ William L. Miller, Esq.

MARCH 31, 1986, COMPLAINT, Filed on behalf of Shirley T. Roberts, filed by David C. Mason, Esq. no copies

MARCH 31, 1986, ANSWER, filed on behalf of Dorothy A. Miller ..., filed by Barbara Schickling, Esq. 5 cert atty

APRIL 4, 1986, PETITION FOR SERVICE UNDER PA.R.C.P. 430 and ORDER, filed.

AND NOW, this 4th day of April, 1986, upon consideration the the foregoing Petition for Service Pursuant to Pa. R.C.P. 430, and Court being satisfied that good and sufficient cause exists therefore, it is ORDERED and DECREED that Petitioner shall make service of the Bill in Equity for Interpleader upon the Respondent Gregory Turner by certified Mail, return receipt requested and one time by publication in the Progress a newspaper of general circulation.  
BY THE COURT: /s/ John K. Reilly, Jr., P.J.

APRIL 18, 1986, SHERIFF'S RETURN, filed.

NOW, March 10, 1986 at 9:38 AM EST served within Bill in Equity on Claudia Johns, deft at her place of residence.

NOW, March 11, 1986 at 2:30 PM EST served within Bill on Carl Roberts, Father in Law of Shirley T. Roberts, deft at his place of residence.

NOW, March 11, 1986 Garry Kunes, Shff of Centre County was deputized by Chester A. Hawkins, Shff of Clearfield Co. to serve within Bill on Lois Phillips, deft.

NOW, March 24, 1986 served within Bill on Lois Phillips, deft by deputizing the Sheriff of Centre County.

NOW, March 27, 1986 after diligent search in my bailiwick I return within Bill in Equity



CONTINUED FROM PAGE 75 NO 86-9-EQU PETER J. LIVOLSI, al -vs- SHIRLEY T. ROBERTS, et al

for Interpleader on Gregory L. Turner, defendant "NOT FOUND". So answers, Chester A. Hawkins, Shff By s/ Marilyn Hamm

APRIL 21, 1986, ANSWER AND NEW MATTER, filed by Barbara H. Schickling, Esq.

APRIL 22, 1986, ACCEPTANCE OF SERVICE, filed.

Acceptance of service of a certified copy of the Answer is hereby acknowledged this 16th day of April, 1986. /a/ David Mason Esq

MAY 2, 1986 CLAIMANT'S RESPONSE TO NEW MATTER OF DOROTHY A MILLER, filed by David C. Mason, on behalf of Shirley T. Roberts. 5 cert Atty.

MAY 7, 1986 PRAECIPE TO REINSTATE COMPLAINT, filed by David C. Mason, Atty Plff.

Kindly re-instate the Complaint in the above-captioned matter. s/David C. Mason, Atty Plff.

MAY 12, 1986 COMPLAINT RE-INSTATED AND RE-ISSUED TO SHERIFF FOR SERVICE. s/jmb

JUNE 13, 1986, SHERIFF'S RETURN, filed

NOW, May 13, 1986, at 2:40 PM DST served the within Complaint on Claudia Johns, defendant at her place of residence, RD# 3 Box 248, Clover ST., Philipsubrg, Clearfield County, Penna. by handing to Claudia Johns a true and attested copy of the original Complaint and made known to her the contents thereof.

NOW, June 13, 1986, after diligent search in my bailiwick I return the within Complaint "NOT FOUND" as to Gregory Lynn Turner, defendant. /s/ Chester A. Hawkins by Marilyn Hamm.

JUNE 18, 1986, PRAECIPE TO PLACE ON NON JURY TRIAL LIST, filed

Kindly place the above captioned case upon the next available non-jury trial list. The estimated time for trial is one (1) day. /s/ Earle D. Lees, Jr., Esq.

JUNE 30, 1986, INTERROGATORIES, filed.

JULY 25, 1986, INTERROGATORIES, filed by David C. Mason, Esq. 3 cert atty

SEPTEMBER 5, 1986, NOTICE OF DEPOSITION OF HENRY ROBERTS, filed by Barbara H. Schickling, Esq.

OCTOBER 21, 1986 CONSENT AGREEMENT AND ORDER OF COURT filed by Miller and Mason, Esqs.

Seven copies certified Attorney Schickling

ORDER OF COURT

AND, NOW, this 21 day of Oct, 1986, following receipt and consideration of the attached agreement, and upon motion for the parties in this matter, IT IS HEREBY ORDERED AND DECREED:

1. The claims of respondents, Lois Phillips, Claudia Johns, Gregory Lynn Turner and Dorothy A. Miller, individually and as Administratrix of the Estate of Lloyd Turner are dismissed.

2. Petitioners, The Laborer's District Council of Western Pennsylvania Welfare Fund and Laborer's District Council of Western Pennsylvania Pension Fund are directed to pay the net proceeds to Respondent, Shirley T. Roberts.

3. Shirley T. Roberts shall pay the hospital and doctor bills of Lloyd Turner up to the sum of One Thousand Two Hundred Fifty (\$1,250.00) Dollars; pay the funeral bill to Dahlgren Funeral Home in an amount not to exceed Three Thousand One Hundred Sixty-one (\$3,161.00) Dollars; purchase a gravemarker for the decedent in a style similar to the one on the grave of Lloyd Turner's deceased son; pay to Barbara H. Schickling, Esquire, Attorney for the Estate of Lloyd Turner, costs and fees of Six Hundred Forty-six and 50/100 (\$646.50) Dollars.

4. Mrs. Roberts shall withdraw and waive her claims she seeks for reimbursement in the amount of Two Thousand Five Hundred Fifteen and 91/100 (\$2,515.91) Dollars from the Estate of Lloyd Turner or Mr. Turner's children.

5. Prior to distribution of the net proceeds of the funds, the Laborers' District Council of Western Pennsylvania Welfare Fund and Laborer's District Council of Western Pennsylvania Pension Fund may deduct from the proceeds of said fund Five Hundred (\$500.00) Dollars as reasonable attorney's fees.

6. The Petitioners are discharged from all liability for any costs accruing after entry of an Order granting interpleader relief, and the Petitioners are allowed all Court costs incurred by them in this action, to be paid from the said death benefits in the first instance, pursuant to Pa. R.C.P. 2307(b).

7. The Petitioners are discharged from any and all claims by the Respondents or any other claimants for benefits payable as a result of the death of Lloyd Turner subsequent to payment of the said death benefits by Petitioners under such terms and conditions as the Court shall require. BY THE COURT: John K. Reilly, Jr., Judge



R. Denning  
Gearhart

MARY KUSHNER, an adult  
individual

86-10-EQU

JOSEPH KUSHNER, an adult  
individual

MARCH 24, 1986, COMPLAINT/EQUITY, filed by R. Denning  
Gearhart  
One Copy Certified to Attorney.  
APRIL 10, 1986, ORDER, filed.  
One copy certified to atty  
AND NOW, this 9th day of April, 1986,  
upon consideration of the foregoing Complaint, it  
is the Order of this Court that a pre-hearing conference  
shall be scheduled on said Complaint for the 27th  
day of June, 1986, at 2:00 pm before the Honorable  
John K. Reilly, Jr., P.J., in the main Courtroom of  
the Clearfield County Courthouse, Clearfield, Penna.  
BY THE COURT:/s/ John K. Reilly, jr., P.J.

MAY 19, 1997, PRAECIPE TO DISCONTINUE, filed NO CERT COPIES  
The Plaintiff in this action havind died in April, 1992,  
please discontinue this action.  
s/R. DENNING GEARHART, ESQ.

D I S C O N T I N U E D

Pro	by Atty	40.00
Pro	by Atty	5.00







Girard  
Kasubick

CHARLES J. TRAVIS

MARCH 31, 1986, COMPLAINT/EQUITY, filed by Girard  
Kasubick  
Two Copies Certified to Attorney.

APRIL 4, 1986, ENTRY OF APPEARANCE ON BEHALF  
OF BOTH DEFENDANTS, Filed.

Please enter my appearance on behalf of both  
of the above-named defendants in the above-captioned  
matter. /s/ Frederic J. Ammerman, Esq.

86-11-EQU

APRIL 4, 1986, PRELIMINARY OBJECTIONS, Filed by  
Frederic J. Ammerman, Esq.

APRIL 16, 1986, ACCEPTANCE OF SERVICE, filed  
by Frederic Ammerman, Esq.

I accept service of the Complaint  
in Equity on behalf of Peter R. Swistock, Sr., and  
Margaret Swistock, his wife and certify that I am  
authorized to do so. /s/ Frederic Ammerman, Esq.

PETER R. SWISTOCK, SR.  
and MARGARET SWISTOCK,  
his wife

Pro by Atty 40.00







James A. Naddeo	<p>FLORENCE M. SMITH, M.D., an individual and</p> <p>WILLIAM L. SMITH, an individual and</p> <p>JAMES SMITH, an individual</p> <p>NAOMI SMITH ONDREIZEK, an individual and</p> <p>LUKE SMITH, an individual and</p> <p>ELEANOR SMITH McCURLEY, an individual and</p> <p>WILLIAM U. SMITH, an individual and</p> <p>CATHERINE FELLEMAN, an individual</p> <p>Plaintiffs</p> <p>86-12-EQU</p>	<p>APRIL 11, 1986, COMPLAINT/EQUITY, filed by James A. Naddeo One Copy Certified to Attorney</p> <p>APRIL 23, 1986, ACCEPTANCE OF SERVICE, filed</p> <p>The undersigned Attorney for the Defemdant, Accepts service on her behalf of the complaint filed in the above case this 16th day of April, 1986./s/ P. Richard Wagner, Esq.</p> <p>MAY 6, 1986, PRELIMINARY OBJECTIONS TO PLAINTIFFS COMPLAINT, filed by Judith Drum, Esq.</p> <p>JULY 30, 1986, STIPULATION AND ORDER OF COURT FOR STAY, filed 1 cert atty</p> <p>AND NOW, this 30th day of July, 1986, upon agreement of the parties, it is the ORDER of this Court that all proceedings in the above captioned action, including dispostion of the Preliminary Objections filed by Defendant, are hereby stayed pending a final determination in the will contest action filed to No. OC-52-155.</p> <p>BY THE COURT: John K. Reilly, Jr, President Judge.</p> <p>DECEMBER 23, 1986 LETTER from P. Richard Wagner, Es</p>
P. Richard Wagner	<p>JUANITA D. HOLENCIK, an individual Defendant</p>	
	<p>Pro by Atty 40.00</p>	



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Chris A. Pentz

ROSS WRIGHT and  
MAE WRIGHT, his wife

86-13-EQU

Richard A.  
Ireland

ELLSWORTH P. BRACKEN and  
FLORENCE BRACKEN, his  
wife

Pro	by Atty	40.00
Shff	by atty	24.80
Sur-charge	by atty	2.00

APRIL 25, 1986, COMPLAINT FOR SPECIFIC PERFORMANCE/ EQUITY, filed by Chris A. Pentz, Esquire  
One Copy Certified to Attorney.

MAY 5, 1986, AFFIDAVIT OF SERVICE, filed.  
NOW, May 2, 1986, at 10:10 am DST served the within Complaint on Florence Bracken, defendant at her place of residence, RD#1, Mahaffey, Clearfield County, Penna by handing to Florence Bracken a true and attested copy of the original Complaint and made known to her the contents thereof. /s/ Chester A. Hawkins, Shff by Marilyn Hamm

JUNE 3, 1986, AFFIDAVIT OF SERVICE, filed.  
RICHARD A. IRELAND, being duly sworn according to law, deposes and says that on May 30, 1986, he did hand-deliver a true and correct copy of the Answer and New Matter in the above entitled action to the office of Chris A. Pentz, Esquire. s/ Richard A. Ireland, Esq.

MAY 30, 1986, ANSWER & NEW MATTER, filed by Richard A. Ireland, Esq. 1 cert atty

JUNE 23, 1986, REPLY TO NEW MATTER, filed by Chris Pentz, Esq. 1 cert atty

OCTOBER 8, 1986 NOTICE OF TAKING ORAL DEPOSITIONS filed by Chris A. Pentz, Esq.

DECEMBER 8, 1986 DEPOSITION OF FLORENCE BRACKEN AND ELLSWORTH BRACKEN filed  
FILED IN TRANSCRIPT DRAWER UNDER "B"

FEBRUARY 24, 1987 PRAECIPE filed  
Please list the above-captioned action on the Fall Trial List. s/Chris A. Pentz, Esq.  
Two copies certified Attorney

JULY 16, 1987 MOTION FOR SUMMARY JUDGMENT filed by Richard A. Ireland, Esq.  
Three copies certified Attorney

JULY 21, 1987, AFFIDAVIT OF SERIVCE, filed Richard A. Ireland, Esq. being sworn says that on July 17, 1987, he did hand deliver a copy of the Motion for Summary Judgment in the above action to the office of Chris A. Pentz, Esq.  
/s/ Richard Ireland, Esq.

NOVEMBER 20, 1987, BRIEF FOR DEFENDANTS ON THEIR MOTION FOR SUMMARY JUDGMENT, filed by Richard A. Ireland, Esq.

NOVEMBER 20, 1987, PLAINTIFF'S MEMORANDUM OF LAW IN OP-POSITION TO MOTION FOR SUMMARY JUDGMENT, filed by Chris A. Pentz, Esq.

NOVEMBER 20, 1987, REPLY BRIEF, filed by Richard A. Ireland, Esq.

NOVEMBER 20, 1987, ORDER, filed.  
NOW, this 20th day of November, 1987, upon consideration of Defendants' Motion for Summary Judgment and after reviewing the pleadings and Briefs of counsel, the Court finds triable issues of material fact. Specifically, whether or not the parties entered into an oral contract for the conveyance of land which is at this time enforceable and outside the Statute of Frauds due to Plaintiffs' claim that they have had continuous and exclusive possession of the property since March 11, 1975, and have made improvements to the property not readily compensable in money.  
Therefore, it is the ORDER of the Court that Defendant's Motion for Summary Judgment be and is hereby denied.  
BY THE COURT: Joseph S. Ammerman, Judge.

FEBRUARY 23, 1988, ORDER, filed 2 copies cert.  
NOW, this 22nd day of February, 1988, the above matter is continued until the next term of Civil Court and will remain on the Non-Jury Civil Trial List. / BY THE COURT: Joseph S. Ammerman, Judge.

MAY 19, 1988, PRETRIAL MEMORANDUM filed by Chris A, Pentz, Esq.

MAY 19, 1988, PRE-TRIAL MEMORANDUM, filed by Richard A. Ireland, Esq.

FEB. 25, 1997, AFFIDAVIT, filed. TWO (2) CERT TO ATTY MARSHALL  
I, ROSS WRIGHT, verify that I am a Plaintiff in the above captioned equity action, and that MAE WRIGHT, my wife, is deceased. I hereby authorize my attorney of record, Christopher Pentz, or any other attorney to discontinue the above captioned action.  
s/ROSS WRIGHT

FEB. 25, 1997, PRAECIPE FOR DISCONTINUANCE, filed. TWO (2) CERT TO ATTY MARSHALL  
Please mark the above captioned case discontinued.



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EQUITY 14 1986

Fredric J.  
Ammerman

PETER R. SWISTOCK, SR.  
and MARGARET SWISTOCK

MAY 15, 1986, COMPLAINT IN PARTITION, filed by  
Fredric J. Ammerman, Esq. 1 copy cert Atty.

JUNE 9, 1986, ACCEPTANCE OF SERVICE, filed.

I, GIRARD KASUBICK, Esquire, hereby accept service  
of the Plaintiffs Complaint in Partition on behalf of  
the Defendant, Charles J. Travis, and certify that I  
have the authority to do so. s/ Girard Kasubick, Esq.,  
Attorney for Charles J. Travis

86-13½-EQU

Girard  
Kasubick

CHARLES J. TRAVIS

Pro by atty 40.00



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SAMUEL L. DICKSON and  
MARSHA L. DICKSON

86-14-EQU

RICHARD L. FRANKS

and

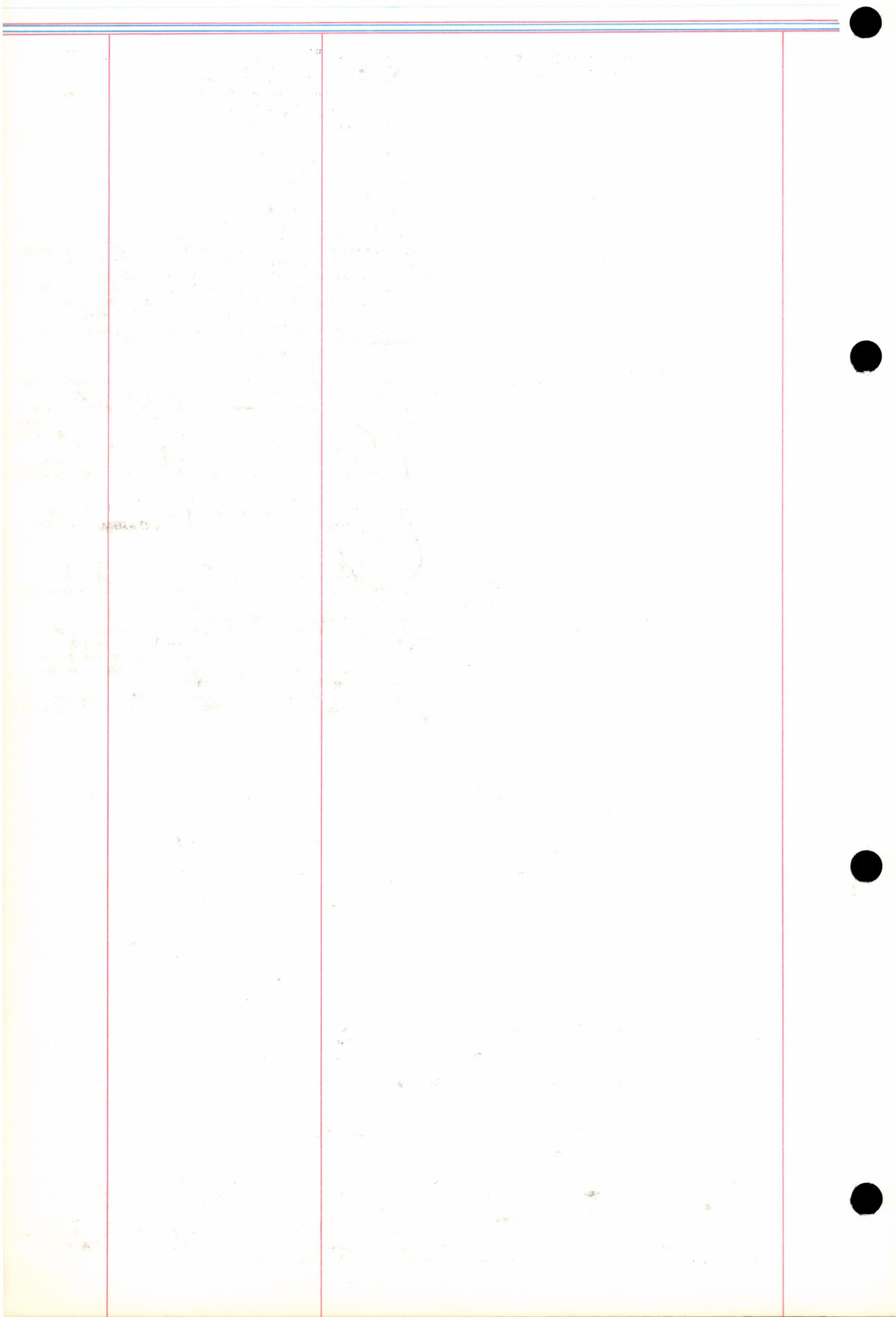
SANDY CREEK FOREST, INC.

Pro	by atty	40.00
Shff		
Hawkins	by atty	25.00
Shff		
Lalley	by atty	24.00
Surg.	by atty	4.00

MAY 16, 1986, PRAECIPE FOR WRIT OF SUMMONS, filed  
Enter my appearance for the Plaintiffs and  
issue a summons in a civil action (equity, assumpsit,  
trespass) in the above captioned matter.  
/s/ Jeffrey W. Stover, Esq.  
MAY 16, 1986, SUMMONS ISSUED TO SHERIFF FOR SERVICE

JUNE 2, 1986, SHERIFF'S RETURN, filed  
NOW, May 19, 1986, Francis P. Lalley, Sheriff  
of Montgomery County was deputized by Chester A.  
Hawkins Sheriff of Clearfield County to serve the  
within Writ of Summons on Richard L. Franks, and  
Sandy Creek Forest Inc., defendants.  
NOW, May 23, 1986, served the within Writ of  
Summons on Richard L. Franks and Sandy Creek Forest  
Inc., defendants by deputizing the Sheriff of  
Montgomery County. The return of Sheriff Lalley  
is hereto attached and made a part of this return  
stating the he served Kathy Swartz, Person in Charge  
/s/ Chester A. Hawkins BY Marilyn Hama







Cindy Soult

JOSEPH PRISELAC and  
ELLEN PRISELAC, Husband and  
Wife

86-15-EQU

FRANK E. PRISELAC

CK#2, 11/09/90, \$19,313.52  
Judgment From U.S.D.C.  
85-1111-CD, Judgment 10/26/90

Pro	by atty	40.00
Shff	by atty	24.40
sur- Charge	by atty	2.00
Shff	O/Credit	33.60
Surg.	O/Credit	2.00

AUGUST 1, 1986, ORDER, filed.  
One copy certified to C. Soult  
One copy certified to T. Durant  
One copy certified to Prieselec  
NOW, this 30th day of July, 1986, it is the ORDER of this Court to Grant a Permanent Injunction, and Direct the defendant to quit the premises within seven days from date hereof and instruct the Master to withhold the sum of Four Hundred and Forty (\$440.00) Dollars from that portion of the partition of the funds due from the petition that are due and owing to the defendant. BY THE COURT:/s/ John K. Reilly, JR., P.J.

AUGUST 14, 1986, PETITION FOR RULE TO SHOW CAUSE WHY DEFENDANT SHOULD NOT BE HELD IN CONTEMPT & ORDER, filed 1 cert atty  
AND NOW, this 15th day of August, 1986, upon consideration of the Petition of James A. Naddeo, Esquire, it is hereby ORDERED AND DIRECTED that a rule issue forthwith upon the Defendant, Frank E. Priselac, to show cause why he should not be held in contempt of the Order of this Court issued in the above captioned case on July 30, 1986 or alternatively to show cause why the Court should not direct enforcement of its Order of July 30, 1986 by the Sheriff of Clearfield County. Rule returnable and hearing thereon to be held in the Main Court Room of the Clearfield County Court House on the 5th day of September, 1986. at 2:30 P.M. BY THE COURT: John K. Reilly, Jr President Judge.

SEPTEMBER 8, 1986, ORDER, filed.  
NOW, this 5th day of September, 1986, following the Hearing of Motion for Endorsement of Order dated July 30, 1986, it is the ORDER of this Court that Defendant shall be given Fifteen (15) days within which to vacate the subject premises, failing which this Court shall direct the sheriff of Clearfield County to proceed to the premises and complete the ejection of Defendant and his belongings. Should such become necessary, all costs shall be borne by the Defendants. BY THE COURT:/s/ John K. Reilly, Jr. P.J.

SEPTEMBER 11, 1986, CERTIFIED COPY OF ORDER MAILED TO FRANK PRISELAC NO. P 265 867 005.

SEPTEMBER 25, 1986, MOTION AND ORDER, filed.  
One copy certified to atty  
AND NOW, this 25th day of September, 1986, upon petition f James A. Naddeo, Esquire, attorney for plaintiffs in the above captioned case, it is the Order of this Court that the Sheriff of Clearfield County proceed forthwith to thr premises of the plaintiffs located in Bigler and Becarria Townships more particularly described in a certain deed recorded in Clearfield County Deed and Records Book 1083, Page 543 and eject the defendant, Frank E. Priselac and his belongings from said property. It is the further Orde of this Court that all costs incurred be paid by the Defendant, Frank E. Priselac. BY THE COURT:/s/ John K. Reilly, Jr., P.J.

MAY 21, 1986, COMPLAINT, filed by Cynthia Soult, Esq.  
One copy certified to shff  
One copy certified to atty  
MAY 21, 1986, BOND, filed by Cynthia Soult, Esq.  
One copy certified to Shff  
Two copies certified to Atty  
MAY 21, 1986 MOTION FOR PRELIMINARY INJUNCTION WITH-  
OUT PRIOR HEARING, filed by Cynthia Soult, Esq.  
One copy certified to Shff  
One copy certified to Atty  
MAY 21, 1986, PRELIMINARY INJUNCTION, filed by  
Cynthia Soult, Esq.  
One copy certified to Shff  
One copy certified to Atty  
MAY 22, 1986, AFFIDAVIT OF SERVICE, filed.  
NOW May 21, 1986, at 5:25 pm DST served the within  
Motion, Complaint, Preliminary Injunction & Bond on  
Frank E. Priselac, defendant at Ramey, Clearfield  
County Penna by handing to Frank E. Priselac a true  
and attested copy of the original Motion, Complaint  
Preliminary Injunction and Bond and made known to  
him the contents thereof./s/ Chester A. Hawkins, Shff  
by Marilyn Hamm.  
MAY 23, 1986, ORDER, filed.  
Two copies certified to atty  
NOW, THIS 23rd day of May, 1986, after hearing held  
for the purpose of continuing Preliminary Injunction  
entered by this Court on May 21, 1986, it is the Order  
of said Court that said Injunction continue as follows:  
1. The defendant, Frank E. Priselac, and all persons  
acting in concert with him are hereby enjoined and  
prohibited from trespassing upon or entering on those  
certain pieces or parcels of ground bounded and described  
as follows:  
All those certain pieces and parcels of land  
situate in Bigler and Beccaria Townships, Clearfield  
County, Pennsylvania as follows: SEE ORIGINAL FILINGS  
FOR DISCRPTIONS  
2.  
The defendant Frank E. Priselac, and all persons  
acting in concert with him are hereby enjoined and  
prohibited from damaging or destroying any improvements  
located upon the aforesaid premises.  
3. That Timothy E. Durant, Master in Partition  
to the suit filed in the Court of Common Pleas, Clear-  
field County, Pennsylvania to No. 85-111-CD, withhold  
distribution of the proceeds of sale due to the said  
Frank E. Priselac with the exception of costs, counsel  
fees, and payment of record liens.  
All of the foregoing to continue until further  
Order of this Court. BY THE COURT:/s/ John K. Reilly, Jr.  
P.J.



86-15-EQU

JOSEPH &amp; ELLEN PRISELAC

vs

FRANK E. PRISELAC

APRIL 6, 1987, AFFIDAVIT OF SERVICE, filed  
NOW, October 27, 1987, served the within Motion & Order on Frank E. Priselac, defendant at Ramey, Clearfield Co., PA. (Mothers' residence) by handing to Frank E. Priselac a true and attested copy of the original Motion & Order and made known to him the contents thereof. /s/ Chester A. Hawkins by Marilyn Hamm.

NOVEMBER 8, 1990, LETTER FROM US DEPARTMENT OF JUSTICE, US ATTORNEY, WESTERN DISTRICT OF PA, MARY McKEEN HOUGHTON, Asst, US ATTY TO ALLEN D. BIETZ, PROTHONOTARY, AND COPY OF JUDGMENT, filed



DISCONTINUED\*\*\*

[illegible]



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Thomas F.  
Morgan

ENOCH SIMCOX and DOROTHY  
SIMCOX

JUNE 17, 1986, COMPLAINT IN EQUITY, filed by Thomas F. Morgan  
Four Copies Certified to Sheriff.

JUNE 19, 1986, SHERIFF'S RETURN, filed  
NOW, June 18, 1986, at 2:02 PM DST served  
the within Complaint in Equity on Gary L. White,  
deft.

NOW, June 18, 1986, at 2:02 PM DST served  
the within Complaint in Equity on Gary L. White  
Husband of Wilma Lee White, Deft.

NOW, June 18, 1986, at 2:15 PM DST served  
the within Complaint in Equity on June Rowles, deft.

NOW, June 18, 1986, at 2:15 PM DST served  
the within Complaint in Equity on June Rowles,  
Wife of Perry Rowles, deft.

/s/ Chester A. Hawkins by Marilyn Hanna

86-17-EQU

Daivd S.  
Ammerman

PERRY ROWLES and JUNE  
ROWLES,

and

JULY 1, 1986, PRAECIPE FOR APPEARANCE, filed  
Please enter my appearance on behalf of Gary  
L. White and Wilma Lee White in the above captioned  
suit. /s/ James A. Naddeo, Esq.

James A.  
Naddeo

GARY L. WHITE and WILMA LEE  
WHITE

JULY 10, 1986, ANSWER TO COMPLAINT & NEW MATTER,  
filed by James A. Naddeo, Esq. 2 cert atty

AUGUST 8, 1986, REPLY TO NEW MATTER, filed by  
Thomas Morgan, Esq.

Two copies certified to atty

AUGUST 14, 1986, PRAECIPE FOR ENTRY OF  
APPEARANCE, filed

Please enter my appearance on behalf of PERRY  
and JUNE ROWLES, Defendants, in the above captioned  
case. /s/ David S. Ammerman, Esq.

AUGUST 14, 1986, ANSWER & NEW MATTER, filed  
on behalf of Perry & June Rowles, by David S.  
Ammerman, Esq. 2 cert atty

SEPTEMBER 10, 1991, PRAEICPE TO DISCONTINUE, filed  
Please mark the above captioned matter settled and  
discontinued. /s/ Thomas F. Morgan, ESq.

Pro	by Atty	40.00
Shff	by atty	33.20
Surrg	by atty	8.00
Pro	by Atty	5.00

SETTLED AND DISCONTINUED



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Toni M. Cherry	CROWN CREST CEMETERIES, INC.	JUNE 30, 1986, PRAECIPE, filed by Gleason, Cherry and Cherry, P.C. Please enter our appearance for CROWN CREST CEMETERIES, INC., Plaintiff in the above captioned matter and issue a Summons in Equity against Defendants, Dorothy R. Wilson, who resides at 326 Elm Avenue, Clearfield, Pennsylvania, 16830; Harold A. Wilson, who resides at 326 Elm Avenue, Clearfield, Pennsylvania 16830; and BETTY LOU HAWBAKER who resides at 4175 Richlyn Drive, Chambersburg, Pennsylvania 17201. Respectfully submitted, GLEASON, CHERRY AND CHERRY, P.C. By s/ Toni M. Cherry	
	86-18-EQU	JUNE 30, 1986, SUMMONS ISSUED TO SHERIFF FOR SERVICE. JULY 10, 1986 PRAECIPE FOR RULE TO FILE COMPLAINT, filed by Joseph Colavecchi., Atty Defts. Enter a Rule upon the Plaintiff to file A Complaint within twenty (20) days after service of the Rule, or Judgment of Non Pros will be entered. s/Joseph Colavecchi, Atty Defts. JULY 10, 1986 RULE ISSUED ON TONI M. CHERRY, ATTORNEY FOR PLAINTIFF and mailed by regular mail. s/lb	
Joseph Colavecchi Richard Ireland	DOROTHY R. WILSON, HAROLD A. WILSON and BETTY LOU HAWBAKER	JULY 15, 1986, SHERIFF'S RETURN, filed NOW, July 8, 1986 at 7:45 PM DST served the within Writ of Summons on Dorothy R. Wilson, defendant at her place of residence, 326 Elm Ave., Clearfield, Clearfield County, Penna. by handing to Dorothy R. Wilson a true and attested copy of the original Writ of Summons and made known to her the contents thereof. NOW, July 8, 1986 at 7:45 PM DST served the within Writ of Summons on Harold A. Wilson, defendant at his place of residence 326 Elm Ave, Clearfield, Clearfield County, Penna. by handing to Harold A. Wilson a true and attested copy of the original Writ of Summons and made known to him the contents thereof. NOW, July 7, 1986 Raymond Hussack, Sheriff of Franklin County was deputized by Chester Hawkins, Sheriff of Clearfield County to serve the within Writ of Summons on Betty Lou Hawbaker, deft. NOW, July 10, 1986 served the within Writ of Summons on Betty Lou Hawbaker, deft. by deputizing the Sheriff of Franklin County. The return of Sheriff Hussack is hereto attached and made a part of this return. /s/ Chester A. Hawkins by Marilyn Hamm.	
	Toni M. Cherry, Add'l Deft P. Joseph Valigorsky, Add'l Deft	AUGUST 4, 1986, COMPLAINT, filed by Toni M. Cherry, Esq. Two copies certified to atty AUGUST 11, 1986, PRELIMINARY OBJECTIONS, filed by Joseph Colavecchi, Esq. AUGUST 11, 1986, ACCEPTANCE OF SERVICE, filed I, Joseph Colavecchi, Esq., Attorney for Dorothy R. Wilson, Harold R. Wilson, and Betty Lou Hawbaker, defendants, do hereby accept service of the within Complaint filed by the Plaintiff, this 6th day of August, 1986. /s/ Joseph Colavecchi, Esq.	
OCT	OCTOBER 8, 1986 AMENDED COMPLAINT	filed by Toni M. Cherry, Esq. One copy certified to Attorney	
	OCTOBER 10, 1986 AFFIDAVIT OF SERVICE OF AMENDED COMPLAINT	filed by Toni M. Cherry, Esq.	
	OCTOBER 10, 1986 ORDER	filed Two copies certified Judge Ammerman NOW, this 18th day of September, 1986, it is the ORDER of the Court that Defendant's Motion for More Specific Averments be and is hereby granted; however, Defendants' Motion for Demurrer is denied. The Plaintiff is directed to file an Amended Complaint within twenty (20) days. By the Court: Joseph S. Ammerman, Judge	
	NOVEMBER 12, 1986, PETITION FOR EXTENSION OF TIME & RULE	filed 4 cert atty AND NOW, this 14th day of November, 1986, upon consideration of the foregoing Petition for an Extension of Time filed by Joseph Colavecchi as Attorney for Dorothy Wilson and Harold Wilson, her husband, a Rule is hereby issued and directed to Toni M. Cherry, attorney for Crown Crest Cemeteries, Inc., to show cause why a forty-five day extension of time should not be granted to Dorothy Wilson and Harold Wilson to file responsive pleadings to the First Amended Complaint of Crown Crest Cemeteries, Inc. This Rule is returnable the 24th day of November, 1986, at 9:45 A.M. at the Clearfield County Courthouse. All proceedings to stay meanwhile. BY THE COURT: Joseph S. Ammerman, Judge.	
	NOVEMBER 14, 1986, PRAECIPE TO WITHDRAW APPEARANCE ON BEHALF OF BETTY LOU HAWBAKER,	filed Please withdraw my appearance on behalf of Betty Lou Hawbaker. I will be representing Dorothy Wilson and Harold Wilson, her husband, two of the Defendants in the above captioned case. /s/ Joseph Colavecchi, Esq.	
	NOVEMBER 21, 1986 DEFENDANTS' REQUEST FOR THE PRODUCTION OF DOCUMENTS DIRECTED TO CROWN CREST CEMETARIES, INC.	filed by Joseph Colavecchi, Esq.	



CONTINUED FROM PAGE 95 86-18-EQU CROWN CREST CEMETARIES, INC. -vs- DOROTHY R. WILSON a1

JANUARY 20, 1987 PLAINTIFF'S RESPONSE TO REQUEST BY DOROTHY R. WILSON and HAROLD R. WILSON FOR PRODUCTION OF DOCUMENTS filed by Toni M. Cherry, Esq.  
CERTIFICATE OF SERVICE

JANUARY 21, 1987 ANSWER AND NEW MATTER filed by Joseph Colavecchi, Esq.

FEBRUARY 13, 1987 PRAECIPE TO JOIN ADDITIONAL DEFENDANTS filed by Joseph Colavecchi, Esq.  
Issue Writ to Join Toni M. Cherry and P. Joseph Valigorsky both residing at 113 North Third Street, Clearfield, Pennsylvania, as additional defendants in this action. s/Joseph Colavecchi, Esq.  
FEBRUARY 13, 1987 WRIT TO JOIN ADDITIONAL DEFENDANTS ISSUED TO SHERIFF FOR SERVICE

FEBRUARY 23, 1987 REPLY TO NEW MATTER filed by Toni M. Cherry, Esq.  
Two copies certified Attorney

MARCH 12, 1987 SHERIFF RETURN filed  
March 12, 1987 served within Writ of Summons in Trespass Against Additional Defendant on Toni M. Cherry.  
March 12, 1987 served within Writ of Summons in Trespass Against Additional Defendant on P. Joseph Valigorsky. So answers, Chester A. Hawkins by Marilyn Hamm

APRIL 2, 1987 PRELIMINARY OBJECTIONS TO WRIT JOINING ADDITIONAL DEFENDANTS filed by Toni M. Cherry, Esq.  
Two cpies certified Attorney

APRIL 14, 1987 ANSWER AND NEW MATTER/COUNTERCLAIM filed on behalf of Betty Lou Hawbaker by Richard A. Ireland, Esq.  
Three copies certified Attorney

MAY 11, 1987 PRELIMINARY OBJECTIONS TO NEW MATTER/COUNTERCLAIM FILED ON BEHALF OF DEFENDANT, BETTY LOU HAWBAKER filed by Edward V. Cherry, Esq.  
Three copies certified Attorney

MAY 27, 1987 BRIEF ON BEHALF OF DEFENDANTS, DOROTHY R. WILSON AND HAROLD R. WILSON, IN SUPPORT OF WRIT JOINING ADDITIONAL DEFENDANTS filed by Joseph Colavecchi, Esq.

JULY 21, 1987, AFFIDAVIT OF SERVICE, filed  
Richard A. Ireland, Esq. being sworn, says that on July 17, 1987 he did send by registered mail a copy of the Petition for Leave of Court to Join Additional Defendant, in the above action to the office of Toni Cherry, Esq. /s/ Richard A. Ireland, Esq.

JULY 16, 1987, PETITION FOR LEAVE OF COURT TO JOIN ADDITIONAL DEFENDANT, & RULE, filed 2 cert atty  
AND NOW, this 22nd day of July, 1987, a Rule is granted on Crown Crest Cemetary, Inc., Plaintiff, to show cause why the Petition of Richard A. Ireland, as counsel for Betty Lou Hawbaker, for Leave of Court to Join Additional Defendant should not be granted. The Rule is returnable the 18th day of August, at 1:30 P.M. Courtroom 2, Clearfield County Courthouse. BY THE COURT: Joseph S. Ammerman, Judge

NOVEMBER 4, 1987, PLAINTIFF'S BRIEF IN ANSWER TO ENFENDANTS PRELIMINARY OBJECTIONS IN THE NATURE OF A DEMURRER, filed by Toni M. Cherry, Esq.

DECEMBER 1, 1987, ORDER, filed 3 cert Judge A.  
NOW, this 1st day of December, 1987, upon consideration of Plaintiff's Preliminary Objections to New Matter/Counterclaim filed on behalf of Defendant, Betty Lou Hawbaker, and after reviewing the pleadings and the Briefs of counsel, it is the ORDER of the Court that the Preliminary Objections be and are hereby denied; the Additional Defendants are joined pursuant to Rule 2232(c) of the Pennsylvania Rules of Civil Procedure.  
BY THE COURT: Joseph S. Ammerman, Judge.

DECEMBER 1, 1987, ORDER, filed 3 cert Judge A.  
NOW, this 1st day of December, 1987, upon consideration of Plaintiff's Preliminary Objection To Writ Joining Additional Defendants and after reviewing the pleadings and Briefs of Counsel, the Court is of the opinion that a final determination of the controversy may be made and further litigation thus avoided by allowing the Additional Defendants, Toni M. Cherry and P. Joseph Valigorsky, to be joined pursuant to Rule 2232(c) of the Pennsylvania Rules of Civil Procedure. Therefore, it is the ORDER of the Court that the Plaintiff's Preliminary Objections be and are hereby denied; the Defendants, Dorothy R. Wilson and Harold R. Wilson, are directed to file a Complaint Joining the Additional Defendants within Twenty (20) days from the date hereof. BY THE COURT: Joseph S. Ammerman, Judge.

DECEMBER 2, 1987, BRIEF ON BEHALF OF DEFENDANT, BETTY LOU HAWBAKER, OPPOSING PLAINTIFF'S PRELIMINARY OBJECTIONS, filed by Richard A. Ireland, Esq.

DECEMBER 2, 1987, BRIEF ON BEHALF OF PLAINTIFF'S AND ADDITIONAL DEFENDANT'S PRELIMINARY OBJECTIONS TO WRIT ADJOINING ADDITIONAL DEFENDANT, filed by Edward Cherry, Esq.

DECEMBER 2, 1987, BRIEF ON BEHALD OF PLAINTIFF'S PRELIMINARY OBJECTIONS TO NEW MATTER/COUNTERCLAIM FILED ON BEHALF OF DEFENDANT, BETTY LOU HAWBAKER, filed by Ed Cherry, Esq.

DECEMBER 2, 1987, BRIEF ON BEHALF OF PLAINTIFF AND ADDITIONAL DEFENDANT ON PETITION OF DEFENDANT, BETTY LOU HAWBAKER, TO JOIN ADITONAL DEFENDANT, filed by Atty Cherry

DECEMBER 2, 1987, LETTER TO ATTORNEY'S FROM JUDGE AMMERMAN'S LAW CLERK, filed

DECEMBER 29, 1987, THIRD PARTY COMPLAINT, filed by Joseph Colavecchi, Esq.

MAY 31, 1988, REPLY TO NEW MATTER/COUNTERCLAIM, filed by Paula M. Cherry, Esq.

MAY 31, 1988, PRELIMINARY OBJECTIONS, filed by Paula M. Cherry, Esq. 2 cert/Atty

JUNE 8, 1988, NOTICE OF TAKING DEPOSITION OF ORAL EXAMINATION UNDER RULE 4007.1 OF TONI CHERRY, filed by Joseph Colavecchi, Esq.

JUNE 9, 1988, RESPONSE TO PRELIMINARY OBJECTIONS, filed by Joseph Colavecchi, Esq.



Paula Cherry

THOMAS L. JONES  
LINDA J. JONES

86-19-EQU

CLEARCO, INC.

Pro	by Atty	20.00
Shff	by Atty	9.00
SurCh.	by Atty	2.00
Shff	by Atty	33.20
Dunkle	by Atty	15.30
Pro	by Atty	20.00
	by Atty	
Shff Hawkins		37.21
	by Atty	
Shff Surcharge		4.00

JULY 3, 1986, PRAECIPE/WRIT OF SUMMONS, filed by Gleason, Cherry & Cherry.

Enter our appearance for Plaintiffs, Thomas L. Jones and Linda J. Jones and Issue a Summons in Equity against Defendant, Clearco, Inc. in above case. Gleason, Cherry & Cherry, By Paula M. Cherry, Attorney for Plaintiffs

JULY 3, 1986, SUMMONS ISSUED TO SHERIFF FOR SERVICE.

OCTOBER 20, 1986 SHERIFF'S RETURN filed

Now August 4, 1986 return the within Writ of Summons "NOT SERVED, TIME EXPIRED" as to Clearco Inc., defendant. Never received advance costs, or address for defendant. So Answers, Chester A. Hawkins by Marilyn Hamm

OCTOBER 20, 1986 PRAECIPE filed by Paula Cherry

Please reissue the summons in the above captioned case against Clearco, Inc. and forward to Sheriff for service of one copy at above address and one copy to be served on Harold M. Nelson, President of Clearco at 928 Walnut Street, DuBois, PA. s/Paula Cherry

OCTOBER 22, 1986 WRIT OF SUMMONS REISSUED TO SHERIFF FOR SERVICE

NOVEMBER 18, 1986, SHERIFF'S RETURN, filed

NOW, November 6, 1986, Harry Dunkle, Sheriff of Jefferson County was deputized by Chester Hawkins, Sheriff of Clearfield County to serve the within Writ of Summons on Clearco Inc., defendant.

NOW, November 12, 1986 attempted to serve the within Writ of Summons on Clearco Inc., defendant by deputizing the Sheriff of Jefferson County. The return of Sheriff Dunkle is hereto attached and made a part of this return marked "NOT FOUND" as to Clearco Inc., New address, 87 Beaver Drive, DuBois, PA.

NOW, November 14, 1986 at 12:45 PM EST served the within Writ of Summons on Harold M. Nelson, President of Clearco Inc., defendant at 925 Walnut St., DuBois, Clearfield County, Penna. by handing to Sharon Nelson, Wife of Defendant a true and attested copy of the original Writ of Summons and made known to her the contents thereof.

NOW, November 14, 1986 at 12:45 PM EST served the within Writ of Summons on Clearco Inc., defendant at 925 Walnut St., DuBois, Clearfield County, Penna. by handing to Sharon Nelson Wife of Harold Nelson a true and attested copy of the original Writ of Summons and made known to her the contents thereof. Mr. Nelson does business out of his residence. /s/ Chester A. Hawkins by Marilyn Hamm.

FEBRUARY 24, 1987 COMPLAINT filed by Paula M. Cherry, Esq.

Two copies certified Attorney

MARCH 17, 1987, SHERIFF'S RETURN, filed.

Now, Feb. 26, 1987 at 12:35 PM EST served within Complaint on Harold M. Nelson, deft. at his residence.

Now, March 13, 1987 served within Complaint on Clearco Inc., deft by Certified Mail. So answers, Chester A. Hawkins, Shff by s/ Marilyn Hamm







Anthony S.  
Guido

JOHN B. GREEN, JR and  
GERALD GAETA, t/d/b/a  
GAETA APPLIANCES

JULY 15, 1986, COMPLAINT IN EQUITY, filed by  
Anthony S. Guido, Esq. 1 cert atty

JULY 30, 1986, NOTICE OF FILING OF PETITION  
AND BOND FOR REMOVAL, filed by Anthony J. Basinski,  
Esq

86-20-EQU

THE MAYTAG COMPANY

pro      by atty      40.00







Joseph Colavecchi	RICHARD J. MARINCE	JULY 15, 1986, COMPLAINT IN PARTITION, filed by Joseph Colavecchi, Esq. 1 copy cert Shff, 2 Copies cert atty.
	86-21-EQU	<p>JULY 18, 1986, AFFIDAVIT OF SERVICE, filed.</p> <p>NOW July 16, 1986 at 2:30 pm DST served the within Complaint in Partition on Anna Marinco, defendant at her place of residence, Box 31, Morrisdale, Clearfield County, Penna by handing to Anna Marinco a true and attested copy of the original Complaint in Partition and made known to her the contents thereof./a/ Chester A. Hawkins, Shff by Marilyn Hamm</p> <p>SEPTEMBER 2, 1986, PRAECIPE TO ENTER APPEARANCE, filed</p> <p>Please enter the appearance of the undersigned on behalf of the Defendant, Anna Marinco. /s/ Winifred H. Jones-Wenger, esq.</p> <p>SEPTEMBER 24, 1986, ANSWER AND NEW MATTER TO COMPLAINT IN PARTITION, filed by Winifred H. Jones-Wenger One Copy Certified to Attorney.</p> <p>OCTOBER 3, 1986 REPLY TO NEW MATTER AND NEW MATTER filed by Joseph Colavecchi, Esq.</p> <p>OCTOBER 24, 1986, PRELIMINARY OBJECTIONS, filed by Winifred H. Jones-Wenger, Esq.</p> <p>DECEMBER 22, 1986 ORDER filed</p> <p>Three copies certified Attorney</p> <p>AND NOW this 22nd day of December, 1986, the issue of the Statute of Frauds having properly being raised by the Plaintiff, and preserved as an issue for the Plaintiff, the additional new Matter filed by the Plaintiff is dismissed and the case is at issue. BY THE COURT: John K. Reilly, Jr., President Judge</p> <p>DECEMBER 31, 1986 MOTION FOR SUMMARY JUDGMENT filed by Joseph Colavecchi, Esq.</p> <p>Three copies certified Attorney</p> <p>RULE RETURNABLE</p> <p>AND NOW this 2 day of January, 1987, upon consideration of the Motion for Summary Judgment filed by Joseph Colavecchi, Esquire, Attorney for Plaintiff, it is the order of this Court that Defendant appear and show cause why Summary Judgment should not be entered against her. Said Rule made Returnable the 21 day of January, 1987, at 2:00 o'clock p.m. at the Clearfield County Courthouse. BY THE COURT: John K. Reilly, Jr., P.J.</p> <p>JANUARY 22, 1987 ANSWER TO MORTION FOR SUMMARY JUDGMENT filed by Winifred H. Jones-Wenger, Esq.</p>
Winifred H. Jones-Wenger	ANNA MARINCE	
	Pro by atty 40.00	
	Shff by atty 21.20	
	sur-charge by atty 2.00	
	JANUARY 23, 1989, MEMORANDUM AND ORDER, filed	
	NOW, this 19th day of January, 1989, it is the ORDER of this Court that Motion for Summary Judgment filed on behalf of the Plaintiff be and is hereby denied. BY THE COURT: John K. Reilly, Jr., P.J.	



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Robert A.  
Longo

LINDA S. KAUFFMAN

AUGUST 1, 1986, COMPLAINT IN PARTITION, filed by  
Robert A. Longo, Esq.

One copy certified to Shff  
One copy certified to Atty

AUGUST 21, 1986, SHERIFF'S RETURN, filed  
NOW, August 4, 1986, Thomas Williams, Sheriff  
of Lancaster County was deputized by Chester A.  
Hawkins, Sheriff of Clearfield County to serve  
the within Complaint in partition on Raymond A.  
Kauffman Jr., defendant.

NOW, August 14, 1986 served the within Complaint  
in Partition on Raymond A. Kauffman, Jr., defendant  
by deputizing the Sheriff of Lancaster County.  
The return of Sheriff Williams is hereto attached  
and made a part of this return.  
/s/Chester A. Hawkins by Marilyn Hamm.

OCTOBER 3, 1986 ANSWER AND COUNTERCLAIM filed by  
Andrew Gates, Esq.

One copy certified Attorney

NOVEMBER 17, 1986, PRAECIPE, filed  
Please mark the above captioned action  
discontinued and withdrawn. /s/ Robert A. Longo, Esq.

DISCONTINUED

WITHDRAWN

86-22-EQU

RAYMOND A. KAUFFMAN, JR.

Pro	by atty	40.00
Shff		
Hawkins	by atty	21.00
Shff		
Williams	by atty	23.50
Surg.	by atty	2.00
Pro	by atty	5.00



86-18-EQU CONT. FR. 96 CROWN CREST CEMETERIES INC. vs. WILSON al

JUNE 30, 1988, NOTICE OF TAKING DEPOSITION ON ORAL EXAMINATION UNDER RULE 4007.1, OF TONI M. CHERRY, filed by Joseph Colavecchi, Esq.

JULY 15, 1988, REPLY TO NEW MATTER, filed by Richard A. Ireland, Esq. 2 cert/Atty

OCTOBER 18, 1988 ORDER filed.

NOW, this 18th day of October, 1988, upon consideration of the Preliminary Objections filed on behalf of the Third Party Defendants, Toni Cherry and P. Joseph Valigorsky, and after reviewing the briefs submitted by counsel, the Court finds the arguments set forth in the briefs submitted by counsel for the Defendants, Dorothy R. Wilson and Harold R. Wilson, dispositive of the issues raised. The Third Party Complaint does not contain scandalous or impertinent allegations or fail to set forth a cause of action against the Third Party Defendants.

Therefore, it is the Order of this Court that the Third Party Defendants, Preliminary Objections in the nature of a motion to strike and a demurrer be and is hereby overruled. BY THE COURT, /s/ Joseph S. Ammerman Judge.

3/Cert to Judge Ammerman.

NOVEMBER 28, 1988, NOTICE OF TAKING DEPOSITION ON ORAL EXAMINATION UNDER RULE 4007.1 OF P. JOSEPH VALIGORSKY, filed by Joseph Colavecchi, Esq.

DECEMBER 13, 1988, AMENDED NOTICE OF TAKING DEPOSITION ON ORAL EXAMINATION UNDER RULE 4007.1, OF P. JOSEPH VALIGORSKY, filed by Joseph Colavecchi, Esq.

DECEMBER 30, 1988, DEPOSITION OF TONI M. CHERRY, filed in Trans. Drawer "H"

APRIL 24, 1989, DEPOSITION OF P. JOSEPH VALIGORSKY, filed in Trans. Drawer "H"

MAY 5, 1989, CERTIFICATION OF READINESS AND PRAECIPE FOR TRIAL IN ACCORDANCE WITH LOCAL RULE 212.2, filed

Defendants and Third Party Plaintiffs, Dorothy R. Wilson and Harold R. Wilson, by their attorney, Joseph Colavecchi, Esq. hereby certifies that the above captioned matter is at issue and ready for trial.

Defendants and Third Party Plaintiff further certifies that no motions are outstanding and that discovery has been completed. Further that this case is to be heard by non-jury and that notice of this Praecipe is being given to attorneys for all other parties. Kindly place the above captioned matter on the following trial list: Equity Non-Jury. The amount in controversy is not less than the statutory amount. Estimated time: 3 days. /s/ Joseph Colavecchi, Esq.

AUGUST 18, 1989, ANSWER TO THIRD PARTY COMPLAINT AND COUNTERCLAIM, filed by Paula M. Cherry, Esq. 3 cert atty.

AUGUST 25, 1989, ANSWER TO COUNTERCLAIM, filed by Joseph Colavecchi, Esq on behalf of Dorothy R. Wilson and Harold R. Wilson, Third Party Defts.

SEPTEMBER 8, 1989, AFFIDAVIT, filed 3 cert/Atty Paula Cherry

Personally appeared before me, TONI M. CHERRY, who, being duly sworn according to law, deposes and says that the enclosed is a true and correct copy of the Agreement for Purchase and Sale of Shares of stock of CROWN CREST CEMETERIES, INC., entered into between TONI M. CHERRY and DOROTHY R. WILSON On January 16, 1984. /s/ Toni M. Cherry, Esq.

AGREEMENT FOR PURCHASE AND SALE OF SHARES, filed by Toni M. Cherry, Esq.

SEPTEMBER 12, 1989, ANSWER TO MOTION OF TONI M. CHERRY FOR SUMMARY JUDGMENT, filed by Joseph Colavecchi, Esq.

SEPTEMBER 12, 1989, ANSWER TO MOTION OF P. JOSEPH VALIGORSKY FOR SUMMARY JUDGMENT, filed by Joseph Colavecchi, Esq.

SEPTEMBER 27, 1989, MOTION FOR SUMMARY JUDGMENT, filed by Joseph Colavecchi on behalf of Dorothy R. and Harold R. Wilson, Defts and 3rd party Plffs.

OCTOBER 3, 1989, DEFENDANTS' REQUEST FOR THE PRODUCTION OF DOCUMENTS DIRECTED TO CROWN CREST CEMETERIES, INC., filed by Richard A. Ireland on behalf of Betty Lou Hawbaker, Deft. 2 cert/Atty

OCTOBER 4, 1989, MOTION TO COMPLET PRODUCTION OF DOCUMENTS, filed by Joseph Colavecchi, Esq. 3 cert/Atty on behalf of Dorothy R. & Harold R. Wilson, Defts.

ORDER, filed

AND NOW, this 29th day of September, 1989, upon consideration of Defendant's Motion to Compel Discovery by having Plaintiffs produce documents, a Rule is issued and directed to Plaintiffs to show cause why they should not produce the documents requested in this Petition for Discovery by Defendants.

This Rule is Returnable the 17th day of October, 1989 at 10:30 am at the Clearfield County Courthouse. BY THE COURT: Joseph S. Ammerman, Judge.

OCTOBER 17, 1989, ANSWER TO MOTION TO COMPEL PRODUCTION OF DOCUMENTS, filed by Paula M. Cherry, Esq. 4 cert/Atty

OCTOBER 18, 1989, MOTION FOR SUMMARY JUDGMENT, filed by Paula M. Cherry, Esq. 3 cert/Atty

OCTOBER 20, 1989, MOTION FOR SUMMARY JUDGMENT ON BEHALF OF BETTY LOU HAWBAKER, filed 4 cert/Atty Ireland

OCTOBER 20, 1989, RESPONSE TO MOTION FOR SUMMARY JUDGMENT, filed by Joseph Colavecchi, Esq.

OCTOBER 23, 1989, ORDER, filed 3 cert/Judge "A"

NOW, this 23rd day of October, 1989, the nonjury trial scheduled for October 30 and 31, and November 1, 1989 is continued, five Motions for Summary Judgment having been filed. BY THE COURT: Joseph S. Ammerman, Judge.



Cynthia Soult Carl A. Belin, Jr	FRANKLIN V. RENAUD			<u>AUGUST 14, 1986, COMPLAINT IN PARTITION/EQUITY, filed by Belin, Belin &amp; Naddeo</u> One Copy Certified to Sheriff. Property Located in Girard Township--Cont 1 Acre, more or less.
		86-23-EQU		<u>AUGUST 20, 1986, AFFIDAVIT OF SERVICE, filed.</u> NOW, Aug 18, 1986 at 10:10 AM o'clock DST served served within Complaint in Partition on deft. at her place of residence. So answers, Chester A. Hawkins, Shff By s/ Marilyn Hamm
				<u>OCTOBER 9, 1986 ANSWER, NEW MATTER AND COUNTERCLAIM</u> filed by John A. Ayres, Jr., Esq. Two copies certified Attorney
John A. Ayres, Jr	JOANIE PAUL			<u>NOVEMBER 7, 1986 ANSWER TO NEW MATTER AND COUNTER-CLAIM</u> filed by Cynthia Soult, Esq. One copy certified Attorney
				<u>JUNE 21, 1990, PRAECIPE TO LIST FOR NON-JURY TRIAL, filed.</u> ONE COPY CERT TO ATTY. Please see that the above captioned matter placed on the Non-Jury Trial List. In support of this Request, I certify as follows: 1. There are no Motions outstanding. 2. Discovery has been completed. 3. This matter is to be heard Non-Jury 4. Notice of the Praecipe has been given to the Attorney for the other Party on May 29, 1990. 5. It is estimated that the Trial in this matter will take four (4) Hours. By:s/CHRIS A. PENTZ, Atty For Plaintiff
		Pro by Atty 40.00 Shff Hawkins by Atty 21.20 Shff Surcharge by Atty 2.00 Pro by Atty 5.00		<u>AUGUST 24, 1990, JOINT PRAECIPE FOR DISCONTINUANCE,</u> filed AND NOW, comes the Plaintiff, Franklin V. Renaud, by his attorneys, Belin, Belin, & Naddeo, and the Defendant, Joanie Paul, a/k/a JOAN M. PAUL, by her attorney, John A. Ayres, Jr. and file the following Joint Praecipe for Discontinuace and authorize the Prothonotary of Clearfield County mark the above-captioned matter settled, discontinued and ended. /s/ Carl A. Belin, Jr, Esq, and John A. Ayres, Jr., Esq
				<u>DISCONTINUED</u>



CONT. FR. PG 104 CROWN CREST CEMETERIES, INC vs. WILLSON al 86-18-EQU

OCTOBER 24, 1990, ORDER, filed 3 cert/Marcy

NOW, this 24th day of October, 1990, upon consideration of the Motions for Summary Judgment filed by Third Party Defendant Joseph Valigorsky, Third Party Defendant Toni Cherry; Defendants and Third Party Plaintiffs Dorothy R. Wilson and Harold R. Wilson; Plaintiff Crown Crest Cemeteries, Inc; and Defendant Betty Lou Hawbaker, as well as the briefs submitted by counsel for all parties, the Court enters the following ORDER:

With regard to teh Motions for Summary Judgment filed by Third Party Defendants Joseph Valigorsky and Toni Cherry, the Court is constrained to agree with Defendants and Third Party Plaintiffs Dorothy and Harold Wilson that insofar as said Motions rely on the oral depositions of Joseph Valigorsky and Toni Cherry, Summary Judgment cannot be granted on the basis of the oral depositions of moving parties as provided by the holding in Nanty-Glo Borough v. American Surety Co., 309 PA 236, 163 A.523(1932) and its progeny. The credibility of the moving parties' testimony is a question to be assessed by the trier of fact. Nanty-Glo, supra. Additionally, upon review of the pleadings, the Court is of teh opinion that issues of fact remain to be determined by a fact-finder. Accordingly, both Motions for Summary Judgment are DENIED.

As to teh Motion for Summary Judgment submitted by Plaintiff Crown Crest Cemeteries, Inc, the Court notes that since outstanding factual issues remain regarding the establishment and administration of a Merchandise Trust Fund during the time that Defendants Wilson and Hawbaker were the controlling officers and/or directors of Crown Crest Cemeteries, Inc, the entry of Summary Judgment in favor of Crown Crest is DENIED.

Finally, with regard to the Motions for Summary Judgment filed by Defendant and Third Party Plaintiffs Wilson; and Defendant Hawbaker, it is the opinion of the Court that issues of fact remain concerning the alleged harm to Crown Crest Cemeteries, Inc, caused by the conduct of said parties during their tenure as controlling officers and/or directors of said corporation. Accordingly, both Motions for Summary Judgment are DENIED. BY THE COURT: Joseph S. Ammerman, Judge.

JUNE 5, 1992, ORDER, filed 1 cert/Atty Colavecchi and Toni Cherry, Judge "R" "A"

NOW, this 3rd day of June, 1992, pursuant to Code of Judicial Conduct, Canon 3, Section 3, it is hereby ORDERED the Judges of Court of Common Pleas of Clearfield County, Pennsylvania, are hereby disqualified from service in the above captioned cse. Further, it is ORDERED the Court Administrator of Cleafield County sahl1 assign a Judge within Regionalization Unit II for service in this case. BY THE COURT: John K. Reilly, Jr, P.J.

SEPTEMBER 8, 1989, MOTION FOR SUMMARY JUDGMENT, filed by Paula M. Cherry, Esq.

SEPTEMBER 8, 1989, MOTION FOR SUMMARY JUDGMENT, filed by Paula M. Cherry, Esq.

JUNE 30, 1992, ORDER, filed

Five (5) copies Certified to Defendants, Plaintiff.

NOW, this 29th day of June, 1992, it is the ORDER of the COURT the Prothonotary shall immediately send all court papers in teh above captioned matter to the Honorable Keith B. Quigley who has been assigned to hear this case. BY THE COURT: /s/ John K. Reilly, JR., President Judge.

JUNE 30, 1992, ALL PAPERS MAILED TO JUDGE KEITH B. QUIGLEY AS PER INSTRUCTIONS.

SEPTEMBER 11, 1992 MEMORANDUM, filed.

s/ KEITH B. QUIGLEY, P.J.

1 certified to Paula Cherry, Esquire. 1 certified to Joseph Colavecchi, Esquire. 1 certified to Richard Ireland, Esquire.

OCTOBER 16, 1992, PETITION TO PRECLUDE THE RESTIMONY OF DENNIS NELSON UNDER PA RULE OF CIVIL PROCEDURE 4019, filed by Joseph Colavecchi, Esq. 3 cert/Atty

OCTOBER 21, 1992, PLAINTIFF'S ANSWER TO DEFENDANS' PETITION TO PRECLUDE THE TESTIMONY OF DENNIS NELSON UNDER PA RULE OF CIV PROC 4019 AND NEW MATTER, filed by Paula M. Cherry, Esq.

CERTIFICATE OF SERVICE, filed

October 20, 1992, ANSWER TO PETITION AND NEW MATTER SERVED TO: Mrs. Virginia Evanko CA, Joseph Colavecchi, Esq; Richard Ireland, Esq and Keith B. Quigley, Judge. /s/ Paula M. Cherry, Esq.

OCTOBER 21, 1992, PLAINTIFF'S MOTION FOR A PROTECTIVE ORDER TO PRECLUDE THE DEPOSITION OF DENNIS NELSON, filed by Paula M. Cherry, Esq.

CERTIFICATE OF SERVICE, filed

October 20, 1992, PLAINTIFF'S MOTION FOR A PROTECTIVE ORDER SERVED TO: Virginia Evanko, CA; Joseph Colavecchi, Esq; Ricahrd Ireland, Esq; Keith B. Quigley, Judge. /s/ Paula M. Cherry, Esq.

OCTOBER 22, 1992 REPLY TO NEW MATTER, filed by Joseph Colavecchi, Esquire. ONE CERTIFIED TO ATTORNEY.

OCTOBER 26, 1992, NOTICE OF TAKING DEPOSITION ON ORAL EXAMINATION UNDER RULE 4007.1 OF DENNIS R. NELSON, filed by Joseph Colavecchi, Esq.

OCTOBER 26, 1992, TRANSCRIPT OF NON JURY TRIAL, filed in Trans Dr. "W".

OCTOBER 30, 1992, ORDER, filed 3 cert/Atty

AND NOW, October 23, 1992, following conferecne, it is Directed that continuation of trial scheduled for October 26 be continued generally to a point no sooner than thirty (30) days from this date and at a time to be arranged by the respective Court Administrators.

In the interim, it is Directed that Mr. Catalano and Mr. Nelson, accountants, be deposed by opposing counsel. BY THE COURT: Keith B. Quigley, P.J?

CONT. TO PG 108



Robert M  
Hanak

W. JOHN SIAR,

86-24-EQU

AUGUST 29, 1986, TRANSFERRED FROM NO. 85-468-CD.

AUGUST 29, 1986, PRE-TRIAL ORDER, filed.  
NOW, this 27th day of August, 1986, following  
pre-trial conference in the above-captioned matter,  
it is the ORDER of this Court that the matter be  
certified to the equity side of the Court for further  
proceedings. BY THE COURT: /s/ John K. Reilly, Jr.,  
President Judge.

JANUARY 13, 1987 ALL RECORDS SEALED BY ORDER OF  
COURT HANDED DOWN BY HONORABLE JOHN K. REILLY, JR.,  
PRESIDENT JUDGMENT.

David P.  
King

T & S HOME OXYGEN SUPPLY  
COMPANY, INC.,  
a business corporation,  
and JOHN TARTAL, an  
individual, and  
LARRY STOTT, an  
individual,

Pro by Atty. 40.00



NOVEMBER 9, 1992, NOTICE OF TAKING DEPOSITION ON ORAL EXAMINATION UNDER RULE 4007.1, filed by Joseph Colavecchi, Esq.

NOVEMBER 18, 1992, NOTICE OF DEPOSITION ON ORAL EXAMINATION UNDER RULE 4007.1, OF DENNIS R. NELSON, filed by Joseph Colavecchi, Esq.

MARCH 18, 1993, COMPLAINT FOR INJUNCTIVE RELIEF, filed by Paula M. Cherry, Esq.  
4 cert/Atty  
ORDER, filed

AND NOW, this 17th day of March, 1993, upon consideration of Plaintiff's Complaint for Injunctive Relief, and it appearing to the Court that immediate irreparable harm will be sustained by Plaintiff before a hearing can be held on Plaintiff's Complaint for Injunctive Relief, it is

ORDERED that Defendants, DOROTHY R. WILSON and BETTY LOU HAWBAKER are hereby enjoined from removing funds held for their benefit by the Principal Financial Group, Annuity Contract No. (3)46963 until further Order of this Court, and it is further

ORDERED that pursuant to PA. R.C.P. No. 1531 a hearing pertaining to the continuance of this preliminary injunction will be held on Monday, March 22, 1993, at 1:30 PM by telephone,

FURTHER, a Rule is hereby entered upon Defendants to show cause at the above date and time, why this Preliminary Injunction should not be continued. This Order is conditioned upon Plaintiff's filing an approved bond in the amount of \$3500.00.

BY THE COURT: John K. Reilly, Jr., P.J.

RULE TO SHOW CAUSE, filed

AND NOW, 17th day of March, 1993, upon consideration of Plaintiff's Complaint for Injunctive Relief, it is hereby ORDERED that:

1. Defendants show cause before the Court on the 22nd day of March, 1993, at 1:30 PM by Telephone why the Preliminary Injunction entered without notice and hearing by Order of this Court dated March 17, 1993 should not be continued.

2. Plaintiff will cause copies of this Rule to Show Cause, the Preliminary Injunction, the Complaint for Injunctive Relief with its accompanying brief to be served upon Defendants at least -- days before the date of the hearing; and

3. Until further Order of this Court, Defendants shall abide by all terms of the Preliminary Injunction entered simultaneously with this Rule to Show Cause. BY THE COURT: John K. Reilly, Jr. PJ.

MARCH 19, 1993, CERTIFICATE OF SERVICE, filed

March 18, 1993, COMPLAINT FOR INJUNCTIVE RELIEF AND BRIEF IN SUPPORT OF COMPLAINT FOR INJUNCTIVE RELIEF SERVED TO: Joseph Colavecchi, Esq and Ricahrd Ireland, Esq.  
/s/ Paula M. Cherry, Esq.

APRIL 2, 1993, ORDER, filed 1 cert/Atty Cherry, Colavecchi, Ireland, Dressler

AND NOW, March 30, 1993, following telephone conference in lieu of a hearing on the issue of perpetuation of the injunction, the Court directs that the injunction in effect be perpetuated until full adjudication. However, some flexibility as to the type of investment of the funds is extended by the court and the Court will be available to approve any changes in the particular nature of the plan, placement of investment, etc, between now and time for final hearing.

The purpose of this preliminary injunction being perpetuated at this time is to preserve the dollars as they presently exist pending final disposition.

Defense objections to the above are overruled. BY THE COURT: Keith B. Quigley, P.J. Specially Presiding.

APRIL 12, 1993, ANSWER FROM DOROTHY R. WILSON AND HAROLD R. WILSON TO COMPLAINT FOR INJUNCTIVE RELIEF, filed by Joseph Colavecchi, Esq.

AUGUST 5, 1993, TRANSCRIPT OF PROCEEDINGS NON-JURY TRIAL AM, filed in Trans Dr. "W"

AUGUST 5, 1993, TRANSCRIPT OF PROCEEDINGS NON-JURY TRIAL PM, filed in Trans Dr. "W"

AUGUST 18, 1993, ORDER, filed 1 cert/Atty, Cherry, Colavecchi, Ireland

NOW, this 13th day of August, 1993, testimony having concluded, the Court understand that the testimony is being routinely transcribed, it is requested upon full transcription that the Court receive a copy of same, and it is Directed that all parties file within Thirty (30) days of the lodging of the last segment of the transcript an argument brief as to his or her position therein with a reasonable opportunity for all parties to file a brief replying statement.

Upon the transcription and filing of authority, the Court Administrator shall schedule an oral argument. BY THE COURT: Honorable Keith B. Quigley, Specially Presiding.

SEPTEMBER 16, 1993, TRANSCRIPT OF NON-JURY TRIAL, filed in Trans Dr. "W"

JANUARY 11, 1994, MEMORANDUM AND ORDER, filed. 1 cert/Atty Cherry, Colavecchi Ireland

AND NOW, January 7, 1994, in accordance with the within Memorandum, a verdict in favor of defendants Wilson and defendant hawbaker and against Crown Crest Cemeteries, Inc., plaintiff, is entered. BY THE COURT /s/ Keith B. Quigley, P.J. Specially Presiding

Verdict is entered in favor of defendants Wilson and Hawbaker and against Crown Crest Cemeteries, Inc., plaintiff per COURT ORDER.

VERDICT

Prothonotary



James A. Naddeo	ANDREW G. BATCHO and LINDA L. BATCHO, husband and wife	OCTOBER 1, 1986, COMPLAINT/EQUITY, filed by James A. Naddeo One Copy Certified to Sheriff.  JANUARY 26, 1987, DUPLICATE-AFFIDAVIT OF SERVICE, filed NOW, October 15, 1986, at 6:43 PM o'clock DST served the within Complaint in Equity on Wolf Run Manor Corp., defendant at Treasure Lake, DuBois, Clearfield County, Penna. by handing to Dan Hunter, Customer Service for deft. a true and attested copy of the original Complaint in Equity and made known to him the contents thereof. /s/ Chester A. Hawkins by Marilyn Hamm.
	86-25-EQU	
Scott V. Jones	WOLF RUN MANOR CORP.	FEBRUARY 2, 1987 PRAECIPE, filed by James A. Naddeo, Atty Plff. Please mark the above captioned case Settled and discontinued upon payment of costs by the defendant. s/James A. Naddeo, Atty Plf.  Record costs in the sum of \$78.20 have been paid in full by Scott V. Jones, Attorney, Check# 8327, this case marked Settled and Discontinued.
	Pro by Atty 40.00 Shff by atty 31.20 Surg. by atty 2.00 Disc by atty 5.00	
Ck #8327 12450	Adv costs 78.20 J. Naddeo 73.20 Pro 5.00 78.20	

\*\*\*\*\*SETTLED DISCONTINUED\*\*\*\*\*  
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Filed in Legal Dr FFF

CONT. FR. PG. 108 CROWN CREST CEMETERIES, INC. vs WILSON 86-18-EQU

JANUARY 21, 1994, POST-TRIAL MOTIONS ON BEHALF OF PLAINTIFF, CROWN CREST CEMETERIES, INC., filed by Paula M. Cherry, Esq. 5 cert/Atty

FEBRUARY 2, 1994, ANSWER AS FILED BY WILSON TO POST TRIAL MOTIONS FILED ON BEHALF OF CROWN CREST CEMETERIES INC. filed by JOSEPH COLAVECCHI, ESQUIRE, Counsel of Record.

FEBRUARY 2, 1994 ORDER filed.

AND NOW, January 31, 1994, post trial motions having been filed, it is directed that a brief in support of said motion be filed within thirty(30) days of this date with responding parties having a like period to file responsive briefs.

~~The issue will be decided by the Court without oral argument unless same be specially scheduled.~~  
BY THE COURT /s/ KEITH B. QUIGLEY, P.J. SPECIALLY PRESIDING.

One (1) Copy certified to Joseph Colavecchi Esq.  
One (1) Copy CERTIFIED TO Toni M. Cherry Esquire  
One (1) Copy certified to Richard Ireland

MARCH 25, 1994, ORDER, filed 1 cert/Atty Cherry, Ireland, CA

AND NOW, March 22, 1994, the post-trial motions of Crown Crest Cemetery's Inc Toni M. Cherry and P. Joseph Valigorsky are denied and dismissed. This Order shall be a final Order unless a brief in support of same is filed within ten (10) days of notice of this Order. BY THE COURT: Keith B. Quigley, P.J.

JUNE 13, 1994, MEMORANDUM AND ORDER, filed 1 cert/Atty Cherry, Colavecchi, Ireland

AND NOW, June 7, 1994, for the reasons set forth in the within Memorandum and otherwise, all post-trial motions are denied and dismissed. BY THE COURT: Keith B. Quigley, P.J. SP.

JULY 8, 1994, NOTICE OF APPEAL, filed by Paula M. Cherry, Esq. 1 cert/Superior Ct 7 cert/Atty Cherry

CERTIFICATE OF SERVICE, filed

July 8, 1994, NOTICE OF APPEAL, DOCKET ENTRIES AND PROOF OF SERVICE SERVED TO: Joseph Colavecchi, Esq; Richard Ireland, Esq; The Honorable Keith B. Quigley; Mrs. Virginia EVanko, CA, Ms. Cathy Warrick, Court Reporter; David A. Szewczak, Prothonotary Superior Ct. /s/ Paula M. Cherry.

JULY 13, 1994, SUPERIOR COURT DOCKET #01172PGH94, filed

JULY 14, 1994, MEMORANDUM, filed

July 11, 1994, BY THE COURT: Keith B. Quigley, P.J. SP

AUGUST 19, 1994, SENDERS RECEIPT, filed

AUGUST 23, 1994, RETURN RECEIPT, filed

AUGUST 22, 1995, CERTIFICATE OF CONTENTS OF REMANDED RECORD AND NOTICE OF REMAND UNDER PENNSYLVANIA RULES OF APPELLATE PROCEDURE 2571 and 2572, filed by Eleanor R. Valecko, Deputy Prothonotary, The Superior Court of Pennsylvania. No certified copies. The date on which the record is remanded is August 21, 1995.

AUGUST 22, 1995, JUDGMENT, filed by Eleanor R. Valecko, Deputy Prothonotary, The Superior Court of Pennsylvania. No certified copies.

ON CONSIDERATION WHEREOF, it is now here ordered and adjudged by this Court that the judgment of the Court of Common Pleas of Clearfield County be, and the same is hereby AFFIRMED. BY THE COURT, /s/ Eleanor R. Valecko, Deputy Prothonotary.

JUN 02, 1999, ORDER, filed. ONE (1) CERT TO ATTY CHERRY, IRELAND

AND NOW, this 25th day of May, 1999, the above captioned case having been fully and finally adjudicated. It is the Order of this Court that the Injunctive Orders dated March 17, 1993 and March 30, 1993 pertaining to funds held by the Principal Financial Group for the benefit of the above Defendants, be and are hereby rescinded.

BY THE COURT, s/ KEITH B. QUIGLEY, P.J. S.P.

FFB. 11, 2004, PRACTICE TO REFUND MONIES ON DEPOSIT AS SECURITY, filed by Atty. Cherry 2 cert. to Atty.

Kindly return the unused funds deposited by the undersigned as security because the case has been resolved and no further monies are required to be held. RETURNED DEPOSIT OF \$3,500.00 to Gleason Cherry & Cherry from Escrow Account.

2-13-04 PRACTICE TO MARK CASE DISCONTINUED AND ENDED, filed by Att. Cherry. 2 cert. to Atty.

A Final Order having been entered in this case, kindly mark the above case discontinued and ended upon return of the monies deposited for security purposes to the undersigned.

D I S C O N T I N U E D      A N D      E N D E D



[illegible]



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86-27-590







Joseph  
Colavecchi

EDWARD KOLIVOSKY

NOVEMBER 12, 1986 MOTION FOR PRELIMINARY INJUNCTION  
filed by Joseph Colavecchi, Esq.  
11/19/86 Two copies certified Sheriff  
One copy certified Attorney

86-28-EQU

ORDER

AND NOW, this 19 day of November, 1986, a Rule is granted on the Defendants, Paul A. Fenush and Catherine A. Fenush, his wife, to show cause why a Preliminary Injunction should not issue as prayed for.

PAUL A. FENUSH  
CATHERINE A. FENUSH

Rule Returnable the 25 day of November, 1986, at 9:00 o'clock a.m. at the Clearfield County Courthouse in Clearfield, Pennsylvania. s/John K. Reilly, Jr., Judge

NOVEMBER 25, 1986 ORDER filed

NOW, this 25th day of November, 1986, this being the day and date set for hearing into the Plaintiffs' Motion for Preliminary Injunction, upon agreement of the parties, it is the ORDER of this Court that said Motion be and is hereby dismissed and hearing on the merits in said matter is scheduled for Wednesday, December 3, 1986 at 9:00 a.m. By the Court, John K. Reilly, Jr., President Judge

Pro	by Atty	40.00
	by Atty	
Shff Hawkins		12.00
	by Atty	
Surcharge		4.00

DECEMBER 3, 1986 SHERIFF RETURN filed

Now December 2, 1986 return the within Motion for Preliminary Injunction "NOT SERVED" at the direction of the Attorney. So answers, Chester A. Hawkins by Marilyn Hamm



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## EQUITY #14 1986

J. L. Lehman

RUTH A. CLARKE

86-29-EQU

DONALD K. BERRY;  
DOROTHY BERRY;  
LINDA THARP;  
DONNA BERRY;  
RICHARD BERRY and  
MILTON P. BERRY, JR.

Pro by Atty 40.00

Pro by Atty 9.00

DECEMBER 9, 1986 COMPLAINT IN PARTITION filed by  
J. L. Lehman, Esq.

Six copies certified Attorney

JANUARY 19, 1987 AFFIDAVIT OF PROOF OF SERVICE  
filed

Copies of Complaint in Partition served upon  
Defendants by Certified Mail, return receipts attached.  
s/Barbara J. Green for Girard Kasubick, Esq.

FEBRUARY 25, 1987 PRAECIPE FOR DEFAULT JUDGMENT  
filed

Upon certification set forth below, please enter  
Default Judgment against the Defendant in the above  
captioned matter. s/J. L. Lehman, Esq.

Judgment is entered in favor of the Plaintiff

and against the Defendants.

DEFAULT JUDGMENT

  
Prothonotary

JUNE 12, 1987 MOTION FOR ORDER DIRECTING PARTITION  
UNDER PA R. C. P. 1557 filed by J. L. Lehman, Esq.

One order certified G. Kasubick, Esq.

ORDER

AND NOW, this 12 day of June, 1987, upon consider-  
ation of the Motion for Order Directing Partition  
under Pa. R.C.P. 1557, it is hereby ORDERED, GRANTED  
and DECREED, that partition be made of the real property  
located in Morris Township, Clearfield County, Pennsy-  
lvania, as is more specifically described in Plaintiff's  
complaint, among the following parties who have the  
following interests:

Ruth A. Clarke - 4/6 interest

Donald K. Berry - 1/6 interest

Dorothy Berry - 1/30 interest

Linda Tharp - 1/30 interest

Donna Berry - 1/30 interest

Richard Berry - 1/30 interest

Milton P. Berry, Jr. - 1/30 interest

BY THE COURT, John K. Reilly, Jr., J.

JULY 16, 1987 ORDER filed (one copy cert Atty. Lehman, one copy cert Atty. Mattern)

NOW, this 16 day of July, 1987, after a scheduled Preliminary Conference into the above  
captioned Action in Partition held on July 6, 1987, at which none of the defendants or any  
representatives of the defendants did appear, and, therefore, the parties did not amicably resolv  
the issues at the Preliminary Conference, it is now Ordered and Decreed by this Court that  
J. Richard Mattern II, be and is hereby appointed Master in Partition to determine if the propert  
subject of this action can be divided without prejudice between the parties, or to dispose of  
the property at a private sale confined to the parties and distribute the proceeds in accordance  
with law. BY THE COURT, John K. Reilly, Jr., J.

JULY 23, 1987 ALL PAPERS GIVEN TO J. RICHARD MATTERN II, ESQ.

OCTOBER 12, 1987, MASTER'S RETURN OR SALE, MASTER'S REPORT AND PROPOSED DECREE INDENTURE DECREE NISI, filed  
BY Rick Mattern, Masters

DECREE NISI

AND NOW, this 12th day of October, 1987, after reviewing the report of J. Richard Mattern II, Esquire, Master  
In Partition in the above-captioned case, the Court hereby approves the proposed payments and the proposed payments  
and the proposed Schedule of Distribution, and does further direct the Master to make, execute and deliver a deed  
to Ruth A. Clarke, the purchaser at the Private Sale, said deed to be in the form attached to the report, and to  
make distribution to the parties as set forth in the report.

Unless exceptions are filed to the within Decree Nisi within ten (10) days from the date hereof, the same  
shall become final without further Order of Court. BY THE COURT John A. Cherry, Judge.







## EQUITY #14

Chris A. Pentz RONALD S. HOARE  
JUDITH E. HOARE

86-30-EQU

F. Cortez  
Bell, III

CLIFFORD J. SERENE  
SANDRA L. SERENE

Pro	by Atty	40.00
	by Atty	
Shff Hawkins		25.00
	by Atty	
Shff Watkins		24.00
	by Atty	
Surcharge		4.00

DECEMBER 15, 1986 COMPLAINT filed by Chris A. Pentz, Esq.  
Two copies certified Attorney

JANUARY 14, 1987 SHERIFF RETURN filed  
December 16, 1986 John Watkins, Sheriff of Somerset  
County was deputized.

December 29, 1986 served Complaint in Equity on  
Clifford J. Serene and Sandra L. Serene, return of  
Sheriff Watkins attached. So answers, Chester A.  
Hawkins by Marilyn Hamm

JANUARY 23, 1987, PRAECIPE FOR APPEARANCE,  
filed 1 copy cert to Atty  
Kindly enter my appearance in the above captioned  
matter on behalf of Defendants, Clifford J. Serene  
and Sandra L. Serene. /s/ F. Cortez Bell, III, Esq.

JANUARY 23, 1987, PRELIMINARY OBJECTIONS, filed  
by F. Cortez Bell, III, Esq.

MARCH 20, 1987 BRIEF IN SUPPORT OF PRELIMINARY  
OBJECTIONS filed by F. Cortez Bell, III, Esq.  
Three copies certified Attorney

APRIL 15, 1987 MEMORANDUM AND ORDER filed  
WHEREFORE, the Court enters the following:  
ORDER  
NOW, this 14th day of April, 1987, upon consider-  
ation of Defendants Preliminary Objections in the nature  
of a Demurrer, a Motion to Dismiss, a Motion to Strike  
and a Motion for More Specific Pleadings, it is the  
ORDER of this Court that said Preliminary Objections  
be and are hereby dismissed and Defendants directed to  
file Responsive Pleadings to Plaintiffs' Complaint  
within twenty (20) days from date hereof. By the Court,  
John K. Reilly, Jr., President Judge

MAY 19, 1987 ANSWER & NEW MATTER, filed by  
F. Cortez Bell, III, Esq. 3 cert atty

JUNE 30, 1987 REPLY TO NEW MATTER filed by Chris A.  
Pentz, Esq.  
One copy certified Attorney  
CERTIFICATE OF MAILING

JULY 31, 1987, PRAECIPE TO LIST FOR TRIAL, filed by Chris A. Pentz, Esq.  
1 cert atty  
Please list the above captioned matter on non-jury trial list. The  
estimated time for trial is four hours. /s/ Chris Pentz, Esq.

DECEMBER 15, 1987, ORDER, filed, 1 cert/Atty Pentz, 1 cert/Atty Bell, III.  
NOW, this 9th day of December, 1987, this being the day and date set for hearing in the  
above captioned matter upon agreement of the parties as set forth heretofore, it is the Order  
of this Court that said hearing be and is hereby continued pending resolution of the conflict.  
In the event that said resolution fails to occur, upon request of either party, the Court shall  
reschedule the same for a hearing on the merits. BY THE COURT: John K. Reilly, Jr., P.J.

JUNE 28, 1988, MEMORANDUM & ORDER, filed  
NOW, this 28th day of June, 1988, following hearing and in accordance  
with the foregoing Memorandum, it is the ORDER of this Court that a Decree  
Nisi be and is hereby entered in favor of the Defendants and against the  
Plaintiffs, said Decree shall be declared final unless Plaintiffs file a  
Motion for Post-Trial Relief within ten (10) days from date hereof.  
BY THE COURT: John K. Reilly, Jr President Judge.

JULY 8, 1988, MOTION FOR POST-TRIAL RELIEF, filed by Chris A. Pentz, Esq.  
1 cert/Atty.

JULY 11, 1988, ORDER, 1 cert/Atty  
AND NOW, this 11th day of July, 1988, in consideration of the Motion for  
Post-Trial Relief filed on behalf of the Plaintiffs, Ronald S. Hoare and Judith  
E. Hoare, husband and wife, it is the ORDER of this Court that a hearing will  
be held on the 20th day of July, 1988, at 2:00 pm in Court Room Number 1 of the  
Clearfield County Courthouse, Clearfield, Pennsylvania. BY THE COURT: John K.  
Reilly, Jr., P.J.

DECEMBER 6, 1988, ORDER, filed  
NOW, this 6th day of December, 1988, following argument into Motion for  
Post-Trial Relief filed on behalf of Plaintiffs above-named, it is the ORDER  
of this Court that said Motion be and is hereby dismissed and the Order of this  
Court dated June 28, 1988 affirmed. BY THE COURT: John K. Reilly, Jr., P.J.







EQUITY #14

Richard A. Bell	COYNE INTERNATIONAL ENTERPRISES CORP. d/b/a COYNE TEXTILE SERVICES, formerly known as COYNE INDUSTRIAL LAUNDRIES, INC.		DECEMBER 24, 1986 COMPLAINT filed by Richard A. Bell, Esq.
		86-31-EQU	One copy certified Sheriff
	PARIS UNIFORM RENTAL SERVICES		JANUARY 15, 1987, AFFIDAVIT OF SERVICE, filed. NOW, Jan 12, 1987 at 3:20 PM o'clock EST served within Complaint on Paris Uniform Rental, deft at employment. So answers, Chester A. Hawkins, Shff By, s/ Marilyn Hamm
			FEBRUARY 4, 1987 PRELIMINARY OBJECTIONS filed by David P. King, Esq.
			One copy certified Attorney
			MARCH 19, 1987, ORDER, filed.
			NOW, this 18th day of March, 1987, following argument into Defendant's Preliminary Objections, it is the ORDER of this Court that Preliminary Objections #1 be and is hereby sustained and Plaintiff directed to amend its Complaint to include a copy of the written agreement referred to in #7 of the Complaint.
	Pro	by Atty	40.00
		by Atty	
	Shff Hawkins		23.60
		by Atty	
	Shff Surcharge		2.00
			Plaintiff's Objection #2 is sustained and Plaintiff directed to file an amended Complaint setting forth the manner in which he arrived at the amount of damages contained in #16.
			Plaintiff's Objection #3 is denied and Defendant instructed to proceed through discovery methods to obtain desired information.
			Plaintiff's Objection #4 is denied and Defendant instructed to proceed through discovery methods to obtain desired information.
			And finally, Preliminary Objection #5 is denied. And, further, Plaintiff is directed to file its amended Complaint as required above within twenty (20) days from date hereof. By the Court, s/ John K. Reilly, Jr. President Judge
			MARCH 18, 1987 ANSWER TO PRELIMINARY OBJECTIONS filed by Richard A. Bell, Esq.
			APRIL 6, 1987, AMENDED COMPLAINT, filed by Richard A. Bell, Esq. no copies



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LEGAL DRAWER "N"  
EQUITY #14

Toni M. Cherry

MARILYN DOE RICHARDS

JANUARY 20, 1987, COMPLAINT TO DECLARE AND ENFORCE A CONSTRUCTIVE TRUST--EQUITY, filed by Gleason, Cherry and Cherry.  
One Copy Certified to Sheriff  
One Copy Certified to Attorney.

87-1-EQU

JANUARY 20, 1987 MOTION FOR PRELIMINARY INJUNCTION WITHOUT PRIOR HEARING filed by Toni M. Cherry, Esq.  
1/23/87 Three copies certified Attorney  
PRELIMINARY INJUNCTION

Kim C. Kesner  
& David H.  
Moskowitz

MAURICE DOE and  
BARBARA VAN HORN COLSEY

AND NOW, this 23rd day of January, 1987, upon consideration of the Plaintiff's verified Motion for Preliminary Injunction, Plaintiff's verified Complaint in Equity and affidavits and it appearing to the Court that immediate irreparable harm will be sustained by Plaintiff before a hearing can be held on Plaintiff's Motion for Preliminary Injunction, in that, before such hearing can be held, Defendants, MAURICE DOE and BARBARA VAN HORN COLSEY, will already have sold their interest in the Burger King restaurant on Route 255 North, R. D. #3, DuBois, Sandy Township, Clearfield County, Pennsylvania, it is

Filed in Box 48 CRV

Pro	by Atty	40.00
Shff	by atty	27.54
Surg.	by atty	4.00
Pro	by Atty	10.00

ORDERED that, upon Plaintiff posting a security bond with the Prothonotary in the amount of \$2500.00 the Defendants, MAURICE DOE and BARBARA VAN HORN COLSEY, their heirs, agents, partners, servants, employees, representatives and assigns, and all other persons acting in concert with them, be and they are hereby enjoined and prohibited from selling or any way disposing of the shares of stock in M & M Properties, Inc., owned by MAURICE DOE and BARBARA VAN HORN COLSEY and are hereby enjoined from transferring in any way the interest of MAURICE DOE and BARBARA VAN HORN COLSEY in the Burger King restaurant located at R. D. #3, DuBois, Sandy Township, Clearfield County, Pennsylvania, to anyone other than the Plaintiff; and it is further

ORDERED that the Defendants, MAURICE DOE and BARBARA VAN HORN COLSEY, be and are hereby enjoined and prohibited from negotiating the sale of the stock of M & M Properties, Inc., and the sale of the interest in the Burger King restaurant located at R. D. #3, DuBois, Sandy Township, Clearfield County, Pennsylvania, to anyone but the Plaintiff, or her assigns; and it is further

ORDERED that pursuant to Pa. R.C.P. 1531(d), a hearing pertaining to the continuance of this Preliminary Injunction will be held on the 17th day of March, 1987, at 11:00 o'clock A.M. in Courtroom of the Clearfield County Courthouse, Second Floor, Second and Market Streets, Clearfield, Pennsylvania; and

FURTHER a Rule is hereby entered upon the Defendants to show cause, at the above date and time, why this Preliminary Injunction should not be continued. BY THE COURT, Joseph S. Ammerman, Judge

BOND in sum of \$2,500.00 Surety: Fireman's Insurance Company of Newark, New Jersey

MARCH 11, 1987 PRAECIPE FOR SPECIAL ENTRY OF APPEARANCE filed  
One copy certified Attorney

Kindly note our special entry of appearance for Barbara Van Horn Colsey, Defendant, for the purpose of raising issues in relation to lack of jurisdiction. s/Kim C. Kesner, Esq. s/David H. Moskowitz, Esq.

MARCH 11, 1987 PRELIMINARY OBJECTIONS filed by Kim C. Kesner, Esq. and David H. Moskowitz, Esq.  
Two copies certified Attorney

MARCH 12, 1987 CERTIFICATE OF SERVICE filed  
March 11, 1987, true and correct copy of Praecipe for Special Entry of Appearance and Defendant's Preliminary Objections were served on Plaintiff by mailing copy of same to her attorney of record, Toni M. Cherry, by U.S. Mail. s/Kim C. Kesner, Esq.

APRIL 2, 1987 ORDER filed  
Three copies certified Judge Ammerman  
NOW, this 1st day of April, 1987, it is the ORDER of the Court that the Order of January 23, 1987, enjoining Maurice Doe and Barbara Van Horn Colsey from negotiating the sale of the stock of M & M Properties, Inc., and the sale of the interest in the Burger King Restaurant located at R. D. #3, DuBois, Sandy Township, Clearfield County, Pennsylvania, to anyone but the Plaintiff or her assigns be and is hereby rescinded. However, if the stock is sold, fifty (50%) per cent of the gross proceeds from the sale of the stock shall be deposited in an escrow account established by counsel for the parties pending final determination of this matter on the merits. BY THE COURT: Joseph S. Ammerman, Judge

APRIL 3, 1987 BRIEF IN SUPPORT OF DEFENDANT, BARBARA VAN HORN COLSEY'S PRELIMINARY OBJECTIONS filed by Kim C. Kesner, Esq.  
Two copies certified Attorney

APRIL 6, 1987, SHERIFF'S RETURN, filed  
NOW, January 26, 1987, attempted to serve the within Complaint in Equity & Motion for Preliminary Injunction on Maurice Doe, Deft. by Certified mail at c/o of Timothy Doe, The letter is hereto attached and made a part of this return marked "UNCLAIMED".  
NOW, January 26, 1987 attempted to served the within Complaint in Equity & Motion for Preliminary Injunction on Barbara Van Horn Colsey, deft. by Certified mail at her last known address. The letter was never returned.

/s/ Chester A. Hawkins by Marilyn Hamm.



## LEGAL DRAWER "N"

EQUITY DOCKET #14

CONTINUED FROM PAGE 123 87-1-EQU MARILYN DOE RICHARDS -vs- MAURICE DOE &amp; BARBARA VAN HORN COLSEY

APRIL 14, 1987 AMENDED SHERIFF'S RETURN filed

Now, February 18, 1987 served the within Complaint in Equity, Motion for Preliminary Injunction on Barbara Van Horn Colsey, defendant by Certified Mail # P429558342 at 815 Delaware, Delanco, New Jersey 08075 being her last known address. The (duplicate) return receipt is hereto attached and made a part of this return. The letter was sent "Addressee Only". So answers, Chester A. Hawkins by Marilyn Hamm

APRIL 6, 1987, MOTION FOR CONSOLIDATION OF ACTIONS & ORDER, filed

AND NOW, this 8th day of April, 1987, it is hereby Ordered and Decreed that the above captioned actions be and are hereby consolidated into a single action to carry the term and number of 87-1-EQU, all pleadings in the original actions to remain as the pleadings in the consolidated action. BY THE COURT: Joseph S. Ammerman, Judge.

APRIL 13, 1987, ORDER, filed

NOW, this 13th day of April, 1987, it is the ORDER of the Court that the Order dated April 1, 1987, rescinding the Preliminary Injunction issued on January 23, 1987, and providing that, if the stock is sold, fifty (50%) per cent of the gross proceeds shall be deposited in an escrow account, is modified as follows:

After all the debts required to be paid in Order to complete settlement and convey clear title are paid, the remaining proceeds, approximately \$44,489.04, shall be deposited in an escrow account established by counsel for the parties pending final determination of this matter on the merits. Furthermore, in order to complete settlement and convey clear title, the Defendant, Barbara Van Horn Colsey, shall post a security bond with the Prothonotary of Clearfield County in an amount equal to fifty (50%) per cent of the purchase price, less fifty (50%) percent of the amount placed in escrow.

BY THE COURT: Joseph S. Ammerman, Judge.

ALL PAPERS FROM 85-626-CD & 85-951-CD & 87-1-EQU CONSOLIDATED AND PLACED IN  
LEGAL DRAWER "N" 4/21/87

APRIL 30, 1987, OBJECTIONS TO BOND RULE TO SHOW CAUSE & ORDER, filed

8 copies cert atty

AND NOW, this 30th day of April, 1987, upon consideration of the Petition of James A. Naddeo, it is hereby ORDERED AND DIRECTED that a rule issue upon Maurice P. Doe and Barbara Van Horn Colsey, to show cause why bond filed in the above captioned case should not be replaced by bond with surety approved by the Court. Rule returnable and hearing thereon to be held in Judge Ammerman's Chambers of the Clearfield County Courthouse, Clearfield, Pennsylvania, on the 20th day of May, 1987, at 9:45 A.M.

BY THE COURT: John K. Reilly, Jr President Judge.

APRIL 27, 1987 SECURITY BOND (\$221,505.41)-Commonwealth of Pennsylvania filed by Kim Kesner, Esq. for B. Colsey (also filed to 87-19-EX and 87-6-EX)

MAY 7, 1987 PRAECIPE FOR EXEMPLIFIED RECORD filed

Please supply me with six (6) Exemplified Records with regard to the above-captioned action. s/Chris A. Pentz, Esq.

MAY 11, 1987 SIX CERTIFICATION OF DOCKET ENTRIES AND JUDGMENT GIVEN TO ATTORNEY PENTZJUNE 19, 1987 ORDER filed

Three copies certified Judge Ammerman

NOW, this 17th day of June, 1987, Kim C. Kesner, Esquire, Counsel for Defendant, Barbara Van Horn Colsey, having appeared before the Court in response to a Rule to Show Cause why the security bond filed in the above-captioned matter should not be replaced by a bond with surety approved by the Court, and the Court finding that the Defendant has failed to abide by the spirit and intent of the Order of April 13, 1987, and based on the representations of Kim C. Kesner, Esquire, at the hearing held on May 20, 1987, that the purchase price of the Burger King Restaurant was approximately \$490,000.00 and the remaining proceeds of the sale at the time of the hearing were \$91,868.16, which Barbara Van Horn Colsey placed in her Attorney Trust Account, and \$24,764.22 which was placed in an account established by David H. Moskowitz, Esquire, it is the ORDER of the Court that the Defendant, Barbara Van Horn Colsey, place the remaining proceeds from the sale of the Burger King Restaurant in an escrow account established by counsel for the parties and file a surety bond with the Prothonotary of Clearfield County in an amount equal to fifty (50%) per cent of the purchase price of the Burger King Restaurant, less an amount equal to fifty (50%) per cent of the remaining proceeds of the sale of the Burger King Restaurant.

Furthermore, the Defendant shall submit to the Court a complete accounting of the bills paid at the time of the closing and a list of all outstanding bills within thirty (30) days. BY THE COURT: Joseph S. Ammerman, Judge

JUNE 19, 1987 ORDER filed

Three copies Judge Ammerman

NOW, this 17th day of June, 1987, upon consideration of the Preliminary Objections filed by Kim C. Kesner, Esquire, on behalf of Defendant, Barbara Van Horn Colsey, the Court finds that the Defendant has submitted to the jurisdiction of this Court and has waived the question of improper service by filing a Motion for Consolidation of Actions. Furthermore, the question of whether the Court can impose a constructive trust cannot be decided as a matter of law but is a factual issue that can only be resolved after a full evidentiary hearing. Therefore, it is the ORDER of the Court that the Preliminary Objections of the Defendant, Barbara Van Horn Colsey, be and are hereby dismissed. Hearing on the merits will be held on August 5, 1987, at 10:00 o'clock A.M. BY THE COURT: Joseph S. Ammerman, Judge

JUNE 23, 1987 SUBPOENA DUCES TECUM filed (to Leo Klebacha, Branch Manager, Deposit Bank, Mall Branch, DuBois, PA 15801)

JUNE 24, 1987 NOTICE OF TAKING ORAL DEPOSITION filed by Toni M. Cherry, Esq.  
Deposition of Leo Klebacha

JUNE 24, 1987 NOTICE OF TAKING DEPOSITION filed by James A. Naddeo, Esq. (Six copies cert. Atty)  
(Deposition of Virginia A. Doe) CERTIFICATE OF MAILING

Cont'd to Pg. 124/a



JULY 9, 1987, LETTER FROM VIRGINIA EVANKO TO JEAN ABERNETHY, COURT REPORTER,  
filed

JULY 17, 1987, PETITION FOR APPOINTMENT OF RECEIVER, filed by Kim C. Kesner, Esq.

JULY 21, 1987, LETTER FROM COURT ADMINISTRATOR TO COURT REPORTER, JEAN ABERNETHY,  
CONCERNING TRANSCRIPT, filed

JULY 21, 1987, RULE TO SHOW CAUSE, filed

4 copies cert atty

AND NOW, to-wit: this 20th day of July, 1987, upon consideration of the foregoing Petition, it is hereby ORDERED that a rule shall be issued and directed to James A. Naddeo, and Toni M. Cherry, to show cause, if any, why the prayer of the foregoing Petition should not be granted.

Rule returnable on the 5th day of August, 1987, in Courtroom No. 2 of the Clearfield County Courthouse, Clearfield, PA., at 10:00 A.M. at said time the Court shall make such further Order as it deems appropriate. BY THE COURT: Joseph S. Ammerman, Judge.

AUGUST 5, 1987, PETITION TO SET SALE ASIDE & RULE, filed

4 cert atty

AND NOW, this 6th day of August, 1987, in consideration of the foregoing Petition, a Rule is hereby issued upon Defendants, MAURICE P. DOE and BARBARA VAN HORN COLSEY, to show cause, if any they have, why the sale of the Burger King Restaurant should not be set aside.

Rule returnable on the 14th day of October, 1987, at 10:00 A.M. in Courtroom No. of the Clearfield County Courthouse, Clearfield, PA. BY THE COURT: Joseph S. Ammerman, Judge

SEPTEMBER 17, 1987, PETITION TO HOLD DEFENDANT, BARBARA VAN HORN COLSEY IN  
CONTEMPT, & RULE, filed 4 cert atty Cherry

AND NOW, this 17th day of September, 1987, in consideration of the allegations contained in the foregoing Petition to Hold Barbara Van Horn Colsey In Contempt, a Rule is hereby issued upon Defendant, Barbara Van Horn Colsey to show cause why the relief requested should not be granted and why Barbara Van Horn Colsey should not be held in Contempt of Court.

Rule Returnable on the 14th day of October, 1987, at 10:00 A.M. in Courtroom No. 2, of the Clearfield County Courthouse, Second Floor, Corner of Second & Market Streets, Clearfield Pennsylvania, when and where all parties are to appear with Counsel. BY THE COURT: Joseph S. Ammerman, Judge.

NOVEMBER 17, 1987, DEPOSITION OF LEO J. KLEBACHA, filed in trans. drawer "D"

NOVEMBER 17, 1987, DEPOSITION OF VIRGINIA A. DOE, filed in trans. drawer "D"

NOVEMBER 23, 1987, MOTION FOR CONTINUANCE & ORDER, filed no copies

AND NOW, this 25th day of November, 1987, upon consideration of Motion of Kim C. Kesner, Esquire, it is hereby ORDERED and DECREED that hearing scheduled before this Court on Tuesday, December 1, 1987, at 10:00 A.M. in the above captioned action be and are hereby continued. BY THE COURT: Joseph S. Ammerman, Judge.

MAY 11, 1988, ANSWER TO PETITION TO SET ASIDE SALE, filed by

Kim C. Kesner, Esq. 2 cert atty.

MAY 11, 1988, ANSWER TO PETITION TO HOLD DEFENDANT, BARBARA VAN HORN COLSEY,  
IN CONTEMPT, filed by Kim C. Kesner, Esq. 2 cert atty.

MAY 12, 1988, CERTIFICATE OF SERVICE, filed

AND NOW, this 12th day of May, 1988, I do hereby certify that on the 11th day of May, 1988, a copy of this Court's Rule to show cause entered on May 11, 1988, on Defendant, BARBARA VAN HORN COLSEY'S, Petition for Approval of Settlement and Release of Escrowed Funds and Order were served on the following and in the manner indicated below: BY PERSONAL SERVICE: James A. Naddeo, Esq; and the following: BY US FIRST CLASS MAIL, POSTAGE PREPAID, Toni M. Cherry, Esq. /s/ Kim C. Kesner, Esq.

MAY 12, 1988, PETITION FOR APPROVAL OF SETTLEMENT AND RELEASE OF ESCROWED FUNDS,  
filed by Kim C. Kesner, Esq.

MAY 12, 1988, ORDER, filed

AND NOW, this 11th day of May, 1988, upon consideration of Defendant, BARBARA VAN HORN COLSEY'S, Petition for Approval of Settlement and Release of Escrowed Funds, a rule is hereby issued to Plaintiff, MARILYN DOE RICHARDS and JAMES A. NADDEO, to appear and show cause, if any they have, why the prayer of said Petition should not be granted.

Rule Returnable on the 13th day of May, 1988, at 10:00 am in Court Room No. 2. A certified copy of this Rule shall be immediately served by counsel for Defendant, BARBARA VAN HORN COLSEY, upon JAMES A NADDEO and TONI M. CHERRY, counsel for Plaintiff, MARILYN DOE RICHARDS, by First Class Mail, postage prepaid or personal service. BY THE COURT: Joseph S. Ammerman, Judge.

MAY 20, 1988, RECORD OF PROCEEDINGS, filed in Legal Drawer "N"

MAY 20, 1988, TRANSCRIPT OF PROCEEDINGS, filed in Legal Drawer "N"

MAY 20, 1988, EXHIBITS, filed in Legal Drawer "N"

AUGUST 12, 1988, PRAECIPE, filed

Please place the issue between the Plaintiff, Keystone National Bank, and the Garnishee in the above matter on the current trial list. /s/ J. Richard Ifert, Esq.

AFFIDAVIT OF SERVICE, filed by J. Richard Ifert, Esq.

APRIL 5, 1989, PRAECIPE, filed

Please mark the above-captioned case settled and discontinued as between Plaintiff, Marilyn Doe Richards and Defendant, Barbara Van Horn Colsey. /s/ Toni M. Cherry, Esq

SETTLED AND DISCONTINUED BETWEEN Plff Marilyn Doe Richards & Deft. Barbara  
Van Horn Colsey ONL

APRIL 28, 1989, CERTIFICATE OF DISCONTINUED RETURNED UNABLE TO FORWARD, filed







## EQUITY DOCKET #14

Robin  
Foor

SANDRA GENTILE

87-2-EQU

ROBERT LUDWIG

Cb # 61037

Pro *My Co.* 40.00

Shff Office Credit 31.20

JANUARY 22, 1987, PETITION TO PROCEED INFORMA  
PAUPERIS, filed by Robin Jean Foor, Esq.

JANUARY 22, 1987, PETITION FOR A PROTECTIVE  
ORDER IN EQUITY, & ORDER, filed  
4 copies cert to Atty

AND NOW, this 22nd day of January, 1987, after a hearing on the Petition for Relief and Upon Petitioner showing during the ex parte proceeding that there is cause to believe that there may be immediate and present danger to the Petitioner, IT IS HEREBY ORDERED and DIRECTED as follows:

1. The Respondent, Robert Ludwig, is prohibited from abusing Petitioner, Sandra Gentile.

2. Respondent may not go to, enter, or attempt to enter the Petitioner's residence R.D. 1, Box 279, Rossiter, Indiana County, Pennsylvania or any other residence where Petitioner should move, which means that Respondent may not go to, enter, or attempt to enter Petitioner's home at whatever address it may be.

This Temporary Order is entered to bring about a cessation of abuse until a hearing can be held on the Petition with all parties present. A hearing regarding this matter will be held on the 2nd day of March, 1987, at 10:30 A.M. o'clock in the Clearfield County Courthouse, Clearfield, Pennsylvania. The Respondent is hereby advised of this rights to appear and be represented by Counsel at the hearing.

Service of the Petition and Order shall be made by the Sheriff.

A violation of this Order may subject the violating party to punishment for contempt. This Temporary Protective Order shall remain in effect only until the date of the hearing set forth above.

BY THE COURT: Joseph S. Ammerman, Judge.

JANUARY 30, 1987 SHERIFF RETURN filed  
January 29, 1987 served within Petition on Robert Ludwig. So answers, Chester A. Hawkins by Marilyn Hamm

MARCH 2, 1987 ORDER filed

Four copies certified Attorney

AND NOW, this 2nd day of March, 1987, it is hereby ORDERED and DIRECTED as follows:

(1). The Respondent, Robert Ludwig, is prohibited from abusing Petitioner, Sandra Gentile.

(2). The Respondent may not go to, enter of attempt to enter the Petitioner's residence in Knoxville Pennsylvania, 15847, or any future residence where the Petitioner may live.

Violation of this Order may subject the Respondent to punishment for contempt. BY THE COURT: Joseph S. Ammerman, Judge

MARCH 13, 1987 CERTIFICATE OF SERVICE filed

March 3, 1987 certified copy of an Order sent by Certified Mail to Robert Ludwig, 401 South Brady Street, DuBois, PA 15801, return receipt attached. s/Robin Jean Foor, Esq.







EQUITY DOCKET #14

Kim C. Kesner DOUGLAS M. WALLACE

87-3-EQU

MAX D. IRWIN and  
EDNA C. IRWIN,  
Husband and Wife

FEBRUARY 18, 1987 COMPLAINT IN EQUITY filed by  
Kim C. Kesner, Esq.

Two copies certified Attorney

MARCH 4, 1987, SHERIFF'S RETURN, filed.

Now, March 3, 1987 at 12:00 PM EST served the  
within Complaint in Equity on Edna C. Irwin, deft. at  
Clearfield, PA.

Now, March 3, 1987 at 1:04 PM EST served within  
Complaint on Max D. Irwin, deft. at Clearfield, PA.  
So answers, Chester A. Hawkins, Shff by s/ Marilyn  
Hamm

NOVEMBER 17, 1987, PRAECIPE, filed

Kindly mark the above captioned case settled,  
and discontinued. /s/ Kim C. Kesner, Esq.

SETTLED

DISCONTINUED

Pro	by Atty	40.00
	by Atty	
Shff	Hawkins	25.80
	by Atty	
Shff	Surcharge	4.00
Pro	by atty	5.00



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EQUITY DOCKET #14

R. Edward  
Ferraro

TOWNSHIP OF SANDY

87-4-EQU

VERNON R. KEAGLE and  
MAY I. KEAGLE, Husband  
and Wife

Pro      by Atty      40.00

FEBRUARY 23, 1987 PETITION TO ABATE NUISANCE PURSUANT  
TO 53 P.S. SECTION 65712 filed by R. Edward Ferraro, Esq  
RULE TO SHOW CAUSE  
AND NOW, this 25 day of February, 1987, upon  
Petition of the Township of SANDY,  
IT IS HEREWITH ORDERED AND DECREED that a Rule be  
issued upon Defendant to show if any he has why the  
Petition of the TOWNSHIP OF SANDY should not be granted  
Rule returnable, and Hearing to be held, on the 24 day o  
March, 1987, at 2:00 o'clock P.M. in the Main Courtroom,  
second floor, Clearfield County Courthouse, North Second  
Street, Clearfield, Pennsylvania 16830. BY THE COURT,  
John K. Reilly, Jr., President Judge  
2/26/87 One copy certified Attorney



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R. Denning  
Gearhart

IN RE:

APPEAL OF DISCIPLINARY  
ACTION BY LAWRENCE TOWN-  
SHIP BOARD OF SUPERVISORS  
AGAINST RONALD C. SMITH,  
LAWRENCE TOWNSHIP POLICE  
DEPARTMENT

87-5-EQU

Pro	by Atty	40.00
Pro	by Atty	30.00

MARCH 3, 1987, PETITION FOR DISMISSAL OF COMPLAINT  
AND REINSTATEMENT, filed by R. Denning Gearhart

CERTIFIED COPIES TO ATTORNEY.

WHEREFORE, Petitioner prays your Honorable Court to convene, at his earliest convenience, a Hearing de novo on the charges and to determine if there is enough evidence to support the decision and, if not, to reinstate Ronald C. Smith to his position as Corporal with full pay and benefits, as well as full back pay and benefits; Petitioner prays for this hearing in accordance with 53 P.S. 815. Respectfully submitted, GEARHART & IRELAND, By s/ R. Denning Gearhart, Esquire, Attorney for Petitioner

ORDER

NOW, this 6th day of March, 1987, upon consideration of the foregoing Petition for reinstatement, it is the Order of this Court that Hearing De Novo shall be held on the 19th day of May at 10:00 A.M., 1987, at the Clearfield County Courthouse, Courtroom No. \_\_\_\_, Clearfield, Pennsylvania, before the undersigned at which time the Township shall present evidence to support its action dated March 3, 1987, against Ronald C. Smith of the Lawrence Township Police Department. Such a Hearing is in accordance with 53 P.S. 815. BY THE COURT, s/ Joseph S. Ammerman, Judge

MARCH 20, 1987 ANSWER TO PETITION FOR DISMISSAL OF COMPLAINT AND REINSTATEMENT filed by J. Richard II, Esq.

Four copies certified Attorney

MARCH 23, 1987 AFFIDAVIT filed

Certified copy of Answer to Petition for Dismissal of Complaint and Reinstatement mailed to R. Denning Gearhart, Esquire, attorney for Ronald C. Smith by regular mail on March 23, 1987. s/J. Richard Mattern II, Esquire

APRIL 14, 1987 RULE TO SHOW CAUSE WHY ORDER OF COURT DATED MARCH 6, 1987 SETTING A HEARING DE NOVO FOR MAY 19, 1987 SHOULD NOT BE STRICKEN filed by J. Richard Mattern II, Esq., Attorney for Lawrence Township Board of Supervisors

ORDER

AND NOW this 14th day of April, 1987, a RULE is issued upon the Defendant, Ronald C. Smith, To Show Cause Why:

- (1) The Court Order of March 6, 1987 should not be stricken; and
- (2) The record of the Lawrence Township Board of Supervisors should not be filed with the Court to determine if it is complete and review such; and
- (3) The Court should not decide the case on the basis of Local Agency Law and the scope of review as mandated by Nelson vs Com. Dept. of Public Welfare 519 A2d 1062 (Pa. Cmwlt. 1986), and Lower Providence Township vs Nagle 79 Pa.C. 322; 469 A2d 338, 341-342 (1984).

RULE RETURNABLE the 19th day of May, 1987 at 10:00 A.M. o'clock in the Courtroom, Second Floor Clearfield County Courthouse, Clearfield, Pennsylvania. BY THE COURT: Joseph S. Ammerman, Judge

Three copies certified Attorney

JUNE 1, 1987 CERTIFICATION OF RECORD and CERTIFICATE OF SERVICE filed

JUNE 1, 1987 ORDER filed

Two copies certified Judge Ammerman

NOW, this 1st day of June, 1987, upon review of the Transcript of the hearing held before the Lawrence Township Board of Supervisors, the Court finds that the record is incomplete for the following reasons:

- (1). The Court has been informed that the Appellant, Ronald C. Smith, will submit after discovered evidence, and
- (2). The Appellant's cross-examination of Mrs. Beck at the hearing before the Board of Supervisors was improperly limited. (See Pages 41 and 42 of the Transcript).

Mrs. Beck could have been questioned about any bias or interest she had in the case or what motivated her to testify. Commonwealth v. Cheatham, 429 Pa. 198, 239 A.2d 293 (1968). Inquiry could have extended into the relationship Mrs. Beck had with any party involved in the case, including the prosecuting attorney. Grustski v. Kline, 352 Pa. 401, 43 A.2d 142 (1945). Furthermore, Mrs. Beck could have been questioned regarding any "bad blood" between herself and the Appellant. Commonwealth v. Ervin, 262 Pa. Super. Ct. 322, 396 A.2d 776 (1978).

Therefore, it is the ORDER of the Court that a Hearing De Novo shall be held on the 4th day of June, 1987, at 10:00 o'clock A.M., before the undersigned, at which time the Township shall present evidence to support its action dated March 3, 1987, against Ronald C. Smith of the Lawrence Township Police Department. See Lower Providence Township v. Nagle, \_\_ Pa. Comwlth. Ct. \_\_, 469 A.2d 338 (1984); City of Philadelphia v. Murphy, \_\_ Pa. Cmwlt. Ct. \_\_, 320 A.2d 411 (1974). In Murphy the Commonwealth Court held that a lower court has wide discretion in determining whether or not a full and complete record has been made and, if not, what course to follow to correct the situation. BY THE COURT: Joseph S. Ammerman, Judge

JUNE 2, 1987 ORDER filed

Two copies certified Judge Ammerman

NOW, this 2nd day of June, 1987, J. Richard Mattern, II, Esquire, having requested a continuance in the above matter by letter dated June 2, 1987, and having delivered a copy of same to R. Denning Gearhart, Esquire, counsel for Appellant, it is the ORDER of the Court that the Hearing De Novo be continued until Friday, July 10, 1987, at 10:00 o'clock A.M. BY THE COURT: Joseph S. Ammerman, Judge

JUNE 8, 1987 SUPPLEMENTAL CERTIFICATION OF RECORD filed by Carl A. Belin, Jr., Esq.  
CERTIFICATE OF SERVICE



Cont'd from Pg. 131

87-5-EQU

APPEAL BY LAWRENCE TWP. AGAINST RONALD SMITH ...

JUNE 1, 1987, TRANSCRIPT OF PROCEEDINGS, IN RE: CORPORAL RONALD C. SMITH,  
filed in trans. drawer "S"

JULY 15, 1987 RECORD OF PROCEEDINGS, filed  
in bucket with papers

JULY 15, 1987, ORDER, filed 2 cert Judge A.

NOW, this 14th day of July, 1987, the parties having appeared before the Court for a hearing de novo on July 10, 1987, at which time J. Richard Mattern, II, ESQ., indicated that a stipulation regarding the submission of the record of the proceedings before the Lawrence Township Board of Supervisors to the Court could not be carried out due to the failure of Michael Beck to appear, and further the Lawrence Township Board of Supervisors having failed to present any evidence justifying the disciplinary action that was taken against Ronald C. Smith, it is the ORDER of the Court that Ronald C. Smith be and is hereby reinstated as a corporal in the Lawrence Township Police Department with full pay and benefits; Ronald C. Smith is awarded back pay in the amount of \$1,006.14 and shall be reimbursed in the amount of \$20.00 for uniform expenses.

Furthermore, the Lawrence Township Board of Supervisors and Donald Cutler, Chief of Police of Lawrence Township, are directed to expunge any record of this matter contained the personnel file of Ronald C. Smith. The Lawrence Township Board of Supervisors and Chief Cutler may file Exceptions to the expungement of this matter from the personnel file of Ronald C. Smith within ten (10) days from the date hereof. BY THE COURT: Joseph S. Ammerman, Judge.

JULY 24, 1987 PRAECIPE filed

Please reduce to judgment the Order of Court dated July 14, 1987 in regard to the above-captioned action. s/J. Richard Mattern II, Esq.

Judgment is entered as per Order of Court dated July 14, 1987.

JUDGMENT PER COURT ORDER

  
 Prothonotary

JULY 24, 1987, NOTICE OF APPEAL, filed by J. Richard Mattern, II, Esq.  
1 copy cert Common. Court; 3 cert Atty

JULY 24, 1987, PROOF OF SERVICE, filed by J. Richard Mattern, II, Esq.  
1 copy cert Common. Court; 3 cert Atty

JULY 29, 1987 ORDER filed

Two copies certified Judge Ammerman

NOW, this 28th day of July, 1987, it is the ORDER of the Court, pursuant to Rule 1925(b) of the Pennsylvania Rules of Appellate Procedure, that the Lawrence Township Board of Supervisors file with the Court of Common Pleas of Clearfield County, Pennsylvania, a concise statement of the matters complained of in the appeal to the Commonwealth Court within ten (10) days. BY THE COURT: Joseph S. Ammerman, Judge

JULY 29, 1987 TRANSCRIPT OF HEARING held July 10, 1987 filed

AUGUST 3, 1987 NOTICE OF APPEAL FROM COMMONWEALTH COURT, THEIR NUMBER 1730 CD 1987  
filed

AUGUST 7, 1987, CONCISE STATEMENT OF MATTERS COMPLAINED OF IN APPEAL,  
filed by J. Richard Mattern, II, Esq. 3 cert atty

OCTOBER 5, 1987, RECORD OF PROCEEDINGS, filed

OCTOBER 5, 1987, MEMORANDUM, filed  
2 copies cert Judge A.

OCTOBER 8, 1987, ALL PAPERS MAILED TO COMMONWEALTH COURT BY  
CERTIFIED MAIL # P 024 895 036.

OCTOBER 15, 1987 RETURN RECEIPT, filed

OCTOBER 26, 1987, PETITION FOR CONTEMPT,, filed by R. Denning Gearhart, Esq. 1 cert/Atty.

NOVEMBER 6, 1987, ANSWER TO PETITION FOR CONTEMPT, filed by J. Richard Mattern II, 3 cert/Atty

NOVEMBER 17, 1987, ARGUMENT BRIEF, filed by J. Richard Mattern, III, Esq.

NOVEMBER 17, 1987, LETTER TO JUDGE AMMERMAN, FROM R. DENNING GEARHART, ESQ.,  
filed

NOVEMBER 17, 1987, ORDER, filed

NOW, this 12th day of November, 1987, the Court declines to hold the Lawrence Township Board of Supervisors in contempt of the Order of July 14, 1987, because the action of the Lawrence Township board of Supervisors was the result of a misinterpretation of the Pennsylvania Rules of Appellate Procedure.

The Court is of the opinion that there is only an automatic supersedeas of the portion of the July 14, 1987, Order involving the payment of Money, and counsel for Lawrence Township must affirmatively apply for a supersedeas with regard to the portion of the Order providing that Ronald C. Smith be reinstated as a Corporal.

The Court recognizes that this is a case of first impression. However, 1 Pennsylvania Appellate Practice Section 1731.5 states:



Cont'd from Page 132

IN RE: APPEAL BY LAWRENCE TWP. AGAINST RONALD SMITH

The Rule, by its terms, limits its application to an Order involving solely the payment of money. It is not uncommon, however, for an Order to deal with matters in addition to the payment of money. For example, the trial court might order a structure to be torn down because it violates a zoning ordinance and in the same order impose a monetary fine for violations of the ordinance and direct that the fines be entered as a judgment. The obvious question arises: Does the posting of security<sup>1</sup> incident to the appeal operate as an automatic supersedeas of that part of the order involving other than the payment of money? In such a case, rather than relying on the automatic supersedeas provisions of Pa. R.A.P. 1731, counsel should proceed in conformity with Pa. R.A.P. 1732 and affirmatively apply for a supersedeas.

Finally, the Court will note that the Foreword to Pennsylvania Appellate Practice was authored by the Honorable James Crumlish, Jr., the Honorable Robert N.C. Nix, Jr. and the Honorable Vincent A. Cirillo, and statated in part:

" This publication offers a much needed synthesis of the actual text of the Rules of Appellate procedure

<sup>1</sup> Rule 1736 of the Pennsylvania Rules of Appellate Procedure is captioned "Exemption from Security" and, therefore, only relieves the Lawrence Township Board of Supervisors from the requirement of posting security in accordance with Rule 1731(a), and the decisions and statutes impacting upon them."

Therefore, it is the ORDER of the Court that Lawrence Township Board of Supervisors abide by that portion of the July 14, 1987, Order providing that Ronald C. Smith be reinstated as a Corporal.  
BY THE COURT: Joseph S. Ammerman, Judge.

SEPTEMBER 22, 1988, ORDER OF COMMONWEALTH COURT, filed  
NOW, July 11, 1988, we affirm the interlocutory order of the Court of Common Pleas of Clearfield County dated June 1, 1987, and the final order of the Court of Common Pleas of Clearfield County dated July 14, 1987.  
/s/ Joseph T. Doyle, Judge. Commonwealth Court of Pa.

SEPTEMBER 22, 1988 ALL PAPERS RETURNED FROM COMMONWEALTH COURT OF PENNA. PAPERS FILED IN

*Regular File*







George S. Test PEGGY ANN SUMMERS

MARCH 11, 1987 COMPLAINT filed by George S. Test, Esq.  
One copy certified Sheriff

MARCH 30, 1987 SHERIFF RETURN filed  
March 25, 1987 served within Complaint in Equity  
on George Polaciek, defendant, by handing to Stephanie  
Polaciek, wife of defendant. So answers, Chester A.  
Hawkins by Marilyn Hamm

87-6-EQU

APRIL 7, 1987, APPEARANCE, filed  
Enter my appearance on behalf of the Defendant in  
the above captioned case. /s/ Joseph E. Favuzza, Esq.

Joseph E.  
Favuzza

GEORGE POLACIEK

APRIL 7, 1987, ANSWER TO COMPLAINT, filed  
by Joseph E. Favuzza, Esq.

Pro by Atty 40.00  
Shff by Atty 37.60  
Surcharge by Atty 2.00



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Joseph J.  
Malizia

ARTHUR R. FORD and  
JENNIFER ANN FORD,  
husband and wife

87-7-EQU

RECREATION LAND CORPORA-  
TION and NACO RESORT  
CLUBS

Pro           by Atty   20.00  
Shff          by Atty   29.27  
Surcharge by Atty   4.00

MARCH 13, 1987, PRAECIPE FOR SUMMONS, filed.by Joseph J.  
Malizia

Please issue summons in the above captioned  
matter and enter my appearance for the Plaintiffs. The  
address of the Recreation Land Corporation is,  
Treasure Lake, Box 687, DuBois, PA 15801.

The address of NACO Resort Club is: P.O. Box 26,  
Gautier, Mississippi 39553. Respectfully submitted,  
s/ Joseph J. Malizia, Attorney for Plaintiffs

MARCH 16, 1987, SUMMONS ISSUED TO SHERIFF FOR SERVICE.

MARCH 31, 1987 SHERIFF'S RETURN filed

March 23, 1987 served Summons on Naco Resort Clubs  
by certified mail, return receipt attached.

March 23, 1987 served Summons on Recreation Land  
Corp. by handing to Russ Carlson, Comptroller for  
Defendant. So answers, Chester A. Hawkins by Marilyn  
Hamm



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Paul David  
Burke

BENSON H. LINGLE, an  
individual, and  
SHAWVILLE COAL COMPANY,  
INC., a Pennsylvania  
Corporation

87-8-EQU

Charles J.  
Weyandt

ANTRIM MINING, INC.,  
a corporation

Pro by Atty 40.00  
Pro by atty 5.00

MAR 20, 1987 COMPLAINT IN EQUITY filed by Paul David  
Burke, Esq. of Cooper, German, Kelly & Purcell  
No copies

MAY 11, 1987 AFFIDAVIT OF SERVICE filed  
True and Correct copy of Complaint in Equity  
served April 1, 1987 upon the defendant, ANTRIM  
MINING CORPORATION by handin g same to its President,  
Richard Mase at 248 Main Street, Blossburg, PA 16912.  
s/Randall Lingle

MAY 15, 1987 ANSWER, NEW MATTER AND COUNTERCLAIM  
filed by Charles J. Weyandt, Esq.  
CERTIFICATE OF SERVICE

JULY 29, 1987, REPLY TO NEW MATTER, ANSWER  
TO COUNTERCLAIM AND NEW MATTER TO COUNTERCLAIM,  
filed by Paul David Burke, Esq.

AUGUST 13, 1987, REPLY TO NEW MATTER TO  
DEFENDANT'S COUNTERCLAIM, filed by Charles J.  
Weyandt, Esq.

SEPTEMBER 4, 1987, PLAINTIFF'S FIRST REQUEST  
FOR PRODUCTION OF DOCUMENTS, filed by Paul David  
Burke, Esq.

SEPTEMBER 4, 1987, NOTICE OF SERVICE OF  
PLAINTIFF'S FIRST SET OF INTERROGATORIES TO DEFEN-  
DANT, filed by Paul David Burke, Esq.

OCTOBER 26, 1987, CERTIFICATE OF SERVICE, filed.  
I hereby certify that an original and two copies of Deft.  
Interrogatories to Plaintiff-Benson H. Lingle and Shawville Coal  
Co., Inc., were hereby served by depositiong same within the  
custody of the United States Postal Service, First Class, postafe  
prepaid, addressed to the following: Paul David Burke, Esq.  
/s/ Charles J. Weyandt, Atty for Deft.

OCTOBER 26, 1987, DEFENDANT'S FIRST REQUEST FOR PRODUCTION  
OF DOCUMENTS, filed by Charles J. Weyandt, Esq.

OCTOBER 26, 1987, ANSWERS TO PLAINTIFFS' FIRST SET OF  
INTERROGATORIES TO DEFENDANT, filed by Chas Weyandt, Atty.

NOVEMBER 2, 1987, DEFENDANT'S ANSWERS TO  
PLAINTIFFS' FIRST REQUEST FOR PRODUCTION OF DOCUMENTS,  
filed by Charles J. Weyandt, Esq.

APRIL 9, 1990, PRAECIPE TO SETTLE AND DISCONTINUE,  
filed.

Kindly mark the docket in the above-captioned  
case as having been settled and discontinued.  
S/PAUL DAVID BURKE, ESQ.

SETTLED AND DISCONTINUED







Anthony S. Guido	JOSEPH DOROS and ANN DOROS	MARCH 27, 1987, COMPLAINT IN EQUITY, filed by Anthony S. Guido Two Copies Certified to Sheriff.
	87-9-EQU	APRIL 1, 1987 SHERIFF'S RETURN filed March 31, 1987 served within Complaint in Equity on George A. Hixon Jr. March 31, 1987 served within Complaint in Equity on Kathryn L. Hixon, by handing to George Hixon Jr., Husband of Defendant. So answers, Chester A. Hawkins by Marilyn Hamm
		APRIL 23, 1987 ANSWER TO COMPLAINT filed by Richard H. Milgrub, Esq. One copy certified Attorney
Richard H. Milgrub	GEORGE A. HIXON, JR. and KATHRYN L. HIXON	APRIL 27, 1987 AFFIDAVIT OF MAILING filed I, Richard H. Milgrub, Esquire, Attorney for Defendants, verify that a true and correct certified copy of Defendants' Answer to Complaint was sent by regular mail this 23rd day of April, 1987, to Anthony S. Guido, Esquire, Attorney for Plaintiffs, 109 North Brady Street DuBois, PA 15801. s/Richard H. Milgrub, Esq.
	Pro by Atty 40.00 Shff by Atty 26.40 Surcharge by Atty 4.00	



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EQUITY DOCKET #14

Carl A. Belin, Jr.	FAHY W. McDONALD			APRIL 2, 1987 COMPLAINT IN EQUITY filed by Carl A. Belin, Jr., Esq. Two copies certified Attorney
		87-10-EQU		APRIL 6, 1987, AFFIDAVIT OF SERVICE, filed NOW, April 2, 1987 at 4:00 P.M. EST served the within Complaint in Equity on Karen H. McDonald, Defendant at residence, RD# 1 Box 137, Grampian, Clearfield County, Penna. by handing to Karen H. McDonald, a true and attested copy of the original Complaint in Equity and made known to her the contents thereof. /s/ Chester A. Hawkins by Marilyn Hamm.
John R. Fernan	KAREN H. McDONALD			APRIL 23, 1987 ANSWER TO COMPLAINT IN EQUITY ACTION FOR SPECIFIC PERFORMANCE, CONTAINING NEW MATTER AND COUNTERCLAIM filed by John R. Fernan, Esq. CERTIFICATE OF SERVICE
				MAY 11, 1987 PRELIMINARY OBJECTIONS filed by Carl A. Belin, Jr., Esq. CERTIFICATE OF SERVICE Three copies certified Attorney
		Pro	by Atty	40.00
		Shff	by atty	20.80
		Surg.	by atty	2.00
				JUNE 8, 1987 STIPULATION filed (also filed to 86-1167-CD) s/Robert L. Garber, Esq. s/John R. Fernan, Esq. s/Carl A Belin, Jr., Esq.



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Joseph  
Colavecchi

JOSEPH COLAVECCHI

APRIL 14, 1987, COMPLAINT IN PARTITION, filed by  
Joseph Colavecchi  
Two Copies Certified to Sheriff  
Two Copies Certified to Attorney

APRIL 20, 1987 SHERIFF RETURN filed  
Now April 16, 1987 served within Complaint in  
Partition on Glenmar Coal Co. Inc. So answers, Chester A  
Hawkins by Marilyn Hamm

87-11-EQU

MAY 27, 1987 PRAECIPE TO DISCONTINUE filed  
Please mark the record in the above-captioned case  
discontinued, settled and ended. s/Joseph Colavecchi,  
Esq.

DISCONTINUED, SETTLED AND ENDED

GLENMAR COAL COMPANY, INC.

Pro	by Atty	40.00
Shff	by Atty	18.40
Surcharge	by Atty	2.00
Pro	by Atty	5.00



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Richard H.  
Milgrub

ROBERT GLASS and  
BILLIS GLASS, husband  
and wife

APRIL 22, 1987, PRAECIPE FOR WRIT OF SUMMONS, filed  
by Richard H. Milgrub

Issue a writ of summons in equity in the above  
case returnable sec. leg.. s/ Richard H. Milgrub,  
Esquire

APRIL 22, 1987, SUMMONS ISSUED TO ATTORNEY FOR SERVICE.

87-12-EQU

JOSEPH DESALVE and  
MARIE DESALVE, Individu-  
ally and t/d/b/a  
DESALVE'S SERVICE

Pro by Atty 20.00



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Joseph Colavecchi	HELEN S. HOLLAND and DONALD G. MITCHELL, JR.	APRIL 29, 1987, COMPLAINT IN PARTITION--EQUITY, filed by Joseph Colavecchi Two Copies Certified to Sheriff. Two Copies Certified to Attorney.  MAY 12, 1987 PRAECIPE filed Please enter our appearance in the above captioned matter as Attorneys for the Defendant, Helen C. Brown. s/William U. Smith, Esq.  87-13-EQU  MAY 6, 1987 SHERIFF RETURN filed April 30, 1987 served Complaint in Partition on Helen C. Brown. So answers, Chester A. Hawkins by Marilyn Hamm  JULY 13, 1987 ORDER filed NOW, this 6th day of July, 1987, following preliminary conference and upon agreement of the parties it is the ORDER of this Court that RICHARD IRELAND, Esquire be and is hereby appointed Master in Partition in the above captioned matter. BY THE COURT, John K. Reilly, Jr., President Judge One copy certified Joseph Colavecchi, Esq. One copy certified William Smith, Esq. JULY 13, 1987 ALL PAPERS GIVEN ATTORNEY IRELAND
Smith & Smith	HELEN C. BROWN	MARCH 10, 1988, PETITION TO COMPEL PUBLIC SALE AND RULE, filed. 3 cert/Atty 3/11/88 AND NOW, this 11th day of March, 1988, upon consideration of the foregoing Petition, it is hereby ORDERED that a Rule is issued and directed to William U. Smith, Attorney for Defendant, to show cause why the property which is the subject of this Partition Action should not be exposed to public sale, said sale to be scheduled by Richard Ireland, Master in Partition. This Rule is Returnable the 15th day of April, 1988, at 9:30 am. BY THE COURT: John K. Reilly, Jr., P.J.  APRIL 15, 1988, ORDER, filed NOW, this 15th day of April, 1988, upon consid-eration of Plaintiff's Petition to Compel Public Sale, it is the ORDER of this Court that said Petition be and is hereby granted and the Master, Richard Ireland, Esquire, be and is hereby directed to dispose of the subject property, to wit, 91 acres, 15 perches, of coal, fireclay, oil and other minerals located in Lawrence Township, Clearfield County, Pennsylvania, by public sale. BY THE COURT: John K. Reilly, Jr President Judge.
	Pro by Atty 40.00 Shff by Atty 17.00 Surcharge by Atty 2.00	MAY 9, 1988, PETITION FOR APPROVAL OF TERMS OF SALE, filed by Richard A. Ireland, Esq. 2 cert/Atty  MAY 9, 1988, RULE RETURNABLE, filed 2 cert/Atty NOW this 5th day of May, 1988, upon presentation and consideration of the within Petition for Approval of Terms of SALE, a rule is hereby directed to the respective attorneys of record for each party to appear and show cause why the same should not be approved by the Court. Rule Returnable the 17th day of May, 1988 furing which time objections may be filed by either party hereto at 9:30 am in Courtroom No. 1 of the Clearfield County Courthouse, Clearfield PA 16830. BY THE COURT: John K. Reilly, Jr., P.J.  MAY 17, 1988, INDICATION OF CONSENT TO PETITION FOR APPROVAL OF TERMS OF SALE AND WAIVER OF EXCEPTIONS OF: JOSEPH COLAVECCHI, filed 2 cert atty I, Joseph Colavecchi, Esquire, attorney for Plaintiffs in the above captioned matter in partition, do hereby certify that I have reviewed the Petition for Approval of Terms of Sale of the Master filed on May 9, 1988 and do hereby indicate my approval and consent to the same and do hereby waive the filing of any exceptions thereto. /s/ Joseph Colavecchi, Esq. INDICATION OF CONSENT TO PETITION FOR APPROVAL OF TERMS OF SALE AND WAIVER OF EXCEPTIONS OF: WILLIAM U. SMITH, filed I, William U. Smith, Esquire, attorney for Defendant in the above captioned matter in partition, do hereby certify that I have reviewed the Petition for Approval of Terms of Sale of the Master filed on May 9, 1988 and do hereby indicate my approval and consent to the same and do hereby waive the filing of any exceptions thereto and do herewith agree the Order issue forthwith. /s/ William U. Smith, Esq. ORDER: NOW, this 17th day of May, 1988, this being the day and date set for hearing as to the Master's PETITION FOR APPROVAL OF TERMS OF SALE in the above captioned matter in partition and it appearing that counsel of record for each party having indicated their approval of said Petition as evidenced by their Indications of Consent hereto attached, it is the ORDER of this Court that the said PETITION FOR APPROVAL OF TERMS OF SALE of the Master be and is hereby approved as filed and the sale shall be carried out as set forth therein. BY THE COURT: John K. Reilly, Jr President Judge.  JULY 15, 1988, MASTER'S REPORT AND RETURN OR SALE , filed by Richard A. Ireland, Esq  JULY 15, 1988, DECREE NISI, filed 2 cert/Atty AND NOW, this 14th day of July, 1988, the Court having received and reviewed the within Master's Report and Return of SALE, it is hreby decreed, ordered and adjudged that the same be and is hereby approved by the Court as presented, that the sale of the subject premises conducted by the Master be and is hereby approved and confirmed, that the recommendations, of the Master as set forth in the said Master's Report be and are hereby approved and adopted



by the Court as presented, that the Master be and is hereby authorized to collect and distribute the proceeds of the said sale in accord with the terms of said Report, and that the Master be and is hereby authorized to execute and deliver a deed to the proposed purchaser for and in behalf of the parties to the subject action. It is further hereby decreed, ordered and adjudged that if no exceptions are filed within twenty (20) days of the date hereof, this decree shall be confirmed absolutely and become final without further action by the Court. BY THE COURT: John K. Reilly, Jr., PJ



Steven S. Hurvitz	BENJAMIN A. MALDONADO				<u>MAY 6, 1987, COMPLAINT/EQUITY</u> , filed by Steven S. Hurvitz, Esquire Copy to be Accepted by James A. Naddeo <u>MAY 13, 1987, CERTIFIED COPY TO SHERIFF FOR SERVICE.</u>  <u>MAY 19, 1987, AFFIDAVIT OF SERVICE</u> , filed NOW, May 18, 1987 at 9:50 AM served the within Complaint on Marie C. Maldonado, defendant at residence, 2406 Meadow Road, Clearfield, Clearfield Co. PA., by handing to Marie C. Maldonado a true and attested copy of the original Complaint and made known to her the contents thereof. /s/ Chester A. Hawkins by Marilyn Hamm.  <u>JUNE 23, 1987 ANSWER TO COMPLAINT, NEW MATTER AND COUNTERCLAIM</u> filed by James A. Naddeo, Esq. One copy certified Attorney <u>CERTIFICATE OF MAILING</u>  <u>JULY 1, 1987 NOTICE OF TAKING DEPOSITION</u> filed by James A. Naddeo, Esq. (one copy certified Attorney) Deposition of Aurora Hipolito <u>CERTIFICATE OF MAILING</u>  <u>JULY 1, 1987 NOTICE OF TAKING DEPOSITION</u> filed by James A. Naddeo, Esq. (Deposition of Benjamin Maldonado) Two copies certified Attorney <u>CERTIFICATE OF MAILING</u>  <u>JULY 6, 1987 CERTIFICATE OF SERVICE</u> filed 1st day of July, 1987 served within subpoena on Aurora Hipolito personally. s/Jack B. Walker, Constable  <u>JULY 8, 1987 NOTICE OF TAKING DEPOSITION FOR PURPOSE OF COPYING RECORDS ONLY</u> filed by Steven S. Hurvitz, Esq. Oral deposition of Records Custodian of Citibank, P.O. Box 6003, Sioux Falls, Sd 57117  <u>JULY 8, 1987 NOTICE OF TAKING DEPOSITION FOR PURPOSE OF COPYING RECORDS ONLY</u> filed by Steven S. Hurvitz, Esq. Oral deposition of Records Custodian of Clearfield Bank and Trust, Clearfield, PA.  <u>JULY 8, 1987 CERTIFICATE OF SERVICE</u> filed True and correct copy of two (2) Notice of Taking Deposition for Purpose of Copying Records Only mailed by regular mail on 6th day of July, 1987, to attorney of record, James A. Naddeo, Esq. s/Steven S. Hurvitz, Esq.  <u>JULY 14, 1987 ANSWER TO NEW MATTER and COUNTERCLAIM</u> filed by Steven S. Hurvitz, Esq. Two copies certified Attorney
James A. Naddeo	MARIA C. MALDONADO	87-14-EQU			
			Pro	by Atty	40.00
			Shff	by atty	18.00
			Surg.	by atty	2.00



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Maine & Fennell

H. ROBERT RICHARDS and  
KATHRYN H. RICHARDS,  
Plaintiffs

87-15-EQU

Scott V. Jones

WOLF RUN MANOR CORP  
Defendant

Pro	by Atty	40.00
Shff	by Atty	23.60
Surcharge	by Atty	2.00
Pro	by Atty.	5.00

MAY 12, 1987, COMPLAINT/EQUITY, filed by Ervin S. Fennell, Jr.  
Four Copies Certified to Attorney.

MAY 18, 1987 SHERIFF'S RETURN filed  
Now May 14, 1987 served within Complaint in Equity on Wolf Run Manor Corp. by handing to Mike Sucovsky, Div. Mgr. So answers, Chester A. Hawkins by Marilyn Hamm

JULY 16, 1987 ANSWER AND NEW MATTER filed by Scott V. Jones, Esq.

AUGUST 24, 1987 REPLY TO NEW MATTER filed by Ervin S. Fennell, Jr., Esq.  
Three copies certified Attorney

AUGUST 28, 1987 ACCEPTANCE OF SERVICE filed  
I hereby accept service of the Plaintiffs' Reply to New Matter in the above entitled action, on behalf of Defendant, Wolf Run Manor Corp. s/Scott V. Jones, Esq

NOVEMBER 19, 1987, PRAECIPE & CERTIFICATE, filed.  
Please place the above captioned case on the trial list.  
/s/ Ervin S. Fennell, Jr.

CERTIFICATE:  
I hereby certify that:  
1. There are no motions outstanding;  
2. Discovery has been completed;  
3. The above case is ready for trial;  
4. The above case is to be heard non-jury; and  
5. Notice of the Praecipe and Certificate placing the above case on the trial list has been given to the attorney for the defendant by personally handing the same to him on Nov. 19, 1987. Counsel for the defendant is: Scott V. Jones, Esq.  
/s/ Ervin S. Fennell, Jr., Atty.

DECEMBER 30, 1987, PRE-TRIAL MEMORANDUM, filed by Ervin S. Fennell, Jr. 2 cert/Atty.

FEBRUARY 5, 1988, PRAECIPE TO SETTLE, DISCONTINUE AND END, filed.  
Mark the above captioned case Settled, Discontinued and Ended. /s/ Ervin S. Fennell, Jr., Esq.

SETTLED      DISCONTINUED      ENDED.



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Anthony S. Guido

WALTER CELINSKI

MAY 18, 1987, COMPLAINT/EQUITY, filed by Anthony S. Guido, Esquire  
One Copy Certified To Sheriff

JUNE 9, 1987 SHERIFF RETURN filed  
May 29, 1987 served within Complaint on Kenneth John Hand by handing to Rose Hand, Wife of defendant. So answers, Chester A. Hawkins by Marilyn Hamm

87-16-EQU

JUNE 19, 1987 ANSWER filed by Christopher J. Shaw, Esq.  
Two copies certified Attorney

JULY 8, 1987, AFFIDAVIT OF SERVICE, filed Christopher J. Shaw, being duly sworn according to law, deposes and says that he served a Certified copy of the Answer in the above captioned matter on Anthony S. Guido, Esq. by certified mail on June 18, 1987. return receipt attached hereto.  
/s/ Christopher J. Shaw, Esq.

Christopher J. Shaw

KENNETH JOHN HAND

Pro by Atty 40.00  
Shff by Atty 46.40  
Surcharge by Atty 2.00



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Carl A. Belin, Jr.      LAWRENCE TOWNSHIP  
   Plaintiff

87-17-EQU

AGNES GAVLOCK, DOROTHY  
KITKO, CAROLA DUCK, FRANK  
DALLEN, OSCAR JAMES DALLEN,  
and STANLEY DALLEN  
   Defendants

Pro	by Atty	40.00
Shff		
Hawkins	by atty	41.40
Shff		
Maggs	by atty	21.50
Shff		
Fairchild	by atty	21.00
Shff		
Kunes	by atty	19.00
Surg.	by atty	12.00
Shff	by atty	23.40
Pro	<i>by atty</i>	5.00
Shff	by atty	23.00
Shff		
Eichen-	by atty	18.00
Shff		
Kunes	by atty	28.00

MAY 21, 1987, COMPLAINT/EQUITY, filed by Carl A. Belin, Jr., Attorney for Plaintiff  
Six Copies Certified to Sheriff

JULY 17, 1987, SHERIFF'S RETURN, filed  
NOW, May 22, 1987, served the within Complaint on Agnes Gavlock, Defendant at residence.  
NOW, May 22, 1987, served the within Complaint on Dorothy Kitko, Defendant at residence  
NOW, May 21, 1987, William Maggs, Sheriff of Clinton Co. was deputized to serve the within Complaint on Carola Duck and Frank Dallen, Defts.  
NOW, June 19, 1987 served the within Complaint on Frank Dallen Deft. The return of Sheriff Maggs is hereto attached stating that he served Gayle Dallen, Daughter in law.  
NOW, June 5, 1987 attempted to serve the within Complaint on Carola Duck, deft. The return of Sheriff Maggs is hereto attached marked "NOT FOUND".  
NOW, June 10, 1987 Garry Kunes, Sheriff of Centre County was deputized to serve the within Complaint on Carola Duck., Deft.  
NOW, June 22, 1987, Attempted to serve the within Complaint on Carola Duck, Deft. The return of Sheriff Kunes is hereto attached marked "NOT FOUND".  
NOW, July 17, 1987, After diligent search in my bailiwick I return the Complaint "NOT FOUND" as to Stanley Dallen, Deft. Moved.  
NOW, May 21, 1987, Thomas Fairchild, Sheriff of Bradford County was deputized to serve the within Complaint on Oscar James Dallen, Deft.  
NOW, May 27, 1987 attempted to serve the within Complaint on Oscar James Dallen, Deft. The return of Sheriff Fairchild is hereto attached marked "NOT FOUND"  
/s/ Chester A. Hawkins by Marilyn Hamm

SEPTEMBER 18, 1987, SHERIFF'S RETURN, filed  
NOW, September 14, 1987, served the within Subpoena on Dorothy Kitko, Deft. by handing to Dorothy Kitko.  
NOW, September 15, 1987, served the within Subpoena on Agnes Gavlock, Deft. by handing to Agnes Gavlock. /s/ Chester A. Hawkins by Marilyn Hamm.

JANUARY 6, 1988, DEPOSITION OF AGNES GAVLOCK, trans. drawer "G" filed

JANUARY 6, 1988, DEPOSITION OF DOROTHY KITKO, trans. drawer "G" filed

JANUARY 21, 1988, PRAECIPE, filed 2 cert/Atty, 2 cert/Shff.

Please reinstate the Complaint filed in the above-captioned action against Carola Buck Eaton, Frank Dallen, Oscar Dallen, and Stanley Dallen. /s/ Carl A. Belin, Jr., Esq.

JANUARY 22, 1988, 2 CERT SHERIFF FOR SERVICE, filed.

FEBRUARY 12, 1988, AFFIDAVIT OF SERVICE, filed.  
I, CARL A. BELIN, JR., Esquire, do hereby certify that a certified copy of the Complaint filed in the above-captioned action was served by certified mail, return receipt requested on OSCAR DALLEN on January 26, 1988. The certified mail receipt is attached hereto and made a part hereof. /s/ Carl A. Belin, Jr., Esq.

FEBRUARY 16, 1988 SHERIFF'S RETURN, filed  
NOW, January 25, 1988, Keith Eichenlaub, Sheriff of Clinton Co., was deputized to service the within Complaint on Frank Dallen, Deft.  
NOW, January 27, 1988 served the within Complaint on Frank Dallen, Deft. The return of Sheriff Eichenlaub is hereby attached.  
NOW, January 25, 1988 Garry Kunes, Sheriff of Centre County was deputized to serve the within Complaint on Carola Duck Eaton, Deft.  
NOW, February 4, 1988, served the within Complaint on Carola Duck Eaton, Deft. The return of Sheriff Kunes is hereto attached.  
/s/ Chester A. Hawkins by Marilyn Hamm.

MARCH 7, 1988, AFFIDAVIT OF SERVICE, filed.  
I, CARL A. BELIN, JR., Esquire, do hereby certify that a certified copy of the Complaint filed in the above-captioned action was served by certified mail, return receipt requested, on STANLEY DALLEN on February 9, 1988. The certified mail receipt is attached hereto and made a part hereof. /s/ Carl A. Belin, Jr., Esq.



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MAY 26, 1987, COMPLAINT IN EQUITY, filed by R. Denning  
Gearhart  
One Copy Certified to Attorney.

JUNE 9, 1987 SHERIFF'S RETURN filed  
Now May 28, 1987 Garry Kunes, Sheriff of Centre  
County was deputized.  
Now June 2, 1987 served within Complaint in Equity  
on Mary Quick and Rudolph Quick, return of Sheriff Kunes  
hereto attached. So answers, Chester A. Hawkins by  
Marilyn Hamm

JUNE 22, 1987 PRELIMINARY OBJECTIONS filed by  
R. Bruce Manchester, Esq. and Jack E. Feinberg, Esq.  
CERTIFICATE OF SERVICE  
6/25/87 One copy certified Attorney

SEPTEMBER 16, 1987, BRIEF IN OPPOSITION TO  
DEFENDANT, MARY QUICK'S PRELIMINARY OBJECTIONS,  
filed by R. Denning Gearhart, Esq.

SEPTEMBER 16, 1987, BRIEF IN SUPPORT OF DISMISSAL  
OF PETITION TO IMPOSE CHARGING LIEN, filed by  
R. Bruce Manchester, Esq.

SEPTEMBER 16, 1987, ORDER, filed  
NOW, this 14th day of September, 1987, upon  
consideration of Defendant's Preliminary Objections  
and finding that they are without merit and the  
arguments of R. Denning Gearhart, Esquire, counsel  
for Plaintiff, set forth in the Brief he submitted  
dispositive of the issues raised by the Defendants,  
it is the ORDER of the Court that said Preliminary  
Objections be denied. BY THE COURT: Joseph S.  
Ammerman, Judge.

OCTOBER 20, 1987, CERTIFICATE OF SERVICE, filed. 2 cert/Atty  
I hereby certify that I am mailing a copy of the attached  
Notice to the persons listed below in the following manner:  
Service by Certified Mail: Mary & Rudolph Quick, R. Bruce Mancheste  
Esq. /s/ R. Denning Gearhart, Esq.

OCTOBER 27, 1987, NOTICE & CERTIFICATE OF SERVICE, filed.  
I hereby certify that I am mailing a copy of the attached  
Notice to the persons listed below in the following manner:  
Service by Certified Mail: Rudolph Quick & Jack E. Feinberg, Esq.  
/s/ R. Denning Gearhart, Esq.

OCTOBER 29, 1987, ANSWER, filed by R. Bruce Manchester,  
Esq.

JANUARY 22, 1988, PRAECIPE, filed. 1 cert/Atty.  
Please mark the above action settled and discontinued.  
/s/ R. Denning Gearhart, Esq.

SETTLED

DISCONTINUED

R. Bruce  
Manchester &  
Jack E.  
Feinberg (Mary)

MARY QUICK and RUDOLPH  
QUICK, Wife and Husband

Pro	by Atty	40.00
	by Atty	
Shff Hawkins		25.00
	by Atty	
Shff Kunes		32.75
	by Atty	
Surcharge		4.00
Pro	<i>by Atty</i>	5.00







Joseph Colavecchi	JOSEPH COLAVECCHI	MAY 27, 1987, COMPLAINT IN PARTITION/EQUITY, filed by Joseph Colavecchi. Six Copies Certified to Attorney. One Copy Certified to Sheriff.  JUNE 2, 1987 AFFIDAVIT OF SERVICE, filed.  NOW, May 28, 1987 at 2:15 pm served the within Complaint in Partition on Elizabeth Mary Gorman, defendant at residence, 204 W. Market Street, Clearfield County, PA. So answers, Chester A. Hawkins, Sheriff by Marilyn Hamm.  JUNE 3, 1987 PRAECIPE TO ENTER APPEARANCE filed Please enter my appearance in the above captioned matter on behalf of Elizabeth Murray Gorman (incorrectly identified above as Elizabeth Mary Gorman), and John A. Gorman. s/William T. Davis, Esq.  JUNE 18, 1987 AFFIDAVIT OF SERVICE filed Complaint in Partition and notice to plead within twenty days mailed to Elizabeth Mary Gorman by Certified Mail May 28, 1987, received May 30, 1987, both receipts attached. Complaint mailed John A. Gorman on May 28, 1987 by Certified Mail, received May 30, 1987, both receipts attached. Complaint mailed to Dan Gorman on May 28, 1987 by Certified Mail, received May 30, 1987, both receipts attached. Complaint mailed to Betsey G. Nalevanko on May 28, 1987, received June 1, 1987, both receipts attached. Complaint mailed to Elizabeth Gorman on May 28, 1987 by certified mail, received June 1, 1987 by Betsey G. Nalevanko, authorized agent for Elizabeth Gorman, both receipts attached. Complaint mailed to William D. Gorman on May 28, 1987 by certified mail, received June 2, 1987, both receipts attached. s/Joseph Colavecchi, Esq.  JUNE 25, 1987 PRAECIPE FOR ENTRY OF APPEARANCE filed Please enter my appearance on behalf of DAN GORMAN, ELIZABETH GORMAN, WILLIAM D. GORMAN and BETSEY G. NALEVANKO, Defendants in the above captioned case. s/Fredric J. Ammerman, Esq.  JUNE 25, 1987 PETITION FOR EXTENSION OF TIME filed by Fredric J. Ammerman, Esq. 7/1/87 One copy certified Attorney RULE TO SHOW CAUSE AND NOW, this 30 day of June, 1987, upon motion of Defendants, Dan Gorman, Elizabeth Gorman, William D. Gorman and Betsey G. Nalevanko, a Rule is hereby directed to Plaintiff, Joseph Colavecchi, to appear and show cause if any he has, why the Defendants' Request for an Extension of Time should not be granted in the above-captioned matter. This rule is returnable for hearing on the 14 day of July, 1987, 1:30 o'clock, p.m. at the Clearfield County Courthouse, Clearfield, Pennsylvania. s/John K. Reilly, Jr.  JULY 24, 1987, ANSWER TO COMPLAINT IN PARTITION, filed by Fredric J. Ammerman, Esq. 1 cert atty
Fredric J.) Ammerman ) William T. Davis & Alan F. Kirk	DAN GORMAN, ELIZABETH GORMAN, WILLIAM D. GORMAN, BETSEY G. NALEVANKO, ELIZABETH MARY GORMAN, and JOHN A. GORMAN  Pro by Atty 40.00 Shff by Atty 17.00 Shff Surchg(by atty) 2.00 Pro by atty(FA) 9.00 <i>Pro by atty(AFK) 9.00</i>	AUGUST 31, 1987 ANSWER TO COMPLAINT IN PARTITION filed by Alan F. Kirk, Esq. CERTIFICATE OF SERVICE Three copies certified Attorney  FEBRUARY 1, 1988, CERTIFICATION OF READINESS PRAECIPE FOR TRIAL, filed. Plaintiff, by his attorney, hereby certifies that the above-captioned matter is at issue and ready for trial. Kindly place the above-captioned matter on the following trial list: Civil Non-Jury. The amount in controversy is not less than the statutory amount. Estimated time: 1 day. /s/ Joseph Colavecchi, Esq.  MAY 17, 1988, STIPULATION, filed by Fredric J. Ammerman, Esq  JULY 25, 1988, BRIEF OF DEFENDANTS DAN GORMAN, ELIZABETH GORMAN, WILLIAM D. GORMAN & BETSEY G. NALEVACNKO, filed by Fredric J. Ammerman, Esq. CERTIFICATE OF SERVICE, filed by Fredric J. Ammerman, Esq.  AUGUST 15, 1988, MEMORANDUM AND ORDER, filed NOW, htis 12th day of August, 1988, upon consideration of Stipulation of Facts and pleadings in the above-captioned matter, it is the ORDER of this Court that Judgment be and is hereby entered in favor of Defendants and against the Plaintiff. BY THE COURT: John K. Reilly, Jr., P.J  AUGUST 18, 1988, LEGAL MEMORANDUM, filed by Alan Kirk, Esq 5 cert/Atty CERTIFICATE OF SERVICE, filed by Alan Kirk, Esq.  AUGUST 29, 1988, PRAECIPE FOR FINAL JUDGMENT, filed Please enter final judgment in the above matter in favor of the Defendants, Plaintiff having failed to file post trial motions from the Court's decision and Order of August 12, 1988. /s/ Fredric J. Ammerman, Esq.



Judgment is entered in favor of the Defendants and against the Plaintiff for failure to file a post trial motions.

FINAL JUDGMENT

Raymond Wiskow  
Prothonotary

AUGUST 29, 1988, CERTIFICATE OF SERVICE, filed  
I hereby certify that a true copy of the Praeipce for Final Judgment filed on behalf of the Defendants herein, was served on the attorneys of record in this case by regular mail at the United States Post Office, Clearfield, PA on the 29th day of August, 1988, as follows: Joseph Colavecchi, Esq. & Alan F. Kirk, Esq. /s/ Fredric J. Ammerman, Esq.

SEPTEMBER 2, 1988, PRAECIPE, filed 3 cert/Atty  
Please enter final judgment in the above matter in favor of the Defendants, Elizabeth Mary Gorman and John Gorman, the Plaintiff having failed to file Post-Trial Motions from the Court's Order dated August 12, 1988, in the above captioned matter. /s/ Alan F. Kirk, Esq.

Judgment is entered in favor of the Defendants and against the Plaintiff for failure to file Post-Trial.

FINAL JUDGMENT

Raymond Wiskow  
Prothonotary

SEPTEMBER 2, 1988, CERTIFICATE OF SERVICE, filed  
I, Alan F. Kirk, Esq., hereby certify that a true and correct copy of the foregoing Praeipce was served by US Mail, First Class, this 2nd day of September 1988 upon the following: Joseph Colavecchi, Esq. & Frederic Ammerman, Esq. /s/ Alan F. Kirk, Esq.



John R. Ryan	WILLIAM E. YOUNT and LEIGH M. YOUNT, his wife				<p>MAY 29, 1987, WRIT OF SUMMONS/EQUITY, filed by John R. Ryan</p> <p>Issue a Writ of Summons against Randy G. Robinson and Sharon R. Robinson, his wife, whose address is 138 East Scribner Avenue, DuBois, Pennsylvania, 15801, and index said Writ as a lis pendens against all that certain piece or parcel of land, with building improvements thereon erected, situated in the City of DuBois, Clearfield County, Pennsylvania, more particularly bounded and described as follows, to-wit:</p> <p>BEING known as Lot No. 24 as per Long's Addition to DuBois, said lot being fifty (50) feet wide on Scribner Avenue, by one hundred fifty (150) feet deep to an alley. Said lot bounded on the east by Lot No. 23; on the north by Scribner Avenue; on the west by Lot No. 25; and on the south by an alley.</p> <p>SUBJECT TO A Party Wall Agreement dated December 1, 1923 and recorded in Miscellaneous Book 94, Page 162.</p> <p>UNDER AND SUBJECT to all exceptions and easements of record that may pertain to the above described property.</p> <p>BEING part of the same premises conveyed to Randy Robinson and Sharon R. Robinson from Dean Lowry and Annamarie Lowry by deed dated February 15, 1985 and recorded in Clearfield County in Volume 998, Page 198. s/ John R. Ryan, Esquire</p> <p>MAY 29, 1987, SUMMONS ISSUED TO SHERIFF FOR SERVICE.</p> <p>JUNE 29, 1987 SHERIFF'S RETURN filed</p> <p>Now June 10, 1987 served the within Writ on Sharon R. Robinson by Certified Mail, return receipt attached</p> <p>Now June 8, 1987 mailed within Writ to Randy G. Robinson by certified mail, letter hereto attached and made a part of this return marked "UNCLAIMED".</p> <p>So answers, Chester A. Hawkins by Marilyn Hamm</p> <p>SEPTEMBER 2, 1987 PRAECIPE TO DISCONTINUE filed by John R. Ryan, Esq.</p> <p>Two copies certified Attorney</p> <p><u>DISCONTINUED</u></p>
		87-20-EQU			
	RANDY G. ROBINSON and SHARON R. ROBINSON, his wife				
			Pro	by atty	40.00
			Sheriff	by Atty	33.44
			Surcharge	by Atty	4.00
			Pro	by Atty	5.00



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Joseph Colavecchi	J.V. HAMMOND and ROSE V. HAMMOND	JUNE 17, 1987, COMPLAINT/EQUITY, filed by Joseph Colavecchi One Copy Certified to Sheriff Three Copies Certified to Attorney
	87-21-EQU	JUNE 18, 1987 MOTION FOR PRELIMINARY INJUNCTION filed by Joseph Colavecchi, Esq. 6/19/87 Four copies certified Attorney RULE AND NOW this 19 day of June, 1987, upon consideration of the foregoing Motion for Preliminary Injunction a Rule is hereby issued and directed to Mallery Lumber Corp., to show cause why an Injunction should not be issued directing them to cease and desist from removing any further timber from the property which is the subject of the Mortgage between J. V. Hammond and Rose V. Hammond and Glen Irvan Corporation and which presently has a Mortgage Foreclosure action pending. This Rule is Returnable the 24 day of June, 1987, at 2:15 o'clock p.m. at the Clearfield County Courthouse BY THE COURT: John K. Reilly, Jr., P. Judge
John R. Fernan	MALLERY LUMBER CORP	ORDER AND NOW this 24 day of June, 1987, upon consideration of Plaintiffs' Motion for Preliminary Injunction, and upon hearing thereon, it is: ORDERED that Defendant, Mallery Lumber Corp., be and it is hereby directed to immediately cease and desist from removing any further timber from the property which is the subject of the Mortgage Foreclosure Action filed by Plaintiffs against Glen Irvan Corporation and which is also the subject of the Lease Agreement between Glen Irvan Corporation and SWF Timber Co., which is a predecessor corporation of Mallery Lumber Corp. As set out above, it is ORDERED that Defendant, and its officers, agents, servants and employees be and they are hereby enjoined and prohibited from removing any further timber from the property which is the subject of the Mortgage Foreclosure Action filed by Plaintiffs against Glen Irvan Corporation and which is set out in more detail in the Complaint attached to the Motion for Preliminary Injunction. BY THE COURT: John K. Reilly, Jr., JUDGE
	Pro by Atty 40.00 Shff Hawkins by Atty 21.00 Shff Fragale by Atty 16.00 Surcharge by Atty 2.00	JUNE 24, 1987 SHERIFF'S RETURN filed Now June 18, 1987, James Fragale, Sheriff of Cameron County was deputized. Now June 22, 1987 served within Complaint on Mallery Lumber Corp, return of Sheriff Fragale hereto attached stating he served John Mallery, Co-owner. So answers, Chester A. Hawkins by Marilyn Hamm
		JUNE 29, 1987 ANSWER CONTAINING NEW MATTER AND COUNTERCLAIM filed by John R. Fernan, Esq.
		JUNE 29, 1987 ANSWER TO MOTION FOR PRELIMINARY INJUNCTION filed by John R. Fernan, Esq.
		JULY 2, 1987 REPLY TO NEW MATTER AND ANSWER TO COUNTERCLAIM filed by Joseph Colavecchi, Esq.



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Edward V.  
Cherry

JEANNE LONDON

JULY 14, 1987 COMPLAINT IN PARTITION filed by Edward V.  
Cherry, Esq.  
One copy certified Sheriff

JULY 27, 1987, PRAECIPE, filed  
Enter my appearance on behalf of Mary London,  
Defendant in the above case. /s/ Anthony S. Guido, Esq

87-22-EQU

JULY 30, 1987, AFFIDAVIT OF SERVICE, filed  
NOW, July 20, 1987 served the within Complaint  
in Partition on Mary London, Deft. by handing to  
Mary London. /s/ Chester A. Hawkins by Marilyn Hamm

Anthony S.  
Guido

MARY LONDON

Pro	by Atty	40.00
Shff	by atty	38.80
Surg.	by atty	2.00



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Chris A. Pentz	WOODWARD TOWNSHIP	JULY 14, 1987 COMPLAINT filed by Chris A. Pentz, Esq. Five copies certified Attorney
	87-23-EQU	AUGUST 7, 1987, PRELIMINARY OBJECTIONS, filed by Frederick Gieg, Esq.
Frederick B. Gieg, Jr	<del>RALPH E. WEST ESTATE;</del> THEODORE R. HOFFMAYER; FRED E. WEST individually and as an heir of RALPH E. WEST; LINDA MARIE HOFFMAYER, individually and as an heir of RALPH E. WEST; LILLIAN E. WEST, individually and as an heir of RALPH E. WEST; and THOMAS WEST, as an heir of RALPH E. WEST	AUGUST 17, 1987 SHERIFF'S RETURN filed Now July 15, 1987 Francis P. Lalley, Sheriff of Montgomery County was deputized. Now July 31, 1987 served within Complaints on Theodore R. Hoffmayer and Linda Marie Hoffmayer, return of Sheriff Lalley hereto attached stating he served both copies on Theodore Hoffmayer, father of Theodore R. Hoffmayer, Deft. and husband of Linda. Now July 17, 1987 served the within Complaint on Lillian C. West. Now July 17, 1987 served the within Complaint on Thomas West by handing to Lillian West, mother of defendant. Now August 17m 1987 return the within Complaint "NOT SERVED, time expires" as to Fred E. West, defendant. Never received advance cost for Cambria County. So answers, Chester A. Hawkins by Marilyn Hamm
Terry Despoy	FRED M. COCCIA, Intervener	SEPT. 8, 1987 PRAECIPE TO RE-INSTATE, filed by Chris A. Pentz. Please are-inatate the Complaint which were not served in the above captioned matter and forward them to the Sheriff for Service. s/Chris A. Pentz, Atty Plff.
Terry Despoy	MERRILL JONES Intervener	SEPTEMBER 9, 1987 COMPLAINT RE-INSTATED AND RE- ISSUED TO SHERIFF FOR SERVICE. s/lb
John R. Ryan	JOHN NATALIE NANCY NATALIE Intervener Pro by Atty 40.00 Shff Hawkins by Atty 38.20 Shff Lalley by Atty 28.00 Surcharge by Atty 10.00 Shff by Atty 14.00 Shff Roberts by Atty 30.94 Pro 40.00 Pro <i>by atty (T.D)</i> 40.00 Pro <i>by atty (T.D)</i> 30.00 Pro <i>by atty (J.R)</i> 40.00 Pro <i>by atty (t.d)</i> 30.00 Postage 5.78 Shff by atty 88.40	OCTOBER 20, 1987, SHERIFF'S RETURN, filed. Now September 14, 1987, Jay Roberts, Sheriff of Cambria Counrty was deputized by Chester Hawkins, Sheriff of Clearfield County to serve the within Complaint on Fred E. West, deft. Now September 21, 1987, served the within Complaint nn Fred E. West, defendant by deputizing the Sheriff of Cambria County. The return of Sheriff Roberts is hereto attached and made a part of this return stating that he served Bessie Coccia, Adult at residence. /s/ Chester A. Hawkins by Marilyn Hamm, Sheriff. OCTOBER 29, 1987, ORDER, filed. NOW, this 23rd day of October, 1987, following argument into Defendants' Preliminary Objections, it is the ORDER of this Court that said Objections be and are hereby sustained to the extent that the Ralph E. West Estate shall be and is hereby stricken as a party defendant and further that the Plaintiff shall amend its Complaint to specifically allege notice as required by 53 P.S. 65712 to specifically plead the township ordinance under which it is proceeding and to specifically plead that no adequate remedy at law exists. Said amendments to be filed within twenty (20) days from date hereof. BY THE COURT, John K. Reilly, Jr., Pres, Judge.  Ralph E. West Estate STRICKEN
NOVEMBER 12, 1987, AMENDED COMPLAINT, filed by Chris A. Pentz, Esq. on behalf of Woodward Township, Plff. 2 copies cert/Atty.		
NOVEMBER 13, 1987, AFFIDAVIT OF MAILING, filed. I, CHRIS A. PENTZ, Esq., do hereby certify that a certified w py of the Amended Complaint was served upon the following: Elizabeth Cunningham & Frederick B. Gieg, Jr. both Attorneys. Said Amended Complaint was served by first class mail the 12th day of November, 1987. /s/ Chris A. Pentz, Esq.		
NOVEMBER 19, 1987, AFFIDAVIT OF MAILING, filed. I, CHRIS A. PENTZ, Esq., do hereby certify that a certified copy of the Amended Complaint was served upon the following; Mrs. Linda Marie Hoffmayer & Mr. Theodore R. Hoffmayer. Said Amended Complaint was served by first class mail the 18th day of November, 1987. /s/ Chris A. Pentz, Esq.		
DECEMBER 17, 1987, ANSWER TO AMENDED COMPLAINT, filed by Frederick B. Gieg, Jr., Esq.		
JANUARY 4, 1988, PRAECIPR TO LIST FOR TRIAL, filed. Please place the above captioned matter on the non-jury trial list. Estimated time for trial is one-half day. /s/ Chris A. Pentz.		
APRIL 21, 1988, PRE-TRIAL NARRATIVE, filed by Frederick B. Gieg, Jr., Esq.		
SEPTEMBER 1, 1988, PRE-TRIAL ORDER, filed NOW, this 30th day of August, 1988, following pre-trial conference in the above-captioned matter, it is the ORDER of this Court that non-jury trial shall be held on Thursday, September 29, 1988, at 9:00 am. BY THE COURT: John K. Reilly, Jr., P.J.		



87-23-EQU

WOODWARD TWP.

vs

HOFFMAYER

SEPTEMBER 30, 1988, ORDER, filed

NOW, this 29th day of September, 1988, this being the day and date set for hearing in the above captioned matter, upon agreement of the parties, it is the ORDER of this Court that Defendant, Fred West, shall apply for a license to operate a junk yard as provided for the the Woodward Township Ordinance #5 within ten (10) days from date hereof, and further, that said license shall be granted by Plaintiff forthwith.

It is the further ORDER of this Court that on or before December 31, 1988, Defendant Fred West (hereinafter Defendant) shall erect an evergreen barrier or fence not less than six feet in height extending along joint property line of Defendant and Miscavich to the Old Ramey Road; then along said road in a North Easterly direction no less than half of the distance from Miscavich property line to Third Street. Defendant shall also erect an evergreen barrier or fence no less than six feet in height in the area that Third Street intersects with Beaver Run of sufficient length to complete the presently existing evergreen barrier.

On or before October 1, 1989, Defendant shall erect an evergreen barrier or fence no less than six feet in height from the half way point on Ramey Road as set forth above and extending to the property line where Old Ramey Road intersects with Third Street.

On or before October 1, 1990, Defendant shall erect an evergreen barrier or fence no less than six feet in height extending along Third Street from Old Ramey Road to the railroad right-of-way.

It is the further ORDER of this Court that the evergreen barriers mentioned in all above paragraphs shall consist of evergreen trees of at least six feet in height planted in a fashion to obstruct an observers view of the junked cars located on the subject premises.

It is the further ORDER of this Court that the fence mentioned in the above paragraphs shall comply with Woodward Township Ordinance #5, Section 11(f).

It is the further ORDER of this Court that the following shall constitute substantial compliance with the noted subparagraphs of Woodward Township Ordinance #5:

(a) Section 8- Defendant shall keep and maintain records regarding the purchase acquisition or receipt of automobiles only and nothing further, as required under said section.

(b) Section 11(f) - Defendant's compliance with the Order of this Court regarding fences or barriers shall satisfy this section.

(c) Section 14 - Defendant shall comply with Section 14 of the Ordinance only as it concerns Beaver Run. It having been determined and agreed upon that Beaver Run in the only "water course" on the property in question as that phrase is defined in the Ordinance.

(d) Section 12 - This section shall apply only to all junk visible from vantage points beyond the borders of subject property after all fences and/or barriers are completed. And notwithstanding any provisions of this Order to the contrary, Section 12 of said ordinance shall apply to all articles of junk acquired subsequent to the date of this Order.

In all other respects, Defendant shall comply with all provisions set forth in Woodward Township Ordinance #5.

BY THE COURT: John K. Reilly, Jr President Judge.

MAY 12, 1989, PETITION FOR CONTEMPT, filed by Chris A. Pentz, Esq. 2 cert/Atty RULE, filed

AND NOW, this 12th day of May, 1989, upon consideration of the Petition For Contempt, filed on behalf of the Plaintiff, a rule is hereby issued upon the Defendant FRED E. WEST, to show cause why the relief sought in said Petition should not be granted.

Rule returnable with hearing thereon the 26th day of June, 1989, at 10:00 am in Courtroom No. 1 of the Clearfield County Courthouse, Clearfield, PA. BY THE COURT: John K. Reilly, Jr., P.J.

JUNE 29, 1989, ORDER, filed 2 cert atty.

AND NOW, this 26th day of June, 1989, upon consideration of the Petition for Contempt filed on behalf of the Plaintiff, Woodward Township, and after hearing thereon and the Court finding the Defendant, Fred E. West, is in contempt of the Order of September 29, 1988 as to certain acts to be done prior to December 1, 1988, it is hereby ORDERED an DECREED as follows:

1. The Sheriff of Clearfield County is to obtain an estimate for the completion of the Fence as set forth in said Order of September 29, 1988.

2. After receiving said estimate, the Sheriff of Clearfield County Shall hold a public sale of the Assets contained on the property in question. The sale shall be of Assets sufficient to cover the costs associated with complying with the Court Order of September 29, 1988.

3. The Sheriff of Clearfield County shall then see that the fence is erected and the proceeds of the sale used to pay the costs associated with the construction of the fence. BY THE COURT: John K. Reilly, Jr. P.J.

JULY 5, 1989, ORDER, filed 3 cert atty.

AND NOW, This 5th day of July, 1989, it is hereby ORDERED that the Order of this Court dated June 26, 1989, is amended in taht the Order which the Defendant has been found in contempt is dated September 29, 1989. The remainder of said order Shall remain as set forth. BY THE COURT: John K. Reilly, Jr., P.J.

OCTOBER 25, 1989, PETITION TO INTERVENE, filed by Terry W. Despoy, Esq.

OCTOBER 26, 1989, RULE, filed 1 cert/Attys Gegelow & Despoy 1 cert/Shff

AND NOW, this 26th day of October, 1989, upon consideration of the foregoing Petition, a rule is hereby entered against the Reapondent to show cause why the requested relief should not be granted.

Said rule returnable the 8th day of November, 1989, at 1:30 pm in Court Room NO 1, Clearfield County, Courthouse, Clearfield, PA. BY THE COURT: John K. Reilly, Jr. P.J.



James A. Naddeo	LEONARD O. SWISHER and JEANNINE M. SWISHER	JULY 15, 1987 COMPLAINT filed by James A. Naddeo, Esq. One copy certified Sheriff
		JULY 16, 1987 SHERIFF'S RETURN filed Now July 16, 1987 served within Complaint in Equity on Barry D. Angstadt and Margaret L. Angstadt by handing to Barry D. Angstadt. So answers, Chester A. Hawkins by Marilyn Hamm
	87-24-EQU	JULY 31, 1987, PRELIMINARY OBJECTIONS TO COMPLAINT IN EQUITY, filed by F. Cortez Bell, III, Esq. 2 cert atty
		OCTOBER 26, 1987, ORDER, filed. NOW, this 23rd day of October, 1987, following agrument into Defendants' Preliminary Objections raising the defenses of laches and estoppel and the Court being satisfied that same cannot be determined until questions of fact have been concluded, it is the ORDER of this Court that said Objections be and are hereby dismissed on the present state of the record. BY THE COURT: John K. Reilly, Jr., Pres. Judge.
F. Cortez Bell III	BARRY D. ANGSTADT and MARGARET L. ANGSTADT	NOVEMBER 13, 1987, ANSWER TO COMPLAINT AND NEW MATTER, filed, by F. Cortez Bell, III, Esq. 2 cert/Atty.
		DECEMBER 4, 1987, ANSWER TO NEW MATTER, filed by James A. Naddeo, Esq. 1 cert/Atty.
	Pro by Atty 40.00 Shff by Atty 17.00 Surcharge by Atty 2.00	JANUARY 18, 1988, NOTICE OF TAKING DEPOSITION OF BARRY D. ANGSTADT, filed by James A. Naddeo, Esq. 1 cert/Atty
		JANUARY 22, 1988, NOTICE OF TAKING DEPOSITIONS, filed by F. Cortez Bell, III, Esq. 2 cert/Atty.
		MARCH 14, 1988, PRAECIPE TO PLACE ON TRIAL LIST, filed. 2 cert/Atty. Please place the above captioned case on the list for trial. Plaintiffs do hereby certify as follows: 1. That no motions are outstanding and that discovery has been completed and the case is ready for trial; and 2. That the case is to be tried non-jury; and 3. That notice of the filing of this Praecipe was mailed to all counsel of record on March 14, 1988. /s/ James A. Naddeo, Esq.
		APRIL 14, 1988, PRETRIAL MEMORANDUM, filed by F. Cortez Bell, III, Esq.
		APRIL 21, 1988, PRE-TRIAL ORDER, filed. 2 cert/Judge "A" NOW, this 21st day of April, 1988, following pre-trial conference into the above-captioned equity action, upon agreement of the parties, it is the ORDER of this Court that Defendants shall improve the entrance to the present right-of-way by removing the existing stones on the West side of the drive-way rounding off the point permitting easier access from the West, to imporve the relocated road bed to make it solid for vehicular travel, and further, that Defendants be permitted to erect a gate on the right-of-way where it intersects with the township road providing that they immediately deliver a key to said gate to the Plaintiffs. All of this shall be completed within sixty (60) days from date hereof. BY THE COURT: John K. Reilly, Jr., P.J.



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William R. Tait

LAUREL MANUFACTURING, INC.

JULY 31, 1987, COMPLAINT IN EQUITY, filed by William R. Tait, Esquire  
Two Copies Certified to Attorney.

AUGUST 24, 1987 PRAECIPE filed

Please enter our appearance on behalf of the Defendant in the above action. s/Thomas G. Wagner, Esq.

AUGUST 24, 1987 ANSWER AND NEW MATTER filed by Thomas G. Wagner, Esq.

AUGUST 24, 1987 CERTIFICATE OF SERVICE filed

I certify that on August 21, 1987, I mailed a true and correct copy of Answer and New Matter in the above matter by first class United States Mail, postage prepaid, at St. Marys, Pennsylvania, to the following: William R. Tait, 433 Market Street, PO Box 7, Williamsport, PA 17703. s/Thomas G. Wagner, Esq.

SEPTEMBER 10, 1987, REPLY TO NEW MATTER, filed by William R. Tait, Esq.

OCTOBER 8, 1987, SHERIFF'S RETURN, filed NOW, July 11, 1987 Raymond Krasinski, Sheriff of Elk County was deputized to serve the within Complaint on Joseph Iorfida, Deft.

NOW, August 6, 1987, served the within Complaint on Joseph Iorfida deft. The return of Sheriff Krasinski is herety attached.  
/s/ Chester A. Hawkins by Marilyn Hamm.

NOVEMBER 17, 1987, PRAECIPE, filed. 1 cert/Atty.

Kindly withdraw this action without rejudice. /s/ William R. Trait, Jr., Esq.

DISCONTINUED

87-25-EQU

Thomas G. Wagner

JOSEPH IORFIDA

Pro	by Atty	40.00
Shff	by atty	21.00
Shff	by	
Krasinski	atty	18.80
Surg.	by atty	2.00
Pro		5.00

*by atty*



OCTOBER 25, 1989, PETITION TO SET ASIDE SHERIFF SALE AND FOR PRELIMINARY INJUNCTION, filed by Terry W. Despoy, Esq.

TEMPORARY INJUNCTION, filed 1 cert/Atty and Shff

And now, this 26th day of October, 1989, upon consideration of the foregoing Petition to Set Aside Sheriff Sale and For Temporary Injunction, it is hereby Ordered, Directed and Decreed that no property shall be removed from the land located in Woodward Township, RD. Houtzdale, Owned by Theodore R. Hoffmayer, Fred E. West, Linda Marie Hoffmayer, Lillian C. West and Thomas West, which function as a salvage yard, pending final hearing in the within matter.

It is further Ordered, Directed and Decreed that the Clearfield County Sheriff shall post notices on the said property in accordance with this Order and notify the purchasers of the said salvage. BY THE COURT: John K. Reilly, Jr., P.J.

OCTOBER 26, 1989, RULE, filed 1 cert/Atty Begelow & Despoy 1 cert/Shff

And now, this 26th day of October, 1989, upon consideration of the foregoing Petition, a rule is hereby entered against the Respondent to show cause why the requested relief should not be granted.

Said rule returnable the 8th day of November, 1989, at 1:30 Pm in Court Room NO. 1, Clearfield County Courthouse, Clearfield, PA. BY THE COURT: John K. Reilly, Jr., P.J.

NOVEMBER 3, 1989, RULE, filed 2 cert/Atty-Rule 1 cert & taken to Shff.

And now, this 2nd day of November, 1989, upon consideration of the foregoing Petition, a rule is hereby entered against the Respondent to show cause why the requested relief should not be granted.

Said rule returnable the 8th day of November, 1989 at 1:30 PM in Court Room NO. 1, Clearfield County Courthouse, Clearfield, PA. BY THE COURT: John K. Reilly, Jr P.J.

NOVEMBER 9, 1989, ORDER, filed 1 cert/Atty Gieg, Pentz, Despoy

NOW, this 8th day of November, 1989, following hearing into the above-captioned matter on Petition of Fred West to Overturn Sheriff's Sale and for Preliminary Injunction, and in consideration thereof and by agreement of both parties, it is the ORDER of this Court that briefs on behalf of both parties be and are hereby due on Monday, November 13, 1989, at Nine o'clock (9:00) AM. BY THE COURT: John K. Reilly, Jr., P.J.

NOVEMBER 9, 1989, ORDER, filed 1 cert/Atty Gieg, Pentz, Despoy

NOW, this 8th day of November, 1989, following hearing into the above-captioned matter on Petition of Fred M. Coccia to Set Aside Sheriff Sale and for Preliminary Injunction, and in consideration thereof, it is the ORDER of this Court that said Petition be and is hereby Dismissed.  
BY THE COURT: John K. Reilly, Jr, P.J.

NOVEMBER 14, 1989, ORDER, filed

1 cert Shff; 1 cert atty Pentz; Atty Gieg; atty Despoy

NOW, this 14th day of November, 1989, upon consideration of Defendant's Petition to overturn Sheriff's sale, it is the Order of this Court that said Petition be and is hereby Dismissed. BY THE COURT: John K. Reilly, Jr, P.J.

NOVEMBER 15, 1989, PETITION TO INTERVENE, filed by Terry W. Despoy, Esq.

NOVEMBER 15, 1989, PETITION TO SET ASIDE SHERIFF' S SALE AND FOR PRELIMINARY INJUNCTION, filed by Terry W. Despoy, Esq.

NOVEMBER 15, 1989, MOTION FOR POST-TRIAL RELIEF, filed by Terry W. Despoy, Esq.

NOVEMBER 15, 1989, MOTION FOR POST -TRAIL RELIEF, filed by Terry W. Despoy, Esq.

NOVEMBER 15, 1989, APPLICATION FOR STAY OR INJUNCTION PENDING APPEAL, filed by Terry W. Despoy, Esq.

NOVEMBER 22, 1989, ORDER, filed 1 cert/Atty 1 cert/atty Pentz

NOW, this 21st day of November, 1989, upon consideration of the Petition to Intervene and Stay Proceedings filed on behalf of Merrill Jones, and the Court having presented to it certificates of title to 299 automobiles, and the Court being of the opinion that further hearing is necessary on this matter, it is hereby ORDERED and DECREED as follows:

1. No further automobiles shall be removed from the premises in question by John Natali, his agents or employees;

2. The Petitioner, Merrill Jones, shall proceed forthwith to identify and photograph the automobiles to which he has title located on the premises in question.

3. Fred E. West shall come in compliance with the Consent Decree of September 27, 1988. by January 1, 1990.

4. Merrill Jones shall place in escrow with the law firm of Bigelow and Despoy, 299 car titles as security for the temporary stay and compliance with the previous Consent Order entered September 27, 1988.

5. This matter shall be scheduled for further hearing on Wednesday, December 6, 1989, at 2:00 PM. BY THE COURT: John K. Reilly, Jr., P.J.

NOVEMBER 29, 1989, MOTION TO ENFORCE TEMPORARY STAY, filed by Terry W. Despoy, Esq. 1 cert atty.



Cont'd from Pg. 174

87-23-EQU

WOODWARD TWP. v. HOFFMAYER

DECEMBER 1, 1989, NOTICE OF APPEAL & PROOF OF SERVICE, filed by Terry W. Despoy, Esq. 1 copy mailed Comwth. Court.

DECEMBER 11, 1989, PETITION TO INTERVENE, filed by John R. Ryan, Esq on behalf of John & Nancy Natalie 3 cert/Atty

DECEMBER 8, 1989, PRAECIPE FOR APPEARANCE, filed  
Please enter my appearance on behalf of John Natalie and Nancy Natalie in the above captioned action. /s/ John R. Ryan, ESq.

DECEMBER 13, 1989, ORDER, filed 3 cert/Atty  
AND NOW, this 12th day of December, 1989, upon consideration of the Petition to Intervene filed by John Natalie and Nancy Natalie, his wife, leave is hereby granted to Mr and Mrs. Natalie to intervene in the above captioned matter. BY THE COURT: John K. Reilly, Jr., P.J.

DECEMBER 22, 1989, ORDER, filed 3 cert/Atty  
AND NOW, this 15th day of December, 1989, this being the day and time set aside for hearing on the Petition of Merrill Jones, Intervenor, and the parties having agreed to disposition of same, it is hereby ORDERED as follows:

1. That within ten days of this date, Merrill Jones, or his agents or attorneys, shall met with John Natalie, his agents or attorneys, at the salvage yard in question for the purpose of inspecting the forty-seven (47) vehicles previously marked by Merrill Jones as being his property. The purpose of said meeting shall be to verify the ownership of any or all of said vehicles by Merrill Jones by matching titles in his possession with the vehicle identification numbers.

2. Any vehicles which are determined to be the property of Merrill Jones shall be removed from the said salvage yard within five days of said meeting. Should nay such vehicles not be removed within that time, those vehicles shall thereafter become the property of Woodward Township and may be disposed of at the township's direction.

3. Any other vehicle excepting the forty-seven (47) referred to hereinabove shall remain the property of John Natalie, to be in his sole possession and control. Any or all of the said forty-seven (47) marked vehicles which are not shown to be the property of Merrill Jones shall likewise remain the property of John Natalie.

4. Chris Pentz, Esquire, shall make distribution of the amount held in escrow by Belin, Belin and Naddeo representing payment of costs by Merrill Jones as per previous Order of this Court.

5. Merrill Jones shall make no further claims as to any vehicles involved herein, nor shall he take any action against John Natalie for any damages pertaining to teh sale or disposition of any such vehicles in the future

6. This Order is entered withiout hearing and upon agreement of all parties and is intended to dispose of all claims raised by Merrill Jones herein. BY THE COURT: John K. Reilly, Jr., P.J.

JANUARY 8, 1990, REPLY OF INTERVENORS, JOHN NATALIE AND NANCY NATALIE, HIS WIFE, TO MOTION TO VACATE CONSENT ORDER, filed by John R. Ryan, Esq. on behalf of John & Nancy Natalie, Defts.

JANUARY 8, 1990, MOTION TO VACATE CONSENT ORDER, filed by Terry W. Despoy, Esq.  
RULE, filed 1 cert/Atty

AND NOW, this 8th day of January, 1990, upon consideration of the foregoing Petition a rule is hereby entered against the Respondents to show cause why the requested relief should not be granted.

Said rule returnable the 16th day of January, 1990, Courtroom Number 1, at 1:30 PM, Clearfield County Courthouse, PA. BY THE COURT: John K. Reilly, Jr., P.J.

JANUARY 12, 1990, NOTICE OF APPEAL, filed by Terry W. Despoy, Esq.  
1 copy cert Comwth. Court

JANUARY 12, 1990, ORDER FOR TRANSCRIPT, filed

JANUARY 12, 1990, PROOF OF SERVICE, filed

I, Terry W. Despoy, Esq., hereby certify that ont he 10th day of January, 1990, I sent by regular mail a copy of the foregoing Notice of Appeal to the Commonwealth Court of Pennsylvania to the following: Honorable John K. Reilly, Jr., Chris A. Pentz, Esq., John R. Ryan, Esq., & Court Reporter Clearfield Co. Courthouse.  
/s/ Terry W. Despoy, Esq.

JANUARY 22, 1990, COMMONWEALTH COURT NUMBER 126 CD 1990, filed

JANUARY 30, 1990, ORDER, filed 1 cert/Atty Pentz, 1 cert/Atty Ryan 1 Cert/Atty Despoy 1 Cert/Atty Gieg

AND NOW, this 16th day of Janaury, 1990, it is the ORDER of this Court that the Order heretofore issued by this Court on December 15, 1989, be and is hereby Amended as follows as to Paragraph 5:

5. Merrill Jones shall make no further claims as to any vehicles existing on the subject premises as of December 15, 1989, nor shall he take any action against John Natalie for any damages pertaining to the sale or disposition of any such vehicles in the future. There is preserved in Merrill Jones, however, the right to proceed against John Natalie for any vheicles removed from the subject premises prior to December 15, 1989. BY THE COURT: John K. Reilly, Jr., P.J.

JANUARY 30, 1990, NOTICE OF DISCONTINUANCE, filed

This is to notify you that the above-captioned matter has been withdrawn, discontinued and ended. /s/ Deputy Prothonotary, C.R. Signature unlegible.

APPEAL WITHDRAWN, DISCONTINUED AND ENDED ONLY

FEBRUARY 14, 1990, PROCEEDING OF HEARING, filed in Trans Drawer "H"







Scott V. Jones RECREATION LAND CORP.  
and WOLF RUN MANOR CORP.

87-26-EQU

CONSUMER MARKETING  
SERVICES and RON GREEN

Pro by Atty 40.00

AUGUST 12, 1987 COMPLAINT IN EQUITY filed by Scott V. Jones, Esq.  
Three copies certified Attorney

AUGUST 12, 1987 MOTION FOR PRELIMINARY INJUNCTION filed by Scott V. Jones, Esq.  
Three copies certified Attorney  
PRELIMINARY INJUNCTION

AND NOW, this 12 day of August, 1987, upon consideration of Plaintiffs' Motion for Preliminary Injunction and Plaintiffs' Complaint In Equity, and it appearing to the Court that immediate irreparable harm will be sustained by the Plaintiffs' before a hearing can be held on Plaintiffs' Motion, it is

ORDERED that upon Plaintiff posting a security bond with the Prothonotary of Clearfield County in the amount of \$10,000.00 Dollars, the Defendants, their agents, servants, workmen, employees, representatives and assigns and all personal acting in concert with them be and are hereby:

a. Enjoining and restraining the Defendants Consumer Marketing Services and Ron Green, their representatives, agents, successors, employees and assigns from engaging in any further mail solicitation of the owners of property interest in the Treasure Lake Development;

b. Enjoining and restraining the Defendants Consumer Marketing Service and Ron Green from collecting any One Hundred (\$100.00) Dollar service fee, processing any documents, or otherwise having any contact with owners of property interest in the Treasure Lake Development to which they have already mailed a solicitation.

ORDERED that pursuant to Pa. R.C.P. Rule 1531 (d) a hearing pertaining to the continuance of this Preliminary Injunction will be held on August 17, 1987, at 10:30 o'clock a.m. in Courtroom Number 1, Clearfield County Courthouse, Clearfield, Pennsylvania; and,

FURTHER, a Rule is hereby entered upon the Defendants to show cause at the above date and time why this Preliminary Injunction should not be continued. By the Court, John K. Reilly, Jr.

AUGUST 12, 1987 MOTION FOR SUBSTITUTED SERVICE filed by Scott V. Jones, Esq.  
Three copies certified Attorney  
MOTION FOR SUBSTITUTED SERVICE PURSUANT TO RULE 430 OF THE PENNSYLVANIA RULES OF CIVIL PROCEDURE

ORDER  
AND NOW, this 12 day of August, 1987, upon consideration of the foregoing Motion for Substituted Service along with Affidavit of Counsel attached thereto, it is  
ORDERED that Plaintiffs are given leave of court to serve the Complaint In Equity, Motion For Preliminary Injunction and Order of this Court granting the same on the Defendants by certified mail return receipt requested at P. O. Box 723, DuBois, Pennsylvania 15801-0047 and and file an Affidavit of Service with respect thereto. By the Court, John K. Reilly, Jr.

AUGUST 12, 1987 INJUNCTION BOND filed  
Three copies certified Attorney

AUGUST 20, 1987 AFFIDAVIT OF SERVICE filed  
Certified copies of Plaintiffs' Complaint, Motion for Preliminary Injunction, Injunction Bond, Order of Court granting the Preliminary Injunction served by Certified Mail, return receipts attached. s/Scott V. Jones, Esq.

SEPTEMBER 1, 1987 ANSWER AND NEW MATTER TO PLAINTIFFS COMPLAINT filed by Terry R. Dunlevy  
One copy certified Defendant



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Laurance B.  
Seaman

IN RE:

PETITION OF BOROUGH  
OF CURWENSVILLE

87-27-EQU

Pro by atty 20.00

SEPTEMBER 17, 1987, PETITION FOR RELEASE OF RESTRICTIONS ON USE OF REAL ESTATE, & ORDER, filed  
1 copy cert Atty

AND NOW, the 17th day of September, 1987, upon motion of Laurance B. Seaman, Esquire, and upon consideration of the foregoing Petition, IT IS ORDERED AND DECREED that a hearing on said Petition be scheduled for the 22nd day of September, 1987, at 1:30 in Courtroom No. 2, Clearfield County Courthouse, Clearfield, Penna., and that notice thereof be given by publication in The Progress, a newspaper of general circulation in Clearfield County and in Curwensville Borough, on one occasion at least three days prior to the date scheduled for said hearing.

BY THE COURT: Joseph S. Ammerman, Judge.

SEPTEMBER 22, 1987, ORDER, filed

1 copy cert atty Seaman

AND NOW, the 22nd day of September, 1987, the hearing scheduled for this date at 1:30 P.M. is continued and IT IS ORDERED AND DECREED that said hearing shall be rescheduled for the 25th day of September, 1987, at 11:00 o'clock A.M. in Court Room No. 2, Clearfield County Courthouse, Clearfield, Pennsylvania. BY THE COURT: Joseph S. Ammerman, J.

SEPTEMBER 25, 1987, AFFIDAVIT, filed

I, Laurance B. Seaman, Esq., Solicitor for Curwensville Boro, hereby depose and state that Notice, a copy of which is attached hereto as "Exhibit A", of a hearing scheduled in the above captioned matter, was published in The Progress, a newspaper of general circulation in Clearfield County and in Curwensville Borough, in September 18, 1987, in accordance with Order dated September 17, 1987. /s/ Laurance B. Seaman, Esq. 2 cert atty

SEPTEMBER 25, 1987, ORDER, filed

1 copy cert Atty Seaman

AND NOW, the 25th day of September, 1987, the time and date set for a hearing in the above noted matter, notice having been given in accordance with Order dated September 17, 1987, Robert L. Kester, Agent, for the Estate of James B. Graham, deceased, having appeared as aforesaid, and as authorized by Northern Central Bank, Williamsport, Pennsylvania, Trustee under Codicils to the Will of James B. Graham, deceased, and having consented to the prayer of the Petition, the Court having determined that the intended disposition and use of said premises is allowable and proper, IT IS ORDERED AND DECREED that Curwensville Borough is hereby released from the said restrictions as set forth in Deed Book 257, Page 403, on the premises as more fully described in Exhibit A, hereto, and Curwensville Borough is hereby authorized to sell to Curwensville Housing Corporation the premises as more fully described in Exhibit A" hereto for the construction of said elderly housing project. BY THE COURT: Joseph S. Ammerman, Judge.



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Maureen P.  
Kieffer

RANDY WELD and  
LANA WELD

SEPTEMBER 18, 1987, PETITION TO PROCEED IN FORMA  
PAUPERIS, filed by Maureen Patricia Kieffer, Esq.

SEPTEMBER 18, 1987, COMPLAINT IN EQUITY,  
filed by Maureen P. Kieffer, Esq. 8 cert K.L.S.

SEPTEMBER 23, 1987, SHERIFF'S RETURN, filed  
NOW, September 22, 1987 served the within  
Complaint on Thomas Sutton, Deft., by handing to  
Doris Sutton, Wife.

NOW, September 22, 1987, served the within Complaint on Andrew Pollock, Deft. by handing to Kathy Pollock, Wife.  
/s/ Chester A. Hawkins by Marilyn Hamm.

DECEMBER 15, 1987, PRAECIPE TO DISCONTINUE,  
filed 4 cert atty  
Please mark the above captioned case discontinued  
/s/ Maureen Patricia Kieffer, Esq.

DISCONTINUED

Pro		40.00
Shff	Off. Credit	32.40
Pro		5.00

CY<sup>2</sup> 3193

My Co

XX  
CONT. FR. PG 174A WOODWARD TWP. vs. HOFFMAYER 87-23-EQU

FEBRUARY 24, 1990, MEMORANDUM AND ORDER, filed

NOW, February 23, 1990, the petition of John Natalie and Nancy Natalie to intervene in this appeal is granted, the joint petition of John Natalie and Nancey Natalie and Woodward Township to quash appeal is denied, and the application of John Natalie and Nancy Natalie to reconsider grant of injunction pending appeal is denied.

The Chief Clerk is directed to list this case for argument on the June 1990 Argument List in Pittsburgh.

The Prothonotary of the Court of Common Pleas of Clearfield County is directed to forward the record to this Court by March 20, 1990.

The appellants' reproduced record and brief (15 copies) shall be due April 20, 1990.

The appellee's brief (15 copies) shall be due May 15, 1990.

The Chief Clerk is directed to serve a copy of this Order of the Honorable John K. Reilly, Jr. and the Prothonotary of the Court of Common Pleas of Clearfield County. BY THE COURT:  
/s/ Paul S. Lehman, Sr. Judge.

APRIL 18, 1990, ORDER, filed. One (1) Cert Comwth Ct. of Pa.

NOW, this 18th day of April, 1990, the Court having been notified of Appeal to the Commonwealth Court of Pennsylvania in the above-captioned matter, it is the ORDER of this Court that Terry W. Despoj, Esq., Atty for Appellanat above-named, file a concise statement of the matters complained of on said Appeal as set forth in Rule 1925(b) of the Rules of Appellate Procedure.

BY THE COURT: S/JOHN K. REILLY, JR., PRESIDENT JUDGE

MAY 2, 1990, RULE 1925(B) STATEMENT OF MATTERS COMPLAINED OF, filed by S/TERRY W. DESPOY, ESQ.

MAY 2, 1990, RULE 1925(B) STATEMENT OF MATTERS COMPLAINED OF , filed by S/TERRY W. DESPOY,ESQ.

JUNE 6, 1990, MEMORANDUM AND ORDER, filed

For all the above reasons, the Court proceeded to enforce its Order of June 29, 1989.  
BY THE COURT: John K. Reilly, Jr., P.J.

JUNE 4, 1990, TRANSCRIPT OF PROCEEDINGS, filed in Legal Drawer "H"

JUNE 7, 1990, TRANSCRIPT OF HEARING, filed in Legal Drawer "H"

JUNE 7, 1990, ALL PAPERS MAILED TO COMWTH COURT. /s/ ab

JUNE 7, 1990, SENDERS RECEIPT, filed

JUNE 11, 1990, RETURN RECEIPT, filed

OCTOBER 12, 1990, ORDER FROM COMWTH COURT, filed

AND NOW, this 11th day of October, 1990, the order of the Court of Common Pleas of Clearfield County in the above captioned matter is hereby affirmed. BY THE COURT: Bernard L. McGinley, Judge.

OCTOBER 17, 1990, BILL OF COSTS, filed by John R. Ryan, Esq. 3 cert/Atty

JUNE 13, 1991, PAPERS RETURNED FROM COMMONWEALTH COURT, CASE REMANDED JUNE 11, 1991,  
ORDER AFFIRMED P.A.A., DENIED s/Deputy Prothonotary/Chief Clerk (Signature illegible)

JUNE 14, 1991, PAPERS FILED IN LEGAL DRAWER "H"

APR. 16, 2002, SHERRIFF RETURN, filed.

NOW, April 16, 2002, return Writ as "Time Expired", paid costs from funds that were received from sale, paid balance of money to Attorney Pentz. SO ANSWERS, CHESTER A. HAWKINS, SHERIFF by s/Margaret H. Putt







Kim C. Kesner	DONALD R. MIKESELL	SEPTEMBER 30, 1987, COMPLAINT, filed by Kim C. Kesner, Esq. 1 cert atty
	87-29-EQU	SEPTEMBER 30, 1987, MOTION FOR PRELIMINARY INJUNCTION & RULE TO SHOW CAUSE, filed 3 cert atty AND NOW, to-wit: this 1st day of October, 1987, upon consideration of the foregoing Motion for Preliminary Injunction filed by Plaintiff, it is hereby ORDERED that a Rule shall be and is hereby issued directed to Defendant, Avery Coal Company, Inc., to show cause, if any, why the prayer of the foregoing Motion should not be granted. Rule returnable on the 13th day of October, 1987 in Court Room No. 2 of the Clearfield County Court House, Clearfield, PA at 11:30 A.M. BY THE COURT: Joseph S. Ammeman, Judge.
Robert B. Mitinger	AVERY COAL COMPANY, INC.	OCTOBER 7, 1987, RULE TO SHOW CAUSE, filed 2 copies cert Atty Kesner AND NOW, this 7th day of October, 1987, upon application of Kim C. Kesner, Esquire, who has advised this Court that he will be involved in a homicide trial on Tuesday, October 13, 1987, the day and date originally set by this Court for return of that Rule issued by this Court on October 1, 1987, a rule is hereby issued directed to Defendant, Avery Coal Company, Inc., to show cause, if any, why the prayer of the foregoing Motion should not be granted. Rule returnable on the 8th day of October, 1987, in Courtroom No. 2, of the Clearfield County Courthouse Clearfield, PA at 10:00 A.M. BY THE COURT; Joseph S. Ammerman, Judge.
Roger Curran		
	Pro by atty 40.00 Shff by atty 20.00 Surg. by atty 2.00 Disc by atty 5.00	OCTOBER 8, 1987, AFFIDAVIT OF SERVICE, filed NOW, October 6, 1987, served the within Complaint, Motion on Avery Coal Co., Inc., Deft. by handing to Edward Agostinelli, President. /s/ Chester A. Hawkins by Marilyn Hamm.
Cks# 969 8465 12992	Adv costs 67.00 K. Kesner 62.00 Pro 5.00 67.00	OCTOBER 8, 1987, ORDER, FILED 3 cert Judge A. NOW, October 8, 1987, upon agreement of the parties, the hearing scheduled for this date is continued until Monday, October 19, 1987, at 10:00 A.M. with agreement that the extant royalty checks may be cashed by the Plaintiff without prejudice as to the decision on the amount of royalties. BY THE COURT: Joseph S. Ammerman, Judge.
***SETTLED	DISCONTINUED***	DECEMBER 18, 1987, PRELIMINARY OBJECTIONS, filed by Robert B. Mitinger
		FEBRUARY 8, 1988, BRIEF, filed by Robert B. Mitinger, Jr, Esq. Filed in Trans. Drawer "A" FEBRUARY 16, 1988 CERTIFICATE OF SERVICE, filed I hereby certify that a true and correct copy of Plaintiff's Brief in Opposition to Preliminary Objections was served on Defendant on February 12, 1988. Addressed to: Robert B. Mitinger, Esq. /s/ Kim C. Kesner, Esq.
		FEBRUARY 23, 1988, DEFENDANT'S RESPONSE BRIEF, filed by Robert B. Mitinger
Kim C. Kesner, Esq.		FEBRUARY 29, 1988, BRIEF IN OPPOSITON TO DEFENDANT'S PRELIMINARY OBJECTIONS, filed by Kim C. Kesner, Esq.
		FEBRUARY 29, 1988, HEARING, filed in Trans Drawer "A".
		FEBRUARY 29, 1988, ORDER, filed. 2 cert/Judge "A". NOW, this 26th day of February, 1988, upon consideration of Defendant's Preliminary Objections and after reviewing the Briefs of counsel and finding the arguments set forth in the Brief submitted by counsel for Plaintiff dispositive of the issues raised, it is the ORDER of the Court that the Preliminary Objections be and are hereby denied. This Order is entered in light of the fact that non joinder is not clear from the record, and Defendant's Preliminary Objections do not state sufficient facts or circumstances to state an issue of non joinder ripe for the Court's decision and, viewing Defendant's pleading in a light most favorable to it, there has been no failure to join indispensable parties which would require the dismissal of this action. BY THE COURT: Joseph S. Ammerman, Judge.
		MARCH 23, 1988, ORDER, filed. 2 cert/Judge "A" NOW, this 22nd day of March, 1988, after reviewing the letter of March 9, 1988, from Robert B. Mitinger, Esquire, counsel for the Defendant, Avery Coal Company, Inc., the Court finds that Defendant's claim that there is an adequate remedy at law and that the action should be dismissed because of a prior pending action is without merit. (See Pages 1 through 3 and 18 though 21 of Plaintiff's Brief). Furthermore, the Court finds the arguments of Plaintiff regarding laches dispositive of that issue, and the Court is of the opinion that there is no need to address the issues raised by way of a Memorandum because Plaintiff's Brief, which has been filed of record, thoroughly addresses the issues. Therefore, it is the ORDER of the Court that the Order of February 26, 1988, denying Defendant's Preliminary Objections be and is hereby affirmed. BY THE COURT: Joseph S. Ammerman, Judge.



MARCH 29, 1988, AFFIDAVIT OF SERVICE, filed

Jack B. Walker, being first duly sworn according to law, deposes and says

1. That he is a constable for the County of Clearfield and Commonwealth of PA, and not a party to the within action.

2. That on teh 25th day of March, 1988, he served a true and correct copy of Subpoena upon Ms. Janet Turner, named in said above stated document at Dept. of Environmental Resourses, County of Clearfield PA, and making the contents of said document known to her personally. /s/ Jack B. Walker Constable.

MARCH 29, 1988, AFFIDAVIT OF SERVICE, filed.

Jack B. Walker, being first duly sworn according to law, deposes and says:

1. That he is a constable for the County of Clfd. and Commonwealth of PA and not a party ot the within action.

2. That on teh 29th day of March, 1988, he served a true and correct copy of Subpoena upon Mr. Joel Albert, named in said above stated document at Avery Coal Co., INC. to Richard Flegal, Avery Coal Company. /s/ Jack B. Walker, Const.

MARCH 29, 1988, AFFIDAVIT OF SERVICE, filed.

Jack B. Walker, being first duly sworn according to law, deposes and says:

1. That he is a contstable for the County of Clfd. and Commonwealth of PA and not a party to the within action

2. That on the 28 day of March, 1988, he served a true and correct copy of Subpoena upon Mr. Richard Flegal, named in said above stated document at Avery Coal Co, Inc. to Richard Flegal, Avery Coal Co. /s/ Jack B. Walker, Cont.

MARCH 29, 1988, PRAECIPE FOR APPEARANCE, FILED.

Kindly enter our appearance on behalf of AVERY COAL COMPANY, INC., Defendant in the foregoing-captioned action. /s/ Roger Curran, Esq.

APRIL 14, 1988, BRIEF OF DEFENDANT AVERY COAL COMPNAY IN OPPOSITION TO MOTION FOR PRELIMINARY INJUNCION, filed by Roger Curran, Esq.

MAY 31, 1988, BRIEF IN SUPPORT OF PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION, filed by Kim C. Kesner, Esq.

MAY 31, 1988, BRIEF IN SUPPORT OF PRELIMINARY OBJECTIONS, filed by Robert B. Mitinger, Jr., filed in Trans Drawer "A"

CERTIFICATE OF SERVICE, filed by Robert B. Mitinger, Jr.

JUNE 16, 1988, TRANSCRIPT OF MARCH 29, 1988, HEARING, filed in trans. drawer "A"

JUNE 16, 1988, TRANSCRIPT OF APRIL 18, 1988 HEARING, filed in trans. drawer "A"

JUNE 16, 1988, EXHIBITS FROM HEARINGS, filed in trans. drawer "A"

JUNE 24, 1988 PRAECIPE, filed by Kim C. Kesner, Atty Plff.

Kindly mark the above captioned matter settled and discon tinued upon payment of Plaintiff's costs. s/Kim C. Kesner, Atty Plff

Record costs in the sum of \$67.00 has been paid in full by Avery Coal Co., and John R. Lhota, Attorney, this case marked Settled and Discontinued.

\*\*\*\*\*SETTLED

DISCONTINUED\*\*\*\*\*

APRIL 24, 1990, PETITION & ORDER, filed

NOW, this 24th day of April, 1990, upon consideration for the foregoing Petition and upon motion of Donald R. Mikesell, Petitioner, it is hereby Ordered that the Prothonotary return all Exhibits on file with this case to Donald R. Mikelsell. BY THE COURT: JOSEPH S. AMMERMAN, JUDGE.

MAY 4, 1990, ATTORNEY DONALD R. MIKESELL TOOK PHYSICAL POSSESSION OF TEH ABOVE-MENTIONED EXHIBITS ON THIS DATE.



John E.  
Lyncheski

TYK REFRACTORIES COMPANY

87-30-EQU

ALUMINUM, BRICK AND GLASS  
WORKERS INTERNATIONAL UNION,  
AFL-CIO-CLC, ALUMINUM, BRICK  
AND GLASS WORKERS LOCAL UNION  
NO. 457, CLIFFORD HENRY,  
RICHARD MOHR, ARAL KEITH  
BRUCE BRANIFF, Individually  
And As Trustees Ad Litem,

Pro           by Atty.       \$40.00  
Pro           by Atty       5.00

NOVEMBER 18, 1987, COMPLAINT, filed by John E. Lyncheski, Esq.  
6 cert/Atty.

NOVEMBER 18, 1987, MOTION FOR A PRELIMINARY INJUNCTION, filed  
by John E. Lyncheski, Esq. 6 cert/Atty.

NOVEMBER 18, 1987, MOTION TO SET HEARING DATE ON PLAINTIFF'S  
REQUEST FOR PRELIMINARY INJUNCTIVE RELIEF, filed by John E.  
Lyncheski, Esq. 6 cert/Atty.

NOVEMBER 18, 1987, SUMMONS, filed by John E. Lyncheski, Esq.  
6 cert/Atty.

NOVEMBER 20, 1987, ORDER, filed, 32 cert/Atty.  
AND NOW, to wit, this 29th day of November, 1987, it is  
hereby Ordered that a hearing will be held on Monday morning,  
November 23, 1987 at 9:00 am in Courtroom No. 2, Clearfield  
County Courthouse, Clearfield, Pennsylvania, on Plaintiff's  
Motion for Preliminary Injunctive and other Relief.

And, in the meantime, the Defendants shall erect no ob-  
stacles or obstructions on the road leading to the entrance to  
the Plant in question, including nails or devices utilizing  
nails; shall refrain from stationing more than four pickets  
at any one time at or near the entrance or exits to Plaintiff's  
Plant; such pickets are to remain off Plaintiff's property;  
shall not interfere with the utilities serving the Plant; and  
shall refrain from all other violations of the law. BY THE  
COURT, Joseph S. Ammerman, Judge

DECEMBER 30, 1994, PRAECIPE FOR DISCONTINUANCE,  
filed  
Pursuant to Pa R. Civ P. 229(2) please mark the  
above-captioned action discontinued, without prejudice.  
/s/ Anthony Cillo, Esq.

CERTIFICATE OF SERVICE, filed  
December 29, 1994, PRAECIPE FOR DISCONTINUANCE  
SERVED TO: Stephen H. Jordan, Esq and R. Michael  
LaBelle, Esq. /s/ Anthony Cillo, Esq.

DISCONTINUED       WITHOUT       PREJUDICE



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Jeffrey W. Stover	ROBERT ROYER and SHARON ROYER, his wife, JAMES F. HARROLD and DOREEN F. HARROLD, his wife, DONALD A. HARTLE and PATRICIA HARTLE, his wife, TERRENCE ALLUSHUSKI, STANLEY BIALEK, MARC GABEL, JOSEPH HELLER and MARILYN HELLER, his wife, TIMOTHY J. FRANK, KENNETH W. HELLER, KENT EARL HELLER, N. THOMPSON MARSH, III, DAVID R. MULLIN, and EDWARD M. HOWEY, JR.	NOVEMBER 18, 1987, ORDER, filed AND NOW, this 19th day of November, 1987, upon Motion of the Plaintiff and good cause appearing therefore, it is accordingly, ORDERED that the Prothonotary of Clearfield County shall transfer the within action to the equity side of this Court. BY THE COURT: John K. Reilly, Jr., Pres. Judge
		NOVEMBER 30, 1987, ANSWER AND NEW MATTER, filed by Barbara H. Schickling, Esq. 3 cert/Atty.
		DECEMBER 23, 1987, CERTIFICATE OF SERVICE, filed. AND NOW, this 22nd day of December, 1987, I, Barbara H. Schickling, Esq., Who, being duly sworn according to law, deposes and says that I served a certified copy of an Answer and New Matter in the above-captioned matter, by depositing the same with the United States Postal Service, postage pre-paid on November 30, 1987, to the following: Robert Royer, et al /s/ Barbara H. Schickling, Esq.
	87-31-EQU	JANUARY 29, 1988, REPLY TO NEW MATTER, filed by Jeffrey W. Stover 1 cert/Atty.
Barbara H. Schickling	COVINGTON TOWNSHIP	FEBRUARY 11, 1988, BRIEF, filed by Jeffrey W. Stover, 1 cert/Atty.
		MARCH 22, 1988, MEMORANDUM AND ORDER, filed NOW, this 22nd day of March, 1988, it is the ORDER of this Court that Covington Township be and is hereby enjoined from bringing under the Sewage Facilities Act, criminal action against the Plaintiffs, pending determination of the equity action filed by Covington Township to No. 85-17-EQU. BY THE COURT: John K. Reilley, Jr., P.J.
	Pro by Atty. 40.00 Shff. by Atty. 35.20 sur-charge by Atty. 2.00	FEBRUARY 23, 1988, BRIEF, filed by Barbara H. Schickling, Esq.
		APRIL 11, 1988, DEFENDANT'S EXCEPTIONS, FILED by Barbara Schickling, Esq.
		JUNE 6, 1988, BRIEF IN OPPOSITION TO DEFENDANT'S EXCEPTIONS TO THIS COURT'S MEMORANDUM AND ORDER OF MARCH 22, 1988, filed by Jeffrey W. Stover, Esq.
		CERTIFICATE OF SERVICE, filed by Marsha K. Phillips.
		OCTOBER 19. 1987, COMPLAINT, filed by s/JEFFREY W. STOVER, ESQUIRE
		OCTOBER 29, 1987, AFFIDAVIT OF SERVICE, filed NOW, Oct. 23, 1987, at 12:49PM o'clock DST served the within COMPLAINT on Covington Township, defendant at employment, Frenchville, Clearfield County, Penna. by handing to August N. Hugney, Township Supervisor a true and Attested copy of the original COMPLAINT and made known to him the contents thereof. s/CHESTER A. HAWKINS, SHERIFF by s/MARILYN HAMM



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F. Cortez  
Bell, III

WILMONT G. ADAMS

87-32-EQU

Carl A.  
Belin, Jr.

LAWRENCE TOWNSHIP BOARD OF  
SUPERVISORS:

DONALD B. LUZIER, CHAIRMAN;  
GEORGE D. CLARK, SUPERVISOR;  
DANIEL DUCKETT, SUPERVISOR;

Pro	by Atty.	40.00
Pro	<i>by Atty</i>	5.00
Pro	by Atty	30.00

DECEMBER 14, 1987, COMPLAINT IN EQUITY, filed By F. Cortez Bell, III, Esq. 6 Cert/Atty.

DECEMBER 14, 1987, MOTION FOR PRELIMINARY INJUNCTION AND RULE RETURNABLE, filed. 4 cert/Atty

AND NOW, this 15, day of December, 1987, the Plaintiff having filed a Motion seeking a Preliminary Injunction in the above-captioned matter, it is the Order of this Court that the Defendants, the Lawrence Township Board of Supervisors: Donald B. Luzier, George D. Clark and Daniel Duckett, appear and show cause why a Preliminary Injunction should not issue as prayed for.

Rule returnable this 21 day of December, 1987 at 2:30 pm in Courtroom No. 1 of the Clearfield County Courthouse. BY THE COURT: John K. Reilly, Jr. PJ.

DECEMBER 21, 1987, PRELIMINARY OBJECTIONS, filed by Carl A. Belin, Jr., Esq. 1 cert/Atty

DECEMBER 21, 1987, MOTION TO DISMISS PRELIMINARY INJUNCTION, filed. 1 cert/Atty.

DECEMBER 31, 1987, ORDER, filed. 3 cert/Atty.

NOW, this 31 day of December, 1987, upon consideration of the Preliminary Objections filed on behalf of the Defendants and upon agreement of counsel for both the Plaintiff and Defendants that original jurisdiction of the above-captioned matter falls within the scope of the Local Agency Law, it is the ORDER of this Court that the Complaint in Equity filed in the above-captioned matter be and is hereby dismissed without prejudice. It is the further ORDER of theis Court that the matter is referred to Lawrence Township for a hearing under the Local Agency Law with the Complain in Equity acting as the appropriate Notice of Appeal of the Town-ship's decision as of December 14, 1987. BY THE COURT: John K. Reilly, Jr., P.J.

DISMISSED WITHOUT PREJUDICE

MARCH 31, 1988, ORDER, filed  
3 copies cert atty.

NOW, this 22nd day of March, 1988, following conference of counsel and agreement of the parties it is the Order of this Court that hearing pursuant to the Local Agency Act concerning the issues of Heart and Lung Act Benefits, as well as the payment of vacation, holiday and sick day benefits is hereby ditected to be held on Tuesday, April 12, 1988 at 1:30 P.M. It is the further Order of this Court that there shall be no continuations of said hearing unless granted by this Court for cause shown. BY THE COURT: John K. Reilly, Jr P.J.

APRIL 18, 1988, STIPULATION & ORDER, filed  
2 copies cert atty.

NOW, this 18th day of April, 1988, upon reading and considering the foregoing Stipulation, the stipulation is approved and the hearing is continued generally until further request by counsel for either Wilmont G. Admas or the Lawrence Township Board of Supervisors. Said hearing to be restricted solely to issues regarding sick pay, holiday pay and vacation pay. BY THE COURT: John K. Reilly, Jr P.J.

AUGUST 14, 1990, MOTION FOR REINSTATEMENT AND TO COMPEL PAYMENT OF HEART AND LUNG BENEFITS, filed by F. Cortez Bell, III, Esq. 5 cert/Atty

AUGUST 16, 1990, RULE RETURNABLE, filed 4 cert/Atty

AND NOW, this 14th day of August, 1990, upon consideration of the Motion for Reinstatement and to Compel Payment of Heart and Lung Benefits filed with regard to the above-captioned matter, it is the Order of this Court that a Rule is directed to the Lawrence Township Board of Super- visors to appear and show cause why the prayer of said Motion should not be granted.

Said Rule Returnable on the 31st day of August, 1990 at 2:30 PM for hearing before this Court in Courtroom No. 1. BY THE COURT: John K. Reilly, Jr., P.J.

AUGUST 29, 1990, MOTION FOR CONTINUANCE, filed by Carl A. Belin, Jr., Esq. 3 cert/Atty

AUGUST 29, 1990, ANSWER TO MOTION FOR REINSTATEMENT AND TO COMPEL PAYMENT OF HEART AND LUNG BENEFITS, filed by Carl A. Belin, Jr., Esq. 3 cert/Atty  
CERTIFICATE OF SERVICE, filed

It is hereby certified that a true and correct copy of Answer to Motion for Reinstatement and to Compel Payment of Heart and Lung Benefits has been served upon the following in the following manner on the 29th day of August, 1990: FIRST-CLASS MAIL, F. Cortez Bell, III, Esq BELL, SILBERBLATT & SWOOP, 318 East Locust St, PO Box 670, Clearfield, PA 16830. /s/ Carl A. Belin, Jr., Esq.

SEPTEMBER 28, 1990, ORDER, filed

NOW, this 28th day of September, 1990, following argument and upon agreement by the parties it is the ORDER Of this Court that brief on behalf of plaintiff be and is hereby due within Ten (10) days from this date, and defendant's brief due ten (10) days thereafter. BY THE COURT: John K. Reilly, Jr., P.J.

Cont to pg 188



DECEMBER 12, 1990, MEMORANDUM AND ORDER, filed

NOW, this 11th day of December, 1990, it is the ORDER of this Court that Plaintiff's Motion for Reinstatement and to Compel Payments of benefits is hereby dismissed. BY THE COURT: John K. Reilly, Jr., P.J.

JANUARY 2, 1991, NOTICE OF APPEAL, filed by F. Cortez Bell, III, Esq. 1 cert/Comwth Ct  
ORDER FOR TRANSCRIPT, filed 6 cert/Atty

A Notice of appeal having been filed in this matter, the official court reporter is hereby ordered to produce, certify and file the transcript in this matter in conformity with Rule 1922 of the PA Rules of Appellate Procedure. Hearing was held before the Court on September 28, 1990. /s/ John K. Reilly, Jr., P.J.

PROOF OF SERVICE, filed

I hereby certify that I am this day serving a copy of the foregoing Notice of Appeal upon the persons and in the manner indicated below, which service satisfies the requirement of PA R.A.P. 121: Service by First Class Mail, Honorable John K. Reilly, Jr.; Carl A. Belin, Jr., Esq; Raymond L. Billotte, Court Administrator; Kathy Warrick, Court Reporter, Daniel R. Schuckers, Prothonotary of Comwth Court, 6th Floor, South Office Building, Harrisburg, PA 17120. /s/ F. Cortez Bell, III, Esq.

JANUARY 11, 1991, COMMONWEALTH COURT # 22CD1991, filed

JANUARY 17, 1991, ORDER, filed.

found in case papers this date

NOW, this 23rd day of September, 1988, the Court having been advised that the Plaintiff, Wilmont G. Adams, has been returned to Workmen's Compensation status with regard to his employment by the Defendants, the Lawrence Township Board of Supervisors, and it appearing that the issues previously raised as to sick pay, holiday pay and vacation pay, as well as Heart and Lung Benefits, have now once again become an issue, it is the Order of the Court that hearing under the Local Agency Law be and is hereby directed to be scheduled forthwith. BY THE COURT: /s/ John K. Reilly, Jr., P.J.

FEBRUARY 26, 1991, TRANSCRIPT OF PROCEEDINGS, MOTION FOR REINSTATEMENT AND TO COMPEL PAYMENTS, filed in Trans "L"

APRIL 1, 1991, ALL PAPERS MAILED TO COMWTH COURT P-373 571 433

APRIL 4, 1991, RETURN RECEIPT, filed

FEBRUARY 11, 1993, ORDER FROM COMMONWEALTH COURT, filed

NOW, February 9, 1993, the order of the Court of Common Pleas of Clearfield County in the above-captioned matter is hereby affirmed, insofar as Adams sought the automatic reinstatement of Heart and Lung Act benefits. We further order the Township to provide Adams with a hearing under Section 553 of the Local Agency Law on the issue of whether his injury has recurred. Jurisdiction relinquished. /s/ Joseph T. Doyle, Judge.

FEBRUARY 4, 1994, ALL PAPERS RECEIVED FROM COMMONWEALTH COURT, filed



Anthony S. Guido

EVERETT A. CRAMER and KATHRYN B. CRAMER

JANUARY 22, 1988, COMPLAINT/EQUITY, filed by Anthony S. Guido.  
Two Copies Certified to Sheriff.

88-1-EQU

FEBRUARY 8, 1988 SHERIFF'S RETURN, filed NOW, January 27, 1988 served the within Complaint on Gerard Paulinellie, defendant at residence, by handing to Gerard Paulinellie.  
NOW, January 27, 1988 served the within Complaint on Ruth Ann Paulinellie, Deft. at residence, by handing to Ruth Ann Paulinellie. a/ Chester A. Hawkins by Marilyn Hamm.

FEBRUARY 16, 1988 ANSWER, NEW MATTER AND COUNTERCLAIM, filed by Paula M. Cherry, Esq.  
3 copies cert atty.

GERARD PAULINELLIE and RUTH ANN PAULINELLIE

FEBRUARY 23, 1988 ACCEPTANCE OF SERVICE, filed  
I, the undersigned, Attorney for Plaintiffs, do hereby accept service of a certified copy of the Answer, New Matter and Counterclaim filed on behalf of the above named Defendants, this 19th day of February, 1988.  
/s/ Anthony S. Guido, Esq.

MARCH 1, 1988, REPLY TO NEW MATTER AND ANSWER TO COUNTERCLAIM, filed by Anthony S. Guido, Esq.

Pro by Atty 40.00  
Shff by atty 26.80  
Surg. by atty 4.00

FEBRUARY 17, 1989, CERTIFICATE OF READINESS, filed  
Please place the above captioned case on the trial list. I certify that all discovery in the case has been completed; all necessary parties and witnesses are available; serious settlement negotiations have been conducted; the case is ready in all respects for trial, and a copy of this Certificate has been served upon all counsel of record and upon all parties of record who are not represented by counsel.  
Estimated time: 1½ days, Non-jury. /s/ Anthony S. Guido, Esq.

SEPTEMBER 18, 1989, STIPULATION & CONSENT DECREE OF SETTLEMENT, filed 3 copies cert atty  
AND NOW, this 14th day of September, 1989, upon stipulation as evidenced by the terms herein, and the parties signatures hereto, this Court hereby enters the following Order:

1. The Plaintiffs, Everett A. Cramer and Kathryn B. Cramer (CRAMER), and their heirs and assigns shall enjoy an easement or right-of-way over an existing roadway over and across the property of the Defendants, Gerald Paulinellie and Ruth Ann Paulinellie (PAULINELLIE), for the purpose of ingress, egress and regress, by CRAMER, their heirs, assigns and invitees. The location and direction of said easement or roadway shall not be altered in direction or in any manner, but shall remain as it currently exists on the PAULINELLIE property.

2. Said Roadway or easement shall be used by CRAMER, their heirs, assigns and invitees, but with regard to said use, CRAMER agrees that the property which is serviced by said roadway or easement shall not be subdivided into more than three individual parcels of land, and as a consequence, not more than three residential dwellings shall be constructed upon said property of CRAMER.

3. PAULINELLIE shall have the option to install a gate on said roadway or easement as close as practical to the public highway, or in the alternative, on the PAULINELLIE property at the dividing line between the subject premises of the respective parties. PAULINELLIE shall pay the cost of erecting said gate, which shall be locked with PAULINELLIE providing to CRAMER, their heirs, successors and assigns, and invitees, a key to gain access to the CRAMER property. It is the intent that only the CRAMERS, the PAULINELLIES, their renters and invitees, shall have access to the key for said gate whereas to prevent trespassers from using the roadway.

4. The roadway or easement will remain a private roadway and will not be dedicated to a public use or become a public road.

5. CRAMER shall have the responsibility for paying for the cost of constructing, maintaining and repairing said road. However in the event PAULINELLIE or their heirs and assigns should make extensive use of any portion of said roadway on a regular basis, then the cost of the maintenance that is the responsibility of both parties shall be subject to the prior consent of both parties.

6. If necessary, CRAMER will be responsible for securing any and all approvals that may be required from DER to extend the roadway, which approvals shall be at the sole cost of CRAMER. PAULINELLIE shall not have any responsibility to engage in any dealings with DER, or have the responsibility of securing any permits or permission from DER concerning said roadway.

BY THE COURT: Joseph S. Ammerman, Judge.







Joseph  
Colavecchi

JOSEPH COLAVECCHI

88-2-EQU

MARY A. SWOOPE, her heirs  
and assigns

FEBRUARY 5, 1988, COMPLAINT IN PARTITION--EQUITY,  
filed by Joseph Colavecchi  
Three Copies Certified to Attorney.

FEBRUARY 23, 1988, AFFIDAVIT OF SERVICE, filed.  
by Joseph Colavecchi, Esq.

FEBRUARY 25, 1988, PETITION FOR APPOINTMENT OF  
TRUSTEE TO REPRESENT INTEREST OF DEFENDANT AND ORDER,  
filed. 2/26/88 3 cert/Atty.

AND NOW, this 26th day of February, 1988, upon  
consideration of the foregoing Petition, it is hereby  
Ordered and Decreed that Bloise Ferraraccio, Esquire  
is hereby appointed Trustee to represent the interest of  
Mary A. Swoope, her heirs and assigns in this Partition  
Action. BY THE COURT: John K. Reilly, Jr., P.J.

SEPTEMBER 1, 1988, PRAECIPE TO DISCONTINUE,  
filed

Please mark the record in the above captioned  
Partition Action discontinued, settled and ended,  
with prejudice. /s/ Joseph Colavecchi, Esq.

SETTLED

DISCONTINUED

ENDED

Pro	by Atty	40.00
Pro	by atty	5.00



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Anthony S. Guido

RAIN GARD, INC.

FEBRUARY 22, 1988, COMPLAINT/EQUITY, filed by Anthony S. Guido  
Two Copies Certified to Sheriff.

MAY 20, 1988, PRAECIPE FOR ENTRY OF APPEARANCE, filed

Please enter my appearance on behalf of the Defendants, DANIEL OCHS and INTERNATIONAL HOME IMPROVEMENT COMPANY, in the above-captioned case. /s/ Beth E. Ammerman, Esq.

88-3-EQU

MAY 20, 1988, PRELIMINARY OBJECTIONS, filed by Beth E. Ammerman, Esq. 1 cert/Atty

JUNE 24, 1988, SHERIFF RETURN filed

Now, February 23, 1988, Harry Tucker, Sheriff of Forest County was deputized by Chester A. Hawkins, Shff of Clfd. County to serve the within Complaint on International Home Improvement Co., deft.

Now, March 8, 1988 serve the within Complaint on International Home Improvement Co., deft. by deputizing the Shff. of Forest County. The return of Shff. Tucker is hereto attached and made a part of this return stating that he served Robert A. Hubert.

Now, February 29, 1988, Gene Price, Shff. of Venango County was deputized by Chester A. Hawkins, Shff. of Clfd. County to serve the within Complaint on Daniel Ochs, deft.

Now, March 23, 1988 serve the within Complaint on Daniel Ochs, deft. by deputizing the Shff of Venango County. The return of Shff. Price is hereto attached and made a part of this return. /s/ Chester A. Hawkins, Shff, by Marilyn Hamm

Beth E. Ammerman

DANIEL OCHS and INTERNATIONAL HOME IMPROVEMENT COMPANY

JULY 1, 1988, DEFENDANT'S BRIEF IN SUPPORT OF PRELIMINARY OBJECTIONS, filed by Beth E. Ammerman, Esq.

JULY 7, 1988, ORDER, filed

NOW, this 5th day of July, 1988, following argument into Preliminary Objections filed on behalf of Defendants above-named, it is the ORDER of this Court that Plaintiff shall amend its Complaint within twenty (20) Days from date hereof to more specifically plead the basis for venue in Clearfield County and to plead as specifically as possible the date of projects allegedly diverted under paragraph 8(c) of the Complaint and the dates the Defendant allegedly attempted to obtain information as to waterproofing crews as plead in paragraph 8(d). The Defendant International Home Improvement objection in the nature of a demurrer shall be ruled upon following receipt of breifs. BY THE COURT: John K. Reilly, Jr P.J.

Pro	by Atty	40.00
	AG	
Shff	by Atty	30.00
Shff		
Tucker	by Atty	16.00
Shff		
Price	by Atty	27.00
Sur-		
charge	by Atty	4.00
Pro	<i>by Atty</i>	5.00

JULY 20, 1988, AMENDED COMPLAINT, filed by Anthony S. Guido, Esq. No Copies.

AUGUST 25, 1988, PRAECIPE, filed

Please mark the above case discontinued of record, without prejudice. /s/ Anthony S. Guido, Esq.

DISCONTINUED WITHOUT PREJUDICE



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Timothy E. Durant

WILLIAM A. GILL

FEBRUARY 24, 1988, COMPLAINT IN PARTITION--EQUITY, filed by Timothy E. Durant, Esquire  
Two Copies Certified to Sheriff.

FEBRUARY 29, 1988, AFFIDAVIT OF SERVICE, filed

NOW, February 26, 1988 SERVED the within Complaint in Partition on Ethel R. Gill, Defendant by handing to Ethel R. Gill.  
/s/ Chester A. Hawkins by Marilyn Hamm.

88-4-EQU

MARCH 18, 1988, ANSWER TO COMPLAINT IN PARTITION, filed by Chris A. Pentz, Esq. 1 cert/Atty.

AUGUST 10, 1988, INTERLOCUTORY DECREE APPOINTING TRUSTEE, filed

AND NOW, this 5th day of August, 1988, upon consideration of the foregoing case, it is ordered adjudged and decreed:

1. That a partition and divistion be made of the property described in the Complaint, situate in the Township of Bradford, County of Clearfield and State of Pennsylvanai, bounded and described as follows:

FIRST: BEGINNING at a point on the north-erly right-of-way line of the Pennsylvania State Highway, U.S. Route 322, said point being on the easterly line of a lot now or late of Kenneth Lumadue, et. ux., thence along said easterly line of said Kenneth Lummadue lot north 31 degrees 16 minutes east 408.4 feet more or less to a point in the center of the abandoned Milesburg Turnpike, said point being the northeasterly corner of said Kenneth Lumadue lot; thence along the center of said abandoned Miles-burg Turnpike south 64 degrees 34 minutes east 334.94 feet to a point and South 62 degrees 44 minutes east 283.87 feet to a point; thence along land of Harbison-Walker Refractories Company south 41 degrees 44 minutes west 552.65 feet more or less to the northerly right-of-way line of said Pennsylvania State Highway, U.S. Route 322, thence along said highway right-of-way line north 49 degrees 59 minutes west 249.37 feet to a point; thence along land of Harbinson-Walker Refractories Company north 40 degrees 01 minute east 80 feet to a point north 49 degrees 59 minutes west 91.78 feet to a point and south 40 degrees 01 minute west 79.77 feet to a point on said highway right-of-way line; thence con-tinuing along said highway right-of-way line north 49 degrees 59 minutes west 181.26 feet to the point of beginning. Containing 6.75 acres, more or less.

SUBJECT to the power line and telephone line now on the said property, and also subject to the water line leading from a reservoir on a property on the east to the former Brett homestead, together with the right of ingress, egress and regress for the purpose of repairing and maintaining the said water line, if any.

SUBJECT also to mineral and mining rights and all rights and privileges incident thereto heretofore conveyed or reserved by prior deeds of record.

SECOND: BEGINNING at a point on the northern right-of-way line of the Pennsy-lvania State Highway, U.S. Route 322, said point being at a corner of a lot sold by Harbinson-Walker Refractories Company to Dan Rabik and Natalia Rabik, his wife, by deed dated the 10th day of June, 1946, and recorded in Clearfield County in Deed Book 374, page 578; thence along said highway right-of-way line, north forty-nine (49) degrees fifty-nine (59) minuties west, fifteen (15) feet to a point; thence along line of William S. Reece and Ida Mae Reece north forty(40) degrees one (01) minute east, eighty (80) feet to a point at corner of land of Dan Rabik and Natalia Rabik, his wife; thence along line of Dan Rabik and Natalia Rabik, his wife, south forty-nine (49) degrees fifty-nine (59) minutes east fifteen (15) feet to a point and corner of land of Dan Rabik and Natalia Rabik, his wife;

Chris Pentz

ETHEL R. GILL

Pro	by Atty	40.00
Shff	by atty	17.00
Surg.	by atty	2.00
Pro	by Atty	5.00



DECREE APPOINTING TRUSTEE CONT"D:

thence along line of said Rabik and Natalia Rabik, his wife, south forth (40) degrees one (01) minute west eighty (80) feet to a point on the northern right-of-way line of the Pennsylvania State Highway, U.S. Route 322, and place of beginning.

This conveyance is made subject to the power line and telephone line now on said property, and also subject to the water line leading from a reservoir on a property on the east to the former Brett homestead, theogher with the right of ingress, egress and regress for the purpose of repairing and maintaining the said water line, if any.

Subject also to mineral and mining rights and all rights and privileges incident thereto heretofore conveyed or reserved by prior deeds of record.

This property is described as a Lot and is identified in the County Assessment records as Map No. 106-L8-9.2.

THIRD: BEGINNING at a point on the northerly right-of-way line of the Pennsylvania State Highway, U.S. Route 322, said poing being on the westerly lone of a lot now or late of Edward Duke, et. us; thence along said highway right-of-way line north 51 degrees 14 minutes west 139 feet to a point and north 49 degrees 59 minutes west 288.38 feet to a point; thence along land of Rabick (sic) north 41 degrees 44 minutes east 552.65 feet, more or less, to a point in the center of the abandoned Milesburg Turnpike; thence along the center of the Milesburgh Turnpike south 55 degrees 14 minutes east 145.19 feet to a point, south 61 degrees 2 minutes east 148.35 to a point and south 59 degrees 35 minutes east 141.34 feet to a point, being the northwesterly corner of said Edward Duke lot; thence along said Edward Duke line south 41 degrees 44 minutes west 614.28 feet, more or less to the point of beginning. Containing 6 acres, more or less.

This conveyance is made subject to all restrictions and reservations set forth in prior deeds of record.

EXCEPTING and RESERVING, Nevertheless, from the above described lot or piece of ground the following:

BEGINNING at a point on the northerly right-of-way line of Pennsylvania State Highway Route 322, said point being the westerly line of lot now or late of Edward Duke, et. ux.; thence along said right-of-way line approximately north 51°14' west two hundred and thirty-five (235) feet to a point on other lands of Clifford H. Ogden; thence along the land of Clifford H. Ogden five hundred fifty-two and sixty-two hundredths (552.62) feet more or less to a point in the center of the abandoned Milesburg Turnpike south approximately 55° 14' east two hundred thirty-five (235) feet to a point being the northwesterly corner of said Edward Duke line, thence south 41° 44' west six hundred fourteen and twenty-eight hundreths (614.28) feet more or less to the point of beginning. Being a piece of land fronting on Pennsylvania State Highway Route 322 approximately 614 ft. x 235 ft. x 522 ft. x 235 ft. having erected thereon a dwelling house.

This property is described as three acres and is identified in the County Assessment records as Map No. 106-L8-8.

- 2. That, David S. Ammerman, Esquire, is appointed trustee to make public sale of the aforesaid property after first entering security in the sum of \$84,200.00 unless security requirement is reduced or waived in writing by both parties or their counsel.
  - 3. That the said trustee shall give notice of said sale by advertising the same in two daily newspapers of general circulation in this county and by hand bills posted on the property and in other public places, once a week for four consecutive weeks before the day of the sale.
  - 4. That the proceeds of said sale, after the payment of the expenses thereof, shall be divided equally between the parties subject, however,
    - (a) to the deduction therefrom of the amount of any lien entered of record jointly against both parties, together with interest thereon, and docket costs; and
    - (b) to the deduction, from the share of either party, the amount of any lien entered of record against said party, together with interest due and costs taxed thereon; which amounts are to be paid by the trustee to the person or persons to whom the same is due and payable.
  - 5. That this order is returnable the 25th day of August, 1988.
- BY THE COURT: John K. Reilly, Jr President Judge.

JANUARY 29, 1990, PRAECIPE TO SETTLE, DISCONTINUE AND END, filed  
Please mark the above captioned action settled, discontinued and ended. /s/  
Timothy E. Durant, Esq. by Chris Pentz, Esq.

SETTLED

DISCONTINUED

ENDED



David P.  
King

PARIS CLEANERS, INC., a  
corporation, t/d/b/a  
PARIS UNIFORM RENTAL &  
SUPPLY COMPANY.

MARCH 2, 1988, COMPLAINTY IN EQUITY, filed by  
Daivd P. King, Esq. 1 cert atty

MARCH 30, 1988, SHERIFF RETURN, filed.  
Now, March 2, 1988, Eugene L. Coon, Shff of  
Allegheny County was deputized by Chester A. Hawkins,  
Shff. of Clearfield County to serve the within Complaint  
on Cintas Corp., Deft.

Now, March 17, 1988 served the within Complaint on  
Cintas Corp., Deft. by deputizing the Shff. of Allegheny  
County. The return of Shff Coon is hereto attached and  
made a part of this return stating that he served Ed.  
Sickmond, Mgr. /s/ Chester A. Hawkins, Shff, By Marilyn  
Hamm

88-5-EQU

APRIL 4, 1988, PRELIMINARY OBJECTIONS OF DEFENDANT  
CINTAS CORPORATION AS TO VENUE, filed by Richard  
R. Nelson II, Esq. 1 cert/Atty

APRIL 4, 1988, BRIEF IN SUPPORT OF PRELIMINARY  
OBJECTIONS OF DEFENDANT CINTAS CORPORATION, filed  
by Richard R. Nelson, II, Esq. 1 cert/Atty.

JULY 8, 1988, BRIEF IN OPPOSITION TO PRELIMINARY  
OBJECTIONS, filed by David P. King, Esq.

Richard R.  
Nelson, II

CINTAS CORPORATION

JULY 15, 1988, REPLY BRIEF IN SUPPORT OF PRE-  
LIMINARY OBJECTIONS OF DEFENDANT CINTAS CORPORATION  
TO VENUE, filed by Richard R. Nelson, II & Stephen  
R. Kaufman, Esq. 1 cert/Atty

CERTIFICATE OF SERVICE, filed by Stephen R.  
Kaufman, Esq.

AUGUST 16, 1988, ORDER, filed

NOW, this 16th day of August, 1988, this matter  
having come before the Court of Defendant's Prelim-  
inary Objections as to venue, the Court being sat-  
isfied that same are well founded, it is the ORDER  
of this Court that said objections be and are  
hereby granted and venue in the above captioned  
proceeding transferred to Butler County. It is the  
FURTHER ORDER of this Court that the Prothonotary of  
Clearfield County shall certify the record of the  
above captioned proceeding to the Clerk of Courts  
of Butler County for purposes of disposition.  
BY THE COURT: John K. Reilly, Jr President Judge.

Pro	by atty	40.00
	DPK	
Shff	by Atty	21.00
Shff		
Coon	by Atty	21.00
sur-		
charge	by Atty	2.00
Notary	by Atty	2.00
Pro	R.R.N. <i>by atty</i>	10.00

ALL PAPERS MAILED TO PROTHONOTARY OF BUTLER COUNTY  
AUGUST 17, 1988. /s/ wks



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John R. Ryan	JAMES H. McFARLAND and BEATRICE F. McFARLAND, his wife.	MARCH 4, 1988, COMPLAINT FOR ACCOUNTING, filed by John R. Ryan, Esq. 3 cert atty.  JULY 12, 1988, DEFENDANT'S ANSWER TO COMPLAINT, filed by Beth E. Ammerman, Esq., 1 cert/Atty  AUGUST 1, 1988, REQUEST FOR HEARING, filed by John R. Ryan, Esq. 1 cert/Atty  AUGUST 2, 1988, RULE, filed 2 cert/Atty AND NOW this 2 day of August, 1988, upon consid- eration of teh foregoing Request for Hearing, a Rule is issued upon Defendant, Spencer Land Compnay, to appear and show cause why the relief requested should not be granted. Rule made returnable the 18th day of August, 1988, at 9:00 am at the Clearfield County Courthouse. BY THE COURT: John K. Reilly, Jr., P.J.  5 SEPTEMBER 12, 1988, ORDER, 2 cert/Atty AND NOW, this 12th day of September, 1988, upon consideration of Plaintiffs' demand for an accounting from Spencer Land Company and the parties hereto having agreed that Plaintiffs sole remedy against Spencer Land Company is an accounting, and that Plaintiffs are entitled to said relief, it is hereby ORDERED that Spencer Land Compnay shall file an accounting within forty-five days of this Order, with further proceedings to be according to the Pennsylvania Rules of Civil Procedure. This Court further recognizes that Counsel for Plaintiffs stipulates that no relief has been sought against Defendant, Spencer Land Compnay, in the Appeal filed from this Court's Order in Number 87-207-CD said Appeal having Superior Court Docket Number 00317PGH1988, and that the sole issue raised in that Appeal is whether Plaintiffs have a cause of action against Hepburnia Coal Company for wrongful removal of coal. BY THE COURT: John K. Reilly, Jr., P.J.  OCTOBER 27, 1988 ACCOUNTING FILED ON BEHALF OF SPENCER LAND COMPANY filed. by Beth E. Ammerman, esq. CERTIFICATE OF SERVICE filed. 1/ Copy Cert Atty  NOVEMBER 16, 1988 EXCEPTIONS TO ACCOUNTING OF SPENCER LAND COMPANY filed on behalf of JAMES H. MC FARLAND AND BEATRICE MCFARLAND, PLaintiffs b y JOHN R.RYAN, ESQUIRE. 3/Cert to Atty.  NOVEMBER 17, 1988 RULE filed.on behalf of plaintiffs JAMES H. MCFARLAND AND BEATRICE F. MCFARLAND by John r. Ryan. ESQUIRE. RULE AND NOW, this 17th day of Novembe, 1988, upon consideration of the Exceptions filed by Plaintiff to the accounting of Spencer Land Co mpany, a Rule is issued upon Defendant to appear and show cause why a Supplemental Account should not be filed as requested. RULE RETURNABLE the 9th day of December, 1988, at 10: 00 o'clock A.M. at the Clearfield County Court house. BY THE COURT /s/ John K. Reilly Jr., President Judge. 3/Cert Atty.  JANUARY 25, 1989, ORDER, filed AND NOW, this 24th day of January, 1989, upon consideration of the Exceptions filed to the Accounting of Spencer Land Compnay, it is the Order of this Court that Spencer Land Company shall within twenty (20) days of date herewith filed a Supplemental Accounting which shall disclose all amounts received from sale of coal mined and removed from the subject parcel. The amount shown by the Account to be due shall then be determined in accordance with Pennsylvania Rule to Civil Procedure 1530. BY THE COURT: John K. Reilly, Jr., P.J.  FEBRUARY 21, 1989, ORDER OF COURT, filed AND NOW, this 21st day of February, 1989, exceptions having been filed to the accounting of Spencer Land Company, and oral argument being held, it is hereby ORDERED as follows: 1. Within twenty (20) days of the date herewith, Spence Land Company shall file a supple- mental accoutning which shall disclose all monies transfered between Hepburnia Coal Company and Spencer Land Company relative to the mining of coal on the subject property. 2. In addition, Spencer Land Company is hereby given leave to amend paragraph 7 of the original accounting insofar as said paragraph sets forth that the top market value price per ton for minerals and surface mining rights is three (\$3.00 ) dollars. 3. The disclosure of the information as set forth in paragraph one shall not be construed as an admission by Spencer Land Company that the figures paid between Spencer Land Company and Hepburnia Coal Company represent the amount due to the Plaintiffs herein. Pursuant to the filing of the supplemental accounting, the amount as shown by the accounting and supplemental accounting to be due shall be determined by the Court in accordance iwth the Rule of Civil Procedure. BY THE COURT: John K. Reilly, Jr., P.J.  MARCH 13, 1989, SUPPLEMENTAL ACCOUNTING , filed by Beth E. Ammerman, Esq. 1 cert/Atty CERTIFICATE OF SERVICE, filed I hereby certify that a true copy of the Supplemental Accounting filed on behalf of Defendant Spencer Land Company was served on the attorney for Plaintiff, James H. McFarland and Beatrice F. McFarland, by regular mail at the US Post Office, Clearfield, PA on the 13th day of March, 1989 as follows: John R. Ryan, Esq. /s/ Beth E. Ammerman, Esq.
Beth E. Ammerman	SPENCER LAND COMPANY	
	88-6-EQU	
	Pro by atty 40.00 Pro by Atty 5.00	



AUGUST 21, 1989, STIPULATION OF FACTS, filed by Beth E. Ammerman, Esq. & John R. Ryan, Esq. 2 cert/Atty

OCTOBER 25, 1989, MEMORANDUM AND ORDER, filed  
NOW, this 24th day of October, 1989, following argument, it is the ORDER of this Court that Plaintiffs demand for pre-judgment interest be and is hereby denied.  
BY THE COURT: John K. Reilly, Jr., P.J.

NOVEMBER 3, 1989, PRAECIPE TO DISCONTINUE, filed  
Please mark the record in the above-captioned actions, discontinued, settled, and ended. /s/ John R. Ryan, Esq

DISCONTINUED

SETTLED

ENDED



John C.  
Dennison, II

DONALD J. ORRIS,  
PAUL K. REZK, and KAREN  
M. REZK, in their own  
right and derivatively as  
shareholders of Seven Seas  
Financial Associates, Inc.

MARCH 10, 1988, PRAECIPE FOR SUMMONS IN EQUITY,  
filed by John C. Dennison, II, Esq.

88-7-EQU

SEVEN SEAS FINANCIAL  
ASSOCIATES, INC.,  
SHIRISH N. SHAH and  
MANJULA N. SHAH

Pro by atty 20.00



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Joseph-  
Colavecchi-  
  
Sughrue &  
Kesner

GERTRUDE M. FLECK

88-8-EQU

James A.  
Naddeo

RICHARD D. OGDEN and  
JEANNE M. OGDEN

Pro by Atty 40.00  
Shff by atty 21.00  
S Urg. by atty 4.00  
Pro by Atty 5.00

MARCH 21, 1988, PETITION TO ESTABLISH RESULTING TRUST IN REAL PROPERTY UPON PAYMENT OF CONSIDERATION BY PETITIONER -- EQUITY, filed by Joseph Colavecchi Two Copies Certified to Sheriff. One Copy Certified to Attorney.

MARCH 25, 1988, SHERIFF'S RETURN, filed NOW, March 24, 1988 served the within Complaint on Richard D. Ogden, Deft. by handing to Jeanne M. Ogden, Wife.

NOW, March 24, 1988 served the within Complaint on Jeanne M. Ogden, Deft. by handing to Jeanne M. Ogden.

/s/ Chester A. Hawkins by Marilyn Hamm.

APRIL 18, 1988, ANSWER, NEW MATTER & COUNTERCLAIM, filed by James A. Naddeo, Esq. 1 copy cert atty.

APRIL 25, 1988, REPLY TO NEW MATTER AND ANSWER TO COUNTERCLAIM, filed by Joseph Colavecchi, Esq

MAY 2, 1988, PETITON TO AMEND AMSWER, NEW MATTER AND COUNTERCLAIM, filed by James A. Naddeo, Esq. 1 cert/ ORDER, Atty

AND NOW, THIS 28th day of April, 1988, upon consideration of the Petition of the Petitioners, Richard D. Ogden and Jeanne M. Ogden, husband and wife, it is hereby ORDERED and DIRECTED that Rule be issued upon the Respondent to show cause why the Petitioners should not be granted leave to amend their Answer, New Matter, and Counterclaim.

Rule Returnable on the 17th day of May, 1988.

BY THE COURT: Joseph S. Ammerman, Judge.

CERTIFICATE OF MAILING, filed

I, JAMES A. NADDES, Esquire, Attorney for Petitioner do hereby certify that a copy of the foregoing Petition was served by first-class mail, postage prepaid, upon Joseph Colavecchi, Esq., Attorney for Respondent.

Said Petition was mailed this 2nd day of May, 1988. /s/ James A. Naddeo, Esq.

MAY 4, 1988, ANSWER TO PETITION TO AMEND ANSWER, AND NEW MATTER AND COUNTERCLAIM, filed by Joseph Colavecchi, Esq.

MAY 31, 1988, BRIEF IN SUPPORT OF DEFENDANTS' PETITION TO AMEND ANSWER, NEW MATTER AND COUNTERCLAIM, filed by James A. Naddeo, Esq.

MAY 31, 1988, BRIEF IN SUPPORT OF PLAINTIFF'S OBJECTION TO THE PETITION TO AMEND ANSWER, NEW MATTER AND COUNTERCLAIM, filed by Joseph Colavecchi, Esq

MAY 31, 1988, ORDER, filed 2 cert/Judge "A"

NOW, this 31st day of May, 1988, upon consideration of Defendants' Petition to Amend New Matter to assert the defense of teh Statute of LLimitations, it is the ORDER of teh Court that the Petition be and is hereby granted. Cf. Pellegrine v. Home Insurance Co., 200 PA. Super. Ct. 48, 186 A.2d 662 (1962); Eberhart v. Philadelphia, 2 Dist. & Co Rep. 3d 257 (1976). BY THE COURT: Joseph S. Ammerman, Judge.

JUNE 10, 1988, AMENDED ANSWER, NEW MATTER AND COUNTERCLAIM, filed by James A. Naddeo, Esq 1 cert/atty CERTIFICATE OF MAILING, filed.

JUNE 15, 1988, PRAECIPE FOR APPEARANCE, filed

Kindly enter the appearance of Sughrue & Kesner on behalf of Plaintiff in the above-captioned matter. /s/ John Sughrue & Kim C. Kesner, Esq.

JUNE 17, 1988, PRAECIPE TO WITHDRAW APPEARANCE, filed

Please withdraw my appearance on behalf of Gertrude M. Fleck in the above-captioned case. /s/ Joseph Colavecchi, ESq.

JULY 5, 1988, REPLY TO NEW MATTER & COUNTERCLAIM & NEW MATTER, filed by John Sughrue, Esq.

JULY 27, 1988, PRELIMINARY OBJECTIONS, filed by James A. Naddeo, Esq.

CERTIFICATE OF MAILING, filed by James A. Naddeo, Esq. 2 cert/Atty.

*Elkor  
Corrected  
2-16-88* JULY 27, 1988, PRELIMINARY OBJECTIONS, filed by James A. Naddeo, Esq. CERTIFICATE OF MAILING, filed by James A. Naddeo, Esq. 2 cert/Atty

AUGUST 10 1988, NOTICE OF DEPOSITION OF GERTRUDE M. FLECK, filed by James A. Naddeo.

CERTIFICATE OF SERVICE: 2 cert atty

I, James A. Naddeo, Esq. attorney for Defts. do hereby certify that a copy of the foregoing Notice of Depo. was served upon the following: Gertrude M. Fleck, Plff. John Sughrue, Esq. /s/ James A. Naddeo, Esq.

SEPTEMBER 7, 1988, DEPOSITION OF GERTRUDE M. FLECK, filed in Trans Drawer "O".



88-8-EQU

FLECK

vs

OGDEN

SEPTEMBER 20, 1988, PLAINTIFF'S BRIEF IN OPPOSITION TO DEFENDANTS' PRELIMINARY OBJECTIONS TO HER REPLY, filed by John Sughrue, Esq. 1 cert atty.

CERTIFICATE OF SERVICE:

AND NOW, this 20th day of September, 1988, I do hereby certify that I have this day served and true and correct copy of Plaintiff's Brief in Opposition to Defendants Preliminary Objections to Her Reply on the following and in the manner indicated below: By U.S. Mail, first class, postage prepaid upon: James A. Naddeo, Esq. /s/ John Sughrue, Esq.

OCTOBER 10, 1988, ORDER OF COURT, filed 1 cert/Atty Sughrue & Atty Naddeo, Esq.

AND NOW, to-wit: this 28th day of September, 1988, this being the date and time set for Defendants' Preliminary Objections to Plaintiff's New Matter included in her Reply and with the agreement of Plaintiff's counsel, it is ORDERED that New Matter filed as part of Plaintiff's Reply shall be and is hereby stricken in its entirety. BY THE COURT: Joseph S. Ammerman, Judge.

NOVEMBER 14, 1988 STIPULATION AND ACCEPTANCE OF SERVICE filed

The above named parties by their attorneys, hereby stipulate that Plaintiff may amend her reply to new matter /s/ James A. Naddeo, Attorney for Defendants, John Sughrue, Attorney for Plaintiffs.

ACCEPTANCE OF SERVICE

James A. Naddeo, Attorney for Defendants, hereby accepts service of Plaintiffs first amended reply this 7th day of November, 1988, /s/ James A. Naddeo, attorney for Defendants.

NOVEMBER 14, 1988 AMENDED REPLY TO NEW MATTER AND COUNTERCLAIM filed.

CERTIFICATE OF SERVICE

AND NOW, this 14th day of November, 1988, I do hereby certify that I have this day caused to be served a true and correct copy of Plaintiff's AMENDED reply to NEW MATTER and COUNTERCLAIM on the following and in the manner indicated below: BY PERSONAL SERVICE James A. Naddeo, Esquire by John Sughrue, Esquire, Attorney for Plaintiff's.

FEBRUARY 27, 1989, DEPOSITION OF RICHARD D. OGDEN, filed in Trans. Drawer "O"

MARCH 13, 1989, NOTICE OF TAKING OF DEPOSITION OF JOHN A. AYRES, filed by John Sughrue, Esq.

CERTIFICATE OF SERVICE, filed

AND NOW, this 13th day of March, 1989, I do hereby certify that I have this day caused a true and correct copy of Plaintiff's Notice of Deposition to be served on the following and in the manner indicated below. BY UNITED STATES MAIL, FIRST CLASS, POSTAGE PREPAID: John A. Ayres, Esq and James A. Naddeo, Esq. /s/ John Sughrue, Esq.

MAY 24, 1989, PRAECIPE, filed 2 cert/Atty

Please list the above-captioned action for trial. I certify to the following:

- (1). That no motions are outstanding and that discovery has been completed and the case is ready for trial;
- (2). That the case is to be heard non-jury;
- (3). That notice of this Praecipe has been served upon counsel for the Plaintiff and
- (4). That the litigation involves rescission of a conveyance. /s/ James A. Naddeo, Esq.

CERTIFICATE OF SERVICE, filed

I, JAMES A. NADDEO, Esquire, do hereby certify that a true and correct copy of the foregoing Praecipe was served by first-class mail, postage prepaid, upon John Sughrue, Esquire, Attorney for Plaintiff, 23 North Second Street, Clearfield, Pennsylvania 16830.

Said Praecipe was mailed this 24th day of May, 1989. /s/ James A. Naddeo, Esq.

SEPTEMBER 5, 1989, PRETRIAL STATEMENT, filed by John Sughrue, Esq.

CERTIFICATE OF SERVICE, filed

AND NOW, this 5th day of September, 1989, I do hereby certify that I have this day caused to be served a true and correct copy of Plaintiff's Pretrial Statement on the following and in the manner indicated below; BY PERSONAL SERVICE, James A. Naddeo, Esq., Clearfield, PA 16830. /s/ John Sughrue, Esq.

SEPTEMBER 7, 1989, MOTION IN LIMINE, filed by John Sughrue, Esq.

CERTIFICATE OF SERVICE: 1 cert atty

AND NOW, This 7th day of September, 1989, I do hereby certify that I have this day caused to be served a true and correct copy of Plaintiff's Motion in Limine on the following by personal service: James A. Naddeo, Esq. /s/ John Sughrue, Esq.

OCTOBER 8, 1989, DEPOSITION OF JOHN A AYRES, JR. filed in Trans Drawer "O".

NOVEMBER 7, 1989, ORDER, filed 1 cert/Atty

AND NOW, to-wit: this 7th day of November, 1989, upon oral motion of John Sughrue, Attorney for Plaintiff, it appearing to the Court that the Plaintiff is scheduled for hospitalization on November 13, 1989, and the Court being advised that the Attorney for the Defendants does not have any objection, it is ORDERED that nonjury trial scheduled in the above-captioned matter for November 13, 1989, and November 14, 1989, shall be and is hereby continued to the next trial term and the Prothonotary is directed to place this matter on the next available trial list. BY THE COURT: Joseph S. Ammerman, Judge.

DECEMBER 8, 1989, PRAECIPE, filed

Kindly mark all causes of action filed by the Plaintiff and all causes of action filed by the Plaintiff and all causes of action filed by the Defendants in the above-captioned matter settled and discontinued with prejudice, each party to pay their own costs. /s/ James A. Naddeo, Esq.

SETTLEDANDDISCONTINUEDWITHPREJUDICE



Charles A.  
Bierbach

M. TERRY LILLIBRIDGE and  
DEBORAH LILLIBRIDGE

MARCH 22, 1988, COMPLAINT/EQUITY, FILED By Charles A.  
Bierbach  
Two Copies Certified to Sheriff.

MARCH 25, 1988, SHERIFF'S RETURN, filed  
NOW, March 24 1988 served the within Complaint  
on Ralph G. Lingle, Jr., deft. by handing to Ralph G.  
Lingle, Jr.,

NOW, March 24, 1988 served the within Complaint  
on Rhonda K. Lingle, Deft. by handing to Ralph G.  
Lingle, Jr., Husband.  
/s/ Chester A. Hawkins by Marilyn Hamm.

88-9-EQU

APRIL 21, 1988, ANSWER, filed by James A. Naddeo,  
Esq. 1 cert/Atty  
CERTIFICATE OF MAILING, filed by James A. Naddeo,  
Esq.

AUGUST 16, 1988, NOTICE OF DEPOSITION OF ROBERT  
CONKLIN, JR., AND BETTY J. CONKLIN, filed by James  
A. Naddeo, Esq.

RALPH G. LINGLE, JR. and  
RHONDA K. LINGLE

CERTIFICATE OF SERVICE, filed by James A Naddeo,  
Esq.

JANUARY 9, 1989, DEPOSITION OF BETTY J. CONKLIN,  
filed in Trans Drawer "L".

JANURY 9, 1989, DEPOSITION OF ROBERT CONKLIN, Jr.,  
filed in Trans Drawer "L".

FEBRUARY 8, 1989, NOTICE OF DEPOSITION OF  
DEBORAH LILLIBRIDGE, filed by James Naddeo, Esq.  
1 cert to atty.

FEBRUARY 8, 1989, NOTICE OF DEPOSITION OF  
M. TERRY LILLIBRIDGE, filed by James A. Naddeo, Esq.  
1 cert atty

Pro by Atty 40.00  
Shff by atty 22.00  
Surg. by atty 4.00  
Pro *by Atty* 5.00

MARCH 21, 1989, PRAECIPE TO DISCONTINUE WITH  
PREJUDICE, filed 2 cert atty Naddeo

Please mark the above captioned case discon-  
tinued with prejudice.  
/s/ Charles A. Bierbach, Esq.

DISCONTINUED WITH PREJUDICE



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John R. Carfley

FRED R. KORMAN  
ALBERT GENESI

MARCH 24, 1988, COMPLAINT/PARTITION EQUITY, filed by John R. Carfley, Esquire--Property Located Gulich Twp. One Copy Certified to Attorney  
One Copy Certified to Sheriff

APRIL 6, 1988, AFFIDAVIT OF SERVICE, filed NOW, April 4, 1988 at 1:45 PM DST served the within Complaint in Partition on B. Eloise Olson, deft at residence, by handing to B. Eloise Olson. /s/ Chester A. Hawkins, Shff, by Marilyn Hamm.

88-10-EQU

APRIL 7, 1988, ADDEPTANCE OF SERVICE, filed I accept service of the Complaint in Partition on Behalf of the Extate of Thomas Brennan and Martin Brennan, Executor, and certify that I am authorized to do so. /s/ Girard Kasubick, Esq.

Girard  
Kasubick

B. ELOISE OLSON and  
ESTATE OF THOMAS BRENNAN  
BY Martin Brennan,  
Executor

APRIL 15, 1988, ANSWER, FILED by Girard Kasubick, Esq. 2 cert/Atty

APRIL 19, 1988, LETTER FROM DEFENDANT E. ELOISE OLSON, filed.

MAY 17, 1988, MOTION FOR SUMMARY JUDGMENT, filed John R. Carfley, ESq.

MAY 20, 1988, AFFIDAVIT IN SUPPORT OF PLAINTIFFS' MOTION FOR SUMARY JUDGMENT., filed by John R. Carfley, Esq.

MAY 25, 1988, MOTION FOR SUMMARY JUDGMENT, filed by John R. Carfley, Esq. 1 cert atty.

MAY 25, 1988, ORDER OF COURT, filed 2 copies cert atty.

Pro by Atty 40.00  
JRC  
Shff by Atty 23.20  
sur  
charge by Atty 2.00

AND NOW, this 20th day of May, 1988, upon consid-  
eration of the foregoing Motion for Summary Judgment  
IT IS ORDERED that defendant, B. Eloise Olson  
appear and show cause why the prayer of said Motion  
should not be granted.

Rule returnable the 10th day of June, 1988, at  
2:00 P.M. in Courtroom No. 1, Courthouse, Clearfield,  
Penna. BY THE COURT: John K. Reilly, Jr P.J.



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Anthony S. Guido

FRANCES M. SOBCZAK

MAY 9, 1988, COMPLAINT IN EQUITY, filed by Anthony S. Guido  
One Copy Certified to Sheriff.

MAY 10, 1988, AFFIDAVIT OF SERVICE, filed.  
NOW, May 9, 1988 at 4:43 PM o'clock DST served within Complaint on deft at residence, by handing to William Reed, Husband. So answers, Chester A. Hawkins, Shff by s/ Marilyn Hamm

88-11-EQU

MAY 31, 1988, ANSWER AND NEW MATTER, filed by James A. Naddeo, Esq 1 cert/Atty

SEPTEMBER 29, 1988, STIPULATION & CONSENT DECREE OF SETTLEMENT, filed  
2 copies cert Atty Guido.

AND NOW, this 28th day of September, 1988, upon Stipulation as evidenced by the terms herein, and the parties signatures hereto, this Court hereby enters the following Order.

1. The life estate of the Plaintiff, FRANCES M. SOBCZAK, is hereby released.

2. In consideration for said release, the Defendant, DONNA JEAN REED, shall pay to the Plaintiff the sum of \$5,000.00 for the sale proceeds of said premises when sold. In the event Defendant leases the subject premises, then Defendant shall pay to the Plaintiff the first Five Thousand (\$5,000.00) Dollars of rental received from said premises.

3. Plaintiff shall return to the Defendant the power mike which Plaintiff has in her possession.

4. The Prothonotary is hereby directed to mark this action settled and discontinued.

BY THE COURT: Joseph S. Ammerman, Judge.

James A. Naddeo

DONNA JEAN REED, formerly  
DONNA JEAN SIPLE

Pro	by Atty	40.00
Shff	by atty	
Shff	Hawkins	23.60
Shff	Surcharge	2.00
Pro	by atty	5.00

SETTLED	DISCONTINUED
=====	=====
=====	=====
=====	=====



FEBRUARY 25, 1991, SHERIFF RETURN, filed

NOW, February 20, 1991, at 1:50 PM EST served the within Order on James L. McLaughlin, deft at residence, PO Box 503, Race St, Est., Clearfield, Clfd Co, PA by handing to James L. McLaughlin.

NOW, February 22, 1991 after diligent search in my bailiwick I return the within Order "NOT FOUND, Defendant Deceased" as to Betty J. McLaughlin, deft. /s/ Chester A. Hawkins, Shff, by Marilyn Hamm.



Anthony S. Guido	DAVID E. BLAKLEY	<u>MAY 10, 1988, COMPLAINT IN EQUITY,</u> filed by Anthony S. Guido One Copy Certified to Attorney
	88-12-EQU	<u>MAY 27, 1988, ACCEPTANCE OF SERVICE,</u> filed AND NOW, May 24, 1988, service of a certified copy of Complaint in Equity filed in the above case is hereby accepted on behalf of Defendants, SCOTT V. JONES and BENJAMIN S. BLAKELY, III, t/d/b/a BLAKLEY & JONES. /s/ Scott Jones, Esq.
		<u>JUNE 20, 1988, ANSWER WITH NEW MATTER,</u> filed by James A. Naddeo, Esq. 1 cert atty.
		<u>AUGUST 30, 1988, PLAINTIFF"S FORST REQUEST FOR PRODUCTION OF DOCUMENTS AND TANGIBLE THINGS DIRECTED TO DEFENDANTS,</u> filed by Anthony S. Guido, Esq.
James A. Naddeo	SCOTT V. JONES and BENJAMIN S. BLAKLEY, III t/d/b/a BLAKLEY & JONES	<u>AUGUST 30, 1988, RESPONSE OF DEFENDANTS TO PLAINTIFF"S FIRST REQUEST FOR PRODUCTION,</u> filed by James A. Naddeo, ESq.
		<u>AUGUST 30, 1988, AFFIDAVIT OF SERVICE,</u> filed Before me, the undersigned officer, personally appeared James A. Naddeo, who being duly sworn according to law, deposes and says that he is the attorney for the Plaintiff in the above captioned action and that in accordance with the PA. Rules of Civil Procedure, Rule 4005, that an original and two copies of interrogatories directed to the Plaintiff, David E. Blakley, were served on the attorney for the Plaintiff, Anthony S. Guido, Esq. on August 30, 1988. Said Interrogatories included a direction to reply to said Interrogatories within thirty (30) days from the date of service. /s/ James A. Naddeo, Esq.
		<u>MARCH 16, 1989, MOTION FOR SANCTIONS AND UNSIGNED ORDER,</u> filed by Anthony S. Guido, Esq.
	Pro by atty 40.00	<u>MARCH 20, 1989, MOTION FOR SANCTIONS AND UNSIGNED ORDER,</u> filed by Anthony S. Guido, Esq.
		<u>MARCH 21, 1989, ORDER,</u> filed 1 copy cert R. Billotte, C.A. NOW, this 20th day of March, 1989, pursuant to Code of Judicial Conduct, Canon 3, Section 3, it is hereby ORDERED that the Judges of the Court of Common Pleas of Clearfield County, Pennsylvania, are hereby disqualified from service in the above captioned case. Further, it is ORDERED that the Court Administrator of Clearfield County shall assign a Judge within Regionalization Unit II for service in this case. BY THE COURT: John K. Reilly, Jr, P.J.
		<u>JANUARY 15, 1990, ORDER,</u> filed 1 cert/Atty Naddeo 1 cert/Atty Guido AND NOW, this 11 day of January, 1990, after review and consideration of Motion for Sanctions filed by Plaintiff, DAVID E. BLAKLEY, and argument on said motion, it is hereby ordered that Defendants, SCOTT V. JONES and BENJAMIN S. BLAKLEY, III, t/d/b/a BLAKLEY & JONES, shall produce for inspection by Plaintiff within twenty (20) days of this order: 1. A list of all accounts receivable on hand as of December 31, 1986. 2. Defendants' partnership tax return for 1987. 3. The entire contents of the Shaw case file. BY THE COURT: Francis A. Searer, Specially Presiding Judge.
		<u>FEBRUARY 23, 1990, MOTION TO COMPEL DISCOVERY,</u> filed by James A. Naddeo, Esq. 1 cert atty.



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John R.  
Ryan

GERALD BELGIN and DIANE  
BELGIN, his wife

88-13-EQU

JAMES NIEBAUER

Pro	by Atty	40.00
Pro	by Shff	22.00

MAY 16, 1988, COMPLAINT FOR INJUNCTIVE RELIEF--EQUITY,  
filed by Colavecchi & Ryan  
Three Copies Certified to Attorney.

MAY 17, 1988, RULE RETURNABLE, filed by John R.  
Ryan  
Three Copies Certified to Attorney.

AND NOW this 16 day of May, 1988, a Rule is issued  
upon Defendant to appear and show cause why a Temporary  
Injunction should not issue preventing him from  
obstructing the roadway as described in Plaintiffs'  
Complaint, said Temporary Injunction to remain in effect  
until such time as the merits of the case can be heard  
by the Court.

Rule made Returnable for the 20 day of May 1988, at  
2:15 o'clock p.m., Court Room #1, Clearfield County  
Courthouse. BY THE COURT, s/ John K. Reilly, President  
Judge

MAY 20, 1988, ORDER, filed 3 cert/Atty  
AND NOW, this 20th day of May, 1988, this being  
the date set aside for consideration of Plaintiffs'  
Request for a Temporary Injunction, and it appearing  
that the parties are in agreement with the terms  
and conditions to be set forth herein, it is therefore  
ORDERED that Defendant immediately remove all obstruction  
from the roadway which is the subject of this action,  
and refrain from obstructing said roadway until resolu-  
tion be by agreement or by decree after hearing on  
the merits.

It is expressly ORDERED that this Temporary  
Injunction shall not prejudice Defendant or Plaintiffs  
in any way, nor does it imply any admission of liability  
by either party.

Further, it is ORDERED that Plaintiffs not be  
required to post bond at this time pursuant to Pennsy-  
lvania Rule of Civil Procedure 1531, said bond having  
been waived by Defendant.

This Order relates only to the use of said roadway  
by Plaintiffs and shall not be construed to extend  
any right to third parties. BY THE COURT: John K.  
Reilly, Jr., P.J.



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Peter F. Smith

CONSOLIDATED RAIL CORPORATION

88-14-EQU

Carl A. Belin, Jr.

THOMAS COAL SALES, INC.

Pro by Atty 40.00

MAY 13, 1988, COMPLAINT/EQUITY, filed by Smith & Smith  
Two Copies Certified to Attorney

MAY 13, 1988, MOTION FOR PRELIMINARY INJUNCTION,  
filed by Peter F. Smith  
Two Copies Certified to Attorney.

MAY 13, 1988, AFFIDAVIT OF PATRICK G. WEAVER IN  
SUPPORT OF CONRAIL'S MOTION FOR PRELIMINARY INJUNCTION,  
filed by Peter F. Smith.  
Two Copies Certified to Attorney.

MAY 13, 1988, INJUNCTION BOND, filed by Peter F.  
Smith.

MAY 13, 1988, PRELIMINARY INJUNCTION, filed by  
Peter F. Smith.  
(Returned from Judge unsigned)

MAY 17, 1988, PRAECIPE, filed by Belin, Belin &  
Naddeo

Please enter my appearance on behalf of the  
Defendant with regard to the above-captioned action.  
BELIN, BELIN & NADDEO, By s/ Carl A. Belin, Jr.,  
Attorney for Defendant

MAY 23, 1988, ORDER, filed 2 cert/Atty Smith  
1 cert/Atty Belin

NOW, this 20th day of May, 1988, this being the  
day and date set for hearing into the above-captioned  
Complaint for Preliminary Injunction, upon agreement  
of the parties, it is the ORDER of this Court that  
upon Plaintiff posting a security bond in the amount  
of \$110.000.00, the Defendant, its subsidiaries,  
related and affiliated corporations, officers, agents,  
employees and assigns, and all other persons acting  
in concert with them, be and are hereby enjoined and  
prohibited from preventing or interfering with the  
movement of Plaintiff's engines and cabooses over  
Defendant's sidetrack in Greenwood Township, Clearfield  
County, Pennsylvania. Said injunction to remain  
in effect until further Order of Court. BY THE COURT:  
John K. Reilly, Jr., P.J.

JUNE 20, 1988, ACCEPTANCE OF SERVICE, filed  
AND NOW, This 31st day of May, 1988, come the  
defendant, Thomas Coal Sales, Inc. and its attorney  
Belin, Belin & Naddeo, and hereby accepts service  
of the Complaint, Affidavit of Patrick G. Weaver,  
Motion for Preliminary Injunction, Injunction Bond  
and Order of Court dated May 20, 1988.  
/s/ Carl A. Belin, Jr., Esq. 1 cert atty.

JUNE 20, 1988, ANSWER TO MOTION FOR PRELIM-  
INARY INJUNCTION, filed by Carl A. Belin, Jr. Esq.  
1 copy cert atty.

CERTIFICATE OF SERVICE:  
I hereby certify that a copy of the foregoing  
Answer was hand delivered on this 20th day of June,  
1988, to Peter Smith, Esq. /s/ Carl Belin, Esq.

JUNE 20, 1988, ANSWER, NEW MATTER AND COUNTERCLAIM, filed by  
Carl A. Belin, Jr., Esq. 1 cert to atty.

AUGUST 25, 1988, ANSWER TO NEW MATTER AND COUNTERCLAIM, filed by Peter F.  
Smith, Esq.



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Joseph Colavecchi

JUANITA D. HOLENCIK

MAY 20, 1988, SUMMONS IN EJECTMENT, filed by Joseph Colavecchi, Esq.

Please issue a Summons in Ejectment directed to M & M Construction Company, Inc., R.D.# 1, Box 391, Morrisdale, PA 16858.

MAY 23, 1988, WRIT OF SUMMONS ISSUED TO THE SHERIFF FOR SERVICE.

MAY 25, 1988, COMPLAINT IN EJECTMENT, filed by Joseph Colavecchi, Esq. 1 copy cert Shff; 2 copies cert atty.

88-15-EQU

MAY 26, 1988, AFFIDAVIT OF SERVICE, filed NOW, May 25, 1988, at 8:33 PM DST served the within Summons in Ejectment on M&M Construction Co. Inc. deft. by handing to Mark McDowell, Part Owner. /s/ Chester A. Hawkins by Marilyn Hamm

M & M CONSTRUCTION COMPANY, INC.

MAY 26, 1988, AFFIDAVIT OF SERVICE, filed NOW, May 25, 1988, at 8:33 PM DST served the within Complaint in Ejectment on M&M Construction Co. Inc., Deft. by handing to Mark McDowell, Part Owner. /s/ Chester A. Hawkins, Shff, by Marilyn Hamm

Pro	by atty	J.C.	20.00
Pro	by atty		20.00
Shff	by Attty	JC	21.20
sur-charge	by Attty	JC	2.00
Shff	by Attty	JC	21.20
sur-charge	by Attty		2.00



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JAMES B.  
Ball

KATHY A. FEIBELMAN,  
Petitioner

MAY 23, 1988, PETITION TO PROCEED IN FORMA PAUPERIS,  
filed by James B. Ball, Esq.

MAY 23, 1988, PETITION FOR RELIEF, filed by  
James B. BALL, Esq 8 cert/Atty

MAY 23, 1988, TEMPORARY PROTECTION ORDER IN EQUITY  
filed

AND NOW, this 23rd day of May, 1988, upon present-  
ation and consideration of the within Petition and  
upon finding that there is cause to believe that there  
may be immediate and present danger to teh Petitioner,  
IT IS HEREBY ORDERED and DIRECTED as follows:

(1). The Respondent, Stephen Wayne Waugh, is  
prohibited from abusing and harassing Petitioner,  
Kathy A. Feibelman, said harassmetn to include, among  
other things, telephone calls to teh Petitioner.

(2). The REspondent is prohibited from approachin  
and entering the Petitioner's present residence at  
R.D. 1, Box 76, Fallentimber (Allemandsville), PA,  
including the Petitioner's trailer thereon and teh  
surrounding grounds of the Clearfield County Municipal  
Services and Recreational Authority (formerly the  
Wopsononik Boy Scout Camp), and further, the REspondent  
is prohibited from approaching and entering any future  
residence of the Petitioner.

This Order shall remain in effect until further  
Order of Court. A Hearing regarding this matter will  
be held on the 31st day of May, 1988, at 10:00 AM  
at the Clearfield County Courthouse, Clearfield,  
Pennsylvania. Respondent is hereby advised of his  
right to be represented by counsel at the hearing.

The Sheriff and the appropriate police depart-  
ments are empowered to enforce this Order. Service  
to be made on the Respondent by the Sheriff forthwith.

A violation of this Order may subject the  
violating party to punishment for contempt. BY THE  
COURT: Joseph S. Ammerman, Judge.

MAY 24, 1988, ORDER, filed 2 cert/K.L.S.

AND NOW, this 24th day of May, 1988, the  
Petitioner having filed an abuse action in equity,  
and this Court having issued a Temporary Protective  
Order In Equity, this Court, upon consideration of  
Petitioner's counsel's Praecipe To Proceed In Forma  
Pauperis and the Petitioner's Affidavit In Support  
Of Petition To Proceed In Forma Pauperis, finds that  
the Petitioner is indeed unable to pay the filing  
fee and Sheriff's service of process costs. This Court  
hereby grants the Praecipe to Proceed In Forma Pauperis  
in this action. BY THE COURT: Joseph S. Ammerman,  
Judge.

MAY 31, 1988, ORDER, filed 7 cert/KLS

NOW, this 31st day of May, 1988, the parties  
having appeared at a conference hearing and reached an  
agreement, it is the ORDER of the Court that the May  
20, 1988, Temporary Protective Order in Equity  
entered on May 23, 1988, shall remain in effect until  
further Order of Court pending final execution of the  
Agreement and entry of the final Order. BY THE COURT:  
Joseph S. Ammerman, Judge.

JUNE 2, 1988, AGREEMENT, filed by Robin Jean Foor, Esq. 4 cert/KLS

JUNE 2, 1988, FINAL PROTECTION ORDER IN EQUITY, filed 4 cert/KLS

AND NOW, THIS @ND DAY OF June, 1988, upon consideration of the agreement of the parties  
the following final Protection Order in Equity is hereby entered and the Agreement executed  
by the parties is hereby approved.

The Respondent, Stephen Wayne Waugh, is enjoined from abusing, harassing, and threatening  
the Petitioner, Kathy A. Feibelman. The Respondent is enjoined from contacting the Respondent  
by Telephone or in any other manner.

The Respondent is enjoined from approaching and entering the Petitioner's present  
residence at R.D. 1, Box 76, Fallentimber (Allemandsville), Pennsylvania, including the  
Petitioner's trailer thereon and the surrounding grounds of the Clearfield County Municipal  
Services and REcreation Authority, formerly known as the Wopsononik Boy Scout Camp. The  
Respondent is enjoined from approaching and entering any future residence of the Petitioner.  
BY THE COURT: Joseph S. Ammerman, Judge.

JUNE 22, 1988, SHERIFF RETURN, filed

NOW, May 24, 1988, Jay Roberts, Shff. of Cambria County was deputized by Chester A.  
Hawkins, Shff. of Clearfield County to serve the within Petition on Stephen Wayne Waugh,  
deft.

Now, May 27, 1988, served the within Petition on Stephen Wayne Waugh, deft. by  
deputizing the Shff. of Cambria County. The return of Shff. Roberts is hereto attached and  
made a part of this return. /s/ Chester A. Hawkins, Shff, by Marilyn Hamm

88-16-EQU

STEPHEN WAYNE WAUGH,  
Respondent

Pro *by Co* 40.00  
*by Co*  
Office  
Shff Credit 21.00  
Shff  
Roberts by Co. 42.20

*CD # 6868*

*CD # 7074*



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David M. Moran

ANDREW P. FABIAN and LINDA L. FABIAN, his wife, ROBERT H. LORESKI and WANDA K. LORESKI, his wife, WILLIAM ROSEHWALD and SHIRLEY ROSENWALD, his wife, RICHARD HENSAL and LINDA HENSAL, his wife, JEFFREY SIMCOX and WILLIAM R. PEPPERMAN, ROBERT PATTON and DOROTHY PATTON, his wife, GEORGENE C. CURRIN, GEORGE D. JOHNS and DORETHA JOHNS, his wife, DENNIS GRAW and GEORGIA GRAW, his wife, JOSEPH J. VOLKER, JR. and RENEE VOLKER, his wife, EDWARD WENTZ and WANDA WENTZ, his wife, FLOYD GALL and DONNA GALL, his wife, LINDA CRAWFORD, JEAN NEAL, JAMES M. VANCE and MILDRED B. VANCE, his wife JACK R. FYE and ROMANA L. FYE, his wife, PAUL M. ANDERSON and JEAN A. ANDERSON, his wife, RAYBURN FAIRMAN and ANN MAE FAIRMAN, his wife, GUSTAF ANDERSON and BARBARA E. ANDERSON, his wife, CHARLES K. SULLENBERGER and SUSAN SULLENBERGER, his wife, BERNARD D. MILLER and HELEN MILLER, his wife, JAMES ACKLEY and LUANN ACKLEY, his wife, JAMES A. MILLER and DOROTHY M. MILLER his wife, CLARENCE C. CURTIS and JANCE M. CURTIS his wife, LEROY MYERS and VIRGINIA MYERS, his wife, JOSEPH N. CIAMACCO and MARY ANN CIAMACCO, his wife, LESTER E. ROBINSON, CLAUDE W. NITCH and ROSELEE K. NITCH, his wife, DORIS PAJERSKI, JACK C. WELCH and CAROLE D. WELCH, his wife, JAMES M. HOPKINS and IRENE C. HOPKINS, his wife, and DONALD A. KOSTRUBANICK and MARY ANN KOSTRUBANICK, his wife.

Plaintiffs

88-17-EQU

RECREATION LAND CORPORATION  
Defendant

Pro	by Atty	52.50
Shff	by Atty	31.20
sur-		
charge	by Atty	2.00
Pro	<i>D. Roman</i> <i>by atty</i>	40.00
Pro	<i>(EAS)</i> <i>by atty</i>	30.00
Pro		8.02
Pro	<i>by Atty</i>	5-

JUNE 1, 1988, COMPLAINT IN EQUITY, filed by David M. Moran, Esq. 1 cert/Shff

JUNE 7, 1988, AFFIDAVIT OF SERVICE, filed NOW, June 6, 1988 at 2:30 PM DST served the within Complaint in Equity on Recreation Land Corp., deft. by handing to Jack Stevenson, PIC. /s/ Chester A. Hawkins, Shff, by Marilyn Hamm.

JUNE 20, 1988, PRAECIPE FOR APPEARANCE, filed  
Please enter our appearance on behalf of the Defendant, Recreation Land Corporation, in the above captioned case.  
/s/ William R. Tighe, Esq. & Edward A. Schenck, Esq.

JUNE 23, 1988, PRELIMINARY OBJECTIONS, filed by William R. Tighe, Esq.

JULY 26, 1988, ANSWER TO PRELIMINARY OBJECTIONS, filed on behalf of all Plaintiffs. filed by David M. Moran, Esq.

AUGUST 1, 1988, BRIEF IN SUPPORT OF PRELIMINARY OBJECTIONS, filed by William R. Tighe, Esq. & Edward A. Schenck, Esq.

CERTIFICATE OF SERVICE, filed by Edward A. Schenck, Esq.

AUGUST 9, 1988, BRIEF IN OPPOSITION TO PRELIMINARY OBJECTIONS, filed by David M. Moran, Esq.

OCTOBER 13, 1988, ORDER, filed 2 cert/Judge "A"  
NOW, this 11th day of October, 1988, upon consideration of Defendant's Preliminary Objections and after reviewing the Briefs submitted by counsel, it is hereby ORDERED:

(1). Defendant's Preliminary Objection relative to the nonjoinder of necessary parties is overruled. However, the Plaintiffs are directed to provide notice of this action to the remaining property owners within ninety (90) days from the date hereof. Furthermore, the Defendant is directed to immediately provide to the Plaintiffs the names and addresses of all of the remaining property owners. The notice should include the caption of the case and the following statement:  
NOTICE

A Complaint In Equity has been filed against Recreational Land Corporation in the Court of Common Pleas, Clearfield County, Pennsylvania. If you wish to intervene in this action, you must file a petition pursuant to Rule 2328 of the Pennsylvania Rules of Civil Procedure. The Notice should be sent by first class mail. At the completion of the ninety (90) day period, the Plaintiffs shall file an affidavit of service which shall include the names and addresses of the remaining property owners.

(2). Defendant's Preliminary Objection in the nature of a demurrer is overruled.

(3). Defendant's Preliminary Objection in the nature of a motion to strike Paragraph 22(i) of the Complaint is sustained. However, the Plaintiffs are given (60) days from the date hereof to amend Paragraph 22(i) of the Complaint.

(4). Defendant's Preliminary Objection in the nature of a motion to strike that portion of Paragraph 28 of the Complaint alleging "other fraudulent conduct" without specificity is sustained. However, the Plaintiffs are given sixty (60) days to amend this portion of the Complaint.

(5). Defendant's Preliminary Objection in the nature of a motion to strike the request for punitive damages in Count II of the Complaint is sustained.

(6). Defendant's Preliminary Objection relative to the lack of jurisdiction of this Court to issue a declaratory judgment is overruled subject to the Notice requirements set forth in Paragraph (1) of this Order.

(7). Defendant's Preliminary Objection in the nature of a motion to strike the portion of Court IV of the Complaint requesting injunctive relief is sustained.

(8). Defendant's preliminary Objection relative to misjoinder of causes of action is sustained. However the Plaintiffs are given sixty (60) days to amend the Complaint setting forth with specificity in individual counts the alleged oral or written misrepresentation made to each Plaintiff.

PAUL B. REED and  
MARY JO REED h/w  
Intervenors

William R. Tighe  
Edward A. Schenck



(9). Defendant's Preliminary Objection to strike off a pleading because of lack of conformity to law is sustained. However, the Plaintiffs are given sixty (60) days to amend the Complaint to which the written contracts that exist between the other fifty-seven (57) Plaintiffs and the Defendant should be attached. BY THE COURT: Joseph S. Ammerman, Judge.

DECEMBER 28, 1988, MOTION FOR EXTENSION OF TIME AND ORDER, filed  
AND NOW, this 27th day of December, 1988, it is hereby ORDERED, ADJUDGED and DECREED that the plaintiffs will be granted 30 amount of days extension within which to file the additional documents requested by the Order of Court signed by Judge Ammerman on the 11th day of October, 1988. BY THE COURT: Joseph S. Ammerman, Judge.  
CERTIFICATE OF SERVICE, filed by David M. Moran, Esq.

DECEMBER 28, 1988, AMENDED COMPLAINT IN EQUITY, filed by David M. Moran, Esq.  
CERTIFICATE OF SERVICE, filed by David M. Moran, Esq.

DECEMBER 30, 1988, ORDER, filed 2 cert/Judge "A"  
NOW, this 27th day of December, 1988, it is the ORDER of the Court that Paragraph (1) of the Order of October 11, 1988, be amended as follows:  
The Notice shall be sent in a standard envelope with a return address. The Notice shall be on two sheets of paper with the full caption. The costs of printing and mailing shall be paid by the Plaintiffs. However, the Court may assess the cost of printing and mailing against the Defendant at a later point if the facts and the law permit.  
This Order may be modified by agreement of the parties. BY THE COURT: Joseph S. Ammerman, Judge.

JANUARY 6, 1989, PRELIMINARY OBJECTIONS TO AMENDED COMPLAINT IN EQUITY, filed by William R. Tighe, Esq & Edward A. Schenck, Esq.  
CERTIFICATE OF SERVICE, filed by Edward A. Schenck, Esq.

JANUARY 13, 1989, ORDER, filed 4 cert/Judge "A"  
NOW, this 13th day of January, 1989, it is the ORDER of the Court that the following Notice be published in the Clearfield Progress and DuBois Courier-Express:  
NOTICE: Recently, all property owners of an undivided 1/3000 interest in Lots No. 833 through 975 and 1075 through 1311 in a certain property known as Phase I of Cayman Landing in the Cayman Section of Treasure Lake Subdivision in Sandy Township, Clearfield County, Pennsylvania, received a Notice from David M. Moran, Esquire, informing them that, should they desire to intervene in the case of Andrew Fabian et al v. recreation land coporation, they should contact their attorney or the Court Administration Office.

If you desire a copy of the original Complaint filed in this matter which specifies the allegations, you must go to the Clearfield County Prothonotary Office located at One North Second Street, Clearfield, PA, and receive a copy at your expense.

YOU have a right to counsel of your choice. It is recommended that you contact an attorney of your choice to discuss your options. BY THE COURT: Joseph S. Ammerman, Judge.

JANUARY 13, 1989, AFFIDAVIT OF SERVICE, filed  
AND NOW, comes David M. Moran, counsel for the plaintiffs, who being duly sworn according to law deposes and says as follows:

1. This Affidavit is being filed pursuant to the Order of Court of October 11, 1989.

2. Attached hereto and marked as Exhibit "A" is an exact reproduction of the mailing list that was provided to plaintiffs' counsel by counsel for defendant pursuant to subparagraph (1) of the Court's Order of October 11, 1989, wherein the defendant was directed to provide the names and addresses of all the remaining property owners.

3. On January 11, 1989, counsel for plaintiff mailed by first class mail, postage prepaid a true and correct copy of the Notice containing the full caption and notice as required by the Court's Order in subparagraph (1) of the Order of October 11, 1989, to each property owner as set forth on the attached Exhibit "A".

4. A review of the list further indicated that the list contained the names of Mr. and Mrs. Harold W. Bennett, however, there was no address on the computer print out for this name and although an envelope and Notice was prepared for the said Harold W. Bennett it was not mailed out as being undeliverable.

5. The following names contained partial addresses and are set forth as they appear on Exhibit "A"/ Envelopes and Notices were prepared and mailed, however, these are being set forth as counsel for plaintiff is unable to determine whether or not these mailings are deliverable: Ms. Anna Genevro, X, Brockport, PA 15823; Mr. Ricardo Genevro, X, Brockport, PA 15823; Mr. John Genevro, X, Brockport, PA 15823; Ms. Lisa Genevro, X, Brockport, PA 15823; Ms. Flora Genevro, X, Brockport, PA 15823; Mr. Thomas Genevro, X, Brockport, PA 15823; Mr. David Genevro, X, Brockport, PA 15823; Mrs. & Mrs. Robert A. Walker, X, Moshannon, PA 16859; Ms. Mildred Walker, X, Moshannon, PA 16859; Mr. Randall E. Zellers, X, Minoville, AP 16856; Ms. Evelyn J. Fegley, 1Paul H. HOOPSI, CK JR 0000000, 0001HOOPSPH

6. A copy of the Notice as mailed to the remaining property owners is attached hereto and marked as Exhibit "B". /s/ David M. Moran, Esq.

JANUARY 27, 1989, ANSWER TO PRELIMINARY OBJECTIONS TO AMENDED COMPLAINT IN EQUITY, filed by David M. Moran, Esq.

CERTIFICATE OF SERVICE, filed

I, David M. Moran, hereby certify that a true and correct copy of the foregoing ANSWER TO PRELIMINARY OBJECTIONS TO AMENDED COMPLAINT IN EQUITY was served this 24th day of January, 1989, by first class mail, postage prepaid upon William R. Tighe, Esq. /s/ David M. Moran, Esq.

JANUARY 30, 1989, AMENDMENT TO AMENDED COMPLAINT, filed by David M. Moran, Esq.  
NO COPIES.



Barbara H. Schickling

ROBERT W. LIEGEY

JUNE 16, 1988, COMPLAINT AND ORDER, filed 1 cert/Atty AND NOW, this 16th day of June, 1988, upon consideration of the Plaintiff's Request for an accounting and appointment of a receiver, it is hereby ORDERED and DECREED that a Rule shall and is hereby issued upon the Defendant to Show cause, if any, why the prayer of Petitioner's Complaint should not be granted.  
Rule Returnable to held the 5th day of July, 1988, at 2:00 PM in Courtroom No. 1, of the Clearfield County Courthouse, Clearfield, Pennsylvania. BY THE COURT: John K. Reilly, Jr., P.J.

88-18-EQU

JUNE 29, 1988, AFFIDAVIT OF SERVICE, filed NOW, June 28, 1988 at 10:00 AM DST served the withi Complaintin Equity & Order on Edward Liegey, deft. by handing to Connie Liegey, Wife. /s/ Chester A. Hawkins, Shff, by Marilyn Hamm

JULY 1, 1988, PRAECIPE FOR ENTRY OF APPEARANCE, Please enter my appearance on behalf of Edward Liegey, Defendant, in the above captioned matter. Kindly file all correpondence to Alan F. Kirk, Esq. /s/ Alan F. Kirk, Esq. 3 cert/Atty

JULY 1, 1988, PRELININARY OBJECTIONS, filed Alan F. Kirk, Esq. 3 cert/Atty

OCTOBER 25, 1988 ORDER filed.  
AND NOW, this 25th day of october, 1988 this being the time set for hearing in the abovecaptioned equity action, the parties being represented by counsel and having agreed as follows: it is hereby ORDERED AND DECREED that:

1. The partnership entered into by the parties on April 8, 1982, is hereby dissolved.
2. The hydraulic Gantry is not a partnership asset and defendant will pay the plaintiff's interest in said equipment and this sum shall be due and payable at time of first )1) payment upon sale of partnership assets.
3. That the Defendant shall immediately mske avail- able all of the partnership property in his possession including all contents of the garage owned jointly by the parties for the purpose of being appraised.
4. Kenneth Braniff will be hired to appraise the heavy equipment wherever located, and a represenative of Clearfield Equipment will be hired to appraise the trucks, tractors and trailers, and the Defendant will place an individual value on all the remaining items. Appraisers will provide a detailed listing of the items appraised and their values with copies to be submitted to counsel for the parties within (15) days.
5. Acopy of the most recent appraisal on the real estate done by Provost Real Estate, Clearfield Penna. will be obtained andcopied provided to Counsel for the parties.

Alan F. Kirk

EDWARD LIEGEY

Pro	by Atty	40.00
Shff	by Atty	28.80
Sur-		
charge	by Atty	2.00

6. Within ten (10) days after receipt party wishing to purchase the partnership assets shall submit a sealed bid to opposing counsel andcounsel for the parties shall meet at 9:00 A.M. on the (11) eleventh day for purpsoe of opening the bids. The partner offering the highest bid for the business shall b e empowered to continue the partnership and pay the other partner his proportionate share of said bid. INthe event the partners share in the business exceeds t wenty Five Thousand (\$25, 0000.00) dollars then the re- maining partner shall hav e the right to pay said amount over a period of three (3) years in equal annual installments with interest established b y the Mellon Bank,prime rate at the time of the opening of the bids with full payment or the first (1st) installment being due on the thirtieth (30th) day following the determination of the successful bidder. In the event installment payments are utilized, subquent payments shall be made on the annual anniversary date for the next two (2) years. The partner purchasing the business shall further execute a judgement note for the unpaid balance which shall be recorded with the Prothonotary's Office of Clearfield,County.
7. In the event that neither party submits a bid for the partnership assets, a receiver shall be appointed to tkaecharge of said partnership assets for the purpose of liquidating and/or sale of said assets.
8. Upon sale of the partnership, an amount equ lato the appraised value of those items in dis- pute shall be placed in the interest bearing account until ownership is resolved either by agreemen of the parties or by the Court.
9. The defendant is hereby ordered to prepare an account for all of the transactions and deal- ings using partnership assets from April 1, 1986 to the present and to pay the Plaintiff that amoun that shall appear due asa result of said accounting from his share of the proceeds from the sale of the assets or shall be added to the payment due under paragraph 6 if the Defendant is the high- est bidder.
10. All Court cost and appraisal fees shall be divided equally by the parties. In the event that the assets are sold the Court costs and appraisal fees shall be deducted from the proceeds of saidsale prior to distribution to the parties. BY THE COURT /s/ John K. Reilly Jr. JUDGE 4/ Cert to Atty.



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James B  
Ball

MICHELE L. BLOOM,  
Plaintiff

JULY 6, 1988, MOTION FOR PRELIMINARY INJUNCTION,  
filed by James B. Ball, Esq. 3 cert/Atty

JULY 6, 1988, PRAECIPE TO PROCEEDIN FORMA  
PAUPERIS, filed by James B. Ball, Esq. 3 cert/Atty

JULY 6, 1988, ORDER, filed 3 cert/Atty  
AND NOW, this 6th day of July, 1988, upon pre-  
sentation and consideration of Plaintiff's Complaint  
and upon Motion of the Plaintiff's attorney, it  
hereby ORDERED THAT:

(1). The Defendant immediately restore the  
Plaintiff's water, electric and gas service to the  
rental premises located at 201 Rowland Street,  
Philipsburg, Pennsylvania 16866.

(2). The Defendant is enjoined from interfering  
with or terminating any of the Plaintiff's utilities  
at said residence.

(3). The Defendant is enjoined from engaging  
an any other activity designed to or having the  
effect of evicting the Plaintiff from said residence  
or interfering with the Plaintiff's exclusive right  
to the peaceful possession and quiet enjoyment of  
said residence.

(4). The Defendant may exercise his rights under  
the Commonwealth's Landlord/Tenant Act.

A hearing for the purpose of determining  
whether the preliminary injunction is to be continued  
pending a final determination on the matter will be  
held on the 8th day of July, 1988, at 9:00 AM at the  
Clearfield County Courthouse, Clearfield, Pennsylvania,  
Courtroom No. \_\_\_\_.

Service to be made on Defendant by the Sheriff  
forthwith. BY THE COURT: John A. Cherry, Sr. Judge.

JULY 11, 1988, MEMORANDUM AND ORDER, filed  
2 cert/KLS

NOW, July 8, 1988, upon presentation and  
consideration of Plaintiff's Complaint, and upon  
Motion of teh Plaintiff's attorney, it is hereby  
Ordered that:

1. The defendant immediately restore the  
plaintiff's water, electric and gas service to the  
rental premises located at 201 Rowland Street,  
Philipsburg, Pennsylvania 16866

2. The Defendant is enjoined from interfering  
with or terminating any of the Plaintiff's utilities  
at said residence.

3. The defendant is enjoined from engaging in  
any other activity designed to or having the effect  
of evicting the plaintiff from said residence or  
interfering with the plaintiff's exclusive right to  
the peaceful possession and quiet enjoyment of said  
residence.

4. The defendant may exercise his rights under  
the Commonwealth's Landlord/Tenant Act.

A hearing from the purpose of determining whether  
the preliminary injunction is to be continued pending  
a final determination on the matter will be held on  
the 11th day of July, 1988, at 10:00 AM at the  
Clearfield County Courthouse, Clearfield, Pennsylvania  
Courtroom No. 1. BY THE COURT: John A. Cherry, Sr. J.

JULY 14, 1988, ORDER, 2 cert/KLS , filed

AND NOW, this 11th day of July, 1988, upon agreement of the parties, it is the ORDER of this  
Court that:

(1). Defendant, John L. G. Ferguson, shall make the premises at 201 Rowland Street,  
Philipsburg, Pennsylvania safe for electrical and water service within five (5) days from date  
hereof. During said time, Defendant will also furnish proper fittings for the gas tank so that  
service may be had.

(2). That Plaintiff, Michele L. Bloom, shall be permitted to reside in said premises  
for the space of thirty-five (35) days from date hreof, whereupon Plaintiff will vacate said  
premises and surrender the same together with the keys thereof peacefully unto Defendant.

(3). That during the space of said thirty-five (35) day period, Plaintiff shall be  
solely responsible for all electricity, water, sewage, and gas used.

(4). Thet Plaintiff shall be available, upon reasonable notice, to permit entry of Defendan  
of his agents for the purposes stated in paragraph 1 hereinabove. The Defendant or his agents  
shall not enter the premises without the Plaintiff being present to permit entry.

(5). That at the expiration of the said thirty-five (35) day period, Plaintiff will  
surrender the premises in as good condition as exists when Defendant renders the same  
habitable per paragraph 1 hereinabove.

(6). That Plaintiff hereby waives any claim or right under the Landlord/Tenant Act or  
any related State or federal statute or regulation and, further, is hereby bound by this Order  
under penalty of contempt.

(7). That should a contempt proceeding be necessarily instituted by Defendant to  
recover possession the premises or otherwise enforce this Order, costs including reasonable  
attorney's fees shall be borne by Plaintiff should Defendant prevail in the same.

(8). That, likewise, should contempt proceedings be necessarily instituted by Plaintiff  
to secure Defendant's obligations under paragraph 1 hereof, costs including reasonable attorney's  
shall be borne by Defendant should Plaintiff Prevail in the same.

(9). That this Order constitutes the full agreemetn between the parties concerning the  
subject premises, and no further claim for rent for said thirty-five (35) day period shall be  
made nor shall any claim for return of any alleged prior paymetns by Plaintiff be made. BY  
THE COURT: John K. Reilly, Jr., P.J.

CONT. TO PG 226

88-19-EQU

JOHN L.G. FERGUSON,  
Defendant

Pro *ly Co* 40.00  
Office  
Shff Credit 25.80

*Che # 7912*  
*7846*



JULY 18, 1988, AFFIDAVIT OF SERVICE, filed  
NOW, July 8, 1988 at 11:45 AM DST served the within Motion & Order on John L.G. Ferguson, deft. at Clearfield County Courthouse, by handing to John L.G. Ferguson.  
/s/ Chester A. Hawkins, Shff, by Marilyn Hamm

AUGUST 18, 1988, PETITION, filed by John R. Carfley, Esq.

AUGUST 22, 1988, ORDER OF COURT, filed

1 copy cert atty Carfley

AND NOW, this 19th day of August, 1988, upon consideration of the foregoing Petition, Plaintiff/Respondent is directed to appear and show cause why the prayer of defendant/petitioner should not be granted.

RULE returnable and hearing thereon the 1st day of September, 1988, at 2:30 P.M. in Courtroom No. 1, Clearfield County Courthouse, Clearfield, PA.  
BY THE COURT: John K. Reilly, Jr President Judge.

AUGUST 30, 1988, CERTIFICATE OF SERVICE, filed

I, John R. Carfley, Esquire, hereby certify that on August 24, 1988, I have served a True and correct copy of the within Petition and Order of Court upon the following party by placing a copy of the same in the US mail, first class, postage prepaid addressed as follows: James Ball, Esq. /s/ John R. Carfley, Esq.



William R. Tighe

RECREATION LAND CORPORATION,  
WOLF RUN MANOR CORPORATION  
SILVERWOODS ASSOCIATION,  
and WOLF RUN MANOR ASSOCIATION

88-20-EQU

TREASURE LAKE PROPERTY OWNERS ASSOCIATION, INC.

Pro	by atty	40.00
Pro	by Atty	5.00

JULY 8, 1988, COMPLAINT IN EQUITY, filed by William R. Tighe, Esq. 2 cert atty.

JULY 8, 1988, ORDER, filed 1 cert atty; 1 cert atty Jones; 1 cert atty Yeager; 1 cert atty Schenck.

NOW, this 8th day of July, 1988, this being the day and date set for hearing in the above captioned matter, and upon consideration thereof, it is the ORDER of the Court that plaintiff's Petition for Preliminary Injunction be and is hereby DENIED. BY THE COURT: John A. Cherry, Senior Judge.

JANUARY 18, 1989, PRAECIPE TO DISCONTINUE, WITHOUT PREJUDICE, filed

Please discontinue the above captioned equity case, without prejudice. /s/ William R. Tighe & Edward A. Schenck, Attorneys for Plaintiffs.

DISCONTINUED WITHOUT PREJUDICE

CERTIFICATE OF SERVICE, filed

I hereby certify that a true and correct copies of the within Praecipe to Discontinue, Without Prejudice, was served on the counsel listed below by first class mail, postage prepaid, this 17th day of January, 1989. Richard L. McCandless, Esq; & Michael P. Yeager, Esq. /s/ William R. Tighe & Edward A. Schenck, Esq.



FEBRUARY 7, 1990, PROOF OF PUBLICATION, filed  
FEBRUARY 27, 1989, SUPPLEMENTAL VERIFICATIONS TO AMENDED COMPLAINT IN EQUITY, filed by David M. Moran, Esq.

MARCH 13, 1989, SUPPLEMENTAL VERIFICATION TO AMENDED COMPLAINT IN EQUITY, filed by David M. Moran, Esq.

APRIL 24, 1989, ANSWER TO PETITION FOR RECONSIDERATION OF PARAGRAPHS ONE AND SIX OF THE ORDER OF COURT DATED OCTOBER 11, 1988 OR, IN THE ALTERNATIVE, PETITION FOR PERMISSION TO APPEAL FROM AN INTERLOCUTORY ORDER, filed by David M. Moran, Esq.

CERTIFICATE OF SERVICE, filed

I, David M. Moran, hereby certify that a true and correct copy of the foregoing ANSWER TO PETITION FOR RECONSIDERATION OF PARAGRAPHS ONE AND SIX OF THE ORDER OF COURT DATED OCTOBER 11, 1988 OR, IN THE ALTERNATIVE, PETITION FOR PERMISSION TO APPEAL FROM AN INTERLOCUTORY ORDER was served this 20th day of April, 1989, by first class mail, postage prepaid upon William R. Tighe, Esquire, at TIGHE, EVAN & EHRMAN, Four Gateway Center, 13th Floor, Pittsburgh, PA 15222-1273. /s/ David M. Moran, Esq.

APRIL 26, 1989, ORDER, filed 2 cert/Judge "A"

NOW, this 24th day of April, 1989, upon consideration of the Preliminary Objections filed on behalf of the defendant, Recreation Land Corporation, in the nature of a Motion to Strike Count III of the Amended Complaint and a Motion to Strike portions of the Amended Complaint for failure to attach certain documents and verifications, it is the ORDER of the Court that the Preliminary Objections be and are hereby overruled in part and sustained in part. The Preliminary Objection in the nature of a Motion to Strike Count III is overruled. The Preliminary Objection in the nature of a Motion to Strike portions of the Amended Complaint due to failure to attach certain documents and verifications is sustained as to the plaintiffs, Floyd Gall, Donna Gall and Lester Robinson and overruled as to plaintiffs, Rayburn Fairman and Ann Mae Fairman. BY THE COURT: Joseph S. Ammerman, Judge

APRIL 26, 1989, ORDER, filed 2 cert/Judge "A"

NOW, this 26th day of April, 1989, upon consideration of the Petition for Reconsideration of Paragraphs One and Six of the Order of Court dated October 11, 1988 or In the Alternative, Petition for Permission to Appeal From an Interlocutory Order, it is the ORDER of the Court that the prayer of the Petition for Reconsideration be and is hereby denied. However, paragraphs One and Six of the Order of Court dated October 11, 1988, which overrule the preliminary objections of defendant Recreation Land Corporation, are amended to indicate that the Order set forth in Paragraphs One and Six involves a controlling question of law as to which there is a substantial ground for difference of opinion and that an immediate appeal from the Order set forth in Paragraphs One and Six may materially advance the ultimate termination of this case. Opinion to be filed in the event of an appeal. BY THE COURT: Joseph S. Ammerman, Judge.

MAY 30, 1989, PETITION FOR PERMISSION TO APPEAL, filed by William R. Tighe, and Edward A. Schenck, Esq.

CERTIFICATE OF SERVICE, filed

I hereby certify that a true and correct copy of the within Petition for Permission to Appeal was served on all counsel, the Prothonotary of the Court of Common Pleas of Clearfield County, and Honorable Joseph S. Ammerman, by first Class mail, postage prepaid this 25th day of May, 1989. Prothonotary of Court of Clearfield County, David M. Moran, Esq and Honorable Joseph S. Ammerman, Judge. /s/ William R. Tighe, Esq and Edward A. Schenck, Esq.

JULY 3, 1989, PETITION FOR INTERVENTION & RULE, filed  
1 cert atty.

AND NOW, this 30th day of June, 1989, this Rule is granted to show cause why Petitioners, Paul B. Reed and Mary Jo Reed, husband and wife, should not be permitted to intervene in this action.

Rule returnable this 27th day of July, 1989, at Clearfield County Courthouse at 10:30 A.M. All proceedings to stay meanwhile.

BY THE COURT: Joseph S. Ammerman, Judge.

JULY 3, 1989, AFFIDAVIT OF SERVICE OF PETITION FOR INTERVENTION, filed by David A. Romani, Esq. (atty for Paul B. & Mary Jo Reed)

ACCEPTANCE OF SERVICE, filed by Wm. R. Tighe, Esq. 1 cert atty

JULY 27, 1989, ORDER, filed 1 cert/Atty Romane 1 cert/Atty Moran

AND NOW, this 27th day of July, 1989, upon full consideration of the Petition for Intervention, it is hereby Ordered and Decreed that the Petitioners, Paul B. Reed and Mary Jo Reed, husband and wife, are permitted to intervene in this action as a party-plaintiff upon the terms set forth in the Petition for Intervention. BY THE COURT: Joseph S. Ammerman, Judge.

ALL PAPERS FILED IN LEGAL "WW"

AUGUST 15, 1989 ORDER FROM SUPERIOR COURT OF PA., filed.

AND NOW, this 10th day of August, 1989, the Petition for permission to appeal filed by Recreation Land Corporation, is GRANTED. PER CURIAM"

In testimony whereof, I have hereunto set my hand and seal of said Court of Pittsburgh, Pa. this 11th day of August, 1989. s/Eleanor R. Valecko, Deputy Prothonotary.

AUGUST 16, 1989 SUPERIOR COURT OF PENNSYLVANIA OFFICIAL DOCKET # 01225 PGH89, filed.

OCTOBER 10, 1989, PETITION FOR INTERVENTION, filed by Kenneth S. Mroz, Esq.

FEBRUARY 9, 1990, COMPLAINT IN EQUITY, filed by Kenneth S. Mroz, Esq.

FEBRUARY 20, 1990, MEMORANDUM SUBMITTED PURSUANT TO RULE OF APPELLATE PROCEDURE 1925(a), filed /s/ Joseph S. Ammerman, Judge. 5 cert/Judge "A"

FEBRUARY 20, 1990, PETITION FOR RECONSIDERATION OF PARAGRAPHS ONE AND SIX OF THE ORDER OF COURT DATED OCTOBER 11, 1988 OR, IN THE ALTERNATIVE, PETITION FOR PERMISSION TO APPEAL FROM AN INTERLOCUTORY ORDER, filed by Edward A. Schenck, Esq.



Carl A.  
Belin

LAWRENCE TOWNSHIP,  
Plaintiff

JULY 11, 1988, COMPLAINT IN EQUITY, filed by Carl  
A. Belin, Esq. 1 cert/Atty

JULY 20, 1988, SHERIFF RETURN, filed  
Now July 19, 1988 at 6:26 PM DST served the within  
Complaint in Equity on James L. McLaughlin, defendant at  
Residence, Race St. Est., Clearfield, Clearfield  
County, PA, by and ing to James L. McLaughlin.  
Now, July 20, 1988 attempted to serve the within  
Complaint in Equity on Betty J. McLaughlin, defendant.  
Return the within Complaint in Equity "NOT FOUND,  
DECEASED". /s/ Chester A. Hawkins, Shff, Marilyn Hamm

MAY 30, 1990, AFFIDAVIT OF SERVICE, filed  
I, KIMBERLY M. KUBISTA, Attorney for Plaintiff  
in the above-captioned action, do hereby certify that a  
written notice of intention to file Praeipce for  
Default was mailed to teh Defendnats at their last  
known address on May 2, 1990, by certified mail as  
evidenced by certified mail receipt, which is attached  
hereto and incorporated herein by reference. Said date  
being at least ten (10) days prior to presentation  
of this Praeipce for filing a default judgment, a  
copy of said notice is attached hereto. /s/ Kimberly  
M. Kubista, Esq.

MAY 30, 1990, PRAECIPE, filed  
Please enter Judgment by Default against the  
Defendants in the above-captioned action for failure to  
file responsive pleadings to the Complaint served  
upon him by the Clearfield County Sheriff's Department  
on July 19, 1988, within twenty (20) days from the date  
of service. Judgment to be entered against the  
Defendants. /s/ Kimberly M. Kubista, Esq.

Judgment is entered in favor of the Plaintiffs and  
against the Defendants for failure to file an answer.

DEFAULT JUDGMENT

*Allen D. Birtz*  
Prothonotary

MAY 30, 1990, NOTICE OF DEFAULT JUDGMENT MAILED TO  
DEFTS. /s/ du

JUNE 19, 1990, PLAINTIFF'S MOTION FOR ENTRY  
OF FINAL DECREE UPON JUDGMENT OF DEFAULT AGAINST  
DEDENDANT, filed by Kimberly M. Kubista, ESq.  
1 cert/Atty

UNE 19, 1990, ORDER, filed 1 cert/Atty  
NOW, this 19th day of June, 1990, Defendants  
are hereby directed to remove the junk cars, salvage  
lumber and related material and eliminate the  
public nuisance located on a certain tract of  
land situated in Lawrence Township, Clearfield  
County, Pennsylvania, more fully described in  
Clearfield County Deed and Record Book 552, Page  
195, within thirty (30) days. If Defendants fail  
to remove said materials, the Shff of Clearfield  
County is hereby directed to demolish the junk  
cars and remove the salvage lumber and related  
materials to eliminate the nuisance. BY THE COURT:  
John K. Reilly, Jr., P.J.

NOVEMBER 27, 1990, PETITION FOR CONTEMPT,  
filed by Kimberly M. Kubista, Esq. 2 cert/Atty  
RULE, filed

AND NOW, this 27th day of November, 1990, upon  
consideration of the attached Petition, it is hereby  
ORDERED and DIRECTED that a Rule be issued upon  
Respondents to show cause why Respondents should  
not be held in contempt.

Rule returnable with a hearing thereon the 2nd  
day of January, 1991, at 2:00 PM. BY THE COURT:  
John K. Reilly, Jr., P.J.

JANUARY 3, 1991, ORDER, filed 2 cert/atty (Shff)

NOW, this 3rd day of January, 1991, upon Petitioner, LAWRENCE TOWNSHIP'S Petition for  
Contempt with hearing thereon it is hereby the Order of this Court that Respondents be held  
in contempt for failure to comply with Order of the Court dated June 19, 1990. The Sheriff  
of Clearfield County is directed to demolish the junk cars and remove the salvage lumber and  
related materials to elimate the public nuisance located on Respondents' property in Lawrence  
Township, Clearfield County, Pennsylvania. BY THE COURT: John K. Reilly, Jr., P.J

88-21-EQU

JAMES L. McLAUGHLIN and  
BETTY J. McLAUGHLIN,  
Defendants

Pro by Atty	40.00
Shff by Atty	22.00
sur-charge by Atty	4.00
Pro <i>by atty</i>	9.00
Shff by Atty	20.00
sur-charge by Atty	4.00



MARCH 2, 1990, ALL PAPERS MAILED TO SUPERIOR CT CERTIFIED MAIL #P 119 816 799,

MARCH 2, 1990, SENDERS RECEIPT FOR CERTIFIED MAIL #P 119 816 799, filed.

MARCH 6, 1990, RETURN RECEIPT FOR CERTIFIED MAIL #P 119 816 799, filed.

APRIL 21, 1993, ORDER FROM SUPERIOR COURT, filed  
AND NOW, this 10th day of September, 1990 it is ordered as follows: Order reversed Jurisdiction Relinquished. BY THE COURT: Eleanor R. Valecko, Deputy Prothy

APRIL 21, 1993, ORDER FROM SUPREME COURT OF PA WESTERN DISTRICT, filed  
Appeal dismissed as having been improvidently granted. Mr. Justice Larsen dissents. Mr. Justice Papadakos dissents and would reach the merits of the case. JUDGMENT ENTERED THIS 2nd DAY OF APRIL 1993. /s/ Irma T. Gardner, Deputy Prothy.

APRIL 26, 1993, ALL PAPERS FILED IN LEGAL "WW"

JUNE 3, 1993, MOTION TO AMEND COMPLAINT IN EQUITY, filed by David M. Moran, Esq.

JUNE 15, 1993, RULE, filed 1 cert/Atty Moran, Tighe  
AND NOW, this 10th day of June, 1993, a Rule is hereby issued upon defendant, Recreation Land Corporation to show cause why the plaintiffs' Motion to Amend the Complaint should not be granted. Said Rule returnable the 16th day of July, 1993 at 11:00 AM. BY THE COURT: Joseph S. Ammerman, Judge.

JUNE 15, 1993, CERTIFICATE OF SERVICE, filed  
I hereby certify that a true and correct copy of the: Motion and Rule in this matter was mailed by regular mail, postage prepaid, at the Post Office, Clearfield, Penna on this 15th day of June, 1993, to the attorneys of record. /s/ Anita Fisher

JULY 23, 1993, RESPONSE AND OPPOSITION TO MOTION TO AMEND COMPLAINT IN EQUITY, filed by William R. Tighe, Esq. 1 cert/Atty

CERTIFICATE OF SERVICE, filed  
July 21, 1993, RESPONSE AND OPPOSITION TO MOTION TO AMEND COMPLAINT IN EQUITY SERVED TO: David Moran, Esq. s/ Edward A. Schenck, Esq.

AUGUST 16, 1993, ORDER, filed 3 cert/Marcy  
NOW, this 16th day of August, 1993, the Court having heard argument on Plaintiffs' Motion to Amend Complaint in Equity and considered the issues raised therein, it is the ORDER of the Court that Plaintiffs are granted leave to file an Amended Complaint to join as involuntary plaintiffs all owners of an undivided 1/3000ths interest in lots 833 through 975 and 1075 through 1311 in the property known as Phase I of Cayman Landing in the Cayman Section, Treasure Lake Subdivision, Sandy Township, Clearfield County, Pennsylvania. Said individuals to be joined as involuntary plaintiffs shall include the names of each owner of an undivided interest as supplied to counsel for Plaintiff pursuant to this Court's order of October 11, 1988. It is further hereby ORDERED that Plaintiffs may incorporate by reference into the captioned of the Amended Complaint a photocopy of the list of names supplied to counsel for Plaintiff by counsel for Defendnat. It is further ORDERED that after teh filing of said Amended Complaint, the parties are hereinafter granted leave to file an abbreviated caption on each and every pleading and/or court document required to be filed of record in this action listing the first two names of the Plaintiffs and the Defendant, Recreation Land Corporation. BY THE COURT: Joseph S. Ammerman, Judge.

SEPTEMBER 15, 1993, PETITION FOR RECONSIDERATION OF THE COURT ORDER DATED AUGUST 16, 1993, OR, IN THE ALTERNATIVE, PETITION FOR CERTIFICATION TO APPEAL AN INTERLOCUTORY ORDER, filed by William R. Tighe, Esq and Edward A. Schenck, Esq.

CERTIFICATE OF SERVICE, filed  
September 14, 1993, PETITION FOR RECONSIDERATION OF THE COURT ORDER SERVED TO: David Moran, Esq. /s/ Edward A. Schenck, Esq.

MARCH 11, 1994, ANSWER TO PETITION FOR RECONSIDERATION OF THE COURT ORDER DATED AUGUST 16, 1993, OR IN THE ALTERNATIVE PETITION FOR CERTIFICATION TO APPEAL AN INERLOCUTORY ORDER, filed by David M. Morna, Esq.

CERTIFICATE OF SERVICE, filed  
March 8, 1994, ANSWER TO PETITION SERVED TO: Edward A. Schenck, Esq. /s/ David M. Moran, Esq.

FEB. 28, 1996, PRAECIPE TO DISCONTINUE, filed.  
Kindly discontinue Plaintiffs' case in the above-captioned action.  
s/DAVID M. MORAN, ESQ.  
I hereby certify that the foregoing is a true and correct statement of the above case.  
This statement is made subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities.

D I S C O N T I N U E D

MAR. 04, 1996, CERTIFICATE OF DISCONTINUANCE MAILED TO EDWARD A. SCHENCH, ESQ. RETURNED BY POSTAL SERVICE "RETURN TO SENDER, NOT AT THIS ADDRESS", filed



Benjamin S.  
Blakely, III

JOHN W. NEBURKA,  
Plaintiff

JULY 20, 1988, COMPLAINT, filed by Benjamin S.  
Blakely, III, Esq. 3 cert/Atty.

JULY 20, 1988, MOTION FOR PRELIMINARY INJUNCTION,  
filed by Benjamin S. Blakely, III, Esq 3 cert/Atty.

JULY 20, 1988, ORDER, filed 3 cert/Atty.

AND NOW, this 20th day of July, 1988, upon  
consideration of teh Plaintiff's verified Motion for  
Preliminary Injunction, Plaintiff's verified Complaint  
in Equity, and it appearing to the Court that  
immediate irreparable harm will be sustained by  
Plaintiff before a hearing can be held on Plaintiff's  
Motion for Preliminary Injunction in that, before  
such hearing can be heald, the goodwill of the Plaintiff  
in servicing his clients will be lost ad an independent  
business venture of the Plaintiff may evaporate,  
it is ORDERED that upon Plaintiff placing a security  
bond with the Defendants in an amount of \$\_\_\_\_\_,  
the Defendants, MARC KATZEN, HARRY KATZEN, and  
FRANCIS VILLELLA, t/d/b/a MEADOW PLAZA II, CO., shall  
permit the Plaintiff, JOHN W. NEBURKA, to enter the  
leased premises in the presence of a constable, and  
be permitted to remove personal papers and effects  
which would have no value to Defendants in conducting  
a distress sale including, but not limited to a copy  
of the lease dated 11/1/86, loan papers for the  
Plaintiff engaging in another business venture, and  
other client files. Plaintiff is not permitted to  
remove any items of personalty which would have value  
if to be sold at a distress sale.

88-22-EQU

MARC KATZEN, HARRY  
KATZEN and FRANCIS  
VILLELLA, t/d/b/a  
MEADOW PLAZA II, CO.,  
Defendants

It is the further ORDER of this Court that pursuant  
to Pennsylvania Rule of Civil Procedure 1531(d), a  
hearing pertaining to the continuance to this Preliminar  
injunction will be held on the 22nd day of July, 1988,  
at 9:00 am.

Further, a Rule is hereby entered upon the  
Defendants to show cause, at the above date and time,  
why this Preliminary Injunction should not be  
continued. BY THE COURT: John K. Reilly, Jr., P.J.

Pro by Atty 40.00



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Robert H  
Kutz

ANTHONY ROCCO

JULY 29, 1988, PRAECIPE, filed by Robert H. Kutz, Esq.

Please issue a Summons in Equity with lis pendens against the following real estate:

ALL that certain piece or parcel of land situate, lying and being in Union Township, Clearfield County, PA, and being bounded and described as follows, to wit:

BEGINNING at a post in the right-of-way of State Route No. 410; thence North 66 10' East 140 feet, more or less, to an iron pin; thence in a Southeasterly direction and perpendicular to State Highway Route No. 410 a distance of 200 feet along land now or formerly of Virgil Wheeler to an iron pin; thence South 72 28' West 69 feet, more of less, along the lands now or formerly of Avery Coal Company to a one inch iron pipe; thence South 71 33' West 160 feet along lands now or formerly of Avery Coal Company to a one-inch iron pipe; thence in a Northeasterly direction along the right-of-way of the B & O Railroad to a point of beginning. Countaining 1.1 acres, more or less. /s/ Robert H. Kutz, Esq.

88-23-CD

AUGUST 4, 1988, AFFIDAVIT OF SERVICE, filed  
— NOW, August 2, 1988 AT 9:28 AM DSTserved with with Summons on Irene Rocco, defendant at residence, RD#2 Box 36, Rockton, Clearfield County, PA by handing to Irene Rocco.  
/s/ Chester A. Hawkins, Shff, by Marilyn Hamm

IRENE C. ROCCO

Pro	by Atty	20.00
Pro	by Atty	21.20
Sur-charge	by Atty	2.00



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James B.  
Ball  
(Keystone  
Legal Services)

BRIGITTE BILLOTTE

AUGUST 11, 1988, MOTION FOR PRELIMINARY INJUNCTION & COMPLAINT, filed by James B. Ball, Esq. K.L.S. 3 copies cert to Atty.

AUGUST 11, 1988, PRAECIPE TO PROCEED IN FORMA PAUPERIS, filed by James B. Ball, Esq.

AUGUST 11, 1988, MOTION FOR PRELIMINARY INJUNCTION, filed by James B. Ball, Esq.

88-24-EQU

AUGUST 11, 1988, ORDER, filed  
AND NOW, this 11th day of August, 1988, upon presentation and consideration of the Plaintiff's Complaint and upon motion of the Plaintiff's attorney it is hereby ORDERED that:

GARY W. THOMPSON and  
STEPHANIE THOMPSON

(1). The Defendants immediately restore the Plaintiff's water service at the leased premises of R.D.1, Box 238, West Decatur, Penna. 16878 by reinstalling the water pump in the well, by making all necessary repairs to the water pump's electrical system, and by making all other additional and necessary repairs to effect service.

(2). The Defendants are enjoined from interfering with or terminating the Plaintiff's water service at the leased premises and all other utilities of the Plaintiff.

(3). The Defendants are enjoined from engaging in any other activity designed to or having the effect of attempting to evict or evicting the Plaintiff from the leased premises or interfering with the Plaintiff's exclusive right to the peaceful possession and quiet enjoyment of said residence.

(4). The Defendants may exercise their rights under the Commonwealth's Landlord/Tenant Act.

A hearing for the purpose of determining whether the Preliminary Injunction is to be continued pending a final determination in the matter will be held on the 15th day of August, 1988, at 2:00 P.M. at the Clearfield County Courthouse, Clearfield, PA Courtroom #2.

Service to be made on the Defendants by the Sheriff forthwith.

BY THE COURT: Joseph S. Ammerman, Judge

AUGUST 15, 1988 AFFIDAVIT OF SERVICE, filed  
NOW, August 12, 1988, at 2:15 P.M. served the within Motion & Complaint on Gary W. Thompson & Stephanie Thompson, Defts. at residence, RD# 2 Box 74A2, Clearfield, Clearfield Co. PA. by handing to Gary W. Thompson.  
/s/ Chester A. Hawkins by Marilyn Hamm.

DECEMBER 19, 1988, ORDER, filed

AND NOW, this 16th day of August, 1988, the Court, having held a hearing on August 15, 1988 on the merits of the above captioned case, enters the following Order with the consent of the parties, the Plaintiff being represented by James B. Ball, Esquire, of Keystone Legal Services, Inc., and the

Defendant being represented by Timothy Durant, Esq.

It is hereby ORDERED that:

(1). The Defendants, Gary W. Thompson and Stephanie Thompson, shall immediately restore the water service of the Plaintiff, Brigitte Billotte, at the Plaintiff's residence of R.D. 1, Box 238, West Decatur, Pennsylvania 16878 by making the necessary repairs to the residence's automatic pump system.

(2). The Plaintiff shall have the right to occupy the premises at R.D. 1, Box 238, West Decatur, Penna for a full thirteen (13) days following the Defendant's restoration of water service. The restoration of the water service will be verified by an exchange of letters between counsel. The thirteen (13) day period will being to run on the day following the restoration of water service. On the fourteenth (14) day following the restoration of water service, the sheriff is authorized by this Order, at the Defendants' request, to remove the Plaintiff and the Plaintiff's family from the premises.

(3). The Plaintiff waives the right to remain in the premises in excess of thirteen (13) days after the restoration of water service conferred on her by the Pennsylvania Landlord/Tenant Act of 1951 and common law, including the right to have an appeal of District Justice Rudella's judgment for possession and the right to possess the premises at least fifteen (15) days following any future order of possession entered by District Justice Rudella. (Gary W. Thompson vs. Brigitte Billotte, Michael Billotte and Stephen Billotte, Claim No. LT 1988-68.) The Defendants will not commence efforts to enforce District Justice Rudella's judgment for possession or initiate an ejectment action in the Court of Common Pleas.

(4). No rent will be due and owing the Defendants from the Plaintiff for the period during which the Plaintiff's residence has been and is without water service, said period having begun on August 2, 1988. For the period during which the Defendants are providing the Plaintiff's residence with water pursuant to this Order, The Plaintiff shall owe a proportional share of the given month's rental obligation, deemed to be \$300.00 per month for these purposes.

R# 8416

Pro	Key Co	40.00
Shff	Off	
	Credit	17.00



DECEMBER 19, ORDER CONT"D:

Accordingly, the Plaintiff shall owe the Defendants \$10.00 for each day she has water service.

(5). Further, the Plaintiff shall have no obligation to pay rent, and the landlord/tenant relationship between the parties will conclude, immediately after the plaintiff vacates the premises.

BY THE COURT: Joseph S. Ammerman, Judge.



James A.  
Naddeo

RONALD E. LYKENS

AUGUST 12, 1988, COMPLAINT, filed by James A. Naddeo,  
Esq. 1 cert/Shff

AUGUST 25, 1988, SHERIFF RETURN, filed  
Now, Augsut 22, 1988 served the within Complaint  
on American Honda Motor Company, Inc., defendant by  
Certified Mail #P734 135 896 at PO Box 50, 100 W.  
Almond Blvd., Gardena, CA 90247-0805 being their  
last known address. The return receipt is hereto  
attached and made a part of this return endorsed by  
agent for defendant. /s/ Chester A. Hawkins, Shff, by  
Marilyn Hamm

SEPTEMBER 9, 1988, NOTICE OF FILING OF PETITION  
FOR REMOVAL AND BOND, filed on behalf of American  
HONda Motor Company, INc. filed by Walter J. Blenko,  
Jr.

88-25-EQU

AMERICAN HONDA MOTOR  
COMPANY, INC.

Pro by Atty	40.00
Shff by Atty	19.00
sur-	
charge by Atty	2.00



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Ann B.  
Wood

RANDY L. OAKS and  
NANCY J. OAKS, his wife

AUGUST 30, 1988, MOTION FOR PRELIMINARY INJUNCTION,  
filed by Ann B. Wood, Esq. 2 cert/Atty

AUGUST 31, 1988, ORDER, filed 2 cert/Atty  
AND NOW this 31st day of August, 1988, upon  
consideration of the Plaintiffs' verified Motion  
for Preliminary Injunction with copy of Plaintiffs'  
verified Complaint in Ejectment, it is ordered  
that the above named Defendants show cause before  
this Court on the 15th day of September, 1988,  
9:00 am, at the Clearfield County Courthouse, why  
a preliminary injunction should not issue during  
the pendency of the action filed to 88-1392-CD,  
according to the prayer of such motion. BY THE  
COURT: John K. Reilly, Jr., P.J.

88-26-EQU

SEPTEMBER 7, 1988, ACCEPTANCE OF SERVICE, filed  
The undersigned acknowledges receipt of a copy  
of a Motion for Preliminary Injunction, Notice and  
Order which were filed in Clearfield County, PA to  
No. 88-26-EQU. as attorney for Don Sunderland and  
Robin Sunderland, Defts. /s/ John R. Ryan, Esq.

SEPTEMBER 12, 1988, ANSWER TO MOTION FOR  
PRELIMINARY INJUNCTION, filed by John R. Ryan, Esq.  
3 cert/Atty

John R.  
Ryan

DON C. SUNDERLAND and  
ROBIN SUNDERLAND, his  
wife.

SEPTEMBER 15, 1988, ORDER, filed  
NOW, this 15th day of September, 1988, this  
being the day and date set for consideration of  
Plaintiffs' Motion for Preliminary Injunction, it  
is the ORDER of this Court that said injunction  
be and is hereby granted to the extent that Defendants  
are ORDERED to remove any and all obstruction posts  
and railing presently located on the driveway and/  
of access to said driveway of the Plaintiffs. It  
is the further ORDER of this Court that neither party  
shall obstruct or hinder the use of the other of  
the subject premises until determined by hearing on  
the merits. BY THE COURT: John K. Reilly, Jr., P.J.

Pro by Atty 40.00



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Joseph Colavecchi

ALICE COPENHAVER, Executrix under the Last Will of ROSS COPENHAVER, Deceased, and ALICE COPENHAVER, Individually,

SEPTEMBER 6, 1988, COMPLAINT, filed by Joseph Colavecchi, Esq. 1 cert/Shff 3 cert/Atty

SEPTEMBER 14, 1988, AFFIDAVIT OF SERVICE, filed Before me, the undersigned officer, personally appeared JOSEPH COLAVECCHI, ESQUIRE, who, being duly sworn according to law, deposes and says that on SEptember 7, 1988, a certified copy of the Complaint filed on behalf of Alice Copenhaver, Executriz under the Last Will of Ross Copenhaver, Deceased, and Alice Copenhaver, Individually, was mailed to Carol Jean Reese by certified mail, return receipt requested. The return receipt was received from the Post Office showing that Bruce Davis picked up the letter containing the certifed copy of the Complaint on SEptember 9, 1988. A copy of this return receipt is attached hereto.

The above statements are true anc correct to the best of affiat's knowledge, information and belief. /s/ Joseph Colavecchi, Esq.

SEPTEMBER 21, 1988, SHERIFF'S RETURN, FILED NOW, September 7, 1988, William Beck, Sheriff of Cumberland County was Deputized to serve the within Complaint on Ronald E. Copenhaver, Deft. NOW, September 16, 1988, served the within Complaint on Ronald E. Copenhaver, Deft. The return of Sheriff Beck is hereby attached and made a part of this return stating that he serve Kathleen Copenhaver. /s/ Chester A. Hawkins by Marilyn Hamm.

88-27-EQU

SEPTEMBER 28, 1988, PRELIMINARY OBJECTIONS, filed by Laurance B. Seaman, Esq. 1 cert atty.

OCTOBER 13, 1988 PRELIMINARY OBJECTIONS TO THE PRELIMINARY OBJECTIONS OF DEFENDANTS filed. on behalf of Plaintiff ALICE COPENHAVER, by JOSEPH COLAVECCHI, ESQUIRE.

OCTOBER 14, 1988 REPLY TO PRELIMINARY OBJECTIONS filed. by Joseph colavecchi, Esq. for Plaintiff Alice Copenhaver.

OCTOBER 19, 1988 AFFIDAVIT OF SERVICE filed. BY JOSEPH COLAVECCHIS, ESQ., COUNSEL FOR Plaintiff Served on Carol Jean Reese Defendant.

NOVEMBER 22, 1988 ORDER filed. NOW, this 18 day of November, 1988, following argument into Defendants Preliminary Objections raising the issue of Laches, it is the Order of this Court that plaintiff be and is hereby granted Twenty(20) days to amend her complaint in the above captioned matter to specifically address the issue of her exercise of due diligence in pursuing her claimed legal rights. BY THE COURT /s/ John K. Reilly Jr., President Judge. 2.Cert Atty Seaman, 2/Cert Atty Colavecchi.

DECEMBER 15, 1988, FIRST AMENDED COMPLAINT, filed by Joseph Colavecchi, Esq. 4 cert/Atty

DECEMBER 16, 1988, MEMORANDUM AND ORDER, filed NOW, this 15th day of December, 1988, upon consideration of Plaintiff's Preliminary Objections to Defendants' Preliminary Objections, it is the ORDER of this Court that said Objections be and are hereby sustained to the extent that Defendants' Objections raising the defense of the Statute of Limitations are dismissed. In all other respects, Plaintiff's Preliminary Objection are dismissed and Plaintiff directed to either file a reply brief in response to Defendants' defense of laches or file an amended complaint within ten (10) days from date hereof. BY THE COURT: John K. Reilly, Jr., P.J.

JANUARY 4, 1988, PRELIMINARY OBJECTION TO FIRST AMENDED COMPLAINT, filed by Laurance B. Seaman, Esq.

JULY 27, 1989, MEMORANDUM AND ORDER, filed 1 cert/Atty Seaman 1 cert/Atty Colavecchi NOW, this 27th day of July, 1989, upon considerati of Defendants' Preliminary Objections to the Amended Complaint filed in the above-captioned matter, it is the ORDER of this Court that said Objections be and are hereby sustained and said Complaint dismissed with pre-judice. BY THE COURT: John K. Reilly, Jr., P.J.

Laurance B. Seaman

RONALD E. COPENHAVER and CAROL JEAN REESE

Pro	by Atty	40.00
Shff	by atty	21.00
Shff		
Beck	by atty	17.55
Surg.	by atty	2.00



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F. Cortez  
Bell, III

JOSEPH BARON and  
NANCY BARON, his wife;  
JAMES HALUSKA and  
ELIZABETH HALUSKA, his  
wife; and HAMILTON BROS.  
COAL, INC.,

SEPTEMBER 13, 1988, COMPLAINT IN EQUITY, filed  
by F. Cortez Bell, III, Esq. 4 cert/Atty

OCTOBER 3, 1988, AFFIDAVIT OF SERVICE, filed  
NOW, September 29, 1988 at 8:25 PM DST served tl  
within Complaint on Donald McDowell t/a/d/b/a M&M  
Const. Co., deft at residence, RD Box 301A, Morrisdale  
Clearfield County, PA by handing to Doanld McDowell.  
/s/ Chester A. Hawkins, Shff, by Marilyn Hamm

88-28-EQU

DONALD McDOWELL, trading  
and doing business as  
M & M CONSTRUCTION CO.

Pro	by Atty	40.00
Shff	by Atty	26.40
sur		
charge	by Atty	2.00



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Robert N.  
Peirce Jr  
  
Edward C.  
Leckey

FREDERICK C. PIZELLA and  
EVELYN PIZZELLA, his wife  
ANNA MAE PEZZULLA  
Personal Representative  
of the ESTATE of FRANK W.  
ALBER, EDWARD HUMMEL and  
DEBRA HUMMEL, his wife,  
JERRY WHITE, WELTHEA  
KAUTZ and THE TAXPAYERS  
DEFENSE LEAGUE OF  
CLEARFIELD COUNTY

SEPTEMBER 27, 1988, COMPLAINT, filed by Robert N.  
Peirce, Jr, Esq & Edward C. Leckey, Esq. 2 cert/  
Atty

SEPTEMBER 27, 1988, ACCEPTANCE OF SERVICE, filed  
Copies received and service accepted on behalf  
of all Defendants. /s/ Kim C. Kesner, Esq.  
(back of Complaint)

OCTOBER 14, 1988 DEFENDANTS PRELIMINARY OBJECTIONS  
TO PLAINTIFFS COMPLAINT filed by Kim C.Kesner, Esq.  
2/Cert to Atty.

OCTOBER 19, 1988, ORDER, filed 1 cert/(CA),  
1 cert/Atty Kesner, Leckey, Peirce.

NOW, this 17th day of October, 1988, it is  
the ORDER of this Court that the Court Administrator  
of Clearfield County contact the Regional Unit II  
for purposes of reassigning a Judge to preside over  
the above-captioned case.

Said Order is issued due to the fact that the  
Judges of Clearfield County have recused pursuant  
to Canon 3, Sec. C. BY THE COURT: John K. Reilly,  
Jr., P.J.

DECEMBER 5, 1988 ORDER filed.

AND NOW, November 28, 1988, it is directed that  
the oral argument in the above matter be scheduled  
for December 8, 1988, at 3:00 p.m., in the Law  
Library, Perry County Courthouse, New Bloomfield,  
Pennsylvania. BY THE COURT /s/ KEITH B. QUIGLEY,  
P.J. 1/ Cert to Attys Pierce, Leckey & Kesner.

JANUARY 3, 1989, MEMORANDUM AND ORDER, filed  
11 cert/R. Billotte

AND NOW, December 30, 1988, for reasons set  
forth in the within Memorandum, Defendant's pre-  
liminary objection to all counts in the Complaint  
in the nature of a Motion to Strike Off Complaint  
is granted and the Complaint is dismissed. BY THE  
COURT: Keith B. Quigley, P.J. 41st Judicial District

JANUARY 27, 1989, LETTER FROM COURT ADMINISTRATOR  
TO ROBERT N. PEIRCE, JR, ESQ & EDWARD C. LECKEY, ESQ.  
filed

SENDER RECEIPT, filed  
SENDER RECEIPT, filed  
RETURN RECEIPT NO. P 428 741 528, filed  
RETURN RECEIPT NO. P428 741 527, filed

88-29-EQU

Kim C.  
Kessner

TIM MORGAN, WILLIAM M.  
WISE and HARRY FRED BIGLER  
COMMISSIONS OF CLEARFIELD  
COUNTY, and WILLIAM  
McFADDEN, DONALD SCHALK,  
and RITA BASS, MEMBERS  
OF THE BOARD OF ASSESS-  
MENT APPEALS OF CLEAR-  
FIELD COUNTY

Pro	by Atty	40.00
Postage		2.00
Postage		2.00



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Beth E.  
Ammerman

CATHERINE A. FENUSH

SEPTEMBER 29, 1988, COMPLAINT IN PARTITION, filed  
by Beth E. Ammerman, Esq. 1 cert to atty.

OCTOBER 31 ,1988 PRAECIPE TO REINSTATE filed.

Kindly reinstate the Complaint in the above  
matter as Plaintiff was unable to serve Defendant  
within the required time. /s/ Beth E. Ammerman,  
Esquire, Attorney for the Plaintiff.

OCTOBER 31, 1988 COMPLAINT REINSTATED AND REISSUED TO  
SHERIFF FOR SERVICE.

88-30-EQU

NOVEMBER 2, 1988, SHERIFF RETURN, filed  
Now November 1, 1988 return the within Complaint  
in Partition "NOT SERVED" as to Paul Bunyak, deft.  
Complaint returned to Attorney at her request.  
/s/ Chester A. Hawkins, Shff, by Marilyn Hamm

NOVEMBER 10, 1988 AFFIDAVIT OF SERVICE filed.

I, Beth E. Ammerman, Esquire, attorney for Catherine  
A. Fenush, Plaintiff, hereby certify that a true and  
correct copy of the Complaint was served on Paul Bunyak  
Defendant, on November 5, 1988. Manner of the service  
was personal service by Fredric J. Ammerman, Esquire  
at the offices of AMMERMAN & AMMERMAN 23 N. Second Street  
Clearfield, Pennsylvania. /s/ BETH E. AMMERMAN, ESQ.

Donald M.  
Kresen

PAUL BUNYAK

DECEMBER 15, 1988, ANSWER, filed by Donald M.  
Kresen, Esq.

CERTIFICTE OF SERVICE, filed by Donald M. Kresen,  
Esq.

MARCH 16, 1990, PRAECIPE FOR APPOINTMENT OF A  
MASTER, filed 2 cert/Atty Ammerman

Request is hereby made for the appointment of a  
Master in Partition relative to the above captioned  
matter. /s/ Beth E. Ammerman, Esq.

Pro by atty 40.00

Pro by Atty 5.00

Shff by Atty 9.00

sur-charge by Atty 2.00

Pro by Atty 5.00

MARCH 16, 1990, ORDER, filed 2 cert/Atty Ammerman  
AND NOW, this 16th day of March, 1990, Michael P.  
Yeager, Esquire, is hereby appointed Master in the  
above captioned Partition Action. BY THE COURT:  
John K. Reilly, Jr., P.J.

APRIL 2, 1990, CERTIFICATE OF SERVICE, filed  
I hereby certify that a true and correct copy of  
the Praecipe for Appointment of a Master and Order were  
served on Robert B. Mitinger, Esquire, attorney for Paul  
Bunyak, Defendant, by regular mail at the US Post  
Office, Clearfield, PA on the 2nd day of April, 1990  
as follows: Robert B. Mitinger , Esq 2147 East  
College Avenue, State College, PA 16801. /s/ Beth E.  
Ammerman, Esq.

DECEMBER 10, 1992, LETTER FROM MICHAEL P. YEAGER, MASTER, filed

DECEMBER 14, 1992, PRAECIPE TO DISCONTINUE, filed

Please discontinue the above-captioned matter, without prejudice. /s/ Beth Ammerman  
Gerg, Esq.

DISCONTINUED

WITHOUT

PREJUDICE



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Anthony S.  
Guido

EARTHMOVER TIRE SERVICES  
INC.

OCTOBER 6, 1988, COMPLAINT, filed by Anthony S.  
Guido, Esq. 3 cert/Shff

OCTOBER 17, 1988 APPEARANCE filed BY Anthony S.  
Guido, Esq. filed on behalf of the Plaintiff.

APPEARANCE  
TO THE PROTHONOTARY

Please enter my appearance on behalf of the Good  
Tire Service. Defendants in the above captioned case.  
/s/ Bruno A. Muscatello, Esq.

CERTIFICATE OF MAILING FILED BY ANTHONY S. GUIDO,  
ESQUIRE.

OCTOBER 19, 1988 SHERIFF'S RETURN filed.

Now, October 12, 1988 at 10:07 AM EST served the  
within complaint on Dale C. Attinger, defendant at  
employment Good Tire Service RD # 1 Box 99A Dubois,,  
Clearfield county, Penna. by handing to Dale C. Attinger  
a true and attested copy of the Complaint and made  
known to him the contents thereof.

88-31-EQU

Now, October 12, 1988, at 10:14 AM DST served the  
within complaint on Good Tire Service Inc, defendant  
at employment RD # 1 BOX 99A, Dubois, Clearfield County,  
Penna. by handing to Robert Keim Jr. Mgr, a true and  
attested copy of the original complaint and made known to  
him the contents thereof.

Now October 7, 1988 Harry Dunkle, Sheriff of Jeffers-  
on County was deputized by Chester Hawkins, Sheriff of  
Clearfield county to serve the within complaint on  
Richard w. bish. defendant.

Now, October 15, 1988 served the within complaint  
on Richard W. Bish defendant, by deputizing the Sheriff  
of Jefferson County. The return of Sheriff Dunkle is  
hereto attached and made a part of the return. So Answea-  
Chester A. Hawkins, by Marilyn Hamm.

DECEMBER 16, 1988, ORDER, filed

GOOD TIRE SERVICE, INC.,  
DALE C. ATTINGER and  
RICHARD W. BISH

NOW, this 16th day of December, 1988, following  
argument into Preliminary Objection filed on behalf  
of Defendant above named, it is the ORDER of this  
Court that said Objections be and are hereby sus-  
tained in part and Plaintiff directed to file an  
Amended Complaint to more specifically plead the  
matter of the trade secrets or confidential infor-  
mation which is the basis if its legal action.  
Said Amended Complaint to be filed within twenty  
(20) days from date hereof. In all other respects,  
said Objections be and are hereby dismissed.  
BY THE COURT: John K. Reilly, jr. President Judge.

FEBRUARY 22, 1989, PRAECIPE, filed

Please mark the above case settled and discontinued  
/s/ Anthony S. Guido, Esq.

SETTLED

DISCONTINUED

Pro	by Atty	40.00
Shff	by Atty	40.00
Shff	by Atty	32.50
Surcharge		6.00
Pro	by Atty	5.00

OCTOBER 31, 1988 PRELIMINARY OBJECTIONS TO COMPLAINT IN  
EQUITY, filed by s/Bruno A. Muscatello, Esq.



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	JOSEPH MILES BARTLEBAUGH	OCTOBER 12, 1988, MEMORANDUM AND ORDER, filed NOW, August 22, 1988, the above-captioned matter is hereby transferred to teh Court of Common Pleas of Clearfield County, pursuant to Section 5103(a) of the Judicial Code, 42 PA C.S. §5103(a) for further proceedings. The Chief Clerk shall certify to the prothonotary of said court a photocopy of the docket entries and transmit to him the record thereof. BY THE COURT: No Signature.
	88-32-EQU	OCTOBER 12, 1988, COMPLAINT IN EQUITY, filed by Joseph M. Bartlebaugh, Pro-se. No Copies  OCTOBER 20, 1988, ENTRY OF APPEARANCE, filed Kindly enter my appearance for Defendants, CLERK OF COURTS OF CLEARFIELD COUNTY. /s/ Kim C. Kesner, Esq  OCTOBER 20, 1988, DEFENDANT'S PRELIMINARY OBJECTION TO COMPLAINT IN EQUITY, filed by Kim C. Kesner, Esq. CERTIFICATE OF SERVICE, filed by Kim C. Kesner, Es  NOVEMBER 4, 1988 ENTRY OF APPEARANCE filed. Kindly enter my appearance for Defendant, Penn Credit Corporation. /s/ Richard S. Friedman, Esq. l/Cert to Atty.  NOVEMBER 4, 1988 PRELIMINARY OBJECTIONS TO COMPLAIN IN EQUITY filed, CERTIFICATE OF SERVICE AND NOW, this 2nd day of November, 1988, I do hereb certify that I have this date caused to be served a true and correct copy of Defendant, Penn Credit Corporation's Preliminary Objections to Complaint in Equity on the following and in the manner indicated below: BY UNITED STATES MAIL, FIRST CLASS, POSTAGE PREPAID. to Joseph Miles Bartlebaugh, /s/ Richard S. FRIEDMAN, Esquire. l/Cert to Atty.  NOVEMBER 16, 1988, MOTION TO RECUSE, filed by Joseph Miles Bartlebaugh, Plff CERTIFICATE OF SERVICE, filed by Joseph Miles Bartlebaugh, Plff.  NOVEMBER 28, 1988 PETITION FOR EXTRAORDINARY WRIT FOR EXTENSION OF TIME filed. CERTIFICATE OF SERVICE Comes now the Plaintiff, Joseph M. Bartlebaugh, deposed by law and says that he has served a true and correct copy of the foregoing on the below parties via first class mail on this the 25th day of November, 1988 via first class mail. To: Office of the Prothonotary, Richard S. Freidman, Esquire AND Kim C. Kesner, Esquire.  DECEMBER 16, 1988, ORDER, filed 1 copy cert & mailed Plff; 1 cert & Mailed Atty Freidman; 1 cert & mailed atty Kesner NOW, this 15th day of December, 1988, upon consideration of Plaintiff's Motion to Rescue filed in the above captioned matter, it is the ORDER of this Court that said Motion be and is hereby granted. It is the further Order of this Court that Plaintiff above named shall file a brief in response to Preliminary Objections to the Complaint filed on behalf of both Defendants above named within twenty (20) days from date hereof. BY THE COURT: John K. Reilly, Jr President Judge.  JANUARY 10, 1989, ORDER, filed 3 copies cert Judge A. NOW, this 9th day of January, 1989, upon consideration of the Preliminary Objections filed on behalf of the Defendants, Clerk of Courts of Clearfield County and Penn Credit Corporation, and the Plaintiff having failed to file a Brief in accordance with the Order of December 15, 1988, issued by President Judge John K. Reilly, Jr., it is the ORDER of the Court that Plaintiff's Complaint be and is hereby dismissed. BY THE COURT: Joseph S. Ammerman, Judge. 1 copy cert & Mailed to Plff.  JANUARY 30, 1989, NOTICE FOR RECONSIDERATION OF PREVIOUS ORDER OF THE COURT, filed by Joseph Miles Bartlebaugh, Esq. CERTIFICATE OF SERVICE, filed by Joseph Miles Bartlebaugh, Esq.  JANUARY 30, 1989, NOTICE FOR RECONSIDERATION OF PREVIOUS ORDER OF THE COURT, filed by Joseph Miles Bartlebaugh CERTIFICATE OF SERVICE, filed Comes now the Plaintiff Joseph M. Bartlebaugh, deposed by law, and says that he has served true and correct copies of the foregoing on the below parties via first class mail on this the 23rd day of January, 1989. /s/ Joseph M. Bartlebaugh
Kim C. Kesner	CLERK OF COURTS OF CLEARFIELD COUNTY, and	
Richard S. Freidman	PENN CREDIT CORPORATION	
CV # 9772	Pro 40.00 Pro 5.00	



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ELIZABETH  
CUNNINGHAM

MARLENE TAYLOR

OCTOBER 12, 1988, COMPLAINT, filed by Elizabeth  
Cunningham, Esq. 1 cert/Atty

NOVEMBER 10, 1988 ANSWER AND NEW MATTER filed.  
ON BEHALF OF Defendant, LEWIS K. TAYLOR, by Richard  
H. Milgrub, Esquire. 1 copy Cert to Atty.

DECEMBER 16, 1988, ORDER, filed

1 copy cert atty Cunningham; 1 cert atty Milgrub

AND NOW, this 14th day of December, 1988, upon  
agreement of Plaintiff and Defendant, each being  
separately and competently represented by counsel,  
to wit, Richard Milgrub, Esquire, Attorney for the  
Defendant, Lewis K. Taylor and Elizabeth Cunningham,  
Esquire, Attorney for Plaintiff, Marlene Taylor,  
it is hereby Ordered and Directed that the Defendant  
Lewis K. Taylor, shall comply with the provisions  
of the Marriage Settlement Agreement dated April  
20, 1987, and more specifically, in this case, those  
provisions numbered 10 and 13 by paying to Plaintiff,  
Marlene Taylor, the sum of \$500.00 per month in  
accordance with the said Agreement and furthermore  
shall pay the additional sum of \$150.00 or more  
per month to be applied toward the payment of acc-  
umulated arrearages of \$1,500.00 for the months  
of July, August, September, October, November and  
December 1988. Furthermore Defendant shall pay  
the sum of Six Hundred (\$600.00) Dollars towards  
payment of Plaintiff's attorney fees in accordance  
with paragraph 13 of the said Agreement. Three  
Hundred (\$300.00) Dollars to be paid immediately  
and the remaining Three Hundred (\$300.00) Dollars  
to be paid together with and in addition to the  
monthly arrearages payment. Total amount due for  
arrearages and attorney fees being \$2,100.00  
BY THE COURT: Joseph S. Ammerman, Judge.

88-33-EQU

LEWIS K. TAYLOR

Pro by Plff 40.00



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Robert M.  
Hanak

GLEN IRVAN CORPORATION  
C. CHARLES STOKER and  
MARY K. STOKER

88-34-EQU

J. V. HAMMOND and  
ROSE V. HAMMOND  
PATRICIA A. McBRIDE  
RICHARD H. SANDERSON and  
HICKORY HILLS ESTATES

Pro	by atty	40.00
Shff	by Atty	38.00
Shff	by Atty	19.00
Shff	by Atty	20.60

OCTOBER 17, 1988, COMPLAINT IN EQUITY, filed  
by Robert M. Hanak, Esq.

OCTOBER 24, 1988 PRELIMINARY OBJECTIONS filed. on  
behalf of Defendants, J.V. Hammond and Rose V. Hammond,  
and Patricia A. McBride and Richard H. Sanderson, and  
Hickory Hills Estates. by Joseph Colavecchi, Atty for  
for Defendants.

OCTOBER 31, 1988 PRELIMINARY OBJECTIONS TO COMPLAINT IN  
EQUITY filed. on behalf of Defendant Good Tire Service  
Dale C. Attinger and Richard W. Bish by Bruno A.  
Muscatello, Esquire.

NOVEMBER 16, 1988 SHERIFF'S RETURN filed.

NOW, October 18, 1988, James J. Fragale, Sheriff of  
of CAMERON County was deputized by Chester A. Hawkins  
Sheriff of Clearfield County to serve the within  
COMPLAINT IN EQUITY, on RICHARD H. SANDERSON, defendant

NOW, October 19, 1988, served within the COMPLAINT  
IN EQUITY on RICHARD H. SANDERSON, defendant, by dep-  
utizing the Sheriff of Cameron County. The return of  
Sheriff Fragale is hereto attached and made a part of  
this return by stating that he served by handing to  
RICHARD H. SANDERSON, defendant.

NOW, October 18, 1988, James J. Fragale, Sheriff of  
Cameron County was deputized by Sheriff Chester A.  
Hawkins of Clearfield County to serve the within  
Complaint IN EQUITY on Patricia A. McBRIDE, DEFENDANT.

NOW, October 19, 1988, served within the COMPLAINT  
IN EQUITY on PATRICIA A. McBRIDE defendant by deputizing  
the Sheriff of Cameron County. The return of Sheriff  
Fragale is hereby attached and made a part of this  
return by stating that he served by handing to PATRICIA  
A. McBRIDE, defendant,.

NOW, October 20, 1988 Jay Roberts sheriff of Cambr  
County was deputized by Chester A. Hawkins, Sheriff of  
Clearfield County to serve the within Complaint IN  
EQUITY on J.V. HAMMOND AND ROSE V. HAMMOND, Defendants.

NOW October 25, 1988, served within the COMPLAINT  
IN EQUITY on J.V. HAMMOND AND ROSE V. HAMMOND, defendat  
by deputizing the Sheriff of CAMBRIA County. The return  
of Sheriff Roberts is attached hereto and made a part  
of this return by stating that he served by handing to  
ELIZABETH CONRAD, GRANDAUGHTER of Defendants. So ans-  
wears, Chester A. Hawkins, Sheriff by Marilyn Hamm.

DECEMBER 14, 1988, ORDER, filed

NOW, this 12th day of December, 1988, this being  
the day and date set for argument into Preliminary  
Objections filed on behalf of the Defendant above-  
named, upon agreement of the parties, it is the ORDER  
of this Court that said Objections be and are hereby  
sustained and the above-captioned Complaint certified to  
the law side of the Court for further proceedings.  
BY THE COURT: John K. Reilly, Jr., P.J.

DECEMBER 14, 1988, CASE MOVED TO CIVIL NO. 88-2126-CD  
ALL PAPERS FILED TO 88-2126-CD.



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JEFFREY  
LUNDY

HELEN G. RESINGER

NOVEMBER 14, 1988, COMPLAINT FOR PARTITION OF PERSONAL  
PROPERTY, filed by Jeffrey Lundy, Esq. 2 cert/Shff

DECEMBER 2, 1988 SHERIFFS RETURN filed.

NOW, December 1, 1988, at 1: 15 o'clock P.M. served  
the within Complaint on MARGARET PUHALA person in charge  
of Attorey DavidKings Office, the attorney for the Def-  
endant Louise Daisher, at her place of employment at  
Attorney David Kings Office 201 Beaver Drive, Dubois,  
Clearfield CCounty, Pennsylvania, by handing to Margaret  
Puhula a true and attested copy of the original Complain  
and made known to her the contents thereof. So answears,  
Chester A. Hawkins, Sheriff by Darlene Schultz.

MAY 1, 1989, PRAECIPE, filed

Can you please have the above captioned matter  
marked settled, terminated and discontinued.  
/s/ Jeffrey Lundy, Esq. 2 cert atty.

88-35-EQU

SETTLED

TERMINATED

DISCONTINUED

LOUISE DAISHER and  
HAROLD RESINGER,

Pro	by Atty	40.00
Shff	by Atty	23.60
Sur Chg	by Atty	2.00
Pro	by atty	5.00



Paul David  
Burke

SHAWVILLE COAL COMPANY,  
INC., a Pennsylvania  
corporation

DECEMBER 5, 1988, CIVIL ACTION IN EQUITY, filed by  
Paul David Burke, Esq. NO COPIES.

NOVEMBER 1, 1989, PETITION FOR ENTRY OF JUDGMENT OF  
NON PROS, filed by Michael D. Klein, Esq. 1 cert/Atty  
CERTIFICATE OF SERVICE, filed

I, Michael D. Klein, ESquire, do hereby swear and  
affirm that I served a true and correct copy of Defendants'  
Petition for Entry of Judgmetn of Non Pros, along wiht  
a completed Rule Returnable upon the following party of  
record and its attorney, by depositing same in the US mail,  
Postage Prepaid. Shawville Coal Co, Shawville Goshen Twp.  
Shawville, PA 16873 & Paul David Burke, Esquire, 10th Fl  
Frick Building, Pittsburgh, PA 15219. /s/ Michael D. Klein,  
Esq.

RULE, filed 2 cert/Atty

AND NOW, to wit, this 30th day of October, 1989, upon  
consideration of the foregoing Petition, a Rule is granted  
upon Shawville Coal Company, Inc., the Plaintiff above named,  
to show cause why the Court should not enter a Judgment of  
NOn Pros against it in this matter.

Rule returnable the 13th day of December, 1989, in  
Courtroom #1, Clearfield County Courthouse, Clearfield,  
PA, at 10:00 AM. BY THE COURT: John K. Reilly, Jr., P.J.

NOVEMBER 6, 1989, CERTIFICATE OF SERVICE, filed

I, Michael D. Klein, Esquire, do hereby swear and  
affirm that I served a true and correct copy of Defendants'  
Petition for Entry of Judgment of Non Pros, along with a  
completed Rule Returnable upon the following party or  
record and its attorney, by depositing same in the US  
Mail, Postage Prepaid. Shawville Coal Co, Shawville  
Goshen Township, Shawville, PA, 16873 & paul David Burke,  
Esq, 10th Floor, Frick Building, Pittsburgh, PA 15219.  
/s/ Michael D. Klein, Esq.

NOVEMBER 7, 1989, CERTIFICATE OF SERVICE, filed

I, Michael D. Klein, Esquire, do hereby swear and  
affirm that I served a true and correct copy of Defendants'  
Petition for Entry of Judgment of Non Pros, along with a  
completed Rule Returnable upon the following party of  
record and its attorney, by depositing same in the US  
mail, Postage Prepaid, on November 2, 1989, and again on  
November 6, 1989. Shawville Coal Co, Shawville Goshen  
Twp, Shawville, PA 16873 and Paul David Burke, Esq,  
10th Floor, Frick Building, Pittsburgh, PA 15219.  
/s/ Michael D. Klein, Esq.

DECEMBER 7, 1989, PRAECIPE TO WITHDRAW, filed

Kindly withdraw the Complaint in the above-captioned  
matter without prejudice. /s/ Paul David Burke, Esq.

WITHDRAW

WITHOUT

PREJUDICE

Pro by Atty 40.00

Pro by Atty 5.00

Michael D.  
Klein

DARRELL D. LINGLE, SR.  
and NANCY E. LINGLE,  
his wife

88-36-EQU



ROBERT DUBOIS and  
JEANNE D. GREENE

DECEMBER 8, 1988, COMPLAINT IN EQUITY LIS PENDENS--  
REAL ESTATE INVOLVED INJUNCTIVE RELIEF REQUESTED,  
filed by Stephen L. Barsotti, Esq. 4 cert/Atty

DECEMBER 8, 1988, MOTION FOR HEARING DATE ORDER OF COURT  
filed 1 cert/Atty

AND NOW, this 8th day of December, 1988, on the basis of the Complaint and the Motion of Counsel for the Plaintiffs, it is hereby ORDERED, ADJUDGED and DECREED that a hearing is set for and shall be held on the 29th day of December, 1988, at 1:30 PM in Courtroom Number 1, at the Clearfield County Courthouse Clearfield, PA 16830, to determine the issue of Plaintiffs' request for injunctive relief.

Plaintiffs shall be responsible for service of this Order upon the Defendants. BY THE COURT: John K. Reilly, Jr., P.J.

DECEMBER 23, 1988 PRAECIPE TO DISCONTINUE, filed by  
E. J. Hull, Atty Plffs.

Kindly mark the above captioned matter discontinued  
and ended. s/E. J. Hull, Atty Plffs.

Record costs in the sum of \$45.00 have been paid in full, this case marked Discontinued and Ended.

88-37-EOU

DAVID C. DUBOIS, RICHARD  
L. GUYTON, WALTER E.  
JORDAN, JR and GREEN  
CLEN CORPORATION, a PA  
Corporation

Pro	by Atty	40.00
Disc	by atty	5.00

DISCONTINUED

ENDED



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CATHY STINER

88-38-EQU

MARGARET K. CROYLE

PC # 11081

Pro	<i>KeyCo</i>	40.00
	Office	
Shff	Credit	35.20

DECEMBER 12, 1988, COMPLAINT FOR SPECIFIC PERFORMANCE filed by James B. Ball  
1 copy cert atty/ 1 cert Shff.

DECEMBER 12, 1988, PRAECIPE TO PROCEED IN FORMA PAUPERIS & ORDER, filed 1 cert Shff.

AND NOW, this 12th day of December, 1988, upon consideration of the Petition of Plaintiff to Proceed in Forma Pauperis, it is hereby:

ORDERED and DECREED that Cathy Stiner, the Plaintiff may file the Complaint for Specific performace in forma pauperis and proceed to the termination of proceedings without payment of filing fees or costs. /s/ Raymond Witherow, Proth.

JANUARY 13, 1989, AFFIDAVIT OF SERVICE, filed NOW, January 12, 1989 at 7:30 PM EST served the within Complaint for Specific Performance and Petition to Proceed in Forma Pauperis, on Margaret K. Croyle, Deft., at Residence, RR #1, Box 497, Philipsburg, Clearfield County, Pennsylvania, by handing to Mark Sabol, Live-In Boyfriend.  
/s/ Chester A. Hawkins, Shff, by Darlene Shultz

OCTOBER 13, 1989, AFFIDAVIT OF SERVICE, filed I, James B. Ball, Esquire, hereby certify that on the 10th day of October, 1989, served a Notice of Intent to Take a Default Judgment in the above case by mailing same first class mail, postage prepaid, to the following: Margaret K. Croyle, RR 1, Box 497, Philipsburg, PA 16866. Attached hereto is the US Postal Service Certificate of Mailing Form 3817 with postmark affixed. /s/ James B. Ball, Esq.



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David C. Mason	KING COAL SALES, INC	DECEMBER 21, 1988, COMPLAINT, filed by David C. Mason, Esq. 8 cert/Atty
		DECEMBER 23, 1988, PRAECIPE FOR APPEARANCE, filed on behalf of K. & J. COAL COMPANY, INC by Joseph Colavecchi, Esq. Enter my appearance on behalf of K & J Coal Co., Inc., one of the above-named Defendants. /s/ Joseph Colavecchi, Esq.
	88-39-EQU	DECEMBER 29, 1988, ACCEPTANCE OF SERVICE, ENTRY OF APPEARANCE, filed on behalf of Northern Counties Coal Company, Inc by George S. Test, Esq. This 27th day of December, 1988, the undersigned hereby accepts service of the Complaint in the above captioned matter on behalf of Northern Counties Coal Co., INC., Defendant therein, and enters his appearance for Northern Counties Coal Company, Inc. /s/ George S. Test., Esq.
		JANUARY 5, 1989, APPEARANCE, filed Please enter my appearance for JAMES M. STOTT COAL CO., INC., one of the Defendants in the above proceedings. /s/ James F. Beener, Esq.
		JANUARY 5, 1989, ACCEPTANCE OF SERVICE, filed The undersigned, as counself or James M. Stott Coal Co., Inc., hereby accepts service of the Complaint in Action for Declaratory Judgment in this matter. /s/ James F. Beener, Esq.
		JANUARY 10, 1989, PRELIMINARY OBJECTIONS, filed James A. Naddeo, Esq. 8 cert/Atty CERTIFICATE OF SERVICE, filed by James A. Naddeo, Esq.
James A. Naddeo Joseph Colavecchi George S. Test. James F. Beener John R. Carfley	DOROTHY ALLPORT, CHESTER JOHNSON, ROBERT DAHLIN, A.V. DAHLIN, JR., DORIS YOKUM, INDIVIDUALS: and <del>K &amp; J COAL COMPANY, INC.</del> NORTHERN COUNTIES COAL CO., INC., and JAMES M. STOTT COAL CO., INC., K & J COAL CO., INC.	JANUARY 10, 1989, ACCEPTANCE OF SERVICE, filed on behalf of A.V. Dahlin, Jr., and Doris Yokum I, JAMES A NADDEO, Esquire, do hereby accept service of the Complaint filed in this action by David C. Mason, Esquire, on behalf of the Defendants, A.V. Dahlin, Jr., and Doris Yokum, this 5th day of January, 1989. /s/ James A. Naddeo, Esq. CERTIFICATE OF SERVICE, filed by James A. Naddeo, Esq. 10 Cert/Atty
		JANUARY 16, 1989, ACCEPTANCE OF SERVICE, filed As Attorney for K & J Coal Company, Inc., Defendant above-named, I hereby acknowledge acceptance of service of the Complaint on behalf of K&J Coal Company, Inc. /s/ Joseph Colavecchi, Esq.
	Pro by Atty 40.00 Shff by Atty 32.00 Shff Stocker by Atty 22.28 Sur-charge by Atty 4.00 Pro by Atty 5.00	JANUARY 20, 1989, PRELIMINARY OBJECTIONS, filed by John R. Carfley, Esq.
		JANUARY 26, 1989, CERTIFICATE OF SERVICE, filed I, George S. Test, Esquire, Attorney for Northern Counties Coal Co., Inc., in the foregoing Matter do hereby certify that I have served a true and correct copy of the Answer and New matter on the attorney of record in this case for K&J Coal Company, Inc. by mailing the same in the US Postal Service addressed as follows: Joseph Colavecchi, Esq. /s/ George S. Test Esq.
		JANUARY 27, 1989, ANSWER AND NEW MATTER FILED ON BEHALF OF NORTHERN COUNTIES COAL CO, INC. filed by George S. Test, Esq. CERTIFICATE OF SERVICE, filed I, George S. Test, Esqu., Atty for Northern Counties Coal Co., INC., in the foregoing matter do hereby certify that I have served a true and correct copy of the Answer and New Matter on the attorneys of record in this case by mailing the same in the US Postal Service addressed as follows: James Naddeo, Esq, John R. Carfley, Esq., James F. Beener, Esq., & David C. Mason, Esq. /s/ George S. Test, Esq.
		JANUARY 30, 1989, SHERIFF RETURN, filed NOW, December 27, 1988, at 11:00 AM EST served the wtihin Complaint in Action for Declaratory Judgmetn on Chester Johnson, Deft., at residence, Rte #1, Boc 92 Huotzdale, Clearfield County, PA, by handing to Chester Johnson, Deft. NOW, December, 21, 1988, Kenneth Stocker, Shff. of Northampton County was deputized by Chester A. hawkins, Shff of Clearfield County, to served the within Complaint in Action for Declaratory Judgment on Dorothy Allport, Deft. NOW, January 3, 1989, at 9:50 AM EST served the within Complaint in Action for Declaratory Judgment on Dorthy Allport, Deft., by deputizing the Shff of Northampton County. The return of Shff. Stocker is hereto attached and made a part of this return by stating that her served by handing to Dorothy Allport, Deft. /s/ Chester A. Hawkins, Shff, by Darlene Shultz
		JANUARY 31, 1989, ANSWER TO COMPLAINT, filed by Joseph Colavecchi, Esq.
		FEBRUARY 6, 1989, PRAEICPE TO CHANGE CAPTION, filed by David C. Mason, Esquire. Kindly change the caption in the above matter pursuant to Defendant, K & J Coal Company, Inc.. The correct caption appears above. FEBRUARY 6, 1989, CERTIFICATE OF SERVICE, filed.



FEBRUARY 9, 1989, STIPULATION & ORDER, filed  
AND NOW, upon consideration of the Preliminary Objections filed by Defendants A.V. Dahlin, Jr., and Doris Yocum, and upon further consideration of the Stipulation of Counsel for the said Defendants, James A. Naddeo, Esq., and David C. Mason, Esq., Attorney for the Plaintiff, the said A.V. Dahlin, Jr., and Doris Yocum are hereby dismissed as Defendants in this action for Declaratory Judgment.  
BY THE COURT: Joseph S. Ammerman, Judge.

FEBRUARY 13, 1989, PRAECIPE TO CHANGE CAPTION, filed  
Kindly change the caption in the above matter pursuant to Defendants, A.V. Dahlin, Jr., and Doris Yocum. The correct caption appears above. /s/ David C. Mason, Esq.

FEBRUARY 13, 1989, CERTIFICATE OF SERVICE, filed  
I, DAVID C. MASON, Esquire, hereby certify that I have served upon the Defendants a true and correct copy of an Order of Court and Stipulation of Counsel by depositing the same in the US Postal Service, postage prepaid, addressed to: James A. Naddeo, Esq; Joseph Colavecchi, Esq; John R. Carfley, Esq; James Beener, Esq; & George S. Test, Esq. /s/ David C. Mason, Esq.

MARCH 2, 1989, STIPULATION OF CONSENT FOR WITHDRAW OF PRELIMINARY OBJECTIONS & ORDER, filed 1 cert atty Carfley; 1 cert atty Mason  
AND NOW, this 2nd day of March, 1989, upon consideration of the Stipulation of Counsel, it is hereby ORDERED and STIPULATED that the Preliminary Objections filed on behalf of the Defendant, Robert Dahlin, are hereby dismissed.  
BY THE COURT: Joseph S. Ammerman, Judge.

MARCH 3, 1989, CERTIFICATE OF SERVICE, filed  
I, DAVID C. MASON, Esquire, hereby certify that I have served upon the Defendants a true and correct copy of an Order of Court and Stipulation of Counsel by depositing the same in the US Postal Service, postage prepaid, addressed to: James A. Naddeo, Esq; Joseph Colavecchi, Esq; John R. Carfley, Esq; James Beener, Esq; & George S. Test, Esq. /s/ David C. Mason, Esq.

JUNE 12, 1989, PRAECIPE FOR DISCONTINUANCE, filed  
Kindly mark the above action, dismissed settled and discontinued. /s/ David C. Mason, Esq.

<u>DISMISSED</u>	<u>SETTLED</u>	<u>DISCONTINUED</u>
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Maureen  
Patricia  
Kieffer

JAMES EMIGH, JR.  
Plaintiff

89-1-EQU

DAVID GEHMAN and  
FAMILY MOBILE HOMES  
Defendants

Pro *by Co* 40.00

*Ab #12139*

JANUARY 25, 1989, PETITION TO PROCEED IN FORMA  
PAUPERIS FILED ON BEHALF OF PLAINTIFF, filed by  
Keystone Legal Services, Inc.

JANUARY 25, 1989, COMPLAINT IN EQUITY, filed  
by Maureen Patricia Kieffer, Esq.  
Four Copies Certified to Attorney.

JANUARY 25, 1989, MOTION FOR SPECIAL AND/OR  
PRELIMINARY INJUNCTION, filed by Maureen Patricia  
Kieffer, Esq.

JANUARY 25, 1989, ORDER, filed. Four Copies  
Certified to Attorney

AND NOW, this day of January 1989, upon  
presentation and consideration of the within Complaint,  
Petition and affidavits, and upon motion of attorney  
for Plaintiff, it is hereby ordered and decreed that  
Defendant is especially instructed to restore  
Plaintiff's utility service at the leased premises  
located at 500 Milford Street, Clearfield, Pennsyl-  
vania and is enjoined from otherwise interfering with  
Plaintiff's exclusive right to peaceful possession and  
quiet enjoyment of the subject leased premises, until  
further Order of this Court.

A hearing for the purpose of determining whether  
or not said special or preliminary injunction is to be  
continued pending a final determination of the matter  
on the merits will be held on the 27th day of January,  
1989, at 2:00 o'clock P.M. at the Clearfield County  
Courthouse, Clearfield, Pennsylvania. BY THE COURT,  
s/ Joseph S. Ammerman, Judge

FEBRUARY 9, 1989, FINAL ORDER, filed  
3 copies cert K.L.S.

AND NOW, to wit, this 9th day of February,  
1989, the Court, having previously reviewed the  
Complaint filed in this matter and having entered  
a Temporary Injunctive Order January 25, 1989, and  
at the request of and with the consent of the  
parties and their counsel, attached hereto, find  
the following Order is appropriate.

IT IS HEREBY ORDERED, DIRECTED, AND DECREED  
that David Gehman is hereby dismissed as a party  
from these proceedings, the parties having agreed  
that he, at all times, has acted as an officer of  
the other named Defendant, Family Mobile HOMes,  
Inc., a Pennsylvania business corporation; and,

IT IS FURTHER ORDERED, DIRECTED, AND DECREED that Family Mobile Homes,  
Inc., shall take all necessary and proper actions, as previously ordered, to  
repair and reinstate all electric service to the residence of the Plaintiff,  
James Emigh, Jr., known as 500 Millford St, Lot # 4, Clearfield, Pennsylvania,  
(the property); and,

IT IS FURTHER ORDERED, DIRECTED, AND DECREED that James Emigh, Jr., Shall  
vacate the Property on or before February 28, 1989 and failing to do so shall  
immediately be subject to any action for possession by Family Mobile Homes,  
Inc., including but not limited to having the Sheriff of Clearfield County  
forthwith remove James Emigh, Jr., from the Property, in accordance with the  
Rules of Civil Procedure; and,

IT IS FURTHER ORDERED, DIRECTED AND DECREED, that Family Mobile Homes,  
Inc., shall not, in the future, interfere with the James Emigh, Jr.'s quiet  
enjoyment of the Property through February 28, 1989; and,

IT IS FURTHER ORDERED, DIRECTED AND DECREED, that rent due by James  
Emigh, Jr., to Family Mobile Homes, Inc., for rent of the Property, after all  
credits and adjustments, is hereby fixed at \$534.00, with payments to be made  
by James Emigh, Jr., to Family Mobile HOMes, Inc., of \$50.00 each, without  
interest, one to be paid on or before the 4th of each month, the first payment  
to begin in February, 1989, until the balance is paid in full; and,

IT IS FURTHER ORDERED, that James Emigh, Jr., is to continue to apprise  
Family Mobile HOMes, Inc., at all times, of his address until the balance of  
\$534.00 for back rent is paid in full; and,

IT IS FURTHER ORDERED that in the event that there shall be a delinquency  
in the payment of any installment of rent due of a period of 10 days after  
notice by Family Mobile HOMes, Inc., to James Emigh, Jr., that the unpaid  
balance shall become due and payable to Family Mobile Homes, Inc., which shall  
forthwith be authorized to have the Sheriff of Clearfield County executed  
thereon as provided in the Pennsylvania Rules of Civil Procedure; and,

IT IS FURTHER DECREED, with the specific consent of the parties that this  
Order shall have the same force and effect as if there had been a complete  
and full hearing on the merits, that exceptions has been filed thereto, and  
that all applicable time periods for appeal to any appellate Court had expired;

IT IS FINALLY DECREED that the only payment to have been made by Family  
Mobile Homes, Inc., to James Emigh, Jr., including but not limited to filing  
fees and Court costs, is \$26.00 for restoration of his electric service to the  
Property, which amount has already been credited against the total rent due.  
BY THE COURT: Joseph S. Ammerman, Judge.







Robin Jean  
Foor

DELLA RINEHART

89-2-EQU

EDWARD RINEHART

Pro *Supl Co.* 40.00  
Off  
SHff Credit 22.00

CN<sup>12343</sup>

FEBRUARY 7, 1989, PETITION TO PROCEED IN FORMA  
PAUPERIS, filed by Robin Jean Foor, Esq.

FEBRUARY 7, 1989, PETITION FOR RELIEF IN EQUITY,  
filed by Robin Jean Foor, Esq. 8 copies cert atty.

FEBRUARY 7, 1989, ORDER, filed  
8 copies cert atty.

AND NOW, This 7th day of February, 1989,  
upon presentation and consideration of the within  
Petition and upon finding that the Petitioner, Della  
Rinehart, is in immediate and present danger of  
abuse from Respondent, Edward Rinehart, the following  
Temporary Protective Order is entered.

Respondent is enjoined from having any contact  
with Petitioner.

Respondent is hereby enjoined from physically  
abusing, striking, harassing or threatening Petitioner  
or her minor children. Respondent is evicted from  
the P.O. Box 33, Lanse, Pennsylvania residence and  
is further enjoined from living at, entering or  
visiting the residence of Petitioner.

Petitioner is given temporary custody of the  
parties' minor children.

This Order shall remain in effect until further  
Order of Court. A hearing will be held on the 9th  
day of February, 1989, at 10:00 A.M. at the Clear-  
filed County Courthouse, Clearfield, Pennsylvania  
The Sheriff is empowered to enforce this Order.  
Service to be made on Respondent by the Sheriff  
forthwith.

The parties are hereby advised that violation  
of this Order will subject the violating party to  
punishment for contempt.

BY THE COURT: Joseph S. Ammerman, Judge.

FEBRUARY 9, 1989, ORDER, filed  
6 copies cert K.L.S.

AND NOW, this 9th day of February, 1989, the  
parties, Della Rine hart, by her attorneys Keystone  
Legal Services, Inc. and Robin Jean foor, Esquire  
and Edward Rinehart, having consent to the terms  
enumerated below, the following Protection Order  
in equity is entered.

(1) The Defendant is hereby enjoined from  
physically abusing, striking, harassing or threaten-  
ing the Plaintiff or her minor children.

(2). Defendant will not visit, live at or  
enter the P.O. Box 33, Lanse, Pennsylvania residence  
or any other residence of the Plaintiff, except  
as provided in paragraph 5.

(3). Plaintiff will have custody of the minor  
children, Dale, Lora, Brenda and John.

(4). Defendant will visit with dale at times  
as the parties mutually agree at the home of Bob  
Horton or at the residence of the Defendant.  
Plaintiff will provide transportation for the visit-  
ation.

(5). Defendant will be permitted to pick up  
his belongings at the Lanse Residence. He should  
be accompanied by Bob Horton and if he needs to  
pick anything up after February 13, 1989, he will  
notify the Plaintiff before coming to the residence.

(6). The parties may contace each other by phone as long as they do not  
abuse this such contact to harass each other.

This parties are hereby directed to comply with the terms and conditions  
of the Consent Agreement until further Order of this Court.

The parties are hereby advised that violation of this Order will  
subject the violating party to punishment for contempt.

BY THE COURT: Joseph S. Ammerman, Judge.

FEBRUARY 10, 1989, AFFIDAVIT OF SERVICE, filed

NOW, February 8, 1989, at 4:30 P.M. served the within Equity-Abuse  
& Petition for Relief in Equity & Temporary Protective Order in Equity on  
Edward Rinehart, Deft. at Employment, Kylertown Truck Plaza, I-80,  
Kylertown, PA by handing to Edward Rinehart, Deft.  
/s/ Chester A. Hawkins by Darlene Shultz.



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Richard A. Bell  
Iles Cooper

ONCOLOGY SERVICES, INC

FEBRUARY 16, 1989, COMPLAINT, filed by Richard A. Bell, Esq. 1 cert/Atty

FEBRUARY 16, 1989, PETITION FOR PRELIMINARY INJUNCTION, filed by Richard A. Bell, Esq. 1 cert/Atty

FEBRUARY 16, 1989, ORDER OF COURT, filed 1 cert/Atty

AND NOW, this 16th day of February, 1989, upon consideration of the Petition for Preliminary Injunction, filed by Oncology Services, Inc., a preliminary hearing is set for the 24th day of February, 1989, at 1:30 pm in the Clearfield County Courthouse, Clearfield, PA.

Notice of hearing shall be given by serving a copy of this Order together with a copy of the Petition for Preliminary Injunction on the DuBois Regional Medical Center as follows: Personal Service. BY THE COURT: John A. Cherry, Sr. Judge.

89-3-EQU

FEBRUARY 23, 1989, AFFIDAVIT OF SERVICE, filed NOW, February 17, 1989 at 10:55 AM EST served within Complaint, Petition for Preliminary Injunction and Order of Court on Dubois Regional Medical Center, Deft. at employment, 100 Hospital Ave., DuBois, Clearfield County, PA by handing to Peter Monge, Pic for Defendant.  
/s/ Chester A. Hawkins, Shff, by Darlene Shultz

David R. Johnson &

DUBOIS REGIONAL MEDICAL CENTER

Ronald J. Rademacher

MARCH 1, 1989, ORDER, filed 2 cert/Atty  
NOW, this 1st day of March, 1989, this bieng the day and date set for consideration of Petition for Preliminary Injunction filed on behalf of Plaintiff above-named, upon agreement of the parties, the Court making no finding of fact one way or the other in the matter with regards to the allegation of fact contained in said Petition, it is the ORDER of this Court that Defendant above-named shall be and is hereby enjoined from any discussions, correspondence, or ther communication whatsoever with any other hospital or medical service, their agents servants or employees, with regards to the contract now or previously existing between the parties above-named. And further, that Defendant shall be and is hereby enjoined from engaging in negotiations wiht the physicist currently supplied to Defendant by the Plaintiff under the agreement between the parties dated October 31, 1986. It is the further ORDER of this Court that the injunction entered above shall be and remain in full force and effect pending the determination of the issue in the above-captioned action in equity. BY THE COURT: John K. Reilly, Jr., P.J.

Pro by Atty 40.00  
Shff by Atty 23.60  
Sur-charge by Atty 2.00  
Pro by Atty 9.00  
Pro by Atty 30.00  
Pro by Atty 5.00

FEBRUARY 27, 1989, PRAECIPE FOR APPEARANCE, filed  
Kindly enter our appearance on behalf of deft.  
/s/ David R. Johnson & Ronald J. Rademacher, Esqs.

FEBRUARY 28, 1989, RESPONSE AND NEW MATTER TO PETITION FOR PRELIMINARY INJUNCTION FILED BY ONCOLOGY SERVICES, INC, FILED BY DAVID R. JOHNSON, ESQ & RONALD J. RADEMACHER, ESQ.

CERTIFICATE OF SERVICE, filed  
I hereby certify that a true and correct copy of the within Rspnse and New matter to Petition for Preliminary Injunction has been served by US Mails, postage prepaid, this 28th day of February, 1989, on the following: Richard A. Bell, Esq & Iles Cooper, Esq. /s/ Ronald J. Rademacher, Esq.

FEBRUARY 28, 1989, ANSWER AND NEW MATTER, filed by David R. Johnson, Esq & Ronald J. Rademacher, Esq.  
CERTIFICATE OF SERVICE, filed

I hereby certify that a true and correct copy of the within Answer and New matter has been served by US Mails, postage prepaid, this 28th day of February, 1989, on the following: Richard A. Bell, Esq & Iles Cooper, Esq. /s/ Ronald J. Rademacher, Esq.

MARCH 15, 1989, NOTICE OF SERVICE OF INTERROGATORIES, filed by David R. Johnson, Esq.

MARCH 15, 1989, REQUEST FOR PRODUCTION DIRECTED TO PLAINTIFFS, filed by David R. Johnson, Esq.

APRIL 17, 1989, PLAINTIFF'S REPLY TO NEW MATTER, filed Iles Cooper, Esq 1 cert/Atty

APRIL 17, 1989, PLAINTIFF'S REQUEST FOR PRODUCTION OF DOCUMENTS, filed by Iles Cooper, Esq. 1 cert/Atty



CONT FR PG 269 ONCOLOGY SERVICES, INC vs. DEBOIS REGIONAL MEDICAL CENTER 89-3-EQU

APRIL 26, 1989, ORDER, filed

NOW, this 26th day of April, 1989, upon motion of counsel for both parties, it is the ORDER of this Court that the hearing scheduled for May 17 and 18, 1989, is continued. Said hearing shall be rescheduled at the request of either party at a date mutually agreeable to all parties. BY THE COURT: John K. Reilly, Jr., P.J.

JUNE 8, 1989, PETITION TO CONSOLIDATE ACTIONS FOR ALL PURPOSES, filed by David R. Johnson, Esq and Kurt R. Gingrich, Esq 1 cert/Atty

CERTIFICATE OF SERVICE, filed

I hereby certify that a true and correct copy of the within Petition to Consolidate Actions for all Purposes has been served by US mails, postage prepaid, this 1st day of June, 1989, on the following: Richard A. Bell, Esq & Iles Cooper, Esq. /s/ David R. Johnson, Esq.

JUNE 8, 1989, RULE TO SHOW CAUSE WHY PETITION TO CONSOLIDATE SHOULD NOT BE GRANTED, filed 1 cert/Atty

And now, this 7th day of June, 1989, a rule is granted to show cause why the actions filed at NO. 89-3 Equity and No. 89-345 in the Court of Common Pleas of Clearfield County, Pennsylvania should not be consolidated for all purposes. This rule is returnable on July 17, 1989 at 2:30 am at Court Room #1. BY THE COURT: John K. Reilly, Jr., P.J.

CERTIFICATE OF SERVICE, filed

I hereby certify that a true and correct copy of the within RULE TO SHOW CAUSE WHY PETITION TO CONSOLIDATE SHOULD NOT BE GRANTED Has been served by US mails, postage prepaid, this 1st day of June, 1989, on the following: Richard A. Bell, Esq & Iles Cooper, Esq. /s/ David R. Johnson, Esq.

JUNE 8, 1989, MOTION TO COMPEL DISCOVERY, filed by David R. Johnson, Esq & Ronald R. Rademacher, Esq & Kurt R. Gingrich, Esq.

CERTIFICATE OF SERVICE, filed

I hereby certify that true and correct copies of the foregoing MOTION TO COMPEL DISCOVERY have been served upon all counsel of record and same day placed in the US mail, this 1st day of June, 1989. /s/ David R. Johnson, Esq.

JUNE 8, 1989, RULE TO SHOW CAUSE WHY MOTION TO COMPEL DISCOVERY SHOULD NOT BE GRANTED, filed 1 cert/Atty

And now, this 7th day of June, 1989, a rule is granted to show cause why motion to compel discovery should not be granted. This rule is returnable on July 17, 1989 at 2:30 pm at Court Room #1. BY THE COURT: John K. Reilly, Jr., P.J.

CERTIFICATE OF SERVICE, filed

I hereby certify that a true and correct copy of the within RULE TO SHOW CAUSE WHY MOTION TO COMPEL DISCOVERY SHOULD NOT BE GRANTED has been served by US mails, postage prepaid, this 1st day of June, 1989, on the following: Richard A. Bell, Esq. & Iles Cooper, Esq.

JULY 18, 1989, ORDER OF COURT, filed

AND NOW, this 18th day of July, 1989, it is hereby ORDERED, ADJUDGED AND DECREED that Oncology Services, Inc., is required to provide full and complete answers to interrogatories directed to it on or about March 14, 1989 and to provide full and complete responses to request for production directed to it on or about March 14, 1989. It is further ordered that production shall be made of all items responsive to teh requests for production. It is further ordered that compliance with this Order shall be made within twenty (20) days. Upon failure to comply with any aspect of this Order, further sanctions will be imposed. BY THE COURT: John K. Reilly, Jr., P.J.

AUGUST 4, 1989, PLAINTIFF'S RESPONSE TO DEFENDANT'S REQUEST FOR PRODUCTION OF DOCUMENTS, filed by Jeffrey Philip Paul, Esq. 2 cert/Atty

CERTIFICATE OF SERVICE, filed

I HEREBY CERTIFY that I am this day serving a copy of the foregoing Plaintiff's Response to Request for Production of Documents of Defendant upon teh person(s) and in the manner indicated below. SERVICE BY FIRST CLASS MAIL, ADDRESSED AS FOLLOWS: David R. Johson, Esquire, 1010 Two Chatham Center, Pittsburgh, PA 15219 /s/ Jeffrey Philip Paul, Esq.

AUGUST 4, 1989, PLAINTIFF'S ANSWERS TO INTERROGATORIES DIRECTED TO PLAINTIFFS, filed by Jeffrey Philip Paul. 2 cert/Atty

CERTIFICATE OF SERVICE, filed

I HEREBY CERTIFY that I am this day serving a copy of the foregoing Plaintiff's Answers to Interrogatories of Defendnat upon teh person and in the manner indicated below. SERVICE BY FIRST CLASS MAIL, ADDRESSED AS FOLLOWS: David R. Johnson, Esq. 1010 Two Chatham Center, Pittsburg, PA 15219, /s/ Jeffrey Philip Paul, Esq.

AUGUST 9, 1989, ORDER OF COURT TO CONSOLIDATE CASES, filed

AND NOW, this 17th day of July, 1989, it is hereby ordered that DuBois Regional Medical Center's motion to consilidate the actions filed at No. 89-3 Equity and NO. 89-345-in the Court of Common Pleas of Clearfield County, Pennsylvania be granted. BY THE COURT: John K. Reilly, Jr., P.J.

OCTOBER 11, 1989, PLAINTIFF'S MOTION FOR ORDER TO COMPEL ANSWERS TO INNTERROGATORIES AND PRODUCTION OF DOCUMENTS PURSUANT TO PENNSYLVANIA RULE OF CIVIL PROCEDURE NO 4019(a) (1)(i), filed by Iles Cooper, Esq, Jeffrey Philip Paul, Esq & Richard A. Bell, Esq.

CERTIFICATE OF SERVICE, filed (FILED IN LEGAL DRAWER ZZ)

I hereby certify that I am this day serving a copy of the foregoing Document upon the perios and in the manner indicated below, which service satisfies the requirement of PA R.C.P. 440. SERVICE BY FIRST CLASS MAIL, ADDRESSED AS FOLLOWS: David r. Johnson, Esq Two Chatham Center, 10th Floor, Pittsburgh, PA 15219. /s/ Jeffrey Philip Paul, Esq.



CONT. FR. PG 270 ONCOLOGY SERVICES, INC vs. DUBOIS REGIONAL MEDICAL CENTER 89-3-EQU

OCTOBER 11, 1989, RULE, filed

AND NOW, this 11th day of October, 1989, upon consideration of the within Plaintiff's Motion for Order to Compel Answers to Interrogatories and Production of Documents Pursuant to PA Rule of Civil Procedure No. 4019(a)(1)(i), Defendant-DuBois Regional Medical Center is hereby ordered to show cause why the Order requested in Plaintiff-Oncology Services, Inc Motion should not be granted.

Rule returnable October 30, 1989, at 2:45 PM. BY THE COURT: John K. Reilly, Jr., P.J. OCTOBER 11, 1989 RULE ISSUED AND MAILED TO ATTY DAVID R. JOHNSON, ATTY FOR DRMC. /s/lb

ALL PAPERS FILED IN LEGAL DRAWER ZZ with SISTER CASE 89-345-CD

OCTOBER 12, 1989, MOTION TO COMPEL DISCOVERY, filed by David R. Johnson, Esq filed on behalf of DRMC

CERTIFICATE OF SERVICE, filed

I hereby certify that a true and correct copy of the within MOTION TO COMPEL DEPOSITIONS has been served upon all counsel of record and same placed in the US mails on this 12th day of October, 1989. /s/ David R. Johnson, Esq.

OCTOBER 31, 1989, ORDER, filed

NOW, this 30th day of October, 1989, following argument into Motions to Compel Discoveries and to Compel Answers filed by the parties hereto, it is the ORDER of this Court that Oncology Services, Inc. shall, within twenty (2) days from date hereto, file interrogatories directed to DuBois Pregional Medical Center setting forth with as much specificity as possible, the exact information required. DuBois Regional Medical Center shall respond to said interrogatories within thirty (30) days from receipt thereof following which depositions of the parties hereto shall be scheduled within thirty (30) days of said response. BY THE COURT: John K. Reilly, Jr P.J.

DECEMBER 14, 1989, EXHIBIT 34 & 36, filed by Donna L. Simpson, Litigation Paralegal

JANUARY 2, 1990, ANSWERS TO PLAINTIFF'S SECOND SET OF INTERROGATORIES, filed by David R. Johnson, Esq.

JANUARY 2, 1990, VERIFICATION, filed by David R. Johnson, Esq.

CERTIFICATE OF SERVICE, filed

I hereby certify that a true and correct copy of the within VERIFICATION has been served upon all counsel of record and same placed in the US mails on this 29th day of December, 1989. /s/ David R. Johnson, Esq.

JANUARY 5, 1990, VERIFICATION, filed by Douglas R. Colkitt, Pres. Oncology Services, Inc

CERTIFICATE OF SERVICE, filed 2 cert/Atty

I HEREBY CERTIFY that I am this day serving a copy of the foregoing PLAINTIFF'S AMENDED ANSWERS TO INTERROGATORIES DIRECTED TO PLAINTIFF upon the person and in the manner indicated below. SERVICE BY FIRST CLASS MAIL, ADDRESSED AS FOLLOWS: David R. Johnson, Esq, 1010 Two Chatham Center, Pittsburgh, PA 15219. /s/ Iles Cooper, Esq.

JANUARY 9, 1990, NOTICE OF DEPOSITION OF DR. DOUGLAS COLKITT, filed by David R. Johnson, Esq.

CERTIFICATE OF SERVICE, filed

I hereby certify that a true and correct copy of the within NOTICE OF DEPOSITION Has been served upon all counsel fo record and same placed in the US mails on this 8th day of January, 1990. /s/ David R. Johnson, Esq.

FEBRUARY 9, 1990, REQUEST FOR PRODUCTION, filed by David R. Johnson, Esq.

CERTIFICATE OF SERVICE, filed

I hereby certify that a true and correct copy of the within REQUEST FOR PRODUCTION DIRECTED TO OSI has been served upon all counsel of record and same placed in the US mails on this 8th day of February, 1990. /s/ David R. Johnson, Esq.

MARCH 13, 1990, PLAINTIFF -- ONCOLOGY SERVICES, INC.'S RESPONSE AND OBJECTIONS TO SECOND REQUEST FOR PRODUCTION OF DOCUMENTS OF DEFENDANT -- DUBOIS REGIONAL MEDICAL CENTER, filed by ILES COOPER, ESQ. TWO (2) CERT ATTY.

CERTIFICATE OF SERVIC, filed.

I HEREBY CERTIFY that I am this day serving a copy of the foregoing PLAINTIFF -- ONCOLOGY SERVICES, INS'S RESPONSE AND OBJECTIONS TO SECOND REQUEST FOR PRODUCTION OF DOCUMENTS OF DEFENDANT -- DUBOIS REGIONAL MEDICAL CENTER upon the person and in the manner indicated below. SERVICE BY FIRST CLASS MAIL, ADDRESSED AS FOLLOWIS: David R. Johnson, Esq., THOMAS, RHODES, & COWIE, 1010 Two Chatham Center, Pittsburgh, Pa. 14219

MARCH 26, 1990, MOTION TO COMPEL DISCOVERY AND MOTION FOR SANCTINS, filed by David R. Johnson, Esq.

CERTIFICATE OF SERVICE, filed

I hereby certify that a true and correct copy of the within MOTION TO COMPEL DISCOVERY AND MOTION FOR SANCTIONS Has been served upon all counsel of record and same placed in the US Mails on this 23rd day of March, 1990. /s/ David R. Johnson, Esq.

MARCH 28, 1990 PLAINTIFF--ONCOLOGY SERVICES, INC.'S RESPONSE AND OBJECTIONS TO SECOND REQUEST FOR PRODUCTION OF DOCUMENTS OF DEFENDANT --DUBOIS REGIONAL MEDICAL CENTER, filed by Iles Cooper, Esq. 1 cert/Atty

CERTIFICATE OF SERVICE, filed

I hereby certify that I am this day serving a copy of the foregoing PLAINTIFF --ONCOLOGY SERVICES, INC'S RESPONSE AND OBJECTIONS TO SECOND REQUEST FOR PRODUCTION OF DOCUMENTS OF DEFENDANT -- DUBOIS REGIONAL MEDICAL CENTER upon the person and in the manner indicated below. SERVICE BY FIRST CLASS MAIL, ADDRESSED AS FOLLOWS: David R. Johnson, Esq, THOMSON, RHODES & COWIE, 1010 Two Chatham Center, Pittsburgh, PA 15219 /s/ Iles Cooper, Esq.



CONTINUED FR. PG. # 270A, ONCOLOGY SRVICE, INC. vs DuBOIS REG. MED. CTR. #89-3-EQU

APRIL 5, 1990, NOTICE OF DEPOSITON OF JOHN KELLY, filed by S/DAVID R. JOHNSON, ESQ.

CERTIFICATE OF SERVICE, filed.

I hereby certify that a true and correct copy of the within NOTICE OF DEPOSITION has been sent by U.S. mail to Iles Cooper, Esq., One Norwegian Plaza, Pottsville, Pa, 17901 this 3rd day of April, 1990. S/DAVID R. JOHNSON, ESQ.

APRIL 5, 1990, NOTICE OF DEPOSITION OF RAYMOND CARAVAN, filed by S/DAVID R. JOHNSON, ESQ.

CERTIFICATE OF SERVICE, filed.

I hereby certify that a true and correct copy of the within NOTICE OF DEPOSITION has been sent by U.S. mail to Iles Cooper, Esq., One Norwegian Plaza, Pottsville, Pa. 17901, this 3rd day of April, 1990. S/DAVID R. JOHNSON, ESQ.

APRIL 3, 1990, ANSWER TO MOTION TO COMPEL DISCOVERY AND REQUEST FOR SANCTIONS, filed by Iles Cooper, Esq. 1 cert/Atty

CERTIFICATE OF SERVICE, filed

I hereby certify that a true a correct copy of the within Answer to Motion to Compel Discovery and Motion for Sanctions was served upon David R. Johnson, Esquire, counsel for Defendant, by U.S. Mail, first class mail, postage prepaid on April 2, 1990. /s/ Iles Cooper, Esq.

APRIL 12, 1990, ORDER OF COURT, filed 1 cert to Atty Bell, Johnson & Cooper

Upon consideration of the foregoing Motion to Compel Discovery and Motion for Sanctions, it is the order of this court that a Rule shall be issued upon the Plaintiff to show cause why the prayer of said Motion should not be granted. Rule returnable at 3rd day of May, 1990 at 2:30 PM. BY THE COURT: John K. Reilly, Jr., P.J.

APRIL 12, 1990, PLAINTIFF--ONCOLOGY SERVICE, INC'S SUPPLEMENTAL RESPONSE TO SECOND REQUEST FOR PRODUCTION OF DOCUMENTS OF DEFENDANT--DUBOIS REGIONAL MEDICAL CENTER, filed by Iles Cooper, Esq.

CERTIFICATE OF SERVICE, filed

I HEREBY CERTIFY that I am this day serving a copy of the foregoing Plaintiffs' Supplemental Response to Second Request for Production of Documents of Defendant DuBois Regional Medical Center upon the person and in the manner indicated below: SERVICE BY FIRST CLASS MAIL, ADDRESSED AS FOLLOWS: David R. Johnson, Esq, THOMSON, RHODES, & COWIE, 1010 Two Chatham Center, Pittsburgh, PA 14219. /s/ Iles Cooper, Esq

NOVEMBER 7, 1990, PLAINTIFF, ONCOLOGY SERVICE, INC'S MOTION FOR SUMMARY JUDGMENT, filed by Iles Cooper, Esq.

DECEMBER 11, 1990, PLAINTIFF ONCOLOGY SERVICES INC'S REPLY MEMORANDUM OF LAW IN SUPPORT OR MOTION FOR SUMMARY JUDGMENT, filed by Iles Cooper, Esq, 1 cert/Atty

FEBRUARY 12, 1991, ORDER, filed

NOW, this 12th day of February, 1991, this matter coming before the Court on Motions for Summary Judgment filed on behalf of both Plaintiff and Defendant above-named, following argument and briefs, it is the ORDER of this Court that motion for Summary Judgment filed on behalf of Defendant be and is hereby granted and Motion for Summary Judgment filed on behalf of Plaintiff above-named be and is hereby dismissed. Judgment entered in favor of Defendant. Opinion to be filed in the event of an appeal. BY THE COURT: John K. Reilly, Jr., P.J.

Summary Judgment is entered in favor of the Defendant and against the Plaintiff per Order of Court dated the 12th day of February, 1991.

SUMMARY JUDGMENT AGAINST THE PLFF.

*Allen D. Biezy*  
Prothonotary

MARCH 7, 1991, NOTICE OF APPEAL, filed by Iles Cooper, Esq. 1 cert/Atty 1 cert/SC

CERTIFICATE OF SERVICE, filed

I hereby certify that on the 6th day of March, 1991, I served a true and correct copy of the notice of appeal filed in this case upon the following persons and in the following manner, which service satisfies the requirements of PA R.A. P. 121.

Service by mail as follows: Honorable John K. Reilly, Jr and DAVID R. JOHNSON, ESQ THOMSON, RHODES & COWIE, 1010 Two Chatham Center, Pittsburgh, PA 15219. /s/ Iles Cooper, Esq.

MARCH 21, 1991, SUPERIOR COURT DOCKET #00521PGH91, filed

MAY 10, 1991, MEMORANDUM, filed

MAY 10 1991, ALL PAPERS MAILED TO SUPERIOR COURT P 373 571 450

MAY 13, 1991, SENDER RECEIPT, filed

MAY 15, 1991, RETURN RECEIPT, filed

JUNE 27, 1991, AFFIDAVIT OF ILES COOPER, ESQUIRE, FOR CORRECTIONAL MODIFICATION OF THE RECORD, filed.

Iles Cooper, esquire, being duly sworn according to law depoases and says that he has been counsel to Oncology Services, Inc., throughout these proceedings before the Court of Common Pleas of Clearfield County, and as such counsel he, together with counsel for DuBois Regional Medical Center, received a letter from the Honorable John K. Reilly, Jr., President Judge of the Court of Common Pleas of Clearfield County, dated January 16, 1991, a true and correct copy of which is attached hereto as Exhibit "A" and submitted as a supplement to the record herein. /s/ Iles Cooper, Esquire. CERTIFICATE OF SERVICE, filed.

I hereby certify that a true and correct copy of the foregoing affidavit was served upon the following perons in the manner indicated below:

CONTINUED ON PAGE 270C



EQUITY DOCKET

CONTINUED FROM PAGE 270B 89-3-EQU ONCOLOGY SERVICES, INC. vs. DUBOIS REGIONAL MEDICAL CENTER

SERVICE BY FIRST-CLASS MAIL ADDRESSED AS FOLLOWS:

David R. Johnson, Esquire, THOMSON, RHODES & COWIE, 1010 Two Chatham Center, Pittsburgh, PA, 15219.

(Counsel for DuBois Regional Medical Center) /s/ Iles Cooper, Esquire.

JUNE 27, 1991, AFFIDAVIT MAILED TO SUPERIOR COURT OF PENNSYLVANIA THIS DATE BY CERTIFIED MAIL.

JULY 17, 1991, RETURN RECEIPT filed

NOVEMBER 7, 1991, PRAECIPE, filed  
Kindly mark the above-captioned action settled and discontinued. /s/ Iles Cooper, ESq.

SETTLED AND DISCONTINUED

JANUARY 13, 1992, ORDER FROM SUPERIOR COURT, filed  
AND NOW, this 9th day of December, 1991, it is ordered as follows: Order reversed in part and affirmed in part. Jurisdiction relinquished. BY THE COURT: /s/ Eleanor R. Valecko  
Deputy Prothonotary.

ALL PAPER RETURNED, FILED IN LEGAL DR ZZ



270 25

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E. Barry  
Creany

COMMONWEALTH OF  
PENNSYLVANIA BY ATTORNEY  
GENERAL ERNEST D. PREATE,  
JR,

FEBRUARY 24, 1989, COMPLAINT IN EQUITY AND PETITION  
FOR PERMANENT INJUNCTION, filed by E. Barry Creany,  
Esq. NO COPIES

FEBRUARY 24, 1989, CERTIFICATION OF SERVICE OF  
NOTICE OF INTENTION TO PRESENT MOTION, filed

I, E. Barry Creany, being duly sworn according  
to law, do hereby depose and say that I gave notice  
of Plaintiff's intention to present the motion in  
the above captioned matter to the Court by US Mail  
on February 23, 1989, upon the defendant and his  
counsel at the following addresses:

Dennis Pringle d/b/a, Pringle Construction Col  
319 East Weber St., DuBois, PA 15801

Kurt S. Rishor, Esq  
215 MorganCenter, 101 East Diamond St.  
Butler, PA 16001

89-4-EQU

/s/ E. Barry Creany, Deputy Atty General

FEBRUARY 24, 1989, MOTION FOR PRELIMINARY  
INJUNCTION, filed by E. Barry Creany, Esq.

RULE UPON THE DEFENDANT TO SHOW CAUSE WHY A  
PERMANENT INJUNCTION SHOULD NOT ISSUE, filed

AND NOW, this 24th day of February, 1989, a Rule  
is hereby granted upon teh Defendant in the above  
captioned matter to show cause why an Order for a  
Permanent Injunction adn Forfeiture of Civil Penalties.

Rule returnable this 6 day of March, 1989, at  
10:00 AM in Chambers, Clearfield County, Court House,  
Clearfield, PA, 15801. BY THE COURT: Joseph S.  
Ammerman, Judge.

FEBRUARY 27, 1989 RULE ISSUED ON MR. PRINGLE BY  
CERTIFIED RETURN RECEIPT P#928 315 368

MARCH 6, 1989, RETURN RECEIPT, filed

MARCH 6, 1989, CERTIFICATE OF SERVICE, filed

I, E. Barry Creany, being duly sworn according to  
law, do hereby depose and say that I served a true  
and correct copy of the Complaint in Equity and  
Petition for Permanent Injunction, a Motion for  
Preliminary Injunction and the Rule of Honorable  
Joseph Ammerman dated February 24, 1989 by hand  
delivering said Complaint, Motion and Rule to Mrs.  
Pringle at the Defendant's residence, 319 East Weber  
Avenue, DuBois, PA. Said service was affected on  
February 24, 1989 at 1:55 PM. /s/ E. Barry Creany,  
Esq.

MARCH 6, 1989, CERTIFICATION OF SERVICE, filed

I, E. Barry Creany, being duly sworn according  
to law, do hereby depose and say that I served a  
true and correct copy of the Petition for Forfeiture  
of Civil Penalties upon Dennis Pringle by hand  
delivering said Petition to Mrs. Pringle at the  
Defendant's residence, 319 East Weber Ave., DuBois,  
PA. SAid service was affected on February 24, 1989  
at 1:55 PM. /s/ E. Barry Creany, Esq.

MARCH 6, 1989, ORDER, filed 3 cert. Atty Creany

AND NOW, this 6th day of March, 1989, upon  
consideration of the Motion for a Preliminary Injunction  
filed by the Commonwealth of Pennsylvania and after  
a conference the Commonwealth of Pennsylvania's Motion  
for a Preliminary Injunciton is garanted, and it is  
hereby ordered, adjudged and decreed that the Defendant  
Dennis Pringle d/b/a Pringle Construction Company is  
enjoined from entereing into any home improvement  
contracts which violate the provisions of the Federal  
Trade Commission Rule concerning a Cooling-Off  
Period for Door-ToDoor Sales. Further, said Defendant  
shall supply the Commonwealth with the names, addresses  
and telephone numbers of all Pennsylvania consumers  
with whom the Defendant has contrcted yet failed to  
fully complete the contract work. BY THE COURT:  
Joseph S. Ammerman, Judge.

MARCH 8th, 1989, CERTIFIED COPY MAILED TO DEFT BY  
REGULAR MAIL.

MARCH 15, 1989, CERTIFICATE OF SERVICE, filed

I, Denise J. Powers, being duly sworn according to law, do hereby  
depose and say that I served a conformed copy of the Order of the Honorable  
Joseph S. Ammerman dated March 6, 1989 upon the Defendant, Dennis Pringle  
by certified mail on March 7, 1989. A conformed of said Order was likewise  
served upon the Defendants attorney Kurt Rishor at 208 Morgan Center,  
Butler, PA 16601. /s/ Denise J. Powers

Kurt Rishor

Earle D.  
Lees, Jr

DENNIS PRINGE, d/b/a  
PRINGLE CONSTRUCTION CO  
319 East Weber Ave.  
DuBois, PA 15801

Pro by Atty 40.00

Postage 2.00

Pro by Piff 9.00

Pro by Comm 5 -



MARCH 31, 1989, CERTIFICATION OF SERVICE OF NOTICE OF DEFAULT, filed

I, William A. Ryan being duly sworn according to law, depose and say that I am an Agent in the Ebensburg Regional Office of Attorney General, Bureau of Consumer Protection and that I personally served a copy of the attached Notice of Default Pursuant to PA R.C.P. No 237.1, upon Dennis Pringle by mailing the same by certified mail, return receipt requested, to the Defendant's residence at 319 East Weber Avenue, DuBois, PA on March 23, 1989. A copy of said notice was likewise served upon the Defendant's attorney Kurt Rishor at 208 Morgan Center, Butler, PA 16601. /s/ William A. Ryan

APRIL 25, 1989, PRAECIPE FOR ENTRY OF JUDGMENT PURSUANT TO PA.R.C.P. NO. 1511, filed

Please enter judgment by default against Dennis Pringle individually and d/b/a Pringle Construction Company in the above captioned action. /s/ E. Barry Creany, Esq. Dpty Atty General.

Judgment is entered in favor of the Plaintiff and against the Defendant for failure to file an answer.

DEFAULT JUDGMENT

*Raymond Netherman*

Prothonotary

MAY 15, 1989, CERTIFICATE OF SERVICE, filed

I, William A. Ryan being duly sworn according to law, depose and say that I am an Agent in the ebensburg Regional Office of Attorney General Bureau of Consumer Protection and that I personally served a copy of the attached letter giving notice to the addressees that a hearing was to be conducted in the above captioned matter on May 15, 1989 at 10:00 AM. This notice was sent to the following addressees by certified mail, return receipt requested: Kurt S. Rishor, Esq., 208 Morgan Center, Butler, PA Dennis A. Pringle d/b/a Pringle Construction Co. 319 E. Weber Ave., DuBois, PA 15801

JUNE 15, 1989, ORDER, filed 3 cert/Judge "A"

AND NOW, this 14th day of June, 1989, upon considertion of the pleadings and after a hearing to address the issue of damages it is hereby ORDERED, DECREED AND ADJUDGED that Defendant, Dennis Pringle d/b/a Pringle Construction Company, shall pay restitution in the amount of two thousand one hundred eighty-four dollars and 35/100 (\$2,184.35) to Dominic Muccio Defendant shall deliver to Mr. Muccio his garage door openers by forwarding the same by mail or courier service to Mr. Muccio's address of 104-21 53rd Avenue, Corona, New York 11368. In addition Defendant shall reimburse the Commonwealth for its costs in prosecuting this matter in the amount of forty-nine dollars (\$49.00)

FURTHER, Defendant shall not enter into any home construction or improvement contracts, individually or as a partner, until the restitution and costs hereby ordered are paid in full. BY THE COURT: Joseph S. Ammerman, Judge.

DECEMBER 23, 1994, PETITION FOR SANCTIONS AND CITATION FOR CONTEMPT, filed by E. Barry Creany, Sr Deputy Atty General 2 cert/Atty Creany

ORDER, filed 2 cert/Atty Creaney

AND NOW, the 10th day of January, 1995, a Rule is hereby issued upon Dennis Pringle, Defendant in the above captioned matter, to show cause why Defendnat Dennis Pringle should not be cited for Contempt of Court, sanctions issued under the Unfair Trade Practices and Consumer Protection Law, and an Order should not issue as prayed for in the within Petition.

Rule Returnable on the 30th day of January, 1995, at 2:00 PM in Courtroom NO 2 at which time a hearing shall be held. BY THE COURT: Fredric J. Ammerman, Judge

JANUARY 31, 1995, ORDER, filed.

Now, this 30th day of January, 1995, this being the return date on the Rule previously executed by the Court, the Court having conferred with counsel for the Attorney General's Office and the Defendant, it is the Order of this Court that a full hearing shall be held commencing at 9:00 a.m. on Friday, March 10th, 1995. BY THE COURT: /s/ FREDRIC J. AMMERMAN, Judge.

One (1) copy certified to Attorney Creany and Attorney Lees

FEBRUARY 13, 1995, ANSWER TO PETITION FOR SANCTIONS AND CITATION FOR CONTEMPT, filed by Earle D. Lees, Jr, Esq.

MARCH 10, 1995, CONSENT DECREE, s/ FREDRIC J. AMMERMAN, JUDGE. ONE(1) COPY CERT TO ATTY CREANY

JUDGMENT BE ENTERED AGAINST DENNIS PRINGLE IN THE AMOUNT OF SIX THOUSAND FIVE HUNDRED DOLLARS (\$6,500.00) FOR RESTITUTION TO THOSE INDIVIDUALS IN THE AMOUNTS SET FORTH AS FOLLOWS:

LOIS GLENN, 460 WEST DU BOIS AVENUE, DU BOIS, PENNA. 15801	\$2,000.00
MARY K. GRONTERO, RR 1, BOX 501, DU BOIS, PENNA. 15801	1,750.00
MARY K. REINKE, 608 EAST 5TH STREET, CLEARFIELD, PENNA. 16830	250.00
EDGAR & LINDA MOORE, III, 415 BIGLER AVENUE, CLEARFIELD, PENNA. 16830	2,500.00

JUDGMENT BE ENTERED AGAINST DENNIS PRINGLE INT EH AMOUNT OF FIFTEEN HUNDRED DOLLARS (\$1,500.00) PAYABLE TO THE COMMONWEALTH OF PENNSYLVANIA, OFFICE OF ATTORNEY GENERAL, BUREAU OF CONSUMER PROTECTION WHICH SHALL BE ALLOCATED AS FOLLOWS:

- A CIVIL PENALTY IN THE AMOUNT OF ONE THOUSAND DOLLARS (\$1,000.00); and,
- COSTS, TO BE USED FOR FUTURE CONSUMER PROTECTION PURPOSES IN THE AMOUNT OF FIVE HUNDRED DOLLARS (\$500.00).

s/FREDRIC J. AMMERMAN, Judge

CONTINUED ON PAGE 276



Peter F. Smith

J. CHRISTOPHER CRAGO  
GEORGE W. OWENS

MARCH 13, 1989, COMPLAINT, filed by Peter F. Smith, Esq. 1 cert/Atty

MARCH 23, 1989, AFFIDAVIT OF SERVICE, filed NOW, March 14, 1989, at 8:43 AM EST served the within Complaint in Equity on Clearfield Area School District, Deft. at Employment, 438 River Rd., Clearfield, Clearfield County, PA by handing to Trina Janocko, Business Manager for Deft. /s/ Chester A. Hawkins, Shff by Darlene Shultz

APRIL 3, 1989, ANSWER, filed by Elizabeth Cunningham, Esq. 1 cert/Atty

APRIL 28, 1989, ANSWERS TO INTERROGATORIES TO PLAINTIFF, filed by Peter F. Smith, Esq. 1 cert/Atty

MAY 25, 1989, ANSWERS TO INTERROGATORIES DIRECTED TO THE CLEARFIELD AREA SCHOOL DISTRICT, filed by Peter F. Smith, Esq. 1 cert/Atty

JUNE 13, 1989, MOTION TO COMPEL DISCOVERY, filed by Peter F. Smith, Esq.

JUNE 21, 1989, MOTION TO COMPEL DISCOVERY & RULE, filed 1 cert atty.

AND NOW, this 20th day of June, 1989, upon consideration of the Motion of Petitioners, it is hereby;

ORDERED and DECREED that a Rule be issued on the Respondent to show cause why it should not be compelled to answer Interrogatories numbers 6 through 15 served by Petitioners on Respondent within thirty days of the Return date below.

Rule returnable on the 25th day of July, 1989, at the Clearfield County Courthouse, at 11:00 A.M. BY THE COURT: Joseph S. Ammerman, Judge.

JULY 19, 1989, ANSWER TO MOTION TO COMPEL DISCOVERY, filed by Elizabeth Cunningham, Esq. 1 cert/Atty

OCTOBER 4, 1989 MEMORANDUM AND ORDER, filed.

Plaintiff Tax Collectors seek to disconver the "remuneration which defendant School District provides to School District employees with comparable responsibilities." Defendant declined to answer Plaintiffs' interrogatories concerning "all positions, posts, or jobs, other than full time teachers, with the Clearfield Area School District which pay a base salary between \$33,000.00 and \$55,000.00." Plaintiffs also requested a description of the benefits received by these employees, cash value of the benefits, job descriptions of the involved positions, weekly hours for the same, vacation time for the same, names of officers or employees whose salaries had been reduced from 40-55% in the preceeding 12 months, increases of the same percentage, and information on decreases and increases for the same officers or employees within the last 1-5 years.

Defendant School District declined to provide the above information becasue it "is beyond the scope of discovery as allowed by the Pennsylvania Rules of Civil Procedure" and therefore "Defendant is not required to answer"

The Court finds the request to be within the scope of the rule and directs the defendant to answer the interrogatories. The question of relevance will be decided after the answers are provided and the plaintiffs have shown the Court the specific relevance and the defendants have an opportunity to refute it. BY THE COURT, s/Joseph S. Ammerman, Judge.

OCTOBER 19, 1989, ANSWERS TO INTERROGATORIES DIRECTED TO THE CLEARFIELD AREA SCHOOL DISTRICT, filed by Elizabeth Cunningham, Esq. 3 cert/Atty

NOVMEBER 13, 1989, RECUSAL, filed 3 cert/Judge "A"

NOW, November, 1989, the undersigned recuses in the above case. BY THE COURT: Joseph S. Ammerman, Judge.

JANUARY 22, 1990, ORDER, filed 1 cert/CA 1 cert/ATTY CUNNINGHAM 1 cert/ATTY SMITH

NOW, this 19th day of January, 1990, pursuant to the Code of Judicial Conduct, Canon 3, Section 3, it is hereby ORDERED that the Judges of the Court of Common Pleas of Clearfeild Coutny, Pennsylvania, are hereby disqualified from service in the above captioned case. Further, it is ORDERED that the Court Administrator of Clearfield County Shall assign a Judge within the Regionalization Unit II for service in this case. BY THE COURT: John K. Reilly, Jr. P.J.

JANUARY 31, 1990, PAPERS IN CASE MAILED TO JUDGE JOLENE GRUBB-KOPRIVA, BLAIR COUNTY.

JANUARY 31, 1990, SENDERS RECEIPT, filed

FEBRUARY 5, 1990, RETURN RECEIPT, filed



CONTINUED FROM PAGE #273, CRAGO vs. CLEARFIELD AREA SCHOOL DISTRICT 89-5-EQU

APRIL 5, 1990, ORDER, filed. One (1) Cert Atty Cunningham, One (1) Cert Atty Smith  
NOW, this 5th day of April, 1990, this Court having conducted an evidentiary hearing  
in this matter, and for all of the reasons stated earlier by this Court, the Court deems  
the following Order to be appropriate:

It is ORDERED, DIRECTED and DECREED that judgment is entered in favor of the defendant  
Clearfield Area School District. BY THE COURT: S/JOLENE GRUBB KOPRIVA, SPECIALLY  
PRESIDING JUDGE.

JUDGMENT IS ENTERED IN FAVOR OF THE DEFENDANT AND AGAINST THE PLAINTIFF PER COURT  
ORDER. AGAINST J. CHRISTOPHER CRAGO ONLY.

JUDGMENT PER COURT ORDER AGAINST  
J. CHRISTOPHER CRAGO ONLY.

*Allen D. Biech*  
\_\_\_\_\_  
Prothonotary

APRIL 10, 1990, NOTICE OF JUDGEMENT PER COURT ORDER MAILED TO PLAINTIFF, S/KEG  
APRIL 11, 1990 ALL PAPERS RETURNED FROM JUDGE GRUBB\_KOPRICA, BLAIR CO.



Kim C.  
Kesner

BECCARIA TOWNSHIP

MARCH 22, 1989, COMPLAINT, filed by Kim C. Kesner,  
Esq - 1 cert/Shff and 2 Cert/Atty

APRIL 4, 1989, AFFIDAVIT OF SERVICE, filed  
NOW, March 29, 1989 at 11:58AM EST served the  
within Complaint for Action in Equity on Glendale  
Contracting Co., Inc., Mr. Robert Moonery, Pres., Deft.  
at Julia Street, Box 1, Irvona, Clearfield County, PA  
by handing to Lisa Mooney, Daughter/Secretary for Deft.  
/s/ Chester A. Hawkins, Shff, by Darlene Shultz

89-6-EQU

MAY 10, 1989, ANSWER TO COMPLAINT, filed by Mr.  
Robert P. Mooney, Pres. 1 cert/Deft.

MAY 15, 1989, AFFIDAVIT OF SERVICE, filed  
I. Robert P. Mooney, did on May 10, 1989 serve  
a copy of answer to filed aboved case on Lanette  
Schram by personald service at her office located  
at 23 North Second Street, Clearfield, PA. /s/ Robert  
P. Mooney, Pres. Deft.

GLENDALÉ CONTRACTING CO.  
INC

Pro	by Atty	40.00
	KK	
Shff	by Atty	37.60
sur-		
charge	by Atty	2.00



CONTINUED FROM PAGE 272, COMMONWEALTH OF PA vs PRINGLE 89-4-EQU

JUDGMENT IS ENTERED IN FAVOR OF THE PLAINTIFF AND AGAINST THE DEFENDANT BY COURT ORDER DATED MARCH 10, 1995.

DEBT: \$8,000.00  
COURT ORDERED JUDGMENT

*Fred J. Ammerman*  
Prothonotary

MARCH 17, 1995, NOTICE OF JUDGMENT MAILED TO DENNIS PRINGLE(Defendant)

APR. 10, 1997, PETITION FOR RULE TO SHOW CAUSE WHY SANCTIONS SHOULD NOT ISSUE, filed by s/E. BARRY CREANY, ESQ. FOUR (4) CERT TO ATTY CREANY  
NOTICE, filed.

AFFIDAVIT

I, Thomas W. Creehan, being duly sworn according to law, depose and state that I am an Agent for the Office of Attorney General, Bureau of Consumer Protection, Commonwealth of Pennsylvania, and that I am authorized to make this Affidavit and that the facts set forth in the Petition For Rule To Show Cause Why Sanctions Should Not Issue are true and correct to the best of my knowledge, information and belief.  
s/THOMAS W. CREEHAN

APR. 10, 1997, Order, filed FOUR (4) CERT TO ATTY CREANY

AND NOW, this 10th day of April, 1997, upon consideration of the Petition for Sanctions filed by the Commonwealth of Pennsylvania, it is hereby ordered that:

1. A Rule is issued upon Respondent Dennis Pringle to show cause why the Petitioner is not entitled to the relief requested;
2. The Respondent Dennis Pringle shall file an answer to the Petition for Sanctions within twenty (20) days of the service of the same upon him;
3. The Petition for Sanctions shall be decided under Pa.R.C.P. No.206.7;
4. Depositions shall be completed within sixty days of this date;
5. Argument shall be held on the 2nd day of May, 1997, at 10:30 a.m. in Court Room No.2 of the Clearfield County Courthouse; and,
6. Notice of the entry of this Order shall be provided to all parties by the Petitioner.

BY THE COURT s/FRED AMMERMAN, JUDGE

APR. 15, 1997, AFFIDAVIT OF SERVICE, filed. NO CERT COPIES

I, Thomas W. Creehan, do hereby swear and affirm that I served a true and correct copy of the Petition for Rule to Show Cause Why Sanctions Should Not Issue and the Order of April 10, 1997, in the above captioned matter upon Respondent Dennis Pringle by hand delivering a copy of the same to his wife Linda M. Pringle at the residence she shares with Respondent Dennis Pringle at 520 Knarr Street, Du Bois, Clearfield County, Penna. at 12:20 PM on April 10, 1997.

s/THOMAS W. CREEHAN

MAY 02, 1997, TRANSCRIPT OF DEPOSITION OF PATRICIA MARRARA, APRIL 22, 1997, filed. ONE (1) COPY CERT TO COMM. ATTY.

MAY 02, 1997, TRANSCRIPT OF DEPOSITION OF JAMES A. MARANDO, APRIL 22, 1997, filed. ONE (1) COPY CERT TO COMM. ATTY.

MAY 02, 1997, TRANSCRIPT OF DEPOSITION OF DAVID STEINBER, APRIL 23, 1997, filed. ONE (1) COPY CERT TO COMM. ATTY.

MAY 5, 1997, ORDER, filed. One Cert. Copy to Jail, Deft., AG's Office  
2nd day of May, 1997. RE: Evidentiary Hearing. BY THE COURT: /s/Fred Ammerman, Judge

MAY 28, 1997, ORDER, filed. ONE CERT TO AG'S OFFICE, JAIL, DEFENDANT

NOW, this 27th day of May, 1997, upon the Court receiving the sum of Eight Thousand Four Hundred Sixty Six Dollars and Ninety Cents (\$8,466.90) on behalf of the Defendant, it is the ORDER of this Court that Defendant, Dennis Pringle, is hereby released from Clearfield County Jail.

BY THE COURT: s/FREDRIC J. AMMERMAN, JUDGE

AUG 05, 1997, BY PAPER FILED, THE ABOVE JUDGMENT IS SATISFIED IN FULL OF DEBT, INTEREST AND COST, AS TO: LOIS-GLENN ONLY!!!!



Michael J.  
Saglimben

RUTH KURTEN

MARCH 29, 1989, PETITION TO PROCEED INFORMA PAUPERIS,  
filed by Michael J. Saglimben, Esq.

APRIL 4, 1989, AFFIDAVIT OF SERVICE, filed  
NOW, March 29, 1989 at 4:15 PM EST served the  
within Complaint & Motion & Order on Frank Wall, Deft  
at Residence, 234 N. Church St., DuBois, Clearfield  
County, PA by handing to Frank Wall, Deft.  
/s/ Chester A. Hawkins, Shff, by Darlene Shultz

89-7-EQU

JUNE 5, 1989, CONSENT ORDER, file 5 cert/KLS  
AND NOW, this 17th day of April, 1989, the parties  
Ruth Kurten, by her attorneys, Keystone Legal Services,  
Inc and Michael J. Saglimben, Esquire, and Frank Wall,  
by his attorney, Paula Cherry, Esquire, having consented  
to the terms enumerated below, the following Consent  
Order is hereby entered:

(1). The Defendant hereby waives and relinquishes  
any and all claims against the Plaintiff for rent,  
utilities, and any costs associated therewith.

(2). Plaintiff will permanently vacate her re-  
sidence at 23 South Jared Street, DuBois, PA by midnight  
April 17, 1989.

(3). Plaintiff will provide to the Defendant  
on Saturday, April 8, 1989, a Key to the upstairs apart-  
ment at the said residence, to be used for access  
to the apartment by the Defendant only under emergency  
circumstances.

(4). At the required time for vacating the re-  
sidence, Plaintiff shall leave the apartment in a clean  
condition.

(5). Plaintiff agrees to let potential buyers  
visit and/or inspect her apartment, provided that Plain-  
tiff be given reasonable advance notice of such visit  
and furthermore be allowed to stay in the apartment  
while such visit is taking place; Plaintiff further  
agrees to do nothing to hinder or interrupt such visit  
or visits.

(6). Defendant, his agents or representatives  
will at no time prior to midnight, April 17, 1989,  
undertake any self-help eviction measures against the  
Plaintiff, nor undertake any threats or harassment  
regarding the Plaintiff.

(7). Plaintiff hereby relinquishes any and all  
claims against the Defendant, his agents or represent-  
atives provided that the Defendant, his agents or re-  
presentatives not engage in any self-help eviction,  
threatening, or harassment type measures.

(8). Neither party shall engage in any ill-mannere  
conduct toward the other.

The parties are hereby directed to comply with  
the terms and conditions of the Consent Order until  
further Order of this Court.

The parties are hereby advised that violations  
of this Order will subject the violating party to punish-  
ment for contempt, which could include incarceration  
up to six (6) months, and/or a fine of up to \$1,000.  
BY THE COURT: Joseph S. Ammerman, Judge.

MARCH 29, 1989, COMPLAINT, filed by s/MICHAEL J. SAGLIMBEN,  
ESQ.

MARCH 29, 1989, MOTION FOR SPECIAL AND/OR PRELIMINARY  
INJUNCTION, filed by s/Michael J. Saglimben, Esq.

MARCH 29, 1989, ORDER, filed  
AND NOW, this 29th day of March, 1989, upon presentation and consideration of the within  
Complaint, Petition and upon motion of attorney for Plaintiff, it is hereby Ordered and Decreed  
that Defendant and his agents or representatives are directed to restore possession of the leased  
premises at 23 South Jared Street, DuBois, Pa. to the Plaintiff, and are further directed to refrain  
from undertaking any self-help measures to obtain possession of said leased premises from the  
Plaintiff. This includes shutting off, or causing to be shut off, any utility service currently bein  
provided to the residence, and further to restore to the residence any utility service already  
terminated. This Order and Decree is to remain in effect until further Order of this Court.

A hearing for the purpose of determining whether or not said special of preliminary injunction i  
to be continued pending a final determination of the matter on the merits will be held on the 5th day  
of April, 1989, at 11:00 o'clock A.M. at the Clearfield County Courthouse, Clearfield, Pennsylvania.  
BY THE COURT, S/JOSEPH S. AMMERMAN, JUDGE



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Alder Cohen  
& Grigsby

JEFFREY B. AKERS  
MARY M. AKERS

APRIL 11, 1989, COMPLAINT, filed by ALDER, COHEN &  
GRIGSBY, P.C. 2 cert/Atty

APRIL 11, 1989, MOTION FOR PRELIMINARY  
INJUNCTION, filed by ALDER, COHEN & GRIGSBY, ESq.  
2 cert/Atty

APRIL 11, 1989, ORDER, filed 2 cert/Atty  
AND NOW, this 11th day of April, 1989, upon  
Plaintiffs' Motion for Preliminary Injunction, it is  
hereby ORDERED, ADJUDGED, and DECREED that a hearing  
on Plaintiffs' Motion be held on the 17th day of  
April, 1989, at 2:00 PM in Courtroom Number \_\_\_\_\_,  
Clearfield County Courthouse, Clearfield, PA.  
BY THE COURT: John K. Reilly, Jr., P.J.

89-8-EQU

UNITED FOOD AND COMMERCIAL  
WORKERS INTERNATIONAL  
UNION LOCAL UNION 23, AFL-  
CIO-CLC: CARL C. HUBER,  
Pres; JAMES R. BONO, Secr.  
Tres., DEB OWEN, Repre-  
sentative.

Pro *Key Atty* 40.00



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Charles A.  
Schneider

POWER, INCORPORATED

APRIL 11, 1989, COMPLAINT, filed by Charles A.  
Schneider, ESq. 2 cert/Shff

APRIL 11, 1989, PETITION FOR PRELIMINARY INJUNCTION  
WITHOUT HEARING, filed by Charles A. Schneider, Esq.

APRIL 11, 1989, ORDER, filed 2 cert/Shff

AND NOW, this 11th day of April, 1989, upon  
cause shown and in consideration of the within Petition,  
it is hereby ORDERED and DECREED that the Defendants,  
JER-DEM, INC. and JEROME P. DEMCHAK, and all others  
acting under, by, through or in concert with them  
and any of the, and each of them, and all those acting  
in concert with them and all others who shall be shown  
a certified copy of this Court's Decree or to otherwise  
have reasonable notice of this Court's Decree, are en-  
joined and restrained from:

1. Going upon the Plaintiff's property in Gulick  
Township, Clearfield County, PA.

2. In operating its machinery and equipment on  
the premises of the Plaintiff for the mining or coal  
or for any other purpose.

3. Severing and carrying off the aforesaid coal.

4. Securing another or others to do any of the  
acts enjoined by this Court.

Said injunction is to remain in effect until further  
Order of this Court or until a hearing on Plaintiff's  
Petition, which hearing shall be set for Monday, April  
17, 1989 at 11:30 AM in the Clearfield County Court-  
house. BY THE COURT: Joseph S. Ammerman, Judge.

89-9-EQU

JER-DEM, INC., and  
JEROME P. DEMCHAK

APRIL 18, 1989, SHERIFF'S RETURN, filed  
NOW, April 13, 1989, at 10:54 A.M. served  
the within Complaint & Petition on Jer-Dem, Inc.,  
Deft. at residence/office, R.D.# 1 Osceola Mills,  
by handing to Nancy Snyder, Secretary for Defendant  
NOW, April 14, 1989, at 9:14 A.M. served  
the within Complaint and Petition on Jerome P.  
Demchak, Deft. at Clearfield County Courthouse,  
by handing to Jerome Demchak, Deft.  
/s/ Chester A. Hawkins, Sheriff.

MARCH 26, 1990, ANSWER AND NEW MATTER, filed by  
S/CARL A. BELIN, JR., ESQ., ONE (1) CERT ATTY

Pro	by Atty	40.00
Shff	by atty	36.20
Surg.	by atty	4.00

MARCH 27, 1990, CERTIFICATE OF SERVICE, filed.  
This is to certify that the undersigned has on this  
date sent a true and correct copy of the foregoing  
Answer and New Matter with regard to the above-captioned  
matter to the following party and in the following  
manner on this the 26th day of March, 1990 as follows:  
First-Class Mail, Postage Prepaid David C. Mason, Esq.,  
Miller & Mason, P.O. Box 28, Philipsburg, Pa. 16866  
S/CARL A. BELIN, JR., ESQ.

APRIL 17, 1989, MOTION TO DISSOLVE PRELIMINARY  
INJUNCTION, filed by Charles A. Schneider, Esq.

APRIL 17, 1989, ORDER, filed  
AND NOW, this 17th day of April, 1989, the  
Preliminary Injunction issued by this Court on April  
11, 1989 shall be and is hereby DISSOLVED. BY THE  
COURT: Joseph S. Ammerman, Judge.



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Miller &  
Mason

DORIS C. DAVIS, a/k/a  
DORIS CAROLE RYEN  
Plaintiff

APRIL 14, 1989, COMPLAINT/EQUITY, filed by David C. Mason, Esquire  
One Copy Certified to Attorney.

89-9½-EQU

APRIL 25, 1989, AFFIDAVIT OF SERVICE, filed NOW, April 18, 1989 at 2:06 PM DST served the within Complaint in Equity on Joseph A. Davis, Deft. at Employment, RD#2, Box 291, Morrisdale, Clearfield County, PA. by handing to Joseph Davis, Deft. /s/ Chester A. Hawkins, Shff, by Darlene Shultz

MAY 2, 1989, PRELIMINARY OBJECTIONS, filed by Carl A. Belin, Jr., Esq. 1 cert atty

Carl A.  
Belin, Jr.

JOSEPH A. DAVIS,  
Defendant

JUNE 2, 1989, CERTIFICATE OF SERVICE, filed I, DAVID C. MASON, Esquire, of Miller and Mason, hereby certify that I have served upon the Attorney for the Defendant, a true and correct copy of the Brief on Behalf of Plaintiff in Opposition to Defendant Preliminary Objections in the above captioned matter by hand delivering the same as follows: Carl A. Belin, Jr., Esq. /s/ David C. Mason, Esq.

MARCH 13, 1990, MEMORANDUM AND ORDER, filed. Four (4) Cert Judge "A".

ORDER

NOW, this 9th day of March, 1990, upon consideration of defendant's Preliminary Objections and briefs submitted by counsel, it is the ORDER of the Court that said Objections be and are hereby dismissed. Defendant is directed to file an answer within twenty (20) days of this ORDER. BY THE COURT: JOSEPH S. AMMERMAN, JUDGE.

Pro	by Atty	40.00
Shff	by Atty	21.20
sur-charge	by Atty	2.00

JUNE 28, 1990, REPLY TO NEW MATTER, filed by David C. Mason, Esq.

JUNE 28, 1990, CERTIFICATE OF SERVICE, filed I, DAVID C. MASON, Esquire, of Miller and Mason, hereby certify that I have served a true and correct copy of PLAINTIFF'S REPLY TO NEW MATTER which I have filed on behalf of the Plaintiff in the above captioned matter, by mailing the same in the US mail, postage prepaid, to the attorney of record and addressed as follows: Carl A. Belin, Jr., 15 N Front St, PO Box 1 Clearfield, PA 16830. /s/ David C. Mason, Esq

JULY 23, 1990, PRAECIPE TO LIST FOR TRIAL, filed  
Kindly place the above matter on the list for trial. As attorney for the Plaintiff, I certify that Discovery is complete and that there are no outstanding motions which would delay the start of trial. /s/ David C. Mason, Esq.

CERTIFICATE OF SERVICE, filed  
I, DAVID C. MASON, Esquire, of Miller and Mason, hereby certify that I have served a copy of a Praecipe to List For Trial which I have filed in the above captioned matter by placing the same in the US mails postage prepaid, and properly addressed as follows: Carl A. Belin, Esq, 15 North Front St, Clearfield, PA 16830. /s/ David C. Mason, Esq.

AUGUST 7, 1990, MOTION TO STRIKE, filed by Carl A. Belin, Jr, Esq.

AUGUST 16, 1990, ORDER, filed 2 cert/Judge "A"  
AND NOW, this 14th day of August, 1990, upon reading and considering the foregoing Motion to Strike, it is the ORDER of this Court that the above-captioned case is stricken from the trial list. BY THE COURT: Joseph S. Ammerman, Judge.

NOVEMBER 6, 1990, NOTICE OF TAKING DEPOSITION OF DORIS C. DAVIS, a/k/a DORIS CAROLE RYEN, filed by Kimberly M. Kubista, Esq.

CERTIFICATE OF SERVICE, filed  
I, KIMBERLY M. KUBISTA, Attorney For Defendant, do hereby certify that a true and correct copy of the foregoing Notice of Deposition was served by first class mail, postage pre-paid upon the following: Doris C. Davis a/k/a Doris Carole Ryen, c/o David C. Mason, Esq, MILLER & MASON, PO Box 28, Moshannon Building, Philipsburg, PA 16866.

Said Notice of Deposition was mailed this 6th day of November, 1990. /s/ Kimberly M. Kubista, Esq.

FEBRUARY 8, 1991, PRAECIPE TO PLACE ON TRIAL LIST, filed  
Kindly place the above captioned matter on the Trial List. I certify that the Pleadings are closed and that no outstanding Discovery Motions or Requests have been filed. This case is scheduled for a non-jury trial, and the time requested is one day. /s/ David C. Mason, Esq.



APRIL 19, 1991, ORDER, filed

NOW, this 19th day of April, 1991, following pre-trial conference in the above-captioned matter, it is the ORDER of the Court that a non-jury trial will be held on Wednesday, August 21, 1991 and Thursday, August 22, 1991 at 9:00 AM. BY THE COURT: Joseph S. Ammerman, Judge.

MAY 1, 1991, DEFENDANT'S SUPPLEMENTAL PRE TRIAL MEMORANDUM, filed by Carl A. Belin, Jr., Esq.

CERTIFICATE OF SERVICE, filed

I hereby certify that a true and correct copy of the foregoing Defendant's Supplemental Pre-Trial Memorandum was served by first class mail, postage prepaid this 1st day of May, 1991 on the following; David C. Miller, Esq. /s/ Carl A. Belin Jr Esq.

JUNE 19, 1991, MOTION FOR SUMMARY JUDGMENT, filed by Kimberly M. Kubista, Esq. 1 cert/Atty

RULE RETURNABLE, filed

AND NOW, THIS 18th day of June, 1991, upon consideration of the attached Motion of the Defendant, JOSEPH A. DAVIS, it is hereby ORDERED and DIRECTED that a Rule be issued to show cause why the Motion for Summary Judgment should not be granted.

Rule Returnable with a Hearing thereon the 15th day of July, 1991 at 10:00 AM in Courtroom Number 1 of the Clearfield County Courthouse, Clearfield, AP 16830. BY THE COURT: Joseph S. Ammerman, Judge.

JUNE 19, 1991, AFFIDAVIT OF SERVICE, filed

KIMBERLY M. KUBISTA, Attorney for the above named Defendant, JOSEPH A. DAVIS, being duly sworn according to Law, deposes and states that a certified copy of Motion For Summary Judgment was served upon the Plaintiff's counsel, DAVID MASON, Esquire, at moshannon Building, Philipsburg, PA by first class mail, postage prepaid on today's date, June 19, 1991. /s/ Kimberly M. Kubista, Esq.

AUGUST 8, 1991, ORDER, filed 1 cert/Atty Kubista, Mason

NOW, this 8th day of August, 1991, Defendant's Motion for Summary Judgment having been scheduled for argument, and after consideration, the Court being of the opinion that said Motion is inappropriate insofar as outstanding issues of material fact remain, it is the ORDER of the Court that the same is DENIED.

It is the further ORDER of the Court that Plaintiff's Motion to Amend Prayer for Relief is hereby GRANTED. BY THE COURT: Joseph S. Ammerman, Judge.

AUGUST 27, 1991, ORDER, filed 1 cert/Atty Mason, Kubista

NOW, August 21, 1991, the above named plaintiff, being represented by David C. Mason, Esquire, having presented her case in chief and Kimberly Kubista, Esquire, counsel for defendant having made before the Court oral Motions for Nonsuit, the Nonsuit is Granted. BY THE COURT: Joseph S. Ammerman, Judge

SEPTEMBER 9, 1991, PRAECIPE, filed

Enter judgment in favor of the Defendant in the above-captioned action for failure to file timely post-trial motions to the Order of Nonsuit entered by the Court. /s/ Carl A. Belin, Jr., Esq.

Judgment is entered in favor of the Defendant and against the Plaintiffs for failure to file post-trial motions per Order of Court.

JUDGMENT OF NON PROS



Prothonotary

JULY 12, 1991, MOTION TO AMEND PRAYER FOR RELIEF PURSUANT TO PA. R.C.P. 1528, filed by s/DAVID C. MASON, ESQUIRE

ORDER GRANTING MOTION TO AMEND PRAYER FOR RELIEF, filed.

AND, NOW this 8th day of August, 1991, upon consideration of the MOTION TO AMEND PRAYER FOR RELIEF PURSUANT TO PA R.C.P. 1528, in the above-captioned matter it is hereby ORDERED, and DECREED that Plaintiff be permitted to amend the prayer for relief in her Complaint in accordance with the Motion. BY THE COURT: s/JOSEPH S. AMMERMAN, JUDGE



James D.  
Carmella  
  
Dale  
Williams

JOHN P. PRUSHNOK,GEORGE  
DANIEL PRUSHNOK and DAVID  
M. PRUSHNOK, t/a ANDRAY  
MINING COMPANY

MAY 22, 1989, COMPLAINT, filed by James D. Carmella  
and Dale Williams 8 cert/Atty

MAY 25, 1989, ANSWER TO PRELIMINARY OBJECTIONS  
TO MOTION FOR PRELIMINARY INJUNCTION, filed by James  
D. Carmella and Dale Williams, Esq.

MAY 26, 1989, ANSWER AND NEW MATTER TO MOTION FOR  
PRELIMINARY INJUNCTION, filed by Ann B. Wood, Esq.  
filed on behalf of Robert R. Rorabaugh, et al, defts.  
5 cert/Atty

MAY 31, 1989, MEMORANDUM & ORDER, filed  
NOW, this 31st day of May, 1989, following  
hearing, it is the ORDER of this Court that Plain-  
tiffs' Motion for Preliminary Injunction be and is  
hereby dismissed and that further proceedings be  
certified to the law side of the Court for purposes  
of determining legal ownership of the subject  
premises. It is the further ORDER of this Court  
that Plaintiffs, at their option, may proceed to  
petition this Court to require Defendants to post  
a bond sufficient to cover possible legal damages  
accruing to the Plaintiffs should Defendants  
proceed to terminate the subject lease.  
BY THE COURT: John K. Reilly, Jr., P.J.

89-10-EQU

CASE TRANSFERRED TO 89-1107-CD AS  
PER ORDER OF COURT DATED 5-31-89.

John A. Bonya  
Ann B. Wood

THE ARCADIA COAL COMPANY,  
INC., ROBERT R. RORABAUGH  
and SARAH MARIE RORABAUGH,  
his wife; ROBERT D.  
RORABAUGH and BARBARA JEAN  
RORABAUGH, his wife;  
ROGER D. RORABAUGH, single;  
and DANIEL J. RORABAUGH,  
single; GOLDIE H. IRACA;  
JMAES PASSMORE; BARBARA  
BEASLEY FOG and JAMES P.  
BEASLEY,

SEP. 03, 1998, PRAECIPE TO DISCONTINUE, filed. NO CERT COPIE  
Please mark the above-captioned action settled and discontin-  
ued of record.

s/JAMES D. CARMELLA, ESQ.  
s/JOHN A. BONYA, ESQ.  
s/ANN B. WOOD, ESQ.  
s/WINIFRED H. JONES-WENGER, ESQ.

Pro by Atty 40.00  
Pro by Atty 5.00



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Cherry &  
Cherry

ROBERT M. DiGILARMO and  
PAMELA DiGILARMO

JUNE 6,1989, COMPLAINT/EQUITY, filed by Paul E. Cherry,  
Esquire  
One Copy Certified to Attorney.

89-11-EQU

JULY 17, 1989, SHERIFF RETURN, filed  
NOW, June 6, 1989, mailed the within Complaint  
to Wayne & Wlizabeth Medford, defendant by Cert Mail  
#P28315139 at PO Box 851196, Mobile, Alabama 36685  
being their last known adress. The Letter is hereto  
attached and made a part of this return marked  
"UNCLAIMED". The letter was sent "Addressee Only".  
NOW, June 30, 1989 mailed the within Complaint  
to Wayne & Elizabeth Medford, defendant by Cert Mail  
#P928 315 142 at 2425 Arndlette Park, Mobile, Alabama  
36685 being their last known address. The letter is  
hereto attached and made a part of this return marked  
" NO SUCH STREET". Letter was sent "Addressee Only".  
/s/ Chester A. Hawkins, Shff, by Marilyn Hamm

WAYNE MEDFORD and  
ELIZABETH MEDFORD

AUGUST 22, 1989, PRAECIPE TO DISCONTINUE,  
filed 1 cert atty.  
You are hereby directed to mark the above  
captioned case "Settled, Discontinued and Ended".  
/s/ Paul E. Cherry, Esq.

<u>SETTLED</u>	<u>DISCONTINUED</u>	<u>ENDED</u>
=====	=====	=====

Pro	by Atty	40.00
Shff	by Atty	24.20
sur		
charge	by Atty	2.00
Pro	<i>My Atty</i>	5.00



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Thomas A. Smock  
Carl Belin

FALLS CREEK ENERGY COMPANY, a corporation

89-12-EQU

INTERNATIOANL UNION, UNITED MINE WORKERS OF AMERICA, DISTRICT 2, UNITED MINE WORKERS OF AMERICA, unincorporated labor organizations, and all others acting in concert or participating with them.

Pro	by Atty	40.00
12/7/89		
Ck#6276 Trans to reg acct.		\$500.00
#13524 Atty Belin		500.00
Pro	by Atty	5.00

12/7/89  
Ck#6276 Trans to reg acct.  
#13524 Atty Belin

JULY 11, 1989, COMPLAINT,, filed by Thomas A. Smock, Esq. 4 cert/Atty Belin

JULY 11, 1989, RULE TO SHOW CAUSE, filed  
AND NOW, to wit, this 10th day of July, 1989, upon reading plaintiff's verified complaint and its motion for a preliminary injunction, IT IS HEREBY ORDERED that defendants appear in the Clearfield County Courthouse in Clearfield, Pennsylvania, on July 12, 1989, at 10:00 AM and show cause why a preliminary injunction should not be issued during the pendency of this action.

IT IS FURTHER ORDERED that Plaintiff cause a copy of this Order together with a copy of the complaint and motion for a preliminary injunciton to be served on defendants forthwith. BY THE COURT: John K. Reilly Jr., P.J. 4 cert/Atty Belin

JULY 11, 1989, MOTION FOR EX PATE INJUNCTION, filed by Thomas A. Smock and Carl Belin,Jr. 4 cert/Atty Belin

JULY 11, 1989, PROPOSED PRELIMINARY INJUNCTION AND ORDER, filed 4 cert/Atty Belin

AND NOW, this 10th day of July, 1989, the Plaintiff, haivng presented its Complaint in Equity and a motion for Preliminary Injunction, and it appearing to the Court that defendants are blocking ingress to and egress from plaintiff's Troutville No. 1 facilities through mass picketing and will continue to do so unless restrained, that defendants have, and unless restrained, will continue to commit violent unlawful acts including, but not limited to intimidating employees, that plaintiff will suffer substantial and irreparable injury unless defendants are restrained, that plaintiff will suffer more by the denial of relief than defendants will suffer by the granting of relief, and that plaintiff does not have an adequate remedy at law, IT IS HEREBY ORDERED that a preliminary injunction now issue, upon security being entered by plaintiff in the amount of Five Hundred Dollars (\$500.00), enjoining and restraining defendants International Union, and District2, and all other persons acting in concert with them from:

a. In any manner unlawfully impeding, obstructing hampering or interfering with Falls Creek Energy Company's ("Falls Creek") business;

b. Preventing or attempting to prevent by any species of intimidation, threats, force, coercion, or obstruction, of Falls Creek's employees, agents, representatives, or others having business at Falls Creek's Troutville No. 1 facilities;

c. Picketing, other than by peaceful picketing in limited numbers, 3 pickets at each entrance and from unlawfully interfering with the ingress to or egress from Falls Creek's Troutville NO. 1 facilities;

d. In any manner conspiring, combining, agreeing, or arranging with each other or with any other person or persons, organizations, or associations, to unlawfully interfere with or hinder Falls Creek in the conduct of its lawful operations, or to interfere with, hinder or annoy any employee or other person who may desire to enter or leave Falls Creek's Troutville No. 1 facilities;

e. Loitering or being unnecessarily in the vicinity of the points and places of ingress to and egress from Falls Creek's Troutville No. 1 facilities;

f. In any manner performing any acts which would result in the obstruction of access roadways leading to or from Falls Creek's Troutville NO. facilities;

g. In any manner trespassing or damaging Falls Creek's property; and

h. In any manner, performing any of the acts aforesaid or inducing other to do so.

2. IT IS FURTHER ORDERED that if defendants or their members or any person acting in concert with them shall choose to picket, no more than three (3) pickets shall be or remain at any time near any entrance to or exit from Falls Creek's Troutville No. 1 facilities, that such pickets reamin off of Falls Creek's property, that said pickets be in motion and spaced in a single line at least twenty (20) feet apart, and that said pickets conduct themselves in such manner so as not to block points of ingress or egress at Falls Creek's Troutville NO. 1 facilities or to hinder any party desiring to enter or leave said facilities.

3. IT IS FURTHER ORDERED that plaintiff's attorneys or their designated agents may serve copies of this Order and related pleadings on teh defendnats and anyone acting in concert with them or on their behalf or anyone else required to be served by law.

4. IT IS FURTHER ORDERD that the Sheriff of Clearfield County and the Pennsylvania State Police enforce this Order forthwith.

5. This preliminary injuction shall continue until the hearing on plaintiff's request to continue the preliminary injunction, which is set forth for the 12th day of July, 1989, at 10:00 AM. BY THE COURT: John K. Reilly, Jr., P.J.

JULY 11, 1989, MOTION FOR PRELIMINARY INJUNCTION, filed by Thomas A. Smock, Esq and Carl Belin, Jr., Esq. 4 cert/Atty Belin,



JULY 11, 1989, BOND, filed by Thomas A. Smock, Esq and Carl Belin, Jr., Esq  
KNOW ALL MEN BY THESE PRESENTS, that FALLS CREEK ENERGY COMPANY, a corporation qualified to do business in the Commonwealth of PA, as principal, and as surety, are held and firmly bound unto the Commonwealth of Pennsylvania, as obligee, in the sum of Five Hundred Dollars (\$500.00) lawful money of the United States of America to be paid in accordance with teh conditions set forth below.

WHEREAS, Plaintiff has applied for a preliminary injunction against defendants, enjoining and restraining defendants from teh commission of certain acts, as more particularly described in teh Complaint in Equity filed herein.

NOW, the condition of this obligation is such that the plaintiff shall be liable to the defendnats or any other person for such taxable costs, fees, and damages not exceeding the sum of Five hundred Dollars (\$500.00), as defendants or any other person may sustain by reason of the preliminary injunction if the Court finally decides that plaintiff was not entitled thereto.

ORDER:

AND NOW, te-wit this 10th day of July, 1989, the foregoing cash Bond is approved and Ordered filed: BY THE COURT: John K. Reilly, Jr., P.J. 4 cert/Atty

JULY 11, 1989, \$500.00 Cash Bond Pd Atty Belin

JULY 13, 1989, STIPULATION FOR ENTRY OF CONSENT ORDERS AND CONSENT ORDERS, filed 4 cert/Atty

AND NOW, to wit, this 12th day of July, 1989, after review of the Complaint filed in the above-captioned action and after consent by plaintiff, defendants International Union, United Mine Workers of America, and District 2, United Mine Workers of America, IT IS HEREBY ORDERED AND DECREED that the return date for further hearing regarding issuance of injunctions in the above matter is hereby continued to December 4, 1989, at 10:00 AM in Courtroom No. 1 of the Clearfield County Courthouse, Clearfield Pennsylvania, unless on motion of plaintiff and upon cause shown an earlier hearing date is established by the Court. BY THE COURT: John K. Reilly, Jr., P.J.

JULY 26, 1989, AFFIDAVIT, filed

I hereby certify and return that I have personally served Paul DaBella by delivering to him a copy of the Order relative to number 89-12-EQU, Falls Creek Energy Compnay, a corporation, Plaintiff, versus International Union, United Mine Workers of America, District 2, United Mine Workers of America, unincorporated labor organizations, and all others acting in concert or participating wiht them, Defendants, to him personally at his residence address, 71 First St., Clymer, PA 15728 on Wednesday, July 12, 1989 at 6:10 pm.

I hereby certify and return that I have served David A. Whetsel, by leaving a copy of the Order relative to number 89-12-EQU, Falls Creek Energy Company, a corporation, Plaintiff, versus International Union, United Mine Workers of America, District 2, United Mine Workers of America, unincorporated labor organizations, and all other acting in concert or participating with them, Defendants, with his wife, Tracy Whetsel, who is of suitable age and discretion and resides therein, at their residence address of R.D. #1, Box 1960, Clarksburg, PA 15725 on Wednesday, July 12, 1989, at 6:55 pm. /s/ John F. Peters, III,

JULY 26, 1989, AFFIDAVIT, filed

I hereby certify and return that I have served Nicholas Molnar by leaving the Complaint; Rule to Show Cause; Motion For Ex Parte Injunction; Proposed Preliminary Injunction Order; Motion For Preliminary Injunction; and, Bond pertaining to Civil Action NO. 89-12-EQU, Court of Common Pleas, Clearfield County, PA, Falls Creek Energy Company, a corporation, Plaintiff, versus International Union, United Mine Workers of America, District 2, United Mine Workers of America, unincorporated labor organizations, and all other acting in concert or participating with them, Defendants, with Mr. Molnar's wife, Melanie Molnar, who is of suitable age and discretion and resides therein, at their residence address, RD #6, Johnstown, PA at 5:20 PM on Tuseday, July 11, 1989. /s/ Anthony N. Carlizano, Esq.

DECEMBER 4, 1989, ORDER, filed

3 copies cert atty Belin

AND NOW, this 4th day of December, 1989, this being the date and place set for the time of the hearing in the above captioned matter, and the Court having been advised that the need no longer exists for the injunction and the defendant not having appeared before the Court, it is the ORDER of the Court that the preliminary injunction entered on July 10, 1989 be and is hereby dissolved and the Prothonotary is directed to return the bond to the Plaintiff.

BY THE COURT: John K. Reilly, Jr, P.J.

AUGUST 28, 1990, PRAECIPE, filed

Please mark the above case, discontinued and ended. /s/ Carl A. Belin, Jr, Esq.

DISCONTINUED

AND

ENDED



Richard H.  
Milgrub

STEVE ANDREAKOS and  
CAROL G. ANDREAKOS,  
husband and wife

JULY 20, 1989, COMPLAINT, filed by Richard H.  
Milgrub, Esq. 1 cert/Shff

SEPTEMBER 7, 1989, SHERIFF RETURN, filed  
NOW, July 21, 1989, Eugene L. Coon, Shff of  
Allegheny County was deputized by Chester A. Hawkins,  
Shff of Clearfield County to serve the within Complaint  
on Ernest W. Baum, deft.

NOW, August 3, 1989 served the within Complaint  
on Ernest W. Baum, defendnat by deputizing the  
Shff of Allegheny County. The return of Shff Coon  
is hereto attached and made a part of this return  
stating that he served Patty DeLucca, PIC.  
/s/ Chester A. Hawkins, Shff, by Marilyn Hamm.

MARCH 15, 1991, PRAECIPE TO SETTLE AND DISCONTINUE,  
filed

Please mark the above case settled and discontinued  
/s/ Richard H. Milgrub, Esq.

SETTLED AND DISCONTINUED

89-13-EQU

ERNEST W. BAUM, Admin-  
istrator and sole heir  
of the Estate of KATHRYN  
W. BAUM, deceased

Pro	by Atty	40.00
Shff	by Atty	21.00
Shff		
Coon	by Atty	20.00
Notary	by Atty	2.00
Sur-		
charge	by Atty	2.00
Pro	by Atty	5.00



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Robert M. Hanak	CHAGRIN LAND LIMITED PARTNERSHIP, CHERRY TIMBER ASSOCIATES, INC and CLEVELAND OAK LIMITED PARTNERSHIP,	JULY 27, 1989, COMPLAINT FOR INJUNCTIVE RELIEF, filed by Robert M. Hanak, Esq. 3 cert/Atty ORDER, filed AND NOW, this 27th day of July, 1989, upon Complaint duly filed, a preliminary injunction is hereby issued upon Defendnat, George Hixon, and all persons and entities acting in concert with him, and his servants, agents and employees, from entereing upon the real estate of the Plaintiffs as described per the attached deeds which are affixed to this Court Order, and from cutting, felling or removing any timber therefrom. Hearing as to whether this injunction shall continue pursuant to PA R.C.P. No 1531 shall be held on the 2nd day of August, 1989, at 10:00 am Service of this preliminary injunction shall be made on the Defendant by the Sheriff of Clearfield County. In addition, Plaintiffs shall have the right of service of this injunction by posting any and all properties per the described deeds should Defendant or anyone acting in concert with him, or on his behalf, be found on such properties. Plaintiffs shall post bond with the Prothontoary of Clearfield County pursuant to PA R.C.P. NO 1531(b) in an amount of \$100.00. This injunction shall not be effective until such bond is received by the Prothonotary of Clearfield County. BY THE COURT: John K. Reilly, Jr, P.J.
\$100.00 Cash Bond Pd Atty Treasure CK# 457204	89-14-EQU	
Richard A. Milgrub George D. Kulakowski	GEORGE HIXON, and all persons acting in concert or combine with said George Hixon, and his servants, agents, and employees,	AUGUST 8, 1989, AFFIDAVIT OF SERVICE, filed NOW, August 2, 1989 at 1:15 PM DST served the within Complaint on George Hixon, defendant at residence, Penfield, Clearfield County, PA by handing to George Hixon. /s/ Chester A. Hawkins, Shff, by Marilyn Hamm  AUGUST 28, 1989, ORDER, filed 1 copy cert atty Kulakowski; 1 cert atty Hanak; 1 cert atty Milgrub. NOW, this 28th day of August, 1989, this being the day and dat set for hearing into the above captioned Complaint for Injunctive Relief; upon Stipulation of the parties, it is the ORDER of this Court that the temporary injunction entered herein on July 27, 1989, shall be and remain in full forece and effect pending hearing on the mertis to determine title to the subject premises. And Further, that the bond as required in Said Order shall also continue. Nothing herein shall prejudice the rights of any party to proceed on any theory of recovery or defense as shall be otherwise permitted by law. BY THE COURT: John K. Reilly, Jr, P.J.  SEPTEMBER 5, 1989, ANSWER TO COMPLAINT, filed by Richard H. Milgrub, Esq. CERTIFICATE OF SERVICE, filed It is hereby certified that a true and correct copy of the foregoing Answer to Complaint was sent by regular mail this 1st day of September, 1989 to Robert M. Hanak, Esq, 311 main St., PO Box 250, Reynoldsville, PA 15851, attorney for Plaintiffs. /s/ Richard H. Milgrub, Esq.  SEPTEMBER 20, 1989, COUNTERCLAIM IN QUIET TITLE, filed by George D. Kulakowski, Esq. 1 cert/Atty
	Pro <i>Sup Atty</i> 40.00 Shff <i>by Atty</i> 22.40 sur- RH charge by Atty 2.00 Pro 9.00	
	OCTOBER 5, 1989, ANSWER TO COUNTERCLAIM IN QUIET TITLE, filed by Robert M. Hanak, Esq.	
	OCTOBER 10, 1990, MOTION FOR SUMMARY JUDGMENT AS TO LIABILITY ONLY, filed by Robert M. Hanak, Esq. CERTIFICATE OF SERVICE, filed I certify that on the 9th day of October, 1990, a true and correct copy of the Motion for Summary Judgment as to Liability Only and a Brief in Support of Summary Judgment has been sent via first class mail, postage prepaid, to the following: George D. Kulakowski, Esq, LORENZO & KULAKOWSKI, 410 W. Mahoning St, Punxsutawney, PA 15767. /s/ Robert M. Hanak, Esq.	
	NOVEMBER 2, 1990, AFFIDAVIT IN SUPPORT OF COUNTERCLAIM, filed by George D. Kulakowski, Esq. 1 cert/Atty	
	NOVEMBER 9, 1990, ORDER, filed NOW, this 9th day of November, 1990, following argument, it is the ORDER of this Court that Motion for Summary Judgment as to liability, filed on behalf of Plaintiff, be and is hereby denied. BY THE COURT: John K. Reilly, Jr., P.J.	
	FEBRUARY 5, 1991, PRAECIPE FOR TRIAL LIST, filed Kindly place the above matter on the list for a non-jury trial. /s/ Robert M. Hanak, Esq.	
	APRIL 10, 1991, PRE-TRIAL STATEMENT, filed by George D. Kulakowski, Esq. 1 cert/Atty CERTIFICATE OF SERVICE, filed I hereby certify that on the 9th day of April, 1991, a true and correct copy of the foregoing Pre-Trial Statement of defendant, George Hixon, was forwarded via first-class mail, postage prepaid, to the following: Robert M. Hanak, Esq. 311 Main St, Reynoldsville, PA 15851. /s/ George D. Kulakowski, Esq.	CONT. TO PG 294



APRIL 18, 1991, PRE-TRIAL ORDER, filed

NOW, this 17th day of April, 1991, upon agreement of the parties, ownership of the parcel of land known as Map No. 119-F4-2 in Plaintiff's Complaint shall be and is hereby confirmed in the Plaintiff and hearing on the ownership of the second parcel and/or damages claimed by Plaintiff shall be had on Monday, July 8, 1991, commencing at 9:00 am by the Court without a jury. BY THE COURT: John K. Reilly, Jr., P.J.

APRIL 10, 1992, MOTION, filed by Robert M. Hanak, Esq. 1 cert/Atty

MAY 20, 1992, ORDER, filed

NOW, this 18th day of May, 1992, following argument and hearing into the above captioned matter, it is the ORDER of this Court that Ten (10) Days from this date is given to each party to file briefs setting forth their legal positions. BY THE COURT: John K. Reilly, Jr., P.J.

JULY 23, 1992, OPINION AND ORDER, filed

NOW, this 21st day of July, 1992, following hearing into the above-captioned matter, this Court finds in favor of Plaintiffs and against the Defendant and awards to Plaintiffs for the unlawful cutting of timber as reimbursement for the total loss in the sum of \$123,275.71. BY THE COURT: John K. Reilly, Jr., P.J.

Judgment is entered in favor of the Plaintiff and against the Defendant per Court Order filed July 21, 1992.

DEBT: \$123,275.71

JUDGMENT PER COURT ORDER.

*Allen D. Dietz*

Prothonotary

JULY 27, 1992, NOTICE OF JUDGMENT MAILED TO DEFT ATTY. /s/ arb.

OCTOBER 2, 1992 NOTICE OF SERVICE, filed.

I hereby certify that on September 30, 1992, I mailed the original and two copies of Interrogatories in Aid of Execution by first class mail, postage prepaid, to the following counsel of record: Richard L. Milgrub, Esquire. s/ Matthew B. Taladay, Esquire.

OCTOBER 15, 1992 CERTIFICATE OF SERVICE, filed.

I hereby certify that on October 14, 1992, I mailed Notice of Deposition by first class mail, postage prepaid, to the following counsel of record: Richard Milgrub, Esquire. s/ Matthew B. Taladay, Esquire.

NOVEMBER 3, 1992, PRAECIPE FOR WRIT OF EXECUTION, filed by Robert Hanak, Esq.

WRIT OF EXECUTION ISSUED TO NO 92-120-EX



David C.  
Mason

BONNIE J. MOORE

89-15-EQU

WAYNE P. DAISHER,  
CLARENCE DAISHER and  
SARA DAISHER

Pro	by atty	40.00
Shff	by atty	32.80
Surg.	by atty	6.00

AUGUST 18, 1989, COMPLAINT IN PARTITION, filed  
by David C. Mason, Esq. 3 copies cert Shff.

AUGUST 29, 1989, SHERIFF'S RETURN, filed  
NOW, August 24, 1989, at 11:05 A.M. served the  
within Complaint on Clarence Daisher, Deft. at  
residence, Gen. Del., Mahaffey, Clearfield County  
PA. by handing to Clarence Daisher.

NOW, August 24, 1989, at 11:05 A.M. served  
the within Complaint on Sara Daisher, Deft. at res-  
idence, Gen. Del., Mahaffey, Clearfield County,  
PA by handing to Sara Daisher.

NOW, August 24, 1989 at 11:10 A.M. served the  
within Complaint on Wayne P. Daisher, Deft. at  
residence, Gen. Del., Mahaffey, Clearfield County,  
PA. by handing to Clarence Daisher, Father.  
/s/ Chester A. Hawkins by Marilyn Hamm.

SEPTEMBER 14, 1989, ANSWER AND NEW MATTER,  
filed David P. King, Esq. 1 cert/Atty

SEPTEMBER 25, 1989, PRELIMINARY OBJECTIONS  
TO DEFENDANTS' ANSWER AND NEW MATTER MOTION TO  
STRIKE/MOTION FOR MORE SPECIFIC PLEADING, filed  
by David C. Mason, Esq.

DECEMBER 21, 1989, ORDER, filed  
NOW, this 21st day of December, 1989, following  
argument into Preliminary Objections to Defendant's  
Answer to New Matter, it is the ORDER of this Court  
that said Objections be and are hereby granted to the  
extent that Defendants shall more specifically plead  
those areas referred to in paragraphs 2 and 3 of  
said Preliminary Objections. BY THE COURT: John K.  
Reilly, Jr., P.J.

MARCH 14, 1990, AMENDED NEW MATTER AND COUNTER-  
CLAIM, filed by David P. King, Esq. 1 cert/Atty



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Paul H. Titus  
Lindsey Alton  
Margaret A. Tremba  
Carl A. Belin, Jr.

IN RE:  
  
LEE INDUSTRIES, INC

89-16-EQU

Pro	by Pet.	40.00
Pro	by Atty	35.00
Pro	by Atty 11-21-91	9.00
Pro	by Atty	30.00

Steven S. Hurvitz

Shareholders:  
Bernard Trumper  
Lyell Price Mahoney  
Clifford E. Robina

AUGUST 24, 1989, PETITION TO DETERMINE THE FAIR VALUE OF SHARES OF COMMON STOCK OF LEE INDUSTRIES, INC, filed by Paul H. Titus, Esq. Lindsey Alton, Esq & Margaret A. Tremba, Esq. 5 cert/Lee Industries, Inc

SEPTEMBER 11, 1989, PRAECIPE, filed  
Please enter my appearance on behalf of Petitioner, Lee Industries, Inc., in the above captioned matter. /s/ Carl A. Belin, Jr, Esq.

SEPTEMBER 11, 1989, ACCEPTANCE OF SERVICE, filed

The undersigned hereby accepts service of the Petition to Determine the Fair Value of Shares of Common Stock of Lee Industries, Inc. on behalf of Bernard Trumper, Lyell Price Mahoney, and Clifford E. Robins, who are named as the dissenting share holders in said petition.  
/s/ Steven S. Hurvitz, Esq.

SEPT 20, 1989 RESPONDENTS' ANSWER AND NEW MATTER, filed by Steven S. Hurvitz, Atty. 1 cert Atty

OCTOBER 4, 1989 ORDER, filed.

NOW, this 29th day of September, 1989, following status conference in the above-captioned matter, upon agreement of the parties, it is the ORDER of this Court that all discovery shall be completed on or before December 31, 1989, to include disclosure of identity of all expert witnesses to be called at trial together with reports thereof and further, that all depositions shall be completed on or before January 31, 1990, failing which hearing on the merits shall be scheduled.  
BY THE COURT, s/John K. Reilly, Jr., President Judge. 1 cert to Attys: Belin: Titus & Hurvitz.

OCTOBER 10, 1989, PETITIONER'S RESPONSE TO REQUEST FOR PRODUCTION, filed by Paul H. Titus, Esq. 1 cert/Atty

CERTIFICATE OF SERVICE, filed  
The undersigned hereby certifies that a true and correct copy of the foregoing PETITIONER'S RESPONSE TO REQUEST FOR PRODUCTION Is being served upon counsel of record by first-class mail, postage prepaid, this 9th day of October 1989, as follows: Steven S. Hurvitz, Esq., 811 University Dr., State College, PA 16801. /s/ Paul H. Titus, Esq.

NOVEMBER 7, 1989, CERTIFICATE OF SERVICE, filed  
I hereby certify that the Subpoena Duces Tecum, Notice of Records Deposition was served on the Petitioner, Lee industries, Inc., by depositing a true and correct copy of the same in the US Mail, postage prepaid, State College, PA, on November 6, 1989, addressed to their attorney of record; Paul Titus, Esq, Four Gateway Center, 20th Floor Pittsburgh, PA 15222. /s/ Steven S. Hurvitz., Esq.

DECEMBER 6, 1989, RESPONDENTS REQUEST FOR PRODUCTION, filed by Steven S. Hurvitz, Esq.

CERTIFICATE OF SERVICE:  
Steven S. Hurvitz, hereby certifies that a true and correct copy of Respondents Request for Production was mailed by the U.S. Mail, postage prepaid to the attorney of record, Paul H. Titus, Esq., /s/ Steven S. Hurvitz, Esq.

DECEMBER 12, 1989, ORDER, filed 3 cert/Atty Belin, Jr  
AND NOW, this 12th day of December, 1989, upon the motion of counsel for Lee Industries, Inc and wiht the consent of Counsel for the dissenting shareholders, the time for the conslusion of all discovery, except depositions of experts, and the time for the filing of expert reports, in extended until February 16, 1990. The parties shall have until March 16, 1990 to take depositions of the experts. Thereafter, the hearing on the merits in this matter shall be scheduled. BY THE COURT: John K. Reilly, Jr., P.J.

JANUARY 18, 1990, CERTIFICATE OF SERVICE, filed  
I hereby certify that a true and correct copy of Notice of Taking Oral Deposition, in the above-captioned matter was mailed by regular mail, postage prepaid, at the Post Office, State College, PA, on this 16th day of January, 1990, to the attorneys of record, Paul H. Titus, Esquire, Mansmann, Cindrich & Titus, 4 Gateway Center, 20th floor, Pittsburgh, PA 15222, and Belin, Belin, & Naddeo, 15 North Front St., PO Box 1, Clearfield, PA 16830. /s/ Steven S. Hurvitz. Esq.

FEBRUARY 13, 1990, CERTIFICATE OF SERVICE, filed  
I hereby certify that a true and correct copy of Notice of Taking Oral Deposition, in the above-captioned matter was mailed by regular mail, postage prepaid, at the Post Office, State College, Pennsylvania, on this 12th day of February, 1990 to the attorneys of record, Paul H. Titus, Esq, Mansmann, Cindrich & Titus, 4 Gateway Center, 20th Fl, Pittsburgh, PA 15222. /s/ Steven S. Hurvitz, Esq.

FEBRUARY 15, 1990, NOTICE TO TAKE DEPOSITIONS UPON ORAL EXAMINATION OF CLIFFORD W. ROBINS, BERNARD TRUMPER (BY PHONE), LYELL MAHONEY, filed by Paul H. Titus, Esq. 1 cert/Atty  
CERTIFICATE OF SERVICE, filed  
The undersigned hereby certifies that a true and correct copy of the foregoing NOTICE TO TAKE DEPOSITIONS UPON ORAL EXAMINATION Is being served upon counsel of record by first-class mail, postage preapid, this 13th day of February, 1990 as follows: Steven S. Hurvits, Esq 811, University Dr., State College, PA 16801 /s/ Paul H. Titus, Esq.



MARCH 6, 1990, NOTICE OF TAKE DEPOSITION UPON ORAL EXAMINATION OF RICHARD T. PAUL, VICE PRES. CREDIT ADMINISTRATION, filed by Paul H. Titus, Esq. 1 cert/Atty  
CERTIFICATE OF SERVICE, filed

The undersigned hereby certifies that a true and correct copy of the foregoing NOTICE TO TAKE DEPOSITION UPON ORAL EXAMINATION of Richard T. Paul, Mid-State Bank, is being served upon counsel of record by telecopier this 5th day of March 1990, as follows: STEVEN S. HURVITZ, Esq., 811 University Dr., State College, PA 16801. Fex No. (814) 234-5620. /s/ Paul H. Titus, Esq.

APRIL 5, 1990, ORDER, filed.

NOW, this 29th day of March, 1990, it is the ORDER of this Court that the Board of Appraisers in the above-captioned proceeding shall consist of William C. Kriner, Esq., of Kriner, Koerber, & Kirk, 110 North Second Street, Clearfield, Pennsylvania, Chairman, Charles R. Johnston of Johnston, Nelson, & Shimmel, 106 East Pine Street, Clearfield, Pennsylvania, and Ralph E. LiCastro of 1260 South Atherton Street, State college, Pennsylvania. BY THE COURT: S/JOHN K. REILLY, JR., PRESIDENT JUDGE

MAY 3, 1990, NOTICE OF VIEW AND HEARING, filed by William C. Kriner, Esq. 6 cert/Atty

CERTIFICATE OF SERVICE, filed

I, William C. Kriner, Esquire, hereby certify that a true and correct copy of the foregoing Notice of View and Hearing was served by US Mail, first class, this 3rd day of May, 1990, upon the following: Paul H. Titus, Esq., MANSMANN, CINDRICH, & TITUS, 20th Floor, Gateway Center, Pittsburgh, PA 15222 and Steven S. Hurvitz, Esq., MCQUAIDE, BLASKO, SCHWARTZ, FLEMING & FAULKNER, 811 University Dr., State College, PA 16801. /s/ William C. Kriner, Esq.

MAY 4, 1990, CERTIFICATE OF SERVICE, filed

I hereby certify that a true and correct copy of Notice of Taking Oral Deposition in the above-captioned matter was mailed by regular mail, postage prepaid, at the Post Office, State College, PA, on this 16th day of January, 1990 to the attorneys of record, Paul H. Titus, Esq., Mansmann, Cindrich & Titus, 4 Gateway Center, 20th Floor, Pittsburgh, PA 15222. /s/ Steven S. Hurvitz, Esq.

OCTOBER 19, 1990, TRANSCRIPT OF PROCEEDINGS filed in *Trans De*

OCTOBER 19, 1990, TRANSCRIPT OF PROCEEDING, filed in *Trans De*

OCTOBER 19, 1990, TRANSCRIPT OF PROCEEDING, filed in *Trans De*

OCTOBER 19, 1990, EXHIBITS, filed in *Trans De*

OCTOBER 19, 1990, EXHIBITS, filed in *Trans De*

OCTOBER 25, 1990, EXCEPTIONS TO REPORT OF THE PANEL, filed by Steven S. Hurvitz, Esq. 1 cert/Atty

OCTOBER 25, 1990, CERTIFICATE OF SERVICE, filed

I hereby certify that a true and correct copy of Exceptions to Report of the Panel, in the above-captioned matter was mailed by regular mail, postage prepaid, at the Post Office, State College, PA. on this 24th day of October, 1990, to the Paul H. Titus, Esq, Mansmann Cindrich & Titus, 20th Floor, Four Gateway Center Pittsburgh, PA 15222. /s/ Steven S. Hurvitz, Esq.

OCTOBER 29, 1990, EXEPTIONS TO REPORT OF THE PANEL, filed in Trans Dr. "L" 3 cert/Atty

OCTOBER 17, 1990, REPORT OF THE PANEL, filed by William C. Kriner, Esq.

MARCH 28, 1991, MEMORANDUM AND ORDER, filed

NOW, this 28th day of March, 1919, it is the ORDER of this Court that the exceptions field by Lee Industries are hereby substained and direct the Panel to recalculate the value where appropriate.

It is the further ORDER of this Court that the exceptions filed by the Dissenting Shareholders are hereby dismissed. BY THE COURT: John K. Reilly, Jr., P.J.

APRIL 5, 1991, MOTION FOR POST TRIAL RELIEF, filed by Steven S. Hurvitz, Esq. 1 cert/Atty

APRIL 10, 1991, CERTIFICATE OF SERVICE, filed

I hereby certify that a true and correct copy of the Motion for Post-Trial Relief in the above-captioned matter was mailed by regular mail, postage prepaid, at the Post office, State College, PA, on the 4th day of April, 1991, to the attorney of record, Paul Titus, Esquire, Mansmann, Cindrich & Titus, 20th Floor, Four Gateway Center, Pittsburgh, PA 15222. /s/ Steven S. Hurvitz, ESq.

APRIL 11, 1991, MOTION TO DEFER CONSIDERATION OF DISSENTING SHAREHOLDERS' MOTION FOR POST-TRIAL RELIEF, filed by Paul H. Titus, Esq.

CERTIFICATE OF SERVICE, filed

The undersigned hereby certifies that a true and correct copy of the foregoing MOTION TO DEFER CONSIDERATION OF DISSENTING SHAREHOLDERS' MOTION FOR POST-TRIAL RELIEF is being served upon counsel of record by Express Mail this 10th day of April, 1991 as follows: STEVEN S. HURVITZ, ESq. /s/ Paul H. Titus, Esq.

APRIL 11, 1991, NOTICE OF APPEAL, filed by Steven S. Hurvitz, Esq. 1 cert/Sup Ct.

PROOF OF SERVICE, filed

I hereby certify that I am this day serving the foregoing document upon the persons and in the manner indicated below, which service satisfies the requirements of PA. R.A.P. §121: Service by first class mail addressed as follows: Paul Titus, Esq, MANSMANN, CINDRICH & TITUS, 20th Fl, Four Gateway Center, Pittsburgh, PA 15222; Honorable John K. Reilly, Jr., PJ. Debbie Lane Walker, Court Reporter. s/ Steven S. Hurvitz, Esq.



James L. Jubelirer	MICHAEL DANIEL and JOYCE DANIEL, husband and wife, EDWARD DANIEL and LINDA DANIEL, husband and wife, and ANNA DANIEL, widow Plaintiffs	SEPTEMBER 1, 1989, PETITION IN EQUITY FOR PRELIMINARY INJUNCTION, filed by Jubelirer, Nollau, Young and Blanarik, Inc. No Copies Certified.
	89-17-EQU	<u>ORDER</u> NOW, this 1st day of September, 1989, upon agreement of the parties, it is the ORDER of this Court that Defendants allow the Plaintiffs to go on to the Defendants' property to maintain their water supply. The Defendants agree to the above Order without prejudice to them until such time as the Court shall schedule a full hearing on the Plaintiffs' Petition and upon condition that sufficient advance notice be given to all Defendants to permit them to be present. And further, that Plaintiffs and their agents shall be restricted to such area of the Defendants' property as shall be absolutely essential for the repair and maintenance of their water supply from the spring. By the Court, s/ John K. Reilly, Jr., President Judge
Wm. C. Kriner M. P. Yeager Wm. C. Kriner	MUSTANG COAL COMPANY PETER SWISTOCK, SR., PETER SWISTOCK, JR., and JAMES SWISTOCK Defendants	SEPT. 6, 1989 PRELIMINARY OBJECTIONS, filed by Wm. C. Kriner, Atty for Mustang Coal Co., and Peter Swistock, Jr. SEPT. 8, 1989 PRELIMINARY OBJECTIONS, filed by M. P. Yeager, Atty for Peter Swistock, Sr. SEPT. 12, 1989 ORDER, filed. NOW, this 11th day of September, 1989, following augument, it is the ORDER of this Court that the above-captioned proceedings be certified to the law side for purpose of disposition and further that the preliminary injunction entered by this Court on September 1, 1989, shall remain in full force and effect until further Order of this Court. BY THE COURT, s/John K. Reilly, Jr., President Judge.
	Pro 40.00	THIS CASE TRANSFERRED TO NUMBER 89-1570-CD as per COURT ORDER. AUGUST 8, 1990, ORDER, filed 1 cert/Atty Pollard 1 cert/Jubelirer NOW, this 8th day of August, 1990, upon agreement of the parties, it is the ORDER Of this Court that judgment be and is hereby entered in favor of the defendants above-named and against plaintiffs above named upon the same terms and conditions as those entered by this Court of this date of Number 89-2295-CD. BY THE COURT: John K. Reilly, Jr., P.J.



CONT. FR. PG 298 IN RE: LEE INDUSTRIES, INC

APRIL 29, 1991, SUPERIOR COURT OF PA DOCKET #00693PGH91, filed

ALL PAPERS MAILED TO SUPERIOR COURT MAY 16, 1991, P 373 571 436

MAY 17, 1991, SENDER RECEIPT, filed

MAY 22, 1919, RETURN RECEIPT, filed

OCTOBER 28, 1991, ORDER, filed

NOW, this 25th day of October, 1991, upon consideration of the Report of the Panel appointed by this Court in response to a Memorandum and Order of this Court dated March 28, 1991, it is hereby ORDERED as follows:

1. That the fair value of th stock of the dissenting shareholders, to wit, Lyell Mahoney, Clifford Robbins and Bernard Trumper, shall be Sixty Three and Ninety Two Cents (\$63.92) Dollars per share as follows:

Lyell Mahoney \$31,960.00

Clifford Robbins 31,960.00

Bernard Trumper 6,392.00

2. That Lee Industries shall pay interest to the dissenting shareholders on the aforesaid sums at the rate of six (6%) per cent per annum, commencing on May 23, 1989, and continuing until the payment in full of all sums due to teh dissenting shareholders.

3. That Lee Industries and the dissenting shareholders shall share all costs and expenses of this proceeding, including court costs, stenographic costs, and fees and expenses of Panel members, with each being responsible for the payment of fifty (50%) per cent of said costs, and the dissenting shareholders shall be responsible for said costs in the following percentages:

Lyell Mahoney 45.5%

Clifford Robbins 45.5%

Bernard Trumper 9.0%

4. That Lee Industries and the dissenting shareholders shall be responsible for the expenses and csots of their own experts.

5. It is the furthe ORDER of this Court that all payments hereunder shall be made to the parties within thirty (30) days of this Order. BY THE COURT: John K. Reilly, Jr., P.J.

NOVEMBER 7, 1991, PRAECIPE TO ENTER JUDGMENT, filed

AND NOW, come the Dissenting Shareholders, Lyell Mahoney, Clifford Robbins and Bernard Trumper, by their attorneys, McQuaide, Blasko, Schwartz, Fleming & Faulkner, Inc and request the Prothonotary to enter the attached order as a judgment pursuant to PA R.C.P. 227.4. /s/ Steven S. Hurvitz, Esq.

Judgment is entered in favor of the Dissenting Shareholders, LYELL MAHONEY, CLIFFORD ROEBBINS AND BERNARD TRUMPER and against LEE INDUSTRIES, INC per Court Order dated October 25, 1991 in the sums of LYELL MAHONEY-Thirty-One Thousand Nine Hundred Sixty Dollars; CLIFFORD ROBBINS-Thirty-One Thousand Nine Hundred Sixty Dollars BERNARD TRUMPER-Six Thousand Three Hundred Ninety-Two Dollars.

DEBT:

LYELL MAHONEY-\$31,960.00

CLIFFORD ROBBINS-\$31,960.00

BERNARD TRUMPER-\$6,392.00

JUDGMENT PER COURT ORDER

*Allen D. Bütz*  
Prothonotary

NOVEMBER 8, 1991, NOTICE OF JUDGMENT MAILED TO ATTY FOR LEE INDUSTRIES, INC. /s/ arb

NOVEMBER 14, 1991, NOTICE OF APPEAL, filed by Steven S. Hurvitz, Esq.

1 cert/SC, ATTY

CERTIFICATE OF SERVICE, filed

I hereby certify that I am this day serving the foregoing Notice of Appeal upon the persons and in the manner indicated below which services satisfies the requirements of PA R.A.P. 121: Service by first class mail addressed as follows: Paul H. Titus, Esq. CINDRICH & TITUS, 20th Floor, Four Gateway Center, Pittsburgh, PA 15222; HON, John K. Reilly, Jr.; Official Court Reporter. /s/ Charles A. Schneider, Esq.

DECEMBER 5, 1991, SUPERIOR COURT OF PA DOCKET #02038PGH91, filed

DECEMBER 13, 1991, ORDER OF COURT FROM SUPERIOR COURT, filed

Upon Consideration of the Motion to Quash, the court noting that the trial court's order remands this has been entered in this case, the motion is granted. /s/ Eleanor R. Valecko, Deputy Prothy.

DECEMBER 23, 1991, ALL PAPERS RETURNED TO SUPERIOR COURT. /s/ arb

DECEMBER 27, 1991, SENDERS RECEIPT,, filed

JANUARY 2, 1992, RETURN RECEIPT, filed

DECEMBER 17, 1993, JUDGMENT FROM SUPERIOR COURT, filed

On Consideration wehref, it is now here ordered and adjudged by this Court that the judgment of the Court of Common Pleas of Clearfield County be, and the same is hereby affirmed. BY THE COURT: Eleanor R. Valecho, Deputy Prothonotary

DECEMBER 17, 1993, SUPREME COURT OF PA DISPOSION OF PETITION, filed

November 19, 1993, PETITIN DENIED November 22, 1993, JUDGMENT ENTERED.

DECEMBER 17, 1993, ALL PAPERS RECEIVED AND FILED IN

*Regular file.*



Fredric J.  
Ammerman

ELLA JANE CONKLIN

SEPTEMBER 18, 1989, COMPLAINT, filed by Fredric J.  
Ammerman, Esq. 1 cert/Atty


SEPTEMBER 22, 1989, ACCEPTANCE OF SERVICE, filed  
I, R. Denning Gearhart, Esquire, hereby certify that  
i am the attorney for Mary G. Conklin, in this matter,  
that I hereby accept service of the above-captioned  
Complaint on behalf of the said Mary G. Conklin,  
and that I have the authority to do so. /s/ R. Denning  
Gearhart, Esq.

OCTOBER 24, 1989, PRAECIPE FOR ENTRY OF DEFAULT  
JUDGMENT, filed

Please enter default judgment against the  
Defendant, MARY G. CONKLIN, for failure to answer  
the Complaint wihtin the required time. The Notice  
of Intention to Take Default Judgment having been  
mailed to Defendant's attorney, R. Denning Gearhart,  
Esquire at his last known address, Gearhart Building,  
East Locust St., Clearfield, PA 16830 on October  
11, 1989 as evidenced by a copy of the same which  
is attached hereto. /s/ Fredric J. Ammerman, Esq.

Judgment is entered in favor of the Plaintiff and  
against the Defendant for failure to file an answer.

DEFAULT JUDGMENT

  
Prothonotary

OCTOBER 24, 1989, NOTICE OF DEFAULT JUDGMENT MAILED  
TO ATTY R.D. GEARHART, DEFT. ATTY.

Pro by Atty 40.00  
Pro by Atty 9.00

APRIL 11, 1990, PRAECIPE FOR RULE TO FILE COMPLAINT  
filed

Please issue a Rule upon original Defendants,  
ROBERT JAMES KARP and EDNA M. KARP, and ELWOOD G.  
COLEMAN and DORIS M. COLEMAN, to file their Complaint  
upon the Additional Defendant, JAMES AUGHENBAUGH,  
pursuant to PA R.C.P. 2252, within twenty (20) days  
from service thereof or suffer a judgment of non pros  
against them. /s/ Elizabeth Cunningham, Esq.

APRIL 11, 1990, RULE TO FILE COMPLAINT GIVEN TO ATTY  
FOR SERVICE. /s/ ws



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Elizabeth Cunningham	JOSEPH AND LILLIAN MIHOLICS, Husband and wife	SEPTEMBER 22, 1989, COMPLAINT IN EQUITY, filed by Elizabeth Cunningham Two Copies Certified to Attorney.
	89-19-EQU	OCTOBER 3, 1989, SHERIFF RETURN, filed NOW, September 25, 1989 at 4:41 PM DST served the within Complaint on Robert James & Enda M. Karp, defendants at residence, 1400 Lawhead St., Hyde, Clearfield County, PA, by handing to Edna M. Karp. NOW, September 25, 1989 at 4:46 PM DST served the within Complaint on Elwood G. & Doris M. Coleman, defendants at residence, Hyde, Clearfield County, PA by handing to Doris M. Coleman. /s/ Chester A. Hawkins, Shff, by Marilyn Hamm.
Stephen-L. Dugas John Sughrue Stephen-L. Dugas Barbara H. Schickling John W. Heslop, Jr	ROBERT JAMES KARP AND EDNA M. KARP, Husband and Wife, and ELWOOD G. COLEMAN AND DORIS M. COLEMAN, Husband and Wife  JAMES AUGHENBAUGH, Add'l Deft.	OCTOBER 11, 1989, PRAECIPE FOR APPEARANCE, filed by Pfaff, McIntyre, Dugas & Hartye Kindly enter my appearance as counsel of record for Defendants, Elwood G. Coleman and Doris M. Coleman, husband and wife, in the above-captioned action. s/ Stephen L. Dugas, Esquire  NOVEMBER 2, 1989, PRAECIPE FOR APPEARANCE, filed Kindly enter my appearance as cousnel of record for Defendants, ROBERT J. KARP AND EDNA M. KARP, HUSBAND AND WIFE, in the above-captained action. /s/ Stephen L. Dugas, Esq.  NOVEMBER 7, 1989, ANSWER AND NEW MATTER, filed by Stephen L. Dugas, Esq on behalf of Elwood G. Coleman and Doris M. Coleman, Defts. CERTIFICATE OF SERVICE, filed I hereby certify that a true and correct copy of the within was mailed to all counsel of record this 3rd day of November, 1989. /s/ Stephen L. Dugas, Esq.  NOVEMBER 8, 1989, ANSWER AND NEW MATTER, filed by Stephen L. Dugas, Esq on behalf of James Karp and Edna M. Karp CERTIFICATE OF SERVICE, filed I hereby certify that a true and correct copy of the within was mailed to all counsel of record this 6th day of November, 1989. /s/ Stephen L. Dugas, Esq.  NOVEMBER 16, 1989, ANSWER TO NEW MATTER, filed by Elizabeth Cunningham, Esq. 1 cert/Atty  NOVEMBER 16, 1989, ANSWER TO NEW MATTER, filed by Elizabeth Cunningham, Esq 1 cert/Atty  DECEMBER 15, 1989, PRAECIPE TO JOIN ADDITIONAL DEFENDANT, filed Issue Writ to join James Aughenbaugh as an additional Deft. in this case. /s/ Stephen L. Dugas, Esq.  DECEMBER 19, 1989 WRIT TO JOIN ISSUED TO SHERIFF FOR SERVICE.  DECEMBER 15, 1989, NOTICE OF DEPOSITION OF JOSEPH & LILLIAN MIHOLICS, filed
	Pro by Atty 40.00 Shff by Plff 21.00 sur-charge by Plff 4.00 Shff by Atty 17.00 Sur-Charge by Atty 2.00 Pro by Atty 5.00	
	JANUARY 11, 1990, AFFIDAVIT OF SERVICE, filed NOW, December 27, 1989, at 11:20 AM EST served the within Writ to Join Addl. Deft. on Jmaes Aughenbaugh, deft. at residence, Lincoln Ave. Hyde, Clfd. Co., PA by handing to Earl Aughenbaugh, Father. /s/ Chester A. Hawkins, Shff, by Marilyn Hamm.	
	FEBRUARY 8, 1990, PRAECIPE TO PLACE ON TRIAL LIST, filed 2 cert/Atty Please place the above-captioned matter on the trial list. Elizabeth Cunningham, Esq, Attorney for the Plaintiffs, Joseph And Lilliam Miholics, certifies: 1. There are no Motions outstanding, and the case is ready for trial. 2. The case is to be heard nonjury. 3. Notice of Praecipe to Place on Trial List is being given to the Defendants' attorney, Stephen L. Dugas, Esq. and to the Additional Defendant's attorney, W. Lee Oswalt, Esq. 4. Estimated time for Plaintiffs, Joseph and Lilliam Micholics, four (4) hours. /s/ Elizabeth Cunningham, Esq.	
	MARCH 27, 1990, NOTICE OF SERVICE OF INTERROGATORIES, filed. You are hereby notified that on the 22nd day of March, 1990, Additional Defendant, JAMES AUGHENBAUGH, by his attorneys, served Interrogatories upon the Plaintiffs, by mailing the original and two copies of same via First class United States Mail, postage prepaid, addressed to the following: Elizabeth Cunningham, Esq., Keystone Building, 36 North Second Street, Clearfield, Pa. 16830. S/JOHN W. HESLOP, JR. ESQ.	
	MARCH 27, 1990, CERTIFICATE OF SERVICE, filed. This is to certify that I, John W. Heslop, Jr., Esq., served a copy of the Request for Production on the 22nd day of March, 1990, via First Class Mail, postage prepaid and addressed to the following: Elizabeth Cunningham, Esq., Keystone Bldg., 36 North Second Street, Clearfield, Pa. 16830. S/JOHN W. HESLOP, JR., ESQUIRE	



CONTINUED FROM PAGE #303, 89- 19 EQUITY, MIHOLICS vs KARP ET AL

MARCH 22, 1990, NOTICE OF SERVICE OF INTERROGATORIES, filed.

You are hereby notified that on the 21st day of March, 1990, defendants, ROBERT JAMES KARP and EDNA M. KARP and ELWOOD G. COLEMAN and DORIS M. COLEMAN served Interrogatories on the Plaintiffs, JOSEPH and LILLIAN MIHOLICS, by mailing the original and two (2) copies of the same via first-class United States Mail, postage prepaid, addressed to the following: Elizabeth Cunningham, Esq., Keystone Building, 36 North Second Street, Clearfield, Pa. 16830. S/STEPHEN L. DUGAS, ESQ.

APRIL 3, 1990, ORDER, filed 3 cert/Judge "A"

NOW, April 2, 1990, the above case being on the trial list for the first time, it is continued until the Fall Term of Civil Court and will automatically be placed in that list. BY THE COURT: Joseph S. Ammerman, Judge.

APRIL 18, 1990, CERTIFICATE OF SERVICE, filed

I hereby certify that a true and correct copy of the Rule to File Complaint in the above-captioned matter was mailed by regular mail, postage, prepaid, at the Post Office, Clearfield, Pennsylvania, on this 12th day of April, 1990, to the attorney of record, Stephen L. Dugas, Esquire, PO Box 533, Hollidaysburg, PA 16648-0533. /s/ Elizabeth Cunningham, Esq.

MAY 21, 1990, PETITION FOR ENLARGEMENT OF TIME TO FILE COMPLAINT AGAINST ADDITIONAL DEFENDANT, filed by Edward T.J. Graboski, Esq.

CERTIFICATE OF SERVICE, filed

I hereby certify that a true and correct copy of the within was mailed to all counsel of record this 18th day of May, 1990. /s/ Edward T.J. Graboski, Esq.

MAY 30, 1990, PRAECIPE, filed

Kindly mark the appearance of undersigned counsel "withdrawn" on behalf of Defendants ROBERT JAMES KARP and EDNA M. KARP. /s/ Stephen L. Dugas, Esq

Please enter my appearance on behalf of Defendants ROBERT JAMES KARP AND EDNA M. KARP in the above-captioned case. /s/ John Sughrue, Esq.

JUNE 8, 1990, RULE, filed

AND NOW, this 31st day of May, 1990, a Rule is hereby granted to show cause why the Petition for Enlargement of Time to File Complaint Against Additional Defendant of defendants, ROBERT JAMES KARP and EDNA M. KARP, husband and wife, and ELWOOD G. COLEMAN and DORIS M. COLEMAN, Husband and wife, should not be granted.

All proceedings are stayed pending disposition of this Motion.

This Rule is returnable on the 9th day of July, 1990, at 10:00 AM in Courtroom Number 2. BY THE COURT: Joseph S. Ammerman Judge.

JUNE 27 1990, PRAECIPE, filed. TWO (2) COPIES CERT. TO ATTY

Kindly withdraw my appearance as counsel of record for Defendants ELWOOD G. COLEMAN and DORIS M. COLEMAN, husband and wife, in the above case. S/STEPHEN L. DUGAS, ESQ.

Kindly enter my appearance as counsel of record for Defendants ELWOOD G. COLEMAN and DORIS M. COLEMAN, husband and wife in the above case. S/BARBARA H. SCHICKLING, ESQ.

JULY 9, 1990, ORDER OF COURT, filed ( found inside the Petition for Enlargement. ...)

AND NOW, on this 9th day of July, 1990, after consideration of the within Petition for Enlargement of Time, it hereby ORDERED, DIRECTED AND DECREED

That the original defendants shall file their Complaint against the additional defendant, James Aughenbaugh, within (20) twenty days from this date. BY THE COURT: Joseph S. Ammerman, Judge.

JULY 30, 1990, COMPLAINT OF DEFENDANTS, ROBERT JAMES KARP AND EDNA M. KARP AGAINST ADDITIONAL DEFENDANT, JAMES AUGHENBAUGH, filed by John Sughrue, Esq. 1 cert/Atty

CERTIFICATE OF SERVICE, filed

AND NOW, I do hereby certify that on the 30th day of July, 1990, I caused to be served a true and correct copy of Complaint of Defendants, Robert James Karp and Edna M. Karp Against Additional Defendant, James Aughenbaugh, on the following and in the manner indicated below: BY US MAIL, FIRST CLASS, POSTAGE PREPAID, Elizabeth Cunningham, Esq, 36 North Second St, Clearfield, PA 16830; Edward T.J. Graboski, Esq PFAFF, MCINTYRE, DUGAS & HARTYE, PO Box 533, Hollidaysburg, PA 16648-0533; John W. Heslop, Jr, Esq, 414 N Logan Boulevard, Altoona, PA 16602; and Barbara H. Schickling, Esq, 23 North Second St, Clearfield, PA 16830. /s/ John Sughrue, Esq

JULY 30, 1990, COMPLAINT OF ORIGINAL DEFENDANTS ELWOOD G. COLEMAN AND DORIS M. COLEMAN, HUSBAND AND WIFE, filed by Barbara H. Schickling, Esq. NO COPIES

CERTIFICATE OF SERVICE, filed

AND NOW, I do hereby certify that on the 31st day of July, 1990, I caused to be served a true and correct copy of Complaint of original Defendants, Elwood G. Coleman and Doris M. Coleman Against Additional Defendant, James Aughenbaugh, on the following and in the manner indicated below: BY US MAIL, FIRST CLASS, POSTAGE PREPAID: Elizabeth Cunningham, Esq, 36 N Second St, Clearfield, PA 16830; John Sughrue, Esq 23 N Second St, Clearfield, PA 16830 and John W. Heslop, Jr., Esq, 414 N Logan Boulevard Altoona, PA 16602. /s/ Barbara H. Schickling, Esq.

AUGUST 16, 1990, ANSWER, NEW MATTER AND NEW MATTER PURSUANT TO PA RULE OF CIVIL PROCEDURE RULE 2252(d), filed by John W. Heslop, Jr., Esq. 1 cert/Atty

CERTIFICATE OF SERVICE, filed

I hereby certify that a true and correct copy of this Answer and New matter has been served on counsel of record. /s/ John W. Heslop, Jr., Esq

AUGUST 20, 1990, ANSWER, NEW MATTER AND NEW MATTER PURSUANT TO PA RULE OF CIVIL PROCEDURE RULE 2252(d), filed by John W. Heslop, Jr., Esq,

CERTIFICATE OF SERVICE, filed

I hereby certify that a true and correct copy of this Answer and New Matter has been served on counsel of record. /s/ John W. Heslop, Jr., Esq.



CONT. FROM PG 304 89-19-EQU MIHOLICS vs. KARP ET AL

AUGUST 23, 1990, REPLY OF ROBERT JAMES KARP AND EDNA M. KARP TO NEW MATTER FILED BY JAMES AUGHENBAUGH, ADDITIONAL DEFENDANT, filed by John Sughrue, ESq.

AND NOW, I do hereby certify that on the 23rd day of August, 1990, I caused to be served a true and correct copy of Original Defendants' Reply to New Matter on the following and in the manner indicated below: BY PERSONAL SERVICE, Barbara H. Schickling, ESq, Atty for Colemans 23 N 2nd St, Clearfield, PA 16830 and BY UNITED STATES MAIL, FIRST CLASS, POSTAGE PREPAID, Elizabeth Cunningham, ESq, Atty for Miholics, 36 N 2nd St, Clearfield, PA 16830 and John W. Heslop, Jr., ESq, Atty for Aughenbaugh, 414 North Logan Boulevard, Altoona, PA 16602. /s/ John Sughrue, Esq.

AUGUST 31, 1990, ANSWER TO NEW MATTER OF ADDITIONAL DEFENDANT, filed by Elizabeth Cunningham Esq. 3 cert/Atty

AUGUST 29, 1990, PRE-TRIAL MEMORANDUM, filed by John W. Heslop, Jr., Esq.  
CERTIFICATE OF SERVICE, filed

I hereby certify that a true and correct copy of this Pre-Trial Memorandum has been served on all counsel of record. /s/ John W. Heslop, Jr., Esq.

SEPTEMBER 4, 1990, STIPULATION, filed by Elizabeth Cunningham, Esq. 3 cert/Atty

SEPTEMBER 4, 1990, REPLY OF ELWOOD F. COLEMAN & DORIS M. COLEMAN TO NEW MATTER, filed by James Aughenbaugh, Add'l Deft. by Barbara H. Schickling, Esq. 3 cert/Atty  
CERTIFICATE OF SERVICE, filed

AND NOW, I do hereby certify that on the 4th day of September, 1990, I caused to be served a true and correct copy of Original Defendants' Reply to New Matter on the following and in the manner indicated below: BY PERSONAL SERVICE, TO: Elizabeth Cunningham, Esq, 36 North 2nd St, Clearfield, PA 16830 and John Sughrue, Esq. 23 N 2nd St, Clearfield, PA 16830 and BY UNITED STATES MAIL, FIRST CLASS, POSTAGE PREPAID, TO: John W. Heslop, jr., Esq, 414 N Logan Boulevard, Altoona, PA 16602-1749. /s/ Barbara H. Schickling, Esq.

SEPTEMBER 4, 1990, DEFENDANTS' ROBERT JAMES KARK ET US, PRETRIAL STATEMENT, filed by John Sughrue, Esq.

CERTIFICATE OF SERVICE, filed

AND NOW, I do hereby certify that on the 4th day of September, 1990, I caused to be served a true and correct copy of Defendants' Robert James Karp et ux, Pretrial Statement on the following and in the manner indicated below: BY PERSONAL SERVICE, TO: Barbara H. Schickling, Esq, 23 N 2nd St, Clearfield, PA 16830. and BY US MAIL, FIRST CLASS, POSTAGE PREPAID, TO: Elizabeth Cunningham, Esq, 36 N 2nd St, Clearfield, PA 16830 and John W. Heslop, jr, Esq, 414 North Logan Boulevard, Altoona, PA 16602-1749. /s/ John Sughrue, Esq.

SEPTEMBER 11, 1990, ORDER, filed

NOW, this 10th day of September, 1990, following pre-trial conference in the above-captioned matter, it is the ORDER of the Court that a non-jury trial will be held on Monday, December, 17, 1990, beginning at 9:00 AM. BY THE COURT: Joseph S. Ammerman, Judge.

OCTOBER 17, 1990, PRAECIPE TO DISCONTINUE, filed

Please mark the above action settled and discontinued. /s/ Elizabeth Cunningham, Esq.

SETTLED

AND

DISCONTINUED



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Ronald L.  
Collins

JACQUELINE L. BARBARA

OCTOBER 16, 1989, COMPLAINT/EQUITY, filed by Sobel &  
Collins  
Two Copies Certified to Attorney

NOVEMBER 15, 1989, SHERIFF'S RETURN, filed  
NOW, october 23, 1989, at 2:15 P.M. served the  
within Complaint on Michael J. Barbara, Deft. at  
his place of residence at 1015 Dorey St. Clearfield,  
Clfd Co. PA. by handing to Michael J. Barbara.  
/s/ Chester A. Hawkins by Marilyn Hamm.

89-20-EQU

MICHAEL J. BARBARA

Pro	by Atty	40.00
Shff	by atty	17.00
Surg.	by atty	2.00



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Fredric J.  
Ammerman

RICHARD L. LININGER

89-21-EQU

RICHARD J. COOK and  
PETROLEUM ELECTRONICS  
INC, a/k/a PETROLEC,  
their agents, and employees

Pro      by Atty      40.00

NOVEMBER 9, 1989, PETITION FOR PRELIMINARY INJUNCTION,  
filed by Fredric J. Ammerman, Esq.

ORDER, filed

AND NOW, this 9th day of November, 1989, it is  
the Order of this Court that the Defendants, their  
agents and employees are barred from entry upon the  
premises located in Osceola Mills known as the 7-24  
Convenience Store and that they shall not enter upon  
the premises for the purposes of management of the  
premises, not removal of any merchandise or other  
items from the premises or for any other reason.  
Furthermore, the Defendants are hereby ORDERED to  
immediately remove any chains and locks which they  
have used to secure the premises. BY THE COURT:  
John K. Reilly, Jr., P.J.

NOVEMBER 9, 1989, ACCEPTANCE OF SERVICE, filed

I, Carl Belin, Jr., Attorney for Defendants,  
Richard J. Cook and Petroleum Electronics, Inc.,  
hereby accept service of the Petition for Preliminary  
Injunction and Order, and certify that I am authorized  
to do so. /s/ Carl A Belin, Jr., Esq.



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James L.  
Jubelirer

TWILA LATOSKY, STANLEY  
WINTERS, BEVERLY LUTZ  
MINERVA MURAWSKI, BRADLEY  
WINTERS,

89-22-EQU

MELVIN WINTERS

Pro	by Atty	40.00
Shff		
Hawkins	by atty	24.00
Shff Sur-		
Charge	by atty	2.00
Pro	by Atty	5.00

NOVEMBER 14, 1989, COMPLAINT IN EQUITY, filed by James L. Jubelirer, Esq. NO COPIES  
VERTIFICATION OF SERVICE, filed  
Subject to the penalties of 18 PA C.S. \$4904 relating to unsworn falsification to authorities, I verify that a true and correct copy of the foregoing Complaint was served by placing same in the US mail at State College, PA, first class postage prepaid, on November 13, 1989, addressed as follows: George S. Test, Esq, Moshannon Building, PO Box 706 Philipsburg, PA 16866. /s/ James L. Jubelirer, Esq.

APRIL 9, 1990, NOTICE OF INTENTION TO FILE A PRAECIPE FOR DEFAULT JUDGMENT, filed by S/JAMES L. JUBELIRER, ESQ.

APRIL 18, 1990, RRAECIPE FOR REINSTATING A COMPLAINT., filed.

Kindly reinstate the Complaint in the above-captioned matter. S/JAMES L. JUBELIRER, ESQ.

APRIL 24, 1990, AFFIDAVIT OF SERVICE, filed.  
NOW, April 23, 1990, at 11:27 AM o'clock DST served the within Complaint in Equity on Melvin Winters, Defendant at residence, RD#1, Box 621B, Osceola Mills, Clearfield County, Penna. by handing to Ellen Winters, Wife a true and attested copy of the original Complaint in Equity and made known to her the contents thereof. So answers, CHESTER A HAWKINS, SHERIFF, BY S/MARILYN HAMM.

MAY 11, 1990, ANSWER AND NEW MATTER, filed by George S. Test, ESq.

MAY 11, 1990, CERTIFICATE OF SERVICE, filed  
I hereby certify that a true and correct copy of Answer and New matter in the above-captioned matter was served on the counsel of record for the Plaintiffs by depositing the same within the custody of the US Postal Service, first class, postage prepaid, on May 10, 1990, addressed to: James L. Jubelirer, Esq, JUBELIRER, RAYBACK, NOLLAU, WALSH, YOUNG and BLANARIK, INC., 102 East College Ave., State College, PA 16801. /s/ George S. Test, Esq.

MAY 18, 1990, ANSWER TO DEFENDANT'S NEW MATTER, filed

VERIFICATION OF SERVICE, filed  
Subject to the penalties of 18 PA C.S. \$4904 relating to unsworn falsification to authorities, I verify that a true and correct copy of the foregoing Answer to Defendnat's New matter was served by placing same in the US mail at State College, PA, first-class postage prepaid on May 17, 1990, addressed as follows: George S. Test, Esq, Moshannon Building, PO Box 706, Philipsburg, PA 16866. /s/ James L. Jubelirer, Esq.

JUNE 26, 1990, PRAECIPE FOR TRIAL, filed  
Kindly list the above-captioned matter for Trial, the matter being at issue. /s/ James L. Jubelirer, Esq.

VERTIFICATION OF SERVICE, filed  
Subject to the penalties of 18 PA C.A. \$4904 relating to unsworn falsification to authorities, I verify that a true and correct copy of the foregoing Praecipe for Trial was served by placing same in the US mail at State College, PA, first-class postage prepaid on June 25, 1990, addressed as follows: George S. Test, Esq, Moshannon Building, PO Box 706 Philipsburg, PA 16866. /s/ James L. Jubelirer, Esq.

SEPTEMBER 12, 1990, ORDER, filed  
NOW, this 12th day of September, 1990, following pre-trial conference in the above-captioned matter, it is the ORDER Of the Court that a non-jury trial will be held on Friday, November 2, 1990, beginning at 9:00 AM. BY THE COURT: Joseph S. Ammerman, Judge.

NOVEMBER 1, 1990, ORDER, filed 2 cert/JA  
NOW, October 30, 1990, the above case is continued from November 2, 1990 to a date to be set. If settlement is not reached within thirty days, a new trial date will be set. BY THE COURT: Joseph S. Ammerman, Judge.

NOVEMBER 10, 1992, PRAECIPE, filed  
Please mark the above action settled and discontinued. /s/ James L. Jubelirer, Esq.

SETTLED

AND

DISCONTINUED



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John C. Dennison, II	CALVIN BEAN and JOHN W. BEAN, Trustees under written Deed of Trust dated July 10, 1969	Plaintiffs	89-23-EQU		<u>DECEMBER 8, 1989, COMPLAINT IN EQUITY</u> , filed by Dennison and Dennison No. Copies.
					<u>DECEMBER 18, 1989, ACCEPTANCE OF SERVICE</u> , filed AND NOW, this 11th day of December, 1989, Anthony S. Guido, Esq., attorney for Donald Fleming and H. Faye Fleming, hereby accepts service of a certified copy of the Complaint in regard to the above entitled matter which is endorsed with a Notice to Defend. /s/ Anthony S. Guido, Esq.
Antony S. Guido	DON FLEMING and H. FAYE FLEMING	Defendants			<u>DECEMBER 26, 1989, ANSWER</u> , filed by Anthony S. Guido, Esq.
					<u>DECEMBER 29, 1989, PRAECIPE TO PLACE CASE ON TRIAL LIST</u> , filed You are hereby directed to place the above captioned action on the current non-jury trial list. /s/ John C. Dennison, II, Esq.
					<u>JANUARY 11, 1990, TRANSCRIPT OF DEPOSITION OF MAURICE PEACE</u> , filed by Douglas R. Chambers, Official Court Reporter , Brookville, PA
					<u>MARCH 18, 1991, PRAECIPE TO DISCONTINUE</u> , filed You are hereby directed to mark the above captioned matter "settled, discontinued and ended". /s/ John C. Dennison, II, Esq.
	Pro by Atty 40.00				
	Pro by Atty 5.00				
					<u>SETTLED</u> <u>DISCONTINUED</u> <u>ENDED</u>



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John W. Blasko & Janine C. Gismondi

POWER, INC., a Pennsylvania Corporation,

89-24-EQU

Michael J. Healey

UNITED MINE WORKERS OF AMERICA, an unincorporated association, LOUIS J. MAHOLIC, Individually and as an agent of the UNITED MINE WORKERS OF AMERICA, JOHN ACEY, JR., MICHAEL ACEY, AND ALL PERSONS ACTING IN CONCERT WITH THEM,

Pro	by Atty	40.00
Shff		
Hawkins	by atty	49.20
Shff Sur-		
charge	by atty	4.00

DECEMBER 14, 1989, COMPLAINT IN EQUITY, filed by Janine C. Gismondi & John W. Blasko, Esq. 5 cert/Atty

DECEMBER 15, 1989, ORDER, filed 4 cert/Atty  
NOW, this 15th day of December, 1989, this being the day and date set for hearing into Complaint in Equity seeking temporary injunction filed on behalf of plaintiff above named, upon consideration of the documents filed to date, it is the Order of this Court thqt a temporary injunction be and is hereby issued against defendants above named enjoining them individually and collectively and their agents, officers, representatives, servants, supervisors and employees and all other persona acting under, by, through, or in concert wiht them or otherwise parti-cipating in their aid from doing any of the following acts:

(a) preventing or attempting to prevent, by mass picketing, violence, intimidation or coercion, or any threats thereof, or otherwise, any persona or persons from freely entering or leaving the premises of Plaintiff, or the premises of any of plaintiff's employees, contractors, shippers, or customers;

(b) interferring with, hindering, or obstructing, or attempting to interfere with, hinder or obstruct in any manner, by mass picketing, violence, intimid-ation, or coercion, or any threats thereof, or otherwis the conduct, maintence or operation of plaintiff's business;

(c) congregating, loitering or gathering wihtin 300 yeards of plaintiff's premises or premises of its employees, contractors, shippers or customers, except for picketing by no more than five pickets at any one time, and to conduct themselves in such manner as not to block or interfere in any way wiht the use of entrances or exits by any person desiring to enter or leave said premises on foot or by vehicle;

(d) using force of numbers, violence, coercion, threats of bodily harm or damage to property or other unlawful means to intimidate or otherwise interfere with any of plainitt's employees, contractors, shippers customers or other persons doing business with plaintiff;

(e) seizing or damaging in any way, or making any threats thereof, any property of plaintiff, its agents, officers, employees, customers, shippers, contractors or other persons doing business with plain-tiff;

(f) trespassing on the premises of plaintiff, its agents, officers, employees, contractors, customers shippers or other persons doing business wiht plaintiff

(g) directing threats or bodily harm or damage to property to plaintiffs, its agents, officers, employ-ees, contractors, shippers, customers or other persons doing business wiht plaintiff.

The following paragraph is included pursuant to 43 Purdon's Statutes paragraph 206a:

"The complainant and/or the employer and their or eitherof their agents or employees shall be enjoined from and and all acts of threats of violence, intimid-ation, coercion, molestation, libel or slander against the respondents or organizations engaged in the labor dispute."

All of which shall remain in full force and effect until full hearing on the merits hereof to be had, to be scheduled at the convenience of the parties.

BY THE COURT: John K. Reilly, Jr., P.J.

JANUARY 12, 1990, ANSWER TO COMPLAINT, filed by Michael J. Healey, Esq.  
CERTIFICATE OF SERVICE, filed

I hereby certify that a true and correct copy of the foregoing Complaint in Equity was hand delivered this 12th day of January, 1990, upon counsel of Plaintiff as follows: Janine C. Gismondi, Esq, 811 University Dr, State College, PA 16801. /s/ Michael J. Healey, Esq.

JANUARY 12, 1990, MEMORANDUM IN OPPOSITION TO PLAINTIFF'S REQUEST FOR INJUNCTIVE RELIEF, filed by Michael J. Healey, Esq.

CERTIFICATE OF SERVICE, filed

I hereby certify that a true and correct copy of the foregoing was personally served this 12th day of January, 1990, upon counsel for pLiantiff as follows: Janine C. Gismond, Esq 811 University Dr., State College, PA 16801. /s/ Michael J. Healey, Esq.

JANUARY 18, 1990, ORDER, filed NO COPIES

NOW, this 18th day of January, 1990, this Court being satisfied, following hearing, that a permanent injunction may properly be entered in the above-captioned proceeding, it is the ORDER of this Court that such injunction be and is hereby issued against the parties above-named enjoining them individually and collectively, and their agents, officers, representatives servants, supervisors and employees and all other persons acting by and though, or in concert with them, or otherwise participating in their aid from doing any of the following acts:

Defendants above-named and those acting on their behalf as set forth above are hereby enjoined from the following acts:

a) Preventing or attempting to prevent, by mass picketing, violence, intimidation or coercion, or any threats thereof, or otherwise, any person or persons from freely entereing or leaving the premises of plaintiff, or the premises of any of plaintiff's employees, contractor shippers, or customers:



b) interfering with, hindering, or obstruction, or attempting to interfere with, hinder or obstruct in any manner, by mass picketing, violence, intimidation, or coercion, or any threats thereof, or otherwise, the conduct, maintenance or operation of plaintiff's business;

c) Using force of numbers, violence, coercion, threats of bodily harm or damage to property or other unlawful means to intimidate or otherwise interfere with any of plaintiff's employees, contractors, shippers, customers or other persons doing business with plaintiff;

d) swizing or damging in any way, or making any threats thereof, any property of plaintiff, its agents, officers, employees, customers, shippers, contractors or other persons doing business with plaintiff;

e) directing threats of bodily harm or damage to property to plaintiff's, its agents, officers, employees, contractors, shippers, customers or other persons doing business with plaintiff;

f) throwing or otherwise placing nails, "rock Jacks" or any other items which may cause damage, on or in the vicinity of the premises of the plaintiff, its officers, agents, employees, contractors, shippers, customers or other persons doing business with plaintiff;

g) interfering with or attempting to interfere with the ability of vehicle drivers to safely enter, exit, or travel upon the premises of plaintiff, its officers, agents, employees, contractors, shippers, customers or other persons doing business with plaintiff, including but not limited to interference by the shining of flashlights in the directions of said vehicle drivers;

h) engaging in picketing at or in the vicinity of the residence of any of plaintiff's officers, agents, employees, or the residences of any individual employed by or otherwise affiliated with any of plaintiff's contractors, shippers, customers, or other persons doing business with plaintiff.

Plaintiff above-named and/or those acting on its behalf as set forth above are hereby enjoined from any of the following activities:

a) any and all acts or threats of violence, intimidation, coercion, molestation, libel or slander against the defendants or organizations engaged in the labor dispute;

b) throwing or otherwise placing nails, "rock jacks" or any other items which may cause damage, on or in the vicinity of the residences of the defendants or in any way damaging or attempting to damage their personal property.

All of which shall remain in full force and effect until further Order of Court.  
BY THE COURT: John K. Reilly, Jr., P.J.

FEBRUARY 2, 1990, PETITION TO MODIFY INJUNCTION, filed by  
John W. Blasko, Esq. no copies

JANUARY 29, 1990, MOTION IN ARREST OF JUDGMENT AND/OR TO MODIFY/DISSOLVE PERMANENT INJUNCTION ORDER, filed by Michael J. Healey, Esq.

CERTIFICATE OF SERVICE, filed

I hereby certify that a true and correct copy of the foregoing Motion in Arrest of Judgment and/or to Modify/Dissolve Permanent Injunction Order was served by first class mail, postage prepaid, this 26th day of January, 1990, upon counsel for Plaintiff as follows: Janine C. Gismond, Esq., 811 University Dr., State College, PA 16801. /s/ Michael J. Healey, Esq.

FEBRUARY 15, 1990, DEFENDANTS' ANSWER TO PETITION TO MODIFY INJUNCTION, filed by Michael J. Healey, Esq.

CERTIFICATE OF SERVICE, filed

I hereby certify that a true and correct copy of Defendants' Answer to Petition to Modify Injunction was served first class mail, postage prepaid this 9th day of February, 1990 upon counsel for Plaintiff as follows: Janine Gismond, Esq. 811 University Dr, State College, PA 16801. /s/ Michael J. Healey, Esq.

FEBRUARY 26, 1990, ORDER, filed

AND NOW, this 26th day of February, 1990, upon consideration of Plaintiff's Petition to Modify Injunction, it is hereby Ordered and Decreed: A Rule is issued to show cause why prayer of Petition should not be granted. Said Rule is returnable the 19th day of March, 1990, at 1:30 PM, In Court Room No. 1. BY THE COURT: John K. Reilly, Jr., P.J.

MARCH 29, 1990, PLAINTIFF'S OPPOSITION TO DEFENDANTS' MOTION IN ARREST OF JUDGMENT AND/OR TO MODIFY/DISSOLVE PERMANENT INJUNCTION ORDER, filed by Janine C. Gismond, Esq.

APRIL 5, 1990, ORDER, filed.

NOW, this 5th day of April, 1990, upon agreement of the parties, it is the ORDER of this Court that Order dated January 18, 1990, be and is hereby amended as follows.

Sub-paragraph A thereof shall be amended to include the following: There shall be no more than five (5) picketers at any one location of ingress or egress upon the property of Power, Inc. BY THE COURT: S/JOHN K. REILLY, JR., PRESIDENT JUDGE

APRIL 16, 1990, PLAINTIFF/PETITIONER'S PETITION FOR CONTEMPT, filed by John W. Blasko, Esq.

CERTIFICATE OF SERVICE, filed

I hereby certify that a true and correct copy of the Petition for Contempt, in the Petition for Contempt, in the above-referenced matter was mailed by regular mail, first class, at the Post Office, State College, PA, postage prepaid, this 16th day of April, 1990, to Defendants/Respondents' attorney of record, Michael J. Healey, Esquire, HEALEY WHITEHALL, Fifth Floor, Law & Finance Building, Pittsburgh, PA 15219. /s/ Janine C. Gismond, Esq.

RULE TO SHOW CAUSE, filed 1 order cert/Atty Gismond and Atty Healey

Defendants/Respondents are hereby Ordered to appear for hearing on April 25, 1990 at 9:00 am in Courtroom No. 1, and to show cause why Plaintiff/Petitioner's Petition for Contempt should not be granted. BY THE COURT: John K. Reilly, Jr., P.J.



APRIL 24, 1990, ANSWER TO PLAINTIFF'S PETITION FOR CONTEMPT, filed by Michael J. Healey, Esq.

CERTIFICATE OF SERVICE, filed

I hereby certify that a true and correct copy of the foregoing was served this 23rd day of April by UPS Express Mail addressed to: Janine Gismondi, Esq, 811 University Dr., State College, PA 16801. /s/ Michael J. Healey, Esq.

APRIL 25, 1990, ANSWER TO DEFENDANTS' FIRST PETITION FOR CIVIL CONTEMPT, filed by S/JANINE C. GISMONDI.

APRIL 25, 1990, CERTIFICATE OF SERVICE, filed.

I hereby certify that a true and correct copy of the Answers to Defendant First Petition for Civil Contempt, in the above-referenced matter was mailed by regular mail, first class, at the Post Office, State College, Pennsylvania, postage prepaid, this 24th day of April, 1990, to the attorneys of record, Michael J. Healey, Esq., HEALEY WHITEHILL, Fifth Floor, Law & Finance Building, Pittsburgh, Penna. 15219. S/Janine C. Gismondi

APRIL 18, 1990, DEFENDANT'S FIRST PETITION FOR CIVIL CONTEMPT, filed by S/PAUL GIRDANY, ESQ., & S/MICHAEL J. HEALEY, ESQ. ONE (1) CERT ATTY

CERTIFICATE OF SERVICE, filed.

We hereby certify that on this 17th day of April, 1990, a true and correct copy of the foregoing Defendant's First Petition for Civil Contempt was served by First Class Mail, postage prepaid upon: JANINE GISMONDI, ESQ., 811 UNIVERSITY DRIVE, STATE COLLEGE, PA. (ATTY FOR PLFF) S/MICHAEL J. HEALEY, ESQ.

ORDER, filed.

On this 19th day of April, 1990, it is hereby ORDERED that a Rule is issued on Plaintiff to show cause why Defendants should not be held in contempt of court for failure to obey the January 18, 1990 Permanent Injunction Order issued by this Court. This Rule is returnable before President Judge Reilly on April 25, 1990 at 9:00 A.M. o'clock at which time Plaintiff must provide an answer and be prepared to show why this rule should not be made absolute. BY THE COURT: S/JOHN K. REILLY, JR., PRESIDENT JUDGE

APRIL 25, 1990, ORDER, filed. TWO (2) CERT ATTY PLFF, ONE (1) CERT ATTY DEFT

NOW, this 25th day of April, 1990, this being the day and date set for hearing on cross petitions for contempt in the above-captioned matter, upon agreement of the parties, it is the ORDER of this Court that the injunction initially entered on January 18, 1990, be and is hereby amended as follows: The picket shack shall be erected and maintained at a location such that the Southwest corner of the shack shall be eight (8) feet off the macadam township road and fifteen (15) feet from the drain pipe. That said shack shall at all times have a full roof, that the door shall be located in the Northwest corner of the shack and the window shall be on the South wall facing the intersection of the main highway and the haul way and shall at all times be screened. With the exception of the door and window, there shall be no other sizable open areas in the building.

It is the further ORDER of this Court that Defendants above-named shall at no time have more than three (3) pickets at either of Plaintiff's work sites with the exception of one-half day when they shall be permitted six (6) in order to relocate the above mentioned shed. BY THE COURT, S/JOHN K. REILLY, JR., PRESIDENT JUDGE

APRIL 30, 1990, SHERIFF'S RETURN, filed.

Now, December 18, 1989, at 1:00 PM EST served the within Complaint & Order on John Acey, Jr., defendant at employment, Ginter, Clearfield County, Penna. by handing to John Acey, Jr., a true and attested copy of the original Complaint & Order and made known to him the contents thereof.

Now, December 21, 1989, at 10:15 AM EST served the within Complaint & Order on Michael Acey, defendant at residence, Box 131, Brisbin, Clearfield County, Penna. by handing to Michael Acey a true and attested copy of the original Complaint & Order and made known to him the contents thereof. So answers, CHESTER A HAWKINS, SHERIFF, BY S/MARILYN HAMM.

MAY 3, 1990, NOTICE OF CONTEMPT PROCEEDINGS, filed by Janine C. Gismondi, Esq. 1 CERT Atty

CERTIFICATE OF SERVICE, filed.

I hereby certify that a true and correct copy of the Notice of Contempt Proceedings, in the above-referenced matter was mailed by express mail, this 3rd day of May, 1990, to Defendants/Respondents' attorney of record, Michael J. Healey, Esq., HEALEY WHITEHILL, Fifth Floor, Law & Finance Bldg., Pittsburgh, Pa. 15219 and William Manion, Esq., 321 Washington Trust Bldg., Washington, Pa. 15301. S/JANINE C. GISMONDI

MAY 3, 1990, PLAINTIFF/PETITIONER'S PETITION FOR CONTEMPT, filed by S/JANINE C. GISMONDI, ESQ. ONE (1) CERT ATTY.

CERTIFICATE OF SERVICE, filed.

I hereby certify that a true and correct copy of the Petition for Contempt, in the above-referenced matter was mailed by express mail, this 3rd day of May, 1990, to Defendants/Respondents attorney or record, Michael J. Healey, Esq., HEALEY WHITEHILL, Fifth Floor, Law & Finance Bldg., Pittsburgh, Pa. 15219, and William Manion, Esq, 321 Washington Trust Bldg., Washington, Pa. 15301 S/JANINE C. GISMONDI, ESQ.

MAY 3, 1990, RULE TO SHOW CAUSE, filed.

Defendants/Respondents are hereby Ordered to appear for hearing on May 8, 1990, at 1:30 P.M. in Courtroom No. 1, and to show cause why Plaintiff/Petitioner's Petition for Contempt should not be granted. BY THE COURT, S/JOHN K. REILLY, JR., PRESIDENT JUDGE

MAY 10, 1990, ORDER, filed 1 cert/Atty Healey & 1 cert/Atty Gismondi

NOW, this 9th day of May, 1990, this being the day and date set for contempt hearing into the above-captioned matter; after testimony and upon agreemtn of the parties, it is the ORDER of this court that Petitioner's brief be and is hereby due Ten (10) days from this date; and, Respondent's brief due Ten (10) Days after receipt of Petitioner's brief.

It is the Further Order that all previous Orders of this Court will remain in full force and effect. BY THE COURT: John K. Reilly, Jr., P.J.



JUNE 1, 1990, MEMORANDUM AND ORDER, filed.

NOW, this 1st day of June, 1990, following hearing into the above-captioned allegations of contempt, the Court being satisfied that the alleged acts have occurred but being unable to ascertain specific individuals committing the same, it is the ORDER of this Court that the injunction entered in the above matter be and is hereby amended as follows:

The Respondents shall forthwith remove the trailer from the area of the picketing and shall at no time have more than three picketers within 500 yards of the area picketed. Further, the Respondents and any person acting on their behalf shall absolutely refrain from the placement of nails or rock jacks in any area on which Petitioner's vehicles may be anticipated to travel.

It is further ORDER of this Court that the Petitioners shall absolutely refrain from the placement of signs on or about their vehicles and from placing nails or rock jacks in any area in which Respondents' vehicles may be anticipated to travel. The company shall further maintain a guard or security officer as close as conveniently possible to any picketers during such time as they may be picketing Petitioner's premises.

Both parties shall absolutely refrain from taunting or harassing the other. All of which is until further ORDER of Court. By the Court, S/JOHN K. REILLY, JR., PRESIDENT JUDGE

JUNE 12, 1990, PLAINTIFF POWER INC'S ANSWER TO DEFENDANTS,' SECOND PETITION FOR CIVIL CONTEMPT, filed by Janine C. Gismondi, Esq.

CERTIFICATE OF SERVICE, filed.

I hereby certify that a true and correct copy of the Plaintiff Power, Inc's Answer to Defendants' Second Petition for Contempt, in the above-referenced matter was mailed by regular mail, first class, at the Post Office, State College, PA, postage prepaid, this 11th day of June, 1990, to the attorneys of record, William Manion, 321 Washington Trust Building, Washington, PA 15301 and Paul H. Girdany, Healey, Whitehill, Fifth Floor, Law & Finance Building, Pittsburgh, PA 15219. //s Janine C. Gismondi, Esq.

JUNE 18, 1990, TRANSCRIPT OF PROCEEDINGS, DAY I, filed in Tran Drawer "U"

JUNE 18, 1990, TRANSCRIPT OF PROCEEDINGS, DAY II, filed in Tran Drawer "U"

JUNE 12, 1990, PLAINTIFF/PETITIONER'S MOTION TO MODIFY PERMANENT INJUNCTION, filed by S/JANINE C. GISMONDI, ESQ

CERTIFICATE OF SERVICE, filed.

I hereby certify that a true and correct copy of the Plaintiff/Petitioner Motion to Modify Permanent Injunction, in the above-referenced matter was mailed by regular mail, first class, at the Post Office, State College, Pennsylvania, postage prepaid, this 11th day of June, 1990, to the attorneys of record, William Manion, 321 Washington Trust Building, Washington, PA. 15301 and Paul H. Girdany, Healey, Whitehill, Fifth Floor, Law & Finance Building, Pittsburgh, PA. 15219. S/JANINE C. GISMONDI, ESQ.

JUNE 21, 1990, RULE TO SHOW CAUSE, filed.

It is hereby Ordered that Defendants appear before the Honorable John K. Reilly on July 11, 1990, at 1:30 p.m. to show cause why Plaintiff's Motion to Modify Injunction should not be granted. BY THE COURT, S/JOHN K. REILLY, JR., PRESIDENT JUDGE, DATED: JUNE 19, 1990.

JULY 2, 1990, MEMORANDUM OF LAW IN SUPPORT OF PLAINTIFF/PETITIONER'S MOTION TO MODIFY PERMANENT INJUNCTION, filed by Janine C. Gismondi, Esq.

CERTIFICATE OF SERVICE, filed

I hereby certify that a true and correct copy of the Memorandum of Law in Support of Plaintiff/Petitioner's Motion to Modify Permanent Injunction, in the above-referenced matter was mailed by regular mail, first class, at the Post Office, State College, PA, postage prepaid, this 29th day of June, 1990, to the attorneys of record, William Manion, 321 Washington Trust Building, Washington, PA 15301 and Michael J. Healey, Esquire, HEALEY WHITEHILL, Fifth Floor, Law & Finance Building, Pittsburgh, PA 15219. /s/ Janine C. Gismondi, Esq.

JULY 11, 1990, ORDER, filed

NOW, this 11th day of July, 1990, following argument into Plaintiff's Petition to Modify Permanent Injunction, it is the ORDER Of this Court that said Motion be and is hereby granted to the extent that the Order of this Court dated June 1, 1990, be and is hereby amended to delete the requirement for Plaintiff to maintain a guard or security officer during hours of picketing. In all other respects said Motion be and is hereby dismissed. BY THE COURT: John K. Reilly, Jr, P.J.

JUNE 04, 1990, DEFENDANTS' SECOND PETITION FOR CIVIL CONTEMPT, filed by s/ PAUL GIRDANY, ESQ. & s/WILLIAM MANION, ESQUIRE.

CERTIFICATE OF SERVICE, filed.

We hereby certify that on this 31st day of may, 1990, a true and correct copy of the foregoing Defendants First Petition for Civil Contempt was served by First Class Mail, postage prepaid upon: Janine Gismondi, Esq., 811 University Drive, State College, Pa. 16801 s/WILLIAM MANION, ESQUIRE



John A. Sobel, IV

ANTHONY YANKEVICH and R. CURTIS SMITH, as members and representatives of the class of customers of the Clearfield Municipal Authority

MARCH 6, 1990, COMPLAINT/CLASS ACTION IN EQUITY, filed by Sobel & Collins  
Two Copies Certified to Attorney.

MARCH 13, 1990, AFFIDAVIT OF SERVICE, filed.  
NOW March 9, 1990, at 11:00 o'clock A.M. EST served the within Complaint in Equity on Jeff Williams, Manager of the defendant Clearfield Municipal Authority at his place of employment at 107 E Market St., Clearfield, Clearfield County Penna. by handing to Jeff Williams, Manager, a true and attested copy of the original Complaint and made known to him the contents thereof. So answers, Chester A. Hawkins, Sheriff, by Darlene Shultz.

90-1-EQU

MARCH 15, 1990, PRAECIPE, filed.  
Please enter my appearance on behalf of the Defendant in the above-captioned action. S/Carl A. Belin, Jr.

Carl A. Belin, Jr.

CLEARFIELD MUNICIPAL AUTHORITY

MARCH 27, 1990, ANSWER TO MOTION FOR PRELIMINARY OBJECTIONS, filed by Carl A. Belin, Jr., Esq. 1 cert/Atty  
CERTIFICATE OF SERVICE, filed  
This is to certify that the undersigned has on this date sent a true and correct copy of the foregoing Answer to Motion for Preliminary Objections with regard to the above-captioned matter to the following party and in the following manner on this the 27th day of March, 1990, as follows: First Class Mail, Postage Prepaid, John A. Sobel, IV, Esq, Sobel & Collins, 120 East Pine Street, PO Box 1204, Clearfield, PA 16830. /s/ Carl A. Belin, Jr., Esq.

MARCH 27, 1990, PRELIMINARY OBJECTIONS, filed by Carl A. Belin, Jr., Esq. 1 cert/Atty  
CERTIFICATE OF SERVICE, filed  
This is to certify that the undersigned has on this date sent a true and correct copy of the foregoing Preliminary Objections with regard to the above-captioned matter to the following party and in the following manner on this 27th day of March, 1990, as follows: First Class Mail, Postage Prepaid, John A. Sobel, IV, Esq, Sobel and Collins 120 East Pine St Po Box 1204, Clearfield, PA 16830. /s/ Carl A. Belin, Jr., Esq.

Pro	by Atty	40.00
Shff Hawkins	by Atty	17.00
Shff Sur-charge	by Atty	2.00

APRIL 26, 1990, MOTION TO DISCONTINUE CLASS ACTION, filed by S/JOHN A. SOBEL IV, ESQ. FOUR (4) CERT ATTY  
RULE RETURNABLE, filed.  
AND NOW this 24th day of April, 1990, upon consideration of the within Motion, a Rule is hereby issued upon the Defendant to appear and show cause why the prayer of said Petitioner should not be granted.  
RULE RETURNABLE the 15th day of May, 1990, at 10:00 o'clock A.M. in Courtroom #2, in the Clearfield County Courthouse, Clearfield, Pennsylvania. BY THE COURT, S/JOSEPH S. AMMERMAN, JUDGE

MAY 22, 1990, ORDER. FOUR (4) COPIES CERT TO ATTY.  
NOW THIS 21st day of May, 1990, Plaintiffs in the above captioned action having filed a Motion to Discontinue Class Action filed to the above term and number under Rule 1714 of the Pennsylvania Rules of Civil Procedure and the Defendant having indicated that they have no objection to the same and the Court being satisfied that there will be no prejudice to the members of the class of customers of the goal of said action having been accomplished by the decision of the Clearfield Municipal Authority to permanently cease the Moose Creek Dam Project, it is the Order of this Court that said Motion to Discontinue Class Action is granted and said action is discontinued and the Prothonotary of Clearfield County is directed to so mark the records on the same.

BY THE COURT, s/JOSEPH S. AMMERMAN, JUDGE

D I S C O N T I N U E D



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1990

EQUITY DKT #14

Timothy E.  
Durant

PHILIP H. DURANT

90-2-EQU

DALE G. DURANT, now known  
as DALE G. PETERS

Pro		40.00
Shff	by Atty	21.00
sur-		
charge	by Atty	2.00
Shff		
Hill	by Atty	25.00
Pro	by Atty	9.00

MARCH 7, 1990, COMPLAINT IN PARTITION/EQUITY, filed  
by Timothy E. Durant, Esquire  
Two Copies Certified to Sheriff.

APRIL 23, 1990, SHERIFF RETURN, filed  
NOW, March 7, 1990, George Hill, Sheriff of  
Delaware County was deputized by Chester A. Hawkins,  
Shff of Clfd County to serve the within Complaint  
in Partition on Dale G. Durant now known as Dale  
G. Peters, deft.

NOW, April 6, 1990 served the within Complaint  
on Dale G. Durant now known as Dale G. Peters, Deft  
by deputizing the Shff of Delaware County. The  
return of Shff Hill is hereto attached and made a  
part of this return stating that he served Mark  
Peters, Adult member of family. /s/ Chester A.  
Hawkins, Shff by Marilyn Hamm

AUGUST 10, 1990, PRAECIPE FOR ENTRY OF JUDGMENT  
OF DEFAULT, filed 2 cert/Atty

Please enter a judgment by default in favor  
of plaintiff, PHILIP H. DURANT and against DALE G.  
DURANT, now known as DALE G. PETERS for her failure  
to plead to the complaint in this action within the  
required time. The complaint contains a notice to  
defend within twenty days from the date of service  
thereof. Defendant was served with the complaint  
on April 6, 1990, and her answer was due to be  
filed on April 26, 1990.

Attached as Exhibit "A" is a copy of plaintiff's  
written Notice of Intention to File Praecipe for  
Etnry of Default Judgment which I certify was mailed  
by regular mail to the Defendant at her last known  
address on April 27, 1990, which is at least ten days  
prior to the filing of this Praecipe. /s/ Timothy E.  
Durant, Esq.

Judgment is entered in favor of the Plaintiff and  
against the Defendant for failure to file an answer.

DEFAULT JUDGMENT

*Allen D. Biez*  
Prothonotary

AUGUST 10, 1990, NOTICE OF DEFAULT JUDGMENT MAILED  
TO DEFT. /s/ dru

SEPTEMBER 13, 1990, INTERLOCUTORY DECREE  
APPOINTING TRUSTEE, filed 2 cert/Atty Guido

AND NOW, this 17th day of August, 1990, upon  
consideration of the foregonig case, it is ordered,  
adjudged and decreed:

1. That a partition and division be made of the  
undivided one-half interest in the property described  
in the Complaint, situate in the Township of Chest,  
County of Clearfield and State of Pennsylvania,  
bounded and described as follows:

On the North by Township Road No. T-415  
On the East by Merle and Ruth Holes  
On the South by Vincent Ballaratto  
On the West by Vincent Ballaratto

Designated on County Assessment Map for Chest Township as No. 109-F16-44.

2. That, Anthony S. Guido, Esquire, is appointed trustee to make public sale of the  
aforesaid property after first entereing security in the sum of \$4,000.00, unless security  
requirement is reduced or waived in writing by both parties or their counsel.

3. That the said trustee shall give notice of said sale by advertising the same in  
two daily newspapers of general circulation in this county and by hand bills posted on the  
property and in other public places, once a week for four consecutive weeks before the day of  
the sale.

4. That the proceeds of said sale, after the payment of the expenses thereof, shall be  
divided equally between the parties subject, however.

(a) to the deduction therefrom of the amount of any lien entered of record jointly  
against both parties, together with interest thereon, and docket costs; and

(b) to the deduction, from the share of either party, the amount of any lien entered  
of record against said party, together with interest due and costs taxed thereon; which amounts  
are to be paid by the trustee to the person or persons to whom the same to due and payable.

BY THE COURT: John K. Reilly, Jr., P.J.

FEBRUARY 10, 1993, REPORT OF MASTER, field by Anthony S. Guido, Esq.

CERTIFICATE OF SERVICE, filed

February 9, 1993, REPORT OF MASTER SERVED TO: Timothy E. Durant, Jr., Esq. /s/ Anthony  
S. Guido, Esq.

FEBRUARY 15, 1993, ORDER, filed

AND NOW, this 12th day of February, 1993, upon consideration of the Master's Report of  
Anthony S. Guido, Court-Appointed Trustee with regard to the above partition action, the  
Prothonotary is hereby directed to mark said action settled and discontinued upon payment  
of all costs due on the action and the fees and costs due the Master. BY THE COURT:  
John K. Reilly, Jr., P.J.



MARCH 8, 1993, PETITION FOR PAYMENT OF TRUSTEE"S FEES, filed by Anthony S. Guido, Esq.

ORDER, filed  
AND NOW, this 5th day of March, 1993, upon consideration of the foregoing Petition, Plaintiff, PHILIP H. DURANT, is hereby ordered to pay to Anthony S. Guido the Master's fees in the sum of \$400.00 within thirty days of the date of this Order. BY THE COURT: John K. Reilly, Jr., P.J.

DISCONTINUED

AND

SETTLED



James A.  
Naddeo

JOHN D. DUTTRY

MARCH 30, 1990, COMPLAINT TO PARTITION REAL PROPERTY,  
filed by James A. Naddeo, Esq.

APRIL 4, 1990, AFFIDAVIT OF SERVICE, filed  
NOW, April 3, 1990 at 7:45 PM DST served  
the within Complaint on Jacqueline M. Duttry, Deft  
at residence RD#2, DuBois, Clearfield County PA  
by handing to Jacqueline M. Duttry.  
/s/ Chester A. Hawkins, Shff, by Marilyn Hamm

90-3-EQU

JACQUELINE M. DUTTRY

ERROR---- APRIL-16,-1990,-SHERIFF'S-RETURN,filed-  
Now,-April-12,-1990,-at-12:50-PM-BST-served-the-  
within-Summons-on-Deborah-Murphy,-defendant-at-employment  
85-Beaver-Drive,-DuBois,-Clearfield-County,-Penna:-by---  
handing-to-Deborah-Murphy-a-true-and-attested-copy-of-the  
original-Summons-and-made-known-to-her-the-contents-----  
thereof:---  
-----Now,-April-12,-1990,-at-3:00-PM-BST-served-the-with-  
in-Summons-on-Personnel-Pool,-Inc,-defendant-at-employ-  
ment,-85-Beaver-Drive,-DuBois,-Clearfield-County,-Penna:-  
by-handing-to-Deborah-Murphy-a-true-and-attested-copy-of-  
the-original-Summons-and-made-known-to-her-the-contents---  
therof:-So-answers,-CHESTER-A:-HAWKINS,-SHERIFF,-BY-----  
S/MARILYN-HAMM:-

MAY 22, 1990, ANSWER AND NEW MATTER, filed  
by Toni M. Cherry, Esq.

JUNE 11, 1990, ANSWER TO NEW MATTER, filed by  
James A. Naddeo, Esq. 1 cert/Atty  
CERTIFICATE OF SERVICE, filed  
I, JAMES A. NADDEO, Esquire, Attorney for Plaintiff,  
do hereby certify that a true and correct copy of the  
foregoing Answer to New Matter was served by first-  
class mail, postage prepaid, upon Toni M. Cherry,  
Attorney at Law, Attorney for Defendant, PO Box 505,  
DuBois, PA 15801.  
Said Answer to New Matter was mailed this 11th  
day of June, 1990. /s/ James A. Naddeo, Esq.

Pro by Atty 40.00  
Shff by Atty 38.80  
sur-charge by Atty 2.00  
-SHFF  
-HAWKINS==by=atty=====27.60  
-Shff-Sur=  
-charge===by=atty=====4.00=

SEPTEMBER 12, 1990, NOTICE OF DEPOSITION OF  
JACQUELINE M. DUTTRY, filed by James A. Naddeo, Esq  
CERTIFICATE OF SERVICE, filed  
I, James A. Naddeo, Esquire, Attorney for Plaintiff  
do hereby certify that a true and correct copy of the  
foregoing Notice of Deposition was served by first-  
class mail, postage prepaid, upon the following: Toni  
M. Cherry, Esq, PO Box 505, One North Franklin Street  
DuBois, PA 15801.  
Said Notice of Deposition was mailed this 12th  
day of September, 1990. /s/ James A. Naddeo, Esq.

OCTOBER 5, 1990, NOTICE OF TAKING DEPOSITION OF  
JACQUELINE M. DUTTRY, filed by James A. Naddeo, Esq.  
CERTIFICATE OF SERVICE, filed  
I, James A. Naddeo, Esq, Attorney for Plaintiff,  
do hereby certify that a true and correct copy of the  
foregoing Notice of Deposition was served by first-class  
mail, postage prepaid, upon the following: Jacqueline M  
Duttry, c/o Toni M. Cherry, Esq. PO Box 505, One North  
Franklin St, DuBois, PA 15801.  
Said Notice of Deposition was mailed this 5th day  
of October, 1990. /s/ James A. Naddeo, Esq.

JANUARY 21, 1991, MOTION FOR PRELIMINARY CONFERENCE, filed by s/James A.  
Naddeo, Esq. One (1) Copy Cert to Atty.  
ORDER, filed.  
AND NOW, this 21st day of January, 1991, the parties are directed to appear  
for a Preliminary Conference on the 8th day of February, 1991, at 1:30 P.M. in  
Court Room No. 1 of the Clearfield County Court House, Clearfield, Pennsylvania.  
BY THE COURT: S/JOHN K. REILLY, JR., PRESIDENT JUDGE

FEBRUARY 8, 1991, ORDER, filed 3 cert/Atty  
AND NOW, this 8th day of February, 1991, being the date set for Preliminary Conference  
in the above-captioned case and the Court being informed by counsel of record for  
the respective parties that they have agreed upon a plan of partition, to wit: the parties  
have agreed to waive all claims which they may have against the other arising out of the  
cotenancy including but not limited to the claim of Defendant to a life tenancy and the  
claims by Plaintiff to contributions from Defendant for monies expended toward the preservation  
of the property and in lieu thereof to have the property valued by a Master and offered  
for sale in accordance with the Pennsylvania Rules of Civil Procedure with the proceeds  
from sale to be divided equally between the parties after payment of all liens, master's  
fees, costs and expenses, it is the ORDER of this Court that the premises subject to  
this proceedings be partitioned.  
It is the further ORDER of this Court that John Sobel, Esquire, be appointed Master  
for the limited purpose of establishing a value for the subject premises and for the purpose  
of conducting a sale of the property in accordance with the Pennsylvania Rules of Civil  
Procedure and finally to distribute any proceeds from sale to teh litigants equally after  
payment of liens, master's fee, costs and expenses. BY THE COURT: John K. Reilly, Jr.,  
P.J.

JUNE 19, 1991, NOTICE OF PRIVATE SALE CONFINED TO PARTIES, filed by John A. Sobel, IV,  
Esq. 3 cert/Atty



JULY 9, 1991, NOTICE OF PRIVATE SALE CONFINED TO PARTIES, filed by John A. Sobel IV, Esq. 3 cert/Atty

AUGUST 16, 1991, ORDER, filed 2 cert/Atty

NOW THIS 16th day of August, 1991, the Court having been advised by John A. Sobel IV, Esquire, Master in Partition, that the property that is the subject of the above captioned partition action was not sold at a private sale confined to the parties held on July 26, 1991, and the Court, also having been advised by this Same Master, that the parties are in agreement that said property should be sold at a public sale not confined to the parties, and the Court having been advised that said sale is scheduled for August 26, 1991, at 2:00 pm, and the Court also having been advised that all parties are in agreement that said public sale should be advertised in the Currier Express of DuBois, PA on one occasion prior to said sale, it is the Order of this Court that said property shall be scheduled for public sale in the law offices of Sobel & Collins, 120 E. Pine Street, Clearfield, PA on August 26, 1991, at 2:00 PM and notice of said sale shall be placed in the Currier Express on one occasion prior to said sale by the Master in Partition. BY THE COURT: John K. Reilly, Jr., P.J.

OCTOBER 14, 1991, EXCEPTIONS TO MASTER'S REPORT AND RETURN OF SALE, filed by Toni M. Cherry, Esq. 3 cert/Atty

CERTIFICATE OF SERVICE, filed

I hereby certify that on October 14, 1991, I served a true and correct copy of the Exceptions to Master's Report and Return of Sale by mailing the same to the following persons by depositing the same in the US Post Office at DuBois, PA, by First Class Mail, postage prepaid: James A. Naddeo, ESq and John A. Sobel, IV, Esq. /s/ Toni M. Cherry, ESq.

OCTOBER 29, 1991, ORDER, filed

NOW, this 28th day of October, 1991, this matter comes before the Court on Exceptions to Master's Report and Return of Sale filed on behalf of Defendant above-named, upon agreement of the parties, it is the ORDER of this Court that said Exceptions be and are hereby granted to the extent that Plaintiff's offer to purchase at public sale shall be and is hereby withdrawn in order to permit Defendant to proceed to list such property with a realtor for purpose of realizing the higher market value at sale. Said listing to be in effect for 90 days from date hereof at the end of which period of time Plaintiff may then reinstate his offer of \$20,000 at his option and obtain the property forthwith. It is the further ORDER of this Court that upon the sale of the premises, the net proceeds after payment of liens, recording costs and/or realtor commissions, shall be divided equally between the parties. BY THE COURT: John K. Reilly, Jr., P.J.

OCTOBER 4, 1991, MASTER'S RETURN OF SALE, filed by John A. Sobel IV, Esq.

DECREE NISI, filed

NOW, this 28 day of October, 1991, after reviewing the report of John A. Sobel IV, Esquire, Master in Partition in the above captioned case, the Court hereby approves the proposed schedule of distribution and does further direct the Master to make, execute and deliver a deed to John D. Duttry, the successful bidder at the public sale, said deed to be in the form attached to the report, and to make distribution to the parties as set forth in the report.

Unless exceptions are filed to the within decree nisi within ten (10) days from the date hereof, the same shall become final without further order of the court. BY THE COURT: John K. Reilly, Jr., P.J.

MARCH 2, 1992, PETITION TO DIRECT SALE, filed by James A. Naddeo, Esq. 1 cert/Atty

MARCH 2, 1992, ORDER, filed 1 cert/Atty

AND NOW, this 2nd day of March, 1992, upon consideration of the Petition of James A. Naddeo, Esquire, attorney for Plaintiff in the above-captioned case, it is hereby ORDERED and DIRECTED that a Rule be entered upon Defendant forthwith to show cause why she should not be directed to execute a deed forthwith to the Plaintiff for the total consideration of Twenty Thousand (\$20,000.00) Dollars to be distributed in accordance with the Order of this Court dated October 28, 1991.

Rule returnable the 18th day of March, 1992, at 10:00 AM. BY THE COURT: John K. Reilly, Jr., P.J.

APRIL 2, 1992, ORDER, filed

NOW, this 30th day of March, 1992, following argument into Petition to Direct Sale filed on behalf of Plaintiff above-named, it is the ORDER of this Court that said argument be and is hereby continued for thirty (30) days to permit prospective purchaser to complete their loan requirements, failing which at the expiration of said thirty (30) days, the Court shall grant Plaintiff's Petition. BY THE COURT: John K. Reilly, Jr., P.J.

MAY 6, 1992, MOTION TO CONFIRM SALE, filed by James A. Naddeo, Esq. 1 cert/Atty

MAY 6, 1992, CERTIFICATE OF SERVICE, filed

I hereby certify that a true and correct copy of the Plaintiff's Motion to Confirm Sale was mailed by first-class mail on this 6th day of May, 1992, to the attorney of record, Toni M. Cherry, ESq, One North Franklin St, PO Box 505, DuBois, PA 15801. /s/ James A. Naddeo, Esq.

MAY 6, 1992, ORDER, filed 1 cert/Atty

AND NOW, this 5th day of May, 1992, upon consideration of the Petition of James A. Naddeo, Esquire, attorney for Plaintiff in the above-captioned case, it is hereby ORDERED and DIRECTED that a Rule be entered upon Defendant forthwith to show cause why the premises subject to this action should not be confirmed to Defendant as recommended by the Master in Partition.

Rule returnable the 10th day of June, 1992, at 10:45 AM. BY THE COURT: John K. Reilly, Jr., P.J.



Thompson J.  
McCullough

RTB, INC. t/a  
THE GYRNES GROUP

APRIL 4, 1990, PRAECIPE FOR WRIT OF SUMMONS, filed Pursuant to PA R.C.P. No. 1501 and NO. 1007, please issue a Writ of Summons in this Civil action--equity directed to: Personnel Pool, Inc, 85 Beaver Drive, DuBois, PA 15801 and Deborah A. Murphy, 115 N. Second Street, DuBois, PA 15801. /s/ Thompson J. McCullough, Esq.  
1 cert/Atty

APRIL 6, 1990, 2 CERT COPIES ISSUED TO SHERIFF FOR SERVICE.

APRIL 12, 1990, MOTION FOR LEAVE OF COURT PURSUANT TO PA R.C.P. NO. 4007.2, filed by Thompson J. McCullough Esq.

90-3½-EQU

APRIL 12, 1990, RULE, filed 1 cert/Atty AND NOW, the 12th day of April, 1990, a Rule is issued upon the defendant Personnel Pool, Inc and Deborah A. Murphy, to show cause, if any, why deposition shall not be taken on April 20, 1990, at 11:00 am pursuant to the Notice Of Deposition attached to the Motion For Leave of Court filed by the Plaintiff. The within Motion and Rule may be served by certified mail, return receipt requested, upon the defendant. If no responsive pleading is filed by 4:00 pm on April 19, 1990 the deposition may proceed as scheduled. Filing of objections or a response by such time shall stay the depositions pending ruling by the Court. BY THE COURT: John K. Reilly, Jr., P.J.

Chris A.  
Pentz, Esq

PERSONNEL POOL, INC  
and DEBORAH A. MURPHY,

APRIL 18, 1990, PRAECIPE TO ENTER APPEARANCE, filed One (1) Cert Atty.

Please enter my appearance in the above captioned matter for the Defendant, DEBORAH A. MURPHY. S/CHRIS A. PENTZ, ESQ.

APRIL 18, 1990, ANSWER TO MOTION FOR LEAVE OF COURT PURSUANT TO PA R.C.P. NO. 4007-2, filed. One (1) Copy Cert Atty. S/CHRIS A. PENTZ, ESQ.

Pro	by Atty	40.00
Shff		
Hawkins	by atty	27.60
Shff Sur-		
charge	by atty	4.00

MAY 10, 1990, DEFENDANT DEBORAH A. MURPHY'S FOR PRODUCTION OF DOCUMENTS ADDRESSED TO PLAINTIFF, RTB, INC. t/a/ THE BYRNES GROUP, filed on behalf of Deborah A. Murphy by James A. Naddeo, Esq.

CERTIFICATE OF MAILING, filed JAMES A. NADDEO, ESQUIRE, Attorney for the above named Defendant, DEBORAH A. MURPHY, certifies that a true and copy of the DEFENDANT DEBORAH A. MURPHY'S REQUEST FOR PRODUCTION OF DOCUMENTS ADDRESSED TO PLAINTIFF, RTB, INC. t/a THE BYRNES GROUP was mailed to Thompson J. McCullough, Esquire, Attorney for Plaintiff, 45 Wyntre Brooke Drive, York, PA, by first-class mail, postage pre-paid on the 10th day of May, 1990. /s/ James A. Naddeo, ESq.

APRIL 16, 1990, SHERIFF'S RETURN, filed. NOW, April 12, 1990, at 12:50 PM DST served the within Summons on Deborah Murphy, defendant at employment 85 Beaver Drive, DuBois, Clearfield County, Penna. by handing to Deborah Murphy a true and attested copy of the original Summons and made known to her the contents thereof.

NOW, April 12, 1990, at 3:00 PM DST served the within Summons on Personnel Pool, Inc., defendant at employment 85 Beaver Drive, DuBois, Clearfield County, Penna. by handing to Deborah Murphy a true and attested copy of the original Summons and made known to her the contents thereof. SO ANSWERS, CHESTER A. HAWKINS, SHERIFF, by s/Mairlyn Hamm, Deputy



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Robert C.  
Rayman

MARK BISHOP

APRIL 30, 1990, COMPLAINT/EQUITY, filed by Deveck & Rayman  
1 Copy Certified to Sheriff.

MAY 21, 1990, AFFIDAVIT OF SERVICE, filed  
NOW, May 2, 1990 at 9:45 AM DST served the  
within complaint in Equity on Pharm-Assist Inc., deft.  
at employment, Rt 53, Houtzdale, Clearfield, Co, PA  
by handing to Patty Gathagan, Part Owner.  
/s/ Chester A. Hawkins, Shff, by Marilyn Hamm

90-4-EQU

PHARM-ASSIST, INC.

JUNE 19, 1990, ANSWER TO COMPLAINT AND NEW  
MATTER, filed by James A. Naddeo, Esq. 1 cert/Atty  
CERTIFICATE OF MAILING, filed  
I, JAMES A. NADDEO, Esquire, Attorney for Defendant,  
do hereby certify that a true and correct copy of  
the foregoing Answer to Complaint and New Matter  
wa served by first-class mail, postage prepaid, upon  
Robert C. Rayman, Esquire, Attorney for Plaintiff,  
111 Sowers Street, Suite 600, State College, PA 16801.  
Said Answer to Complaint and New Matter was  
mailed this 19th day of June, 1990. /s/ James A.  
Naddeo, Esq.

JULY 13, 1990, ANSWER TO NEW MATTER, filed by  
Robert C. Rayman, Esq,  
CERTIFICATE OF SERVICE, filed  
AND NOW, this 12th day of July, 1990, I, Robert C.  
Rayman, hereby certify that I have, this date, served  
a copy of the foregoing Answer to New Matter, by  
causeing same to be mailed by US Mail, postage prepaid,  
addressed to the following: James A. Naddeo, ESq  
Belin, Belin & Naddeo, 15 North Front St, PO Box  
1, Clearfield, PA 16830. /s/ Robert C. Rayman, Esq.

Pro	by Atty	40.00
Shff	by Atty	23.20
sur-		
charge	by Atty	2.00
Pro	by atty	30.00
Pro	by atty	9.00

FEBRUARY 25, 1992, PRAECIPE TO THE TRIAL LIST,  
filed  
Please have the above-capitoned matter listed  
on the next available trial list. /s/ Robert C.  
Rayman, Esq.

APRIL 16, 1992, ORDER, filed NO CERT COPIES  
NOW, this 15th day of April, 1992, following  
pre-trial conference in the above-captioned matter,  
it is the ORDER Of the Court that a non-ury trial  
will be held Thursday, July 23 and Friday, July  
24, 1992 at 10:00 AM. BY THE COURT: JOseph S.  
Ammerman, Judge.

JULY 29, 1992, ORDER, filed 4 cert/Atty  
NOW, July 23, 1992, the Court having heard testimony in the above non-jury trial, it is  
the ORDER of the Court that counsel submit briefs, along with proposed Findings of Fact and  
Conclusions of Law, to be submitted to the Court within Twenty (20) days from today, on or  
before Four o'clock (4:00) PM on August 12, 1992. Any replies on the part of either counsel  
should be submitted within Five (5) Days thereafter. BY THE COURT: Joseph S. Ammerman, Judge

JULY 23, 1992, STIPULATION OF COUNSEL, filed

SEPTEMBER 21, 1992, TRANSCRIPT OF PROCEEDINGS NON-JURY TRIAL, filed in Trans Dr. "P"

SEPTEMBER 21, 1992, EXHIBITS, filed in Trans Dr. "P"

MAY 21, 1993, ORDER, filed 2 cert/Judge "A"  
NOW, this 21st day of May, 1993, following a non-jury trial held in the above-captioned  
matter, the Court having considered the Briefs, arguments and evidence presented and being  
of the opinion that Defendant, Pharm-Assist, Inc, did not engage in any freeze out maneouvers  
in derogation of the minority shareholder rights of Plaintiff, Mark E. Bishop, the Court  
finds in favor of Defendant and denies the relief requested by Plaitniff. BY THE COURT:  
Joseph S. Ammerman, Judge.

JUNE 9, 1993, POST-TRIAL MOTIONS, filed by Robert C. Rayman, Esq.  
ORDER, filed  
AND NOW, this 7th day of June, 1993, after review of the attached Post-Trial Motins  
the Court hereby ORDERES a hearing on this matter to be ehld the 22nd day of June, 1993,  
at 2:00 PM in Courtroom NO. of the Clearfield County Courthouse, Clearfield, Pennsylvania.  
BY THE COURT: Joseph S. Ammerman, Judge.

AUGUST 16, 1993, OPINION AND ORDER, filed 3 cert/Atty  
NOW, this 16th day of August, 1993, upon consideration of Plaintiff's Post-Trial Motions  
and the arguments of counsel, the Court finding no reason to disturb its previous Order dated  
May 21, 1993, it is the ORDER of the Court that Plaintiff's motions are DENIED. BY THE COURT:  
Joseph S. Ammerman, Judge.

SEPTEMBER 14, 1993, NOTICE OF APPEAL, filed by Robert C. Rayman, Esq. 1 cert/Superior Ct.  
CERTIFICATE OF SERVICE, filed  
September 14, 1993, NOTICE OF APPEAL SERVED TO: The Hon Joseph S. Ammerman;  
James A. Naddeo, Esq; Virginia M. Evanko CA, Cathy J. Warrick, Court Reporter. s/ Robert  
C. Rayman, Esq.

SEPTEMBER 24, 1993, SUPERIOR COURT DOCKET #0148PGH93, filed

OCTOBER 13, 1993, Pa R.A.P. RULE 1925 ORDER, filed  
Now, this 13th day of October, 1993, in conformance with Pa. R.A.P. Rule 1925, the reasons  
for the Final Order are set forth in the Court's Opinion and Order dated August 16, 1993.  
This Order is being submitted over the signature of the Presiding Judge in light of  
Judge Ammerman's retirement. BY THE COURT: John K. Reilly, Jr., P.J.



OCTOBER 15, 1993, ALL PAPERS MAILED TO SUPERIOR COURT. /s/ arf.

OCTOBER 18, 1993, FINAL DECREE IN EQUITY, filed  
AND NOW, this 18th day of October, 1993, the Plaintiff's Post Trial Motions having been denied, the relief requested by the Plaintiff is denied. BY THE COURT: John K. Reilly, Jr. P.J.

CERTIFICATE OF SERVICE, filed  
October 13, 1993, FINAL DECREE IN EQUITY SERVED TO: James A. Naddeo, ESq.  
/s/ Robert C. Rayman, Esq.

OCTOBER 18, 1993, PRAECIPE TO ENTER JUDGMENT, filed  
Please enter judgment in favor of the Defendant and against the Plaintiff in the above-captioned matter according to the Opinion and Decree of the Court.  
/s/ Robert C. Rayman, Esq.

Judgment is entered in favor of the Defendant and against the Plaintiffs per Court

Order dated October 18, 1993.

JUDGMENT PER COURT ORDER.



Prothonotary

OCTOBER 19, 1993, NOTICE OF JUDGMENT MAILED TO PLFF.\*

OCTOBER 18, 1993, SENDERS RECEIPT, filed

OCTOBER 22, 1993, RETURN RECEIPT, filed

JUNE 22, 1994, JUDGMENT FR. SUPERIOR COURT, filed  
ON CONSIDERATION WHEREOF, it is now here ordered and adjudged by this Court that the Judgment of the Court of Common Pleas of Clearfield County be and the same is hereby affirmed. BY THE COURT: Eleanor R. Valacho, Prothy

JUNE 22, 1994 ALL PAPERS FILED IN REGULAR FILE. /s/ arf.



James A.  
Naddeo

ANTHONY DiCICCO

\$500.00 bond  
pd by Atty  
CK# 8316

Pd \$500.00  
6/15/90  
by Ck#1  
to James Naddeo

90-5-EQU

LEON A. ZELENSKY and  
DARLENE M. ZELENSKY,  
husband and wife

Pro	by Atty	40.00
Shff	by Atty	26.40
sur-		
charge	by Atty	4.00

MAY 22, 1990, COMPLAINT IN EQUITY, filed by James A. Naddeo, Esq.  
2 cert/Atty

MAY 22, 1990, MOTION FOR PRELIMINARY INJUNCTION AND ORDER, filed by James A. Naddeo, Esq. 2 cert/Atty

AND NOW, this 22nd day of May, 1990, upon consideration of Plaintiff's verified Motion for Preliminary Injunction, Plaintiff's verified Complaint in Equity and the Affidavit of Nelson Bickle, an owner of property in the immediate vicinity of the premises in which Plaintiff retains life estate, and appearing to the Court that immediate, irreparable harm will be sustained by Plaintiff before a hearing can be held on Plaintiff's Motion for Preliminary Injunction in that before such hearing can be held, Defendants have exhibited, by their conduct, interference with Plaintiff's use of the premises located in Allport, Morris Township, Clearfield County, PA, so as to deny Plaintiff a means of shelter and personal hygiene, it is ORDERED that upon Plaintiff's posting a security with the Clearfield County Prothonotary in the sum of \$500.00, the Defendants, their agents, servants, employees or licensees, acting individually and/or in concert, are enjoined from:

(a) Interfering with Plaintiff, his agents, servants, employees or licensees in the occupancy and use of the premises located in Allport, Morris Township, Clearfield County, Pennsylvania, more particularly described in a certain deed dated August 23, 1989, and recorded in Clearfield County Deed Book Volume 1301, page 56;

(b) Any further destruction of the plants, trees, or other vegetation located on the premises described in paragraph (a) hereof; and

(c) Any further destruction of the improvements located upon the premises described in Paragraph (a) hereof.

It is the FURTHER ORDER of this Court that Pursuant to PA R.C.P. 1531(d), a hearing pertinent to the continuance of this Preliminary Injunction will be held on May 25, 1990, at 1:30 PM at the Clearfield County Courthouse, Clearfield, Pennsylvania; and

FURTHER, a Rule is hereby entered upon the Defendants to show cause, at the above date and time, why this Preliminary Injunction should not be continued. BY THE COURT: John K. Reilly, Jr., P.J.

MAY 22, 1990, NOTICE OF PRELIMINARY HEARING, filed by James A. Naddeo, Esq. 2 cert/Atty

MAY 25, 1990, ORDER, filed NO COPIES

NOW, this 25th day of May, 1990, this being the day and date set for hearing into the above-captioned Petition for Preliminary Injunction, upon agreement of the parties, the Court having made no findings of fact with regards to the allegations of the Complaint herein, it is the ORDER of this Court that said injunction be and is hereby continued until further Order of Court and the bond in the amount of \$500.00 released and returned to the party who supplied the same. BY THE COURT: John K. Reilly, Jr., P.J.

MAY 31, 1990, SHERIFF RETURN, filed

NOW, May 22, 1990 at 5:52 PM DST served the within Complaint, Motion & Order and Notice on Leon A. Zelensky, deft at residence, Allport, Clearfield County, PA. by handing to Leon A. Zelensky.

NOW, May 22, 1990 at 7:47 PM DST served the within Complaint, Motion & Order and Notice on Darlene M. Zelensky, deft at residence, Allport, Clearfield County, PA by handing to Darlene M. Zelensky. /s/ Chester A. Hawkins, Shff, by Marilyn Hamm

JULY 20, 1990, ANSWER AND COUNTERCLAIM, filed by John Sughrue, Esq.

CERTIFICATE OF SERVICE, filed

AND NOW, I do hereby certify that on the 20th day of July, 1990, I caused to be served a true and correct copy of Defendants' Answer and Counterclaim on the following and in the manner indicated below: BY US MAIL, FIRST CLASS POSTAGE PREPAID, James A. Naddeo, Esq Po Box 1, Clearfield, PA 16830. /s/ John Sughrue, Esq.

OCTOBER 8, 1990, ANSWER TO COUNTERCLAIM, filed James A. Naddeo, Esq. 1 cert/Atty



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William C.  
Kriner

HARRY N. HALEY

MAY 24, 1990, COMPLAINT, filed by William C. Kriner,  
Esq. 3 cert/Atty

JUNE 18, 1990, PRELIMINARY OBJECTIONS, filed by  
Laurance B. Seaman, Esq.

CERTIFICATE OF SERVICE, filed

I hereby certify that I mailed by regular US mail  
on the 18th day of June, 1990, a true and correct  
copy of the original Preliminary Objections to:  
William C. Kriner, Esq, KRINER, KOERBER & KIRK, PO  
Box 1320, Clearfield, AP 16830. /s/ Laurance B.  
Seaman, Esq.

90-6-EQU

DECEMBER 14, 1990, MEMORANDUM AND ORDER, filed  
NOW, this 12th day of December, 1990, following  
argument, it is the ORDER of this Court that Complaint  
in Equity filed to the above-captioned matter be and is  
hereby dismissed on the basis of laches. BY THE COURT:  
John K. Reilly, Jr., P.J.

RUTH M. HALEY

Pro by Atty

40.00



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James A.  
Naddeo

RICHARD N. HOUSER  
Administrator of the ESTATE  
OF MARYBETH HOUSER,

MAY 29, 1990, COMPLAINT, filed by James A. Naddeo, Esq.  
1 cert/Atty

JULY 3, 1990, SHERIFF RETURN, filed  
NOW, May 30, 1990, Eugene L. Coon, Shff of  
Allegheny County was deputized by Chester A. Hawkins,  
Shff. of Clearfield County to serve the within  
Complaint on The Aetna Casualty & Surety Co., deft.  
NOW, June 15, 1990 served the within Complaint  
on The Aetna Casualty & Surety Co., defendant by  
deputizing the Sheriff of Allegheny County. The  
return of Shff Coon is hereto attached and made  
a part of this return stating that he served William  
Geppert, Asst. Mgr. /s/ Chester A. Hawkins, Shff  
by Marilyn Hamm.

90-8-EQU

JULY 23, 1990, PRAECIPE, filed  
Please enter judgment by default against the  
Defendant in the above-captioned action for failure  
to file a responsive pleading to the Complaint served  
upon it by the Allegheny County Sheriff's Department  
on June 15, 1990, within twenty (20) Days from the date  
of service. Judgment to be entered against the  
Defendant. /s/ James A. Naddeo, Esq.

Judgment is entered in favor of the Plaintiffs and  
against the Defendants for failure to file an Answer  
DEFAULT JUDGMENT

*Allen D. Dietz*  
Prothonotary

JULY 27, 1990, NOTICE OF DEFAULT JUDGMENT MAILED TO  
DEFT. /s/ ab

AUGUST 29, 1990, PRAECIPE, filed  
Please mark the above-captioned case settled  
and discontinued with prejudice upon payment of costs  
of Defendant. /s/ James A. Naddeo, Esq.

SETTLED AND DISCONTINUED WITH PREJUDICE

Pro	by Atty	40.00
Shff	by Atty	21.00
sur-		
charge	by Atty	2.00
Notary	by Atty	2.00
Shff		
Coon	by Atty	21.00
Pro	by Atty	9.00
Pro	by Atty	5.00

THE AETNA CASUALTY AND  
SURETY COMPANY



CONT. TO PG 320 DUTTRY VS. DUTTRY 90-3-EQU

JUNE 10, 1992, OBJECTIONS TO MOTION TO CONFIRM SALE AND MOTION REQUESTING THAT MASTER'S PARTITION BE VACATED AND RESALE ORDERED, filed by Toni M. Cherry, Esq.

APRIL 22, 1993, MASTER'S FEES AND COSTS, filed by John A. Sobel IV, Esq.

JULY 16, 1993, PRAECIPE TO SETTLED AND DISCONTINUED, filed  
Please mark the above captioned case settled and discontinued upon payment of costs. /s/ James A. Naddeo, Esq.

SETTLED                      AND                      DISCONTINUED



Lynn Fisher Hill	NATIONWIDE MUTUAL INSURANCE COMPANY	JUNE 14, 1990, CASE TRANSFERRED FROM ALLEGHENY COUNTY TO CLEARFIELD COUNTY, COMPLAINT IN EQUITY (GD90-2086), filed by Lynn Fisher Hill, Esq.
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90-9-EQU

MATTHEW R. HOPKINS, EDWARD L. HOPKINS, JANET I. HOPKINS, THE PENN TRAFFIC COMPANY, MICHAEL GARY SCHUCKERS, DR. RAJANI PATHAK, I. DORTHEA PATHAK, RHONDA SUE SNYDER, Also known as RHONDA SUE ANTHONY, DOROTHY SNYDER, ALBERT SNYDER, RAYMOND ANTHONY, and ABC CORPORATION, a fictitious Corporation.

Pro            by Atty            40.00



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Anthony S. Guido

TAXPAYERS OF THE TOWNSHIP OF SANDY

JUNE 22, 1990, COMPLAINT IN EQUITY, filed by Anthony S. Guido, Esq 2 cert/Shff

JULY 18, 1990, SHERIFF'S RETURN, filed.

Now, July 6, 1990 at 1):14 A.M. DST served within Complaint in Equity on John D. Sheets, Person in charge of Sandy Twp Supervisors, defts, at his place of employment.

Now, July 6, 1990 at 10:15 A.M. DST served within Complaint in Equity on Ronald Rich, person in charge of The Township of Sandy, deft, at his place of employment. So answers, Chester A. Hawkins, shff by s/ Darlene Shultz

90-10-EQU

JULY 26, 1990, ANSWER, filed by R. Edward Ferraro, Esq. 3 cert/Atty

AUGUST 7, 1990, REPLY TO NEW MATTER, filed by S/ANTHONY S. GUIDO, ESQ.

JANUARY 29, 1991, MOTION FOR CERTIFICATION OF CLASS ACTION, filed by Anthony S. Guido, Esq. 1 cert/Att ORDER, filed

AND NOW, this 29th day of Janaury, 1991, upon consideration of the foregoing Motion, hearing is scheduled on said Motion for the 22nd day of March, 1991, at 9:30 AM. BY THE COURT: John K. Reilly, Jr., P.J.

APRIL 17, 1991, DEFENDANTS' MOTION FOR JUDGMENT OF THE PLEADINGS, filed by R. Edward Ferraro, Esq.

APRIL 30, 1991, AFFIDAVIT OF RON RICH, TOWNSHIP ADMINISTRATOR IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT, filed by Ron Rich, Twp Supervisor

CERTIFICATE OF SERVICE, filed

I hereby certify that a true and correct ocpy of Affidavit on Ron Rich, Township Administrator in Support of Motion for Summary Judgmetn was delivered by US First Class Mail, postage prepaid to the following persons on thsi 26th day of April, 1991; Anthong S. Guido, Esq and R. Edward Ferraro, Esq. /s/ Carol A. Thomas.

MAY 14, 1991, MEMORANDUM AND ORDER, filed

NOW, this 14th day of May, 1991, upon consideration of Preliminary Objections filed on behalf of Defendant above-named, and argumetn and briefs thereon, it is the ORDER of this Court that said Objections be and are hereby granted to the extent that the above-captioned matter shall ve and is hereby certified to the law side of Court for further proceedings. BY THE COURT: /s/ John K. Reilly, Jr., P.J.

MAY 20, 1991, DEFENDANTS' MOTION FOR A DETERMINATION OF CLASS CERTIFICATION ISSUE AS A MATTER OF LAW, filed by George L. Cass, Esq. CERTIFICATE OF SERVICE, filed.

I hereby certify that a true and correct copy of the foregoing Defendants' Motion for a Determination of Class Certification Issue as a Matter of Law was furnished to the persons listed below by U.S. first-class mail, postage prepaid on May 17, 1991:

- 1) ANTHONY S. GUIDO, ATTORNEY AT LAW, 996 BEAVER DRIVE, DU BOIS, PA. 15801
- 2) R. EDWARD FERRARO, ESQ., 690 MAIN ST., BROCKWAY, PA. 15824
- 3) TONI M. CHERRY, ESQ., CITY SOLICITOR, CITY OF DU BOIS, P.O. BOX 408, DU BOIS, PA. 15801 s/JOAN TULLY

MAY 20, 1991, MEMORANDUM OF SANDY TOWNSHIP IN OPPOSITION TO MEOTION FOR CERTIFICATION OF CLASS ACTION AND IN SUPPORT OF DEFENDANTS' MOTION FOR A DETERMINATION OF CLASS CERTIFICATION AS A MATTER OF LAW, filed by George L. Cass, Esq.

CERTIFICATE OF SERVICE, filed.

I hereby certify that a true and correct copy of the foregoing Memorandum of Sandy Township in Opposition to Motion for Certification of Class Action and in Support of Defendant's Motion for a Determination of CLass Certification Issue as a Matter of Law was furnished to the persons listed below by U.S. first-class mail, postage prepaid on May 17, 1991.

- 1) ANTHONY S. GUIDO, ATTORNEY AT LAW, 996 BEAVER DRIVE, DU BOIS, PA. 15801
- 2) R. EDWARD RERRARO, ESQ., 690 MAIN ST., BROCKWAY, PA. 15824
- 3) TONI M. CHERRY, ESQ., CITY SOLICITOR, CITY OF DU BOIS, P.O. BOX 408, DU BOIS, PA. 15801 s/JOAN TULLY

MAY 20, 1991, DEFENDANTS' MOTION TO AMEND CAPTION, filed by George L. Cass, Esq.

CERTIFICATE OF SERVICE, filed.

I hereby certify that a true and correct copy of the foregoing Defendants' Motion to Amend Caption was hurnished to the persons listed below by U.S. first-class mail, postage prepaid on May 17, 1991:

- 1) ANTHONY S. GUIDO, ATTORNEY AT LAW, 996 BEAVER DRIVE, DU BOIS, PA. 15801
- 2) R. EDWARD RERRARO, ESQ., 690 MAIN ST., BROCKWAY, PA. 15824
- 3) TONI M. CHERRY, ESQ., CITY SOLICITOR, CITY OF DU BOIS, P.O. BOX 408, DU B OIS, PA. 15801 s/JOAN TULLY



AUGUST 27, 1991, ORDER, filed

NOW, this 23rd day of August, 1991, following argument and briefs, it is the ORDER of this Court that Motion for Certification as a Class Action filed on behalf of Plaintiff above-named be and is hereby denied. BY THE COURT: John K. Reilly, Jr., P.J.

JANUARY 15, 1992, PLAINTIFFS' MOTION FOR PARTIAL SUMMARY JUDGMENT, filed by Anthony S. Guido, Esq.

ORDER, filed

AND NOW, this 13th day of January, 1992, upon consideration of the foregoing Motion, Argument is scheduled on said Motion for the 6th day of February, 1992, at 1:30 PM. BY THE COURT: John K. Reilly, Jr., P.J.

JANUARY 15, 1992, CERTIFICATE OF SERVICE, filed

I hereby certify that on this 9th dya of January, 1992, I forwarded a true and correct copy of Plaintiff's Motion for Partial Summary Judgment, and Brief on Behalf of Plaintiff, filed in the above case to R. Edward Ferraro, Esq, and George L. Cass, Esq. Attorneys for Defendants. /s/ Anthony S. Guido, Esq.

JANUARY 31, 1992, AFFIDAVIT OF RON RICH, TOWNSHIP ADMINISTRATOR IN OPPOSITION TO PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT, filed by R. Edward Ferraro, Esq on behalf of Defts.

CERTIFICATE OF SERVICE, filed

I hereby certify that a true and correct copy of Affidavit on Ron Rich, Township Administrator in Opposition to Plaintiff's Motion for Summary Judgment was delivered by US first Class mail, postage prepaid, to the following persons on this 30th day of January, 1992: Anthony S. Guido, Esq and R. Edward Ferraro, Esq. /s/ Philip Javeis

JULY 13, 1992, OPINION AND ORDER, filed

NOW, this 8th day of July, 1992, it is the ORDER Of this Court that the Motion for Partial Summary Judgment filed by the Plaintiffs be and is hereby granted. BY THE COURT: John K. Reilly, Jr, P.J.

Partial Judgment is entered in favor of the Plaintiff and against the Defendants per Court Order dated July 8, 1992.

PARTIAL SUMMARY JUDGMENT

*Allen D. Biez*

Prothonotary

JULY 14, 1992, NOTICE OF PARTIAL SUMMARY JUDGMENT MAILED TO DEFT. ATTY. /s/ arb.

JULY 30, 1992, NOTICE OF APPEAL, filed by George L. Cass, Esq. 1 cert/Comwth Court.

PROOF OF SERVICE, filed

I hereby certify that on this 27th day of July, 1992, I mailed a true copy of the foregoing Notice of Appeal by First class US mail, postage prepaid to the following persons: Anthony S. Guido, Esq; The Honorable John K. Reilly, Jr; Official Court Reporter; Mrs. Virginia Evanko, CA. /s/ Carol A. Thomas

AUGUST 4, 1992, COMMONWEALTH COURT NUMBER 1614 CD 1992, filed

AUGUST 10, 1992, CROSS NOTICE OF APPEAL, filed by Anthony S. Guido, Esq.

PROOF OF SERVICE, filed

August 7, 1992, CROSS NOTICE OF APPEAL SERVED TO: Hon. John K. Reilly, Jr, Pres Judge and George L. Cass, Esq. /s/ Anthony S. Guido, Esq.

AUGUST 24, 1992, ORDER, COMMONWEALTH COURT, filed

NOW, August 19, 1992, it appearing the trial court's order which appellant at No. 1733 C.D. 1992 is seeking to appeal was entered August 27, 1991, that the notice of appeal was filed Augsut 11, 1992, it is ordered that the appeal at No. 1733 C.D. 1992 is hereby dismissed as untimely filed. BY THE COURT: David W. Craig, PJ

SEPTEMBER 1, 1992, ALL PAPERS MAILED TO COMWTH COURT. /s/ arb.

SEPTEMBER 3, 1992, SENDER'S RECEIPT, filed

SEPTEMBER 9, 1992, RETURN RECEIPT, filed

MAY 26, 1993, ORDER FROM COMMONWEALTH COURT, filed

AND NOW, this 25th day of May, 1993, the order of the Court of common Pleas of Clearfield County in the above-captioned matter is affirmed. s// James Gardner Colins, Judge.

JULY 28, 1993 ALL PAPERS RECEIVED FROM COMWTH COURT AND FILE IN REGULAR FILE. /s/ arf.

NOVEMBER 14, 1996, PRAECIPE, filed by Anthony S. Guido, Esquire.

Mark the Above case settled and discontinued. /s/ Anthony S. Guido, Esquire

SETTLED AND DISCONTINUED



Anthony S. Guido	<del>TAXPAYERS OF THE CITY OF DUBOIS</del> PENN TRAFFIC COMPANY, J.A. KOHLHEPP SONS, INC, OSBURN BUICK PONTIAC GMC TRUCK, INC and ANTHONY S. GUIDO	JUNE 28, 1990, COMPLAINT IN EQUITY, filed by Anthony S. Guido, Esq. 2 cert/Shff AUGUST 24, 1990, DEFENDANT'S PRELIMINARY OBJECTIONS TO PLAINTIFFS' COMPLAINT, filed by Toni M. Cherry, Esq. 2 cert/Atty AUGUST 27, 1990, ACCEPTANCE OF SERVICE, filed I, the undersigned, Attorney for Defendant, CITY OF DUBOIS, do hereby accept service of a certified copy of the Complaint filed on behalf of the Plaintiffs in the above-captioned case, this 13th day of July, 1990. /s/ Toni M. Cherry, Esq. JANUARY 29, 1991, MOTION FOR CERTIFICATION OF CLASS ACTION, filed by Anthony S. Guido, Esq, 1 cert/Atty ORDER, filed AND NOW, this 29th day of January, 1991, upon consideration of the foregoing Motion, hearing is scheduled on said Motion for the 22nd day of March 1991, at 9:30 AM. BY THE COURT: John K. Reilly, Jr., P.J. APRIL 2, 1991, DEFENDANTS'S OBJECTIONS TO PLAINTIFFS' FIRST REQUEST FOR PRODUCTION OF DOCUMENTS AND TANGIBLE THINGS, filed by Toni M. Cherry, Esq. MAY 14, 1991, MEMORANDUM AND ORDER, filed NOW, this 14th day of May, 1991, upon consideration of Preliminary Objections field on behalf of Defendant above-named, and argument and briefs thereon, it is the ORDER Of this Court that said Objections be and hereby granted to the extent that the above-captioned matter shall be and is hereby certified to the law side of Court for further proceedings. BY THE COURT: /s/ John K. Reilly, Jr., P.J. AUGUST 5, 1991, DEFENDANT'S MOTINO FOR A DETERMIN- ATION OF CLASS CERTIFICATION ISSUE AS A MATTER OF LAW, filed by Toni M. Cherry, Esq. CERTIFICATE OF SERVICE, filed I hereby certify that a true and correct copy of teh foregoing Defendant's Motion for Determination of Class Certification Issue as a Matter of Law was furnished to the following persons by mailing the same to them at the addresses listed below by depositing the same in the US Post Office, First class Mail, postage prepaid on August 5, 1991: Anthony S. Guido, Es, George L. Cass, Esq, BUCHANAN INGERSOLL, 600 Grant St / 58th Fl, Pittsburgh, PA 15219, Mrs. Virginia Evanko, CA. /s/ Toni M. Cherry, Esq. AUGUST 5, 1991, DEFENDANT'S MOTION TO AMEND CAPTION, filed by Toni M. Cherry, Esq. CERTIFICATE OF SERVICE, filed I hereby certify that a true and correct copy of the foregoing Defendant's Motion to Amend Caption was furnished to the Following persons by mailing the same to them at the addresses listed below by depositing the same in teh US Post Office, First Class Mail, postage prepaid on August 5, 1991: Anthony S. Guido, ESq, George L. Cass, Esq, and Mrs. Virginia Evanko, CA. /s/ Toni M. Cherry, Esq. AUGUST 5, 1991, ANSWER AND NEW MATTER, filed by Toni M. Cherry, Esq. AUGUST 27, 1991, ORDER, filed NOW, this 23rd day of August, 1991, following argument and briefs, it is the ORDER of this Court that Motion for Certification as a Class Action filed on behalf of Plaintiff above-named be and is hereby denied. BY THE COURT: John K. Reilly, Jr., P.J. JANUARY 15, 1992, REPLY TO NEW MATTER, filed by Anthony S. Guido, Esq. JANUARY 15, 1992, AMENDED COMPLAINT, filed by Anthony S. Guido, Esq. JANUARY 15, 1992, CERTIFICATE OF SERVICE, filed I hereby certify that on this 14th day of January, 1992, I forwarded a true and correct copy of Amended Complaint, Plaintiff's Motin for Partial Summary Judgment, Brief on Behalf of Plaintiff, and Reply to New Matter filed in the above case to Toni M. Cherry, Esq, Attorney for Defendant. /s/ Anthony S. Guido, Esq. FEBRUARY 10, 1992, AFFIDAVIT OF PATRICK A. NUZZO, MANAGER FOR THE CITY OF DUBOIS IN OPPOSITION TO PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT, filed by Paula M. Cherry, Esq. FEBRUARY 13, 1992, ANSWER TO AMENDED COMPLAINT AND NEW MATTER, filed by Toni M. Cherry, Esq. 4 cert/Atty JULY 7, 1992, PLAINTIFFS' MOTION FOR PARTIAL SUMMARY JUDGMENT, filed by Anthony S. Guido, Esq. JULY 13, 1992, OPINION AND ORDER, filed NOW, this 8th day of July, 1992, it is the ORDER of this Court that the Motion for Partial Summary Judgment filed by the Plaintiffs be and is hereby granted. BY THE COURT: John K. Reilly, Jr., P.J. Partial Summary Judgment is entered in favor of the Plaintiff and against the Defendant per Court Order dated July 8, 1992. PARTIAL SUMMARY JUDGMENT JULY 14, 1992, NOTICE OF PARTIAL SUMMARY JUDGMENT MAILED TO DEFT. ATTY. /s/ arb. CONTINUED TO PAGE 336
	90-11-EQU	
Toni M. Cherry	CITY OF DUBOIS	
	Pro by Atty 40.00 <i>Pro By Atty 9.00</i> Pro by Atty 30.00 Pro by atty 5.00 84.00	



JULY 20, 1992, DEFENDANT'S PETITION FOR RECONSIDERATION OF ORDER OF JULY 8, 1992,  
filed by Toni M. Cherry, Esq. 5 cert/Atty

AUGUST 20, 1992, NOTICE OF APPEAL, filed by Toni M. Cherry, Esq. 1 cert/Superior Court.

CERTIFICATE OF SERVICE, filed  
I hereby certify that I am this 4th day of August, 1992, serving copies of the foregoing Notice of Appeal, Docket Entries and this Proof of Service upon the following persons by US First Class Mail, Postage Prepaid, addressed to the following: Anthony S. Guido, Esq; The Honorable John K. Reilly, Jr; Ms. Diane Cheattle; G. Ronald Darlington.  
I under that any false statemetns herein is made subject to the penalties of 18 Pa. Cons. Stat. Section 4904 (relating to unsworn falsification to authorities).  
/s/ Toni M. Cherry, Esq.

AUGUST 10, 1992, COMMONWEALTH COURT DOCKET NUMBER 1665 CD 1992, filed

AUGUST 18, 1992, CROSS NOTICE OF APPEAL, filed by Anthony S. Guido, Esq.  
PROOF OF SERVICE, filed  
August 17, 1992, CROSS NOTICE OF APPEAL SERVED TO: Hon John K. Reilly, Jr and Toni M. Cherry, Esq. /s/ Anthony S. Guido, ESq.

AUGUST 19, 1992, REPLY TO NEW MATTER, filed by Anthony S. Guido, Esq.

SEPTEMBER 11, 1992, ORDER FROM COMMONWEALTH COURT, filed  
NOW, September 8, 1992, upon consideration of the appellant's notice of appeal seeking to appeal an August 23, 1991 order denying class action, and it appearing "orders denying class action status possess sufficiently practical aspects of finality to make them appealable," Bell V. Beneficial Consumer Discount Compnay, 465 PA 225 348 A.2d 734, 736 (1975), and it further appearing that the notice of appeal was untimely filed, the notice of appeal is dismissed. /s/ C. R. Hostutler, Deputy Prothy, Chief Clerk.

SEPTEMBER 21, 1992, TRANSCRIPT OF HEARING, filed in Trans Dr. "D"

SEPTEMBER 23, 1992, ALL PAPERS MAILED TO COMWTH COURT. /s/ arb.

SEPTEMBER 24, 1992, SENDER'S RECEIPT, filed

SEPTEMBER 28, 1992, RETURN RECEIPT, filed

MAY 26, 1993, ORDER FROM COMMONWEALTH COURT filed  
AND NOW, this 25th day of May, 1993, the order of the Court of Common Pleas of Clearfield County in the above-captioned matter is affirmed. /s/ James Gardner Colins, Judge.

DECEMBER 28, 1993, ORDER FR. COMWTH COURT, filed  
NOW, July 22, 1993, having considered appellant's application for reargument, the applicaiton is denied. BY THE COURT: David W. Graig, P.J.

DECEMBER 28, 1993, SUPREME COURT OF PA, WESTERN DISTRICT, filed  
Petition denied 11/19/93 Judgemnt entered 11/30/93.

DECEMBER 28, 1993, ALL PAPERS RECEIVED FROM COMWTH COURT FILED IN REG CASE FILE.  
/s/ arf.

MAY 06, 1996, PRAECIPE, filed. NO CERT COPIES  
Mark the above case settled and discontinued.  
s/ANTHONY S. GUIDO, ESQ.

SETTLED AND DISCONTINUED



Stanley R. Geary	OHTO M. OTTE and IRENE OTTE and CLARENCE KUBRICK and CHARMAINE KUBRICK	JULY 2, 1990, NOTICE OF APPEAL, STATUTORY APPEAL, filed by Stanley R. Geary, Esq. 1 cert/Atty
		AUGUST 6, 1990, MOTION FOR RESCHEDULING OF HEARING, filed by S/STANLEY R. GEARY, ESQ.
		PROOF OF SERVICE I hereby certify that I am this day serving a copy of the foregoing Motion For Rescheduling of Hearing upon the persons and in the manner indicated below, which service satisfies the requirements of the Pennsylvania Rules of Civil Procedure.
	90-12-EQU	Service by first class mail addressed as follows: BARBARA H. SCHICKILING, ATTORNEY AT LAW, 23 NORTH SECONDS ST., CLEARFIELD, PA 16830 (Covington Township Solicitor) S/STANLEY R. GEARY, ESQ. 8/2/90
		OCTOBER 24, 1990, ORDER, filed NOW, this 22nd day of October, 1990, following hearing and upon agreement thereafter, it is the ORDER of this Court that brief on behalf of Appellant be and is hereby due within Ten (10) Days from this date, and Appellee's brief due Ten (10) Days thereafter.
	COVINGTON TOWNSHIP ROAD SUPERVISORS	BY THE COURT, S/JOHN K. REILLY, JR., PRESIDENT JUDGE
		NOVEMBER 27, 1990, APPELLANTS' REPLY TO APPELLEES' POST TRIAL BRIEF, filed by Stanley R. Geary, Esq.
		PROOF OF SERVICE, filed I hereby certify that I am this day serving a copy of the foregoing Appellants' Reply to Appellees' Post Trial Brief upon the persons and in the manner indicated below, which service satisfies the requirements of the PA Rules of Civil Procedure. Service by First Class US Mail addressed as follows: Barbara H. Schickling, Atty of Law, 23 N 2nd St, Clearfield, PA 16830. /s/ Stanley R. Geary, Esq.
	Pro by Atty 40.00 Pro by Atty 30.00 Pro by Atty 30.00	MARCH 11, 1991, TRANSCRIPT OF PROCEEDINGS APPEAL HEARING, filed
		MARCH 20, 1991, TRANSCRIPT OF PROCEEDINGS APPEAL HEARING, filed in Trans Dr. "C" (Plaintiff Exhibits)
		APRIL 4, 1991, ORDER, filed NOW, this 4th day of April, 1991, following hearing, it is the ORDER of this Court that judgment in the above-captioned matter be and is hereby entered in favor of Defendant and against Plaintiffs in accordance with opinion to be entered in <u>Quehanna-Covington-Karthaus Area Authority, et al. v. Sandy Creek Forest, Inc, et al.</u> , No. 85-19-EQU. BY THE COURT: John K. Reilly, Jr., P.J.
		APRIL 18, 1991, NOTICE OF APPEAL, filed by Stanley R. Geary, ESq. 1 cert/Comwth Ct
		APRIL 18, 1991, NOTICE OF APPEAL, filed by Stanley R. Geary, Esq. 1 cert/Comwth Ct
		MAY 1, 1991, COMWTH COURT # 921 CD 1991, filed
		MAY 1, 1991, COMWTH COURT # 920 CD 1991, filed
		JULY 22, 1991 ALL PAPERS MAILED TO COMMTH COURT. /s/ arb
		JULY 22, 1991, SENDERS RECEIPT, P 373 571 445, filed
		JULY 24, 1991, RETURN RECEIPT, filed
		AUGUST 4, 1992, ORDER, filed
		AND NOW, this 29th day of July, 1992, the order of the Court of Common Pleas of Clearfield County, dated April 4, 1991, is reversed. We direct that the Covington Township Road Supervisors issue on-lot sewage treatment system permits for lots 49, 50 and 53 of the Sandy Creek Forest Development. /s/ Rochelle S. Friedman, Judge.
		NOVEMBER 21, 1994, JUDGMENT FROM SUPREME COURT, filed ON CONSIDERATION WHEREOF, it is now here ordered and adjudged by this Court that the judgment of the COMMONWEALTH COURT OF PENNSYLVANIA be, and the same is, hereby affirmed. /s/ Irma T. Gardner, Deputy Prothonotary
		DECEMBER 8, 1994, JUDGMENT FROM SUPREME COURT, filed ON CONSIDERATION WHEREOF, it is now here ordered and adjudged by this Court that the judgment of the COMMONWEALTH COURT OF PENNSYLVANIA be, and the same is hereby affirmed. /s/ Irma T. Gardner, Deputy Prothonotary.
		DECEMBER 8, 1994, ALL PAPERS RETURNED FROM SUPREME COURT, FILED IN REGULAR FILE. /s/ arf.











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William C.  
Kriner, Esq.

JAMES L. BLOOM and  
HELEN L. BLOOM,

JULY 17,1990, COMPLAINT IN EQUITY, filed by William  
C. Kriner, Esq. 2 cert/Shff 1 cert/Atty

MAY 21, 1990, SHERIFF RETURN, filed  
NOW, May 1, 1990 at 4:11 PM DST served the  
within Complaint on Thomas L. Cook, deft at residence,  
Star Route, Madera, Clearfield County, PA by handing  
to Thomas L. Cook.

NOW, May 1, 1990 at 4:11 PM DST served the  
within Complaint on Connie L. Cook, deft at residence,  
Star Route, Madera, Clearfield County, PA by handing  
to Thomas Cook, Husband. /s/ Chester A. Hawkins,  
Shff, by Marilyn Hamm

NOVEMBER 12, 1992, PRAECIPE TO DISCONTINUE,  
filed

Please mark the above captioned case as settled,  
discontinued and ended. /s/ William C. Kriner, Esq.

90-14-EQU

THOMAS L. COOK and  
CONNIE L. COOK,

SETTLED DISCONTINUED ENDED

Pro by Atty 40.00  
Shff by Atty 28.40  
sur-charge by Atty 4.00  
Pro by Atty 5.00

CONTINUED FROM PAGE 339 90-15-EQU LAWRENCE TOWNSHIP VS HAND

SEPTEMBER 24, 1998, MOTION REQUESTING HEARING ON JUDGMENT, filed by Harry W. Hand, Pro-Se

Three (3) copies Certified to Harry W. Hand

DEC. 02, 1998, RULE, filed. ONE (1) CERT TO ATTY BELIN, DEFT. HAND

NOW, this 1st day of December, 1998, upon consideration of the attached Motion, a Rule is hereby issued upon  
the parties to Show Cause why the Motion should not be granted. Rule Returnable and hearing thereon the 19th day of  
April, 1999, at 9:00 a.m. in Courtroom No. 1. BY THE COURT: s/STEWART L. KURTZ, PRESIDING JUDGE

FEB. 10, 1999, ORDER, filed. NO CERT COPIES

AND NOW, February 9, 1999, it is the Order of this Court that the hearing scheduled for April 22, 1999, is  
changed to April 28, 1999, at 9:00 a.m. in a courtroom to be assigned by the Court Administrator of Clearfield County.  
BY THE COURT, s/STEWART KURTZ, J.

MAY 04, 1999, ORDER, filed. ONE (1) CERT TO ATTY BELIN, ONE (1) CERT TO DEFT

AND NOW, this 28th day of April, A.D., 1999, after a hearing held this date, it is Ordered that the Motion for  
Judgment filed by Plaintiff, Lawrence Township, is granted.

Judgment is entered in favor of the Plaintiff and against Harry W. Hand and Dolly E. Hand in the amount of  
\$8,831.74.

BY THE COURT, s/STEWART KURTZ, JUDGE, SPECIALLY PRESIDING

JUDGMENT IS ENTERED IN FAVOR OF THE PLAINTIFF AND AGAINST DEFENDANTS HARRY W. HAND and DOLLY E. HAND

PER COURT ORDER IN THE AMOUNT OF EIGHT THOUSAND EIGHT HUNDRED THIRTY-ONE DOLLARS AND SEVENTY-FOUR CENTS.

DEBT: \$8,831.74

COURT ORDERED JUDGMENT

JUN 28, 1999, PRAECIPE, filed.

Please mark the above matter settled, discontinued and ended. s/CARL A. BELIN, JR., ESQUIRE

SETTLED DISCONTINUED ENDED

Prothonotary



NOVEMBER 18, 1994, ORDER, filed 1 cert/Atty Belin, Collins, Mr. Hand

The background of this Order is as follows:

1. By Order dated July 21, 1994, we directed that certain steps be taken to aid this Court in fashioning an appropriate remedy.
2. Our Order was supported by a memorandum in which we set forth our findings of fact and conclusions of law concerning the issues that this case presented.
3. There has been compliance with our directive and we have held two hearings to hear evidence on the abatement of the nuisance as well as the value of the property involved.

After consideration of the reports and the testimony, it is the ORDER of this Court that:

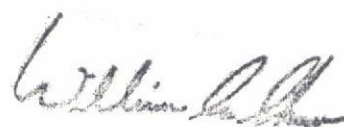
1. The Supervisors of Lawrence Township are directed to abate the nuisance by proceeding with the plan submitted by Samuel B. Yost, PLS, and identified as Washington Avenue Drainage Plan, Alternative 1. This Court believes that this plan represents the best method to abate the problem as it is, in our view, the safest and the least obtrusive. All costs associated with this project shall be paid by Defendants Harry W. Hand and Dolly E. Hand, his wife, and the Township is authorized to enter judgment against them for this amount.

2. Judgment is entered in favor of Gloria W. Veihdeffer and against Harry W. Hand and Dolly E. Hand, his wife, in the amount of \$18,000.00 for the damages incurred by her as a result of the negligence of the Defendants. BY THE COURT: Stewart L. Kurtz, Judge. Sp.

Judgment is entered in favor of the Plaintiff and against the Defendants Harry W. Hand and Dolly E. Hand in the amount of Eighteen Thousand Dollars by Court Order.

DEBT: \$18,000.00

JUDGMENT BY COURT ORDER.



Prothonotary

NOVEMBER 18, 1994, NOTICE OF JUDGMENT MAILED TO DEFTS. /s/ arf.

NOVEMBER 23, 1994, PRAECIPE FOR APPEARANCE, filed 4 cert/Atty Novak

Kindly enter my appearance on behalf of the Defendants, Harry W. Hand and Dolly E. Hand. /s/ Ben Novak, Esq.

NOVEMBER 23, 1994, MOTION FOR POST TRIAL RELIEF, filed by Ben Novak, Esq.

4 cert/Mr. Hand

CERTIFICATE OF SERVICE, filed

November 23, 1994, MOTION FOR POST-TRIAL RELIEF SERVED TO: Ronald L. Collins, Esq and Carl A. Belin, Jr, Esq. /s/ Harry W. Hand, Deft.

DECEMBER 13, 1994, APPLICATION FOR RECONSIDERATION, filed by Ben Novak, Esq.

CERTIFICATE OF SERVICE, filed 1 cert/Judge Kurtz.

December 12, 1994, APPLICATION FOR RECONSIDERATION AND PETITION FOR REHEARING SERVED TO: Ronald L. Collins, Esq and Carl A. Belin, jr, Esq. /s/ Mary Grycznski Sec for Ben Novak, Esq.

DECEMBER 19, 1994, ORDER GRANTING RECONSIDERATION, filed 2 cert/Atty Novak

AND NOW, this 13th day of December, 1994, upon consideration of the Motion for Reconsideration, it is Ordered that reconsideration be granted pursuant to Pa.R.A.P. No 1701 for the purpose of maintaining the status quo and extending the time for appeal pending consideration of the Petition for Rehearing and consideration of the exceptions filed in the form of a Motion for Post Trial Relief, and such further motions as are appropriate after review of the transcript and record.

All proceedings to stay meanwhile. BY THE COURT: Stewart L. Kurtz, Judge SP.

DECEMBER 28, 1994, TRASCRIPT OF PROCEEDINGS, filed in Trans Dr.

DECEMBER 28, 1994, EXHIBITS, filed in Trans Dr.

JANUARY 4, 1995, TRANSCRIPT OF PROCEEDINGS, (REMEDY HEARING), filed

JANAURY 4, 1995, TRANSCRIPT OF PROCEEDINGS, (REMEDY HEARING, CONT'D), filed

APRIL 24, 1995, ORDER, filed. ONE(1) CERT TO ATTY BELIN, ATTY COLLINS, ATTY NOVAK, & CA

For the reasons set forth in the attached Opinion, It is the Order of this Court that the Motion for Post-Trial Relief is in all respects denied. BY THE COURT, s/STEWART KURTZ, Judge

MAY 22, 1995, NOTICE OF APPEAL, filed by s/BEN NOVAK, ESQUIRE. ONE(1) CERT TO COMM. COURT, NO CERT COPIES TO ATTY.

CERTIFICATE OF SERVICE

I hereby certify that I have forwarded a Notice of Appeal to the person(s) named below, at the address(ess) stated below, by first-class mail, postage pre-paid, as follows:

1) CARL P. BELIN, JR., ESQ. 2) RONALD L. COLLINS, ESQ. 3) HON. STEWART L. KURTZ

Dated this 19th day of May, A.D. 1995. s/JAYME L. HETTRYLE(SPELLING ILLEGIBLE)

MAY 23, 1995, NOTICE OF APPEAL MAILED TO COMMONWEALTH COURT OF PENNSYLVANIA, via U.S. Mail

JUNE 1, 1995, COMMONWEALTH COURT OF PENNSYLVANIA NOTICE OF DOCKETING APPEAL, DOCKET NO: 1239, C.D. 1995, filed. No certified copies.

JUNE 5, 1995, ALL PAPERS MAILED TO COMMONWEALTH COURT, CERTIFIED MAIL.

JUNE 6, 1995, CERTIFIED MAIL RECEIPT # P 644 492 976, filed.



Carl A. Belin, Jr	LAWRENCE TOWNSHIP	AUGUST 9, 1990, COMPLAINT IN EQUITY, filed by Carl A. Belin, Jr, Esq. 2 cert/Atty
	90-15-EQU	SEPTEMBER 6, 1990, SHERIFF RETURN, filed NOW, August 13, 1990 at 2:50 PM DST served the within Complaint on Harry W. Hand, deft at residence, Spruce St & Rt 879, Clearfield, Clearfield County, PA by handing to Harry W. Hand. NOW, August 13, 1990 at 2:50 PM DST served the within Complaint on Dolly E. Hand, deft at residence, Sptuce St & Rt 879, Clearfield, Clearfield County PA by handing to Dolly E. Hand. /s/ Chester A. Hawkins, Shff, by Marilyn Hamm.
Dwight L. Koerber, Jr--	HARRY W. HAND and DOLLY E. HAND, husband and wife	SEPTEMBER 6, 1990, ANSWER, NEW MATTER AND COUNTER-CLAIM, filed by Dwight L. Koerber, Jr., Esq. 3 cert/Atty CERTIFICATE OF SERVICE, filed I hereby certify that on this 6th day of September, 1990, I have served a copy of the foregoing Answer, New Matter and Counterclaim by US First Class Mail upon the following: Carl A. Belin, Jr., Esq, BELIN, BELIN, & NADDEO, 15 North Front St, PO Box 1, Clearfield, PA 16830. /s/ Dwight L. Koerber, Jr., Esq.
Stephen L. Dugas Ronald L. Collins	KENNETH D. VEIHDEFFER and GLORIA W. VEIHDEFFER, Add'l Deft	SEPTEMBER 6, 1990, COMPLAINT ON HARRY W. HAND AND DOLLY E. HAND AGAINST ADDITIONAL DEFENDANTS KENNETH E. VEIHDEFFER AND GLORIA W. VEIHDEFFER, filed by Dwight L. Koerber, Jr., Esq. 3 cert/Atty CERTIFICATE OF SERVICE, filed I hereby certify that on this 6th day of September 1990, I have served a copy of the foregoing Answer, New Matter and Counterclaim by US First Class Mail upon the following: Carl A. Belin, Jr., BELIN, BELIN, & NADDEO, 15 North Front St, PO Box 1, Clearfield, PA 16830. /s/ Dwight L. Koerber, Esq.
	Pro by Atty 40.00 JCP by Atty 5.00 Shff by Atty 21.20 sur-charge by Atty 4.00 DKJ--Shff by Atty 21.00 sur-charge by Atty 4.00 Pro by Atty 30.00 Pro by Atty 9.50 134.70 Pro by Atty 5.00 139.70	SEPTEMBER 21, 1990, SHERIFF RETURN, filed NOW, September 18, 1990 at 9:10 AM DST served the within Complaint on Gloria W. Veihdeffer, Addl. Deft at residence, 1819 Washington Ave. Hyde, Clearfield County, PA by handing to Gloria W. Veihdeffer. NOW, September 18, 1990, at 9:10 AM DST served the within Complaint on Kenneth D. Veihdeffer, Add'l Deft at residence, 1819 Washington Ave, Hyde Clearfield County, PA by handing to Gloria W. Veihdeffer Wife. /s/ Chester A. Hawkins, Shff, by Marilyn Hamm.
		SEPTEMBER 24, 1990, PRELIMINARY OBJECTIONS, filed by Carl A. Belin, Jr., Esq. CERTIFICATE OF SERVICE, filed This is to certify that the undersigned has on this date sent a true and correct copy of the foregoing Preliminary Objections in the above-captioned matter to the following parties and in the following manner on this the 24th day of September 1990 as follows: First class mail, Postage Prepaid To; Dwight L. Koerber Jr., Esq, KRINER, KOERBER & KIRK, 110 N 2nd St, Po Box 1320, Clearfield, PA 16830 and Kenneth D. and Gloria W. Veihdeffer, PO Box 261, Hyde, PA 16843. /s/ Carl A. Belin, Jr., Esq.
		OCTOBER 4, 1990, PRAECIPE FOR APPEARANCE, filed Kindly enter my appearance as counsel of record for Additional Defendants, KENNETH D. VEIHDEFFER and GLORIA W. VEIHDEFFER, in the above-captioned action. /s/ Stephen L. Dugas, Esq.
		OCTOBER 5, 1990, PRELIMINARY OBJECTIONS, filed by Stephen L. Dugas, Esq. CERTIFICATE OF SERVICE, filed I hereby certify that a true and correct copy of the within was mailed to all counsel of record this 4th day of October, 1990. /s/ Stephen L. Dugas, Esq.
		OCTOBER 5, 1990, PRELIMINARY OBJECTIONS, filed by Ronald L. Collins, Esq, 3 cert/Atty
		JANUARY 2, 1991, ORDER, filed NOW, this 2nd day of January, 1991, upon consideration of Preliminary Objections filed on behalf of Additional Defendants Kenneth D. Veihdeffer and Gloria W. Veihdeffer, above-named and following argument, it is the ORDER Of this Court that said Objections be and are hereby sustained and teh original Defendants' claim for costs, expenses and attoreny's fees arising from the original complaint be and are hereby stricken. BY THE COURT: John K. Reilly, Jr., P.J.
		JANUARY 2, 1991, ORDER, filed NOW, this 2nd day of January, 1991, upon consideration of Preliminary Objections filed on behalf of Plaintiff above-named, it is the ORDER of this Court that ruling on said objections shall be and is hereby continued pending completion of testimony in these proceedings. BY THE COURT: John K. Reilly, Jr., P.J.
		FEBRUARY 13, 1991, ANSWER OF ADDITIONAL DEFENDANTS TO DEFENDANT'S COMPLAINT AND COUNTER CLAIM, filed by Ronald L. Collins, Esq. 3 cert/Atty



FEBRUARY 14, 1991, PRAECIPE FOR ENTRY OF APPEARANCE/PRAECIPE FOR WITHDRAWAL OF APPEARANCE, filed 2 cert/Atty

Kindly enter the appearance of Ronald L. Collins, Esquire, as counsel of record for KENNETH D. VEIHDEFFER and GLORIA W. VEIHDEFFER, in the above-entitled action noting that all papers and process for service upon said party may be served upon the undersigned at his office, 120 East Pine St, PO Box 1204, Clearfield, PA 16830.

/s/ Ronald L. Collins, Esq

Kindly withdraw the appearance of Stephen L. Dugas, ESquire, previously entered on behalf of KENNETH D. VEIHDEFFER and GLORIA W. VEIHDEFFER, in the above-entitled action, based upon the appearance of Ronald L. Collins, Esquire, of Sobel & Collins, as counsel of record for KENNETH D. VEIHDEFFER and GLORIA W. VEIHDEFFER.

/s/ Stephen L. Dugas, Esq.

MARCH 6, 1991, ANSWER OF DEFENDANTS TO COUNTERCLAIM BY ADDITIONAL DEFENDANTS, filed by Dwight L. Koerber, Jr., Esq. 4 cert/Atty

CERTIFICATE OF SERVICE, filed

I certify that on this 6th day of March, 1991, I have served a copy of the foregoing Answer upon Defendant's counsel by US First Class Mail, at the name and address listed below: Ronald L. Collins, Esq and Carl A. Belin, Jr, Esq. //s Dwight L. Koerber, Jr., Esq.

MARCH 27, 1991, PETITION TO WITHDRAW AS COUNSEL, filed. Three (3) Copies Cert to Atty.

COMES NOW, your petitioner, Dwight L. Koerber, Jr., Esquire, and files the within Petition to withdraw as counsel for Harry W. Hand and Dolly E. Hand, Defendants in the above-referenced matter.

(1) Petitioner is counsel of record for Harry W. Hand and Dolly E. Hand, Defendants.

(2) Developments have occurred in the relationship between Petitioner and his clients which would render Petitioner's continuation as counsel of record in this matter to be untenable.

(3) Petitioner has advised his clients of his intentions to withdraw as counsel and of his willingness to inform alternate counsel of the status of the subject litigation

WHEREFORE, Petitioner prays your Honorable Court to enter a rule upon Harry W. Hand and Dolly E. Hand in the above captioned matter to show cause why Petitioner should not be permitted to withdraw as counsel. s/Dwight L. Koerber, Jr., Esq.

ORDER, filed.

AND NOW this 26th day of March, 1991, upon consideration of the Petition of Dwight L. Koerber, Jr., Attorney of Record for Harry W. Hand and Dolly E. Hand, it is the ORDER of this Court that a Rule be issued upon the Hands, to SHOW CAUSE why Dwight L. Koerber, Jr., should not be permitted to withdraw as counsel in this matter.

RULE RETURNABLE and HEARING thereupon shall be held on the 15th day of April, 1991, at 9:45 AM at the Clearfield County Courthouse, Clearfield, Pennsylvania.

BY THE COURT: s/JOHN K. REILLY, JR., PRESIDENT JUDGE

MARCH 28, 1991, CERTIFICATE OF SERVICE, filed 1 cert/Atty

I certify that on March 28, 1991, I served a copy of the Order served by Judge Reilly in this matter on March 27, 1991, scheduling a Rule Returnable date of April 15, 1991, with service being made by First Class Mail upon the following individuals. Mr. Harry W. Hand, Mrs. Dolly E. Hand, Spruce St and Route 879, Clearfield, PA 16830; Carl A. Belin, Jr., Esq, and Ronald Collins, ESq. /s/ Dwight L. Koerber, Jr., Esq.

APRIL 15, 1991, ORDER, filed 2 cert/Atty

AND NOW, this 15th day of April, 1991, upon consideration of the Petition to Withdraw as Counsel as filed by Dwight L. Koerber, Jr., ESquire in the above-captioned cases, it is the ORDER AND DECREE of this Court that Dwight L. Koerber, Jr., Esquire is hereby permitted to withdraw as counsel. BY THE COURT: John K. Reilly, Jr., P.J.

CERTIFICATE OF SERVICE, filed

I hereby certify that on this 15th day of April, 1991, I have served a copy of the foregoing Order by US First Class Mail upon the following: Mr. Harry W. Hand Mrs. Dolly E. Hand, Spruce St & Rt 879, Clearfield, PA 16830; Carl A. Belin, Jr., Esq; Ronald L. Collins, ESq. /s/ Dwight L. Koerber, Jr., Esq.

APRIL 2, 1993, PRAECIPE, filed

Kindly place the above matter on the trial list. /s/ Ronald L. Collins, Esq.

JUNE 9, 1994, PETITION FOR JURY TRIAL, filed by Harry W. Hand, Deft.

JULY 22, 1994, MEMORANDUM, filed BY THE COURT: Stewart Kurtz, Sr Judge, SP

JULY 22, 1994, ORDER, filed

In accordance with the views set forth this date in a Memorandum, It is the Order of this Court that

1. Plaintiff shall submit to this Court within sixty (60) days a plan to abate the nuisance that we have found exists. As noted in our Memorandum, this plan shall be the most inexpensive that will accomplish the desired result and which is consistent with township ordinances and state regulations.

2. Defendants shall submit to this Court within sixty (60) days an appraisal of the Veihdeffer lot (parcel 44 on the county assessment map) which appraisal shall state the fair market value today based on the conditions of the property prior to the creation of the nuisance.

3. Upon receipt of the plan for abatement and the appraisals, this Court shall determine if a further hearing is necessary before the entry of decree in this case.

BY THE COURT: Stewart Kurtz, P.J. Sp

SEPTEMBER 19, 1994, TRANSCRIPT OF REAL ESTATE APPRAISAL, filed

SEPTEMBER 19, 1994, LETTER TO HONORABLE JUDGE STEWART KURTZ FROM HARRY W. HAND, filed



Joseph Colavecchi

ANTOINETTE KUZMIC,  
WILLIAM YAKULIS and  
FRANCES VARGAS

SEPTEMBER 4, 1990, PRAECIPE FOR SUMMONS IN EQUITY, filed 2 cert/Atty

Please issue a Summons in Equity directed to Gary Z. Gordon who resides at 36 McLane Avenue, DuBois, PA 15801, and also against Maureen Y. Gordon who resides at 36 McLane Avenue, DuBois, PA 15801. /s/ Joseph Colavecchi, Esq.

SEPTEMBER 4, 1990, SUMMONS ISSUED TO GARY Z. GORDON AND MAUREEN Y. GORDON.

SEPTEMBER 7, 1990, PRAECIPE FOR LIS PENDENS, filed by Joseph Colavecchi, Esq. 3 cert/Atty

SEPTEMBER 12, 1990, SHERIFF RETURN, filed NOW, September 7, 1990, at 10:48 AM DST served the within Summons on Maureen Y. Gordon, teh defendant, at her place of residence at 36 McLane Ave, DuBois, Clearfeild Co., PA, by handing to Maureen Y. Gordon.

NOW, September 7, 1990 at 10:48 AM DST served the within Summons on Maureen Y. Gordon, wife of the defendant Gary Z. Gordon, at their place of residence at 36 McLane Ave. DuBois, Clearfield County, PA by handing to Maureen Y. Gordon. /s/ Chester A. Hawkins, Shff, by Darlene Shultz.

DECEMBER 4, 1990, PRAECIPE FOR APPEARANCE, filed

Enter my appearance for Maureen Y. Gordon and Gary Z. Gordon, her husband. /s/ Thomas Morgan, Esq.

DECEMBER 11, 1990, COMPLAINT, filed by Joseph Colavecchi, Esq. 3 cert/Atty

DECEMBER 20, 1990, PRAECIPE TO ENTER APPEARANCE AND ACCEPTANCE OF SERVICE, filed

Please enter may appearance for the Defendants in the above captioned matter and note that this is an Acceptance of SService on behalf of the Defendants, Maureen Y. Gordon and Gary Z. Gordon. /s/ Thomas F. Morgan, Esq.

DECEMBER 20, 1990, NOTICE OF DEPOSITION ON ORAL EXAMINATION UNDER RULE 4007.1 OF SCOTT V JONES, filed by Joseph Colavecchi, Esq.

DECEMBER 20, 1990, NOTICE OF DEPOSITION ON ORAL EXAMINATION UNDER RULE 4007.1 OF BENJAMIN S. BLAKLEY, III, filed by Joseph Colavecchi, Esq.

DECEMBER 31, 1990, NOTICE OF TAKING DEPOSITION ON ORAL EXAMINATION UNDER RULE 4407.1 OF THOMAS G. PHILLIPS, M.D., filed by Joseph Colavecchi, Esq.

JANUARY 4, 1991, AMENDED NOTICE OF TAKING DEPOSITION ON ORAL EXAMINATION UNDER RULE 4407.1 OF THOMAS G. PHILLIPS, MD., filed by Joseph Colavecchi, Esq.

JANUARY 21, 1991, AMENDED NOTICE OF TAKING DEPOSITION ON ORAL EXAMINATION UNDER RULE 4407.1 OF SCOTT JONES, filed by Joseph Colavecchi, Esq.

JANUARY 21, 1991, AMENDED NOTICE OF TAKING DEPOSITION ON ORAL EXAMINATION UNDER RULE 4407.1 OF BENJAMIN BLAKLEY, ESQ. filed by Joseph Colavecchi, Esq.

JANUARY 21, 1991, AMENDED NOTICE OF TAKING DEPOSITION ON ORAL EXAMINATION UNDER RULE 4407.1 OF MAUREEN Y. GORDON, filed by Joseph Colavecchi, Esq.

JANUARY 21, 1991, AMENDED NOTICE OF TAKING DEPOSITION ON ORAL EXAMINATION UNDER RULE 4407.1 OF GARY Z. GORDON, filed by Josphe Colavecchi, Esq.

FEBRUARY 8, 1991, AMENDED NOTICE OF TAKING DEPOSITION OF ORAL EXAMINATION UNDER RULE 4407.1 OF GARY Z. GORDON, filed by Joseph Colavecchi, Esq.

FEBRUARY 8, 1991, AMENDED NOTICE OF TAKING DEPOSITION OF ORAL EXAMINATION UNDER RULE 4407.1 OF BENJAMIN BLAKLEY, Esq, filed by Joseph Colavecchi, Esq.

FEBRUARY 8, 1991, AMENDED NOTICE OF TAKING DEPOSITION OF ORAL EXAMINATION UNDER RULE 4407.1 OF SCOTT JONES, ESQ, filed by Joseph Colavecchi, Esq.

FEBRUARY 8, 1991, AMENDED NOTICE OF TAKING DEPOSITION OF ORAL EXAMINATION UNDER RULE 4407.1 OF MAUREEN Y. GORDON, filed by Joseph Colavecchi, Esq.

MARCH 20, 1991, DEPOSITION OF BENJAMIN S. BLAKLEY,III, filed in Trans Dr. "G"

APRIL 11, 1991, NOTICE OF TAKING VIDEOTAPE DEPOSITION OF DENNIS PARLAVECCHIO, M.D., filed by Joseph Colavecchi, ESq.

APRIL 23, 1 991, NOTICE OF TAKING VIDEOTAPE DEPOSITION OF DR. JAMES SCERBO, M.D., filed by Joseph Colavecchi, ESq.



JUNE 20, 1991, VIDEOTAPE DEPOSITION OF JAMES SCERBO, M.D., filed in TRans. Dr. "G".

JULY 3, 1991, REQUEST FOR ADMISSION UNDER PA R.C.P. NO. 4014, filed by Thomas F. Morga, Esq. 1 cert/Atty

JULY 18, 1991, ANSWER TO REQUEST FOR ADMISSIONS, field by Joseph Colavecchi, Esq.

SEPTEMBER 12, 1991, CERTIFICATE OF READINESS, filed  
I certify that all discovery in the case has been completed; all necessary parties and witnesses are available; serious settlement negotiations have been conducted; the case is ready in all respects for trial, and a copy of this Certificate has been served upon all counsel of record and upon all parties of record who are not represented by Counsel. /s/ Joseph Colavecchi, ESq. JURY TRIAL 2 DAYS

JANUARY 15, 1992, ANSWER, filed by Thomas F. Morgan, ESq. 1 cert/Atty

JANUARY 23, 1992, ORDER, filed 2 cert/Marcy  
NOW, January 23, 1992, counsel for both parties appearing before th Court for pre-trial conference and agreeing that this case should be heard non-jury, it is Directed that any Motion in Limine be filed within Ten (10) days, and that hearing thereon will be held at Ten (10:00) AM on Tuesday, February 11, 1992. BY THE COURT: Joseph S. Ammerman, Judge.

JANUARY 23, 1992, ORDER, filed  
NOW, this 23rd day of Janaury, 1992, following pre-trial conference in the above captioned matter, it is the ORDER of the Court that a non-jury trial will be held Wednesday, April 22, 1992 through Friday, April 24, 1992 at 9:00 AM. BY THE COURT: Joseph S. Ammerman, Judge.

JANUARY 27, 1992, MOTION IN LIMINF, filed by Thomas F. Morgan, ESq. 1 cert/Atty  
ORDER, filed  
NOW, this 24th day of January, 1992, upon consideration of the said motion, it is ORDERED and DECREED that hearing on the motion shall be held in Courtroom #2 on Tuesday, February 11, 1992, at 10:00AM. BY THE COURT: Joseph S. Ammerman, Judge.

JANUARY 31, 1992, ANSWER TO MOTION IN LIMINE, filed by Joseph Coalvecchi, Esq.

FEBRUARY 11, 1992, TRANSCRIPT OF VIDEOTAPE DEPOSITION OF THOMAS G. PHILLIPS, M.D., filed in Trans Dr. "G".

MARCH 5, 1992, TRANSCRIPT OF DEFENDANT'S MOTION IN LIMINE, filed in Trans Dr "G"

APRIL 10, 1992, ORDER, filed 2 cert/Atty  
NOW, this 9th day of April, 1992, Defendants' Motion in Limine having come before the Court, counsel having argued and briefed the issues raised therein, the Court having reviewed the record and being of the opinion that the deed in question is valid, it is the ORDER of the Court that said Motion is GRANTED. Plaintiffs are declared incompetent to testify as to matters occurring before the death of Veronica Yakulis. BY THE COURT: JOseph S. Ammaerman, Judge.

APRIL 28, 1992, PRAECIPE TO DISCONTINUE, filed  
Please mark the record in the above-captioned action, discontinued, settled and ended. /s/ Joseph Colavecchi, Esq.

DISCONTINUED                      SETTLED                      ENDED



Richard H.  
Milgrub

EASTERN AMERICAN ENERGY  
CORPORATION,

SEPTEMBER 13, 1990, COMPLAINT IN EQUITY, filed by  
Richard H. Milgrub, Esq 2 cert/Shff

SEPTEMBER 13, 1990, PETITION FOR PRELIMINARY  
INJUNCTIVE RELIEF, filed by Richard H. Milgrub, Esq.  
2 cert/Atty

SEPTEMBER 13, 1990, RULE, filed 1 cert/Atty  
AND NOW, this 13th day of September, 1990, upon  
consideration of Plaintiff's verified Complaint in  
Equity in this action and the accompanying Petition  
for Preliminary Injunctive Relief, it is hereby  
ORDERED that:

90-17-EQU

1. Defendants show cause before the Court on  
September 19, 1990 at 8:45 AM in Courtroom 1 of the  
Clearfield County Courthouse, Clearfield, Pennsylvania  
why a preliminary injunction should not be issued,  
providing the relief requested by Plaintiff; and

2. Plaintiffs serve certified copy of this Rule  
to show cause, the Complaint in Equity, and the Petition  
for Injunctive Relief with its accompanying papers to be  
served upon all parties in interest at least 2 days  
before the date of the hearing. BY THE COURT: John  
K. Reilly, Jr., P.J.

THOMAS SUHONEY and  
THERESA SUHONEY

SEPTEMBER 25, 1990, SHERIFF RETURN, filed  
NOW, September 14, 1990 at 1:43 PM DST served the  
within Complaint, Rule & Petition on Theresa Suhoney,  
defendant at residence, RD#1, Irvona, Clearfield County  
PA by handing to Theresa Suhoney.

NOW, September 14, 1990 at 1:41 PM DST served the  
within Complaint, Rule and Petition on Thomas Suhoney,  
defendant at residence, RD#1, Ivorna, Clearfield County  
PA by handing to Theresa Suhoney, Wife. /s/ Chester  
A. Hawkins, Shff, by Marilyn Hamm

Pro	by Atty	40.00
JCP	by Atty	5.00
Shff	by Atty	40.00
sur-		
charge	by Atty	4.00



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Kimberly M.  
Kubista

JASON J. JOHNSON and  
SHIRLEY A. JOHNSON, h/w

OCTOBER 9, 1990, COMPLAINT IN EQUITY, filed by Kimberly  
M. Kubista, Esq. 2 cert/Atty

NOVEMBER 13, 1990, SHERIFF RETURN, filed  
NOW, October 11, 1990, Regis J. Kelley, Shff  
of Westmoreland County wad seputized by Chester A.  
hawkins, Shff of Clearfield County to serve the within  
Complaint on Andrew G. & Mary M. Beran, Defts.  
NOW, October 24, 1990 served the within Complaint  
on Andrew G & Mary M. Beran, defts by deputizing the  
Shff of Westmoreland County. The return of Shff Kelley  
is hereto attached and made a part of this return  
stating that he served both copies on Andrew G. Beran.  
/s/ Chester A. Hawkins, Shff, by Marilyn Hamm.

90-18-EQU

ANDREW G. BERAN and  
MARY M. BERAN, h/w

Pro	by Atty	40.00
JCP	by Atty	5.00
Shff	by Atty	25.00
Shff		
Kelley	by Atty	40.00
Sur-		
charge	by Atty	4.00



CONT FROM PAGE # 351

90-19-EQU

VERONICA MCKEE

VS

KOVALCHICK SALVAGE CO. ET AL

FEBRUARY 7, 1994 PRAECIPE FOR TRIAL LIST filed. by Robert M. Hanak, Esquire, Atty for Plaintiff.  
CERTIFICATE OF SERVICE filed.

I certify that on the 4th day of February, 1994, a true and correct copy of the attached Praecipe for the Trial List was sent to Scott V. Jones Esquire and John A. Ayers Jr. Esquire /s/ Robert M. Hanak Attoreny for Plaintiff.

APRIL 7, 1994, ORDER, filed 1 cert/Atty Hanak, Jones, Ayres.

NOW, this 6th day of April, 1994, following pre-trial conference in the above-captioned matter, it is the ORDER of this Court that hearing on the merits shall be and is hereby scheduled for Tuesday, April 19, 1994, commencing at 9:00 am. BY THE COURT: John K. Reilly, Jr, P.J.

MAY 4, 1994, ORDER FO COURT PER STIPULATION OF PARTIES, filed 1 cert/Atty Ayres, Hanak, Jones

AND NOW, this 3rd day of May, 1994, upon the stipulation of the parties as evidenced by their counsel' signatures herewith.

IT IS HEREBY ORDERED AND DECREED AS FOLLOWS:

(1) Plaintiff and/or Brady Township, a municipal corporation shall have the right to construct a drainage culvert on land of Defendant, Kovalchick Salvage Co. and/or Andrew and George Kovalchick, being Lot No. 273 in the original Helvetia Plan of Lots, and lot which is further identified as parcel No. 18 of Map 314 per Clearfield County tax records. Such culvert shall extend from East to West from an existing North-South drain to an alleyway of the Town of Helvetia. The terminus at the alley shall be at an existing drain culvert which runs down to Legislative Route 17012.

(2) Plaintiff and/or the Township of Brady shall have the perpetual right to maintain such culvert so that water that would ordinarily flow to the South to the State Road aforementioned will now be diverted to the culvert at the alley to the East of the Kovalchick property.

(3) The case is now terminated with this Order. BY THE COURT: John K. Reilly, Jr P.J. /s/ Robert M. Hanak, /s/ Scott V. Jones, /s/ John A. Ayres, Jr

TERMINATED



Robert M.  
Hanak

VERONICA McKEE

OCTOBER 10, 1990, COMPLAINT FOR INJUNCTIVE RELIEF,  
filed by Robert M. Hanak, Esq 3 cert/Shff

NOVEMBER 2, 1990, SHERIFF RETURN, filed

NOW, October 12, 1990, Harry Dunkle, Shff of  
Jefferson County was deputized by Chester A. Hawkins,  
Shff of Clearfield County to serve the within Complaint  
on Andrew & George Kovalchick t/a Kovalchick Salvage  
Co., Defts.

90-19-EQU

NOW, October 15, 1990 served the within Complaint  
on Andrew Kovalchick t/a Kovalchick Salvage Co.,  
deft by deputizing the Shff of Jefferson County.  
The return of Shff Dunkle is hereto attached and  
made a part of this return.

NOW, October 15, 1990 served the within Complaint  
on George Kovalchick t/a Kovalchick Salvage Co.,  
defendant by deputising the Shff of Jefferson County.  
The return of Shff Dunkle is hereto attached and  
made a part of this return.

Scott V.  
Jones

KOVALCHICK SALVAGE CO,  
a partnership and/or  
corporation, ANDREW  
KOVALCHICK, GEORGE  
KOVALCHICK and RAY  
YUSNUKIS,

NOW. October 19, 1990 served the within Complaint  
on Ray Yusnukis, defendant at residenc, RD#1, Luthersburg  
Clearfeild County PA by handing to Helen Yusnukis,  
Wife. /s/ Chester A. Hawkins Shff, by Marilyn  
Hamm.

JOHN A.  
Ayres, Jr

NOVEMBER 21, 1990, ANSWER WITH NEW MATTER, filed  
by Scott V. Jones, Esq.

CERTIFICATE OF SERVICE, filed

The Undersigned verifies that he served a copy of  
Defendants' Answer with New matter in the above captioned  
matter by mailing the same first class mail, postage  
prepaid to Counsel for the Plaintiff, Robert M. Hanak,  
Esq, 311 Main St, Reynoldsville, PA 15851 and to  
Defendant Ray Yusnukis, RD #1, Luthersburg, PA 15848  
on November 20, 1990. /s/ Scott V. Jones, Esq.

Pro	by Atty	40.00
JCP	by Atty	5.00
Pro	by Atty	5.00

DECEMBER 7, 1990, PLAINTIFF'S RESPONSE TO  
KOVALCHICKS' NEW MATTER, filed by Robert M. Hanak,  
Esq.

DECEMBER 6, 1990, RAYMOND A. YUSNUKIS' ANSWER  
WITH NEW MATTER TO PLAINTIFF'S COMPLAINT, REPLY  
TO NEW MATTER DIRECTED TO DEFENDANT, RAYMOND A.  
YUSNUKIS, DEFENDANT, RAYMOND A YUSNUKIS' NEW MATTER  
DIRECTED TO KOVALCHICK SALVAGE CO., ET AL. filed  
by John A. Ayres, Jr., Esq. 2 cert/Atty

DECEMBER 10, 1990, CERTIFICATE OF SERVICE, filed

I hereby certify that I have served a copy of  
Defendant, Raymond A. Yusnukis, Answer with New  
Matter in the above-captioned matter by mailing the  
same by first class mail, postage prepaid to Counsel  
for teh Plaintiff, Robert m. Hanak, Esq, 311 Main St  
Reynoldsville, PA, 15851, and to Scott V. Jones,  
Esq, Counsel for the Defendants, Kovalchick Salvage  
Co, and Andrew Kovalchick and George Kovalchick at  
90 Beaver Dr, Box 6, DuBois, PA 15801 on December 10,  
1990. DATED this 10th day of December, 1990.  
/s/ John A. Ayres, Jr, Esq.

JANUARY 3, 1991, REPLY TO NEW MATTER OF DEFENDANT RAY YUSNUKIS, filed by Scott V. Jones,  
Esq.

JANUARY 31, 1991, PLAINTIFFS ANSWER TO NEW MATTER OF DEFENDANT YUSNUKIS, filed by Robert M  
Hanak, Esq.

CERTIFICATE OF SERVICE, filed

I, Robert M. Hanak, Attorney for Plaintiff, Veronica McKee, hereby certify that I served  
by First class mail, postage prepaid, a copy of the Plaintiffs Answer to New Matter of Defendant  
Yusnukis on the following party: Scott V. Jones, 90 Beaver Dr, Box 6, DuBois, PA 15801. /s/  
Robert M. Hanak, Esq.

JANUARY 7, 1992, PRAECIPE FOR TRIAL LIST, filed

The above case, being now at issue with no further pleadings, it is requested  
that this case be placed on the non-jury trial list. It is estimated that this  
case will take one day. /s/ Robert M. Hanak, Esq.

CERTIFICATE OF SERVICE, filed

I certify that on the 6th day of January, 1992, a true and correct copy of  
the attached Praecipe was sent via first class mail, postage prepaid, to the following  
counsel of record: Scott V. Jones, Esq and John A. Ayres, Jr., Esq. /s/ Robert  
M. Hanak, Esq.

APRIL 21, 1992, PRE TRIAL ORDER, filed

NOW, this 16th day of April, 1992, it is the ORDER of this Court that pre-trial  
conference in the above-captioned matter be and is hereby continued pending settlement.  
BY THE COURT: John K. Reilly, Jr., P.J.



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Winifred H.  
Jones-Wenger WEST BRANCH AREA SHCOOL  
DISTRICT

90-20-EQU

WEST BRANCH EDUCATION  
ASSOCIATION, an unincorpor-  
ated association; GENE  
ROPCHOCK, Individually  
and as President of the  
WEST BRANCH EDUCATION  
ASSOCIATION; and all other  
unnamed professional  
employees employed by  
Plaintiff who are members  
of the WEST BRANCH  
EDUCATION ASSOCIATION

Pro	by Atty	40.00
JCP	by Atty	5.00

OCTOBER 17, 1990, COMPLAINT IN EQUITY/PRELIMINARY  
INJUNCTION WITH NOTICE TO DEFEND, filed by Winifred  
H. Jones-Wenger, Esq.

OCTOBER 17, 1990, ORDER/RE COMPLAINT IN EQUITY  
PRELIMINARY INJUNCTION, filed 3 cert/Atty  
AND NOW, this 17th day of October, 1990, upon  
filing of a Complaint and upon motion of Winifred H.  
Jones-Wenger, Solicitor of Plaintiff West Branch  
Area School District for preliminary injunction, it is  
ORDERED that a hearing to held on October 19, 1990, at  
1:00 PM, In Courtroom #1, Clearfield County, Courthouse  
Clearfield, Pennsylvania and it is further ORDERED  
that copies of the Complaint and this Order be  
served upon the Defendants forthwith. BY THE COURT:  
John K. Reilly, Jr., P.J.

OCTOBER 23, 1990, ORDER AND DECREE, filed  
1 cert/Jones-Wenger and 1 cert/Atty Hebe  
NOW, this 19th day of October, 1990, this being  
the day and date set for hearing on the Complaint for  
Preliminary Injunction in the above captioned case,  
and following hearing, this Court is satisfied that  
based on the record within the definitions of Act  
195 and the Jershey Shore decision of the Supreme  
Court of Pennsylvania, that the strike creates a  
clear and present danger or threat to the health  
and welfare of the public of the West Branch Area  
School District, and will GRANT the relief requested  
in the complaint to the extent that an injunction  
be and is hereby ENTERED enjoining and restraining  
respondent in any manner from continuing to strike  
or withholding services as employee of the plaintiff  
school district effective this date, it being the  
Court's desire that Classes shall commence Monday,  
October 22, 1990, at the usual starting time.  
BY THE COURT: John K. Reilly, Jr., P.J.



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Carl A.  
Belin, Jr

LAWRENCE TOWNSHIP

OCTOBER 19, 1990, COMPLAINT IN EQUITY, filed by  
Carl A. Belin, Jr., Esq. 4 cert/Atty

90-21-EQU

CHARLES DIXON, BONNIE  
I. ZORTMAN, DONNIE D.  
DIXON, ARTHUR C. DIXON

Pro	by Atty	40.00
JCP	by Atty	5.00
Shff	by Atty	36.20
sur-charge	by Atty	6.00
Shff		
Michel	by Atty	33.00
Pro	by atty	9.00

DECEMBER 13, 1990, SHERIFF RETURN, filed  
NOW, October 24, 1990 at 10:30 AM DST served the  
within Complaint on Charles Dixon, Defendant at  
residence, PO Box 223, Hawk Run, Clearfield County, PA,  
by handing to Leann Dixon, DAughter.  
NOW, October 22, 1990, Robert Michel, Shff of Erie  
County was deputized by Chester A. Hawkins, Shff of  
Clearfield County to serve the within Complaint on Donnie  
D. Dixon & Arthur C. dixon, Defts.  
NOW, October 31, 1990 served the within Complaint  
on Donnie D. Dixon, deft by deputizing the Shff of Erie  
County. The return of Shff Michel is hereto attached  
and made a part of this return stating that he served  
Judy Dixon, Wife.  
NOW, November 2, 1990 served the within Complaint  
on Arthur C. Dixon, deft by deputizing the Shff of  
Erie Coutny. The return of Shff michel is hereto attache  
and made a part of this return. /s/ Chester A. Hawkins,  
Shff, by Marilyn Hamm.

MAY 22, 1991, AFFIDAVIT, filed  
I, CARL A. BELIN, JR., Attorney for the Plaintiffs  
in the above-captioned action, do hereby certify that  
a written notice of intention to file Praeicpe for Defaul  
was mailed the Defendants at their last known address on  
May 3, 1991, by certified mail as evidenced by certified  
mail receipt, which is attached hereto and incorporated  
herein by reference. Said date being at least ten (10)  
days prior to presentation of the Praeicpe for filing  
a default judgment, a copy of said notice is attached  
hereto. /s/ Carl A. Belin, Jr., Esq.

MAY 22, 1991, AFFIDAVIT, filed  
I, CARL A. BELIN, JR., Attorney for the Plaintiffs i  
the above-captioned action, do hereby certify that a  
Complaint in Equity was mailed to Bonnie I. Zortman at  
4436 Liberty Avenue, Niagara Falls, NY 14305 on November  
6, 1990 by certifeid mail as evidenced by the certified  
mail receipt which is attached hereto and incorporated  
herein by reference. /s/ Carl A. Belin, Jr., Esq.

JUNE 12, 1991, PRAECIPE, filed  
Please enter judgment by default against the  
Defendants in the above-captioned actio for failure  
to file responsive pleadings to the Complaint served  
upon them as follows: Clearfield County Sheriff  
Charles Dixon PO Box 223, Hawk Run, PA 16840 Served:  
October 24, 1990 Erie County Sheriff, Donnie D. Dixon  
McKean, PA 16426 Served: October 31, 1990 Arthur C.  
Dixon, 810 Center St, Wesleyville, PA 16510 Served:  
November 2, 1990, Certified Mail - Return REceipt  
Bonnie Zortman, 4436 Liberty Ave, Niagara Falls, NY  
14305 Served: November 6, 1990.  
within twenty (20) days from the date of service and  
more than ten (10) days after Plaintiff mailed a Notice  
of Intention to file a Praeicpe for entry of default  
judgment. Judgment to be entered against the Defendant.  
/s/ CARol A. Belin, Jr., Esq.

Judgment is entered in favor of the Plaintiffs and  
against the Defendants for failure to file an answer.

DEFAULT JUDGMENT

*Allen D. Bietz*  
Prothonotary

JULY 5, 1991, PLAINTIFF'S MOTION FOR ENTRY OF FINAL DECREE UPON JUDGMENT OF  
DEFAULT AGAINST DEFENDANTS, filed by Carl A. Belin, Jr., Esq. 7 cert/Atty  
CERTIFICATE OF SERVICE, filed

This is to certify that the undersigned sent a certified copy of Plainitff's  
Motion for Entry of Final Decree Upon Judgment of Default Against Defendants in the  
above-captioned matter to the following party and in the following manner on the  
5th day of July, 1991 as follows: First Class Mail, Postage Prepaid, Mr. Charles  
Dixon, PO Box 223, Hawk Run, PA 16840; Mr. Arthur C. Dixon, 810 Center St, Wesleyville,  
PA 16510; Mr. Donnie Dixon, McKean, PA 16426; Mrs. Bonnie Zortman, 4436 Liberty Ave.,  
Niagara Falls, NY 14305; Clearfield Co Board of Assistance, 1121Linden St, Clearfield,  
PA 16830; Office of Public Welfare, PO Box 2675 Harrisburg, PA 17105; & Office of  
Attorney General, Strawberry Square, Harrisburg, PA 17120. /s/ CARl A. BELin, Jr.,  
Esq.

ORDER, filed  
AND NOW, this 5th day of July, 1991, upon consideration of the foregoing Motion  
and the Court having been advised that default judgment has been entered against  
the Defendnats, it is the ORDER Of the Court that the Defendnats, Charles Dixon,  
Bonnie I. Zortman, Donnie D. Dixon, and ARthur C. Dixon, are hereby directed to remove  
said building, debris and related materials and to otherwise eliminate the public  
nuisance on said property. Said Order is to be complied with within thirty (30)  
days of the Order. BY THE COURT: John K. Reilly, Jr., P.J.



JANUARY 31, 1992, PETITION FOR CONTEMPT, filed by Carl A. Belin, Jr., Esq.  
9 cert/Atty

ORDER, filed

AND NOW, this 31st day of Janaury, 1992, upon reading and considering the foregoing Petition a Rule is hereby issued upon Respondents to show cause why they should not be directed to remove teh building, debris and related materials on the property, and to eliminate the public nuisance on the certain tract of land situate in Lawrence Township, more fully described in Clearfield County Deed Book 495, page 201 within thirty (30) days of the date of this Order.

AND FURTHER if Respondents fail to remove said materials, to show cause why the Sheriff of Clearfield County should not be directed to demolish the building, debris and related materials on the property, and to eliminate the public nuisance.

RULE RETURNABLE March 2, 1992. Hearing to be held at the Clearfield County Courthouse at Courtroom NO 1 on March 16, 1992, at 3:00 PM. BY THE COURT: John K. Reilly, Jr., P.J.

MARCH 18, 1992, AFFIDAVIT OF SERVICE, filed

I, CARL A. BELIN, JR. Attoreny for the Plaintiff, LAWRENCE TOWNSHIP, in the above-captioned action, do ehreby certify that written notice together with a certified copy of a Petition for Contempt was mailed to the following parties and at the following addresses by certified, postage prepaid, return receipt requested as evidenced by the certified mail receipts whichs are attached hereto and incorporated herein by reference: Mr. Charles Dixon, PO Box 223, Hawk Run, PA 16840; Mr. Arthur C. Dixon, 810 Center St, Wesleyville, PA 16510; Mr. Donnie Dixon, McKean, PA 16426; Clearfield Co Board of Assistance, 1121 Linden St, Clearfield, PA 16830; Commonwealth of Penna Department of Public Welfare, PO Box 2675, Harrisburg, PA 17105; Office of Attorney General Strawberry Square, Harrisburg, PA 17120.

The return receipt of Bonnie Zortman, of 4436 Liberty Avenue, Niagara Falls, NY 14305 was never returned. /s/ Carl A. Belin, Jr., Esq.

MARCH 23, 1992, ORDER, filed

AND NOW, this 19th day of March, 1992, this being a recessed hearing from the hearing scheduled on March 16, 1992, at 3:00 pm, on the Petitoin to Show Cause why the Respondents should not be held in contempt for failing to abate a nuisance, and the Commonwelath of Pennsylvnaia, Department of Public Welfare, and the Attorney General of Pennsylvnaia have been given notice that the cost os the abatemetn of the nuisance shall be superior to the judgments of the Commonwelath of Pennsylvania, Departmetn of Public Welfare, and the Court having taken testimony as to the condition of the building and finding because of its dilapidated condition that it constitutes a fire hazard and is rat-infested, that it constitutes a public nuisance, it is the ORDER of the Court that the Respondents be and they are hereby adjudged in contempt, and the Sheriff of Clearfield County is hereby directed to demolish the building and to remvoe the building, debris, and related materials from the property and otherwise to eliminate the public nuisance.

The Court having been advised that the Attorney General of pennsylvania and the Commonwealth of Pennsylvnaia, Departmetn of Public Welfare have been served with a copy of the Petition for Contempt, it is the ORDER of the Court that the Sheriff is directed to enter judgment in the amount of the costs of abatement which shall be satisfied from the proceeds of any judicial sale before the judgment, liens, and the owners of the property are paid the proceeds. Notice of this ORDER shall be served upon the Respondents, the Commonwelath of Pennsylvania, Department of Public Welfare, and the Attorney General of Pennsylvania. BY THE COURT: John K. Reilly, Jr., P.J.

JULY 31, 1992, PRAECIPE FOR ENTRY OF JUDGMENT, filed

Pursuant to the Order of Court dated March 19, 1992, in the above-captioned matter, the Prothontoary is hereby directed to enter judgment in favor of the Sheriff of Clearfield County in the amount of \$2,500.00 together with Sheriff's Costs against the above named Respondents: Charles Dixon, Bonnie I. Zortman, Donnie D. Dixon and Arthur C. Dixon. /s/ Alan F. Kirk, Esq.

Judgment is entered in favor of the Sheriff of Clearfield County and against the Defendants per Court Order Dated March 19, 1992 in the amount of Two Thousand Five Hundred Dollars together with Sheriff Costs.

DEBT: \$2,500.00

JUDGMENT PER COURT ORDER.

*Allen D. Biez*  
Prothonotary

JULY 31, 1992, NOTICE OF JUDGMENT MAILED TO EACH DEFT,  
CLFD CO BOARD OF ASSISTANCE, COMWTH OF PENNA, DEPT  
OF PUBLIC WELFARE, OFFICE OF ATTY GENERAL

AUGUST 4, 1992, PRAECIPE FOR WRIT OF EXECUTION, filed by Alan F. Kirk, Esq.

WRIT OF EXECUTION ISSUED TO NO 92-80-EX

MAY 11, 1994, SHERIFF RETURN, filed

NOW, May 10, 1994, return the within Writ as Executed. The Property of the defendants was sold to the Plaintiff on October 2, 1994, for \$1.00 + Costs.  
/s/ Chester A. Hawkins, Shff by Margaret H. Putt



Carl A.  
Belin, Jr

BLAIR H. WINK

NOVEMBER 9, 1990, COMPLAINT IN EQUITY-PARTITION,  
filed by Carl A. Belin, Jr., Esq 25 cert/Atty

90-22-EQU

\*John Sughrue

\*Alan F. Kirk

Joseph F.  
Orso, III

John A. Ayres

Robert C. Wise

Michale P.  
Yeager

\*JEAN M. FREMER, Executrix  
of the Estate of SARA  
DODSON, TRUMAN NEEPER,  
\*BARBARA HILL and \*LEROY E.  
NEEPER, Co-Administrators  
of the Estate of KENNETH  
NEEPER, \*KATHRYN I. WHISMAN  
HOMER NEEPER, \*ZELLA DOVE,  
ROBERT M. NEEPER, CHESTER  
BAILEY, WILLIAM DAVIS,  
MARGRET R. WINGARD, ALICE  
WINK, MILFORD DAVIS,  
RACHEL LEOTA WELD,  
COMMODORE NEEPER, ARTHUR  
NEEPER, JOAN THORP, JAY  
NEEPER, BLAIR NEEPER,  
CLAIR OSCAR NEEPER, LEROY  
NEEPER, WAYNE NEEPER,  
DOYLEN NEEPER, and  
WILBUR NEEPER

Pro	by Atty	40.00
JCP	by Atty	5.00
Pro		11.00
Constable	by Atty	55.00
Shff		
Hawkins	by atty	34.00
Shff		
Dunkle	by atty	23.74
Shff		
Brewer	by atty	23.50
Shff Sur- Charge	by atty	6.00

NOVEMBER 20, 1990, AFFIDAVIT OF SERVICE, filed  
I, JACK B. WALKER, Constable, being duly sworn  
according to law, do depose and state that a certified  
copy of the Complaint in Equity-Partition filed in the  
above-captioned action was served upon the following  
persons per the attached Constable's returns:  
Chester Bailey, Box 44, Clearfield, PA, on 11/14/90 at  
12:40 PM; Truman Neeper, RD Box 36, Clearfield, PA on  
11/15/90 at 3:45 PM; Arthur Neeper, Clearfield Hospital  
Room 216, on 11/15/90 at 11:15 AM; Milford Davis, RD  
1, Box 317, Curwensville, PA on 11/17/90 at 11:00 AM;  
Grace Davis on behalf of William Davis, RD 1 Box 328,  
Curwensville, PA on 11/17/90 at 11:05 AM; Homer Neeper,  
Jr on behalf of Homer Neeper, Sr, RD 1, Box 351, Curwens-  
ville, PA on 11/17/90 at 11:10 AM; Wilbur Neeper, RD 1,  
Box 362, Curwensville, PA on 11/17/90 at 11:40 AM;  
Doylen Neeper, RD 1, Box 381, Curwensville, PA on 11/17/  
90 at 11:55 AM; Randy Thorp on behalf of Joan Thorp,  
Grampian, PA on 11/17/90 at 12:25 PM; Margret R. Wingard  
233 Ridge Ave, Curwensville, PA on 11/18/90 at 12:25 PM;  
Wayne Neeper, RD 1, Box 366, Curwensville, PA on 11/18/  
90 at 12:30 PM; Blair Neeper, RD 1, Box 361, Curwensvill  
on 11/18/90 at 12:30 PM; Alice Wink, RD 1, Box 367  
Curwensville, PA 11/18/90 at 12:32PM; Shirley Neeper on  
behalf of Clair Oscar Neeper RD 1, Box 365, Curwensville  
on 11/18/90 at 12:35 PM. and LeRoy Neeper, RD 1, Box 36  
364, Curwensville, on 11/18/90 at 12:40 PM. /s/ Jack B.  
Walker, Constable.

DECEMBER 3, 1990, PRAECIPE, filed  
Kindly enter my appearance on behalf of Zella  
Dove in the above entitled matter. /s/ Joseph  
F. Orso, III, Esq.

DECEMBER 3, 1990, AFFIDAVIT OF SERVICE, filed  
Before me, a notary public, appeared PAMELA  
L. SECCO, who deposes and states that she is a  
secretary at teh law offices of BELin, Belin, and  
Naddeo and states as follows: that a certified  
copy of the Complaint in Equity-Partition has been  
served by certified mail, return receipt requested  
upon the following persons, which is evidenced  
from teh receipts of certified mail attached hereto  
and incorporated herein by reference as though  
set forth in full: Ms. Kathryn I. Whisman, PO  
Box 251, 5699 Township 213, Marango, OH 43334,  
Ms. Barbara Hill, 86 Buffalo Rd, East Aurora, NY  
14052; Ms. Rachel Leota Weld, 3605 Lee Avenue North,  
Minneapolis, NM 55422; Mr. LeRoy E. Neeper, 11  
Ridge Rd, Medina, NY 14772; Mr. Robert m. Neeper,  
Alpertone Court, Liverpool, NY 13090; Mr. Jay Neeper,  
Rd Harimann Rd, Raymond, NH 03077. /s/ Pamela L.  
Secco, Sec for Carl A. Belin, Jr., Esq.

DECEMBER 10, 1990, PRAECIPE, filed.  
Kindly enter my appearance on behalf of Robert  
Neeper in the above entitled matter.  
S/JOSEPH F. ORSO, III, ESQ.

JANUARY 4, 1991, PRAECIPE, filed 2 cert/Atty  
Please enter my appearance on behalf of Barbara  
Hill and Leroy Neeper, Co-Administrators of the Estate  
of Kenneth Neeper, Defendant, in the above captioned  
matter. Kindly file all correspondence to Alan F. Kirk,  
Esq, Kriner, Koerber & Kirk, PO Box 1320, 110 North  
Second St, Clearfield, PA 16830. /s/ Alan F. Kirk, Esq.

CERTIFICATE OF SERVICE, filed  
I, Alan F. Kirk, hereby certify that a true and  
correct copy of the foregoing Praecipe to Enter Appearance  
was served by personal service, this 4th day of January  
1991, upon the following: Carl A. Belin, Jr., Esq.  
/s/ Alan F. Kirk, Esq.

JANUARY 14, 1990, SHERIFF'S RETURN, filed.  
Now, November 15, 1990, Harry Dunkle, Sheriff of Jeffer-  
son County was deputized by Chester A. Hawkins, Sheriff  
of Clearfield County to serve the within Complaint in  
Equity on Jean M. Fremer, Defendant.

Now, November 21, 1990, served the within Complaint on  
Jean M. Fremer, defendant by deputizing the Sheriff of  
Jefferson County. The return of Sheriff Dunkle is hereto  
attached and made a part of this return.

Now, November 15, 1990, Charles T. Brewer, Shriff of  
Lycoming Co. was deputized by Chester A. Hawkins, Sheriff  
of Clearfield County to serve the within Complaint on  
Commodore Neeper and Zella Dove, Defendants.

Now, November 27, 1990, served the within Complaint on  
Zella Dove by deputizing the Sheriff of Lycoming County.



CONTINUED FROM PAGE #357, WINK vs JEAN M. FREMER, Executrix, et al. no. 90-22-EQU

The return of Sheriff Brewer is hereto attached and made a part of this return.

Now, November 28, 1990, served the within Complaint on Commodore Neeper, defendant by deputizing the Sheriff of Lycoming County. The return of Sheriff Brewer is hereto attached and made a part of this return. So answers, CHESTER A. HAWKINS, SHERIFF, by s/MARILYN HAMM

JANUARY 15, 1991, PRAECIPE FOR APPEARANCE, filed.  
Kindly enter my appearance for Jean M. Fremer, Executrix of the Estate of Sara Dodson, Defendant in the above-captioned matter. Direct all pleadings and matters concerning the foregoing to the undersigned. S/JOHN SUGHRUE, ESQ.

FEBRUARY 22, 1991, PRAECIPE FOR APPEARANCE, filed

Kindly enter my appearance for Kathryn I. Whisman, one of the Defendants in the above-captioned matter. Direct all pleadings and matters concerning the foregoing to the undersigned. /s/ John Sughrue, Esq.

CERTIFICATE OF SERVICE, filed

AND NOW, I do hereby certify that on the 21st day of February, 1991, I caused to be served a true and correct copy of entry of appearance on the following and in the manner indicated below: BY US MAIL, FIRST CLASS, POSTAGE PREPAID, TO: Carl A. Belin, Jr., Esq; Joseph F. Orso, III, Esq, CASALE & BONNER, 329 Market St, Williamsport, PA 17701 and Alan F. Kirk, Esq. /s/ John Sughrue, Esq.

MARCH 28, 1991, PRAECIPE, filed

Please enter appearance in the above captioned matter on behalf of the following-named Defendants and heirs of named Defendants:

- |                       |   |
|-----------------------|---|
| 1. Blair Neeper       | 5. Alice Wink                             |
| 2. Clair Oscar Neeper | 6. William Davis                          |
| 3. Wayne Neeper       | 7. Homer Neeper                           |
| 4. Wilbur Neeper      | 8. Leonard Neeper (heir of Arthur Neeper) |
|                       | 9. Mary Neeper (heir of Arthur Neeper)    |

Kindly file all correspondence to Michael P. Yeager, ESquire, PO Box 752, 110 North Second St, Clearfield, PA 16830. /s/ Michael P. Yeager, Esq.

APRIL 5, 1991, ANSWER WITH NEW MATTER, filed by Robert C. Wise, Esq. 1 cert/Atty

CERTIFICATE OF SERVICE, filed

ROBERT C. WISE, ESQUIRE, attorney for Defendants, Commodore Neeper and Rachel Leota Weld, certifies that on this 4th day of April, 1991, he served a true and correct copy of the within Answer with New Matter upon the following-named individuals by the manner so indicated: BLAIR H. WINK: JEAN M. FREMER, TRUMAN NEEPER, BARBARA HILL: LEROY E. NEEPER: KATHRYN I. WHISMAN: HOMER NEEPER: ZELLA DOVE: ROBERT M. NEEPER, CHESTER BAILEY: WILLIAM DAVIS: MARGRET R. WINGARD: ALICE WINK: MILFORD DAVIS: JOAN THORP: JAY NEEPER:BLAIR NEEPER: CLAIR OSCAR NEEPER: LEROY NEEPER: WAYNE NEEPER, DOYLEN NEEPER: WILBUR NEEPER LESTER NORRIS NEEPER. /s/ Robert C. Wise, Esq.

APRIL 22, 1991, ANSWER WITH NEW MATTER, filed by Michael P. Yeager, Esq.

CERTIFICATE OF SERVICE, filed

I, Michael P. Yeager, hereby certify that a true and correct copy of the foregoing Answer with New Matter was served by First Class US Mail, this 22nd day of April, 1991, upon the following: Blair H. Wink; Jean M. Fremer; Barbara Hill; Truman Neeper; Kathryn I. Whisman; Robert M. Neeper; Alice Wink; Lester Norris Neeper; Jay Neeper; Zella Dove; Chester Bailey; Margret R. Wingard; Milford Davis; Commodore Neeper & Rachel Leota Weld Joan Thorp; LeRoy M. Neeper; Doylin Neeper. /s/ Michael P. Yeager, Esq.

APRIL 24, 1991, AFFIDAVIT OF SERVICE, filed.

I, CARL A. BELIN, JR., do hereby certify that a Notice of Default Judgment was served by first-class mail, postage prepaid, upon the following Defendants or their attorneys on March 27, 1991: Jean M. Fremer, Truman Neeper, Barbara Hill, LeRoy E. Neeper, Kathryn I. Whisman, Homer Neeper, Zella Dove, Robert M. Neeper, Chester Bailey, William Davis, Margaret R. Wingard, Alice Wink, Milford Davis, Rachael Leota Weld, Commodore Neeper, Arthur Neeper, Joan Thorp, Jay Neeper, Blair Neeper, Clair Oscar Neeper, LeRoy Neeper, Wayne Neeper, Doilen Neeper, & Wilbur Neeper. Copies of said notices are attached hereto. S/CARL A. BELIN, JR., ESQ.

APRIL 24, 1991, filed.

ROBERT C. WISE, ESQUIRE, attorney for Defendants, Commodore Neeper and Rachel Leota Weld, certifies that on this 23rd day of April, 1991, he served a true and correct copy of the within Answer With New Matter upon Robert M. Neeper, by the manner so indicated below. Such service is necessitated due to original letter, mailed on April 4, 1991, to Robert M. Neeper, at Alpertone Court, Liverpool, NY 13090, being returned to sender due to an insufficient address. See Exhibit A attached hereto and made a part hereof. Robert M. Neeper, 1709 Cotswold Ct., P.O. Box 2931, Liverpool, NY 13090 (First-Class Mail - Postage Prepaid. S/ROBERT C. WISE, ESQ.

MAY 15, 1991, REPLY TO NEW MATTER, filed by Michael P. Yeager, ESq.

CERTIFICATE OF SERVICE, filed

I, Michael P. Yeager, hereby certify that a true and correct copy of the foregoing Reply to New matter was served by First Class U.S. Mail, this 15th day of May, 1991, upon the following; Blair H. Wink, c/o Carl A. Belin, Jr., Esq; Kathryn I. Whisman & Jean M. Fremer; Barbara Hill; Homer Neeper; Truman Neeper; Robert M. Neeper; Alice Wink; Lester Norris Neeper; Jay Neeper; Zella Dove; Chester Bailey; Margret R. Wingar; Milford Davis; Commodore Neeper & Rachel Leota Weld, c/o Robert C. Wise, Esq.; Joan Thorp; LeRoy M. Neeper. /s/ Michael P. Yeager, Esq.

MAY 24, 1991, CERTIFICATE OF SERVICE, filed

I, Michael P. Yeager, hereby certify that a true and correct copy of the foregoing Reply to New Matter was served by First Class US Mail, this 24th day of May, 1991, upon the following: William R. Davis, RD 1, Box 328, Curwensville, PA 16833. /s/ Michael P. Yeager, Esq.



Robin Jean  
Foor

CINDY K. COON

NOVEMBER 30, 1990, MOTION FOR PRELIMINARY INJUNCTION  
AND COMPLAINT, filed by Robin Jean Foor, Esq.

NOVEMBER 30, 1990, PETITION TO PROCEED IN FORMA  
PAUPRIS, filed by Robin Jean Foor, Esq. 1 cert/Atty

DECEMBER 3, 1990, ORDER, filed 2 cert/Atty  
AND NOW, this 3rd day of December, 1990, upon  
presentation and consideration of teh Plaintiff's  
Complaint and upon motion of the Plaintiff's attorney,  
it is hereby ORDERED that:

90-23-EQU

The Defendant immediately restore the safe heat  
to the Plaintiff at the leased premises of 604 R. West  
Front St, Clearfield, PA 16830 by repairing or  
replacing the furnace and by making all other additional  
and necessary repairs to effect service.

FRANK GODISSART and  
SANDRA GODISSART

A hearing for the purpose of determining whether  
the Preliminary Injunction is to be continued pending  
a final determination in the matter will be held on  
the 6th day of December, 1990 at 1:30 PM at the Clear-  
field County Courthouse, Clearfield, PA, Courtroom  
NO. \_\_\_\_.

Service to be made on the Defendant by the Sheriff  
forthwith. BY THE COURT: John K. Reilly, Jr., P.J.

DECEMBER 10, 1990, AFFIDAVIT OF SERVICE, filed  
NOW, December 3, 1990 at 1:05AM EST served the  
withinMotion, complaint & Order on Frank & Sandra  
Godissart, Deft. at residence, 482 E. 9th St, Clearfield  
Clearfield County PA by handing to Sandra Godissart.  
/s/ Chester A. Hawkins, Shff, by Marily Hamm.

12-13-90  
CKH 26545

Pro	<i>my Co</i>	45.00
Shff	Office	
	Credit	17.00



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MAY 28, 1991, STIPULATION, filed by Carl A. Belin, Jr., Esq. 1 cert/Atty

MAY 28, 1991, MOTION FOR PARTIAL JUDGMENT ON THE PLEADINGS, filed by Robert C. Wise, Esq. 1 cert/Atty

CERTIFICATE OF SERVICE, filed  
ROBERT C. WISE, ESQUIRE, attorney for Defendants, Commodore Neeper and Rachel Leota Weld, certifies that on this 24th day of May, 1991, he served a true and correct copy of the within Motion for Partial Judgment on the Pleadings upon the following-named individuals by the manner so indicated:

MICHAEL P. YEAGER, ESQ, CARL A. BELIN, JR., ESQ, JOHN SUGHRUE, ESQ: ALAN F. KIRK, ESQ: TRUMAN NEEPER, ZELLA DOVE, ROBERT M. NEEPER, CHESTER BAILEY, MARGRET R. WINGARD, MILFORD DAVIS, JOAN THORP, JAY NEEPER, LEROY NEEPER, LESTER NORRIS NEEPER, /s/ Robert C. Wise, Esq.

SEPTEMBER 25, 1991, MEMORANDUM AND ORDER, filed

NOW, this 25th day of September, 1991, upon consideration of Motion for Partial Judgment on the Pleadings filed on behalf of Defendants Commodore Neeper and Rachel Leota Weld, it is the ORDER Of this Court that said Motion be and is hereby granted and partial judgment entered as follows: The last Will and Testament of Robert R. Neeper conveyed a life estate in 1/5 of the subject real estate to Leonard Neeper and upon the death of Leonard Neeper a 1/5 remainder interest in fee devolved upon his son, Oscar R. Neeper. BY THE COURT: John K. Reilly, Jr., P.J.

OCTOBER 11, 1991, MOTION FOR RULE TO SHOW CAUSE WHY THE COURT SHOULD NOT ENTER AN ORDER OF PARTITION, filed by Carl A. Belin, Jr., Esq. 24 cert/Atty

ORDER, FILED

AND NOW, this 11th day of October, 1991, upon consideration of the Motion, a Rule is hereby issued to show cause why the court should not enter an order of partition setting forth the following interests as to the property:

Jean M. Fremer, Executrix of the Estate of Sara Dodson-1/140; Barbara Hill and LeRoy E. Neeper, Co-Administrators of the Estate of Kenneth Neeper-1/140; Homer Neeper-1/140; William Davis -27/400; Blair H. Wink-7/200; Truman Neeper-1/140; Kathryn I. Whisman-1/140; Zella Dove-1/140; Chester Bailey-9/20; Margret R. Wingard-7/400; Alice Wink-21/400; Milford Davis-21/400; Commodore Neeper-17/240; Joan Thorp-1/160; Blair Neeper-1/480; LeRoy Neeper-1/480; Doylin Neeper-1/480; Rachel Leota Weld-17/240; Arthur Neeper Estate 1/12; Jay Neeper-1/160; Clair Oscar Neeper-1/480; Wayne Neeper-1/480; Wilber Neeper-1/480.

Rule Returnable November 20, 1991. Status conference to be held in the Clearfield County Courthouse in Clearfield County, Pennsylvania, on November 25, 1991 at 1:30 PM at courtroom No. 1. BY THE COURT: John K. Reilly, Jr, P.J.

NOVEMBER 25, 1991, ORDER, filed 1 cert/Atty

AND NOW, this 25th day of November, 1991, this being the day and date set for a status conference in the above-captioned matter and no objections having been entered as to the appropriate interests set forth in the Order of October 11, 1991, it is the Order of the Court that the partition of the premises is hereby directed in that certain tract of land situated in the Township of Pike, County of Clearfield, bounded and described as follows:

BEGINNING at a Birch corner of tracts 5776 and 5777 and thence North eight-seven and one-half (87½) degrees West two hundred seventy-four (274) perches to a White Birch corner of land this day deeded to Isaac Caldwell in "Bear Run"; thence by land this day deeded to Isaac Caldwell and Jacob Bilger, parties hereto, down said "Bear Run" by its several courses and distances to a stone corner of Isaac Caldwell in "Bear Run" on the South line of said No 5777; thence along the tract of No 5778 South eighty-seven and one half (87½) degrees East two hundred one (201) perches to a post; thence by tract no 5776 North two and one-half (2½) degrees East four hundred sixteen (416) perches more or less to the place of beginning, containing 570 acres, more or less. It being part of a larger tract of land originally surveyed on a Warrant No 5777.

AND BEING the same premises being conveyed to Robert R. Neeper by Deed dated June 25, 1872, and recorded in Clearfield County Deed and Record Book 4, page 38.

The names of the co-tenants in the fee simple of the foregoing premises are as follows:

Jean M. Fremer, Executrix of the Estate of Sara Dodson-1/140  
Barbara Hill and LeRoy E. Neeper, Co-Administrators of the Estate of Kenneth Neeper-1/140  
Homer Neeper-1/140  
Robert M. Neeper-1/140  
William Davis-37/400  
Blair H. Wink-7/200  
Milford Davis-21/400  
Commodore Neeper-17/240  
Joan Thorp-1/160  
Blair Neeper-1/480  
LeRoy Neeper-1/480  
Doylin Neeper-1/480  
Truman Neeper-1/140  
Kathryn I. Whisman-1/140  
Zella Dove-1/140  
Chester Bailey-9/20  
Margret R. Wingard-7/400  
Alice Wink-21/400  
Rachel Leota Weld-17/240  
Arthur Neeper Estate-1/12  
Jay Neeper-1/160  
Clair Oscar Neeper-1/480  
Wayne Neeper-1/480  
Wilber Neeper-1/480  
BY THE COURT: /s/ John K. Reilly, Jr. PJ.



DECEMBER 9, 1991, MOTION FOR RULE TO SHOW CAUSE WHY THE COURT SHOULD NOT ORDER A SALE OF THE PREMISES AND APPOINT A MASTER, filed by Carl A. Belin, Jr., Esq. 2 cert/Atty ORDER, filed

AND NOW, this 9th day of December, 1991, upon consideration of the Motion, a Rule is hereby issued to Show Cause why the Court Should not Appoint a Master and Order a Sale of the Premises in the above-captioned partition case. Rule returnable December 31, 1991. Hearing to be held on the Motion in the Clearfield County Courthouse in Clearfield, Pennsylvania, on Wednesday, January 8, 1992, at 9:45 AM. BY THE COURT: John K. Reilly, Jr., P.J.

JANUARY 8, 1992, AFFIDAVIT, filed by Carl A. Belin, Jr., ESq. 3 cert/Atty

JANUARY 8, 1992, AFFIDAVIT, filed by Carl A. Belin, Jr, Esq. 3 cert/Atty

JANUARY 8, 1992, LETTER FROM HOMER W. NEEPER, JR TO HONORABLE JUDGME REILLY REMOVING HIMSELF FROM SELL OF PROPERTY, filed

JANUARY 15, 1992, ORDER, filed 8 cert/Atty

AND NOW, this 3th day of janaury, 1992, this being the date and time set for hearing into the merits of the Motion for Rule to Show Cause Why the Court Should Not Appoint a Master and Order a Sale of the Premises and the Court being advised that service of the Motion has been made on the heirs, it is the ORDER of the Court that said Motion is hereby granted and Laurance B. Seaman, ESquire is hereby appointed Master in Partition in this case.

It is the FURTHER ORDER of the Court that Laurance B. Seaman is hereby directed to arrange a meeting with the heirs at his earliest convenience to consider the appropriate manner of sale of the property involved herein. Following such meeting Mr. Seaman is directed to file a Motion with teh Court to show cause why the property should not be sold in the manner proposed by the Master. Service of said Motion should be made on all heirs to give the heirs an opportunity to come before the Court concerning their objections following which the Court shall enter an Order directing the Master to proceed in a certain manner regarding the sale of the premises. BY THE COURT: John K. Reilly, Jr., P.J.

MARCH 12, 1992, MOTION FOR RULE TO SHOW CAUSE WHY THE COURT SHOULD NOT AMEND THE ORDER OF PARTITION ENTERED NOVEMBER 25, 1991, filed by Carl A. Belin, Jr., Esq. 15 cert/Atty

ORDER, filed

AND NOW, this 10th day of March, 1992, upon consdieration of the Motion, a Rule is hereby issued upon Blair Neeper, Oscar Neeper, Leroy Neeper, Wayne Neeper, Wilbur Neeper, Doylin Neeper, Beulah R. McDonald, Emma Leota Johns, Eva Mae DuFour and Marion Althea Shimmel to Show Cause Why the Court's Order of Partition dated November 25, 1991, should not be amended as the child of J. Dorsey Neeper as follows: Surface and minerals, except oil and gas:

Blair Neeper - 1/480  
Leroy Neeper - 1/480  
Wilbur Neeper - 1/480

Oscar Neeper - 1/480  
Wayne Neeper - 1/480  
Doylin Neeper - 1/480

Oil and Gas:

Blair Neeper - 1/800  
Leroy Neeper - 1/800  
Wilbur Neeper - 1/800  
Beulah R. McDonald - 1/800  
Eva Mae DuFour - 1/800

Oscar Neeper - 1/800  
Wayne Neeper - 1/800  
Doylin Neeper - 1/800  
Emma Leota Johns - 1/800  
Marion A. Shimmel - 1/800

Rule returnable April 13, 1992. hearing to be held on this Motion in the Clearfield County Courthouse, Clearfield, Pennsylvania, in Court Room #1 on April 20, 1992 at 9:00 AM.

Service of this Motion shall be required to be made only on Blair Neeper, Oscar Neeper, Leroy Neeper, Wayne Neeper, Wilbur Neeper, Doylin Neeper, Beulah R. McDonald, Emma Leota Johns, Eva Mae DuFour, Marion Althea Shimmel, and the Master in partition. BY THE COURT: John K. Reilly, Jr. P.J.

APRIL 20, 1992, AFFIDAVIT, filed by Carl A. Belin, Jr., Esq.

APRIL 20, 1992, ORDER, filed 10 cert/Atty

NOW, this 20th day of April, 1992 being the date set for Plaintiff's Motion for Rule to Show Cause Why the Court Should Not Amend The Order of Partition entered November 25, 1991, the Court being advised that no answer was filed by any of the Defendants to said Motion the Court hereby grantes Plaintiff's Motion, and the interests set forth in the November 25, 1992 Order as:

Blair Neeper - 1/480  
LeRoy Neeper - 1/480  
Doylin Neeper - 1/480

Clair Oscar Neeper - 1/480  
Wayne Neeper - 1/480  
Wilber Neeper - 1/480

shall be amended as follows:

Surface and minerals, except oil and gas;

Blair Neeper - 1/480  
Leroy Neeper - 1/480  
Wilber Neeper - 1/480

Oscar Neeper -1/480  
Wayne Neeper -1/480  
Doylin Neeper -1/480

Oil and Gas:

Blair Neeper - 1/800  
Leroy Neeper - 1/800  
Wilbur Neeper - 1/800  
Beulah R. McDonald - 1/800  
Eva Mae DuFour - 1/800

Oscar Neeper - 1/800  
Wayne Neeper - 1/800  
Doylin Neeper - 1/800  
Emma Leota Johns - 1/800  
Marion A. Shimmel - 1/800

BY THE COURT: John K. Reilly, Jr., P.J.



CONT. FR. PG 362 WINK vs. FREMER, 90-22-EQU

APRIL 21, 1992, AFFIDAVIT OF SERVICE, filed

KIMBERLY M. KUBISTA, Attorney in the Law Firm of BELIN & KUBISTA, being duly sworn according to law, deposes and states that a certified copy of the Order entered by the Court on April 20, 1992, granting Plaintiff's Motion to Amend the previous Order of November 25, 1992, in the above action, was served in accordance with Pennsylvania Rules of Civil Procedure, Rule 4005, by first-class mail, on April 20, 1992, upon the following: Beulah R. McDonald RD#1, Box 370, Curwensville, PA 16833 and Blair Neeper, RD#1, Box 361, Curwensville, PA 16833, Emma Leota Johns 101 Forest Hill Dr, Leola, PA 17540; Eva Mae DuFour, RD#1, Box 323, Curwensville, PA 16833; Marion Althea Shimmel, 34 Graystone Rd, Carlisle, PA 16833; Laurance B. Seaman, Esq, Clair Oscar Neeper, RD#1, Box 365, Curwensville, PA 16833; Wayne C. Neeper, RD#1, Box 366, Curwensville, PA 16833; Wilbur A. Neeper, RD#1, Box 362, Curwensville, PA 16833; LeRoy M. Neeper, RD#1, Box 364, Curwensville, PA 16833, and Michael P. Yeager, Esq. s/Kimberly M. Kubista, Esq.

APRIL 13, 1993 MOTION OF MASTER FOR SALE OF PROPERTY AND RULE, filed by Laurance B. Seaman, Esquire.

RULE, filed.

AND NOW, this 13th day of April, 1993, upon consideration of the foregoing Motion, a Rule is issued to all heirs to show cause, if any they have, why the premises in question should not be sold as recommended by the Master in his Motion and why the Master should not engage the services of Provost Real Estate Appraisers and Vegetation Managers, Inc. as recommended in said Motion and as set forth in the Agreements for engagement of their services as attached to said Motion.

Any objections to said recommendations shall be filed with this Court no later than the 12th day of May 1993. Absent the filing of any such objections, by said date the Master is hereby directed to proceed with the sale of said premises as he has recommended,

In the event any such objections are filed by said date, the Court will hear argument on the same on the 21st day of June, 1993, at 9:00 o'clock A.M. in Courtroom No. 1, Clearfield County Courthouse, Clearfield, Pa. BY THE COURT: s/ JOHN K. REILLY, JUDGE.

CERTIFICATE OF SERVICE, filed.

I hereby certify that a true and correct copy of the Motion and Rule in this matter was mailed by regular mail, postage prepaid, at the Post Office, Clearfield, Pennsylvania, on this 14th day of April, 1993, to the attorney of record. s/ TR. Also to all defendants without counsel.

APRIL 21, 1993 PRAECIPE TO ENTER APPEARANCE, filed 3 cert/Atty

Please enter my appearance in the above-captioned matter on behalf of the Estate of Chester D. Bailey, a/k/a Chester D. Bailey, Sr, a/k/a Chester Dorsey Bailey (the decedent being the same person as Chester A. Bailey named in the above caption). Please serve all papers and processes on John A. Ayres, Jr, at 217 East Market St, Clearfield, Penna, 16830. /s/ John A. Ayres, Jr., Esq.

MAY 12, 1993, OBJECTIONS OF RACHEL LEOTA WELD AND COMMODORE NEEPER, DEFENDANTS, TO THE MOTION BY THE MASTER FOR SALE OF PROPERTY AND RULE TO SHOW CAUSE DATED APRIL 13, 1993, filed by Robert C. Wise, Esq.

CERTIFICATE OF SERVICE, filed

May 12, 1993, OBJECTIONS SERVED TO: Carl A. Belin, Jr Esq; Michael P. yeager, Esq; Chester Bailey, Deceased c/o Chester Bailey, Jr; Milfred David; Jay Neeper; Truman Neeper; Laurance B. Seaman, ESq; Alan F. Kirk, Esq; John F. Orso, III, Esq; John Sughrue, Esq; Margaret R. Wingard; Leroy Neeper; Joan Thorp. /s/ Robert C. Wise, Esq.

JUNE 22, 1993, ORDER, filed 7 cert/Atty

NOW, this 21st day of June, 1993, this being the day and date set for argument into Master's Motion for Sale of Property and Objections to Master's Motion for Sale of Property and Objections to Master's Motion for Sale of Property; the Court noting that counsel for the objector having failed to appear, it is the ORDER of this Court that the Master's Motion for Sale shall be and is hereby GRANTED to the extent that the Master shall proceed to retain an appraiser for the subject real estate and a forester for the subject timber to obtain a fair market value for both, and shall proceed to offer the same at public sale in such manner as the Master shall deem appropriate. BY THE COURT: John K. Reilly, Jr., P.J.

DECEMBER 22, 1993, MOTION OF MASTER FOR ACCEPTANCE OF BIDS AND APPROVAL OF SALE, filed by Laurance B. Seaman, Esq., Master

RULE, filed

AND NOW, this 22nd day of December, 1993, upon consideration of the foregoing Motion, a Rule is hereby issued to all heirs to show cause, if any they have, why the high bids from Gourley Lumber for Parcel A in the amount of \$151,151.00 and Matson Lumber and Land Co for Parcel B in the amount of \$716,990.00 should not be accepted and the Master directed to proceed with said sale in accordance therewith.

Rule Returnable the 21st day of January, 1994, at 2:00 pm in Courtroom No 1, Clearfield County Courthouse, Clearfield, Pennsylvania, 16830, at which time any objections to the acceptance of said bids shall be heard and at which time anyone interested in bidding more for said premises will be allowed to so bid on Parcel A. Parcel B or both Parcels, as set forth in the Master's Prospectus, Exhibit "E" to the accompanying Motion, said highest bids, in excess of the high bids already received as aforesaid, shall be accompanied by a bid bond from a reputable surety in the amount of ten (10%) percent of said bid, with said bid to be valid for sixty (60) days and to be held as payment until closing, or if the bidders fail to meet the terms and conditions set forth herein and as set forth in said Prospectus, said bid bond shall be retained in full as liquidated damages. An additional forty (40%) percent of the bid amount will be due thirty (30) calendar days from notification of acceptance of said bid, with the balance, forty (50%) percent, due sixty (60) days from notification of bid acceptance.

The Master shall publish notice of this Rule two (2) times each in The Progress and the Clearfield County Legal Journal. BY THE COURT: John K. Reilly, Jr, P.J.

CONT. TO PG 364



DECEMBER 27, 1993, RULE RETURNED FROM MILFORD DAVIS, NO ADDRESS, filed

JANUARY 20, 1994, ANSWER OF DEFENDANTS, RACHEL LEOTA WELD AND COMMODORE L. NEEPER TO RULE TO SHOW CAUSE WHY HIGH BIDS SHOULD NOT BE ACCEPTED AND SALE APPROVED, filed by Robert C. Wise, Esq.

CERTIFICATE OF SERVICE, filed

January 18, 1994, ANSWER TO RULE TO SHOW CAUSE SERVED TO Blair H. Wink, c/o Carl A. Belin, Jr., Esq., Jean M. Fremer, Truman Neeper, Barbara Hill and Leroy E. Neeper, Kathryn I. Whisman, Homer Neeper, Zella Dove and Robert M. Neeper, Chester Bailey, William Davis, Margaret R. Wingard, Alice Wink, Milford Davis, Joan Thorp, Jay Neeper, Leroy Neeper; Blair Neeper, Clair Oscar Neeper, Wayne Neeper, Doylen Neeper and Wilbur Neeper c/o Michael P. Yeager, Esq., Lester Norris Neeper and Laurance B. Seaman, Esq. /s/ Robert C. Wise, Esq.

JANUARY 21, 1994, ANSWER AND OBJECTIONS, filed by John A. Ayres, Jr., Esq.  
2 cert/Atty

JANUARY 28, 1994 ORDER filed.

AND NOW, this 21st day of January, 1994, this being the Rule Returnable date on the motion of Master for acceptance of Bids and Approval of Sale, it is the ORDER of this Court that the high bids of Gourley Lumber for Parcel A in the amount of \$187,000.00 and Matson Timber Land Co. (LP) for parcel B in the amount of \$813,000.00 be and is hereby accepted and the master directed to proceed with the sale and delivery of deeds to said high bidders, ten (10) percent or more of the amount of each bid having been provided by master, with an additional forty percent of the bid amount due thirty (30) calendar days from date hereof and the balance fifty (50) percent due within 90 days from date hereof closing. The Master shall pay out of the proceeds of the respective heirs all valid liens specified by the buyers to the master prior to closing, prior to distribution of the net proceeds to the various heirs. Following the master's receipt of the total amount of both bids, the master shall file for approval of this Court a motion for Distribution of the Sale proceeds, BY THE COURT s/ John K. Reilly Jr. P.J.

APRIL 15, 1994, PETITION FOR COUNSEL FEES AND COSTS, filed by Carl A. Belin, Jr  
Esq. 1 cert/Atty Belin

ORDER, filed

AND NOW, this 14th day of April, 1994, upon reading and consideration of the Petition of Carl A. Belin, Jr, Esquire, a Rule is hereby issued upon all of the parties in the above action to show cause why the Petition should not be entered and Belin & Kubista awarded legal fees in the amount of \$7,125.00 and costs in the amount of \$259.76 from the proceeds of the sale.

Rule Returnable on May 4, 1994. A hearing will be held on this matter on May 31, 1994, at 3:00 PM in the main courtroom of the Clearfield County Courthouse Clearfield, PA 16830. BY THE COURT: John K. Reilly, Jr, P.J.

APRIL 15, 1994 PETITION AND ORDER ISSUED TO ATTY FOR SERVICE. /s/ da.

APRIL 15, 1994, CERTIFICATE OF SERVICE, filed

April 15, 1994, PETITION FOR COUNSEL FEES AND COSTS SERVED TO: John Ayres, Esq; Robert C. Wise, Esq; Michael P. Yeager, Esq; Milford Davis, John Sughrue, Esq; David S. Ammerman, Esq; LeRoy Neeper, Esq; Joan Thorp, Beulah R. McDonald; Emma Leota Johns, Blair Wink, Joseph F. Orso, III, Esq; Alan F. Kirk Esq; Jay Neeper; Truman Neeper; Margaret R. Wingard; Eva Mae DuFour; Marions A. Shimmel. s/ Carl A. Belin, Jr, Esq.

APRIL 19, 1994, AMENDED CERTIFICATE OF SERVICE, filed 1 cert/Atty Belin, Jr

April 15, 1994, PETITION FOR COUNSEL FEES AND COSTS SERVED TO: John Ayres, Esq; Robert C. Wise, Esq; Michael P. Yeager, Esq.; Milgro Davis; John Sughrue, Esq; David S. Ammerman, Esq; LeRoy Neeper; Joan Thorp; Beulah R. McDonald; Emma Leota Johns; Blair Wink; Joseph F. Orso, III, Esq; Alan F. Kirk, Esq; Jay Neeper; Truman Neeper; Margaret R. Wingard; Eva Mae DuFour; Marion A. Shimmel; Laurance B. Seaman, Esq. s/ Carl A. Belin, Jr, Esq.

MAY 4, 1994, ANSWER OF DEFENDANTS, RACHEL LEOTA WELD AND COMMODORE L. NEEPER TO RULE TO SHOW CAUSE WHY PETITIONER, CARL A. BELIN, JR, ESQUIRE, OF BELIN & KUBISTA, SHOULD NOT BE AWARDED LEGAL FEES IN THE AMOUNT OF \$7,125.00 AND COSTS IN THE AMOUNT OF \$259.76 FROM THE PROCEEDS OF THE PARTITION SALE, filed by Robert C. Wise, Esq.

CERTIFICATE OF SERVICE, filed

May 3, 1994, ANSWER TO RULE TO SHOW CAUSE SERVED TO: Blair H. Wink c/o Carl A. Belin, Jr, Esq; Jean M. Fremer and Kathryn Whisman c/o John Sughrue, Esq; Truman Neeper; Barbara Hill and Leroy E. Neeper, c/o Alan F. Kirk, Esq; Homer Neeper; Zella Dove and Robert M. Neeper c/o Joseph F. Orso, III, Esq; Chester Bailey; William Davis; Margaret R. Wingard; Alice Wink; Milford Davis; Joan Thorp; Joan Thorp; Jay Neeper; Leroy Neeper; Blair Neeper, Clair Oscar Neeper, Wayne Neeper, Doylen Neeper and Wilbur Neeper c/o Michael P. Yeager, Esq; Lester Norris Neeper; Laurance B. Seaman, Esq. /s/ Robert C. Wise, Esq.

MAY 27, 1994, ANSWER, filed by John A. Ayres, Jr, Esq.

CERTIFICATE OF SERVICE, filed

May 27, 1994, ANSWER SERVED TO: ( See original for information) /s/ John A. Ayres Jr, Esq.

All Defts w/o Counsel, Wise & Orso, Ammerman

JULY 15, 1994, OPINION AND ORDER, filed 1 cert/Atty Belin, Sughrue, Ayres, Kirk, Yeager  
NOW, this 15th day of July, 1994, upon consideration of Petition for Counsel Fees and Costs filed on behalf of Plaintiff Blair H. Wink, above named, and hearing, argument and brief thereon, that Belin and Kubista shall receive \$7,125 in the nature of fees and \$259.76 as costs advanced from the proceedings of the sale in the above-captioned action. BY THE COURT: John K. Reilly, Jr, P.J.

JULY 15, 1994, OPINION AND ORDER, RETURNED, filed



NOVEMBER 7, 1994, NOTICE, filed by Laurence B. Seaman, Esq.  
NOVEMBER 7, 1994, MASTER'S RETURN OF SALE AND MOTION FOR DISTRIBUTION OF SALE PROCEEDS,  
filed

NOVEMBER 7, 1994, DECREE NISI, filed 1 cert/Atty Seaman

NOW, this 7th day of November, 1994, it is hereby ORDERED AND DECREED that the Master's Return of Sale and Motion for Distribution of Sale Proceeds in approved in its entirety, the sales of said premises be and are hereby confirmed and the Master, absent the filing of any motion for post-trial relief within ten (10) days from the date hereof, is directed to pay the costs and expenses and make distribution in accordance with said Return and Motion. BY THE COURT: John K. Reilly, Jr, P.J.



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