CRAWFORD COUNTY

APPEARANCE DOCKET

BOOK 287

Vol. 1

Jan 1990

PIRRELLO ENTEPRISES INC.
Scanned June 2017

1990

Fuller, Kinnenen, Petruso & Gamble
Ann H. Gamble

1.

Mahany, Roeder & Rothschild
Tamera Ochs Rothschild

2/2/90 Rec'd. $40.35 From Plaintiff
3/2/90 Rec'd $40.35 From Defendant

3/2/90 $21.20 Pd to Sheriff Stewart

PATRICIA L. WRIGHT

vs.

LESTER E. WRIGHT, JR.

Filed Jan. 2, 1990
@ 9:33 a.m.

Tax & entry Pd 3/2/90 $50.50
Sheriff's Costs 21.20
Pro Co Pd 2/2/90 $9.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

(3 copies-sheriff)
(1 copy - plff)

TEMPORARY ABUSE ORDER:

And now, this 2 day of Jan. 1990, upon review of the petition of plaintiff, the court enters the following temporary order:

1. The defendant shall not assault, abuse, harass or threatenthe plaintiff or any of the minor children named in the petition.

2. Special Conditions: Not contact plaintiff in any manner. Not remove children from custody of plaintiff.

3. This order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.

4. A copy of this order shall be delivered to the police departments in the jurisdiction where the plaintiff resides and to County Control.

5. Service of a copy of the petition and this order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.

6. This temporary order shall remain in full force and effect until modified or terminated by further order of court.

7. The defendant is reminded that this is an order of court and violation of this order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.

8. The court reserves ruling on allocation of fees and costs.

Hearing is hereby set for Jan. 15, 1990 at 3:30 p.m. in C. R. No. 1 or 2 of the Crawford CountyCourt House.

The defendant is advised he may retain a lawyer torepresent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF THE COURT,
P. Richard Thomas, J.

Jan. 9, 1990 Sheriff's Return filed. SERVED Lester E. Wright, Jr. by Certified Mail on Jan. 4, 1990 at his last known address, 530 Faulkner Drive, Hackettstown, N.J. 07840.
Signed receipt attached.

Howard N. Stewart, Sheriff

Jan. 12, 1990, Motion to Continue Hearing and Order filed. (consent agreement) ORDER: AND NOW, this 11th day of Jan. 1990, the protection from abuse hearing set for Jan. 15, 1990, is continued generally.

P. Richard Thomas, J.

Jan. 15, 1990, copies of order to Attys. T. Rothschild and A. Gamble.

Feb 2, 1990 Certificate of Service of Motion for Approval of Consent Agreement filed.

Feb 2, 1990 Motion for Approval of Consent Agreement and Order filed: AND NOW, this 2nd day of February, 1990, upon consideration of the Consent Agreement of the parties hereto attached, the following Protection Order is hereby entered:

1. 1. The Consent Agreement as executed by the parties is hereby approved.

2. The parties are hereby directed to comply with the terms and conditions of the Consent Agreement for the period of time specified therein or unless otherwise ordered by this court.

3. The Temporary Abuse Order entered by this Court on January 2, 1990 is hereby suspended.

A true and correct copy of this Order shall be sent by certified mail, return receipt requested, to the Plaintiff, the Defendant and to the Titusville Police Department which has appropriate jurisdiction to enforce this Order.

The parties are hereby advised that violation of this Order may subject the violating party to punishment for contempt.

Record Costs shall be split between the parties.

(3 copies-Atty) Gordon R. Miller, Judge

Feb. 7, 1990, Certificate of Service filed. I, Tamera Ochs Rothschild, Esq. certify that on Feb. 6, 1990, I mailed a cert. copy of the order pursuant to the Protection From Abuse Act approving Consent Agreement of Parties pursuant to Order of court entered Feb. 2, 1990 in the Court of Common Pleas of Crawford County by Judg. Gordon R. Miller, by cert. mail, ret. rec. req. in the above matter, as follows: PaTRICIA L. Wright, R. D. #4, PO Box 17, Titusville, Pa. 16354, No. P. 383 386 018; and Lester E. Wright 530 Falkner Dr. Hackettstown, N. H. 078 40, P 382 386 020; and Titusville Police Dept. 113 N. Franklin St, Titusville, Pa 16354. No. P 382 386 020. Tamera Ochs Rothschild, Esq.

Feb. 9, 1990, Certificate of Service filed. I, Tamera Ochs Rothschild, Esq. certify that on Feb. 8, 1990, I mailed a cert. copy of the Order Pursuant to the Protection From Abuse Act Approving Consent Agreement of Parties pursuant to order of court entered Feb. 2, 1990 in the Court of Common Pleas of Crawford County, by Judge Gordon R. Miller by cert. mail, rest. del. ret. rec. req. in above matter, as follows: Patricia L. Wright R. D. #4, PO. Box 17 Titusville, Pa. 16354, Cert. Mail. No. P 382 386 022. Receipt of Cert. mail is attached hreto and marked as Exhibit A. Tamera Ochs Rothschild Esq.

Feb. 14, 1990, Affidavit of Return of Service by Mail, of Certified copy of the Order Pursuant to the Protection From Abuse Act Approving Consent Agreementof the Parties filed.

2

1990

Altomare & Barnhart
Joseph C. Barnhart

2.

RICHARD J. FILL, JR.

vs.

TINA MARIE FILL

Filed Jan. 2, 1990
@ 11:41 a.m.

Taxx& entry paid $50.50
Pro Co Pd 7/18/90 9.00
State pd 7/18/90 10.00

COMPLAINT UNDER SECTION 201(c) -DIVORCE CODE

Jan. 9, 1990 Affidavit of Service filed. Before me.,the undersigned officer, personally appeared Joseph C. Barnhart, Esq., who did depose and say that he is the attorney for the Plaintiff in the above-captioned matter and that he did serve a certified copy of a Complaint in Divorce as filed Jan. 2, 1990 upon the Defendant, at her address by United States certified, restricted mail. Delivery of same being evidenced by postal return receipt #P 620 647 572 dated Jan. 4, 1990 attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF I hereunto set my hand and seal this 8th day of Jan., 1990.

Joseph C. Barnhart, Esq.

May 31, 1990 Plaintiff's Affidavit Of Consent To Divorce Filed.

July 9, 1990 Defendant's Affidavit Of Consent To Divorce filed.

July 16, 1990, Upon praecipe of plaintiff attorney, to Transmit the Record, this case moved to court.

July 25, 1990 D E C R E E F I L E D .

AND NOW, THIS 25 DAY OF JULY, 1990, IT IS ORDERED AND DECREED THAT:, upon consideration of the pleadings and affidavits file din the above-captioned matter, the Court hereby grants an absolute divorce fromthe bonds of matrimony to the above-named parties, on the grounds that the marriage is irretrievably broken and ninety (90) days have elapsed from the date of the filing of the Complaint and an Affidavit has been file dby each of the parties evidencing that each of the parties consents to the divorce, pursuant to Section 201(d) of the Pennsylvania Divorce Code.

No other matters or causes of acton provided under the Pennsylvania Divorce Code of 1980, as amended, are reserved by either of the parties.

BY THE COURT,
P. richard Thomas, j

1990

Quinn, Gent, Buseck and Leemhuis, Inc.
Lawrence C. Bolla

3.

MARINE BANK

vs.

FRED WORST AND JOYCE A. BUTLER WORST

Filed Jan. 2, 1990
@ 2:13 p.m.

Pro Simmons Paid	$15.00
Plff on orig.	90.95
Sheriff's costs	23.00
Pro Co Pd 2/22/90	9.00

WRIT OF REVIVAL
of
AD 1986 - 83

Revival of Judgment indexed in favor of plaintiff and against the defendants in the sum of Seven Thousand Two Hundred Nine and 76/100 Dollars, with int. from Dec. 19, 1980, and the costs of action, plus attorney fees of $940.35.

Debt.....$7,209.76
Int. from Dec. 19, 1980
Dated.....Dec. 27, 1989
W - 64, 94 JUDGMENT REVIVAL
James F. Simmons, Pro

Issued (sheriff)

Jan. 9, 1990 Writ returned. Not Found, as to defendants Fred Worst and Joyce A. Butler Worst. No such address, unknown at Post Office.
So answers,
Howard N. Stewart, Sheriff

And Now, Feb. 22, 1990 at 11:27 a.m., upon praecipe of plaintiff attorney with default notice attached - Judgment is hereby entered in favor of the plaintiff and agaisnt the defendant per writ of revival in the amount of Seven Thousand Two Hundred Nine and 76/100 Dollars, with interest from Dec. 19, 1980 and costs of action plus fees of $940.35.
Judgment entered - 2/22/90
W - 64, 94

Debt ----$7,209.76

Int. form 12/19/80
JUDGMENT
James F. Simmons,
Prothonotary

9-27-93
Revocedto AD1993-968

Gary A. Fabian
Fuller, Kinnunen,
Petruso & Gamble

4.

SUSAN BROWN GIKNIS AND JOHN D. GIKNIS, HER HUSBAND

vs.

ABRAHAM GRINDROD a/k/a ABRAM GRINDROD AND ELIZABETH GRINDROD, HIS WIFE, ABRAHAM C. GRINDROD, JAMES GRINDROD, HARRY C. GRINDROD, ARTHUR F. GRINDROD, GRACE GRINDROD ROBERTS, HERMAN GRINDROD AND ELIZABETH GRINDROD, HIS WIFE, THEIR HEIRS AND ASSIGNS

COMPLAINT - ACTION TO QUIET TITLE

Jan. 3, 1990, Affidavit of plaintiffs of whereabouts of Defendants filed.

Jan. 3, 1990, Motion for Service by Publication and Order filed. ORDER FOR SERVICE BY PUBLICATION: AND NOW, to-wit Jan. 3, 1990, upon consideration of the foregoing Motion, the Sheriff of Crawford County is Ordered and directed to make service of the complaint on the defendants, Abraham Grindrod a/k/a Abram Grindrod and Elizabeth Grindrod, his wife, Abraham C. Grindrod, James Grindrod, Harry C. Grindrod, Arthur F. Grindrod, Grace Grindrod Roberts, Herman Grindrod and Elizabeth Grindrod, his wife, their heirs and assigns, by publication once in the Meadville Tribune newspaper, a newspaper of general circulation in Crawford County, Pa., and in the Crawford County Legal Journal. Gordon R. Miller,
Judge

Jan. 17, 1990, Complaint Reinstated.

Feb. 23, 1990, Sheriff's Return filed. I, Howard N. Stewart, Sheriff of Crawford County, do hereby certify and make return that I have made publicaton inthe Meadville Tribune, a newspaper printed within my baliwick once only on Jan. 31, 1990 as per copy and proof of publication attached.
I, Howard N. Stewart, sheriff of crawford County do hereby certify and make return that I have made publication inthe Crawford County Legal Journal, Meadville, Pa. a periodical printed within my baliwick once only on Feb. 7, 1990 as per copy and proof of publication attached.
So answers, Howard N. stewart, sheriff.

Filed Jan. 3, 1990
@ 8:39 a.m.

Tax & entry Paid $50.50
Sheriffs costs $309.35
Pro Co Pd 4/10/90 9.00

Mar. 2, 1990 Affidavit filed. GARY A. FABIAN, being duly sworn according to law, deposes and says that he is a member of the law firm of Fuller, Kinnunen, Petruso & Gamble, Attorneys for the plaintiffs in the above-captioned case and as such makes this Affidavit on behalf of said plaintiffs; that on January 3, 1990, your Honorable Court entered an Order in the said case directing that service of the Complaint be made on defendants, their heirs and assigns, by publication once in the Meadville Tribune newspaper and in the Crawford County Legal Journal; that service has been made by publication in accordance with said Order as appears by the Proofs of Publication attached to the Sheriff's return, duly filed of record in the case; that more than twenty days have elapsed from the date of publication of said notices and no appearance has been entered or answer filed on behalf of any defendant. Gary A. Fabian

Mar. 5, 1990, Motion for Judgment and Final Decree filed. AND NOW, Mar. 5, 1990, upon presentation of the foregoing motion, and after due consideration thereof, IT IS HEREBY ORDERED, ADJUDGED AND DECREED athat the defendants, Abraham Grindrod a/k/a Abram Grindrod and Elizabeth Grindrod, his wife; Abraham C. Grindrod; James Grindrod; Harry C. Grindrod; Arthur F. Grindrod; Grace Grindrod Roberts; Herman Grindrod and Elizabeth Grindrod, his wife; their heirs and assigns, are forever barred from asserting any right, title, lien or interest in the land described in paragraph No. 2 of the Complaint in the above case inconsistent with the interest of the plaintiffs as set forth in the Complaint, provided, however, that this decree shall become final only, if the defendants, or any of them, fail to take any action as is hereby directed within Thirty (30) days from the date of this decree; IT IS FURTHER ORDERED AND DIRECTED that if no petition to open this judgemnt or to set aside this order and decree is presented by the defendants, or within thirty (30) days form and after the entryof this order, the same shall become final, and if no suc h action is taken within said thirty (30) days period, the Prothonotary, upon praecipe fo the plaintiffs shall enter final judgment. BY THE COURT,
Gordon R. Miller, J.

Mar. 6, 1990 copy of order to G. Fabian, Esq.

FINAL

Apr. 10, 1990, And Now, at 10:32 a.m., upon praecipe of plaintiff attorney, Judgment is hereby entered in favor of plaintiffs and against the named defendants pursuant to the final decree of this court dated Mar. 5, 1990.
G - 14, 14, 54, 14, 94,
G - 84, 14, 84, 84
R - 74
Judgment entered 4/10.90

FINAL JUDGMENT
James F. Simmons,
Prothonotary

1990

Shafer, swick BAiley, Irwin & Stack
Paul D. Shafer Jr.
~~William J. Gregg~~

5.

Culbertson, Weiss, Schetroma and Schug
Russell L. Schetroma

WILLIAM E. KINGZETT, t/d/b/a KINGZETT CONSTRUCTION CO.

vs.

MARTIN J. MANCUSO AND SUSAN K. MANCUSO, HIS WIFE

Filed Jan. 3, 1990 @ 9:09 a.m.

Tax & Entry paid $50.50

COMPLAINT

1 copy (atty)

(Jury Trial Demanded)

Jan. 5, 1990 Acceptance of Service filed. I, RUSSELL L. SCHETROMA, ESQ., Attorney for the Defendants in the above-captioned matter, hereby accept service of the Complaint and Notice, certified by the Prothonotary of Crawford Co. at the above number and term, on behalf of my clients, Martin J. Mancuso and Susan K. Mancuso , his wife. Russell L. Schetroma, esq.

Jan. 31, 1990, Answer, New Matter and Counterclaim - filed.

May 2, 1990 Reply To New Matter and Answer To Counter-Claim filed.

Aug. 13, 1990, appearance of Shafer, Swick, Bailey, Irwin & Stack, by Paul D. Shafer, Jr. attorney for plaintiffs, filed.

Oct. 17, 1990 Notice Of Service For Plaintiff's Request For Admissions To Defendants filed.

Nov. 15.1990, Request for Admissions filed. 1 copy (atty)

Nov. 16, 1990 Notice Of Service For Plaintiff's Request For Admissions (Second Set) To Defendants filed.

Dec. 14, 1990,.Answers to Request for Admissions (Second Set) filed.

Mar. 6, 1991 Certificate of Readiness filed.

On April 1991 - Trial list

Apr. 12, 1991 Motion for Leave to Amend Answer, New Matter and Counterclaim filed.
Apr 12, 1991 Motion for View filed.
Apr. 12, 1991 ORDER filed. AND NOW, April 12, 1991, the plaintiff's request for view is denied. BY THE COURT,
Gordon R. Miller, P.J.
Apr. 12, 1991 copies given to Attys. of record.

Apr 12, 1991 Motion for Binding Instructions and Directed Verdict filed.
**********April 18, 1991 Verdict (see entered ******below).
Apr 24, 1991 Order filed: AND NOW, April 23, 1991, the attached written additional jury instructions requested by the jury during its deliberations in this case shall be filed of record. BY THE COURT,
Gordon R. Miller, P.J.

Apr 24, 1991 Plaintiff's Points for Charge filed.

Apr 24, 1991 Defendants' Preliminary Points for Charge filed.

Apr 24, 1991 Exhibits filed in file cabinet under M.

*** * * * * * * * * * * * * VERDICT * * * * * * * * * * * * ***

AND NOW, April 8, 1991 Jury selected and sworn April 15, 1991 as follows: 1. Gloris J. Baker, 2. Dennis M. Smith, 3. Suzanne Vontacky, 4. James T. Vidoni, 5. Robert Moore, Jr., David L. Flock, 7. Ethel Gray, 8. Geraldine Maloney, 9. Edna M. Mook, 10. Patricia Walker, 11. Brian Hixson, 12. William Pilarcik, twelve good and lawful persons who, upon their solemn oaths which they have taken, and at least 10 of them say on April 18, 1991 at 6:25 p.m. they find in favor of the plaintiff for $22,333.00 with interest to be calculated beginning Jan 3, 1990.

James T. Vidoni, Foreman

M-113, 153

1990

~~Specter Law Offices~~
~~Paul J. McArdle~~
(withdrawn)

6.

Jorden & White
Harry F. White

DAVID SHAFER AND JOYCE SHAFER, HIS WIFE

vs.

GEORGE WILCOX t/d/b/a BUTCH'S PUB

Filed Jan. 3, 1990
@ 10:31 a.m.

Tax & entry Paid $50.50
Sheriff's Costs 20.00

COMPLAINT

3 copies (atty)

(Jury Trial Demanded)

Jan. 9, 1990 Sheriff's Return filed. SERVED George Wilcox personally on Jan. 4, 1990 at 11:45 AM by handing copy of Complaint to him at his place of business, Butch's Pub, Blooming Valley, Crawford Co., Pa.

So answers, Robert M. Stevens, Dep.Sheriff
Howard N. Stewart, Sheriff

Jan. 24, 1990, Answer, New Matter, and Counterclaim filed.
1 copy (atty)

Jan. 30, 1990, Notice of Service of Interrogatories and Request for Production Directed to the Defendant George Wilcox filed.

Feb 2, 1990 Preliminary Objections filed.

Feb 2, 1990 Upon Praecipe of Plaintiff's Attorney, this case is Placed on the March 1990 Argument list.

ARGUMENT LIST FOR MARCH, 1990

Mar. 27, 1990, ORDER filed. AND NOW, March 26, 1990, at the time scheduled for oral argument on the plaintiff's preliminary objections in the nature of a demurrer to the defendants counterclaim brought under 42 Pa. C.S.A. 8351, et seq., the parties have reached an agreement respecting this matter.

Therefore, in keeping with the agreement of the parties, the plaintiff's demurrer is granted and the defendant's counterclaim under 42 Pa. C.S.A. 8351, et seq. is dismissed without prejudice and reserving unto the defendant the right to raise any claims or issues under 42 Pa. C.S.A. 8351, et seq. at an appropriate time in the future.

BY ORDER OF THE COURT,
Gordon R. Miller, Judge

Mar. 27, 1990, copies to John Evans (mail) and H. White (box)

Oct 2 1990 Notice of Service of Reply to New Matter filed.

Oct 2, 1990 Reply to New Matter filed.

Oct 2, 1990 Affidavit filed.

Oct. 15, 1990, Motion of Specter Law Offices to Withdraw Appearance and order filed. ORDER OF COURT: AND NOW, to-wit this 15 day of Oct. 1990, it is hereby ORDERED AND DECREED that the appearanc eof Specter Law Offices, P.C. for the plaintiff, David Shafer, be and is hereby withdrawn.

BY THE COURT,
Robert L. Walker, S. J.

Oct. 15, 1990, copies of order to Specter Law offices and H. White, attys.

Oct. 15, 1990, Notice of Serivce of Motion to Withdraw Appearance filed.

1990

Stephen Hutzelman	MARINE MIDLAND BANK	COMPLAINT
7.	vs.	1 copy (sheriff)
	ROBERT SHELATZ	Jan. 12, 1990, Sheriff's Return filed. SERVED Robert Shelatz on Jan. 8, 1990, at 2:46 p.m. by handing copy of complaint to Jeremy Shelatz, his son, at residence, R. D. # 2, Cochranton, Crawford County, Pa. Robert M. Stevens, Dep. Sheriff
	Ffiled Jan. 3, 1990 @ 11:02 a.mm	April 12, 1993, 2:11 p.m., AND NOW upon Praecipe of Plaintiff Attorney, with copy of Notice of Intention to file default judgment attached, judgment is hereby entered in favor of Plaintiff and against Defendant for failure to file an answer and damages are assessed as follows:
	Tax & entry paid $50.50 Sheriffs costs $22.28 Pro Co. pd 4/12/93 9.00 Pro.Co. pd 11/10/93 5.00	Amount claimed in Plaintiff's Complaint $1,058.74 Interest from February 1989 $ 264.69 Attorney's fees $ 211.75 TOTAL $1,535.18 Plus court costs of record.
		Debt $1,535.18 Interest from 2/1989 Judgment Barbara H. King, Pro.
	S-141 Judgment entered 4/12/93	4-15-93 Notice of entry of judgment mailed defendant.

Nov. 10, 1993 Upon Praecipe of Stephen H. Hutzelman, Esquire, the above-captioned matter is marked satisfied of record.

1990

Fuller, Kinnunen,
Petruso & Gamble
Ann Hansen Gamble

8.

~~Mary Ann Kirkpatrick~~
(withdrawn)

RONALD W. McKEE

vs.

CHRISTINE A. IRVIN

Filed Jan. 3, 1990
@ 2:30 p.m.

Tax & entry Paid $50.50✓
Bruce L Smith, mediator
Mediation Cost 108.75
Pro Co. pd 3/2/90 9.00✓

3/2/90 Recd $54.38 From Plaintiff

3/23/90 Recd $54.38 From Defendant

Recd 4-2-90
$54.38
Vivian Stoltz

Recd 4-2-90
$54.38
Vivian Stoltz

COMPLAINT FOR CUSTODY

1 copy (atty)
1 copy (mediator)

APPOINTMENT OF A CUSTODY MEDIATOR:
AND NOW, this 3rd day of Jan. 1990, Bruce L. Smith is hereby appointed Custody Mediator and is hereby directed to hold su ch Custody Mediation Conference as he deems appropriate and to make recommendations thereafter to this Honorable Court.
Gordon R. Miller,
Judge

Jan. 17, 1990, Affidavit of MAILING filed. Ann Hansen Gamble, being duly sworn ac cording to law, deposes and says that she is atty. at Law, duly authorized to practice law inthe Com. of Pa. and that on Jan. 9, 1990, she sent a copy of Complaint for Custody to defendant by Cert. mail, restricted del., postage prepaid, receipt requested, to Christine A. Irvin c/o Julia Olson, R. D. #4, Tyuronbille Road, Centerville, Pa. 16404, the defendants last known address. The said receipt being attached hereto.
Ann Hansen Gamble, Esq.

Feb. 21, 1990, Answer to Complaint for custody filed.

Feb. 20, 1990 Temporary Order of Court filed. AND NOW, this 20th day of february, 1990, after Mediation and upon recommendation of the Child Custody Mediator, it is hereby ordered and decreed that:

1. The natural parents of Lauren Ann McKee, age ten months, born April 14, 1989, parties to this action, shall share legal custody of the minor child. Said joint legal custody being shared shall entitle both of the parents to equal access to any records relating to the child held by a third party, including, but not limited to, medical records and later school records, and shall also entitle both parents to equal input with regard to the future educational and religious upbringing of the child, as well as to elective surgery.
2. Primary physical custody of the child shall remain with the natural mother, Christine A. Irvin. Regular visitation and temporary custody of the child shall be grante dto the plaintiff father, Ronald W. McKee. Temporary physical custody for the father shall be as follows:
   a. The father shallhave thr ight to take the child into his temporary physical custody beginning at 10:00 a.m.,prevailing time, on Sunday, on the first, second and fourth weekends of each month, an dshall be entitled tokeep the child in his physical custody until 7:00 p.m., prevailing time, the following Tuesday. In the event that the father does not appear within one hour of the scheduled pick-up time without having previously called and given a valid reason therefor, that visitation shall be waived.
   b. Each summer, beginning in the summer of 1990, the father shallhave the right to take the child into his temporary physical custody for two uninterrupted one-week visits beginning onSunday at 10:00 a.m.,prevailing time, and ending at 10:00 a.m. , prevailing time, the following Sunday. He shallgive the mother a written notice of ten days of the times of these visits; and , if they cannot agree, the visits shall take place during the first full week of July and the first full week of August, 1990, and each year following.
   C. Holiday visitation shalltake priority over other scheduled visitation. The parties are encouraged to agree as to h oliday visitation; however, in the event that they cannot, during even-numbered years, beginning in 1990, the father shallhave the child on Easter and the Fourth of JUly of Each year, and the mother shallhave the child on Memorial Day and Labor Day of each year. These days shallbegin at 9:00 a.m., prevailing time, and shall end at 7:00 p.m., prevailing time. These days shall be reversed in odd-numbered years. The child shall spend Thanksgiving primarily in the mother's home, but shall be available to spend time with the father on Thanksgiving each year from 3:00 p.m., prevailing time, to 6:00 p.m. prevailing time, the next day. With regard with Christmas Day each year, the child shall be available to spend time with the father from 12:00 noon, prevailing time, on Christmas Day until 8:00 p.m., prevailing time, at which time the child shall be returned to her mohter. Additionally, the child shall be inthe mother's home on Valentine's Day, Halloween, New Year's Day, and the child's birthday each year.
   d. The father shall pick-up and return the child to the mother's residence.
3. The parent having custody of the child at anytime shall notify the other parent as soon as possible in the event of injry or illness of the child requiring medical treatment. The parents shall advise each other of the current addresses and telephone numbers and any changes therein as soon as possible afther those changes occur.
4. Neither parent shalltake the child into any environment which might be commonly thought of as detrimental to her development or to the development of h er character or which would be commonly thought of as dangerous to her physical person.
5. The parents are encouraged to discuss arrangements for physical custody of the child; and, if the parties mutually agree to alternative arrangements to accommodate themselves and/or the child's schedule, they may adjust the physical custody arrangements accordingly and are encouraged to do so by mutual consent and agreement. Both parents shall use Celeste Stewart as the primary baby-sitter while they are at work, unless and until another baby-sitter can be mutually agreed upon. Any public child care agency shall be an acceptable substitute without further Mediation.
6. Each of the parents will teach the child to have and demonstrate that love and respect due a parent form his or her child, and neither of the parents will do anything or say anything to blacken the character of the other parent in the eyes of the child. This admonition shall extend to grandparents, future stepparents, and persons who live with either of the parents outside of marriage.
7. This Order shall not prejudice the right of either party to request further Mediation if there are circumstances which would affect the best interest of the child or it it is believes that the best interes to the child would require further Mediation at anytime.
8. The Court of Common Pleas of Crawford County, Pennsylvania, shallretain jurisdiction of this matter so long as either parent or the child resides in the Court's jurisdiction and for at least six months from the date of this Temporary Order.
9. The fees for the child Custody Mediator shall be paid 50% by the plaintiff father and 50% by the defendant mother.
10. This Order shall be a temporary Order, but shall become a permanent Order unless exceptions are filed by either party within thirty days fromthe date of this Temporary Order.

BY THE COURT:
Gordon R. Miller, J

Feb. 23, 1990 Copy of order put in Mary Ann Kirkpatrick's box. and copies mailed to Ann Gamble, Bruce Smith, plaintiff and defendant.

Apr. 11, 1990, Motion to Permit Defendant Counsel to Withdraw her appearance at Request of defendant, and Order filed. ORDER: AND NOW, apr. 11, 1990, Granted.
P. Richard Thomas, J.
Apr. 12, 1990, copies of order to A. Gamble and M. Kirkpatrick & Bruce Smith.

1990

David W. Pickens

9.

Meyer, Darragh,Buckler, bebenek, Eck & Hall
Mark A. Eck
for Gen. Motors Corp.

ROBERT J. TOMKO, JR.

vs.

LEIGH-EMERLING CHEVROLET INC. AND CHEVROLET MOTOR DIVISION, GENERAL MOTORS CORPORATION

Filed Jan. 3, 1990
@ 2:33 p.m.

Tax & entry Paid	$50.50
Sheriff's Costs	56.00
Pro Co Pd 5/30/90	5.00

COMPLAINT

2 copies (atty)

(Jury Trial Demanded)

Feb. 20, 1990, Appearance of Meyer, darragh, Buckler, Bebenek, Eck and Hall, by Mark A. Eck, Esq. attorneys for defendant General Motors Corporation, filed.

Mar. 14, 1990 Sheriff's Return filed. Before me, the undersigned authority, personally appeared Louis Leon who being duly sworn according to law, deposes and says that on the 18 day of Jan., 1990, at 1:00 p.m., he served complaint, filed at No. 9 Term, 1990, Crawford County Pennsylvania, upon derfendant Chevy Division GMAC at 2 Penn center West Suite 200 By making known the contents thereof to G. Bush - sec. an dhanding to and leaving with her the certified copy of the received from crawford.
So answers, Louis Leon, Deputy Sheriff
Eugene L. Coon, Sheriff
SERVED Leigh Emerling by certified Mail at 6656 Liebler Road, Boston, NY 14025. Return Receipt attached, dated January 6, 1990.
SERVED Chevrolet Motor Division, GMAC by deputizing Sheriff of Allegheny County, PA as per his Affidavit of service attached.
Served: January 18, 1990
So answers, Howard N. Stewart, Sheriff

May 24, 1990, Upon praecipe of plaintiff attorney, the above captioned case is hereby settled and discontinued of record.

1990

10.	APPLICATION FOR EXTENDED INVOLUNTARY TREATMENT of ROGER C. WILLIAMSON Filed Jan. 3, 1990	APPLICATION FOR EXTENDED INVOLUNTARY TREATMENT Mental Health Procedures Act of 1976-Sect. 303 Dec. 15, 1993 Involuntary Treatment filed.

1990

Donald Lewis

11.

Watts, Pepicelli,
Youngs & Youngs, PC
~~Christopher J. Youngs~~

JOHN YANACEK

vs.

RAY HOUSER

Filed Jan. 3, 1990
@ 3:10 p.m.

Tax & entry Paid $50.25
Pro Co pd 11/7/90 15.00

APPEAL OF PLAINTIFF FROM JUDGMENT OF HUBERT VOGAN, MAGISTERIAL DISTRICT 30 - 3 - 02

Jan. 4, 1990 Proof of Service filed.

Jan 19, 1990 Complaint filed. 1 copy (atty)

Jan. 24, 1990 Affidavit filed. I, DONALD E. LEWIS, after being duly sworn according to law, depose and say that I am the attorney of record for John Yanacek, Plaintiff herein , and that as such I am authorized to execute this Affidavit, that I did on the 22nd day of Jan. 1990, send by Certified Mail, Return Receipt Requested, a true and correct copy of the Notice to Defend and the Complaint to the Defendant, Ray Houser, at his last known address of R.D.# 3, MeaDVILLE, Pa.16335, as evidenced by the 24th day of Jan. 1990, I did receive the duly exec uted return receipt dated the 23rd day of Jan. 1990.

I verify that the statements made in this Affidavit are true and correct. I Understand that false statements herein made are subject to the penalties of 18 Pa. C.S. Section 4904, relating to unsworn falsification to authorities.

Donald E. Lewis, Atty, for Plaintiff

June 6, 1990 Answer, New Matter and Counterclaim filed.

Oct. 31, 1990 Plaintiff's Reply To New Matter & Counterclaim filed.

Nov. 5, 1990 Upon praecipe of Defendant Attorney For Reference To Arbitrators the following arbitrators are hereby appointed:

Mary Ann Kirkpatrick, Chairman
Kathleen R. Nelson
Kemp C. Scales

Nov. 5, 1990 Certificate of service of Praecipe for Reference to Arbitrators filed.

Nov. 5, 1990, Arbitrators Take the Qualifying Oath.

Jan. 29, 1991 Notice to Attend to John Yanacek, Plaintiff filed. (1 copy atty.)

Feb. 7, 1991, Defendant's Amended Answer filed.

Motion for Leave to Withdraw

Dec. 23, 1991 Notice of Presentment; Certificate of Service and Order filed. ORDER: AND NOW, this the 23rd day of Dec., 1991, upon presentation and consideration of the foregoing motion, Christopher J. Youngs, Esq. is granted leave to withdraw as counsel for the Defendant in the above action. P. R. Thomas, S.J.
Jan. 6, 1992 copy in box for D. Lewis & C. Youngs

Dec. 22, 1993 Praecipe to Reschedule Arbitrator's Hearing filed.

1990

12.	JAMES R. TURNER, SR. vs. VIRGINIA & RICHARD BOND Filed Jan. 4, 1990 @ 2:11 p.m. Tax & entry Paid $50.25✓	APPEAL OF DEFENDANTS FROM JUDGMENT OF DISTRICT MAGISTRATE ROBERT LEONHART Jan. 4, 1990, Rule entered upon plaintiff to file complaint issued. Jan. 8, 1990, Proof of Service filed.

1990

~~Harry Faber White II~~ withdrawn
Jorden & White
Joseph W. Tinko
13.

Ferguson & Spataro
Douglas W. Ferguson

Joseph F. Kulwicki,III

CYNTHIA L. ANDREWS COOKSON

vs.

VERN PIERRE COOKSON

Filed Jan. 4, 1990
@ 3:04 p.m.

Tax & entry Paid	$50.50
1 Count paid	15.00
State paid	5.00

Gregory Keenan, Master

COMPLAINT UNDER SECTION 201(c) OF THE DIVORCE CODE

1 copy (atty)

Jan. 18, 1990, Affidavit of Service filed. Harry Faber White, II, Esq. atty. for plaintiff in above matter, being duly sworn according to law, deposes and says that he served the Notice to Plead and Complaint under Sect. 201(c) of the Divorce Code upon the defendant, Vern Pierre Cookson by Cert. mail, ret. rec. req. on Jan. 5, 1990,, at the defendatn's address Box 76 Harmonsburg, Pa. 16422. The defendant's acceptance of the same is attached hereto. Harry Faber WhiteII, Esq.

Jan. 10, 1991 Appearance of Ferguson & Spataro By Douglas W. Ferguson, Attorney for Plaintiff filed.

Jan. 10, 1991 Answer to Plaintiff's Complaint in Divorce and Counterclaim for Equitable Distribution filed.

Jan. 10, 1991 Affidavit of Consent of Plaintiff filed.

Apr. 12, 1991 Defendant's Petition For Special Relief Under The Divorce Code of 1980 and Order filed. AND NOW, this 12 day of April, 1991, upon consideration of the foregoing Petition it is hereby ordered and decreed that a hearing in regard to the Defendant's request for Special Relief is scheduled for April 30, 1991 at 3:30 p.m. in Court Room 1. Service of this Petition and Order shall be made upon the Plaintiff through her attorney, Harry F. Whiate, II, by forwarding a copy of the same toh im.

BY THE COURT,
Gordon R. Miller, J

Apr. 17, 1991 Copies of order put in Harry White and Douglas Ferguson's box.

Apr. 30, 1991 Motion to Cancel Hearing and Order filed. ORDER: AND NOW, this 30 day of April 1991 the within Motion has been granted. BY THE COURT,
P. Richard Thomas, S. J.

May 3, 1991, copies to D. Ferguson and H. White attys.

Oct. 25, 1991 Defendant's Second Petition For Special Relief Under the Divorce Code of 1980

Oct. 25, 1991 Defendant's Second Petition For Special Relief Under the Divorce Code of 1980 and ORDER filed. AND NOW, this 25th day of October, 1991, upon consideration of the foregoing Petition it is hereby ordered and decreed that a hearing in regard to the Defendant's request for Special Relief is scheduled for Nov. 25, 1991 at 3:30 p.m. in Court Room 1.
Service of this Petition and Order shall be made upon the Plaintiff through her attorney, Harry F. White, III, by forwarding a copy of the same to him by regular mail.

By The Court,
Gordon R. Miller, J.

Oct. 30, 1991 Copy of Order to Attys. Harry White II and Douglas Ferguson.

Nov. 22, 1991, Petition for Alimony Pendente Lite, Attorney Fees and Costs and Order filed. ORDER:

Nov. 22, 1991, Income and Expense Statement of Cynthia L. Andrews Cookson filed.

Dec. 3, 1991 Memorandum and Order filed. AND NOW, November 26, 1991, defendant's Second petition for Special Relief filed October 25, 1991, is denied. The Plaintiff's Petition for Alimony Pendente Lite, attorney Fees and Costs is denied. BY ORDER OF THE COURT,
Robert L. Walker, S.J.

dec. 3, 1991 Copy put in atty's box.

Aug. 28, 1992 Defendant's Third Petition For Special Relief From The Divorce Code and Order filed. AND NOW, this 28 day of August, 1992, upon consideration of the foregoing Motion is hereby ordered and decreed that a hearing there on is scheudled for October 5, 1992 at 3:30 p.m. in Ct. Rm. 1 or 2. Pending said hearing, the Plaintiff, Cynthia L. Andrews Cookson, is hereby ordered and dicrected that the first $8,000 of funds received from a third party in connection with the sale of Cindy's Newsstand shall be paid into Court and specifically to the Prothonotary of Crawford County, Pennsylvania, pending further order of court concerning Equitable Distribution.

BY THE COURT,
Anthony J. Vardaro, J

Aug. 31, 1992 Copies of order put in box for Atty's White and Ferguson

Oct. 7, 1992 Order filed. AND NOW, October 5, 1992, the defendant's third Petition for Special Relief Under the Divorce Code is before the Court.
Essentially the defendant is asking to retain in the Office of the Prothonotary $1968.27 of funds that were placed there onSeptember 1, 1992 after the sale of a business owned by the plaintiff.
It appearing to the Court that there can be conceivably an equitable distribution claim with respect to that money, the Court will require that it remain with the Prothonotary until further Order of Court or until an equitable distribution concerning it and any other assets takes place.
It the parties at an ytime praecipe for the appointment of a Master, the Prothonotary is directed to take the Master's deposit required by the Court directly from these funds, with the understanding that an equal portion shall be apportioned to each party, subject to an ultimate determiantion by the Master or the Court with respect to who should be paying which amount of Master's fees.
It is the Court's intention to allow this removal of funds for the appointment of a Maste rin order tha tthis matter may proceed as soon as possible in that it seems that is has dragged on too long at this point.

BY ORDER OF THE COURT,
Anthony J. Vardaro, J

Oct. 7, 1992 Copies to Atty. White and Ferguson

Dec 14, 1992 Affidavit of Consent of Plaintiff, filed.

Received from Plaintiff atty: 9-2-92 deposit (partial) as per ct order dated 8-28-92 $1968.27 deposited in gen acct.

8-17-93 Pd atty Keenan master fees Ch#7734 487.50

8-17-93 Pd Ct Rep Dallas Ch# 7735 45.00

9-3-93 Received from Plff ~~Master Fees~~ $161.34

10-5-93 Received from Plff ~~Master Fee~~ 161.34

11-5-93 Received from Plff, ~~Master Fees~~ 161.34

12-3-93 Received from Plff deposit #161.34

12-22-93 Pd atty Ferguson Return Master Fee #2081.13.

Continued on Page 558

1990

Anthony J. Vardaro
Thomas, Truax, Spada-
fore, Vardaro, Walker

14.

NORTH AND SOUTH SHENANGO
JOINT MUNICIPAL AUTHORITY

vs.

PAUL J. HOBSON AND BETTY K.
HOBSON, HIS WIFE

Filed Jan. 4, 1990
@ 3:20 p.m.

Tax & entry Paid	$50.50 ✓
Sheriff's Costs	34.60 ✓
Pro Co pd 2/16/90	9.00 ✓
Exemplification of Record paid 4-10-90	10.00 ✓
Pro Co Pd 6-15-92	5.00 ✓

COMPLAINT

2 copies (sheriff)

Jan. 11, 1990 Sheriff's Return filed. SERVED Betty K. Hobson personally on Jan. 8, 1990 at 3:24 PM by handing copy of Complaint to her at residence, 207 Ralston Rd., Jamestown, Crawford Co. Pa. SERVED Paul J. Hobson on Jan. 8, 1990 at 3:25 PM by handing copy of Complaint to his wife, Betty K. Hobson, at residence, 207 Ralston Rd. Jamestown, Crawford Co. Pa. 16134

So answers,

Robert M. Stevens, Dep. Sheriff
Howard N. Stewart, Sheriff

And Now, Feb. 13, 1990, at 3:47 p.m., upon praecipe of plaitniff attorney with copy of default notice attached, Judgment is hereby entered in favor of the plaintiff and against the defendants for want of an answer, damages assessed in the amount of Seven Thousand Three Hundred Thirty One and 63/100 dollars, plus itnerest and costs fo suit.
Judgment entered 2/13/90
H - 133, 23

Debt ---$7,331.63
JUDGMENT
James F. Simmons,
Prothonotary

Feb. 16, 1990, notices of entry of judgment mailed to dfts.

June 15, 1992 This Judgment Satisfied (See paper filed).

1990

Ferguson & Spataro
Douglas W. Ferguson

15.

Alan Pepicelli,

RANDALL L. HARTZELL

vs.

PAMELA J. HARTZELL

Filed Jan. 4, 1990
@ 4:11 p.m.

Tax & entry Paid	$50.50
2 counts paid	30.00
William Pineo, mediator	
Mediation Costs	137.00
	9.00
Pro Co Pd 8/21/91	9.00
Pro Co Pd 11/6/91	5.00

COMPLAINT IN DIVORCE, CUSTODY, EQUITABLE DISTRIBUTION

1 copy (atty)

Jan. 9, 1990 Appearance of Alan Pepicelli, Esq., Attorney for Defendant filed.

Jan 9, 1990 Acceptance of Servicefiled. I, Alan Pepicelli, Esq., Attorney for the Defendant in the above captioned matter, hereby accept service of the Complaint filed on Jan. 4, 1990 and certified by the Prothonotary of Crawford County on behalf of my client, Randall L. Hartzell

Alan Pepicelli, esq.

Feb. 14, 1990, Motion for Appointment of child Custody Mediator and order filed. ORDER: AND NOW, Feb. 14, 1990, the above motion is granted and WILLIAM PINEO, ESQUIRE, is appointed as Child Custody Mediator in the above captioned action.
1 copy (atty) BY THE COURT,
1 copy (mediator) Gordon R. mIller, J.

Apr. 18, 1990 Temporary Order filed. AND NOW, this 17 day of April, 1990, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator, IT IS HEREBY ORDERED AND DECREED THAT:

1. The parties shall share legal and physical custody of the subject minor children.
2. The parties shall share with each other any and all information which eacy may have regarding the health, education, and the major events in the life of the subject minor children. Health care, school personnel, and other care providers are hereby authorized to release to either party any and all confidential information which they may have regarding the subject minor children.
3. The mother shall have primary physical custody of Chad and the father shall have primary physical custody of Kristy. Starting with April 29, 1990, Chad shall visit with his father from 1:00 p.m. until 7:00 p.m.. On May 6, 1990, Kristy shall visit her mother during the same hours. Thereafter, each child shall visit the parent with whom he or she is not residing on alternate Sundays during the aforesaid hours to that the children shall share Sunday afternoons together.
4. Holiday visitation shall be arranged as follows:
The major holidays are defined as New Years Day, Easter, Memorial Day, INdependence Day, Labor Day, Thanksgiving, and Christmas, HOliday Visitations shall begin at 9:00 a.m. and end at 9:00 p.m., The children shall spend Memorial Day, 1990 with their mother and the aprties shall thereafter alternate the holidays. Holiday visitation shallt ake precedence over the other provisions of this Order relating to custody and visitation.
5. The parties shall arrange for counseling for themselves and for their children. The parties have indicted to the Mediator that they wish to select Kathy Berkey to be their counselor, but the Court will be satisfied with any reputable counselor. The parties shall notify the Mediator within thirty (30) days of the counselor which they have selected and thereafter, counseling shall proceed at the discretion of the counselor. The counselor shall be authorized to divulge to the Mediator any confidential information which he or she may have regarding the parties and the subject minor children, including findings and recommendations, if any.
6. The Mediator has noted for the Court that the mother is presently unemployed and that the father is working at PennDot. Costs of counseling shall therefore be borne by the father.
7. The parties shall split responsibility for transportation with the party receiving the children in the exercise of his or her rights picking up the children at the home of the other.
8. Each party shall teach said children to gove to the other party that love and respect which is due a parent from his or her children.
9. Niether party shall use illegal drugs or be under the influence of alcohol at any time when said party has the care and custody of the subject minor children.
10. Any person transporting the children shall make sure that the seat belts or other restraints are sued in accordance with the law of Pennsylvania.
11. Neither party shall do or say anything to blacken the character of the other in the children's estimation. Each party shall treat the other ina polite and respectful manner when in the children's presence and each party shall instruct his or her relatives and firends to do likewise and also not to disparage the other parjty in the children's estimation.
12. The parties are free to make additional or alternative arrangements respecting the custodial and visitation periods and are strongly encouraged to do so if that would be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which this Order shall govern.
13. The Mediator shall schedule further Mediation during the month of November 1990, in order to review matters and see if any adjustments are in order.
14. Costs and fees of this Mediation, which are fixed at $137.00 are divided equally between the parties with a share of each being assessed to him mor her as costs in this case. Payment shall be made to the Prothonotary of Crawford County.
15. Either party may move the Court for a hearing de novo for thirty (30) days from date hereof. If neither party so moves, this O:rder shall be considered permanent.

By the Court,
P. Richard Thomas, J

Apr. 20, 1990 Copies of order put in Douglas Ferguson, Alan Pepicelli and William Pineo's box and copies mailed to plaintiff and defendant.

May 11, 1990 Petition For Alimony Pendente Lite and Related Claims Under the Divorce Code and Order filed. AND NOW, this 11 day of May, 1990, upon consideration of the within Petition, a Rule is hereby entered upon the Plaintiff, Randall L. Hartzell, to show cause, if any he has, why he should not be required to pay the mortgage payment on the jointly owned marital residence situate at Oakridge Drive, Conneaut Lake, Pennsylvania, and further, why he should not be required to pay the Defendant, pending time of divorce, alimony pendente lite, counsel fees, expenses and costs.
A Hearing on the wihtin matter is hereby set for the 29 day of June, 1990, at 1:30 o'clock P.M. in Courtroom No. 1 or 2 Crawford County Courthouse, Meadivlle, Pennsylvania. BY THE COURT,
P. Richard Thomas, J

May 15, 1990 Copies of orde rput in Douglas Ferguson, Alan Pepicelli's box.

Continued on page 605

1990

Allen & Hall
Stephen E. Hall

16.

BENNIE D. PARISE, EXECUTOR OF THE ESTATE OF BENNIE A. PARISE, DECEASED.

vs.

KATULICH ENTERPRISES, INC.
A PENNSYLVANIA CORPORATION

Filed Jan. 5, 1990
@ 1:24 p.m.

Tax & entry Paid	$50.50 ✓
Sheriff's costs	19.00
Pro Co. Pd 2/12/90	9.00 ✓

COMPLAINT IN MORTGAGE FORECLOSURE

1 copy (atty)

Jan. 11, 1990 Sheriff's Return filed. SERVED Katulich Enterprises, Inc. on Ja. 8, 1990 at 2:28 PM by handing copy of Complaint to Robert Katulich, President, at his place of business, Plaza Bowling Lanes, 135 Smock Highway, Meadville, Crawford Co. Pa.

So answers, Robert M. Stevens, Dep. Sheriff
Howard N. Stewart, Sheriff

Feb. 12, 1990, 11:21 A.M., AND NOW upon Praecipe of Plaintiff Attorney, with copy of Notice of Intention to file default judgment attached, judgment is hereby entered in favor of Plaintiff and against Defendant for failure to file an answer and damages are assessed as follows:
Principal balance due, One hundred four thousand four hundred fifty six and 27/100 Dollars. The amount of said judgment includes (Interest, Late payment charges, Real Estate Taxes, Attorney's Commission)

Debt $104,456.27

K-185
Judgment entered 2/12/90

Judgment
James F. Simmons, Pro.

EX/1990-25

1990

Allen and Hall
Paul E. Allen

17.

Ferguson & Spataro
Douglas W. Ferguson

ERNEST FARM SUPPLIES, INC.

vs.

LARRY W. EVANS AND ROSE MARY EVANS, HIS WIFE

Filed Jan. 5, 1990
@ 3:28 p.m.

Tax & entry Paid $50.50
Sheriff's costs 52.60

COMPLAINT

2 copies (sheriff)

Jan. 19, 1990 Sheriff's Return filed. Before me, the undersigned authority, personally appeared Dominic Morgillo who being duly sworn according to law, deposes and says that on the 15th day of January, 1990, at 12:23 p.M., he served Complaint filed at No. AD 1990 - 17, Crawford County, PA., upon defendant Larry W. Evans, defendant at residence, RD #2 Box 48, Lumber City Rd. and Rose Mary Evans, defendant at residence R D # 2 Box 48, Lumber City Rd.,Curwensville, Clearfield County, PA. By making known the contents thereof to Robert W. Evans, Son and handing to and leaving with them the certified copy of the Complaint received from Crawford County.

Dominic Morgillo,Deputy Sheriff
Chester A. Hawkins by Marilyn Hamm
Sheriff, Clearfield Co., PA.

May 7, 1990 Appearance of Ferguson & Spataro by Douglas W. Ferguson, Esq. for Defendants filed.

Oct. 11, 1990, Answer to Defendant's Preliminary Objections filed.

Oct. 15, 1990, UPon praecipe of plaintiff attorney, defendants Preliminary Objections placed on next argument list.

ON ARGUMENT LIST FOR NOVEMBER 1991

Dec. 5, 1990 Order filed. AND NOW, November 29, 1990, after Argument, the defendants' preliminary objections are overruled. The defendants shall file an answer to the plaintiff's complaint within twenty (20) days.

BY ORDER OF THE COURT,
P. Richard Thomas, S.J.

Dec. 6, 1990 Copies of order put in Paul Allen and Douglas Ferguson's box.

July 16, 1991 Answer to Plaintiff's Complaint by Defenant Rose Mary Evans, filed. 2 copies (aTTY)

July 16, 1991, Defendant Larry W. Evans' Answer to Plaintiff's Complaint and New Matter filed. 2 copies (atty)

Nov. 6, 1991 Plaintiff's Reply To New Matter Of Defendant Larry W. Evans filed.

18.

LAURIE JEAN GUTHRIE

vs.

DANA EUGENE TALKINGTON

Filed Jan. 5, 1990
@ 3:59 p.m.

Tax & entry $50.50

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies (sheriff)
1 copy (plff)

TEMPORARY ABUSE ORDER:

And now, this 5 day of Jan. 1990, upon review of the petition of plaintiff, the court enters the following temporary order:

1. The defendant shall not assault, abuse, harass or threaten the plaintiff or any ofthe minor children named in the petition.

2. Special Conditions: Defendant shall not go to plaintiffs residence for any purpose.

3. This order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.

4. A copy of this order shall be delivered tothe police department in the jurisdiction where the plaintiff resides and to county control.

5. Service of a copy of the petition and this order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.

6. This temporary order shall remain in full force and effect until modified or terminated by further order of this court.

7. The defendant is reminded that this is an order of court and violation of this order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.

8. The court reserves ruling on allocation offees and costs.

Hearing is hereby set for Jan. 10, 1990, at 2:30 p.m. in C. R. No. 1 or 2 of the Crawford County courthouse.

The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to doso.

BY ORDER OF THE COURT,
Robert L. Walker, J.

Jan. 12, 1990 ORDER filed. AND NOW, Jan. 11, 1990, plaintiff having contacted the Court and requested that this matter be discontinued. The Prothonotary is directed to discontinue this Protection from Abuse Order of record and Lorrie Jean Guthrie, plaintiff, is ordered to pay record costs in the amount of $50.50 to the Prothonotary within thirty (30) days of this date.

By The Court,
Robert L. Walker,
Senior Judge

Jan. 12, 1990 Copy of Order to County Control, Plaintiff and Defendant.

1990

Shafer, Swick, Bailey
Irwin & Stack
Charles J. Swick

19.

ALLEGHENY COLLEGE

vs.

THEODORE A. SOCHOR

Filed Jan. 5, 1990
@ 4:04 p.m.

Tax & entry paid	$50.50
Sheriff's Costs	40.66

COMPLAINT - ACTION ON ACCOUNT STATED

1 copy (sheriff)

Mar. 15, 1990 Sheriff's Return filed. Before me, the undersigned authority, personally appeared Albert Rock, Deputy Sheriff who being duly sworn according to law, deposes and says that on the 12th day of January, 1990, at 2:55 p.m., he served Complaint filed at No. 19 A.D. term, 1990, Crawford County Pennsylvania, upon defendant Theodore A. Sochor at 335 Spruce Avenue, Sharon, PA 16146 By making kno;wn the contents thereof to Barbara Sochor, wife and as adult family member in charge and handing to an dleaving with her the certified copy of the complaint received from Sheriff of Crawford County.
So answers, Albert Rock, Deputy Sheriff
William R. Romine, Sheriff
SERVED Theodore A. Sochor by deputizing the Sheriff of Mercer County, PA as per his Affidavit of Service attached. Served: January 12, 1990.
So answers, Howard N. Stewart, Sheriff

1990

Shafer, Swick, Bailey
Irwin & Stack
Charles J. swick

20.

ALLEGHENY COLLEGE

vs.

KEVIN CHILDS

Filed Jan. 5, 1990
@ 4:05 P.M.

Tax & entry Paid	$50.50 ✓
Sheriff's Costs	76.00

COMPLAINT - ACTION ON ACCOUNT STATED

1 copy (sheriff)

Mar. 15, 1990 Sheriff's Return filed. NOT FOUND as to Kevin Childs, the above named defendant, within the County of Philadelphia, State of Pennsylvania, as of 3. February, 1990
So answers Richard Murdock, deputy sheriff
John D. Green, Sheriff
Not Found as to defendant Kevin Childs as per Affidavit received from Sheriff of Philadelphia County, PA and hereto attached.
So answers, Howard N. Stewart, Sheriff

1990

Shafer, swick, Bailey, Irwin & Stack
Charles J. Swick

21.

ALLEGHENY COLLEGE

vs.

KATHLEEN FLEMING

Filed Jan. 5, 1990
@ 4:07 p.m.

Tax & entry paid $50.50
Sheriff's Costs 40.00

COMPLAINT - ACTION ON ACCOUNT STATED

1 copy (sheriff)

Mar. 15, 1990 Sheriff's Return filed. Before me, the undersigned authority, personally appeared Jerry Hanlon, who being duly sworn according to law, deposes and says that on the 5 day of Feb., 1990, at 7:20 a.m., he served did not serve. Complaint, filed at No. 21 Term, 1990, crawford County, Pennsylvania, upon defendant Kathleen Fleming, 912 Bellefonte St. Pgh, By making known the ocntents thereof to no service made - not known at given address.

So answers, Jerry Hanlon, Deputy Sheriff
Eugene L. Coon, Sheriff

Not Found as to defendant Kathleen Fleming, as per Affidavit received from Sheriff of Allegheny County, PA and hereto attached.

So answers, Howard N. Stewart, Sheriff

22

1990

Shafer, Swick Bailey Irwin & Stack Charles J. Swick 22.	ALLEGHENY COLLEGE vs. TONNIA MILLER Filed Jan. 5, 1990 @ 4:10 p.m. Tax & entry paid $50.50	COMPLAINT - ACTION ON ACCOUNT STATED 1 copy (atty)

1990

Shafer, Swick, Bailey, Irwin & Stack Charles J. swick	ALLEGHENY COLLEGE	COMPLAINT - ACTION ON ACCOUNT STATED
23.	vs.	1 copy (atty)
	JOSEPH WOS	
	Filed Jan. 5, 1990 @ 4:11 p.m.	
	Tax & entry Paid $50.50 ✓	

1990

Shafer, Swick Bailey, Irwin & Stack Charles J. Swick 24.	ALLEGHENY COLLEGE vs. JAMES STEELE Filed Jan. 5, 1990 @ 4:12 p.m. Tax & entry Paid $50.50	COMPLAINT - ACTION ON ACCOUNT STATED 1 copy (atty)

1990

SHAFER, Swick, Bailey, Irwin & Stack Charles J. Swick 25.	ALLEGHENY COLLEGE vs. JANET SEMERAD Filed Jan. 5, 1990 @ 4:13 p.m. Tax & entry Paid $50.50✓	COMPLAINT - ACTION ON ACCOUNT STATED 1 copy (atty)

1990

Shafer, Swick, Bailey, Irwin & Stack Charles J. Swick 26.	ALLEGHENY COLLEGE vs. MELISSA RYDER Filed Jan. 5, 1990 @ 4:14 p.m. Tax & entry Paid $50.50	COMPLAINT - ACTION ON ACCOUNT STATED 1 copy (atty)

1990

Shafer, swick, Bailey, Irwin & Stack Charles J. Swick	ALLEGHENY COLLEGE	COMPLAINT - ACTION ON ACCOUNT STATED 1 copy (atty)
27.	vs.	
	RAFAEL RIVERA- MUNIZ	
	Filed Jan. 5, 1990 @ 4:15 p.m. Tax & entry paid $50.50 ✓	

1990

Shafer, Swick, Bailey, Irwin & Stack Charles J. Swick 28.	ALLEGHENY COLLEGE vs. ANLANDEE MARBURY CARLOCK Filed Jan. 5, 1990 @ 4:17 p.m. Tax & entry Paid $50.50 ✓	COMPLAINT - ACTION ON ACCOUNT STATED 1 copy (atty)

1990

Shafer, Swick, Bailey, Irwin & Stack Charles J. Swick 29.	ALLEGHENY COLLEGE vs. DONNA MARCHMAN Filed Jan. 5, 1990 @ 4:18 p.m. Tax & entry Paid $50.50✓	COMPLAINT - ACTION ON ACCOUNT STATED 1 copy (atty)

30

1990

Shafer, Swick, Bailey, Irwin & Stack Charles J. Swick 30.	ALLEGHENY COLLEGE vs. MARIE ETIENNE Filed Jan. 5, 1990 @ 4:20 p.m. Tax & entry paid $50.50	COMPLAINT - ACTION ON ACCOUNT STATED 1 copy (atty)

1990

Shafer, Swick, Bailey Irwin & Stack Charles J. Swick, 31.	ALLEGHENY COLLEGE vs. SHAWN CODY Filed Jan. 5, 1990 @ 4:21 p.m. Tax & entry Paid $50.50 ✓	COMPLAINT - ACTION ON ACCOUNT STATED 1 copy (atty)

32

1990

Shafer, Swick, Bailey, Irwin & STack Charles J. Swick 32.	ALLEGHENY COLLEGE vs. MICHAEL I. MIMS Filed Jan. 5, 1990 @ 4:22 p.m. Ta x & entry Paid $50.50 ✓	COMPLAINT - ACTION ON ACCOUNT STATED 1 copy (atty)

1990

Shafer, Swick, Bailey, Irwin & Stack Charles J. Swick 33.	ALLEGHENY COLLEGE vs. TRAVIS MILTON Filed Jan. 5, 1990 @ 4:25 p.m. Tax & entry Paid $50.50	COMPLAINT - ACTION ON ACCOUNT STATED 1 copy (atty)

1990

Mary Ann Kirkpatrick

34.

HARRY SHOEMAKER, JR.

vs.

FAYE ESTHER SHOEMAKER

Filed Jan. 5, 1990
@ 4:26 p.m.

Tax & entry Paid $50.50✓
1 count paid 15.00✓

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION

Jan 26, 1990 Affidavit of Service filed: AND NOW, January 26, 1990, comes Mary Ann Kirkpatrick, Esquire, being duly sworn according to law, deposes and sets forth as follows:

1. That she is the Attorney for Harry Shoemaker, Jr., Plaintiff in the above captioned matter.

2. That on information furnished to her by the Plaintiff, she cause a certified copy of the Complaint in Divorce to be forwarded by Certified Mail No P401 441 473, postmarked January 17, 1990, to the last known address of the Defendant, Faye Esther Shoemaker, P. O. Box #2, Harmonsburg, Pennsylvania 16422.

3. That the Defendant, Faye Esther Shoemaker, on January 18, 1990, personally signed the return receipt card which was affixed to the Complaint in the above matter and which is attached hereto as Exhibit "A".

4. Service of the Complaint against the Defendant is therefore effected in accordance with Pennsylvania Rules of Civil Procedure.

Mary Ann Kirkpatrick, Esq.

Feb. 17, 1998 Important Notice and Court Order filed. Our court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since 1/26/90 . We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonably delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.

If you do not object this this case being dismissed, you do not have to do anything. The case will be marked "dismissed with prejudice" in our records, and will be over forever.

If you object to the case being dismissed, you must put your object in writing and follow Crawford County Civil Local Rule L206, LJA 1901E and LJA 1901F, explaining why there has been a delay in your case and why it is not unreasonable. These written objections must be filed in the Prothonotary's Office on or before April 24, 1998. You must also give or sent a copy of any objections you file to the other party or his or her attorney, and certify that you have done so when you file your objections with the Prothonotary.

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

Court Administrator
Second Floor-Crawford County Courthouse
Meadville, PA 16335
(814) 333-7498

By the Court,
Date: February 13, 1998 Anthony J. Vardaro, J
Feb. 17, 1998 copies mailed by Court Administrator's Office

May 6, 1998 Order filed. AND NOW, this fourth day of May, 1998, written notice of the Court's intent to terminate the cases listed below having been given to the parties or their counsel of record, and further notice having been given to counsel and parties by publication of a "Notice of Intent to Terminate Cases" printed in the Crawford County Legal Journal on April 15, 1998, and no objection thereto haing been received by the Court from either party in the cases listed below, **all and each of the 245 cases listed below are hereby terminated and dismissed with prejudice.** A copy of this order shall be filed at each of the docket numbers listed below, but copies need not be given to or served upon the parties or their attorneys. Cases may be reinstated only in accordance with Crawford County Rule LJA 1901.

By the Court:
Gordon R. Miller, P.J.

(See original filed at A.D. 1997 - 702)

1990

Daniel Kuhn

35.

MARY K. LORMAN

vs.

MICHAEL E. LORMAN

Filed Jan. 8, 1990
@ 9:15 a.m.

Tax & entry	$50.50
Sheriff's costs	23.20
	9.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies (sheriff)
1 copy (plff)

TEMPORARY ABUSE ORDER:

AND NOW, this 8 day of Jan. 1990, upon review of the petition of plaintiff, the court enters the following temporary order:

1. The defendant shall not assault, abuse, harass or threaten the plaintiff or any of the minor children named inthe petition.

2. Special Conditions: wife to have exclusive possession of marital residence until further order of court.

3. This order may be enforced without a warrant of arrest by any law enforcemnt officer having reasonable ground to believe

4. A copy of this order shall be delivered to the police departments in the jurisdiction were the plaintiff resides and to county control.

5. Service of a copy of the petition and this order shall be made upon the defendant by a sheriff , constable, police officer or competent adult.

6. This temporary order shall remain in full force and effect until modified or terminated by further order of this corut. Liability for payment of fees and costs will be determined by final court order.

7. The defendant is reminded that this is an order of court and violation of this order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.

8. The court reserves ruling onallocation of fees and costs.

Hearing is hereby set for Jan. 18, 1990, at 3:00 P.M. in C. R. No. 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to doso.

BY ORDER OF THE COURT,
P. Richard Thomas, J.

Jan 24, 1990 at the time set for hearing on this abuse matter, the Plaintiff appears but defendant fails to appear. The Court is advised by the Sheriff's Office that service was attempted by certified mail but no response to date has been received from the certified mail notice.

Accordingly, this hearing is continued until January 30, 1990, at 3:30 p.m. in Courtroom No. 1 or 2. The Prothonotary is directed to forward a copy of this Order to the Defendant at Post Office Box 126, Centerville, Pennsylvania 16404.

BY ORDER OF THE COURT,
P. Richard Thomas, P.J.

Jan 25, 1990 Copies of order mailed to plaintiff, defendant and copy given to Co. Control.

Jan 26, 1990 Sheriff's Return filed: SERVED Michael E. Lorman by Certified Mail, Restricted Delivery, at his place of employment, c/o Central Transport, R.D.#2, Box 1134, Karns City, Pa. Receipt signed on January 25, 1990 and attached to return.
So answers, Howard N. Stewart, Sheriff

Feb 1, 1990 Order filed: AND NOW, January 30, 1990, at the time set for hearing on this abuse case, the record shows the Defendant was served by certified mail signed receipt on or about January 25, 1990. The Defendant fails to appear.

Accordingly, the Court adopts its temporary Order of January 8, 1990 as a permanent Order in this case and as noted therein, the wife is granted exclusive possession of the marital residence, and the husband is excluded therefrom. Additonally, the husband may not go to the residence of the wife for any purposes, as an additional condition of this order.

All other conditions including the enforcement provisions of the temporary Order are adopt and become part of this final abuse Order.

The Court notes that a companion divorce action is ongoing between the parties at 1989-1101, and that a hearing on a request for exclusive possession of the marital residence has been set for February 6, 1990, at 9 a.m. In view of the Order in the abuse case granting the wife exclusive custody of the marital residence, this same issue in the divorce action now becomes moot, and the hearing set for February 6, 1990 is cancelled.

The Defendant is DIRECTED to pay all costs in this abuse action within ten (10) days of being billed by the Prothonotary's Office of Crawford County at P.O. Box 126, Centerville, Pa.

BY ORDER OF THE COURT,
P. Richard Thomas, P.J.

Feb 6, 1990 Copies of order mailed to Daniel Kuhn and Defendant and given to Co. Control.

1990

Shafer, Swick, Bailey,
Irwin & Stack
James R. Irwin

36.

BARBARA ANN RHOADES

vs.

ROBERT GLENN RHOADES

Filed Jan. 8, 1990
@ 3:14 p.m.

Tax & entry Paid $50.50 ✓
1 count paid 15.00 ✓

COMPLAINT IN DIVORCE UNDER SECTION 201(c) OR 201(d)
EQUITABLE PROPERTY DETERMINATION AND DISTRIBUTION

1 copy (atty)

July 20, 1990 Affidavit of Consent of Plaintiff filed.

Feb. 17, 1998 Important Notice and Court Order filed. Our court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since 7/20/90 . We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonably delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.

If you do not object this this case being dismissed, you do not have to do anything. The case will be marked "dismissed with prejudice" in our records, and will be over forever.

If you object to the case being dismissed, you must put your object in writing and follow Crawford County Civil Local Rule L206, LJA 1901E and LJA 1901F, explaining why there has been a delay in your case and why it is not unreasonable. These written objections must be filed in the Prothonotary's Office on or before April 24, 1998. You must also give or sent a copy of any objections you file to the other party or his or her attorney, and certify that you have done so when you file your objections with the Prothonotary.

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

Court Administrator
Second Floor-Crawford County Courthouse
Meadville, PA 16335
(814) 333-7498

By the Court,
Date: February 13, 1998 Anthony J. Vardaro, J
Feb. 17, 1998 copies mailed by Court Administrator's Office

May 6, 1998 Order filed. AND NOW, this fourth day of May, 1998, written notice of the Court's intent to terminate the cases listed below having been given to the parties or their counsel of record, and further notice having been given to counsel and parties by publication of a "Notice of Intent to Terminate Cases" printed in the Crawford County Legal Journal on April 15, 1998, and no objection thereto haing been received by the Court from either party in the cases listed below, **all and each of the 245 cases listed below are hereby terminated and dismissed with prejudice.** A copy of this order shall be filed at each of the docket numbers listed below, but copies need not be given to or served upon the parties or their attorneys. Cases may be reinstated only in accordance with Crawford County Rule LJA 1901.

By the Court:
Gordon R. Miller, P.J.

(See original filed at A.D. 1997 - 702)

1990

37. Ann Hansen Gamble	PERRY BANTA vs. ARTHUR IVES Filed Jan. 8, 1990 @ 3:36 p.m. Tax and entry paid $50.25 ✓	APPEAL OF DEFENDANT FROM JUDGMENT OF MAGISTERIAL DISTRICT 30- 3- 06 Jan. 8, 1990, Rule entered upon plaintiff to file complaint issued.

1990

38.

REDEVELOPMENT AUTHORITY
OF THE CITY OF MEADVILLE

vs.

ANNA M. LETIZIA

Filed Jan. 8, 1990
@ 3:44 p.m.

Pro Simmons paid $9.00
plff on orig. 9.50

AGREEMENT TO REVIVE

of

DSB 1985 - 16

Revival of Judgment indexed in favor ofthe plaintiff and against the defendant in the sum of One Thousand Six Hundred Thirty One and 00/100 Dollars plus costs.

Debt ---------$1,631.00
Dated -----
L - 15 ------JUDGMENT REVIVAL

James F. Simmons,
Prothonotary

Revived to AD 1995-762

1990

David R. Devine 39.	CRAIG NEWELL WELDING & FAB. vs. SHORELINE WOOD PRODUCTS Filed Jan. 9, 1990 @ 4:00 p.m. Tax & entry Paid $50.25✓ Pro Co Pd 2/16/90 5.00✓	APPEAL OF DEFENDANT FROM JUDGMENT OF ROBERT J. LEONHART, D. J. 30-3-03 Jan. 9, 1990, Rule entered upon plaintiff to file complaint issued. Feb. 15, 1990, Proof of Service filed. And Now, Feb. 16, 1990, at 1:06 p.m., upon praecipe of plaintiff attorney, Appeal Striken, pursuant to Pa. R.J.A. nO. 1006 for failure to comply with Pa. R.J.A. No. 1005; appellant failing to file proof of service within fiv e days from date of service. APPEAL STRICKEN James F. Simmons, Prothonotary

1990

Shafer, Swick, Bailey, Irwin & Stack
James R. Irwin

40.

DARRELL WILCOX

vs.

TERRI SNYDER

Filed Jan. 10, 1990
@ 9:08 a.m.

Tax & entry Paid 1/12/90 - $50.50

STIPULATION AND CONSENT TO ENTRY OF CUSTODY ORDER

1 copy (atty)

Jan. 10, 1990, ORDER filed. AND NOW, this 10 day of Jan. 1990, upon presentation of the Stipulation and Consent of the parties, attached hereto, and after consideration of same, itis hereby ORDERED, DIRECTED AND DECREED that:

1. Primary physical custody ofthe parties' minor child, Stephanie Wilcox, shall be with the father, Darrell Wilcox.

2. Legal Custody of the minor child aforementioned shall be shared between the mother, Terri Snyder and the father, Darrell Wilcox.

2. The natural mother, Terri Snyder, shall have temporary custody of the aforementioned minor child from 3:30 p.m. every Friday, until 7:00 p.m. every Sunday except for the last weekend of every month, when custody shall remain with the natural father.

3. The parties shall share custody on the following holidays and in the following manner:

A. Christmas. The mother shall have custody of the minor child from 7:00 p.m. on Christmas Eve until New Year's Kay at 7:00 p.m.

B. Thanksgiving. The mother shall have temporary custody of the parties' minor child from 4:00 p.m. on Thanksgiving Day until 7:00 p.m. the following Monday.

Holiday visitations shall take precedence over the other provisions of this orcer relating to the custody and visitation periods.

4. The parties shall make the custody exchanges at the minor child's maternal grandmother, Shirley Bromley's, home located at 441 Spring Street, Cambridge Springs, Pa.

5. The natural mother, Terri Snyder, shall have primary custody of the minor child during the child's summer, school vacation commencing one (1) week after the close of the school year until one (1) week prior to the start of the next school year. During the summer vacation the father, Darrell Wilcox, shall have one week of summer visitation with his minor daughter, said week shall correspond with his place of employment's plant shut-down.

6. Except in emergency situations, the Mother shall gi ve the father at least Twenty-four (24) hours notification when she will not be exercising a scheduled visitation.

7. Neither party is permitted to remove the child from the state of Pa.'s jurisdiction without the other parties' knowledge and consent.

8. Neither party shall use illegal drugs, consume alcohol in excess, nor drive an automobile under the influence of alcohol while he or she has the care of his or her child.

9. Any person transporting the child shall make sure that the seat belts or other restraints are used in accordance with the laws of Pennsylvania.

1 copy (atty)

BY THE COURT,
P. Richard Thomas, J.

1990

Harold J. Bender
William F. Scarpitti, Jr.

41.

Shafer, Swick, Bailey,
Irwin & Stack
By: Paul D . Shafer, Jr.

**Knox McLaughlin,
Gornell & Sennett
PC Wallace J. Knox**

ELMER W. ZILHAVER AND CAROL J. ZILHAVER, HIS WIFE

vs.

TURNER'S MILL, INC. AND K.RICHARD H. MUCHINHAUPT, INDIVIDUALLY

Filed Jan. 10, 1990
@ 10:23 a.m.

Tax & entry Paid $50.50✓
Pro Co pd 5/8/91 6.00✓

SUMMONS IN CIVIL ACTION

Issued (atty)

Jan. 25, 1990 Praec ipe for Appearance of Shafer, Swick, Bailey, Irwin & Stack , by Paul D. Shafer, Jr. for defendants filed.

Feb. 6, 1990, Appearance of Knox McLaughlin, Gornell & Sennett P.C. by Wallace J. Knox, attorneys for dfts. filed. (Jury of 12 Demanded)

Feb. 6, 1990, Rule Entered Upon Plaintiff to File Complaint within 20 days, Issued.

FEb. 9, 1990 Notice of Rescheduling Depositions of custodian of Turners Mill, Inc. filed.

Feb. 9, 1990 Notice of Rescheduling Depositions of Richard H. Muchinhaupt filed.

Feb. 14, 1990, 2/12/90 Service fo the Foregoing Rule accepted by William F. Scarpitti, Jr. Esq.

Mar 14, 1990 Motion to Amend Caption and Order filed: AND NOW, to-wit, this 13 day of March, 1990, upon consideration of the foregoing Motion to Amend Caption, filed by William F. Scarpitti, Jr., Esquire and Harold J. Bender, Esquire, counsels for Plaintiffs, it is hereby ORDERED, ADJUDGED AND DECREED tha this above caption is hereby amended to read as follows:

Elmer W. Zilhaver and
Carol J. Zilhaver, his wife

vs.

Turner's Mill, Inc., and
K. Richard Muchinhaupt,
Individually

By the Court,
P. Richard Thomas, J

Mar 15, 1990 Copies of orders put in Atty. Shafer's box and mailed to Attys Scarpitti and Knox.

Mar. 16, 1990 Civil Complaint filed.

Apr. 4, 1990 Answer and New Matter filed.

Apr. 18, 1990 Plaintiffs' Response To Defendants' New Matter filed.

June 4, 1990 Notice Of Service Of Request For Production Of Documents Directed To Defendants filed.

Aug. 6, 1990, Notice of Service of REsponse to REquest for production of Documents Directed to Defendants, filed.

Sept 13, 1990 Certificate of Readiness filed.

Nov. 27, 1990 Notice Of Service Of Request For Production To Plaintiff filed.

Nov. 27, 1990 Notice Of Service Of INterrogatories To Plaintiffs (First Set) filed.

Dec. 21, 1990 Notice Of Service Of Answers To Interrogatories and Request for Production of Documents filed.

On February 1991 Trial List

Jan. 28, 1991 ORDER filed. AND NOW Jan. 28, 1991 at the call of the trial list, counsel for the plaintiff move the court for continuance of the case until the April 1991 term, which said motion appears not to be opposed. Accordingly, the trial in this case is continued to the april term of civil trials.

BY ORDER OFTHE COURT,
Gordon R. Miller, P.J.

Jan. 28, 1991 copies of orders to Attys. Scarpitti, Bender, Shafer and Knox.

Mar. 27, 1991 Order filed. AND NOW, March 26, 1991, Pretrial Conference in the above case is hereby set for Monday, April 1, 1991, at 11:00 A.M., in Courtroom 1 or 2.

FOR THE COURT,
Imogene Yetman, C.A.

Mar. 27, 1991 Copies mailed to Scarpitti & Lanzillo and copies put in box for atty's Weiss and Shafer.

Apr. 1, 1991 Defendants' Motion In Limine To Exclude Evidence Relating To the Cost Of Replacing Plaintiffs' Collapsed Barn Addition filed

May 6, 1991 Upon praecipe of plaintiff attorney, the above captioned matter is hereby marked settled and discontinued of record.

1990

Harold J. Bender
William F. Scarpitti Jr.

42.
Culbertson, Weiss, Schetroma & Schug
By: E. Max Weiss
For: Patrons Mutual Fire Assoc. of N/W Pa.

C ulbertson, Weiss, Schetroma and Schug
E. Max Weiss

ELMER W. ZILHAVER AND CAROL J. ZILHAVER, HIS WIFE

vs.

PATRONS MUTUAL FIRE ASSOCIATION OF NORTHWESTERN PENNSYLVANIA, AND VICTOR E. SYBRANT, INDIVIDUALLY

Filed Jan. 10, 1990
@ 10:23 a.m.

Tax & entry Paid $50.50
pro co pd 4/19/91 6.00

SUMMONS IN CIVIL ACTION

Issued (atty)

Jan. 24, 1990 Appearance of Culbertson, Weiss, Schetroma and Schug, By: E. Max Weiss, Attorney for Defendant,Patrons Mutual Fire Association of Northwestern Pa. filed.

Feb 5, 1990 Notice of Taking Depositions of Victor E. Sybrant filed.

Feb 5, 1990 Notice of Taking Depositions of Custodian of Records of Turner's Mills filed.

Feb 5, 1990 Notice of Taking Deposition of Richard H. Muckinhaupt filed.

Feb. 26, 1990 Appearance of Culbertson Weiss, Schetroma and Schug, by E. MaX Weiss, attorneys for defendants, filed.

Mar. 16, 1990 Civil Complaint filed.

May 21, 1990, Answer and New Matter of Patrons Mutual Fire Association of Northwestern Pennsylvania and Victor E. Sybrant to Plaintiff's Complaint filed.

June 1, 1990 Plaintiffs' REsponse To Defendants' New Matter filed.

June 4, 1990 Notice Of Service Of Request For PRoduction Of Documents Directed To Defendants filed.

Sept 13, 1990 Notice of Service of Interrogatories filed.

Sept 13, 1990 Certificate of Readiness filed.

On February 1991 Trial List

Jan. 28, 1991 ORDER filed. AND NOW, Jan. 28, 1991, at the call of the trial list, counsel for the Plaintiff move the Court for continuance of the case until the April, 1991 term, which said motion appears not to be opposed. Accordingly, the trial in this case is continued to the April term of civil trials.

By Order Of The Court,
Gordon R. Miller, P.J.

Jan. 31, 1991 Copy of Order to Attys. Wm. F. Scarpitti, Jr., Harold J. Bender, E. Max Weiss.

ON APRIL 1991 TRIAL LIST

Mar. 27, 1991 Order filed. AND NOW, March 26, 1991, Pretrial Conference in the above case is hereby set for MOnday, April 1, 1991, at 11:00 a.m., in Courtroom 1 or 2.

FOR THE COURT,
Imogene Yetman, C.A.

Mar. 27, 1991 Copy mailed to Scarpitti & Linzillo and copy put in box for atty's Weiss & Shafer

Apr. 17, 1991, Upon praecipe of plaintiff attorney, the above case is settled and discontinued of record; certificate issued.

1990

Paul E. Allen

43.

DARYL R. HALL

vs.

MICHELLE M. HALL

Filed Jan. 10, 1990
@ 1:08 p.m.

Tax & entry Paid	$50.50
Pro Co. PD 5/3/90	9.00
State Surcharge Pd.	10.00

COMPLAINT UNDER SECTION 201(c) OF DIVORCE CODE

1 copy (atty)

May 3, 1990 Acceptance of Service filed. I, the undersigned Defendant in the above captioned action, hereby accept service of the Complaint in Divorce.

Michelle M. Hall

May 3, 1990 Affidavit of Consent of Plaintiff filed.

May 3, 1990 Affidavit of Consent of Defendant filed.

May 3, 1990 Upon Praecipe of Plaintiff Attorney for Review Under Section 201(c) this case moved to Court.

May 11, 1990 **D I V O R C E D E C R E E F I L E D .**

AND NOW, May 11, 1990, it is ordered and decreed that Daryl R. Hall, plaintiff, and Michelle M. Hall, defendant, are divorced from the bonds of matrimony.

BY THE COURT,
Gordon R. Miller, J

1990

Mary Ann Kirkpatrick
William J. Gregg

44.

GERI L. LEE

vs.

TIMOTHY A. LEE

Filed Jan. 10, 1990
@ 2:50 p.m.

Tax & entry Paid	$50.50
1 count paid	15.00
State Pd. 1-9-92	10.00
Pro Co Pd. 1-9-92	9.00
Pro Co. pd. 5-11-92	5.00

COMPLAINT UNDER SECTION 201(c) OF THE DIVORCE CODE, EQUITABLE DISTRIBUTION

1 copy (atty)

Jan. 23, 1990 Affidavit of Service filed. William J. Gregg, Esquire, being duly sworn according to law, deposes and says that the following facts in support of his Affidavit of Servcie are true and correct to the best of his knowledge, information and belief:

1. That the Affiant is the Attorney for the Plaintiff in the above-captioned action.
2. That a true and correct copy of the Complaint in Divorce and Notice were sent by registered mail to the Defendant, Timothy A. Lee, on January 12, 1990.
3. The registered mail was sent to Timothy A. Lee Rural Route Box 340D, Ashland, NY 03217. The sender's receipt for said registered mail is attached hereto.
4. That the Defendant received said registered mail on January 17, 1990. Return receipt card, article number P 076 254 151, is attached hereto, signed by Timothy A. Lee, and made a part hereof.

William J. Gregg, Esq.

Aug. 20, 1990 Affidavit of Consent of Plaintiff filed.

Nov. 25, 1991 Plaintiff's Affidavit Under Section 3301(d) of the Divorce Code of Plaintiff filed.

Dec. 4, 1991 Affidavit of Service filed. And Now, December 4, 1991, comes Constance L. Deitman being duly sworn according to law, deposes and sets forth as follows:

1. That she is the legal secretary of Attorney for Geri L. Lee, Plaintiff in the above-captioned matter.
2. That on information furnished her by the Plaintiff, she caused the Counter Affidavit and copies of the NOtice of Intention, Plaintiff's Affidavit of Consent to Divorce and Motion to Withdraw Claim to be forwarded by Certified Mail, P 398 123 150; postmarked November 25, 1991, to the last known address of the Defendant, Timothy A. Lee, Rural Route Box 340D, Ashland, NH 03217
3. That the Defendant, Timothy A. Lee, on November 27, 1991, personally signed the return receipt card which was affixed to the above-named documents in the above matter and which is attached hereto.
4. Service of the Complaint against Defendant is therefore effected in accordance with Pennsylvania Rules of Civil Procedure.

Constance L. deitman

Dec. 4, 1991 Motion To Withdraw Count and Order filed. And Now, this 4th day of December 191, the within Motion is allowed.

By the Court,
Gordon R. Miller, J

Dec. 6, 1991 Copy of order put in Atty's Kirkpatrick's box.

Dec. 10, 1991, Defendant's Counter-Affidavit Under Section 3301(d) of the Divorce Code filed.

Jan. 9, 1992 Upon praecipe of plaintiff attorney to transmit record, this case moved to Court.

Jan. 16, 1992 D I V O R C E D E C R E E F I L E D .

AND NOW, January 15, 1992, it is hereby ordered and decreed that Geri L. Lee, Plaintiff, and timothy A. Lee, Defendant, are divorced from the bonds of matrimony.

BY THE COURT:
Anthony J. Vardaro

May 11, 1992 Notice of Intention to Resume Prior Name filed, to be known as Geri L. Bentley.

1990

~~Withdrawn Gerald Sullivan~~

45.

Emil Spatafore Jr.

LAURA E. KUHN

vs.

DAVE W. KUHN

Filed Jan. 11, 1990
@ 9:40 a.m.

Tax & entry Pd 1/16/90 $50.50
Sheriffs costs 21.00
Sheriff's Costs 32.36
Pro Co Pd 1/16/90 9.00

1/16/90 Rec'd $ 32.36 From Plaintiff
1/16/90 Paid $ 32.36 To Howard Stewart, Sheriff Cert # 5558
9/26/90 Rec'd $ 21.00 From Defendant
9/26/90 Paid $21.00 To Howard Stewart, Sheriff Cert # 5854

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies (sheriff)
1 copy (plff)

TEMPORARY ABUSE ORDER:

And now this 11th dayof Jan. 1990, upon review of the petition of plaintiff, the court enters the following Temporary Order:

1. The defendant shall not assault, abuse, harass or threaten the plaintiff or any of the minor children in the petition.

2. Special Conditions: At time of service Sheriff shall take into his possession any firearms inthe possession of the defendant. Temporary custody of Megan Marie Kuhn is awarded to plaintiff.

3. This order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.

4. A copy of this order shall be delivered to the police departments in the jurisdiction where the plaitniff resides and to county control.

5. Service of a copy of the petition and this order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.

6. This temporary order shall remain in full force and effect until modified or terminated by further order of this court. Liability for payment of fees and costs will be determined by final court order.

7. The defendant is reminded that this is an order of court and violation of this order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.

8. The court reserves ruling on allocation of fees and costs.

Hearing is hereby set for January 19, 1990, at 9:15 a.m. in C. R. No. 3 or 2 of the Crawford CountyCourthouse.

The defendant is advised he may retaIN A LAWYER TO REPresent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF THE COURT,
Robert L. Walker, J.

Jan 15, 1990 Sheriff's Return filed: SERVED Dave W. Kuhn personally on January 12, 1990 at 2:40 P.M. by handing copy of Protection From Abuse to him at residence, Box 153, Rt. 198, Conneautville, Crawford County, Pa 16401.
Confiscated one Remington Model 7600 30:06 rifle serial #8359778 w/ telescope and sling.
So answers,
Robert M. Stevens, Deputy Sheriff
Edgar D. Householder, Chief Deputy Sheriff
Howard N. Stewart, Sheriff

Jan. 22, 1990 ORDER filed. AND NOW, Jan. 19, 1990, the Court finds as a fact that the allegations contained in the original petition are true, and the following Order is entered:

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or the minor child named in the petition.

2. Custody of Megan Marie Kuhn is awarded to the Plaintiff. If the Defendant can make appropriate arrangements through his mother, he may have the child in his custody every other Sunday afternoon beginning Jan. 21, 1990 from 3:00 o'clock p.m. until 6:00 p.m., with the visit to take place at the residence of the Defendant's mother in Conneautville, Pa., and the paterial grandmother shall furnish transportation to and from the Plaintiff's residence for the visit. Defendant's mother shall be present in the home during said visit.

3. The Defendant shall pay the sum of $100.00 per week for the support of his wife and child through the Domestic Relations Office of Crawford County. This portion of this Order shall continue in full force and effect for a period of three (3) months from this date or until an Order is entered in a Domestic Relations case, whichever shall first occur.

4. Upon the entry of a support Order in a Domestic Relations case/or a custody and visitation Order in a custody case, those portions of this Order shall be superseded.

5. The Defendant shall pay the record costs in this case within thirty (30) days of this date.

6. The Defendant has indicated a desire for professional counseling, and the Court encourages both parties to participate in such counseling, but we question our right to order the same in this proceeding.

7. The Plaintiff shall have the right to go to the former marital residence to obtain her personal effects, clothing and the like at a time mutually agreed upon by the parties within five 95) days of the date of this Order. Unless otherwise agreed upon by the parties, the Plaintiff shall exercise the privilege granted in this paragraph on Jan. 22, 1990 at 12:00 o' clock Noon.

8. Any police officer or police department having jurisdiction in the premises may enforce this Order in accordance with the Protection From aBuse ACt.

9. Except as otherwise provided herein, this Order shall continue in full force and effect for a period of one (1) year from this date.

By Order Of The Court,
Robert L. Walker, S.J.

Jan. 24, 1990 Copy of Order to Atty. Gerald Sullivan, Defendant, County Control and Domestic Relations.

July 20, 1990 Order filed (5 copies atty.) Order: AND NOW, this 20 day of July, 1990, upon consideration of the foregoing Petition, a Rule be and is hereby entered against respondent to show cause why he should not be held in contemtt of Court as prayed for in the attached Petition.

Rule returnable for hearing on the 3 day of Aug. 1990, at 1:45 o'clock p.m. in Courtroom No. 1 or 2 of the Crawford County Courthouse, Meadville, Pa.

The Crawford County Sheriff's Department is directed to serve a certified copy of this Petition and Order upon the respondent. In the alternative, the Petition and Order may be served upon the respondent or his attorney by any competent adult or by certified mail.

This Petition and Order shall be filed and served without payment of costs; the Court shall determine at the hearing if the respondent shall be required to pay costs.

BY THE COURT,
P. Richard Thomas, J.

Continued page 552

1990

William J. Gregg, 46.	WALTER R. YOUNG vs. DRAFTO CORPORATION Filed Jan. 11, 1990 @ 10:59 a.m. Tax & entry Paid $50.50 ✓ ProCo Pd 1-18-90 5.00 ✓ cert Pd 1-18-90 1.00 ✓	SUMMONS IN CIVIL ACTION Issued (sheriff) Jan 16, 1990 Upon Praecipe of Plaintiff's Attorney, this case is marked settled and discontinued of record.

1990

47,

IN THE MATTER OF A MEMORIAL

for

GEORGE J. BARCO

Filed Jan. 12, 1990
@ 8:35 a.m.

ORDER APPOINTING A RESOLUTION COMMITTEE

P. Richard Thomas, P.J.

And now, January 10, 1990, at the request of the Crawford County Bar Association, the Court hereby appoints the following members as a memorial committee to prepare a memorial resolution regarding the late Attorney George J. Barco, who died November 15, 1989.

The court hereby appoints the following members of the Crawford County Bar Association as a memorial committee to prepare an appropriate memorial resolution and present the same to the court February 1, 1990, at 3:00 p.m.

Russell L. Schetroma, Chairman
Sr. Judge Robert L. Walker
Peter E. Blystone
R. Charles Thomas
Alan L. Pepicelli

BY ORDER OF THE COURT,
P. Richard Thomas, P.J.

Jan. 10, 1990, copies mailed with letter of thanks to all attorneys by Judge's office.

Feb 16, 1990 Report of the Committee Appointed to Prepare a Memorial Resolution Concerning the Life of George J. Barco, Esquire and Order entered thereon filed: Life of

IN THE COURT OF COMMON PLEAS OF CRAWFORD COUNTY, PENNSYLVANIA

CIVIL ACTION – LAW

FILED
FEB 16 1990
PROTHONOTARY
CRAWFORD COUNTY, MEADVILLE, PA.

No. [illegible] 47

In Re:

Special Proceeding In Memory of

the late

GEORGE J. BARCO, Esquire

REPORT OF THE COMMITTEE APPOINTED TO PREPARE A MEMORIAL RESOLUTION CONCERNING THE LIFE OF GEORGE J. BARCO, ESQUIRE AND ORDER ENTERED THEREON

Proceedings Conducted on February 1, 1990
at 3:00 o'clock, P.M.
in Courtroom #1 of the Crawford County Courthouse
Meadville, Crawford County, Pennsylvania 16335

Committee
The Honorable Robert L. Walker
Peter E. Blystone, Esquire
R. Charles Thomas, Esquire
Alan L. Pepicelli, Esquire
Russell L. Schetroma, Esquire, Chairman

[illegible]SON, WEISS, SCHETROMA and SCHAUB
[illegible]ford Plaza
[illegible], Pennsylvania 16335
[illegible]6350

IN THE COURT OF COMMON PLEAS OF CRAWFORD COUNTY, PENNSYLVANIA

CIVIL ACTION - LAW

In Re: Special Proceeding in Memory of the late GEORGE J. BARCO, Esquire

No.

REPORT OF THE COMMITTEE APPOINTED TO PREPARE A MEMORIAL RESOLUTION CONCERNING THE LIFE OF GEORGE J.BARCO, ESQ.

TO THE HONORABLE, THE JUDGES OF THE SAID COURT:

AND NOW, this 1st day of February, A. D. 1990, your committee appointed by Order dated January 10, 1990, for the purpose of preparing an appropriate memorial resolution regarding the late Attorney George J. Barco, makes its report as follows:

1. George J. Barco was born at Buffalo, New York, on April 11, 1907.

2. He was the son of Giacomo and Giacoma Battaglia Barco.

3. His family relocated to Crawford County when he was a child and he was raised on family farms which were located for a short time in Blooming Valley and then in Vernon Township.

4. Mr. Barco graduated from Meadville High School in 1926, having been elected a member of the "Senior Six". He was awarded the degree of bachelor of arts from Allegheny College in 1930. He attained his law degree from the University of Pittsburgh Law School in 1934.

5. Mr. Barco was married to Emmaline DeLorenzo.

6. Mr. Barco served his clerkship in the office of Attorney Donald C. Thompson, Esq., a member of the Bar of the Court of Common Pleas of Crawford County.

7. On August 4, 1934, Mr. Barco appeared before the Examining Committee for Students at Law of the Crawford County Bar Association. On August 6, 1934, a petition by Mr. Barco and report of the Bar Examining Committee was presented to the Honorable O. Clare Kent, President Judge of this Honorable Court and, pursuant to that petition and report, Mr. Barco was admitted to practice before the several courts of Crawford County.

8. In addition to his admission to practice in the courts of Crawford County, Mr. Barco was admitted to the bars of the Pennsylvania Supreme Court, the Pennsylvania Superior Court, the United States District Court for the Western District of Pennsylvania, the United States Court of Appeals for the Third Circuit and the United States Supreme Court. In addition, he was licensed to practice before the Board of Immigration Appeals of the Department of Justice, the Treasury Department of the United States and the United States Tax Court.

9. Mr. Barco was a member of the Crawford County Bar Association throughout his practice. During [illegible] years of membership, he served the association through active participation in many of its committees. He was the chairman of the Association's Admissions Committee at the time of his death. Mr. Barco was vice-president of the Crawford County Bar Association in 1955 and he served as its president in 1956.

10. Mr. Barco was an active member of the Pennsylvania Bar Association. He served as a member of the state-wide executive committee of that association from 1956 through 1959. He was elected a charter member of the Board of Governors representing Zone 7 from 1959 through 1962. In 1959, he was appointed as the first chairman of the Continuing Legal Education Committee of the Pennsylvania Bar Association. He continued as chairman of that committee through 1960 and guided the work of that committee in establishing the Pennsylvania Bar Institute which created a state-wide system of continuing education for practicing attorneys in Pennsylvania.

11. Mr. Barco was a member of the American Bar Association, the Law-Science Academy of America and the Pittsburgh Institute of Legal Medicine.

12. Mr. Barco was a permanent delegate to the Judicial Conference of the Third Circuit of the United States.

13. Mr. Barco served as Chairman of the Pennsylvania Supreme Court Committee for Proposed Standard Jury Instructions from 1968 to the time of his death. That committee produced and continuously revised standard civil and criminal jury instructions which are used by all trial courts in the Commonwealth.

14. In 1966, George J. Barco was one of the founders of the Pennsylvania Bar Institute. He was elected as the first president of the Institute and served as President until 1971. He continued as a director of the Pennsylvania Bar Institute until the time of his death.

15. Mr. Barco held many positions of special public and professional trust and responsibility during his career among which were:

a. Assistant district attorney of Crawford County from 1935 to 1939;

b. Deputy attorney general of the Commonwealth of Pennsylvania from 1939 to 1943;

c. Solicitor for the Meadville Area School District from 1945 to 1960;

d. General counsel for the Pennsylvania Community Antenna Television Association, Inc. (now the Pennsylvania Cable Television Association) from 1956 to 1980;

e. A member of the Vernon Township School Board from 1937 to 1947;

f. Chairman of the Pennsylvania Advisory Committee of the Commission on Civil Rights, Washington, D.C., from 1959 to 1962;

g. A Member of the Pennsylvania Crime Commission from 1973 to 1979.

h. A member of the Pennsylvania Governor's Justice Commission from 1973 to 1979.

i. A member of the Board (1954 to 1966, 1969 to 1972), National Vice-President (1956) and President (1957) of the National Cable Television Association, Inc.

j. A charter member of the Cable Television Pioneers;

k. An organizer, director and president of Pennsylvania Educational Communications Systems from 1979 to the date of his death.

l. A co-organizer, board member and chairman of the Committee for Financial Support of the National Cable Television Center and Museum from 1985 to the date of his death.

16. Mr. Barco maintained a sole practice of law in offices in Meadville, Crawford County, Pennsylvania from 1934 to 1950 at which time he was joined in the practice by his daughter, Yolanda G. Barco, Esq. Mr. Barco and Ms. Barco formed a partnership for the practice of law in 1950. Mr. Barco was also assisted in his practice by his daughter Helene B. Duratz who managed the law office.

17. George J. Barco was active in civic endeavors throughout his life. Among the public and civic activities which benefited from his attention are:

a. The University of Pittsburgh which he served in many capacities among which were Chairman of the Board of Visitors of the School of the Health Related Professions, a member of the Boards of Visitors of the Department of Athletics and of the School of Law. Mr. Barco was a member of the Board of Trustees from 1972 to the time of his death. As a trustee he was a member of the executive committee and served as Chairman of the Academic Affairs/Library Committee of the Board;

b. The Meadville YMCA which he served as a member of the Board of Directors and as its president from 1981 to 1983;

c. The United Way of Crawford County;

d. The American Red Cross;

e. The Boy Scouts of America;

f. The Meadville Kiwanis Club;

g. Allegheny College;

h. Theta Chi Fraternity which he served as a member of its Alumni Association and as a member of the Beta Chi Building Association from 1956 to 1972;

i. Meadville Spencer Hospital which he served as an incorporator from April 13, 1944, and as a Trustee from 1944 through 1949, 1952 through 1955, and 1959 through 1961. He served as Secretary of the Board of Trustees from 1944 through 1945 and as Chairman of the By-Laws, Public Relations and Promotion Committees of the Board at various times. Upon consolidation of the two Meadville Hospitals, Mr. Barco became a member of the Meadville Medical Center and continued his membership to the time of his death;

j. The Meadville Public Library;

k. The Meadville Chamber of Commerce;

l. Educational Television of Northwest Pennsylvania, Inc., now Public Broadcasting of Northwest Pennsylvania, Inc., licensee of WQLN, Erie Channel 54, of which he was an organizer in 1964, President from 1968 to 1970 and on its Board of Directors until 1974.

m. The Italian Civic Club, of which he was a founder in 1931, serving as its first President in 1931.

n. The Meadville Area Sports Banquet Committee.

18. Mr. Barco was a member of the Meadville Round Table.

19. In addition to his practice and public service Mr. Barco was active in private business. He was a founder of Meadville Master Antenna, Inc. and served as President of the corporation and chairman of its board of directors from 1952 to 1987. He also was a member of the board of directors of Titusville Cable TV, Inc., from 1964 to 1988 and was a member and Vice President of the Board of Directors of National Cable Television Corporation from 1966 to the date of his death. Mr. Barco participated in the purchase of The David Mead Inn when it was sold in 1982, being an organizer and member of the Board of Directors of Meadville Downtown Hotel, Inc. which was formed to acquire the hotel and he served on its board to the date of his death.

20. Mr. Barco was an active participant in Crawford County political activities. He served as chairman of the Crawford County Young GOP from 1935 to 1941 and was a member (1935 to 1949) and vice-chairman (1938 to 1949) of the State Young Republican Executive Committee. He served as a member of the Executive Committee of the Crawford County Republican Organization from 1935 to 1951. In addition, Mr. Barco chaired and managed campaigns for several local candidates during his career.

21. During his career, George J. Barco received many awards and public citations among which were:

a. The Larry Boggs Memorial Award for Outstanding Service to Community Antenna Television Industry, 1967;

b. The first George J. Schaefer Award for Outstanding Service to Educational Television Station WQLN, 1970;

c. the Allegheny College Alumni Association Gold Citation Award, 1981;

d. the University of Pittsburgh Alumni Association Distinguished Service Award, 1983;

e. induction into the Meadville Area Chamber of Commerce Business Hall of Fame, 1984;

f. Medal of Service, National Cable Television Center and Museum, 1988; and

g. an "honorary cable academy degree" by the Pennsylvania Cable Television Association and the Penn State University School of Communications, 1989.

22. Mr. Barco was a member of St. Brigid's Roman Catholic Church and is survived by his widow, Emmaline Barco; two Daughters, Yolanda G. Barco, Esq. and Mrs. James J. (Helene B.) Duratz; two stepdaughters, Angelina M. Perfetti and Anthony J. Trucco; a sister Josephine L. Barco [illegible]; two brothers, Peter Barco, James S. Barco, Joseph J. Barco, Samuel H. Barco and Frank V. Barco.

23. During funeral services held on November 19, 1989, Mr. Barco was eulogized by Dean Mark A. Nordenberg of the School of Law of the University of Pittsburgh and by Mr. Marlowe Froke of the Pennsylvania State University. Mr. Barco's contributions to the legal concerns of the cable television industry were memorialized in the November-December, 1989, issue [illegible] of the *report*, a publication of the Pennsylvania Cable Television Association. Copies of the remarks of Dean Nordenberg and Mr. Froke, and of the [illegible] which appeared in the *pcta report* are attached to the report of this committee as exhibits "A", "B" and "C".

24. Your Committee respectfully submits that the facts set forth in the foregoing memorial report demonstrate that George J. Barco, Esquire, personified exceptional professional and personal competence, dedication, and achievement in the practice of law, in commercial affairs and in public service. Your Committee further respectfully submits that the facts set forth in the memorial report demonstrate that George J. Barco, Esquire, achieved a life which personified the highest and best levels of professional and personal performance and standards.

25. It is finally respectfully submitted that the personal charm and good will of George J. Barco, Esq. will be sadly missed by all who had the privilege of knowing and working with him but that the example set by his practice and personal achievement will continue as a guide for his colleagues at the bar, in business and in the community in general.

WHEREFORE, your Committee respectfully prays that this report be ordered to be filed among the official and permanent records of this Honorable Court and that [illegible] correct copies hereof be delivered to the press and to the members of the family of the late George J. Barco, Esquire, deceased.

Respectfully Submitted,

Robert L. Walker, Senior Judge

Peter E. Blystone, Esq.

R. Charles Thomas, Esq.

Alan L. Pepicelli, Esq.

Russell L. Schetroma, Esq., Chairman

IN THE COURT OF COMMON PLEAS OF CRAWFORD COUNTY, PENNSYLVANIA

CIVIL ACTION - LAW

In Re: Special Proceeding in Memory of the late GEORGE J. BARCO, Esquire.

No.

ORDER

AND NOW, this 1st day of February, A. D. 1990, the foregoing Memorial [illegible] read in open Court, it is hereby ordered that it be filed and spread upon the records of this Court and that copies hereof be furnished to the family of the late George J. Barco, Esq. and to the press.

P. Richard Thomas, President Judge

[illegible]

Robert L. Walker, Senior Judge

Continued on Page 603

1990

48.

Stephen Hall

PETITION OF INVOLUNTARY TREATMENT

of

ROBERT DUNLAP

Filed Jan. 12, 1990

PETITION FOR INVOLUNTARY TREATMENT
Mental Health Procedures Act of 1976
(Sections 304 and 305)

Jan. 18, 1990, Report of Mental Health Review Officer, (John D. Petruso), Recommendation and Order filed. ORDER: AND NOW, this 17 day of Jan. 1990 upon consideration of the petition filed at above no. and other relevant matter and after review of the report of MHRO, it is hereby ordered and directed that the said Robert dunlap be committed to warren state Hosp. for treatment for a period not to exceed 90 days. BY THE COURT,
P. Richard Thomas, J.

Jan. 19, 1990, copies to WSH, MH/MR and Atty. Hall

Jan. 23, 1990, Petition of the Commonwealth of Pa., Dept. of Public Welfare, for De Novo Hearing filed.

Jan. 23, 1990, RE: REQUEST FOR HEARING DE VOVO OF COMMITMENT RULING - ORDER filed. And now, Jan. 23, 1990, the Department of Public Welfare having requested a de novo hearing on the above case from a ruling by the Mental Health Review Officer committing the patient to Warren State Hospital the court hereby sets Jan. 26, 1990 at 1):00 a.m. as the time for the hearing. Senior Judge Robert L. Walker will conduct the hearing in Courtroom No. 3, third floor, Crawford County Courthouse.
BY ORDER OFTHE COURT,
P. Richard Thomas, P.J.

Jan. 23, 1990,copy of order mailed to parties listed byCt. Adm.

Jan 26, 1990 Order filed: AND NOW, January 26, 1990, after de novo hearing, the Court re-affirms the recommendation of the Mental Health Review Officer and this Court's tempoary Order dated January 17, 1990, and directs that Robert Dunlap be committed to the Warren State Hospital for treatment and further evaluation and a study for his eventual placement with the treatment period not to exceed ninetly (90) days without further hearing and Court Order.

This Court, witnesses, and counsel all agree that until approximately December , 11, 1989, the patient was a residence of Venango County and had been a resident of that county for all of his life. This hearing today is held in Crawford County for the convenience of the patient and witnesses and the record should note that this Court consulted with Judge William White of Venango County who advises that he appreciated the Court of Crawford County hearing this matter as a courtesty to Venango County.

Accordingly, any further proceedings in this matter should be the concern of the patient's home county and the Prothonotary is directed to send a copy of this Order to the Court of Common Pleas of Venango County.

The commitment to Warren State Hospital above ordered shall become effective January 29, 1990.

BY ORDER OF THE COURT,
P. Richard Thomas, P.J.

Jan 30, 1990 Copies of order put in Attys. Petruso and Hall's boxes and copies mailed or given to Atty Steinberg, Atty. Carey and MHMR, Judge White, MMC.

1990

Shafer, Swick, Bailey,
Irwin & Stack
James R. Irwin

49.

JOHN FRANKLIN CONLEY

vs.

GERALDINE AGNES CONLEY

Filed Jan. 12, 1990
@ 10:25 a.m.

Tax & entry Paid	$50.50
Pro Co pd 7/25/90	9.00
STate pd 7/25/90	10.00

COMPLAINT IN DIVORCE

1 copy (atty)

July 20, 1990 Verification filed. I, JAMES R. IRWIN, Esquire, do herby verify that I am the attorney of record for Plaintiff and that as such, I am authorized to to execute this Verification; that I did, on the 12th day of January, 1990 send by Certified Mail, Return Receipt , Addressee ONly, to Geraldine A. Conley, the above named defendant, a true and correct copy of the Divorce Complaint filed at the abov enumber at her last known address of R.D.#2, Box 383, Conneautville, pA 16406 as evidenced by the attached sender's receipt No. P 603 586 064 and that on the 15th day of January, 1990 I did receive the duly executed return receipt dated the 13th day of January, 1990.

James R. Irwin

July 20, 1990 Affidavit of Consent of Defendant filed.

july 20, 1990 Affidavit OF Consent of Plaintiff filed.

July 20, 1990 Separation and Property Settlement AGreement filed.

July 20, 1990 UPon praecipe of Plaintiff Attorney To Transmit REcord, this case moved to Court.

Aug. 13, 1990 Memorandum filed. This Court has reviewed this case pursuant to the Plaintiff's praecipe to transmit the record for a final decree. We are returning the record to the Prothonotary for further action by the Plaintiff in accordance with this Memorandum.

The decree presented includes equitable distribution of marital property. Although the Court has jurisdiction to enter decrees relating to equitable distribution of marital proper ty (23 P.S. 301(a)(1), 401(b)) we only hav ethe power to do so where equitable distribution of marital property has been raised in the pleadings. Since that has not been done in this case we do not have the power to sign the decree as presented.

The Pl aintiff shall indicate to the Prothonotary or to the Court how he desires to proceed. If he wants the Court to enter a divorce decree we will dc so. If he wants a decree of equitable distribution of marital property he must file an amended complaint and serve it upon the defendant.

BY THE COURT,
Gordon R. Miller, J.

Aug 15, 1990 Copies of order put in James Irwin's box.

Aug. 22, 1990 Upon Praecipe of Plaintiff Attorney for Review under Section 201(c) of Divorce Code, this case is moved to Court.

Aug. 30, 1990 **D E C R E E F I L E D .**

1. Divorce: Upon consideration of the pleadings and affidavits filed in the abovecaptioned case, this Court hereby grants an absolute divorce from the bonds of matrimony to the abovenamed parties, onthe grounds that the marriage is irretrievably broken and Ninety (90) days have elapsed from the date of filing of the Complaint an dan affidavit has been filed by each of the parties evidencing that each of the parties consents to the entry of a divorce decree, pursuant to Section 201(c) of the Pennsylvania Divorce Code.

2. No other matters or causes of action provided under the Pennsylvania Divorce Code are reserved by either of the parties.

This Order shall be effective as of this 29th day of August, 1990.

BY ORDER OF THE COURT,
Gordon R. Miller, J

1990

50.

Thomas, Truax , Spadafore, Vardaro & Walker
David P. Truax

COMMONWEALTH OF PENNSYLVANIA

vs.

JACK E. WYANT

Filed Jan. 12, 1990
@ 10:37 a.m.

Tax & entry Paid $50.50

PETITION FOR APPEAL FROM ORDER OF DEPARTMENT OF TRANSPORTATION SUSPENDING DRIVER'S LICENSE.

2 copies (atty)

ORDER:

AND NOW, Jan. 12, 1990, upon consideration of the foregoing Petition, and upon motion of David P. Truax , Esquire, Attorney for Petitioner, a hearing is scheduled to determine whether the action of the Department of Transportation in suspening the operating privileges of the Petitioner should be set aside.

The above matter is set for hearing on the 1st day of March, 1990, at 9:30 a.m. at the courthouse in Meadville, in Court Room No. 1 or 2.

Petitioner is directed to give sixty (60) days notice (written) to (1) Department of Transportation, Bureau of Driver Licensing, Citation Processing Division, Rm. 302, Transportation and SafetyBuilding, Harrisburg, Pa. 17120, and (2) Department of Transportation, Office of Chief Counsel, 1209 State Office Building, Pittsburgh, Pa. 15222, said notice to be by Cert. Mail in each case return receipt requested.

BY THE COURT,
P. Richard Thomas, Judge

Mar. 6, 1990 Memorandum and Order filed. AND NOW, this 1st day of March, 1990, the petition and appeal of the petitioner are dismissed and the action of the Secretrary of Transportation in suspending the petitioner's driver's license is sustained.

BY THE COURT,
Gordon R. Miller, J

Mar. 6, 1990 Copy mailed to William Kuhar and copy put in David Truax's box.

1990

C. Barton Jones

51.

KENNETH E. ENGSTROM

vs.

SHEILA G. ENGSTROM

COMPLAINT UNDER SECTION 201(c) OF THE DIVORCE CODE, AND CHILD CUSTODY

1 copy (atty)

April 1, 1991 Affidavit of Servcie By Mail Pursuant to Pa. R.C.P. 1920.4(a) (1) (ii). I, C. Barton Jones, Esquire, being duly sworn according to law, deposes and says that he is the attorney for Plaintiff, Kenneth E. Engstrom and that he did mail a true and correct copy of the Complaint in Divorce filed in the above matter, by Certified Mail, Return Receipt Requested, to the Defendant, Sheila G. Engstrom, on Feb. 7, 1990, at her last known address, PO Box 407, Astatula, FL 32705. The signed receipt is attached as Exhibit "A".
Date: March 20, 1991 C. Barton Jones, Esquire

Filed Jan. 12, 1990
@ 10:48 a.m.

Tax & entry Paid	$50.50
1 count paid	15.00
Pro Co. PD.	9.00
State Surcharge Pd.	10.00

April 1, 1991 Affidavit of Consent of Plaintiff filed.

April 1, 1991 Affidavit of Consent of Defendant filed.

April 1, 1991 Upon Praecipe of Plaintiff Attorney for Review under Section 201(c) of Divorce Code, this case is moved to Court.

Apr. 10, 1991 **DECREE AND ORDER FILED.**

AND NOW, this 5th day of April, 1991, on the grounds of irretrievable breakdown, in the above case having been duly approved, the court, by virtue of the authority vested in it by law, decrees that KENNETH E. ENGSTROM and SHEILA G. ENGSTROM, are hereby divorced from the bounds of matrimony, and all the duties, rights, and claims accorded to either ofthe said parties at any time heretofore, in pursuant of said marriage, shallhenceforth cease and determine, and the said parties shall severally be at liberty to marry again as if they had never been married.

BY THE COURT,
Gordon R. Miller, J

1990

Barrett & Dratler
Bruce A. Barrett

52.

WALLACE M. HYDE, JR. AND
DORIS A. HYDE

vs.

ROBERT P. BECK

Filed Jan. 12, 1990
@ 11:47 a.m.

Tax & entry Paid $50.50
Sheriffs costs 43.50
Pro Co Pd 3-30-90 9.00

COMPLAINT

1 copy (sheriff)

Feb. 23, 1990, Sheriffs Return filed. SERVED Robert Beck by deputizing Sheriff of Erie County Pa. as per his Affidavit of Service attached. Served: Jan. 25, 1990
So answers, Howard N. Stewart, Sheriff
Erie County Service: Before me the undersigned authority personally appeared William Parker, Dep. who being duly sworn according to law, says that on the 25th day of Jan. 1990 at 12:40 p.m. he served Robert P. beck at aD 1990 - 52 Crawford County Pa. upon dft. Robert P. Beck, at 10605 Silverthorn Rd. Erie county, Edinboro, Pa. by making known the contents thereof to Barbara Beck his wife, and handing to her and leaving with her the cert. copy of the Complaint received from Crawford County.
Willaim Parker Dep. Sheriff
So answers, Robert N. Mickel, Sheriff

AND NOW, March 30, 1990 @ 4:21 P.M. upon praecipe of plaintiff's attorney with notice of judgment attached, judgment is hereby entered in favor of the Plaintiffs and against the defendant for failure to file an answer and the same is liquidated in the following manner: Judgment, Seven Thousand Three Hundred Ninety-three and 20/100 Dollars; Cost, and Interest from March 30, 1990.

B-146 Debt....$7,393.30 + Int & costs.
JUDGMENT
3-30-90 James F. Simmons
Judgment entered. Prothonotary

Thomas, Truax, Spadafore, Vardaro & Walker
William L. Walker

53.

JEFFREY B. LUND

vs.

HARRY L. QUIGLEY AND BERTHA QUIGLEY, HUSBAND AND WIFE, THEIR HEIRS, EXECUTORS, ADMINISTRATORS, SUCCESSORS, AND ASSIGNS AND THE ESTATE OF BERTHA QUIGLEY,

Filed Jan. 12, 1990
@ 1:49 p.m.

Tax & entry Paid $50.50
Pro Co pd 3/30/90 5.00

COMPLAINT - ACTION TO QUIET TITLE

Jan 15, 1990 Motion to Permit Service by Publication Pursuant to Pa. R.C.P. 430 and Order filed: AND NOW, this 15th day of January, 1990, upon consideration of the foregoing Motion and the attached Affidavit, the Court hereby directs Service by Publication in the above captioned action as follows:

1. Plaintiff shall publish a synopsis of the Complaint against the above named defendants in the Crawford County Legal Journal and in the Meadville Tribune for one week pursuant to the Rules of Civil Procedure.

BY THE COURT,
Gordon R. Miller, J.

Jan 15, 1990 Copy of order put in Atty. Walker's box.

Feb 26, 1990 Motion for Default Judgment and Order filed: AND NOW, this 26th day of February, 1990, upon consideration of the foregoing motion and the attached Affidavit and proofs of publication the Court hereby enters judgment for the Plaintiff and against the Defendants in the above-captioned action.

The Defendants shall be forever barred from asserting any right, title or interest in the following described parcels of real estate in any manner which is inconsistent with the interest or claim of the Plaintiff unless the Defendants file an Answer to the Complaint within thirty (30) days of the date of this order.

ALLthat certain piece or parcel of land situate in Sadsbury Township, Crawford County, Pennsylvania, bounded and described as follows, to-wit:

BEING, bounded on the north by Bank Avenue, a distance of fifty (50) feet; on the east by Lot No. 8 in Block G of the Midway or Quigley Plan of Lots; on the south by land now or formerly of Bowers, a distance of fifty (50) feet, more or less; and, on the west by Lot No. 10 in Block G of said Midway Plan of Lots, and being all of Lot No. 9 in Block G of the Midway or Quigley Plan of Lots, a plan of which is recorded in Deed Book 179, page 701.

The Prothonotary is hereby directed to enter final judgment in favor of the Plaintiff in this quiet-title action unless the Defendants shall file an answer within thirty (30) days of this date.

BY THE COURT,
Gordon R. Miller, J.

Q-81, 21, 21

Feb 28, 1990 Copy of order put in Atty. Walker's box.

And now, Mar. 29, 1990 at 3:44 a.m., upon praecipe of plaintiff's attorney, final judgment is hereby entered in this case, in favor of the plaintiffs and against the defendants, pursuant to the foregoing Order of Court.

Q-81-21-21

FINAL JUDGMENT
James F. Simmons,
Prothonotary

1990

Fuller, Kinnunen,
Petruso & Gamble
Ann Hansen Gamble

54.

SHARYL R. VAN EPPS

vs.

NORMAN H. VAN EPPS

Filed Jan. 12, 1990
@ 2:19 p.m.

Tax & entry Paid	$50.50
Pro Co. PD 12/11/90	9.00
State Surcharge Pd.	10.00
Pro for Co. Pd. 12/21/90 -	5.00

COMPLAINT IN DIVORCE

2 copies (atty)

Feb. 14, 1990, Acceptance of Service filed. And Now, this 8 day of Feb. 1990, I hereby accept service of two copies of the Complaint in dviorce together with Notice to defend, and Availability of Counseling, and Waiver of Rights Under Soldiers & Sailors Relief ACT IN Regard to the above matter.
Norman H. Van Epps.

Feb. 14, 1990, Waiver of Rights Under Soldiers and Sailors Relief Act filed.

Nov. 7, 1990 Affidavit of Consent of plaintiff filed.

Dec. 11, 1990 Affidavit of Consent of Defendant filed.

Dec. 11, 1990 Upon Praecipe of Plaintiff Attorney for Review Under Section 201(c) of Divorce Code, this case is moved to Court.

Dec. 20, 1990 DIVORCE DECREE FILED

AND NOW, December 18, 1990, it is ordered and decreed that Sheryl R. Van Epps, plaintiff, and Norman H. Van Epps, defendant, are divorced from the bonds of matrimony.

BY THE COURT,
Gordon R. Miller, P.J.

Dec. 20, 1990 NOtice of Election to Retake Maiden Name filed, Now to be known as SHARYL R. STERLING.

1990

Allen and Hall
Stephen E. Hall

55.

RICHARD O. KURINKO

vs.

ROBERTA I. KURINKO

Filed Jan. 12, 1990
@ 2:47 p.m.

Indigent filing
John Fuller, Mediator

COMPLAINT FOR CUSTODY

1 copy (atty)
1 copy (mediator)

ORDER:

You, Roberta I. Kurinko, defendant, have been sued in court to obtain custody, partial custody, or visitation of the following child: Jessica.

JOHN FULLER is hereby appointed MEDIATOR in this matter.

You are ordered to appear in person at such times and places as shall be set for hearing in this matter, whether by the mediator or the judge.

You are further ordered to bring with you, if in your physical custody, the above child.

You are directed not to move the above naMED CHILD from the Com. of Pa. pending final order in this matter.

You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.

Crawford County Bar Assoc. Ser. to the Public Comm. c/o Prothonotary, Courthouse, Meadville, Pa. 16335 814 724-4636.

BY THE COURT,
P. Richard Thomas, J.

Jan. 12, 1990 Affidavit to Proceed in Forma Pauperis, and Order filed. ORDER: AND NOW, Jan. 12, 1990, upon consideration of the foregoing application, plaintiff, Richard O. Kurinko, is granted leave to proceed in this matter, in Forma Pauperis and the Prothonotary is directed to accept the complaint for filing.

This order is without prejudice to a future showing that either party is financially able to pay all or part of the costs incurred in this matter.

BY THE COURT,
P. Richard Thomas, J.

May 29, 1992 Complaint Reinstated.

1990

56.

IN RE:
APPOINTMENT

of

KATHRYN A. FERER

Filed Jan. 12, 1990
@ 3:18 p.m.

COURT APPOINTMENT OF COUNTY AUDITOR

ORDER:

And Now, January 12, 1990, the court hereby appoints Kathryn A. Ferer, 693 Ellis Avenue, Meadville, Pennsylvania, as auditor of Crawford County to fill the unexpired term of Susan Sheets who resigned. The appointment sahll be for the unexpired term of Susan Sheets and will expire the first Monday of January 1992.

BY ORDER OF THE COURT,
P. Richard Thomas, P.J.

1990

Shafer, Swick, Bailey, Irwin & Stack
Paul D. Shafer, Jr.

57.

Alan E. Cech,
for USA

DOLLAR SAVINGS

vs.

ROBERT L. SAMPLE, JR. AND PATRICIA K. SAMPLE, HIS WIFE AND THE UNITED STATES OF AMERICA

Filed Jan. 12, 1990
@ 3:27 p.m.

Tax & entry Paid $50.50
Pro Co Pd 3-12-90 9.00
Pro Co Pd 3/16/90 9.00
Sheriff's Costs 48.00

COMPLAINT IN MORTGAGE FORECLOSURE

3 copies (sheriff)
1 copy (atty)

Jan. 12, 1990, Affidavit of Non-Military Service of Defendants filed.

January 30, 1990 Affidavit of Service filed. I, Paul D. Shafer, Jr., attorney for the Plaintiff in the above captioned action, being duly sworn according to law deposes and says that I did on the 16th day of January, 1990 mail a true and correct copy of the complaint in the above matter to the Defendant United States of America by first class, postage prepaid, certified mail at the following address, c/o U.S. Attorney General, Dept. of Justice, 10tha nd Constitution Ave., N.W., Washingotn, D.C. 20530 Said certified mail was delivered to Defendant on Jan. 22, 1990, as indicated by the certified return receipt signed by agent of Defendant attached hereto and incorporated herein by reference.

Shafer, Swick, Bailey, Irwin & Stack
By: Paul D. Shafer, Jr.

Mar. 9, 1990 Answer of Defendant United States of America filed.

AND NOW, March 9, 1990 Upon Praecipe of Plaintiff's Attorney, judgment is hereby entered in favor of the Plaintiff and against the defendants for failure to file an Answer and damages are assessed as follows: Principal Debt, Nineteen Thousand Four Hundred Twenty and 35/100 Dollar; Interest to 12-21-89 Eight Thousand Sixty-five and 29/100 Dollars; Late Charges Thirty-two and 32/100 Dollars; Taxes and Insurance Escrow Four Hundred Thirty-two and 08/100 Dollars; Attorney's Commission One Thousand Thirty-seven and 50/100 Dollars; TOTAL Twenty-one Thousand Seven Hundred Eighty-seven and 54/100 Dollars, together with interest on debt at a rate of 8.75% per annum from 12-21-89 and costs of suit.

S-142, 132

Debt.....$21,787.54 + Int. & costs
JUDGMENT
James F. Simmons
Prothonotary

Mar 12, 1990 Notice of Judgment mailed to defendants.

Mar 12, 1990 Consent Judgment filed: AND NOW, to wit, this 12th day of March, 1990, it appearing that counsel for plaintiff and counsel for defendant, United States of America, have consented to the entry of the within Order on behalf of their respective clients, it is hereby ORDERED, ADJUDGED AND DECREED that a judgment be entered in favor of the plaintiff and against the United States of America for foreclosure of the mortgage of plaintiff in the within cause and for sale of the mortgaged property of defendants Robert L. Sample, Jr., and Patricia K. Sample.

It is further ORDERED, ADJUDGED AND DECREED that defendant, United States of America, shall be notified by plaintiff of the date, time and place scheduled for any sheriff's sale of the real property of the aforesaid defendants; that the United States of America shall be entitled to payment from the proceeds of the sheriff's sale to the extent its proper priority would entitle it to the same; and that the United States of America shall be entitled to redeem the aforesaid property within 120 days from the date of sale, as provided by 28 U.S. C. §2410.

Nothing contained in the within Order shall, in any way, be contrued as entry of monetary judgment against the United States of America, but rather said judgment is limited to the foreclosure and sale of the real estate of the aforesaid defendants in the within proceeding.

U-183

BY THE COURT,
Gordon R. Miller, J.

Mar 13, 1990 Copies of order put in Atty. Shafer's box and mailed to Atty Cech.

Mar. 14, 1990 Sheriff's Return filed. Before me, the undersigned authority, personally appeared Dan Isenbery, who being duly sworn according to law, deposes and says that on the 26 day of jan., 1990, at 1:00 p.m., he served Comp. Mort. Fore., filed at No. 57 Term, 1990, crawford County Pennsylvania, upon defendant U.S. Attorney General of W. Dist. of Pa. 633 U.S. POst Office & Courthouse. By making known the contents thereof to Scott Kanary, Clerk and handing to and leaving with him the certified copy of the received from crawford..

So answers,

Dan Isenbery, Deputy Sheriff
Eugene L. Coon, Sheriff

SERVED Patricia K. Sample personally by handing copy of Complaint in Mortgage Foreclosure to her on January 17, 1990 at 4:10 PM at Sheriff's Office, crawford County Courthouse, Meadville, PA 16335.

SERVED Robert L. Sample, Jr. on January 17, 1990 at 4:11 PM by handing copy of Complaint in Mortgage Foreclosure to his Authorized Agent, Patricia K. Sample, at Sheriff's Office, crawford County Courthouse, Meadville, PA Signed Acceptance of Service attached.

SERVED The United States of America by deputizing the Sheriff of Allegheny County, PA as per his affidavit of Service attached. Served: January 26, 1990

So answers,

Carole Stefanucci, Deputy Sheriff
Howard N. Stewart, Sheriff

EX 1990-68

1990

Joan D. Mason
Mason and Mason
58.

Northwestern Legal Services
Gerald Sullivan

~~Watts, Pepicelli, Youngs and Youngs PC~~ (withdrawn)
~~Christopher Youngs~~

8/20/90 Recd
$41.00 Joan Beff.

Recd 9-5-90
$41.00
Vivian Stoltz

JOHN J. GENS

vs.

APRIL C. GENS

Filed Jan. 12, 1990
@ 3:46 p.m.

Tax & entry Paid $50.50 ✓
William Pineo, Mediator 92.00
Pro Co Pd 8/20/90 - 9.00 ✓
Triple Seal Pd 8-1-90 3.50 ✓

PETITION FOR DETERMINATION OF CUSTODY

1 copy (atty)

Jan 17, 1990 Affidavit of Service filed: I, Linda Uplinger, an adult individual, being duly sworn according to law, depose and say that I did on Sunday, January 14, 1990, at 3:30 P.M., deliver to April C. Gens, by personally handing her a certified copy of the Petition for Determination of Custody in the above captioned matter, which was served on her at R.D.#2, Route 6, Conneaut Lake, Pennsylvania.

Linda Uplinger

Mar. 22, 1990 Motion for appointment of mediator and Order filed. AND NOW, March 21, 1990 This matter is referred to William Pineo as custody mediator. Gordon R. Miller
1 copy atty. 1 copy mediator

Apr. 24, 1990 Notice Of Mediation Conference filed.

June 18, 1990 Appearance of Northwestern Legal Services by Gerald Sullivan, Attorney for Defendant filed.

Aug 1, 1990 Temporary Order filed: AND NOW, this 1st day of August, 1990, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator,

IT IS HEREBY ORDERED AND DECREED THAT:

1. Custody of the subject minor children is hereby awarded to John C. Gens, their father.

2. The father shall present himself at the home of the mother at 40634 Palm Drive, Eustis, Florida 32726 at 2:00 p.m. on August 6, 1990. The mother shall then deliver the children to their father along with all of their belongings. The mother is ordered not to move her residence from the above address until the children have been delivered to their father.

3. The parties shall arrange for further mediation regarding the mother's right of visitation and temporary physical custody and the other normal provisions of a custody order.

4. Costs and fees of this Mediation which are fixed at $82.00 are divided equally between the parties with the share of each being assessed to him or her as costs in chis case.

5. Either party may move the Court for a hearing de novo for thirty (30) days from date hereof. If neither party so moves, this Order shall be considered permanent.

By the Court,
P. Richard Thomas, J.

Aug 1, 1990 Copies of order put in Attys. Mason, Pineo and Sullivan's Boxes.

Aug. 3, 1990, Petition for Stay of Temporary Order and Order filed. ORDER: AND NOW, this 3 day of Aug. 1990, upon presentation and consideration of the within Petition, DENIED.

By the Court,
P. Richard Thomas, J.

Aug. 6, 1990, copies of petition and order to J. Mason and Christopher Youngs, Esqs.

Aug. 3, 1990, Motion for De Novo Hearing and Order filed. ORDER: AND NOW, Aug. 3, 1990, a de novo hearing is scheduled in this matter for the 18 day of Sept. 1990, at 9:00 a.m.

P. Richard Thomas, J.

Aug. 6, 1990, copies to Joan Mason and Christopher YOungs and G. Sullivan attys.

Aug 10, 1990 Petition for Contempt and Order filed: AND NOW, this 7 day of August, 1990, upon presentation and consideration of the within petition, the Defendant, April C. Gens (April Blackerby) is ordered forthwith to deliver custody of the two children, Christopher John Gens and Nicholle Jeannette Gens, to their father, John J. Gens.

Further hearing in this matter is scheduled for the 21 day of Aug., 1990, at 1:30 P.M. for the Defendant to show cause why she should not be held in contempt, and to determine what penalties and fines, if any, shall be assessed against the Defendant for her failure to comply with the order of August 1, 1990, and the order of August 3, 1990, as well as this order, if she chooses to fail to comply forthwith.

BY THE COURT,
P. Richard Thomas, J.

Aug 10, 1990 Copies of order put in Attys. Sullivan, Mason and Youngs boxes.

Aug 10, 1990 Petition and Order filed: AND NOW, this 10 day of August, 1990, the court hereby orders all service care provider and agencies of the states or municipalities or other governmental entities, relative to the welfare, evaluation, treatment, or investigation involving the following persons, to release all such information to Attorney Joan D. Mason, father's attorney, and Attorney Christopher Youngs, mother's attorney. The persons involved shall include any encompassed by said investigation, including but not limited to Christopher John Gens, Nicolle Jeannette Gens, April Gens (now April Blackerby), Dennis Blackerby and John T. Gens.

BY THE COURT,
P. Richard Thomas, J

Aug 10, 1990 Copies of order put in Attys. Mason, Sullivan and Youngs boxes.

Aug 10, 1990 Petition and Order filed: AND NOW, this 10 day of August, 1990, the Defendant, April C. Gens (now April Blackerby by marriage); is ordered and directed to attend the contempt hearing scheduled for Tuesday, August 21, 1990 at 1:30 P.M., Crawford County Courthouse, Meadville, Pennsyvlania, and to bring the children Christopher John Gens and Nicholle Jeannette Gens, to said hearing with her, unless they have already previously been turned over to the custody of their father, which transfer was to have taken place August 6th by order of this court.

BY THE COURT,
P. Richard Thomas, J.

Aug 10, 1990 Copies of order put in Attys. Mason, Sullivan and Youngs boxes.

Continued on page 58A

John J. Gens

vs.

April C. Gens

Record continued from page 58

of record

A.D. 1990 - 58

****

Sept. 5, 1990 Memorandum and Order filed. AND NOW, this 4th day of September, 1990, the Plaintiff's petition for contempt and counsel fees is denied. BY THE COURT,
Gordon R. Miller, J

Sept. 5, 1990 Copy put in Atty's box.

Sept. 17, 1990 Motion For Leave To Withdraw and Order filed. AND NOW, September 17, 1990, upon presentation and consideration of the foregoing Motion for Leave to Withdraw, Defendant's attorneys, Christopher J. Youngs, Esquire, and Watts, Pepicelli, Youngs & Youngs, PC, are hereby granted leave to withdraw as counsel for Defendant and the Prothonotary shall so mark the docket.
BY THE COURT,
P. Richard Thomas, S.J.

3 copies atty.

Sept 21, 1990, ORDER filed. AND NOW, Sept. 18, 1990 at the time set for a de novo custody hearing the plaintiff/father and the children appear, but the defendant/mother fails to appear.

ACCORDINGLY, THE court hereby awards legal custody of the two minor children to the father, subject, however, to the following conditions:

1. The mother may visit the children inthe presence of the father in Crawford County, Pa. any time she gives ten (10) days advance notice to the father of the time she will arrive in Crawford County for the visit. During said visits, she may not attempt to remove the children from the father or from Crawford County.

2. The mother may have telephone contact with the two children once each week by a paid telephone call to the father's residence when the children are likely to be present between the hours of 6:00 p.m. and 8:30 p.m.

3. Any time the mother wishes a review of this award of custody, she may file a petition or motion with this court, requesting the settling of a review heairng, which motion shall contain a provision assuring this court that she will be physically present for the hearing.

4. It shall be a condition of any visitations between mother and hcildren that the mothers current husband, Dennis Blackerby, shall not be present with the mother at the time of the visit or have any contact with the children.

BY ORDER OF THE COURT,
P. Richard Thomas, S.J.

Sept. 21, 1990, copies to Attys. Joan Mason, G. Sullivan

Sept 21, 1990, Exhibit filed. (in sm. envelope with papers)

58
B

1990

1990

Jorden and White
Harry Faber White III

59.

IN RE:

NAME CHANGE OF
JORGE P. VALDES

Filed Jan. 15, 1990
@ 9:02 a.m.

Tax & entry pd 1/16/90 $50.50

PETITION FOR CHANGE OF NAME

ORDER:

AND NOW, this 15th day of Jan. 1990 upon consideration of the foregoing Petition for Change of Name, a hearing on the same is scheduled for the 27th day of Feb. 1990, at 1:00 p.m. in C. R. No. 1 or 2.

Pending said hearing ,t he petitioner shall advertise the proposed name change in one newspaper of general circulation in Crawford County and the Legal Journal of Crawford County.

BY THE COURT,
Gordon R. Miller, J.

Jan. 15, 1990, copy to Atty. H. White.

Feb 27, 1990 Proofs of Publication filed: AND NOW, this 15 of February, 1990, comes the Petitioner in the above captioned name change, Jorge P. Valdes, by and through counsel, Jorden and White, and files the following Proofs of Publication relating to the advertisement of his petition to change his name to Jorge Valdes-Latapia:

1. Proof of Publication in the Crawford County Legal Journal.

2. Proof of Publication in Brown-Thompson Newspaper, a newspaper of general circulation in both Erie and Crawford counties.

Said official proofs of publication are attached hereto as Exhibits "A" and "B".

JORDEN & WHITE
Harry Faber White, II

Feb 27, 1990 Certificate of Title filed.

Feb 27, 1990 Final Order filed: AND NOW this 27th day of February, 1990, upon consideration of the Petition for Change of Name, and after hearing thereon, it is hereby ORDERED that the Petitioner's name shall be changed from Jorge P. Valdes to Jorge Valdes-Latapia.

Gordon R. Miller, J

Mar 1, 1990 Copy of order put in Atty. White's box.

1990

60.

BOROUGH OF SPRINGBORO
P.O. Box 33
Springboro, Pa. 16435

vs.

JAMES A. GRYGIER
NANETTE GRYGIER

Filed Jan. 15, 1990
@ 10:15 a.m.

Pro Simmons paid $9.00 ✓
plff on orig. 19.50

AGREEMENT TO REVIVE

of

AD 1985 - 24

Revival of Judgment indexed in favor of the plaintiff and against the defendants in the sum of Seven Thousand Dollars plus costs.

Debt ------$7,000.00
Dated------ Jan. 12, 1990
G - 94, 124----JUDGMENT

James F. Simmons,
Prothonotary

1-12-95
Revived to AD1995-52

1990

Kathleen R. Nelson

61.

RUBY J. MONTGOMERY

vs.

RODGER L. MONTGOMERY

COMPLAINT UNDER SECTION 201(c) OF THE DIVORCE CODE, EQUITABLE DISTRIBUTION, COUNSEL FEES,COSTS, EXPENSES

1 copy (atty)

May 28, 1993 Affidavit of Consent of Defendant filed.

June 8, 1993 Plaintiff's Affidavit of Service filed.

June 10, 1993 Motion for Withdrawal of Counts and Order filed. AND NOW, this 9 day of June, 1993, the herein Motion is granted.
Anthony J.Vardaro, J.
June 17, 1993 Copy of Order to Atty. Nelson.

July 14, 1993 Acceptance of Service filed. And Now, this 9th day of July, 1993, comes Rodger L.Montgomery, Defendant in the above-captioned matter and acknowledges that he received the Complaint inDivorce in the above-captioned matter on January 20, 1990, at R.D.#5, Box 509, Meadville,PA 16335.
July 9,1993 Rodger L. Montgomery

Filed Jan. 15, 1990
@ 11:19 a.m.

Tax & entry Paid	$50.50
2 counts paid	30.00
Pro.Co.pd 8/2/93	9.00

Aug. 2, 1993 Upon Praecipe of Plaintiff's Attorney, Kathleen R.Nelson, Esquire, to transmit record, case moved to Court.

DIVORCE DECREE FILED

Aug. 4, 1993 AND NOW, August 3, 1993, it is ordered and decreed that RUBY J. MONTGOMERY, plaintiff, and RODGER L. MONTGOMERY, defendant, are divorced from the bonds of matrimony.

The court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.

BY THE COURT:
Gordon R. Miller, J.

1990

Barrett & Dratler
Bruce A. Barrett

62.

TERRY LEWIS CRAIG

vs.

JOANN MARGARET CRAIG

Filed Jan. 15, 1990
@ 2:35 p.m.

Tax & entry Paid $50.50
Pro Co pd 10-15-93 9.00

COMPLAINT UNDER SECTION 201(c) OF THE DIVORCE CODE

1 copy (atty)

Jan. 19, 1990, Affidavit of Service filed. Bruce A. Barrett, esq. being duly sworn according to law, deposes and says that the following facts in support of his affidavit ofservice are true and correct to the best of his knowledge, information & belief.

1. That the affiant is the atty. for plff. in the above captioned action.

2. That a true and correct copy of the Compiaint was sent by registered mail to dft. on Jan. 16, 1990 The sender's receipt is attached hereto.

3. The registered mail was sent to JoAnn M. Craig, 105 W. Pine St. Cochranton, Pa. 16314.

4. That the defendant received said registered mail on Jan. 17, 1990. Said receipt card no. P 966 074 361 is attached hereto and signed by JoAnn M. Craig.

Bruce A. Barrett Esq.

Sept. 1, 1993 Affidavit of Consent by TerryLewis Craig,Plaintiff filed.

Oct. 15, 1993 Affidavit of Consent of Defendant, filed.

Oct. 15, 1993 Upon praecipe of plaintiff's attorney to transmit record, case moved. to Court.

DIVORCE DECREE FILED

Oct. 26, 1993 AND NOW, October 26, 1993, it is hereby ordered and decreed that TERRY LEWIS CRAIG, Plaintiff, and JOANN MARGARET CRAIG, Defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.

BY THE COURT:
Anthony J.Vardaro, J.

1990

Terry Toomey

63.

Mason and Mason
M. Dan Mason

MARTIN POCHEDLY

vs.

ROBERT WALKER AND
ALICE WALKER

Filed Jan. 15, 1990
@ 2:41 p.m.

Tax & entry Paid	$50.25 ✓
Sheriff's Costs	29.05
Pro Co pd 6/14/91	9.00 ✓

APPEAL OF DEFENDANTS FROM JUDGMENT OF D. J. 30-3-02

Jan 15, 1990, Rule entered upon plaintiff to file complaint issued.

Jan. 17, 1990, Proof of Service filed.

Apr. 9, 1991 Civil Complaint filed. 1 copy (sheriff)

May 2, 1991 Sheriff's Return filed. SERVED Robert Walker, personally, April 12, 1991, at 11:51 AM, at his residence RD #4, Box 525, Conneaut Lake, PA
SERVED Alice F. Walker, April 12, 1991, at 11:52 AM, by serving her husband Robert L. Walker, at their residence, RD #4, Box 525 Conneaut Lake, PA
So answers, Robert M. Stevens, Deputy
Howard N. Stewart, Sheriff

May 24, 1991, Affidavit of Service of Default Notice filed.

And Now, June 14, 1991 at 2:24 pm upon praecipe of plaintiff's attorney, with Notice of Intention to File Default Judgment attached, judgment is hereby entered in favor of the plaintiff and against the defendant for want of an answer and the damages are assessed at the sum of Three Thousand Dollars plus interest, and cost of suit.
W-141-210
judgment entered 6/14/91

Debt $3000.00
Judgment
James F. Simmons
Prothonotary

1990

Shafer, Swick, Bailey Irwin & Stack Robert S. Bailey	GELVIN, JACKSON & STARR, INC.	COMPLAINT 1 copy (atty)
64.	vs. FIORITA & BEAL, INC. A MARYLAND CORPORATION, d/b/a FOUR STAR PIZZA	January 30, 1990 Affidavit of Service filed. I, Robert S. Bailey, attorney for the Plaintiff in the above captioned action, being duly sworn according to law deposes and says that I did on the 16th day of January, 1990 mailed a true and correct copy of the complaint in the above matter to the Defendants Fiorita & Beal, Inc., a Maryland Corporation, dba Four Starr Pizza, by first class, postage prepaid, certified mail to Defendant at the following address P.O. Box 362, Plaza Route 36 and 40, Frostburg, Maryland 21532. Said certified mail was delivered to Defendant on Jan. 18, 1990, as indicated by the certified return receipt signed by agent of Defendant attached hereto and incorporated herein by reference. Shafer, Swick, Bailey, Irwin & Stack By; Robert S. Bailey
	Filed Jan. 16, 1990 @ 10:35 a.m. Tax & entry Paid $50.50 ✓ Pro Co Pd 2/21/90 9.00 ✓ Exemplification of Record 13.50 ✓ pd 4-24-90	And Now, Feb. 21, 1990 at 2:52 p.m., upon praecipe of plaintiff attorney with default notice and service attached, Judgment is hereby entered in favor of plaintiff and against the defendants for want of an answer, damages assessed in the amount of Four Thousand Eight Hundred Twenty Two and 17/100 Dollars and plus legal interest from Sept. 8, 1989 and costs of suit. Judgment entered 2/21/90 F - 184 F - 184 Debt ----$4,822.17 Int. from Sept. 8, 1989 JUDGMENT James F. Simmons, Prothonotary Feb. 26, 1990, notice of entry of judgment mailed to defendants.

1990

Shafer, Swick, Bailey, Irwin & Stack James R. Irwin 65.	COLLEEN G. PATTERSON vs. MARVIN J. PATTERSON Filed Jan. 16, 1990 @ 10:58 a.m. Tax & entry Paid $50.50 1 count paid 15.00 Pro Co. Pd. 4/23/90 5.00	COMPLAINT IN DIVORCE, CHILD CUSTODY 1 copy (atty) April 23, 1990 Upon Praecipe of Plaintiff Attorney, this case marked settled and discontinued of record.

1990

Robert J. Trageser 66.	COMMERCIAL CREDIT SAVINGS BANK, a State Chartered Banking Institution vs. WILLIAM EDWARD SHANK, An Adult Individual Filed Jan. 16, 1990 @ 12:56 p.m. Tax & entry Paid $50.50✓ Sheriffs costs 28.28 Pro Co Pd 2/8/90 9.00✓	COMPLAINT IN MORTGAGE FORECLOSURE 3 copies (sheriff) Jan. 23, 1990, Sheriffs Return filed. SERVED William Edward Shank on Jan. 17, 1990 at 10:14 a.m. by handing copy of Complaint in Mortgage foreclosure to his sister, Sarah Kays, adult in charge of residence, R. D. #2, box 133, Cochranton, Crawford County Pa. 16314. So answers, Robert M. Stevens, Dep. sheriff Howard N. stewart, sheriff And Now, Feb. 8, 1990 at 11:17 a.m. upon praecipe of palintiff attorney, with unsworn verification of non military service attached, Judgment is hereby entered in favor of plaintiff and against the defendant for failure to enter an appearance or file answer; damages assessed in the amount of Twenty Seven Thousand Two Hundred Twenty One and 98/100 Dollars (including int. from 12/1/89 to 2/1/90 of $488.56) Judgment entered - 2/8/90 S - 243 Debt - $27,221.98 JUDGMENT James F. Simmons, Prothonotary Feb. 8, 1990 notice of entry of judgment mailed to defendant. EX1990-29

1990

Pribanic & Pribanic PC
Victor H. Pribanic

67.

Zimmer, Kunz, Loughren, Hart, Lazaroff, Trenor, Banyas & Conaway, P.C.
Louis B. Loughren

WILLIAM LAKO

vs.

JOHN A. BURKHISER

Filed Jan 16, 1990
@ 1:45 p.m.

Tax & Entry paid $ 50.50

Sheriff's Costs 33.00
Pro Co Pd 2/6/91 6.00

COMPLAINT

1 copy (sheriff)

Jan 26, 1990 Sheriff's Return filed: Before me, the undersigned authority, personally appeared Edward T. Zakutney, Chief Deputy, who being duly sworn according to law, deposes and says that on the 23rd day of January, 1990, at 9:58 A.M. he served Notice to Defend and Complaint - Civil Action - Law, filed at No. AD 1990-67, Crawford County, Pennsylvania, upon defendant John A. Burkhiser at his place of visitation, Venango Co Sheriff's Dept., Franklin, Pa by making known the Contents thereof to John A Burkhiser in person and handing to and leaving with him the certified copyh of the Notice to Defend and Complaint - Civil Action-Law received from Howard N. Stewart, Sheriff of Crawford County.

Edward T. Zakutney, Deputy Sheriff
Gene Price, Sheriff

SERVED John A. Burkhiser by deputizing the Sheriff of Venango County, Pa as per his affidavit of service attached. Served: January 23, 1990.
So answers, Howard N. Stewart, Sheriff

Feb. 8, 1990, Appearance of Zimmer, Kunz, Loughren Hart, Lazaroff, Trenor, Banyas & Conaway, P.C. by Louis B. Loughren, Esq. attorneys on behalf of defendant filed.

June 11, 1990 Answre And New Matter filed.

July 6, 1990 Reply To New Matter filed.

Sept. 14, 1990 Certificate Of Readiness filed.

1991 FEBRUARY CIVIL TRIAL LIST

Feb. 4, 1991, Upon praecipe of plaintiff attorney, the above captioned case is marked settled and discontinued of record.

1990

Gerald Sullivan

68.

ROSE MARY MEDLIN

vs.

ROBERT WADE MEDLIN

Filed Jan 16. 1990
@ 2:00 p.m.

Tax & entry	$50.50
Sheriff's costs	27.32

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies (sheriff)
1 copy (plff)

TEMPORARY ABUSE ORDER:

AND NOW, this 16 day of Jan. 1990, upon review of the petition of plaintiff, the court enters the following temporary order:

1. the defendant shall not assault, abuse, harass or threaten the plaintiff or any ofthe minor children named in the petition.

2. Special conditions: Pl. shall have the exclusive possession of marital residence with children, This order also applies to Pl's two children Stefanie and Patrick Magee. Wife to have exclusive custody of all 4 children.

3. This order may be enforced without a warrant of arrest by an law enforcement officer having reasonable ground to believe it has been violated.

4. A copy of this order shall be delivered to the police departments in the jurisdiction where the plaintiff resides and to county control.

5. service of a copy of the petition and this order shall be made upon the defendant by a sheriff, ocnstable, police officer or competent adult.

6. This temporary order shall remain in full force and effect until modified or terminated by further order of this court. Liability for payment of fees and costs will be determined by final court order.

7. The defendant is reminded that this is an order of court and violation of this order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.

8. The court reserves ruling on allocation of fees and costs.

Hearing is hereby set for Jan. 29, 1980 at 3:30 p.m. in C. R. No. 1 or 2 of the Crawford County courthouse.

The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF THE COURT,
P. Richard Thomas, J.

Jan 26, 1990 Sheriff's Return filed: NOT FOUND, as to defendant Robert Wade Medlin. Plaintiff says he reportedly has gone to Mississippi.
Son answer, Howard N. Stewart, Sheriff

Feb. 1, 1990 Order filed. AND NOW, this 29th day of January, 1990, upon a review of the petition of the plaintiff, at the time scheduled for the hearing, it appears that the defendant has not been served with the Temporary Abuse Order entered January 16, 1990 and, obviously, the defendant is not present at the hearing. The Court believing that it has the power and authority to either enter another Order or to continue or extend the prior Order, ORDERS and DIRECTS as follows:

1. The defendant shall not assault, abuse, harass or threaten the plaintiff or any or her minor children. The term abuse as used in this Order shall be defined in the same manner as that term is defined in the Protection From Abuse Act.

2. The Plaintiff shall have exclusive possession of the marital residence along with her children. The defendant shall not go upon the land where the plaintiff resides and shall not enter, or make any effort to enter, the building where she resides, whether her place of residence is the common marital residence or some other residence.

3. The Plaintiff shall have exclusive custody of any minor children born of the marriage of the plaintiff and defendant.

4. This Order may be enforced without a warrant of arrest by any law enforcement OFficer having reasonable ground to believe that it has been violated.

5. A copy of this Order shall be delivered to the Police Departments in the jurisdiction where the plaintiff resides and to County Control.

6. This Order shall remain in full force and effect for one (1) year unless it is modified or terminated by further Order of Court uponthe petition of either party.

7. Costs in these proceedings are waived. However, should this matter come back to court on a petition of either party, the Court reserves the right to assign fees and costs to either party the Court reserves the right to assign fees and costs to either party at that time.

8. The defendant is reminded that this is an Order of Court, that it can only be change dby another Order of Court and that it cannot be cahgned by agreement of the parties.

9. The defendant is reminded that a violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six (6) months.

10. The plaintiff shall notify the Sheriff of Crawford County if she has any reason to believe that the defendant will be returning to Crawford County so that the Sheriff may serve the Temporary Abuse Order entered January 16, 1990 as well as this Abuse Orde ron the defnedant personally.

11. The defendant is prohibited from having any contact with the plaintiff, including but not limited to, entering her place of employment or business and he is further prohibited from harassing the plaintiff or her relatives or minor children. The defendnat shall not make any attempt to pick up his minor children from schoo or to communicate with them while they are in school or while they are going to and from school without further Order of Court.

BY ORDER OF THE COURT
Gordon R. Miller, J

Feb. 6, 1990 Copies of order put in Gerald Sullivan, County Control and Sheriff's box.

Feb. 22, 1990, Amended Sheriffs Return filed. SERVED Robert Wade Medlin personally on Feb. 22, 1990 at 12:30 p.m. by handing a copy of Protection from Abuse and Court Order to him at sheriffs Office, Crawford County courthouse, Meadville, Pa. 16335.
So answers, Howard N. Stewart, Sheriff

1990

Gerald Sullivan

69.

STELLIE DIXON

vs.

DUANE DIXON

Filed Jan. 16, 1990
@ 2:00 p.m.

Tax & entry	$50.50
Sheriff's costs	19.00
	9.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies (sheriff)
1 copy (plff)

TEMPORARY ABUSE ORDER:

AND NOW, this 16 day of Jan. 1990 upon review of the petition of plaintiff, the court enters the following temporary order:

1. the defendant shall not abuse, harass or threaten the plaintiff or any of the minor children named in the petition.

2. special Conditions: wife given exclusive custody of minor child til hearing.

3. This order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.

4. A copy of this order shall be delivered to the police departments in the jurisdiction where the plaintiff resides and to county Control.

5. Service of a copy of the petition and this order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.

6. This temporary order shall remain in full force and effect until modified or terminated by further order of this court. Liability for payment of fees and costs will be determined by final court order.

7. The defendant is reminded that this is an order of court and violation of this court order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.

8. The court reserves ruling on allocation of fees and costs.

Hearing is hereby set for Jan. 26 1990 at 11:00 a.m. in C. r. No. 1 or 2 of the crawford County courthouse.

The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OFTHE COURT,
Richard P. Thomas, J.

Jan 26, 1990 Order filed: AND NOW, January 26, 1990, the defendant not having appeared at the time for hearing and there is not evidence that he has, in fact been served with the Order setting this hearing, although he was served personally with the Temporary Emergency Relief Order and Petition issued by District Magistrate Wayne E. Hanson, the following Order is entered:

1. The defendant shall not assault, abuse, harass or threaten the Plaintiff or their minor child.

2. The defendant shall not go to the residence of the plaintiff, which is currently with her mother, or to any independent residence of the plaintiff once such residence has been established.

3. Custody of Robbie Dixon is awarded to the plaintiff and since the defendant is not present, no Order regarding visitation is entered at this time, but without prejudice to the right of the defendant either by application for amendment of this Order or throught a regular custody proceeding, to seek reasonable visitation rights.

4. The plaintiff is granted leave to go to the former marital domicile at any time during daylight hours during the week of January 29, 1990 to obtain her clothing and personal effects and those of the parties' child.

5. This Order shall continue in full force and effect for a period of one (1) year from this date.

6. A copy of this Order shall be served upon the defendant by Certified Mail, Return Receipt Requested; and if such actual service cannot be effected, a copy shall be furnished to the Sheriff of Crawford County, who will arrange for service throught the Sheriff of Clearfield County. The costs of service will be included in the costs of this case.

7. The defendant shall pay the costs in this proceeding within sixty (60) days of this date.

8. Any Police Officer having jurisdiction on the premises may enforce this Order in accordance with the Protection from Abuse Act.

BY ORDER OF THE COURT,
Robert L. Walker, S.J.

Jan 30, 1990 Copies of order put in Atty. Sullivan's box. and copy to Co. Control.

Feb. 9, 1990 Sheriff's Return filed. Not Found, as to defendant Duane Dixon. Certified mail sent to him at his last known address of RD #2, Box 100A, Duboise, PA 15801 was returned marked "Unclaimed" and attached to this return.

So answers, Howard N. Stewart, Sheriff

1990

70.

REDEVELOPMENT AUTHORITY OF
THE CITY OF MEADVILLE

vs.

ALLAN W. ROGERS
WILMA S. ROGERS

Filed Jan. 17, 1990
@ 11:09 a.m.

Pro Simmons paid $9.00
plff on orig 9.50
Postponement pd. 5/7/91- $5.00

Sat. pd. 1-29-96 5.00

AGREEMENT TO REVIVE

of

DSB 1985 - 308

Revival of Judgment is hereby entered in favor of the plaintiff and against the defendants in the sum of Eleven Thousand Nine Hundred Sixty Eight and 00/100 Dollars.
Debt -----$11,968.00
dated-------
R - 14, 174 JUDGMENT
James F. Simmons,
Prothonotary

May 7, 1991, Writing filed wherein plaintiff postpones from the lien of the above captioned judgment in favor of a certain mortgage dated May 3, 1991 held by Pennbank in amount of $48,000.00 recorded in Record Book Vol 119, page 488.

This postponement to affect the lien and collection of said judgment out of the following property: All that certain piece or parcel of land lying and situate in Twp. of West Mead, County of Crawford, STate of Pa. Recorded nov. 5, 1962 in C.C. Agreement Book 52, page 50. (for more description, see paper filed)

Jan. 29. 1996 This Judgment
Satisfied. (See paper filed.)

Thomas, Truax, Spadafore
Vardaro & Walker
Anthony J. Vardaro

71.

Knox McLaughlin Gornall
& Sennett PC
William C. Wagner
James T. Marnen

Thomas, Truax, Spadafore
Vardaro & Walker
Anthony J. Vardaro

JOSEPH FORRO AND ZELMA FORRO, HIS WIFE

vs.

CONRAD DELP AND SALT PAINTING INC.

JOSEPH FORRO, add'l dft.

Filed Jan. 17, 1990
@ 1:07 p.m.

Ta x & entry Paid	$50.50
Sheriff's Costs	26.00
Plaintiffs costs	75.00
Pro Co Pd 11/14/91	6.00

COMPLAINT

2 copies (sheriff)

(Jury Trial Demanded)

Jan 23, 1990 Sheriff's Return filed: I accept service of the Complaint AD 1990-71 on behalf of Conrad Delp and certify that I am authorized to do so.
1-18-90 Tina Wise,
Authorized Agent
SERVED Conrad Delp on January 18, 1990 at 3:35 p.m. by handing copy of Complaint to Tina Wise, his Authorized Agent, at his place of employment, Salt Painting R.D.#1, Box 491, Saegertown, Crawford County, Pa 16433. Her signed Acceptance of Service attached.
SERVED Salt Painting, Inc. on January 18, 1990 at 3:36 p.m. by handing copy of Complaint to Tina Wise, Secretary and person in charge at place of business, R.D.#1, Box 491, Saegertown, Crawford County, Pa 16433.
So answers,Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

Jan. 29, 1990, Appearance of Knox, McLaughlin Gornall & Sennett, PC by William C. Wagner, attorneys for defendants filed.

Feb. 12, 1990, Answer and New Matter filed.

Feb. 12, 1990, Notice of Service of Interrogatories to Plaintiffs (first set) filed.

Feb. 12, 1990, Notice of Service of REquest for Production to Plaintiffs (first set) filed

Feb. 28, 1990, Reply to defendants' New Matter filed.

Mar 9, 1990 Certificate of Mailing of Interrogatories to Plaintiffs and Answers Thereto and Request for Production to Plaintiffs and Answers Thereto filed.

Mar. 19, 1990, Defendant's complaint Joining Joseph Forro as an Additional Defendant filed.

Mar. 29, 1990 Acceptance Of Service filed. I, the undersigned, hereby accept service of Defendant's Complaint Joining Joseph Forro as an Additional Defendant on behalf of the additional deendant. Anthony J. Vardaro

Apr. 17, 1990 Answer And New Matter Of Additional Defendant, Joseph Forro To Complaint of Original defendants, Salt Painting, Inc. and Conrad Delp filed.

Apr. 23, 1990 Defendants' Reply To New Matter Of Additional Defendant filed.

May 9, 1990, Notice of Service of Interrogatories to Defendants, filed.

June 15, 1990 Motion To Consolidate and Order filed. and now, this 15 day of June, 1990, it is hereby ORDERED pursuant to the JOint Motion to Consolidate that Civil Action No. A.D. 1989-944 and Civil Action No. A.D. 1990 - 71 are consolidated. P. Richard Thomas, J
June 19, 1990 Copy of order put in Anthony Vardaro's box and copy mailed to william Wagner

(SEE PAPER FILED AT A.D. 1989 - 944)

July 11, 1990 Notice Of Taking Deposition of Conrad Delp filed. (see paper filed at AD. 1989 - 944)

Feb. 25, 1991 Notice of Service of Interrogatories to Plaintiffs (Second Set) filed.

Feb. 25, 1991, Notice of Service of Request for Production to Plaintiffs (Second Set) filed.

Mar. 8, 1991 Certificate Of Readiness filed.

Mar. 19, 1991 Motion To Continue and Order filed. AND NOW, to-wit, this 20th day of March, 1991, it is hereby ORDERED, ADJUDGED and DECREED tha tthe within matter be continued to the next available trial term. By the Court:
Gordon R. Miller, J

(See paper filed at A.D. 1989 - 944)

Aug. 9, 1991 Notice Of Service Of Request For Production Of Documents and Materials, and Insurance Information Directed To Defendants filed.

Aug. 9, 1991 Notice Of Service Of Answers To Supplemental Interrogatories and Request For Production of Documents to Plaintiffs Joseph Forro and Zelma Forro (First Set) filed.

On October 1991 Trial List

Sept. 19, 1991 Notice Of Taking Deposition of David S. Summers, M.D. filed. (See paper at A.D. 1989 - 944)

(settlement conference to be held Oct. 7, 1991 at 10:00 a.m.)

Oct. 1, 1991, Appearance of James T. Marnen, attorneys for plaintiffs filed. (see paper filed at AD 1989 - 944)

Oct. 1, 1991, Upon praecipe of William C. Wagner, atty. for plaintiff, appeara nce withdrawn. (see paper filed at AD 1989 - 944)

Oct. 3, 1991 Defendant's Motions IN Limine filed.
(see paper filed at A.D. 1989 - 944)

Record Continued on
Page 587.....

1990

Phillips & Galanter
Donald L. Phillips

72.

DON ROB CO., ASSIGNEE OF McKESSON & ROBBINS DRUG COMPANY, DIVISION OF FOREMOST-McKESSON, INC.

vs.

JAMES D. BAHR AND SHIRLEY BAHR, HIS WIFE

Filed Jan. 17, 1990
@ 2:39 p.m.

Pro Simmons paid	$15.00 ✓
plff on orig.	158.50
Plaintiff's Bill of Cost	40.00
Pro Co pd 3/2/90	9.00 ✓
Sheriff's Cost	37.16

WRIT OF REVIVAL

of

AD 1985 - 133

Writ of revival indexed in favor of plaintiff and against the defendants in the sum of Two hundred forty-eight and 43/100 dollars, plus interest from April 30, 1985 and costs of suit.

Debt --$248.43
Dated ---1/17/90
Int. from 4/30/85
B - 264, 154 ----REVIVAL OF JUDGMENT
James F. Simmons,
Prothonotary

Issued (sheriff)

And Now, Mar. 2, 1990 at 11:15 a.m. upon praecipe of plaintiff's attorney, with Notice of Intention to File Default Judgment Attached, judgment is hereby entered in favor of the plaintiff and against the defendant for failure to file an answer and the damages are assessed at the sum of Three Hundred Twenty-one and 71/100 plus interest and cost of suit.

B-264-154 Debt $321.71
judgment entered 3/2/90 Int. 4/30/85
notices mailed to defendants 3/5/90 Judgment
James F. Simmons
Prothonotary

Mar. 16, 1990 Writ Return filed. SERVED James D. Bahr personally on January 21, 1990 at 12:14 PM by handing copy of Writ of Revival to him at residence, R.D.#3, Harmonsburg, Road, Linesville, Crawford County, PA.
SERVED Shirley Bahr on January 21, 1990 at 12:15 PM by handing copy of Writ of Revival toher husband, James D. Bahr adult in charge of residence, R.D.#3, Harmonsburg Road, Linesville, Crawford County, PA.
So answers,

Robert M. Stevens, deputy Sheriff
Howard N. Stewart, Sheriff

12-5-94
Revived to AD1994-1324

1990

Thomas, Truax, Spadafore
Vardaro & Walker
William L. Walker

73.

Knox McLaughlin Gornall
& Sennett PC
Timothy M. Sennett

Elderkin, Martin,
Kelly, Messina &
Zamboldi
Kenneth G. Vasil
Steven Vozar

THOMAS G. PAYNE AND CHERYL A. PAYNE

vs.

RALPH PAYNE, JR. dft.

STEVEN VOZAR, add'l dft.

Filed Jan. 17, 1990
@ 3:38 p.m.

Tax & entry Paid	$50.50
Sheriff's Costs	29.60
Sheriff's costs	20.00
Pro Co Pd 12/20/90	6.00

COMPLAINT

1 copy (sheriff)

Jan. 24, 1990 Sheriff's Return filed. SERVED Ralph Payne,Jr. personally on Jan. 23, 1990 at 11:15 AM by handing copy of Complaint to him at Sheriff's Office, Crawford Co. Courthouse Meadville, Pa. 16335.
So answers, Catherine I. Allen,Deputy Sheriff
Howard N. Stewart, Sheriff

Jan. 31, 1990 Appearance of Knox McLaughlin, Gornall & Sennett, P.C. by Timothy M. Sennett, Esq. attorneys for defendant filed. (Jury of Twelve Demanded)

Feb. 27, 1990, Answer and New MaTTER FILED.

Mar. 5, 1990 Notice Of Service Of Interrogatories To Plaintiffs (First Set) filed.

Mar. 5, 1990 Notice Of Service Of Request For Production To Plaintiffs (First Set) filed.

Mar.14, 1990, Complaint Against Additional Defendant filed. 1 copy (sheriff)

March 28, 1990 Sheriff's Return filed. SERVED Steven Vozar on March 14, 1990 at 3:55 PM by handing copy of Complaint to his Mother, Betty Vozar, at their residence, Park Avenue Extension, Meadville, Crawford County, Pa.
So answers, Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

Apr. 3, 1990 Appearance of Elderkin, Martin, Kelly, Messina & Zamboldi by Kenneth G. Vasil for Additional Defendant Steven Vozar filed.

Apr. 5, 1990, Reply to New Matter filed.

Apr. 16, 1990, Answer and New Matter fo Additional defendant Stephen Vozar filed.

April 26, 1990 Reply To New Matter filed.

Apr. 30, 1990 UPon praecipe of Defendant Vasil to file Verification of Steven Vozar filed.

May 15, 1990 Reply to New Matter filed.

Dec. 20, 1990, Upon praecipe of attorneys for plaintiff, defendant and additional defendant, on behalf of their respective clients, the above captioned action, including any and all claims of the parties against each other, are marked settled and discontinued of record with prejudice. It is the intention of the parties that all direct claims and causes of action, claims of sole liability or liability over, claims of joint and several liability, and claims for indemnity and/or contribution, be dismissed with prejudice.

1990

Bettie J. Peterson-Muth

74.

CINDY L. WOOLSTRUM

vs.

CHARLES R. WOOLSTRUM

Filed Jan. 18, 1990
@ 9:37 a.m.

Tax & entry Paid	$50.50
3 counts paid	45.00
Pro Co Pd 5-14-90	9.00
State Paid 5-14-90	10.00

COMPLAINT IN DIVORCE, CUSTODY, ALIMONY, COUNSEL FEES, COSTS, EXPENSES, AND EQUITABLE DISTRIBUTION

1 copy (atty)

May 10, 1990 Affidavit of Service filed: Bettie J. Peterson-Muth, being duly sworn according to law, deposes and says that she is as competent adult; that she served the Complaint in Divorce filed in the above matter on Charles R. Woolstrum, personally, by handing to him a true and correct copy thereof and informing him of its contents at deponent's office, Star Route, Meadville, Crawford County, Pennsylvania, on March 22, 1990, at 11:30 a.m.

Deponent further avers that, at the time of said service, the said defendant identified himself to deponent.

Bettie J. Peterson-Muth

May 10, 1990 Affidavit of Consent of Plaintiff filed.

May 10, 1990 Affidavit of Consent of Defendant filed.

May 10, 1990 Upon Praecipe of Plaintiff's Attorney for Review Under §201(c) of the Divorce Code, this case is moved to court.

May 10, 1990 Motion For Withdrawal of Contingent Matters and Order filed. AND NOW, May 17, 1990, the Motion is hereby granted and all contingent pending matters in the above action are hereby withdrawn from consideration by this Court.

P. Richard Thomas, J

May 17, 1990 **D I V O R C E D E C R E E F I L E D .**

AND NOW, May 17, 1990, it is hereby ordered, adjudged and decreed that the marriage heretofore existing between

CINDY L. WOOLSTRUM and CHARLES R. WOOLSTRUM

is hereby dissolved and the parties are hereby divorced and all legal duties, rights and claims of either of the parties to the other in pursuance of said marriage are hereby terminated.

BY ORDER OF THE COURT,
P. Richard Thomas, J

1990

Louis P. Vitti, &Assoc.
Louis P. Vitti

75.

FIRST INVESTMENT COMPANY

vs.

FREDRICK CHRIS JOHNSON AND THERESA A. JOHNSON, HIS WIFE, AND ALL OTHER OCCUPANTS

Filed Jan. 18, 1990
@ 11:01 a.m.

Tax & entry Paid $50.50 ✓

Sheriff's Costs 29.00
Pro Co pd 2/26/90 9.00 ✓

COMPLAINT IN EJECTMENT

3 copies Isheriff)

Jan 23, 1990 Sheriff's Return filed: SERVED Fredrick Chris Johnson personally on January 19, 1990 at 10:16 A.M. by handing copy of Complaint in Ejectment to him at Sheriff's Office, Crawford County Courthouse, Meadville, Pa 16335.
No one else resides at the residence.
So answers, Carole Stefanucci, Deputy Sheriff
Howard N. Stewart, Sheriff

And Now, Feb. 26, 1990 at 1:55 p.m. upon praecipe of plaintiff's attorney, with Notice of Intention to File Default Judgment attached, for possession and/or ejectment as a result of the Defendnats' failure to file an Answer and/or a responsive pleadings.
J-217-205

JUDGMENT
James F. Simmons
Prothonotary

EX 1990 - 15

1990

Specter Law Offices
John C. Evans

76.

JOY MORROW AND KEVIN B. MORROW

vs.

SUSAN ANDRAKO

Filed Jan. 18, 1990
@ 11:09 a.m.

Tax & entry Paid $50.50 ✓
Sheriff's Costs 61.40
Pro Co pd 5/1/90 6.00 ✓

1

SUMMONS IN A CIVIL ACTION

Issued (sheriff)

(Jury Trial Demanded)

Mar. 2, 1990 Writ Return filed. Before me, the undersigned authority, personally appeared Terry L. Schultz, Deputy Sheriff who being duly sworn according to law, deposes and says that on the 31st day of January, 1990, at 2:10 p.m., he served Summons in a civil action, filed at No. AD 1990-76 Term, 19, Crawford County Pennsylvania, upon defendant SUSAN Andrako at Residence, R.D.#5, Titusville, PA 16354 By making known the contents thereof to Susan L. Andrako, in person and handing to and leaving with her the certified copy of the Summons in a Civil Action received from Sheriff of Crawford County.
So answers, Terry L. Schultz, Deputy
Gene Price, Sheriff

SERVED Susan Andrako by deputizing the Sheriff of Venango County PA as per his Affidavit of Service attached. Served: January 31, 1990.
So answers, Howard N. Stewart, Sheriff

Apr. 30, 1990 UPon praecipe of Plaintiff Attorney the docket in this case is marked settled and discontinued of record.

1990

Mahany, Roeder & Rothschild
Tamara Ochs Rothschild

77.

RANDY POPIESKI

vs.

TRACY L. POPIESKI

Filed Jan. 18, 1990
@ 11:20 a.m.

Tax & entry Paid	$50.50
Pro Co pd 5/10/90	9.00
State pd 5/10/90	10.00

COMPLAINT IN DIVORCE

3 copies (atty)

Jan 24, 1990 Certificate of Service filed: On January 22, 1990, I mailed a certified copy of a Divorce Complaint in the above captioned matter by Certified Mail No. P 382 386 017 Return Receipt Requested, Restricted Delivery, postage prepaid, to Tracy L. Popieski.

I make this statement pursuant to 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities and understand that false statements may subject me to criminal penalties under that statute.

Mahaney, Roeder and Rothchild
Tamera Ochs Rothchild
Attorneys for Plaintiff

Jan. 31, 1990 Affidavit of Return of Service by Mail filed. On January 22, 1990, I mailed a certified copy of a DIVORCE COMPLAINT pursuant to 62 P.S. Section 1409(b)(5) by Certified Mail, Restricted Delivery, Return Receipt Requested to the Defendant as follows:

Tracy L. Popieski
R.D.#2
Centerville, PA 16404

Tracy L. Popieski signed the Return Receipt upon delivery and receipt o nJanuary 27, 1990. Attached hereto and marked as "Exhibit A" is the Return Receipt received from the Post Office on January 27, 1990.

I make these statements pursuant to 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities and understand that false statements may subject me to criminal penalties under the statute.

Tamera Ochs-Rothchild

May 9, 1990 Affidavit Of Consent of Plaintiff filed.

May 9, 1990 Affidavit Of Consent of defendant filed.

May 9, 1990 Upon praecipe of Plaintiff Attorney To Transmit Record, this case moved to court.

May 11, 1990 **D I V O R C E D E C R E E F I L E D .**

AND NOW, this 11 day of May, 1990, it is ORDERED, ADJUDGED AND DECREED that Randy P. Popieski, Plaintiff, and tracy L. Popieski, defendant, are divorced from the bonds of matrimony. The Court retains jurisdiction of the following claims which have been raised of record by the parties to this action for which a final order has not yet been entered: None.

BY THE COURT,
P. Richard Thomas, J

1990

John G. Arch

78.

RONALD C. RAK

vs.

SAM NELSON

Filed Jan. 18, 1990
@ 11:23 a.m.

Tax & entry Paid	$50.50
Sheriff's costs	23.00
Pro Co pd 3/16/90	6.00

SUMMONS IN A CIVIL ACTION

Issued (sheriff)

(Jury Trial Demanded)

Jan. 23, 1990 Writ Return filed. SERVED Sam Nelson personally on Jan. 19, 1990 at 9:20 AM by handing copy of Summons to him at residence, 1048 Willow Alley, Meadville, Crawford Co., PA.

So answers, Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

Mar. 14, 1990 Upon praecipe of plaintiff attorney the above captioned case is marked settled and discontinued of record.

1990

Jack, Kookogey & Felton
Robert J. Felton

79.

MICHAEL E. STIFFLER

vs.

CHRISTINE PAVLECKA

Filed Jan. 18, 1990
@ 11:27 a.m.

Tax & entry Paid $50.50
Bruce L. Smith, mediator 9.00
Pro Co pd 2/16/90

3/5/90 Reed $ 55.60
From Plaintiff
3/19/90 Reed. $55.60.
From Defendant
Rec'd 4-2-90
$55.60
Vivian Stoltz
Rec'd $55.60
4-2-90
Vivian Stoltz

COMPLAINT FOR SHARED CUSTODY

1 copy (atty)
1 copy (mediator)

ORDER: AND NOW, this 18 day of Jan. 1990 upon presentation of the foregoing Complaint for Custody, the parties hereto and their respective counsel are ordered to appear before Bruce L. Smith, the child Custody mediator, who is hereby appointed in this case. Teh said parties and their respective counsel shall appear at such time or times that the Child Custody mediator shall hereinafter determine. P. Richard Thomas, Judge

Feb. 20, 1990 Temporary Order Of Court filed. AND NOW, this 15 day of February, 1990, after Mediation and upon recommendation of the Child Custody Mediator, it is hereby ordered and decreed that:

1. The natural parents of Andrew Jonathan Stiffler, age one, the parties to this action, shall share legal custody of the minor child. Said joint legal custody being shared shall entitle both of the parents to equal access to any records relating to the child held by a third party, including, but not limited to, medical record and later school records, and shall also entitle both parents to equal input with regard to the educational and religious upbringing of the child, as well as to elective surgery.

2. Physical custody of the child shall be shared with the father having ten days each month with the child, except during the months of June, July, and August, when he shall have fourteen consecutive days with the child. The mo;ther shall have primary custody of the child at all other times. Temporary physical custody of the child for the plaintiff father shall be as follows:

a. The father shall have the right to take the child into his temporary physical custody from the mother's residence in the Titusville area no earlier than 3:00 p.m. on the frist Friday of each month, beginning in April, 1990. He shall be entitled to keep the child in his temporary custody until the Sunday following nine days thereafter at 5:00 p.m., when the mother shall travel to the father's residence in Ohio and be given custody of the child. During the months of June, July, and August of each year beginning in 1990, the child shall spend additional time with the father from the first Friday of each month until that Thursday fourteen days thereafter at 5:00 p.m. Again, the mother shall pick up the child at the father's residence.

b. The only holiday where custody shift shall take place will be Christmas. The father shall have the right to pick-up the child on Christmas Day, December 25, at 2:00 p.m., and take him into his custody and residence. The mother shallhave the right to pick-up the child from the father's residence on December 29 of each year at 5:00 p.m.

c. In the event that either the father or the mother cannot make a schudeled pick-up, either in Titusville or Ohio, that parent shall notify the other parent by telephone as soon as possible to make alternate arrangements for a later pick-up.

3. The parent having custody of the child at any time shall notify the other parent as soon as possible in the event of injury or illness of the child requiring medical treatment. For the purpose of this paragraph, each parent will keep the other parent informed of his or her current residence mailing address and telephone number.

4. Neither party shall take the child into nay environment which might be commonly thought of as detrimental to his development or to the development of his character or which would be commonly thought of as dangerous to his ph ysical person.

5. The parents are encouraged to discuss arrangements for physical custody of the child; and, if the parties mutually agree to alternative arrangements to accommodate themselves and/or the child's shcedule, they may adjust the physical custody arrangements accordingly and are encouraged to do so by mutual consent and agreement.

6. Each of the parents will teach the child to have and demonstrate that love and respect due a parent from his or her child, and neither of the parents nor the stepparent will do anything or say anything to blacken the character of either parent in the eyes of the child. This admonition shall extend to grandparents, stepparents, and persons who live with either of the parents outside of marraige.

7. This Order shall not prejudice the right of either party to request further Mediation if there are circumstances which would affect the best interst of the child or if it believes that the best interest of the child would require further Mediation at anytime.

8. The Court of Common Pleas of Crawford County, Pennsylvania, shall retain jurisdiction of this matter so long as either parent or the child resides in the Court's jurisdiction and for at least six months from the date of this Temporary Order.

9. The fee for the Child Custody Mediator shall be paid 50% by the plaintiff father and 50% by the defendant mother.

10. This Order shall be a Temporary Order, but shall become a permanent Order unless exceptions are filed by either party within thirty days from the date of this Temporary Order.

BY THE COURT,
Gordon R. Miller, J

Feb. 22, 1990 Copies of order mailed to Robert Felton, Ann Gamble, Bruce Smith and plaintiff and Defendant.

1990

MacDonald, Illig,
Jones & Britton
S. E. Riley, Jr.

80.

LARRY MITCHELL

vs.

ROBERT L. PRICE AND
JANEY HUGHES

Filed Jan. 18, 1990
@ 11:31 a.m.

Tax & entry paid	$50.50
Sheriffs costs	56.46
Sheriff's costs	38.50
Sheriff's Costs	48.50
Sheriff's Costs	48.50
Pro Co. pd. 1-2-92	9.00
Pro Co Pd(cert) 3-9-92	4.00
Pro Co pd 9-1-98	5.00

CIVIL COMPLAINT

2 copies (sheriff)

Apr. 11, 1990, Sheriffs Return filed. Not Found as to defendant Robert L. Price and Janey Hughes, as per affidavits received from Sheriff of Erie County and hereto attached.
HOward N. Stewart, sheriff
ERIE COUNTY SERVICE: And now, Jan. 25, 1990, the attached complaint against Robert L. Price, dft is being returned unserved.
So answers, Robert N. MIchel, Sheriff
Robert G. Muski, Dep. Sheriff
Address Info Request from Office of Sheriff of Erie County Pa. listing address of Janey Hughes as 353 W. 5th St. #5 filed.

May 4, 1990 Complaint Reinstated.

June 4, 1990 Complaint Reinstated.

June 12, 1990 Sheriff's Return filed. NOT FOUND as to defendant Janey Hughes, as per Affidavit from Sheriff of Erie Co., PA. and hereto attached.
So answers, Howard N. Stewart, Sheriff

July 5, 1990 Complaint Reinstated.

Aug. 6, 1990 Complaint Reinstated.

Aug. 27, 1990 Sheriff's Return filed. AND NOW, August 15, 1990 the attached complaint against Robert L. Price Defendant is being returned unserved.
So answers, Geraldine Taylor, deputy sheriff
Robert N. Michel, Sheriff
NOT FOUND, as to defendant Robert L. Price, as per Affidavit received from Sheriff of Erie County, PA and hereto attached.
So answers, Howard N. Stewart, Sheriff

Sept. 10, 1990 Sheriff's Return filed. AND NOW, August 8, 1990 the attached complaint against Robert L. Price Defendant is being returned unserved.
So answers, Robert N. Michel, Sheriff
Geraldine Taylor, Deputy Sheriff
Not Found as to defendant Robert L. Price, as per Affidavit received from Sheriff of Erie County, PA and her eto attached.
So answers Howard N. STewart, Sheriff

Jan. 30, 1991, Complaint Reinstated.

May 21, 1991, Complaint Reinstated.

May 30, 1991 Motion For Leave To Serve By Publication and Order filed. AND NOW, this 29 day of May, 1991, upon consideration of the plaintiff's motion for Leave to Serve by Publication pursuant to Rule 430 of the Pennsylvania Rules of Civil Procedure, and it appearing to the Court, that the plaintiff has made a good faith effort to locate and serve the defendant sin the regular course,
IT IS HEREBY ORDERED, that said Motion is granted, and leave is hereby given to serve defendants Robert L. Price and Janey Hughes by publication. Once in Meadville Tribune and once in Crawford Co. Legal Journal. P. Richard Thomas, S.J.
May 31, 1991 Copy of order mailed to S. E. Riley, Jr.

Jan. 2, 1992, 4:07 P.M., AND NOW upon Praecipe of Plaintiff Attorney, with copy of Notice of Intention to file default judgment attached, judgment is hereby entered in favor of Plaintiff and against Defendant for failure to answer the Complaint filed Jan. 13, 1990. Judgment to be entered in the amount of Four Thousand nine hundred fifty-nine and 00/100, together with interest from 5-21-89 until such time as said amount is collected, delay damages and the costs of suit.

Debt $4,959.00
P-144,H-96 Interest from 5-21-89
Judgment entered 1-2-92 June Allen, Acting Prothonotary

Aug 17, 1998 Upon praecipe of plaintiff attorney the above caption matter is marked satisfied.

1990

Specter Law Offices
Paul J. McArdle

81.

Thomas, Truax, Spadafore, Vardaro, Walker
R. Charles Thomas

IRVIN F. HILL

vs.

ROONEY ARTMAN

Filed Jan. 18, 1990
@ 3:43 p.m.

Tax & entry paid	$50.50
Sheriffs costs	**31.40**
Pro Co pd 3-15-91	6.00

COMPLAINT

1 copy (sheriff)

(Jury Trial Demanded)

Feb. 7, 1990, Sheriffs Return filed. SERVED Rooney Artman (Rodney) on Jan. 26, 1990 at 10:56 a.m. by handing a copy of complaint to Joy Smith, his mother-in-law and person in charge of residence, R. D. #1, Box 302 Espyville, Crawford County, Pa.
So Answers, Robert M. Stevens, Dep. Sheriff
Howard N. Stewart, Sheriff

Feb. 16, 1990, Appearance of Thomas, Truax, Spadafore, Vardaro and Walker, by R. Charles Thomas, attorney for defendant filed.

Apr. 3, 1990 Answer filed.

Apr. 16, 1990, Reply to New Matter filed.

Apr. 16, 1990, Notice of service of Interrogatories and Request for Production to Defendant filed.

June 12, 1990 Notice Of Serving Plaintiff's Interrogatories and Request For Production of Documents filed.

Aug. 23, 1990 Notice Of Serving Plaintiff's Response To Interrogatories and Request For Production of Documents filed.

Sept 21, 1990, Notice of Deposition of Rodney Artman filed.

Jan. 24, 1991, Certificate of Readiness filed.

ON APRIL 1991 TRIAL LIST

Jan. 25, 1991, Appearance of Specter Law Offices, PC by Robert A. Sambroak, Jr. attorney for plaintiff filed.

ON APRIL 1991 TRIAL LIST

Mar. 15, 1991 Upon Praecipe of Plaintiff's attorney, Robert A. Sambroak, Jr. the above captioned case is marked settled and discontinued of record.

Specter Law Offices, P.C.
By: Robert A. Sambroak, Jr. esq.

1990

Watts, Pepicelli,
Youngs & Youngs PC
Christopher J. Youngs

82.

ANN E. PATCHETT

vs.

DENNIS R. JOHNSON

Filed Jan. 18, 1990
@ 4:26 p.m.

Tax & entry paid	$50.50
Pro Co. PD 4/30/90	9.00
State Surcharge Pd.	10.00

COMPLAINT IN DIVORCE

2 copies (atty)

Feb. 7, 1990 Affidavit of Service filed. Christopher J. Youngs, hereby certifies that he is the Attorney for the Plaintiff, Ann E. Patchett, in the within Action and that a copy of the Divorce complaint was sent by certified mail, return receipt requested, tothe Defendant, Dennis R. Johnson at 631 Madison Avenue Meadville, PA 16335 on February 2, 1990 and was received by the Defendant on February 3, 1990. The receipt for certified mail and the return receipt are attached hereto marked Exhibit "A".

Christopher J. Youngs

Apr. 25, 1990 Affidavit Of Consent of defendant filed.

Apr. 26, 1990 Affidavit Of Consent of Plaintiff filed.

April 30, 1990 Upon Praecipe of Plaintiff Attorney For Review Under Section 201(c) of Divorce Code, this case is moved to Court.

May 11, 1990 **D I V O R C E D E C R E E F I L E D .**

AND NOW, May 11, 1990, it is ordered and decreed that Ann E. Patchett, plaintiff, and Dennis R. Johnson, defendant, are divorced from the bonds of matrimony.

BY THE COURT,
Gordon R. Miller, J

1990

Mary Ann Kirkpatrick

83.

ALAN A. SPECK

vs.

ROBIN McKINLEY SPECK

Filed Jan. 19, 1990
@ 9:28 a.m.

Tax & entry Paid $50.50 ✓
1 count paid 15.00 ✓
Pro Co Pd 11-13-90 9.00
User Fee Pd 11-13-90 10.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION

1 copy (atty)

Sept. 7, 1990 Motion to Withdraw Fault Grounds and Order filed. And Now, this 7th day of September, 1990, the within Motion is allowed. BY THE Court:
Gordon R. Miller, J

Sept. 13, 1990 Copy of order put in Mary Ann Kirkpatrick's box.

Oct. 13, 1990, Affidavit of Consent of defendant filed.

Oct. 13, 1990, Acceptance of Service filed. I acknowledge that on Jan. 20, 1990, I received a cert. copy of and I hereby accept service of the complaint in divorce filed in this matter. Date: 10/16/90 Robin d. Speck.

Nov 2, 1990 Memorandum of Agreement as to Separation and Divorce filed.

Nov 2, 1990 Affidavit of Consent of Plaintiff filed:

Nov. 7, 1990 Motion to Withdraw Claim for Equitable Distribution and Order filed. And Now, this 7th day of Nov., 1990, the within Motion is allowed. By the Court,:
Robert L. Walker, J

Nov. 8, 1990 Copy of order put in Mary Ann Kirkpatrick's box

Nov 7, 1990 Upon Praecipe of Plaintiff's Attorney for Review Under §201(c) of the Divorce Code, this case is moved to court.

Nov. 27, 1990 **D I V O R C E D E C R E E F I L E D .**

AND NOW, November 27, 1990, it is ordered and decreed that Alan A. Speck, plaintiff, and Robin McKinley Speck, defendant, are divorced from the bonds of matrimony.

BY THE COURT,
Gordon R. Miller, J

1990

Gerald Sullivan

84.

Donald E. Lewis

CAROLE ANNE TOBIN

vs.

BERNARD C. TOBIN

Filed Jan. 19, 1990
@ 9:39 a.m.

Tax & entry pd 2/26/90 $50.50
Sheriff's costs 20.00
Pro Co pd 2/26/90 9.00

2/26/90 Reed. $20.00 from Defendant

2/26/90 Rec'd $20.00 To Howard Stewart, Sheriff
Ck #5474

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies (sheriff)
1 copy (plff)

TEMPORARY ABUSE ORDER: AND NOW, this 19 day of Jan. 1990, upon review of the petition of plaintiff, the court enters the following temporary order.

1. The defendant shall not assault, abuse, harass, or threaten the plaintiff or any ofthe minor children named in the petition.

2. Special Conditions: Defendant will not go to the plaintiff's residence for any purpose. Temporary custody of Tricia M. Tobin and Christina K. Tobin is awarded to plaintiff and defendant shall make no effor tto obtain custody prior to hearing.

3. This order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.

4. A copy of this order shall be delivered to the police departments in the jurisdiction where the plaintiff resides and to county control.

5. Service of a copy ofthe petition and this order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.

6. this temporary order shall remain in full force and effect until modified or terminated by further order ofthis court. Liablility for payment of fees and costs will be determined by final court order.

7. The defendaNT IS REMINDED THAT THIS IS AN ORDER OF COURT AND VIOLATION OF THIS ORDER may be punishable by a fine up to$1,000 and a jail sentence of up to six months.

8. The court reserves ruling on allocation of fees and costs.

Hearing is hereby set for Jan. 29, 1990 at 1:30 p.m. in C. R. No. 1 or 2 of the Crawford CountyCourthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required todo so.

BY ORDER OF THE COURT,
Robert L. Walker, J.

Jan. 23, 1990 Sheriff's Return filed. SERVED Bernard C. Tobin on Jan. 22, 1990 at 11:30 AM by handing copy of Protection From Abuse to his Atty., Donald Lewis, at his place of business Walnut Street, Meadville, Crawford Co., PA. 16335

So answers,

Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

Feb. 1, 1990 Order filed. AND NOW, this 29th day of January, 1990, at the time set for hearing in this matter, the parties have reached an agreement on some of the issued and without an agreement on the other issued, are willing to allow the Court to enter an Order in order to avoid a full hearing today, and thereafore, the Court enters the following Order:

1. The defendant shall not assault, harass or threaten the plaintiff or any of their minor children named in the petition nor shall he abuse them or attempt to abuse them as the term abuse is defined in the Protection From Abuse Act.

2. The defendant shall not go upon the plaintiff's residence for any purpose.

3. Temporary custody of the parties' minor chidlren shall be inthe plaintiff until further Order of Court, with either party having the right to petition the Court for custody and hearings de novo, notwithstanding the entry of this Order. This is a portion of this Order that the parties do not agree to. The defendant shall have the right to take the parties' minor children into his custody every other weekend from Friday evening at 6:00 o'clock p.m., prevailing local time, to Sunday evening at 6:00 p.m., prevailing local time, with the first visitation to occur on the first weekend of February, 1990, and to commence at 6:00 o'clock p.m. on Friday, February 2, 1990. In addition, the defendant shall have the right to take his minor children into his custody every other Wednesday evening from 6:00 o'clock p.m. to 9:00 o'clock p.m., with the first such visitation to occur on Wednesday, February 7, 1990. The defnednat shall have the obligation of picking up the children and returning the children during these visitation periods. The pickup and return of the children shall take place in the seton School parking lot located on Pine Street, in the City of Meadville. Even though these periods of visitation commence at 6:00 o'clock p.m., the mother and the children shall remain at the parking lot until 6:15 o'clock p.m. in order to give the defendant an opportunity to pick up the children if he has difficulty getting there. If the defendant does not arrive to pick up the children at any time for visitation by 6:15 o'clock that evening, the mother and the children can consider that visitation to have been cancelled and no other period of visitation shall be substituted therefor.

4. Neither party shall damage, destroy or dispose of any items of personal property in his or her possession that is owned by the other party solely or is owned by the parties jointly.

5. This Order shall remain in effect for a period of one (1) year from this date.

6. This Order may be enforced without a warrant of arrest by any law enforcement Officer having reasonable ground to believe that it has been violated.

7. A copy of this Order shall be delivered to the Police Departments in the jurisdiction where the plaintiff resides and to County Control.

8. The parties, and preimarily the defendant, are reminded that this is an Order of Court and a violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence up to six (6) months, or both.

9. Costs of these proceedings shall be paid by the defendant within thirty (30) days of this date.

BY ORDER OF THE COURT,
Gordon R. Miller, J

Feb. 6, 1990 Copies of order put in Gerald Sullivan, Donald Lewis and County Control's box.

1990

Kenneth G. Vasil

Elderkin, Martin, Kelly
Messina & Zamboldi

85.

SEARS, ROEBUCK AND COMPANY
800 MIllcreek Mall
Erie, Pennsylvania

vs.

KENNETH R. GARLAND AND
PATRICIA A. GARLAND, HIS WIFE

Filed Jan. 19, 1990
@ 11:11 a.m.

Tax & entry Paid $50.50
Sheriff's Costs 31.28
Pro Co Pd 9/11/90 9.00

Pro.Co. pd 6/8/94 6.00

COMPLAINT

2 copies (sheriff)

Jan. 25, 1990 Sheriff's Return filed. SERVED Kenneth R. Garland personally on Jan. 25, 1990, at 8:05 AM by handing copy of Complaint to him at Sheriff's Office, Crawford County Courthouse, Meadville, Pa. 16335
SERVED Patricia A. Garland on Jan. 25, 1990 at 9:06 AM by handing copy of Complaint to Kenneth R. Garland, her Aughorized Agent, at Sheriff's Office, Crawford Co. Courthouse, Meadville, Pa. Signed Acceptance of Service attached.
So answers, Robert M. Stevens, Dep. Sheriff
Howard N. Stewart, Sheriff

And Now, Sept 11, 1990, upon praecipe of plaintiff attorney, defendants having been served notice of default, and consent to the entry of judgment, Judgment is hereby entered in favor of the plaintiff and against the defendants in the amount of Five thousand Four Hundred Three and 22/100 Dollars, plus interest from Dec. 1989 at rate of 1.25% per month plus costs.
Judgment entered - 9/11/90
G. - 104, 134 Debt - $5,403.22
Int. from 12/89 -rate of1.25%

Jun. 8 , 1994 Upon Praecipe of Kenneth G. Vasil, Esquire, the above captioned debt, judgment, interest and costs are satisfied of record.

1990

Shafer, Swick Bailey,
Irwin & Stack
James R. Irwin

86.

GARY L. ZOCK

vs.

LINDA L. ZOCK

Filed Jan. 19, 1990
@ 1:31 p.m.

Tax & entry Paid	$50.50
Pro Co pd 5/17/90	9.00
State pd 5/17/90	10.00

COMPLAINT IN DIVORCE

1 copy (atty)

May 11, 1990 Affidavit Of Consent of Plaintiff filed.

May 11, 1990 Affidavit Of Consent of defendant filed.

May 11, 1990 Separation And Property Settlement Agreement filed.

May 11, 1990 Upon praecipe of Plaintiff Attorney To Transmit Record, this case moved to court.

May 16, 1990 Affidavit of Service filed. I, Laurie A. Black, do her eby certify that Linda l. Zock, Defendant in the above captioned matter was served with a true and correct copy o of the Divorce Complaint by Certified Mail on January 23, 1990. Copy of Return Receipt attached hereto. Laurie A. Black

June 1, 1990 **D E C R E E F I L E D .**

1. Divorce: Upon consideration of the pleadings and affidavits filed in the abovecaptioned case, this Court hereby grants an absolute divorce form the bonds of matrimony to the abovenamed parties, on the grounds that the marriage is irretrievably broken and Ninety (90) days have elapsed from the date of filing of the Complaint and an affidavit has been filed by each of the parties evidencing that each of the parties consents to the entry of a divorce decree, pursuant to Section 201(c) of the Pennsylvania Divorce Code.

2. Equitable Property Determination and Distribution: It is ordered and decreed that the marital property of the abovenamed parties shall be divided in accordance with a Separation and Property Settlement AGreement dated January 26, 1990, executed by the parties and filed in the Court of Common Pleas of Crawford County, Pennsylvania at the abovecaptioned number and term.

This AGreement, in part, provides that the Defendant shall deliver a Quit Claim Deed to the Plaintiff granting ownership of the real estate located in Butler County, Pennsylvania, Allegheny County, and Crawford County, Pennsylvania.

Further, it is ordered and decreed that the division of marital owned personal property shall be made in accordance with Paragraphs 11, and of the separation and Property Agreement dated January 26, 1990, which in part provides:

a) The pliantiff shall be the sole and exclusive owner of all maritally owned personal property in the Plaintiff's possession.

b) Additionally the Defendant sahll be the sole and exclusive owner of all other marital onwed personal property, specifically addressed in this decree.

c) Defendant shall be the sole and exclusive of the 1986 Chrysler, New YOrker, automobile.

d) Plaintiff shall be the sole and exclusive owner of the double wide mobile home located in Conneautville, Pennsylvania.

3. Alimony: In accordance with Paragraph 15 of the January 26, 1990 agreement neither of the parties hereto shall be awarded alimony.

4. Other Matters: This Court acknowledges that the Seperation and Property Settlement Agreement of January 26, 1990 provides for resolution of the issues of child cusotdy and child support.

5. A copy of the separation and Property Settlement AGreement of the parties, dated January 26, 1990, which sets in further detail the agreement of the parties concerning the matters herein, shall be filed with this decree in the Prothonotary's Office at the above number and term.

6. No other matters or causes of action provided under the Pennsylvania Divorce Code are reserved by either of the parties.

This Order shall be effective as of this 1 day of June, 1990.

BY ORDER OF THE COURT,
P. Richard Thomas, J

1990

Culbertson, Weiss,
Schetroma and Schug
Kemp C. Scales

87.

LAKESIDE REAL ESTATE CO., INC

vs.

Dale Suitors, d/b/a
DALE SUITORS MARKETING, a
sole proprietorship

Filed Jan. 19, 1990
@ 2:57 p.m.

Tax & entry Paid	$50.50
Sheriff's Costs	35.00
Pro Co Pd 4/9/90	9.00
Exemp. of Record. Pd. 8/15/90	10.00

COMPLAINT

1 copy (sheriff)

Feb 2, 1990 Sheriff's Return filed: Max H. Norris, Sr. High Sheriff in and for said County, being duly sworn according to law, deposes and says that he served the Notice and Complaint Civil Action Law on Dale Suitors Marketing on Thursday, January 25, 1990 at 8:45 A.M. E. S. Time, in Bedfore County Sheriff's Office, Bedford County, Pennsylvania, by handing to him personally a true copy of the said Notice and Complaint Civil Action Law.

Max H. Norris, Sr., High Sheriff

SERVED Dale Suitors Marketing by deputizing the Sheriff of Bedford County, Pa as per his Affidavit of Service attached. Served: January 25, 1990.

So answers, Howard N. Stewart, Sheriff

Mar. 30, 1990 Plaintiff's Petition For Leave To Amend Pleading To Correct Name Of Defendant filed.

Mar. 30, 1990 Order filed. AND NOW, this 30th day of March, 1990, upon consideration of the petition of plaintiff Lakeside Real Estate Co., Inc. for leave to amend its complaint to correct the name of the defendant, and noting that the petition represents that defendant does not appose this petition, it is hereby ORDERED that said petition is granted, and the name of the defendant will be amended to to read: Dale Suitors, d/b/a Dale Suitors Marketing, a sole proprietorship.

By the Court:
Gordon R. Miller, J

Mar. 30, 1990 Copy of order put in Kemp Scales' box.

And Now, Apr. 4, 1990, Upon praecipe of plaintiff attorney, with default notice attached, Judgment is hereby entered in favor of the plaintiff and against the defendants for want of an answer, in the sum of Two Thousand and 00/100 Dollars, with Int. from May 1, 1989 at 6% in amount of $110.47.

Judgment entered 4/4/90

S 45, 185

Debt ----$2,000.00
Int.----from 5/1/89 of $110.47
JUDGMENT
James F. Simmons,
Prothonotary

1990

Watts, Pepicelli,
Youngs & Youngs PC
Christopher J. Youngs

88.

ELAINE F. KOKET AND EDWARD J. KOKET

vs.

STEVEN D. PETERSON

Filed Jan. 19, 1990
@ 4:24 p.m.

Tax & entry Paid $50.50
John Fuller, Mediator

COMPLAINT FOR CUSTODY

1 copy (atty)
1 copy (mediator)

ORDER OF COURT:

You, Steven d. Peterson, Defendant, have been sued in court to obtain coustody of the children: Joseph Lee Peterson and Justin Scott Peterson.

You are ordered to appear in paerson for a conference at such time and place as may be set by JOHN FULLER, CHILD CUSTODY MEDIATOR.

If you fail to appear as rpovided by this order, and order for custody may be entered against you or the court may issue a warrant for your arrest.

You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.

Crawford County Bar Association, Ser. to the PUblic Committee, c/o Prothonotary Crawford CountyCourthouse, Meadville Pa. 16335 814 724-4636.

Date: Jan. 19, 1990

BY THE COURT,
Gordon R. Miller, J.

Feb. 26, 1990 Complaint Reinstated.

Mar. 30, 1990 Affidavit Of Service filed. I, Elaine Koket, hereby certify that I served a copy of the Complaint in Custod upon Defendant, Steven D. Peterson, at Parking Lot of Multi-Tool, INc. onMarch 23, 1990 at 5:00 p.m., by handing the same to him personally. I understand that false statements herien are made subject to the penalties of 18 Pa. C.S. %4904 relating to unsworn falsification to authorities.

Date: March 23, 1990

Elain F. Koket

Apr. 23, 1990 Stipulation and Order For child Custody filed. AND NOW, April 23, 1990, upon the foregoing Stipulation, it is ORDERED and DECREED as follows:

1. Legal custody of Joseph Lee Peterson and Justin Scott Peterson shall be with their maternal grandmother, Elaine F. Koket, and maternal step grandfather, Edward J. Koket, that is, both grandmother and step grandfather shall have full power and authority to make all important decisions affecting the children's education, medical treatment, religious instruction and other such important decision. However, father shall be entitled to full access to school records, medical records and other important records. Grandmother and step grandfather shall be required to consult with father and to keep father fully informed on all such important matters.
2. Physical custody of Joseph Lee Peterson and Justin Scott Peterson shall be shared as follows:
   a. The children shall reside in the home of the grandmother and step grandfather with the father having the liberal right to visitation with the children at such times as the parties shall mutually agree.
3. None of the parties shall say or do anything in an attempt to turn the children against the other, but on the other hand shall do everything in the power of each to foster a favorable and loving attitude on the part of the children toward all parties.
4. Neither grandmother, step grandfather nor father shall expose the children to any person or situation which may be harmful to the children's health or well being.
5. The parties shall inform the other immediately of any illness or injury regarding one or both of the children and all parties agree to keep the other furnished with a current telephone number.
6. Father shall keep the children insured on his health insurance provided through his employer In the event father becomes unemployed and loses health care coverage on the children or leses such coverage for any other reason, he shall immediately notify grandmother and step grandfather so that other arrangements for health insurance coverage can be made.

BY THE COURT,
P. Richard Thomas, J

Apr. 24, 1990 Copy put in Christopher Youngs box.

1990

89.

IN RE: SURETY FILING

UNITED PACIFIC INSURANCE COMPANY
Home Office, Federal Way
Washington

filed Jan. 19, 1990

Entry paid 1/22/90 $5.00
Pro Pd. 1/22/90 3.00

CERTIFICATE OF AUTHORITY FROM THE INSURANCE COMMISSIONER OF THE COMMONWEALTH OF PENNSYLVANIA AND CERTIFIED COPY OF FINANCIAL STATEMENT AS OF DECEMBER 31, 1989

1990

Fuller, Kinnunen,
Petroso & Gamble
Ann Hansen Gamble

90.

MARGARET ORWIG

vs.

JOSEPH MOREHEAD,
EMERSON G. MOREHEAD,
LOUISE MOREHEAD,
a/k/a LOUISA MOREHEAD,
HENRY SCHAFER,
CHARLES SCHAFER,
GORDON SCHAFER,
DOROTHY AZARELLA,
MARY WIRTNER,
WILMA M. DOPLER,
BARBARA A. LIBERATORE,
FRED S. MOREHEAD,
MYRTIE ROBERTSON, a/k/a
MYRTLE ROBERTSON,
PEARL SEELEY,
HATTIE MOREHEAD,
THEIR HEIRS, SUCCESSORS, AND
ASSIGNS

Filed Jan. 22, 1990
@ 9:09 a.m.

Tax & entry Paid $50.50
Sheriff's Costs 310.80
ProCo Pd 5-29-91 9.00

COMPLAINT IN ACTION TO QUIET TITLE

Jan. 22, 1990, Affidavit as to Publication filed.

Jan. 22, 1990, Motion for Publication filed.

Jan. 22, 1990, Order for Publication filed. ORDER: AND NOW, TO WIT, January 22, 1990, upon consideration of the foregoing motion, it appearing that the identity and/or whereabouts of the defendants, Joseph Morehead, Emerson G. Morehead, Louise morehead a/k/a Louisa Morehead, Henry schafer, Charles Schafer, gordon Schafer, dorothy Azarella, Mary wirtner, wilma M. dopler, barbara A Liberatore, Fred S. Morehead, Myrtie Roberson, a/k/a Myrtle Robinson, Pearl Seeley, and Hattie morehead, their heirs, executors, administrators, and assigns, is unknown, it is therefore ordered that the sheriff of Crawford County make service upon the defendants, their heirs, executors, administrators, and assigns, by publication once in the Titusville Herald and in the Crawford County Legal Journal, the aforesaid legal publication to require defendants, theirs heirs, executors, administrators, and assigns, to file an answer to said complaint within twenty (20) days after the date of the last publication of the notice.

Gordon R. Miller,
Judge

Jan. 23, 1990, copies to A. Gamble, ESq.

Mar. 16, 1990 Sheriff's Return filed. Publication of the Action to Quiet Title was made once only on January 31, 1990 in the Titusville Herald, Titusville, crawford County, PA Proof of Publication attached.
Publication of the Action to Quiet Title was made once only on February 7, 1990 in the Crawford County Legal Journal, Meadville, Crawford County, PA. Proof of Publication attached.
So answers, Howard N. Stewart, Sheriff

Mar. 21, 1990 Affidavit filed. Margaret Orwig, being duly sworn according to law, deposes and says that she is Plaintiff in this action, and that a Complaint in Action to Quiet Title, endorsed with notice to plead within twenty (20) days from the last date of publication thereof, was served on Defendant, Joseph Morehead, Emerson G. Morehead, Louise MOrehead a/k/a Louisa Morehead, Henry Schafer, Charles Schafer, Gordon Schafer, Dorothy Azarella, Mary Wirtner, wilma M. Dopler, Barbara A. Liberastore, Fred S. Morehead, Myrtie Roberson a/k/a Myrtle Robinson, Pearl Seeley, and Hattie Morehead, their heirs, exeuctors, administrators, and assigns, by publication once in the Titusville Hearld and the Crawford County Legal Journal; and that Defendants, their heirs, executors, administrators, and assigns, have not filed an answer thereto although the time in which to do so has expired.

Margaret Orwig

Mar. 21, 1990 Moiton For Judgment, and Order filed. AND NOW, March 21, 1990, it is ordered and decreed that Defendants, Joseph MOrehead, Emerson G. Morehead, Louise Morehead, a/k/a Louisa Morehead, Henry Schafer, Charles Schafer, Gordon Schafer, Dorothy Azarella, Mary Wirtner, Wilma M. Dopler, Barbara A. Liberatore, Fred S. Morehead, Myrtie Roberson a/k/a Myrtle Robinson, Pearl Seelwy, and Hattie Morehead, their heirs, executors, administrators, and assigns, be, and they are forever barred form asserting any right, lien, title or interest, in the premises hereinafter described, which is inconsistent with the interest or claim of Plaintiff as set forth in his Complaint:

ALL that certain piece or parcel of land situate in the Township of Troy, County of Crawford and State of Pennsylvania, bounded and described as follows, to-wit:

BEGINNING at a post at the Northeast corner of land, now of formerly of Samuel Vroman, thence by land formerly of Hyde and grandin, South four and one-half (4-1/2) degrees west fifteen (15) perches to the centre of Public Road leading from Newtontown to Hydetown; thence along centre of said road North seventy-two (72) degrees West five and one-third (5-1/3) perches to a post; thence by said Vroman's land, North four and one half (4-1/2) degrees East fifteen (15) perches to a post; thence by land, now or formerly of George Archer, South seventy-two (72) degrees East five and one-third (5-1/3) perches to the place of beginning/ Containing one-half (1/2) acre of land more or less.

ALSO, all that other certain piece or parcel of land situate as aforeaid, bounded and described as follows: to-wit:

BEGINNING at the Southeast corner of land above described; thence by land of Hyde and Grandin, South four and one-half (4-1/2) degrees West to the Centre of Oil Creek; thence along the centre of said Creek to a point where the continuation of the West line of land above described would intersect; thence by land of said Vroman or successor, North four and one-half (4-1/2) decrees East to the centre of the Public Road; thence along centre of said road, South seventy-two (72) perches to the place of beginning. Containing twenty-one and one-half (21-1/2) square perches of land, be the same more or less.

ALL that certain piece or parcel of land situate in Troy Township, Crawford County, Pennsylvania, bounded and described as follows, to-wit:

BEGINNING at a post in the northwest corner of land, now or formerly, of Jseoph Morehead running thence along the center of public road leading from Newton's Mills to Hydetown, north 72 degrees west 10 and 2/3 perches to a post; thence by land, now or formerly of E.C. Newton's heirs, north 4 and 5/10 degrees east 15 perches to a post; thence by lands south 72 degrees east 10 and 2/3 perches to a post; thence by land, now or formerly of Joseph Morehead, 4 and 5/10 degrees west 15 perches to the place of beginning. CONTAINING one (1) acre of land more or less.

ALSO, all that piece or parcel of land situate in the Township, County and State aforesaid, bounded and described as follows, to-wit:

BEGINNING at the southwest corner of above land described and running thence sout 4 and 5/10 degrees west as a continuation of the west line of the piece above described to the center of Oil Creek; thence along the center of Oil Creek to a point where the continuation of the east line of land above described tract would intersect; thence along the continuation of the said east line north 45 degrees east to the southeast corner of land above described; thence along the south line north 72 degrees west 10 and 2/3 perches to the place of beginning. Containing 1/3 of an acre, more or less.

Continued on page 90a

Margaret Orwig

vs.

Joseph Morehead et al

Record continued from page 90

of record

A.D. 1990 - 90

****

AND IT IS FURTHER DECREED that Defendants, their heirs, executors, administrators, and assigns be, and they are forever barred from impeaching, denying, or in any way attacking Plaintiff's title to said property, or any portion thereof; form issuing or maintaining any action attacking the same; and from encumbering, mortgaging, or conveying the same or any part thereof.

PROVIDED, HOWEVER, that this Decree shall become final only if defendants, their heirs, executors, administrators, and assigns, fail to take such action as is hereinafter directed within thirty (30) days from the date hereof;

AND, IT IS FURTHER ORDERED AND DECREED that if no Petition to open this judgment or set aside this Order and Decree is presented by Defendants, their heirs, executors, administrators, and assigns, or no action of ejectment is commenced by said Defendants, their heirs, executors, administrators, or assigns, within thirty (30) days fromand after the entry of this Decree, the same shall become final. If such action is not taken within said thirty (30) days period, the Prothonotary, on Praecipe of Plaintiff, sahll enter final judgment.

Gordon R. Miller, J

Mar. 21, 1990 Copy of order mailed to Ann Hansen Gamble

And Now, May 23, 1991 @ 2:55 p.m. Upon Praecipe of Plaintiff's Attorney, final judgment is hereby entered in this case, in favor of the plaintiffs and against the defendants, pursuant to the foregoing Order of Court.

M-94, 54, 204, 204,274, 84
S-84, 34, 74, 131
A-44; W-114; D-171; L-24
R-114, 114

FINAL JUDGMENT
James F. Simmons,
Prothonotary

May 23, 1991 Judgment entered.

And now, this 21st day of Aug. 1991 upon consideration of the foregoing motion, Ann Hansen, Esq. is hereby granted permission to withdraw.

BY THE COURT,
Gordon R. Miller, P.J.

2 copies Date:

90
B

1990

1990

Apple and Apple Joel E. Hausman 91.	CORTLAND SAVINGS AND BANKING CO., ASSIGNEE OF PONDEROSA PARK RESORT vs. DONALD C. SHEFFER AND SAVINNA I. SHEFFER, JOINTLY AND SEVERALLY Filed Jan. 22, 1990 @ 11:09 a.m. Tax & entry Paid $50.50 Sheriff's Costs 19.28 Pro co pd 6/7/90 5.00	COMPLAINT 2 copies (sheriff) Jan 23, 1990 Sheriff's Return filed: Not Found, as to Defendant Donald C. Sheffer. Residence is located in Venango County, Pa. Not Found, as to defendant Savinna L. Sheffer. Residence is located in Venango County, Pa. So answers, Howard N. Stewart, Sheriff June 7, 1990 Upon praecipe of Plaintiff the above-captioned matter is marked discontinued of record.

1990

Bernard & Stuczynski
James J. Stuczynski

92.

LYNN BLOOMFIELD

vs.

LENORE C. BLOOMFIELD

Filed Jan. 22, 1990
@ 11:38 a.m.

Tax & entry Paid $50.50
ProCo Pd 1/25/90 30.00

DIVORCE COMPLAINT
EQUITABLE DISTRIBUTION, CUSTODY & VISITATION

Feb. 17, 1998 Important Notice and Court Order filed. Our court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since 1/22/90 . We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonably delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.

If you do not object this this case being dismissed, you do not have to do anything. The case will be marked "dismissed with prejudice" in our records, and will be over forever.

If you object to the case being dismissed, you must put your object in writing and follow Crawford County Civil Local Rule L206, LJA 1901E and LJA 1901F, explaining why there has been a delay in your case and why it is not unreasonable. These written objections must be filed in the Prothonotary's Office on or before April 24, 1998. You must also give or sent a copy of any objections you file to the other party or his or her attorney, and certify that you have done so when you file your objections with the Prothonotary.

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

Court Administrator
Second Floor-Crawford County Courthouse
Meadville, PA 16335
(814) 333-7498

By the Court,
Date: February 13, 1998 Anthony J. Vardaro, J
Feb. 17, 1998 copies mailed by Court Administrator's Office

May 6, 1998 Order filed. AND NOW, this fourth day of May, 1998, written notice of the Court's intent to terminate the cases listed below having been given to the parties or their counsel of record, and further notice having been given to counsel and parties by publication of a "Notice of Intent to Terminate Cases" printed in the Crawford County Legal Journal on April 15, 1998, and no objection thereto haing been received by the Court from either party in the cases listed below, **all and each of the 245 cases listed below are hereby terminated and dismissed with prejudice.** A copy of this order shall be filed at each of the docket numbers listed below, but copies need not be given to or served upon the parties or their attorneys. Cases may be reinstated only in accordance with Crawford County Rule LJA 1901.

By the Court:
Gordon R. Miller, P.J.

(See original filed at A.D. 1997 - 702)

1990

Barrett & Dratler
Bruce A. Barrett

93.

GERALD JOSEPH BURGUNDER

vs.

CAROLYN ANN BURGUNDER

Filed Jan. 22, 1990
@ 11:39 a.m.

Tax & entry Paid	$50.50
Pro Co pd 6/4/90	9.00
STate pd 6/4/90	10.00

COMPLAINT UNDER SECTION 201(c) OF THE DIVORCE CODE

1 copy (atty)

FEb. 14, 1990, Affidavit of Service filed. Bruce A. Barrett ESq. being duly sworn according to law, deposes and says that the facts in support of his affidavit of service are true and correct to the best of his knowledge, information and belief.

1. That the affiant is the attorney for the plaitniff in the above action/

2. That a true and correct copy of Complaint Under section 201(c) was sent by reg. mail to the dft. on Feb. 8, 1990. Senders receitp attached hereto.

3. The registered mail was sent to Carolyn A. Burgunder, c/o/ Mr. or Mrs. Schlindler, 1321 Pierside Ct. Virginia Beach, Va. 23456.

4. That the defendant received said reg. mail on Feb. 10, 1990. Said receipt card no. P 966 074 364 attached hereto and signed by dft. Bruce A. barrett, Esq.

June 1, 1990 Affidavit Of Consent of defendant filed.

June 4, 1990 Affidavit Of Consent of Plaintiff filed.

June 4, 1990 Upon praecipe of Plaintiff Attorney For Review Under §201(c) of the Divorce Code, this case moved to court.

June 13, 1990 **D I V O R C E D E C R E E F I L E D .**

And now, June 13, 1990, it is ordered and decreed that Gerald Joseph Burgunder, plaintiff, and Carolyn Ann Burgunder, defendant, are divorced from the bonds of matrimony.

BY THE COURT,
P. Richard Thomas, J

1990

94.

WANDA WILLIAMS

vs.

RICHARD T. WILLIAMS

Filed Jan. 22, 1990
@ 12:02 p.m.

Tax & entry	$50.50
Sheriff's costs	19.28
Pro Co pd	9.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies (sheriff)
1 copy (plff)

TEMPORARY ABUSE ORDER:

And now, this 22 dayof Jan. 1990, upon review of the petition of plaintiff, the court enters the following Temporary order.

1. The defendant shall not assault, abuse, harass or threaten the plaintiff or any ofthe minor children named inthe petition.

2. Special Conditions: Defendant will not go to residence of the wife for any purpose. Defendant may not take children into his possession for any prupose. Defendant may not go to residence to remove any items. Police will confiscate any weapons in defendants possession, or in household where he resides.

3. This order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.

4. A copy of this order shall be delivered to the police departments in the jurisdiction where the plaintiff resides and to county control.

5. service of a copy of the petition and this order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.

6. This temporaryorder shall remain in full force and effect until modified or terminated by further order of this court. Liability for payment of fees and costs will be determined by final court order.

7. the defendant is reminded that this is an order of court and violation of this order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.

8. The court reserves ruling on allocation of fees and costs.

Hearing is hereby set for Feb. 5, 1990 at 3:30 p.m. in C. R. No. 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF THE COURT,
P. Richard thomas, J.

Jan 23, 1990 Sheriff's Return filed: SERVED Richard T. Williams personally on January 22, 1990 at 3:35 p.m. by handing copy of Protection from Abuse to him at residence of his son, Robert Williams, R.D.#3, Stein Hill Road, Cochranton, Crawford County, Pa 16314.
So answers, Robert M. Stevens, Deputy Sheriff
Edgar D. Householder, Chief Deputy Sheriff
Howard N. Stewart, Sheriff

Feb. 7, 1990 Order filed. AND NOW, February 5, 1990, at the time scheduled for hearing, the Defendant appeared without counsel and asked for counsel. The Plaintiff did not object to a continuance and therefore this matter is continued to allow the Defendant to get counsel and is rescheduled for Monday, February 12, 1990, at 3:30 p.m. in Courtroom No. 1 or 2 of the Crawford County Court House.

In the meantime, the terms of the temporary abuse Order entered January 22, 1990, are continued in full force and effect and this Order shall be attached to that temporary abuse Order and a copy of both delivered to the Police Departments in the jurisdiction where the Plaintiff resides and to County Control.

BY ORDER OF THE COURT,
Gordon R. Miller, J

Feb. 7, 1990 Copies put in Gerald Sullivan and County Control's box and copy mailed to defendant.

Feb. 16, 1990 Order filed. AND NOW, February 12, 1990, at the time set for hearing, the Plaintiff appears with counsel and the Defendant advises the Court he wishes to proceed without counsel. After informal hearing, it is obvious to the Court this abuse Order is appropriate in this case. Accordingly, we continue the temporary aubse Order entered January 22, 1990, and the Defendant is absolutely prohibited from going to the residence of the Plaintiff for any purpose. He shall not annoy, threaten, or harass the Plaintiff in any fashion or procure others to do so on his behalf.

The parties agree that the defendant has a trophy at the Plaintiff's house and the Plaintiff will deliver it within seven (7) days to the defendant's oldest son and he will pick the same up there. The parties likewise agree that there is a shotgun at the residence of the wife belonging to the husband and he is not desiring repossession of the same and the wife may have possession of it and dispose of the same at her discretion.

The defendant wishes visitation with his children but the mother and her counsel advise the children are fearful of the Defendant because of his recent erratic conduct, his admitted overdosing on inknown medications, andhis history of trouble with alcohol. Accordingly, the custody of the children is awarded exclusively to the mother without prejudice to the right of the father to attempt to meet with the mother and her attorney and work out an amciable visitation arrangement. In the event the same is not possible, the defendant may file a custody complaint or petition asking for referral of the custody and visitation issue to a custody mediator.

The Defendant is likewise not permitted to contact the children at school.

Any police officer having reasonable grounds to believe the abuse portions of this Order have been violated may immediately apprehend the Defendant, lodge him in the Crawford County Jail, and notify the Court to schedule a contempt hearing immediately.

The Defendant advises he has no income but apparently is living off the resources of his female companion and, accordingly, we direct the defendant to pay costs in the case in the amount of the vill, to be forwarded by the Prothonotary tohim with said costs to be paid in full within ten (10) days of the time he receives the bill.

This Order will be effective for one year.

BY ORDER OF THE COURT,
P. Richard Thomas, P.J.

Feb. 22, 1990 copies put in gerald Sullivan and County Control's box and copy mailed to defendant.

1990

Kathleen R. Nelson

95.

ROSALIND M. HARDING

vs.

KENNETH N. HARDING

Filed Jan. 23, 1990
@ 9:11 a.m.

Tax & entry Paid	$50.50
1 count paid	15.00
Pro Co pd 2/15/91	9.00
State pd 2/15/91	10.00
Pro Co	9.00

COMPLAINT UNDER SECTION 201(c) OF THE DIVORCE CODE
CUSTODY

1 copy (atty)

Feb 7, 1990 Affidavit of Service filed: KATHLEEN R. NELSON, ESQUIRE, being duly sworn according to law, deposes and says that the following facts in support of her Affidavit of Service are true and correct to the best of her knowledge, information and brief"

1. That the Affiant is the Attorney for the Plaintiff in the above captioned action.
2. That a true and correct copy of the Complaint in Divorce and Notice were sent by registered mail to the Defendant, Kenneth N. Harding, on January 25, 1990.
3. The registered mail was sent to Kenneth N. Harding, R.D. #3, Box 155A, Leach Road, Conneaut Lake, PA 16316. The sender's receipt for said registered mail is attached hereto.
4. That the Defendant received said registered mail on February 5, 1990. Return Receipt card P 076 254 212 is attached hereto, signed by Ken Harding and made a part hereof.

Kathleen R. Nelson

May 29, 1990 Affidavit Of Consent of Plaintiff filed.

May 29, 1990 Affidavit Of Consent of defendant filed.

June 4, 1990 Stipulation and Consent Custody Order filed. AND NOW, this 4th day of June, 1990, the Court Orders as follows:

1. The parties shall share legal custody of the minor child, KENNETH SCOTT HARDING, age 8 years, and born on February 16, 1982. Each parent shall be entitled to full access to medical records, school records, and other important records, and each parent shall be entitled to take part in decisions affecting the child's health, education, and religious instruction.
2. Primary physical custody of the child, Kenneth Scott Harding, shall be with his mother, subject to the provisions hereinafter set forth:

A. Father shall be entitled to take the child into his physical custody from time to time and at such times as shall be mutually agreed upon between the parties hereto. The parties acknowledge that it is the primary objective of this agreement to provide the fullest and most flexible arrangements with respect to visitation, it being felt by both parents that it is in the best interest of their child that he spend as much time as possible with both parents.

B. The parties acknowledge that Father shall be entitled to broader rights of visitation during the summer vacation months than during the school year. The parties agree to cooperate to the extent possible to achieve broader visitation during the summer vacation months.

C. The parties shall share the major holidays, consisting of Easter, Memorial Day, the Fourth of July, Labor Day, Thanksgiving, and Christmas, as they shall mutually agree. In the event an agreement cannot be reached, the following schedule shall take effect:

(i) Beginning in 1990, the child shall spend Easter and the Fourth of July with Mother and Memorial Day and Labor Day with father. These holidays shall exist from 8:00 a.m. until 8:00 p.m., and shall be reversed between Mother and Father in odd-numbered years.

(ii) The child shall spend Thursday and Friday of each Thanksgiving holiday week with MOther, and sahll spend Saturday from 9:00 a.m. through Sunday at 9:00 p.m. of the Thanskgiving holiday week with Father.

(iii) During the Christmas holiday, the child shall be with FAther from 5:00 p.m of the last scheduled day of school through 10:00 p.m on December 24th. The child shall spend Christmas day with MOther.

(iv) Holiday visitation shall take precedence over other regular visitations.

D. The parties shall share transportation, with the parent receiving custody of the child to provide transportation. A family member of either parent may transport the child in the event a parent is not able to do so.

E. Neither Mother nor Father shall say or do anything in an attempt to turn the child against the other parent, but on the other hand, shall do everying in the power of each to foster a favorable and loving attitude on the aprt of the child towards both parents.

F. Neither Mother nor FAther shall expose the child to any person, situation, or condition which may be harmful to the child's health or well being.

G. Both parents agree to inform the other immediately of any illness or injury regarding the child, and both parents agree to furnish the other with a current telephone number.

By the Court,
Gordon R. Miller

June 6, 1990 Copy of order put in Kathleen Nelson's box.

Feb. 12, 1991 Upon praecipe of Plaintiff Attorney For Review, this case moved to court.

Feb. 21, 1991 **DIVORCE DECREE FILED.**

AND NOW, February 20, 1991, it is ordered and decreed that Rosalind M. Harding, plaintiff, and Kenneth N. Harding, defendant, are divorced from the bonds of matrimony.

BY THE COURT,
Gordon R. Miller, J

Mar. 10, 1997 ORDER filed. AND NOW, March 7, 1997, the stipulation of the parties to a consent custody order has been filed with the Court Administrator on February 16, 1997. Unfortunately there is nothing now pending before the Court. There already is a custody order and there has not been a petition for modification for modification (Pa.R.C.P. 1915.15).

Therefore we will not sign the consent order.

BY THE COURT
Gordon R. Miller, P.J.

3-10-97 DISTRIBUTED Nelson

Continued Pg. 616

1990

Fuller, Kinnunen,
Petruso & Gamble
Gary A. Fabian

96.

Thomas, Truax,
Spadafore, Vardaro &
Walker
R. Charles Thomas

DONNA J. CARLESS

vs.

ALLEN D. CARLESS

Filed Jan. 23, 1990
@ 2:44 p.m.

Tax & entry Paid	$50.50
1 count paid	15.00
STATE Pd 9/23/91	5.00
Pro to Pd 9/23/91	15.00
Mary Ann Kirkpatrick Master	
Pro.Co. Pd 5/26/92	9.00
State Pd 5/26/92	10.00

Received 2-26-92 master fees from Plaintiff $200.00

Received 4-27-92 master fees from Defendant $400.00

Paid 6-5-92 Refund-master fees Ck# 68664 326.50

Paid 6-5-92 master fees check # 68664 75.00

Paid 6-5-92 Refund-master fees Check # 68665 162.50

COMPLAINT UNDER SECTION 201(c) OF THE
DIVORCE CODE - EQUITABLE DISTRIBUTION

1 copy (atty)

Feb 2, 1990 Affidavit of Service filed: Gary A. Fabian, being duly sworn accordiang to law, deposes and says that:

1. He is an attorney authorized to practice law within the Commonwealth of Pennsylvania.

2. He is the attorney for the plaintiff in the above-captioned matter.

3. On January 24, 1990, he had deposited in the United States Mail by certified mail, return receipt requested, Certified Mail No. P 414 752 766 as evidenced by Certified Mail Receipt No. P 414 752 766 attached hereto and made a part hereof, a true and correct copy of a Complaint in Divorce addressed to Alan D. Carless said Complaint naming Alan D. Carless as the defendant in the above-captioned matter.

4. Service was obtained upon the defendant, Alan D. Carless on January 27, 1990, as evidenced by Return Receipt for Certified Mail No. P 414 752 766 attached hereto and made a part hereof, said receipt being signed A. Dean Carless.

FURTHER DEPONENT SAYETH NOT.

Gary A. Fabian

Feb. 9, 1990 Appearance of Thomas, Truax, Spadafore, Vardaro & Walker by R. Charles Thomas for Defendant filed.

Mar 15, 1990 Stipulation of Counsel to Correct Captioned filed.

Nov. 21, 1990, Income and Expense Statement Under Pa. R.C. P. 1920.31(a) filed.

Nov. 21, 1990, Inventory and Appraisement of Donna J. Carless filed.

Jan. 30, 1991 Affidavit of Consent under Section 201(c) of the Divorce Code, of plaintiff filed.

sept. 6, 1991 Motion To Amend Complaint In Divorce and Order filed. AND NOW, this 6th day of September, 1991, plaintiff is granted leave to amend her complaint in accordance with the request of the foregoing motion.

BY THE COURT,
Gordon R. Miller, J

Sept. 11, 1991 Copies of order put in Atty's Favian and Thomas box.

sept. 9, 1991 Amended Complaint Under Section 3301(c) and 3301(d) of the Divorce Code filed (Equitable Distribution, Alimony Pendente Lite, Permanent Alimony, Counsel Fees, expenses and costs)

Oct. 11, 1991, Affidavit Under Section 3301(d) of the Divorce Code filed.

Oct. 14, 1991 Motion To Compel Filing of Inventory And Income and Expense Statement and ORDER filed. AND NOW, this 14 day of Oct., 1991, it is ordered and directed that not later than twenty (20) days from the date of this order, the defendant shall file with the Prothonotary an inventory as required by Pa. R.C.P. 1920.33(a) and in the form required by Pa. R.C.P. 1920.75, and a completed income and expense statement as required by Pa. R.C.P. 1920.31(a)(1) together with a true copy of his most recent federal income tax return and his pay stubs for the proceeding six months.

By The Court,
P. Richard Thomas, S.J.

Oct. 16, 1991 Copy of Order to Attys. Gary Fabian and R. Charles Thomas.

Nov. 26, 1991 Inventory and Appraisement of Allen D. Carless filed.

Nov. 26, 1991 Defendant's Income and Expense Statement filed.

Dec. 19, 1991 Motion for Appointment of Master in divorce and Order Appointing Master filed. ORDER APPOINTING MASTER: AND NOW, Dec. 20, 1991 Mary Ann Kirkpatrick ESq. is appointed master in respect to the following claims:

ALIMONY, DISTRIBUTION OF PROPERTY, COUNSEL FEES, COSTS & FEES
Deposit required: By Plaintiff $200.00 By Defendant $400.00

PER CURIAM,
Gordon R. Miller J.

Dec. 19, 1991, copies of motion and order to Attys. G. Favian, R. C. Thomas and M. Kirkpatrick.

April 6, 1992 Pretrial Statement of Plaintiff filed.

April 20, 1992 SUPPLEMENT TO PRETRIAL STATEMENT OF PLAINTIFF filed.

Apr. 21, 1992 PRE-HEARING CONFERENCE SUMMARY, filed.

Apr. 27, 1992 Mtoion To Require Deposit For Security By A Date Certain and Order filed. AND NOW, April 27, 1992, the defendant is ordered and directed to deposit with the Prothonotary the sum of $400.00 not later than April 27, 1992.

BY THE COURT,
Gordon R. Miller, J

May 4, 1992 Copies of order put in box for Atty's. Fabian and Thomas

May 1, 1992 Motion Pursuantot Pa.R.C.P. 1920 .33(d)(1) for Failure of Defendant to File a Pretrial Statement, filed.

May 1, 1992 Motion to Extend Time for Filing Defendant's Pre-Trial Narrative, filed.

Continued on page 96A

1990

Donna D. Carless
vs.
Allen D. Carless

CONTINUED FROM PAGE 96
of Record
A. D. 1990 - 96

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May 1, 1992 ORDER filed. AND NOW, April 27, 1992, upon receipt and review of the defendant's motion to extend time for filing pretrial statement and the plaintiff's motion pursuant to Pa. R.C. P. 1920.33(b)(1) for failure to file a pretrial statement it is ordered as follows:

The defendant is ordered and directed to file a pretrial statement on or before May 11, 1992 and serve a copy thereof on counsel for the plaintiff and the Master.

If the defendant fails to comply with the requirement to file said pretrial statement in a timely fashion the defendant is barred from offering any testimony or introducing any evidence in support of or in opposition to claims for matters not covered in said statement.

Witnesses not listed in the defendant's pretrial statement shall not be called to testify at the hearing.

BY THE COURT
Gordon R. Miller, P.J.

May 1, 1992 copies distributed

May 12, 1992 Pre-Trial Statement of Defendant filed.

May 20, 1992 Affidavit of Consent of Defendant filed.

May 26, 1992 Upon Praecipe of Plaintiff Attorney to transmit record, case moved to Court.

May 26, 1992 Marital Settlement Agreement filed by Plaintiff Attorney.

DIVORCE DECREE FILED

June 2, 1992 DECREE filed.

1. Divorce:

Upon consideration of the pleadings and affidavits filed in the aboe-captioned case, this Court hereby grants an absolute divorce from the bonds of matrimony to the above-named parties on the grounds that the marriage is irretrievably broken and ninety (90) days has elapsed since the date of the filing of the complaint and an affidavit has been filed by each of the parties evidencing that each of the parties consents to the divorce, pursuant to Section 3301(c) of the Pennsylvania Divorce Code.

2. Equitable Property Determination and Distribution:

This decree provides that the marital property of the above-named parties shall be divided in accordance with a Marital Settlement Agreement executed by the paraties, the effective date of said agreement being May 20, 1992, and said agreement being filed in the Court of Common Pleas of Crawford Co., PA., at the above-captioned number.

The agreement, in part, provides that:

A. Cash Payment. Defendant Husband shall pay to Plaintiff Wife not later than fifteen days after the entry of a final decree in divorce in this matter, the sum of Nine Thousand ($9,000.00) Dollars cash, being currency of the United States of America, in one lump sum.

B. Real Estate. Plaintiff Wife shall make, execute and deliver to Defendant Husband a quit claim deed conveying and transferring all her right, title and interest in and to certain real estate, said real estate being the former marital residence and being situate in the Borough of Conneautville, Crawford Co., PA. Said premises being more particularly described in a deed dated Aug. 4, 1976, and recorded in Crawford Co. Deed Book 504, page 507 are awarded to Defendant Husband.

C. Motor Vehicles. The 1986 Ram-50 Pick Up Truck is awarded to Defendant Husband. The 1986 Chevy Celebrity is awarded to Plaintiff Wife.

D. Pension and Other Retirement Benefits or Accounts. Plaintiff Wife shall retain and is awarded the following:

i. Ferrellgas, profit sharing and 401K plan.
ii. I.R.A., Marine Bank.
iii.I.R.A., American Capital, which is in her name.

Defendant Husband shall retain and is awarded the following:

i. Pension, State Employee's Retirement System.
ii. Pension, Tech Tool & Mold, Inc.
iii.I.R.A., American Capital, which is in his name.

E. Rights Arising From Accident. All settlement monies paid as a result of Plaintiff Wife's automobile accident which occurred on or about Dec. 12, 1986 together with all proceeds of said settlement shall be the property of Plaintiff Wife and retained by Wife, and the same is hereby awarded to Plaintiff Wife, including but not limited to, all certificates of deposit at Marine Bank, together with any interest and accumulations thereon and teh 1991 Chevy Blazer which was purchased by Plaintiff Wife with part of said settlement proceeds.

F. Further, the division of all other marital property and the payment of all debts of the parties shall be made in accordance with the terms of the Marital Settlement AGreement, which said agreement was effective May 20, 1992.

3. A copy of the Marital Settlement Agreement of the parties, which said agreement was effective May 20, 1992, which sets out in further detail the agreement of the parties concerning the matters herein, shall be filed with this decree in the Prothonotary's Office at the above-number.

This order shall be effective as of the 1 day of June, 1992.

BY THE COURT,
Anthony J. Vardaro, J.

June 5, 1992 Motion To Vacate Appointment of Master and Order filed. AND NOW, this 5th day of June, 1992, the appointment of the Master, Mary Ann Kirkpatrick are set at the amount of $75.00, and it is further ordered and directed that the Prothonotary from those funds on deposit with the Prothonotary shall make payment of the same to the following persons in the following amounts:

A. To Mary Ann Kirkpatrick, the sum of $75.00.
B. To Plaintiff Donna J. Carless, the sum of $162.50, and
C. To counsel for the defendant, R. Charles Thomas, Esquire, the sum of $362.50.

BY THE COURT,
Gordon R. Miller, J

June 11, 1992 Copies of order put in box for Atty's. Fabian, Kirkpatrick and Thomas

1990

1990

Shafer, Swick, Bailey
Irwin & Stack
Charles J. Swick

97.

MARQUETTE SAVINGS ASSOCIATION

vs.

JAMES M. RUSSO, AND
CYNTHIA S. WALTENBAUGH

Filed Jan. 23, 1990
@ 3:11 p.m.

Tax & entry Paid	$50.50 ✓
Sheriff's Costs	35.00
Pro Co pd 8/8/90	9.00 ✓

COMPLAINT IN MORTGAGE FORECLOSURE

2 copies (sheriff)

Jan. 23, 1990, Affidavit of Non Military Service of defendants filed.

Feb 5, 1990 Sheriff's Return filed: SERVED James M. Russo, personally on January 26, 1990 at 10:23 A.M. at his place of employment, Leech Carbide, Ind., Morgan Street Ext., Meadville, Crawford County, Pa.

Not Found, as to defendant, Cynthia S. Waltenbaugh. Address unknown, possibly in Michigan.

So answers, Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

And now, Aug. 8, 1990 at 3:15 p.m. upon praecipe of plaintiff's attorney, judgment is her eby entered in favor of the plaintiff and against the defendants for failure to file an answer and the damages are assesed at the sum of Thirty Thousand Eight Hundred Twelve and 07/100 plus interest and cost of suit.

R-96; W-31
judgment entered 8/8/90

debt $30,812.07
Int. from 12/31/89
Judgment
James F. Simmons
Prothonotary

Ex 1990-79

1990

Mason and Mason
Joan D. Mason

98.

BONITA B. RUSSELL

vs.

JOHN H. RUSSELL

Filed Jan. 23, 1990
@ 3:31 p.m.

Tax & entry Paid $50.50
Pro Co pd 8/15/91 9.00
State pd 8/15/91 10.00

COMPLAINT IN DIVORCE

1 copy (atty)

Feb. 1, 1990, Affidavit of Service filed. I, Joan D. Mason, Esq. aTTY. for the plaintiff in the above case, and being duly sworn according to law, depose and say that I did on Jan. 24, 1990 mail to the above dft. John H. russell by certimail ret. rec. requested, del. to addressee only a complaint in the above div. action. Said notice was received on Jan. 27, 1990 as indicated by the ret. rec. card which was returned tothe office of the plff atty. and is attached hereto. Joan D. Mason Esq.

May 2, 1991 Affidavit of Conent of Defendant filed.

May 2, 1991 Affidavit of Consent of Plaintiff filed.

Aug. 12, 1991 Upon praecipe of Plaintiff Attorney For Review Uner §201(c) of the Divorce Code, this case moved to court.

Aug. 20, 1991 **d i v o r c e d e c r e e f i l e d .**

And now, Aug. 20, 1991, it is ordered and decreed that Bonita B. Russell, plaintiff, and John H. Russell, defendant, are divorced from the bonds of matrimony.

BY THE COURT.
James B. Dwyer, S.J.
Specially Presiding

1990

Fuller, Kinnunen,
Petruso & Gamble
Ann Hansen Gamble

99.

MACHELE ADKINS ANTILL

vs.

BRIAN EUGENE ANTILL

Filed Jan. 24, 1990 Copy of crd
@ 9:11 a.m.

Tax & entry Paid $50.50
Pro Co Pd 1/24/90 9.00

COMPLAINT FOR CUSTODY

Jan 24, 1990 Consent Custody Agreement and Order filed: AND NOW, this 24th day of January, 1990, upon presentation of the within Complaint for Custody and the Agreement executed by the parties, IT IS HEREBY ORDERED AS FOLLOWS:

The consent custody agreement executed January 9, 1990, by the parties, a copy of which is attached hereto is hereby adopted as an Order of the Court the same as if it had been entered following a full hearing on the merits of the matter.

Gordon R. Miller, Judge

Jan 26, 1990 Copies of order mailed to Atty. Gamble.

Jan. 31, 1990 Affidavit Of Mailing filed. Ann Hansen Gamble, being duly sworn according to law, deposes and says that she is an attorney at Law, duly authorized to practice law in the Commonwealth of Pennsylvania and that on January 22, 1990, she sent a copy of the Complaint for Custody to the Defendant by certified mail, restricted delivery, postage prepaid, receipt requested, to Brian Eugene Antill, 161 Newland Avenue, Titusville, PA 16354, the Defendant's last known address. The said receipt being attached hereto. Ann Hansen Gamble

Apr. 8, 1992 PETITION FOR SPECIAL RELIEF AND CONTEMPT OF COURT AND MODIFICATION OF CUSTODY and TEMPORARY ORDER OF CUSTODY field. AND NOW, this 8th day of April 1992, upon presentation and consideration of the foregoing Petition, Brian E. Antill shall have primary physical and legal custody of the minor child Adam E. Antill pending further Order of Court.

This order may be personally served or in the alternative, service by certified mail, return receipt requested, shall be deemed proper service.

BY THE COURT,
Gordon R. Miller, p.J.

Apr. 14, 1992 copy in box for C. Brode, mailed copy to A. Gamble

Apr. 16, 1992 PROOF OF SERVICE, filed. I hereby certify that a copy of the foregoing Order and Custody Petition was served upon Defendant Machele Antill, c/o Barbara Moorehouse, 78 Maryland St., Wheeling, W. Virginia 26003, by Certified U.S. Mail, Return Receipt Requested, on April 11, 1992. R. Christopher Borde

Apr. 8, 1992 RULE TO SHOW CASE filed. AND NOW, this 8th day of April , 1992, upon presentation and consideration of the foregoing Petition, a Rule is entered upon the Respondent to show cause, if any she has, why the prayer of the Petitioner for special relief and the imposition of sanctions for contempt should not be granted. Additionally, the Court will address the isdue of custody modification at the show cause hearing. You are further ordered to bring the following minor children, Bobbie Rose Adkins a/k/a Bobbie Rose Antill and Matthew B. Antill. Failure to appear or to bring the children as ordred may impact upon your primary custody, partial custody, or visitation rights. Additionally, a warrant may be issued for your arrest.

THIS RULE IS RETURNABLE on the 5th day of May, 1992, at 1:30 p.m. , in Courtroom No 1 or 2 of the Crawford County Courthouse, Meadville, Pa.

BY THE COURT,
Gordon R. Miller, P.J.

May 1, 1992 C. Brode, mailed copy to A. Gamble

1990

Allen and Hall
Stephen E. Hall

100.

FRANK A. HOAK

vs.

DONNA M. HOAK

Filed Jan. 24, 1990
@ 9:21 a.m.

Tax & entry paid	$50.50
Pro Co Paid 9-27-91	9.00
State Paid 9-27-91	10.00

COMPLAINT IN DIVORCE

1 copy (atty)

Sept 26, 1991 Acceptance of Service filed: I, the understand Defendant in the above captioned action, hereby accept service of the Complaint in Divorce. Date 1-24-90 Donna M. Hoak

Sept 26, 1991 Affidavit of Consent of Flaintiff filed.

Sept 26, 1991 Affidavit of Consent of Defendant filed.

Sept 26, 1991 Upon Praecipe of Plaintiff's attorney for Review under §201(c) of the Divorce Code, this case is moved to court.

Sept. 30, 1991 **D I V O R C E D E C R E E F I L E D .**

AND NOW, September 30, 1991, it is ordered and decreed that Frank A. Hoak, plaintiff, and Donna M. Hoak, defendant, are divorced from the bonds of matrimony.

BY THE COURT,
Gordon R. Miller, P.J.

1990

Mary Ann Kirkpatrick

101.

RICHARD E. MATTERN

vs.

ALICE E. MATTERN

Filed Jan. 24, 1990
@ 10:50 a.m.

~~Indigent filing~~
TAX + ENTRY 1/23/90 110.50

COMPLAINT IN DIVORCE, SPECIAL RELIEF, CHILD SUPPORT, ALIMONY PENDENTE LITE, COUNSEL FEES, AND COSTS, CUSTODY, AND EQUITABLE DISTRIBUTION

1 copy (atty)

Jan. 24, 1990, Petition to Proceed IN Forma Pauperis ORDER filed. AND NOW, Jan. 22, 1990 in order to give the plaintiff initial access to the courts he is permitted to proceed in forma pauperis as tothe initial costs only, that is those costs associated with filing and servicg the complaint and initial petitions. The court retains the right to impose theinitial costs in the future.

BY THE COURT,
Gordon R. Miller, J.

Jan. 24, 1990, Petition to Proceed In Forma Pauperis and Order filed. (Petition for Hearing) ORDER: AND NOW, JAN. 23, 1990, hearing on PLaintiff's request for alimony Pendente Lite, Counsel Fees, Costs, Child Support andSpecial Relief is sc heduled for Feb. 27, 1990 at 10:00 a.m. in C. R. No. 2 of the Crawford County Courthouse in Meadville, Pa. (1 copy - atty)

By the Court:
Gordon R. Miller, J.

Feb. 21, 1990 Affidavit of Service filed. And Now, February 16, 1990, comes Lisa M. Sherretts, being duly sworn according to law, deposes and sets forth as follows:

1. That she is the legal secretary of Attorney for Richard E. Mattern, Plaintiff inthe above captioned matter.
2. That on information furnished to her by the Plaintiff, she caused a certified copy of the Complaint in Divorce to be forwarde dby Certified Mail, P 401 441 475, postmarked January 29, 1990 to the las tknown address of the Defendnat, Alice E. Mattern, R.D. #1, Guys Mills, Pennsyvlania 16327.
3. That the Defendant, Alice E. Mattern, on January 31, 1990, personally signed the return receipt card which was affixed to the Complaint in the above-matter and which is attached hereto as Exhibit "A".
4. Service of the Complaint against the Defendant is therefore effected in accordance with Pennsylvania Rules of Civil Procedure.

Lisa M. Sherretts

Feb 27, 1990 Exhibits filed with papers.

Feb. 28, 1990 Motion For Appointment Of Custody Mediator and Order filed. And now, Feb. 28 1990 Upon presentation and consideration of the within Motion, John Fuller, Esquire, is appointed Custody Mediator in this matter.

Gordon R. Miller, J

2 copies atty., 1 copy mediator

Mar. 12, 1990 Order filed. AND NOW, March 6, 1990, after a formal hearing on the Plaintiff's petition for alimony pendente lite, costs, child support, and special relief, it is Ordered as follows:

1. The defendant os Ordered and Directed to pay $247.00 per mnoth through the Domestic Relations Office for the support of the parties' minor child, Darrin, Commencing with February 1, 1990, which said payment shall be made on or before the first day of each month. The payment for March 1990 shall be made on or Before March 9, 1990. The arrearages that have accumulated to date for February shall be paid at the rate of $50.00 per month commencing with the m onth of March 1990. This Order for child support is based upon the Plaintiff's receipt of $189.00 per week from unemployment compensation. The Plaintiff is Ordered and Directed to notify the Domestic Relations Office within forty-eight (48) hours after he returns to work giving the Domestic Relations Office the name and address of his employer and his anticipated average net income per week.
2. The Defendant shall pay alimony pendente lite to the Plaintiff in the sum of $95.00 per month for February 1990 and March 1990. The payment for February 1990 shall be made on or before March 9, 1990, and thepayment for March 1990 shall be made on or before March 30, 1990. The Court reserves the right to consider further alimony pendente lite beyond March 1190 upon petition of the Plaintiff and reserves unto the Master, if one is ultimately appointed, the issue of alimony pendente lite beyond March 1990 if the matter is not raised before the Court before that.
3. The parties are directed to deposit fire insurance proceeds checks of $37,500.00 and $2,000.00 received from Erie Insurance Exchange into Pennbank account number 61-01006-2 forthwith. That account shall be frozen with any interest generated by said account to be retained by the account to increase the principal balance of said account. There shall be no withdrawals from said account without either a Court Order or a withdrawal slip signed by both parties. The parties are directed to sign a withdrawal slip forthwith so that the Defendant may withdraw $5,000.00 and the Plaintiff may withdraw $5,000.00.
4. The Plaintiff's request for counsel fees is denied because the Court believes that at the moment, the Plaintiff has sufficient assets to meet current counsel fees. The Plaintiff is not foreclosed from filing additional petitions for counsel fees; however, the Court does not now indicate how that petition would be disposed of.
5. This Order does not make a final disposition of alimony pendente lite, costs, child support, equitable distribution, or other issues raised by the pleadings and a final decision on those matters are reserved for the Court or for the Master when this matter is finally resoved and determined or if additional petitions are filed in the meantime. It is the intent and purpose of this Order to deal with the current situuation and the issues raised by the petition.
6. The Order for child support is intended to be a continuing Order subject to the right of either pa rty to request a modification in accordance with the law of Pennsylvania. Any modification request shall be made through the domestic Relations Office in the normal manner in which support Orders are modified. If either party wishes to ask for a modification of the child support Order only, that party is not required to proceed back through this divorce action but may proceed through the Domestic Relations Office and follow the standard child support modification procedures.
7. Upon the Plaintiff's receipt of $5,000.00 from the joint bank account, he shall pay the court costs incurred to date. However, the ultimate responsibility for the court costs in this matter shall await the final disposition or determination of this case.

BY ORDER OF THE COURT,
Gordon R. Miller, J

Mar. 13, 1990 Copies of order put in Mary Ann Kirkpatrick, R. Charles Thomas, John Fuller, and Domestics Relations' box.

Continued on page 604

1990

Swanson, Bevevino and Millin, P.C.
Steven J. Gilford

102.

Mahany, Roeder & Rothschild
Tamera Ochs Rothschild

GREGORY A. PORT

vs.

NORMA J. PORT

Filed Jan. 24, 1990
@ 11:40 a.m.

Tax & entry Paid $50.50

COMPLAINT FOR CUSTODY - VISITATION

1 copy (atty)
1 copy (mediator)

ORDER:

AND NOW, this 25 day of January, 1990, upon presentation of the above captioned Custody Complaint, Bruce Smith, Esquire is appointed Custody Mediator to hear all matters relating to the within action.

BY THE COURT,
P. Richard Thomas, J.

Feb. 20, 1990 Appearance of Mahany, Roeder, & Rothschild, by Tamera Ochs Rothschild, attorneys for defendant filed.

Mar. 12, 1990 Petition and Order filed. AND NOW, this 12th day of March, 1990 upon consideration of the within Petition, the parties have stipulated and agreed it is hereby directed and orderecd as fillows:

1. **JOINT LEGAL CUSTODY:** Joint legal custody of Trisha J. Port shall be vested in the Plaintiff and defendant.

2. **PRIMARY PHYSICAL CUSTODY** Primary physical custody of said child shall be retained by the Defendant subject to the visitation rights of the Plaintiff hereinafter set forth.

3. **VISITATION RIGHTS** Plaintiff shall be entitled to the following visitations

A. Plaintiff shall have visitation privileges of every other week-end commencing the week-end of March 2, 1990 and continuing on every other week-end thereafter. In the exercise of these visitation privileges Plaintiff agrees to pick said child up at the residence of the Defendant on Friday Evening at 8:o'clock p.m. and return the child to the residence of the Defendant by Sunday evening at 7 o'clock p.m.

B. In addition the Plaintiff shall be entitled to four (4) weeks of visitation privileges to be exercised in the Summer with said visitation not to exceed more than a two (2) week period at one time. In regard to these privileges Plaintiff will inform Defendant at least three (3) weeks prior to the exercise of these privileges of the dates he wishes to exercise siad Summer visitation privileges. As to the two non-consecutive two week periods of time referred to this provision it is hereby defined that said two week period shall begin on Sunday Evening at 7 o'clock p.m. and shall conclude on Saturday Evening at 7 o'clock p.m.

C. In Addition the Plaintiff and Defendant agree to alternate visitations on the major holidays of New Years, Easter, Memorial Day, Fourth of July, Labor Day and Thanksgiving. said visitation for this provision shall begin at 7 o'clock p.m. on the evening preceding the holidays defined above and shall conclude at 7 o'clock p.m. on said holidays. In addition, these six (6) holidays shalltake presidence over any other visitation privileges outlined in this agreement.

D. In regard to the Christmas visitation privileges the Plaintiff shall be entitled to visitation privileges beginning December 23 and shall return said child to the residence of the Defendant no later than 11 o'clock in the morning on December 25.

4. **NOTIFICATION:** The parties to this agreement shall keep each other informed as to their current mailing addresses, their current residenced, their current telephone numbers, if nay, and if either party has no telephone, then said party shall inform the other party of a telephone number to which messages can be received.

In addition, if the Plaintiff cannot exercise his visitation privileges for any week-end he shall notify the Defendant onthe preceding Wednesday of that week-end visitation. In addition, if the Plaintiff is more than one hour late in picking up said child said visitation privileges for that weel-end shall be ocnsidered in default. In addition, the Defendant agrees that she will be at her residence at 7 o'clock p.m. when said child is delivered to her, or in the alternative, have a responsible adult present.

5. **MUTUAL COOPERATION:** The parties agree to discuss arrangements for physical custody of the child, and if the parties mutually agree, alternative arrangements to accommodate themselves and the schedule of the child may be made.

6. **CONSULTATION PRIVILEGES:** In addition to any provisions which may be contained herein regarding custody and visitation, the Plaintiff shall have the following rights with respect to said child: Reasonable telephone calling privileges; access to report cards and other relevant information concerning the progress of said child in schoo; and equal input in decision making with respect to any extraordinary medical treatment except in the case of an emergency.

7. **ADVICE OF COUNSEL:** It is hereby acknowledged by the parties hereto that each has received independent legal counsel and that the attorney for each has explainted the remaifications of this agreement.

8. **LAW OF PENNSYLVANIA APPLICABLE** This agreement shall be construed in accordance with the Laws of the Commonwealth of Pennsylvania.

9. **COURT ORDER It is agreed between the parties hereto that the within agreement, upon petition of either party, may be presented to the Court of Common Pleas of Crawford, County**, Pennsylvania, and if approved by the Court, shall be reduced to a Court Order.

10. **ILLNESS OF CHILD** In the event of any serious illnes of said child at any time, any partythen having custody of said child, shallimmediately communicate with the other party by telephone or any other means, informing the other party of the nature of the illness.

IN WITNESS WHEREOF, the aprtie shereto have isgned and sealed this agreement in four counter-parts, each of which shall constitute an original.

Gregory A. Port
Steven J. Gilford, Esq.
Norma J. Port
Tamera Ochs Rothschild, esq.
BY THE COURT:
Gordon R. MIller, J

3 copies atty

1990

Fuller, Kinnunen,
Petruso & Gamble
Gary A. Fabian

103.

Shafer, Swick, Bailey
Irwin & Stack
James R. Irwin

DAVID E. HOLMBERG

vs.

TERESA L. HOLMBERG

Filed Jan. 24, 1990
@ 2:56 p.m.

Tax & entry Paid	$50.50
1 count paid	15.00
ProCo pd 2/21/90	45.00
Pro Co Pd 11/13/90	9.00
state paid 11/13/90	10.00

COMPLAINT UNDER SECTION 201(c) OF THE
DIVORCE CODE, EQUITABLE DISTRIBUTION

1 copy (atty)

Feb 2, 1990 Affidavit of Service filed: Gary A. Fabian, being duly sworn according to law, deposes and says that:

1. He is an Attorney authorized to practice law within the Commonwealth of Pennsylvania.

2. He is the attorney for the Plaintiff in the above captioned matter.

3. On January 24, 1990, he had deposited in the United States Mail by certified mail, return receipt requested, Certified Mail No. P 414 752 767 as evidenced by Certified Mail Receipt No. P 414 752 767 attached hereto and made a part hereof, a true and correct copy of a Complaint in Divorce addressed to Teresa L. Holmberg said Complaint in Divorce naming Teresa L. Holmberg as the defendant in the above-captioned matter.

4.Service was obtained upon the defendant, Teresa L. Holmberg on January 26, 1990, as evidenced by Return Receipt for Certified Mail No. P 414 752 767 attached hereto and made a part hereof, said receipt being signed by Tereas L. Holmberg.

FURTHER, DEPONENT SAYETH NOT.

Gary A. Fabian

Feb. 21, 1990 Request For Hearing and Order filed. AND NOW, February 21, 1990 upon presentation and consideration of the foregoing Request for Hearing a hearing is s chedled with the Court of Common Pleas of Crawford County, Pennsylvania, on the 30 day of March, 1990 at 1:30 o'clock p.m., in Courtroom 1 or 2 of the Crawford County Courthouse, Meadville, Pennsylvania.

FOR THE COURT:
Imogene Yetman, C.A.

Feb. 23, 1990 Copies of order put in Gary Fabian and James Irwin's box.

Feb. 21, 1990 Answer and Counterclaim filed. (Counsel Fees & Expert Fees, Alimony & Alimony Pendente Lite)

Mar. 29, 1990 Motion For Continuance and Order filed. AND NOW, this 28 day of March, 1990 upon presentation and consideration of the within Motion this hearing is continued generally. Hearing to be scheduled upon Motion of either Plaintiff or Defendant.

BY THE COURT,
Gordon R. Miller, J

Mar. 30, 1990 Copies of order put in Gary Fabian and James Irwin's box.

Aug. 3, 1990 Affidavit Of Consent of defendant filed.

Sept. 19, 1990 Request For Hearing and ORDER filed. AND NOW, this 19 day of Sept., 1990 upon presentation and consideration of the foregoing Request for Hearing a hearing is scheduled with the Court of Common Pleas of Crawford Co. PA., on the 5 day of Oct., 1990 at 10:00 o'clock A.M. in Courtroom No. 1 or 2 of the Crawford Co. Courthouse, Meadville, PA.

BY THE COURT:
P. Richard Thomas, S.J.

Sept. 20, 1990 Copy of Order to Attys. Gary Fabian and James Irwin.

Oct. 5, 1990, Affidavit of Consent Under Section 201(c) of the Divorce Code, of plaintiff, filed.

Oct. 5, 1990, ORDER filed. AND NOW, Oct. 5, 1990 the court awards $100.00 a month alimony pendente lite to the defendant Teresa L. Holmberg. The request for counsel fees and expert fees is refused. it is further ordered that the first alimony pendente lite payment shall be made at the rate of $23.09 per week and shall be made directly tothe defendant Teresa L. Holmberg by the plaintiff David E. Holmberg.

BY ORDER OFTHE COURT,
John Q. Stranahan, S. J.

Oct. 8, 1990 copies of order to Attys. G. Fabian and James Irwin.

Nov. 13, 1990, Upon praecipe of plaintiff attorney, for review Under Section 201(c) of the divorce code, this case moved to court.

Nov. 27, 1990 **D E C R E E F I L E D .**

1. **Divorce:** Upon consideration of the pleadings and affidavits filed in the above-captioned case, this Court here by grants an absolute divorce from the bonds of matrimony to the above-named parties on the grounds that the marriage is irretrievably broken and ninety (90) days have elapsed from the date of the filing of the complaint and an affidavit has been filed by each of the parties evidencing that each of the parties consents to the divorce, pursuant to Section 201(c) of the Pennsylvania Divorce Code.

2. **Equitable Property Determination and distribution;** This decree provides that the marital and non-marital property of the above-named parties shall be divided in accordance with a seperation and property settlement agreement dated November 6, 1990, and executed by the parties an filed in the Court of Common Pleas of Crawford County, Pennsylvania, at the above-captioned number and term.

This agreement in part, provides that:

a. Defendant will transfer to plaintiff all of her right, title and interest in and to a 1975 New Yorker mobile home for the sum of $3,000.00.

b. A 1990 Chevrolet Cavalier motor vehicle owned by the plaintiff shall become the sole and exclusive property of the plaintiff, and plaintiff shall be solely responsible for any outstanding obligation due and owing on said vehicle.

c. A copy of the separation and property settlement agreement of the parties, dated November 6, 1990, which sets out in further detail the agreement ofthe parties concerning the matters herein shall be filed with this decree in the Prothonotary's Office at the abov enumber and term.

This order shall be effective as of this 27th day of November, 1990.

BY THE COURT,
Gordon R. Miller, J

1990

Shafer, Swick,
Bailey, Irwin & Stack
Charles J. Swick

104.

MARQUETTE SAVINGS ASSOCIATION

vs.

JOSEPH BRULEIGH AND
KAREN PHELPS

Filed Jan. 24, 1990
@ 3:33 p.m.

Tax & entry Paid	$50.50
Sheriff's costs	39.32
Pro Co pd 4/4/90	9.00
Pro Co pd 10/9/90	5.00

COMPLAINT IN MORTGAGE FORECLOSURE

2 copies (sheriff)

Jan. 24, 1990, Affidavit of Non Military Service of Defendants filed.

Feb 22, 1990 Sheriff's Return filed: SERVED Joseph Bruleigh personally on February 2, 1990 at 3:35 P.M. by handing copy of Complaint to him at residence, 310 Erie Street, Linesville, Crawford County, Pa.

SERVED Karen Phelps on February 6, 1990 at 3:45 P.M. by handing copy of Complaint to her son, Jim Zarembinski, at their residence, R.D.#2, Box 160, Linesville, Crawford County, Pa.

So answers, Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

Apr. 4, 1990 Upon praecipe of Plaintiff Attorney, judgment is hereby entered in favo rof the plaintiff and against the defendant for failure to file an answer and the damages are assessed at Seventeen Thousand Nine Hundred Eighty-four and 18/100 plus interest and cost of suit.

B-94; P-101
judgmented entered 4/4/90

Debt $17,984.18
Int to 1/22/90
Jdugment
James F. Simmons
Prothonotary

EX 1990 - 35

Oct. 9, 1990 Upon praecipe of Plaintiff Attorney the above captioned matter is marked settled and discontinued of record.

1990

Plate, Shapira, Hutzelman, Berlin, May, Walsh, and Brabender
Gary J. Shapira

105.

McClure & Miller
Eugene J. Brew Jr.
for dfts. L. Gallant & Adm. of Est. of L Gallant

Devine & Kuftic
Dennis G. Kuftic
for dfts. Mosier

LAKELAND MUTUAL INSURANCE COMPANY

vs.

CHARLES R. MOSIER AND DENISE A. MOSIER, AND LAURA L. GALLANT, INDIVIDUALLY AND LAURA L. GALLANT AS ADMININISTRATRIX OF THE ESTATE OF LEAH MAE GALLANT

Filed Jan. 25, 1990
@ 11:32 a.m.

Tax & entry paid $50.50
Sheriffs costs 50.00
Pro Conf 4/8/91 6.00

COMPLAINT - ACTION FOR DECLARATORY JUDGMENT

3 copies (sheriff)

(Jury of Twelve Demanded)

Feb. 9, 1990, Sheriff Return filed. SERVED Charles R. Mosier on FEb. 1, 1990, at 8:36 a.m. by handing copy of complaint to Denise A. Mosier, his authorized agent, at sheriff's office, Crawford County Courthouse, Meadville, Pa. Signed acceptance of service attached.

SERVED Denise A. MOsier personally on Feb. 1, 1990 at sheriff's office, at 8:35 a.m. by handing copy of complaint to her, crawford CountyCourthouse, Meadville, Pa.

SERVED Laura Gallant personally on Jan. 31, 1990 at 2:50 p.m. by handing copy of complaint to her at residence R. D. #2, Hecker Road, Cambridge Springs, Crawford County, Pa.
So answers, Robert M. Stevens, Dep. Sheriff
Howard N. Stewart, Sheriff

Feb. 26, 1990, Appearance of McClure & Miller by Eugene J. Brew Jr. attorneys for defendants Laura l. Gallant, ind. Laura L. Gallant, Adm. of the Est. of Leah Mae Gallant, filed.

Feb. 28, 1990, Preliminary Objections of dft. Leah Mae Gallant, filed.

Mar. 12, 1990, Amended Complaint in Action for Declaratory Judgment filed.

Mar. 19, 1990, Answer and New Matter to Amended Complaint filed.

Mar. 19, 1990, Notice of Depositions of Charles R. Mosier and Denise A. Mosier filed.

Mar. 19, 1990, Appearance of McClure & Miller, byEugene J. Brew, Jr. attorneys for defendant James M. Gallant, filed.

Mar. 16, 1990, Motion to Strike Demand for Jury Trial FILED.

April 23, 1990 Upon Praecipe of Defendants Attorney, for L. Gallant and Adm. of Estate of L. Gallant, this case placed on next scheduled Argument List.

1990 MAY ARGUMENT LIST

May 3, 1990 Consent To Filing Of Plaintiff's Second Amended Complaint filed.

May 3, 1990 Action For Declaratory Judgment Second Amended Complaint filed.

May 9, 1990 Answer And New Matter To Second Amended Complaint filed.

May 18, 1990 Notice of Serving Responses to Requests for Production of Documents filed.

June 4, 1990 Order filed. AND NOW, May 29, 1990 the matter is before the Court on Defendant Gallant's Motion to Strike Plaintiff's demand for a jury trial. It appears this is a declaratory judgment action and counsel agree that the possiblitily of a factual dispute regarding disclosure may arise.

Accordingly, until discovary is completed, counsel agree that the Motion to Strike the request for a jury trial should be postponed to allow counsel to ascertain the nature, existence, or extent of a factual issue on this non-disclosure matter.

Accordingly, the Court takes no action today on the Motion to Strike but after discovery is completed, the Court will entertain a motion from either attorney to hear further argument on the Defendant's motion to Strike the demand for a jury trial.

Counsel and the Court agree that the net result of this agreement is that after discovery is completed, counsel can come back to the Court again if they so desire and ask the Court whether it wishes to hear the disputed factual issues on the declaratroy judgment matter non-jury or whether the Court desires that a jury be impaneled to decide, probably under a structured verdict format, the credibility of issues involved as to whether there is coverage or nor.

BY ORDER OF THE COURT,
P. Richard Thomas, P.J.

June 7, 1990 Copies of order mailed to Gary Shapira and Eugune Brew

June 18, 1990, Answer to Action for Declaratory Judgment and New Matter filed. (3 copies -atty)

June 22, 1990 Upon praecipe of Atty. Brew the above case is placed on the next Trial List.

1990 OCTOBER TRIAL LIST

August 2, 1990 Motion For Summary Judgment filed.

August 2, 1990 Upon Praecipe of Attorney for Gallants, this case placed on Argument List.

ON ARGUMENT LIST FOR SEPT. 1990

Aug. 13, 1990, Notice of Serving Interrogatories filed.

1990 SEPTEMBER ARGUMENT LIST

Sept. 7, 1990, Argument set for Oct. 3, 1990 at 11:00 a.m.

Continued on Page 559

1990

Thomas, Truax, Spadafore
Vardaro & Walker

ANTHONY J. Vardaro

Joseph Tinko
106.

Ruthanne Beighley

ROBERT R. KINCAID

vs.

DEBORAH A. TAXACHER AND
DENNIS TAXACHER, HER HUSBAND

COMPLAINT IN REPLEVIN

2 copies (atty)

Jan 25, 1990 Motion for ExParte Issuance of Writ of Seizure filed.

Jan 25, 1990 Order filed: AND NOW, this 25th day of January, 1990, upon presentation and consideration of the plaintiff's Motion for Ex Parte Issuance of a Writ of Seizure the Court is not convinced that there is, on the state of the record at this point, probable cause to believe that the value of the property will be adversely affected or that the defendants are likely to conceal, dispose or remove the property and therefore the Court refuses to issue a Writ of Seizure Ex Parte.

HOWEVER, the Court does not dismiss the motion but is now willing to consider the motion, with the complaint attached, as a motion for the issuance of a writ of seizure upon notice and hearing under Pa. R.C.P. 1975.1. Accordingly, a hearing on said motion is hereby set for the 29th day of January, 1990 at 11:00 o'clock A.M. in Courtroom No. 2 of the Crawford County Courthouse. The plaintiff or his counsel, are directed to serve notice of said hearing, along with a copy of this Order, upon the defendants in accordance with the Rules that apply in this case.

The defendants are directed that, until said hearing is held, they shall maintain the status quo and shall not conceal, dispose, encumer, waste the property referred to in the plaintiff's complaint nor shall they remove it from Crawford County or from the place where it is now located and, FURTHERMORE, the defendants shall do nothing that would cause damage or loss in value to said property.

BY THE COURT,
Gordon R. Miller, J.

Feb 1, 1990 Copies of order put in Atty. Vardaro's box and mailed to Atty Jofrey.

1/31/90 Cash Bond In The Amount of $26,807.00 Posted (In General Account)
3/7/90 Paid $16,807.00 To Robert R. Kincaid. Ck # 5494
3/6/90 Paid $10,000.00 To Robert R. Kincaid Ck # 5739

Filed Jan. 25, 1990
@ 11:40 a.m

Tax & entry Paid	$50.50 ✓
Sheriff's Costs	55.25
Sheriff's Costs	33.56
Sheriff's Costs	88.65
Pro Co Pd 7/12/90	9.00 ✓
Pro Co Pd 11-21-91	6.00 ✓

Jan 29, 1990 Exhibits filed in File Cabinet under "K".

Feb 1, 1990 Order filed: AND NOW, this 29th day of January, 1990, after hearing on the plaintiff's Motion for Issuance of a Writ of Seizure under Pa.R.C.P. 1975.1, the Court is satisfied that the plaintiff has established the probable validity of his claim both as to ownership and the right to possession, and therefore, we hereby enter an Order for a Writ of Seizure to seize the items set forth on Exhibit "A" to the plaintiff's Complaint, consisting of two and a half pages of items, with a limitation that the Cabbage Patch Dolls be those which are vinyl-faced, all upon the filing of a bond as required by Pa.R.C.P. 1075.3.

BY ORDER OF THE COURT,
Gordon R. Miller, Judge

Feb 1, 1990 Copies of order put in Atty. Vardaro's box and copy mailed to Atty. Jofery.

Feb 5, 1990 Sheriff's Return filed: SERVED Deborah A. Taxacher personally on January 31, 990 at 5:31 P.M. by handing copy of Writ of Seizure to her at residence, Rt. 285, Conneaut Lake, Crawford County, Pa.

SERVED Dennis Taxacher personally on January 31, 1990 at 5:30 P.M. by handing copy of Writ of Seizure to him at residence, Rt 285, Conneaut Lake, Crawford Co., Pa

So answers,
Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

SERVED Deborah a. Taxacher personally on January 26, 1990 at 1:10 P.M. by handing copy of Complaint, Order, Notice, Motion and Complaint in Replevin to her at residence, Rt. 285, Conneaut Lake, Crawford County, Pa.

SERVED Dennis Taxacher personally on January 26, 1990 at 1:10 p.m. by handing copy of Complaint, Notice, Motion, and Complaint in Replevin to him at residence, Rt. 285, Conneaut Lake, Crawford County, Pa.

So answers,
Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

Feb. 7, 1990 Petition To Enforce Writ of Seizure and Order filed. AND NOW, this 7 day of February, 1990, upon consideration of the foregoing Petition and upon Motion of Anthony J. Vardaro, Esquire, attorney for the Petitioner, the Sheriff of Crawford County is hereby directed to forthwith take possession of the property on the list attached to the Writ of Seizure issued by the Prothonotary of Crawford County on January 31, 1990 in this matter by obtaining such property from 235 Water Street, Conneaut Lake, Pennsylvania, 240 Water Street, Conneaut Lake, Pennsylvania, or 891 Market Street, Meadville, Pennsylvania, or such other place as the property may be found.

The Sheriff is directed to appempt to arrange for amicalbe entry into those real properties as needed for the purpose of obtaining the property the subject of the Writ of Siezure of January 31, 1990 by contacting Respondents' counsel or Respondents but if no arrangements can be made immediately, the Sheriff is authorized and directed to beak and enter all the aforesaid premises with such force as is necessary to allow the seizure of the property the subject of the Writ of Seizure of January 31, 1990.

Upon the seizure of any or all of the property the subject of the Writ of Seizure of January 31, 1990, the Sheriff of Crawford County is instructed to deliver the property to the Petitioner, Robert R. Kincaid, pursuant to Pa. R.C.P. 1077(b).

BY THE COURT,
P. Richard Thomas, J

Feb. 9, 1990 Copies of order put in Anthony Vardaro and Sheriff's box and copy mailed to Atty. Jofery.

Feb. 7, 1990, Amended Notice of Service of Petition to Enforce Writ of Seizure, filed.

Feb. 16, 1990, Preliminary Objection: Non Joinder of a Necessary Party filed.

Continued on Page 106A

ROBERT R. KINCAID

VS.

DEBORAH A. TAXACHER and
DENNIS TAXACHER, her husband

Record continued from page 106

of record

A.D. 1990 - 106

****

Feb. 22, 1990 Upon praecipe of Plaintiff attorney To List Preliminary Objects for the next available argument list.

Feb. 22, 1990 Notice Of Service of Praecipe to List Preliminary Objects for Argument filed.

On Argument List For March 1990

Feb. 26, 1990 Petition To Reduce Bond and Order filed. AND NOW, this 26th day of February, 1990 upon consideration of the foregoing Petition and on Motion of Anthony J. Vardaro, Esquire, Attorney for Plaintiff, a Rule is entered upon the dEfendants to show cause, if any they have, wh the bond required should not be reduced as prayed for by the Plaintiff.
This Rule is returnable for hearing and argument on the 9th day of March, 1990, at 1:00 o'clock p.m. in Courtroom No. 2, Crawford county Courthouse, Meadville, Pennsylvania.

BY THE COURT,
Gordon R. Miller, J

1 copy plaintiff; 1 copy defendant

Mar. 7, 1990 Motion For The Withdrawal or REmoval of Counsel and Order filed. AND NOW, this 7th day of March, 1990, upon consideration of the within Motion for the Withdrawal or Removal of Counsel, it is hereby ORDERED AND DECREED that a rule to show cause be issued upon Anthony J. vardaro to show cause, if any he has,why he should not withdraw or be removed as counsel for Plaintiff in this matter.
RULE RETURNABLE for argument March 26, 1990 at the same that the argument on preliminary objections is scheduled for.

BY THE COURT:
Gordon R. Miller, J

Mar. 8, 1990 Copy of order mailed to Ruthanne Beighley and copy of order put in Anthony Vardaro's box.

Mar. 7, 1990 Order filed. AND NOW, this 7th day of March, 1990, upon Motion of Anthony J. Vardaro, Esquire, Attorney for Plaintiff, and upon the consent of Ruthanne Beighley, Esquire, and Joann Jofery, Esquire, Attorneys for the defendants, bond posted in this matter is reduced to the sumof Ten Thousand Dollars ($10,000) forthwith.
The Prothonotary of Crawford County is directed to return to Robert R. Kincaid the balance of the cash bond posted which amount is $16,807.

BY THE COURT,
Gordon R. Miller, J

Mar. 8, 1990 Copy of order mailed to Ruthanne Beighley and copy put in Anthony Vardaro's box.

Mar. 13, 1990 Sheriff's Return filed. SERVED Dennis Taxacher personally on February 13, 1990 at 9:00 AM at 235 Water Street, Conneaut Lake, Crawford County, PA. Accompanied Plaintiff to enforce Writ of Seizure at that time.
SERVED Deborah A. Taxacher on February 13, 1990 at 9:01 AM by handing copy of order to her husband, deniis Taxacher at 235 Water Street, Conneaut Lake, Crawford County, PA.

Catherine I. Allen Deputy Sheriff
Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

Mar. 29, 1990 Order filed. AND NOW, March 26, 1990 after a review of this file and after oral argument and review of briefs on the defendant's preliminary objection regarding the nonjoinder of a necessary party the preliminary objections are hereby dismissed.
Thereis no showing that the Estate of Dorothy Kincaid has a joint interest in the subject matter of this action. This is a replevin action involving the plaintiff's claim that he has title to, and the right to possess, certain items of personal property.
This Order is based soley upon Pa. R.C.P. 2227 as we believe that is the sole basis for the preliminary objections.

BY THE COURT,
Gordon R. Miller, J

Mar. 30, 1990 Copy of order put in Anthony Vardaro's bos and copy mailed to to Ruthanne Beighley.

Mar. 29, 1990 Order filed. AND NOW, this 26th day of March, 1990 after an argument held on the defendant's motion for the withdrawal or removal of plaintiff's counsel said motion is denied.
There has been no showing that the Reynolds' foreclosure matter, in which plaintiff's counsel represented Dorothy Kincaid at some time prior to her death, is the same or is substantitally related matter to the current replevin problem involving totally different property. Therewas no showing that plaintiff's counsel had any information gained from representing Mrs. Kincaid on the Reynold's matter that could be used to the disadvantage of the defendants or the Estate of Dorothy Kincaid in this aciton. Rule 1.9 of the Rules of Professional Conduct is therefore not applicable.

BY THE COURT,
Gordon R. Miller,

Mar. 30, 1990 Copy of order put in Anthony Vardaro's box and copy of order mailed to Ruthanne Beighley.

Apr. 25, 1990 Answer and New Matter filed.

May 4, 1990, Reply to Defendant's New Matter filed.

May 8, 1990 Certificate of Readiness filed.

On June 1990 Trial List

May 29, 1990, ORDER SETTING NONJURY TRIAL filed. AND NOW, May 29, 1990, nonjury trial in the above captioned matter is hereby set for July 12, 1990 at 9:30 a.m. in C. R. No. 1, of the Crawford CountyCourthouse.

BY ORDER OF THE COURT,
P. Richard Thomas, P.J.

May 31, 1990 copies to A. Vardaro and R. Beighley, esqs.

CONTINUED ON PAGE
106 B.....

106
B

1990

Robert R. Kincaid

vs.

Deborah A. Taxacher and
Dennis Taxacher, Her husband

Record Continued From Page 106 A

OF

AD 1990 - 106

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July 6, 1990 Consent Judgment filed. THE PARTIES hereto having consented to the entry of judgment in this matter as hereinafter set forth pursuant to Pa. R.C.P. 1084, the Court hereby orers pursuant to the agreement of the parties as follows:

1. Judgment shall be entered for the Plaintiff and against the Defendants for all items set forth in Exhibit "A" of Plaintiff's original Complaint those items having a value of $13,403.50.
2. The Plaintiff shall not be entitled to recover special damages.
3. The Prothonotary of Crawford County is direced to release to Plaintiff, Robert R. Kincaid, a $10,000 cash bond posted pursuant to Pa. R.C.P. 1075.3(b).
4. All original receipts and other documents currently being held by the Prothonotary as exhibits after the hearing of January 31, 1990 shall be returned by the Prothonotary to the Plaintiff, Robert R. Kincaid, forthwith.
5. Insofar as this Order is entered by consent, the parties agree that final judgment shall be now entered and the parties waive their rights to file excetions and/or appeal from this judgment and it is so ordered.
6. The costs of this action shall be borne by the parties as already paid except that the Plaintiff shall pay the cost of the entry of the judgment in this matter.

By The Court:
P. Richard Thomas, J.

July 11, 1990 Copy of Order to Attys. Anthony Vardaro, Ruthanne Beighley, Joann M. Jofery.

T-44,44

Consent Judgment
James F. Simmons, Prothonotary

Nov 21, 1991 Appearance of Joseph Tinko, Esq. for Plaintiff filed.

Nov 21, 1991 Upon Praecipe of Plaintiff's Attorney the above case is marked settled and discontinued of record with prejudice and the judgment entered is marked satisfied of record.

1990

107.

LINDA SHETLER

vs.

ANDREW J. DeJOHN

Filed Jan. 26, 1990
@ 11:39 a.m.

Tax & entry	$50.50 ✓
Sheriff's Costs	20.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies (sheriff)
1 copy (plaintiff)

TEMPORARY ABUSE ORDER:

AND NOW, this 26 day of Jan. 1990, upon review of the petition of plaintiff, the court enters the following temporary order.

1. The defendant shall not assualt, abuse harass or threaten the plaintiff or any of the minor children named inthe petition.

2. Special conditions: ---------

3. This order may be enforced without a warrant of arrest by any law enforcement officer havng reasonable ground to believe it has been violated.

4. A copy of this order shall be delivered to the police departments in the jurisdiction where the plaintiff resides and to county control.

5. Service of a copy of the petition and this order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.

6. This temporary order shall remian in full force and effect until modified or terminated by further order of this court. Liability for payment of fees and costs will be determined by final court order.

7. The defendant is reminded that this is an order of court and violation of this order may be punishable by a fine up to six months.

8. The court reserves ruling on allocation of fees and costs.

Hearing is hereby set for Feb. 1, 1990, at 1:30 p.m. in courtroom 1 or 2 of the Crawford County Courthosue. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to doso.

BY ORDER OF THE COURT,
Robert L. Walker, J.

Jan. 31, 1990 Sheriff's Return filed. SERVED Andrew DeJohn personally on January 26, 1990 at 3:40 PM by handing copy of Protection From Abuse to him at his residence, R.D.#2, Harmonsburg Road, Meadville, Crawford County, PA. 16335
So answer

Robert M. Stevens, Deputy Sher.
Howard N. Stewart, Sheriff

Feb. 5, 1990 Order filed. AND NOW, February 1, 1990, after hearing, the Court finds insufficient grounds to enter an Abuse Order in this case, and the Court, after explanation to the parties, dismisses the petition, DIRECTS the County to pay costs.

BY ORDER OF THE COURT,
P. Richard Thomas, P.J.

Feb. 6, 1990 Copies of order mailed to plaintiff and defendant

1990

~~Phillips and Galanter~~
~~Donald L. Phillips~~
~~Kerrin E. McIlvaine~~

108.

Shafer, swick, Bailey,
Irwin & Stack
Louis J. Stack

MILLER & LONGEWAY ASSOC., INC.
d/b/a CLASSIC SUNGLASSES

vs.

SPAULDING, INC. a/k/a
SPAULDINGS, INC. a/k/a
SPAULDINGS, LTD. INC. a/k/a
SPAULDINGS LTD.,

Filed Jan. 26, 1990
@ 1:04 p.m.

Tax & entry Paid $50.50 ✓
Sheriff's costs 20.00
Pro Co pd 12-31-91 - 5.00 ✓

✓COMPLAINT IN A CIVIL ACTION

1 copy (sheriff)

✓February 9, 1990 Sheriff's Return filed. SERVED Spaulding, Inc. on Jan. 31, 1990 at 3:10 PM by handing copy of Complaint to Stu Hoffman, Vice-President, person in charge at place of business, 345 Rogers Ferry Road, Meadville, Crawford County, PA.
So answers,
Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

✓Feb. 15, 1990, Preliminary Objections filed.

✓ Mar. 5, 1990, Plaintiff's Response to Defendant's Preliminary Objections, filed.

✓ Mar. 6, 1990, Defendant's Preliminary Objections to Plaintiff's Response to Defendant's Original Preliminary Objections filed.

✓Mar. 12, 1990, Plaintiff's amended Response to Defendant's Preliminary Objections filed.

✓ Sept. 6, 1990 Motion For Protective Order Pursuant To Pa. R.C.P. 4012 filed.

✓Sept. 6, 1990 Memorandum and Order filed. And now, August 31, 1990, the Protective Motion is granted and the Defendant must proceed with discovery necessary to argue the Priliminary Objections by written interrogatories or request for admission. Said discovery must be submitted within 20 days of the filing of this Order and the Pl aintiff's response must be returned within 20 days thereafter.
The Prothontoary is directed to place this case on the October argument scheduled for October 29, 1990.
FOR THE COURT,
P. Richard Thomas, S.

Sept. 6, 1990 copy put in box for atty. stack and copy mailed to Atty. Ludwikowski

On October 1990 Argument List

✓ Dec. 17, 1990 Memorandum and Order filed. And now, December 14, 1990, the Defendant's Preliminary Objections are denied. Defendant is given twenty (20) days to file an answer to Plaintiff's complaint.
BY ORDER OF THE COURT,
P. richard Thomas, S.J.

Dec. 17, 1990 Copy of order put in Atty. Stack's box and copy mailed to atty. Ludwikowski

✓Jan. 15, 1991 Stipulation For amendments To Complaint filed.

✓Jan. 15, 1991 Amendments To Complaint filed.

✓Jan. 15, 1991 Spaulding's, Inc.'s Answer, New Matter and Counterclaim filed.

✓ Feb. 22, 1991 Reply To New Matter and Answer To Counterclaim filed.

✓ **Mar 11, 1991 Spaulding's Reply to New Matter to Counterclaim filed.**

✓ May 10, 1991 Certificate of Readiness filed.

ON OCTOBER 1991 CIVIL TRIAL LIST

(Settlement conference to be held Oct. 7, 1991 at 1:30 p.m.)

✓ Oct. 4, 1991, Appearance of Kerrin E. McIlvaine, attorney for plaintiff filed.

Oct. 11, 1991, Defendant's REquest for Voir Dire Questions filed.

Oct. 16, 1991 Defendant's Supplemental Pre-Trial Statement filed.

Oct. 28, 1991 Motion to AMend Counterclaim and Pretrial Narrative filed.

Oct. 28, 1991 Order filed. AND NOW, this 14th day of Oct. 1991 upon consideration of defendant, Spauldings Inc.s Motion to Amend its counterclaim, it is hereby ordered that the defendant is permitted to amend the ad danum clause of its counterclaim to increase the claim for damages from $3,488.16 to $4,562.98
By the Court,
Gordon R. Miller, J.
Nov. 4, 1991 copies to LStack and Donald L. Phillips, Esqs

Oct. 28, 1991 ORDER filed. AND NOW, this 14th day of Oct. 1991 upon consideration of defendants Motion to Amend its Pretrail Narrative to include an additional exhibit, the same hereby granted.
By the Court:
Gordon R. Miller, J.
Nov. 4, 1991 copies to L. Stack and D. Phillips esqs

Oct. 28, 1991, Defendant's Motion for Continuance ofTriaL FILED.

Oct. 28, 1991, ORDER filed. AND NOW, this 14th dayof Oct. 1991 upon presentation of Spaulding's, Inc.'s Motion to continue the Oct. trial, it is hereby ordered that the trial is continued until the next jury trial term ofthe Crawford CountyCourt.
By the Court, Gordon R. Miller, J.
Nov. 7, 1991 copies to Donald Phillips and L. Stack.

Nov. 4, 1991 PRETRIAL ORDER, by Gordon R. Miller, Pres. Judge, filed.
Nov. 7, 1991, copies to Attys. McIlvaine and L. Stack.

On Trial List 2/92

Record Continued on
Page 108(a).....

MILLER & LONGEWAY ASSOC. INC.
d/b/a CLASSIC SUNGLASSES

vs.

SPAULDING, INC. a/k/a et al

RECORD CONTINUED FROM PAGE 108

OF

AD 1990 - 108

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Dec. 17, 1991 Petition To Withdraw as Counsel and Consent Order of Court filed. AND NOW, this 13th day of Dec.1991 it is hereby ORDERED that Petitioner's Petition to Withdraw is hereby granted and further, that the law firm of Phillips and Galanter, P.C. and Kerrin E. McIlvaine, Esquire no longer represent Plaintiff in connection with Case No. AP 1990-108 filed in the Court of Common Pleas of Crawford County, PA.

Kerrin E. McIlvaine, Esq.
Louis J. Stack, Esq. - Consented by telephone 12-9-91.

GORDON R. Miller, J.

Dec. 20, 1991 Copy of Order to Attys. Kerrin McIlvaine and Louis Stack.

Dec. 27, 1991 Upon praecipe of Plaintiff President and Defendant Attorney the Complaint and Counterclaim is marked settled and discontinued of record with prejudice.

108(b)

1990

William J. Gregg 109.	CAROL STANFORD vs. RONALD F. STANFORD, JR. Filed Jan. 26, 1990 @ 2:00 p.m. Tax & entry 1/31/90 $50.50	PETITION FOR CUSTODY 1 copy (atty) 1 copy (mediator) ORDER OF COURT: You, have been sued in court to obtain custody of the child, Brian Ronald Stanford. You are ordered to appear in person at the time and place selected by JOHN FULLER, CUSTODY MEDIATOR. If you fail to appear as provided by this order, an order for custody, partial custody, or visitation may be entered against you, or the court may issue a warrant for your arrest. You should take this paper to yuor lawyer at once. If you do not ahve a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help. Crawford County Bar Assoc. c/o Prothonotary's Office Meadville, Pa. 16335, 814 724-4636. Dated: Jan. 24, 1990 BY THE COURT, Gordon R. Miller, J.

1990

110.

KRISTA HOLLABAUGH

vs.

JOSEPH E. HOLLABAUGH

Filed Jan. 26, 1990
@ 2:23 P.M.

Tax & entry pd 2/23/90 $50.50 ✓
Sheriffs costs 15.00
Pro Co pd 2/23/90 9.00 ✓

2/23/90 Reed $15.00 from Plaintiff

2/23/90 Paid $15.00 TO Sheriff #4454

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT.

1 copy (plff)
3 copies (sheriff)

TEMPORARY ABUSE ORDER:

And now, this 26 day of Jan. 1990, upon review of the petition of plaintiff, the court enters the following temporary order:

1. The defendant shall not assault, abuse, harass or threaten theplaintiff or any of the minor children named inthe petition.

2. Special Conditions: Plaintiff given exclusive occupancy of the family home.

3. This order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.

4. A copy of this order shall be delivered to the police departments in the jurisdiction where the plaintiff resides and to county control.

5. service of a copy of the petition and this order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.

6. This temporary order shall remian in full force and effect until modified or terminated by further order ofthis court. Liability for payment of fees and costs will be determined by final court order.

7. The defendant is reminded that this is an order of court and violation of this order may be punishable by a fine up to $1000 and a jail sentence of up to six months.

8. The court reserves ruling on allocation of fees and costs.

Hearing is hereby set for Feb. 2, 1990 at 3:00 p.m. in C. R. No. 1 or 2 of the Crawford CountyCourthouse. The defendant is advised hem ay retain a lawyer to represent him at said hearing if he so desires but he is not required todo so.

BY ORDER OF THE COURT,
P. Richard Thomas, J.

Jan. 31, 1990, ORDER OF DISCONTINUANCE filed. AND NOW, Jan. 29, 1990 at the request of the Plaintiff, the hearing heretofore sc heduled for this abuse matter on Feb. 2, 1990, is hereby cancelled and the petition dismissed.

The Prothonotary is directed to send a bill for costs to the plaintiff at R. D. #1, Titusville, Pa. 16354.

BY ORDER OFTHE COURT,
P. Richard Thomas, J.

Feb. 5, 1990, copies of order to Krista Hollabaugh and Joseph E. Hollabaugh..

Jan. 31, 1990, Sheriffs Return field. Joseph e. Hollabaugh was served by Plaintiff Krista Hollabaugh personally, per phone call from palintiff to sheriff's office on Jan. 29, 1990.

Plaintiff also said she wanted to cancel proceedings, and call was transferred to Judge's Office.

copy of Protection From abuse was also sent to venango County for possible service at residence of Robert Hollabaugh, defendant's father. Not found, per phone call.

So answers, Howard N. Stewart, sheriff

1990

111.

SUE A. WAGNER

vs.

WILLIAM L. WAGNER

Filed Jan. 26, 1990
@ 3:19 p.m.

Tax & entry	$50.50
Sheriff costs	20.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

2 copies (plff)

3 copies (sheriff)

TEMPORARY ABUSE ORDER:

And now, this 26 day of Jan. 1990 upon review of the petition of plaintiff, the court enters the following temporary order.

1. The defendant shall not assault, abuse, harass, or threatenthe plaintiff or any ofthe minor children named inthe petition.

2. Special Conditions: Plaintiff is awarded possession of the marital home at 419 N. Brown St. Titusville, Pa. and the defendant shall not go there for any reason. Plaintiff is awarded custody fothe minor children until hearing.

3. This order may be enforced without a warrant of arrest by any law enforcemtn officer havng reasonable ground to believe it has been violated.

4. A copy of this order ahsll be dleivered to the police departments in the jurisdiction where the plaintiff resides and to county control.

5. Service of a copy fo the petition and this order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.

6. This temporary order shall remain in full force and effect until modified or terminated by further order of this court. Liability for payment of fees and costs will be determined by final court order.

7. The defendant is reminded that this is an order of court and violation of this order may be punsihable by a fine up to $1,000 and a jail sentence of up to six months.

8. The court reserves ruling on allocation of fees and costs.

Hearing is hereby set for feb. 2, 1990 at 9:00 a.m. in C. R. No. 1 or 2 of the Crawford County Courthouse. The defendant is advised hemay retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Robert L. walker, J.

Jan. 30, 1990 Sheriff's Return filed. SERVED William L. Wagner personally on Jan. 26, 1990 at 4:15 p.m. at the Mental Health Center of Meadville Medical Center, Liberty Street, Meadville, Crawford County, Pa. 16335.

So answers,

Robert M. Stevens, Dep. sheriff
Edgar D. Householder, Dep. sheriff
Howard N. Stewart, sheriff

Feb. 7, 1990 Order filed. AND NOW, February 2, 1990, at the time this abuse case is before the Court, the Defendant denies the allegations contained in the petition and the Plaintiff asks the Court to withdraw the petition. It appears to the Court that with the Defendant under parole supervision and facing new charges in Venango County, that eventually the two parties that the Defendant's addiction to drugs makes it inadvisable to live with him, have himonthe premises, or see the children.

In view of the wife's request that the petition be withdrawn, the Court grants the smae, directs the County to pay costs, and recommits the Defendant into the care and custody of the proper legal authorities for transportation to VEnango County where he is awaiting sentence this date.

BY ORDER OF THE COURT,
P. Richard Thomas, P.J.

Feb. 12, 1990 Copy of order mailed to plaintiff and copy given to Gerald Sullivan

1990

Devine & Kuftic
Dennis G. Kuftic

112.

CAROL A. SNYDER

vs.

ROBERT M. SNYDER

COMPLAINT IN DIVORCE, SUPPORT OF CHILDREN, CUSTODY ALIMONY, MARITAL PROPERTY, ALIMONY PENDENTE LITE, COUNSEL FEES AND EXPENSES

2 copies (atty)

Filed Jan. 29, 1990
@ 11:02 a.m.

TAx & entry Paid	$50.50
4 counts paid	60.00
State pd 1/22/92	10.00
Pro Co pd 1/22/92	9.00

Feb. 7, 1990, Acceptance of Service filed.
I, Robert M. Snyder, the defendant in the above captioned matter, hereby certify that on the 31st dayof Jan. 1990 I was duly served a true and attested copy of the complaint in divorce filed at the above term and no.
Robert M. Snyder.

Feb. 7, 1990 Notice of Service of Interrogatories filed.

Jan. 21, 1992 Affidavit of Consent of Defendant filed.

Jan. 21, 1992 Affidavit of Consent of Plaintiff filed.

Jan. 21, 1992 Upon praecipe of Plaintiff Attorney To Transmit Record, this case moved to court.

Jan. 24, 1992 D E C R E E F I L E D .

AND NOW, January 24, 1992, it is ordered and decreed that CAROL A. SNYDER, Plaintiff, and ROBERT M. SNYDER, Defendant, are divorced from the bonds of matrimony.

All duties, rights and claims of the parties in regard to each other as a result of their marriage are hereby terminated, except for those duties, rights and claims specifically enumerated in a Postnuptial Agreement executed by the parties and dated January 14, 1992, the terms of which are her eby incorporated by reference as if fully set forth herein.

BY THE COURT,
Gordon R. Miller, J

1990

William A. Kuhar, Jr. 113.	COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF TRANSPORTATION vs. JAMES ALLEN HARVEY Filed Jan. 29, 1990 @ 11:16 a.m. Tax & entry Paid $50.50	COMPLAINT IN A CIVIL ACTION 1 copy (atty)

1990

Kathleen R. Nelson

114.

ETHEL J. BORKOWSKI

vs.

JOSEPH C. BORKOWSKI

Filed Jan. 29, 1990
@ 11:27 a.m.

Tax & entry Paid	$50.50
1 count paid	15.00
Pro Co pd 5/8/90	9.00
State pd 5/8/90	10.00
Pro Co pd 5/17/90	5.00

COMPLAINT UNDER SECTION 201(c) OF THE DIVORCE CODE

EQUITABLE DISTRIBUTION

1 copy (atty)

Feb 7, 1990 Affidavit of Service filed: KATHLEEN R. NELSON, ESQUIRE, being duly sworn according to law, deposes and says that the following facts in support of her Affidavit of Service are true and correct to the best of her knowledge, information and belief:

1. That the Affiant is the Arrorney for the Plaintiff in the above-captioned action.

2. That a true and correct copy of the Complaint in Divorce and Notice were sent by registered mail to the Defendant, Joseph C. Borkowski, on February 1, 1990.

3. The registered mail was sent to Joseph C. Borkowski, 610 Washington Street, Meadville, PA 16335. The sender's receipt for said registered mail is attached hereto.

4. That the Defendant received said registered mail on February 5, 1990. Return Receipt card P 076 254 214 is attached hereto, signed by Joseph C. Borkowski and made a part hereof.

Kathleen R. Nelson,
Attorney for Plaintiff

May 4, 1990 Affidavit Of Consent of Defendant filed.

May 4, 1990 Affidavit Of Consent of Plaintiff filed.

May 4, 1990 Upon praecipe of Plaintiff Attorney For Review Under §201(c) of the Divorce Code, this case moved to court.

May 11, 1990 **S T I P U L A T I O N A N D D E C R E E F I L E D .**

AND NOW, this 11 day of May, 1990, the Court **ORDERS** and **DECREES as follows:**

1. **DIVORCE:** Upon consideration of the Pleadings and Affidavits filed in the above-captioned case, this Court hereby grants an absolute divorce from the bonds of matrimony to the above-named parties, on the grounds that the marriage is irretrievably broken and ninety (90) days havae elapsed from the date of filing of the Complaint, and an Affidavit has been filed by each of the parties, evidencing that each consents to the divorce pursuant to Section 201(c) of the Divorce Code.

2. REAL ESTATE:

(A) Washington Street real estate: The parties are owners as tenants by the entireties of residential real estate located on Washington Street, in the Second Ward of the City of Meadville, Crawford County, Pennsylvania. Defendant is in possession of the premises, and shall pay as his sole obligation all past, present, and future costs, expenses, or liabilities attributable to, or resulting from, the ownership of the premises, including, but not limited to, all mortgage payments (interest and principal), repairs and maintenance, taxes and utilities, and homeowner's insurance in connection with said property. Defendant shall hold Plaintiff harmless in regard to said liabilities, and shallhave the right to exclusive use of the property. Plaintiff shall deliver to Defendant a Quit-Claim deed conveying to Defendant all of her right, title, claim and interest in the premises. Said deed shall be in recordable form.

(B) State Street real estate: The parites are owners as tenants by the entireties of real estate located on State Street in the Second Ward in the City of Meadville, Crawford County, Pennsylvania. Plaintiff is in possession ofthe said premises which are owned free and clear of all liens or mortgages, and Plaintiff shall have the right to exclusive use of same. Plaintiff shall pay as her sole responsibility any mortgage payments which may hereinafter become due, repairs, maintenance, taxes, utilities, and homeowner's insurance in conneciton with said property. Defendant shall deliver to Plaintiff a Quit-Claim deed, conveying to Plaintiff all of his right, title and interest in th epremises. Said deed shall be in recordable form.

3. **TANGIBLE PERSONAL PROPERTY:** The parties hereto shall each retain those items of personal property such as jewelry, clothing and personal effects now in his or her possession. Furthermore, the parties shall abide by the previous agreement between them as to the division of furnishings, furniture, and tangible persnal property, which is, or was, located within or about the marital home and real estate on Washington Street, in Meadville, Crawford County, Pennsylvania, during the marriage, and was used in connection therewith.

4. DEBTS AND OBLIGATIONS:

(A) Defendant's Obligation: Defendant shall be soley responsible for the following marital debts and obligations, and shall hold PLaintiff harmless in regard to same: i. Pennbank Commercial Loan - No. 1312719-40617881; ii. CoreStates Bank of Delaware - Acct. No. 4262-4610-1926-0090; iii. Citgo Plus - Acct. No 620661538; iv. J.C. Penney - Acct. No. 073-121-871-5; v. MOntgomery Ward - Acct. No. 243-335-035; vi. Citibank Mastercard - Acct. No. 5410-6549-5234-7117; vii. Visa - Acct. No. 4250-061-546-922; viii. Wickes Lumber - Acct. No. 60050077; ix. Discover Financial Services - Acct. No. 6011-0023-2450-5858; x. Visa - Acctoo. NO. 4233-117-002-372327; xi. J.C. Penney National Bank Mastercard - Acct. No. 5416-9311-7713-6416; xii. Associates National Bank Mastercard Acct. No. 5415-6623-0002-5348; xiii. Chevy Chase F.S.B. Mastercard Acct. No. 5242-0040-8068-9184; xiv. Citibank Visa - acct. No. 4271-3829-6044-1000; and xv. First Bank Card Center - Acct. No 4327-291-013-343.

(B) Plaintiff's Obligation: Plaintiff shall be solely responsible for payment of the Discover Financial Services Acct. No. 6001-0022-1551-44. Subsequent to the payment in full of the Discover Card obligation, Plaintiff shall pay to Defendant a sum, which when addes to the maount paid on the aforesaid account shall totle Five Thousand ($5,000.00) Dollars.

5. **VEHICLES:** Defendant shall retain the Lincoln Continental Limousine, an dany other vehicles titled to him, free and clear of any claim from the Plaintiff.

Plaintiff shall retain any vehicle titled to her, free and clear of any claim from the Defendant.

6. **PPG EMPLOYEE BENEFITS:** Plaintiff has waived any and all claim and entitlement she may have to Defendant's employment benefits with PPG Industries, Inc.

7. **EXPENSES OF ENFORCEMENT:** In the event that violation of this Decree occurs, the violating party is to pay the reasonable attorney fees and Court costs and related expenses incurred by the non-violating party to obtain enforcement of its terms.

by the court,
P. Richard Thomas, J

May 16, 1990 Notice Of Election To Retake Maiden Name filed. Ethel J. Borkowski
To Be Known as: Ethel J. De Marco

1990

Thomas, Truax, Spadafore
Vardaro & Walker
R. Charles Thomas

115.

Pietragallo, Bosick,
& Gordon
Robert J. Behling

PAULA J. RAMEY

vs.

JOYCE M. NEWCOMB
dft.

Mark Logsdon, add'l dft.

Filed Jan. 29, 1990
@ 1:14 p.m.

Tax & entry Paid $50.50
Sheriffs costs 23.00
Pro co Pd 11/2/90 6.00

SUMMONS IN A CIVIL ACTION

Issued (sheriff)

Feb. 8,1990 Writ Returned. SERVED Joyce M. Newcomb personally on Jan. 31, 1990, at 3:35 p.m. by handing a copy of Summons to her at residence 700 Maple St. Meadville, Crawford County, Pa.
So answers, Robert M. Stevens, Dep. Sheriff
Howard N. Stewart, Sheriff

July 10, 1990 Appearance of Pietragallo, Bosick & Gordon by Robert J. Behling for Defendnat filed.

July 10, 1990 Upon praecipe of Defendant Attorney Rule To File Complaint is hereby issued upon Plaintiff.

12 July, 1990 Service of the foregoin Rule is here by accepted by R. Charles Thomas.

Aug. 2, 1990 Complaint filed.

Aug. 31, 1990, Answer and New Matter to Complaint filed.

Aug. 31, 1990 Complaint to Join Additional Defendant, Mark Logsdon, filed. 1 copy (sheriff)

Nov. 1, 1990, Upon praecipe of plaintiff attorney, the above case is hereby marked settled and discontinued of record.

1990

116.

SUSAN RYDER

vs.

JOHN RYDER, JR.

Filed Jan. 29, 1990
@ 1:24 p.m.

Tax & entry	$50.50
Sheriff's Costs	14.00
Pro Co	9.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies (sheriff)
1 copy (plff)

TEMPORARY ABUSE ORDER:

And now, this 29 dayof Jan. 1990 upon review of the petition of plaintiff, the court enters the following order.

1. the defendant shall nto assault, abuse,harass or threaten the plaintiff or any ofthe minor children named inthe petition.

2. Special Conditions: Wife and children will have exclusvie possession of the residence at 767 Water sT.

3. This order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.

4. A copy fo this order shall be dleivered to the police departments in the jurisdiction where the plaintiff resides and to county control.

5. Service of a copy fothe Petiton and this order sahll be made upon the defendant by a sheriff, constable, police office or competent adult.

6. This temporary order shall remain in full force and effect until modified or terminated by further order of this court.

7. The defendant is reminded t hat this is an order of court and violation of this order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.

8. The court reserves ruling on allocation of fees and costs.

Hearing is hereby set for Feb. 9, 1990 at 3:30 p.m. in C. R. No. 1 or 2 of the Crawford County Courthouse. The defendant is advised eh may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF THE COURT,
P. Richard Thomas, J.

Feb 5, 1990 Sheriff's Return filed: NOT FOUND, as to defendant, John Ryder, Jr. On January 31, 1990 at 8:40 A.M. Plaintiff reported that defendant had moved out of residence, and that she and the children were living there.
So answers,

Robert M. Stevens, Deputy Sheriff
Edgar D. Householder, Chief Deputy Sheriff
Howard N. Stewart, Sheriff

Feb. 13, 1989 Order filed. AND NOW, February 9, 1990, at the time scheduled for hearing in this matter, the Defendant did not appear by reason of the fact that he was not served with a temporary abuse Order and the notice to defend, which established the hearing for this time.

Therefore, the temporary abuse Order entered January 29, 1990, is continued in all respects and remains in full force and effect. In addition, temporary custody of the parties' minor children is awarded to the Plaintiff and the Defendant shall have no visitation rights until there has been a hearing in these proceedings or in any other proceeding where visitation and custody is determined by a Court of competent jurisdiction.

The authority's responsibility for serving the temporary abuse Order and notice of hearing shall continue to make an effort to serve those on the Defendant. If the Plaintiff has any knowledge that the Defendnat is about to return to Crawford County or is in Crawford County, she shall notify County Control of that fact so that service on the Defendant may be obtained.

Once service is made on the Defendant, the Plaintiff or the Defendant shall have the right to file a motion with the Court to schedule ahearing to review the temporary abuse order.

A copy of this Order shall be attached to the temporary abuse Order and shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.

The Plaintiff is excluded from paying costs incurred to date and the Court reserves ruling on the allocation of fees and costs until a final Order is entered.

BY ORDER OF THE COURT,
Gordon R. Miller, J

Feb. 20, 1990 Copies of order given to Gerald Sullivan and County Control

1990

Thomas, Truax, Spadafore, Vardaro, Walker
Anthony J. Vardaro

117.

~~Watts, Pepicelli~~, ~~Youngs and Youngs~~
~~Theodore Watts~~

MEADVILLE AREA FEDERAL CREDIT UNION

vs.

LAURIE A. BRECHT

Filed Jan. 29, 1990
@ 4:14 p.m.

Tax & entry Paid $50.25
Pro Co. Pd 3/23/90 9.00

APPEAL OF DEFENDANT FROM JUDGMENT OF WILLIAM D. CHISHOLM
MAGISTERIAL DISTRICT NUMBER 30 - 2 - 01

Jan. 29, 1990, Rule entered upon plaintiff to file Complaint Issued.

Jan. 31, 1990 Proof of Service filed.

Feb. 12, 1990 Complaint filed.

Feb. 13, 1990, Motion to Withdraw As Counsel and Order filed. ORDER: AND NOW, this 12 dayof Feb. 1990 upon consideration of the within Motion, the same is granted and counsel is given leave to withdraw his appearance for the defendant.

By the Court,

Feb. 16, 1990 copies to A. Vardaro, & T. Watts.

Feb. 27, 1990 Affidavit of Service filed. Vicki Bradshaw, being duly sworn according to law, deposes and says that she is the secretary to Anthony J. Vardaro, Esquire, Attorney for Plaintiff in this action and certifies that on February 19, 1990 she sent a true and correct copy of the Complaint in this matter to Laurie A. Brecht at R.D. #4, Box 734, Meadville, PA 16335 by United States mail, first class postage prepaid.

Vicki Bradshaw

March 23, 1990 at 4:25 p.m. AND NOW upon Praecipe of Plaintiff Attorney, with copy of Intention to file default judgment attached, judgment is hereby entered in favor of plaintiff and against Defendant for failure to file an answer and damages are assessed as follows:

1. Principal plus accrued interest to 2/9/90	$1,233.73
2. Attorney's fees pursuant to the note	500.00
Total	$1,733.73

Plus interest accruing from 2/9/90 at 13% per annum.

By: Anthony J. Vardaro, Esq.

B-104
Judgment entered 3/23/90

Debt $ 1,733.73
Judgment
James F. Simmons, Pro.

EX1990-39

1990

Pollard, Walker & Vollmer
Charles J. Vollmer

118.

Donald E. Lewis

AMERICAN CASUALTY COMPANY OF READING, Pa.

vs.

G. DON WILSON

Filed Jan. 30, 1990
@ 10:47 a.m.

Tax & entry Paid	$50.50
Sheriffs costs	20.00
Arb. Pd 10-18-90	15.00
Pro.Co. Pd 10/8/93	5.00

COMPLAINT

Feb. 13, 1990, Sheriffs Return filed. SERVED G. Don Wilson on Feb. 6, 1990 at 2:30 p.m. by handing copy of complaint to Kim Gebhardt, his Sec. at 340 Main St. Saegertown, Crawford County, Pa.
So answers, Robert M. Stevens, dep. sheriff
Howard N. Stewart, sheriff

FEb. 26, 1990, Answer filed.

Oct 18, 1990 Attorney for Plaintiff files Praecipe for Arbitrators, whereupon the following Arbitrator are appointed:

PAUL D. SHAFER, Chairman

Curtis E. Blystone

Bettie Peterson-Muth

Oct. 31, 1990 Arbitrators take qualifying oath.

Oct. 8, 1993 Upon Praecipe of Attorney John R.Keating, Esquire for Plaintiff, the above captioned matter is settled and discontinued of record.

1990

119.

VENIRE FOR THE THIRD AND FOURTH WEEK OF APRIL 1990

Filed January 30, 1990

ORDER FOR SEVENTY FIVE QUALIFIED PERSONS TO COME AND SERVE AS JURORS FOR TRIAL COMMENCING APRIL 16, 1990

Issued (sheriff)

TO SHERIFF AND JURY COMMISSIONERS OF CRAWFORD COUNTY:

We command you, in your official capacity to draw from the jury wheel in accordance with the law, the names of 75 persons to serve as jurors in the Court of Common Pleas, to be held at the Court House in Meadville, Pa. commencing April 16, 1990 at 9:00 a.m.

You the sheriff, shall make an appropriate return as to how you have executed this order on the day and date aforesaid

BY ORDER OF the Hon. P. Richard Thomas, President Judge at Meadville, this Thirtieth dayof Jan. 1990.

James F. Simmons, Prothonotary

May 3, 1990, S heriffs Return filed. I do hereby make return that I have summoned the 75 persons whose names appear on schedule hereto atta ched to serve as jurors at a term of Court to be held at Meadville, Pa. commencing on Monday, Apr. 16, 1990

So answers, Howard N. Stewart, sheriff

The schedule hereto attached is a correct list ofthe above jurors drawn by us.

Nancy L. Hanes

Dorothy H. Kennedy, Jury Commissioners

1990

120.

FIRST SENECA BANK
248 Seneca Street
Oil City, Pa. 16301

vs.

WILLIAM J. GRANDIN
MARTHA P. GRANDIN
Titusville, Pa. 16354

Filed Jan. 30, 1990
@ 1:20 p.m.

Pro Simmons Paid	$15.00
plff on orig	9.50
Satisfaction Pd.	5.00
Pro Paid 7/16/90	1.00

WRIT OF REVIVAL
OF
DSB 1985 - 13

Writ of Revival of Judgment indexed in favor of the plaintiff and against the defendants in the amount of Thirty Five thousand Seven Hundred Fifty and 88/100 Dollars with interest from 11/16/84.
Debt -$35,750.00
Int. from Nov. 16, 1984
G - 174, 114 ----REVIVAL OF JUDGMENT
James F. Simmons,
Prothonotary

Issued (sheriff)

June 4, 1990 This Lien Satisfied. (See paper filed).

Jan. 3, 1990 Writ Return filed. Writ Returned 1-3-91 to Prothonotary. No service instructions or costs received by S Sheriff's Office.
So answers, Howard N. Stewart, Sheriff

1990

Mason and Mason
M. Dan Mason

121.

David R. Devine

LARRY HAWK

vs.

MIKE HUYA, JR.

Filed Jan. 30, 1990
@ 1:50 p.m.

Tax & entry Paid $50.25
Pro Co Pd 5/10/90 - 15.00
Pro Co pd 11/5/90 9.00

APPEAL OF DEFENDANT FROM JUDGMENT OF ROBERT J. LEONHART, MAGISTERIAL DISTRICT 30 - 3 - 03

Jan. 30, 1990, Rule entered upon plaintiff to file complaint issued.

Jan. 31, 1990 Proof of Service filed.

Feb. 16, 1990, Complaint filed. 1 copy (atty)

Mar 15, 1990 Answer to Complaint filed.

Mar 23, 1990 Answer to Defendant's Counterclaim filed.

May 9, 1990, Upon praecipe of plaintiff attorney, for appointment of arbitrators, the following arbitrators are appointed:
David L. Hotchkiss, Ch.
F. C. Kiebort, Jr.
Kathleen R. Nelson

June 14, 1990, Arbitrators take the Qualifying Oath.

June 19, 1990 Notice Of Arbitrators' Hearing filed.

Aug. 21, 1990 Decision of Arbitrators filed in which they find: And Now, the 21st day of August, 1990, we the undersigned Arbitrators chosen in this case, after having been duly sworn and having heard the evidence and allegations of the parties find for Plaintiff and against Defendant in the amount of ONe Thousand and ten ($1010.00) dollars upon Plaintiff's claim; and for Plaintiff and against Defendant on the Counterclaim.
Decision filed 8-21-90 H- 116
Decision of Arbritrators James F. Simmons, Pro.

Aug. 21, 1990 copies mailed to Atty. Devine and in D. Mason's Box.

And now, Nov. 2, 1990 at 4:24 p.m., upon praecipe of plaintiff attorney judgment is hereby entered in the above captioned matter in accordance with decision of the Board of Arbitrators entered thereon.
H-116
judgment entered 11/2/90

Debt $1,010.00
JUDGMENT
James F. Simmons
Prothonotary

1990

Allen and Hall
Stephen E. Hall

122.

Joan Mason

GEORGE A. BILUNKA

vs.

CHERRY LEE BILUNKA

Filed Jan. 30, 1990
@ 2:50 p.m.

Tax & entry Paid	$50.50
Pro Co Pd 4-7-92	15.00
Stare Pd 4-7-92	5.00
Pro Co pd 4/21/92	9.00
State paid 4/21/92	10.00

COMPLAINT UNDER SECTION 201(c) OF THE DIVORCE CODE

1 copy (atty)

Jan. 27, 1992, Complaint Reinstated.

Apr. 7, 1992 PETITION FOR ADDITIONAL REMEDIES, EQUITABLE DISTRIBUTION, filed. 2 copes (atty)

Apr. 16, 1992 Acceptance of Service filed. I, the undersigned Defendant in the above-captioned action, hereby accept service of the foregoing Complaint in Divorce.
Date: February 25, 1992 Cherry Lee Bilunka

Apr. 16, 1992 Acceptance of Service filed. I, the undersigned Plaintif fint he above-captioned action, hereby accept service of the foregoing Petition for Additional Remedies.
Date: 040892 George A. Bilunka

Apr. 16, 1992 Affidavit of Consent of defendant filed.

Apr. 15, 1992 Affidavit of Consent of Plaintiff filed.

Apr. 16, 1992 Upon praecipe of Plaintiff Attorney For Review Under §201(c) of the Divorce Code, this case moved to court.

DIVORCE DECREE

April 27, 1992 DECREE filed. AND NOW, this 24th day of April, 1992, the court orders and follows:

1. DIVORCE:

Upon consideration of the pleadings and affidavits filed in the above-captioned case, this court hereby grants an absolute divorce from the bonds of matrimony to the above-named parties, on the grounds that the marriage is irretrievably broken and ninety (90) days have elapsed from the date of the filing of the complaint, and an affidavit has been filed by each of the parties, evidencing that each of the parties consents to the divorce pursuant to Section 3301(c) of the Pennsylvania Divorce Code.

2. REAL ESTATE:

A. Plaintiff shall retain the residential real estate, house, outbuildings, and swimming pool located at RD # 1, Atlantic, Greenwood Township, Crawford Co., PA., with the exception of the following items, which shall belong to the Defendant:

(1) The Jacuzzi spa, including the entire package, and any decking, chemicals, and items of personal property used in connection with the spa, with the removal to be at the Defendant's discretion as to the time and method of removal, and with the expenses of the removal itself to be hers.

(2) Plaintiff, George A. Bilunka shall be solely responsible for any debts owed in connection with said residential real estate, including all interest and principal owed to Marquette Savings Association, at any time in the past and for the future, all homeowners' insurance premiums, any municipal liens, all real estate taxes past and future, and any and all other expenses in connection with said real estate and improvements thereon.

(3) Said transfer shall be by way of quit claim deed from the Defendant to the Plaintiff, said deed to be prepared at the expense of the Plaintiff.

(4) Located on said residential real estate, is a 10'x10' greenhouse. Plaintiff hereby agrees to provide for the Defendant, at a place chosen by her within Crawford Co., PA., a 10'x12' greenhouse, to be built by the Plaintiff with similar materials, of similar quality, to the greenhouse currently existing on the Atlantic real estate. This greenhouse shall be constructed by him at no expense to the Defendant, except for her contribution towards materials of no more than $200.00 altogether. Said greenhouse shall be constructed by the Plaintiff no later than Oct. 31, 1992. Defendant's only obligation of any sort towards the construction and costs for said greenhouse, shall be said $200.00 noted above.

(5) Notwithstanding any other provision of this decree, the Defendant and her two daughters and foster child, shall have the right to remain in the RD # 1, Atlantic property up to and including Aug. 31, 1992, at her sole discretion. The Plaintiff shall not attempt to have the Defendant or the three children removed from the home, and shall not harass, annoy, or make their stay at the home unpleasant in any manner, up to and including Aug. 31, 1992. By Sept. 1, 1992, the Defendant shall not move anyone else into the home prior to Sept. 1, 1992, nor shall he have female visitors at the home, apart from his mother, his aunts, and his blood relatives already known to the Defendant.

B. Plaintiff shall retain the land lots located in Interlachen, Florida, which lots are in his name alone.

C. Defendant shall retain the real estate titled in her name alone, and the garage located thereon, located at RD # 2, Conneaut Lake, Crawford Co., PA.

3. PERSONAL PROPERTY:

The Defendant, Cherry Lee Bilunka shall have the right to have as her sle and separate property, any and all personal property she owned prior to the time of this marriage, as well as any personal property (furniture, appliances, decorations, knickknacks, kitchen items and so forth); acquired during the course of the marriage up through the present time, and prior to the time of the marriage but since the parties commenced living together, May 2, 1987. The Plaintiff will not hinder the Defendant in removing said items. The selection of said items, up to and including all of the same, shall be in the Defendant's sole discretion. These items to be removed by the Defendant, and to be hers alone, shall include but not be limited to all garden related items consisting of water fountains, bird baths, pots, patio furniture, lawn or garden statues, hand tools. The parties also acknowledge that she will be removing her sewing machine and all related materials and equipment.

4. VEHICLES:

The Defendant shall retain the 1986 Pontiac TransAm automobile, which is titled in her name alone, and she shall have exclusive use of said vehicle, free of any claim from the Plaintiff. The Plaintiff shall pay all remaining installments on said automobile, in the amount of $253.43 a month, owed to First National Bank of Mercer County, and shall make each payment on a timely basis. He shall also be solely responsible for the payment of automobile insurance providing coverage such as has been in effect for the last year, on said vehicle, through December 31, 1992.

Plaintiff shall retain the 1981 Dodge sedan, titled to him alone, which is debt free.

5. MISCELLANEOUS DEBTS:

The Plaintiff shall pay to the Defendant, the sum of $5,000.00 cash, at such time as she transfers her interest in the jointly owned real estate to him alone, which $5,000.00 shall be utilized to liquidate all credit card balances owed by the Defendant alone. The Plaintiff shall assume full responsibility for all credit card accounts and consumer loans or other debts, titled to him alone. (The parties hereto owe no joint loans or debts other than the Marquette mortgage noted above.)

6. PENSION, RETIREMENT, AND PPG BENEFITS:

The Plaintiff shall retain PPG benefits and other employer related savings and retirement benefits, free and clear from of any claim from the Defendant.

Record Continued on
Page 122 (a).....

George A. Bilunka

vs.

Cherry Lee Bilunka

Record Continued from Page 122

OF

AD 1990 - 122

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7. WAIVER OF FILING OF DOCUMENTS:
Neither party hereto shall require the other party hereto shall require the other party hereto to file an inventory and appraisement as would otherwise have been required by the PA. Rules of Civil Procedure. Each party is aware of the debts and assets acquired during the marriage.

8. WAIVER OF CLAIMS:
Neither party hereto shall make any claim against the other party hereto, except for enforcement of the rights and responsibilities set forth in this decree.

BY THE COURT,
Gordon R. Miller, J.

122
(b)

19 90

123.

REDEVELOPMENT AUTHORITY
OF THE CITY OF MEADVILLE

vs.

MARVIN & DEBORAH BURNETTE
R. B. AND EL MARIE MOODY

Filed Jan. 30, 1990
@ 3:36 p.m.

Pro Simmons paid $9.00
plff on orig. 9.50

AGREEMENT TO REVIVE

of

DSB 1985 - 93

Agreement to revive indexed in favor of the plaintiff and against the defendants in the amount of Five Hundred Twenty One and 23/100 plus costs.

Debt ------$521.23
B - 114, 44
M - 146, 56

JUDGMENT
James F. Simmons,
Prothonotary

1990

Brian J. Lindsay

124.

IN THE MATTER OF:
THE PETITION OF LOUIS RICHARD HOWELL FOR CHANGE OF NAME

Filed Jan. 31, 1990
@ 9:14 a.m.

Tax & entry	Paid	$50.50
Cert.		5.00
Pro Co		9.00

PETITION FOR NAME CHANGE

1 copy (atty)

ORDER:
AND NOW, this 31st dayof Jan. 1990, upon consideration of the foregoing Petition, a hearing on said Petition is set for 5th of March 1990 at 1:30 p.m. in c. R. No. 1 or 2 of the Crawford County courthouse, Meadville, Pa.

The Petitioner are directed to give notice of the hearing by publication in two newspapers of general circulation in Crawford county, Pa., one of which publications may be in the crawford County Legal Journal, and such other notice of the hearing as the court shall require.

BY THE COURT,
Gordon R. Miller, Judge

Jan. 31, 1990, copy of order to B. Lindsay, ESq.

Feb. 20, 1990, Proof of Servcie filed. AND NOW, Brian J. Lindsay, atty. for petitioner, hereby states that a change of name Notice was published inthe Meadville Tribune on the 16th day of Feb 1990. Proof of Publication is attached hereto. Brian Lindsay, Esq.

Mar. 2, 1990, Proof of Service filed. And Now, Brian J. Lindsay, attorney for Petitioner, hereby states that a change of Name notice was published in the legal Journal on the 21st dayof Feb. 1990. Proof of publication is attached hereto.
Brian J.Lindsay, esq.

Mar. 5, 1990 Certificate of Lien of Prothonotary filed.

Mar. 5, 1990, Certificate of Recorder's Office filed.

Mar. 5, 1990, DECREE filed. DECREE: AND NOW, this 5th day of March, 1990, after hearing of the within Petition, and upon presentation of the proof of publication of notice as required by law, together with proof that there are not judgments of decrees of record against Louis Richard Howell the court finds a change of name to be appropriate.

IT IS ORDERED AND DECREED that the name of louis Richard Howell be and is hereby changed TO LOUIS RICHARD KLINGENSMITH.

BY ORDER OF THE COURT,
Gordon R. Miller, J.

Mar. 6, 1990, three certified copies to Atty. Lindsay.

June 5, 1990 Affidavit filed. I, Brian J. Lindsay, Esq., after being duly sworn according to law, depose and say that I am the attorney of record of Louis Richard Howell, at that as such I am authorized to execute this Affidavit; that I did on the 18th day of May, 1990, send by Certified Mail, Addressee only, Return Receipt requested, a certified copy of Decree for Name change along with letter dated May 16, 1990, to PA. Dept. of Health, Vital Records, 101 South Mercer St., New Castle, PA 16101, as evidenced by the attached sender's receipt No. P 276 200 349, and that on the 22nd day of May, 1990, I did receive the duly execute return receipt dated May 21, 1990.

Brian J. Lindsay, Attorney

1990

Elderkin, Martin, Kelly
Messina & Zamboldi
Kenneth G. Vasil

125.

SEARS, ROEBUCK AND COMPANY
800 Millcreek Mall
Erie, Pennsylvania

vs.

ROBERT ALABRAN AND CYNTHIA
ALABRAN, HIS WIFE

Filed Jan. 31, 1990
@ 11:31 a.m.

Tax & entry Paid	$50.50
Sheriffs costs	28.28
Pro Co Pd 2/23/90	6.00

COMPLAINT

2 copies (sheriff)

Feb. 13, 1990, Sheriffs Return filed. SERVED Robert Alabran personally on Feb. 6, 1990 at 10:55 a.m. by handing copy of Complaint to him at his residence R. D. #2, box 191 H Cochranton, Crawford County Pa. 16314.

SERVED Cynthia Alabran on Feb. 6, 1990 at 10:56 a.m. by handing a copy of the Compalint to her husband, Robert Alavran, at their residence, R. D. #2, Cochranton, crawford County, Pa. 16314.

So answers, robert M. stevens, dep. Sheriff
Howard N. Stewart, sheriff

FEb. 20, 1990, Upon praecipe of plaintiff attorney, the above action is hereby discontinued of record.

1990

Mary Ann Kirkpatrick

126.

Ferguson& Spataro
John F. Spataro

CAROL WITSCHER

vs.

HERMAN ANDREW WITSCHER

Filed Jan. 31, 1990
@ 1:27 p.m.

Tax & entry Paid $50.50✓
2 counts paid 30.00✓

Curtis E. Blystone, Master

COMPLAINT IN DIVORCE, ALIMONY PENDENTE LITE, COUNSEL FEES, COSTS, EXPENSES, EQUITABLE DISTRIBUTION

1 copy (atty)

Feb. 21, 1990 Affidavit Of Service filed. And Now, February 16, 1990, comes Lisa M. Sherretts, being duly sworn according to law, deposes and sets froth as follows:
1. That she is the legal secretary of Attorney for Carol Witscher, Plaintiff in the above-captioned matter.
2. That on information furnsihed to her by the Plaintiff, she caused a certified copy of the Complaint in Divorce to be forwarded by Certified Mail, P 401 441 476; postmarked February 1, 1990, to the last known address of the Defendnat, Herman Andrew Witscher, 758 Andrews Road, Meadville, Pennsylvania 16335.
3. That the defendnat, Herman Andrew Witscher, on February 2, 1990, personally signed the return receipt card which was affixed to the Complaint in the above-matter and which is attached hereto as Exhibit "A".
4. Service ofthe Complaint against the Defendant is therefore effected in accordance with Pennsylvania Rules of Civil Procedure.
Lisa M. Sherretts

July 29, 1992 Inventory of Plaintiff filed.

July 29, 1992 PLAINTIFF'S AFFIDAVIT UNDER SECTION 3301(d) OF THE DIVORCE CODE filed.

July 29, 1992 Affidavit of Consent of Plaintiff, filed.

July 30, 1992, Income and Expense Statement of plaintiff filed.

Aug. 11, 1992 Affidavit of Service filed. And Now, august 10, 1992, comes Constance L. Deitman, being duly sworn according to law, deposes and sets forth as follows:
1. that she is the legal secretary of Attorney for Carol Witscher, Plaintiff in the abaove-captioned matter.
2. That on information furnished her by the Pl aintiff, she caused copies of the Plaintiff's Inventory, the Pla intiff's Affidavit of Consent to Divorce (Section 3301(c), the expense Statement to be forwarde dby certified Mail, P 899 085 775; postmarked August 5, 1992, to the last known address of the defendnat, Herman Andrew Witscher, 758 Williamson Rd., Meadville, PA 16335.
3. That the Defendant, Herman Andrew Witscher, on August 7, 1992, personally singed the return receipt card which was affaixed to the above-mentioned documents in the above-matter and which is attached hereto.
4. Service of the Documents against defendant is therefore effected in accordance with Pennsylvania Rules of Civil Procedure.
Constance L. Deitman

Aug. 19, 1992 Motion to Appoint master and Order filed. And Now, August 19, 1992, Curtis E. Blystone, Esquire, is appointed master in respect to the following claims: divorce, alimony, distribution of property, counsel fees, costs & expenses. Deposit required: By Plaintiff $500; by Defendant $500. If not filed already the parties are ordered to file their pretrial statements within thirty (30) days from this date.
By the Court:
Anthony J.Vardaro, J.

August 21, 1992 Copy of the order to Mary Ann Kirkpatrick, Esquire.

Sept. 24, 1992 Appearance of Ferguson & Spataro by John F. Spataro,Esquire for Herman Andrew Witscher, Defendant, filed.

Feb. 17, 1998 Important Notice and Court Order filed. Out court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since 9-24-92. We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonable delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.
If you do not object to this case being dismissed, you do not have to do anything. The case will be marked "dismissed with prejudice" in our records, and will be over forever.
I If you object to the case being dismissed, you must put your objections in writing and follow Crawford County Civil Local Rule L206, LJA 1901E and LJA1901F, explaining why there has been a delay in your case and why it is not unreasonable. These written objections must be filed in the Prothonotary's Office on or before April 24, 1998. You must also give or send a copy of any objections you file to the other party or his or her attorney, and certify that you have done so when you file your objections with the Prothonotary.
YOU MAY LOSE IMPORTANT RIGHTS IF YOUR CASE IS TERMINATED. YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHER EYOU CAN GET LEGAL HELP.
Court Administrator
Second Floor-Crawford County Courthouse
Meadville, PA 16335
(814) 333-7498

By the Court,
Date: February 13, 1998 Anthony J. Vardaro, J
Feb. 13, 1998 Copies mailed by Court Administrator's Office

May 6, 1998 Order filed. AND NOW, this fourth day of May, 1998, written notice of the Court's intent to terminate the cases listed below having been given to the parties or their counsel of record, and further notice having been given to counsel and parties by publication of a "Notice of Intent to Terminate Cases" printed in the Crawford County Legal Journal on April 15, 1998, and no objection thereto haing been received by the Court from either party in the cases listed below, **all and each of the 245 cases listed below are hereby terminated and dismissed with prejudice.** A copy of this order shall be filed at each of the docket numbers listed below, but copies need not be given to or served upon the parties or their attorneys. Cases may be reinstated only in accordance with Crawford County Rule LJA 1901.
By the Court:
Gordon R. Miller, P.J.

(See original filed at A.D. 1997 - 702)

1990

Jack, Kookogey and Felton
John S. Kookogey

127.

ANDREW BOYTHE AND JEAN BOYTHE, HIS WIFE, WILLIAM BOYTHE, LELIA BOYTHE, HIS WIFE, AND DOUGLAS EXPLORATION, INC.

vs.

WILLIAM RUGAR, CARL SHUNTILL, FRED SHUNTILL, HILDA McCURDY, BARBARA SHUNTILL, GORDON LABART ALLEN LAIRD AND ---- LAIRD, HIS WIFE, AND ELLA A. FISH AND ------ FISH, HER HUSBAND, THEIR RESPECTIVE HEIRS, PERSONAL REPRESENTATIVES AND ASSIGNS

Filed Jan. 31, 1990
@ 2:39 p.m.

Tax & entry Paid $50.50
Pro Co pd 4/18/90 9.00

COMPLAINT - ACTION TO QUIET TITLE

Feb 1, 1990 Motion for Leave to Serve by Publication and Order filed: AND NOW, Jan 31, 1990 on motion of John S. Kookogey, Attorney for Plaintiffs in the above-captioned matter, leave is hereby granted to serve WILLIAM RUGAR, CARL SHUNTILL, FRED SHUNTILL, HILDA McCURDY, BARBARA SHUNTILL, GORDON LABART, AND ALLEN LAIRD, AND ELLA A. FISH, and their respective spouses, if any, and their respective heirs, personal representatives and assigns, generally, Defendants in said Action, by publication of a notice of the facts set forth in the Complaint in the Titusville Herald a newspaper of general circulation, one (1) time and requiring the said Defendants to plead within twenty (20) days from last date of publication thereof.

PER CURIAM,
P. Richard Thomas, J

Feb 7, 1990 Copies of order mailed to Atty. Kookogey.

Mar. 16, 1990 Affidavit, Motion for Judgment and Order filed. AND NOW, this 15 day of March, 1990, upon presentation of the foregoing motion and due consideration thereof, it is hereby ORDRED AND DECREED that the defendants, WILLIAM RUGAR, CARL SHUNTILL, FRED SHUNTILL, HILDA McCURDY, BARBARA SHUNTILL, GORDON LABART, ALLEN LAIRD and LAIRD, his wife, and ELLA A. FISH, and FISH, her husband, and their heirs, personal representatives, and assigns, are forever barred from asserting any right, title lien or interest inconsistent with the claim of the Plaintiffs, as set forth in the Complaint in this case, of in, or any way attaching the title ofthe Plaintiffs in said property, or from issuing or continuing any action attacking the same, and from encumbering, mortgaging or conveying the same or any part thereof, unless the Defendants, WILLIAM RUGAR, CARL SHUNTALL, FRED SHUNTALL, HILDA McCURDY, BARBARA SHUNTILL, GORDON, LABART, ALLEN LAIRD, and LAIRD, his wife, and ELLA A. FISH, and FISH, her husband, and their heirs, personal representatives, and assigns, take such actionas is herein directed within thirty (30) days after the entry of this judgment. If it further ORDERED AND DECREED that if no Petition to open this judgment or set aside this Decree is presented by the Defendants, WILLIAM RUGAR, CARL SHUNTILL, FRED SHUNTILL, HILDA McCURDY, BARBARA SHUNTILL, GORDON LABART, ALLEN LAIRD, and LAIRD, his wife, and ELLA A. FISH, and FISH, her husband, and their heirs, personal representatives, and assigns, within thirty (30) days from and after the entry of this Decree, the same shall be final. If such action is not taken within said thirty day period, the Prothonotary, on praecipe of the Plaintiffs, shall enter final judgment.

PER CURIAM,
P. Richard Thomas, J

Mar. 20, 1990 Copy of order mailed to John Kookogey

And now, Apr. 18, 1990 @ 12:02 pm upon praecipe of plaintiff's attorney, final judgment is hereby entered in this case, in favor of the plaintiffs and against the defendants, pursuant to the foregoing Order of Court.
R-174; S-33-63-23; M-84; L-14; F-56

FINAL JUDGMENT
James F. Simmons
Prothonotary

1990

Barrett & Dratler Bruce A. Barrett 128.	EDWARD E. STERNBY AND CHARLOTTE J. STERNBY, HIS WIFE vs. JOHN C. MARCECA AND KAREN L. MARCECA, NOW KAREN L. McFIGGEN Filed Jan. 31, 1990 @ 3:17 p.m. Tax & entry Paid $50.50 ✓ Sheriff's Costs 27.40	COMPLAINT 2 copies (sheriff) Mar. 1, 1990 Sheriff's Return filed. On february 2, 1990, a certified letter was mailed to John C. Marceca at P.O. Box 1478, Cedar Park, Texas 78613 which was returned marked "Unclaimed" and hereto attached. SERVED by mailing by certified mail February 5, 1990 to Karen L. McFiggen at 12700 Valente Road, Austin, Texas 78726, signed return receipt attached. So answers, Howard N. Stewart, Sheriff

1990

William J. Gregg

129.

JACQUELINE A. FERRY

vs.

ROGER L. FERRY

Filed Feb. 1, 1990
@ 11:26 a.m.

Tax & entry	$50.50
Sheriff's costs	23.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies (sheriff)
1 copy (plff)

TEMPORARY ABUSE ORDER:

AND NOW, this 1st dayof Feb. 1990, upon review of the petition of the plaintiff, the court enterss the following temporary order:

1. The defendant shall not assault, abuse, harass or threaten the plaintiff or any of the minor children named in the Petition.

2. Special Conditions: Temporary custody of the minor children is awarded to the mother. The father shall not return to the marital residence of the mother and children are residing there.

3. This order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.

4. A copy of this order shall be delivered to the police departments in the jurisdiction where the plaintiff resides and to county control.

5. Service of a copy of the petition and this order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.

6. This temporary order shall remain in full force and effect until modified or terminated by further order of this court. liability for payment of fees and costs will be determined by final court order.

7. The defendant is reminded that this is an order of court and violation of this order may be punishable of a fine up to $1,000 and a jail sentence of up to six months.

8. The court reserves ruling on allocation of fees and costs.

Hearing is hereby set for Thursday, Feb. 8, 1990 at 2:00 p.m. in C. R. NO. 1 or 2 of theCrawford County courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF THE COURT,
Gordon R. Miller, J.

Feb 5, 1990 Sheriff's Return filed: SERVED Roger L. Ferry personally on February 2, 1990 at 9:34 A.M. by handing copy of Protection from Abuse to him at Sheriff's Office, Crawford County Courthouse, Meadville, Pa 16335.
So answers Catherine I. Allen, Deputy Sheriff
Howard N. Stewart, Sheriff

Feb. 12, 1990 Motion For Continuance and ORDER filed. AND NOW, this 7th day of February 1990, the hearing in the above matter is continued generally.

P. Richard Thomas, J.

Feb. 14, 1990, Copy of Order to Atty. William Gregg.

Feb. 20, 1990 Affidavit Of Service filed. WILLIAM J. GREGG, ESQUIRE, being duly sworn according to law, deposes an dsays that the following facts in support of his Affidavit of Service are true and correct to the best o fhis knowledge, information and belief:

1. That the Affiant is the Attorney for the Plaintiff in the above-captioned action.
2. That a true and correct copy of the Complaint in Divorce and Notice were sent by registered mail to the Defendant, Roger L. Ferry, on February 14, 1990.
3. The registered mail was sent to the defendant received said registered mail on February 16, 1990. Said Return Receipt card P. 076 254 240 is attached hereto, signed by Roger Ferry, and made a part hereof.

William J. Gregg

1990

James D. Belliveau
Edgar M. Snyder &
Associates

130.

ROBERT E. TURNER AND SUSAN TURNER, AS THE PARENTS AND NATURAL GUARDIANS OF RYAN TURNER, A MINOR

vs.

PRUDENTIAL INSURANCE COMPANY OF AMERICA

Filed Feb. 1, 1990
@ 12:59 p.m.

Tax & entry Paid $50.50 ✓

PETITION FOR APPROVAL TO SETTLE CLAIMS OF A MINOR

1 copy (atty)

ORDER OF COURT:

AND NOW, to-wit this 5 day of Feb. 1990, upon the foregoing petition, it is hereby ordered that the prayer of said petition is granted.

Petitioners, Robert E. Turner and Susan Turner, are hereby given leave to court to settle the claims of the minor, Ryan Turner, for the sum of Seven Thousand Five Hundred ($7,500.00) Dollars. Distribution of said sum shall be as follows:

a. The sum of $4,919.17 shall be distributed to the minor Ryan E. Turner, provided however that said sum shall be deposited in an account at the Penn Bank, Conneaut Lake, Pa. with the restricted endorsement that no sum shall be withdrawn until the minor achieves the age of eighteen (18) years on Dec. 5, 1995, or unless otherwise ordered by court;

b. The sum of $2,459.58 to the law firm of Edgar M. Snyder & Associates for its fee for services rendered in conjunction with this matter; and

c. The sum of $121.25 to the law firm of Edgar M. Snyder & Associates for its costs incurred in the representation of the minor, Ryan Turner.

By the court
P. Richard Thomas, J.

1990

Ann Hansen Gamble
Fuller, Kinnunen,
Petruso & Gamble

131.

Marsh, Spaeder, Baur,
Spaeder & Schaaf
Thomas M. Lent

J. CURTIS ROBERTS, A MINOR, BY JAMES L. ROBERTS, HIS GUARDIAN, AND JAMES L. ROBERTS, INDIVIDUALLY

vs.

DONALD E. CHAPPEL

Filed Feb 1, 1990
@ 1:25 p.m.

Tax & entry Paid $50.50 ✓
Sheriffs costs 31.40 ✓
Pro Co. pd 9/19/91 6.00

COMPLAINT

2 copies (atty)

(JuryTrial Demanded)

Feb. 22, 1990, Sheriffs REturn filed. SERVED Donald E. Chappel personally on Feb. 7, 1990 at 12:05 P.M. by handing a copy of Compalitn and Interrogatories to him at his residence 223 east Walnut Street, Titusvile, Crawford County, Pa. 16354
So answers, Robert M. Stevens, Dep. sheriff
Howard N. Stewart, Sheriff

Feb. 23, 1990 Appearance of Marsh, Spaeder, Baur, Spaeder, & Schaaf, by Thomas M. Lent, attorneys for defendant filed.

Mar. 1, 1990, Preliminary Objections filed.

Mar.1, 1990, Upon praecipe of defendant attorney, this case placed on next argument list.

ON ARGUMENT LIST FOR APRIL 1990

Apr. 30, 1990 Motion To Withdraw Preliminary Objections filed.

July 10, 1990 Answer and New Matter filed.

July 10, 1990 Notice Of Serving Answers To Plaintiffs' Interrogatories To Defendnat (First Set) filed.

July 12, 1990 Verification filed.

Aug 1, 1990 Preliminary Objections filed.

Dec. 13, 1990 Upon praecipe of Plaintiff Attorney this case is placed the the next available argument list.

On January 1991 Argument List

Jan. 28, 1991 ORDER filed. AND NOW, Jan. 28, 1991 at the argument held on the Plaintiff's preliminary objections challenging the sufficiency of paragraphs 16, 17, and 18 of the Defendant's new matter, counsel for the Defendant advises the Court that he does not know of any fact that would support those allegations. Therefore, the allegations contained in paragraphs 16, 17, and 18 of the Defendant's new matter are not proper fact pleading, are not sufficiently specific as requied by the rules, and are therefore stricken.
By Order Of The Court,
Gordon R. Miller, P.J.
Jan. 30, 1991 Copy of Order to Attys. Ann Hansen Gamble, Thomas M. Lent.

Sept. 19, 1919 Upon Praecipe of Plaintiff Attorney, this case marked settled and discontinued fo record.

1990

Culbertson, Weiss, Schetroma and Schug
E. Max Weiss

132.

Watts, Pepicelli, Youngs & Youngs
Alan L. Pepicelli
Leonard Curl

LEECH INC., LEETECH, INC. AND DANIEL J. LEECH

vs.

PENN UNITED TECHNOLOGY, INC. SEPARATELY AND d/b/a AND AS SUCCESSOR TO SELECTRONIC PLATING COMPANY, and/or SLEECTRONIC PLATING, INC. and LEONARD CURL

Filed Feb. 1, 1990
@ 4:20 p.m.

Tax & entry paid	$50.50 ✓
Sheriff's costs	50.00
Pro.Co. pd 1/6/94	6.00

COMPLAINT

2 ocpies (sheriff)

Feb 22, 1990 Sheriff's Return filed: Before me, the undersigned authority, personally appeared Beverly a. Balint, Butler County Deputy Sheriff, who being duly sworn according to law, deposes and says that on the 6th day of Feb., 1990, at 1:25 P.M. he served Complaint et al filed 2-1-90 at AD 1990-132, Crawford County, Pennsylvania, upon defendant Penn United Technology at business, Rt 356, Cabot, Jefferson, Twp, Butler Co., Pa. by making known the contents thereof to Berry Barton, Plant Mgr., and handing to and leaving with him the cert. copy of the Complaint et al received from Crawford Co.
So answers, Beverly A. Balint, Dep. Sheriff
-----Rickard, Sheriff

SERVED Penn United Technology, Inc. by deptutizing the Sheriff ofButler,County, pa. as per his affidavit of service attached.
Served: Feb. 6, 1990.
So answers, Howard N. Stewart, Sheriff

Feb. 22, 1990 Acceptance of Service filed. And Now, this 22nd day of February, 1990, the undersigned does hereby accept service of a certified copy of Plaintiff's Complaint in the above-captioned matter on behalf of Defendant, Leonard Curl.
Alan L. Pepicelli

Apr 2, 1990 Motion to Consolidate Actions and Order filed: AND NOW, this 2nd day of April, 1990 it is ordered that the above-captioned actions are consolidated for purposes of further discovery and for trial, future docket entries to be made at AD 1988-803.

Thr respective pleadings in the actions hereby consolidated shall remain as the pleadings in the consolidated action.

By the Court,
Gordon R. Miller, J.

See paper filed at AD 1988-803

Apr 3, 1990 Copies of order to counsel of record.

Jan.6, 1994 Upon Praecipe of John B. Brautigam, Esquire, Attorneys for the Plaintiffs, the above entitled action settled and discontinued of record.

1990

Mahany, Roeder & Smith
Tamera Ochs Rothschild

133.

Ann H. Gamble

LESTER E. WRIGHT, JR.

vs.

PATRICIA L. WRIGHT

PETITION FOR ENTRY OF AGREEMENT

2 copies (atty)

Filed Feb. 2, 1990
@ 8:34 a.m.

Tax & entry Paid $50.50 ✓
Pro Co 9.00 ✓

William Pineo, Mediator 2/13/90

ORDER:

AND NOW, Feb. 2, 1990, upon consideration of the foregoing Petition and Agreement for Custody between the parties, it is ORDERED AND DECREED that:

1. The parties shall share legal custody of Christopher Jarod Wright and Melissa Blaire Wright. Shared legal custody shall entitle both of the parents to equal access to any records relating to the child held by a third party, including, but not limited to, school and medical records, and shall entitle both parents to equal input with regard to the educational and religious upbringing of the child, as well as elective surgery.

2. Patricia L. Wright shall continue to have primary physical custody fo the minor children at the residence, subject to Lester E. Wright 's shared physical custody rights. Petitioner Lester E. Wright presently resides at 530 Falkner Drive, Hackettstown, New Jersey 07840. Respondent Patricia L. Wright presently resides at R. D. #4, P.O. Box 17, Titusville, Pa. 16354.

3. Petitioner Lester E. Wright shall have physical custody of the minor children on a regular basis according to the following schedule: [illegible] minor children at their residence, subject to Lester E. Wright

A. Lester E. Wright shall retain custody of the minor child on alternating weekends to commence Feb. 3, 1990. A "weekend" shall be defined as Saturday at 12:00 p.m. through Sunday at 5:00 p.m.

1. It shall be the responsibility fo the father to pick up and return the child or designate another responsible adult to do so.

3. If the father is unable to make arrangements to see the child on a scheduled weekend, he shall notify the mother by 9:00 p.m. the Thursday preceding the scheduled weekend.

2. If the father is unable to arrive by 12:00 p.m. Saturday, he agrees to notify the mother and make alternative arrangements.

4. If the weekend custodial parent does not arrive within one hour of the specified time without prior notice and alternative arrangements having been made, he or she relinquishes visitation.

B. During the months of June, July and August, the father shall have the right to have three (3) non-consecutive one (1) week visits with the children, providing he designates the weeks he wants the children at least five (5) weeks in advance. Unless the parties agree otherwise, the week visits shall commence Sunday at 7:00 p.m. and terminate the following Saturday at 7:00 p.m

C. The major holidays are defined as Easter, Memorial Day, Independence Day, Labor Day, Thanksgiving, Christmas, and New Year's day.

1. Easter, Memorial Day, Independence Day, Labor Day and New Years Day shall be subject to alternating visitation. The holiday visitation for these holidays shall begin at 6:00 p.m. the day preceding the holiday and end at 7:00 p.m. on the holiday. The father shall be entitled to physical custody of his children on Easter, 1990 and the parties shall thereafter alternate the peiiods.

2. The father shall be entitled to custody ofthe children each Thanksgiving from 2;00 p.m. through the following Saturday at 12:00 noon.

3. The father shall be entitled tocustody of the children each year on Christmas Day at 2:00 p.m. through Dec. 28 at 7:00 p.m.

4. The provisions of this paragraph shall take precedence over other provisions of this Agreement regarding the custodial and visitation periods.

4. The party having custody of the children shall notify the other parent as soon as possible in the event of illness or injury requiring medical treatment.

5. The parties agree to keep one another informed of their current address and telephone number so that the other may maintaincontinuous telephone and mail contact with the minor child.

6. Neither party shall take thechildren into any environment which might be commonly thought determental to their development or the development of their character, or which would be commonly throught of as dangerous to their physical safety.

7. The parties will allow the children to develop the love and respect a child is entitled to have for a parent. Neither of the parents will do anything to blacken the character of the other parent inthe eyes of the children

BY THE COURT,
Gordon R. Miller
Judge

Feb. 2, 1990, Certificate of Service filed. ON Jan. 29, 1990 I notified Petitioner Through her attorney Ann Hansen Gamble esq. of my intention for entry of Agreement on Feb. 2, 1990. Such notice was given by letter dated Jan. 29, 1990, a true and correct copy of which is attached hereto and marked Exhibit A and was mailed by U. S. First Class Mail, postage Prepaid, addressed as follows: Ann Hansen Gamble, Esq. Fuller, Kinnunen, Petruso & Gamble, 115 S. Washington St. P.O. Box 305 Titusville, Pa. 16354 Tamera Ochs Roghsc hild, Esq.

Nov 5, 1990 Petition for Additional Mediation to Modify Custody Order and Order filed: You, Patricia L. Wright, Respondent, have been sued in Court to modify the custody order of the Crawford County Court of Common Pleas, dated February 2, 1990 regarding the partial custody, or visitation of the children, Christopher Jared Wright and Melissa Blaire Wright.

WILLIAM PINEO, ESQ., is hereby appointed as the Custody Mediator in this matter. You will be ordered to appear at a place and time specified by the Mediator for a conference.

If you fail to appear as provided by this Order, an order of custody, partial custody or visitation may be entered against you.

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

Crawford County Bar Association
Service to the Public Committee
c/o Prothonotary
Courthouse
Meadville, Pa 16335
Telephone: (184) 724-4636

Date Nov 8, 1990

BY THE COURT:
Robert L. Walker, S.J.

1 copy(atty), 1 Copy (Med)

Continued on page 555

1990

Jack, Kookogey
& Felton
Robert J. Felton

134.

DOUGLAS D. DICKEY

vs.

JANE L. DICKEY

Filed Feb. 2, 1990
@ 10:37 a.m.

Tax & entry Paid $50.50 ✓
Pro Co Pd 9/27/90- 9.00 ✓
State paid 10.00

COMPLAINT UNDER SECTION 201(c) OF THE DIVORCE CODE

1 copy (atty)

Feb. 23, 1990 Affidavit Of Service filed. I, Robert J. Felton, Esquire, Attorney at law, 144 West Spring Street, Titusville, Pennsylvania, 16354, do hereby certify that I am attorney for the Plaintiff, Douglas D. Dickey, in the above-captioned matter and in that connection have effected service of a certified copy of the Divorce Complaint filed in this action upon the defendant, Jane L. Dickey, by certified mail number P-620 640 305, return receipt requested. A complaint was mailed to the defendnat on February 6, 1990, and receipted for by her at her residence on February 7, 1990, as reflected in the receipt for mailing and the return receipt attached hereto. Robert J. Felton

Sept 26, 1990, Affidavit of Consent of plaintiff filed.

Sept. 26, 1990, Affidavit of Consent of defendant filed.

Sept. 26, 1990, Upon praecipe of plaintiff attorney for review under Section 201(c) of the Divorce Code, this case moved to court.

Oct. 4, 1990 **D I V O R C E D E C R E E F I L E D .**

AND NOW, October 3, 1990, it is ordered and decreed that Douglas D. Dickey, plaintiff and Jane L. Dickey, defnedant, are divorced from the bonds of matrimony.

BY THE COURT,
John Q. Stranahan, J

1990

Weis & Weis
Daniel J. Weis

135.

Alan L. Pepicelli for dfts. Delp

Shafer, Swick, Bailey, Irwin & Stack
Louis J. Stack
for dft. Michael Wolfe

THE OHIO CASUALTY INSURANCE COMPANY

vs.

MICHAEL R. WOLFE, CONRAD B. DELP, ADMINISTRATOR OF THE ESTATE OF KIMBERLY ANN VANDERHOFF DELP, DECEASED, AND JON R. HERCHENROETHER

Filed Feb. 2, 1990
@ 11:08 a.m.

Tax & entry Paid	$50.50
Sheriffs costs	42.50
Pro co 3-27-92	5.00

COMPLAINT IN CIVIL ACTION

2 copies (sheriff)

Feb. 7, 1990, Acdeptance of Service filed. I, Alan L. Pepicelli, accept service of the complaint in civil action onbehalf of Conrad B. Delp, Adm. of the Est.of Kimberly Ann VanderHoff Delp, and certify that I am authorized to do so. Alan L.Pepicelli, Esq.

Feb. 7, 1990, Preliminary Objections of Defendant Conrad B. Delp, Administrator, to Plaintiff's Complaint filed.

Feb. 15, 1990, Appearance of Shafer, swick, Bailey, Irwin and Stack, by Louis J. Stack, attorneys for defendant Michael R. Wolfe, filed.

FEb. 23, 1990 Sheriffs return filed. SERVED Michael R. Wolfe, by deputising Sheriff of Mercer Co. Pa. as per his Affidavit of Service attached, Served: Feb. 6, 1990.
SERVED Jon Herchenroether personally on Feb. 12, 1990 at 8:32 a.m. by handing copy of complaint to him at Sheriffs Office Crawford County Courthouse, Meadville, Pa. 16335.
So answers, Catherine I. Allen Dep. Sheriff
Howard N. Stewart, Sheriff
Mercer County Service:
Before me, the under signed authority, personally appeared David E. Hogue, Dep. Sheriff who being duly sworn according to law, deposes and says that on the 6 day of Feb. 1990 at 1:22 p.m. he served Complaint in Civil Action filed at No. 135 AD 1990, Crawofr dCounty Pa upon dft. at place of incarceration, State REgional Correctional Facility, Mercer, 801 Butler Pike, Mercer , Pa. by making known the contents thereof to Michael R. Wolfe, personally and handing to and leaving with him the cert. copy of complaint received from Crawford County Sheriff. David E. Hogue, Dep. Sheriff
So answers, William H. Romine, Sheriff.

Feb. 26, 1990, Answer and New MaTTER OF dft. MIchael R. Wolfe filed.

Mar. 13, 1992, Upon praecipe of plaintiff attorney, the above captioned action is discontinued of record.

136.

LORI FRANTZ

vs.

RONALD FRANTZ

Filed Feb. 2, 1990
@ 1:12 p.m.

Tax & entry Pd 1-31-97 $50.50
Sheriffs costsx Pd 31.52
Pro Co pd Pd 1-31-97 9.00

Received 1-31-97 Sheriff's 4 H 10-9537-3.50 9-28-90 Lead due 25

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies (sheriff)
1 copy (plff)

TEMPORARY ABUSE ORDER:

And now, this 2 day of Feb. 1990, upon review of the petition fo plaintiff, the court enters the following temporary Order.

1. The Defendant shall not assault, abuse, harass, or threaten the plaintiff or any ofthe minor children named inthe petition.

2. Special Conditions: Defendant may not go to the residence of the plaintiff or any purpose.

3. This order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.

4. A copy of this order shall be delivered tothe police departments in the jurisdiction where the plaintiff resides and to county control.

5. Service of a COPY OF THE PETITION And this order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.

6, This temporary order shall remain in full force and effect until modified or terminated by further order of this court. Liability for payment of fees and costs will be determined by a final court order.

7. The defendant is reminded that this is an order of court and violation of this order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.

8. The court reserves ruling on allocation of fees and costs.

Hearing is hereby set for feb. 15, 1990 at 3:30 p.m. in C. R. No. 1 or 2 of the Crawford County Court House.

The defendant is advised he may retain a lawyer to represent him at said hearingif he so desires but he is not required to do so.

BY ORDER OF THE COURT,
P. Richard Thomas, J.

Feb. 8, 1990, Sheriffs Return filed. SERVED Ronald Frantz personally on Feb. 7,1990, at 9:00 a.m. by handing copy of Protection from Abuse to him at Sheriffs Office, Crawford County Courthouse, Meadville, Pa.
So answers, Robert M. Stevens, Dep. Sheriff
Howard N. Stewart, Sheriff

Feb. 20, 1990 Order filed. AND NOW, February 15, 1990, the matter is before the Court on an abuse petition. Plaintiff is represented by counsel. The Defendant is unrepresented. The parties advise the Court they have agreed uopn a consent Order without the necessity of a hearing. Accordingly, the Defendant shall not assault, abuse, harass, threaten or annoy the Plaintiff or their minor children in any fashion. The Defendant shallnot go to the residence of the wife for any purpose.

Custody of the three minor childrn is awarded generally to the Plaintiff subject, however, to the following visitation rights of the father:

Every Sunday commencing with February 17, 1990, the children may be in the custody of the father between 10:00 a.m. and 6:00 p.m. The father will not consume alcoholic beverages of any kind during the visitation period.

Until the parties agree otherwise, a relative will pick up the children at the home of the mother and return them. Each party is aware that if the father wishes expended custody or visitation rights, he may file a custody petition if the parties cannot mutually agree on any extension of the vistitation or custody Order.

The Defendant/Husband may go to the residence of the Wife for the purpose of removing his personal clothing, his tools, and som personal photographs, provided he gives the Wife twenty-four (24) hours notice and comes between the hours of 9:00 a.m. and 9:00 p.m. to retrieve said property.

In regard to the visitations of the children, they will be primarily located at the home of thw paternal grandparents during said visits but this does not mean that the father cannot take them to other appropriate places while they are in his custody.

This Order shall remain in effect for a period of one (1) year unless discontinued by agreement of both parties.

Any police officer having reasonal grounds to believe that the abuse portions of this Order have been violated may apprehend the Defendant without warrant, have him arraigned before a District Justice, and lodged in the County Jail with a request for an immediate hearing.

The Defendant shall be responsible for paying the costs in this case within a period of twenty (20) days after receiving a bill for the same at his address at R.D.2, Box 12, Meadville, Pennsylvania, in care of Thomas Beers.

BY ORDER OF THE COURT,
P. Richard Thomas, P.J.

Feb. 23, 1990 Copies of order put in Gerald Sullivan and County Control's box and copy mailed to defendant.

Continued on page 136

Lori Frantz

vs.

Ronald Frantz

Record continued from page 136

of record

A.D. 1990 - 136

****

Nov. 21, 1996 Petition For Contempt and Orders filed. Legal proceedings have been brought against you alleging you have wilfully disobeyed an order of court for the payment of costs.
If you wish to defendant against the claim set forthin the following pages, you may but are not required to file in writing with the court your defeses or objections.
Whether or not you file in writing with the court your defenses or objections, you must appear in person in court on Thurs. Jan. 9, 1997, at 10:00 AM in Courtroom 1; Crawford County Court
House, Meadville, Pennsylvania 16335.
IF YOU DO NOT APPEAR IN PERSON, THE COURT MAY ISSUE A WARRANT FOR YOUR ARREST.
If the court finds that you have wilfully failed to comply with its order for payment of costs, you may be found to be in contempt of court and committed to jail, fined or both.
YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORDONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Court Administrator
Crawford County Courthouse
Second Floor
Meadville, PA 16335
(814) 333-7498

BY THE COURT,
Gordon R. Miller, J

AND NOW, this 20th day of November, 1996, the within Petition having been presented and duly consiered, the prayer of the Petitionis granted and a Rule is issued on said Plaintiff/Defendant to show cause, if any she/he has, why she/he should not be held in contempt of this court.
Said Rule returnable and to be heard on the 9th day of January, 1997 at 10 o'clock A.M. in Courtroom 1 or 2, Crawford County Courthouse, Meadville, Pennsylvania.
The Plaintiff/Defendant shall be present.
The Prothonotary is directed to mail a certified copy of the Petition, Rule and order to the Palintiff/Defendant by certified mail. If Service cannot be made by certified mail, the Sheriff of Crawford County shall forthwith serve or have served a copy of the Petition, Rule and Order upon the Plaintiff/Defendant.

BY THE COURT,
Gordon R. Miller, J

11-22-96 Distributed Dft.

Jan. 13, 1997 Order filed. ANDNOW, January 9, 1997, at the contempt hearing held in this case, the defendant did not appear. The Prothonotary sent notice by regular mail.
ACCORDINGLY, it is ORDERED as FOLLOWS.
1. The hearing in this case is continued to 1:30 on Thursday, March 6, 1997, in Courtroom NO. 1.
2. The Prothonotary shall send a true and correct copy of the contempt Petition, original notice and Order to Appear and this Order to the Defendant at the defendant's last known address by regular mail and by Certified Mail, Return Receipt Requested.
3. If the Prothnotary believes that service has not been effected on the defendant, the Prothonotary shall determine whether she shall serve all of the required documents on the defendant by personal service by utilizing the Sheriff or a Constable.

BY THE COURT,
Gordon R. Miller, P.J.

1/14/97 mailed reg. & cert to dft.

136
~B~

1990 **TERM**

1990

Shafer, Swick, Irwin
Bailey & Stack
James R. Irwin

137.

SUSAN M. ROSS

vs.

BRIAN L. ROSS

Filed Feb. 2, 1990
@ 2:35 p.m.

Tax & entry Paid $50.50

STIPULATION AND CONSENT TO ENTRY OF CUSTODY ORDER

1 copy (atty)

Feb. 2, 1990, ORDER filed. AND NOW, this 2 day of February 1990, upon presentation of the Stipulation and Consent of the parties, attached hereto, and after consideration of the same, it is hereby ORDERED,DIRECTED AND DECREED that:

1. Primary physical custody of the minor child Bryand D. Ross, shall be with teh Petitioner mother.

2. Legal custody of the minor child aforementioned shall be shared between the mother Susan M. Ross and the father Brian L. Ross.

3. The natural father, Brian M. Ross shall have temporary custody of the aforementioned minor child every Friday from 5:00 p.m. until Sunday at 2:00 p.m. except for the last weekend of each month.

BY THE COURT,
Gordon R. Miller, J.

1990

Barrett & Dratler
Bruce A. Barrett

138.

Ann Hansen Gamble

ERIC JAY FOLTZ

vs.

TRACEY LYNETTE FOLTZ

Filed Feb. 2, 1990
@ 2:36 p.m.

Tax & entry paid	$50.50 ✓
1 count pd 7-6-90	15.00 ✓
Pro Co pd 8/15/90	9.00 ✓
State pd 8/15/90	10.00

COMPLAINT UNDER SECTION 201(c) OF THE DIVORCE CODE

1 copy (atty)

Feb. 16, 1990 Affidavit Of Service filed. BRUCE A. BARRETT, Esq., being duly sworn according to law, deposes and says that the following facts in support of his Affidavit of Service are true and correct to the best of his knowledge, information and belief.

1. That the affiant is the attorney for the Plaintiff in the above captioned action.
2. That a true and correct copy of theComplaint Under Section 201(c) of the Divorce Code was sent by registered mail to the Defendnat on February 2, 1990. The sender's receipt is attached hereto.
3. The registered mail was sent to Tracey L. Foltz, 209 E. Bloss Street, Titusville, PA 16354.
4. That the Defendant received said registered mail on February 13, 1990. Said receipt card Number P 966 074 363 is attached hereto and signed by Tracey L. Foltz. Bruce A. Barrett

Jul 3, 1990 Affidavit of Consent of Plaintiff filed.

July 3, 1990 Complaint for Custody filed.

July 3, 1990, ORDER filed. You, Tracey Lynette Foltz, Dft., have been sued in court to obtain visitation of the child, Ashley Marie Foltz.

You are ordered to appear in person for a conference at such time and place as may be set by BRUCE SMITH, CHILD CUSTODY MEDIATOR.

If you fail to appear as provided by this order, an order for custody may be entered against you or the c ourt may issue a warrent for your arrest.

You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.

Crawford County Bar Assoc. Ser. tothe Pub. Comm. c/o Prothonotary, Crawford County Courthouse, Meadville, Pa. 16335. Ph. 814 724-4636.

Dated: July 12, 1990 BY THE COURT,
1 copy (atty) P. Richard Thomas, J.
July 16, 1990 copy given to mediator.

Aug. 7, 1990 Acceptance of Service filed. AND NOW, this 20th day of July, 1990, Ann H. Gamble, Esq., the Attorney for the Defendant, hereby accepts service ofthe Complaint for Custody o behalf of Tracey Lynette Foltz. Ann Hansen Gamble

Aug. 7, 1990 Affidavit Of Consent of Defendant filed.

Aug. 10, 1990 STipulation and Order filed. AND NOW, this 9 day of Aug., 1990, the parties hereto having stipulated and agreed, IT IS HEREBY ORDERED AND DIRECTED AS FOLLOWS:

1. The custody of the child, Ashley Foltz, date of birth, May 21, 1987, is and shall continue to be joint and shared legal and physical custody with the primary physical custody of the child being accorded to the mother, Tracey L. Foltz, defendant herein.
2. The father, Eric J. Foltz, shall be entitled to periods of physical custody as follows:
   a. Alternate weekends beginning at 6:00 o'clock on Friday and continuing until 5:00 p.m. on Sunday. In addition, he shall have every Thursday evening from 6:00 p.m. until 8:00 p.m. On Thursday evenings, the father shall provide transportation both in picking up and returning the minor child.
   b. The Holidays of Christmas, Thanksgiving and Easter will be laternated with the child spending Thanksgiving of 1990 with the father and theholidays alternating thereafter. Holiday visitsshall begin at 9:00 in the morning and continue until 7:00 in the evening.
   c. The mother shall have the child on Mother's Day and the father shallhave the child on FAther's day without regard to whose weekend it may be for regular visits.
3. The party seeking receovery of the custody of the child shall provide transportation. If either party fails to appear within one (1) hour of the scheduled time for the receovery of custody that period of custody will be deemed to be waived. The place of recovery of the child will be the home of the aprent unless written notice is given at the time of the previous change of custody of a different location for recovering custody.
4. All third party providers of service are authorized and directed to release any and all information which they may have regarding to the child at the request of either parent and that without further order of court.
5. The parties may make such other an dfurther differing arrangements as they find mutually convenient.
6. Each parent shall encourage the child to that respect and love which the child is entitled to feel for each parent. Neither shall blacken the character ofthe other.

P. Richard Thomas, J

Aug. 14, 1990 Copies of order mailed to Ann Gamble and Bruce Smith and copy put in Bruce Barrett's box.

Aug. 15, 1990 Upon Praecipe of Plaintiff's Attorney For Review under §201(c) of the Divorce Code, This case moved to court.

August 23, 1990 DIVORCE DECREE FILED.

AND NOW, August 22, 1990, it is ordered and decreed that ERIC JAY FOLTZ, plaintiff, and TRACEY LYNETTE FOLTZ, defendant, are divorced from the bonds of matrimony.

BY THE COURT,
Gordon R. Miller, P.J.

1990

Mahany, Roeder & Smith
Tamera Ochs Rothschild

139.

Thomas, Truax, Spadafore, vardaro Walker
R. Charles Thomas

9/30/91 Reed. $350.00 from Plaintiff

Paid to Pa. Dept of Revenue James McAleer 4-21-92 300.00 Ck# 16783 Pa. et order 4.21.92

HUGH I. STURGIS

vs.

SANDRA E. STURGIS

Filed Feb. 5, 1990
@ 11:23 a.m.

Tax & entry Paid $50.50

Pro Co Pd. 11/13/90- $300.00
State Pd. 11/13/90- $10.00
~~Ann Gamble~~ Master
Jos. Barnhart,
State Pd. 6-2-92 10.00
Pro Co Pd 6-2-92 9.00

DIVORCE COMPLAINT

3 copies Atty)

Feb. 8, 1990, Certificate of Service of Divorce Complaint filed. On Feb. 7, 1990, I mailed a true copy of Divorce Complaint in above matter by cert. mail NO. P 382 386 021 Ret. Rec. Req. Restricted Del. postage prepaid to Sandra E. Sturgis, 120 N. Drake St. 3rd Fl. Apt. Titusville, Pa. 16354, The receipt for this cert. mail is attached hereto and marked Exhibit A. Tamera Ochs Rothschild, Esq.

Feb. 13, 1990, Affidavit of Return of Service by Mail filed. ON Feb. 7, 1990, I mailed a true copy of the divorce complaint in the above case by Cert. Mail NO. P 382 386 021 Restricted Del. to the defendant Sandra E. Sturgis. Defenant signed a ret. rec upon delivery Feb. 8, 1990. The receipt attached hereto and marked as Exhibit A was returned by the post office on Feb. 10, 1990. Tamera Ochs Rothsc hild ESq.

Nov. 13, 1990, Answer and Counterclaim filed.

Nov. 19, 1990, Acceptance of service filed, of Interrogatories to plaintiff.

Nov. 30, 1990 Motion For Scheduling Of Hearing and Order filed. And now, November 30, 1990, a hearing in this matter is set for the 11 day of Dec., 1990 at 11:00 o'clock a.m. in Court Room No. of the Crawford County Court House, Meadville, Pennsylvania.
P R Thomas, S.J.

Nov. 30, 1990 Copy of order mailed to Tamera Rothschild and copy of order put in R. Charles Thomas' box.

Dec. 10, 1990, Motion for continuance and Order filed. ORDER: AND NOW, Dec. 10, 1990 this hearing is continued to the 14th day of Dec. 1990, at 11:00 am in C. R. No. 2 of the Crawford County courthouse, Meadville, Pa. Gordon R. Miller, J.
Dec. 11, 1990, copies to R. C. Thomas and T. Rothschild.

Dec. 17, 1990 Certificate Of Service of Plaintiff's Answers to Interrogatories filed.

Dec. 24, 1990 Motion To Continue and Order filed. AND NOW, this 20 day of December, 1990, upon Plaintiff's Motion for Continuance, it is hereby ORDERED that the hearing presently scheduled for December 14, 1990, at 11:00 a.m. is continued to Jan. 30, 1991 at 9:30 o'clock a.m., in Courtroom 1 or 2.
For the Court,
Imogene Yetman, CA.

Dec. 27, 1990 Copies of order given to Tamera Rothschild and r. Charles Thomas

Dec. 28, 1990 Budget Information of Hugh I. Sturgis filed.

Jan. 29, 1991, Inventory and Appraisement of Plaintiff filed.

Jan. 31, 1991 Certificate of Service filed. On Jan. 30, 1991, I personally hand delivered the original and one copy of Plaintiff's Supplemental Answer to Defendant's INterrogatories to counsel for the defendant, R. Charles Thomas, Esq.
Mahany, Roeder & Rothschild
By: Tamera Ochs Rothschild, esq; a tty for plaintif

Jan. 30, 1991 Exhibits filed.

Jan. 30, 1991 Defendant's Income and expense statement filed.

Mar. 1, 1991 Memorandum and Order filed. AND NOW, February 26, 1991 the plaintiff is ordered and directed:
1. To pay to counsel for the defendant the sum of $300.00 to apply on counsel fees and expenses which said sum shall be paid no later than April 1, 1991.
2. To pay to the defendant the sum of $140.00 per month as alimony pendente lite for three (3) months to-wit: the months of March, April andMay of 1991 which said payment shall be made on or before the 15th day of each month commencing with March 15, 1991.
This order shall not limit the ability and right of a Master or the Cour to make further provision for alimony pendente lite and counsel fees as the facts and the law might require or permit.
BY THE COURT,
Gordon R. Miller, J

Mar. 5, 1991 Copy of order put mailed to Tamera Rothschild and copy put in R. Charles Thomas box.

July 24, 1991 Certificate of Service of Motion for Sanctions filed.

July 24, 1991 Motion For Sanctions For Failure To File Inventory and Appraisement as Required by Pa. R.C.P. 1920.33 and Order filed. AND NOW, this 24th day of July, 1991, upon motion of Mahany, Roeder & Rothschild, attorneys for Movant, and on consideration of the wtihin Motion for Sanctions, it is hereby ordered that Respondent show cause why, if any, the prayer of the within Motion should not be granted.
Rule returnable this 9th day of August, 1991, at 3:30 o'clock, p.m. in Court Room No. 1 or 2 of the Crawford County Courthouse, Meadville, Pennsylvania.
BY THE COURT,
Gordon R. Miller, J

July 24, 1991 Copies of order mailed to Tamera Rothschild and copy put in R. Charles Thomas box.

July 24, 1991 Inventory and Appraisement of Sandra E. Sturgis filed.

July 25, 1991, Certificate of Service of Motion for Sanctions filed.

Continued on Pg. 579

1990

Blystone & Blystone
Curtis E. Blystone

140.

KATHY L. HALL

vs.

DANIEL L. HALL

Filed Feb. 5, 1990
@ 12:09 p.m.

Tax & entry Paid	$50.50 ✓
Pro Co. Pd 2/27/90	9.00 ✓
State Surcharge Pd.	10.00

COMPLAINT UNDER SECTION 201(d) OF THE DIVORCE CODE

1 copy (atty)

Feb. 5, 1990, Plaintiff's Affidavit Under SEction 201(d) of the Divorce Code filed. 1 copy (atty)

Feb 5, 1990 Acceptance of Service filed: I accept service of the Complaint in Divorce and Plaintiff's Affidavit Under Section 201(d) of the Divorce Code.

Daniel L. Hall, Defendant

Feb. 27, 1990 Upon praecipe of Plaintiff Attorney For Review Under Section 201 (d) of Divorce Code, this case is moved to Court.

Mar. 7, 1990 **DIVORCE DECREE FILED.**

AND NOW, March 7, 1990, it is ordered and decreed that Kathy L. Hall, plaintiff, and Daniel L. Hall, defendant, are divorced from the bonds of matrimony. BY THE COURT,
Gordon R. Miller, J

1990

Shafer, Swick Bailey
Irwin & Stack
James R. Irwin

141.

William Gregg

ROGER L. FERRY

vs.

JACQUELINE A. FERRY

Filed Feb. 5, 1990
@ 2:32 p.m.

Tax & entry Paid $50.50 ✓
John Fuller, Mediator
Mediation costs 135.00
Pro Co Pd 5-21-97 9.00 ✓

10-14-96 Refund from plff
med fee 150.00
12-17-96 Refund plff
#148.48 CK 10427
5-21-97 Pd Co #11030
9252

PETITION FOR CUSTODY (UCCJA)

1 copy (atty)
1 copy (mediator)

ORDER:

AND NOW, this 5th day of Feb. 1990, it is ordered that all parties in the above case and their counsel shall appear for a mediation conference before the mediator, JOHN FULLER, AT A time to be set by the mediator in the Crawford County Courthouse with the child custody mediator as required by Rule 31(e) of the court of Common Pleas of Crawford County Pa.

It is further ordered and decreed that pending said mediation conference, visitations will be considered at abuse hearing on 2/8/90. at 2:00 p.m.

BY THE COURT,
P. Richard Thomas, J.

Apr. 24, 1990 Order filed. AND NOW, April _____, 1990, after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS:

I. Legal custody of Tanya M. Ferry and Matthew R. Ferry shall be shared between the mother, Jacqueline A. Ferry, and the father, Roger L. Ferry, that is, each parent shall be entitled to full access to medical records, school records and other important records and each parent shall be entitled to take part fully in decisions affecting the children's religious instruction, education, medical treatment and other such important decisions.

II. Physical custody of Tanya M. Ferry and Matthew R. ferry shall be with the mother, Jacqueline A. Ferry, subject to the following conditions:

A. The father, Roger L. Ferry, shall be entitled to visit and take the childreninto his custody every weekend except the first weekend of each month, beginning April 13, 1990, from friday evening at 6:00 p.m. until Sunday evening at6:00 p.m. The mother shall be entitled to retain the children in her custody on the first weekend of each month, the first weekend being that weekend on which the first Saturday of each month falls.

B. The father shall be entitled to have the children in h is custody on the first Wednesday of each month, beginning April 4, 1990, from 7:00 a.m. until 6:00 p.m. that day.

C. Transportation of the children on the weekend visits and on Wednesday visits shall be the responsibility of the father.

D. This order is entered without prejudice to the right of either party to request a further mediation conference or hearing at any time after paternity test results are received with respect to the paternity of Tanya M. Ferry.

E. Neither mother nor father shall say or do anything in an attempt to turn the children against the other parent, but onthe other hand shall do everything in the power of each to foster a favorable and loving attitude on the part of the children towards both parents.

F. Neither mother nor father shall expose the children to any person or situation which may be harmful to the children's health or well being.

G. Both parents agree to inform the other immediately of any illness or injury regarding one or both of the children and both parents agree to furnish the other with a current telephone number.

III. This order is a temporary order but shall become a permanent order unless exceptions thereto are filed by either party within thirty (30) days of the date hereof.

Gordon R. Miller, J

Apr. 26, 1990 Copies of order put in James Iriwn and John Fuller's box.

May 18, 1990 Motion For Trial De Novo and Order filed. AND NOW, this 18th day of May, 1990, upon presentation and consideration of the foregoing Motion for Trial De Novo, a hearing is set for the 11th day of June, 1990 at 2:30 o'clock p.m. in Courtroom No. 1 or 2 of the Crawford County Courthouse, Meadville, Pennsylvania.

BY THE Court,
Gordon R. Miller, J

May 21, 1990 Copies of order put in James Irwin and John Fuller's box.

June 12, 1990 Order filed. AND NOW, June 11, 1990, at the time set for hearing, the Plaintiff and his witnesses appear, but Defendant fails to appear. The Court Administrator advises the Defendnat's Attorney was notified on or about June 8, 1990 that the hearing would be held this date. It appears that counsel for the defendant, Gree, has not entered an appearance. This hearing is continued until July 3, 1990 at 9:00 a.m. Prothonotary shall send a copy of this Order to counsel for both parties.

In the meantime, the temporary custody Order shall remain in full force and effect, and the Court expects strict compliance therewith.

BY ORDER OF THE COURT,
P. Richard Thomas, P?J?

June 15, 1990 Copies of order put in James Irwin and William Gregg's box.

July 3, 1990 Exhibits filed.

July 5, 1990 Order filed. AND NOW, July 3, 1990, after several hours of hearing the parties advise the Cour tthat they have mutually agreed to essentially an equally shared custody arrangements for the two (2) minor children. In view of the complicated employment and babysitting arrangements that impact on this equal sharing of custody of the children, the parties agree they will reduce the custody arrangements to writing on or before July 13, 1990, which agreement will be signe dby the parties and their counsel and filed with the records in this case and sahll have the effect of a Court Order regarding the issues of custody and visitation.

In regard to the support action at D.R. 1990=154, the Court enters a separate Order in that case.

BY ORDER OF THE COURT,
P. Richard Thomas, P.J.

July 9, 1990 Copies of order put in James Irwin and William Gregg's box.

Oct. 2, 1990, Request for Hearing and Order filed. ORDER: AND NOW, this 1 day of Oct. 1990, upon presentation and consideration of the foregoing Request for Hearing a hearing is s cheduled with the Court of Common pleas of Crawford County, Pa. on the 11 day of Oct. 1990 at 9:30 a.m. in C. R. No. 1 or 2 of the Crawford County Courthouse, Meadville, Pa.

BY THE COURT,
P. R. Thomas, S. J.

Oct. 2, 1990, copies J. Irwin, John Fuller and W. Gregg.

Continued on page 589

1990

Blystone & Blystone
Peter E. Blystone

142.

PENNBANK

vs.

MICHAEL K. McCANDLESS AND
ROSEANN N. McCANDLESS

Filed Feb. 5, 1990
@ 2:48 p.m.

Tax & entry Paid $50.50 ✓

Sheriff's costs 37.40
Pro Co Pd 3-21-90 9.00 ✓

COMPLAINT IN CIVIL ACTION

2 copies (sheriff)

Feb. 5, 1990 Affidavit of Non Military Service of defendants filed.

Feb 22, 1990 Sheriff's Return filed: SERVED Roseann N. McCandless on February 7, 1990 at 12:19 p.m. by handing copy of Complaint to Michael K. McCandless, her husband, at their residence 108 West Linden Street, Titusville, Crawford County, Pa 16354.
SERVED Michael K. McCandless personally on February 7, 1990 at 12:20 P.M. at his residence, 108 West Linden Street, Titusville, Crawford County, Pa 16354.
So answers, Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

AND NOW, March 21, 1990 @ 2:18 P.M. Upon Praecipe of Plaintiff's attorney, judgment is hereby entered in favor of the plaintiff and against the defendants for falure to file and answer and damages are assessed as follows: Principal debt due pursuant to the terms of the Note and Mortgage, Twenty-three Thousand One Hundred Seventeen and 01/100 Dollars; Reasonable Attorney fees (10% of the debt) in accordance with the contract terms, Two Thousand Three Hundred Eleven and 70/100 Dollars; TOTAL PRINCIPAL DEBT AND ATTORNEY'S FEES, Twenty-five Thousand Four Hundred Twenty-eight and 71/100 Dollars, together with interest on the principal debt at the rate of 13% per annum from April 30, 1989.
M-114, 143

Debt.....$25,428.71 + Int.
JUDGMENT
James F. Simmons
Prothonotary

EX 1990-30

1990

Watts, Pepicelli, Youngs & Youngs
Alan Pepicelli

143.

ELMER F. MITCHELL AND GRACE MITCHELL, HIS WIFE

vs.

DELARK INDUSTRIES, INC.

Filed Feb. 5, 1990
@ 4:24 p.m.

Tax & entry Paid $50.50 ✓
Sheriff's Costs 137.00

COMPLAINT IN MORTGAGE FORECLOSURE

1 copy (sheriff)

Mar. 15, 1990, Complaint reinstated.

Apr. 16, 1990, Complaint Reinstated.

May 29, 1990, Complaint Reinstated.

July 5, 1990 Sheriff's Return filed. NOT FOUND, as to Delark INdustries, Inc., the above named defendnat, within the County of Philadelphia, State of Pennsylvania, as of 7. March, 1990.
So answers, John d. Green, Sheriff
Richard Murdoch, deputy Sheriff
NOT FOUND as to Delark Industries Inc., the above named defendant, within the County of Philadelphia, State of Pennsylvania, as of April 16th, 1990. John D. Green, Sheriff
Lt. Robert Danford, deputy sheriff
NOT FOUND, as of Delark Industries, Inc, the above named defendant, within the County of Philadelphia, State of Pennsylvania, as of 6-7-90,
So answers, John D. green, sheriff
Rober Danford, Deputy Sheriff
Not Found as to defendant Delark Industries, Inc. as per three separate Affidavits of Not Found received from Philadelphia County PA and hereto attached.
So answers, Howard N. STewart, Sheriff

144.

RHONDA DEE BARKER

vs.

JAMMIE LEE BARKER

Filed Feb. 6, 1990
@ 4:37 p.m.

Tax & entry $50.50
Sheriff's costs 31.40

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies (sheriff)
2 copies (plff)

TEMPORARY ABUSE ORDER:

AND NOW, thsi 6 day of Feb. 1990 upon review of the petition of plaintiff, the curt enters the following temporary order:

1. The defendant shall not assault, abuse, harass or threaten the plaintiff or any ofthe minor children named inthe petiton.

2. Special Conditions: Temporary custody fo the children is awarded to palintiff. Defendant shall not go where the plaintiff lives unti lfurther order of court.

3. This order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.

4. A copy of this order shall be delivered to the police departments in the jurisdiction where the plaintiff resides and to county control.

5. Service of a copy of the petition and this order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.

6. This temporary order shall remain in full force and effect until modified or termiinated by further order of this court. Liability for payment of fees and costs will be determined by final order of ocurt.

7. The defenant is reminded that this is an order of court and violation of this order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.

8. The court reserves ruling on allocation of fees and costs.

Hearing is hereby set for Feb. 13, 1990 at 3:30 p.m. in C. R. No. 1 or 2 of theCrawford CountyCourt House.

Defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF THE COURT
Gordon r. Miller, J.

Feb. 9, 1990 Sheriff's Return filed. SERVED Jamie Lee Barker personally on Feb. 7, 1990 at 5:15 PM by handing copy of Protection From Abuse to him in Titusville, Crawford Co., Pa.
So answers,
Titusville Police Dep't.
Howard N. Stewart, Sheriff

Feb. 15, 1990 Order filed. AND NOW, February 13, 1990, at the time scheduled for hearing inthis matter on the temporary abuse Order, the Defendant appeared without counsel and indicated that he did not wish counsel to represent him, and both parties waived a record, and the parties have indicated that they intend to reconcile, and agree that the temporary Abuse Order of February 6, 1990 may be terminated.

Therefor, the temporary abuse Order of February 6, 1990 is hereby terminated. The Defendant is ORDERED not to assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the petition. This Order shall remain in full force and effect until February 13, 1991.

A copy of this Order shall be delivered to the police department in the jurisdiction where the Plaintiff resides and to County Control.

This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe that it has been violated.

The Defendant is reminded that this is an Order of court and violation of this Order may be punishable by a fine up to One Thousand Dollars ($1,000.00) and a jail sentence of up to six (6) months.

Since both parties are receiving Public Assistance and have been receiving Public Assistance for some time, the parties shall not pay the costs and the costs shall be paid by Crawford County.

BY ORDER OF THE COURT,
Gordon R. Miller, J

Feb. 22, 1990 Copies of order put in Gerald Sullivan and county control's box and copy mailed to defendant.

Jan. 25, 1991 Order filed. AND NOW, January 23, 1991, the matter is before the court on an alleged violation of an Abuse Order signed February 13, 1990. It appears on the evening of January 19, 1991, both parites had been drinking and without the Police Officers who intervened being present, it is difficult to determine the factual situation. The husband contends that somebody broke his windshields and he complained to the Police and they went to the parties' residence at 902 East Spruce Street, but could not arouse the wife. They later returned with the defendant, who admitted him to the home, and they found the wife allegedly passed out in the home. Apparently earlier in the evening, the parties had been at a local drinking establishment and an argument ensued on the way home and the wife jumped out of the car. She contends she did not complain to the Police and does not have a clear recollection of what was said when the Police later arrived at the home with her husband in twow.

For reasons unknown to the parties, the Police allegedly arrested the defendant without justification for violation of the aforesaid Abuse Order, but the wife contends she did not make any complaints about the conduct of her husband and that there were no grounds for arresting him for violation ofthe Abuse Order.

The Court is without the benefit of input from the arresting Officers.

Under any circumstances, the parties advise the Court that they wishe the defendant released from confinement forthwith and that they do not wish this Abuse Order, which automatically expires February 13, 1991, to remain in force and effect.

ACCORDINGLY, the defendant is released form confinement immeidately and the Abuse Order previously entered february 13, 1990 is rescinded and the Court advises the plaintiff that if she wishes to file any Abuse Complaints, she must file a new Peittion alleging new facts.

BY ORDER OF THE COURT,
P. richard Thomas, S.J.

Jan. 29, 1991 Copies of order mailed to plaintiff and defendant and copy put in CountyControl's box.

1990

145.

THERESA M. RUDDELL

vs.

CHARLES M. RAMBO II

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies (sheriff)
1 copy (plaintiff)

TEMPORARY ABUSE ORDER:

AMD NOW, this 7 day of Feb. 1990 upon review of the petition of plaintiff, the court enteres the following order:

1. The defendant shall not assault, abuse, harass or threaten the plaintiff or any of the minor children named in the petition.

2. Special Conditions: Defendant shall not contact the plaintiff or go near her place of residence. Plaintiff shall be permitted to go to the former residence of the parties in Black Ash to remove items owned by her without any interferrence from the defendant.

3. This order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has beenviolated.

4. A copy of this order shall be delivered to the police departments in the jurisdiction where the plaintiff resides and to county control.

5. service of a coy of the petition and this order sahll be made upon the defendant by a sheriff, constable, police officer or competent adult.

6. This temporary order shall remain in full force and effect until modified or terminated by further order of this court. Liability for payment of fees anc costs will be determined by final court order.

7. The defendant is reminded that this is an order of court and violation of this order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.

8. The curt reserves ruling on allocation of fees and costs.

Hearing is hereby set for Feb. 14, 1990 at 3:30 p.m. in C. R. No. 1 or 2 of the Crawford County court House. The defendant is advised eh may retain a lawyer to represent him at said hearing if he so desires but he is not required to dosso.

BY ORDER OF THE COURT,
Gordon R. Miller, Judge

Filed Feb. 7, 1990
@ 10:18 a.m.

Tax & entry Pd 3/28/90 $50.50 ✓
Sheriffs costs 29.00

3/28/90
#29.00 Pd by defendant

Check #5528-3/28/90
Pd. Howard Stewart
#29.00

Feb. 8, 1990, Sheriff Return filed. SERVED Charles M. Rambo II personally on Feb. 7, 1990 at 11:35 a.m. by handing copy of Protection from Abuse to him at intersection of Rt. 198 and Rt. 27, Crawford County, Pa.
So answers, Robert M. Stevens, Dep. Sheriff
Edgar D. Householder, Chief Deputy
Howard N. Stewart, Sheriff

Feb. 13, 1990, ORDER filed. AND NOW, Feb. 8, 1990, upon request of the defendant for a continuance of the hearing set for Feb. 14, 1990 said request is granted and the hearing on petitioner's abuse petition shall be held on the 28 day of Feb. 1990 at 3:30 p.m. in C. R. No. 1 or 2 of the Crawofrd County Courthouse.

/terms and conditions of the temporary order entered on Feb. 7, 1990 are continued in full force and effect. A coy of the order shall be delivered to County Control and to the Police Depat. of the jurisdiction where the petitoner resides.

BY THE COURT,
Gordon R. Miller, J.

Feb. 16, 1990, copies to County Control, copy to Meadville Police Dept. and copies to plaintiff and defendant.

Apr. 11, 1990, STIPULATION AND ORDER filed. AND NOW, this 10 day of April, 1990, upon consideration of the Petition for Emergency Relief under the Protection from Abuse Act, filed by the plaintiff on Feb. 7, 1990, the following protection order is entered:

1. It is noted by teh court that the defendant Charles M. Rambo, II, does not admit to the allegations of the plaintiff, contained in paragraphs 8, 9, and 10 of her petition.

2. However, the defendant has agreed that he will not abuse or harass the plaintiff, and the court so orders, with said prohibition to continue for one year from the date this order is entered, nor is he to go to her residence.

3. It is noted by the court that the provision of the temporary order of Feb. 7, 1990 relating to permission which was granted tothe plaintiff toremove her items owned separately by her, that she has done so, and has signed a receipt for said items, which she removed from the mobile home which she prev iously shared with the defendant.

The only remaining property to be returned by defendant tothe plaintiff are those items belonging to the plaintiff's child Melissa Barger, Melissa being five years old. defendant agrees to pack the items that belong to Melissa, and those that were made by Melissa, in appropriate containers and return them tot he present residence of the mother at 706 North grant St, Meadville, Pa. he shall do this in the month of March 1990, and shall give written notice as to when these items will be delivered, and by whom. If he prefers, he may make the items available to the plaintiff through his attorney.

4. Defendant shall pay court costs inthis matter, consisting of $29,00 to be paid to the Sheriff of Crawford County within thierty days of the date of this order, and $50.50 to be paid to the Prothonotary of Crawford county within forty-five days of the date of this order.

5. A true and correct copy of this order shall be provided tothe appropriate authorities, and the parties are advised that a violation of this order may subject the violating party to punishment for contempt, and by a fine of up to $1,000.00 and a jail sentence of up to six months.

BY THE COURT,
Gordon R. Miller, J.

Apr. 12, 1990, copy of order to County Control, plaintiff and defendant.

1990

Thomas, Truax, Spadafore, Vardaro & Walker
David P. Truax

146.

Commonwealth of PENNSYLVANIA ex rel BRUCE RAY KENNEDY

vs.

JACK BRICKNER, WARDEN CRAWFORD COUNTY PRISON

Filed Feb. 7, 1990 @ 10:25 a.m.

Tax & entry Paid $50.50 ✓

PETITION FOR WRIT OF HABEAS CORPUS

1 copy (atty)

ORDER: AND NOW, this 5th day of February, 1990, upon reading the petition in the above matter it is ordered that Hack Brickner, Warden, Crawford County Prison, appeared before the Court in Courtroom No. 2 on the 5th day of March, 1990, at 1:30 o'clock, p.m. to show cause, if any he has, why a Writ of Habeas Corpus should not be issued herein, as prayed for and a copy of this Order shall be served by, or on behalf of counsel for the relator on Jack Brickner, Warden, respondent. BY THE COURT, Gordon R. Miller,J

Mar. 7, 1990 Order filed. AND NOW, March 5, 1990, upon oral motion of plaintiff's counsel, the Petition for Writ of Habeas Corpus is WITHDRAWN. BY ORDER OF THE COURT, Gordon R. Miller, J

Mar. 8, 1990 Copies put in David Truax and Narcy Hughes' box.

1990

William F. Peters 147	WILLIAM R. HAGER MAUREEN A. HAGER, his wife vs. RICHARD WONG Filed Feb. 7, 1990 @ 11:11 a.m. Tax & entry paid 50.50 Sheriff's Costs 54.25	COMPLAINT (Assumpsit) 1 copy (atty) Apr. 6, 1990, complaint Reinstated. July 23, 1990 Sheriff's Return filed. Not Found as to defendant Richard Wong. Moved to California, address unknown. So answers, Howard N. Stewart, Sheriff

1990

148

NANCY J. HATCH

VS.

BERNARD ALLEN BELL

Filed Feb. 7, 1990
@ 2:05 p.m.

Tax & entry	50.50
Sheriff's costs	23.00

PETITION FOR EMERGENCY RELIEF UNDER
PROTECTION FROM ABUSE ACT

3 copies (Sheriff) 1 copy (Plaintiff)

Order: And now, this 7th day of February, 1990, upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or nay of the minor children named in the Petition.
2. Speical Conditions: - - - -
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminted by furthr order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves ruling on allocation of fees and costs.

Hearing is hereby set for February 14, 1990, at 3:30 p.m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller

Feb. 9, 1990 Sheriff's Return filed. Served Bernard Allen Bell personally by handing copy of Protection From Abuse to him on Feb. 8, 1990 at 12:25 PM at Sheriff's Office, Crawford Co. Courthouse, Meadville, PA 16335
So answers,

Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

Feb. 15, 1990, ORDER filed. AND NOW, Feb. 14, 1990, at the time scheduled for hearing in this matter, the defendant appears, but the plaintiff did not. The defendant indicates thathe has a letter from the plaintiff to the effect that she would nto appear and wants to drop the matter. The defenant indicated that neither party is gainfully employed and are living on Public Assistance.

Therefor, the temporary Abuse Order entered Feb. 7, 1990 is hereby terminated, and these proceedings are dismissed. Since both parties are receiving public Assistance, costs shall be paid by the county.

A copy of this order shall be delivered to the police departments in the jurisdiction where the plaintiff resides and to county control.

BY ORDER OFTHE COURT,
Gordon R. Miller, J.

Feb. 21, 1990, copies to plff, dft. and county control.

1990

Fuller, Kinnunen, Petruso, Gsmble, Fabian & Hall
Gary A. Fabian
Brian J. Lindsay

149

Pd 11-1-96 $150.00
by ~~Plf~~ dfft mediation fee

3-19-97 Rec'd from dfft Med fee 12.62
4-25-97 Rec from Plff 20.00
5-13-97 Rec from dfft 20.00
141.00
6-19-97 Pd'd 12.62
#11102 20.00
20.00

JOHN ANTHONY FRISINA

vs.

LINDA KAREN FRISINA

Filed Feb. 7, 1990
@ 4:17 p.m.

Tax & entry paid 50.50 ✓
John Fuller, Mediator
Sheriff's Costs 31.00
Pd Co Pd 6-18-97 9cc ✓

COMPLAINT FOR CUSTODY

1 copy (atty) 1 copy mediator

ORDER: You, Linda Karen Frisina, Defendant, have been sued in Court to obtain custody of the children: NIKITA LOUIS FRISINA and GIOVANNI ANTONIO FRISINA, JR.

You are Ordered to appear in person for a conference at such time and place may be set by John Fuller, Child Custody Mediator.

If you fail to appear as provided by the Order, an Order for custody may be entered against you or the Court may issue a warrant for your arrest.

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

Brian J. Lindsay, Esquire
Attorney for Plaintiff
311 Walnut Street
Meadville, Pennsylvania
Telephone No.: (814) 333-6771

Crawford County Court House
Service to the Public Committee
Prothonotary Office Court House
Meadville, Pennsylvania 16335
Phone No. (814) 724-4636

BY THE COURT,
P. Richard Thomas, J

Date: 2-7-90

Feb. 15, 1990, Affidavit filed. I, Brian J. Lindsay, esq. after being duly sworn according to law, depose and say that I am the atty. of record for plff, at that I am authoriz ed to execute this affidavit; that I did on the 8th dayof Feb. 1990 send by Cert. Mail, Addressee ONly, ret. rec.req., a true and correct copy fo the Order of Court, and Complaint for custody to defendant at her last known address of P. O. Box 2836, Cheyenne, Wyoming 82003 as evidenced by the attached senders rec. No. P 276 639 444, and that on the 15 dayof Feb. 1990, I did receive the duly executed ret. rec.

Date: 2/15/90 Brian J. Lindsay, Esq.

Apr. 2, 1990 Consent Order Of The Court and Order filed. AND NOW, this 2nd day of April, 1990, an Order is hereby entered in accord with the terms of the within Consent Custody Order.

BY THE COURT,
Gordon R. Miller, J.

3 copies atty.

Mar. 31, 1992 Petition to Modify and Refer Back to Mediation and Notice and Order to Appear filed. ORDER: You, Linda Karen Frisina, Respondent, have been sued in court to obtain custody, partial custody or visitation of the children: Nikita Louise Frisina, born 12/21/86 and Giovanni Antonio Frisina, born 10/08/88.

You are ordered to appear in person at such time and place as will be determined by the Mediator: John Fuller, for a mediation conference.

If you fail to appear as provided by this Order, an Order for custody, partial custody or visitation may be entered against you or the court may issue a warrant for your arrest.

BY THE COURT:
Gordon R. Miller, P.J.

2 copies (atty).

May 11, 1992 AFFIDAVIT OF SERVICE FILED. I, Brian J. Lindsay, Esquire, after being duly sworn according to law, do hereby cerify that I am the attorney of record for the above named petitioner, and that as such I am authorized to make this verfication; that I did on the 2nd day of April, 1992, send to the above name respondent, by Certified Mail, REturn Receipt Requested a true and correct copy of the Notice and Order to Appear filed at the above term and number; which mailing was returned to me as "Attempted Not Known"; I again sent a second mailing, as outlined above, on April 20, 1992; and that I did onthe 29th day of April, 1992, receive a duly executed return receipt dated April 27, 1992.

Brian J. Lindsay, Esquire

Nov 1, 1996 Petition to Modify and Refer Back to Mediation to Obtain Visitation and Temporary Physical Custody and Notice and Order to Appear: You, John Anthony Frisina, have been sued in Court to obtain visitation and temporary custody of the children Nikita Louise Frisina, born 12/21/86 and Giovanni Antonio Frisina, born 10/8/88.

You are ORDERED to appear in person at such time and place as will be determined by the Mediator John Spataro, Esq., for a mediation conference.

Dated: 11-1-86 Anthony J. Vardaro, J.
(1 copy atty and 1 Mediator)
(see folder for balance of order)

Nov 1, 1996 Motion to Waive Attendance at Seminar for Separating Parents and Order: AND NOW, this 1 of November, 1996, after presentation of the foregoing Motion, IT IS HEREBY ORDERED AND DIRECTED THAT:

A. Attendance at the Seminar for Separating Parents by the Petitioner/Defendant is hereby waived.

B. The Respondent/Plaintiff shall comply with Crawford County Civil Rule L1930 and shall attend and complete the Seminar for Separating Parents. Applications for the seminar may be obtained at the Center for Family Seervices, Inc., 213 Center St., Meadville, PA 16335; the Office of the Prothonotary at the Crawford County Courthouse; or the Court Administrator's Office in the Courthouse.

C. Application must be made by the Respondent/Plaintiff within fifteen (15) days after he is served with the Petition.

D. The Respondent/Plaintiff is required to complete the seminar within forty-five (45) days after he makes application.

(see paper filed) Anthony J. Vardaro, J.

Nov. 21, 1996 Motion to Withdraw as Mediator by John F. Spataro, Esq. and Order filed. AND NOW, this 21st day of November, 1996, upon consideration of the within Motion, Kathleen Nelson, Esq. is hereby appointed the Mediator in this case.

BY THE COURT,
Anthony J. Vardaro, J.
11-22-96 FAXED Nelson, Spataro, Fabian & Lindsay

Cont. on Pg. 615

1990

Thomas, Truax,
Spadafore, Vardaro &
Walker
R. Charles Thomas

150

MARQUETTE SAVINGS
ASSOCIATION

vs.

FRANKLIN A. GREGOR, Jr. and
CHARLENE L. GREGOR

Filed Feb. 8, 1990
@ 10:26 a.m.

Tax & entry paid	50.50 ✓
Sheriffs costs	28.28
Pro Co pd 7/16/90	9.00 ✓

COMPLAINT IN MORTGAGE FORECLOSURE

2 copies (sheriff)

Feb. 23, 1990 Sheriffs Return filed. SERVED Franklin A. Gregor personally on Feb. 12, 1990 at 3:55 p.m. by handing a copy of complaint to him at residence, R. D. #4, Box 87, Conneaut Lake, Crawford County Pa.

SERVED Charlene L. Gregor personally on Feb. 12, 1990 at 3:56 p.m. by handing copy of complaint to her at residence R. D. #4, Box 87, Conneaut Lake, Crawford County, Pa.

So answers, Robert M. Stevens, dep. sheriff
Howard N. Stewart, Sheriff

Feb 28, 1990 Motion to Amend Complaint and Order filed: AND NOW, Feb 28, 1990, Upon presentation and consideration of the within Motion the caption of the Complaint in this case is hereby amended so as to read as follows: Marquette Savings Association, Plaintiff vs. Franklin A. Gregor, Jr. & Charlene L. Gregor, Defendants.

Gordon R. Miller, J.

Mar 2, 1990 Copies of order Put in Atty Thomas box.

And Now, July 16, 1990 at 1:17 p.m. upon praecipe of Plaintiff Attorney, judgment is hereby entered in favor of the plaintiff and against the defendant for failure to file an answer and the damages are assessed at the sum of Thirty-five Thousand One Hundred Seventy-eight and 49/100 plus interest and cost of suit.

G-64-34
judgment entered 7/16/90

Debt $35,178.49
Int. from dec. 15, 1989 to June 15, 1990
Judgment
James F. Simmons
Prothonotary

EX 1990 - 72

Stephen E. Hall

151

William Walker

In the Matter of
KAY CORNELL

Filed. Feb. 8, 1990
@ 10:28 a.m.

Pro Co 50.50

PETITION FOR INVOLUNTARY INTERVENTION
BY EMERGENCY COURT ORDER

Feb. 8, 1990 Emergency Order For Involuntary Intervention filed. AND NOW, February 7, 1990, upon consideration of the foregoing petition, it is hereby ordered that Active Aging, Inc. shall provide the following protective services to Kay Cornell and that such services shall be provided without his/her consent: Said agency shall make arrangements for the doler adult's admission to a nursing home at the first available space and said agency shall further have the authority to execute all necessary consents necessary for the older adult's continued care at Meadville Medical Center and admission and care at an appropriate nursing home.

It is further ordered that said older adult or any person acting on her behalf shall not be permitted to withdraw funds from any financial institution which maintains an account in her name. The older adult shall be permitted to attend the hearing and assistance provided if necessary.

The terms of this order shall expire at 12:00 p.m., February 12, 1990. The court hereby sets 11:30 a.m. February 12, 1990 as the time and place for a review hearing in the event of need for an additional emergency court order or continued court and protective services involvement or both. The court hereby appoints William Walker, Esq. to represent the aforesaid older adult in any further proceedings with regard to this matter.

BY ORDER OF THE COURT
Gordon R. Miller, J

Feb. 13, 1990, ORDER filed. AND NOW, Feb. 12, 1990 after an informal hearing and after the court appointed a temporary guardian under 20 Pa. C.S.A. 5513, the emergency Order entered Feb. 7, 1990 is hereby terminated.

BY ORDER OF THE COURT,
Gordon R. Miller, J.

Feb. 16, 1990, copies to St. Hall and Wm. Walker, Esqs.

Barrett & Dratler
Bruce A. Barrett

Mary Ann Kirkpatrick

152

Joseph F. Kulwicki, III

DUANE A. MARVIN

vs.

SAUNDRA L. MARVIN

Filed Feb. 8, 1990
@ 10:41 a.m.

Tax & entry paid	50.50
Pro Co. Pd 8/24/90	9.00
State Pd. 8/24/90	10.00
Pro Co Pd 9/13/90	45.50
State Pd 9/13/90	15.00
Pro Co Pd 10/25/93	5.00

COMPLAINT UNDER SECTION 201(c) of the DIVORCE CODE

1 copy (atty)

Feb. 14, 1990, Affidavit of Service filed. Bruce A. Barrett, Esq. being duly sworn according to law, deposes and says that the following facts are tur and correct.

1. that the affiant is the atty. for the plaintiff in above action.

2. That a true and correct copy of complaint Under Section 201(c) of the Divorce Code was sent by reg. mail to dft. on Feb. 8, 1990. Sender's receipt attached thereto.

3. The ret. mail was sent to Saundra L. Marvin Forest Green Apts. Apt. #882 Meadville, Pa. 16335.

4. That the dft. received said reg. mail on Feb. 12, 1990. Said rec. card no. P 966 074 365 is attached hereto and signed by dft. Baruce A. Barrett, Esq.

July 20, 1990 Motion For Withdrawal of Appearance and order filed. AND NOW, July 20, 1990 the above motion allowed.

P. Richard Thomas, J

July 20, 1990 Copies of order put in Bruce Barrett and Joseph Kulwicki's box.

July 20, 1990 Petition For Related Claims Under Divorce Code (Alimony Pendente LIte, Counsel Fees and Costs, Equitable Distribution, and Permanent Alimony) and Order filed. AND NOW, July 20, 1990, upon presentation and consideration of the within Petition, a Rule is her eby granted upon the Plaintiff, Duane A. Marvin, to show cause, if any he has, why the request of the petitioner should not be granted alimony pendente lite, counsel fees and costs.

RULE RETURNABLE on the 21 day of Aug., 1990, at 1:30 p.m., in Courtroom number one or two of the Crawford County Court House. Regular mail notice to plaintiff.

BY THE COURT,
P. Richard Thomas, J

July 25, 1990 copy of order put in Joseph Kulwicki's box.

August 9, 1990 Affidavit of Consent of Plaintiff filed.

Aug. 15, 1990 Affidavit of Service filed. Thomas N. Tidd being duly sworn according to law, deposes and sets forth as follows:

1. That he is a competent adult.
2. That on information furnished him, he served a certified copy of the Temporary Custody Order in the above-matter upon Saundra L. Marvin at 1:24 o'clock p.m. on Aug. 13, 1990 at Apt. 822 Forest Green Apartments.
3. That costs incured for this service were as follows:
4. Further Deponent Saith Not.

Thomas N. Tidd

Aug. 20, 1990 Income and Expense Statement filed.

Aug. 21, 1990 Affidavit of Consent of Defendant filed.

Aug. 22, 1990 ORder filed. ORDER: AND NOW, August 21, 1990, at the time fixed for hearing on the defendant's request for alimony pendente lite, counsel fees and costs, both parties have appeared in open court with counsel representing them and have agreed upon the following Order and requested that the Court enter an Order as set forth herein:

1. The plaintiff shall pay to the defendant as counsel fees and expenses the total sum of $1,000.00, payable $200.00 forthwith and $100.00 each calendar month for the next eight (8) months until paid in full, to be given by the plaintiff to his counsel for forwarding to defense counsel.

2. The defendant's claim for alimony pendente lite in count two, equitable distribution in count three and permanent alimony in count four of the defendant's petition for related claims under the Divorce Code are dismissed with the consent of the defendant with prejudic e.

3. The defendant has agreed that she will file an affidavit of consent to a 201(c) divorce forthwith, and upon the filing of that, either party may praecipe this case to court for final consideration.

BY ORDER OF THE COURT,
Robert L. Walker, S.J.

Aug. 22, 1990 copies to Attys. M. Kirkpatrick and J. Kulwicki

Aug. 24, 1990 Upon Praecipe of Plaintiff Attorney for Review Under Section 201(c) of Divorce Code, this case is moved to Court.

Aug. 30, 1990 **D I V O R C E D E C R E E F I L E D .**

AND NOW, August 30, 1990, it is ordered and decreed that Duane A. Marvin, plaintiff, and Saundra L. Marvin, are divorced from the bonds of matrimony.

BY THE COURT,
Gordon R. Miller, J

Oct. 25, 1993, Notice of Election to Retake Maiden Name filed.
TO BE KNOWN AS: SAUNDRA L. COUGHANAER.

1990

Jack, Kookogey & Felton
Robert J. Felton

153.

Shafer, Swick, Bailey, Irwin, & Stack
By: James R. Irwin

PAUL W. CAMPBELL

vs.

KARLA I. CAMPBELL
a/k/a
KARLA I. DILLINGER

Filed Feb. 8, 1990
@ 11:45 a.m.

Tax & entry Paid $50.25 ✓
Sheriff's Costs 48.20

APPEAL OF DEFENDANT FROM JUDGMENT OF RONALD A. CDLE, SR. DISTRICT JUSTICE

Feb. 8, 1990, Rule entered upon plaintiff to file complaint issued.

Feb. 12, 1990 Proof of service filed.

Feb. 26, 1990, Complaint filed. 1 copy (atty)

Mar. 19, 1990, Complaint Reinstated.

Apr. 24, 1990 Sheriff's Return filed. SERVED Karla I. Campbell personally onApril 18, 1990 at 10:50 AM by handing copy of Complaint to her at her place of employment, Quality Market, central avenue, Titusville, Crawford County, PA.
So answers, Robert M. Stevens, deputy Sheriff
Howard N. Stewart, sheriff

Dec. 21, 1990 Appearance of James R. Irwin, Attorney for Defendant filed.

Dec. 21, 1990 Answer and New Matter to Complaint filed.

1990

Fuller, Kinnunen, Petruso & Gamble
Victor J. Kinnunen

154.

~~Joseph A. Massa, Jr.~~ (withdrawn)

Gregory B. Fraser

HUGH F. JONES

vs.

RUTH M. JONES

Filed Feb. 8,1990
@ 3:03 p.m.

Tax & entry paid	$50.50
1 count paid	15.00
Pro Co Pd 8/12/91	9.00
state paid	10.00

In Co Pd 2-2-99 7cr

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION

2 copies (atty)

Feb 13, 1990 Affidavit of Service filed: VICTOR J. KINNUNEN, being duly sworn according to law, deposes and says that he is an attorney at law, duly authorized to practice law in the Commonwealth of Pennsylvania and that on February 9, 1990, he sent a copy of the Complaint in Divorce to the Defendant by certified mail, restricted delivery, postage prepaid, return receipt requested, to R.S.#2, Box 103, Russell Pennsylvania 16354, the Defendant's last known address. Said receipt, signed by Defendant, is attached hereto, indicating receipt on February 10, 1990.
Victor J. Kinninen

Mar. 2, 1990, Appearance of Joseph A. Massa, Jr. attorney for defendant, filed.

Mar. 2, 1990, Answer to Plaintiff's Complaint in Divorce filed.

Nov. 7, 1990, Upon praecipe of Joseph A. Massa, Jr. appearance withdrawn; and appearance of Gregory B. Fraser, attorney for defendant filed of record.

Nov. 13, 1990 Inventory and Appraisement of Hugh F. Jones filed.

Aug. 7, 1991 AffidaVIT OF Consent of plaintiff filed.

Aug. 7, 1991 Affidavit of Consent of defendant filed.

Aug. 7, 1991 Upon praecipe of plaintiff attorney, to transmit the record, this case moved to court.

Aug. 23, 1991 Stipulation and Ancillary Divorce decree - State Employee's Retirement System (Pension and Reitrement Benefit) filed. AND NOW, this 19th day of August, 1991, the Court orders and decrees as follows:

1. For the purpose of determining divisionof this benefit, the parties were married after the time the Defendant commenced working under the abovenpted retirement system. Specifically, Defendant worked from October, 1948, to September, 1951, and from OCtober, 1954, to the date ofmarriage on August 24, 1957. Defendant continued to work until October, 1957, and again worked from June, 1984, tothe date ofthe separation of the parties on November 10, 1989. The total number of months worked by Defendant during coverture under the State Employees' Retirment System is 67 months.

The parties were married August 24, 1957., The parties separated finally on November 10, 1989.

The Defendant continued to work, and accrue benefits under siad pensionand retirement system.

For the purpose of division of this benefit, the following faction shall be utlized to determine the entire marital factiom of the eventual benefit to be received at time of retirement, and shall apply both to anylump sum benefit and monthly benefit: 5.5833 (Total time worked during coverture / Total time of service to date of retirement/death ofRuth M. JOnes

As to said fraction, the parties shall divide andshare said protion ofthe following benefit or benefits that are payable pursuant to said retirement plan, such that Plaintiff, Hugh F. JOnes, shall be entitled to a figure arrived at by applying the above defined fraction, andthen multiplying same by 47/5% representing his share of following benefit or benefits:

A. Pre-retirement death benefit, or

b. Lump sum benefit elected by defendant at time of retirement, and/or

C. Monthly benefit amount.

The Defendant shall retainthe balance of said benefits, or 52/5% of said benefits.

2. The calculationof benefits to which said faction shall apply shallinclude all employee contributions and increase to and interest thereon, and all employer and state contribuitons and increase to and interest thereon, earned by or credited to the Defendant (which employer and state contributions only impact annuity payment anddeath benefit), between her date of hire anddate offinal retirement or her death (if she should die prior to retirement).

3. The parties realize that State Employees' Retirement System is established by and must comply iwth its enabling llegislation, wich at present (according to the Retirment System) does not allow for delivery of separate checks or through oversight, or until said divison of payments is legally authorized and accomplished through the State Employees' Rotirement System, all payments shall be forwarded by the State Employees' Retirement Stystem (or by the Defendant, it a check has been mailed toher in error) tothe Domestic Relations Office of the Court of Common Pleas of Crawford County, Pennsylvania (P.O. Box 1055, 898 Park Avenue, Meadville, Pennsylvania 16335-7055), and division shall be made by said Office in accordance with this Ancillary Divorce Decree and disbursed to the Plaintiff (47.5%) and Defendant (52.5%) respectively. The parties shall cooperate to sign any documents required to implement this provision.

If, in the future, the payment of separate checks by theState Employee's Retirement System is legally authorized, such that the retiree, Ruth M. Jones, and her former spouse, Hugh F. Jones, may receive their checks separately and in accordance withthis decree, both parties shall cooperate in accomplishing said visionof checks as soon as possible

In the event that all or part ofthe benefits received by the parties hereunder are subject to federal, state or local taxation for any purpose, each party agrees to fully pay any such tax liability when due and to indemnify and hold jamless theother. Furthermore, the parties shall cooperate in attempting to have the Pennsylvania State Employees' Retirement System report to the taxing authorities the amounts actually received by the respective parties and to submit the reporting under the respective party's tax indentificationnumber. IN the event any amounts received by one party are reported under the tax identificationnumber of the other party, resulting in an increased tax liability to the other party, resulting in an increased tax liabiliy to the other party, then the overtaxed party shall immediately and fully compensated by theother party, including the reasonable amounts for professional services needed to calculate the amount of increased liabiliy. UPon the refusal, failure or other default in making full an dimmediate compensation, the agency or entity divding the benefit between the parties is hereby authorized to direct the entire amount of the benefit to the overtaxed party until full compensation, including reasonable professional fees, is made. Notwithdtanding theforegoing, either party may request enforcement ofthis obligation in any court having jurisdiction, and successful enforcement proceedings shall entitle the requesting party to be fully compensated for all attorney's fees, costs and expesnes incurred in such enforcement proceedings, as an element of the enforcement order.

4. The defendant shall retain the right to exercise all options under said Plan. The Plan shall not be required, by way of this decree, to provide any benefits or options over and above the provisions of the Plan of saidState Employee's Retirement System, in effect and applying to these benefits at the time of Defendant's retirement/death.

5. Regarding said State Employees' Retirement System benefits and any successor plan. Plantiff, Hugh F. Jones, shall be entitled to benefits under this decree, whether he has remarried or relocated, and whether he is employed or unemployed In theevent Hugh F. Hones has died prior to the death of Ruth M. Jones if she does before retirement), said vesting and visions of benefits shall not occur, and Defendant shall retain the entire retirement and pension benefits. In the event that Hugh F. Jones dies subsequentto the retirement or death ofRuth M. JOnes, all payments fromany benefits to or through him, or to his estate, or to any subjsequent spouse of his, shall cease immediately upon his death, and Defendant shall retain the entire retirement and pension benefits.

Continued on the next page

Hugh F. JOnes

Vs.

Ruth M. JOnes

****

6. The Plaintiff is Hugh F. JOnes, social security number is 174-24-6817, his address is R.D. 4, Box 200A, Titusville, PA 16354, andhis birth date is June 4, 1931. The Defendant is Ruth M. Jones, social security number is 164-24-5994 and her address is R.D. 2, box 103, Russell, PA 16345, and her birth date is February 20, 1930.
7. Ruth M. Jones shall, and does hereby agree to, irrevocably authorize the State EMployees' Retirement System, to release any and all information requested by Hugh F. Jones from the Ruth M. Jones State Employees' Retirement System.
8. The court retains jurisdiction for the purpose of clarification, if clarification is necessary to the implementation of this decree.

BY THE COURT,
Gordon R. Miller, J

Aug. 26, 1991 Copies of order mailed to Victor Kinnunen and Gregory Fraser

Aug. 23, 1991 Stipulation and Ancillary Divorce decree - Cooper Industries Retirement System (Pension and Retirement Benefit) filed. AND NOW, this 19th day of August, 1991, the court orders and decrees as follows:
1. For the purpose of determining division of this benefit, it is agreed that all Cooper Industries pension benefits were accumulated by Defendant during coverture.
The parties shall divide and share said pension benefits payable pursuant to said retirement plan in such manner that Plaintiff, Hugh F. Jones, shall be entitled to a figure arrived at by multiplying Defendant's retirement benefit by 47.5%, representing his share ofthe following benefit or benefits:
A. Pre-retirement death benefit, or
B. Lump sum benefit elected by Defendant at time of retirement, and/or
C. Monthly benefit amount.
The Defendant shall retain the balance ofsaid benefits, or 52.5% of said benefits.
2. Defendant agrees to apply immediately for her Cooper Industry pension benefits, and to direct that all payments shall be forwarded to the Domestic Relations Office ofthe Court of Common Pleas of Crawford County, Pennsylvania (P.O. Box 1055, 898 Park Avenue, Meadville, PA 16335-7055), and visision shall be made by said office in accordance with this Ancillary Divorce Decree and disbursed to the Plaintiff (47.5%) and Defendant (52/5%) respectively. The parties shall cooperate to sign any documents required to implement this provision.
Should Cooper Industries and/or the trustee of its retirement plan authorize an irrevocable designationof payments as set froth herein to both Plaintiff and defendant, both parties shall cooperate in accomplishing said division of checks as soon as possible.
In the event that all or part ofthe benefits received by the parties hereunder are subject to federal, state or local taxation for any purpose, each party agrees to fully pay any such tax liability when due and toindemnify and hold harmless the otehr. Further more, the parties shall cooperate in attempting to have the "Cooper Industries, Inc. Salaried Employees' Retirement Plan" report to the taxing authorities the amounts actually received by the respective parties and to submit the reporting under the respective party's tax identification number. In the event any amounts received by one party are reported under the tax identificationnumber ofthe other party, resulting in an increased tax liability to the other party. then the overtaxed party shall be innediately and fully compensated by the other party, including the reasonable amounts for professional services needed to calculate the amount of increased liability. Upon the refusal, failure or other dedault in making full an dimmediate compensation, the agency or entity dividing the benefit between the aprties is hereby authorized to direct the entire amount of the benefit tothe overtaxed party until full compensation, including reasonable professional fees, is made. Notwithstadning theforeoging, either party may request enforcement ofthis obligation in any court having jurisdiction, and successful enforcement proceedings shall entitle the requesting party to be fully ocmpensated for all attorney's fees, costs and expenses incurred in such enforcement proceedings, as an element ofthe enforcement order.
3. REgarding said Cooper Industries pension benefits and any successor plan, Plaintiff, Hugh F. Jones, shall be entitled to benefits underthis decree, whether he has remarried, or relocated, and whetherhe is employed or unemployed. In the event Hugh F. Jones has died prior to the retirement ofRuth M. Jones (or if he has died prior to the deathof Ruth M. Jones if she dies before retirement), siadvesting andvisions of benefits shall not occur, and Defendant shall retain the entire retirement and pension benefits. In the event that Hugh F. Jones dies subsequent to the retirement or death of Ruth M. Jones, all payments fromany benefit to or through him, or to his estate, or to any subsequent spouse of his, shall cease immediately upon hisdeath.
4. The Plaintiff is Hugh F. JOnes, social security number is 174-24-6817, his address is R.D. 4, Box 200A, Titusville, PA 16354, andhis birth date is June 4, 1931. The defendant is Ruth M. Jones, social security number is 164-24-5994 and her address is R.D. 2, Box 103, Russell, PA 16345, and her birth date is February 20, 1930.
5. Ruth M. Jones shall, and does hereby agree to, irrevocably authorized theCooper Industries pension plan and/or its trustee, to release any and all information requested by Hugh F. Jones fromthe Ruth M. JOnes Cooper INdustries pension plan.
6. The Court retains jurisdictionfor thepurpose of clarification, if clarificationis necesssary to the implementation of this decree.

BY THE COURT,
GordonR. Miller, J

Aug. 23, 1991 **DIVORCE DECREE FILED.**

AND NOW, August 19, 1991, it is ordered and decreed that Hugh F. Jones, plaintiff, and Ruth M. Jones, defendant, are divorced from the bonds of matrimony.

BY THE COURT,
GorodnR. Miller, J

December 14, 1998 Stipulation and Agreement and Order filed. Adn Now, this 11th day of December 1998 the attached Stipulation and Agreement dated October 6, 1998 of the parties in this case, is incorporated but not merged into this Order of Court

By the Court
Anthony J. Vardaro, J.

May 11, 1999 Stipulation and Agreement and Order filed. Adn now, this 11 day of May 1999 the attached Stipulation and Agreement dated May 6, 1999 of the parties in this case, is incorporated but not merged into this Order of Court.

By the Court
Gordon R. Miller P.J.

5/11/99 Faxed Kinnunen

FOR FUTURE FILINGS AS OF APRIL 10, 2000 SEE COMPUTER

154
B

1990

1990

James R. Steadman

155.

WILLIAM A. YOUNG

vs.

F. T. RADLE AND REBECCA E. RADLE, HIS WIFE,
NILE K. FITCH,
FRED BIDWELL,
ARCHIE BIDWELL,
CHARLES BIDWELL,
DARWIN BIDWELL,
ELIZABETH BIDWELL,
LOUIS BURCHARD,
HATTIE CASTLE,
MRS. O. E. MARVIN,
NELLIE PRESTON,
HELEN WHITFORD,
MABLE WIESNER,
THEIR HEIRS, EXECUTORS,
ADMINISTRATORS AND ASSIGNS
AND ANY PERSONS CLAIMING
BY OR THROUGH THEM

COMPLAINT - ACTION TO QUIET TITLE

Feb. 28, 1990 Motion For Publication, Affidavit and Order filed. AND NOW, to-wit, this 28th day of February, 1990, upon consideration of the foregoing Motion, the Plaintiff is hereby granted leave to make service of the Complaint on the Defendants F.T. Radle and Rebecca e. radle, his wife, Fred Bidwell, Archie Bidwell, Charles Bidwell, Darwin Bidwell, Elizabeth Bidwell, Louie Burchard, Hattie Castle, Mrs. O.E. Marvin, Mellie PReston, Helen Whitford, Mable Wiesner, their heirs, executors, administrators and assigns, and any persons claiming by or through them by publication once in the Crawford County Legal Journal and once in the Meadville Tribune, a newspaper of general circulation in Crawford County, Pennsylvania.

BY THE COURT,
Gordon R. Miller, J

Feb. 28, 1990 Copy mailed to James Steadman

May 15, 1990, Complaint Reinstated.

June 6, 1990 Sheriff's Return filed. Not Found as to defendant Nile K. Fitch as per Affidavit received from Kings County Division Sheriff, Brooklyn, New York 11201 and attached to return.

So answers,
Howard N. Stewart, Sheriff

June 29, 1990 Motion For Publication and Order filed. AND NOW, to-wit, this 29 day of June, 1990, upon consideration of the foregoing Motion, the Plaintiff is hereby granted leave to make service of the Complaint on the defendnat, NileK. Fitch, his heirs executors, administrators and assigns, and any persons claiming by or through him by publication once in the Crawford County Legal Journal and once in the Meadville Tribune, a newspaper of general circulation in Crawford County, Pennsylvania.

BY THE COURT:
P. Richard Thomas, J

June 29, 1990 Copy of order mailed to James R. Steadman

July 23, 1990 Motion For Entry Of Final Decree, Affidavit and Order filed. AND NOW, to-wit, this 23 day of July, 1990, an Affidavit of Service of the Complaint with NOtice to Plead having been filed and no Answer having been made by the Defendants the Court, upon motion of James R. Steadman, Esquire, attonrey for the pl aintiff, her eby terminates any and all right, title and interest which the Defendants, an dan yof them may or might have in and to the premises as set forth in the Complaint.

AND, It is further ordered, adjudged and decreed that the Defendants are forever barred from asserting any right, title, lien or interest in and to the premises hereinbefore described unless the Defendants bring an action of ejectment aga inst the Plaintiff to recover the property hereinbefore described within twenty (20) days after the entry of this decree.

AND, It is further ordered, adjudged and decreed that upon the e xpiration of thirty (30) days of the date of the entry of this decree, the Prothonotary shall, upon praecipe of the Pl aintiff and without notice to the Defendants, enter final judgment in this case unless the Defendnats shall have commenced an action of ejectment as aforesaid.

BY THE COURT:
P. Richard Thomas, J

July 25, 1990 Copy of order mailed to James Steadman

And Now, Aug. 27, 1990, upon praecipe of plaintiff attorney, Final Judgment is hereby entered in favor of plaintiff and against the defendants for failure to file answer, in accordance with above order of court.

Judgment entered - 8/27/90

FINAL JUDGMENT
James F. Simmons,
Prothonotary

Filed Feb. 8, 1990
@ 3:24 p.m.

Tax & entry Paid	**$50.50**
Sheriff's costs	42.75
Pro Co Pd 8/27/90	9.00

R -61, 141
F - 125
B - 61, 11, 31, 41 51, 64,
C - 85
M - 124
P - 124
W - 85, 113

1990

Dennis G. Kuftic

156.

Brian Lindsay

ELLEN M. TEASDALE

vs.

WILLIAM P. TEASDALE

Filed Feb. 9, 1990
@ 10:56 a.m.

Tax & entry Paid $50.50 ✓
2 counts paid 30.00
Pro Co Pd. 10/15/90 5.00 ✓

COMPLAINT IN DIVORCE, ALIMONY, MARITAL PROPERTY, ALIMONY PENDENTE LITE, COUNSEL FEES AND EXPENSES

2 copies (atty)

Mar. 20, 1990 Notice Of Service Of INterrogatories filed.

Mar 29, 1990 Affidavit of Service filed: Before me, the undersigned Notary Public, personally appeared Dennis G. Kuftic, Esquire, attorney for Plaintiff, Ellen M. Teasdale, in the above-captioned case. The affiant deposes and states that he mailed a true and certified copy of a Complaint in Divorce in the above-captioned case to defendant at R.D.#3, Box 176B, Cochranton, Pennsylvania 16314, by certified mail, return receipt requested, pursuant to Rule 1920.4(a)(ii). The original of the return receipt is attached to this Affidavit and made a part hereof.

Affiant further states that he sent a second true and attested copy of the Complaint in Divorce in the above-captioned case to the Defendant by ordinary mail at the above same address.

Dennis G. Kuftic, Esq.
Attorney for Plaintiff

Oct. 15, 1990, Upon praecipe of defendant attorney, and by stipulation of the plaintiff and defendant, the above captioned action is hereby discontinued of record.

David R. Devine

157.

LORDS EMPLOYEES FEDERAL CREDIT UNION

vs.

TIMOTHY L. AND PATRICIA L. CAMPBELL, HUSBAND AND WIFE

Filed Feb. 9, 1990
@ 11:16 a.m.

Tax & entry Paid $50.50
Sheriff's Costs 39.80

Pro Co Pd 4-20-90 9.00

ACTION OF MORTGAGE FORECLOSURE

6 copies (atty)

Mar. 15, 1990 Complaint Reinstated.

Mar. 29, 1990 Sheriff's Return filed. SERVED Patricia L. Campbell, by handing copy of complaint to her daughter, Christa Campbell at their residence, R.D.#1, Hickernell Road, Springboro, PA on March 20, 1990 at 11:05 AM.
SERVED Timothy L. Campbell, personally, on March 20, 1990 at 4:00 p.m. at his place of employment, Lords Manufacturing, Cambridge Springs, Crawford County, PA.
So answers, Robert M. Stevens, Deputy
Howard N. Stewart, Sheriff

Apr. 12, 1990 Affidavit of Service of Notice OF Intent to take default Judgment filed.

AND NOW, April 20, 1990 @ 1:48 P.M. Upon Praecipe of Plaintiff's Attorney Judgment is hereby entered in favor of the Plaintiff and against the defendants for failure to file an answer and the same is liquidated as follows: Principal, Sixty-five Thousand Seven Hundred Twenty-three and 57/100 Dollars; Interest as of February 6, 1990, Two Thousand Three Hundred Nine and 73/100 Dollars; Amount of Judgment Sixty-eight Thousand Thirty-three and 30/100 Dollars; Attorney fees - 10% of Principal, Six Thousand Five Hundred Seventy-two and 36/100 Dollars; Costs as of April 19, 1990-Fifty-and50/100 filing fee for Complaint, Thirty-nine and 80/100 Sheriff Nine Dollars entry of Judgment, Total Ninety-nine and 30/100 Dollars.
C-162,132 Debt.....$68,033.30 + costs& atty fees

JUDGMENT
James F. Simmons
Prothonotary

Apr 20, 1990 Judgment entered.

EX/990.47

1990

158.

KENNETH HANCOCK

vs.

JANICE HANCOCK

Filed Feb. 9, 1990
@ 1:39 p.m.

Sheriffs costs	$24.20
Tax & entry	**$50.50**
Pro Co	9.00

to County Control.

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies (sheriff)
1 copy (plff)

Feb. 9, 1990 TEMPORARY ABUSE ORDER filed. And now, this 9 day of Feb., 1990, upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.

2. Special Conditions: Husband granted exclusive occupancy of the marital residence.

3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.

4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and

5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a Sheriff, constable, police officer or competent adult.

6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for pay ent of fees and costs will be determined by final court order.

7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.

8. The court reserves ruling on allocation of fees and costs.

Hearing is hereby set for Feb. 20, 1990, at 3:30 P.M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

By Order Of Court,
P. Richard Thomas, J.

Feb. 9, 1990, 3 copies Sheriff, 1 copy to Plaintiff.

FEb. 16, 1990, Sheriffs Return filed. SERVED Janice Hancock personally on feb. 9, 1990, at 4:01 p.m. by handing copy of Protection from Abuse toher at residence 339 East Erie ST. LInesville, Crawford County, Pa.

So answers, Robert M. Stevens, Dep. sheriff
Edgar D. Householder, Chief Deputy
Howard N. Stewart, sheriff

Feb. 26, 1990 Order filed. AND NOW, this 20th day of February, 1990, at the time set for hearing, both parties were represented by counsel and entered into an agreement to resolve this matter, which said agreement is now made a Court Order as follows:

1. Neither party admits any fault or liability with respect to the petition filed by the plaintiff, but desires to settle this matter amicably.

2. Neither party shall assault, abuse, harass or threaten the other or their minor children named in the petition in any manner whatsoever, including but not limited to the manner in which abuse is defined in 35 P.S. 101(8)(2).

3. This Order may be enforced without a warrant of arrest by any Law Enforcement Officer having reasonable grounds to believe that it has been violated.

4. A copy of this Order shall be delivered to the police department in the jurisdiction in which the parties reside and County Control.

5. This Order, with respect to the abuse portions thereof, shall remain in full force and effect for sixty (60) days or until modified or terminate dby further Order of Court, whicever occurs first.

6. The parties are reminded that this is an Order of Court and a violationof this Order may be punishable by a fine of up to $1,000.00 and a jail sentence of up to six (6) months.

7. The current marital residence at 339 East Erie Street, LInesville, Pennsylvania, shall remain the residence of the plaintiff, who shall have sole occupany thereof, and the defendant shall not reside there.

8. The defnedna tis given two (2) hours from 10:00 o'clock A.M. to 12:00 o'clock Noon on February 21, 1990 to go upon the marital residence at 339 East Erie Street, Linesville, Pennsylvania, with her parents for the purpose of removing exclusively personal property owned by her and nothing else. The plaintiff shall not be present during that period of time.

9. Until further Order of Court in this or a related divorce or equitable distribution proceeding, neither party shall dispose of any property owned by the other or owned jointly by the two of them.

10. The plaintiff shall be responsbile for paying allof the expenses of maintaining the marital residence, which siad expenses may have been incurred in the past, are being incurred now or may be incurred in the future, in which said expenses shall include, but are not limited to, such things as rent and utilities.

11. Without deciding matters of custody and visitation and for the sole purpose of disposing of this petition, but with the agreement of the parties, temporary custody of the parties' minor children, Brent and Ashley, shall remain with the plaintiff. The defendnat shall be permitted tO take the minor chidlren, Brent and Ashley, into her custody every weekend commencing with Saturday, February 24, 1990, which said periods of visitation shall begin at 10:00 o'clock a.m. on Saturday morning and terminated at 7:30 o'clock p.m. the following day, Sunday. The children shall be picked up fromthe plaintiff's home and returned to the plaintiff's home by the defendants sister, LInda Zicarelli.

12. Since the parties indicate that there is a pending divorce action that includes child custody and visitation counts, and further, that JOhnFuller has already been appointed a Custody Mediator, the custody and visitation matters are referred back to JohnFuller as custody Mediator, to schedule a hearing and make whatever recommendations he believes are appropriate with respect to the issues before him.

13. The costs of these proceedings shall be paid by the plaintiff forthwith.

14. The matters of custody and visitations involving the minor children ofthe parties is temporary until modified by the Custody Mediator or the Court.

BY ORDER OF THE COURT,
Gordon R. Miller, J

Feb. 28, 1990 Copies of order put in James Irwin, David Truax, John Fuller and County Control box and copy to pllaintiff

Blystone & Blystone
Curtis E. Blystone

159.

PENNBANK, FORMERLY THE PENNSYLVANIA BANK AND TRUST COMPANY

vs.

CYNTHIA M. LUIKART, NOW CYNTHIA M. KISER

Filed Feb. 9, 1990
@ 2:11 p.m.

Tax & entry Paid $50.50

Sheriff's costs 37.76
Pro Co pd 3/7/90 9.00

COMPLAINT IN ACTION OF MORTGAGE FORECLOSURE

3 copies (sheriff)

Feb. 9, 1990, Affidavit of Non Military Service of defendant filed.

Feb 22, 1990 Sheriff's Return filed: SERVED Cynthia M. Kiser on February 12, 1990, at 12:15 p.m. by handing copy of Complaint to Richard Murphy, person in charge of residence, Lot G-9, Hayfield Estates Trailer Court, Saegertown, Crawford County, Pa.

SERVED Fred Humes, person in possession of property, on February 12, 1990 at 11:54 A.M. by handing copy of Complaint to Vicki Anderson, person in charge of residence at 917 Erie Street, Saegertown, Crawford County, Pa.

SERVED Vicki Anderson, personally, person in possession of property on February 12, 1990 at 11:55 A.M. at 917 Erie Street, Saegertown, Crawford County, Pennsylvania.

So answers, Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

Mar. 7, 1990 Affidavit Re Place Of Residence Of Defendant Cynthia M. Luikart, now Cynthia M. Kiser filed.

And Now, Mar. 7, 1990 at 3:32 pm upon praecipe of plaintiff's attorney, judgment is hereby entered in favor of the plaintiff and against the defendant for failure to file an answer and the damages are assessed at the sum of Twenty-one Thousand Two Hundred Forty-one and 35/100 plus interest and cost of suit.

L-34; K-34
judgment entered 3/7/90

Debt $21,241.35
Int. from 2/2/90
Judgment
James F. Simmons
Prothonotary

EX 1990 - 24

160

1990

Blystone & Blystone
Curtis E. Blystone

160.

PENNBANK

vs.

MERLE L. SMITH AND
DELILAH J. SMITH

Filed Feb. 9, 1990
@ 2:15 p.m.

Tax & entry Paid $50.50
Sheriff's costs 97.80
Pro Co pd 6/5/90 9.00

COMPLAINT IN ACTION OF MORTGAGE FORECLOSURE
4 copies (sheriff)

Feb. 9, 1990, Affidavit of Non Military Service filed.

Mar. 8, 1990 Complaint Reinstated.

April 11, 1990 Sheriff's Return filed: Before me, the undersigned authority, personally appeared Stephen Brandon, Deputy who being duly sworn according to law, deposes and says that on teh 28th day of March, 1990, at 10:50 A.M. he served Complaint in Mortgage Foreclosure filed at AD 1990-160, Crawford County, Pa, upon defendant Delilah J. Smith at 25 High St., Erie Co., Union City, Pa. by making known the contents thereof to Delilah J. Smith and handing to and leaving with her the certified copy of the complaint in Mortgage Foreclosure received from Crawford County.

Stephen R. Brandon, Deputy
Robert N. Michel, Sheriff

SERVED Jean Lind person in possession of Mortgaged property on February 15, 1990 at 3:32 P.M. by handing copy of Complaint in Mortgage Foreclosure to her at 401 W. Walnut St., Meadville, Crawford Co., Pa.

SERVED Ray Lind person in possession of mortgaged property on February 15, 1990 at 3:33 p.m. by handing copy of Complaint in Mortgage Foreclosure to his wife, Jean Lind at 401 W. Walnut St., Titusville, Crawford Co., Pa.

SERVED Merle L. Smith on March 19, 1990 at 11:59 am by handing copy of Complaint in Mortgage Foreclosure to his wife, Deborah Smith, at their residence, 222 E. Walnut St., Titusville, Crawford Co., Pa.

SERVED Delilah J. Smith by deputizing the Sheriff of Erie Co., Pa as per his Affidavit of Service attached. Served March 28, 1990.

So answers, Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

June 5, 1990 Affidavit Re Place Of Residence Of Defendant Merle L. Smith filed. The undersigned, Curtis E. Blystone, attorney for the plaintiff in the above cpationed action, deposes and says that, after further investigation, it has been learned that prior to the filing and service of the Complaint in Action of Mortgage Foreclosure, but subsequent to the giving of NOtice Of Intention to Foreclose pursuant to Section 403 of Act No. 6 of 1974, defendant Merle L. Smith relocated his place of residence from that state din the Complaint, that is, 213½ North Monroe Street, Titusville, Pennsylvania 16354, to that stated in the Sheriff's Return of Service, that is, 222 East Walnut Street, Titusville, Crawford County, Pennsylvania.

I hereby verify that the statements set forth herein are true and correct to the best of my knowledge, information and belief. I understand that false statements made herein are subject to the penalties of 18 Pc. C.S. §4904 relating to unsworn falsification to authorities Curtis E. Blystone

June 5, 1990 Affidavit filed.

1. The undersigned, Delilah J. Smith, is one of the defendants named in the above captioned action.
2. Affiant's place of residence is 25 East High Street, Apartment 4, Union City, Erie County, Pennsylvania, 16438, and affiant has resided at that address continuously since prior to November 17, 1989 when the notice pursuant to Section 403 of Act No. 6 of 1984 (Exhibit G to the Complaint) was mistakenly mailed to affiant addressed to 24 East High Street, Union City, Pennsylvania, 16438 and was actually delivered to affiant's address at 25 East High Street and signed for by affiant's daughter, Lillian Smith, who also resides at 25 East High Street, Union City, Pennsylvania 16438.

I hereby verify that the statements set forth in the foregoing Affidavit are true and correct to the best of my knowledge, information and belief. I understand that false statements made her ein are subject to the penalties of 18 Pa.C.S. Section4904 relating to unsworn falsification to authorities. Delilah J. Smith

And Now, June 5, 1990 at 1:49 p.m. upon praecipe of plaintiff's attorney, jdugment is her eby entered in favor of the plaintiff and against the defendant for failure to file an answer and the damages are assessed at the sum of Nineteen Thousand Seven Hundred Seventy-nine and 17/100 plus interest and cost of suit.

S-213-217
judgment entered June 5, 1990

Debt $19,779.17
Int. from 8/15/89 to 2/2/90
Judgment
James F. Simmons
Prothonotary

Ex 1990-55

1990

Watts, Pepicelli, Youngs and Youngs PC
Theodore H. Watts

161.

Knox, McLaughlin Gornall & Sennett P.C.
Mark E. Mioduszewski

JOHN W. GIZZIE AND CHRISTINE S. GIZZIE, HUSBAND AND WIFE

vs.

PENNSYLVANIA ELECTRIC COMPANY

Filed Feb. 9, 1990 @ 4:14 p.m.

Tax & Entry Paid $50.50
Sheriff's Costs 49.00

SUMMONS IN A CIVIL ACTION

Issued (sheriff)

Apr. 24, 1990 Writ Return filed. Before me, the undersigned Authority, personally appeared Elgene Biber who being duly sworn according to law, deposes and says that on the 21st day of February, 1990, at 3:05 P.M., he served Summons in Civil Action, filed at No. 1990-161 Term, 19, Crawford Pennsylvania, upon defendant Pennsylvania Electric Co. at 1001 Broad St., Johnstown, Cambria County, PA. By making known the consents thereof to Geogianna Stenger, Corp. attorney, and handing to and leaving with her the certified ocpy of the Summons in Civil Action received from Crawford County,
So answers, Elgene Biber, Deuty Sheriff
Jay Roberts, Sheriff
SERVED Pennsylvania Electric Company by deputizing the Sheriff of Cambria County, PA as per his Affidavit of Service attached.
Served: Feb. 21, 1990.
So answers, Howard N. Stewart, Sheriff

June 13, 1997 Motion to Dismiss for Failure of the Plaintiffs to Prosecute filed.

June 13, 1997 Appearance by Knox, McLaughlin, Gornall & Sennett, P.C. by Marke E. Miodusszewski, for Defendant filed.

June 25, 1997 Praecipe for Argument List, filed.

ON ARGUMENT LIST FOR July 1997

June 13, 1997 Motion to Dismiss for Failure of the Plaintiffs to Prosecute and Order filed. AND NOW, to wit, his 1st day of July, 1997, upon consideration of the foregoing motion to dismiss for failure of the plaintiffs to prosecute, and after hearing and argument, it is hereby ORDERED, ADJUDGED AND DECREED that the motion be and hereby is granted and that judgment be and hereby is entered in favor of the defendant, Pennsylvania Electric Company, and against the plaintiffs, John W. Gizzie and Christine S. Gizzie.
BY THE COURT
Gordon R. Miller, J.
9-16-97 FAXED Mioduszewski and Watts

Jorden & White
William T. Jorden

162.

NANCY C. DICK

vs.

AETNA CASUALTY AND
SURETY COMPANY

Filed Feb. 9, 1990
@ 4:19 p.m.

Tax & entry Paid $50.50
Sheriff's costs 20.00

PETITION TO RESOLVE SUBROGATION

ORDER:

AND NOW, this 9 day of Feb. 1990, a rule to show cause is issued against Aetna Casualty and Surety Co. to show cause why an order should not be issued by this court that effective thirty (30) days after service of this Petition and Order, that Nancy C. Dick, is authorized to settle with Motorists Mutual Insurance Company for Fifty Thousand Dollars ($50,000.00) and to execute a general release in favor of Walter R. Luther, while at the same time, preserving the right of Nancy C. Dick to proceed with an underinsurance motorist claim and arbitration against Aetna, unless within said thirty (30) days, Aetna tenders it's own draft of Fifty Thousand Dollars ($50,000.00) to Nancy Dick as substitution for the Motorists Mutual Settlement, thus protecting it's subrogation rights.

P. Richard Thomas, J.
Feb. 12, 1990, copy of order to W. Jorden Esq

March 5, 1990 Sheriff's Return filed. Petition returned to Prothonotary unserved per request from Atty. Williams T. Jorden, 966 S. Main St., Meadville, PA.
So answers, Howard N. Stewart, Shreiff

1990

Mary Ann Kirkpatrick

163.

TRACY J. GRAHAM

vs.

MICHAEL GALLAGHER

Filed Feb. 12, 1990
@ 8:59 a.m.

Tax & entry Paid $50.50

COMPLAINT IN DIVORCE

1 copy (atty)

Feb. 21, 1990 Affidavit Of SErvice filed. And Now, February 21, 1990, comes Lisa M. Sherretts, being duly sworn according to law, deposes and sets forth as follows:
1. That she is the legal secretary of Attorney for Tracy J. Graham, Plaintiff in the above-captioned matter.
2. That on information furnished to her by the Plaintiff, she caused a certified copy of the Complaint in Divorce to be forwarded by Certified Mail, P276618191; postmarked February 15, 1990, to the last known address of the Defendant, Michael Gallagher, Box 4, Star Route, Cooperstown, Pennsylvania 16317.
3. that the Defendant, Michael Gallagher, on February 17, 1990 personally signed the return receipt card which was affixed to the Complaint in the above matter and which is attached hereto as Exhibit "A".
4. Service of the Complaint against the defendant is therefore effected in accordance with Pennsylvania Rules of Civil Procedure.
Lisa M. Sherretts

Oct. 24, 1990 Motion to transfer the Divorce Action to Venango County and Order filed. And Now, October 24, 1990, Motion granted. This matter is transferred to Venango County, Court of Common Pleas for further action as appropriate. By the Court:
P R Thomas, SJ

cc Oct. 25, 1990 Copy of order put in Mary Ann Kirkpatrick's box.

1990

Apple and Apple
Joel E. Hausman

164.

CORTLAND SAVINGS AND BANKING CO., ASSIGNEE OF PONDEROSA PARK RESORT

vs.

DEBRA D. HENRY AND WILLIAM C. HENRY JR., JOINTLY AND SEVERALLY

Filed Feb. 12, 1990
@ 11:31 a.m.

Tax & entry Paid	$50.50
Sheriffs costs	20.00
Sheriff's Costs	40.00
Pro Co. Pd 6-21-90	9.00
Pro Co. Pd. 1-13-92	5.00

COMPLAINT

2 copies (sheriff)

Feb. 23, 1990, Sheriffs Return filed. Not Found, as to defendant Debra D. Henry. Not at address given. Not Found, as to defendant William C. Henry Jr. NOt at address given.
So answers, Howard N. Stewart, Sheriff

Apr. 16, 1990, Complaint Reinstated

May 9, 1990 Sheriff's Return filed: SERVED Debra D. Henry personally on April 20, 1990 at 10:15 a.m. at her residence, R.D.#4, Box S49, Saegertown, Crawford County, Pa 16433.
SERVED William C. Henry, Jr. on April 30, 1990 at 12:45 p.m. by handing copy of Complaint to Brenda DeRoss, adult in charge of residence, RD Guys Mills, Schenberg Rd., Crawford Co., Pa.
So answers, Edgar D. Householder, Chief Deputy
Robert M. Stevens, Deputy
Howard N. Stewart, Sheriff

June 21, 1990 , 3:43 P.M., AND NOW upon Praecipe of Plaintiff Attorney, with copy of Notice of Intention to file default judgment attached, judgmetn is hereby entered in favor of Plaintiff and against Defendant for failure to file an answer, in the amount of $4,910.24, computed as follows:

Amount named in Complaint	$4,644.47
Interest from 2/2/90 to 6/2/90 on $4,429.51	$ 265.77
TOTAL	$4,910.24

H-43,173
Judgment entered 6/21/90

Debt $4,910.24
Judgment
James F. Simmons, Pro.

EX1990-85
EX1991-95

Jan. 13, 1992 Upon praecipe of plaintiff attorney the above judgment is satisfied of record.

1990

Altomare & Barnhart
Joseph C. Barnhart

165.

LYNN J. ONGLEY

vs.

DAWNENE A. ONGLEY

Filed Feb. 12, 1990
@ 11:44 a.m.

Tax & entry Paid $50.50 ✓
2 counts paid 30.00 ✓

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
ALIMONY

Feb. 17, 1998 Important Notice and Court Order filed. Our court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since . We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonably delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.

If you do not object this this case being dismissed, you do not have to do anything. The case will be marked "dismissed with prejudice" in our records, and will be over forever.

If you object to the case being dismissed, you must put your object in writing and follow Crawford County Civil Local Rule L206, LJA 1901E and LJA 1901F, explaining why there has been a delay in your case and why it is not unreasonable. These written objections must be filed in the Prothonotary's Office on or before April 24, 1998. You must also give or sent a copy of any objections you file to the other party or his or her attorney, and certify that you have done so when you file your objections with the Prothonotary.

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

Court Administrator
Second Floor-Crawford County Courthouse
Meadville, PA 16335
(814) 333-7498

By the Court,
Date: February 13, 1998 Anthony J. Vardaro, J
Feb. 17, 1998 copies mailed by Court Administrator's Office

May 6, 1998 Order filed. AND NOW, this fourth day of May, 1998, written notice of the Court's intent to terminate the cases listed below having been given to the parties or their counsel of record, and further notice having been given to counsel and parties by publication of a "Notice of Intent to Terminate Cases" printed in the Crawford County Legal Journal on April 15, 1998, and no objection thereto haing been received by the Court from either party in the cases listed below, **all and each of the 245 cases listed below are hereby terminated and dismissed with prejudice.** A copy of this order shall be filed at each of the docket numbers listed below, but copies need not be given to or served upon the parties or their attorneys. Cases may be reinstated only in accordance with Crawford County Rule LJA 1901.

By the Court:
Gordon R. Miller, P.J.

(See original filed at A.D. 1997 - 702)

1990

Phillips & Galanter
Cary W. Valyo

166.

Taggert & Moran
James J. Bruno

ARCHIE MANROSS

vs.

WILLIAM JOHN MARUCCI, III
AND WILLIAM JOHN MARUCCI, II

Filed Feb. 12, 1990
@ 1:12 p.m.

Tax & entry paid $50.50 ✓

Sheriff's costs 23.00

Pro Co.pd 6/16/93 9.00
Pro Co. pd 12/5/94 6.00

COMPLAINT IN CIVIL ACTION

Mar 15, 1990 Sheriff's Return filed: Before me, the undersigned authority, personally appeared Paul Griener, Deputy, who being duly sworn according to law, deposes and says that on the 1st day of March, 1990, at 3:05 P.M. he served a complaint filed at AD 1990-166, Crawford County, Pennsylvnaia, upon defendant William John Marucci, III at 910 West 29th Street, Erie Co. Erie, Pa by making known the contents thereof to William John Marucci, III and handing to and leaving with him the certified copy of the Complaint received from Crawford County.

Paul Greiner, Deputy Sheriff
Robert W. Michel, Sheriff

Before me, the undersigned authority, personally appeared Paul Griener, deputy who being duly sworn according to law, deposes and says that on the 1st day of March, 1990, at 3:05 p.m. he served complaint filed at AD 1990-166, Crawford County, Pa, upon defendant William John Marucci, II at 910 W 29th St., Erie Co., Erie, Pa by making known the contents thereof to him and handing to and leaving with him the certified copy of the Complaint received from Crawford Co.

Paul Greiner, Deputy Sheriff
Robert N. Michel, Sheriff

SERVED William John Marucci, III, by deputizing the Sheriff of Erie County, Pa. as per his affidavit of service attached. Served: March 1, 1990.

SERVED William John Marucci, II by deputizing the Sheriff of Erie County, Pa as per his Affidavit of Service attached. Served: March 1, 1990.

So answers, Howard N. Stewart, Sheriff

Apr. 2, 1990, Preliminary Objections of Defendants William John Marucci, III and William John Marucci, II, filed. 2 copies (atty)

Sept. 14, 1992 PRAECIPE FOR LEAVE TO AMEND PLAINTIFF'S COMPLAINT, filed.

June 16, 1993 Upon Stipulation For The Entry of Judgment; judgment is hereby entered on behalf of the Plaintiff and against the Defendants in the amount of $2,000.00

Debt $2,000.00
M-174 JUDGMENT
Judgment entered Barbara H. King,
6/16/93 Prothonotary

Dec. 1, 1994 Upon praecipe of plaintiff attorney the above-referenced case is marked satisfied of record.

1990

Rodgers, Perfilio,
Heiman & Sewinsky, PC
Henry E. Sewinsky

167.

FIRST NATIONAL BANK OF
MERCER COUNTY

vs.

L. A. LORENO REAL ESTATE

Filed Feb. 12, 1990
@ 1:21 p.m.

Pro Simmons paid $9.00 ✓
Plff on orig. $15.50

AGREEMENT TO REVIVE

of

AD 1985 - 123

Agreement to Revive indexed in favor of plaintiff and against the defendants in the amount of Twenty Six Thousand One Hundred Fifty Four and 11/100 Dollars.
Dated.....Feb. 8, 1990
Debt.....$26,154.11
L - 184.....JUDGMENT
James F. Simmons,
Prothonotary

Feb. 13, 1990 Notice to defendant from entry of judgment mailed to defendant.

1-7-95
Revived to AD1995-142

1990

John M. Dawson
District Attorney

168.

COMMONWEALTH OF PENNSYLVANIA

vs.

$50,692.00

Filed Feb. 12, 1990
@ 2:32 p.m.

PETITION TO IMPOUND FUNDS HELD BY GARNISHEE

ORDER:
AND NOW, this 12 dayof February 1990, upon consideration of the within Petition, hearing/argument thereon is hereby scheduled for Feb. 16, 1990 at 3:00 p.m.

The commonwealth is directed to provide notice to the following corporations and/or individuals of said hearing: Marine Bank, Mellon Bank, Rigby Ford, Inc. Pam Hartzell, Ford Motor Company and the Northwest Pennsylvania Automobile Dealers' Association.

Pending hearing , the funds amounting to $50,692.00 in the Rigby Ford, Inc. Marine Bank account number 1012-8477 shall be frozen.

BY ORDER OF THE COURT,
P. Richard Thomas, P.J.
Feb. 13, 1990 copy to Atty. Dawson.

March 1, 1990 ORDER filed. AND NOW, this 27th day of Feb., 1990, at the time set for hearing, the parties advised the court that the matter has been resolved as between Pamela Hartzell, Rigby Ford, Inc. and Marine Bank. Pursuant to the agreement between the parties, it is hereby ordered, adjudged and decreed, that Marine Bank shall be entitled to 50% of the funds that are in the Rigby Ford account at Marine Bank, account no. 1012-8377 and that Rigby Ford, Inc. shall be entitled to the remaining 50% of the funds. Marine Bank is directed to set off against the account the sum to which they are entitled and to leave the balance of 50% in the account and to unfreeze the account so that Rigby Ford, Inc. will be able to use those funds.

It is further ordered, adjudged and decreed that Marine Bank shall release Rigby Ford, Inc. from any further liability arising out of the depost of funds into their account at Mellon Bank by Pamela Hartzell on Dec. 7 and December 8, 1989.

It is further ordered, adjudged and decreed that Pamela Hartzell is entitled to a credit of $40,692.00 which credit shall be applied against all sums of money owed by Pamela and Randall Hartzell to Marine Bank.

BY THE COURT:
P. Richard Thomas, J.

March 2, 1990 Copy of Order to Atty. John Dawson, Firm of Thomas, Truax, Spadafore, Vardaro & Walker.

1990

William J. Gregg

169.

JACQUELINE A. FERRY

vs.

ROGER L. FERRY

COMPLAINT UNDER SECTION 201(c) OF THE DIVORCE CODE

1 copy (atty)

June 17, 1993 Affidavit of Consent of Plaintiff filed.

June 17, 1993 Affidavit of Consent of Defendant filed.

Oct. 4, 1994, upon praecipe of plaintiff attorney, for Review, this case moved to court.

Oct. 21, 1994 ORDER filed. This divorce matter has been referred to the Court for review and decree. The Court has reviewed the record and is returning the record to the Prothonotary. A final decree will not be entered at this time because:

X A proper return or proof of service has not been filed.

Either party may file a praecipe to refer the matter back to the Court when the record is in such a state that the parties are entitled to a final decree.

10-21-94

BY THE COURT
Gordon R. Miller, J.

10-24-94 Faxed to Atty.Gregg

Filed Feb. 12, 1990
@ 2:43 p.m.

Tax & entry Paid	$50.50
Pro Pd 10/7/94	10.00
Pro pd 10/7/94	9.00

Oct. 26, 1994 AFFIDAVIT OF SERVICE, filed. AND NOW, this 25th day of October, 1994, William J. Gregg, Esquire, being duly sworn according to law, deposes and says that the following facts in support of his Affidavit of Service are true and correct to the best of his knowledge, information and belief:

2. That a true and correct copy of the Complaint in Divorce and Notice wre sent by certified mail to the Defendant, Roger L. Ferry, on February 14,1990.

1. That the Affiant is the Attorney for the Plaintiff in the above-captioned action.

3. That the Defendant received said certified mail on February 16,1990. A copy of said Return Receipt Card P 076 254 240 is attached hereto, signed by Roger Ferry and made a part hereof.

4. That the Affiant did prepare and file an Affidavit of Service regarding service of the Divorce Complaint but apparently the Affidavit was filed under A.D. 1990-129 which involves the same Plaintiff and Defendant but is believed to be a Protection from Abuse matter.

Oct. 26, 1994 Upon praecipe of plaintiff's attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Nov. 2, 1994 AND NOW, Oct. 31, 1994, it is ordered and decreed that JACQUELINE A. FERRY, Plaintiff, and ROGER L. FERRY, Defendant, are divorced from the bonds of matrimony.

The court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.

BY THE COURT:
Gordon R. Miller, J.

1990

William J. Gregg

170.

THOMAS E. WHITE

vs.

JULIE E. WHITE

Filed Feb. 12, 1990
@ 2:43 p.m.

Tax & entry paid $50.50 ✓
Pro Co pd 8/13/90 9.00
State pd 8/13/90 10.00

COMPLAINT UNDER SECTION 201(c) OF THE DIVORCE CODE

1 copy (atty)

Feb. 20, 1990 Affidavit of Service filed. LEE A. EVANS, being duly sworn according to law, deposes and says that the following facts in support of her Affidavit of Service are true and correct to the best of her knowledge, information and belief;
1. That the Affiant is an adult individual, over the age of eighteen (18) years, and a citizen of the United States of America.
2. That she is employed at the Law Offices of William J. Gregg, Esquire, in the capacity of secretary.
3. That on February 14, 1990, at approximately 4:50 p.m., she delivered a certified copy of the Divorce Complaint in the above captioned matter, unto the Defendant, by handing the same to her at the Law Offices of William J. Gregg, Esquire, East Side Knolls, Route 18, Conneaut Lake, Pennsylvania.
FURTHER AFFIANT SAITH NOT. Lee A. Evans

July 10, 1990 Affidavit Of Consent of Defendant filed.

Aug. 13, 1990 Affidavit of Consent of Plaintiff filed.

Aug. 13, 1990 Upon praecipe of Plaintiff Attorney For Review, this case moved to court.

August 23, 1990 DIVORCE DECREE FILED.

AND NOW, August 22, 1990, it is ordered and decreed that THOMAS E. WHITE, plaintiff, and JULIE E. WHITE, defendant, are divorced from the bonds of matrimony.

BY THE COURT,
Gordon R. Miller, P.J.

1990

Jorden and White
~~William~~ William T. Jorden

171.

MacDonald, Illig, Jones & Britton
S. E. Riley, Jr.
Kenneth E. Reichel, d/b/a Kenneth Reichel Bus Lines

MacDonald, Illig, Jones & Britton
S. E. Riley, Jr.
Patricia L. Hoegerl

Jason ReBrassier

~~JOSEPH REBRASSIER, AS PARENT AND NATURAL GUARDIAN OF JASON, A MINOR~~

vs.

PATRICIA L. HOEGERL AND KENNETH E. REICHEL, d/b/a KENNETH REICHEL BUS LINES

Filed Feb. 12, 1990
@ 3:43 p.m.

Tax & entry paid	$50.50
Sheriffs costs	29.00
Pro Co Pd 5/23/90	6.00

COMPLAINT

2 copies (atty)

FEb. 23, 1990, Sheriffs REturn filed. SERVED Kenneth E. Reichel personally on Feb. 14, 1990 at 10:45 a.m. by handing copy of complaint to him at Dennys Corners, c/o Kenneth Reichel Bus Lines, Meadville, crawford County, Pa.

Feb. 23, 1990, SERVED Patricia L. Hoegerl personally on Feb. 14, 1990 at 1L:00 A.M. by handing copy of Complaint to her at residence R. D. #1, Mosiertown Road, Saegertown, Crawford County, Pa.

So answers, Robert M. Stevens, dep. sheriff
Howard N. Stewart, Sheriff

Mar. 20, 1990 Appearance of MacDonald, Illig, Jones & Britton by S. E. Riley, Jr. for Kenneth e. Reichel, d/b/a Kenneth Reichel Bus Lines only filed.

March 28, 1990, Appearance of MacDonald, Illig, Jones & Britton by S. E. Riley, Jr. for Patricia L. Hoegerl filed.

May 21, 1990 Petition To amend The Complaint and Order filed. AND NOW, this 21st day of May, 1990, upon consideration of the foregoing Petition, the plaintiff is granted leave to amend its caption to reflect that the plaintiff, Jason ReBrassier has reached majority and is no longer a minor. Gordon r. Miller,

May 21, 1990 Copy of order put in William Jorden's box and copy mailed to S. E. Riley

May 21, 1990 Amended Complaint filed.

May 21, 1990, Upon praecipe of plaintiff attorney, the above captioned case is marked settled and discontinued of record.

1990

Altomare & Barnhart
Joseph C. Barnhart

172.

Jack, Kookogey & Felton
Robert J. Felton

STEPHEN D. FINKS

vs.

KAREN S. FINKS

Filed Feb. 13, 1990
@ 11:08 a.m.

Tax & entry Paid	$50.50 ✓
1 count paid	15.00 ✓
Pro Co pd 10/22/91	9.00 ✓
State pd 10/22/91	10.00

COMPLAINT IN DIVORCE, CUSTODY

Feb. 16, 1990 Acceptance of Service filed. I accept service of the Compalint in Divorce on behalf of Karen S. Finks, Defendant, and certify that I am authorized todo so.
Date: 2/15/90 Robert J. Felton, ESq.

May 29, 1990 Motion for Entry of Child Custody Stipulation as Order of Court and Order filed: AND NOW, this 23 day of May, 1990 upon presentation of the foregoing Stipulation, same is hereby approved by the Court and entered in its entirety as an Order of Court.

BY THE COURT,
P. Richard Thomas, J

May 31, 1990 Copies of ordr mailed to Attys. Felton and Barnhart.

June 25, 1990 Plaintiff's Affidavit OF Consent To Divorce filed.

August 5, 1991 PLAINTIFF'S AFFIDAVIT OF CONSENT UNDER SECTION 201(c) OF THE FIVORCE CODE, filed.

Aug 20, 1991 Defendant's Affidavit of Consent to Divorce filed.

Oct. 21, 1991 Upon praecipe of Plaintiff Attorney To Transmit Record, this case moved to Court.

Oct. 23, 1991 **D E C R E E F I L E D .**

AND NOW, this 23rd day of October, 1991, IT IS ORDERED AND DECREED AS FOLLOWS:
1. Upon consideration of the pleadings and Affidavits filed in the above-captioned matter, the Court her eby grants an absolute divorce from the bonds of matrimony to the above-named parties, on the grounds that the marriage is irretrievably broken and ninety (90) days have elapsed from the date of the filing the complaint, and an Affidavit has been filed by each of the parties evidencing that each of the parties consents to the divorce, pursuant to §3301(c) of the Pennslylvania Divorce Code.
2. No other matters or causes of actions provided under the Pennsylvania Divorce Code of 1980, as a mended, are reserved by ei ther of the parties.

BY THE COURT,
Gordon r. Miller, J

1990

Ferguson & Spataro
Douglas W. Ferguson

173.

~~Watts, Pepicelli, Youngs & Young PC Christopher J. Youngs~~ (withdrawn)

Ann Hansen Gamble
Fuller, Kinnunen, Petruso and Gamble

LINDA TIPTON

vs.

MYRON D. TIPTON

Filed Feb. 13, 1990
@ 11:43 a.m.

Tax & entry Paid $50.50 ✓
2 counts paid 30.00 ✓
Kathleen Nelson, Master

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION, ALIMONY PENDENTE LITE, COUNSEL FEES, COSTS AND EXPENSES

1 copy (atty)

Feb. 28, 1990 Affidavit Of Service filed. I, the undersigned, being duly sworn according to law, depose and say that I served a true and correct copy of the Complaint in Divorce certified by the Prothonotary of Crawford County, Pennsylvania on the above named Defendant by certified mail, addressee only, return receipt requested, dated February 15, 1990. The Defendant acknowledged service on February 21, 1990 by accepting delivery on that date as evidenced by the attached signed return receipt.
Douglas W. Ferguson

May 23, 1990 Appearance of Watts, Pepicelli, Youngs & Youngs PC by Christopher J. Youngs for defendant filed.

June 19, 1991, Appearance of Fuller, kinnunen, Petruso, Gamble by Ann Hansen Gamble, attorneys for defendant filed.

June 19, 1991, Answer to Divorce Complaint filed.

✓ June 19, 1991 Affidavit of Consent of defendant filed.

June 20, 1991, Upon praecipe of defendant attorney, appearance withdrawn.

✓ Oct. 25, 1991 Affidavit Under Section 3301(d) of the Divorce Code filed.

Nov. 1, 1991 Defendant's Monthly Income and Expenses filed.

Nov. 1, 1991 Inventory and Appraisement of Defendant filed.

Jan. 22, 1992 Petition For Bifurcation and Order filed. AND NOW, this 21 day of January, 192, hearing onthe defendant's Petition is set for March 2, 1992, in Courtroom #1 or #2, at 1:30 o'clock, p.m., in Crawford County Courthouse in Meadville, Pennsylvania.
For the Court,
Imogene Yetman, CA.

Jan. 24, 1992 Copies of order to Douglas Ferguson and Ann Hansen Gamble

Jan. 21, 1992, Motion for Appointment of A Master and Order Appointing Master filed. ORDER: AND NOW, Jan. 22, 1992, Kathleen Nelson, Esq. is appointed Master inthe above matter to hold a hearing and make report upon claims involving:
ALIMONY, ALIMONY PENDENTE LITE, COUNSEL FEES, COSTS, EXPENSES AND EQUITABLE DISTRIBUTION
Deposit Required: By Plaintiff: $200.00
By Defendant $550.00
PER CURIAM,
Gordon R. Miller, J.
Jan. 28, 1992, copies of order to Attys. D. Ferguson, A. Gamble and Kathleen Nelson.

DIVORCE DECREE FILED

AND NOW, March 2, 1992, the parties have stipulated and agreed that the Defendant's petition for bifurcation should be granted and that the Court may enter a Decree bifurcating the count indivorce from all other counts and claims. Accordingly, it is DECREED as follows:

1. Linda L. Tipton and Myron D. Tipton are hereby divorced from the bonds of matrimony and all of the duties, rights and claims accorded to either of said parties at any time heretofore in pursuance of said marriage shall henceforth cease and determine and the said parties shall be at liberty to marry again as if they had never been married.

2. All ecomic issues raised by the pleadings are preserved and remain unabated until a full and final disposition of those matters. This Court retains continuing jurisdiction to resolve the claims of the parties with respect to equitable distribution of marital property, alimony pendente lite, alimony, counsle fees, costs and expenses as the case may be.

3. Until final resolution of these ancillary economic claims, both parties are enjoined and restrained from transferring, pledging, encumbering, assigning, concealing, secreting or otherwise disposing of any of the marital property.

BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

Mar. 4, 1992 copy in box for D. Ferguson
March 2, 1992 Consent to Bifurcation filed.
April 22, 1992 NOTICE OF MASTER'S HEARING FILED.

July 21, 1992 Inventory andAppraisement of Linda L. Tipton, filed.
July 21, 1992 Income and Expense statement filed.
July 21, 1992 Plaintiff's Pre-Trial Narrative filed.
Dec. 8, 1992 Master's Report filed.
Dec. 8, 1992 Certification of Mailing filed.

Dec. 18, 1992 Exceptions To Report of Master filed

Jan. 13, 1993 PETITION FOR PAYMENT OF MASTER'S EXPENSE and ORDER, filed. ORDER: AND NOW, this 12th day of January, 1993, upon Petition of Kathleen R. Nelson, Esq., the Master in the above referenced case, the Prothonotary is hereby ordered to pay the sum of $339.65 to Lois Conklin Reporting Service per Exhibit "A" attached to the herein Petition. Gordon r. Miller, P.J.
Jan. 18, 1993 copy to D. Ferguson, A.Gamble

Jan. 14, 1993 Upon praecipe of Douglas W.Ferguson, Esquire, Attorney for Linda L.Tipton, the above captioned matter is placed on the next available Argument List.

ON FEBRUARY, 1993 ARGUMENT LIST

Received from Plaintiff 4-7-92 Master fee 200 a/c

Received from Defendant 4-7-92 Master fee 550 a/c

1-13-93 Pd Lois Conklin Ct Reporter Ck# 7279 339.65

1-20-93 Pd Master Ck# 7295 410.35

Continued on Page 588

174.

3/14/90 Recd $. 29.48 From Defendant
3/16/90 Paid #29.40 To Howard Stewart, Sheriff Cn # 5507

PRUDENCE M. STANCLIFF

vs.

LEON W. STANCLIFF

Filed Feb. 13, 1990
@ 4:22 p.m.

Tax & entry Pd 3/16/90 $50.50
Sheriff's Costs 29.48
Pro & Rd 3/16/90 9.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies (sheriff)
2 copies (plff)

TEMPORARY ABUSE ORDER:

And now, this 13 dayof Feb. 1990., upon review of the petition of plaintiff, the court enters the following temporary order.

1. The defendant shall not assault, abuse, harass or threaten the plaintiff or any of the minor children named in the petition.

2. Special Conditions: The defendant shall not communicate with the plaintiff or their children nor shall he visit the children anywhere until further order of court. Plaintiff is awarded temporary custody of the minor children.

3. This order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.

4. A copy of this order shall be delivered to the police departments in the jurisdiction where the plaintiff resides and to county control.

5. Service of a copy of the petition and this order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.

6. This temporary order shall remain in full force and effect until modified or terminated by further order of this court. Liability for payment of fees and costs will be determined by final court order.

7. The defendant is reminded that this is an order of court and violation of this order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.

8. The court reserves ruling on allocation of fees and costs.

Hearing is hereby set for Wed. Feb. 21, 1990, at 3:30 p.m. in C. R. No. 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required todo so.

BY ORDER OF THE COURT,
Gordon R. Miller, J.

Feb. 16, 1990 Sheriff's Return filed. SERVED Leon W. Stancliff personally on February 15, 1990 at 2:15 PM by handing copy of Protection From Abuse to him at his residence, R.D. #3, Box 119, Saegertown, Crawford County, PA.
So answers,

Robert M. Stevens, deputy Sheriff
Howard N. Stewart, Sheriff

Feb 28, 1990 Order filed: AND NOW, February 21, 1990, at the time set for hearing, the parties have reached an amicable agreement regarding the abuse. The Defendant will not abuse, treaten, harass or annoy the wife in any fashion nor go to her present or any future residence without her express consent.

The wife consents that the husband should have visitation rights with the children, and the parties will amicably resolve this issue so that the father may come to the residence of the wife at a designated time for the purpose of visiting the children. In the event the parties cannot agree, either party may refer the matter to a custody mediator after filing a custody petition.

In regard to the two (2) minor children, the father is DIRECTED to pay $50.00 per week out of his weekly paycheck direct to the wife for support of the two (2) minor children. In this regard, the court notes a proceeding is pending before the Domestic Relations Section and is now scheduled for April 12, 1990. At this time, the Defendant's net take home pay for 1989 appears to be approximately $29,600, but the Defendant advises the Court his hours at work will be reduced THE COMING WEEK.

This Order shall remain in force and effect for a period of one(1) year.

Any police officer having reasonable grounds to believe the abuse portions of this Order have been violated may apprehend the Defendant without warrant and after arraignment lodge him in the Crawford County Jail and request an immediate hearing.

Defendant shall pay costs in this case within ten (10) days after being billed for the same at R.D.#3, Saegertown.

BY THE COURT,
P. Richard Thomas

Mar 1, 1990 Copies of order put in Atty Sullivan's box and copies mailed to Defendant & given to Co. Control and Dom Rel.

175.

BARBIE NINEMAKER

vs.

EDDIE SMITH JR.

Filed Feb 14, 1990
@ 9:22 a.m.

Tax & entry $50.50
Sheriff's costs 30.92

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies (sheriff)
1 copy (plff)

TEMPORARY ABUSE ORDER:

AND NOW, this 14 dayof Feb. 1990, upon review of the petition of plaintiff, the court enters the following temporary order.

1. The defendant shall not assault, abuse, harass or threaten the palintiff or any ofthe minor children named inthe petition.

2. Special Conditions: Defendant shall have no contact with plaintiff or their child until further order of court. Temporary custody of Eddie Smith III is awarded to plaintiff.

3. This order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.

4. A copy of this order shall be delivered to the police departments in the jurisdiction where the plaintiff resides and to county control.

5. Serivce of a copy ofthe petition and this order shall be made upon the defendant by a sheriff, constalbe, police officer or competent adult.

6. This temporary order shall remain in full force and effect until modified or terminated by further order of this court. Liability for payment of fees and costs will be determined by final court order.

7. The defendant is reminded that this is an order of court and a violation of this order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.

8. The court reserves ruling on allocation of fees and costs.

Hearing is hereby set for Wed. Feb. 21, 1990, at 3:30 p.m. in C. R. No. 1 or 2 of the Crawford CountyCourthouse. The defendatn is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OFTHE COURT,
Gordon R. Miller, J.

Feb. 16, 1990 Sheriff's Return filed. SERVED Eddie Smith, Jr. personally on February 15, 1990 at 3:45 PM by handing copy of Protection From Abuse to him at Sheriff's Office, Crawford County Courthouse, Meadville, PA 16335.
So answers, Howard N. Stewart, Sheriff

Feb. 28, 1990 ORDER filed. AND NOW, Feb. 21, 1990, at the time set for this abuse hearing, the matter appears to be contested, and the primary allegation is that the Defendant is abusing the couple's one and one-half (1½) year old son.

The parties lived at the residence of the Plaintiff's mother and father, and the Defendant has now moved to R D # 3, Brown Hill Rd., Union City, PA 16438.

The parties are not married and the Plaintiff is sixteen (16) years of age and the Defendant is twenty-seven (27). They started living together when the Plaintiff was fourteen (14) years of age. The Plaintiff has difficulty articulating her concerns, and the primary thrust of this petition regards custody of the minor child.

Accordingly, this hearing is continued to March 16, 1990 at 3:30 p.m. for further hearing. In the meantime, the Defendant shall not assault, harass or annoy the motehr or the child.

The mother shall make satisfactory arrangements for the father to see the child at least once a week at the mother's residence. The visits shall be every Friday starting at 1:00 o'clock and last until 5:00 p.m. During said visits, the father shall not abuse the child or threaten the mother in any fashion.

BY ORDER OF THE COURT,
P. Richard Thomas, P.J.

March 1, 1990 Copy of Order to Atty. Gerald Sullivan, County Control.

March 21, 1990 ORDER filed. AND NOW, March 16, 1990, at the time set for hearing, the Plaintiff appears and advises the Court she wishes to withdraw the abuse petition and believes the parties can effect a reconciliation, secure separate housing and make a success of their marriage and the raising of their minor child.

Accordingly, the request of the Plaintiff is granted, the petition is dismissed without further hearing. The County is DIRECTED to pay costs.

BY Order Of The Court,
P. Richard Thomas, P.J.

March 22, 1990 Copy of Order to Atty.Gerald Sullivan, County Control.

Dennis G. Kuftic

176.

FLORENCE M. REINER

vs.

MELVIN D. REINER

Filed Feb. 14, 1990
@ 9:29 a.m.

Tax & entry Paid $50.50✓
Sheriffs costs 31.40
Rec'd 3/9/90 9.00✓

PETITION FOR PROTECTION FROM ABUSE

3 copies (atty)

ORDER OF COURT:
AND NOW, to-wit, this 14th dayof Feb. 1990, upon consideration of the petition for protection from Abuse in the above captioned case, it is ORDERED, ADJUDGED AND DECREED as follows:

A final hearing for the Petitioner and the Respondent will be held on the 27th day of Feb. 1990 at 3:30 p.m. at Crawford County Courthouse, Meadville, Pa.

Pending said hearing, it is ordered that:

a. Temporary custody is granted to your petitioner of the parties minor children, Melena Reiner and Melinda Reiner.

b. Respondent, Melvin D. Reiner, hsuband of the Petitioner is directed to refrain from contacting the petitioner and minor children, and is further directed torefrain from threatening to abuse or physically abusing the petitioner and the parties minor children by any act or actions, including both physically and verbally.

c. Possession of the premises at R. D. #1 box 57e, Cambridge Springs, Pa. 16403, is granted to the petitioner for the exclusive occupancy by her and her children. Respondent is completely excluded from the residence and shall thereafter have no license to enter or be present on the above -stated premises.

d. That the sheriff department or any other police department within the area of the residence of the parties, including the State police Department shall enforce this order by:

1. The sheriff's department of Crawford County is hereby ordered to serve a copy of the order on respondent, Melvin D. Reiner, at R. D. #2, Box 21, Cambridge Springs, Pa. 16403 where the said respondent now resides.

2. If the respondent violates this order, he is to be arrested on the charge of indirect criminal contempt. An arrest for violation of this order may be without wa rrant, based solely on probable cause, whether or not the violaiton is committed in the presence of the sheriff or Police aforesaid or not.

3. If the respondent is placed under arrest for violation of this order, he should be taken before the court. If this court is unabailable, the respondent shall be arraigned before the District Magistrate, who shall fix security.

BY THE COURT,
Gordon R. Miller, J.

Feb. 15, 1990, Sheriffs Return filed. SERVED Melvin D. Reiner personally on Feb. 14, 1990, at 2:53 p.m. by handing copy of Protection from Abuse to him at residence R. D. #2, Box 12, Cambridge Springs, Crawford County, Pa. 16403
So answers,

Robert M. stevens, dep. sheriff
Edgar D. Householder, Ch. Dep. Sheriff
Howard N. Stewart, Sheriff

Mar. 1, 1990 Order filed. AND NOW, February 27, 1990, after hearing and testimony on the petitioner's Petition For Protection From Abuse, thecourt finds that the defendant did engage in abuse as defined by the Act, and accordingly, enters the following Order:

1. That the defendant shall not assault, abuse, harass or threaten the plaintiff or her minor children named in the petition.
2. Possession of the premises where the plaintiff resides is hereby granted to the plaintiff to the exclusion of the defendant. The defendant shallhave the right to go upon the premises of the plaintiff to obtain purely personal items; provided that he (a) give the plaintiff forty-eight (48) hours advance notice, and (b) that he be accompanied by a neutral adult such as Thomas Rudder, or someone else who can oversee the activities of all the parties to make sure there is no improper conduct on the part of anyone.
3. This Order may be envorded without a warrant of arrest by any Law Enforcement Officer having reasonable ground to believe that it has been violated.
4. A copy of this Order shall be delivered to the police department in the jurisdiction in which the plaintiff an dher minor cihldren reside and to County Control.
5. This Order shall remain in fullforce and effect until June 27, 1990 unless extended, modified, amended or terminated by further Order of Court.
6. The defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine of up to $1,000.00 and a jail sentence of up to six (6) months.
7. The costs of these proceedings shall be paid by the Defendant. The defendant is given until March 9, 1990 to pay the costs.
8. The defendant is prohibited from having any contact with Melena Reiner until further Order of Court.

BY ORDER OF THE COURT,
Gordon R. Miller, J

Mar. 1, 1990 Copies mailed to Defendant and Dennis Kuftic and copies put in Bettie Muth's and County Control's box.

177.

MICHELLE CLARK

vs.

CRAIG T. ROSS

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies (sheriff)
1 copy (plaintiff)

Filed Feb. 14, 1990
@ 9:43 a.m.

Tax & entry 8/7/90 $50.50
Sheriff's Costs 19.00
Pro Co Pd 8/7/90 9.00

8/7/90 Rec'd. $19.00 From Defendants

8/7/90 Paid $19.00 To Howard Stewart, Sheriff
Unit 5782

TEMPORARY ABUSE ORDER:

AND NOW, this 14th dayof Feb. 1990 upon review of the petition of plaintiff, the court enters the following temporary order:

1. The defendant shall not assault, abuse, harass or threaten the plaintiff or any of the minor children named inthe petition.

2. Special Conditions: Defendants shall not live at or go to the plaintiffs residence at 697 Terrace street, Meadville, Pa. He shall have no contact with plaintiff until further order of court.

3. This order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.

4. A copy of this order shall be delivered to the police departments in the jurisdiction where the plaintiff resides and to county control.

5. Service of a copy of the petition and this order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.

6. This temporary orde shall remain in full force and effect until modified or terminated by further order of this court. Liability for payment of fees and costs will be determined by final court order.

7. The defendant is reminded that this is an order of court and violation of this order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.

8. The court reserves ruling on allocation of fees and costs. It is notice however that the plaintiff does work.

Hearing is hereby set for Thursday, Mar. 1, 1990 at 1:00 p.m. in C. R. No. 1 or 2 of theCrawford CountyCourthouse. Thed efendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF THE COURT,
Gordon R. Miller, J.

Mar. 7, 1990 Order filed. AND NOW, March 1, 1990, this abuse matter is before the Court regarding an incident that occurred between the parties who were living together February 11, 1990. It appears because of alcohol neither party has any clear recollection of what the argument was about or the details of the elleged assault. Both parties admit to having consumed considerable amounts of alcoholic beverages, and the Plaintiff has previously been through alcohol rehabilitation at theHelp Center. The Defendant advises that his choice of abuse is drugs, but on this event, he was under the influence of alcohol. The sole purpose of the petition is a request by the Plaintiff that she have no further association with the Defendant, The Defendant agrees.

Accordingly, the Defendant is DIRECTED not to threaten, assault, harass or annoy the Plaintiff in any fashion. Additionally, he may not go to her place of employment or her residence for any purpose.

This Order shall remain in force and effect for a period of six (6) months.

In the event any police officer has reasonable cause to believe the Defendant has violated the terms and conditions of this Order, they may promptly apprehend the Defendant, have him arraigned before a District Justice and commit him to the Crawford County Jail and request a contempt hearing immediately.

Defendant is DIRECTED to pay costs in this case within ten (10) days of receipt of a bill for the same at his address at 858 Lamont Drive.

The parties are in dispute regarding certain individually owned property brought into the relationship and shared by both parties. However, the aprties agree that a folding mattress, quilt, black irin and book shelf should be the property of the Defendant, and at 2:30 p.m. this date, the Defendant may go to the porch of the Plaintiff, where she willhave set the materials out and remove the same.

BY ORDER OF THE COURT,
P. Richard Thomas, P.J.

Mar. 8, 1990 copies mailed to plaintiff, defendant, Children & Youth Services and copies put in County Control and Adult Probation's box.

Mar. 7, 1990 Sheriff's Return filed. SERVED Craig T. Ross personally on February 14, 1990 at 9:55 AM by handing copy of Protection From Abuse to him at Crawford County Jail, Meadville, PA
So answers,
Robert M. Stevens, deputy Sheriff
Howard N. Stewart, Sheriff

Mar. 8, 1990 Order For Hearing Filed. And now, March 8, 1990, the Court being advised that the Defendant is lodged in the Crawford County Jail for alleged abuse of this Court's abuse order entered March 1, 1990, a hearing is hereby set for March 9, 1990, at 11:30 a.m., in Courtroom No. 1.

BY ORDER OFTHE COURT,
P. Richard Thomas, P.J.

Mar. 8, 1990 Copies of order given to Craig Ross, Sheriff and County Control and copy mailed to Michelle Clark (also noticed by phone on 3/8/90)

Mar 14, 1990 Order filed: AND NOW, March 9, 1990, the matter is before the Court because the Defendant was apprehended ty the Meadville City Police on March 7th allegedly for violation of the Court's abuse Order of March 1, 1990. The Plaintiff appears but cannot testify that she saw the Defendant at her apartment on Terrace Street on March 7th. It is appeged that a Mrs. Manning, wife of the apartment house manager, if called as a witness, would testify that she saw the Defendant on the premises on 697 Terrace Street and knew of the abuse order and called the police to apprehend the defendant.

It is the Defendant's position that he was never at the premises at the time in question. Thus, a factual dispute is created and the Court is unable on this date to determine which version is correct.

The Court's attention is also directed to the fact that since the Order was entered, the Defendant allegedly repeatedly calls the Plaintiff on the telephone, which does not want or encourage. Accordingly, the Court withholds any adjudication of contempt of the Court's Order and reserves the right to decide said issue at a hearing to be scheduled in the future.

The Order of March 1, 1990, is amended to add the following conditions:

The Defendant will not call the Plaintiff at her residence or anyplace else and will not write to her or attempt to talk with her about any matter.

The Court cautions the Defendant that it will not tolerate any violations of this Order and if new reports of violations are received, the Court reserves the right to adjudicate the new violations as well as the alleged violation occurring March 7, 1990, which is unable to factually resolve this date.

The Sheriff and Warden are authorized to release the Defendant from confinement forthwith.

BY ORDER OF THE COURT,
P. Richard Thomas, P.J.

Mar 15, 1990 Copies of order to County Control, Plaintiff, Defendant.

1990

William B. Moore

178.

MELINDA J. MALONE

vs.

WILLIAM L. MALONE

Field Feb. 14, 1990
@ 11:11 a.m.

Tax & entry paid . $50.50 ✓
Pro Co Pd 7-3-90 . 9.00 ✓
State Pd 7-3-90 . 10.00

COMPLAINT IN DIVORCE UNDER SECTION 201(d) OF DIVORCE CODE

3 copies (atty)

Feb. 14, 1990, Plaintiff's Affidavit Under Section 201(d) of the divorce code filed.

Apr. 25, 1990 Affidavit, Motion for Leave To Serve By PUblication and Order filed. AND NOW, to-wit, this 25th day of April, 1990, upon consideration of the foregoing motion, the Plaintiff is granted leave, and the plaintiff is Ordered and Directed to make service upon the Defendant of the Complaint in Divorce, Under Section 201(d) of the Divorce Code by publication once in the Meadville Tribune Newspaper and the Crawford County Legal Journal.

per curiam
Gordon R. Miller, J

Apr. 26, 1990 copy of order put in William Moore's box.

June 29, 1990 Upon Praecipe of Plaintiff's Attorney for Review Under §201(d) of the Divorce Code, with Proof of Service Attached, this case is moved to court.

July 16, 1990 **D I V O R C E D E C R E E F I L E D .**

AND NOW, July 16, 1990, it is ordered and decreed that Melinda J. Malone, pl aintiff, and William L. Malone, defendant are divorced from the bonds of matrimony.

BY THE COURT,
Gordon R.Miller, J

CHARLES E. EVANS

Specter Law Offices
Anthony J. D'Amico

179.

MacDonald, Illig,
Jones & Britton
Roger H. Taft
Robertshaw Controls
Company

Knox, McLaughlin,
Gornall & Sennett, P.C.
Mark E. Mioduszewski
DeVore Construction

Fuller, Kinnunen,
Petruso & Gamble
JOhn D. Petruso
for Bradford/White Corp.

Andstandig, Levicoff
& McDyer
Timothy J. Burdette
Charles M. Lyda, ind.
& t/d/b/a Lyda Hearing
Refrigeration & Air
Conditioning

John Newborg
Faderewski & Herrington
for Titusville Housing

Swenson,Perer,Johnson &
McCandless
~~John Wx McCandless~~
for Titusville Housing
Authority

Marsh Spaeder Baur
Spaeder & Schaaf
Thomas M. Lent for
Titusville Housing
Auth.

ROBERT CLARENCE GARVER, JR.
A MINOR, BY LYNETTE GARVER AND
ROBERT CLARENCE GARVER, HIS
PARENTS AND NATURAL GUARDIANS,
AND LYNETTE GARVER AND ROBERT
CLARENCE GARVER IN THEIR
OWN RIGHT

vs.

BRADFORD/WHITE CORPORATION,
A DELAWARE CORPORATION;
ROBERTSHAW CONTROLS COMPANY,
A DELAWARE CORPORATION;
DeVORE CONSTRUCTION, INC.,
A PENNSYLVANIA CORPORATION,
AND TITUSVILLE HOUSING
AUTHORITY, A MUNICIPAL
CORPORATION

vs.

Charles M. Lyda, individually
and t/d/b/a Lyda Heating,
Refrigeration & Air Conditioning

Filed Feb. 14, 1990
@ 1:08 p.m.

Tax & entry Paid	$50.50
Sheriffs Costs	$106.50
Sheriff's costs	21.00
Sheriff's Costs	70.80
Sheriff's Costs	37.00

Pro Co. Pd. 7/3/97 $30.00
User Pd. 7/3/97 $5.00

COMPLAINT IN CIVIL ACTION

1 copy (atty)

(JuryTrial before Twelve Jurors Demanded)

Mar. 8, 1990 Appearance of MacDonald, Illig, Jones & Britton by Roger H. Taft for Robertshaw Controls Company, only filed.

Mar. 14, 1990 Appearance of Knox, McLaughlin, Gornall & Sennett, P.C. by Mark E. Miodoszewski for DeVore Construction, Inc. filed.

Mar. 21, 1990 Notice Of Service Of Request For Production To Plaintiffs (First Request) filed.

Mar. 21, 1990 Notice Of Service Of Interrogatories To Plaintiffs (First Set) filed.

Mar. 26, 1990 Appearance of Fuller, Kinnunen, Petruso & gamble, by John D. Petruso, attorneys for Bradford/White Corporation, one of defendants, filed.

Mar. 29, 1990 Answer, New Matter and New Matter PUrsuant To Pennsylvania Rule Of Civil Procedure 2252(d) filed.

Apr. 6, 1990, Notice of Service of Interrogatories and Request for Production to Defendant Titusville Housing Authority (First Set) filed.

Apr. 6, 1990, Notice of Service of Interrogatories and Rquest for Production to Plaintiffs (First Set) filed.

Apr. 6, 1990, Prelininary Objections of Devore Construction Inc. to Cross-Claim of Titusvile Housing Authority, filed.

Apr. 11, 1990, Sheriffs Return filed. SERVED AND MADE KNOWN TO Bradford White Corp. dft. company by handing a true and attested copy of Complaint issued in above action on Mar 13, 1990 at 1:00 p.m. at C.T. Corp. 123 So Braod St, in the County of Phila. State of Pa. to Mr. Spear, agent or person for the time being in charge of defendants office or usual pla ce of business.
So answers, John D. Green Sheriff
By: John J. -------, Dep. Sheriff

SERVED Bradford/White Corp. by deputizing the Sheriff of Phila. County Pa. as per his affidavit of Service attached. Served: Mar. 13, 1990.

SERVED Robertshaw controls Co. by Cert. Mail at 1701 Byrd Ave, PO Box 26544, Richmond Va. 23261, signed ret. rec. dated Feb. 21, 1990, attached.

SERVED DeVore Construction, Inc. on Feb. 21, 1990 at 2:40 P.M. by handing copy of Complaint to Tammy Martin, sec. at 555 Morgan Village Rd. Meadville, Crawford County, Pa.

SERVED Titusville Housing Authority on feb. 28, 1990 at 3:10 p.m. by handing copy of Complaint to Billie 1. Brown, ex. director, at 107 Central Towers, titusville, Crawford County, Pa.
So answers, Robert M. Stevens, Dep. sheriff
Howard N. Stewart, sheriff

Apr. 18, 1990 Stipulation of JOhn Newborg, that Paragraphs 85 and 86 be withdrawn from New Matter filed.

Apr. 23, 1990 Answer And New Matter On Behalf Of Defendant, Devore Construction, Inc. filed

Apr. 23, 1990 Reply Of DeVore Construction, Inc. To New Matter Of Titusville Housing Authority filed.

April 23, 1990 Complaint To Join Additional Defendant filed.

Apr. 26, 1990 Reply To New Matter Filed By Defendant Titusville Housing Authority filed.

May 2, 1990 Answer And New Matter Of Defendant Robertshw Controls Company filed.

May 8, 1990 Sheriff's Return filed. SERVED Charles M. Lyda on April 24, 1990 at 9:20 AM by handing copy of Complaint to Susan Decker, adult in charge of his residence, at R.D. #9, Box 490, Meadville, Crawford County, PA.
So answers, Robert M. STevens, deputy Sheriff
Howard N. Stewart, Sheriff

1-14-94 Brief (Plff) filed

May 11, 1990 Appearance of Anstandig, Levicoff & McDyer by Timothy J. Burdette for Charles M. Lyda, individually, and t/d/b/a Lyda Hearing, Regrigeration & Air Conditioning filed.

May 14, 1990, Reply of Defendant Robertshaw Controls Company to New Matter of Defendant Devore Construction, Inc. filed.

May 14, 1990, Reply of Defendant Robertshaw Controls Company to New Matter of Defendant Titusville Housing Authority, filed.

Continued on Page 607

May 16, 1990, Reply to New Matter filed by Defendant Devore Construction Company filed.

May 16, 1990, Reply to New Matter Set Forth by Defendant Robertshaw Controls Company filed.

May 22, 1990 Reply Of DeVore Construction, Inc., To New Matter Of Robertshaw Controls Company field.

May 31, 1990 Answer To Crossclaim filed.

May 31, 1990 Answer To Complaint To Join Additional Defendant filed.

Specter Law Offices
Howard A. Specter

180.

Culbertson, Weiss, Schetroma and Schug
E. Max Weiss

Faderewski & Herrington
JOhn D. Newborg
for add'l dft

KATHLEEN V. GLENN

vs.

TODD ALBERT dft.

SHEILA COLLIER, add'l dft.

Filed Feb. 14, 1990
@ 1:19 p.m.

Tax & entry Paid $50.50 ✓
Sheriff's Costs 19.00
Sheriff's Costs 24.80
Pro.Co. Pd. 6/3/92 6.00

Plaintiff's Complaint filed.

COMPLAINT IN A CIVIL ACTION

1 copy (sheriff)

March 6, 1990, Appearance of Culbertson, Weiss, Schetroma and Schug By E. Max Weiss, Esq. Attorney for defendant filed.

Mar 15, 1990 Sheriff's Return filed: Before me, the undersigned authority, personally appeared Steve Brandon, Deputy who being duly sworn according to law, deposes and says that on the 26th day of February, 1990, at 3:04 P.M. he served a complaint together with interrogatories filed at AD 1990-180, Crawford County, Pennsylvania, upon defendant Todd Albert at 14244 Flatt Road, Erie County, Waterford, Pennsylvania.
by making known the contents thereof to Todd Albert and handing to and leaving with him the certified copy of the Complaint together with Interrogatories received from Crawford County.
Steve Brandon, Deputy Sheriff
SERVED Todd Albert by deputizing the sheriff of Erie County, Pa as per his affidavit of service attached. Served February 26, 1990.
So answers, Howard N. Stewart, Sheriff

Mar. 20, 1990, Answer and New Matter of Todd Albert to Plaintiff's Complaint filed.

Mar. 20, 1990 Complaint of Original Defendant Todd Albert, Against Additional Defendant (Sheila Collier) filed. 1 copy (sheriff)

Mar. 30, 1990 Sheriff's Return filed. SERVED Sheila Collier, March 23, 1990 at 1:08 PM, by handing Complaint to her authorized agent, Mr. Collier, her father, at Sheriff's Office, Crawford County Courthouse, Meadville PA. Signed acceptance of service attached.
So answers,
Cathy Allen, Deputy
Howard N. Stewart, Sheriff

Apr. 16, 1990, Appearance of faderewski & Herrington by John d. Newborg, attorneys for additional defendant Sheila Collier, filed.

Apr 20, 1990 Reply to New Matter filed.

Apr. 25, 1990 Answer, New Matter Pursuant To Pennsylvania Rule of Civil Procedure 2252(d) filed.

May 22, 1990 Reply of Defendant Albert to New Matter of Additional defendant Collier filed.

June 8, 1990 Certificate Of Service Of Interrogatories filed.

Dec. 10, 1990, Notice of Taking Depositions on Oral Examination filed.

Dec. 10, 1990, Notice of Taking Depositions on Oral examination filed.

June 3, 1992 Upon Praecipe of Plaintiff's Attorney, John C.Evans,the above case marked settled and discontinued of record.

1990

David R. Devine

181.

JOHN A. FORINGER

vs.

MARGARET J. FORINGER

Filed Feb. 14, 1990
@ 2:24 p.m.

Tax & entry Paid	$50.50
Pro Co Pd 5/18/90	9.00
State pd 5/18/90	10.00
Pro Co. Pd. 8/14/91	5.00

COMPLAINT UNDER SECTION 201(c) OR 201(d) OF DIVORCE CODE

4 copies (atty)

Feb. 23, 1990, Acceptance of Service filed. I accept service of the Complaint Under Section 201(c) or 201(d) of the Divorce Code. Margaret J. Foringer
Date: Feb. 19, 1990 R. D. #7, Calvin St, Meadville Pa

May 17, 1990, Affidavit of Consent of plaintiff filed.

May 17, 1990, Affidavit of Consent of defendant filed.

May 17, 1990, Upon praecipe of plaintiff attorney, for transmittal to the court, this case moved to court.

June 1, 1990 **D E C R E E F I L E D .**

AND NOW, June 1, 1990, it is ordered and decreed that John A. Foringer, Plaintiff, and Margaret J. Foringer, Defendant, are divorced from the bonds of matrimony.
The Court retains jurisdiction of the following claims which have been raised of record in this ac tion for which a final order has not yet been entered: None.

BY THE COURT,
P. Richard Thomas, J

Aug 14, 1991 NOTICE OF ELECTION TO RETAKE MAIDEN NAME, filed. To be known as: MARGARET J. SHORTS. 5 copies Atty.

1990

C. Barton Jones

182.

DEBORAH A. YESKO

vs.

DAVID A. YESKO

Filed Feb. 14, 1990
@ 2:34 p.m.

Tax & entry Paid	$50.50 ✓
2 counts paid	30.00 ✓
Pro Co. PD. 6-8-90	9.00 ✓
State Surcharge Pd.	10.00
Pro Co Pd 7/5/90	5.00 ✓

COMPLAINT UNDER SECTION 201(c) OF DIVORCE CODE, EQUITABLE DISTRIBUTION, ALIMONY PENDENTE LITE, COUNSEL FEES AND EXPENSES

May 11, 1990 Amended Complaint Under Section 201(c) of the Divorce Code filed.

June 8, 1990 I. C. Barton Jones, Esq., being duly sworn according to law, deposes and says that he is the attorney for Plaintiff, Deborah A. Yesko, and that he did mail a true and correct copy of the Complaint in Divorce filed in the above matter, by Certified Mail, Return Receipt Requested, to the Defendant, David A. Yesko, Jr., on Feb. 15, 1990, at his last known address, RD 1, Box 259A, Espyville, PA 16424. The signed receipt is attached as Exhibit "A". And the Amended Complaint was sent by regualr u.S. Mail to his attorney Richard A. Peterson, 66 Shenango St., Greenville, PA 16125, on May 9, 1990.
Date: June 6, 1990 C. Barton Jones, Esq.

June 8, 1990 Affidavit of Consent of Plaintiff filed.

June 8, 1990 Affidavit of Consent of Defendant filed.

June 8, 1990 Marriage Settlement filed.

June 8, 1990 Upon Praecipe of Plaintiff Attorney for review under Section 201(c) of Divorce Code, this case is moved to Court.

June 27, 1990 **D E C R E E A N D O R D E R F I L E D .**

AND NOW, this 27th day of June, 1990, on the grounds of Irretrievably Breakdown, in the above case having been duly approved, the Court, by virtue of the authority vested in it by law, decrees that DEBORAH A. YESKO and DAVID A. YESKO, JR., are hereby divorced from the bonds of matirmony, and all the duties, rights, and claims accorded to either of the said parties at any time heretofore, in pursuant of said marriage, shall henceforth cease and determine, and the said parties shall severally be at liberty to marry again as if they had never been married.
AND IT IS FURTHER ORDERED, ADJUDGED, AND DECREED, as follows:
2) Prooperty Distirbution:
a) The husband and Wife have entered into a Marriage Settlement Agreement amicably and satisfactorily distirubing their personal property among themselves. Each receives his and her own vehicles. The Husband is also bound to assume all debts due and owing, except the $6,800.00 loan from the Wife's parents which the Wife shall assume. The Wife shall receive full title and ownership of the marital mobile home, and therefore relinquishes any claim for alimony, as does the Husband.
b) The parties have amicably, in said Marriage sEttlement Agreement settled all bank accounts and any other liquid assets between them. Wife waives any claim to any pension of the Husband's. Husband transfers certain real estate bought by the parties to Wife's father.
c) Both parties were advised by Counsel: Forthe Husband, Richard A. Peterson, 66 Shenango Street, Greenville 16125; and for the Wife, C. barton Jones, 306 Liberty Street, P.O. Box 218, Jamestown P 16134. There are no children of the marriage.
d) Personal rights were delineated inthe agreement and mutual releases were given.
e) Alimony was waived by both and each assumed their legal fees. The usual boilerplate languag including that Pennsylvania law shall govern, was included. The Agreement was properly executed and notarized.

BY THE COURT,
Gordon R. Miller,J

July 2, 1990, NOtice of Intention to Resumer Prior Name filed. To Be Known As: DEBORAH A. PLUCINSKI.

1990

Quinn, Gent, Buseck
& Leemhuis Inc.
Lawrence C. Bolla

183.

NATIONAL FUEL GAS
DISTRIBUTION CORPORATION

vs.

HARRY D. BUSH AND
KAREN BUSH

Filed Feb. 15, 1990
@ 10:54 a.m.

Tax & entry Paid	$50.50
Sheriffs costs	37.40
Pro Co Pd 3/23/90	9.00

COMPLAINT IN CIVIL ACTION

2 copies (sheriff)

Feb. 23, 1990, Sheriffs return filed. SERVED Harry K. Bush on Feb. 16, 1990 at 2:40 p.m. by handing copy of Compalint to Emma Bush, his mother with whom he resides at 806 church Run, Titusville, Crawford County, pa. 16354.

SERVED Karen Bush on Feb. 16, 1990 at 2:41 p.m. by handing copy of complaint to Emma bush, her Mother-in-law with whom she resides, at 806 Church Run, Titusville, Crawford County, Pa.

So answers, Edgar D. Householder, Ch. Dep. Sheriff
Howard N. stewart, sheriff

And Now, Mar. 23, 1990, Upon praecipe of plaintiff attorney, with copy of default notice attached, Judgment is hereby entered in favor fo the plaintiff and against the defendant in the sum of One Thousand Five Hundred Forty Seven and 30/100 Dollars, plus interest from Feb. 9, 1990 and all costs of suit.

Judgment entered 3/23/90
B - 86, 106

Debt --------$1,547.30
Int. from 2/9/90
JUDGMENT
James F. Simmons,
Prothonotary

1990

~~Mary Ann Kirkpatrick~~

184.

Ferguson & Spataro
Douglas W. Ferguson

RONALD McCLIMANS

vs.

JACQUELINE McCLIMANS

Filed Feb. 15, 1990
@ 12:58 p.m.

Tax & entry Paid $50.50 ✓
1 count paid 15.00 ✓
Prepaid 1-10-94 9.00 ✓

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION

1 copy (atty)

March 1, 1990 Affidavit of Service filed. AND NOW, Feb. 28, 1990, comes Lisa M. Sherretts being duly sworn according to law, deposes and sets forth as follows:

1. That she is the legal secretary of Attorney for Ronald McClimans, Plaintiff in the above-captioned matter.

2. That on information furnished her by the Plaintiff, she caused a certified copy of the Complaint in Divorce to be forwarded by Certified Mail, P276 618 192; postmarked Feb. 16, 1990, to the last known address of the Defendant, Ronald McClimans, 121 State Rd., Jamestown, PA. 16134.

3. That the Defendant, Ronald McClimans, on Feb. 17, 1990, personally signed the return receipt card which was affixed to the Complaint in the above-matter and which is attached hereto as Exhibit "A".

4. Service of the Complaint against Defendant is therefore effected in accordance with Pennsylvania Rules of Civil Procedure.

Lisa M. Sherretts

March 16, 1990 Appearance of Ferguson & Spataro By Douglas W. Ferguson, Attorney for plaintiff filed.

March 16, 1990 Petition For Additional Remedies and ORDER filed. AND NOW, this 16th day of March, 1990, upon consideration of the foregoing Petition for Additional Remedies, hearing is set for the 4th day of April, 1990, at 1:30 o'clock P.M. court-room # 1, Crawford County Courthouse, Meadville, PA., in regard to Count III - Attorney Fees, Alimony Fees, Expert Fees and Alimony Pendente Lite.

Per Curiam,
Gordon R. Miller, J.

March 20, 1990 Copy of Order to Attys. Mary Ann Kirkpatrick and Douglas Ferguson.

Mar 19, 1990 Amended Affidavit of Service filed: AND NOW, March 16, 1990, comes Lisa M. Sherretts being duly sworn according to law, deposes and sets forth as follows:

1. That she is the legal secretary of Attorney for Ronald McClimans, Plaintiff in the above-captioned matter.

2. That on information furnished her by the Plaintiff , she caused a certified copy of the Complaint in Divorce to be forwarded by Certified Mail, P276 618 192; postmarked February 16, 1990, to the last known address of the Defendant, Jacqueline McClimans, 121 State Road, Jamestown, Pennsylvania 16134,

3. That the Defendant, Jacqueline McClimans on February 17, 1990, personally signed the return receipt card which was affixed to the Complaint in the above-matter and which is attached hereto as Exhibit "A".

4. Service of the Complaint against Defendant is therefore effected in accordance with Pennsylvania Rules of Civil Procedure.

Lisa M Sherretts

April 6, 1990 Order filed: AND NOW, April 4, 1990, this divorce action is before the Court on a petition for alimony pendente lite, counsel fees, and expenses. With the permission of counsel, the matter is heard informally without a record.

The Court is advised that there is presently a reciprocal action for support in which a support Order of $300.00 per week was entered plus $50.00 per week for the minor child. The Court is advised that the husband has petitioned to have this reciprocal action transferred from Mercer County to Crawford County and has petitioned for reduction of the support order. This Court determines that it has heard the same evidence today in the alimony action as the Hearing Officer or ultimately the Judge would hear on the petition for reduction. Accordingly, we direct that no hearing on the husband's petition for reduction be conducted in the Domestic Relations Section.

This Court believes that the present support obligation in the amount of $300.00 to the wife per week plus $50.00 for the child is appropriate and, accordingly, refuses to grant alimony pendente lite and directs that the spousal and child support specified in the previous order shall continue to be paid with the support for the wife being the same as would be awarded by this Court as alimony pendente lite.

The child will graduate from high school June 10, 1990, and, accordingly, the support obligation for the minor child shall terminate June 15, 1990, without prejudice to the right of the child to petition for continuance because of her protracted attendance at Edinboro University.

This Court is satisfied that with the wife's medical and emotional condition and her present schooling in an attempt to make herself more employable prevents her from procuring meaningful employment at this time. Accordingly, once she completes her schooling, she may become employable with the new skills learned. Accordingly, the support/alimony Order for the spouse shall terminate August 1, 1990, unless extended by further agreement or further Court hearing.

As far as counsel fees are concerned, the Plaintiff/husband shall pay direct to counsel for the Defendant/wife to apply on an existing unpaid account the sum of $500.00 by May 1, 1990. An additional $250.00 will be paid June 1, 1990, and an additional $500.00 in counsel fees shall be paid July 1, 1990. No further counsel fees will be awarded without further hearing or agreement of the parties. The award of counsel fees is made without prejudice to the right of the Master or ultimately the Court to divide the parties' counsel fees equitably in the final divorce decree.

BY ORDER OF THE COURT,
P.
Richard Thomas, P.J.

April 10, 1990 Copies of put in Attys. Kirkpatrick and Ferguson's boxes and copy to Dom Rel.

May 30, 1990 Affidavit of Consent of Plaintiff filed.

Continued on page 599

1990

185.

BOROUGH OF SPRINGBORO

vs.

MILLIE BARNES

Filed Feb. 15, 1990
@ 1:55 p.m.

Pro Simmons Paid $9.00
plff on orig 9.50

AGREEMENT TO REVIVE

of

AD 1985 - 365

Revival of Judgment indexed in favor of the plaintiff and against the said defendant in the amount of Seven Thousand and 00/100 Dollars, plus costs.

Dated.....Feb. 15, 1990
Debt.....$7,000.00
B - 114 JUDGMENT
James F. Simmons,
Prothonotary

Revived & ADI995-172

1990

186.

BOROUGH OF SPRINGBORO

vs.

FREDRIC R. HUMPHREYS

WANETTA HUMPHREYS

Filed Feb. 15, 1990

Pro Simmons Paid $9.00 ✓
plff on orig 9.50
Pro.Co. pd 8/26/93 5.00

AGREEMENT TO REVIVE

of

DSB 1985 - 193

Revival of Judgment indexed in favor ofthe plaintiff and against the defendants in the amount of Seven Thousand and 00/100 Dollars, plus costs.

Debt - ----$7,000.00
Dated.....Feb. 12, 1990
H - 62, 172....JUDGMENT
James F. Simmons,
Prothonotary

Aug. 26, 1993 Writing filed wherein plaintiff postpones the lien of the above stated judgment in favor of a certain mortgage given by the said FREDRICK R. HUMPHREYS and WANETTA M. HUMPHREYS, his wife, to COMMUNITY NATIONAL BANK OF NORTHWESTERN PENNSYLVANIA, in the amount of SIX THOUSAND ($6,000.00) DOLLARS, dated the 23rd day of August, 1993 and recorded in Crawford County Record Book 202, page 895. In all other respects the above captioned judgment shall remain in full force and effect. (See Subordination of Lien Filed.)

Revived to AD1995-173

1990

James R. Irwin
Shafer, Swick, Bailey,
Irwin, Stack & Millin
Barbara J. Walton

Watts, Pepicelli,
Youngs & Youngs PC
Alan L. Pepicelli

187.

Brian J. Lindsay

CHERYL D. SANTOS

vs.

DENNIS A. VERNESONI

COMPLAINT FOR CUSTODY

1 copy (mediator)
2 copies (atty)

ORDER OF COURT:

You, Dennis A. Vernesoni, defendant have been sued in court to obtain custody of the child: Shaun Michael Santos.

You are ordered to appear in person for a conference at such time and place as may be set by WILLIAM PINEO, CHILD CUSTODY MEDIATOR.

If you fail to appear as provided by ths order, an order for custody may be entered against you or the court may issue a warrant for your arrest.

You should take this paper to yourlawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legalhelp.

Crawford County Bar Assoc. Ser. to the Public Comm. c/o Prothonotary, Crawford County Courthouse, Meadville, Pa. 124 - 4636

Date: Feb. 16, 1990

BY THE COURT,
Gordon R. Miller, J.

7-27-93 Received from dft 150.00 on med. deposit.

10-26-93 Pd Co med fees Ck# 7874 141.00

6-14-94 Rec from dft med fees $2.31

Filed Feb. 16, 1990
@ 11:00 a.m.

Indigent filing
John Fuller, mediator
Pro Co Pd 10-26-93 Ck# 7875 9.00
Bruce Smith, Mediator 143.31
Kathleen Nelsen med. Pro Co Pd 5-15-96 9.00

Feb.16, 1990 Petition for Leave to Proceed in Forma Pauperis, Motion to Proceed IN Forma Pauperis and Order filed. ORDER: AND NOW, this 16th dayof Feb. 1990 upon consideration of the within motion, the plaintiff may proceed in forma pauperis with the ultimate assessment of costs to be made later by the mediator.

BY THE COURT,
Gordon R. Miller, J.

11/2/95 #150.00 rec'd by dft. mediation costs

March 5, 1990 Certificate of Service filed. Alan L. Pepicelli, Esq., hereby certifies that he is the Attorney for the Plaintiff in the within Action and that a certified copy of the Complaint for Custody and Order was sent by certified mail, return receipt requested, addressee only, to the Defendant, Dennis A. Vernesoni, RD # 1, Box 53, Conneaut Lake, PA. 16316 on Feb. 20, 1990 and was received by the same on Feb. 22, 1990. The receipt for certified mail and the return receipt are attached hereto marked Exhibit "A".

Alan L. Pepicelli, Esq.

4-8-96 Pd dft Refund #9922 16.57

Apr. 3, 1990 Motion To Withdraw As Custody Mediator and Order filed. AND NOW, this 2nd day of April, 1990, upon consideration of the foregoing motion, the same is hereby granted and the appointment of William Pineo, Esquire, as Child Custody Mediator is withdrawn.

As Custody Mediator, the Court hereby appoints John Fuller.

P. Richard Thomas, J

5-15-96 Pd Court 124.49 #10019

Apr. 5, 1990 Copies of order put in Alan Pepicelli, Brian Lindsay, William Pineo and John Fuller's box.

10-2-96 Rec'd from Plf Med Fee 124.47

Aug. 31, 1990, CONSENT AGREEMENT AND ORDER OF COURT filed. order of court: AND NOW, this 31 day of Aug. 1990, an order is hereby entered in accordance with the terms of the within Consent Custody Agreement.

BY THE COURT,
P. Richard Thomas, J.

Sept. 5, 1990, copies to Alan L. Pepicelli and B. Lindsay.

Pd Co #10493 124.49 12-19-96

July 26, 1993 Child Custody Complaint and Order filed. You, Cheryl D. Santos, Plaintiff, have been sued in court to obtain custody, partial custody or visitation of the child: Shaun Michael Vernesoni.

You are ordered to appear in person at such time and place as will be determined by the Mediator, Bruce Smith, Esq., for a mediation conference.

If you fail to appear as provided by this Order, an Order for custody, partial custody or visitation may be entered against you or the court may issue a warrant for your arrest.

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

Court Administrator
Crawford County Courthouse
Meadville, PA 16335
814/336-1141, ext. 298

7/22/93
1 copy atty.; 1 copy mediator

BY THE COURT:
Gordon R. Miller, J

Sept. 16, 1993 TEMPORARY ORDER OF COURT, filed. AND NOW, this 15th day of September, 1993, after Mediation and upon recommendation of the Child Custody Mediator, it is hereby ordered and decreed that:

1. The natural parents of Shaun Michael Vernesoni, age five, born July 4, 1988, the parties to this action, shall share legal custody of the said minor child. Said joint legal custody being shared shall entitle both of the parents to equal access to any records relating to the child held by a third party, including, but not limited to, school and medical records, and shall also entitle both parents to equal imput with sregard to the educational and religious upbringing of the child, as well as to any elective surgery.

2. Primary physical custody of the child shall remain with the natural mother, Cheryl D. Santos. Regular visitation and temporary custody of the child shall be granted to the defendan father, Dennis A. Vernesoni. Physical custody for the Defendant father shall be as follows:

a. The child shall visit in the home of the natural father on the first, second, and fourth weekends of each month, beginning immediately, from Friday at 6:00 p.m., prevailing time, to Sunday at 6:00 p.m., prevailing time.

b. Beginning with the summer of 1994, the father shall have the opportunity to take the child into his temporary physical custody during the first two full weeks of the months of July and August.

c. Holiday vissitation shall take priority over other scheduled visitation. The parties are encouraged to agree as to holiday visitation; however, in the event that they cannot, the child shall spend Mother's Day with the mother and Father's Day with the father from 8:00 a.m. to 8:00 p.m., prevailing time. The other holidays, other than Christmas Day, shall be alternated between the parents, those holidays being Easter Day, Memorial Day, the 4th of July, Labor Day, and Thanksgiving. During even-numbered years, the father shall have the child during the hours mentioned above on Easter Day, the 4th of July, and Thanksgiving Day. The mother

Continued on Page 560 D

1990

Federman and Phelan
Frank Federman

188.

FIRST FEDERAL SAVING AND LOAN ASSOCIATION OF ROCHESTER

vs.

ROBERT W. PETERS AND NANCY J. PETERS

Filed Feb. 16, 1990
@ 11:32 a.m.

Tax & entry Paid	$50.50 ✓
Sheriff's costs	29.00
Pro Co pd 5/22/90	9.00
Withdrawal paid 12/18/90-	5.00
Pro Co Pd 1/4/91	9.00 ✓

COMPLAINT IN MORTGAGE FORECLOSURE

2 copies (sheriff)

March 26, 1990 Sheriff's Return filed. SERVED Robert W. Peters personally on March 2, 1990 at 1:48 PM by handing copy of Complaint to him at Sheriff's Office, Crawford County Courthouse, Meadville, Pa.

SERVED Nancy J. Peters on March 2, 1990 at 1:49 PM by handing copy of Complaint to her Authorized Agent, Robert W. Peters, at Sheriff's Office, Crawford County Courthouse, Meadville, PA. His signed Acceptance of Service attached.

So answers,

Carole Stefanucci, Deputy Sheriff
Howard N. Stewart, Sheriff

And now, May 22, 1990 at 2:49 p.m.upon praecipe of plaintiff attorney, with Verification of Non-Military Service attached, judgment is hereby entered in favor of the plaintiff and against the defendant for failure to file an answer and the damages are assessed at the sum of Fifty-two Thousand Seven Hundred Sixteen and 57/100 dollars plus interest and cost fo suit.

P-145-125
judgment entered 5/22/90
notice of entry mailed 5/23/90

Debt $52,716.57
Int. from 1/1/90 to 5/22/90
Judgment
James F. Simmons
Prothonotary

EX 1990 - 45

Dec. 18, 1990, Upon praecipe of plaintiff attorney, the judgment entered on 5/22/90 in the amount of $52,716.57 is hereby withdrawn without prejudice.

And Now, Jan. 4, 1991, at 9:59 a.m., upon praecipe of plaintiff attorney, with verification of Military Service attached, Judgment is hereby entered in favor of the palintiff and against the defendants for want of an anwer, damages assessed in the sum of Fifty Five Thousand Two Hundred Fifty Nine and 07/100 Dollars. (includes int. from 1/1/90 to 1/3/91)
Judgment entered - 1/4/91
P - 145, 125

Debt - $55,259.07
JUDGMENT
James F. Simmons,
Prothonotary

Jan. 7, 1990 Notice of entry of Judgment mailed to each defendant.

EX 1991-17

1990

Jack, Kookogey & FElton
Robert J. Felton

189.

RICKEY A. PETERSON

vs.

PATRICIA E. PETERSON

Filed Feb. 16, 1990
@ 3:06 p.m.

Tax & entry Paid	$50.50
Pro Co. Pd 9-20-90	9.00
State Surcharge Pd.	10.00

Review under Section 201(d) of Divorce Code, this case is moved to Court.

COMPLAINT UNDER SECTION 201(d) OF THE DIVORCE CODE

1 copy (atty)

Mar. 23, 1990 Affidavit Of Service filed. I,Robert J. Felton, Esquire, Attorney at Law, 144 West Springs Street, Titusville, Pennsylvania, do her eby certify that, in my capacity as attorney for the plaintiff in the above-captioned matter, served a certified copy of the Divorce Complaint in this matter on March 9, 1990, by sending defendant the same by certified mail bi, 00620 648 938, return receipt requested. A complaint was mailed to the defendant on Thursday, March8, 1990, as reflected in the receipt for mailing and the return receipt attached hereto. Robert J. Felton

Sept. 20, 1990 Notice of Intention to Request Entry of Divorce Decree.

Sept. 20, 1990 Defendant's Counter-Affidavit Under Section 201(d) of the Divorce Code filed.

Sept. 20, 1990 Upon Praecipe of Plaintiff Attorney For

Oct. 4, 1990 **DIVORCE DECREE FILED.**

AND NOW, October 3, 1990 it is ordered and decreed that Rickey A. Peterson, plaintiff and Patricia E. Peterson, defendant, are divorced form the bonds of matrimony.

BY THE COURT,
John Q. Stranahan, J

1990

Jack, Kookogey &
Felton
Robert J. Felton

190.

RAYMOND E. BORTZER

vs.

SANDRA L. BORTZER

Filed Feb. 16, 1990
@ 3:08 p.m.

Tax & entry paid $50.50 ✓
Pro Co Pd 2/27/90 15.00 ✓

COMPLAINT UNDER SECTION 201(c) OF DIVORCE CODE, EQUITABLE DISTRIBUTION

1 copy (atty)

Feb. 17, 1998 Important Notice and Court Order filed. Our court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since . We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonably delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.

If you do not object this this case being dismissed, you do not have to do anything. The case will be marked "dismissed with prejudice" in our records, and will be over forever.

If you object to the case being dismissed, you must put your object in writing and follow Crawford County Civil Local Rule L206, LJA 1901E and LJA 1901F, explaining why there has been a delay in your case and why it is not unreasonable. These written objections must be filed in the Prothonotary's Office on or before April 24, 1998. You must also give or sent a copy of any objections you file to the other party or his or her attorney, and certify that you have done so when you file your objections with the Prothonotary.

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

Court Administrator
Second Floor-Crawford County Courthouse
Meadville, PA 16335
(814) 333-7498

By the Court,
Date: February 13, 1998 Anthony J. Vardaro, J
Feb. 17, 1998 copies mailed by Court Administrator's Office

May 6, 1998 Order filed. AND NOW, this fourth day of May, 1998, written notice of the Court's intent to terminate the cases listed below having been given to the parties or their counsel of record, and further notice having been given to counsel and parties by publication of a "Notice of Intent to Terminate Cases" printed in the Crawford County Legal Journal on April 15, 1998, and no objection thereto haing been received by the Court from either party in the cases listed below, **all and each of the 245 cases listed below are hereby terminated and dismissed with prejudice.** A copy of this order shall be filed at each of the docket numbers listed below, but copies need not be given to or served upon the parties or their attorneys. Cases may be reinstated only in accordance with Crawford County Rule LJA 1901.

By the Court:
Gordon R. Miller, P.J.

(See original filed at A.D. 1997 - 702)

1990

191.

~~Joseph F. Kulwicki~~
withdrawn
William A. Kuhar

COMMONWEALTH OF PENNSYLVANIA

vs.

ROBERT ALABRAN

Filed Feb. 16, 1990
@ 4:13 p.m.

Tax & entry 2/13/90 $50.50

PETITION FOR APPEAL FROM SUSPENSION OF DRIVING PRIVILEGES AND SUPERSEDEAS

1 copy (Dept. of Trans.)

PRELIMINARY ORDER:
AND NOW, this 16th day of Feb. 1990, upon consideration of the foregoing petition and on motion of Joseph F. Kulwicki, Esq. Atty. for petitioner, a hearing de nova is granted to determine whether the action of the Dept. of Trans. suspending the driver's license of petitioner should be set aside.
RETURNABLE for hearing on the 29th day of March, 1990, at 10:00 a.m. in C. R. NO. 1 or 2 of the Crawford County Court House, Meadville, Pa.
The Prothonotary shall notify the department forthwith of the hearing as aforesaid and pending hearing of this matter, the appeal shall operate as a supersedeas, staying the suspension order pending a final determination of the same.
BY THE COURT:
Gordon R. Miller, J.
Feb. 21 1990, copy to Atty. Kulwicki.

Mar. 29, 1990 Motion to Continue and Order filed. AND NOW, March 29, 1990 this motion is granted. BY THE COURT,
Gordon R. Miller, J
Mar. 30, 1990 Copies of order put in Atty. Kulwicki's box and copy mailed to William Kuhar

Mar. 3, 1992 MOTION TO DISMISS APPEAL DUE TO LACK OF JURISDICTION and ORDER filed. ORDER: AND NOW, to-wit: this 29th day of February, 1992, upon consideration of the foregoing Motion, it is hereby ORDERED that a Rule be issued against the appellant, Robert Alabran, to show cause, if any, as to why the above-captioned appeal should not be dismissed due to lack of jurisdiction by this Court to grant the credit for time served on the appealed operating privilege revocation that he seeks.
Said rule is returnable on April 28, 1992 at 2:30 p.m.
BY THE COURT:
Anthony J. Vardaro, J.
Mar. 6, 1992 copy in box for J. Kulwicki, mailed copy to W. Kuhar

Mar 3, 1992 MOTION TO QUASH APPEAL and ORDER filed. ORDER: AND NOW, to-wit, this 28th day of February, 1992, upon consideration of the foregoing Motion, it is hereby ORDERED that a Rule be issued against the appellant, Robert Alabran, to show cause, if any, as to why the above-captioned appeal should not be quashed for having been untimely filed.
Said rule is returnable on April 28, 1992 at 3:30 p.m.
BY THE COURT::
Anthony J. Vardaro, J.
Mar. 6, 1992 copy in box for J. Kulwicki, mailed copy to w. Kuhar

Mar. 18, 1992 Motion to Withdraw Appearance of Joseph F. Kulwicki and Order filed. ORDER: ANDNOW, March 18, 1992, Motion allowed. Robert L. Walker, S.J.
Mar 20, 1992 copy in box for J. Kulwicki.

May 1, 1992 ORDER filed. AND NOW, April 28, 1992 at the time fixed for hearing and/or argument on the Department's motion to dismiss the appeal due to lack of jurisdiction and the Department's motion to quash the appeal, the Appellant Robert Alabran did not appear, even though the record evidences notice of this hearing and hearing date was given to the attorney athat represented him on Feb. 28. In view of the fact that the Appellant, through counsel, was given notice of these proceedings and failed to appear, the Court grants the motion to dismiss the appeal due to lack of jurisdiction and also grants the Department's motion to quash the appeal.
Accordingly, kthis appeal is quashed and/or dismissed and the supersedeas granted on Feb. 16, 1990 is dissolved. The Department of Transportation may take such further action with respect to suspending the Appellant's operating privileges that it desires to take in accordance with the law.
Counsel for the Department of Transportation shall serve a true and correct copy of this order of dismissal on Robert Alabran in any manner in which service of original papers in a civil action may be made or by Certified Mail, return receipt requested, delivery restricted to addressee only. Counsle shall file a proof of service in proper form with the Prothonotary in this action so that the record will reflect that Robert Alabran, the Appellant, did duly receive notice of the entry of this order. BY ORDER OF THE COURT,
Gordon R. Miller, P.J.
May 1, 1992 copies given to Kuhar. May 11, 1992 mailed copy to Dft.

May 13, 1992 Affidavit of Service of Order filed.

1990

Mary Ann Kirkpatrick

192.

David Truax

JOY PETERMAN

vs.

HARRY THOMAS PETERMAN

COMPLAINT IN DIVORCE, ALIMONY, CHILD SUPPORT, ALIMONY PENDENTE LITE, COUNSEL FEES, COSTS, EXPENSES, EQUITABLE DISTRIBUTION, & CUSTODY

1 copy (atty)

Feb. 20, 1990, Motion to Set Hearing on Child Custody and order filed. ORDER: RE: Jenelle Peterman, age 3
Russell Peterman, age 2
AND NOW, Feb. 20, 1990, the parties herein and their counsel are ordered to appear before WILLIAM PINEO, CHILD CUSTODY MEDIATOR, at such time and place as child custody mediator shall determine.
Pending mediation the children shall remain in the custody of their mother. By the court,
Gordon R. Miller, J.
Feb. 20, 1990, 2 copies (atty) and 1 copy (mediator)

Filed Feb. 20, 1990
@ 8:48 a.m.

Tax & entry Paid	$50.50 ✓
3 counts paid	45.00 ✓
Service costs	$37.50
William Pineo, Mediator	$92.00
Proc Pd 3/26/92	9.00 ✓
William Pineo, mediator	92.00
Proc Pd 4/30/90	9.00 ✓
Pro.Co.pd 4/26/93	9.00 ✓

Mar 1, 1990 Affidavit of Service filed: AND NOW, February 28, 1990, comes Lisa M. Sherritts, being duly sworn according to law, deposes and set forth as follows:
1. That she is the legal secretary of Attorney for Joy Peterman, Plaintiff in the above-captioned matter.
2. That on information furnished her by the Plaintiff, she caused a certified copy of the Motion to Set Hearing on Child Custody and Order to be forwarded by Certified Mail, P276 618 193; postmarked February 22, 1990, to the last known address of the Defendant, Harry Thomas Peterman, R.D.#8, Box 236, Meadville, Pennsylvania 16335.
3. That the Defendant, Harry Thomas Peterman, on February 27, 1990, personally signed the return receipt card which was affixed to the Motion and Order in the above-matter and which is attached hereto as Exhibit "A".
Lisa M. Sherretts

March 7, 1990 Affidavit of Service filed. Thomas N. Tidd, being duly sworn according to law, deposes and sets forth s follows:
1. That he is a competent adult and investigator for Assured Investigations, a duly licensed and bonded private investigation agency in Pennsylvania.
2. That on information furnished to him, he caused a certified copy of the Divorce Complaint in the above matter to be served upon Defendant, Harry T. Peterman, at 11:05 o'clock A.M., on 20 Feb., 1990, at Hodge Foundry, Leech Rd., Greenville, PA 16125.
3. That costs incurred for this service were as follows:

a.) Service	$25.00
b.) Mileage	12.50
c.) Notary	----
d.) Total	$37.50

4. Further Deponent Saith Not.
Thomas N. Tidd

Mar 15, 1990 Temporary Order filed: AND NOW, this 15 day of March, 1990, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator,
IT IS HEREBY ORDERED AND DECREED THAT:
1. Custody of the subject minor children is awarded to their mother, pending the completion of the Mediator's investigation.
2. The parties shall share with each other any and all information which each may have regarding the health, education, and the major events in the life of the subject minor child. Health care, school personnel, and other care providers are hereby authorized to release to either party any and all confidential information which they may have regarding the subject minor child, except that which the child has legally requested be kept confidential from anyone.
3. The father shall have temporary physical custody and the right of visitation each Sunday, beginning with march 18, 1990. from 1:00 p.m. to 7:00 p.m.. The parties shall meet at the McDonald's Restaurant in Meadville for the purpose of picking up and delivering of the children shall not be used as an occasion to discuss their marital situation. However, the parties may confer about the immediate situation of the children.
4. The mediator has noted for the court that he wishes to confer with the family counselor, Kathy Berkey. When he shall have done that, he shall notify the parties and their counsel about whether not further Mediation will be required and shall thereafter perform the actions necessary to promptly complete his duties in this matter.
5. Each party shall teach said children to give to the other party that love, respect and obedience which is due a parent from his or her children.
6. Neither party shall use illegal drugs or be under the influence of alcohol at any time when said party has the care and custody of the subject minor children.
7. Any person transporting the children shall make sure that the seat belts or other restraints are used in accordance with the law of Pennsylvania.
8. Neither party shall do or say anything to blacken the character of the other in the children's estimation. Each party shall treat the other in a polite and respectful manner when in the children's presence and each party shall instruct his or her relatives and friends to do likewise and also not to disparage the other party in the children's estimation.
9. The parties are free to make additional or alternative arrangements respecting the custodial and visitation periods and are strongly encouraged to so so if that would be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which this Order shall govern.
10. Costs and fees of this Mediation, whichare fixed at $92.00, ar divided equally between the parties with a share of each being assessed to him or her as costs in this case. Payment shall be made to the Prothonotary of Crawford County.
11. Either party may move the court for a hearing de novo for thirty (30) days from date hereof. If neither party so moves, this Order shall be considered permanent.

By the Court,
P. Richard Thomas, J.

Mar 16, 1990 Copies of order put in Attys. Kirkpatrick, Truax and Pineo's boxes and copies mailed to Plaintiff and defendant.

3/26/90 Recd $46 cc From Plaintiff

3/26/90 Recd. $46 cc From Defendant

Recd 4-2-90
$92.00
Vivian Stoltz

4/3/90 Recd $46 cc From Defendant

4/30/90 Recd $46 cc From Plaintiff

Recd 5-3-90
$46.00
Vivian Stoltz

Recd 5-3-90
$46.00
Vivian Stoltz

Continued on page 192a

JOY PETERMAN

VS.

HARRY THOMAS PETERMAN

Record Continued from page 192

of

AD 1990-192

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Apr 9, 1990 Temporary Order filed: AND NOW, this 6th day of April, 1990, after mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator,

IT IS HEREBY ORDERED AND DECREED THAT:

1. The parties shall share legal and physical custody of the subject minor children.

2. The parties shall share with each other any and all information which each may have regarding the health, education, and the major events in the life of the subject minor children. Health care, school personnel and other care providers are hereby authorized to release to either party any and all confidential information which they may have regarding the subject minor children except that which the children have legally requested be kept confidential from anyone.

3. The mother shall have primary physical custody of the subject minor children. The father shall have the right of visitation and temporary physical custody each Sunday from noon to 7:30 p.m., each Wednesday from 4:00 p.m. until 7:30 p.m., and each Friday from 4:00 p.m. to 7:30 p.m.

4. Major holidays are defined as New Years Day, Good Friday, Easter, Memorial Day, Independence Day, Labor Day, Thanksgiving, Christmas Eve and Christmas. Holiday visitation shall begin at 9:00 a.m. and end at 7:30 p.m.. The father shall have visitation and temporary physical custody on Good Friday, 1990, and the parties shall thereafter alternate the holidays.

5. The father shall have the right to designate additional periods for visitation and temporary physical custody to coincide with his vacation from his employment. He shall notify the mother one month in advance of any period he wishes to so designate. The total of said periods shall not exceed thirty days in length.

6. The party picking up the children **in the exercise** of his or custodial or visitation rights shall pick them up at a point to be agreed on by the parties. If the parties cannot agree on a delivery point, then they shall meet at McDonalds Restaurant in Meadville for this purpose.

7. The parties shall take care not to use the contacts necessitated by the carrying out of this order or the other by making whatever arrangements are necessary for their children to discuss matters not related to the upbringing of their children. The Court recognizes that the parties will need to discuss matter related to the other aspects of their marital relationship but these should continue to be done through counsel.

8. When the father has visitation and temporary physical custody, the mother shall take care to send along with the children adequate clothing, given the children's intended activities and the period of visitation with their father. The mother shall also take care to send any medications which may be necessary along with instructions about their use.

9. Neither party shall use or consume alcohol or illegal drugs or be under their influence at any time when said party has the care and custody of the subject minor children.

10. Any person transporting the children shall make sure that the seat belts or other restraints are used in accordance with the law of Pennsylvania.

11. Neither party shall do or say anything to blacken the character of the other in the children's estimation and on the contrary, each party shall take care to speak well of the other party to the children and to teach the children to give to the other party that love, respect and obedience which is due a parent from his or her children. Each party shall treat the other in a polite and friendly manner when in the children's presence and shall instruct his or her relatives and friends to do likewise.

12. The parties are free to make additional or alternative arrangements respecting the custodial and visitation periods and are strongly encouraged to do so if that would be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which this Order shall govern.

13. The parties shall continue their counseling with Kathy S. Berkey, M.A., with a view toward negotiating their differences with respect to the upbringing of the children and towards helping them through their present difficulties. Said counseling shall be at the discretion of Ms. Berkey.

14. The Mediator advises the Court that the parties' efforts in resolving the problems arising from their separation are being made in good faith and are very likely to be effective in assuring the children of the continued care, support, and companionship of their parents. On behalf of himself and the communtiy which he has the honor to serve, the Court applauds these efforts and trusts they will continue.

15. Either party may request further mediation at any time.

16. Costs and fees of the Mediator's efforts, which are fixed at $92.00, are divided equally between the parties with a share of each being assessed to him or her as costs in this case. Payment shall be made to the Prothonotary of Crawford County.

17. Either party may move the Court for a hearing de novofor thirty (30) days from date hereof. If neither party so moves, this Order shall be considered permanent.

By the Court,
Gordon R. Miller, J

April 10, 1990 Copies of order mailed to Deft, Pltf and Mz Berkey and copies put in attys. Kirkpatrick, Truax and Pineo's boxes.

Sept 13, 1990 Affidavit of Consent of Plaintiff filed.

Jan. 17, 1992 Inventory of Plaintiff filed.

Mar. 9, 1992, Plaintiff's Affidavit Under Section 3301(d) of the Divorce Code filed.

Mar. 11, 1992 Income and Expense Statement of Joy Peterman, filed.

Apr. 6, 1993, Affidavit of Consent of defendant filed.

Apr. 20, 1993 Upon Praecipe of Plaintiff Attorney, Mary Ann Kirkpatrick, Esquire for Review Under Section 3301 (3) of the Divorce Code, this case moved to Court.

Apr. 22, 1993, Motion to Withdraw Counts and order filed. ORDER: AND NOW, Apr. 19, 1993, the within motion isallowed.

By/For the court,
Anthony J. Vardaro, J.

Apr. 28, 1993, copies to Attys. kirkpatrick and Truax.

Apr.30, 1993 Memorandum Filed, The Court has reviewed this record pursuant to a praecipe for review under 23 Pa.C.S.A. 3301)c). Since the complaint contains counts for alimony, alimony pendente lite, child suppoort, counsel fees, costs, expenses, and equitable distribution we will not enter a divorce decree until thosese matters have been resolved prior to or at the time the decree is entered.

BY ORDER OF COURT
Gordon R. Miller, P.J.

4-30-92 Copies dist. to Attys. Kirkpatrick & Truax

RECORD CONTINUED ON PAGE 192(b).....

192
-b-

1990

JOY PETERMAN

VS.

HARRY THOMAS PETERMAN

RECORD CONTINUED FROM PAGE 192

OF

AD 1990 - 192

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D I V O R C E D E C R E E F I L E D

April 30, 1993 And, Now, April 30, 1993, it is ordered and decreed that **J O Y P E T E R M A N** Plaintiff, and **H A R R Y T . P E T E R M A N** , Defendant, are divorced from the bonds of matrimony. The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.

By the Court:
Gordon R. Miller, J.

1990

Fuller, Kinnunen,
Petruso & Gamble
JOhn D. Petruso

193.

JIMMY PETERSON AND
MARY PETERSON, HIS WIFE

vs.

DAVID W. ONGLEY
R. D. #5
Box 87B
Titusville, Pa. 16354

Filed Feb. 20, 1990
@ 9:51 a.m.

Tax & entry paid	$50.50
Sheriff's costs	23.00
Pro.Co. Pd. 6/8/92	9.00
Pro Co pd 7/7/92	15.00
Exemp. pd 9-3-93	10.00

SUMMONS IN A CIVIL ACTION

Issued (sheriff)

March 5, 1990 Writ return filed. SERVED David W. Ongley personally on Feb. 22, 1990 at 10:43 AM at Sheriff's Office, Crawford Co., Courthosue, Meadville, PA 16335.
So answers, Catherine I. Allen, Deputy Sheriff
Howrd N. Stewart, Sheriff

Dec. 23, 1991 Complaint filed. 1 copy (plff)

Jan. 16, 1992 AFFIDAVIT OF SERVICE filed. JOHN D. PETRUSO, being duly sworn according to law, deposes and says that:

1. He is an attorney atuthorized to practice law within the Commonwealth of Pennsylvania.

2. He is the attorney for the plaintiffs in the above-captioned matter.

3. On Jan. 3, 1992, he had deposited in the United States Mail by certified mail, return receipt requested, as evidenced by Certified Mail Receipt No. P899 084 854, attached hereto and made a part hereof, a true and correct copy of a Complaint addressed to David W. Ongley, said defendant, naming him as the defendant in the above-captioned matter.

4. Service was obtained upon the defendant, on Jan. 10, 1992, as evidenced by Return Receipt for Certified Mail No. P899 084 854 attached hereto and made a part hereof, said receipt being signed by David W. Ongley.

March 24, 1992 Notice of default judgment filed.

June 8, 1992 Praecipe for Default Judgment filed.

*See Below

July 7, 1992 Upon praecipe of Plaintiff Attorney For Appointment Of Arbitrators the following are hereby appointed.
Kathleen Nelson, Chairman
Christopher Youngs
George Gray

July 29, 1992, Arbitrators take the qualifying oath.

* And Now, June 8, 1992 at 4:25 P.M. upon Praecipe of Plaintiff's attorney, with Notice of Intention to file Default Judgment attached, judgment is hereby entered in favor of the Plaintiff and against the defendant for failure to file an answer to the complaint within the required time.

Judgment
Barbara H. King
Prothonotary

0-43
Entered Oct. 1, 1992

And now, the 26th day of October, 1992, we the undersigned Arbitrators chosen in this case, after having been duly sworn and having heard the evidence and allegations of the parties find in favor of the Plaintiffs and against the Defendant in the amount of $6,700.00 plus costs of suit.

Kathleen R. Nelson, Chr.
Christopher Youngs
George Gray

Oct. 26, 1992 copies of order given to Atty Petruso & mailed to Dft.

1990

Charles J. Swick

194.

CHARLES H. RUOT, AND
LILLIAN M. RUOT

vs.

M.A.T. OIL & GAS EXPLORATION
INC.

Filed Feb. 20, 1990
@ 4:25 p.m.

Tax & entry Paid $50.50 ✓

Sheriff's costs 39.00

SUMMONS IN A CIVIL ACTION

Issued (sheriff)

March 19, 1990 Writ Returned: Before me, the undersigned authority, personally appeared K. William Kelly, who being duly sworn according to law, deposes and says that on the 7th day of March, 1990, at 11:05 A.M., he served Writ of Summons, filed at AD 1990-194, Crawford County, Pennsylvania, upon defendant MAT Oil & Gas Exploration Company at 655 Philadelphia Street, Indiana Borough, Indiana County, Pa. by making known the contents thereof to Marcella Liptak person in charge at time and handing to and leaving with her the certified copy of the writ.

K. William Kelly, Deputy Sheriff
John R. Gondal, Sheriff

SERVED M.A.T Oil and Gas Exploration, Inc. by deputizing the Sheriff of Indiana County, Pa as per his Affidavit of Service attached. Served: Mar 7, 1990.

So answers, Howard N. Stewart, Sheriff

1990

Elderkin, Martin, Kelly, Messina & Zamboldi
Kenneth G. Vasil

195.

SEARS, ROEBUCK AND COMPANY
800 Millcreek Mall
Erie, Pennsylvania

vs.

BRIAN L. ROSS AND SUSAN M. ROSS, HIS WIFE

Filed Feb. 21, 1990
@ 1:34 p.m.

Tax & entry Paid	$50.50
Sheriff's Costs	26.00
Pro Co Pd 5-10-90	9.00

COMPLAINT

2 copies (sheriff)

Mar 26, 1990 Sheriff's Return filed: SERVED Brian L. Ross on February 23, 1990 at 3:22 P.M. by handing copy of Complaint t his father, Don Ross, Adult in charge of residence, at R.D.#2, Valley Road, Meadville, Crawford County, Pa.

Not found as to Susan M. Ross. Seperated, no forward at Post Office.

So answers,

Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

May 10, 1990 Upon Praecipe of Plaintiff's Attorney, with Notice of Judgment attached, judgment is hereby entered in favor of the Plaintiff and against the Defendants for failure to file an answer and the same is liquidated in the amount of One Thousand Five Hundred Sixty-three and 68/100 Dollars, plus interest at the rate of 1.25% per month from January 1990, and costs of this action.

R-26, 146

Debt....$1,563.68 +int & costs
JUDGMENT
James F. Simmons
Prothonotary

Judgment entered May 10, 1990 .

Barrett & Dratler
Bruce A. Barrett

196.

Peter E. Blystone

MILLCRAFT PAPER COMPANY

vs.

JOHN T. BOYLES AND LINDA K. BOYLES, INDIVIDUALLY AND d/b/a PROFESSIONAL BUSINESS FORMS AND PRINTING

vs.

VICTOR L. NONCLERG and MICHAEL D. LAND, SR., PARTNERS, d/b/a NU IMAGE ASSOCIATES/PROFESSIONAL BUSINESS FORMS, Additional Defendants

Filed Feb. 21, 1990
@ 4:01 p.m.

Tax & entry Paid	$50.50 ✓
Sheriff's costs	32.00
Sheriff's costs	43.16

COMPLAINT

3 copies (sheriff)

March 5, 1990 Sheriff's Return filed. SERVED Linda K.Boyles on Feb. 23, 1990 at 3:03 PM by handing copy of Complaint to Mary Daniels, Secretary and person in charge at 217 Market St., Meadville, Crawford Co., PA.

SERVED Professional Business Forms and Printing on Feb. 23, 1990 at 3:04 pm by handing copy of Complaint to Mary Daniels, Secretary and person in charge at business, 217 Market Square, Meadville, Crawford Co., PA.

SERVED John T. Boyles on Feb. 23, 1990 at 3:05 PM by handing copy of Complaint to Mary Daniels, Secretary and person in charge at 217 Market St., Meadville, Crawford Co., Pa.
So answers,

Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

March 15, 1990 Complaint of Defendant, John T. Boyles, d/b/a Professional Business Forms and Printing, Against Additional Defendants Victor L. Nonclerg and Michael D. Land, Sr., Partners, d/b/a Nu Image Associates/Professiona Business Forms, Additional Defendants filed.

Mar 15, 1990 Answer of Defendants John T. Boyles and Linda K. Boyles to Plaintiff's Complaint filed.

March 28, 1990 Sheriff's Return filed. SERVED Victor L. Nonclerg the within named defendant by handing a true copy of the within Complaint to Pam Nonclerg, his wife, on March 20, 1990 at 10:25 AM at their residence, 112 S. River Drive, Jamestown, County of Crawford, PA.

SERVED Michael D. Land Sr. the within named defendant by handing a true copy of the within Complaint to Linda Bickel, Secretary for Attorney Gregg, Authorized Agent, on March 20, 1990 at 3:20 PM at Attorney Greggs office, Route 18, East Side Knolls, Conneaut Lake, Crawford County, PA. Acceptance of Service attached.
So answers,

Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

1990

Jorden & White
Harry Faber white II

197.

DANIEL J. BADAGLIACCA

vs.

VALERIE K. BADAGLIACCA

Filed Feb. 21, 1990
@ 4:18 p.m.

Tax & entry Paid	$50.50
Pro Co pd 6/25/90	9.00
State pd 6/25/90	10.00

COMPLAINT UNDER SECTION 201(c) OF THE DIVORCE CODE

1 copy (atty)

May 31, 1990 Acceptance Of Service filed. AND NOW, this 31st day of May, 1990, comes the Defendant, Valerie K. Badagliacca, and swears that she accepted service of a Divorce Complaint under Section 201(c), and a NOtice to DEfend and Claim Rights on the 22nd day of February, 1990, in the above captioned matter, with the full force and effect of service under the Divorce Code of Pennsylvania. Valerie K. Badagliacca

June 5, 1990 Affidavit of Consent Under Section 201(c) of the Divorce Code of Defendant filed.

June 21, 1990 Affidavit Of Consent Under Section 201(c) of the Divorce Code, of Plaintiff filed.

June 22, 1990 Upon praecipe of Plaintiff Attorney To Transmit Record Section 201(c) of the Divorce Code, this case moved to court.

July 2, 1990 **D I V O R C E D E C R E E F I L E D .**

And now, June 29, 1990, it is ordered and decreed that Daniel J. Badagliacca, plaintiff and Valerie K. Badagliacca, defendant, are divorced fromthe bonds of matrimony.

BY THE COURT,
P. Richard Thomas, J

1990

Thomas, Truax, Spadafore
Vardaro and Walker
R. Charles Thomas

198.

Gary Fabian

ANGELA M. FISCHER, A MINOR, BY HER FATHER AND NATURAL GUARDIAN, LEWIS D. FISCHER

vs.

TERRY E. WALBURN, II

Filed Feb. 22, 1990
@ 1:09 p.m.

Tax & entry Paid $50.50 ✓
Pro Co pd 3/20/90 6.00 ✓

SUMMONS IN CIVIL ACTION

And Now, this 23 day of Feb. 1990, I hereby waive the issuance and service of a Summons in this case with the same force and effect as if the Summons had been duly issued, served upon the defendant by the sheriff and return thereof duly made, and direct the Prothonotary to enter my appearanc efor the defendant TerryE. Walburn, II. Gary Fabian, Esq.

Mar 9, 1990 Petition for Authority to Settle and Compromise the Claim of a Minor and Order filed: AND NOW, this 7 day of March 1990, upon presentation and consideration of the within Petition, the prayer of the Petitioner is granted and the proposed settlement agreement between Lewis D. Fischer, both in his individual capacity and as father and natural guardian of Angela M. Fischer, and State Farm Mutual Automobile Insurance Company, is approved.

It is further ordered and decreed that Lewis D. Fischer, individually and as father and natural guardian of Angela M. Fischer, is hereby authorized and directed to settle and discontinue the above entitled action.

It is further ordered decreed that this Court retains jurisdiction of the subject matter of this agreement to effectuate, implement and enforce this agreement and Court's order related to it and any related agreements executed and delivered pursuant to the terms of the settlement.

BY THE COURT,
P. Richard Thomas, J

Mar 9, 1990 Copies of order put in Attys. Thomas and Fabian's boxes.

Mar. 16, 1990 Upon praecipe of Plaintiff Attorney the above captioned case is marked settled and discontinued of record.

1990

John C. Evans
Specter & Buchwach PC
Keith R. Mason

199.

~~Bernard w. O'Keefe~~
~~Margaret A. McLean~~
~~for dft. Gasser Chair Co.~~
(withdrawn)

Tighe, Evan &Ehrman Jeffrey
William R. Tighe M. Olzewski
for dft. Sanray & Sandalinis

Mazzotta & Winters PC
Daniel b. Winters
for dft. Gasser Chair Co
Thomas Lowery

ANTHONY D. MOTTILLO, AND
JEANNE MOTTILLO, HIS WIFE

vs.

GASSER CHAIR COMPANY, INC.
AND SANRAY CORPORATION,
d/b/a SANDALINI'S ITALIAN
GORMET RESTAURANT

Filed Feb. 22, 1990
@ 2:05 p.m.

Tax & entry 2/23/90 $50.50
Pro Co Pd 411.42 #6 00

CIVIL CASE TRANSFERRED FROM THE COURT OF COMMON PLEAS
OF ALLEGHENY COUNTY PER COURT ORDER OF FEBRUARY 6, 1990.

ALLEGHENY COUNTY ENTRIES:

Jan. 27, 1986, Complaint filed.

Jan. 31, 1986, Plaintiffs Interrogatories to Defendants Gasser Chair Company and Requests for Production of Documents filed. (Jury Trial Demanded)

Jan. 31, 1986, Plaintiffs Interrogatories to Defendant sanray corporation, d/b/a Sandalini's Italian Gourmet Restaurant and Requests for Production of Documents filed.

Jan. 31, 1986, Sheriffs Return filed.

Feb. 24, 1986, Appearance of Bernard W. O'Keefe and Margaret a. McLean for dft. Gasser Chair company, Inc. filed.

Feb. 25, 1986, Appearance of William R. Tighe, for Sanray, etc. filed.

Mar. 4, 1986, Answer and New Matter of Sanray Corp. al filed.

Mar. 11, 1986, Gasser Chair company , Inc.'s Answer and New Matter filed.

Mar. 13, 1986, Reply to new Matter filed.

Mar. 19, 1986, Verification to answer and New Matter filed.

Mar. 21, 1986 Plaintiffs Reply to New MaTTER OF Defendant Sanray corporation d/b/a Sandalinis Italian Gourmet Restaurant filed.

Mar. 21, 1986 Plaintiffs Reply toNew Matter of defendant Gasser Chair Co. Inc. filed.

Mar. 26, 1986, Gasser Chairs Reply to New Matter filed.

May.2, 1986 Notice of Deposition filed.

May 2, 1986,Notice of Service of Interrogatories filed.

May 2, 1986 REquest for producton of Documents filed.

May 8, 1986 Answers to Interrogatories filed.

June 18, 1986, Answers to Interrogatories filed.

Aug. 19, 1986, Amended New Matter filed.

Aug. 19, 1986 Appearance of Mazzotta & Winters, by Daniel B. Winters, attorney for dft. Gasser Chair Co. filed.

Aug. 19, 1986 Withdrawalof Appearance of Margaret A. McLean Esq. and Bernard w. O'Keefe, Esq, filed.

Dec. 11, 1986 Praecipe for Issue filed.

June 11, 1987, Notice of DEposition filed.

June 26, 1987, Notice of Deposition filed.

July 15, 1987, Notice of Deposition filed.

July 16, 1987, notice of Deposition filed.

Aug. 13, 1987, Transc ript of Deposition of Anthony D. Mottillo, filed.

Nov. 30, 1987, Request for production filed.

Jan. 19, 1988, defendants Response to Plaintiffs Request for Production filed.

Sept. 29, 1988 Notice of Deposition filed.

Oct. 11, 1988 Request for Production fo Documents Directed to Plaintiff filed.

Oct. 11, 1988 Notice of Deposition filed.

Nov. 5, 1987 Plaintiffs answers to Interrogatories filed.

Nov. 29, 1988 Affidavit of Service of Subpoena filed.

Oct. 16, 1989 Notice of Service of Interrogatories and REquest for Production of Documents Directed to Plffs. filed.

Dec. 7, 1989 Motion to Compel Discovery and Order of court filed.

Dec. 14, 1989 Pretrial Statement filed.

Dec. 21, 1989 Defendants PreTrial statement filed.

Jan. 5, 1990 Order to JuryTrial filed.

Continued on Page 601

1990

~~Burns, White & Hickton~~ (withdrawn)
~~Mary Jane Bowes~~

Harrington & Schweers
William Schweers Jr.

200.

Marsh, Spaeder, Baur
Spaeder & Schaaf
William J. Schaaf
Eugene C. Sundberg

ANTHONY D. MOTTILLO,
JEANNE E. MOTTILLO,
JOSEPH L. MOTTILLO AND
ALICE MOTTILLO

vs.

TERRY TOOMEY, ESQ.

Filed Feb. 22, 1990
@ 2:16 p.m.

Tax & entry Paid	$50.50 ✓
Sheriff's Costs	23.00
Pro Co pd 4-12-96	6.00 ✓

SUMMONS IN A CIVIL ACTION

Issued (sheriff)

Mar. 7, 1990 Writ Return filed. SERVED Terry Toomey, Esq., personally on February 23, 1990 at 2:58 PM by handing copy of Summons to him at his office, 307½ Chestnut street, Meadville, Crawford County, PA.
So answers, Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

July 9, 1990 Appearance of Harrington & Schweers by William S. Schweers, Jr., Esq. for Plaintiffs filed.

Jan. 23, 1991, Upon praecipe of Mary Jane Bowes, esq., attorney for plaintiffs, appearance withdrawn.

Feb. 21, 1991, Upon praecipe of attorneys for defendants, Marsh, Spaeder, Baur, spaeder & Schaaf, by William J. Sc haaf, and Eugene C. Sundberg, appearance entered.

Nov. 20, 1992 Complaint filed.

Dec. 16, 1992, Preliminary Objections filed.

Dec. 16, 1992, UPon praecipe of defendant attorney, this case placed on next argument list.

ON ARGUMENT LIST FOR JANUARY 1993

Feb. 4, 1993 Defendant's Preliminary Objections Assignment of Argument Date filed. February 4, 1993: the Court Administrator having been directed by the Court to schedule an argument date in the above matter, hereby sets argument for March 1, 1993, at 9:30 a.m., in Courtroom 1, 2 or 3, before a Judge specially assigned by the Supreme Court.
FOR THE COURT,
Imogene yetman, CA

Feb. 4, 1993 copies mailed to Schaaf, Sunberg and given to Judge Miller, & Atty. Toomey

Mar. 5, 1993 Motion To Voluntaryily Withdrawal Preliminary Objections filed.

Mar. 11, 1993 Plaintiff's Amended Complaint filed.

May 18, 1993 Answer and New Matter to Plaintiffs' Amended Complaint filed.

June 7, 1993 Plaintiff's Reply To Answer and New Matter filed.

June 9, 1993 Plaintffs' Verification to be Attached to Their Reply to Answer and New Matter filed.

Feb. 5, 1996 Certificate of Readiness filed.

ON APRIL 1996 TRIAL LIST

Apr 9, 1996 Upon praecipe of plaintiff attorney the within-captioned action is marked settled and discontinued of record.

1990

Mary Ann Kirkpatrick
Barrett & Dratler
Bruce A. Barrett

201.

Joseph F. Kulwicki

DUANE A. MARVIN

vs.

SAUNDRA L. MARVIN

Filed Feb. 22, 1990
@ 2:18 p.m.

Tax & entry Paid $50.50 ✓
Pro Co Pd 9/21/90 9.00 ✓

9/21/90
$68.75 Mediation
Costs Pd by Pltff
Duane Marvin
Rec'd 10-2-90
$68.75
Vivian Stoltz

COMPLAINT FOR CUSTODY

1 copy (atty)
1 copy (mediator)

ORDER OF COURT:
You, Saundra L. Marvin, Dft. have been sued in court to obtain custody of the child: Dawn Amber Marvin.
You are ordered to appear in person for a conference at sucH TIme and place as may be set by WILLIAM PINEO, CHILD CUSTODY MEDIATOR.
If you fail to appear asprovided by this order, an order for custody may be entered against you or the court may issue a warrant for your arrest.
You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.
crawford county bar assoc. Ser. to the Public Comm. c/o Prothonotary crawford county Court house, Meadville, Pa. 16335 814 724-3636.
Date: feb. 21, 1990 BY THE COURT,
P. Richard thomas, J.

Mar. 1, 1990 Affidavit Of Service filed. BRUCE A. BARRETT, ESQ., being duly sworn according to law, deposes and says that the following facts in support of his Affidavit of Service are true and correct to the best of his knowledge, information and belief.
1. That the affiant is the attorney for the Plaintiff in the above captioned action.
2. That a true and correct copy of a Complaint for Custody was sent by registered mail to the Defendant on February 23, 1990. The sender's receipt is attached hereto.
3. The registered mail was sent to Saundra L. Marvin, Forest Green Apartments, Apt. #822, Meadville, PA 16335.
4. That the Defendant received said registered mail on February 27, 1990. Said receipt card number P 966 074 366 is attached h ereto and signed by Saundra L. Marvin.
Bruce A. Barrett

March 21, 1990 Appearance of Joseph F. Kulwicki, Attorney for Defendant filed.

July 27, 1990 Appearance of Mary Ann Kirkpatrick, Attorney for Plaintiff filed.

August 9, 1990 TEMPORARY ORDER filed. AND NOW, this 9th day of August, 1990, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator,
IT IS HEREBY ORDERED AND DECREED THAT:
1. Custody of Dawn Amber Marvin is hereby awarded to her mother.
2. The parties shall share with each other any and all information which each may have regarding the health, education, and the major events in the life of the subject minor child. Health care, school personnel, and other care providers are hereby authorized to release to either party any and all confidential information which they may have regarding the subject minor child.
3. The father shall have the right of visitation with his daughter every weekend from Friday at 1:00 p.m. through Sunday at 3:00 p.m.
4. Holiday visitation shall be arranged as follows:
a. The holidays to be observed are New Years Day, Good Friday, Easter, Memorial Day, Independence Day, Labor Day, Thansgiving, Christmas Eve, and Christmas. Holiday visitation shall be between the hours of 9:00 a.m. and 7:00 p.m. The father shall have visitation on the holiday next following the entry of this Order, and the parties shall thereafter alternate the holiday periods.
b. The child shall spend Father's Day with their father from 9:00 a.m. to 7:00 p.m., and Mother's Day with their mother, during the same hours.
5. Should it be necessary for either party to cancel or modify the visitations as set out in this Order or as previously arranged, the party seeking cancellation or modification shall notify the other party as soon as he or she knows of the necessity which impels the cancellation or modification. Said modifications or cancellations shall not be proposed except for good reasons. Should a cancellation or modification be necessary, the parties shall attempt at once to arrange for alternative visits or to make alternative arrangements.
6. The father shall have the responsibility for transportation. He shall pick up and deliver the subject minor child at the home of the mother. Transportation shall be arranged so that the parties do not directly confront each other. The father has indicated to the mediator that he can have his mother or sister actually go to the door and pick up and deliver the subject minor child.
7. The parties shall arrange for counseling for themselves and, if necessary, the subject minor child with Community Mental Health Center, in order to help them cope with the stress of the separation, and their status as separated parents.
8. Neither party shall expose the subject minor child to the company of persons to whom they are unrelated by blood or marriage between the hours of 8:00 p.m. and 8:00 a.m., nor shall either party have paramours, lovers, or mistresses overnight while he/she has the child in residence.
9. Each party shall teach said child to give to the other party that love and respect which is due a parent from his or her child.
10. Neither party shall use illegal drugs or be under the influence of alcohol at any time when said party has the care and custody of the subject minor child. The parties are cautioned that recent medical research has indicated that tobacco smoke is injurious to the health of growing child. Therefore, neither party shall smoke tobacco or permit others to do so in a closed automobile in which the child is being transported or in the bedroom of the child.
11. Any person transporting the child shall make sure that the seat belts or other restraints are used in accordance with the law of Pennsylvania.

Record Continued
on Page 593.....

John Gagliotti
Barbara J.Walton,ESq.
Legal Services
Gerald Sullivan

202.
Joseph M. Joseph
Brian J. Lindsay

~~William T. Jorden,Esq.~~
Withdrawn

Bettie Peterson-Muth
for child

BRAD ROSSEY

vs.

JENNIFER BECK

Filed Feb. 23, 1990
@ 4:12 p.m.

Indigent filing
John Fuller, Mediator 150.00

COMPLAINT FOR CUSTODY/PARTIAL CUSTODY/VISITATION

4 copies (atty)
1 copy (mediator)

ORDER OF COURT:
You, Jennifer Beck dft. have been sued in court to obtain custody of the minor child, Mandy Sunshine Rossey.
You are ordered to appear in person at the time and place selected by JOHN FULLER, CUSTODY MEDIATOR.
If you fail to appear as provided by this order, an order for cusotdy, partial custody, or visitation may be entered against you or the court may issue a warrant for your arrest.
This Petition and order may be personally served by any competent adult who is not a party in this action or byrestricted mail.
Plaintiff is allowed to proceed without payment of court costs reserving to the court the right to impose costs.
You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.
Crawford County Bar Association, Service tothe Public Committee, c/o Prothonotary, Crawford County Courthouse, Meadville, Pa. 16335, Tele: 814 724-4636.
Feb. 21, 1990
BY THE COURT,
P. Richard Thomas, J.

12-20-93 Received from dept - Cash Bond on (Genacot) 2500

10-7-94 Paid Brad Rossey & John Gagliotti #2,132.67 Ck 8598

7-2-97 Pd dept Remainder of Bond 367.33 #11136 Per C.O. 7/1/97

Feb. 23, 1990, Affidavit to Proceed In Forma Pauperis, Praecipe to Proceed In Forma Pauperis filed.

Mar. 5, 1990, Proof of Service filed. I hereby certify that a copy fo the foregong order and complaint for custody was served on dft. Jennifer Beck by cert. mail on Mar. 1, 1990, by U. S. Mail, Receipt requested.
Date March 5, 1990
Gerald Sullivan, Esq.

Apr. 12, 1990 Order filed. AND NOW, April 12, 1990, after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS:

I. Temporary legal and physical custody of the child, Mandy Sunshine Rossey, shall be shared between the maternal grandmother, Florence Beck, and the paternal grandmother Joyce Rossey, and physical custody shall be shared as follows:
The child shall reside with the paternal grandmother, Joyce Rossey, subject to the following conditions:
A. The maternal grandmother, Florence Beck, shall be entitled to visit and take the child into her custody every weekend, from 4:00 p.m. Friday until 4:00 p.m. Sunday, beginning April 13, 1990.
B. On weekends when the child is in the custody of Florence beck, the mother, Jennifer Beck, shall be entitled to visit the child but shall not be entitled to remove the child from the homr or the custody of Florence Beck and neither mother nor maternal grandmother, nor anyone else, may take the child from the jurisdiction of this Court until further order of Court.
C. During the time when the child is in the custody of the paternal grandmother, Joyce Rossey, neither the father nor anyone else, may remove the child from the custody of Joyce Rossey, except as herein provided and until further order of Court.
D. Children and Youth Services of Crawford County is directed to conduct an investigation into the homes and circumstances of the parents and other persons involved in the care of this child. When the investigation is completed a report shall be furnished to the Court and the Custody Mediator, which report shall be made available to the parties. Once the report of the investigation by Children and Youth Services has been conducted a further mediation conference will be scheduled in an attempt to secure a more permanent custody and visitation arrangement.
E. Neither mother nor father nor grandparents shall say or do anything in an attempt to turn the child against any of the other parties, but on the other hand shall do everything in the power of each to foster a favorable and loving attitude on the part of the child towards both parents and all grandparents.
F. Neither mother nor father nor grandparents shall expose the child to any person or situation which may be harmful to the child's health or well being.
G. All parties agree to inform the others immediately of nay illness or injry regarding the child all parties agree to furnish th eother with a current telephone number.
H. This order is a temporary order but shall become a permanent order unless exceptions thereto are filed by either party within thirty (30) days of the date hereof.
II. Cost of the mediation conference shall be paid by Crawford County
Gordon R. Miller, J

Apr. 12, 1990 1 copy plaintiff, 1 copy C & YS and 3 atty.

Apr 20, 1990 Petiton for Special Relief filed.

Apr. 23, 1990 Order filed. AND NOW, April 20, 1990, this matter comes before the Court on a petition for special relief wherein the mother is requesting temporary custody of the minor child, which by Order of a custody mediator was placed in the custody of both paternal and maternal grandparents. The Court receives input from both of the parties and the custody mediator and the factual situation seems to be disputed and confused.
The petition is denied as Children & Youth Services is making an investigation of the entire situation and will undoubtedly be making a recommendation to the Court in regard to the best interest of this minor child. Accordingly, the petition is denied, the temporary Order of the mediator shall remain in force and effect. If no report has been received by Children & Youth services by May 15, 1990, the mother may file a motion withthe court for the Court to reconsider the special relief petition presented this date.
BY ORDER OF THE COURT
P. Richard Thomas, J

Apr. 24, 1990 Copies put in Gerald Sullivan,, Brian LIndsay and John Fuller's box.

May 23, 1990 Motion To Appoint Substitute Mediator and Order filed. AND NOW, this 23rd day of May, 1990, upon consideration of the within Petition, this Court hereby appoints William Pineo, Esquire, as Mediator to preside over further mediation and to also preside over the issues raised in the Defendant/Mother's Petition for Special Relief.
BY ORDER OF THE COURT,
P. Richard Thomas, J
! COPY atty; 1 copy mediator

Continued on Page 202a -

BRAD ROSSEY

VS.

JENNIFER ROSSEY

RECORD CONTINUED FROM PAGE 202

of

AD 1990-202

May 25, 1990 Motion for Memorial Weekend Visitation and Order filed: AND NOW, this 25 day of May, 1990, it is hereby Ordered and Decreed that the Defendant mother may take her child to Ohio for the Memorial Weekend, May 25 through May 27, 1990.

BY THE COURT,
P. Richard Thomas, J.

May 25, 1990 Copies of order put in Attys. Sullivan and Lindsay's boxes.

June 7, 1990 Child Custody Order Setting Hearing filed. And now, June 5, 1990, this custody action involving a one and a half year old child, born out-of-wedlock to young separated parents, was referred to a custody mediator who established shared custody arrangements for the child between paternal and maternal grandmothers.

The Court ordered a home study by Children ¢ Youth Services and the same has now been received Each parent apparently believes the other is unqulified to hav efull custody because of past histories of alcohol and drug abuse. At the last report, th emother lived in Ohio with a new mail companion and the father resided in th eMeadville vicinity.

It appears from the studies and reports received by Children and Youth Services that a hearing before the Court will be ncessary for the court to evaluate each parent and resolve credibility issues.

Accordingly, the present Order established by the custody mediator and approved by the Court will remain in force and effect, and the matter is set for hearing before Senior Judge Robert L. Walker, June 21, 1990, at 9:30 a.m. in a courtroom to be assigned.

BY ORDER OF THE COURT,
P. Richard Thomas, P.J.

June 7, 1990 Copies were distributed to all parties involved.

AND NOW, June 21, 1990, after de novo hearing, the Order entered April 12, 1990 following mediation conference is affirmed as a permanent order of the court with certain modifications as herein after set forth:

1. Holidays are defined as: New Year's, Easter, Memorial Day, Independence Day, Labor Day, Thanksgiving and Christmas of each year. The custodial grandparents shall alternate holiday with Independence Day of 1990 being with the paternal grandmother and thereafter alternating. Holidays which are contiguous to a weekend shall include the weekend of the holiday and visitation period shall be from 4:00 p.m. on the day preceding the holiday until 4:00 p.m. on the day following the holiday.

2. It is recommended that both parents enroll and successfully complete parenting classes and in that connection, the defendant shall have the right to take the child into her custody for a reasonable period for the purpose of attending parenting classes, but shall not remove the child from the Commonwealth of Pennsylvania.

3. It is recommended that both parents follow through with the recommendations of the Drug & Alcohol Counseling Agency.

4. Once either of the parties has concluded the parenting classes recommended and has complied with the recommendations of Drug & Alcohol, they will be permitted to apply for a modification of the present Order to include immediate visits with one or both of the parents.

BY ORDER OF THE COURT,
Robert L. Walker, S.J.

June 22, 1990 Copies of order put in Attys. Sullivan, Lindsay and Fuller's boxes and copy mailed to Children & Youth Services.

June 22, 1990 Exhibits filed with papers.

Oct. 25, 1990 Certificate of Servi ce filed. I certify that I served a copy of the Petition to Modify/Vacate Custody Order on Gerald Sullivan on Thursday, Oct. 25, 1990 , by hand delivering a copy to his office at 231 Chestnut St., Meadville, Pa.

Joseph F. Kulwicki III

Oct. 26, 1990 Petition to Modify/Vacate Custody Order and Order filed: AND NOW, this 26th day of October, 1990, a hearing on the within Petiton is scheduled for the 26th day of November, 1990, at the Crawford County Court House, in Court Room No. 1 or 2 at 1:30 p.m.

By the Court,
Gordon R. Miller, J.

Oct 30, 1990 Copies of order put in Attys. Sullivan, Lindsay, Kulwicki's boxes and copy to Children and Youth Services. Copy put in Atty Fuller's box.

Nov. 29, 1990 Order filed. AND NOW, November 26, 1990 after a formal hearing, it is ordered as follows:

1. Legal and physical custody of the child Mandy Sunshine Rossey shall be shared between her mother and father as follows:
(a) The child shall reside with her father, provided the father continues to reside with his mother Joyce Rossey, 3 days per week beginning on Wednesday evening at 7:00 p.m. and ending at 12:00 noon on Sunday.
(b) The child shall reside with her mother 3 days per week commencing at 12:00 noon on Sunday and ending at 7:00 p.m. the following Wednesday.
2. The mother shall have the responsibility of picking up the child at 12:00 noon on the Sunday when custody in her begins and returning the child to the home of the father no later than 7:00 p.m. on the following Wednesday.
3. This plan of shared custody shall begin at 12:00 noon on Sunday, December 2, 1990.
4. The Court finds it would be unduly difficult sharing holidays and special occasions, and therefore declines to do so.
5. Neither the father nor the mother nor any of the grandparents shall say or do anything in an attempt to turn the child against any of th eother parties and in fact shall do everything in their respective power to foster favorable and loving attitudes on the part of the child toward both parents and all grandparents.
6. Neither mother nor father nor grandparent shall expose the child to any person or situation which may be harmful to the child's well-being or health.
7. It is recommended that neither party possess, use, or consume controlled substances or illegal drugs. Neither party shall use, possses or consume illegal drugs while the child is in his or her custody. Neither party shall consume or possess alcoholic beverages while the child is in his or her custody. Neither party shall have the child in the company or presence of any person or persons whom that party knows or reasonable should know are then consuming or possessing controlled substances or illegal drugs.
8. All the parties agree to inform the others immediately of any illness, disease, or injury regarding the child, and all parties agree to furnish the others with a current telephone number.

BY ORDER OF THE COURT,
Gordon R. Miller, J

Nov. 29, 1990 Two copies each put in Atty's box.

Nov. 26, 1990 Exhibits filed.

202 (6)

1990

Brad Rossey

vs.

Jennifer Beck

Record continued from page 202 a

of record

A.D. 1990 - 202

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Dec. 7, 1990 Motion To Withdraw and Order filed. AND NOW, this 7 day of December, 1990, upon presentation and consideration of the foregoing, counsel's request to withdraw is granted and the Prothonotary is directed to mark the record accordingly. G. R. Miller, J
2 copies (atty)

Feb. 20, 1991 Feb. 20, 1991 Petition For Civil Contempt for Disobedience of Custody Order and ORDER filed. AND NOW, this 20 day of Feb., 1991, upon presentation of the foregoing Petition for Contempt, a Rule is issued upon the Respondent, Jennifer (Beck) Stetka, to show cause, if any she has, why she should not be held in contempt of the Nov. 26, 1990 Order of the Court of Common Pleas of Crawford County, PA., and a hearing is thereon set for the 8 day of March, 1991, at 10:30 A.M. o'clock in Courtroom #1 or #2 of the Crawford Co. Courthouse at Meadville, PA.

This petition shall be served upon Respondent's attorney of record by regular mail or personal service.

By The Court,
P. R. Thomas, S. J.

Feb.20, 1991 (3) copies Atty.

Feb. 22, 1991 Affidavit of Service of foregoing order and Petition served on Atty. Kulwicki filed.

Feb. 27, 1991 Motion To Withdraw Appearance and Order filed. AND NOW, this 27th day of February, 1991, motion granted.
BY THE COURT,
Gordon R. Miller, J

Mar. 4, 1991 Copies of order put in Atty's. Kulwicki, Sullivan, Lindsay and Fuller,s box.

Mar. 11, 1991 Order filed. AND NOW,March 8, 1991 at the time fixed for hearing on the petitioner's petition for contempt for disobedience of the custody order. The respondent was not present. Counsel for the petitioner served a copy of the petition and notice of this hearing on the respondent's attorney and also sent the same to the respondent via regular mail. While it appears that the respondent has received notice of this hearing, there is no actual proof thereof and therefore this Court will not proceed on the contempt petition until we have evidence that the respondent has actually received notice of a contempt hearing.

Accordingly, the hearing on contempt is continued until April 5, 1991 at 3:30 o'clock p.m. in Courtroom No. 2 of the Crawford County Courthouse. The petitioner or his counsel shall serve the respondent with a true and correct copy of the petition for civil contempt for disobedience of the custody order and a true and correct copy of this order upon the respondent personally or through an adult member of her household in any manner that service may be effectuated under the Rules of Civil Procedure that original service may be effected under the Rules of Civil Procedure, including out of state service.

In the meantime, the respondent shall fully and completely comply with the custody orderof November 26, 1991 in all respects. She shall return the child timely. If she is more than 30 minutes late in returning the child on any occasion, or if the child has marks, bruises, or other physical signs of abuse, illness, or injury which are not explained or supported by a written letter or report from a physician, hospital, or emergicenter, the petitioner has the right to withhold all further visitations by the respondent in the child until the contempt matter is resolved on April 5, 1991. In the event of any physic al marks on the child, the petitioner shall immediately take pictures of those marks and submit the same to the Court at the next hearing.

IN the event that the mother is more than 30 minutes late in picking up the child at the beginning of any visitation period, the petitioner may assume that that visitation period has been cancelled and no other visitation period willbe substituted in its place.

If the respondent loses a visitation period by being more than 30 minutes late, she shall not forfeit any future visitation periods.

BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

Mar. 15, 1991 Copies of order put in Atty's Kulwicki, Sullivan, Lindsay and Fuller's boxes.

Mar. 27, 1991, Affidavit of Service filed. I Brad Rossey certify that I personally served Jennifer (Beck) (aka Stetka) with true and correct copies of Custody Contempt Petition and the Mar. 8, 1991 order by personally handing the above mentioned documents to her on Mar. 24, 1991.

True and correct copies of the above order were also personally served on Respondent's mother Florence Beck on Mar. 20, 1991. Brad Rossey Petitioner.

Apr 2, 1991 Exhibits filed with papers.

Apr. 8, 1991 Order filed. AND NOW, April 5, 1991 at the close of the Court day, but before all of the testimony has been received, the hearing in this matter is continued to April 11, 1991 at 11:00 a.m. in Courtroom No. 2 of the Crawford County Courthouse.

In the meantime, the order of November 26, 1990 remains in full force and effect subject to the following conditions:

1. The defnedant shall immediately advise the Plaintiff as to exactly where she lives by street number and address, and if that is not easy to locate, she will give him specific directions on how to get there. She shall forthwith give him a telephone number where she may be reached directly or where someone near her can reach her within two (2) hours.
2. The Defendant shall pick up the child on Sunday, April 7, 1991 at 12:00 noon. If she does not appear at the Plaintiff's residence by 1:00 local time on Sunday, April 7, 1991, that visitaton shall be cancelled and the Plaintiff shall assume that he will have custody of the child until the mother's next visitation.
3. The Defendant shall not be required to return the child at 7:00 p.m. on Wednesday since there is a court hearing on Thursday morning. She may return the child at 7:00 p.m. on Wednesday if she wishes to do so, but otherwise she shall bring the child to the home of the Pl aintiff on Thursday, April 11, 1991 no later than 10:00 a.m.

BY ORDER OF THE COURT,
Gordon R. Miller, J

Apr. 8, 1991 2 copies each to Atty's Dratler and Sullivan

Apr. 12, 1991 Stipulation Of Parties Concerning Custody and Order filed. AND NOW, this 11th day of April, 1991, the Court, upon Motion of Plaintiff, dismisses the Petition for Contempt and in consideration ofthe within Stipulation of the parties in the above-captioned matter hereby accepts the foregoing Stipulation and enters same as an Order of Court.

BY THE COURT,
Gordon R. Miller, J

2 copies atty.

Record Continued on Page 202 (c)

1990

Brad Rossey

VS.

Jennifer Beck (a/k/a STETKA)

Record Continued from Page 202(b)

OF

AD 1990 - 202

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Oct. 25, 1991 Petition for Custody Contempt and ORDER filed. AND NOW, this 25th day of October, 1991, upon presentation of the foregoing Petition for Contempt, a Rule is issued upon the Respondent, Jennifer (Beck) Stetka, to show cause, if any she has, why she should not be held in contempt of the November 26, 1990 Order of the Court of Common Pleas of Crawford County, PA., and a hearing is thereon set for the 7th day of November, 1991, at 2:30 p.m. o'clock in Courtroom #1 or #2 of the Crawford County Courthouse at Meadville, PA.

Service of this Petition and Order shall be made upon Respondent by regular mail and/or upon Respondent's attorney of record by regular mail.

By The Court,
Gordon R. Miller, J.

Oct. 25, 1991 4 copies of Order to Atty. Gerald Sullivan. Oct. 30, 1991 Copy of Order to Atty. Brian Lindsay.

Nov. 6, 1991 Proof of Service filed. I hereby certify that a copy of the foregoing Order and Petition for Contempt was served on Respondent Jennifer (Beck) Stetka, by Regular First Class Mail, on October 28, 1991.
Gerald Sullivan

Nov. 8, 1991 Order filed. AND NOW, November 7, 1991 at the time fixed for hearing in this matter, the defendant apeared without counsel indicating that she still wanted counsel, had made several efforts to obtain counsel, and did not have enought time since she received notice of the hearing on November 1, 1991.

While the Court believes that parties must have counsel before the hearing so that hearings do not have to be continued, we think that notice was short in this case and will give the Defendant a final opportunity to obtain a lawyer.

Therefore, the hearing in this matter is continued to Monday, November 25, 1991 at 2:30 o'clock p.m. in Courtroom No. 2 of the crawford County Courthouse. The parties shall be prepared to proceed fully and completely and finally at that hearing, whether or not they have attorneys.

BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

Nov. 14, 1991 Copies of order to Gerald Sullivan and Defendant

Nov. 26, 1991, ORDER filed. AND NOW, Nov. 25, 1991 the defendant's motion for a continuance is granted because it appears that two witnesses she intends to call cannot make it because of bad weather.

The hearing is now rescheduled for Mon. Dec. 2, 1991 at 1:00 p.m. in C. R. No. 2 of the Crawford County Courthouse.

BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

Nov. 26, 1991 two copies to each atty of record.

Dec. 4, 1991 Petition To Modify Custody Order and Order filed. AND NOW, this 4th day of December, 1991, Brad Rossey is ruled to show cause, if any there may be, as to why the custody order in the above cpationed matter should not be modified to provide such custody, and visitation times and arrangements and such other controls and protection as may be in the best interests of the minor child, Amanda Sunshine Rossey. A hearing pursuant to this modification petition shall be held on the 18 day of December, 1991, in Court Room 2 at 1:30 o'clock p.m. and shall be held ontemporaneous with the abuse hearing scheduled in response to a petition for protection of abuse filed on behalf of the minor child, Amanda Sunshine Rossey. Custody shall remain with the minor child's mother, Jennifer (Beck) Stetka until said hearing and further order of this court.

Gordon R. Miller, J

Dec. 6, 1991 Copies of order put in box for Atty's Jorden and Sullivan

Dec. 4, 1991 ORDER, filed. ORDER: AND NOW, Dec. 2, 1991, after formal hearing on the plaintiff's petition for contempt, the Court is not satisfied that the defendant willfully violated the Court Order, and therefore, dismisses the petition.

The Custody Order of Nov. 26, 1990, and modified on April 5, 1991, remains in full force and effect and both parties are ordered and directed to comply with th ose Orders.

At no time shall the plaintiff be in the prsence of the child while he has less than a shirt and pants on; at no time shall he be naked or expose himself to the child; at no time shall the child have less than a top and bottom on, and at no time shall the child be undressed or naked in front of him. At all times when the child is undressed or does not have at least a top and a bottom on, the plaintiff's mother, Joyce Rossey, shall be present or some other adult, competent and responsible female.

The plaintiff shall, at h is expense, be interviewed and evaluated by Anthony Pedone, a localf Psychologist, at least on one occasion for the purpose of Mr. Pedone evaluating the plaintiff with respect to any profesional relevant matter centering around sexual abuse. Mr. Pedone shall render a report to Plaintiff's counsel and to no one else. In the event that Mr. Pedone, in his professional opinion, believes that the plaintiff should undergo additional evaluaton, counseling, therapy or treatment in the area of child sexual abuse, the plaintiff shall undergo such additional counseling, therapy or treatment.

The Court will entertain a motion or petition of the plaintiff to discontinue such treatment and counseling with Mr. Pedone if the plaintiff believes it is not appropriate, at which time, the Court will review Mr. Pedone's report in camera and, possibly, interview Mr. Pedone in the presence of plaintiff's counsel only to determine whether the Court believes there should be additional counseling, treatment or therapy by Mr. Pedone.

This Court makes no finding, nor has it been asked to make a finding, with respect to whether or not sexual abuse has taken place. We add these additional precautions to a) give the mother some sense of security that something is being done to monitor the conduct of the plaintiff, and b) to address and treat the plaintiff if he has or is inclined to in the future, engage in sexual abuse, but in no way is an accusation of a finding or a conclusion that he has engaged in sexual abuse. This Court is being overly cautions in view of the testimony of Darlynn Constant.

BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

Dec. 9, 1991 copy put in boxes for Attys. G. Sullivan and George Gray.

Dec. .18, 1991, Abuse and Custody Modification Hearing MEMORANDUM filed.

Dec. 19, 1991 Motion for Appointment of an Attorney to represent the Child, Amanda Sunshine Rossey, and Order filed. ORDER: AND NOW, THIS 4TH day of Dec. 1991 upon consideration fo the foregoing petition Attorney Bette Muth, esq is appointed to represent the interests of the minor child, Amanda Sunshine Rossey, in the above captioned proceedings and any related matters. Said atty. to be compensated by the parties hereto in such amounts as the court shall hereinafter order. Gordon R. Miller, J.

Dec. 30, 1991 copies to Bette Muth, G. Sullivan, B. Lindsay, George Gray, W. Jorden.

Dec. 20, 1991 ORDER, filed. ORDER: AND NOW, Dec. 18, 1991 at the close of the Court day, but before all of the testimony and evidence could be received in this case, the Court continues the hearing to Jan. 9, 1992 at 1:30 p.m.

In the meantime, the natural father shall be permitted to visit his child once a week in a supervised setting at the office of Children & Youth Services of Crawford County on Park Ave. in Meadville. Said visits shall occur from 9:30 a.m. until 11:30 a.m., without fail, on Mon., Dec. 23, 1991; Mon., Dec. 30, 1991; and Mon., Jan. 6, 1992.

BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

Jan. 3, 1992 copy in boxes of G. Sullivan & W. Jorden

202 (D)

19 91

Brad Rossey

vs.

Jennifer Beck, n/k/a Stetka

Record continued from page 202(c)

of record

A.D. 1990 - 202

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Jan. 6, 1992 Motion For Release Of Children and Youth Services Notes-Records To Respondent's Attorney and Order filed. AND NOW, this 6th day of January, 1992, upon this motion is neither granted or denied. The court defers a decision now.

BY THE COURT,
Gordon R. Miller, J

Jan. 13 1992 Copies of order put in box for Atty's Sullivan, Jorden and Fabian

Jan. 8, 1992 Motio nTo Continue and Order filed. AND NOW, this 8 day of January, 1992, the court continued the scheduled hearing in the above captioned matter from January 9, 1992, at 1:00 o'clock p.m. to February 5, 1992, at 1:30 o'clock p.m. The most recent order shall remain in full force and effect. The father's visitations shall occur as ordered at his parents home or other suitable place with his mother present at all time, with the plaintiff to never be with the child along, with the transport-ation responsibility to be with plaintiff and the times to be from 9:30 as to 3:00 p.m.

BY THE COURT,
Gordon R. Miller, J

Jan. 13, 1992 Copies of order put in box for Atty's Sullivan, Jorden and Fabian

Feb. 6, 1992 Order filed. AND NOW, February 6, 1992, after formal hearing on the defendant's petition for modification, the Court, without making a finding that there was sexual abuse in this case, does hereby modify the prior order. Accordingly, it is ordered as follows:

1. Legal custody of Amenda Sunshine Rossey, the child, shall be shared between the parties.

2. Primary physical custody of the child shall be with her mother subject to the periods of visitation here and after allotted to the the father.

3. The father shall be permitted to take his child into his custody on the first, second, and fourth weekend of every month commencing with February, 1992, from 10:00 o'clock a.m. on Friday morning to 4:00 o'clock p.m. on Monday afternoon. For this purpose, the first weekend of eachmonth shall be defined as the weekend where the first Saturday of the month occurs. The father shallhave the respons;ibility of picking up the child and returning the child to the home of the mother even though the father may have economic difficulties doing this, because there have been problems in the past with the mother delivering the child and picking up the child on time. In the even that the father doe snot appear at the mother's home by noon on Friday for a weekend visitation, the mother may assume that that visitationis cancelled, and no furthe ror substituted visitation shall be given.

4. In view of the fact that the father has extended weekend visitations, the Court does not now make any provision with respect to summer visitations. Furthermore, we make no provision with respect to holiday visitations as we believe the weekend visitat-ions should suffice, because some holidalys do fall on the weekend. IN the event that either party desires an order covering hoildays, that party shall file a petition withthe Court aski ng for relief, which said peittion shall be file din accordance with local motions Court, and the Court will proceed to have a short hearing or decide the matter without further input form either of the parties. The responding par ty shallhave right to file an answer to the petition.

5. The father is ordered and directed to comply with the first full paragraph on page 2 of the order of December 2, 1991, no later than March 6, 1992. The second full paragraph on page 2 of the order of December 2, 1991, shall continue to remain in full force and effect.

6. At no time shall the Plaintiff be in the presence of the child while he has less than a shirt and pants on. The pants for this purpose shall not include boxer shorts or underpants. At no time shall be be naked or expose himself to the child. At no time shall the child have less than a top and bottom on in his presence, and at no time shall the child be undressed or nakes in front of him. At all times when the child is undressed or doe snot have at least a top and bottom on, the Plaintiff's mother, Joyce Rossey, shall be present, or some other person over the age of 21 who is competent and responsible and is a female shall be present.

7. Neither the father nor the mother nor any of the grandparents shall say or do anything in an attempt to turn the child against any of the other parties and in fact shall do everything in their respective power to foster favorable and loving attitudes on the part of the child toward both parents and all grandparents.

8. Niether mother nor father nor grandparents shall expose the child to any person or situation which may be harmful to the child's well-being or health.

9. It is recommended that neither party possess, use, consume controlled substances or illegal drugs. Neither party shall use, posess or consume illegal drugs while the child is in his or her custody. Neither party shall consume or possess alcoholic beverages while the child is in his or her custody. Neither party shall have the child in the company or presence of any person or persons whom that party knows or reasonable should know are then consuming or possessing controlled substances or illegal drugs.

10. All the parties agree to inform th eothers immediately of any illness, disease, or injury regarding the child, and all parties agree to furnish the others with a current telephone number where the other may be reached.

11. Even though we have not made a specific findings of sexual abuse, we obviously have limited the Plaintiff's ability to be with his daughter at certain times when one or th eother is undressed. We are doing that for several reasons. the largest of which is that the Plaintiff has not yet followed through with the evaluation this Court ordered on December 2, 1991. If the Plaintiff follows through as required, the Court may hold additional hearings in view of any report that Mr. Pedone may make, which this Court had hoped would be here at this time to take into consideration the issue of whether or not the Plaintiff has sexually abused his daughter.

BY ORDER OF THE COURT,
Gordon R. Miller, J

Feb. 13, 1992 Copies of order put in box for Atty's Sullivan and Jorden

Record continued on Page 202 (E)

Brad Rossey

vs.

Jennifer Beck, a/k/a Stetka

Record continued from page 202(d)

of record

A.D.1990 - 202

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April 15, 1992 Petition for Civil Contempt for Disobedience of Custody Order filed.

April 15, 1992 ORDER filed. AND NOW,April 15, 1992, the Defendant appears pro se in Motion Court indicating that she is unable to afford the services of her attorney and presents a handwritten petition for civil contempt with regard to a custody order entered by the Honorable Gordon R. Miller on February 6, 1992.

First of all, it is noted by the Court that she has reversed the names in the caption and secondly, at the time she appears she is asked whether she had advised Plaintiff's counsel of the presentation of this motion and she tells the Court she has not.

The petition basically alleges that the Plaintiff father refuses to return the child to her after a weekend visit and at Motion Court she is concerned because father's parents will not tell her the whereabouts of the child and father does not have adequate medication needed by the child.

After Motion Court, the Court calls Attorney Gerald Sullivan's office to advise him of the presentation of this petition but is advised that Mr. Sullivan will be out of office for a period of a couple of weeks.

The Court reviews the record in this matter and in light of the circumstances set forth in Defendant's petition and in light of the Court's review of the record, we believe that a hearing in this matter should be set before Judge Miller as soon as possible.

Consequently, hearing is set in this matter for April 22, 1992 at 2:00 P.M. in Courtroom No. 1 at the Crawford County Courthouse. In setting this hearing, the Court realizes that Plaintiff's attorney may not be back in town but in light of the previous history believes this matter should be heard in a prompt manner.

The Court is providing to the Defendat the proper notice and order to appear and she is advised that she must serve this along with a copy of her petition upon the Plaintiff pursuant to Pa. R.C.P.1915.12 (c) by personal service or regular mail and if she chooses to do so by regular mail, pursuant to that rule, the hearing may not be able to be held on that date unless she mails such notice this day since that would be the last possible day to allow seven days notice after mailing as required by Pa.R.C.P. 1915.12 (c).

BY THE COURT:
Anthony J. Vardaro, J.

April 21, 1992 copies to Atty. Gerald M. Sullivan and Atty. William T. Jorden

April 15,1992 NOTICE AND ORDER TO APPEAR FILED. Legal proceedings have been brought against you alleging you have wilfully disobeyed an order of court for custody and/or visitation.

If you wish to defend against the claim set forth in the following pages, you may but are not required to file in writing with the court your defenses or objections.

Whether or not you file in writing with the court your defenses or objections, you must appear in person on court on Wednesday, April 22, 1992, at 2:00 P.M. in Courtroom 1 of the Crawford County Courthouse, Meadville, Pennsylvania.

If you do not appear in person, the Court may issue a warrant for your arrest.

If the Court finds that you have wilfully failed to comply with its order for custody and/or visitation, you may be found to be in contempt of court and committed to jail, fined or both.

You should take this paper to your Lawyer at once. If you do have a Lawyer or cannot aford one, go to or telephone the office set forth below to find out where you can get legal help.

Court Administrator
Crawford County Courthouse
Meadville, PA 16335
Telephone 814-336-1151, ext. 298
BY THE COURT:
Anthony J. Vardaro, J

April 21, 1992 copies to Atty. Gerald M. Sullivan and Atty. William T. Jorden

April 21, 1992 PRAECIPE TO WITHDRAW AS COUNSEL FILED.

Apr. 22, 1992 Countermotion For Contempt, filed.

Apr. 23, 1992 ORDER filed. AND NOW, April 22, 1992, hearing on the Defendant's petition to hold the Plaintiff in contempt, the Court finds that the Petitioner has not carried her burden of proof and, therefore, does not find the Plaintiff in contempt of court. The Defendant's contempt petition is hereby dismissed.

The child, Amanda Rossey, shall be delivered to the Defendant by 4:00 p.m. this date at the office of Attorney Barbara Walton, 1111 Park Ave., Meadville, Pa., no later than 4:00 p.m. this afternoon.

Until further Order of Court, the Order of Feb. 6, 1992 shall be adhered to by all parties without fail. The Court hereby amends that Order to require the father to return the child to the home of the mother no later than 1:00 p.m. on Monday afternoon instead of 4:00 p.m. in view of the fact that the mother works, so as to avoid an exchange of the child between Mr. Rossey and Mr. Stetka.

The Plaintiff shall not have visitation rights this coming weekend, April 24th since he has had the child for an extended period of time.

Except as herein modified, the custody Order of Feb. 6, 1992 shall remain in full force and effect.

Finally, a hearing on the Plaintiff's "Counter motion" for contempt is hereby scheduled for 1:30 p.m. on Monday, May 4, 1992 in Courtroom No. 1 of the Crawford County Courthouse. A true and correct copy of said "Counter motion" has been hand delivered to the Defendant at this hearing and, therefore, no further service is required.

BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

Apr. 23, 1992 copy in box for Walton, mailed copy to Stetka

CONTINUED ON PAGE 202F

202
(F)

1990

In error

Marvin E. Norr
vs.
Theresa Askins

CONTINUED FROM PAGE 202E
of Record
A. D. 1986 - 627

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Apr. 23, 1992 ORDER filed. AND NOW, April 21, 1992, after a formal hearing on the Defendant's latest petition for contempt the Court finds that the Plaintiff has wilfully violated the Oct. 22, 1991 Order in one respect, that is he left the children alone for m ore than two (2) hours while he went shopping and to Crystal Lake Tavern on March 7, 1992. The Defendant has not carried her burden of proof insofar as the allegations surrounding the alleged leaving of the children on March 5 (in Paragraph 2 of her petition) nor has she met her burdenof proof that the Plaintiff has been under the influence of alcohol (Paragraph 5 of her latest petition).

The Court finds that the Plaintiff did violate the spirit of the Order with respect to the late pickup on March 6, 1992 as well as the spirit of the Order with respect to the recorded phone conversation of March 7, 1992, but does not hold the Plaintiff in contempt for those two acts.

Accordingly, it is ORDERED as follows:

1. The Plaintiff shall pay a fineof $200.00; $100.00 for the use of Crawford County and $100.00 for the Defendant, which said fine is suspended if the Plaintiff fully and completely complies with all Court Orders in this case for six (6) months from this date. In the event that he violates any Court Orders within six (6) months from this date and after hearing is adjudicated as having violated any Court Orders, then the fine shall be paid forthwith.

If he complies with all Court Orders faithfully within the next six (6) months, said fine shall be permanently suspended.

2. The findings of this Court that the Plaintiff is in contempt for leaving the children alone on March 7the, a direct and wilful violation of the prior Court Order and the findings of this Court that the Plaintiff has violated the spirit of the Order with respect to the phone call of March 7th and the late pickup of March 6th all may be used by the Mediator in determining whether or not custody should be m odified.

The Mediator need not hear evidence on those three (3) matters and may in fact accept this Court's findings on those three (3) matters together with any other findings and conclusions the Mediator reaches in determining whether or not there should be a modification or change in custody.

3. The Plaintiff shall pay $250.00 toward the Defendant's attorney fees in the following installments: The sum of $100.00 no later than May 15, 1992 and the final sum of $150.00 no later than June 15, 1992, which said payments shall be made to Joan D. Mason, Attorney for the Defendant directly. Said payments need not be made through the Court or through the Prothonotary.

4. Until further Order of Court either after a court hearing or after m odification proceedings before a Mediator, the Plaintiff shall not leave his children and go to a tavern for any purpose unless his children are at all times left in the presence of another responsible adult.

BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

Apr. 23, 1992 copies distributed

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BRAD ROSSEY
VS.
JENNIFER STETKA (Beck)

RECORD CONTINUED FROM PAGE 202 (E)
OF
AD 1990 - 202

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May 1, 1992, Motion For Contempt filed.

May 5, 1992 ORDER filed. AND NOW, May 4, 1992 at the time fixed for hearing on the Plaintiff's "Counter Motion for Contempt", the Plaintiff appeared with counsel but the Defendant did not, even though the Court waited nearly 45 minutes for her to appear. No further testimony was taken.

The Court believes that even though it will not tolerate smoking or using marijuana or other drugs in a home where this child lives, the Court may not find the Defendant in contempt for a marijuana smoking incident that took place in the home while she was at work, where she would have no control over that situation and would not be in willful violation of a Court Order on account of that event.

Accordingly, it is ORDERED as follows:

1. The Plaintiff's counter-motion for contempt is dismissed and the Court does not find the Defendant in contempt of Court for a marijuana smoking event that occurred on April 13, 1992 involving her husband and his brother.

2. This order shall not prejudice or effect in any way any attempted modificaton based upon these or other grounds.

3. The parties are urged to fully and completely comply with all court orders in this case without fail, including following the visitation and custody rights of the other and refraining from any drug use at any time.

BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

May 12, 1992 Copy of ORder to Atty. Barbara Walton, copy mailed to defendant.

May 13, 1992 MOTION FOR MODIFICATION OF KCUSTODY FILED.

May 28, 1992 PETITION FOR CONTEMPT, filed.

May 28, 1992 ORDER, filed. AND NOW, May 20, 1992, upon receipt and review of the attached petition for contempt, a rule to show cause is hereby issued and directed to the defendant to show cause, if any she has, why she should not be held in contempt for the reasons set forth in siad petition.

Said Rule is returnable for hearing and/or argument on the 29th day of June, 1992 at 2:00 p.m. in Courtroom No. 1 or the Crawford County Courthouse.

The plaintiff, or his counsel, shall serve a true and correct copy of the petition and order upon the defendant by personal service by any manner in which original service, may be obtained in a custody action.

BY ORDER OF COURT
Gordon R. Miller, P.J.

June 4, 1992 copy in box for B. Walton & B. Lindsay & J. Fuller

May 28, 1992 ORDER & NOTICE, filed. To. Jennifer Stetka A motion for modification of custody has been filed against you in this case. You are ordered to appear in person at the time and place selected by John Fuller, Esquire, Custody Mediator.

If you fail to appear as provided by this Order, an Ordr for custody, partial custody, or visitation may be entered against you or the Court may issue a warrant for your arrest.

This Petition and Order may be personally served by any competent adult who is not a party in this action or by restricted delivery mail.

BY ORDER OF COURT,
Gordon R. Miller, P.J.

June 4, 1992 copy in box for B. Walton, B. Lindsay, J. Fuller

July 2, 1992 AFFIDAVIT OF SERVICE filed. I hereby certify that a true and correct copy of the Motion for Modification of Cstody, and two Motions for Contempt filed in the above-titled cause were personally served by me upon the Defendant, JENNIFER STETKA, pursuant to Pa. R.C.P. 400(b) on June 26, 1992. Beverly M. Whitmore

CONTINUED ON PAGE 202G

Brad Rossey
vs.
Jennifer Stetka (Beck)

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July 2, 1992 ORDER filed. AND NOW, June 29, 1992, after a formal hearing on the plaintiff's petition for contempt that was filed May 28, 1992 the Court is satisfied that notice of the hearing was properly served on the defendant and further finds as a fact that the defendant has wilfully violated the current custody order in this case, that is a Feb. 6, 1992 order without just and legal cause.

Accordingly, the defendant is held in contempt of court and ordered and directed as follows:

1. To immediately cases and desist from further violations of the custody orders in this case and to comply immediately wtith the order of Feb. 6, 1992.

2. The plaintiff shall be entitled to take his daughter into his custody for two full weeks during the summer of 1992 in order to m ake up for the three weekends in May,1992 and three week ends in June, 1992 when the defendant wilfully failed to allow him visitation. He make select the two week period he desires and shall give the defendant ten days written notice of the two weeks he selects. The plaintiff shall have the responsibility for picking up the child at the beginning of the two week summer visitation and returning the child at the end of the two week summer visitation. That two week period shall commence at noon on a Saturday and terminate at noon on the second Saturday folloing.

3. As punishment for her contempt the defendant shall pay the following sums:

a. $140.00 to the plaintiff to reimburse him for 140 mile round trips between his home and the defendant's home on May 1, 8, 22 and June 26, 1992 to exercise his visitation rights.

b. $112.50 to Barbara Walton, Esquire, attorneys fees incurred in these contempt proceedings.

c. The amount of costs incurred by the plaintiff in serving the defendant with a true and correct copy of this order.

All of these sums shall be paid no later Aug. 30, 1992 and in default thereof the defendant shall face additional contempt proceedings.

4. The summer visitation set forth above shall take precedence over any weekend visitation.

5. A true and correct copy of this Order shall be served personally upon the defendant by an unrelated nonconnected adult person who is permitted to serve process in the State of Ohio. An appropriate proof and return of service shall be filed of record in these proceedings.

BY ORDER OF COURT
Gordon R. Miller, P.J.

July 2, 1992 copy put in Atty Walton's box. July 9, 1992 copy in box for J. Fuller, B. Lindsay

July 17, 1992 AFFIDAVIT OF SERVICE, filed. David L. Hawn, Deputy being duly sworn deposes and says that I am authorized to make service by the laws of the State of Ohio; I am over 18 yrs. of age; and I am not a party to this action I certify that on the 10th day of July 1992, at 9:50 a.m. I served a true and attested copy of the ORDER AND NOTICE OF HEARING on the within named JENNIFER STETKA, at the address of 5670 RT. 6, ROME, OHIO, in the countyof Ashtabula.

Aug 3, 1992 ORDER filed. AND NOW, July 31, 1992, after mediation conference before John Fuller, Esq., IT IS ORDERED AND DECREED as follows, to wit:

I. Legal custody of Amanda Rossey shall be shared between the mother and the father, the plaintiff and defendant herein, that is, each parent shall be entitled to full access to school records, medical records and other important records and that each parent shall be entitled to take part fully in important decisions affecting the child such as the education, medical treatment and religious instruction of the subject child.

II. Physical custody of Amanda Rossey shall be shared between the parents under the following conditions:

A. The father shall be entitled to visit and take the child into his custody for a one month period from nine a.m. on Aug. 20, 1992, to five p.m. on Sept. 19, 1992.

B. Beginning in October of 1992, and monthly thereafter, the father shall be entitled to visit and take the child into his custody the first, second and fourth Fridays of each month, at Ten a.m., Friday morning, and shall be able to keep the child in his custody until one p.m., Monday, each of said three weeks.

C. Beginning with the Summer of 1993, the child shall be in the custody of the father for a consecutive period of 30 days. The father shall give the mother at least 30 days notice of the dates of the Summer visit.

D. Transportation of the child on weekends and Summer visits shall be equally divided as follows: the parent receiving custody shall provide transportation, that is the father shall pick up the child at the beginning of his visit and the mother shall pick up the child at father's home at the conclusion of the visits.

E. Neither father nor mother shall say or do anything in an attempt to turn the child against the other parent, but on the other hand shall do everything in the power of each to foster a favorable and loving attitude on the part of the child toward both parents.

F. Neither mother nor father shall expose the child to any person or situation which may be harmful to the child's health or well-being.

G. Both parents agree to inform the other immediately of any illness or injury regarding the child and both parents agree to furnish the other with a current telephone number.

III. This order is a temporary order but shall become a permanent order unless exceptions thereto are filed by either party within 30 days of the date hereof.

IV. Cost of the mediation conference shall be paid by Crawford County.

Gordon R. Miller, P.J.

Aug 7, 1992 copy to B. Walton & J. Stetka, mailed copy to Plf. & Dft. also J. Fuller

Sept. 3, 1992 Contempt Petition and Order filed. And Now, Sept. 2, 1992, hearing on Plaintiff's Petition for Contempt is set on Oct. 2, 1992 at 10:00 A.M. o'clock in Courtroom 1 or 2 of the Crawford County Courthouse located on Diamond Square in Meadville,Pennsylvania.

For the Court:
Imogene Yetman, Court Administrator

Sept. 3, 1992 Copy of the Order to Attys. Sullivan, Lindsay and Walton.

Oct. 7, 1992 Affidavit of Service filed. David L. Hawn being duly sworn deposes and says that I am authorized to make service by the laws of the State of Ohio; I am over 18 years of age; and I am not a party to this action. I certify that on the 14th day of September day of september, 1992, at 2:25 PM I served to her a true and attested copy of the Contempt Petition, on the within naemd Jennifer beck n/k/a Jennifer Stetka, at the address of 6570 Rt. 6, Hartsgrove, Ohio, in the County of Ashtabula.

David L. Hawn, Deputy Sheriff

Oct. 7, 1992 Findings and Order filed. Therefore it is ordered as follows:

1. The Defendant is held in contempt of court for violation of the February 6, 1992 and June 29, 1992 court orders.

2. As punishment for contempt she is sentenced to undergo imprisonment in the Crawford County Jail for a minimum period of thirty (30) days and a maximum term of six (6) months and she is ordered and directed to surrender herself to the Warden of the Crawford County Jail on the thirty-first day fafter she is served with acopy of this order unless the sentence is suspended as herein after provided.

3. During all periods of time when the defendant is incarcerated under this order the child shall be in the custody of the plaintiff.

4. The defendant may avoid incarceration and cause the sentence of imprisonment to be suspended if within the first thrity days after she is served a a copy of this order she:

a. Fully and completely without exception whatsoever and in a timely fashion complies with the cusotdy order of July 31, 1992, a copy of which shall be served upon her at the time this order is served upon her.

b. Fully and completely satisfies paragraph 3 of the order of June 29, 1992, that is pays in full $140.00 to the plaintiff to reimburse him for round trip mileage; pays $112.50 to Barbara Walton as attorneys fees on the prior contempt petition.

c. Pays to the plaintiff an additional sum of $75.60 for trips he has taken recently to see his child without success and an additional $200.00 for attorneys fees, service costs and expenses.

d. In the event that the defendant is incarcerated under this order she shall still owe the sums referred to above.

5. A true and correct copy of this order and of the modification order of July 31, 1992 shall be served upon the defendant by an appropriate law enforcement official in the State of Ohio who has the right to serve such documents. Service shall be made upon the defendant personally and a full complete and proper return of service made to this court.

Brad Rossey

vs.

Jennifer Beck n/k/a Stetka

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of record

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5. A true and correct copy of this order and of the modification order of July 31, 1992 shall be served upon the defendant by an appropriate law enforcement official in the STateof Ohio who has the right to serve such documents. Service shall be made upon defendant personally and a full complete and proper return of service made to this court.

6. In the event that the defendant fully and completely complies with all custody orders without exception untl October 2, 1993 these contempt proceedings shall be dissolved and the sentence of imprisonment termianted.

7. If, on the other hand, the defendant continues to violate custody order of this order the court will not give the defendant an opportunity to purge herself form contempt if there is a third adjudication of contempt. The defendant has beengiven an opportunity to purge herself from contempt on two occasions and shall not be afforded such an opportunity beyond that.

BY ORDER OF THE COURT
Gordon R. Miller, J

Oct. 7, 1992 Two Certified copies Atty. Walton

Jan. 11, 1993 MOTION TO ISSUE BENCH WARRANT and ORDER filed. ORDER: AND NOW, this 11th day of January, 1993, the Motion is granted and a Bench Warrant is issued for Jeknnifer Beck n/k/a Jennifer Stetka. Service by First Class mail upon the Defendant, Jennifer Beck n/k/a Jennifer Stetka, shall be adequate service in this matter.

P. Richard Thomas, S.J.

Jan. 14, 1993 copy to B. Walton, G. Sullivan, B. Lindsay, J. Fuller

Feb. 12, 1993 ORDER filed

Feb. 12, 1993 ORDER filed. AND NOW, Feb. 10, 1993, the order of Jan.11, 1993 directing athat a bench warrant be issued for the arrest of Jennifer Beck a/k/a Jennifer Stetka is hereby amended.

Said motion is granted and a bench warrant shall be issue dby the Judges and Prothonotary of Crawfor dCounty for the arrest and apprehension of Jennifer Beck a/k/a Jennifer Stetka to serve the sentence imposed on Oct. 6, 1992.

Said bench warrant must be served personally on Jennifer Beck a/k/a Jennifer Stetka.

BY ORDER OF COURT
Gordon R. Miller, P.J.

Feb. 12, 1993 issued sheriff

Feb. 19, 1993 copy to G. Sullivan, B. Lindsay, B. Walton & J. Fuller

Feb. 16, 1993 Memorandum filed. This Court held Jennifer Beck a/k/a Jennifer Stetka in contempt of Court on October 6, 1992 for violation of February 6, 1992 and June 29, 1992 court orders regarding custody and visitation. The court gave the defendant a final opportunity to purge herself form contempt and failing the same she was required to undergo imprisonment in the Crawford County Jail for a minimum period of thirty (30) days and a maximum term of six (6) months.

We also directed that a true and correct copy of the order be served upon Ms. Stetka. It appears that she was served on November 30, 1992 at 11:35 o'clock a.m. at 3068 Princeton Street, Madison, Ohio by a Deputy Sheriff in the Lake County Sheriff's Department.

The plaintiff continues to seek relief in this Court including making phone calls to the Judges Chambers and one of the Senior Judges. That is improper.

The Judges of this court cannot give legal advice to the plaintiff. We have held the defendant in contempt of court and directed that she be arrested. However, this Court has no direct control over citizens in the State of Ohio. The plaintiff's recourse is to seek recourse inthe appropriate courts of the State of Ohio under the Uniform Child Custody JurisdictionAct which appears to have been adopted by the state of OHIO (R.C. 3109.21 to 3109.37). The Courts of Ohio should enforce the orders in this case, direct that the defendant be arrested and turned over to Pennsylvania authorities to be confined inthe Crwaford County Jail to serve her sentence.

By order of Court,
Gordon R. Miller,

Feb. 22, 1993 Copies to Atty's. Sullian, Lindsay, Walton

Aug. 30, 1993 ORDER filed. AND NOW,August 27, 1993, the Sheriff of Crawford County appeared before the Court and orally indicated that authorities inthe State of Arkansas have apprehended and incarcerated the defendant pursuant to the bench warrant issued by this Court on February 11, 1993 and that the child is now in the physical custodyoof the plaintiff. The benchwarrant was not issued for the purpose of turning the child over to plaintiff but rather to bring the defendant before the Court because she was held in contempt of court and had failed to appear on several occasions. The bench warrant issued February 11, 1993 is hereby dissolved sua sponte and the authorities in Arkansas are authorized to release the defendant forthwith. This Court believes that these events will cause the defendnt to return to face proceedings as to her non-compliance with prior Court orders, as to her contempt and with respect to future custody and visitation matters. This Court will not obligate the authorities in either state to return the defendant at public expense.

The contempt proceedings are not dissolved. The defendnt will still face the contempt matter in further proceedings before this Court.

BY ORDER OF COURT
Gordon R. Miller,P.J.

Aug. 31, 1993 Copy of Order to Attys. Sullivan, Lindsay,WAlton & Gagliotti

Oct. 4, 1993 Certified copy of Chancery Court of Izard County, Arkansas ORDER filed.

Oct. 4, 1993 Upon Praecipe of plaintiff attorney, certified copies of Order from Izard County, Arkansas filed.

Nov. 5, 1993 Petition For Special Relief, filed.

Nov. 5, 1993 ORDER filed. AND NOW, November 4, 1993, upon receipt and review of the foregoing petition it is ordered as follows:

1. This Court's order of October 6, 1992 finding the defendant in contempt is stayed until a further hearing is held.

2. A hearing to receive testimony and hear arguments on the matters raised in the defendant's petition for special relief is hereby set for the 19th day of November, 1993 at 9:15 o'clock a.m. in Courtroom No. 1 of the Crawford County Courthouse.

BY ORDER OF COURT
Gordon R. Miller, P.J.

Nov. 5, 1993 copies dist. by Court.

Nov. 17, 1993 Motion to Continue, filed.

Continued to Page 202 I

Brad Rossey
vs.
Jennifer Beck, a/k/a
Jennifer Stetka

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of record
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Nov. 22, 1993 ORDER filed. AND NOW, NOVEMBER 17, 1993, upon motionof the plaintiff to continue the hearing set for November 19, 1993 because of a conflict in schedule,which said motion is not opposed by the defendant so long as periodic visitations occur in the meantime, and so long as the hearing is scheduled as soon as possible, the hearing set for November 19, 1993 is hereby CONTINUED and shallbe held on Tuesday, December 7, 1993 at 9:30 o'clock A.M.in Courtroom No. 1 of the Crawford County Courthouse.

FURTHERMORE, the defendant shall be entitled to visit with her child three (3) days per week for no more than 2 hours each visit,provided the visit take place at the Office of the Crawford County Courthouse and Children and Youth Services and so long as the mother does not take the child from CYS untilfurther Order of Court.

A copy of this Order shall be delivered toCYS and CYS shall arrange the schedule of visitations and notify the parties and their counsel. The plaintiff shall take the child to Childrenand Youth Services so that the child is there at least 15 minutes ahead of the scheduled visitation. If the party does not take the child to CYS at the time scheduled, the father may face contempt of court proceedings.

If the mother does not appear at CYS within 30 minutes after the time for the scheduled visitation, CYS and the father may assume that that visitation has been forfeited and the child may be returned to the father for that visitation period and no other visitation period substituted therefor.

The Court will leave the scheduling of the first visitation period to CYS, but would hope that CYS would schedule that visitation period within the first visitation within the next 5 days.

The Court's contempt Order entered several months ago ordering the defendant toundergo imprisonment in the Crawford County Jail if she does not comply with these Orders is hereby stayed bythe Order of December 7, 1993.

BY THE COURT,
Gordon R. Miller,P. J.

11-22-93 Copies dist.to Gagliotti, Jail & CYS. 12-1-93 Copy mailed to Atty. Joseph 12-1-93 Copy to Atty. Fuller.

Dec.2, 1993 Motionfor Continuance and ORDER filed. AND NOW,this 30th day of November,1993, it is hereby ordered and decreed that upon review of the attached motion, the above-captioned matter scheduled for December 7, 1993, at 9:30 A.M.in Courtroom No. 1, is hereby continued.

It is also ordered and decreed that the matter shall be rescheduled onthe 17thday of December, 1993,at 9:15 o'clock A.M. in Courtroom No. 1.

It is also ordered and decreed that the court's December 7,1993, order shall remian in effect until further order of court.

BY THE COURT
Gordon R. Miller, J.

12-3-93 Copies dist. to Gagliotti, Jail,CYS, Atty.Fuller and Copy mailed to Atty. Joseph.

Dec. 8, 1993 Motion for Contempt, filed.

Dec.8, 1993 ORDER filed. AND NOW,December 6, 1993, upon presentation of the Defendant's motion for contempt, it is ordered that said matter will be heard at the time set for other hearing in this matter on December 17, 1993 at 9:15 A.M. in front of Judge Miller.

Pending that hearing, the Defendant shall have visitation supervised by Children and Youth Services as previously allowed by Judge Miller with tht visitation to occur on December 8, 1993, December 10, 1993, December 13, 1993 and December 15, 1993.

In all other respects not inconsistent with this order,Judge Miller's order of November 17, 1993 shall remain in full force and effect until further order of Court.

BY THE COURT:
Anthony J.Vardaro, J.

Dec. 8, 1993 Copies dist. by Judges Sec.

Dec. 21, 1993 ORDER filed. AND NOW, December 17, 1993 after hearing on the Defendant's petition for special relief filed November 5, 1993 and the Defendant's motion for contempt filed December 8, 1993 the Court makes the following findings and enters the following ORDER:

The Defendant's motion to hold the plaintiff in contempt for failing to take the child to CYS is DENIED.

The Defendant's petition for speical relief is GRANTED inpart and DENIED in part.

The Defendant has not complied with several orders, the most recent of which was the order of October 6, 1992. In fact she fled the State of Ohio to the State of Arkansas to, according to her, protect her child, knowing that she was continuing to be in violation of the court order.Unfortunately for her, the Plaintiff followed her to Arkansas, and as a result of proceedings in Arkansas, she was incarcerated for 4 days and the child was truend over to the father, even though he was not the primary physical custodian.

The father has had the child in his custody since that time in August of 1993, and the mother has only had visitation rights of recent weeks, supervised through CYS.

It appears that the father is living in a 3 bedroom trailer with his new wife, two stepchildren belonging to the wife, and another child they have between them. The father does not work because of learning disabilities and an alleged physical disability. The child is attending preschool 2 days per week.

The mother has returned to reside in Burton,Ohio with her husband and has two other children. She does not work because she is the nurturing parent. Her husband apparently is now looking for work. That family receives public assistance and food stamps in the State of Ohio.

The father incurred expenses in the amount of $1,604.57 in enforcing this court order in the State of Arkansas.

It is crystal clear that these parties have not worked with each other; that the Defendant continues to be in contempt of Court in Pennsylvania; and the child may be substantitally at risk.

ACCORDINGLY, it is ORDERED as follows:

1. The Court once again finds the Defendant in contempt of Court. The incarceration imposed by the order of October 6, 1992 is hereby reimposed. In view of the fact that the mother has lost physical custody of her child and spent four days in jail in Arkansas, she is given one more opportunity to purge herself from contempt before she begins serving that jail sentence. She may purge herself from contempt in the following manner:

A. By fully and completely, without exception whatsoever, complying with all custody orders that apply in this case, and any other orders directed toward her for 9 months from this date.

B. By paying to the Plaintiff for arranging to have the Plaintiff pay the sum of$$2,1032.67, representing the expenses that the Plaintiff has incurred in efnorcing these court orders. That amount shall be paid as soon as possible, but no later than June 15, 1994. The Court believes that sum should be paid immediately, but is recognizing the Defendant's financial conditions.

C. By not moving out of the State of Ohio, unless she moves into the State of Pennsylvania, without approval of the Court.

D. By at all times letting the Plaintiff know her exact address, including a mailing address, as well as a street or road address and any telephone number she has, and not changing the same without advance notice,orally or in writing, to the Plaintiff.

2. In the event the Defendant fully and completely complies with the contempt provisions, these contempt proceedings shall be dissolved at the expiration of the 9 months without any further proceedings, without any further order of Court, and the sentence of imprisonment shall be terminated.

Continued to Page 202 J

3. Until further order of Court,the parties shall have shared legal custody of th child, but primary physical custody shall remain with the Plaintiff, her father, subject to the following visitations in the mother:

A. The mother shall have the right to pick up her child and have her in her custody from 10:00 a.m. on Saturday morning until 6:00 o'clock p.m. Sunday evening. For the moment, she shall privide all transportation. If she does not appear at the Plaintiff's home by 11:00 o'clock a.m. on a Saturday morning, the Plaintiff may assume that that weekend visitation is canceled and he may go about his ordinary plans, disregarding the visitation that weekend. These visitations shall take place on the first, second and fourth weekends of each month.

B. There shall be two exceptions. For Saturday, December 25, 1993 and Saturday, January 1, 1994, the visitations shall comence at 1:00 o'clock p.m., not 10:00 o'clock a.m.

C. None of these visitations shall take place until the mother has posted a bond in the amount of $2,500 payable to the Commonwealth of Pennsyvania, conditioned as follows:

(1) That she remains a resident of the State of Ohio or State of Pennsylvania until further order of Court.

(2) That she shall not remove the child from the State of Pennsylvania or State of Ohio until further order of Court.

(3) That she shall return the child timely after every visitation. If she fails to do this, bond will automatically be forfeited until there has been a hearing to determine and explore the reasons why she has returned the child late.

(4) She shall appear at all hearings scheduled and held in this Court with respect to this matter.

4. It is clear to the Court that there should be a thorough evaluation of these parties, their homes, and the child, including, but not limited to, whether or not the Plaintiff has or is engaging in improper sex abuse with his daughter. This Court is not a professional in those matters. Accordingly, the parties shall, within 30 days from this date, make an appointment and appear before Dr. Kathryn Anderson or the Mental Health Center at the Meadville Medical Center to arrange for appropriate evaluations to be performed by qualified professionals. We cannot tell the professionals what they should do, but believe the professionals ought to understand the current state of affairs and then determine what they, as professionals, believe should be done to evaluate the parties and to ultimately make a recommendation with respect to the matters such as custody, visittions, further counseling, treatment and therapy, and further family preservation (possibly parenting skills, communication, dispute resolution, etc.).

Once the evaluation is done, a copy of any written evaluation and recommendation shall be furnished to the parties and to the Court, whereupon the Court, on motion of either party, will hold another hearing to determine what if any court order should be entered thereafter.

This order should not prevent either party from seeking advice and counsel independent of the evaluation to be done by either Dr. Anderson or the Mental Health Center. Furthermore, if Dr. Anderson and/or the Mental Health Center believes that she or they are not the propert parties to perform these services, they shall choose the proper professional to do it. Furthermore, if the parties can agree on a professional to perform these servies, then the professional they agree on may perform the services rather than Dr. Anderson or the Mental Health Center.

The costs of these services shall be shared equally between the parties. If they are indigent and cannot pay for the costs of these services and there are no other sources for payment, then the parties shall attempt to be evaluated and counseled by a public, free-of-charge provider, such as Children & Youth Services.

5. Since we appointed Bettie Peterson-Muth, Esq. as attorney for the child, she shall be served with all notices required by the Rules, and all motions and petitions filed by either party.

6. AT no time shall the Plaintiff be in thepresence of the child while he has less than a shirt and pants on. The pants, for this purpose, do not mean boxer shorts or underpants but include long pants or recreational, shorter-length pants. At no time shall he be naked or expose himself to the child. At no time shall he touch the child's private parts or genitals. At no time shall the child have less than a top and bottom on in his presence. The child shall not be undressed or naked in front of him. At any time when the child is undressed or naked, or needs to be examined or touched in her genitals, that shall be done by a female, such as Joyce Rossey or Virginia Rossey. If it is any other female, that female shall be over the age of 21, competent and responsible.

7. Neither the father, the mother, any grandparent, nor any step parent shall do or say anything in an attempt to turn the child against the other and in fact,shall do everything in their respective power to encourage and foster a loving relationship on the part of the other parent and all grandparents.

8. The child shall be known as Amanda Sunshine Rossey. She shall not be called by the name Stetka. She shall be reminded and told that her mother is Jennifer Stetka and not somebody else.

9. Neither the mother, fat her, grandparents nor step parents shall expose the child to any person or situation which may be harmful to the child's health, safety, morals and welfare.

10. No party and not stop arent shall be under the influence of controlled substances, illegal drugs, alcohol, beer, or wine in the presence of the child. If either party has evidence that the other or a step parent is using or possessing controlled substances or illegal drugs, the Court will, on proper petition and after hearing, require the parties to undergo random and periodic testing of their blood or urine to determine the use or presence of illegal substances. We do not do that now, but will in the future if there is evidence of improper substance abuse.

11. The parties shall fully and completely cooperate with each other concerning important matters involving the child. They shall inform each other immediately of any illness, disease, or injury regarding the child, and each party shall have a current working telephone number where the other party can be reached.

12. There shall be no arguing or bickering between the parents in the presence of the child.

13. The exchanges of custody, which may be difficult for this child, shall be peaceful and harmonious.

BY ORDER OF THE COURT,
Goirdon R. Miller, P. J.

12-21-93 Copies dist. to Gagliotti, Muth, Joseph, C&Y & Anderson.

Aug. 19, 1994, Petition for Contempt Against Defendant for Violation of Custody Order AND ORDER filed.
ORDER: AND NOW, upon the dft's Petition for contempt of aug. 8, 1994, the court sets hearing on the said petition on Oct. 7, 1994 at 9:15 a.m. in C. R. No. 1.

By the court,

NOTICE AND ORDER TO APPEAR: Legal proc eedings have been brought against you alleging you have willfully disobeyed an order of court for custody/visitaton.

If you wish to defend against the claim set forth inthe following pages, you may but are not required to file in writing with the court your defenses or objections.

Whether or not you file in writing with the court you defenses or objections, you must appear in person in court on Oct. 7, 1994, at 9:15 a.m. in C. R. No. 1.

If you do not appear in person, the court may issue a bench warrant for your arrest.

If the court finds that you have willfully failed to comply with its order for custody/visitation, you may be found to be in contempt of ocurt and committed to jail, fined or both.

You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth to find out where you can get help.

Ct. Adm., Crawford County Courthouse, Meadville, Pa. 16335. 814 333-9498.

Date: 8/19/94

By the Court:
Anthony J. Vardaro, J.

8/19/94, copies dist. to Muth, Joseph and Gagliotti.

Continued on Pg. 202K

1990 TERM

Oct. 7, 1994 ORDER filed. AND NOW, October 7, 1994 at the time fixed for hearing on the Plaintiff's petition for contempt against the Defendant for failure to pay Plaintiff's expenses in enforcing prior court orders as she was ordered to do on December 17, 1993. Both parties appeared with counsel.

The Defendant was clearly ordered to make paymetn and clearly failed to make payment. She indicates that she has not worked because she is raising two children, one 2½ years old and another 3½ years old. She claims that her husband suffered a serious accident and was out of work from january 1994 to July 1994 and her family survived on public assistance and help from other charities. She also claims that she had a discussion with the Plaintiff and he indicated that she did not need to pay until the bond was forfeited. The Plaintiff denies that, claiming that he simply told her to talk to her lawyer.

We do not intend tohold the Defendant in contempt of Court under these circumstances. The parties have agreed that the cash bond which the Defendant posted to assure compliance with future visitations can be forfeited and used in part to satisfy the paymetns the Defendant owes to the Plaintiff.

Accordingly, it is ORDERED as follows:

1. A portion of the cash bond posted -- that is $2,132.67 -- is hereby forfeited by the agreemetn of the parties and can be used to pay the Plaintiffs costs, with the remaining portion of the bond to remain held by the Prothonotary.

2. The Prothonotary is ORDERED and DIRECTED to pay $2,132.67 from the bond on deposit by check payable to Brad Rossey and John P. Gagliotti, Esq., his attorney, and deliver the same to Mr. Gagliotti, Upon payment of said sum, the Plaintiff will have fully and completely complied with the order to pay the Plaintiff's expenses in teh December 17, 1993 order and she shall be released and forever discharged from any further responsibility with respect to those expenses and that portion of that order.

3. In view of the foregoing, the petition for contempt filed August 19, 1994 is hereby DISMISSED without further action.

4. The remaining balance held by the Prothonotary on the bond in the amount of $367.33 shall satisfy the bond provision of the order of December 17, 1993 and shall be held by the Prothonotary until further order of Court. This shall be security to assure compliance with the visitation and custody provisions of that order by the Defendant.

To the extent that the Defendant has now paid the Plaintiff $2,132.67, she has purged herself from that portion of the order of December 17, 1993.

BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

Oct. 7, 1994 Faxed to Gagliotti
Oct. 12, 1994 Faxed to Sullivan, Lindsay, Peterson-Muth & Fuller, sent to Joseph

Oct. 14, 1994 ORDER filed. AND NOW, OCt. 14, 1994, the bench warrant issued February 11, 1993 is hereby quashed as of this date because the defendant has purged herself from the original contempt.

BY THE COURT
Gordon R. Miller, P.J.

Oct. 14, 1994 Copy sent Sheriff, Oct. 20, 1994 FAXED Attys. Gagliotti, Muth; copy mailed Atty. Joseph.

Oct. 17, 1994 Bench Warrant Returned filed.

May 9, 1996 ORDER filed. Home Evaluation Sealed and put in safe 5-9-96.

FAXED 5-9-96 Gagliotti, Muth & Joseph Joseph.

July 2, 1997 Motion For Release of Bond and ORDER OF COURT filed. And now, July 1, 1997 This motion is granted. The Prothonotary shall pay $367.33 to Mrs. Stetka and mail the same to her address listed above.

Gordon R. Miller, J.

July 2, 1997 Copy distributed to Stetka with check.

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-2-

_____TERM

1990

C. Barton Jones

203.

HAROLD D. PALMER AND MARCIA A. PALMER, HUSBAND AND WIFE

vs.

STEPHEN L. SMITH a/k/a STEPHEN LEROY SMITH a/k/a STEVEN L. SMITH, his HEIRS AND ASSIGNS

Filed Feb. 26, 1990
@ 11:04 a.m.

Tax & entry paid $50.50 ✓
Pro Co Pd 6/11/90. $9.00 ✓

COMPLAINT - ACTION IN QUIET TITLE

Feb 26, 1990 Motion for Service by Publication filed.

Mar 2, 1990 Order of Court for Service by Publication filed: AND NOW, this 1 day of March, 1990, upon consideration of the foregoing Motion, requesting service by publication, the Plaintiffs are hereby granted leave to obtain service of the Complaint filed above captioned action in the following manner:

1) By publicatio in the Meadville Tribune, a newspaper of general circulation in Crawford County, Pennsylvania, as to all Defendants whose addresses or whereabouts are unknown as set forth in the Plaintiffs' Affidavit regarding unlocated, deceased and unknown defendants, and in the Crawford Law Journal.

2) That service by publication be made against any of the heirs, successors, administrators, devisees or assigns, known or unknown, of the Defendant in the above-captioned action, as provided by Pennsylvania Rules of Civil Procedure No.1064(b), which publication shall be in the form of the attached legal notice.

By order of the Court of Crawford County, Pennsylvania, this day of 1990.
Number of times of Publication: 1 .

P. Richard Thomas, Judge

Mar 5, 1990 Copies of order mailed to Atty. Jones.

May 2, 1990 Affidavit Of Service of Complaint filed. C. BARTON JONES, Esquire, being first duly sworn according to law, deposes and says as follows:

1) Your dependent is an adult citizen of the Commonwealth of Pennsylvania and resides at 1267 East Lake Road, Jamestown, Crawford County, Pennsylvania.

2) You dependent is the attorney of record for the Plaintiff in the above-captioned action and made this Affidvait on their behalf.

3) A Complaint in Action to Quiet Title, endorsed with Notice to Plead within Twenty (20) days was served upon all defendants named in the above-captioned action by publication in the Meadville Tribune newspaper onthe 9th day of April, 1990, and in the Crawford County Legal Journal on the 21st day of March 1990, pursuant to Order of this Court dated the 18th day of March, 1990, as will more fully appear by reference to Proof of Publication annexed hereto and made a part hereof.

4) The Defendant name din the above-captioned action did not enter his appearance, nor filed a responsive pleading to the Complaint within Twenty (20) days after service upon said Defendant as hereinabove set forth.

C. Barton Jones

May 9, 1990 Motion For Judgment filed.

May 9, 1990 Order filed. AND NOW, this 8th day of May, 1990, an Affidavit of Service of the Complaint with NOtice to Plead attached thereto having been filed, and no appearance or answer having been made by or on behalf of the Defnedan tin the above cpationed action, upon motion of C. Barton Jones, Attorney for Plaintiffs, this Honorable Court hereby ORDERS AND DECREES:

1) The Defnedant, STEPHEN L. SMITH, a/k/a STEPHEN LEROY SMITH, a/k/a STEVEN L. SMITH, his heris, successors, administrators, devisees or assigns, known or unknown, of the above-named Defendant, are hereafter forever barred from asserting any right, lien, title or interest in or to the parcels of land owned by the P laintiffs in this Action to Quiet Title.

2) The Plaintiffs, HAROLD D. PALMER and MARCIA A. PALMER, are hereby declared the rightful title holder to the whole of that land as described in their Complaint; and they are hereby recognized as in possession of all the undivided right, title, interest and ownership due themas the sole owners of those lands.

3) The defendnts, their heirs successors, administrators, executors and assigns have thirty (30) days form this order to bring an action in ejectment or to take exception, If such action is not taken within thirty (30) days from the date of this order the Prothonotary, on praecipe of the Plaintiffs, shall enter final judgment, all in accordance with PA R.C.P. 1066.

by the court,
Gordon R. Miller, J

May 9, 1990 Copy mailed to C. Barton JOnes

And now, June 11, 1990 at 11:57 am upon praecipe of plaintiff's attorney, final judgment is hereby entered in this case, in favor of the plaintiffs and against the defendants, pursuant to the foregoing Order of Court.

S-261

FINAL JUDGMENT
James F. Simmons
Prothonotary

pro se

204.

Jones-McConnell
Anna Belle Jones

KENNETH OSBORN

vs.

SIMMON MILLER
Respondent

THE AUCTION BARN
Additional Respondent

Filed Feb. 26, 1990
@ 11:21 a.m.

Indigent Filing

Sheriff's costs 28.80
Sheriffs costs 55.00

CERTIFICATE OF CONTENTS OF TRANSFERRED RECORD FROM
THE COMMONWEALTH COURT OF PENNSYLVANIA AND ORDER
Misc. Docket 1989 - 382

MEMORANDUM AND ORDER:

ORDER: Now, Jan. 4, 1990 the above captioned matter is hereby transferred to the Court of common Pleas of Crawford 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 the prothonotary the record thereof.

(certified from record of Commonwealth Court)

COMMONWEALTH COURT ENTRIES:

Dec. 8, 1989, Complaint filed.

Dec. 8, 1989, Proof of Service filed.

Dec. 18, 1989, Affidavit to Proceed In forma pauperis filed.

Jan. 4, 1990, Memorandum and Order filed.

Jan. 4, 1990, On Order, the above matter is hereby transferred to Common Pleas of Crawford County Section 5103(a) of the Judicial Ct. for further proceedings. The Chief Clerk certifies to the Prothonotary of Crawford County a photocopy of docket entries to the prothonotary the record. 1990 Memorandum and Order exit and Order filed.

Apr. 23, 1990 Memorandum and Order filed. And now, this 18th day of April, 1990,

1. We direct the Prothonotary to file the Petitions for Default Judgment at Eq. 1989 - 10.
2. We direct the Prothonotary to file the Writ of Mandamus in A.D. 1990 - 204 and we dismiss the writ as it has no legal merit.
3. We direct the Prothonotary to file the Notice of Appeal with the papers in this case (1989-477) but not to forward the file in this case to the Superior Court until evidence of a filing of the appeal with the Superior Court is received.
4. No action is required by this Court on 1988-844 and 1989-378.

The Prothonotary is directed to send a copy of this Memorandum and Order to all parties named in these various lawsuits.

BY ORDER OF THE COURT,
P. Richard Thomas, P.J.

Apr. 24, 1990 copies mailed to all parties.

Apr 23, 1990 Petition for Writ of Mandamus filed.

Sept 5, 1990 Complaint Reinstated.

Sept 5, 1990 Motion for Order of Court Directing Sheriff to Make Service Upon Defendant in the Above-Captioned Cause of Action Thereto filed.

Sept 5, 1990 Order filed: And Now, August 30, 1990, the Plaintiff has refiled his complaint after haviang previously failed to execute service of process upon the Defendant within the mandated time limitations. Accordingly, we direct the Prothonotary to file said complaint without payment of costs, with said complaint to supercede the one previously filed, and further direct that a copy be forwarded to the Sheriff for service upon the defendant.

BY ORDER OF COURT,
P. Richard Thomas,
Senior Judge

1 copy (pltf)
1 copy (sheriff)

Sept 5, 1990 Complaint filed.

Sept. 24, 1990 Preliminary Objections filed.

Sept 25, 1990 Sheriff's Return filed: Served Complaint in Assumpsit upon Simmon Miller, personally at Sheriff's Office, at 12:16 P.M. on September 7, 1990.

Catherine I. Allen, Deputy Sheriff

Oct. 3, 1990 Motion to Strike Dft's Preliminary Objections & Motion for entry of default Judgment filed.

Oct. 29, 1990 RE: PRELIMINARY OBJECTIONS filed. The Defendant, through counsel, has filed Preliminary Objections to a pleading filed by the Plaintiff and sworn to June 29, 1990, and filed Sept. 5, 1990. The Motion is to strike the filed pleading because counsel interprets an Order of this court dated April 18, 1990, as having dismissed this action.

The Court hereby sets argument on this matter for December 4, 1990, at 1:30 P.M., in Courtroom No. 1.

From the review of the file in this case and the issues raised in the Preliminary Objections, the Court notes the argument consists of a legal issue and, accordingly, we see no need to order the Plaintiff to be present. In the event the factual issues must be resolved, the Court reserves the right, after argument, to set further hearing if the Court determines the presence of the Plaintiff is necessary to resolve factual issues at this stage of the proceedings.

Date: October 26, 1990

By Order Of The Court,
P. Richard Thomas, Senior Judge

Oct. 30, 1990 Copy of Order to Plaintiff, Atty. Anna Belle Jones.

Dec. 28, 1990 Memorandum and ORDER filed. AND NOW, December 24, 1990, the Preliminary Objections of the Defendant are denied, and we direct the Defendant to file his answer within 30 days of this Order.

By Order Of The Court,
P. Richard Thomas, S. J.

Dec. 31, 1990 Copy of Order to Plaintiff and Atty. Anna Belle Jones.

Continued on page ~~687~~ 204a

KENNETH OSBORN

VS.

SIMON MILLER, d/b/a THE AUCTION BARN

Record Continued from Page 204

of

AD 1990-204

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Dec 28, 1990 Motion to Strike Defendant's Preliminary Objections and Motion of Entry of Default Judgment and Order filed: AND NOW, December 24, 1990, by separately filed order, we have dealt with the Defendant's Preliminary Objections in which we required the Defendant to answer the Plaintiff's complaint. As such, that order disposes of the Plaintiff's Motion to Strike Defendant's Preliminary Objections.

As the Defendant has filed preliminary objections and an Answer if forthcoming, this action is not in a posture to enter default judgment and we deny the same.

BY ORDER OF THE COURT,
P. Richard Thomas, Senior Judge

Dec 31, 1990 Copies of order mailed to MaryAnn McConnell and Plaintiff.

Jan. 9, 1991, Answer to Complaint filed.

Jan. 17, 1991 Amended Answer To Complaint filed.

Jan. 18, 1991 Preliminary Objections--Motion To STrike And Dismiss Defendant's New Matter and Counterclaim As Fraud, Deceit, and Willful Misrepresentations of The Facts, And as Attorney Abuse of The Legal Process filed.

Jan. 18, 1991 Motion To Strike Defendant's Answer To Complaint As False Pleading and Willful And Corrupt Perjury filed.

June 11, 1991 Motion For Mandatory Disqualification of Judge P. Richard Thomas in the above-captioned case and In Related Case Matters Thereto filed.

June 19, 1991 Memorandum and Order filed. AND NOW, June 18, 1991, the defendant's motion to strike defendant's answer to the complaint as a false pleading and wilful and corrupt perjury is denied.

The motion for a mandatory disqulaification of Judge P. Richard Thomas is this and other related cases is denies.

In view of the fact the defendant forwarded a copy of the motion for disqualification to the Pennsylvania Supreme Court, we direct the Prothonotary to forward a copy of this memoradnum and order to said Court for their enlightenment.

BY THE COURT,
P. Richard Thomas,
S.J.

June 20, 1991 Copies mailed to Supreme Court, Anna Belle Jones and Kenneth Osborn

June 27, 1991 Notice of Appeal of plaintiff to the Superior Court of Pennsylvania, from Order entered on June 18, 1991, filed. (service attached)

July 18, 1991 Unprocessed Notice of Appeal Returned from the Superior Court of Pennsylvania filed.

Aug. 30, 1991 Petition To Appeal In Forma Pauperis filed.

Aug. 30, 1991 Order filed. This incarcerated plaintiff has filed an appeal from this Court's Order of June 18, 1991, denying the plaintiff's request to strike the defendant's answer to his complaint because it was a false pleading and contained wilful and corrupt purgered statements. Our Order also denied the motion in the complaint calling for our mandatory disqualification.

The defendant apparently filed an appeal with the Superior Court and the same was returned because the filing fee of $55 was not paid. Defendant now requests that we allow him to appeal in Forma Pauperios because his only asset consists of real estate in Crawford County of an unascertained value which is allegedly occupied by his former girlfrien. This from said property and under his present incarcerated status, lacks the ability to pledge the real estate to underwrite the filing fee required in this case.

ACCORDINGLY, we grant the defendant's request and he is permitted to appeal this Court's aforesaid decisionin Forma Pauperis.

DATED: August 29, 1991.

BY ORDER OF THE COURT,
P. Richard Thomas, S.J.

Aug. 30, 1991 copy mailed to pl aintiff and Atty. Jones

Sept 16, 1991 Notice of Appeal Docketing at Superior Court Docket # 1563PGH91 filed.

Dec 23, 1991 Re: Plaintiff's Request for Appointment of Counsel in Forma Pauperis and Order filed: This convoluted lawsuit was commenced by the Plaintiff acting pro se. An answer to his confusing complaint was filed. Osborn then moved to strike the answer because he alleged the answer was untruthful and should be stricken because it was perjury. He also moved to have the attorney for defendant disbarred for complicity in the untruthful answer. He also wanted the judge disqualified as being part of a conspiracey leading to his rape conviction and an attempt to deprive his of his real estate and personal assets.

We declined Osborn's request to strike the Defendant's answer to his complaint and from this ruling he filed an appeal to the Superior Court. The Superior Court recently dismissed the appeal for failure to file a timely brief.

Plaintiff now requests the Court to appoint counsel to assist him in the ill conceived lawsuit.

We see no reason at this time to appoint counsel to represent the plaintiff in his peculiar lawsuit at the present stage of the pleadings. Plaintiff has filed a multiplicity of lawsuits against a number of defendants and we suggest he file an appropriate responsive pleading in the form of a reply to this defendant's answer to accurately frame the issues in the particular lawsuit rather than seeking to resolve his claim by a criminal action of perjury and the disqualification of the defendant's attorney and the trial judge.

We deny the plaintiff's request for appointment of counsel to assist him in this civil litigation at this time. At such time as appropriate, responsive pleadings are filed and case is ready for litigation and the issues are clearly and precisely framed by the pleadings, we will consider the Plaintiff's request for appointment of counsel to assist him at the time of trial.

DATED: December 17, 1991.

BY ORDER OF THE COURT,
P. Richard Thomas, Senior Judge

Jan 2, 1991 Copies of order mailed to Plaintiff and Atty. Jones.

Continued on Pg. 204b

Kenneth Osborn

vs.

Simon Miller d/b/a
The Auction Barn

RECORD CONTINUED FORM PAGE 204A

of Record

A.D. 1990 - 204

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Jan. 15, 1992 ORDER filed. AND NOW, Jan. 13, 1992, the plaintiff's request for the appointment of counsel, in forma pauperis, is denied. This is the same request that Senior Judge Thomas acted upon and denied by an Order dated Dec. 17, 1991.

BY THE COURT
Gordon R. Miller, P.J.

Jan. 15, 1992 copy mailed to K. Osborn.

Jan. 10, 1992 Request for Appointment of Counsel in Forma Pauperis filed.

Mar. 9, 1992, Certified Copy of Order and Record Received From Superior Court of Pa., acknowledgement certificate filed.

Mar. 9, 1992, copy of above mailed to Superior Court of Pa.

Mar. 9, 1992, ORDER OF COURT Certified from Superior Court of Pa. filed.
ORDER OF COURT: AND NOW, Dec. 11, 1991, the within appeal is DISMISSED for failure to file a brief. Per Curiam,

Aug. 28, 1992 Reply To Defendant's Answer filed.

Sept. 15, 1992 Affidavit of Service of Motion to Strike Pleading filed.

Sept. 16, 1992 Motion to Strike Pleading filed.

Sept. 16, 1992 ORDER filed. AND NOW, Sept. 14, 1992, upon receipt and review of the defendant's motion to strike the plaintiff's reply which said motion is being considered by the Court as a preliminary objection in the nature of a motion to strike, a rule to show cause is hereby issued and directed to the plaintiff to show cause, if any he has, why the preliminary objections should not be granted.

Said rule is returnable for argument on Oct. 26, 1992.

In view of the fact that the plaintiff is presently incarcerated in the State Correctional Institution, the Sheriff is ordered and directed to travel to that state correctional institution to pick up the defendant and bring him to the Crawford County Jail no later than Oct. 23, 1992 and to cause the defendant to be present at ARgument Court and immediately thereafter return the defendant to the State Correctional Institution where he is now housed.

The parties are reminded of the briefing requirements contained in the Crawford County Rules of Civil Procedure.

BY ORDER OF COURT
Gordon R. Miller, P.J.

Sept. 17, 1992 Copy of Order to Atty. Anna Belle Jones, Sheriff, and plaintiff.

Sept. 29, 1992 Plaintiff's Rebuttal To Defendant's Motion To Strike Pleading filed.

Oct. 12, 1992 Affidavit of Service filed. Personally appeared before me, the undersigned authority, Anna Belle Jones, Atorney for Defendant, who after being duly sworn according to law, deposes and states that the Answer, New Matter and Counterclaim in the above-captioned case, was mailed to the Plaintiff, Kenneth Osborn at his las tknown address of AP-8910 P.O. Box 99901, Pittsburgh, Pennsylvania 15233, by certified U.S. Mail # P 099 738 951, on January 15, 1991. Attached hereto is mailing receipt and green receipt card showing reciept of same. Anna Belle Jones

Oct. 12, 1992 Affidavit of Service filed. personally appeared before me, the undersigned authority, Anna Belle Jones, Attorney for Defendant, who after being duly sworn according to law, deposes and states that the Motion To Strike Pleadings in the above-captioned case, was mailed to the Plaintiff, Kenneth Osborn at his last known address of AP-8910, Bellefonte, Pennsylvania 16823, by certified U.S. Mail # P 099 739 020, on September 14, 1992. Attached hereto is mailing receipt and green receipt card showing receipt of same. Anna Belle Jones

Oct.21, 1992 Request for Appointment of Counsel in Forma Pauperis filed.

Oct. 21, 1992 Order filed. AND NOW, October 19, 1992,a hearing onthe plaintiff's request for the appointment of counsel is hereby scheduled for the 26th day of October, 1992 at 9:00 o'clock a.m.,

BY ORDER OF COURT,
Gordon R. Miller, P.J.

Oct.21, 1992 Copies givento Atty. Jones and Plaintiff.

Oct. 28, 1992 Order Filed. AND NOW, October 28, 1992, the defendant's Motion to strike off the plaintiff's reply is denied.

Even though the reply was extremely late the Court believes tht under the circumstances of this case where the plaintiff is incarcerated at a state correctonal institution and the defndant has not beenprjudiced the reply will not be stricken.

The defendant shall file a Counter Reply, if he wishes, to the New Matter raised in the plaintiff's Reply within twenty (20) days from the date of this order. A true and correct copy of the Counter Reply shall be forwarded to the plaintiff at hs place of incarceration.

The Prothonotary is ordered and directed to photocopy the following local rules and mail t hem directly to the plaintiff at the state correctional institution where is is housed. L.212, L216, L301, and L302.

BY ORDER OF COURT,
Gordon R. Miller, P. J.

Oct. 28, 1992 Coipies mailed to Attys. Jones and Plaintiff.

Nov. 9, 1992 Defendant's Answer to Plaintiff's New Matter & Certificate of Service filed.

Jan. 5, 1993 Order Filed. AND NOW, December 31, 1992, the plaintiff's request for the appointment of counsel is denied.

BY ORDER OF COURT
Gordon R. Miller, P. J.

Jan. 5, 1993 Copies mailed to Attys. Jones & Plaintiff.

Jan. 25, 1993 Proof of Service of Answers to Interrogatories filed.

Oct. 28, 1993, Motion to Amend Complaint filed.

Oct., 28, 1993 Motion for Order of court didrecting Sheriff to Make Service Upon Defendants in the Above Captioned Cause of Action filed.

Oct. 28, 1993, MEMORANDUM AND ORDER filed. ORDER: AND NOW, Oct. 27, 1993, upon receipt and review of the documents the plaintiff sent to the Prothonotary under letter of Oct. 5, 1993, which the Prothonotary received on Oct. 18, 1993, it is ordered as follows:

RECORD CONTINUED ON PAGE 204c

1. A true and correct copy of said documents shall be forwarded to counsel for the defendant by the Prothonotary forthwith.

2. The plaitniff's motion for leave to amend his complaint to add additional parties is denied.

BY ORDER OF THE COURT,
Gordon R. Miller, p.J.

Oct. 28, 1993, copies dist. to plff Osborn and Atty. Jones.

✓May 20, 1994 Certificate of Readiness on behalf of plaintiff, filed.

on October 1994 Civil Trial List

✓Sept. 22, 1994, Petition for Appointment of counsel in a Civil Action filed.

✓Sept. 22, 1994, ORDER filed. AND NOW, Sept. 20, 1994, the plaintiff's petition for appointment of counsel in a civil action is denied.

This is not a paternity action or termination of parental rights action nor any other type of action where the plaintiff's substantial rights are at issue. This is simply an action for money damages and the court is not obligated to appoint counsel under such circumstances.

BY THE COURT,
Gordon R. Miller, P.J.

9/22/94 copies mailed to Osborn and Jones.

✓Sept. 29, 1994 ORDER filed. AND NOW, Sept. 28, 1994, the Court, sua sponte, continues the trial in this case from the October 1994 civil term to the February 1995 civil term in order to afford the plaintiff the opportunity to consult with counsel to assist him in preparing for trial or to obtain counsel to represent him for the balance of these proceedings.

BY THE COURT
Gordon R. Miller, P.J.

Sept. 29, 1994 Copies mailed Osborn and Atty. Jones.

✓Dec. 1, 1994 Motion for Appointment of Counsel filed.

✓Dec. 1, 1994 Order filed. AND NOW, November 29, 1994, William T. Jorden, Esquire, is hereby appointed by the Court to be compensated out of the Court's budget, to assist the plaintiff in preparing the plaintiff's case for trial. The trial will take place during the next term of civil jury trials to be held in February of 1995.

Mr. Jorden shall not be counsel of record for the plaintiff. The plantiff is proceeding pro se and we are not appointing counsel to aid and assist the plaintiff in preparing for trial so that he has all of his witnesses, exhibits in order prior to trial, so that he understands the nature and proceedings that occur at a civil jury trial so that he may try his case better and more efficiently.

BY THE COURT,
Gordon R. Miller, J

Dec. 1, 1994 copies dist. to Pltf. Jones, Jorden & Ct. Adm.

✓Dec. 1, 1994 Writ of Habeas Corpus Ad Testificandum filed.

✓Jan. 31,1995 Request for Pre-Trial Conference and ORDER FILED. AND NOW, upon consideration of the foregoing Motion, a Pre-Trial Conference will be scheduled for the 8th day of February, 1995, at 11:00 o'clock, in Courtroom 1. Gordon R. Miller,J. 1-31-95 Faxed Jones,Mailed Osborn

✓Jan. 31, 1995 ORDER filed. AND NOW,January 30, 1995, theCourt hereby ORDERS and DIRECTS the Sheriff of Crawford County to go to the Rockview State Correctional Institution as soon as possible to pick up the Plaintiff, Kenneth Osborn, and return himtothe Crawford County Jailsothat he maybe prepared to proceed in this case sometime during the two-week period of civill jury trials commencing February 13, 1995. At all event, the Sheriff shall have returned the Plaintiff to the Crawford County Jail by Noon on February 7, 1995, so that the Plaintiff may meet with counsel in anticipation of a pre-trial conference that is now scheduled for February 8, 1995.

This Order shall be sufficient authority tothe Warden at Rockview to release the Plaintiff to the Custody of the Crawford County Sheriff.

BY ORDER OF THE COURT,
Gordon R.Miller, P.J.

1-31-95 Copies toAttys. Jorden, Osborn, Jail, Sheriff & Jones

✓Feb. 10, 1995 Pre-trial Order filed. AND NOW, February 9, 1995 aftr pre-trial conference held on February 8, 1995 the Court enters the following Order:

1. This case is scheduled for a jury trial to commence during the week of February 20, 1995. The exact date of trial and the exact date of jury selection will be established later.

2. The plaintiff and counsel shall be available at 9:00 o'clock a.m. on Monday, February 13, 1995 for further discussions on how this case will proceed.

3. This is a suit by the plaintiff alleging that the defendant, an auctioneer, sold certain personal property owned by the plaintiff without the plaintiff's consent as a result of which the plaintiff suffered losses.

Unfortunately the plaintiff is incarcerated at a State Correctional Institution. He has been incarcerated since 1986 and has not been out since. He therefore has no personal knowledge of the complaints he is making and must rely on the testimony of witnesses. Furthermore he has never interviewed any of the witnesses so he does not know exactly what they will say. It may well turn out that he cannot prove his case at all and this case should be dismissed.

The Plaintiff has prepared several subpoenas to subpoena witnesses for the first day of jury trials, February 13, 1995. Some of those subpoenas are improper for they do not name the proper person who should be served. Some subpoenas may require service in Mercer County and the Sheriff cannot do that. The subpoenas habe just been delivered to the Sheriff's Office and there may not be enough time to get all of the subpoenas served.

Hopefully a number of subpoenas will have been served and the subpoenaed persons will appear at 9:00 o'clock a.m. on February 13th. At that time we will afford the plaintiff, and his standby counsel, a private room in the Crawford County Courthouse where he may interview those witnesses. Depending upon the outcome of those interviews and depending upon the number of persons who appear by subpoena we may hold another brief pre-trial conference to determine if the plaintiff really has the ability to purse this case any further. Hopefully, in the meantime, standby counsel may attempt to contact some of the witnesses by telephone to determine what they might say.

On February 13, 1995 we shall make a determination as to where this case will be going.

We are granting the plaintiff a great deal of latidute in this case to give him access to the Courts while he is a prisoner.

BY THE COURT,
Gordon R. Miller, J

Feb. 10, 1995 copies dist. to Osborn, Jorden & McConnell

✓Feb. 15, 1995 Sheriff's Return filed. SERVED Rose Monsour personally on Feb. 14, 1995 at 4:38 PM by handing a copy of the Subpoena to her at her place of employment, Deerhead Inn, 412 North St., Meadville, Crawford Co., PA.

SERVED Arnie Wilson personally on Feb. 13, 1995 at 3:40 PM by handing a copy of the Subpoena to him at his place of custody in the Crawford Co. Jail, 360 Center St., Meadville, Crawford Co., PA.

So answers,

Carole Stefanucci, Deputy Sheriff
Dale A. Collins, Chief Deputy
Robert M. Stevens, Sheriff

Continued on Page 204D

✓Feb. 22, 1995 Request For Pre-Trial Order filed.

✓Feb. 22, 1995 Proof Of Service of Defendant's Pre-Trial Narrative filed.

✓Feb. 23, 1995 ORDER filed. AND NOW, February 22, 1995, at the close of the Plaintiff's case in chief, the Defendant's motion for compulsory nonsuit is hereby GRANTED as the Court in viewing the evidence in the light most favorable to the Plaintiff in taking all reasonable inferences therefrom, concludes that there was not legally sufficient evidence to maintain this action. For instance, there is no showing that the Defendant knew or should have known that the items belonging to the Plaintiff, such as the chain binder were, owned by the Plaintiff and, therefore has not been a showing that the Defendant wilfully interfered with the dominion or control over the property of the Plaintiff.

BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

Feb. 23, 1995 Copies distributed to Osborn, Attys. Jorden and McConnell.

✓Mar. 7, 1995 ORDER filed. AND NOW, March 6, 1995, uponpresentation of a letter from Jorden and White indicating that Craig T.Gump had served several subpoenas in this case it is hereby ordered that the sum of $325.00 be paid by the County Treasurer to Craig T.Gump from account no. 01-0460-021100.

FOR THE COURT
Ann A.Walker, Court Administrator

3-7-95 Faxed Jorden, given Wagner & Osborn &Mailed McConnell

✓Mar. 7, 1995 Return of Service of Subpoenas filed.

✓Mar. 13, 1995 ORDER filed. AND NOW,February 28, 1995, it is ordered that William T.Jorden, Esquire, shall advise the plaintiff of his options, including the right to take an appeal to the Superior Court,as well as the time periods for seeking relief from the compulsorynonsuit entered this date in this trial.

Mr. Jorden shall not be representing the plaintiff and is not required to oprepare any motions or briefs. He simply is to advise the plaintiff as to his options from this moment on.

Once the appeal period has expired or the plaintiff has taken an appeal, whichever occurs first, Mr. Jorden's services are terminated.

Thereafter, the defendant shall be returned to the State Prison where he is now incarcerated where he will have access to appropriate legal materials to continue to represent himself.

BY THE COURT
Gordon R. Miller, P. J.

3-13-95 Copies dist.to Jorden, McConnell & Osborn

✓Mar. 2, 1995 Certificate of Service, filed.

✓Mar. 2, 1995 Motion For a New Trial/Removal of Nonsuit, filed.

✓Mar. 24, 1995 ORDER filed. AND NOW this 23rd day of March 1995 after argumetn and consideration of plaintiff's motion for a new trial/removal of nonsuit it is hereby ORDERED ADJUDGED and DECREED that this matter is scheduled for argumetn on the 24th day of April, 1995 at 9:15 o'clock a.m. in Courtroom No. 1 of the Crawford County Courthouse. We will not require a transcript in order to resolve this post-trial motion. If the defendant believes a taranscript of part or all of the trial is necessary or appropriate the defendant shall make necessary arrangemetns with the court reporters and make arrangments for the payment of the same pursuant to the Rules of Judicial Administration. If the plaintiff believes that part or all of the testimony should be transcribed he must file a petition with the Court setting forth (a) the portion of the trial that should be transcribed and (b) the reasons why a transcript is necessary in order for the court to dispose of this port-trial motion.

The defendant shall remain incarcerated at the Crawford County Jail until, at least, the argument on the post-trial motion is held.

Gordon R. Miller, P.J.

Mar. 24, 1995 given Osborn
Mar. 29, 1995 sent to A B Jones

✓Apr.3, 1995 Motion for Transcript, filed.

✓Apr. 3,1995 ORDER filed. AND NOW, March 29, 1995 it is ordered and directed that the court reporters shall prepare an original and one copy of the trial transcript of the testimony of the thirteen witnesses referred to in Mr.Osborn's motion as well as to the discussion and reasons given by the Court at the time the compulsory nonsuit was entered.

Since the plaintiff has been given leave to proceed informa pauperis the cost of the original and one copy, the plaintiff's copy, shall be paid for by Crawford County.

If the defendant desires to have a copy, the defendant must pay for it in accordance with the Rules of Judicial Administration.

BY THE COURT
Gordon R. Miller, P.J.

4-4-95 Mailed McConnel, Osborne, given Ct. Reporter

✓Apr. 12, 1995 Defendant's Reply and Memorandum in Response to Plaintiff's Motion for New Trial, filed.

✓Apr. 20, 1995 Transcript of Proceedings Taken at Time of Motion for compulsory Nonsuit, At Jury trial filed.

✓Apr. 20, 1995 Order filed.

✓Apr. 25, 1995 Transcript of Certain Witnesses Taken at Time of Jury Trial, filed.

✓May 10, 1995 MEMORANDUM AND ORDER filed. ORDER. AND NOW, May 8, 1995 the plaintiff's motion for post trial relief in the nature of the removal of a compulsory nonsuit is hereby denied.

The plaintiff has advised that if he desires to take an The plaintiff has advised that if he desires to take an appeal to the Superior Court he must file a notice of appeal pursuant to the Pennsylvania Rules of Appellate Procedure within thirty (30) days from this date.

BY THE COURT
Gordon R. Miller,P.J.

5-10-95 Mailed McConnell, given Osborn

✓May 10, 1995 ORDER filed. AND NOW May 9,1995, after receipt and review of a letter of March 30, 1995 from William t. Jorden, Esquire and a bill dated March 16, 1995, both of which the Court treats as a petition for the payment of fees,it is ordred and directed as follows:

1. William t. Jorden shall be paid the sum of $2,850.50 from account no. 01-0460-010490 as payment in full for services rendered to the plaintiff in this matter.

2. William t. Jorden shall no longer provide legal services to the plaintiff since his appointment was simply to assist the plaintiff in preparation for trial. Now that the trial has concluded the plaintiff will continue to proceed pro se without any assistance from Mr. Jorden.

BY THE COURAT
Gordon R. Miller, P.J.

May 10, 1995 copies dist to McConnell, Plf. & Jorden

✓May 12, 1995, Transcript of Proceedings -testimony of certain Witnesses, at time of Jury Trial, filed.

Continued to Page 204 E

May 15, 1995 Continuation of in Forma Pauperis status filed.

May 15, 1995 Notice of Appeal to the Superior Court of Pa. entered in this matter on the 22nd day of February, 1995, filed.

May 15, 1995 Notice of Appeal to the Superior Court of Pa. entered in this matter on the 8th day of May, 1995, filed.

May 25, 1995, Notices of Appeal Returned from the Superior Court of Pennsylvania, for the following reason: A separate Notice of Appeal must be filed for each order being appealed.

June 23, 1995 Notice of Appeal to Superior Court Docket #01118PGH95, filed.

June 23, 1995 Notice of Appeal to Superior Court Docket #01119PGH95, filed.

June 27, 1995 - June 19,1995 Notice of Appeal docketed in Superior Court. and Order filed:

Sep. 1, 1995 ORDER filed. AND NOW,August 25, 1995, it is ordered that the following persons shall receive the following sums to be paid out of account no. 01-460-010410 as witness fees and mileage for appearing in this case as a result of a subpoena. The trial took place on February 21 and February 22, 1995:

Robert Charles Allen
710 Kennard Atlantic Road
Greenville,PA 16125

Witness fee	$5.00
40 Miles round trip	$2.80
Total	$7.80

Marilyn Lee Allen
710 Kennard Atlantic Road
Greenville,PA 16125

Witness Fee	$5.00

David Copeland
1034 County Line Road
Greenville, PA 16125

Witness fee	$5.00
40 miles round trip	$2.80
Total	$7.80

Kim Copeland
1034 County Line Road
Greenville, PA 16125

Witness Fee	$5.00

Penelope Mueller
P.O.Box 365
Greenville, PA 16125

Witness Fee	$5.00
40 miles round trip	$2.80
Total	$7.80

George Mueller
83 Stewart Avenue
Greenville, PA 16125

Witness Fee	$5.00
54 miles round trip	$3.78
Total	$8.78

Rose Monsour
R.D.#1
Conneaut Lake,PA 16316

Witness fee - 2 days	$10.00
72 Miles round trip	$ 5.04
Total	$15.04

Merle Brockelhurst
1013 Methodist Road
Greenville, PA 16125

Witness fee	$5.00
80 miles round trip	$5.60
Total	$10.60

Jennette Thompson
110 Thompson Road
Hadley, PA 16130

Witness Fee	$5.00
30 miles round trip	$2.10
Total	$7.10

Susan Griffiths
197 PerrineRoad
Hadley,PA 16130

Witness Fee	$5.00
30 miles round trip	$2.10
Total	$7.10

Paul Wright,Jr.
660 County Line Road
Greenville,PA 16125

Witness fee	$5.00
80 miles round trip	$5.60
Total	$10.60

Carolyn Wright
660 County Line Road
Greenville, PA 16125

Witness fee	$5.00

Kathleen Mumford
R.D.#1,Box 186C
Atlantic, PA 16111

Witness Fee	$5.00
30 miles round trip	$2.10
Total	$7.10

Charles Mumford
R.D.#1, Box 186 C
Atlantic, PA 16111

Witness Fee	$5.00

Laura Copeland
1034 County Line Road
Greenville, PA 16125

Witness Fee	$5.00

Misty Pizer
Box 64
Atlantic,PA 16111

Witness Fee	$5.00
40 miles round trip	$2.80
Total	$7.80

Stacie Osborn
R.D.#1
Conneaut Lake,PA 16316

Witness fee - 2 days	$10.00

James Stritzinger
R.D.#1
Atlantic, PA 16111

Witness fee - 2 days	$10.00
80 miles round trip	$ 5.60
Total	$15.60

Clinton Bishop
2016 County Line Road
Greenville, PA 16125

Witness fee - 2 days	$10.00
72 miles round trip	$ 5.04
Total	$15.04

Debra Sell
R.D.#1, Box 1072
Hadley, PA 16130

Witness Fee - 2 days	$10.00
60 miles round trip	$ 4.20
Total	$14.20

The Treasurer of Crawford County shall issue checks and deliver the same to the Court Administrator who shall mail the appropriate checks to the approprate persons, each with a copy of this Court Order. Said payments shall represent payment in full for all witness fees and mileage at the statutory amounts 42 Pa.C.S. A. 5903.

BY THE COURT
Gordon R. Miller, P.J.

9-1-95 copies dist.to Jorden, McConnell, Osborn, Wagner & Walker,

Jan. 23, 1997 Judgement Order filed. Plaintiff-appellant brings a civil action for conversion claiming that appellee, an auctioneer, sold personal property belonging to him without his approval. In a jury trial the court granted a compulsory non-suit to appellee at the close of appellant's case.

Appellant appeals pro se. He raises three issues. He questions whether he as plaintiff had the legal burden or proving that the defendant knew or should hav eknown the identity of the owner of the property. He also asserts that he presented sufficient evidence to sustain his burden that the appellee acted to convert his property. Lastly, he asserts the court should have appointed counsel to represent him.

The Court has addressed appellant's challenges as they relate to the conversion action and has responded correctly and completely to them.

The court has not addressed appellant's complaint that has was enttiled to counsel in this civil action for money damages. Our research has revealed no case law or other authority which entitled a civil complainant to counsel. Appellant would like us to interpret Article I, II of the Pennsylvania Constitution as requiring appointment of counsel. Without legal precedent, we cannot so interpret the Constitution

As to the issues relating to conversion, we affirm on the basis of the trial court opinion.

Order affirmed.

Jan. 23, 1997 Certificate of Contents of Remaned Record and Notice of Remand under Pennsylvania Rules of Appellate Procedure 2571 and 2572 filed.

204
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1990

1990

Ralph R. Riehl, III

205.

Shafer, Swick, Bailey
Irwin & Stack
Paul D. Shafer, Jr

RANDY J. EDWARDS AND MARY K. EDWARDS, HIS WIFE

vs.

LEECH TOOL & DIE WORKS, INC.

Filed Feb. 26, 1990
@ 11:40 a.m.

Tax & entry Paid $50.50 ✓
Sheriff's costs 23.00

SUMMONS IN CIVIL ACTION

Issued (sheriff)

Mar. 1, 1990 Appearance of Shafer, Swick, Bailey, Irwin & Stack by Paul D. Shafer, Jr for Defendant filed.

Mar. 1, 1990 Certificate of Mailing of Praecipe for Appearance filed.

March 7, 1990 Writ's Return filed. SERVED Leech Tool & Die on February 27, 1990 at 11:03 AM by handing copy of Summons to Jan Leech, Secretary, and person in charge at place of business RD # 7, State Road Hill, Meadville, Crawford Co., PA.
So answers, Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

1990

Jorden & White
William T. Jorden

206.

MacDonald, Illig, Jones &Britton
S. E. Riley, Jr.

ROBERT E. KNUTH, INDIVIDUALLY AND ON BEHALF OF THE ESTATE OF TONI A. KNUTH, AND ON BEHALF OF THE MINOR CHILDREN, LARISSA KNUTH AND ROBERT D. KNUTH

vs.

RALEIGH JOHN BEUSCH

Filed Feb. 26, 1990
@ 3:14 p.m.

Tax & entry Paid	$50.50 ✓
Sheriff's costs	28.00
Pro Co Pd 4/23/91	6.00 ✓

COMPLAINT

1 copy (sheriff)

March 7, 1990 Sheriff's Return filed. SERVED Raleigh John Beusch on Feb. 27, 1990 at 11:20 AM by handing copy of Complaint, Interrogatoreis and Requests to Diane L. Beusch, his Mother with whom he resides at 703 Ravine St., Meadville, Crawford County, Pa.
So answers, Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

Mar. 20, 1990 Appearance of MacDonald, Illig, Jones & Britton by S. E. Riley, Jr. for defendant filed.

Apr. 18, 1990 Answer and New Matter filed.

June 13, 1990, Notice of Depositions of defendant filed.

June 28, 1990 Answer To New Matter filed.

July 3, 1990 Notice of Depositions of Raleigh John Beusch filed.

Sept. 7, 1990 Certificate Of Readiness filed.

1990 OCTOBER CIVIL TRIAL LIST

Sept. 20, 1990 Motion in Limine filed.

Sept. 20, 1990 Pre-Trial Conference Request filed.

Oct 9, 1990 Motion for Continuance and Order filed: AND NOW, this 8th day of October, 1990, in consideration of the foregoing Motion to Continue and the attached Consent of opposing counsel,
IT IS ORDERED that the trial of the within action be continued until the February, 1991 Term of Civil Court.
P. Richard Thomas, S.J.
Oct 9, 1990 Copies of order ptu in Atty. Jorden's box and copy mailed to Atty. Riley.

Oct 9, 1990 Consent of Plaintiff to Continuance of Trial filed.

Nov. 8, 1990, Notice of Filing Answers to Requests for Production filed.

Nov. 8, 1990, Notice of Filing Answers to Interrogatories filed.

Nov. 13, 1990 Notice of Service of Request for Production to Defendant (second set) filed.

On February 1991 Trial List

Jan. 28, 1991 Joint Motion for Continuance and ORDER filed. AND NOW, this 28 day of January, 1991, in consideration of the foregoing Joint Motion for Continuance,
IT IS ORDERED that the trial of this matter be continued until the April, 1991 term of civil court.
Gordon R. Miller, J.
Jan. 30,1991 Copy of Order to Attys. William Jorden and S. E. Riley, Jr.

1991 APRIL CIVIL TRIAL LIST

Feb. 19, 1991 Notice of Deposition for the Purpose of Copying Records Only filed.

Feb. 27, 1991 Notice Of Deposition of Trooper Dana Durec filed.

Feb. 27, 1991 Notice Of deposition of Trooper Scott Patterson filed.

Mar. 5, 1991 Notice Of Deposition of Trooper Rodger Nydes filed.

Mar. 5, 1991 Notice Of Deposition of Trooper Robert Perrine filed.

Mar. 5, 1991 Notice Of Deposition of Sergeant Rodger Nydes filed.

Apr. 12, 1991 Petition For Approval Of Settlement of a Minor's Claim and Order filed. AND NOW, this 12th day of April, 1991, upon consideration of the foregoing Petition, the court does hereby approve the compromise and settlement provided for therein and does hereby order distribution of the proceeds in accordance with the terms and representation set forth in said Petition.
The grandparents, Robert M. Knuth and Edna Knuth, are hereby appointed Guardians of the estates of the minor children, Larissa Knuth and Robert Knuth, and are specifically authorized to receive those annuity payments to be paid to said children during their minority and to disburse for the benefit of said children so much of said funds as is necessary for their health, education and welfare, until the youngest child reaches eighteen years of age, then to distribute any balance remaining equally beween them.
The remaining two annuities made inthe name of each child shall be paid by Erie Insurance Exchange directly to the childl in whoese name the annuity is made insofar as such children shall be adults at the time that said payments are to be received. Gordon R. Miller, J
Apr. 16, 1991 Copies of order to William Jorden and S. E. Riley, Jr.

Apr. 23, 1991 Upon praecipe of plaintiff attorney, for value received and upo payment of costs, the above captioned action is hereby settled and discontinued of record.

1990

Shafer, Swick Bailey
Irwin & Stack
James R. Irwin

207.

FERGUSON & SPATARO
Douglas W. Ferguson

6/19/91 Recd $300.00 from Plaintiff
8/21/91 Recd $450.00 from Defendant
July 8, 1992 paid $100.00 to Bettie Muth. Masters fees Ck 6929

Paid 7-16-92 unused master's fees to Plf Ck #6945 $250.00

Paid 7-16-92 unused master fees to deft Ck #6946 $400.00

BRENDA J. PETRICK

vs.

JOHN PETRICK

Filed Feb. 27, 1990
@ 10:05 a.m.

Tax & entry Paid	$50.50
4 counts paid	60.00
State Pd. 6-4-92	10.00
Pro Co Pd 6-4-92	9.00

COMPLAINT IN DIVORCE, EQUITABLE PROPERTY DETERMINATION AND DISTRIBUTION, COUNSEL FEES, EXPERT FEES, CHILD CUSTODY, ALIMONY, ALIMONY PENDENTE LITE

1 copy (atty)

March 21, 1990 Request for Hearing and ORDER filed. AND NOW, this 21st day of March, 1990 upon presentation and consideration of the foregoing Request for Hearing a hearing is scheduled with the Court of Common Pleas of Crawford County, Pennsylvania, on the 30th day of March, 1990 at 3:30 o'clock p.m. in Courtroom No. 1 or 2 of the Crawford Co. Courthouse, Meadville, PA.

BY THE COURT:
Gordon R. Miller, J.

March 22, 1990 Copy of Order to Atty. James Irwin.

March 23, 1990 Appearance of Ferguson and Spataro by Douglas Ferguson, Esq. for Defendant filed.

April 2, 1990 Order filed: AND NOW, this 30th day of March, 1990, after hearing on the Plaintiff's request for counsel fees and alimony pendente lite contained in Counts 3 and 5 of her complaint in Divorce, it is ORDERED as follows:

1. In view of the agreement of the parties, the defendant is directed to pay $250.00 to apply on plaintiff's counsel fees, which said payment shall be made as follows: The sum of $125.00 on or before April 10, 1990, and sum of $125.00 on or before May 10, 1990.

2. The defendant is directed to pay alimony pendente lite in the amount of $250.00 per month for three (3) months, commencing with the month of April, 1990; which said payment shall be made on or before April 30, 1990, and each subsequent payment to be made on or before the last day of each subsequent month. In arriving at the amount of alimony pendente lite in this case, the Court assumes that the defendant will continue to pay $60.00 per week for the support of the parties' two minor children.

In arriving at the amount of alimony pendent lite, the Court has taken into account the net disposible income of the parties and has added to the plaintiff's net disposable income in the sum of $31.00 per monthe which the defendant is paying on a washer and dryer that the plaintiff purchased after separation. The court has not taken into account the fact that the defendant continues to reside at the marital residence or that the defendant is making monthly mortgage payments and possible paying taxes and insurance on that property for the Court believes that matter should be resolved either as part of the equitable distribution aspects of this divorce action. In arriving at this Order, the Court has not made any extra calculation by reason that the defendant is paying his Visa and MasterCard.

BY ORDER OF THE COURT,
Gordon R. Miller, Judge

April 3, 1990 Copies of order put in Attys. Irwin and Ferguson's boxes.

Apr 3, 1990 Exhibits filed with papers.

Oct. 8, 1990, Affidavit of Consent of defendant filed.

Oct. 11, 1990, Affidavit of Consent of plaintiff filed.

Oct. 24, 1990, Income and Expense Statement of defendant filed.

Mar. 21, 1991 Affidavit of Serv ice filed. I, JAMES R. IRWIN, Esquire, being duly sworn according to law, depose and say that I am the attorney of record, and as such say that I served a true and correct copy of the Complaint in Divorce certified by the Prothonotary of Crawford County, Pa., on the above named Defendant by certified mail, addressee only, return receipt requested, dated Feb. 27, 1991. The Defendant acknowledged service on Feb. 28, 1990 by accepting delivery on that date as evidenced by the attached signed return receipt.

James R. Irwin, Esquire

Apr. 1, 1991 Inventory and Appraisement Of Brenda J. Petrick filed.

Apr 25, 1991 Plaintiff's Income and Expense Statement filed.

May 17, 1991 Request for Hearing and Order filed. ORDER: AND NOW, this 17 dayof May, 1991 upon presentation and consideration ofthe foregoing request for hearing a hearing is scheduled with the Court of Common Pleas of Crawford County, Pa. on the 25 day of June, 1991, at 3:00 p.m. in C. R. No. 1 or 2 ofthe Crawford County Courthouse, Meadville, Pa.

BY THE COURT:
P. Richard Thomas, S. J.

May 21, 1991 copies of order to Attys. Irwin and Ferguson.

May 29, 1991 Motion For Appointment Of Master In Divorce and ORDER Appointing Master filed. AND NOW, May 31, 1991, Bettie Muth, Esquire is appointed Master in respect to the following claims: 201(c) Divorce, Alimony, Alimony Pendente Lite, Equitable Districation of Property, Counsel fees, costs and expenses.

Deposit requried: Plaintiff $300.00 Defendant $450.00

PER CURIAM,
Gordon R. Miller, Judge

June 3, 1991 Copy of Order to Attys. James Irwin, Douglas Ferguson and Bettie Peterson Muth.

June 27, 1991, ORDER filed. AND NOW, June 25, 1991, at the time sc heduled for hearing in this matter, both parties appeared with counsel and agreed to settle the issues now pending in this hearing, to-wit: additional alimony pendente lit. Based upon the parties agreement, it is ordered as follows:

RECORD CONTINUED ON PAGE 583

Fuller, Kinnunen,
Petruso & Gamble
Gary A. Fabian

208.

Shafer, swick, Bailey
Irwin & Stack
James R. Irwin

7-26-93 Rec from Pltf
meddep. $150.00
2-2-94 Rec from dlft
med fee 76.00
3-22-94 Pd Ck#8179 $152.00
3-22-94 Pd plty pa fabian
Ck#8181 65.00

CHRISTINE J. MAHONEY

vs.

PATRICK D. MAHONEY

Filed Feb. 27, 1990
@ 10:57 a.m.

Tax & entry Paid $50.50 ✓
2 counts paid 30.00 ✓
William Pineo, Mediator
Pro Copd 3-22-94 Ck#8190 9.00

COMPLAINT UDNER SECTION 201(c) OF THE DIVORCE CODE, EQUITABLE DISTRIBUTION, CUSTODY

1 copy (atty)

Mar. 14, 1990, Complaint Reinstated.

March 21, 1990 Affidavit of Service filed. Joseph Kelyman, being duly sworn according to law, deposes and says that:

1. He is a competent adult and a Pennsylvania State Constable.

2. That on information furnished to him he caused a certified copy of the Complaint in Divorce in the above matter to be served upon Patrick D. Mahoney at 5:30 p.. on March 15, 1990, at the residence of Patrick D. Mahoney at R.D. # 1, Springboro, PA.

3. That costs incurred for this service were as follows:

a. Service	$25.00
b. Mileage	20.16
TOTAL	$45.16

Further, Deponent Sayeth Not.
Joseph Kelyman

Apr. 2, 1990, Appearance of James R. Irwin, of Shafer, Swick Bailey & Irwin & Stack, attorneys for defendant filed.

Mar. 5, 1991, Affidavit of Consent of defendant filed.

Apr. 1, 1991, Affidavit of Consent of plaintiff filed.

July 26, 1993 Moiton to Appoint Custody Mediator and Order filed. You, Patrick D. Mahoney, defendant, have been sued in Court to obtain custody of the children, Sean P. Mahoney and Erin C. Mahoney.

You are ordered to appear in person at a mediation conference at a time, place and date to be established by the custody, mediator, William Pineo, Esq. is hereby appointed custody mediator.

If you fail to appear as provided by this order, an order for custody, partial custody or visitation may abe entered against you or the Court may issue a warrant for your arrest.

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

Court Administrator
Crawford County courthosue
Meadville, PA 16335
(814) 336=1151, Ext. 298

Dated: July 26, 1993

BY THE COURT,
Gordon R. Miller, J

Aug. 30, 1993 TEMPORARY ORDER filed. AND NOW, this 27 day of August, 1993, after Mediation in the above referenced matter and upon the recommendtions ofthe Child Custody Mediator,

IT IS HEREBY ORDERED AND DECREED THAT:

1. The parties shall share legal and physical custody of the subject minor children, Sean and Erin Mahoney.

2. The parties shall share with each other any and all information which each mayhhave regarding the health, education, and the major events inthe life of the subject minor children. Health care, school personnel, and other care providers are hereby authorized to release to either party any and all confidential information which they mayhave regarding the subject minor children.

3. The father shall have primary physical custody of the subject minor children. The mother shall have temporary physical custody and visitation with the subject minor children every weekend, except for the first full weekend of each month, from Friday at 3:30 p.m. through Sunday at 9:30 p.m. if the children have not started school, or at 7:30 p.m. if the children are in school.

4. Should it be necessary for either party to cancel or modify the visitations as set out in this Order or as previously arranged, the party seeking cancellation or modification shall notify the other party as soon as he or she knows of the necessity which impels the cancellation or modification. Said modifications or cancellations shall not be proposed except for good reasons. Should a cancelllation or modification be necessary, the parties shall attempt at once to arrange for alternative visits or to make alternative arrangements.

5. The parties shall split responsibility for transportation with the party receiving the children in the exercise of his or her rights picking up the children at the home of the other.

6. Each party shall teach said children to give to the other party that love and respect which is due a parent from his or her children.

7. Neither party shall use illegal drugs or be under the influence of alcohol at any time when said party has the care and custody of the subject minor children. The parties are cautioned that recent medical research had indicated that tobacco smoke is injurious to the health of growing children. Therefore, neither party shall smoke tobacco or permit others to do so in a closed automobile inwhich the children are being transported or inthe bedroom of the children.

8. Any person transporting the children shall make sure that the seat belts orcother restraints are used in accordance with the law of Pennsylvania.

9. Neither party shall do or say anything to blacken the character of the other in the children's estimation. EAch party shall treat theother in a polite and respectful manner when in the children's presence and each party shall instruct his or her relatives and friends to do likewise and also not to disparage the other party inthe children's estimation.

10. The parties are free to make additional or alternative arrangements respecting the custodial and visitation periods and are strongly encouraged to doso if thatwwould be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which Order shall govern.

11 The mediator has suggested to the parties that they explore the situation with respect to school transportation to see if it can be arranged insuch a way as to enable the parties to have a nearly evensplit oftime with the children. The mother's attorney has indicated that he will report to the mediator within a week or two. When the mediator has received the report, hewill recommend a further order for theCourt's signature.

112. No provision is being made in this order for the division of costs and fees or for the mediator's fee because that willbe the subject of the mediator's finalrecommended order.

Continued toPage 208 A

Christine J.Mahoney
vs.
Patrick D.Mahoney

Continued from Page 208
of Record
A.D. 1990 - 208

****

13. Either party may move the Court for a hearing de novo forthirty (30) days from date hereof. If neither party so moves,this Order shall be considered permanent.

By the Court,
Anthony J.Vardaro, J.

Aug. 31, 1993 Copy of Order to Attys. Pineo, Fabian & Irwin.

Jan. 14, 1994 Stipulation and ORDER filed. AND NOW, this 14th day of January, 1994,pursuant to stipulation and agreement of the parties in the above-captioned matter,

IT IS HEREBY ORDERED AND DECREED THAT:

1. The parties shall share legal and physical custody of the subject minor children, Sean and Erin Mahoney.

2. The parties shall share with each other any and all information which each may have regarding the health, education and the major events in the life of the subject minor children. Health care, school personnel, and other care providers are hereby authorized to release to either party any and allconfidential information which they may have regarding the subject minor children.

3. The mother will be the primary physical custodian of the minor children commencing 9:00 a.m., January 15 of each and every year and continuing to 9:00 a.m., July 15 of each and every year. On July 15 of each and every year at 9:00 a.m. until 9:00 a.m., January 15 of each and every year, the father will be the primary physical custodian of the minor children.

4. During the time that mother is the primary physical custodian, fat her shall have a weekly visitation each and every week, from 4:30 p.m. Saturday until 7:30 p.m. Monday evening. During the time the children are with the father, mother shall have weekly visitation each and every week from 4:30 p.m. Friday until 7:30 p.m. Sunday.

5. Designated as holidays shall be Christmas, Thanksgiving, Easter, Fourth of July and the children's birthdays. During 1994 the parent having custody at 7:30 p.m. of the evening prior to theholiday shall retain custody until Noon of the actual day on which the holiday falls. At Noon, custody shall be transferred to the other parent and will remain with the other parent until 7:30 p.m. of that day. In 1995 the parties shall reverse periods of holiday custody and exercise custody during the opposite period of custody exercised during theprior year. Each and every year thereafter the parties shall continue to reverse periods of holiday custody from that period exercised during the preceding year.

6. While the minor children (or either of them) shall continue to attend school, and if the children or child enjoys a period of Christmas vacation and/or Easter vacation from school, the parties agree to split physical custody during such vacation periods as evenly as possible between the parties as the parties shall agree from time to time.

7. The part ies shall split responsibility for transportation with the party receiving the children in the exercise of his or her rights picking up the children at the home of the other.

8. Each party shall teach said children to give to the ot her party that love and respect which is due a parent from his or her children.

9. Neither party shall use illegal drugs or be under the influence of alcohol at any time when said party has the care and custody of the subject minor children. The parties are cautioned that recent medical research has indicated that tobacco smoke is injurious to the health of growing children. Therefore, neither party shall smoke tobacco or permit others to do so in a closed automobile in which the children are being transported or in the bedroom of the children.

10. Any person transporting the children shall make sure that the seat belts or other restraints are used in accordance with the law of Pennsylvania.

11. Neither party shall do or say anything to blacken the character of the other in the children's estimation. Each party shall treat the other in a polite and respectful manner when in the children's presence and each party shall instruct his or her relatives and friends to do likewise and also not to disparage the other party in the children's estimation.

12. The parties are free to make additional or alternative arrangements respecting the custodial and visitation periods and do so if that would be proper and convenient. Said arrangements shall, however, be by mutual consent only, in the absence of which, this Order shall govern.

13. The parties shall for federal income tax purposes share the dependency exemption for the two said minor children, and each party hereto shall be entitled to claim one such exemption annually commencing with the 1994 tax year.

14. The parties shall divide equally the mediator's fees and costs in the amount of $152.00. The Prothonotary shallpay the sum of $76.00 from the plaintiff's deposit to the mediator and refund the balance of the plaintiff's deposit to the plaintiff. The defendant shall make payment directly to the mediator of the sum of $76.00 not later than ten days after the date of entry of this Order.

BY THE COURT
Gordon R. Miller, J.

1-17-94 Copy of Order to Attys. Pineo, Fabian & Irwin.

Jul. 20, 1994 Income and Expense Statement of Christine J. Mahoney, filed.

Aug. 4, 1994 Motion to Amend Complaint in Divorce and ORDER filed. AND NOW, this 1st day of August, 1994, plaintiff, Christine J. Mahoney, is granted leave to amend her Complaint in divorce in accordance with the foregoing Motion and Exhibit "A" attached thereto. She shall file the amended complaint within 10 days and arrange for proper service on the defendant.

BY THE COURT
Gordon R. Miller, J.

8-4-94 Faxed to Attys. Fabian & Irwin

Aug. 9, 1994 Amended Complaint in Divorce filed.

Nov. 3, 1994 Inventory of Plaintiff, Christine J. Mahoney filed.

Dec. 19, 1994 Motion to Compel Filing of Inventory andFiling of Income and Expense Statement and ORDER filed. AND NOW, this 19 day of December, 1994, it is ORDERED and DIRECTED that the defendant shall, not later than January 13, 1995,file an inventory and an income and expense statement together with a copy of the defendant's most recent federal income tax return and pay stubs for the preceding six months.

BY THE COURT
Anthony J.Vardaro, J.

12-19-94 Faxed to Attys.Irwin & Fabian

Jan. 17, 1995 Defendant's Inventory, filed.

Jan. 17, 1995 Defendant's Income & Expense, filed.

Continued to Page 208 B

208
B

1990

Mahoney vs Mahoney AD 1990 - 208 Continued from Page 208 A

Nov. 9, 1995 Petition for Bifurcation and ORDER filed. AND NOW, this 8thday of November, 1995 upon presentation of the foregoing Petition, itisordered that a hearing shall occur upon plaintiff's request for bifurcation on the 14th day of December, 1995, at 11:00 o'clock A.M. prevailing localtime in Courtroom No.2, at the Courthouse Meadville, Pennsylvania.

BY THE COURT:
Gordon R.Miller,J.

11-13-95 Faxed Attys. Fabian & Irwin

DIVORCE DECREE FILED

Dec. 15, 1995 AND NOW, December 15, 1995, it is ordered and decreed that CHRISTINE J. MAHONEY, plaintiff, and PATRICK D. MAHONEY, defendant, are divorced from the bonds of matrimony.

The court retains jurisdiction of any claims raised by the parties to this action for which a Final Order has not yet been entered.

BY THE COURT
Gordon R. Miller, J.

Sept. 4, 1996 Praecipe to Transmit Record for Review in Bifurcated Divorce filed.

Sept. 12, 1996 Decree filed. WHEREAS the above captioned case has previously been bifurcated by the consent of the parties, and this Court has previously ordered and decreed that the parties be divorced from the bonds of matrimony by decree dated December 15 1995, and this Court also retained jurisdiction of any claims raised by the parties for which a final order had not yet been entered.

IT IS THEREFORE ORDERED AND DECREED, as follows:

1. Equitable Property Determination and Distribution:

This decree provides that the marital property of the above-named parties shall be divided in accordance with a Separation and Property Settlement Agreement executed by the parties, the effective date of said agreement being August 7, 1996, and said agreement being filed in the Court of Common Pleas of Crawford County, Pennsylvania, at the above-captioned number.

This order shall be effective as of the 12 day of September, 1996.

(FOR REMAINDER OF ORDER, PLEASE SEE FILE FOLDER)

BY THE COURT
Anthony J. Vardaro, J.
9-13-96 FAXED Irwin & Fabian

Sept. 12, 1996 Separation and Property Settlement Agreement filed.

1990

Jorden & White
William T. Jorden

209.

Marsh, Spaeder, Baur,
Spaeder & Schaaf
William J. Schaaf

NANCY C. DICK

vs.

AETNA CASUALTY AND SURETY COMPANY

Filed Feb. 27, 1990
@ 2:26 p.m.

Tax & entry Paid	$50.50 ✓
Sheriff's Costs	40.00
Pro Co pd 8/27/91	6.00

COMPLAINT IN MORTGAGE FORECLOSURE

2 copies (sheriff)

Apr. 11, 1990, Default 10-day Notice, and Service, filed.

Apr. 16, 1990, Appearance of Marsh, Spaeder, Baur, Spaeder & Schaaf, by william J. schaaf, attorneys for defendant filed.

May 3, 1990 Sheriff's Return filed. Before me, the undersigned authority, personally appeared Gail Carter who being duly sworn according to law, deposes and says that on the 20 day of March, 1990, at 10:46 A.M., he served complaint, filed at No. 209 Term, 1990, Crawford County, Pennsylvania, upon defendant Aetna Casualty & Surety Co. at 800 T. Chatham Ctr. Pgh. By making known the contents thereof to Debbia McIntyre - sup. Pross. and handing to and leaving with her the certified copy of the received from Crawford.
So answers, GAil L. Carter, Deputy Sheriff
Eugene L. Coon, sheriff
SERVED Aetna Casualty and surety company by deputizing the Sheriff of Allegheny County, PA as per Affidavit of service attached. SERVED: 3-20-90
So answers, Howard N. Stewart, sheriff

Aug. 27, 1991 Upon praecipe of Plaintiff Attorney the above captioned matter is hereby marked settled and discontinued of record.

Louis P. Vitti & Assoc
Louis P. Vitti

210.

FIRST INVESTMENT COMPANY

vs.

ARTHUR W. KINNEY AND
CHERYL D. KINNEY, HIS WIFE

COMPLAINT IN MORTGAGE FORECLOSURE

2 copies (sheriff)

March 20, 1990 Sheriff's Return filed. SERVED Arthur W. Kinney on March 1, 1990 at 11:55 AM by handing copy of Complaint to his son, Jason Kinney, adult in charge of residence, 388 Pine St., Meadville, Crawford Co., PA. 16335.

SERVED Cheryl D. Kinney on March 1, 1990 at 11:56 AM by handing copy of Complaint to her son, Jason Kinney, adult in charge of residence, 388 Pine St., Meadville, Crawford Co., PA. 16335

So answers,

Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

Filed Feb. 28, 1990
@ 11:17 a.m.

Tax & entry Paid $50.50 ✓
Sheriff's costs 26.00
Pro Co pd 4/6/90 9.00 ✓

And Now, Apr. 6, 1990 at 1:35 p.m. upon praecipe of plaintiff's attorney, judgment is hereby entered in favor of the plaintiff and against the defendant for failure to file an answer and the damages are assessed at the sum of Twenty-five thousand Seven Hundred Sixteen and 82/100 plus interest and cost of suit.

K-13-33 Debt $ 25,716.82
judgment entered 4/6/90 Judgment
notice of judgment mailed 4/10/90 James F. Simmons
Prothonotary

EX 1990 - 37

James R. Irwin
Shafer, Swick Bailey, Irwin & Stack

211.

Thomas, Truax, Spadafore, Vardaro & Walker
R. Charles Thomas

Richard H. Crago and ~~Lloyd Noblit~~

Knox, McLaughlin, Gornall & Sennett, P.O.
Peter A. Pentz
West Mead Township District #2 Vol. Fire Dept.

Fuller, Kinnunen, Petruso & Gamble
Gary A. Fabian
for dft. L. Noblit

Culbertson, Weiss, Schetroma and Schug
E. Max Weiss for add'l dft.
Shawn Allan Fitzsimmons

Dunlavey, Nichols, Ward & Krill
Robert C. Ward
for Eagles Club, add'l dft.

Meyer, Darragh, Buckler Bebenek, Eck & Hall
Eric N. Anderson
Elks's BPOE #219 Lodge

MARK GUANZON

vs.

RICHARD H. CRAGO AND LLOYD NOBLIT

vs.

WEST MEAD TOWNSHIP DISTRICT NO. 2 VOLUNTEER FIRE COMPANY AND RELIEF ASSOCIATION and SHAWN ALLAN FITZSIMMONS
Additional Defendants

The Eagles' Club
The Elk's BPOE Lodge
additional defendants

Filed Feb. 28, 1990
@ 2:01 p.m.

Tax & entry Paid	$50.50
Sheriff's Costs	**34.28**
Sheriff's Costs	35.00
Pro Co Pd 5-20-92	5.00
Pro Co pd 5-21-92	1.06

Jury Trial

SUMMONS IN A CIVIL ACTION

Issued (sheriff)

Mar. 26, 1990 Writ Return filed. SERVED Richard Crago personally on March 1, 1990 at 10:45 AM by handing copy of Summons and Interrogatories to him at Wentworth Auto Sales, Guys Mills, Crawford County, PA. SERVED Lloyd Noblit on March 1, 1990 at 11:09 AM by handing copy of Summons and Interrogatories tohis wife Judy Noblit at their residence, 124 East Adams Street, Cochranton, Crawford County, PA.
So answers, Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

Apr. 20, 1990 Appearance of Thomas, Truax, Spadafore, Vardaro & Walker by R. Charles Thomas for Defendants filed.

Apr 20, 1990 Upon praecipe of Defendant's Attorney Rule To File Complaint is hereby issued.

Apr. 20, 1990 Upon praecipe of Defendants Attorney, Joinder of Additional Defendants of West Mead Township District No. 2 Volunteer Fire Company & Relief Association and Shawn Allan Fitzsimmons is hereby issued.

Apr. 23, 1990 Service of the foregoing Rules is hereby accepted by James R. Irwin.

May 9, 1990 Writ Return filed. SERVED Shawn Allen Fitzsimmons on April 30, 1990 at 9:26 AM by hadning copy of Writ to his Authorized Agent, Allen Fitzsimmons, at his place of employment Leech Tool & Die, State Road Hill, Meadville, Crawford County, PA. Signed Acceptance of Service attached.
SERVED West Mead Township Dist. No. 2 Volunteer Fire Company and Relief Association on April 30, 1990 at 1:30 PM by handing copy of Writ to Jamie Bailey, Manager and person in charge at Ryan Road, Meadville, Crawford County, PA.
So answers, Robert M. STevens, Deputy Sheriff
Howard N. STewart, Sheriff

May 15, 1990 Appearance of Knox, McLaughlin, Gornall & Sennett, P.C. by Peter A. Pentz for West Mead Township District #2 Volunteer Fire Department filed.

June 5, 1990, Upon praecipe of Peter a. Pentz, attorneys for additional defendant, West Mead Twp,. Dist. #2,, Rule is hereby entered upon plaintiff to file complaint, issued

June 13, 1990, Service of Rule accepted by James R. Irwin, attorney for plaintiff.

June 26, 1990, Upon praecipe of Attorneys for additional defendant West Mead Township District 2 Vol. fire Department, Rule is hereby entered upon defendants to file complaint Issued. (atty)

June 27, 1990, Appearance of Fuller, Kinnunen, Petruso & Gamble, by Gary A. Fabian, attorneys for defendant Lloyd Noblit, filed. (JURY TRIAL OF 12 JURORS DEMANDED)

June 28, 1990 , Service of the foregoing Rule is hereby accepted by R. Charles Thomas for Defendants filed.

June 29, 1990, UPon praecipe of attorneys for Add. Def. West Mead Township, Writ to Join Additional Defendants, The Eagles' Club and The Elk's BPOE Lodge, issued.
Issued (sheriff)

July 3, 1990 Complaint filed.

July 13, 1990, Appearacne of Culbertson Weiss, Schetroma and Schug, by E. Max Weiss, attorneys for additional defendant Shawn Allan Fitzsimmons, filed.

July 27, 1990, Appearance of Dunlavey, Nichols, Ward & Krill, by Robert C. Ward, attorneys for additional defendant Eagles Club, only, filed.

July 27, 1990, Upon praecipe of of attorney for additional defendant Eagles Club, Rule entered upon Additional Defendant West Mead Township District No. 2 Volunteer Fire Company and Relief Association to File complaint, issued.

July 30, 1990 Service of the foregoing Rule is her eby accepted by Gary A. Fabian filed.

July 31, 1990 Appearance of Meyer, Darragh, Buckler, Bebenek, Eck & Hall by Eric N. Anderson for Elks's BPOE #219 Lodge filed.

Aug. 1, 1990 Notice of Service of Requests for Production of Documents Directed to Plaintiff (First Set) filed.

Aug. 1, 1990 Notice Of Service of Interrogatories Directed to Plaintiff (Second Set) filed.

Aug. 1, 1990 Notice Of Service of Interrogatories Directed to Additional Defendant West Mead Twp. Dist. No. 2 Vol. Fire Co and Relief Assoc. (First Set) filed.

Aug. 1, 1990 Notice of Service of Interrogatories Directed to Add'l Dft. West Mead Twp. Dist. No. 2 Vol. Fire Co. and Relief Assoc. (Second Set) filed.

Aug. 1, 1990 Notice of Service of Requests for Prod. of Documents Directed to add'l dft. West Mead Twp. Dist. No. 2 Vol. Fire Co. and Relief Assoc. filed.

Notice of Service of INterrogatories Directed to Add'l Dft. Shawn Allen Fitzsimmons (First Set) filed.

Aug. 1, 1990 Notice of Service of Requests for Production of Documents Directed to Add'l Dft. Shawn Allen Fitzsimmons, (First Set) filed.

Continued on page 554

pro se

212.

pro se

KEYSTONE COCA-COLA
BOTTLING
427 North St.
Meadville, Pa. 16335

vs.

OASIS NITE CLUB
MICHAEL T.STROUD

Filed Feb. 28, 1990
@ 2:08 p.m.

Tax & entry Paid $50.25 ✓
Pro Co pd 12/18/90 15.00

APPEAL OF DEFENDANTS FROM JUDGMENT OF WILLIAM CHISHOLM, DISTRICT MAGISTRATE

Feb. 28, 1990, Rule entered upon plaintiff to file complaint issued.

Feb. 28, 1990,Proof of Service filed.

Mar. 12, 1990, Complaint filed. 1 copy (plff)

Mar. 30, 1990 Affidavit Of Service filed. In the matter of AD 1990-212 filed with the Prothonotary March 12, 1990 a certified copy was delivered by Certified Mail to Mr. Stroud, Oasis Nite Club, R.D.#3 Box 5137, Conneaut Lake, PA 16316 on March 14, 1990 ARticle Number P 063 589 135. Andrew B. Lane

Apr. 3, 1990, Answer of defendant filed.

Dec. 17, 1990 Upon praecipe of Plaintiff's For Reference To Arbitrators the following are hereby appoined:

William B. Moore, Chairman
Terry A. Toomey ~~Jeffrey K. Millin~~
Harry F. White, II

Jan. 11, 1991 Arbitrators take qualifying oath.

Jan. 28, 1991, Decision of Arbitrators filed in which they find: in favor of the plaintiff and against he defendant, Oasis Nite Club in the amount of $779.97 plus costs; and in favor fo the defendant Michael T. Stroud on the plaintiffs complaint.
Decision entered 1/28/91
0 - 186

DECISION OF ARBITRATORS
James F. Simmons,
Prothonotary

Jan. 28, 1991

Jan. 28, 1991,copies of Decision mailed to plaintiff and defendant.

James W. Granat

213.

MARK S. DOBRZYNSKI

vs.

SUSAN N. DOBRZYNSKI

Filed Feb. 28, 1990
@ 4:08 p.m.

Tax & entry Paid $50.50
Pro Co pd 6/1/90 9.00
State pd 6/1/90 10.00

COMPLAINT IN DIVORCE

1 copy (atty)

Mar 22, 1990 Affidavit of Service filed: I, JAMES W. GRANAT, ESQUIRE, after being sworn according to law, depose and say that I am the attorney of record for Mark S. Dobrzynski, and that as such I am authorized to execute this Affidavit; that I did on the 3rd of March, 1990, send by Certified Mail, Return Receipt Requested, a true and correct copy of the Notice to Defend and Claim Rights and the Complaint for Divorce to Defendant, Susan N. Dobrzynski, at her last known address of 128 Elizabeth Street, Cambridge Springs, Pa. 16403, as evidenced by the attached sender's receipt No. P 276 758 204, and that on the 9th day of March, 1990, I did receive the duly executed return receipt dated the 6th day of March, 1990.

I verify that the statements made in this Affidavit are true and correct. I understand that false statements herein made are subject to the penalties of 18 Pa. C.S. Section 4904, relating to unsworn falsification to authorities.

March 13, 1990 James W. Granat, Attorney for Plaintiff

May 31, 1990 Affidavit Of Consent of Plaintiff filed.

May 31, 1990 Affidavit Of Consent of defendant filed.

May 31, 1990 Notice Of Intent To File Praecipe To Transmit filed.

May 31, 1990 Upon praecipe of P laintiff Attorney For Review Under §201(c) of the Divorce Code, this case moved to court.

June 13, 1990 **D I V O R C E D E C R E E F I L E D .**

And Now, June 13, 1990, it is ordered and decreed that Mark S. Dobrzynski, plaintiff, and Susan M. Dobrzynski, defendant, are divorced from the bonds of matrimony.

BY THE COURT,
P. Richard Thomas, J

214.

BRENDA L. HAMRICK

vs.

EDWARD C. KUBERRY

Filed Feb. 28, 1990
@ 4:26 p.m.

Tax & entry	$50.50
Sheriff's Costs	45.80

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

1 copy (plaintiff)
3 copies (sheriff)

TEMPORARY ABUSE ORDER:

AND NOW, this 28 dayof Feb. 1990 upon review of the petition of plaintiff the court enters the following temporary order.

1. The defendant shall not assault, abuse harass or threaten the plaintiff or nay ofthe minor children named in the petition.

2. Special Conditions: Def. may not contact plaintiff in any manner.

3. This order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.

4. A copy of this order shall be delivered to the police departments in the jurisdiction where the plaintiff resides and to county control.

5. Serive of a copy ofthe petition and this order shall be made upon the defendant by a sheriff constable police officer or competent adult.

6. This temporary order shall remain in full force and effect until modified or terminated by further order of this court.

7. The defendant is reminded that this is an order of court and violation of this order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.

8. The court reserves ruling onallocation of fees and costs.

Hearing is hereby set for March 13, 1990 at 3:30 p.m. in C. R. No. 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer torepresent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF THE COURT,
P. Richard thomas, J.

Mar. 8, 1990 Sheriff's Return filed. SERVED Edward C. Kuberry personally on March 7, 1990 at 11:15 AM by handing copy of Protection From Abuse to him at his residence, Centerville, Crawford County, PA.
So answers,

Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

Mar. 15, 1990 Order filed. AND NOW, March 13, 1990, after informal hearing, the parties both advise the Court that the romance is over, that they have no intentions of living together and accordingly, without any admission on the part of the defendant that he committed the assaults charged, he hereby consents to the following Order:

1. That defendant will not assault, threaten, harass or annoy the plaintiff for any purpose nor go to her place of residence for any purpose.
2. This Order shall remain in effect for a period of (6) months.
3. Any police Officer having reasonable grounds to believe that the defendant has physically assaulted the plaintiff may apprehend the defendant without a warrant, have him arraigned and lodge him in the County Jail and notify this Court to schedule an immediate contempt hearing.
4. In view of the limited financial resourses of the parites, the County is directed to pay the costs in this case.

BY ORDER OF THE COURT,
P. Richard Thomas, P.J.

Mar. 16, 1990 Copies of order put in Gerald Sullivan and County Control's box and copy mailed to Defendant.

1990

Emil M. Spadafore

215.

Egli, Reilly, Wolfson,
Sheffey and Schrum
Timothy D. sheffey

filed.

ALLAN HART AND SONS

vs.

TELMARK
c/o Soug Snee

Filed March 1, 1990
@ 10:24 a.m.

Tax & entry Paid $50.25
Pro Co Pd 4/5/90 9.00
Cert Pd 4-24-90 1.00
Pro co Paid 5-28-91 15.00

filed.

APPEAL OF DEFENDANT FROM JUDGMENT OF GEORGE W. HERSBERGER III, DISTRICT NO. 30-3-04

Mar. 1, 1990 Rule entered upon plaintiff to file complaint filed.

Mar. 5, 1990 Proof of Service filed.

Apr. 5, 1990, Supplemental Certificate of Service filed.

AND NOW, April 5, 1990, at 10:41 a.m. JUDGMENT OF NON PROS is hereby entered in favor of defendants and against the plaintiff for failure to file Complaint in timely fashion.
Judgment entered - 4/5/90
H - 184 JUDGMENT OF NON PROS
James F. Simmons,
Prothonotary

Apr. 6, 1990, Notice of Entry of Judgment of Non Pros filed.

Oct. 25, 1990 Complaint filed. (1 copy atty.)

Dec 5, 1990 Certificate of Service of Answer and New Matter filed.

Dec 5, 1990 Answer and New Matter to Complaint filed.

May 22, 1991 Attorney for Plaintiff files Praecipe for Reference to Arbitrators, whereupon the following Arbitators are appointed:

BRUCE A. BARRETT, Chairman

JOSEPH W. TINKO

~~DONALD E. LEWIS~~ ~~John P. Gagliotti~~ Don Lewis

July 1, 1991 Arbitrators Take the Qualifying Oath.

Mar. 26, 1992, Amended New MaTTER AND Counterclaim of Telmark, Inc. filed.

June 1, 1992 REPLY TO AMENDED NEW MATTER & COUNTERCLAIM OF TELMARK, INC., filed.

Aug. 25, 1992 Motion for Appointment of Substitute Arbitrator filed. AND NOW, this 25th day of August, 1992, it is hereby entered that John P.Gagliotti, Esquire, is appointed to sit as a substitute arbitrator for Donald E. Lewis, Esquire, before the Board of Arbitrators on August 27, 1992, at 1:30 p.m. Barbara H. King, Prothonotary

Feb 1, 1993 DECISION OF ARBITRATORS, filed. And now, the 29th day of January, 1993, we the undersigned Arbitrators chosen in this case, after having been duly sworn and having heard the evidence and allegations of the parties find in favor of the Plaintiff in the sum of $1,823.00 plus record court costs, and make no award to the Defendant on it's counterclaim against the Plaintiff. The Plaintiff's finding is against Telmark, Inc. only and not against Doug Snee.

Bruce A. Barrett, Chr.
Don Lewis
Joseph W. Tinko hereby dissents from decision rendered.

Feb. 3, 1993 copies given to Sheffey & Spadafore

1990

William J. Gregg

Cauley & Conflenti
Dominic D. Salvatori

216.

Knox McLaughlin Gornall
& Sennett, P.C.
Timothy M. Sennett
for Meadville Italian Bakery
& Larry Long

DANIELLE M. BLAIR

vs.

LARRY D. LONG AND
MEADVILLE ITALIAN BAKERY

Filed Mar. 1, 1990
@ 2:58 p.m.

Tax & entry Paid	$50.50
Sheriff's costs	23.00
Sheriff's Costs	31.00
Pro Co Pd 1/27/92	6.00

COMPLAINT IN CIVIL ACTION

3 copies (sheriff)

March 21, 1990 Appearance of Knox McLaughlin Gornall & Sennett, P.C. By Timothy M. Sennett, Attorney for Defendant, Meadville Italian Bakery filed.

March 26, 1990, Sheriff's Return filed. NOT FOUND as to defendant Larry D. Long. House vacant, no forward address. SERVED Meadville Italian Bakery on March 5, 1990 at 12:48 PM by handing copy of Complaint to Joseph Limano, former owner, at his residence, 179 Walnut St., Meadville, Crawford County, PA. Bakery is out of business.
So answers, Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

Apr. 11, 1990, Complaint Reinstated, as to defendant Larry D. Long, only.

May 14, 1990 Reply To New Matter filed.

June 7, 1990 Notice Of Service Of Request For Production To Plaintiff (First Set) filed.

June 7, 1990 Notice Of Service OF INterrogatories To Plaintiff (First Set) filed.

Nov. 28, 1990 Affidavit Of Service of Interrogatories filed.

Nov. 28, 1990 Notice Of Service Of Answers To INterrogatories and Request For Production Of Documents Directed to Plaintiff filed.

Jan. 3, 1990 Sheriff's Return filed. Complaint returned 1-3-01 to Prothonotary. No service instructions or costs received by Sheriff's Office.
So answers, Howard N. Stewart, Sheriff

Feb. 20, 1991 Complaint Reinstated.

Feb. 25, 1991 Appearance of Knox McLaughlin Gornall & Sennett PC by Timothy M. Sennett, attorneys for both defendants, filed.

Mar. 18, 1991Answer and New Matter filed.

Mar. 26, 1991 Sheriff's Return filed. SERVED Larry D. Long on February 21, 1991 at 3:05 PM by handing copy of Complaint to Bobbie Long, his wife, at residence, 357 Allegheny Street, Meadville, Crawford County, PA.
So answers, Robert M. Stevens, Deputy SHeriff
Howard N. Stewart, Sheriff

Sept. 24, 1991, Notice of Deposition of Larry D. Long, filed.

Jan. 27, 1992, Appearance of William J. Gregg, Esq. attorney for plaintiff filed.

Jan. 27, 1992, Upon praecipe of plaintiff attorney, the above referenced case is hereby marked settled and discontinued of record.

1990

Thomas, Truax , Spadafore, Vardaro & Walker
Anthony J. Vardaro

217.

MacDonald, Illig, Jones & Britton
T. Warren Jones

CLYDE CORNELL

vs.

GRACE DUNDON

Filed Mar. 1, 1990
@ 3:45 p.m.

Tax & entry Paid $50.50
Sheriff's Costs 23.00

← COMPLAINT
1 copy (sheriff)

(Jury Trial Demanded)

← March 21, 1990 Answer And New Matter filed.

← **Mar. 26, 1990 Sheriff's Return filed. SERVED Grace Dundon personally on March 5, 1990 at 2:40 pm by handing copy of Complaint to her at residence, 771 Irvin Avenue, Meadville, Crawford County, PA.**
So answers, Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

←Apr. 9, 1990, Reply to defendants' New Matter filed.

←June 15, 1990, Notice of Service of Interrogatories and Requests for Production of Documents to Defendant filed.

←Oct. 16, 1990, Notice of Service of Answers to Defendants' Interrogatories to Plaintiff, and Request for production filed.

←Mar. 8, 1991 Certificate of Readiness filed.

←Mar. 12, 1991 Affidavit of Service filed.

←Mar. 27, 1991 Notice of Scheduled Deposition of James R. Macielak, MD. filed. →

On April 1991 Trial List

Apr. 9, 1991 Defendant's Motion For Binding Instructions and Points for Charge filed.

Apr. 9, 1991 Exhibits filed.

And now, April 9, 1991 at 2:00 p.m., jury selected and sworn, April 8, 1991 at 10:40 a.m. as follows:

1. Dorothy Campasino
2. Linda Daly
3. Kathleen Snow
4. Elizabeth Harrison
5. Harriet Potosky
6. Carl Merritt
7. Laurie Rhodes Opelt
8. Brenda Miller
9. Barbara Guido
10. Margaret Staahl
11. Randall Gruber
12. Mary V. Merdenda

Alt. Marshall Jessup
Alt. Diane Johnson

twelve good and lawful persons who upon their solemn oaths which they have taken and at least 10 of them say: We, the jurors empannelled in the above entitled case find:

1. Was the Defendant negligent? NO

April 9, 1991

Randall Gruber, Foreperson

Apr. 8, 1991 Suggested Voir Dire of Defendant Grace Dundon filed.

Apr 9, 1991 Deposition of James R. Macielak, M.D. filed.

Apr 9, 1991 Defendant's Motion for Binding Instructions and Points for Charge filed.

April 9, 1991 Suggested Jury Instructions filed.

May 16, 1991, Transcript of Certain Portions of Jury Trial requested by Attorney Huntley filed.

Aug. 30, 1991 Motion For Return of Exhibits and ORDER filed. AND NOW, this 30th day of Aug., 1991, upon consideration of the foregoing Motion, the Prothonotary of Crawford Co. is directed to return to the Plaintiff all exhibits entered ta trial in April, 1991.

Said items may be returned to Anthony J. Vardaro, Esq., as Attorney for the Plaintiff.

By the Court,
Gordon R. Miller, J.

Sept. 4, 1991 Copy of Order to Attys. Anthony Vardaro, T. Warren Jones.

1990

Thomas, Spadafore, Walker & Keenan
Emil M. Spadafore, Jr.
Thomas, Truax, Spadafore, Vardaro, Walker
Anthony J. Vardaro

218.

Kuhn & Kuhn
Daniel J. Kuhn

ROBERT H. WINDHAGER

vs.

DENNIS S. SABOT

Filed Mar. 1, 1990
@ 3:48 p.m.

Tax & entry Paid	$50.50
Sheriff's Costs	50.00
Pro Co Pd 5-21-90	15.00
Pro Co pd 4-23-97	5.00

COMPLAINT

1 copy (sheriff)

Apr. 2, 1990 Sheriff's Return filed. Now, March 14, 1990, at 2:45 o'clock p.m. served the within Notice and Complaint in Civil Action-Law upon Dennis S. Sabot at residence, 274 Orr avenue, Apollo, Westmoreland County, Pennsylvania by handing to him personally a certified copy of the original Notice and Complaint and made known to him the contents thereof.
So answers, Regis J. Kelly, Sheriff
SERVED on the within named defendnat, Dennis S. Sabot, by deputizing the Sheriff of Westmoreland County, PA, as per his affidavit of service hereto attached. Served March 14, 1990 at 2:45 PM
So answers, Howard N. sTewart, Sheriff

Apr. 9, 1990 Answer & Counterclaim filed.

Apr. 26, 1990 Answer To Counterclaim filed.

May 18, 1990 Attorney for Plaintiff files Praecipe for Arbitrators whereupon the following arbitrators are appointed:

BRUCE A. BARRETT, Chairman

Alan R. Shaddinger

Louis J. Stack

June 4, 1990 Arbitrators Take the Qualifying Oath.

July 31, 1990, Decision of Arbitrators filed in which they find in favor of the plaintiff and against the defendant in the sum of one thousand five hundred and seventy five ($1,575.00) plus legal interest and costs of suit. We find against the defendant on his counterclaim and make no award on the counterclaim.
Decision entered 7/31/90
S - 45
DECISION OF ARBITRATORS
James F. Simmons,
Prothonotary

July 31, 1990, copy mailed to Atty. Kuhn; copy given to Atty. Vardaro.

Apr 16, 1997 Appearance of Thomas, Spadafore, Walker & Keenan by Emil M. Spadafore, Jr. Esquire on behalf of Plaintiff, filed.

Apr 16, 1997 Upon praecipe of plaintiff attorney the above case is satisfied of record.

1990

Watts, Pepicelli,
Youngs and Youngs PC
Theodore H. Watts

219.

KAREN E. ROXBERRY

vs.

HARRY J. ROXBERRY, JR.

Filed Mar. 1, 1990
@ 4:20 p.m.

Tax & entry Paid $50.50
Sheriff's Costs 20.00
Pro to Pd 4/11/90 $100

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

1 copy (plff.)
3 copies (atty)

TEMPORARY ABUSE ORDER:

AND NOW, this 1 day of Mar. 1990, upon review of the petition of plaintiff, the court enters the following Temporary order:

1. The defendant shall not assault, abuse, harass or threaten the plaintiff or the minor child named in the petition.

2. Special conditions: Wife accorded exclusive custody of minor child, Husband can visit child at Mike O'Days home after telephone arrangement with wife.

3. This order may be enforced without a warrant of arrest by any law enforcemtn officer having reasonable ground to believe it has been violated.

4. A copyof this order shall be delivered to the polcie department in the jurisdiction where the plaintiff resides and to county control.

5. service of a copy of the petition and this order shall be made upon the defenant by a sheriff, constable,polcie officer or competent adult.

6. This temporary ordersshall remain in full force and effect untilmodified or terminated by further order of this court. Liability for payment of costs and fees will be determined by final court order.

7. The defendant is reminded that this is an order of court and violation of this order may be punsihable by a fine of up to $1,000.00 and a jailsentence of up to six months.

8. The court reserves ruling on allocation of fees anc costs.

Hearing is hereby set for mar. 9, 1990 at 11:00 a.m. in C. r. No. 1 or 2 of the crawford County courthouse. the defendant isadvised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF THE COURT,
P. Richard Thomas, J.

Mar. 2, 1990 Sheriff's Return filed. SERVED Harry J. Roxberry, Jr. personally on March 1 1990 at 5:05 PM by handing copy of Protection From Aubse to him at his place of employment, Elby's Restaurant, Conneaut Lake Raod, Meadville, Crawford County, PA.
So answers, Howard N. Stewart, Sheriff

Mar 14, 1990 Motion to Withdraw Petition and Order filed: AND NOW, this 9 day of March, 1990, upon consideration of the within Motion, Granted - Costs to be paid within 20 days.

By the Court,
P. Richard Thomas, J
Mar 15, 1990 Copies of order to Co. Control and put in Atty. Watts box.

Douglas G. Linn II &
Associates
Raymond A. Swan and
Douglas G. Linn II

~~Fuller, Kinnunen, Miller & Gamble~~
~~Ann Hansen Gamble~~
withdrawn

~~Darrell L. Kadunee~~
(withdrawn)
220.

Jack, Kookogey & Felton
Robert J. Felton

Bozic and Thomas
R. Charles Thomas

RICHARD THOMAS KANE, ADMINISTRATOR OF THE ESTATE OF MARY CATHERINE KANE

vs.

~~MARGUERITE F. TAYLOR~~
PENNBANK AND ROBERT PRICE, co-executors of the ESTATE OF MARGUERITE F. TAYLOR

Filed March 2, 1990
@ 8:50 a.m.

(transferred from Equity)
costs from Equity docket- $68.34
Sat pd. 6/4/91 5.00

REQUEST FOR TRANSFER OF CAUSE FROM EQUITY TO LAW SIDE OF COURT, ORDER

ORDER OF COURT:
AND NOW, this 1st dayof March 1990, on motion of plaintiff Richard Thomas Kane, Administrator of the estate of Mary catherine Kane, to transfer this cause to thelaw court of the Court of Common Pleas of Crawford County, Commonwealth of Pennsylvania, on the grounds that the above entitled cause is not within the jurisdiction of this court of equity; and upon consideration of the Stipulation of Counsel in this matter;
IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that this cause be transferred to the law court of the Court of Common Pleas of Crawford County for such further proceedings as may be inaccordance with law. BY THE COURT,
P. Richard thomas, Judge
Mar. 2, 1990, copies of order to Attys. Swan and Linn, Felton & Gamble (mailed) and R. C. Thomas, (box)

EQUITY DOCKET ENTRIES (Crawford County)
Oct. 1, 1987, Complaint for an Accounting in EQuity filed.

Oct. 21, 1987 Sheriffs Return filed.

Nov. 13, 1987 Preliminary Objections filed.

Nov. 18, 1987 Appearanc eof philip J. Herbert filed.

Nov. 18, 1990, Appearance of Robert J. Felton and R. Charles Thomas filed.

Dec. 17, 1987 Acceptance of Service filed.

Dec. 24, 1987 Appearance of Darrell L. Kadunce filed.

Jan. 6, 1988 Deposition of Marguerite f. Taylor filed.

Mar. 28, 1988 Oral Deposition fo Richard Thomas Kane filed.

June 17, 1988 Plaintiffs First Request for Admission filed.

June 17, 1988 Certificate of Service filed.

July 13, 1988 Motion to compel Answers and Order filed.

Sept. 29, 1988 Notice of Deposition fo Madeline Wright filed.

Oct. 17, 1988, Notice of Deposition of Madeline Wright filed.

April 27, 1989, Motion to withdraw as Counsel and Order filed.

May 26, 1989 Appearanc eof Raymond a.Swan andDouglas G. Linn II filed.

Oct, 26, 1989, Preliminary Objections placed on Argument list filed.

ON ARGUMENT LIST FOR NOV. 1989

Feb. 20, 1990 Stipulation of counsel and Order filed.

****

March 2, 1990 Order Transferring of Cause from Equity to Law Court (see above)

****

May 7, 1990 Motion for Substitution of Parties and Order filed: AND NOW, this 7 day of May, 1990, upon consideration of the foregoing motion for Substitiution of Parties, said Motion is hereby granted and it is directed that the names of PennBank and Robert Price, co-executors of the Estate of Marguerite F. Taylor, be substituted for the name of Defendant in the within case.

P. Richard Thomas, J

May 8, 1990 Copies of order mailed to Attys Linn, Gamble and Felton and copy put in Atty Thomas' box.

Nov. 7, 1990,Amended Complaint filed.

Nov. 7, 1990, Certificate of service filed. I, Douglas G. Linn, II & Associates, per Douglas G. Linn, II, Esq. do hereby certify that I have served a true and correct copy of the amended compalint this date by reg. U.S. mail, postage prepaid, upon the following counselor of record: robert J. Felton, Esq. 144 W. Spring St, PO Box 346, Titusville, Pa. 16354.
Dated: 11/6/90 Douglas G. Linn, II, Esq.

Feb. 19, 1991, Certificate of REadiness filed.

ON APRIL 1991 TRIAL LIST.

Apr. 1 , 1991, ORDER SETTING NONJURY TRIAL filed. And Now, Mar. 28 1991 nonjury trial in this matter is hereby set for May 30, 1991 at 9:00 a.m. in C. R. No. 1.
FOR THE COURT, Imogene Yetman Ct. ADM.
Apr. 4, 1991 copies of order to all counsel of record.

April 15, 1991 Richard thomas Kane Consent of Fuller, Kinnunen, Petruso, Gamble and Fabian's Withdrawal of Counsel and Withdrawal of Counsel for Plaintiff filed.

June 4, 1991, Upon praecipe of plaintiff attorney, the above captioned matter is marked settled and discontinued of record.

1990

Bukac and Toomey
Terry Toomey

221.

Pro Se

JODY LaBARR

vs.

JAMES LaBARR

Filed Mar. 2, 1990
@ 8:56 a.m.

Tax & entry Paid	$50.50
Pro Co pd 1/14/91	9.00
State pd 1/14/91	10.00

COMPLAINT IN DIVORCE

1 copy (atty)

Mar. 13, 1990 Affidavit Of Service filed. The undersigned being duly sworn according to law does hereby swear that he served the Defendnat, James LaBarr with a true and correct copy of the Complaint in Divorce on March 5, 1990 at 7:50 am. and at the following location: R.D.#1 Hunter Hill Raod, Meadville, PA 16335, Richard Stinson

June 22, 1990 Affidavit Of Consent of Plaintiff filed.

Dec. 12, 1990 Motion For Leave To Amend Divorce Complaint filed.

Dec. 12, 1990 Order filed. AND NOW, this 12 of Dec., 1990, upon motion of the Plaintiff, leave to amend Plaintiff's original Complaint in Divorce under Section 201(c) is hereby GRANTED.

BY THE COURT,
P. Richard Thomas, S.J.

Dec. 12, 1990 copy of order put in Terry Toomey's box.

Dec. 13, 1990 Amended Complaint in Divorce filed.

Jan 4, 1991 Acceptance of Service filed: I, James LaBarr, the Defendant in the above-captioned divorce action, do hereby accept service of the Plaintiff's Amended Complaint in Divorce and direct the entry of my appearance pro se.

Date: 1-3-91

James L. LaBarr
Defendant

Jan. 14, 1991 Affidavit Of Consent of Defendant filed.

Jan. 14, 1991 Upon praecipe of Plaintiff Attorney For Review Under §201(c) of the Divorce Code, this case moved to court.

Jan. 29, 1991 **D I V O R C E D E C R E E F I L E D .**

And now, January 29, 1991, it is ordered and decreed that JODY LaBARR, p laintiff, and JAMES LaBARR, defendant, are divorced from the bonds of matirmony.

BY THE COURT,
P. Richard Thomas, S.J.

1990

Jack, Kookogey & Felton
Robert J. Felton

222.

Culbertson, Weiss,
Schetroma & Schug
E. Max Weiss

LOUIS A. PETERSON

vs.

JOHN H. SULLIVAN

Filed Mar. 2, 1990
@ 1:52 p.m.

Tax & entry Paid $50.50
Sheriff's costs 28.52
Pro Co Paid 10-19-90 6.00

COMPLAINT IN CIVIL ACTION

1 copy (sheriff)

March 28, 1990 Sheriff's Return filed. SERVED John H. Sullivan, March 19, 1990, at 11:45 AM, by handing Copy of Complaint to his wife Lela B. Sullivan at her place of employment, Post Office, Hydetown, PA., acceptance of service attached.
So answers,
Robert M. stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

Mar. 30, 1990 Appearance of Culbertson, Weiss, Schetroma & Schug by E. Max Weiss for Defendant filed.

Oct 19, 1990 Upon Praecipe of Plaintiff's Attorney this case is marked settled and discontinued of record.

1990

Jack, Kookogey & Felton
Robert J. Felton

223.

Culbertson Weiss,
Schetroma & Schug
E. Max Weiss

FLORABELLE JOHNSON

vs.

PATRON'S MUTUAL FIRE ASSOCIATION

COMPLAINT IN CIVIL ACTION

1 copy (atty)

Mar. 30, 1990 Sheriff's Return SERVED Patron's Mutual Fire Association, March 22, 1990, at 9:50 AM by handing complaint to Bessie L. Trout, Secretary, at 241 Chestnut Street, Meadville, PA.
So answers, Robert M. Stevens, Deputy
Howard N. Stewart, Sheriff

Apr. 2, 1990, Appearance of Culbertson, Weiss, Schetroma and Schug, by E. Max Weiss, attorneys for defendant filed.

Sept. 5, 1990, Reply of Plaintiff to Defendants New Matter filed.

Sept 11, 1990, Answer and New Matter of Defendant Patron's Mutual Fire Association to Plaintiff's Complaint filed.

May 23, 1991, Upon praecipe of plaintiff attorney, the following arbitrators are appointed:
Douglas W. Ferguson, Esq.
Victor j. Kinnunen
William B. Moore

Filed Mar. 2, 1990
@ 1:55 p.m.

Tax & entry Paid	$50.50 ✓
Sheriff's Costs	20.00
Pro Co Pd 5/29/91	15.00 ✓

June 3, 1991 Arbitrators take the Qualifying Oath.

June 10, 1991 Notice of Arbitrator's Hearing filed.

Sept. 23, 1991, Decision of the Arbitrators filed in which they find in favor of the plaintiff and against the defendant in the sum of $5,950.00 for the barn loss and $500.00 for loss of contents (hay) or a total of $6,450.00 plus interest at 6% per annum from Dec. 2, 1989, plus cost of suit.
Decision entered - 9/23/91
P - 185

DECISION OF ARBITRATORS
James F. Simmons,
Prothonotary

Sept 23, 1991, copy mailed to Atty. Felton and cpy put in box for Atty. Weiss.

Thomas, Truax, Spadafore, Vardaro & Walker
R. Charles Thomas

224.

FULLER, KINNUNEN, PETRUSO AND GAMBLE
John D. Petruso
for Webb

Knox, McLaughlin, Gornall & Sennett PC
Wallace J. Knox
for dft. Kevin Williams

JAMES DiMARIA AND CLARA DiMARIA, HIS WIFE

vs.

KEVIN ALAN WILLIAMS AND LINDA SUE WEBB

Filed Mar. 2, 1990
@ 2:06 p.m.

Tax & entry Paid $50.50
Sheriff's Costs 41.00
Pro Co pd 8-11-92 9.00
Pro.Co. pd 11/20/92 30.00
Pro.Co. pd 11/20/92 5.00
Pro Co pd 8-31-93 6.00

SUMMONS IN A CIVIL ACTION

Issued (sheriff)

Mar. 26, 1990 Sheriff's Return filed. SERVED Kevin Alan Williams on March 8, 1990 at 8:25 AM by handing copy of Summons to his Father and Authorized Agent, Larry Williams, at Sheriff's Office, Crawford County Courthouse, Meadville, PA. Signed Acceptance of Service attached.
SERVED Linda Sue Webb personally on March 8, 1990 at 11:30 AM at Sheriff's Office, Crawford County Courthbuse, Meadville, PA
So answers, Robert M. Stevens, Deputy Sheriff
Catherine I. Allen, Deputy Sheriff
Howard N. Stewart, Sheriff

Apr.20, 1990 Appearance of Fuller, Kinnunen, Petruso and Gamble by John D. Petruso, Esq. for Defendant Webb filed.

July 31, 1990, Appearance of Wallace J. Knox, of Knox McLaughlin Gornall & Sennett, P.C., attorneys for defendant Kevin Alan Williams, filed.

July 31, 1990, Upon praecipe of defendant Kevin Alan Williams, Rule entered upon plaintiff to file Complaint, Issued.

Aug 1, 1990 Notice of Service of Interrogatories to Plaintiff (First Set) filed.

Aug. 1, 1990 Notice of Service of Request for Production to Plaintiff (First Set) filed.

Sept. 7, 1990 Complaint filed.

Oct. 3, 1990 Answer and New Matter Of defendant Kevin Alan Williams filed.

Aug. 20, 1991 CERTIFICATE OF READINESS, filed.

ON CIVIL TRIAL LIST FOR OCTOBER 1991

Aug. 29, 1991 Answer and New Matter Of Linda Sue Webb filed.

Aug. 26, 1991 Request For Pre-Trial and Settlement Conference filed.

Aug. 29, 1991 Order filed. AND NOW, August 28, 1991, a pre-trial conference shall be held in this matter on October 7, 1991 at 9:00 o'clock a.m. in the Judge's Chambers of the Crawford County Courthouse. Counsel is advised that they must comply with crawford County Rules of Court regarding the filing of pre-trial narratives.
BY THE COURT,
Gordon R. MIller, J

Aug. 29, 1991 Copies putin Atty's box and copy mailed to Atty. Knox

(settlement conference to be held Oct. 7, 1991 at 9:00 a.m.)

Oct. 10, 1991, ORDER filed. AND NOW, Oct. 7, 1991, upon oral motion ofthe plaintiffs, upon which counsel for defendants took no position since they ahd not discussed a continuance with their clients, the trial in this case is continued to the Feb. 1992 Civil Trial List.
The plaintiffs are ordered and directed to identify each person whom they expect to call as an expert witness at trial to state the subject matter in which the expert is expected to testify and give a copy of any expert's report and opinions to the attorneys for the defendants no later than Dec. 1, 1991.
The defendants shall have until Jan. 1, 1992 to determine if they will be calling experts at trial. The defendants shall indentfy each person they intend to call as an expert witness at trial, state the subject matter in which the expert is expected to testify and furnish a copy of said expert's report and opinions to counsel for the plaintiffs no later than Feb. 1, 1992.
BY THE COURT,
Gordon R. Miller, p.J.

Oc.t 14, 1991 copies of order given to R. C. Thomas and J. Petruso (box) and mailed to Atty. Knox.

Motion In Limine and for A Protective Order and

Jan. 21, 1992 ORDER filed. AND NOW, Jan. 20, 1992, upon receipt and review of a motion in limine and for a protective order, with accompanying brief filed on behalf of Kevin Alan Williams, one of the defendants, a rule to show cause is hereby granted and directed to the plaintiffs to show cause, if any they have, why the motion in limine and protective order should why not be granted. The said rule is returnable for hearing and/or argument on Jan. 27,1992 at 3:30 o'clock p.m. in Courtroom No. 1 of the Crawford County Courthouse.
By The Court
Gordon R. Miller, P.J.

Jan. 21, 1992 Copy of Order given to Attys. R. Charles Thomas, John Petruso and Wallace Knox.

Feb. 3, 1992 ORDER filed. AND NOW, Jan. 27, 1992,the Court has been advised by the attorney for the plaintiffs that he does not intend to take the deposition or testimony of Jeffrey S. Rinkoff, M.D.
Accordingly, the motion in limine and request for protective order filed on behalf of Kevin Alan Williams are denied as now being mute.
BY THE COURT,
Gordon R. Miller, P.J.

Feb. 6, 1992 copy in box for R.C. Thomas, J. Petruso, mailed copy to W. Knox

M. DAN MASON
APPOINTED: ~~ANN HANSEN GAMBLE~~
~~Mary Ann Kirkpatrick~~, Ch.
~~Brian Lindsay~~ John Gagliotti
Jeffrey Millin

Feb. 11, 1992, Motion for Order Certifying Case to Arbitration filed.

Feb. 11, 1992, ORDER filed. AND NOW, Feb. 10, 1992, on motion of the plaintiffs not objected to by the defendants, this case is referred to arbitrators under the Pa. Rules of Civil Procedure, and the local rules of court. regarding compulsory arbitration. The jurisdiction of the arbitrators shall be determined and governed by the rules in effect at the time the arbitration hearing begins. Three arbitrators shall be selected by the Prothonotary.
Dr. Rinkoff shall not be permitted to testify in person or by deposition at any trial or hearing in this matter.
BY THE COURT, Gordon R. Miller, P.J.
Feb. 12, 1992, copies of order to Attys. Thomas and Petruso.& mailed to Atty. Knox.

Continued on Pg. 224A.

1990

JAMES DIMARIA AND CLARA DIMARIA, HIS WIFE

VS.

KEVIN ALAN WILLIAMS AND LINDA SUE WEBB

Record Continued from Page 224

of

AD 1990-224

****

April 8, 1992 Arbitrators take Qualifying Oath.

June 30, 1992 MOTION FOR LEAVE TO SUBSTITUTE ARBITRATOR, filed.

July 1, 1992 DECISION OF ARBITRATORS, filed. And now, the 1st day of July, 1992, we the undersigned Arbitrators chosen in this case, after having been duly sworn and having heard the evidence and allegations of the parties find in favor of plaintiffs and against defendant Keven Alan Williams, and a judgment in favor of defendant, Linda Sue Webb. Judgment in the amount of $4,500.00, plus interest and costs against Kevin Alan Williams.

M. Dan Mason, Chairman
Jeffrey Millin
John P. Gagliotti

Judgment entered - July 1, 1992
W - 203

Debt: $4,500.00
Judgment
Barbara H. King, Pro.

June 1, 1992 STIPULATION filed.

And now, Aug. 10, 1992 at 3:58 P.M. upon praecipe of plaintiff attorney judgment is hereby entered in the above captioned matter in accordance with decision of the Board of Arbitrators, in favor of the Plaintiffs, James DiMaria and Clara DiMaria, and against the defendant, Kevin Alan Williams, in the amount of $4,500.00 plus interest from March 8, 1988 to August 3, 1992 in the amount of $1,192.50, for a total judgment in the amount of Five Thousand Six hundred Ninety-two and 50/100 Dollars, plus costs.

Debt $5,692.50
Judgment
Barbara H. King
Prothonotary

W-203
Entered Aug. 10, 1992
Abstract to Atty. Thomas

Sept. 3, 1992, Petition to Open Judgment (of defendant) and Order filed.
ORDER: Sept. 1, 1992, argument on Defendant's Petition to Open Judgment is set for Oct. 6, 1992 at 9:00 a.m. in C.R. No. 1 or 2 of the Crawford County Courthouse. Since it appears defendant did not comply with local motions court rules.
Imogene Yetman, Ct. Adm.
Sept. 3, 1992, copy mailed to Atty. Knox.
Sept. 8, 1992, copies of order to Attys. JOhn Petruso and R. C. Thomas.

Oct. 2, 1992 Answer to Petition To Open Judgment filed.
Oct. 6, 1992 Reply To New Matter filed.

Oct. 23, 1992 MEMORANDUM AND ORDER SUR PETITION TO OPEN JUDGMENT, filed. ORDER: AND NOW, Oct. 23, 1992, the petition to open judgment file dby Kevin Alan Williams, one of the defendants is hereby denied. BY OR DER OF COURT
Gordon R. Miller, P.J

Oct. 23, 1992, copies given to Atty Thomas, Knox & Petruso

Nov. 20, 1992 Notice of Appeal filed.

Nov. 25, 1992 Superior Court Of Pennsylvania Official Docket # 01897PGH92 filed.

June 11, 1993, ORDER filed. AND NOW, June 8, 1993 pursuant to an order entered by the Superior Court on May 24, 1993, the motion of Kevin Alan Williams to open Judgment and to strike that portion ofthe judgment representing delay damages is granted. Judgment shall be entered in the amount of $4,500. Delay damage damages in the amount of $1,192.50 are stricken.

BY ORDER OF THE COURT,
Gordon R. Miller, J.

June 11, 1993, copies given to Knox, Petruso, and Thomas.
June 11, 1993, delay damages as above stricken; judgment - $4,500. - W - 203

July 7, 1993, Certificate of Contents of Remanded Record, Original Record, Superior Court Judgment Order and Opinion filed.

July 7, 1993, JUDGMENT OF SUPERIOR COURT: ON CONSIDERATION WHEREOF, ti is now here ordered and adjudged by this court that the judgment of the court of common Pleas of Crawford county be, and the same is hereby reversed. The matter is remanded to the trial court directing it to entere an order granting Appellant's Motion to Op en Judgment and striking that portion of the judgment representing delay damages. Jurisdiction relinquished.
Dated: May 24, 1993

BY THE COURT,
Judges Rowley, Judock and Brosky.

Aug. 30, 1993 Upon praecipe of plaintiff's attorney the above captioned case is marked settled and discontinued of record.

224B

1990

Thomas, TruaX, Spadafore, Vardaro, Walker
William L. Walker

225.

Belin, Belin & Naddeo
James A. Naddeo

6/26/90
Pd. Atty dft.
#67.50

Rec'd 7-3-90
$67.50
Vivian Stoltz

NIKI D. FRAVEL

vs.

ROBERT A. FRAVEL

Filed Mar. 2, 1990
@ 2:28 p.m.

TAX + ENTRY Pd 4/16/90 50,50

~~Indigent filing~~
John Fuller, Mediator 135.00

COMPLAINT FOR CUSTODY

2 copies (atty)
1 copy (mediator)

ORDER:

AND NOW, this 2 day of March upon consideration of the foregoing Complaint for Custody, JOHN FULLER is appointed custody mediator. Effective immediately and continuing until the custody mediation, the plaintiff, Niki D. Fravel, sahll have primary physical custody fo the child, Ashlie Ann Fravel, with the defendant Robert A. Fravel, to have visitation rights with the child each weekend for a period beginning 6:00 p.m. Fri. beginning with the Friday following the date of this order and continuing until 6;00 p.m. the following Sunday. The father shall provide transportation to and from the visitations..

You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can legal help.

Crawford County Bar Association, SEr. to the Publ Comm.
c/o Prothonotary, Courthouse, Meadville, Pa. 16335
Tele. 814 724-4636
Date: 3/2/90

BY THE COURT,
P. Richard Thomas, J.

Mar. 2, 1990, Petition to Proceed In Forma Pauperis and Order filed. 3/2/90 GRANTED.

P. Richard Thomas, J.

Mar. 9, 1990, Appearance of Belin, Belin & Naddeo by James A. Naddeo, attorneys for defendant, filed.

Junw 15, 1990 Temporary Order filed: AND NOW, June 12, 1990, after mediation conference before John Fuller, Esquire, IT IS HEREBY ORDERED AND DECREED AS FOLLOWS:

I. Legal custody of Ashlie Ann Fravel shall be shared between the mother, Nicki D. Fravel, and the father, Robert A. Fravel, that is, each parent shall be entitled full access to school records, medical records and other important records and each parent shall be entitled to take part in important decisions affecting the child such as the child's education, religious instruction, medical treatment and other such important decisons.

II. Physical custody of Ashlie Ann Fravel, shall be with her mother, Niki D. Fravel, subject to the following conditions:

A. The father shall be entitled to visit the child every other weekend, beginning June 15, 1990 from 7:00 p.m. on Friday until 5:00 p.m. on Sunday.

B. Transportation of the child on weekend, holiday and other visits shall be accomplished by the mother transporting the child to Clarion, Pennsylvania where she will be met by the father's parents at an appropriate mutually selected meeting place. On Sunday the father's parents shall transport the child to the same meeting place where the mother shall pick up the child for the return to the mother's home in Meadville, Pennsylvania.

C. Holidays shall be defined as Thanksgiving, Christmas and Easter. On even numbered years the child shall spend Easter and Christmas at the home of the father and Thanksgiving at the home of the mother. On odd numbered years the child shall spend Thanksgiving at the home of the father and Christmas and Easter at the home of the mother. On even numbered years when the child is in the home of the father at Christmas, the child shall be in the home of the mother on the child's birthday (December 28th) and on odd numbered years when the child is in the home of the mother at Christmas, the child shall be in the home of the father on the child's birthday. Holiday visits as set forth above shall be for two (2) days. Holiday visits shall take precedence over weekend visits.

On even numbered years the father shall be entitled to have the child in his home for a period of one (1) week including Christmas Day and on odd numbered years the father shall be entitled to have the child in his home for a period of one (1) week which includes the child's birthday. The father shall notify the mother thirty (30) days in advance of holiday visits as to the exact pick-up and delivery times and in the absence of an agreement to the contrary, the mother shall deliver the child to the father's parents at Clarion, Pennsylvania, at 7:00 p.m. the day before the holiday and will pick-up the child at 5:00 p.m. the day following the holiday.

D. Beginning with the Summer of 1990, the father shall visit and take the child into his custody for three (3) nonconsecutive one (1) week periods. The father shall notify the mother at least thirty (30) days in advance of any such Summer visit as to the exact times that the child shall be picked up and returned to the mother.

E. Neither mother nor father shall say or do anything in an attempt to turn the child against the other parent, but on the other hand shall do everything in the power of each to foster a favorable and loving attitude on the part of the child towards both parents.

F Neither mother nor father shall expose the child to any person or situation which may be harmful to the child's health or wellbeing.

G. Both parents agree to inform the other immediately of any illness or injury regarding the child and both parents agree to furnish the other with a current telephone number.

III. This order is a temporary order but shall become a permanent order unless exceptions thereto are filed by either party within thirty (30) days of the date hereof.

IV. Cost of the mediation conference shall be divided with the father paying one-half of the cost thereof and the remaining one-half to be paid by Crawford County.

P. Richard Thomas, Judge

June 19, 1990 Copies of order Put in Attys. Walker and Fuller's boxes and copies mailed to Atty. Naddeo and defendant

Barrett & Dratler
Bruce A. Barrett

226.

OMI S. BYLER

vs.

ANDY J. BYLER

Filed Mar. 2, 1990
@ 3:53 p.m.

Tax & entry Pd. $50.50

COMPLAINT FOR CUSTODY
1 copy (atty)

Mar. 2, 1990, ORDER filed. AND NOW, this 28 dayof Feb. 1990, upon agreement of theparties, ti is ordered and decreed as follows:

1. Legal custody of Samantha Sue Byler and Mandy barbara Jean Byler shall be shared between their mother, Omi S. Byler, and their father, Andy j. Byler, and each parent shall be entitled to full access to s chool records, medical records and any other important documents or records. each parent shall be entitled to take part fully in any decisions affecting the childrens education. religious instruction, medical treatment and other such important decisions.

2. Physican custody of samantha Sue byler and Mandy Barbara Jean Byler shall be with their mother, Omi S. Byler, subject to the following conditions:

a. The father shall be entitled to visit and take Mandy into his custody every other weekend, commencing Mar. 2, 1990, from Fri. at 6;00 p.m. until Sat. at 4;00.

The father shall be entitled to visit and take Samantha into his custody every other weekend, commencing Mar. 2, 1990, from Friday at 6:00 p.m. until Sat. at 4;00

b. During the summer months of June, July and August, the father shall be entitled to have a period of seven days visitation with each of his daughters. The seven days shall be in addition to weekend visitation. The seven days shall be selected at the father's option and he shall provide to the mother at least seven days notice of his intent toexercise any summer visitation. The seven dasy visitation need not be ocnsecutive.

c. The holidays of Christmas, Easter and Thanksgiving shall be split, with the father having both children form 8:00 a.m. until 1:00 p.m. every other holiday and commencing at 1:00 p.m. until 7:00 p.m. on the remaining holidays. The mother shall ahve both children from 8:00 p.m. until 1:00 p.m. on every toher holiday and form 1:00 p.m. until 7:00 p.m. on the remaining holidays.

Holiday visitations shall take precedence iver any weekend visitations.

3. The father shall provide transportation for the children for weekend visits, summer visits and holiday visits.

4. The parties may agree to such other periods of visitation as the parties may mutually agree.

5. neither the mother nor the father shall say or do anything in an attempt to turn the children against the other parent, but shall do everything in the power of each to foster a favorable and loving attitude on the part of the children towards both parents.

6. Neither the mother nor the father shall expose the children to any person or situation which may be harmful to the children's health or well being.

7. Both parties shall have the right to request the court to scheudle a mediation conference in the event of a change in circumstances of the parties, or in the event that either party wishes to change or adjust the visitatin sc hedule heretnabove set forth.

(1 copy- atty) P. Richard Thomas, J.

Mar. 12, 1990 Affidavit Of Service filed. BRUCE A. BARRETT, Esq., being duly sworn according to law, deposes and says that the following facts in support of his Affidavit of Service are true and correc tto the best of his knowledge, information and belief.

1. That the affiant is the attorney for the Plaintiff in the above captioned action.
2. That a true and correct copy of the Complaint For Custody and Order were sent by registered mail tothe DEfendant onMarch7, 1990.
3. The registered mail was sent to Andy J. Byler, R.D.#3 Box 154, Conneaut Lake, PA 16316. The sender's receipt is attached hereto.
4. That the defendnat received said registered mail on March 8, 1990. Said receipt card number P 966 074 368 is attached hereto and signed by Andy J. Byler. Bruce A. Barrett

1990

Thomas, Truax, Spadafore, Vardar, Walker
R. Charles Thomas

227.

Shafer, Swick Bailey, Sta ck and Irwin
Paul D. Shafer, Jr.

MacDonald, Illig, Jones & Britton
T. Warren Jones

WILLIAM R. JOSTES AND
SHIRLEY A. JOSTES, HIS WIFE

vs.

RUTH L. STAFFORD

Kathy Free, Addt'l. Defendt.

Filed Mar. 5, 1990
@ 9:15 a.m.

Tax & entry Paid	$50.50
Sheriffs Costs	$24.80
Sheriff's Costs	27.80
Pro Co Pd 3/4/91	9.00
Pro Co Pd 3-15-94	2.00
Pro.Co. pd 4/28/94	5.00

COMPLAINT

1 copy (sheriff)

Apr. 10, 1990 Complaint Reinstated.

Apr. 17, 1990, Sheriffs Return filed. SERVED Ruth L. Stafford personally on Apr. 10, 1990 at 3:30 p.m. by handing a copy of Complaint to her at residence 178 Railroad St. cambridge spgs. Crawford County, Pa. 16403.
So answers, robert M. Stevens, Dep. sheriff
Howard N. Stewart, sheriff

May 10, 1990, Appearance of Shafer, Swick, Bailey, Irwin & Stac k, by Paul D. Shafer, Jr. attorneys for defendant filed.

June 6, 1990 Upon Praecipe of Defendant attorney Writ to join Kathy Free as additional defendant issued. (Sheriff)

June 11, 1990 Answer And New Matter filed.

June 28, 1990 Reply To New Matter filed.

July 2, 1990 Writ Return filed. SERVED Kathy Kree, personally on June 13, 1990 at 11:15 AM, at 124 Dale Avenue, Cambridge Springs, PA, County of Crawford, with Writ to Join Additional Defendant.
So answers, Robert M. Stevens, deputy sheriff
Howard N. Stewart, Sheriff

July 10, 1990 Appearance of MacDonald, Ilig, Jones & Britton by T. Warren Jones, Attorney for additional defendant filed.

Mar. 4, 1991 Agreement for Entry of Judgment filed.

Mar. 4, 1991, Motion for Approval of Agreement for Entry of Judgment and order filed. ORDER OF COURT: AND NOW, Mar. 4, 1991, Judgment is hereby entered in favor of the plaintiffs and against the defendant in the sum of $2,927.70 plus record court costs.
Gordon R. Miller, J.

S - 145 Debt ---$2,927.70
Judgment entered 3/4/91 JUDGMENT
James F. Simmons, Pro

Apr. 28, 1994 Judgment Satisfied against Ruth Stafford, Defendant, filed. (See paper filed)

Kathleen Nelson

228.

DONNA M. ZIRKLE

vs.

RAYMOND A. ZIRKLE

Filed Mar. 5, 1990
@ 9:19 a.m.

Indigent filing

COMPLAINT UNDER SECTION 201(c) OF THE DIVORCE CODE

1 copy (atty)

Mar. 5, 1990 Petition for Leave to Proceed In Forma Pauperis and Order filed. ORDER: AND NOW, this 5th day of March 1990, upon consideration of the within Petition it is hereby ordered that leave is granted for the Petitioner, Donna M. Zirkle to proceed In Forma Pauperis, AND FURTHER, leave is hereby reserved to the court to assess costs against either party at a later date.

By the court,
Gordon R. Miller, J.

Mar. 12, 1990 Affidavit Of Service filed. KATHLEEN R. NELSON, ESQUIRE, being duly sworn according to law, deposes and says that the following facts in support of her Affidavit of Service are true and correct to the best of her knowledge, information and belief:

1. That the Affiant is the Attorney for the Plaintiff in the above-captioned action.
2. That a true and correct copy ofthe Complaint in Divorce and Notice were sent by registered mail to the defendnat, Raymond A. Zirkle, on March7, 1990.
3. The registered mail was sent to Raymond A. Zirkle, 890 Dunham Road, Meadville,PA 16335. The sender's receipt is attached hereto.
4. that the defendant received said registered mail on March7, 1990. Said Return Receipt card P 076 254 157 is attached hereto, signed by Raymond Zirkle and made a part hereof.

Kathleen R. Nelson, Esq.

June 21, 1990 Affidavit Of Consent of Plaintiff filed.

Oct 30, 1991 PLAINTIFF'S AFFIDAVIT UNDER SECTION 201(D) OF THE DIVORCE CODE, filed.

Dec. 5, 1991 AFFIDAVIT OF SERVICE, filed. KATHLEEN R. NELSON, ESQ., being duly sworn according to law, deposes and says that the following facts in support of her Affidavit of Service are true and correct to the best of his knowledge, information and belief:

1. That the Affiant is the Attorney for the Plaintiff in the above-captioned action.
2. That a true and correct copy fo the Plaintiff's Affidavit was sent by regular mail to the Defendant, Raymond A. Zirkle Nov. 8, 1991.
3. The mail was sent to Raymond A. Zirkle, at P.O. Box 107, Meadville, Pa 16335. The certificate of mailing is attached hereto.

Jan. 7, 1992 Affidavit of Service filed. KATHLEEN R. NELSON, ESQ., being duly sworn according to law, deposes and says that the following facts in support of her Affidavit of Service are true and correct to the best of her knowledge, information and belief:

1. That the Affiant is the Attorney for the Plaintiff in the above-captioned action.
2. That true and correct copies of the Notice of Intention to REquest Entry of Divorce Decree and Defendant's Counter-Affidavit were sent by regular mail to the Defendant, RAymond A. Zirkle on Dec. 5, 1991.
3. The mail was sent to Raymond A. Zirkle, at RD # 2, Box 72, Guys Mills, PA 16327. The certificate of mailing is attached hereto.

Kathleen R. Nelson, Esq.

Jan. 7, 1992 Upon Praecipe of Plaintiff Attorney for Reveiw Under §3301(d) of Divorce Code this case moved to Court.

Jan. 14, 1992 DIVORCE DECREE FILED.

AND NOW, January 13, 1992, it is hereby ordered and decreed that Donna M. Zirkle, plaintiff, and raymond a. Zirkle, defendant, are divorced from the bonds of matrimony.

BY THE COURT,
Gorodn r. Miller, J

1990

Shafer, swick, Bailey,
Irwin & Stack
James R. Irwin

229.

PAMELA R. WATTERS

vs.

CHARLES D. WATTERS, II

Filed Mar. 5, 1990
@ 9:46 a.m.

Tax & entry Paid $50.50

PETITION FOR RELIEF UNDER THE PROTECTION FROM ABUSE ACT

2 copies (atty)

Mar. 5, 1990, ORDER filed.

ORDER: AND NOW, this 5th dayof March 1990, upon consideration of the within petition it is herebyordered, adjudged, and decreed that the above named respondent shall refrain from abusing the petitioner and other memebers of the household and further, that temporary custody of the parties minor children be granted to the petitioner pending final hearing onthe merits of this petition.

A rule is hereby granted on the respondent to show cause why the foregoing order should nto be made final.

Rule returnable and hearing on the 14th day of Mar. 1990, at 3:30 p.m. in Courtroom No. 1 or 2 of the Crawford County Court House, Meadville, Pa. 2 copies (atty)

BY THE COURT,
Gordon R. Miller, J.

Mar. 13, 1990 Affidavit Of Service filed. I, LEROY CHANEY, do hereby verify that I personally served a true and correct copy of the Protection from Abuse Order upon the defendant abovemaned at 327 West College Street, Meadville, Pennsylvania, on the 6th day of March, 1990, at 7:35 o'clock P.M.

Leroy Chaney, Constable

Mar. 16, 1990 Order filed. AND NOW, this 14th day of March, 1990, at the time scheduled for hearing on this matter, the parties, without admitting fault or responsibility, have agreed and stipulated that the following Order be entered, and therefore, accordingly, it is ordered as follows:

1. The defendant shall not assault, abuse, harass or threaten the plaintiff or any of the minor children named in the petition.
2. Temporary custody of the minor children named in the petition is hereby awarded to the plaintiff, subject to the temporary visitation rights hereinafter set forth.
3. The defendant shall have temporary visitation rights with regard to the minor children named in the petition and shall have the right to take said children with him to his place of residence at the following times:

A) On Wednesday, March 14, 1990 at 6:00 o'clock p.m. until Thursday, March 15, 1990, at 8:00 o'clock p.m.

B) Each Tuesday evening and each Friday evening, commencing with Friday, March 16, 1990, with said peirods of visitation to commence at 6:00 o'clock p.m. and to terminate at 8:00 o'clock p.m. the same day, except March 23, 1990, a Friday, on which date the defendant shall not have these visitation rights. Instead, the defendant shall have the same visitation rights on March 22, 1990.

C) On Friday, March 16, 1990, until Sunday, March 18, 1990, from 6:00 o'clock p.m. on Friday until 2:00 o'clock p.m. on Sunday.

D) In addition, the children shall have the right to call their father and talk to him on the telephone. Should any child or children desire to visit their father on any other occasions, from this date until April 6, 1990, they shallhave the right to do so at reasonable times. If one or both of the older children visit their father under this paragraph, the younger child may go along unless the plaintiff has good cause to refuse.

4. The custody and visitation provisions of this Order are intended to be a temporary Order and shall expire and terminate on April 6, 1990.
5. This Order may be enforced without a warrant of arrest by any law enforcement Officer having reasonable ground to believe it has been violated.
6. A copy of this Order shall be delivered to the Police Departments in the jurisdiction where the plaintiff resides and to County Control.
7. This Order, except as to the provisions regarding custody and visitation, shall remain in full force and effect until modified or terminated by further Order of Court and in no event shall extend beyound one year from this date.
8. The defnednat is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000.00 and imprisonment in the Crawford County Jail for up to six months.

BY ORDER OF THE COURT,
Gordon R. Miller, J

Mar. 20, 1990 Copies of order put inJames Irwin, Bruce Barrett and County Control's box.

Oct.2, 1997 AND NOW, Sept. 30, 1997, it is ordered and directed that costs shall be paid by Crawford County. Unfortunately the order the undersigned judge entered on March 14,1990 did not provide for the payment of costs.

BY THE COURT
Gordon R. Miller, P.J.

1990

Specter Law Offices
P.C.
Anthony J. D'Amico

230.

Shafer, swick Bailey
Irwin & stack
James R. Irwin
louis J. stack
for dft. Joann Holden

BRANDI JEAN LAWLESS, A MINOR, BY HER PARENT AND NATURAL GUARDIAN, RENEE MILLER, AND RENEE MILLER, IN HER OWN RIGHT

vs.

JEFF HOLDEN AND JOANNE HOLDEN

vs.

RENEE MILLER
Additional Defendant

Filed Mar. 5, 1990
@ 11:44 a.m.

Tax & entry Paid	$50.50
Sheriff's Costs	27.80
Sheriff's Costs	18.20

COMPLAINT IN CIVIL ACTION

1 copy (atty)

(Jury Trial before Twelve Jurors Demanded)

Mar 28, 1990 Sheriff's Return filed: NOT FOUND, as to Jeff Holden, moved left no forward. NOT FOUND as to Joanne Holden, moved left no forward.
So answers, Howard N. Stewart, Sheriff

Apr. 3, 1990, Complaint Reinstated.

Arp. 19, 1990 Sheriff's Return filed. SERVED Jeff HOldren on April 10, 1990 at 3:11 PM by handing copy of Complaint to Marcie Voltz, adult in charge of residence, at Box 226B, Fox Road, Venango Crawford County, PA. 16440.
SERVED Joanne Holden on April 10, 1990 at 3:12 PM by handing copy of Complaint to Marcie Voltz, adult in charge of residence, Box 226B, Fox Road, Venango, Crawford County, PA 16440
So answers, Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

May 17, 1990, Default notice to Joanne Holden filed.

May 17, 1990, Default notice to Jeff Holden filed.

May 17, 1990, Default notice to Jeff Holden filed.

May 17, 1990, Default notice to Joanne Holden filed.

May 23, 1990, Defendants Joann Holden's Answer and New Matter filed.

AND NOW, July 3, 1990 @ 11:20 A.M. Upon Praecipe of plaintiff's attorney, with Notice of Judgment Attached, judgment is hereby entered in favor of the Plaintiff and against the Defendant, JEFF HOLDEN, in connection with the above captioned action.
H-91
JUDGMENT
James F. Simmons
Prothonotary

July 9, 1990 Notice of Judgment mailed defendant.

July 16, 1990, Reply to New Matter Pursuant to Pa. RCP 2252(d) filed.

Oct. 11, 1991 Petition For Approval Of A Compromise Settlement and Distribution Of Proceeds and Order filed. NOW, this 11th day of October, 1991, upon presentaton and consideration of the Petition for Approval of a Compromise Settlement and Distribution of Proceeds, it is her eby ORDERED, ADJUDGED and DECREED that said Petition be, and hereby is, GRANTED and that Settlement and Compromise of this action and all claims which have been or could be asserted be, and hereby is, approved. It is further ORDERED, ADJUDGED and DECREED that the settlement proceeds shall be distributed as follows:

$ 7,273.19	To be deposited into a federally insured interest bearing account in the minor's name with a restriction that no withdrawal can be made until July 16, 2003, the minor's 18th birthday;
$ 3,163.50	To Specter Law Offices, P.C., attorneys fees and costs;
$ 1,063.31	To The Pennsylvania department of Public Welfare.
$11,500.00	Total

BY THE COURT,
Gordon R. Miller, J

Oct. 15, 1991 Copies of order to Anthony J. D'Amico and James Irwin

Dec. 27, 1991 Motion To Settle and Discontinue Against Less Than All Defendants and Order filed. AND NOW, to-w it, this 27 day of Dec., 1991, it is hereby ordered that Plaintiffs are granted leave to settle and discontinue the docket as against Joanne Holden and Joanne Holden only. The docket shall not be satisfied as agianst Defendant Jeff Holden.
BY THE COURT,
P. Richard Thomas, S.J.

Jan. 7. 1992 Copies of order to Atty's D'Amico and Stack

1990

Watts, Pepicelli,
Youngs and Youngs PC
Christopher Youngs

231.

Kathleen R. Nelson

CLYDE E. LONG

vs.

ANN L. LONG

Filed MaR. 5, 1990
@ 2:29 p.m.

Tax & entry Paid $50.50 ✓
William Pineo, Mediator
Mediation Costs 182.00
9.00

COMPLAINT FOR CUSTODY

1 copy (atty)

1 copy (mediator)

ORDER OF COURT;

You, Ann 1. Long, dft. have been sued in court to obtain custody of the children: Doreen Long and Joni Long.

You are ordered to appear in person for a conference at such time and place as may be set by JOHN FULLER, CHILD CUSTODY MEDIATOR.

If you fail to appear as provided by this order, an order for custody may be entered against you or the court may issue a warrant for your arrest.

You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.

Crawford County Bar Assoc. Ser. to the Pub. Comm. c/o Prothonotary, Crawford County Courthouse, Meadville, Pa. 16335. Tele. 814 724-4636.

Date: Mar. 5, 1990 BY THE COURT,
Gordon R. MIller, J.

Mar. 5, 1990, Acceptance of Service ifled. And now, this 5th day of Mar. 1990, I hereby accept service on behalf of the defendant Ann L. Long, by being duly authorized to accept service on behalf of said defendant.

Date: 3/5/90 Kathleen R. Nelson, esq.

Mar. 22, 1990 Motion To Withdraw As Custody Mediator and Order filed. AND NOW, March 21, 1990, after consideration of the within motion, IT IS HEREBY ORDERED AND DECREED that John Fuller, Esquire is withdrawn as Custody Mediator in the above matter and William PIneo, Esquire is appointed in his place.

Gordon R. Miller, J

Mar. 22, 1990 Copies of order put in Christopher Youngs, Kathleen Nelson, John Fuller and William PIneo's box.

May 8, 1990 Temporary Order filed. AND NOW, this 7 day of May, 1990, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator, IT IS HEREBY ORDERED AND DECREED THAT:

1. Custody of the subject minor children is hereby awarded to their father, the plaintiff.
2. The parties shall share with each other any and all information which each may have regarding the health, education and the major events in the life of the subject minor children. Health care, school personnel, and other care providers are her eby authorized to release to either party any and all confidential infomration which they may have regarding the subject minor children.
3. the mother shall have physical custody of her children each week, beginning with June 3, 1990, from Sunday at 7:00 p.m. through Friday at 4:00 p.m. The father shall have physical custody of the children from Friday at 4:00 p.m. through Sunday at 7:00 p.m.
4. Under no circumstances is either party to expose the children to the company or presence of one Dan Abbot.
5. Neither party shall expose the children to the company of persons of the opposite sex to whom they are not related by blood or marriage between th ehours of 8:00 p.m. and 8:00 a.m.
6. Neither party shall use illegal drugs or be under the influence of alcohol at any time when said party has the care and custody of the subject minor children.
7. The mother shall continue with her efforts to be admitted to a reputable drug and alcohol abuse counseling program.
8. If the mother is admitted to the drug and alcohol program, she shall notify the Mediator and her husband i
promptly.
9. Children and Youth services and the mother's drug and alcohol counselors shall have the authority to discuss this matter with the Custody Mediator at his descretion.
10. Each party shall teach said children to give to th eother party that love and respect which is due a parent from his or her children.
11. Neither party shall do or say anything to blacken the character of the other in the children's estimation. each party shall treat th eother in a polite and respectful manner when in the children's presence and each party shall instruct his or her relatives and friends to do likewise and also not to disparage the other party in the children's estimation.
12. Any person transporting the children shall make sure that the seat belts or other restraints are sued in accordance with the law of Pennsylvania.
13. A copy of this order shall be sent to Children and Youth Services of Crawford county so that that agency may intervene in these proceedings, if it so desires.
14. The Mediator shall schedule further mediation if the situation changes, but at any rate, within six mnths of this date to review the situation and see if further mediation is required after the determination of certain related matters.
15. Costs and fees of this Mediation, which are fixed at $182.00 are divided in half. The mediator notes for the Court that the mother is spresently unemployed and therefore, her share is assessed to Crawford County. The father's share is assessed to him as costs in this case. Payment shall be made to the Prothonotary of Crawford County.
16. Either party may move the court for a hearing de novo for thirty (30) days from date hereof. If neither party so moves this Order shall be ocnsidered permanent.

By the court,
P. richard Thomas, J

May 9, 1990 Copies of order put in Christopher Youngs, Kathleen Nelson, John Fuller and William Pineo's box and copies mailed to Plaintiff, Defendant and Children & Youth Services.

Meehan and Meehan
William Austin Meehan Jr.

232.

FOSTER MORTGAGE CORPORATION
6000 Western Place
P.O. Box 171
Fort Worth, Texas 76101

vs.

JOHN J. LaVALLE AND
CHRISTINE A. LaVALLE
R. D. #3, Box 17
Spartansburg, Pa. 16434

Filed Mar. 5, 1990
@ 2:38 p.m.

Tax & Entry Paid	$50.50
Sheriff's Costs	**26.96**
Pro Co pd 4/30/90	9.00

COMPLAINT IN MORTGAGE FORECLOSURE

2 ocpies (sheriff)

Mar. 26, 1990 Sheriff's Return filed. NOT FOUND as to defendants John J. LaValle and Christine A. LaValle. Moved to Sheridan Avenue, Shirley, NY. So answers, Howard N. Stewart, Sheriff

Mar. 30, 1990 Certifiecate Of Service filed. I hereby certify that the defendants were served with a true and correct copy of the Complaint in Mortgage Foreclosure, via certified mail, return receipt requested on March 28, 1990.

Christine A. Lavalle
3 Sheridan Avenue
Shirley, New York 11967

John J. Lavalle
3 Sheridan AVenue
Shirley, New York 11967

William Austine Meehan, Jr

And Now, Apr. 30, 1990 at 1:52 pm upon praecipe of plaintiff's attorney, judgment is her eby entered in favor of the plaintiff and against the defnedants for failure to file an answer and the damages are assessed at the su m of Fifty-seven Thousand Four Hundred Eighteen and 39/100 plus interest and cost of suit.

L-41-131
judgment entered 4/30/90
notice of entry of judgment mailed 5/1/90

Debt $57,418.39
Int. from 1/27/90 to 4/27/90
Judgment
James F. Simmons
Prothonotary

EX 1990 - 41

May 10, 1990 Supplemental Writ

1990

Bifulco, Bender, Scarpitti, Moore & McNair

William F. Scarpitti, Jr.

233.

VALERIE K. PLATT

vs.

CHARLES W. PLATT

Filed Mar. 6, 1990
@ 10:50 a.m.

Tax & entry Paid	$50.50
1 count paid	15.00
Sheriff's Costs	**33.92**
State	10.00
Pro.Co. Pd. 6/2/92	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION

1 copy (sheriff)

Mar. 26, 1990 Sheriff's Return filed. SERVED Charles W. Platt personally on March 8, 1990 at 9:30 a.m. by handing copy of Complaint in Divorce to him at Sheriff's Office, Crawford County Courthouse, Meadville, PA
So answers, Carole Stefanucci, Deputy Sheriff
Howard N. Stewart, Sheriff

June 2, 1992 Affidavit of Consent by Valerie K. Platt, Plaintiff, filed.

June 2, 1992 Affidavit of Consent of Charles W. Platt, Defendant, filed.

June 2, 1992 Upon Praecipe of William F. Scarpitti, Jr.Esq. to Transmit the Record, case moved to Court.

DIVORCE DECREE FILED

June 12, 1992 AND NOW, June 10, 1992, it is hereby ordered and decreed that VALERIE K. PLATT, Plaintiff, and CHARLES W. PLATT, Defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.

BY THE COURT:
Anthony J. Vardaro, J.

Edward G. Davis

234.

RANDY PETERS

vs.

LISA WILSON

Filed Mar. 6, 1990
@ 11:32 a.m.

INdigent filing

COMPLAINT FOR SHARED CUSTODY

1 copy (atty)
1 copy (mediator)

Mar. 6, 1990 Praecipe to Proceed In Forma Pauperis filed.

Mar. 6, 1990, Order filed. 1 copy (atty) 1 copy (mediator) AND NOW, this 6th day of March 1990, upon presentation of the within Complaint of Randy Peters for shared custody of Travis Scott Peters the court notes that a hearing before the court has been scheduled for Mar. 8 1990 at 10:00 a.m. on the petition of Lisa Wilson to terminate the parental rights of Randy Peters as to Travis Scott Peters. the court is of the opinion that the issue of the termination of parental rights should first be determined, that the petition and complaint should not be ocnsolidated into one heaRING FOR disposition because they would raise separate and different factual issues and that this matter should be referred to a Custody Mediator.

THEREFORE, this matter is referred to William Pineo, Esq. to send notice and have a hearing on the complaint in accordance with the normal practive in Crawford County, subject, of course, to a prior disposition by the court on the petition for involuntary termination of parental rights filed by Lisa Wilson at No. O.C. 19990- 15 in the Orphans Court Division of this court.

BY THE COURT,
Gordon R. Miller, J.

Barrett & Dratler
Bruce A. Barrett

235.

COLETTE H. COLE

vs.

DENNIS R. COLE

Filed Mar. 6, 1990
@ 4:22 p.m.

Tax & entry Paid $50.50
State paid 8/16/91 10.00
Pro Co Pd 8/16/91 9.00

COMPLAINT UNDER SECTION 201(c) OF DIVORCE CODE

1 copy (atty)

May 27, 1990 Copy of Agreement Between the Parties filed.

May 9, 1990 Affidavit Of Service filed. BRUCE A. BARRETT, Esq., being duly sworn according to law, deposes and says that the following facts in support of his Affidavit of Service are true and correct to the best of his knowledge, information and belief.

1. That the affiant is the attorney for the Plaintiff in the above cpationed action.
2. That a true and correct copy of the Divorce Complaint was personally served uponthe Defendant, Dennis r. Cole, on April 25, 1990.
3. The Complaint was personally served upon the Defendant by Bruce A. Barrett, Esq., at 965 S. Main Street, Meadville, Crawford County, PA. 16335.

Bruce A. Barrett

June 18, 1991 Affidavit of Consent filed by Dennis R. Cole, Defendant.

Dennis R. Cole, Defendant

Aug. 16, 1991 Affidavit of Consent of Plaintiff filed.

Sept. 3, 1991 Memorandum filed. This case has been reviewed pursuant to a praecipe for review filed by the plaintiff on August 16, 1991. The file is returned to the prothonotary for further proceedings consistent with this memorandum. The Court will review this matter further upon the filing of ancther praecipe for review after said proceedings have been completed.

The complaint was filed on March 6, 1990. The defendant was served on April 25, 1990. That is not proper. Service of the complaint more than thirty (30) days after filing was invalid and doe snot give the Court jurisdiction over the defendant in a divorce case.

Pa.R.C.P. 401(a) mandates that original process shall be served within thirty (30) days after the filing of the complaint if service is to be made within the Commonwealth. Beyond that the complaint becomes stale, not dear, and must be reinstated before it may b eproperly served. Pa. r.C.P. 401(a), 401(b); Lauterbach v. Lauterbach, 202 Pa. Super 260; 195 A.2d 159 (1963); Blose V. Blose , 21 D & C 2nd 186 (1960); O'Shall v. O'Shall, 22 D & C 2nd 158 (1960).

BY THE JCOURT,
Gordon R. Miller, P.J.

Date: August 30, 1991

Sept. 6, 1991 Copy of order put in Atty. Barrett's box.

Sept. 10, 1991, Complaint reinstated.

Sept. 13, 1991 Affidavit of Service filed. Bruce A. Barrett, Esq., being duly sworn, deposes and says tha tthe following facts in support of his Affidavit of Consent are true and correct to the best of his knowledge, information and belief.

1. Tha tthe affiant is the attorney for the Plaintiff in the above captioned action.
2. That a true and correct copy of a Complaint for Divorce under Section 3301(c) was sent by registered mail to the defendant.
3. The registered mail was sent to the defendant at 757 Graff AVenue, Meadville, PA 16335, on september 10, 1991. The Sender's Receipt is attached hereto.
4. The Defendant received said registered mail on September 11, 1991. Said receipt card nimber 320 791 322 is attached hereto and signe dby the defendant, Dennis Cole.

Bruce A. Barrett

Sept. 13, 1991 Upon praecipe of Plaintiff Attorney For Review Under §201(c) of the Divorce Code, this case moved to court.

Sept. 23, 1991 **D I V O R C E D E C R E E F I L E D .**

AND NOW, September 19, 1991, it is ordered and decreed that Colette H. Cole, plaintiff, and Dennis R. Cole, defendant, are divorced from the bonds of matrimony.

BY THE COURT,
Gordon R. Miller, J

1990

Kathleen R. Nelson

236.

Bruce Barrett

PRESTON D. WALKER

vs.

CHRISTINE A. WALKER

Filed Mar. 7, 1990
@ 1:28 p.m.

Tax & entry Paid	$50.50
1 count paid	15.00
John Fuller, Mediator	135.00
Pro Co. pd 12-31-92	9.00
State pd. 12-31-92	10.00

COMPLAINT UNDER SECTION 201(c) OF DIVORCE CODE, CUSTODY

1 copy (atty)

Mar 14, 1990 Affidavit of Service filed: KATHLEEN R. NELSON, ESQUIRE, being duly sworn according to law, deposes and says that the following facts in support of her Affidavit of Service are true and correct to the best of her knowledge, information and belief;

1. That the Affiant is the Attorney for the Plaintiff in the above-captioned action.

2. That a true and correct copy of the Complaint in Divorce and Notice were sent by registered mail to the Defendant, Christine A. Walker, on March 8, 1990.

3. The registered mail was sent to Christine A. Walker, R.D.#5, Box 592, Meadville, Pa 16335. The sender's receipt is attached hereto.

4. That the Defendant received said registered mail on March 9, 1990. Said Return Receipt Card P 076 254 158 is attached hereto, signed by Christine A. Walker and made a part hereof.

Kathleen R. Nelson, Esq.
Attorney for Plaintiff

July 11, 1990 Motion For Appointment of Child Custody Mediator and Order of Court filed. And now, 7/11/90, John Fuller appointed Mediator.

P. Richard Thomas, J.

July 16, 1990 Copy of Order to Attys. Kathleen Nelson and John Fuller.

July 26, 1990 Petition For Counsel Fees and Order filed. AND NOW, this 25th day of July, 1990, upon consideration of the foregoing Petition for Counsel Fees a hearing is her eby set for Aug. 23, 1990 at 1:30 P.M., in courtroom #1 or 2.

P. Richard Thomas,

JUly 27, 1990 Copies of order put in Kathleen Nelson and Bruce Barrett's box.

Aug. 22, 1990 Motion For Continuance and ORDER filed. AND NOW, this 22nd day of August, 1990, upon presentation and consideration of the foregoing Motion, this matter is rescheduled for hearing on the 24th day of September, 1990, in Courtroom 1 or 2 of the Crawford County Courthouse, Meadville, PA., at 3:00 P.M.

By the Court,
Gordon R. Miller, J.

Aug. 24, 1990 Copy of Order to Atty. Kathleen Nelson, John Fuller, Bruce Barrett.

Aug 28, 1990 Order filed: AND NOW, August 27, 1990, after mediation conference before John Fuller, Esquire, IT IS HEREBY ORDERED AND DECREED AS FOLLOWS:

I. Legal custody of Benjamin Walker and Christina Walker shall be shared between their father, Preston D. Walker, and their mother, Christine A. Walker, that is, each parent shall be entitled full access to school records, medical records and other important records and each parent shall be entitled to take part in important decisions affecting the children such as the children's education, religious instruction and medical treatment.

II. Physical custody of Benjamin Walker and Christina Walker shall be with their mother, subject to the following conditions:

A. The father shall be entitled to visit his child, Wesley Walker, at the home of the mother and at such other places as the mother may from time to time agree upon.

B. The father shall be entitled to visit and take into his custody the children, Benjamin Walker and Christina Walker, every other weekend beginning September 1, 1990 from 8:00 a.m. Saturday morning until 7:00 p.m. Sunday evening (during the school year), and 9:00 p.m. Sunday evening (during the Summertime).

C. On weekend visits the father shall be entitled to take the children to Youngstown, Ohio and keep them in the motel where he currently resides, provided that the father shall make arrangements for other housing by December 1, 1990.

D. In the event that the father wishes to take the children on an extended truck trip, that being a trip, that being a trip that is more than one (1) day long, he shall first obtain the mother's consent.

E. Holidays shall be defined as Christmas, Thanksgiving, Easter, Memorial Day and Labor Day. The children shall be in the custody of their father every Christmas Eve for the family Christmas celebration and shall be in the home of their mother every Christmas Day. In 1990 and even years thereafter the children shall spend Memorial Day and Labor Day with their father and Thanksgiving and Easter with their mother. In 1991 and odd years thereafter, the children shall spend Memorial Day and Labor day with their mother and Thanksgiving and Easter with their father.

F. Beginning with the summer of 1991 the father shall be entitled to have the children in his custody for up to fourteen (14) days each Summer; however, the father shall not have the children in his custody for more than seven (7) consecutive days. The father shall provide the mother with at least thirty (30) days notice of any time he intends to exercise a Summer Vacation visitation.

G. Neither mother nor father shall say or do anything in an attempt to turn the children against the other parent, but on the other hand shall do everything in the power of each to foster a favorable and loving attitude on the part of the children towards both parents.

H. Neither mother nor father shall expose the children to any person or situation which may be harmful to the children's health or well-being.

I. Both parents agree to inform the other immediately of any illness or injury regarding one or both of the children and both parents agree to furnish the other with a current telephone number, provided however, that neither parent shall make collect calls to the other.

III. This order is a temporary order but shall become a permanent order unless exceptions hereto are filed by either party within thirty (30) days of the date hereof.

IV. Cost of the mediation conference shall be equally divided with the father paying one half of the costs thereof and the remaining one-half to be paid by Crawford County.

Gordon R. Millr, Judge

Aug 30, 1990 Copies of order put in Attys Nelson, Barrett and Fuller's boxes. and copy mailed to Plaintiff.

Continued on page 236 A

Prestion D. Walker

vs.

Christine A. Walker

Record continued from page 236 a

of record

A.D. 1990 - 236

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Sept. 26, 1990 Order filed. AND NOW, September 24, 1990, in consideration of the Defendant's Petition for Counsel Fees and at a hearing thereon this date, counsel for the parties having advised the Court as to the current financial status of the parties, and the Court finding that the defendant's income is limited to Welfare benefits, and that Plaintiff, although gainfully employed as a truck driver, has assumed joint mairtal debts of approximately $2,100.00 and his own individual debts of approximately $1,400.00, as well as being obligated to pay one-half of the child custody mediation conference fee of $135.00, and further that until approximately this date he was burdened with expensive rental, by of temporary residnece in a motel; it is ORDERED and DECREED that Plaintiff shall pay for the benefit of defendant counsel fees to Bruce A. Barrett, Esquire, the sum of $250.00. Said payment may be made in installments, provided that the total sum is paid prior to December 15, 1990. BY ORDER OF THE COURT,
P Paul B. Greiner, S.J.

Sept. 27, 1990 Copies of order put in Kathleen Nelson and Bruce Barrett's box.

Mar. 6, 1991 Motion For Contempt and Order filed. And now, March 6, 1991, Upon ocnsideration of the foregoing Motion, a Rule is her eby issued upon the Plaintiff to show cause why he should not be held in contempt of court. Rule returnable the 2nd day of April, 1991 at 11:30 o'clock a.m. in Courtroom No. 1 or 2* Gordon R. Miller, J

*Counsel for defendant shall serve a copy of this motion and order upon opposing counsel forthwith.

Mar. 7, 1991 Copy of order put in Bruce Barrett and Kathleen Nelson's box.

Apr. 1, 1991, Motion to Withdraw Contempt Motion and Order filed. ORDER: AND NOW, Mar. 28, 1991, the above motion allowed.
Robert L. Walker, S. J.

Apr. 4, 1991, copies to Attys. K. Nelson and B. barrett.

Nov 30, 1992 Plaintiff's Affidavit Under Section 3301(d) of the Divorce Code,filed. 1 copy Atty.

Dec. 31, 1992 Upon Praecipe of plaintiff attorney for review under §3301(d) of Divorce Code, this case moved to Court.

DIVORCE DECREE FILED

Jan. 11, 1993 AND NOW, January 7, 1993, it is hereby ordered and decreed that **PRESTON D. WALKER**, plaintiff, and **CHRISTINE A. WALKER**, defendant, are divorced from the bonds of martimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.

BY THE COURT:
Anthony J. Vardaro, J.

236
B

1990

1990

William J. Gregg 237. Reed Smith Shaw & McClay Kerry A. Kearney	HELEN HART vs. LIFE AND HEALTH INSURANCE COMPANY OF AMERICA Filed Mar. 7, 1990 @ 1:28 p.m. Tax & entry paid $50.50 Pro Co Pd 6-29-92 5.00 Pro Co. pd 7-23-92 1.00	COMPLAINT 1 copy (atty) May 11, 1990, Answer filed. May 16, 1990 Acceptance of Service filed. I, KERRY A. KEARNEY, Esquire, Attorney for the Defendant in the above-captioned matter, hereby accept service of the Complaint in Civil Action filed and certified by the Prothonotary of Crawford County at the above number and term, on behalf of my client, Life and Health Insurance company of America. Kerry A, Kearney June 29, 1992 Upon praecipe of Plaintiff attorney the above-referenced case is settled and discontinued of record.

Gail R. Shearer
Legal Services
Gerald Sullivan

238.

RYAN STRAWBRIDGE

vs.

REGINA SINGLETON

Filed Mar. 7, 1990
@ 2:13 p.m.

Indigent filing
Bruce Smith, Mediator

COMPLAINT FOR CUSTODY

4 copies (atty)
1 copy (mediator)

ORDER OF COURT:

You, Regina Singleton, have been sued in court to obtain custody, partial custody or visitation rights of Taylor Scott Strawbridge.

You are ordered to appear at a time and placeselected by BRUCE SMITH, ESQUIRE, the custody mediator who has been assigned to this matter.

If you fail to appear as provided by this Order, an order for custody,. partial custody or visitation may be entered against you.

This petition and order may be served upon the defenant by cert. mail or by any competent person not a party to this action.

Plaintiff is allowed to proceed without payment of court costs reserving to the court the right to impose costs, if appropriate.

You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one,go to or telephone the office set forth below to find out where you can get legal help.

Crawford CountyBar Association Service to the Public Committee, c/o/ Prothonotary, Crawford County Courthouse, Meadville, Pa. 16335 814 724-4636.

BY THE COURT,
Date: Mar. 7, 1990 Gordon R. Miller, J.

Mar. 7, 1990, Praecipe to Proceed In Forma Pauperis filed.

Apr. 16, 1990 Petition for Ex Parte custody and Order filed. ORDER: AND NOW, this 16 day of April 1990, upon consideration of the foregoing Petition it is ehreby ORDERED AND DECREED:

1. The parties are ordered to appear, with the minor child, on the 23 day of April 1990 at 9:30 a;m. Crawford County Courthouse, Meadville, Pa. for a fullhearing on this matter.

2. Pending such hearing, the defendant Regina Singleton, shall not remove the minor child, Taylor Scott Strawbridge (d.o.b. 1/18/89) from Titusville, Pa. and if she moves the child from the current residence at R. D. #2, Titusville, Pa. 16354, warren county, she shall keep the court apprised of such change pending the fnal outcome of this matter. Shhould you fail to abode by the terms of this order you may be found in Contempt and punished accordingly.

3. If necessary, the sheriff's office of Crawford County shall arrange for personal service to be made upon the defendant Regina Singleton.

4. The plaintiff, Ryan Strawbridge, shall be permitted to proceed in all matters, in forma pauperis.

(3 copies --atty)

By the Court,
P. Richard Thomas, J.

April 25, 1990 Memorandum and Temporary Order filed: NOW, April 23, 1990, the Court ascertains that Warren County is the appropriate venue for this child custody dispute and accordingly directs the Prothonotary of Crawford County to forward this case to the Prothonotary of Warren County. Either party may request a further hearing before a hearing officer in Warren County, but pending such action by either party, both parties this date agree to the following custody arrangements:

The father shall have full and exclusive custody of minor child, Taylor Scott, from the first through the fifteenth of each and every month. The mother shall exclusive custody from the sixteenth of each and every month through the last day of the month.

The party securing possession of the child shall have the transportation responsibility to pick up the child at the beginning of their respective custody period.

This orde shall be effective for the month of April, 1990. and each and every month thereafter until modification by agreement of the parties, or by formal Order of the Court in Warren County.

The pick up time for each parent shall be 6:00 p.m. on the pick up date. Both parties agree that they will separately provide and maintain all of the necessary clothing and accourtements to care for the child so that there need not be any exchange between the parties of the child's clothing and other supplies and equipment.

The mother may not change her residence or move the child from the residence of the motehr without the consent of the father, and in the event said sonsent cannot be secured, the matter will have to be decided by the court.

Each party shall keep the other notified of any illness or injuries to the child occuring while the child is in their possession.

Crawford County mediator, Bruce Smith, is relieved fro further responsibilities in the case.

BY THE COURT,
P. Richard Thomas, P.J.

Apr 27, 1990 Copies of order mailed to Attys Shearer and Smith.

1990

Fuller, Kinnunen,
Petruso & Gamble
Gary A. Fabian

239.

FRANK BAYER

vs.

NORMA J. BAYER

Filed Mar. 7, 1990
@ 3:30 p.m.

Tax & entry Paid	$50.50
1 count paid	15.00
State Pd 6-29-92	10.00
Pro Co Pd 6-29-92	9.00

COMPLAINT UNDER SECTION 201(c) OF DIVORCE CODE
EQUITABLE DISTRIBUTION

1 copy (atty)

Mar. 14, 1990 Affidavit Of Service filed. Gary A. Fabian, being duly sworn according to law, deposes and says that:
1. He is an attorney authorized to practice law within the Commonwealth of Pennsylvania.
2. He is the attorney for the plaintiff in the above-captioned matter.
3. On March7, 1990, he had deposited inthe United States Mail by certified mail, return receipt requested, Certified Mail No. P 414 752 778 as evidenced by certified Mail Receipt No. P 414 752 778 attached hereto and made a part hereof, a true and correct copy of a Complaint in Divorce addressed to Norma J. Bayer said Complaint in Divorce naming Norma J. Bayer as the defendant in the above-captioned matter.
4. Service was obtained upon the defendant, Norma J. Bayer, on March 8, 1990, as evidence dby Return Receipt for certified Mail No. 414 752 778 attached hereto and made a part hereof, said receipt being signed by Norma J. Bayer.
FURTHER, DEPONENT SAYETH NOT. Gary A. Fabian

Feb. 14, 1992, Amended Compalint Under sections 3301(c) and 3301(d) of the Divorce Code, adding count of Equitable Distribution, filed.

Feb. 14, 1992 Motion To Amend Complaint In Divorce and Order filed. AND NOW, this 14 day of February, 1992, plaintiff is granted leave to amend his complaint in accordance with the request of the foregoing motion.
BY THE COURT,
Anthony J. Vardaro, J

Feb. 20, 1992 Copy of order to Gary Fabina

Mar. 2, 1992 Affidavit Under Section 3301(d) of the Divorce Code, filed.

May 26, 1992 AFFIDAVIT OF CONSENT BYFrank Bayer, Plaintiff filed.

June 12, 1992 Affidavit of Consent of Defendant, filed.

June 29, 1992 MARITAL SETTLEMENT AGREEMENT, filed.

June 29, 1992 Upon praecipe of Plaintiff attorney to transmit record, case movcd to Court.

D I V O R C E D E C R E E F I L E D

July 7, 1992 DECREE filed.
1. Divorce:
Upon consideration of the pleadings and affidavits filed in the above-captioned case, this Court hereby grants an absolute divorce from the bonds of matrimony to the above-named parties on the grounds that the marriage is irretrievably broken and ninety (90) days has elapsed since the date of the filing of the complaint and an affidavit has been filed by each of the parties evidencing that each of the parties consents to the divorce, pursuant to Section 3301 (c) of the PA. Divorce Code.
2. Equitable Property Determination and Distribution:
This decree provides that the marital property of the above-named parties shall be divided in accordance with a Marital Settlement Agreement executed by the parties, the effective date of said agreement being June 4, 1992, and said agreement being filed in the Court of Common Pleas of Crawford County, PA., at the above-captioned number.
The agreement, in part, provides that:
A. Cash Payment. Plaintiff Husband shall pay to Defendant Wife the sum of Two Thousand Three-Hundred ($2,300.00) Dollars cash, being currency of the United States of America, in one lump sum.
B. Real Estate. Plaintiff Husband shall make, execute and deliver to Defendant Wife a quit claim deed conveying and transferring all his right, title and interest in and to certain real estae, said real estate being the former marital residence and being situate in Hayfield Township, Crawford Co., Pa., and being commonly known as RD #8, Box 292, Meadville, PA 16335, and being more particularly described in a deed dated Dec. 14, 1973, and recorded in Crawford County Deed Book 480, page 634. Said premises are awarded to Defendant Wife.
C. Motor Vehicle. The 1989 Pontiac Gran Am is awarded to Defendant Wife.
D. Pension and Disability Benefits. Plaintiff Husband shall retain and is awarded the following:
i. All of Husband's pension and disability rights to which his entitlement is derived pursuant to the Railroad Retirement Act.
II. All of Husband's pensions rights to which his entitlement is derived pursuant to the Commonwealth of PA. Public School Employees' Retirement System.
Defendant Wife shall retain and is awarded any and all interest in and to any Divorced Spouse Benefit to which she may be entitled pursuant to 45 U.S.C. 231a(c)(4).
E. Rights Arising From Accident. The parties hereto where both involved in a motor vehicle accident which occurred on or about Sept. 12, 1987, in Hayfield Twp., Crawford Co., PA., when a vehicle operated by Wife, and in which Husband was a passenger, was struck bya motor vehicle operated by one Mark Rydbom. Husband and Wife have heretofore settled their personal injury claims against Mark Rydbom with the liability insurance carrier for Mark Rydbom and divided the proceeds of such settlement between them to their mutual satisfaction, and no further accounting to either party shall be made with respect to the same. To the extent that Husband or Wife may have any additional claim for damages or compensation in any form, including but not limited to, no-fault benefits, uninsured or underinsured benefits, or any other benefit, such claim or cause of action and any proceds or benefits derived therefrom shall be payable to the party to whom such benefit or cause of action belongs, and no further accounting shall be made between the parties with regard to the same. Any liability, debt or obligation arising out of the said motor vehicle accident, including but not limtied to medical bills, shall also be solely the obligation of the individual who incurred such liability, debt or obligation.
F. Inheritance. All sums inherited by Plaintiff Husband as a result of the death of his sister shall be retained by Plaintiff Husband, and the same is hereby awarded to Plaintiff Husband.
G. Further, the division of all other marital property, and the payment of all debts of the parties shall be made in accordance with the terms of the Marital Settlement Agreement, which said Agreement was effective June 4, 1992.
3. A copy of the Marital Settlement Agreement of the parties, which said Agreement was effective june 4, 1992, which sets out in further detail the agreement of the parties concerning the matters herein, shall be filed with this decree in the Prothonotary's Office at the above-number.
This order shall be effective as of the 6 day of July, 1992.

BY THE COURT,
Anthony J. Vardaro, J.

Kathleen R. Nelson

240.

RANDY J. CREMONESE

vs.

MARGARET P. CREMONESE

Filed Mar. 8, 1990
@ 10:16 a.m.

Tax & entry Paid $50.50

Pro for Co. Pd 6/11/90 9.00
State Paid 6/11/90 10.00

COMPLAINT UNDER SECTION 201(c) - DIVORCE CODE

1 copy (atty)

Mar 23, 1990 Affidavit of Service filed: KATHLEEN R. NELSON, ESQUIRE, being duly sworn according to law, deposes and says that the following facts in support of her Affidavit of Service are true and correct to the best of her knowledge, information and belief.

1. That the Affiant is the Attorney for the Plaintiff in the above-captioned action.

2. That a true and correct copy of the Complaint in Divorce and Notice were sent by registered mail to the Defendant, Margaret P. Cremonese, on March 13, 1990.

3. The registered mail was sent to Margaret P. Cremonese, 133 Russet Drive, Meadville, Pa 16335. The sender's receipt is attached hereto.

4. That the Defendant received said registered mail on March 20, 1990. Said Return Receipt card P 076 254 165 is attached hereto, signed by Margaret P. Cremonese and made a part hereof.

Kathleen R. Nelson, Esq.
Attorney for Plaintiff

June 11, 1990 Affidavit of Consent of Plaintiff filed.

June 11, 1990 Affidavit of Consent of Defendant filed.

June 11, 1990 Upon praecipe of Plaintiff's Attorney, for review under 201 (c) of the Divorce Code, this case is moved to court.

June 11, 1990 **D I V O R C E D E C R E E F I L E D .**

And now, June 11, 1990, it is ordered and decreed that RANDY J. CREMONESE, plaintiff and MARGARET P. CREMONESE, defendant, are divorced from the bonds of matrimony.

BY THE COURT,
P. Richard Thomas, J

Jorden & White
Harry Faber White II

241.

John E. Cooper

SUSAN SHOEMAKER

vs.

CLAIR E. PURDY

Filed Mar. 8, 1990
@ 10:27 a.m.

Indigent filing
John Fuller, Mediator 137.00
William Pineo
Sheriffs costs $17.00
9.00

COMPLAINT FOR CUSTODY

1 copy (atty)
1 copy (mediator)

NOTICE TO DEFEND ORDER:
You, clair E. Purdy, have been sued in court to obtain custody, partial custody or visitation of the children: Anne Christina and Billy Jack shoemaker.
You are ordered to appear in person at the crawford County Courthouse date and time set by custody mediator.
You are further ordered to bring with you the children: anne Christina and Billy Jack shoemaker.
If you fail to appear as provided by this order or to bring the children, an order for custody partial custody or visitation may be entered against you or the court may issue a warrant for your arrest.
You should take this paper to you lawyer at once. If you do not have a lawyer orcannot afford one, go to or telephone the office set forth below to find out where you can get legal help.
Crawford county Bar Assoc. ser to the public Comm. c/o Prothonotary, Meadville, Pa. 16335 814 724-4636.

BY THE COURT,
Gordon R. Miller, J.

ORDER:
AND NOW, this 7th day of March 1990 upon presentation of the foregoing complaint for Custody, the same is hereby referred to JOHN FULLER, CHILD CUSTODY MEDIATOR, for a mediation conference.

BY THE COURT,
Gordon R. Miller, J.

Mar. 8, 1990, Motion to Proceed in Forma Pauperis and Order filed.
ORDER: AND NOW, this 7th day of March 1990 uponconsideration of the foregoing Motion to Proceed in Forma Pauperis, leave to proceed in forma pauperis is hereby granted. The court shall specifically retain the ability to impose costs in this case if, in fact, the same is appropriate at the time of the ultimate resolution of this case. BY THE COURT,
Gordon R. Miller, J.

Mar. 8, 1990 copy of order to Atty. White.

Aprl 11, 1990, Sheriffs Return filed. Before me the undersigned authority personally appeared Stephen Brandon who being duly sworn according to law deposes and says that on the 2nd day of April 1990, at 2:15 p.m. he served Clair E. Purdy c/o R. Rindfuss Well Drilling filed at AD 1990 - 241, Crawford County Pa. upon dft. Clair E. Purdy c/o R. Rinduss Well Drilling at 12881 Rt. 19, Erie County, waterford, Pa. 16441 by making known the contents thereof to Robert Rindfuss, Owner and handing to and leaving with him the cert. copy of Motion to Proceed, Complaint for Custody and order received from Crawford County.

Stephen Brandon, Dep. Sheriff
So answers, Robert N. Michel, Sheriff, Erie

SERVED Clair E.Purdy by deputizing the sheriff of Erie County, pa. as per his affidavit of Service attached. Served: april 2, 1990,
So answers, Howard N. Stewart, sheriff

April 20, 1990 Motion to Withdraw as Custody Mediator and Order filed: AND NOW, April 20, 1990, after consideration of the within motion, IT IS HEREBY ORDERED AND DECREED that John Fuller is withdrawn as Custody Mediator in the above captioned matter and William Pineo is appointed in his place

P. Richard Thomas, Judge

April 24, 1990 Copies of order put in Attys. White, Fuller and Pineo's boxes.

June 27, 1990 Temporary Order filed: AND NOW, this 27 day of June, 1990, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator,
IT IS HEREBY ORDERED AND DECREED THAT:

1. The custody of subject minor children is awarded to their mother.

2. The parties shall share with each other any and all information which each may have regarding the health, education, and the major events in the life of the subject minor child. Health care, school personnel, and other care providers are hereby authorized to release to either party any and all confidential information which they may have regarding the subject minor child.

3. The father shall have the right of visitation between the hours of 10:00 a.m. and 9:00 p.m. on the following dates:

June 30, July 21, August 4 and August 18 of 1990.

4. The parties shall arrange for counseling for the children and for themselves. The mediator notes for the court that the children have been counseling with Community Mental Health Services, a service offered by Meadville Medical Center. The Parties had agreed that this counseling should continue and the court recommends that the parties themselves counsel through the same office as recommended by the counselor. Counsel for the parties shall follow up on this provision to make sure that the counseling occurs.

5. The father shall provide the necessary transportation in the carrying out of this order. He shall pick the children up at the home of their mother and bring them back at the time at which the visitation is to end.

6. The parties shall split responsibility for transportation with the party receiving the children in the exercise of his or her rights picking up the children at the home of the other.

7. Each party shall teach said children to give to the other party that love and respect which is due a parent from his or her children.

8. Neither party shall use illegal drugs or be under the indluence of alcohol at any time when said party has the care and custody of the subject minor children. The parties are cautioned that recent medical research has indicated that tobacco smoke is injurious to the health of growing children. Therefore, neither party shall smoke tobacco or permit others to do so in a closed automobile in which the children are being transported or in the bedroom of the children.

9. Any person transporting the children shall make sure that the seat belts or other restraints are used in accordance with the law of Pennsylvania.

10. Neither party shall do or say anything to blacken the character of the other in the children's estimation. Each party shall treat the other in a polite and respectful manner when in the children's presence and each party shall instruct his or her relatives and friends to do likewise and also not to disparage the other party in the children's estimation.

11. Further mediation will be scheduled during the last two weeks in August to monitor the situation and see what arrangements should be made during the children's school year.

Continued on margin.....

12. Costs and fees of this Mediation, which are fixed at $137.00 are divided in half. The mother's share shall be assessed to Crawford County, the mediator having noted that she is indigent. The father's share shall be assessed to him as costs in this case. Payment shall be made to the Prothonotary of Crawford County .

13. Either party may move the Court for a hearing de novo for thirty (30) days from date hereof. If neither party so moves, this order shall be considered permanent.

By the Court,
Gordon R. Miller, J

June 28, 1990 Copies of order to put in Attys White and Pineo's boxes and copies mailed to Defendant and Atty. Cooper.

Plate, Shapira, Hutzelman, Berlin, May, Walsh & Brabender

Stephen Hutzelman

242.

FERGUSON & SPATARO
John Spataro

MARINE MIDLAND BANK

vs.

RUSSELL S. FOBES

Filed Mar. 8, 1990
@ 11:47 a.m.

Tax & entry Paid $50.50
Sheriff's Costs 26.60

Pro Co Pd 9/9/91 $15.00
Pro Co pd 11/1/91 9.00
pro Co. pd 10-5-92 5.00

COMPLAINT

1 copy (sheriff)

Mar. 29, 1990 Sheriff's REturn filed. SERVED Russell S. Forbes, personally on March 20, 1990 at 11:20 a.m., at his residence, R.D. #1 Box 106, Springboro, Crawford County, PA.
So answers, Robert M. Stevens, Deputy
Howard N. Stewart, Sheriff

April 20, 1990 Answer to Complaint filed.

Sept. 9, 1991, Upon pra ecipe of plaintiff attorney, for reference to the arbitrators, the following arbitrators are appointed: Richard D. Roeder, Ch.
Joseph C. Barnhart
Jeffrey K. Millin

Sept 26, 1991 Arbitrators take the qualifying oath.

Oct. 18, 1991 Notice of Hearing Before Board of ARbitrators filed.

And Now, Nov. 1, 1991 upon Stipulation between the parties judgment is hereby entered in favor of the Plaintiff and against the Defendant, in the amount of One Thousand Dollars and 00/100 The Defendant agrees to make payments of $100.00 per mo;nth with the first payment due by December 1, 1991, with subsequent payments due each month on a like day until the balance is paid in full. If Defendant should default on this agreement, Plaintiff will consider this agreement null and void and any additional court costs due and interest from date of default will be added to the amount needed for satisfacton of this matter.
F-146
judgment entered 11/1/91

Debt $1,000.00
Judgment
James F. Simmons
Prothonotary

Oct 5, 1992 Upon praecipe of Plaintiff attorney the above captioned matter is satisfied of record.

Schroeck & Swgel PC
George M. Schroeck

243.

JASON WISER, A MINOR BY GLENN A. WISER, HIS FATHER AND NATURAL GUARDIAN AND GLENN A. WISER, INDIVIDUALLY

vs.

MELODY A. FERRY

Filed Mar. 8, 1990
@ 1:25 p.m.

Tax & entry Paid $50.50 ✓

Sheriff's costs 26.00
Pro Co Pd 4/23/91 6.00

SUMMONS IN A CIVIL ACTION

Issued (sheriff)

March 28, 1990 Writ Return filed. SERVED Melody A. Ferry personally on March 13, 1990 at 3:40 PM at her place of employment , J & J Meats, RD # 9, Meadville, Crawford County, PA.
So answers,
Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

Apr. 23, 1991, Petition to Approve Settlement of Minor's Claim and Order filed. ORDER: AND NOW, to-wit this 8th day of April 1991, upon consideration of the foregoing Petition, it is hereby ORDERED, ADJUDGED AND DECREED:

1. That the compromise and settlement of the aforesaid minor's claim is approv ed; the moniew due the minor after an allowance for attorneys fees shall be placed in an insured account not to be utiliz ed without Order of court;

2. The petitioner shall make a distribution of atty's and expenses in accordance with the petition;

3. That Glenn and Guadalupe Wiser are the parents and natural guardians authorized to execute the Release and this petition on behalf of the minor child, Jason Wiser.

4. Petitioners shall deposit the net proceeds of the settlement in a federally insured account for the minor, Jason Wiser. A copy of this court order shall be delivered to the bank or other institution that issues the account.

BY THE COURT,
Gordon R. Miller, J.
Apr. 29, 1991 copy of order to Atty. Schroeck.

Apr. 23, 1991 Upon praecipe of plaintiff attorney, the above captioned case is hereby marked settled and discontinued of record; certificate and Bill of Cost issued to atty.

Apr. 6, 1992 PETITION TO WITHDRAW FUNDS FROM MINOR'S ACCOUNT and ORDER filed. ORDER: AND NOW, this 6th day of Spril, 1992, upon consideration of the foregoing Petition, IT IS HEREBY ADJUDGED, ORDERED AND DECREED that the Petitioners shall be permitted to withdraw Three Thousand ($3,000.00) Dollars from the account established for Jason Wiser out of the net proceeds of the settlement between Plaintiffs and Melody A. Ferry. Said funds shall be used to cover the expenses of the move from Conneaut Lake, Pa. to Harmony, N.Y.

IT IS FURTHER ORDERED that Petitioners shall reimburse the account of Jason Wiser for all funds borrowed therefrom at the rate of Seventy-Five ($75.00) Dollars per month beginning thirty (30) days after they have moved to Hornell, N.Y., subject, furthermore, to an addendum to this order attached hereto and made a part hereof. Gordon R. Miller, P.J.
Apr. 9, 1992 mailed copy to G. Schroeck

Apr. 6, 1992 ADDENDUM TO ORDER OF APRIL 6, 1992, filed AND NOW, this 6th day of April, 1992, at the time the Court permitted the withdrawal of $3,000 from the account established for Jason Wiser out of the proceeds of the settlement of a personal injury accident involving injuries to h im, the Court desires to impose additional requirements upon his parents.

Accordingly, Glenn Wiser and Guadalupe Wiser, parents and natural guardians of Jason Wiser, are ordered and directed to submit a letter to the undersigned, in care of the Judges' Chambers, Crawford County Courthouse, Meadville, Pa., every three months, that is by the last day of June, September, December and March. Said letter shall (a) advise the Court as to the dat, time and amount of each repayment; and (b) include photastatic copies of cancelled checks, receipts or other evidence of payment. Glenn Wiser and Guadalupe Wiser shall at all time keep this Court advised of any change of address so that this Court will always know exactly where they reside with their son, Jason. This Court is endeavoring to accommodate the needs of the parents, while at the same time, insuring prompt and regular repayment of all sums borrowed from their son, Jason, out of his settlement proceess.

BY THE COURT
Gordon R. Miller, P.J.

Apr. 9, 1992 mailed copy to G. Schroeck

pro se

244.

LORI ANN FRANTZ

vs.

RONALD LEONARD FRANTZ

Filed Mar. 8, 1990
@ 1:26 p.m.

Tax & entry Paid $50.50
Pro Co Pd 6/25/90 9.00
State pd. 6/25/90 10.00

COMPLAINT IN DIVORCE

March 14, 1990 Affidavit of Service filed: Lori Ann Frantz being duly sworn according to law, deposes and sets forth as follows:

1. That she is the Plaintiff in the above captioned matter.

2. That she caused a certified copy of the Complaint in Divorce to be forwarded by Certified Mail No. P228805 621, postmarked March 9, 1990 to the last known address of the Defendant, RD#1, Centerville, Pa 16044 parents residence.

3. That the Defendant, Ronald Leonard Frantz on March 9, 1990, personally signed the return receipt card which was affixed to the Complaint in the above matter and which is attached hereto as Exhibit "A".

4. Service of the Complaint against the Defendant is therefore effected in accordance with Pennsylvania Rules of Civil Procedure.
Lori Ann Frantz, Pro Se

June 25, 1990, Affidavit of Consent of plaintiff filed.

June 25, 1990, Affidavit of Consent of defendant filed.

June 25, 1990, Upon praecipe of plaintiff, for review Under 201(c) of the Divorce Code, this case moved to court.

July 16, 1990 **D I V O R C E D E C R E E F I L E D .**

AND NOW, July 16, 1990, it is ordered and decreed that Lori Ann Frantz, plaintiff, and Ronald Leonard Frantz, defendant, are divorced from the bonds of matrimony.

BY THE COURT,
Gordon R. Miller, J

1990

William L. Walker
Thomas, Truax, Spadafore
Vardaro & Walker

245.

ROSE MARY MEDLIN

vs.

ROBERT WADE MEDLIN

Filed Mar. 8, 1990
@ 1:59 p.m.

Indigent filing

John Fuller, Mediator	$135.00
John Fuller, Mediator	100.00
Recording Cost	9.00

COMPLAINT IN DIVORCE, CUSTODY

Mar. 8, 1990, Praecipe to Proceed in forma Pauperis filed.

Mar. 8, 1990, ORDER OF COURT filed. You, Robert Wade Medlin, Defendant have been sued in court to obtain custody of the children: Carrie Ann Medlin and Justin Wade Medlin.

You are ordered to appear in person at such time and such place as JOHN FULLER, CHILD CUSTODY MEDIATOR, orders.

Pending the mediation conference, temporary custody of the children shall remain with Plaintiff, Rose Mary Medlin and she is hereby ordered to bring all the children with her to the Mediation Conference.

If you fail toappear asprovided by this order or to bring the children an order for custody, partial custody, or visitation may be entered agaisnt you or the court may issue a warrant for your arrest.

You should take this paper to your lawyer at once. If you do not have a lawyer or cannot affore one, go to or telephone the office set forth below to find out where you can get legal help.

Crawford County Bar Assoc. Ser. tothe Publ. Comm. c/o Prothonotary Courthouse, Meadville, Pa. 16335. 814 724-4636.

BY THE COURT,
P. Richard Thomas, J.

Date: March 9, 1990
(2 copies (atty) and 1 copy (mediator)

Mar. 26, 1990 Affidavit Of Service filed. Debra Mattocks, being duly sworn according to law, deposes and says that she is the secretary to William L. Walker, Esquire, Attorney for Plaintiff in this action and certified that on March 15, 1990 she delivered to the post office in Meadville, PA for delivery to Robert Wade Medlin at 556 Park Avenue, Meadville, PA 16335 by certified mail, return receipt requested, delivery restricted to addressee only, a true and correct copy of the Complaint in this matter for which deponent received at the time receipt for certified article no. P 276 618 763 which is attached hereto as Exhibit "A". Thereafter on March 19, 1990 it was returned to William L. Walker, Esquire, return receipt card bearing the same number and signed by Robert Wade Medlin, said return receipt card being attached hereto as Exhbit "B".

Debra Mattocks

June 15, 1990 Temporary Order filed: AND NOW, June 14, 1990, after mediation conference before John Fuller, Esquire, IT IS HEREBY ORDERED AND DECREED AS FOLLOWS:

I. Legal custody and physical custody of the minor children, Carrie Ann Medlin and Justin Wade Medlin shall be with their mother, Rose Mary Medlin, subject to the following conditions:

A. The father, Robert Wade Medlin, shall be entitled to visit the children at the home of the mother the first three Sundays of each month from 1:30 p.m. until 5:30 p.m. The mother shall be present during such visits.

B. This order is entered without prejudice to the right of the father or mother to request a further mediation conference at any time after six (6) months from the date hereof for the purpose of reviewing the father's partial custody and visitation schedule.

C. Neither father nor mother shall consume alcohol or illegal drugs while the children are in their custody or during any visit with the children.

D. Neither father nor mother shall say or do anything in an attempt to turn the children against the other parent, but on the other hand shall do everything in the power of each to foster a favorable and loving attitude on the part of the children towards both parents.

E. Neither mother nor father shall expose the chidlren to any person or situation which may be harmful to the children's health or well being.

F. Both parents agree to inform the other immediately of any illness or injury regarding any or all of the chidlren and both parents agree to furnish the other with a current telephone number.

III. This order is a temporary order but shall become a permanent order unless exceptions thereto are filed by either party within thirty (30) days of the date hereof.

IV. Costs of the Mediation conference shall be paid by Crawford County.

P. Richard Thomas, Judge

June 19, 1990 Copies of order put in Attys. Walker and Fuller's boxes.

July 2, 1990 Affidavit Of Consent of Plaintiff filed.

July 2, 1990 Affidavit OF Consent of Defendant filed.

July 2, 1990 Upon praecipe of Plaintiff Attorney To transmit Record, this case moved to court.

July 17, 1990 **D I V O R C E D E C R E E F I L E D .**

And now, July 17, 1990, it is ordered and decreed that Rose Mary Medlin, pl aintiff and Robert Wade Medlin, defendnat, are divorced from the bonds of matrimony.

BY THE COURT,
P. Richard Thomas, J

Apr. 23, 1991 Defendant's Petition to Modify Custody filed.

Apr. 23, 1991 ORDER filed. AND NOW, this 22nd day of Apr. 1991, upon receiptand review of a handwritten letter dated Apr. 15, 1991 and received Apr. 17, 1991 submitted by Robert Wade Medlin the court is treating and considering said letter as a petition to modify custody. This is so even though the letter is not verified or sworn nor does it properly set forth the reasons for modification.

Nonetheless we will consider the letter as a petition for modification of the prior custody order and hereby refer the matter to John Fuller, Custody Mediator, to hold a hearing within the normal course after giving proper notice to the parties.

The parties are advised that, in the future, if either wish to seek a modification of a custody order (as opposed to a hearing de novo) he or she shall file an appropriate petition , udner oath, alleging facts and reasons in support of said petition.

BY THE COURT,
Gordon R. Miller, P.J.

Apr. 23, 1991, copies to W. Walker, J. Fuller, and Robert Medlin, mailed.
(box)

Continued on Pg. 563

1990

Thomas, Truax, Spadafore
Vardaro & Walker
William L. Walker

246.

MERCER COUNTY STATE BANK

vs.

ROBERT T. JOHNSON AND
CAROLINE J. JOHNSON, HIS WIFE

Filed Mar. 8, 1990
@ 2:02 p.m.

Tax & entry Paid $50.50
Sheriff's Costs 38.84
Pro Co pd 7/2/90 9.00

COMPLAINT IN MORTGAGE FORECLOSURE

2 copies (sheriff)

Mar. 30, 1990 Sheriff's Return filed. SERVED Caroline J. Johnson, personally on March 23, 1990 at 10:13 AM at her residence, R.D.#3, Cochranton, Crawford County, PA.
SERVED Robert T. Johnson, by handing Complaint in Mtg. Foreclosure to his wife, Caroline J. Johnson, at their address, RD #3, Cochranton, Crawford County, PA., on March 23, 1990 at 10:14 aM.
So answers, Robert M. Stevens, Deputy
Howard N. Stewart, Sheriff

And Now, July 2, 1990 at 11:36 a.m. upon praecipe of plaintiff's attorney, judgment is hereby entered in favor of the plaintiff and against the defendant for failure to file a an answer and the damages are assessed at the sum of Six Thousand Five Hundred One and 26/100 plus interest and cost of suit.
J-223-201
judgment entered 7/2/9o

Debt $6,501.26
Judgment
James F. Simmons
Prothonotary

1990

Blystone & Blystone
Curtis E. Blystone

247.

Watts, Pepicelli,
Youngs & Youngs
Alan L. Pepicelli

Culbertson, Weiss,
Schetroma and Schug
JOhn B. BraUTIGAM
for add'l dfts.

TODD SWARTWOOD d/b/a
SWARTWOOD GENERAL CONTRACTING

vs.

RANDY S. ZELEN AND
AUXILIADORA O. ZELEN

vs.

Todd Swartwood & Dianna
Swartwood, his wife, ind. &
t/a/d/b/a Swartwood General
Contacting, Add'l Dft.

Filed Mar.8, 1990
@ 4:17 p.m.

Tax & entry Paid $50.50

Sheriff's costs 32.00
Satisfaction PD. 7/3/96 6.00

SUMMONS IN A CIVIL ACTION

Issued (sheriff)

Mar 19, 1990 Sheriff's Return filed: SERVED Auxiliadora O. Zelen personally on March 12, 1990 at 10:30 A.M. by handing copy of Summons to her at residence, 139 Linda Lane, Meadville, Crawford County, Pa.

SERVED Randy S. Zelen on March 12, 1990 at 10:31 A.M. by handing copy of Summons to his wife Auxiliadora O. Zelen at their residence, 139 Linda Lane, Meadville, Crawford County, Pa.
So answers, Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

May 25, 1990, Complaint in Civil Action filed. 2 copies (atty)

June 1, 1990 Acceptance of Service and Entry of Appearance filed. AND NOW, this 1st day of June, 1990, I here by accept service of the Complaint in Civil Action on behalf of the defendants, randy S. Zelan and Auxiliadora O. Zelen, by receipt of a certified ocpy thereof, bieng duly authorized to accept service on behalf of said defendant.
I hereby enter my appearance as attorney for Randy S. Zelen and Auxiliadora O. Zelan, the above-captioned Defendants.
Alan L. Pepicelli

June 22, 1990, Preliminary objections filed.

July 2, 1990, Amended Complaint in Civil Action filed. 2 copies (atty)

July 3, 1990 Certificate of Service filed: Curtis E. Blystone, Esquire, hereby certifies that a true and correct copy of the Amended Complaint in Civil Action, endorsed with Notice to Defend, was served on counsel for all parties on July 3, 1990 by U.S. First Class Mail, postage prepaid.
BLYSTONE & BLYSTON
Curtis E. Blystone
Attorney for Plaintiff

Aug. 17, 1990 Consent to Filing Second Amended Complaint filed.

Aug. 17, 1990 Second Amended Complaint in Civil Action filed. (1 copy atty)

Aug. 22, 1990 Certificate of Service filed. Curtis E. Blystone, attorney for Plaintiff, hereby certifies that a true and correct copy of the Second Amended Complaint in Civil Action, containing Notice to Defend, was served on counsel for all parties on August 22, 1990 by U.S. First Class Mail, postage prepaid. Due to oversight, the Second Amended Complaint in Civil Action, as originally served on counsel for all parties on August 17, 1990, did not contain Notice to Defend. (Notice to Defend attached)
Blystone & Blystone
By: Curtis E. Blystone, atty. for Plaintiff

Oct. 5, 1990 Upon praecipe of Defendants Attorney Todd Swartwood and Dianna Swartwood, his wife, individually and t/a/d/b/a Swartwood General Contracting are hereby joined as Additional Defendants. (Issued)

Oct. 10, 1990, Answer, New Matter and Counterclaim filed. 3 copies (atty)

Oct. 22, 1990, Acceptance of Service and entry of appearance filed. And now, this 15th of Oct. 1990, I hereby accept service of Writ of Join Todd Swartwood and Dianna Swartwood, his wife ind. and t/a/d/b/a Swartwood Gen. Contracting as add'l dfts. by receipt of a cert copy thereof, being duly aruthorized to accept service on behalf of defendants. Appearance entered.
John B. Brautigam, Esq.

Nov. 6, 1992 Reply Of Planitiff, Todd Swartwood, to New Matter of Original Defendants and Answer and New Matter of Additional Defendants to "Counterclaim" of Original Defendants filed.

June 28, 1996 Upon Praecipe of Plaintiff's Attorney the above captioned matter settled and discontinued filed.

1990

Brian L. Lindsay

248.

Kathleen Nelson
Henry L. Pittsenbarger
and Cynthia D.
Pittsenbarger

William J. Gregg

3/31/90 Recd $60.67 From Cynthia D. Pittsenbarger
Recd 6-1-90
$60.67
Vivian Stoltz

1/22/91 Recd $53.17 From Addl. Def.
Recd 2-1-91
$53.17
Vivian Stoltz

7-16-93 Recd $150.00 from dft.

11-22-94 Rec'd from Deft Freeman #9882

12-15-94 Pd Co., Med Fees #8732 248 82

2-3-97 Rec'd from Dept/Jane med dep 150.00

5-7-97 Pd Jane Freeman Refund #10979 150.00

MARY ANN PALMER

vs.

JANE FREEMAN AND GEORGE EDWARD FREEMAN

vs.

Henry L. Pittsenbarger and

Cynthia D. Pittsenbarger
Intervenors

Filed Mar. 9, 1990
@ 10:55 a.m.

Tax & entry Paid	$50.50
William Pineo, Mediator Mediation Cost	182.00
	9.00
Mediation Costs	159.50
Pro Co Atl 1/22/91	9.00
William Pineo, Mediator	182.00
Pro Co	9.00

COMPLAINT FOR CUSTODY

1 copy (atty)
1 copy (mediator)

ORDER OF COURT:

You, Jane Freeman and George Edward Freeman, Defendants have been sued in Court to obtain custody of the child:

GEORGE HOWARD FREEMAN

You are ordered to appear in person for a conference at such time and place may be set by WILLIAM PINEO, CHILD CUSTODY MEDIATOR.

Plaintiff Mary Ann Palmer, is granted temporary custody of child Goerge Howard Freeman, until further order of court.

If you fail to appear as provided by the order, an order for custody may be entered against you or the court may issue a warrant for your arrest.

You should take this paPER to your lawyer at once. If you do not have a lawyer or cannot affore one, go to or telephone the office set forth below to find out where you can get legal help.

Crawford County Court House, Service to the Public Committee, Prothonotary, Meadville, Pa. 16335 Telephone No. 814 724-4636.

Date: 3/9/90

BY THE COURT,
P. Richard Thomas, J.

Mar 14, 1990 Affidavit of Service filed: I, Brian J. Lindsay, Esquire, after being duly sworn according to law, depose and say that I am the attorney of record for Mary Ann Palmer, at that as such I am authorized to execute this Affidavit; that I did on the 9th day of March, 1990, send by Certified Mail, Addressee Only, Return Reciept requested, a true and correct copy of Complaint for Custody to Jane Freeman, at her last known address of P.O. Box 376, Saegertown, Pennsylvania 16433, as evidenced by the attached sender's receipt No. P 276 200 336, and that on the 13th day of March, 1990, I did receive the duly executed return receipt.

I verify that the statements made in this Affidavit are true and correct. I understand that false statements herein made are subject to the penalties of 19 Pa. C.S. Section 4904, relating to unsworn falsification to authorities.

Date: 3/14/90

Brian J. Lindsay
Attorney for Plaintiff

Mar 14, 1990 Affidavit of Service filed: I, BRIAN J. LINDSAY, ESQUIRE, after being duly sworn according to law, depose and say that I am authorized to execute this Certified Mail, Addressee only, Return Receipt requested, a true and correct copy of Complaint for custody to George Edward Freeman, at his last known address of P.O. Box 376, Saegertown, Pennsylvania 16433, as evidenced by the attached sender's receipt No. P276 200 335, and that on the 13th day of March, 1990, I did receive the duly executed return receipt.

I verify that the statements made in this Affidavit are true and correct. I understand that false statements herein made are subject to the penalties of 19 Pa. C.S. Section 4904, relating to unsworn falsification to authorities.

Date: Mar 14, 1990

Brian J. Lindsay,
Attorney for Plaintiff

March 21, 1990 Petition For Leave to Intervene and Counterclaim and ORDER filed. AND NOW, this 21st day of March, 1990, upon consideration of the herein Petition, Henry L. Pittsenbarger and Cynthia D. Pittsenbarger, his wife, are hereby granted leave to intervene in the custody proceedings with respect to the minor child, George Howard Freeman, at AD 1990 - 248, in the Court of Common Pleas of Crawford Co., PA.

Petitioners are Ordered to appear in person for a conference at such time and place as may be set by William Pineo, Child Custody Mediator.

A copy of this Order shall be served upon all parties to this action and/or their counsel, and William Pineo, Child Custody Mediator.

By the Court,
Gordon R. Miller, J.

March 21, 1990 Copy of Order to Atty. Brian Lindsay, William Pineo.

May 9, 1990 Temporary Order filed. AND NOW, this 8th day of May, 1990, after Mediation in the above referenced matter and upon the recommenda tions of the Child Custody Mediator, IT IS HEREBY ORDERED AND DECREED THAT:

1. Legal and physical custody of the subject minor child is here by awarded to the plaintiff, Mary Ann Palmer.
2. Jane Freeman and George Edward Freeman, and Henry L. Pittsenbarger and cynthia D. Pittsenbarger shall have visitation on alternate weekends from Friday at 6:00 p.m. through Sunday at 5:00 p.m., beginning with the weekend of May 18. Visitation shall be at the home of Mr. and Mrs. Pittsenbarger and they shall have temporary physical custody so that they may supervise the visits.
3. Mr. and Mrs. Freeman shall have visitation with the subject minor child each Wednesday from 6:00 p.m. to 8:00 p.m. at the home of Mary Ann Palmer.
4. Mr. and Mrs. Freeman shall have the right of visitation each Christmas from 9:00 a.m. to 8:00 p.m. and each Easter during the same hours. The parties shall work out the visitation for the other holidays.
5. Mr. and Mrs. Pittsenbarger shall have the right of visitation and temporary physical custody each summer for a period of two weeks. For 1990, the two-week period shall occur during the month of August but in succeeding summers, the parties shall negotiate the two-week period to be selected. During visitations with the Pittsenbarger, they shall work out with the Freemans what visitaitons the Freemans shall have.

CONTINUED ON THE NEXT PAGE

Mary Ann Palmer

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6. The Pittsenbarger shall have the responsibility for picking up and delivering the subject minor child in the course of their visitation and temporary custodial rights. Each of the parties shall teach the subject minor child to give to all of the other parties, that love, respect, and obedience which is due a parent or other custodial firgure form his or her child or ward.

7. Any person transporting the child shall make sure that the seat belts or other resptraints are sued in accordance with the law of Pennsylvania.

8. The parties are free to make additional or alternative arrangements respecting the custodial and visitation periods and are strongly encouraged to do so if that would be proper and convenient Said arrangements shall be by mutual consent only, in the absence of which this Order shall govern.

9. Any party may request a review of this Orde rone year from date hereof to see if any adjustments are advisable.

10. Costs and fees of this Mediation, which are fixed at $182.00 are divided equally among all of the parties in this cse with the share of each bieng assessed as costs. Payment shall be made to the Prothonotary of Crawford County.

11. Either party may move the Court for a hearing de novo for thirty (30) days form date hereof. If neither party so moves, this Order shall be considered permanent.

By the Court,
P. Richard Thomas, J

May 10, 1990 Copies of order put in Brian Lindsay, William Gregg, Kathleen Nelson and William Pineo's box and copies mailed to Plaintiff, Defendant and Intervenors

June 4, 1990 Motion for Hearing De Novo and Order filed. AND NOW, this 4th day of June, 1990 this matter is referred to William Pineo, Custody Mediator. Gordon R. Miller, J

June 6, 1990 Copies of order put in Kathleen Nelson, Brian LIndsay, William Gregg and William Pineo's box.

Nov. 16, 1990 Temporary Order filed. AND N OW, this 14 day of November, 1990, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator, IT IS HEREBY ORDERED AND DECREED THAT:

1. Legal and physical custody of the subject minor child is hereby awared to the plaintiff, Mary Ann Palmer.

2. Jane Freeman and George Edward Freeman shall have visitation and temporary physical custody each Sunday from 1:00 p.m. to 6:00 p.m., each Wednesday from 6:00 p.m. to 8:00 p.m., and on Christmas and Easter form 9:00 a.m. to 8:00 p.m.

3. Each of the parties shall teach the subject minor child to give to th eother party that love, respect, and obedience which is due a parent or other custodial figure from his/her child or ward.

4. Any person transporting the child shall make sure that the seat belts or other restraints are used in accordance with the law of Pennsylvania.

5. The parties are free to make additional or alternative arrangements respecting the custodial and visitation periods and are strongly encouraged to do so if that would be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which this Order shall govern.

6. Any party may request a review of this Order one year from date hereof to see if any adjustments are advisable.

7. Costs and fees of this Mediation, which are fixed at $159.50 divided equally among all of the parties in this case with the share of each being assessed as costs. Payments shall be made to the Prothonotary of Crawford County.

8. Either party may move the Court for a hearing de novo for thirty (30) days form date hereof. If neither party so moves, this Order shall be considered permanent.

By the Court,
Gordon R. Miller, J

Nov. 21, 1990 Copies of order put in Atty. Pineo, Gregg, Nelson and Lindsay's box and copies mailed to all parties.

mailed to all parties.

July 16, 1993 Petition For Review Of Custody OrderBy Child Custody Mediator and Order filed. AND NOW, this 12th day of July, 1993, upon consideation of the within Petition, William PIneo, Esq., the Custody Mediator heretofore appointed in this case, is Ordered and Directed to schedule further mediation in this case for the purpose of reviewing the Order entered on November 14, 1990, and further to address the request of the Petitioners set forth in their petition

A copy of this Order shall be served upont he Respondent by regular mail.

By the Court,
Gordon R. Miller, J

July 20, 1993 Copies of order to Atty's Pineo, Gregg and Lindsay

July 22, 1993 Affidavit of Service filed. William J. Gregg, Esq. being duly sworn according to law, deposes and says that the following facts in support of his Affidavit of Service are true and correct to the best of her knowledge, information and belief:

1. That the Affiant is the Attorney for the Defendnats in the above-captioned action.
2. That a true and correct copy of the Petition for Review was sent by fax on July 6, 1993, and a copy of the signed Order was sent by first class mail on July 21, 1993, to the Plaintiff's ATtorney, Brian J. Lindsay, Esq.

July 22, 1993 William J. Gregg, Esq.,Attorney for Defendnats.

Sept. 7, 1993 TEMPORARY ORDER filed. AND NOW, this 7 day of September, 1993, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator,

IT IS HEREBY ORDERED AND DECREED THAT:

1. Legal and physical custody of the subject minor child, George Howard Freeman, is hereby awarded to the plaintiff, Mary Ann Palmer.

2. The parties shall share with each other any and all information which each may have regarding the health, education, and the major events in the life of the subject minor child. Health care, school eprsonnel, and other care providers are hereby authorized to release to either party any and all confidential information which they may have regarding the subject minor child.

RECORD CONTINUED ON PAGE 248 (B).....

3a. George E. Freeman and Jane Freeman will have temporary physical custody and visitation with the subject minor child every weekend, except for the first full weekend of each month, from Friday at 6:00 p.m. through Sunday at 6:00 p.m.

b. For the summer of 1994, the Freemans will have physical custody fo the subject minor child from June 15 to August 15. During this summer period, Mary Ann Palmer will have visitation and temporary physical custody of the subject minor child each weekend, beginning with teh second weekend after June 15, from Friday at 6:00 p.m. through Sunday at 6:00 p.m. The Freemans shall have the right to designate two weekends when no visitation need be given. They shall notify Ms. Palmer by Juen 15 of the weekends they wish to designate.

c. The subject minor child shall have the right to telephone the party not having physical custody t reasonable times and for reasonable lengths of tiem and such conversations will nto be unreasonably monitoried by the party having physical custody.

4. Holiday visitation shall be arranged as follows:

a. Christmas: The Freemans shall have the right of temporary physical custody and visitation from December 24 at noon until Christmas Day at 2:00 p.m. and from Dec. 26 at noon until New Year's Day, 1994, at noon.

b. Thanksgiving: The Freemans shall have the right of visitation and temporary physical custody for Thanksgiving, 1993, from 9:00 a.m. through 3:00 p.m.

c. Easter; For Easter, 1994, the Freemans shall have temporary physical custody and visitation with the subject minor child from noon of Holy Saturday until 2:00 p.m. Easter Sunday.

d. The Freemans shall visitation and temporary physical custody on Labor Day, 1993, and Independence Day, 1994. For Labor Day, the visitation hours shall be between the hours of 9:00 a.m. and 8:00 p.m. For Independence Day, the visitation hours shall be between the hours of 9:00 a.m. and 11:00 p.m., so that the family may watch the fireworks.

e. The Freemans shall have temporary physical custody and visitation with their child on both Mother's Day and Father's Day from 9:00 a.m. to 7:00 p.m.

f. The provisions of this paragraph shall take precedence over the other provisions of this order relating to the custodial or visitation periods.

5. Should it be necessary for either party to cancel or modify the visitations as set out in this order or as previously arranged, the party seeking cancellation or modification shall notify the other party as soon as he or she knows of the necessity which impels the cancellation or modification. Said modifications or cancellations shall not be proposed except for good reasons. Should a cancellation or modification be necessary, the parties shall attempt at once to arrange for alternative visits or to make alternative arrangements.

6. The parties shall split responsibility for transportation with the party receiving the child in the exercise of his or her rights picking up the child at the home of the other.

7. Each party shall teach said child to give to the other party that love and respect which is due a parent from his or her child.

8. Neither party shall use illegal drugs or be under the influence of alcohol at any time when said party has the care and custody of the subject minor child. The parties are cautioned that recent medical research has indicated that tobacco smoke is injurious to the health of growing children. Therefore, neither party shall smoke tobacco or permit others to do so in a closed automobile in which the child is being transported or in the bedroom of the child.

9. Any person transporting the child shall make sure that the seat belts or other restraints are used in accordance with the law of Pennsylvania.

10. Neither paraty shall do or say anything to blacken the character of the other in the child's estimation. Each paraty shall treat the other in a polite and respectful manner when in the child's presence and each paraty shall instruct his or her relatives and friends to do likewise and also not to disparage the other party in the child's estimation.

11. The parties are free to make additional or alternative arrangements respecting the custodial and visitation periods and are strongly encouraged to do so if that would be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which this Order shall govern.

12. This matter shall be reviewed by the mediator in August of 1994 to see whether or not the Freemans will be able to undertake primary physical custody of their child.

13. Costs and fees of this Mediation, which are fixed at $252.00, are divided equally between the parties with the share of each being assessed to him or her as costs in this case.

14. The deposit required for the appointment of the custody mediator was made by the Freemans. The deposit shall first be applied against the Freemans' share of costs and the remainder shall be applied to outstanding costs owed from previous mediations ($122.82). Any balance shall be paid within 30 days from the date of the Order. Mary Ann Palmer shall pay her share of costs and fees to the Prothonotary of Crawford Co. within thirty (30) days of the date of this Order together with prior balances from the mediations for a total of $239.88 by that date.

15. Either party may move the Court for a hearing de novo for thirty (30) days from date hereof. If neither party so moves, this Order shall be considered permanent.

16. Unless such costs indicated in paragraph 14 have been paid, no party may seek another mediation conference in the future without further Order of Corut.

By the Court,
Anthony J. Vardaro, J.

Sept. 15, 1993 Copy of Order to Attys. Wm. Pineo, Wm. Gregg, Brian Lindsay, copies mailed to plf., dft.

Oct. 13, 1994 Consent Custody Order and Order filed. AND NOW, this 26th day of September, 1994, upon presentation and consideration of Plaintiff's petition and Defendant's consents thereto, it is ordered and decreed that primary physical custody of the subject minor child, George Howard Freeman, shall be with natural parents, Jane Freeman and George Edward Freeman and Mary Ann Palmer shall share legal custody of Defendants to the extent that Plaintiff shallhave access to health care, school personnel and other care providers for the child.

BY THE COURT,
Gordon R. Miller,

Oct. 13, 1994 Order filed. AND NOW, October 5, 1994, the Court reviewed this file and signed a consent custody order and realized that both parties are seriously delinquent in the payment of back court costs.
Accordingly, they both shall appear in courtroom No. 1 of the Crawford County Courthouse on the 22nd day of NOvember, 1994 at 9:30 o'clock a.m. where a hearing shall be held to determine whether they should be held in contempt of court for willful failure to pay court costs.
It appears that the plaintiff owes $239.84 and the defendant owes $98.82

BY THE COURT,
Gordon R. Miller,

10-1394 FAxed Lindsay, Nelson & Gregg

Nov. 23, 1994 Order filed. AND NOW, November 22, 1994, the time thismatter is summoned before theCourt for nonpayment of costs in this prolonged custody case, this Court notes that by order of September 26, 1994, minor child, George Howard Freeman, was returned to his natural parents, Jane Freeman and George Edward Freeman, after a lengthy custody in the home of his Aunt Mary Ann Palmer.
Some emotionally upsetting event occured in the home of George and Jan Freeman on the evening of November 21, 1994 resulting in police interevnetion and the apparent commitment of Jane Freeman to the Mental Health Center. The Court deducts that the relationship between mother, Jane Freeman and minor child, George, has been somewhat strained, and the Court is fearful that an immediate return of Jane Freeman to the home of her husband may cause further friction between mother and minor child, George. Accordingly, Mary Ann Palmer volunteers to the Court that she would be willing to take temporary custody of George Freeman until an emergency investigation is completed by Children and Youth Services and a recommendation for a subsequent order regarding placement of said child is received form Children and Youth Services.

BY ORDER OF THE COURT,
P. Richard Thomas, S.J.

Nov. 23, 1994 Copies dist. to Lindsay, Gregg & CYS

Dec. 19, 1994 Petition to Proceed in Forma Pauperis Pursuant to Pa. R.C.P.240, filed.

Dec. 19, 1994 ORDER FOR HEARING filed. By order of November 22, 1994, we temporarily resolved a crisis situation regarding custody of minor child George Howard Freeman. This Court ordered an investigation and home study by Children and Youth Services and the same has now been received together with a recommendation for future custody.

Continued to Page 248 C

The Court sets further hearing on this custody matter for December 28, 1994 at 9:15 A.M. in Courtroom No. 3, Crawford County Courthouse.

The presence of Jane Freeman, George Edward Freeman and Mary Ann Palmer is required.

BY THE COURT:
P. Richard Thomas,S.J.

12-19-94 Copies dist. by Court

Dec. 30, 1994 ORDER filed. AND NOW, December 28,1994, this case is back before the Court for review pursuant to this Court's Order of December 16th. The matter is reviewed informally with all parties, and theCourt notes that apparently counsel for the parties are no longer active in this case.

Jane Freeman advises that she is back living with husband George in Linesville,but father George Edward Freeman advises that this accommodation is only temporary as he is planning on commencing divorce proceedings and he is not seeking custody of the child while the mother is still residing in his home.

The mother advises that the Mental Health caseworker, Pauline Markey, is attempting to secure partial hospitalization counseling for her,but apparently all spaces are full at this time,but there is hope that within a month there will be a placement for mother Jane Freeman.

The child is now back in custody of MaryAnn Palmer, at R.D.#2,Box 433,Linesville, telephone 683-5569, and the Court now officially awards custody of this child to Mary Ann Palmer,subject to the visitation schedule noted hereafter.

The father may visit the child at the home of Mary Ann Palmer with advance notice and the consent of Mary Ann Palmer at times mutually agreed upon.

However, as long as mother, Jane Freemanm resides in George's household, there shall be no father/child visits at his home. In the event that MentalHealth Center finds partial hospitalization placement for mother Jane, the father may have periodic weekend visits with his son,George, at his home not less than two (2) weekends per month.

In view of the upsetting incident previously occurring between mother and child,the relationship between mother and child is apt tobe somewhat strained. However, we believe mother should have telephone contact with the child and the right tosee the child on supervised visits at Children & Youth Service. Accoringly, on Tuesday and Thursdays of each week, the mother may call the residence of Mary Ann Palmer at 7:00 p.m. and have telephone conversations with minor child George for a reasonable period of time not to exceed ten (10) minutes.

In addition, Joseph Palmer, brother of JaneFreeman, advises he will assist in supervised visits between mother and child at Children & Youth Services Offices once every two (2) weeks. Visits will be arranged between Pam Shollenberger, caseworker, and Joseph Palmer, 403 Grant Street, Saegertown, telephone 763-6018 for said visits, which shall not occur more frequently than once every two weeks.

This matter originally came before this Court on the sole issue of nonpayment of custody costs. In view of the strained financial condition of the father, and the mental condition of the mother, the Prothonotary is DIRECTED to defray any further action to collect unpaid costs due in this case.

While this is not a Juvenile Court matter, but a civil custody matter, the Court appreciates the cooperation of Children & Youth Services and requests their continued cooperation and compliance with the Order entered this date.

BY ORDER OF THE COURT,
P. Richard Thomas, S. J.

12-30-94 Copies dist.by Court

Feb. 3, 1997 Petition To Modify and Order filed. AND NOW, this 31st day of January, 1997, it is ordered and decreed that the parents in this matter shall satisfacorily complete the Seminar for Separting Parents in accordance with Crwaford County Civil Rule L1930. Applications for the seminar may be obtained at the Center for Family Services, Inc. at 996 S. Main Street, meadville, Pennsylvania 16335; the Prothonotary at the Crawford County Coruthouse; or the Court Adminsitrator at the Crawford County Courthouse.

Application for attendance at the seminar must be made by the plantiff or petitioner within fifteen (15) days after the pleading or petition is filed; and by the defendant or respondent within fifteen (15) days fater he or she is served with the pleading or petition.

THE SEMINAR MUST BE OCMPLETED WITHIN FORTY FIVE (45) DAYS AFTER APPLICATION. FAILURE TO ATTEND THE SEMINAR MAY RESULT IN SANCTIONS, INCLUDING CONTEMPT OF COURT, A DISMISSAL OF THE ACTIONOR A DELAY INTHE PROCEEDINGS UNLESS ATTENDANCE IS WAIVED BY ORDER OF COURT.

If either party has any questions about this seminar he/she should consult an attorney or refer to the Crawford County Civil Rules of Court that are available in the Prothonotary's Office and in the Crawford County Law Library or contact the Center for Family Services, Inc.

BY THE COURT,
Gordon R. Miller, J

YOU, George E. Freeman, have been sued in Court to modify custody, partial custody or visitation of the child, George Howard Freeman.

You are ordered to appear in person at such time and place as will be determined bythe Mediator, John Fuller, Esquire for a mediation conference. The Mediator shall send you a Notice of the Hearing by mail to the address listed on the petition that has been filed recently.

If you fail to appear as provided by this Order, an Order for custody, partial custody or visitation may be entered against you or the Court may issue a warrant for your arrest.

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

Court Adminsitrator
Crawford County Courthouse
Meadville, Pa 16335
(814) 336-1151

BY THE COURT,
Gordon R. Miller, J

2-3-97 Faxed Gregg, Lindsay & Fuller

Feb. 7, 1997 Motion to Vacate and Order filed. AND NOW, February 6, 1997 after consideration of the within Motion to Vacate, IT IS HEREBY ORDERED AND DECREED AS FOLLOWS, TO-WIT: John Fuller, Esquire is hereby granted leave to withdraw as custody mediator in the above-captioned custody case and William Pineo, Esq. is hereby appointed as mediator in his place. Gordon R. Miller, J.

2-7-97 FAXED Gregg, Lindsay, Fuller, Pineo

May 6, 1997 TEMPORARY ORDER: AND NOW, this 6th day of May, 1997, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator,

IT IS HEREBY ORDERED AND DECREED THAT:

1. Legal and physical custody of the subject minor child, George Howard Freeman, is awarded to Mary Ann Palmer, his aunt.

3 a. George Edward Freeman shall have visitation and temporary physical custody on alternate weekends as is now arranged between him and Mary Ann Palmer.

b. Jane Freeman shall continue to have visitation with her son under the supervision of Children's and Youth Services, on alternate Thursdays, as is presently the case. In addition, she shall have thr right to attend school functions in which her son has a part and to attend family gatherings involving her mother, her brothers and sisters, and herself, with George present.

8. Costs and fees of the present Mediation which are fixed at $182.00 are assessed to Crawford County. Any deposit which has been made shall be refunded to the party who made it. Gordon R. Miller, P.J.

May 7, 1997 Faxed Pineo, Gregg, Linsay

CONTINUED ON PAGE 248D

November 5, 1997 MOTION FOR LEAVE TO WITHDRAW APPEARANCE AND ORDER FILED. AND NOW, this 3rd day of November 1997, upon presentation and consideration of the within Motion, Plaintiff's counsel, Brian J. Lindsay, Esquire is hereby authorized and is given leave to withdraw his appearance on behalf of the Plaintiff in the above captioned case.

Gordon R. Miller, J

November 6, 1997 Faxed B. Lindsay, K. Nelson, Wm. Gregg

Nov. 26, 1997 TEMPORARY ORDER FILED. And Now, this 26th day of Nov. 1997, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator,

IT IS HEREBY ORDERED AND DECREED THAT:

1. Legal and physical custody of the subject minor child, George Howard Freeman, is awarded to Mary Ann Palmer, his aunt.

2. The parties shall share with each other any and all information which each may have regarding the health, education, and major events in the life of the subject minor child. Health care, school personnel, and other care providers are hereby authorized to release to all parties any and all confidential information which they may have regarding the subject minor child.

3a. The following schedule of visitation and temporary physical custody shall be effective starting in the month of Dec. 1997.

b. The first three full weekends of each month shall be reserved for visitation and temporary physical custody between the subject minor child and his parents. A full weekend is defined as one in which Saturday and Sunday occur within the same month. Weekend visitation shall begin on Friday at 6 P.M. and end on Sunday at 6 P.M. In odd numbered months (January, March, May, July, Sept. & Nov.) the mother shall have visitation and temporary physical custody on the first and third full weekends, and the father, on the second full weekend. In even numbered months (Feb. April, June, Aug., Oct. and Dec.) the father shall have visitation and temporary physical custody on the first and third full weekends, and the mother, on the second full weekend.

4. Holiday visitation shall be arranged as follows:

a. Christmas: There shall be two Christmas holiday visitation periods, the first beginning on Christmas day at Noon and ending on Christmas Day at 7 P.M. and the second beginning on Christmas Day at 7 P.M. and ending on Dec. 26th at 6P.M. In odd numbered years, the mother shall have the first period, and the father, the second.

b. Thanksgiving; There shall be two Thanksgiving visitation periods, the first beginning on Thanksgiving Day at 3P.M. and ending Thanksgiving Day at 7 P.M. and the second beginning on Thanksgiving Day at 7P.M. and ending on the Friday following Thanksgiving at 6P.M. In odd numbered years, the mother shall have the first period, and the father, the second, and the parties shall thereafter alternate.

c. The other holidays to be observed are Easter, Memorial day, Independence Day, and Labor Day. Visitation shall be between the hours of 9A.M. and 8P.M. except for Independence day, when the holiday visitation shall be extended to 11P.M. so that the subject minor child may watch the fireworks. In even numbered years, the father shall have visitation and temporary physical custody on Easter and Independence Day, and the mother shall have visitation and temporary physical custody on Memorial Day and Labor Day and in odd numbered years the parents shall reverse the visitation.

d. The child shall spend Father's Day with his father from 9A.M. to 7P.M. and Mother's Day with his mother during the same hours.

e. The provisions of this paragraph shall take precedence over the other provisions of this Order relating to the custodial or visitation periods.

5. Should it be necessary for either party to cancel or modify the visitations as set out in this Order or a previously arranged, the party seeking cancellation or modification shall notify the other party as soon as he or she knows of the necessity which impels the cancellation or modification. Said modifications or cancellations shall not be proposed except for good reasons. Should a cancellation or modification be necessary the parties shall attempt at once to arrangea for alternative visits or to make alternative arrangements.

6. Each parent shall be responsible for the transportation of the subject minor child in the exercise of his or her visitation rights. The parent shall pick the child up at the home of Mary Ann Palmer at the beginning of visitation and shall deliver him there when the visitation is over. Any parent transporting the child shall make sure that the seat belts or other restraints are used in accordance with the laws of Pa.

7. Each party shall teach the child to give to the other parties that love and respect which is due a parent or a custodian from his or her child or ward.

8. No party shall use illegal drugs or be under the influence of alcohol at any time when said party has the care and custody of the subject minor child. The parties are cautioned that medical research has indicated that tobacco smoke is injurious to the health of growing children. Therefore, no party shall smoke tobacco or permit others to do so in the same room as the child, in a closed automobile in which the child is being transported, or in the bedroom of the child.

9. No party shall do or say anything to blacken the character of the other in the child's estimation. All parties shall treat the other in a polite and respectful manner when in the child's presence and all parties shall instruct his or her relatives and friends to do likewise and also not to disparage the other parties in the child's estimation.

10. The parties are free to make additional or alternative arrangements respecting the custodial and visitation periods and are strongly encouraged to do so if that would be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which this Order shall govern.

11. Costs and fees of this Mediation, which are fixed at $122.00 are assessed to Crawford County. The Mediator notes for the Court that each of the parents in this case are without income and that it would be inedquitable to assess any costs to Mary Ann Palmer who is acting already as a custodian in this matter.

12. Any party may move the Court for a hearing De Novo within ten days from the date hereof. If no party so moves, this Order shall be considered permanent.

by the court
Gordon R. Miller, J.

11/26/97 Faxed Pineo & Gregg

Dec. 18, 1997 REQUEST FOR A HEARING AND ORDER FILED. AND NOW, December 17, 1997, HEARING is set for Wednesday, March 25, 1998, at 9:15, CR #2.

FOR THE COURT
ANN WALKER CT. ADMIN.

12/19/97 FAXED GREGG & PINEO

March 26, 1998 MEMORANDUM AND ORDER FILED. AND NOW, March 26, 1998 after a denovo custody hearing, it is Ordered and Decreed as follows;

1. Legal and primary physical custody of the subject minor child, George Howard Freemen, is awarded to Mary Ann Plamer, his Aunt.

2. Hereinafter the following schedule shall be in effect for temporary physical custody of the minor child with his natural parents, the defendants in this matter. Weekends with the chil shall be alternated between the aunt, the fahter and mother of the child. For purposes of the child being with the fahter and mother, a weekend period of temporary physical custody shall begin on Friday at 6 PM and end on Sunday at 6 PM. Commencing with the weekend starting April 3, 1998 the father, George Edward Freeman shall have temporary physical custody of the minor child and the following weekend commencing on April 10, 1998 the natural mother Jane Skornickel shall have temporary physical custody of the child. Therefore the following weekend the child would remain with the plaintiff aunt. Thereafter the parties would then alternate in the same manner with father having the following weekend and so on and so forth.

We note that insofar as the second week of this Order is Easter weekend even though we have indicated that would be mother's weekend, the Easter holiday will still take precedence with custody to be allocated in the manner hereinafter set forth for the Easter holiday.

3. Holiday periods of physical custody shall be arranged as follows: a) Christmas the plaintiff aunt, shall have the child for each Christmas until noon. There shall then be 2 periods of Christmas holiday for the parents, with one beginning at noon on Dec 25 and ending at noon on Dec. 26 and the other beginning at noon on Dec. 26 and ending at noon on Dec. 27. In odd years, the mother shall have the first period and the father the second, and in even number years the mother shall have the first period and the father the second.

b) Thanksgiving - the child shall remain with the plaintiff aunt until 3 PM on each Tahnksgiving day. Then there shall be 2 periods of Thanksgivig holiday for the parents to be alternated between the natural parents The first shall begin on Thanksgiving at 3 PM and end the following morning at 9AM and the second shall begin the day after Thanksgiving at 9 AM and end at 6 PM on that same day. In odd numbered years, the mother shall have the first period and the father the second and in even numbered years the father shall have the first period and the mother the second.

C) The other holidays to be observed are Easter, Memorial Day, INdependence Day and Labor Day. Temporary physical custody shall be between the hours of 9 AM and 8 PM except for Independence Day wehn the holiday temporary physical custody shall be extended to 11 PM, so that the subject minor child may watch fireworks. In even numbered years the mother shall have the temporary physical custody on Easter and Independence Day and the fahter shall have temporary physical custody on Memorial Day and labor Day and in odd numbered years, the parents shall reverse the periods of temporary physical custody

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S29052

Mary Ann Palmer
vs
Jane Freeman now Jane Skornickel and George Edward Freeman

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of record

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D) The father shall spend Father's Day with his father from 9 AM to 7 PM and with his mother on Mother's Day from 9 AM until 7 PM.

E) The provisions of this paragraph shall take precedence over the other provisions of this Order relating to custodial or visitation periods.

4. Should it be necessary for either party to cancel and modify the visitations as set out in this Order or as previously arranged the parties seeking cancellation or modification shalldirectly contact the other party as soon as he or she knows of the necessity which impels the cancellation or modification. Said modifications or cancellations shall not be proposed except for good reason. Should a cancellation or modification be necessary, the parties shall attempt at once to arrange for alternative visitsor to make alternative visits or to make alternative arrangements.

There shall not be a unilateral modification on the partof any party. If a modification is to occur it shall be agreed to by the parties and if they cannot agree, the original schedule will be followed. No party should unreasonabl y withould a modification however.

The parties shall make every effort to communicate with one another in a peaceful manner for the purpose of discussing periods of temporary physical custody with this child.

5. Each parent shalla be responsible for the transportation of the subject minor child in the exercise of his or her periods of temporary physical custody. The parent shall pick the child up at the home of Mary Ann Palmer at the beginning of the period of temporary physical custody and shall deliver him there when the period of temporary physical custody is over. Any parent transporting the child, shall make sure that the seat belts or other restraints are used in accordance with PA law.

6. Each party shall teach the child to give to the other parties that love and respect which is due a parent or a custodian from his or her child or award.

7. No party shall use illegal drugs or drink alcoholic beverages at any time when that party is in the care and custody of the subject minor child. The parties shall likewise not permit any adult in their company to use illegal drugs or drink alcoholic beveraged when the child is with them. No party shall use illegal drugs or drink alcoholic beverages at a time period prior to taking custody of the child which would cause them to still be under the influence of such substances.

The parties are cautioned that medical research has indicated that tobacco smoke is injurious to the health of growing children. Therefore, no parties shall smoke tobacco or permit others to do so in the same room as the child, in a closed automobile in which the child iw being transported or in the bedroom of the child.

8. No party shall do or say anything to blacken the character of the other in the child's estimation. All parties shall treat the other in a polite and respectful manner when in the child's presence and all parties shall instruct his or her relatives and friends to do likewise and also not to disparage the other parties in the child's estimation.

9. The parties are free to make additional or alternative arrangements respecting the custodial and temporary periods of physical custody and are strongly encouraged to do so if that would be proper and convenient. As we have indicates, said arrangements shall be by mutual consent only and the absent of mutual consent this Order shall govern.

10. The file in this matter seems to indicate that the parties owe various sums of money to the Court for previous appearances and Orders. Each party shall contact the Prothonotary of CRawford county within 30 days from this date to determine how much that party owes and shall make arrangements to promptly pay that amount in some appropriate installments. If a party fails to do so and this matter comes again before the Court, we will appropriately deal with that failure.

BY THE COURT
Anthony J. Vardaro, J.

3/26/98 DISIRIBUIED GREGG & PLTF.

1990

JURY TRIAL DEMANDED

Dale, Woodard, Montgomery, Greenfield & Pemrick
Raymond S. Woodard

249.

Grigsby, Gaca & Davies, P.C.
Jeffrey A. Ramaley
Thomas A. Matis

LARRY E. BARR

vs.

ROBERT GLENN DECKER

Filed Mar. 9, 1990
@ 11:53 a.m.

Tax & entry Paid	$50.50
Sheriff's costs	34.40
Pro Paid 5/26/93	5.00

SUMMONS IN A CIVIL ACTION

Issued (sheriff)

March 28, 1990 Writ Return filed. SERVED Robert Glenn Decker personally by handing copy of Summons to him on March 19, 1990 at 12:10 PM at his residence, 634 Superior St., Titusville, Crawford County, Pa.

So answers,

Robert M. Stevens. Deputy Sheriff
Howard N. Stewart, Sheriff

May 18, 1992 Upon Praecipe of the Defendant's Attorney, Rule entered upon Plaintiff to file Complaint issued.

May 18, 1992 APPEARANCE OF GRIGSBY, GACA & DAVIES, P.C. By Thomas A. Matis, Esquire for Robert Glenn Decker, Defendant filed.

June 4, 1992 Complaint filed.

Sept. 24, 1992 Motion to Compel and ORDER OF COURT filed. NOW, this 22nd day of Sept., 1992, it is hereby ordered that the Plaintiff provide complete and comprehensive answers to the Defendant's Interrogatories and complete and comprehensive responses to the Request for Production of Documents within twenty (20) days of the date of this Order or suffer the appropriate sanctions. Counsel are reminded to comply with the Crawford County Civil Ruels relating to motions practice.

BY THE COURT:
Gordon R. Miller, J.

Sept.25, 1992 Copy of Order mailed to Attys. Raymond Woodard, Jeffrey Ramaley and Thomas Matis.

Nat 26m 1993, Upon praecipe of plaintiff attorney, the above captioned action is hereby discontinued of record, as all claims of the plaintiff have been compromised and settled by the parties.

Lawrence C. Bolla

250.

MacDonald Illig Jones
& Britton
John F.Mizner

HORIZON HEALTH PLAN,
FORMERLY HORIZON HEALTH
CHOICE PLAN

vs.

INTER-COUNTY HEALTH PLAN,
INC. AND INTER-COUNTY
HOSPITALIZATION PLAN, INC.

Filed Mar. 9, 1990
@ 11:00 a.m.

(Transferred from EQ. 1990-4)
Eq. docket costs - $97.50

MEMORANDUM AND ORDER TRANSFERRING EQUITY ACTION
NO. 1990 - 4 - CERTIFIED TO THE LAW SIDE COURT

ORDER:

AND NOW, this 28th day of Feb. 1990, after hearing on the plaintiff's application for a preliminary injunction and after reviewing the briefs of counsel, the plaintiff's application for a preliminary injunction is denied.

IT IS FURTHER ORDERED that this action is certified to the law side ofthe court.

BY THE COURT,
Gordon R. Miller, J.

Mar. 9, 1990 copies of Memorandum and Order to attys. of record.

EQUITY ENTRIES:

Jan. 26, 1990, Complaint in Equity filed.

Jan. 26, 1990 Motion for Rule to Show Cause on Application for Preliminary Injunction and order filed.

Feb. 6, 1990 Order filed.

Feb. 6, 1990, Affidavit of Service filed.

Feb. 12, 1990, Motion to Deny plaintiff's Request for a Preliminary Injunction and to Certify this Action to the Law side of Court filed.

Mar. 6, 1990, Exhibits filed.

Mar. 7, 1990, Sheriff's Return filed.

Mar. 9, 1990, MEMORANDUM AND ORDER FILED (see order above)

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APPEARANCE ENTRIES:

Mar. 14, 1990, Amended Complaint filed.

Mar. 14, 1990 Appearance of MacDonald, Illig, Jones & Britton, by JohnF. Mizner, attorneys for defendants filed.

Mar. 14, 1990, Motion to deny Plaintiff's request for a Preliminary Injunction and to Certify this action to the law side ofthis court filed.

Apr. 24, 1990 Second Amended Complaint filed.

May 30, 1990 Answer To Second Amended Complaint filed.

June 19, 1990 Plaintiff's Reply To Defendants' New Matter filed.

1990

Shafer, Swick, Bailey,
Irwin & Stack
James R. Irwin
Jeffrey K. Millin
251.

Thomas, Truax, Spadafore,
Vardaro and Walker
R. CHARLES THOMAS

DANIEL L. SMITH

vs.

DELLA BEISH ~~AND RICHARD BEISH, HER HUSBAND~~ a/k/a Adella Rose Beish

Filed Mar. 9, 1990
@ 3:13 p.m.

Tax & entry Paid $50.50
Sheriff's costs 32.00

Pro.Co. pd 10/30/92 6.00
Pro. Co. Pd. 12/8/92 1.00

SUMMONS IN A CIVIL ACTION

Issued (sheriff)

March 28, 1990 Writ Return filed. SERVED Della Beish personally on March 13, 1990 at 1:30 PM by handing copy of Summons and Interrogatories to her at residence, 247 Wadsworth Ave., Meadville, Crawford County, PA.

SERVED Richard Beish on March 13, 1990 at 1:31 PM by handing copy of Summons and Interrogatories to his wife, Della Beish, at their residence, 247 Wadsworth Ave., Meadville, Crawford Co. PA.
So answers,

Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

April 16, 1990 Appearance of Thomas, Truax, Spadafore, Vardaro and Walker by R. Charles Thomas, Esq. for Della Beish and Richard Beish, her husband.

Apr. 20, 1990 Upon praecipe of Defendant Attorney For Plaintif To File Complaint, issued. (Rule)

Apr. 23, 1990 Service of the foregoing Rule is hereby accepted by James R. Irwin.

June 12, 1990 Consent To Amend Caption filed.

June 12, 1990 Complaint filed.

July 23, 1990 Answer To Complaint filed.

Aug. 13, 1990 Plaintiff's Reply To Defendant's New Matter filed.

Oct. 30, 1992Upon Praecipe of Plaintiff Attorney, the above case marked settled and discontinued of record.

Brian Lindsay
withdrawn
~~Barrett & Dratler~~
~~Bruce A. Barrett~~

252.

James R. Irwin

CHARLES D. WATTERS

vs.

PAMELA R. WATTERS

Filed Mar. 9, 1990
@ 3:25 P.M.

Tax & entry Paid $50.50
William Pineo, mediator 137.00
Pro Co Pd 6/7/90. 9.00
William Pineo, Mediator 152.00
Pro. Co. 9.00
9a

6/7/90 Reid $68.50 Mediator Costs from pltf.
Reid Aug 1, 1990 $68.50 Duncan Stoltz

7/8/91 Reid $76.00 from dft. mediation costs.
Aug 1, 1991 paid Co. Comm. $76.00

3-4-97 Rd from Pltf Med. Disp ~~150~~ 300 a

6-12-97 Refund to pltf #11085 106.00
76 a

COMPLAINT FOR CUSTODY

1 copy (atty)
1 copy (mediator)

ORDER OF COURT: You, Pamela R. Watters, Defendant have been sued in court to obtain custody ofthe children: Charles D. Watters, III and Amanda Watters.

You are ordered to appear in person for a conference at such time and place as may be set by WILLIAM PINEO, CHILD CUSTODY MEDIATOR.

If you fail to appear as provided by this order, an order for custody may be entered against you or the court may issue a warrant for your arrest.

You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.

crawford CountyBar Assoc. Ser. to the pub. Comm. c/o Prothonotary, crawford County courthouse, Meadville, Pa. 16335. Phone: (814) 724-4636.

Date: Mar. 8, 1990

BY THE COURT,
P. Richard Thomas, J.

Mar. 13, 1990 Acceptance of Service filed. AND NOW, this 12th day of March, 1990, I, James Irwin, Esq., the Attorney for Pamela R. Watters, the defendan tin the above captioned matter, hereby accepts service of a Complaint for Custody,

James R. Irwin

Mar 15, 1990 Petition for Custody (UCCJA) and Order filed: AND NOW, this 12 day of March, 1990, it is ordered that all parties in the above captioned case and their counsel shall appear for a mediation conference before the Mediator, William Pineo, at a time to be set by the Mediator in the Crawford County Courthouse with the Child Custody Mediator as required by Rule 31(e) of the Court of Common Pleas of Crawford County, Pennsylvania.

It is further ordered and decreed that pending final determination by the Court, the aforementioned minor children shall not be removed from the jurisdiction of the Court by either party hereunder, under possible punishment for Contempt of Court.

BY THE COURT,
Gordon R. Miller, J.

Mar 19, 1990 Copies of order put in Attys. Barrett, Irwin and Pineo's boxes.

Mar 15, 1990 Order filed: On March 8, 1990, Plaintiff Charles D. Watters, through his attorney filed a complaint for custody and William Pineo was appointed custody mediator by Judge P. Richard Thomas.

On March 12, 1990, Plaintiff Pamela R. Watters, through her attorney, filed a Petition for Custody and William Pineo was appointed custody mediator by Judge Gordon R. Miller.

The Prothonotary is directed to file the Petiton for Custody filed by Pamela R. Watters at the same number as the custody matter filed by Charles D. Watters (AD 1990-252)

In view of the fact William Pineo was appointed custody mediator in the case of Charles D. Watters on March 8, 1990, the appointment of Mr. Pineo as custody Mediator in the action of Pamela R. Watters is recinded.

Date: March 15, 1990

BY ORDER OF THE COURT,
P. Richard Thomas, P.J.

March 19, 1990 Copies of order put in Attys. Barrett, Irwin and Pineo's boxes.

Apr. 18, 1990 Temporary Order filed. AND NOW, this 17th day of April, 1990, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator, IT IS HEREBY ORDERED AND DECREED THAT:

1. Legal and physical custody of the subject minor children is hereby awarded to their mother, the defendant.
2. The father shall have the right of visitation on alternate Sundays from noon to 6:00 p.m., starting with April 22, 1990. On those weekends when the father has to work, he shall notify the mother one week in advance and the parties shall arrange an alternate afternoon visitation, taking into account the fact that the older child, Charles, is in school.
3. Each of the parties will arrange for counseling for himself or her self. The mother shall arrange for counseling for the subject minor children and also for Angela Watters, who, while not named as a subject minor child, is a part of the family.
4. The parties shall notify the Mediator within thirty days of date hereof of the name and address of the counselors which they have selected.
5. The counselors are authorized and directed to evaluate the parties and the children with a view toward recommending to the Mediator what sort of custody and visitation arrangements seem best especially during the transition of the parties to the status of separated parents. The counselors are also authorized to counsel with the parties and the children as the counselors thing best to help the family adjust.
6. The counselors are also authorized to discuss their findings with the Mediator at the Mediator's discretion.
7. The Mediator has noted for the Court that the father is employed as a captain in the United STates Army and that the mother is presently not employed and has no income except for that received from the CRawford County Board of Assistance, and therefore, the costs of counseling shall be borne by the father. The father shall also provide the mother with any documents that she may need relating to the father's medical insurance and so forth so that she can get hospital and medical care for the children, if needed.
8. The parties and the Mediator shall arrange further mediation to take place in early June to review the matter and to make any adjustments called for by the development of the family situation.
9. The children have requested of the Mediator that provision be made for them to be able to call their father on the telephone. Accordingly, the children shallhave the right to call their father and to talk with him on the telephone at reasonable times for reasonable lengths of time. However, neither party is to attempt to pressure the children to either call or not to call. If the children do not call, the father is not to ask why and if the children wish to call, the mother is not to refuse unless there is good reason.

Continued on page 252 A

Charles D. Watters

vs.

Pamela R. Watters

Record continued from page 252

of record

A.D. 1990 - 252

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10. The father shall be responsible for transportation needed to exercise his visitation rights.
11. Each party shall teach said children to give to the other party that love and respect which is due a parent from his or her children.
12. Neither party shall do or say anything to blacken the character of the other in the children's estimation. Each party shall treat the other in a polite and respectful manner when in the children's presence and each party shall instruct his or her relatives and friends to do likewise and also not to disparage the other party in the children's estimation.
14. Any person transporting the children shall make sure that the seatbealts or other restraints are sued in accordance with the law of Pennsylvania.
15. Costs and fees of this Mediation, which are fixed at $137.00 are divided equally between the parties. The Mediator notes for the Court that the mother is presently indigent, no arrangements having been madefor support, and therefore, her share shall be paid by Crawford County. The father's share is assessed to him as costs in this case. Payment shall be made to the Prothonotary of Crawford County.
16. Either party may move the Court for a hearing de novo for thirty (30) days from date hereof. If neither party so moves, this Order shall be considered permanent.

By the court,
P. Richard Thomas, J

Apr. 23, 1990 Copies put in Bruce Barrett, James Irwin and William Pineo's box and copy mailed to Plaintiff

Apr 20, 1990 Exceptions to Custody Mediator's Report and Order filed: AND NOW, this 20th day of April, 1990, upon consideration of foregoing exceptions, a de novo custody hearing is hereby set for May 22, 1990 at 1:30 in courtroom # 1 or 2.

P. Richard Thomas, J

April 24, 1990 Copies of order put in Attys Irwin, Pineo and Barrett's boxes.

Apr. 25, 1990 Motion For Continuance and Order filed. AND NOW, this 25th day of April, 1990 upon presentation and ocnsideration of the within Motion this hearing is continued generally. Hearint to be scheduled upon Motion of either Plaintiff or defendant.

BY THE COURT:
Gordon R. Miller, J

Apr. 26, 1990 Copies of order put in Bruce Barrett, James Irwin and William Pineo's box.

May 1, 1990 Motion To Reschedule Hearing and Order filed. AND NOW, this 30 day of April, 1990, the de novo he aring in the above captioned matter is rescheudled for the 5th day of June 1990 at 1:30 p.m. in Courtroom No 1 or 2 of the Crawford County Courthouse.

For The Court,
Imogene Yetman, C.A.

May 1, 1990 Copies of orde rput in James Irwin, Bruce Barrett and William Pineo's box.

June 4, 1990 Motion For Continuance and Order filed. AND NOW, June 4, 1990 the above motion allowed. Gordon R. Miller, J

June 7, 1990 Copies of order put in Bruce Barrett and James Irwin's box.

Aug. 10, 1990 Motion For Reschedule of De Novo Custody Hearing and Order filed. And no;w, August 8, 1990 a De Novo Custody Hearing is her eby set for Sept. 25, 1990 at 1:30 o'clock p.m. Courtroom 1 or 2. Imogene Yetman, C.A.

Aug. 14, 1990 Copies of order put in Burce Barrettsand James Irwin's box.

Sept. 24, 1990 Motion For Continuance and Order filed. And now, September 21, 1990 The above motion allowed. The hearing maybe rescheduled on motion of either party.

P R Thomas, S.J.

Sept. 25, 1990 Copies of order put in Bruce Barrett and James Irwin's box.

Feb. 13, 1991 Petition For Contempt of Court and ORDER filed. AND NOW, this 13 day of Feb., 1991, upon review of the foregoing Petition for Contempt, a hearing is set for the 7 day of March, 1991, at 4:00 P.M., in Courtroom No. 2.

BY THE COURT:
P. Richard Thomas, S.J.

Feb. 19, 1991 Copy of Order to Attys. Bruce Barrett, James Irwin and Wm. Pineo.

Feb. 21, 1991 Acceptance of Service filed. AND NOW, this 15th day of February, 1991, I hereby accept service of the Petition for Contempt on behalf of the defendant, Pamela R. Watters, by reciept of a true and correct copy thereof, being duly authorized to accept service on behalf of said defendant. James R. Irwin

Mar 11, 1991 Order filed: AND NOW, March 7, 1991, after heariang the plaintiff's petition for contempt is dismissed.

Mar, 18, 1991 Copies of order put in Attys. Barrett and Irwin's boxes.

Mar. 15, 1991 MOtion to refer the matter back to W. Pineo, Custody Mediator for further hearing and Order filed. ORDER: And Now, March 15, 1991 , The above matter is referred back to William Pineo for further hearing. Gordon R. Miller, J.

March 20, 1991 copy of Order put in Attys. Barrett and Irwin's boxes.

May 10, 1991 Motion for Withdrawal of Appearance and order filed: AND NOW, May 10, 1991, The above motion allowed.P. Richard Thomas, S.J.

May 10, 1991 Copies of order put in Attys. Barrett and Irwin's boxes.

May 24, 1991, Complaint for Custody/Visitation and Order filed. You, Pamela R. Watters, Defendant have been sued in court to obtain custody, partial custody or visitation ofthe children Charles Watter, III, Angela M. Watters, and Amanda Watters.

You are ordered to appear in person at such time and place as will be determined by the Mediator WILLIAM PINEO for a mediation conference.

If you fail to appear as provided by this order, an order for custody, partial custody, or visitation may be entered agaisnt you or the court may issue a warrant for your arrest.

You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help. Crawford County BAr Assoc. Ser. tothe Publ Comm. c/o Prothonotary office, Courthouse, Meadville, Pa. 16335

BY THE COURT, P. R. Thomas, S.J.

May 29, 1991 copies of order to Attys. Lindsay, Irwin and W. Pineo.

CONTINUED ON PAGE 252B

Charles D. Watters

vs.

Pamela R. Watters

Record Continued From Page 252 A

of record

A.D. 1990 - 252

June 27, 1991 TEMPORARY ORDER filed. AND NOW, this 26th day of June, 1991, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator,

IT IS HEREBY ORDERED AND DECREED THAT:

1. Legal and physical custody of the children is hereby awarded to their mother, the defendant.

2. The parties shall share with each other any and all information which each may have regarding the health, education, and the major events in the life of the subject minor children. Health care, school personnel, and other care providers are hereby authorized to release to either party any and all confidential information which they may have regarding the subject minor children.

3. The father shall have the right of visitation and temporary physical custody for the weekend of July 5,6,7 from Friday at 3:00 p.m. to Sunday at 8:00 p.m. He shall also have visitation and temporary physical custody on the weekend of July 19 from Friday at 3:00 p.m. to Saturday at 8:00 p.m. For the month of August, the father shall notify the mother by August 16 whether he wishes to have visitation and temporary physical custody on the weekend of August 22 or the weekend of August 31. Whichever weekend he selects, he shall have visitation and temporary physical custody from Friday at 3:00 p.m., or after school, as the case may be, until Sunday at 8:00 p.m. Thereafter, the father shall have the right to temporary physical custody and visitation two weekends out of each month from Friday at 3:00 p.m. until Sunday at 7:00 p.m. and shall notify the mother one week in advance of any weekend he wishes to select.

b. The subject m inor children shall have the right to telephone the parent not having physical custody at reasonable times and for reasonable lengths of time and such conversations will not be unreasonably monitored by the parent having physical custody.

4. Holiday visitation shall be arranged as follows:

a. Christmas holiday visitation shall be arranged as follows:

There shall be two Christmas holiday visitation periods, the first beginning on Christmas Eve at 8:00 p.m. and ending Christmas Day at noon and the second beginning Christmas Day at noon and ending December 27 at 8:00 p.m. The father shall have visitation and temporary physical custody on the second period each year.

b. Thanksgiving holiday visitation shall be arranged as follows:

The Thanksgiving holiday visitation period shall begin on the Wednesday preceding Thanksgiving at 6:00 p.m. and end Thanksgiving Day at 9:00 p.m. In addition, the father shall have temporary physical custody and visitation with his son, Charles, each year for the opening day of antlered deer season in Pennsylvania, beginning on the Sunday preceding opening day at noon until opening day itself until 9:00 p.m.

c. The Easter vacation visitation shall be arranged as follows:

The Easter vacation visitation period shall begin onHoly Saturday at 6:00 p.m. and end at 9:00 p.m. Easter Sunday. The father shall have visitation and temporary physical custody for Easter, 1992, and the parties shall thereafter alternate.

d. The other holidays to be observed are Memorial Day, Independence Day, and Labor Day. Holiday visitation shall be between the hours of 9:00 a.m. and 8:00 p.m., except for Independence Day, when the holiday visitation shall be extended to 11:00 p.m. so that the children may watch the fireworks. The mother shall have visitation and temporary physical custody for Independence Day 1991 and the parties shall thereafter alternate the holiday periods.

e. The children shall spend Father's Day with their father from 9:00 a.m. to 7:00 p.m., and Mother's Day with their mother, during the same hours.

f. The provisions of this paragraph shall take precedence over the other provisions of this order relating to the custodial or visitation periods.

5. The father shall be responsible for transportation needed to exercise his visitation rights.

6. Each party shall teach said children to give to the other party that love and respect which is due a parent from his or her children.

7. Neither party shall use illegal drugs or be under the influence of alcohol at any time when said party has the care and custody of the subject m inor children. The parties are cautioned that recent medical research has indicated that tobacco smoke is injurious to the health of growing children. Therefore, neither party shall smoke tobacco or permit others to do so in a closed automobile in which the children are being transported or in the bedroom of the children.

8. Any person transporting the children shall make sure that the seat belts or other restraints are used in accordance with the law of Pennsylvania.

9. Neither party shall do or say anything to blacken the character of the other in the children's estimation. Each party shall treat the other in apolite and respectful manner when in the children's presence and each party shall instruct his or her relative and friends to do likewise and also not to disparage the other party in the children's estimation.

10. The parties are not to interogate the children with respect to the private life of the other party nor shall either party use the children to carry messages to the other party.

11. Either party may request a review of this Order two years from date hereof to make any adjustments.

12. Costs and fees of this Mediation, which are fixed at $152.00 are divided equally between the parties with a share of each being assessed to h im or her as costs in this case. Payment shall be made to the Prothonotary of Crawford County.

13. Either party may m ove the Court for a hearing de novo for thirty (30) days from date hereof. If neither party so m oves, this Order shall be considered permanent.

By the Court,
P. Richard Thomas, S.J.

June 28, 1991 copy in boxes of W.Pineo, J.Irwin & B.Lindsay. Copy sent to Plf. & Dft.

March 4, 1997 Petition For Modification of Custody, ORDER AND NOTICE filed. AND NOW, this 5th day of March, 1997 it is ordered and decreed that the parents in this matter shall satisfactorily complete the seminar for separating parents in accordance with Crawford Co. Civil Rule L1930. (SEE PAPER FILED).

BY THE COURT,
Gordon R. Miller, J.

March 10, 1997 Order FAXED Attys. Fuller, Gagliotti and Irwin.

March 4, 1997 NOTICE AND ORDER TO APPEAR filed. You, Pamela R. Watters, have been sued in Court to modify custody, partial custody or visitation of the child: Amanda Michelle Watters.

You are ORDERED to appear in person at such time and place as will be determined by the Mediator, John Fuller,Esq., for a mediation conference. (SEE PAPER FILED).

BY THE COURT,
Gordon R. Miller, J.

Date:March 5, 1997
March 10, 1997 Order FAXED Attys. Fuller, Gagliotti and Irwin.

Cont on Pg. 252C

1990

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C

CHARLES D. WATTERS
VS.
PAMELA R. WATTERS

CONTINUED FROM PAGE 252B
of Record
A.D. 1990 - 252

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Apr 1, 1997 Motion to Excuse Plaintiff From Attending Seminar for Separating Parents and Order: AND NOW, this 31st day of March, 1997, upon Plaintiff's Motion to Waive Seminar requirement for the Modification of Custody request, the Court orders theat the requirement that the Plaintiff attend said seminar is waived, and orders that a Custody Mediation may be scheduled despite the fact Plaintiff will not be participating in the seminar.
Gordon R. Miller, P.J.

Apr 1, 1997 Faxed Irwin & Gagliotti
Apr 21, 1997 Faxed Fuller

June 5, 1997 Child Custody Agreement and Order: AND NOW, this 4th day of June, 1997, upon the stipulation and attached agreement signed by the parties hereto modifying the current order of custody of their parties' minor child, Amanda Michele Watters, it is ordered that the Order of Custody is hereby modified pursuant to the terms of said agreement.
Gordon R. Miller, P.J.
June 5, 1997 Faxed Irwin & gagliotti

1990

252
C

CHARLES D. WATTERS
VS.
PAMELA R. WATTERS

CONTINUED FROM PAGE 252B
of Record
A.D. 1990 - 252

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Apr 1, 1997 Motion to Excuse Plaintiff From Attending Seminar for Separating Parents and Order: AND NOW, this 31st day of March, 1997, upon Plaintiff's Motion to Waive Seminar requirement for the Modification of Custody request, the Court orders theat the requirement that the Plaintiff attend said seminar is waived, and orders that a Custody Mediation may be scheduled despite the fact Plaintiff will not be participating in the seminar.
Gordon R. Miller, P.J.

Apr 1, 1997 Faxed Irwin & Gagliotti
Apr 21, 1997 Faxed Fuller

June 5, 1997 Child Custody Agreement and Order: AND NOW, this 4th day of June, 1997, upon the stipulation and attached agreement signed by the parties hereto modifying the current order of custody of their parties' minor child, Amanda Michele Watters, it is ordered that the Order of Custody is hereby modified pursuant to the terms of said agreement.
Gordon R. Miller, P.J.
June 5, 1997 Faxed Irwin & gagliotti

252
D

1990

James R. Irwin

253.

MARVIN L. WALTER

vs.

CAROL LEE LINDSAY WALTER

3/30/90
#10.00 sheriff cost.
paid by plff.

Filed Mar. 12, 1990
@ 9:01 a.m.

Tax & entry Paid 6/4/90 $50.50
Sheriff's Costs 20.00
Pro Co Pd 6/4/90 - 9.00

6/4/90
#10.00 sheriff
costs paid
by plff

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies (sheriff)
1 copy (plff)

TEMPORARY ABUSE ORDER:

And Now, this 12 day of Mar. 1990 upon review of the petition of plaitniff, the court enters the following Temporary Order:

1. The defendant shall not assault, abuse, harass or threaten the plaintiff or any ofthe minor children named in the petition.

2. special Conditions: Custody of children awarded to husband til further order.

3. This order may be enforced without a warrant of arrest by aNY LAW enforcement officer having reasonable ground to believe it has been violated.

4. service of a copy of the petition and this order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.

5. A copy of this order shall be delivered to the police departments in the jurisdiction where the plaintiff resides and to county control.

6. This temporary order shall remain in full force and effec until modified or terminated by further order ofthis court. Liability for fees and costs will be determined by a final court order.

7. The defendant is reminded that this is an order of court and violation of this order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.

8. The court reserves ruling on allocation of fees and costs.

Hearing is hereby set for Mar. 20, 1990, at 3:30 p.m. in C. R. No. 1 or 2 of the Crawford County courthouse. the defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required todo so.

BY ORDER OF THE COURT,
P. Richard Thomas, J.

Mar. 13, 1990 Sheriff's Return filed. SERVED Carol Lee Lindsay Walter personally on March 12, 1990 at 1:16 PM by handing copy of Protection From Abuse to her at Sheriff's Office, Crawford County Courthosue, Meadville, PA 16335
So answers,

Catherine I. Allen, Deputy Sheriff
Howard N. Stewart, Sher;iff

March 20, 1990 Stipulation and Consent to Entry of Protection from Abuse Order filed.

March 20, 1990 Order filed: AND NOW, this 20th day of March, 1990, it is ORDERED, ADJUDGED and DECREED as follows:

1. Neither party admits any fault or liability with respect to the petition filed by the Petitioner, but desires to settle this matter amicably.

2. Neither party shall assault, abuse, harass or threated the other party or their minor children in any manner whatsoever, including but not limited to the manner in which abuse is defined in 35 P.S. 101 (8)(1).

3. This Order will remain in full effect until further order of Court, not to exceed one (1) year.

4. The current marital residence at 83 Williams Street, Meadville, Pennsylvania, shall remain the residence of the Petitioner, who shall have sole occupancy thereof, and the Respondent shall not reside there.

5. A copy of this Order shall be delivered to the police department in the jurisdiction in which the parties reside and County Control.

6. The parties are reminded that this is an Order of Court and a violation of this Order may be punishable by a fine of up to $1,000.00 and a jail sentence of up tosix (6) months.

7. This Order may be enforced without a warrant of arrest by any Law enforcement officer having reasonable grounds to believe that it has been violated.

8. The cousts of this proceeding shall be divided equally between the parties.

BY THE COURT,
P. Richard Thomas, J

Mar 21, 1990 Copy of order put in Atty. Irwin's box and copy given to Co. Control. and copy mailed to defendant.

1990

Gerald Sullivan

254.

4/11/90 Rec'd $27.20 From DEFENDANT

4/11/90 Paid $27.20 TO Howard Stewart, Sheriff Ck # 5553

SALLY J. NUNEMAKER

vs.

JOHN A. NUNEMAKER

Filed Mar. 12, 1990
@ 9:56 a.m.

Tax & entry Pd 4/11/90 $50.50
Sheriff's Costs 27.20
Rec'd & Pd 4/11/90 9.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies (sheriff)
1 copy (plaintiff)

TEMPORARY ABUSE ORDER:

And now this 12 day of Mar. 1990, upon review of the petition of plaintiff, the court enters the following temporary order:

1, The defendant shall not assault, abuse, harass or threaten the plaintiff or any ofthe minor children named inthe petition.

2. Special conditions:

3. This order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.

4. A copy of this order shall be delivered tothe police departments in the jurisdiction where the plaintiff resides and to county control.

5. Service of a copy fothe petition and this order shall be mad eupon the defendant by a sheriff, constable, police officer or competent adult.

6. This temporary order shall remian in full force and effect until modified or terminated by further order of this court. Liability for payment of fees and costs will be determined by final court order.

7. The defendant is reminded that this is an order of court and violation of this order may be punsihable by a fine up to $1,000 and a jail sentence of up to six months.

8. The court reserved ruling on allocation fo fees and costs.

Hearing is hereby set for mar. 16, 1990 at 3:30 p.m. in C. R. No. 1 or 2 fothe Crawford County Courthouse.

The defendant is advised he may retain an lawyer to represent him at said hearing is he so desires but he is not required to do so.

BY ORDER OF THE COURT,
P. Richard Thomas, J.

Mar. 13, 1990 Sheriff's Return filed. SERVED John A. Nunemaker personally on March 13, 1990 at 10:04 AM at Sheriff's Office, Crawford County Courthouse, Meadville, PA 16335
So answers,
Catherine I. Allen, Deputy Sheriff
Howard N. Stewart, Sheriff

March 22, 1990 ORDER filed. AND NOW, March 16, 1990, at the time set for hearing on this abuse matter, the Defendant does not seriously contest the allegations in the petition and advises the Court he considers the marriage over and he will seek an immedite divorce. He has no intention of reconciling with the Plaintiff and consents to an abuse Order.

Accordingly, the Defendant is DIRECTED not to threaten, assault, harass, or annoy the Plaintiff in any fashion nor will he go to any place where she is residing.

In the event both parties end up at the same social event or at the same bar, the Defendant will promptly leave and not go back to the premises until his wife has left the same.

He shall not go to the wife's residence at 513 Rankin Street for any purpose.

The parties agree that a jointly owned automobile will be transferred by the wife to the husband without any consideration.

Any police officer having reasonable grounds to believe that the Defendant has violated the terms and conditions of this abuse Order may promptly apprehend the Defendant without warrant, lodge him in the County Jail and advise the Court that an immediate contempt hearing is necessary.

Defendant will pay costs in this case within twenty (20) days after being billed for the same by the Prothonotary at his address at R D # 3, Box 146A, Cambridge Springs, PA 16403.

This Order shall remain in force and effect for a period of one (1) years.

By Order Of The Court,
P. Richard Thomas, P.J.

March 23, 1990 Copy of Order to Atty. Gerald Sullivan, county control.

April 19, 1990 Order filed: AND NOW, April 17, 1990, accordance with the attached, this abuse case will be discontinued of record.

BY ORDER OF THE COURT,
P. Richard Thomas, P.J.

April 23, 1990 Copies of order to Co. Control and Atty. Sullivan.

255.

CINDY L. TIRPAK

vs.

ANDREW M. TIRPAK

Filed Mar. 12, 1990
@ 11:00 a.m.

Tax & entry $50.50
Sheriff's Costs 28.40

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION ABUSE ACT

3 copies (sheriff)
1 copy (plff)

TEMPORARY ABUSE ORDER:

And now, this 12 day of March 1990 upon review of the petition of plaintiff, the court enters the following temporary order.

1. The defendant shall not assault, abuse, harass or threaten the plaintiff or any ofthe minor children named in the petition.

2. Special conditions: Possession of the residence shall be given to the plaintiff. The defendant shall move out. Custody of the minor children is awarded to plaintiff; all until the hearing.

3. This order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.

4. A copy of this order shall be delivered tothe police departments in the jurisdiction where the plaintiff resides and to county control.

5. service of a copy of the petition and this order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.

6. this temporaryorder shall remian in full force and effect until modified or terminated by further order of this court. Laibility for payment of fees and costs will be determined by final court order.

7. The defendant is reminded that this is an orde rof court and violation of this order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.

8. The court reservesruling onallocation of fees and costs.

Hearing is hereby set for Mar. 20, 1990 at 3:30 p.m. in C. R. No. 1 or 2 of the Crawford County Courthhouse. the defendant is advised eh may retain a lawyer torepresent him at said hearing if he so desires but he is not required todoso.

BY ORDER OF COURT,
Gordon R. Miller, J.

Mar. 13, 1990 Sheriff's Return filed. SERVED Andrew M. Tirpak personally by handing copy of Protection From Abuse to him on March 13, 1990 at 1:50 PM at Meadville Medical Center, Grove Street, Meadville, Crawford County, PA 16335
So answers,

Robert M. Stevens, Deputy Sheriff
Edgar D. Householder, Deputy Sheriff
Howard N. Stewart, Sheriff

Mar 22, 1990 Order filed: AND NOW, this 20th day of March, 1990, at the time scheduled for hearing, the defendant appeared without counsel, the plaintiff appeared with counsel and the parties agreed to be bound by the following Order:

1. The defendant shall not assault, abuse, harass or threaten the plaintiff or any of the minor children named in the petition.

2. Sole possession of the parties' marital residence and household is hereby granted to the plaintiff to the exclusion of the defendant. However, the defendant may go upon the residence of the plaintiff upon express invitation of the plaintiff and at no other times.

3. Temporary custody of the parties' minor children is hereby granted to the plaintiff until further Order of Court. The defendant shall be given the opportunity to visit his minor children at such times, at such places and on such conditions as are expressly agreed to by the plaintiff.

4. The defendant shall not consume alcoholic or intoxicating beverages within twelve (12) hours before, or at any time during, any periods where he visits the plaintiff's residence and/or his children.

5. This Order may be enforced without a warrant of arrest by any law enforcement Officer having reasonable ground to believe that it has been violated.

6. A copy of this Order shall be delivered to the Police Department in the jurisdiction where the plaintiff resides and to County Control.

7. This Order shall remain in full force and effect for one (1) year from this date and until modified or terminated by further Order of the this Court.

8. Costs in these proceedings shall be borne by the County as it appears that neither party is gainfully employed.

9. The defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence up to six (6) months.

BY ORDER OF THE COURT,
Gordon R. Miller, Judge

Mar 22, 1990 Copies of order put in Atty. Sullivan's box, mailed to Defendant and given to Co. Control.

1990

Shafer, Swick, Bailey
Irwin & Stack
James R. Irwin

256.

SUSAN M. ROSS

vs.

BRIAN L. ROSS

Filed Mar. 12, 1990
@ 11:23 a.m.

TAx & entry paid	$50.50
Pro Co. pd. 5/22/91	9.00
State pd.	10.00

COMPLAINT IN DIVORCE UNDER SECTION 201(c) OR 201(d), 201(a)

1 copy (atty)

Jan. 15, 1991 Affidavit of Consent of Plaintiff filed.

Mar. 19, 1991 Affidavit of Service filed. I, JAMES R. IRWIN, Esquire, being duly sworn according to law, depose and say that I am the attorney of record, and as such say that I served a true and correct copy of the Complaint in Divorce certified by the Prothonotary of Crawford County, Pennsylvania on the above named Defendant by certified mail, addressee only, return receipt requested, dated March 12, 1990. The Defendant acknowledged service on Mar. 14, 1990 by accepting delivery on that date as evidenced by the attached signed return receipt.

James R. Irwin, Esquire

May 20, 1991 Affidavit of Consent of Defendant filed.

May 20, 1991 Upon Praecipe of Plaintiff Attorney for Review under Section 201(c) of Divorce Code, this case moved to Court.

May 24, 1991 **D I V O R C E D E C R E E F I L E D .**

AND NOW, May 24, 1991, it is ordered and decreed that Susan M. Ross, plaintiff, and Brian L. Ross, defendant, are divorced from the bonds of matrimony.

BY THE COURT,
Gordon R. Miller, P.J.

1990

elderkin, Martin, Kelly, Messina & Zamboldi
Kenneth g. Vasil

257.

SEARS, ROEBUCK AND COMPANY
800 MIllcreek Mall
Erie, Pennsylvania

vs.

F. CHRIS JOHNSON AND
TERRI JOHNSON, HIS WIFE

Filed Mar. 12, 1990
@ 1:15 p.m.

Tax & entry Paid $50.50
Sheriff's costs 23.00
Pro Co Pd 5-10-90 9.00

COMPLAINT

2 copies (sheriff)

March 28, 1990 Sheriff's Return filed. SERVED F. Chris Johnson on March 13, 1990 at 1:15 PM by handing copy of Complaint to Tricia Smith, Office Manager, at his place of business, Johnson Group, 297½ Chestnut St., Meadville, Crawford Co., PA. Terri A. Johnson is deceased.
So answers, Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

AND NOW, May 10, 1990 @ 11:02 A.M. Upon Praecipe of Plaintiff's attorney with Notice of Judgment attached, judgment is hereby entered in favor of the Plaintiff and against the defendants in the amount of One Thousand Three Hundred Sixty-four and 01/100 Dollars plus interest at the rate of 1.25% per month from March, 1990 and costs of this action.
J-217,205 Debt....$1,364.01 + costs &int.
JUDGMENT
James F. Simmons
Prothonotary
May 10, 1990 Judgment entered.

1990

Joseph F. Kulwicki

258.

Ruthanne Beighley

GERALD W. LEACH

vs.

ANNA MAE LEACH

Filed Mar. 12, 1990
@ 2:05 p.m.

Tax & entry Paid $50.50✓
Pro Co Pd. 2-14-92 9.00✓
State Pd 2-27-92 10.00

COMPLAINT UNDER SECTION 201(c) OF THE DIVORCE CODE

1 copy (atty)

Mar. 22, 1990 Affidavit Of Service filed. Laura VanGorder, being duly sworn according to law, deposes and says that she is an employee of Joseph F. Kulwicki, Esq., Attorney for the Plaintiff, and that as such, on March 12, 1990, she placed certified copies of the Complaint in Divorce and a Notice to the Defnedant in the matter above captioned, in the United States Mail, addressed ANNA M. LEACH, 215 TOWER ROAD, JAMESTOWN, PA 16134. The said Divorce Complaint and NOtice to the Defendant was sent certified mail, restricted delivery, being certified mail item number P 724 954 535. The signature card for said certified mail item mail number was returned to the office of Joseph F. Kulwicki bearing the signature of Anna M. Leach as having received same onMarch 15, 1990. The receipt and signature card for certified mail item number P 724 954 535 are attached hereto and made a part hereof.
FURTHER DEPONENT SAITH NOT. Laura VanGorder

June 19, 1990 Affidavit Of Consent of defendant filed.

June 28, 1990 Affidavit of Consent of Plaintiff filed.

Feb. 14, 1992 Affidavit of Consent of Plaintiff filed.

Feb. 14, 1992 Upon praecipe of defendant attorney to transmit record, case moved to Court.

Feb. 25, 1992 **D E C R E E I N D I V O R C E F I L E D**

UPON CONSIDERATION of the pleadings and affidavits filed int he above-captioned case, this Court hereby grants an absolute divorce form the bonds of matrimony to the abaove named parties, on the grounds tha tthe marriage is irretrievably broken and ninety (90) days have elapsed form the date of filing of the Complaint and an Affidavit has been file dby each of the parties, evidencing that each of the parties consents to the divorce pursuant to Section 3301(c) of the Pennsylvania divorce Code.
No other claims have been raised of record in this action.
AND NOW, this 24 day of February, 1992, it is ORDERED AND DECREED that GERALD W. LEACH, Plaintiff and ANNA MAE LEACH, Defendant, are divorced from the bonds of matrimony.
BY THE COURT:
Anthony J. Vardaro, J

1990

Joseph F Kulwicki

259.

Shafer, Swick, Bailey
Irwin & Stack
James R. Irwin

Received from Pltff $50.50 master fees I-14-42 at AD(987-810 because this is divorce.

THOMPSON B. McGINNIS

vs.

MITZI McGINNIS

Filed Mar. 12, 1990
@ 2:05 p.m.

Tax & entry Paid $50.50

COMPLAINT UNDER SECTION 201(d) OF DIVORCE CODE

1 copy (atty)

Mar. 12, 1990 Plaintiff's Affidavit Under Section 201(d) of the Divorce Code filed.

Mar 15, 1990 Affidavit of Service filed: Laura Van Gorder, being duly sworn according to law, deposes and says that she is an employee of Joseph F. Kulwick, Esq., Attorney for the Plaintiff, and that as such, on March 12, 1990, she place certified copies of the complaint in divorce and a Notice to the Defendant in the matter above captioned, in the United States mail, addressed to the defendant as follows:

Mitzi McGinnis
725 Azalea Street
Meadville, Pa 16335

The said Divorce Complaint and Notice to the defendant was sent certified mail, restricted delivery, being certified mail item number P 724 954 534. The signature card for said certified mail item mail number was returned to the office of Joseph F. Kulwicki bearing the signature of Mitzi McGinnis as having received same on March 13, 1990.

The receipt and signature card for certified mail item number P 724 954 534 are attached hereto and made a part hereof.
FURTHER DEPONENT SAITH NOT.

Laura Van Gorder

Mar 15, 1990 Preliminary Objections filed.

Apr. 2, 1990, Plaintiff's Answers to Preliminary Objections of Defendant filed.

Apr. 20, 1990 Motion to Withdraw Divorce Proceedings and Order filed. AND NOW, April 20, 190 no obligation by Def. Motion granted.

BY THE COURT,
P. Richard Thomas, J

Apr. 20, 1990 Copies of order put in Joseph Kulwicki and James Irwin's box.

260.

TINA M. REID

vs.

WAYNE M. REID, JR.

Filed Mar. 12, 1990
@ 3:50 p.m.

Tax & entry $50.50
Sheriff's Costs 20.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies (sheriff)
1 copy (plff)

TEMPORARY ABUSE ORDER:

And now, this 12th day of March 1990, upon review of the petition fo plaintiff, the curt enters the following order.

1. The defendant shall not abuse, harass or threaten the plaitniff or any of the minor children named in the petition.

2. Special Conditions: Possess of the marital residence is temporarily awarded to plaintiff. Defendant shall not reside there. Temporary custody of Veronica is awarded to plaintiff.

3. This order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.

4. A copy of this order shall be delivered to the police departments in the jurisdiction where the plaintiff resides and to county control.

5. Service of a copy of the Petition and this order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.

6. This temporary order shall remian in full force and effect until modified or terminated by further order of this court. Liability for payment of fees and costs will be determined by final court order.

7. The defendant is reminded that this is an order of court and violation of this order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.

8. The court reserves ruling on allocation of fees and costs.

Hearing is hereby set for March 23, 1990 at 3:30 p.m. in C. R. No. 1 or 2 ofthe Crawford county courthouse.

The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required todo so..

BY ORDER OF THE COURT,
Gordon R. Miller, J.

Mar. 13, 1990 Sheriff's Return filed. SERVED Wayne M. reid, Jr., personally on March13, 1990, at 8:10 AM by handing copy of Protection From Abuse tohim at Crawford County Jail, Center Street, Meadville, PA. 16335.

So answers.

Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

1990

Fuller, Kinnunen,
Petruso & Gamble
John D. Petruso

261.

RHEA MAE LILLEY

vs.

WILLIAM C. LILLEY, SR.

Filed Mar. 13, 1990
@ 1:59 p.m.

Tax & entry Paid $50.50

1 count paid 5-28-91 15.00
User fee paid 5-28-91 5.00

COMPLAINT IN DIVORCE

1 copy (atty)

Apr. 2, 1990 Acceptance Of Service Of Complaint In Divorce filed. AND NOW, this 23rd day of March, 1990, and in accordance with Rule of Civil Procedure 1920.4(e), I hereby accept service of a true and correct copy of the complaint in divorce.
William C. Lilley, Sr.

Mar. 25, 1991 Affidavit of Consent Under Section 201(c) of the Divorce Code of Plaintiff filed.

May 17, 1991 Plaintiff's Petition For Leave To Amend Complaint and Order filed. AND NOW, this 26th day of April, 1991, upon consideration of plaintiff's petition for leave to amend and stipulationed attached, it is hereby ORDERED that the said Petition is granted and leave is given for plaintiff to amend her complaint to include Count II - Equitable Distribution
Robert L. Walker, J

May 17, 1991 Motion For Bifurcation filed.

May 17, 1991 **D E C R E E F I L E D .**

AND NOW, May 17, 1991, it is ordered and decreed that RHEA MEA LILLEY, Plaintiff, and WILLIAM C. LILLEY, SR., Defendant, are divorced fromt he bonds of matrimony.
The Court retains jurisdiction of the following claims which have been raised of record in this action for which a final order has not yet been entered:
Equitable distribution or marital property.
P. Richard Thomas, S.J.

May 17, 1991, Affidavit of Consent of defendant filed.

May 23, 1991 Attorney for Plaintiff files Praecipe to File Amended Complaint

May 22, 1991 Amended Complaint filed. (Equitable Distribution)

1990

Anthony J. Vardaro

262.

Dunlavey Nichols Ward & Krill
Sumner E. Nichols, II

PLANT PLACE OF MEADVILLE, INC. AND NORTHWEST LANDSCAPE CONTRACTING, INC.

vs.

WHIPPLE ALLEN CONSTRUCTION COMPANY, INC.

Filed Mar. 13, 1990
@ 3:23 p.m.

Tax & entry Paid $50.50
Sheriff's costs 19.00

SUMMMONS IN A CIVIL ACTION

Issued (sheriff)

March 28, 1990 Appearance of Dunlavey Nichols Ward & Krill by Sumner E. Nichols, II for Defendant filed.

April 3, 1990 Sheriff's Return filed. Before me, the undersigned authority, personally appeared Harry Holmwood, Deputy who being duly sworn according to law, deposes and says that on the 23rd day of March 1990, at 11:20 AM., he served a Writ of Summons at No. 262 Term, 1990 AD, Crawford Co. PA., upon defendant Whipple Allen Construction Company, Inc. at 1625 Lowell Ave., Erie County, Erie, PA. By making known the contents thereof to Tim Whipple, adult in charge and handing to and leaving with him the certified copy of the Writ of Summons received from Crawford County.

Harry Holmwood, Deputy Sheriff
Erie, Co.

June 18, 1990, Complaint filed.

July 20, 1990 Answer to Complaint, New Matter and Counterclaim, filed.

Aug 27, 1990 Reply to Defendant's New Matter and Counterclaim filed.

1990

Bruce A. Barrett
First Ass't Public defender

263.

COMMONWEALTH OF PENNSYLVANIA
EX REL FRANKLIN JOHN GORZYNSKI

vs.

JACK BRICKNER, WARDEN
CRAWFORD COUNTY JAIL
CRAWFORD COUNTY, PENNSYLVANIA

Filed Mar. 14, 1990
@ 8:31 a.m.

PETITION FOR WRIT OF HABEAS CORPUS

Mar. 14, 1990, RE: PETITION FOR WRIT OF HABEAS CORPUS - ORDER:

The plaintiff brings a Writ of Habeas Corpus attacking a series of consecutive sentences entered by District Justice Wayne Hanson at the district justice level. The court is uncertain as to the legal theory, but notes copies of the District Justice's sentences are attached to the Petition for Writ of Habeas Corpus. The court hereby sets hearing and argument on this petition for Mar. 19, 1990, at 2:30 p.m. in C. R. No. 1 or 2.

The Court requests the presence ofthe District Justice, the Warden and the warden's solicitor to be present.

Date: Mar. 13, 1990 BY ORDER OFTHE COURT,
P. richard ThomaS, P.J.

Mar.13, 1990, copies distributed by Ct. Adm. as shown.

Apr 3, 1990 Order filed: AND NOW, March 19, 1990, the matter is before the Court on a writ of habeas corpus in a confused situation involving at least four (4) citations issued by the District Justice and a lengthy series of reports and a lenthy series of reports and sentences issued by the District Justice clearly indicating that the Defendant refused to accept service, refused to comply with prior Court Orders and made himself unavailable to police departments.

The issue to some extent boils down to the legal proposition as to whether or not District Justice sentences must include a minimum and a maximum sentence.

The District Justice is present, and after review of the entire matter, agrees that the matter should be resolved with one sentence, with definitive minimum and maximum dates, and in return for this Court with the consent of the sentencing District Justice imposing such a sentence, the Defendant agrees to abandon his habeas corpus postion and raise non objections addressing statutory or procedural law regarding this proceeding in the future.

Accordingly, with the consent of the District Justice and the Defendant, while represented by counsel on all of the pending present charges regardless of their term and number, the Defendant is hereby continued in confinement in the Crawford County Jail on said charges until May 1, 1990, at which time providing his conduct has been excellent, he will be paroled for an additonal period of time, which will terminate July 1, 1990.

The matter is referred to the Community Service Director and Community Service is accorded during the period of confinement.

Providing the Defendant satisfactorily completes the Sentence imposed, and satisfactorily completes his Community Serice work in lieu of payment of any fines and costs, he will be automatically paroled May, without further Order, but on the following conditions:

1. He will get in contact with Drug & Alcohol immediately and accept such counseling sessions at the County Jail as may be required and which do not interfere with Community Service work.

2. Upon his release, it shall be a condition of parole that he continue attendance at Drug & Alcohol until he is released in writing from further attendance.

BY ORDER OF THE COURT,
P. Richard Thomas, P.J.
Wayne E. Hansen, D. J.

Apr 5, 1990 Copies of order put in Attys. Barrett and Vardaro's boxes and copy given to Jail and Community Service and mailed to D.J. Hansen.

Jorden & White
Harry Faber White II

264.

MARILYN E. KLINE

vs.

LARRY E. KLINE, SR.

Filed Mar. 14, 1990
@ 9:13 a.m.

Indigent filing

COMPLAINT IN DIVORCE UNDER SECTION 201(d)-DIVORCE CODE

1 copy (atty)

Mar. 14, 1990, Plaintiff's Affidavit Under Section 201(d) filed. 1 copy (atty)

Mar. 14, 1990, Motion to Proceed In forma Pauperis, and Order filed. ORDER: AND NOW, this 14 day of March 1990 upon consideration ofthe foregoing Complaint, the plaintiff is hereby allowed to proceed in forma pauperis with the court reserving the right to assess costs and expenses at a later time, if appropriate.

BY THE COURT,
P. Richard Thomas, J.

June 21, 1990 Affidavit of Service filed. Harry Faber White, II, Esquire, attorney for plaintiff in the above captioned matter, being duly sworn according to law, deposes and says that he served the Notice to Plead and Complaint under Section 201(d) of the Divorce Code, an Affidavit under Section 201(d) and a Notice of Intention to Request Entry of Divorce Decree upon the defendant, Larry E. Kline, by certified mail, return receipt requested, on March 17, 1990, at the defendant's address, c/o Lyle S. Harvey, P.O. Box 5211, Phoenix, AZ 85010. The defendant's acceptance of the same is attached hereto.

Harry Faber White, II, Esq.

June 21, 1990 Upon Praecipe of Plaintiff Attorney For Review Under Section 201(d) of Divorce Code, this case is moved to Court.

July 2, 1990 **d i v o r c e d e c r e e f i l e d .**

And now, June 29, 1990, it is ordered and decreed that Marilyn E. Kline, plaintiff, and Larry E. Kline, defendant, are divorced from the bonds of matrimony.

BY THE COURT,
P. Richard Thomas

1990

Thomas, Truax, spadafore
Walker, Vardaro
Emil M. Spadafore

265.

DENISE A. SCHNELL

vs.

EVERETT VAN BURKETT

Filed Mar.14, 1990
@ 9:16 a.m.

Indigent filing
Sheriff;s costs $26.60

John Fuller, Mediator

COMPLAINT FOR CUSTODY

1 copy (sheriff)
1 copy (mediator)

ORDER OF COURT:

You, Everett Van Burkett, Defendant, have been sued in court to obtain custody of the children:

Jessica Marie Burkett and BradleyThomas Schnell

You are ordered to appear in person at such time and such place as JOHN FULLER, CHILD CUSTODYMEDIATOR, orders.

Pending the Mediation Conference, temporary custody of the children shall remain with mother and mother is hereby ordered tobring all the childrenwith her tothe Mediation Conference.

If you fail to appear as provided by this order or to bring the children an order for custody, partial custody, or visitation may be entered agaisnt you or the court may issue a warrant for your arrest.

You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.

Crawford County Bar ASSOCIATION, Ser. tothe Pub. Committee, C/o Prothonotary, Courthouse, Meadville, Pa. 16335
814 724-4636.

Date: Mar. 14, 1990

BY THE COURT,
P. Richard Thomas, J.

Mar.14, 1990, Praecipe to Proceed In Forma Pauperis, Application for Leave to Proceed In Forma Pauperis, filed.

March 20, 1990 Sheriff's Return filed. SERVED Everett Van Burkett on March 19, 1990 at 10:15 AM by handing copy of Complaint for Custody to his brother and person in charge of residence, Howard E. Burkett, Jr. at Mitchell Lake, Lot #102, Cambridge Springs, Crawford Co.PA. So answers,

Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

June 15, 1990 Temporary Order filed: AND NOW, June 12, 1990, after mediation conference before John Fuller, Esqurie, IT IS HEREBY ORDERED AND DECREED AS FOLLOWS:

I. Physical custody and legal custody of Jessica Marie Burkett and Bradley Thomas Schnell shall be with the mother of the children, Denise A. Schnell.

II. this order is entered without porejudice to the right of William Matteson, father of Jessica Marie Burkett, to file appropriate proceedings to determine his custody and/or visitation rights.

III. This order is also entered without prejudice to the right of Everett VAn Burkett to determine his custody and/or visitation rights with respect to Bradley Thomas Schnell.

IV. This order is a temporary order but shall become a permanent order unless exceptions thereto are filed within thirty (30) days of the date hereof.

V. Cost of the mediation conference shall be paid by Crawford County.

P. Richard Thomas, Judge

June 19, 1990 Copies of order put in Attys. Spadafore and Fuller's boxes.

1990

Thomas, Truax, Spadafore, Vardaro, Walker
R. Charles Thomas

266.

Shafer, Swick, Bailey, Irwin & Stack
James R. Irwin

LUTICIA ANN DILLINGER

vs.

DANIEL J. DILLINGER

Filed Mar. 14, 1990
@ 1:03 p.m.

Tax & entry Paid	$50.50 ✓
2 counts paid	30.00 ✓
Pro co Pd 12/5/91	9.00 ✓
state Pd 12-9-91	10.00

11-6-92
Received from Plff Masters fee Dep 350.00

2-8-93 Pd Plff Masters deposit Ck # 7328 / 350.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION, ALIMONY PENDENTE LITE, ATTORNEY FEES & COSTS

1 copy (atty)

Apr. 4, 1990, Upon praecipe of defendant attorney, James R. Irwin, Rule entered upon plaintiff to file Bill of Particulars Issued.

Apr. 5, 1990, Petition for counseling Under §202 of the Divorce Code and Order filed. ORDER: AND NOW, Apr. 4, 1990, upon presentation and review of the respondent's petitin for counseling it is ordered as follows:

1. The parties shall select a counselor from the list of qualified counselors and they shall submit to three counselling sessions as provided fro by theDivorce Code.

2. The initial cost of the counselling sessions shall be paid for by the respondent reserving, however, a decision on the final responsibility for counselling cousts to the Master or to the court should the respondent ultimately desire partial or total reimbursement for the cost of counseling.

BY THE COURT,
Gordon R. MIller, J.

Apr. 9, 1990 copies to Attys. R. C. Thomas and J. Irwin. (box)

April 10, 1990, Service of the Foregoing Rule accepted by R. Charles Thomas, attorney for plaintiff, filed.

June 20, 1990 Bill of Particulars of ~~Defendant~~ Plaintiff filed.

Sept 11, 1990, Income and Expense Statement filed. (of plff)

Sept. 11, 1990, Inventory and Appraisement of Luticia A. Dillinger, filed.

Oct. 24, 1990 Motion For Scheduling of Hearing and ORDER OF COURT FILED. And now, October, 1990, a hearing on this matter is set for the 5 day of Nov., 1990 at 1:30 o'click P.M. in Court Room No. 2 of the Crawford Co. Court House, Meadville, PA.

By The Court,
P. R. Thomas, S.J.

Oct. 25, 1990 Copy of Order to Attys. R. Charles Thomas and James Irwin.

Nov. 5, 1990, Budget Information of defendant filed.

Nov5, 1990 Inventory and Appraisement of Daniel J. Dillinger filed.

Nov. 14, 1990 MEMORANDUM AND ORDER FILED.
ORDER: AND NOW, this 9th day of November, 1990, the Defendant is ordered and directed to pay the Plaintiff alimony pendente lite in the amount of $366.00 per month on or before the last day of each month beginning with the month of November, 1990 until the parties are divorced; or a child support order is entered obligating the Defendant to pay child support for the children now in the custody of Plaintiff; or until the Plaintiff no longer has custody of the children; whichever occurs first.

The Plaintiff's petition for counsel fees is denied.

BY THE COURT
Gordon R. Miller, P.J.

Nov. 16, 1990 copies of order to Attys. R. Dharles Thomas and James Irwin

Nov. 26, 1990, Affidavit of Consent of plaintiff filed.

July 15, 1991 Affidavit of Consent of Plaintiff filed.

Aug. 21, 1991 MOTION FOR AUTHORITY TO AMEND DIVORCE COMPLAINT and ORDER, filed. ORDER: And now, Aug. 21, 1991, Plaintiff is authorized to amend the aforesaid Divorce Complaint so that the same may proceed as a divorce pursuant to Section 3301(d) of the Divorce Code.

Gordon R. Miller, P.J.

Aug. 27, 1991 copy to Attys. R.C.Thomas & J.Irwin.

Aug. 21, 1991 NOTICE TO DEFEND AND CLAIM RIGHTS and AMENDED COMPLAINT IN DIVORCE, filed. 1 copy Atty.

Aug. 21, 1991 PLAINTIFF'S AFFIDAVIT UNDER SECTION 3301(d) OF THE DIVORCE CODE, filed. 1 copy Atty.

Sept 27, 1991 Petition for Bifurcation and Order filed: AND NOW, this 27th day of September, 1991, hearing on the Plaintiff's Petition for Bifurcation is set for the 31 day of October, 1991 at 3:30 o'clock p.m. in Court Room No. 1 of the Crawford County Court House, Meadville, Pennsylvania.

BY THE COURT,
Gordon R. Miller, J.

Sept 30, 1991 Copies of order put in Attys. Thomas and Irwin's boxes.

Nov. 13, 1991, MEMORANDUM AND ORDER filed. ORDER: AND NOW, Nov. 8, 1991 plaintiff's petition for leave to bifurcate the divorce and reserve economic issues is granted and the plaintiff my submit this proceeding to the court for the entry of a decree dissolving the marriage in accordance with the rules.

BY THE COURT,
Robert L. Walker, S.J.

Nov. 13, 1991 copies in boxes for Attys. Irwin and ThomaS.

Dec. 2, 1991 Affidavit of sErvice ofComplaint in Divorce filed. R. C. Thomas, Esq. being duly sworn according to law, deposes and says that on Mar. 14 1990, he sent a true and correct copy of compalint in idovrce, properly endorsed with notice to defend, filed in above action to dft. at defendant's last known address of R. D. #2 Conneautville, Pa. by Cert. mial NO Po63 589 539, postage prepaid, restricted del. ret. rec.r eq. and that attached hereto is a duly executed ret. rec. card showign date of delivery as 3/16/90. R. Charles Thomas, Esq.

Dec. 2, 1991 Affidavit of SErvice of Amended Complaint in Divorce filed. R. C. Thomas, Esq. being duly sworn according to law, deposes and says that on Aug. 21, 1991, he sent a true and correct copy of the Amended Complaint in Divorce & 3301(d) Affidavit endorsed with notice to defend, filed in above action to dft. at his last known address of R. D. #2 Conneautville, Pa. by Cert. maIL No P398121 568, postage prepaid, Rest. Delivery, ret. rec. req. and that attached hereto is a deuly executed ret. rec. card showing date of delivery as 8/23/91/ R. C. Thomas, Esq.

Continued on Pg. 266 A

Dec. 2, 1991, Upon praecipe of plaintiff attorney, for review under Section 3301 of the Divorce Code, this case moved to court.

dec. 10, 1991 **D I V O R C E D E C R E E F I L E D .**

AND NOW, December 9, 1991, it is ordered and decreed that Luticia Ann Dillinger, plaintiff, and Daniel J. Dillinger, defendant, are divorced from the bonds of matrimony. All other matters raised in these proceedings are reserved.

BY THE COURT,
Gordon R. Miller, J

May 5, 1992 MOTION FOR HEARING and ORDER filed. ORDER: And now, May 1, 1992, hearing set for June 9, 1992 at 10:00 a.m. in Courtroom 1.

For the Court,
Imogene Yetman, Crt. Adm.

May 12, 1992 copy in box for J. Irwin & R.C. Thomas

May 5, 1992 Motion For Appointment Of Master In Divorce and ORDER APPOINTING MASTER filed. AND NOW, May 5,1992, Curtis E. Blystone, Esq. is appointed Master in respect to the following claims:

Esquitable Distribution

Deposit required: By Plaintiff $350.00 By Defendant $350.00

If not filed already the parties are ordered to file their pretrial statements within thirty (30) days from this dated.

PER CURIAM,
Gordon R. Miller, Judge

May 12, 1992 Copy of Order to Attys. Curt Blystone, R. Charles Thomas and James Irwin.

June 11, 1992 Order Filed. AND NOW, June 9, 1992, at the time fixed for hearing on the Plaintiff's request for counsel fees, costs and expenses, the parties and the Court proceeded informally. The Court finds as a fact that the Plaintiff does have a need for counsel fees,costs and expenses. We also find as a fact that the Defendant's income less his reasonable and customary expenses for living and child support nearly equal his net take home pay and therefore,find that given the Defendant's financial circumstances, he does not have the ability to pay counsel fees at this point.

Therefore, the Plaintiff's request for counsel fees, costs and expenses is DENIED without prejudice to the Master or the Court to award and consider counsel fees, costs and expenses throughout this litigation at the time all matters are resolved. This Court believes that counsel fees should be considered with all of the other matters that are raised by the parties and will ultimately be determined by a Master or the Court.

BY ORDER OF THE COURT,
Gordon R. Miller, P. J.

June 11, 1992 Copy of the order to: R. Charles Thomas, Esq. and James R. Irwin, Esq. and Curtis Blystone, ESq.

Feb 8, 1993 Motion for Vacating Appointment of Master and Orderof Court, filed. ORDER: And now, Feb. 8, 1993. The appointment of Curtis L. Blystone as Master in this case is vacated and the Prothonotary is authorized and directed to refund to Luticia A. Dillinger, now Luticia A. Lynn, the security depsoit heretofore posted in the above entitled case in the amount of $350.00.

BY THE OCURT,
Anthony J. Vardaro, J.

Feb. 12, 1993 copy to R.C. Thomas, C. Blystone & J. Irwin

266
-6-

_____TERM 1990

1990

Barrett & Dratler
Bruce A. Barrett

267.

OMI S. BYLER

vs.

ANDY J. BYLER

Filed Mar. 14, 1990
@ 3:04 p.m.

Tax & entry paid	$50.50
Pro Co. Pd 10-4-90	9.00
State Surcharge Pd.	10.00

COMPLAINT UNDER SECTION 201(c) OF DIVORCE CODE

1 copy (atty)

March 19, 1990 Affidavit of Service filed. Bruce A. Barrett, Esq., being duly sworn according to law, deposes and says that the following facts in support of his Affidavit of Service are true and correct to the best of his knowledge, information and belief.

1. That the affiant is the attorney for the Plaintiff in the above captioned action.

2. That a true and correct copy of the Complaint Under Section 201(c) of the Divorce Code was sent by registered mail to the Defendant on March 14, 1990. The sender's receipt is attached hreto.

3. The registered mail was sent to Any J. Byler, RD # 3, Box 154, Conneaut Lake, PA 16316.

4. That the Defendant received said registered mail on March 15, 1990. Said receipt card number P 966 074 370 is attached hereto and signed by Andy J. Byler.

Bruce A. Barrett, Atty.

Sept. 18, 1990 Affidavit Of Consent of Defendant filed.

Oct. 4, 1990 Affidavit of Consent of Plaintiff filed.

Oct. 4, 1990 Upon Praecipe of Plaintiff attorney for Review under §201(c) of Divorce Code, this case is moved to Court.

Oct. 10, 1990 **D I V O R C E D E C R E E F I L E D .**

And now, October 9, 1990, it is ordered and decreed that Omi S. Byler, plaintiff, and Andy J. Byler, defendant, are divorced from the bonds of matrimony.

BY THE COURT,
P. Richard Thomas, S.J.

1990

268.

MELINDA BOTTLES

vs.

THOMAS BOTTLES

Filed Mar. 14, 1990
@ 3:46 p.m.

Tax & entry	$50.50
Sheriff's costs	27.56
Pro Co	**9.00**

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

1 copy (plff)
3 copies (sheriff)

TEMPORARY ABUSE ORDER:

AND NOW, this 14 day of March 1990, upon review of the petition fo plaintiff, the court enters the following temporary order:

1. The defendant shall not assault, abuse, harass or threaten the plaintiff or any of the minor children named in the petition.

2. Special Conditions: Plaintiff shall have possession of theresidence. Defendant shall move out. Custody of the children is temporarily given to plaintiff. Defendant shall not visit plaintiff at her place of work.

3. This order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.

4. A copy of this order shall be delivered to the police departments in the jurisdiction where the plaintiff resides and to county control.

5. Service of a copy of the petition and this order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.

6. this temporary order shall remain in full force and effect until modified or terminated by further order of this court. Liability for payment of fees and costs will be determined by final court order.

7. The defendant is reminded that this is an order of court and violation of this order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.

Hearing is hereby set for Mar. 23, 1990, at 3:30 p.m. in C. R. No. 1 or 2 of the Crawford county courthouse.

The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF THE COURT,
Gordon R. Miller, J.

Mar 19, 1990 Sheriff's Return filed: SERVED Thomas Bottles personally on March 15, 1990 at 2:05 P.M. by handing copy of Protection from Abuse to him as his sister's residence, Roger Street, Espyville, Crawford County, Pa.

So answers,

Robert N. Stevens, Deputy Sheriff
Edgar D. Householder, Chief Deputy
Howard N. Stewart, Sheriff

Mar. 27, 1990 Order filed. AND NOW, March 23, 1990, at the time fixes for hearing, the Defendant not having appeared, but a Sheriff's return having been filed showing that service was made upon the Defendant on March 15, 1990 at 2:05 p.m., the hearing has been permitted to proceed and we are satisfied from the testimony of the Plaintiff that an appropriate protection from abuse Order should be entered and an Order is therefor entered as follows:

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or the minor child of the parties at any time.

2. The Defendant shall not go to the Plaintiff's residence, 114 Fitch Road, Jamestown, Pennsylvania (South Shenango Township), Crawford County, Pennsylvania, at any time or for any purpose.

3. The Defendant sahll not go to the Plaintiff's place of employment, Miller Memorial Health Care Center, Andover, Ohio, for any purpose whatsoever.

4. Basic custody of Thomas Edward Bottles, Jr. is awarded to the Plaintiff.

5. If the Defendant desires to have visitation with the parties' minor child, Thomas Edward Bottles, Jr., he may take the child with him for one consecutive period not exceeding four (4) hours one day a week. He shall notify the Plaintiff at least seventy-two (72) hours in advance of the time and date of the propsed visit, and arrangements will be made through the Defendant's parents or either of them to pick the child up at the Plaintiff's residence and return the child there following the visit. If the Defendant's parents are unable to or unwilling to do so, the Defendant may suggest some other responsible adult, but such substitution shall be subject to the absolute right of the Plaintiff to approve or disapprove.

6. The Defendant shall pay the record costs in this proceeding within thirty (30) days of this date.

7. This Order shall remain in full force and effect for a period of one (1) year from this date.

8. Any law enforcement agency or law enforcement officer having jurisdiction in the premises may enforce this Order in accordance with the Protection From Abuse Acto.

BY ORDER OF THE COURT,
Robert L. Walker, S.J.

Mar. 27, 1990 Copies of order put in Gerald Sullivan and County Control's box and copy mailed to Defendant.

1990

Ferguson & Spataro
John Spataro

269.

Shafer, Swick, Bailey
Irwin & Stack
James R. Irwin
for Intervenors
R. Charles Thomas
for Defendant

3/13/90 Recd $62.50
From Plaintiff

Recd Aug 6, 1990
$67.50
Vivian Stoltz

GLEN R. KELLOGG

vs.

SANDRA BUTLER
vs.
Fred S. Harris and Karen L. Schreiber Intervenors

Filed Mar.15, 1990
@ 1:10 p.m.

Tax & entry fee 3/13/90 $50.50 ✓
John Fuller, Mediator 135.00
Sheriff's Costs 20.00
Pro & Pd 3/13/90 9.00 ✓

COMPLAINT FOR CUSTODY

1 copy (atty)
1 copy (mediator)

ORDER OF COURT:

You, Sandra butler, defendant have been sued in court to obtain custody, partial custody or visitation ofthe child: La Bree C. Kellogg.

JOHN FULLER, ESQUIRE has been appointed Child Custody Mediator and you are ordered to appear in person for a conference withchild Custody Mediator at such time and place as he directs. YOu are further ordered tobring with you the child if so requested by the Child Custody Mediator.

If you fail to appear as directed by the Child Custody Mediator or to bring the child, an order for custody, partial custody or visitation may be entered against you or the court may issue a warrant for your arrest.

You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.

Crawford County Bar Association, ser. tothe Publ Comm. c/o Prothonotary, courthouse, Meadville, Pa. 16335. 814 724=4636.

Date: Mar. 12, 1990 BY THE COURT,

P. Richard Thomas, J.

Apr. 2, 1990 Sheriff's Return filed. SERVED Sandra Butler, March 28, 1990 at 1:55 PM, by handing copy of Complaint for Custody to Damian Moyer, boyfriend, at their residence, 1207 Elm Street, Meadville, PA
So answers, Robert M. Stevens, Deputy
Howard N. STewart, Sheriff

May 18, 1990 Application For Leave To Intervene filed.

May 18, 1990 Order filed. AND NOW, this 18th day of May, 1990, upon Application for leave to Intervene, it is hereby ordered that Fred S. Harris and Karen L. Schreiber, are granted Leave to Intervene in the instant custody ac tion and are hereby granted permission to file a Counterclaim for Custody of the child who is the subject of this custody action with said hearing to be held before Mediator John Fuller at such time and place as he directs.

BY THE COURT,
Gordon R. Miller, J

May 18, 1990 Copies of order put in John Spataro, James Irwin and John Fuller's box.

May 18, 1990 Counterclaim filed. (3 copies atty)

June 15, 1990 TEMPORARY ORDER FILED: AND NOW, June 12, 1990, after mediation conference before John Fuller, Esquire, IT IS HEREBY ORDERED AND DECREED AS FOLLOWS:

I. Legal custody of LaBree C. Kellogg shall be shared between the father, Glen R. Kellogg, and the mother, Sandra Butler, that is, each parent shall be entitled full access to school records, medical records and other important records and each parent shall be entitled to take part in important decisions affecting the child such as the child's education, religious instruction, medicalt treatment and other such important decisions.

II. Physical custody of LaBree C. Kellogg shall be with her mother, Sandra Butler, subject to the following conditions:

A. Fred S. Harris and Karen L. Schreiber are entitled to partial custody or visitation rights, but such rights shall be derivative from the mother, that is, they shall be entitled to visit the child and have the child in their custody at such times as the mother and Mr. Harris and Ms. Schreiber shall agree upon, but their partial custody or visitation rights shall in no way affect or interfere with the father's partial custody or visitation rights.

B. The father shall be entitled to visit and take the child into his custody for one (1) week in Jurn, one (1) week in July and one (1) week in August each Summer, beginning with the Summer of 1990. Such one (1) week Summer periods shall be that week, consisting of seven (7) days agreed upon by the mother and father, and unless otherwise agreed upon, the week shall begin Sunday morning at 8:00 a.m. and end the following Saturday at 8:00 p.m.

C. The father shall be entitled to visit and take the child into his custody for one (1) week each year in September, November, January, March and May. Unless otherwise agreed upon, the one (1) week for September, November, January, March and May shall be the last full week of the month, except that in November of each year the father shall not interfere with the mother's right to have the child in her custody on Thanksgiving Day.

D. Holidays shall be defined as Thanksgiving, Christmas and Easter. The child shall be with the mother every year on the three aforementioned holidays.

E. During the months of October, December, February and April of each year, the father shall have such visitation rights as he may agree upon from time to time with the mother.

F. Neither mother nor father nor Intervenors shall say or do anything in an attempt to turn the child against any of the parties, but on the other hand shall do everything in the power of each to foster a favorable and loving attitude on the part of the child towards both parents and Intervenors.

G. Neither mother nor father nor Intervenors shall expose the child to any person or situation which may be harmful to the child's health or well being.

H. Both parents and Intervenors agree to inform the other parties immediately of any illness or injury regarding the child and both parents and Intervenors agree to furnish the other parties with a current telepone number.

III. This order is a temporary order but shall become a permanent order unless exceptions thereto are filed by either party within thirty (30) days of the date hereof.

IV. Cost of the Mediation conference shall be equally divided with the father paying one-half of the cost thereof and the remaining one-half to be paid by Crawford County.

P. Richard Thomas, Judge

June 19, 1990 Copies of order Put in Attys. Thomas, Irwin and Spataro's boxes and copy mailed to plaintiff.

June 27, 2003 - See Computer for further entries

1990

Fuller, Kinnunen,
Petruso & Gamble
Gary A. Fabian

270.

Thomas, Truax,
Spadafore, Vardaro &
Walker,
~~R. Charles Thomas~~ Withdrawn

Mason & Mason
Joan D. Mason

JEAN K. PETERS

vs.

KENNETH E. PETERS

Filed Mar.15, 1990
@ 3:14 p.m.

Tax & entry Paid $50.50
2 counts paid 30.00

David Pickens, Master

State Pd 1/28/93 10.00
Pro.Co. pd 1/28/93 9.00

COMPLAINT UNDER SECTION 201(c) OF DIVORCE CODE
EQUITABLE DISTRIBUTION, PERMANENT ALIMONY,
ALIMONY PENDENTE LITE, COUNSEL FEES, COSTS
AND EXPENSES

1 copy (atty)

March 21, 1990 Affidavit of Service filed. Gary A.Fabian, being duly sworn according to law, deposes and says that:

1. He is an attorney authorized to practice law within the Commonwealth of PA.

2. He is the attorney for the plaintiff in the above-captioned matter.

3. On March 16, 1990, he had deposited in the United States Mail by certified mail, return receipt requested,Certified Mail No. P 414 752 780 as evidenced by Certified Mail Receipt No. P 414 752 780 attached hereto and made a part hereof, a true and correct copy of a Complaint in Divorce addressed to Kenneth E. Peters said Complaint in Divorce naming Kenneth E. Peters as the defendant in the above-captioned matter.

4. Service was obtained upon the defendant, Kenneth E. Peters on March 19, 1990, as evidenced by Return Receipt for Certified Mail No. P 414 752 780 attached hereto and made a part hereof, said receipt being signed by Kenneth E. Peters.

Further, Deponent Sayeth Not.

Gary A. Fabian

May 9, 1990 Appearance of Thomas, Truax, Spadafore, Vardaro, and Walker by R. Charles Thomas for Defendant filed.

June 18, 1990 Motion to Schedule Hearing upon Plaintiff's Request for Counsel Fees, Costs and Expenses and Order filed: AND NOW, this 18 day of June, 1990, hearing upon plaintiff's request for interim counsel fees, expenses and costs is set for the 29 day of June, 1990, at 2:30 o'clock P.M. in Courtroom No. 1 or 2.

BY THE COURT,
P. Richard Thomas, J

June 19, 1990 Copies of order put in Attys. Fabian and Thomas' boxes.

June 18, 1990 Petition for Special Relief and Order filed: AND NOW, this 18 day of June, 1990, in consideration of the foregoing petition for special relief, a rule is granted upon the defendant to show cause, if any, he has as to why the special relief requested in said petition should not be granted.

Hearing upon the Rule is hereby set for the 29 day of June, 1990 at 2:30 P.M. in Courtroom 1 or 2.

P. Richard Thomas, J.

June 19, 1990 Copies of order put in Attys. Fabian and Thomas' boxes.

Jul 3, 1990 Order filed: AND NOW, June 29, 1990 the matter is before the Court on a request for counsel fees and costs and a Petition for Special Relief. After input from counsel and informal discussion with the parties, the Court enters the following Order:

1. The defendant will not dispose of, encumber or transfer any of the parties' marital property or any of the property in the three rental properties without the written consent of the plaintiff.

2. It appears the defendant has a 1985 truck which is no longer encumbered because he made a substantial payment recently and the truck is now encumbered. The defendant may not sell or dispose of the truck in any fashion without further Order of Court.

3. The Mills Street property owned by the parties is mortgaged and there is a small mortgage balance due, thus creating a substantial equity in this property. The defendant husband has refused to pay the mortgage payments and there is some question as to whether he will maintain the insurance on the property. The defendant on or before July 15, 1990, will make such payments to the mortgagee as to bring the mortgage current and will make any arrangements or payments necessary to keep the property insured all at his own expense. There appears to be real estate taxes now due, but unless this matter becomes unduly protracted, the Court makes no Order at this time regarding payment of real estate taxes on any of the properties, feeling this matter could best be handled in the equitable distribution or settlement in this marriage.

4. The defendant will maintain insurance on the aforesaid truck, but will maintain liability insurance on the aforesaid truck, but is not required to carry collision insurance. The parties request the Court for thirty days in which to reach an amicable agreement as to the values of the three pieces of real estate constituting marital property and the furnishings therein. The Court will give the parties thirty days to try to amicably agree upon these values. At the end of thirty (30) days, if there has been no amicable agreement, the Court will entertain a petition from either party requesting that a designated realtor be appointed and provide the petition and the approximate cost of the appraisals.

5. The husband is now handling the income and paying the expenses for the rental properties and apparently keeps a reasonable accurate record of the income and expenses. He is directed to continue doing so and provide the plaintiff wife with a monthly statement showing total income received and monies spent maintaining the rental properties.

6. As far as counsel fees go, in view of the limited income of the wife of approximately $400.00 per month, the Court believes modest attorney fees must be paid in the immediate future , with total attorney fees of both parties handled in an aquitable manner at the time of ultimate disposition of this case. ACCORDINGLY, the defendant is directed to pay directly to Attorney Fabian on or before July 15, 1990, the sum of $100.00 and an additional similar sum before August 15, 1990. No further attorney fees will be paid, but if the matter becomes protracted, the plaintiff may move for additional attorney fees.

7. It appears the wife has possession of a three-wheeled bicycle which the husband confiscated and he has agreed to return the same by 9:00 p.m. this date and the Court directs him to do so.

8. The aforesaid monthly accounting sheet may be either mailed to the wife or delivered to her counsel, but in view of the animosity existing between the parties, it will not be delivered personally to the wife.

BY ORDER OF THE COURT,
P. Richard Thomas, P.J.

July 6, 1990 Copies of order put in Attys. Fabian and Thomas' boxes.

Sept. 5, 1990 Motion For Withdrawal Of Appearance and Order filed. And now, Sept. 5, 1990 The within Motion is allowed and R. Charles Thomas, esquire, is permitted to withdraw his Appearance on behalf of the Defendant in this above case. P. Richard Thomas, S.J.

Sept. 10, 1990 Copies of order put in Gary Fabian and R. Charles Thomas' box.

Received from Plaintiff 9-9-92 Master $200.00

Received from Defendant 9-14-92 Masterday 500.00

2-9-93 Pd master 58.50 Ck#7331

2-9-93 pltf 170.75 Ck#7334

2-9-93 deft 470.75 Ck#7336

Continued on Page 270A

Nov. 16, 1990, Petition for Special Relief and Order filed. ORDER: AND NOW, this 21 day of Nov. 1990, in consideration fo the foregoing Petition for Special Relief, a rule is granted upon the defendant to show cause, if any he has, as to why the special relief requested in said Petition should not be granted.
Hearing upon the rule is hereby set for the 21st day of Dec. 1990, at 1:30 p.m. in C. R. No. 1.
BY THE COURT,
Gordon R. MIller, J.
Nov. 26, 1990, copies of order to G. Fabian and R. C. Thomas, attys. (box)

Nov. 16, 1990, Motion to Schedule Additional Hearing upon plaintiff's request for Counsel Fees, Costs, and Expenses, and order filed. ORDER: AND NOW, this 16 dayof Nov. 1990, hearing upon plaintiff's request for appraisal fees is set for the 21st day of Dec. 1990, at 1:30 p.m. in C. R. No. 1.
BY THE COURT,
Gordon R. Miller, J.
Nov. 26, 1990, copies of order to G. Fabian and R. C. Thomas, (box)

Dec. 21, 1990 Motion For Continuance and Order filed. And now, 12/21/90 Hearing Dec. 28, 1990 9 AM Ct. Rm. 1.
P R Thomas, S.J.
dec. 24, 1990 Copies of order put in Joan Mason, Gary Fabian and R. Charles Thomas' box.

Jan. 4, 1990 Stipulation and Order filed. AND NOW, this 4 day of Jan., 1991, the foregoing stipulation is approved.
BY THE COURT,
P. R Thomas, S.J.
Jan. 4, 1991 copies of order put in Gary Fabian and r. Charles Thomas' box.

Nov. 15, 1991 Petition For Contempt and Order filed. AND NOW, this 15th day of November, 1991, a rule is enterd upon the defendant to show cause, if any he has, why he should not be held in contempt of Court for failure to provide to the plaintiff monthly statements showing total income received and money spent maintaining the rental properties of the parties.
Said rule is returnable for hearing and/or argument on the 3rd day of December, 1991 in Courtroom 1-2 at 4:00 o'clock p.m. prevailing time, at the Courthouse, Meadville, Pennsylvania.
BY THE COURT,
Gordon R. Miller, J
Nov. 20, 1991 Copies of order put in box for Atty's Fabian and Thomas

Nov. 15, 1991 Motion To Amend Complaint in Divorce and Order filed. AND NOW, this 15th day of November, 1991, plaintiff is granted leave to amend her Complaint in accordance with the request of the foregoing motion.
BY THE COURT,
Gordon R. Miller, J
Nov. 20, 1991 Copies of order put in box for Atty's Fabian and Thomas

Nov. 15, 1991 Amended Complaint Under Sections 3301(a)(6), 3301(c) and 3301(d) of the Divorce Code filed.

Jan. 29, 1992, Inventory of Plaintiff Jean K. Peters filed.

Jan. 29, 1992 INCOME AND EXPENSE STATEMENT OF PLAINTIFF filed.

Feb. 10, 1992 Motion To Compel Filing Of Inventory and INcome and Expense Statement and Order filed. AND NOW, this 10 day of February, 1992, it is ordered and directed, that not later than twenty (20) days from the date of this Order, the defendant shall file with the Prothonotary an Inventory as required by Pa. R.C.P. 1920.33(a) and in the form required by Pa. r.C.P. 1920.75 and a completed Income and Expense Statement as required by Pa. R.C.P. 1920.31(a)(1) together with a true copy of his most recent federal income tax return, and if he has been employed during the preceding six months, then together with his pay stubs.
BY THE COURT,
Anthony J. Vardaro, J
Feb. 13, 1992 Copies of order put in box for Atty's Fabian and Thomas

Feb. 27, 1992, Affidavit Under Section 3301(d) of the Divorce Code filed.

April 24, 1992 PETITION FOR CONTEMPT AND ORDER FILED: AND NOW, this 24 day of April, 1992, a reule is entered upon the defendant to show cause, if any he has, why he should not be held in contempt for failure to file an Inventory and an Income and Expense and Statement together with supporting documents, and why he should not pay to plaintiff attorney's fees upon plaintiff's Petition for Contempt.
Said rule is returnable for hearing and/or argument on the 22 day of May, 1992, in Courtroom No. 1 or 2 at 3:30 o'clock p.m., prevailing time at the Courthouse, Meadville, Pennsyvania.
BY THE COURT,
April 24, 1992 copy of order to: Gary Fabian, Esq. Anthony J. Vardaro, J.
and R. Charles Thomas, ESq.
* April 24, 1992 Motion For Appointment of Master in Divorce and Order filed.
May 4, 1992 ORDER FILED. AND NOW, April 28, 1992, this matter is before the Court on Plaintiff's motion for appointment of master in divorce which was filed onApril 24, 1992 (prior to the enactment of the new Local Rules of Court).
The motion indicates that the Defendant has not filed his income and expense statement nor has he filed an inventory.
Although the moving party has filed everying that is required of her, we do not think it is appropriate to appointment a Master at this time until appropriate filings have been made by the Defendant.
This divorce action was filed on March 15, 1990 and therefore these filings are long overdue.
Accordingly, the Defendant is directed to file his income and expense statement and his inventory within twenty days of the date of this order. If he does so, the Plaintiff may move once again for the for the appointment of a Master and, if the Defendant does not file his income and expense statement and/or inventory, the Plaintiff may seek relief pursuant to Pa. R.C.P. 4019.
BY THE COURT:
Anthony J.Vardaro, J.
May 4, 1992 copy of Order to Gary A. Fabian, Esq.; Joan D. Mason, Esq.

* AND NOW, May 12, 1992, David Pickens, ESquire is appointed Master in respect to the following claims; Divorce, Alimony, Distribution of Property, Counsel Fees, Costs and Expenses.
Deposit required: By Plaintiff $200; By Defendant $500.
PER CURIAM,
Gordon R. Miller, Judge
May 18, 1992 copy of Order to: Gary A.Fabian, ESq., Joan D. Mason, ESq. David Pickens, Esq.

RECORD CONTINUED ON PAGE 270(b).....

Jean K. Peters
vs.
Kenneth E. Peters

RECORD CONTINUED FROM PAGE 270 (B)
OF
AD 1990 - 270

May 22, 1992 Income And Expense Statement of Kenneth E. Peters filed.

May 22, 1992 Inventory and Appraisement of Kenneth E. Peters filed.

May 26, 1992 ORDER FILED. AND NOW, May 22, 1992, in light of the order appointing a Master dated May 12, 1992 by President Judge Gordon R. Miller, the undersigned's order of April 28, 1992 is rescinded.

BY THE COURT:
Anthony J.Vardaro, J.

May 26, 1992 Copy of Order put in Atty. Fabian and Mason's Box.

June 8, 1992 Motion to Extend Time in Which to File Pre-trial Statements Pursuant to Crawford County Civil Local Rule L1920.33 and Order filed. AND NOW, this 8 day of June, 1992, upon presentation of the foregoing Motion to Extend the Tiome in Which to File Pre-Trial Statements, the pre-trial statements of plaintiff and defendnat shall be due and shall be filed not later than June 22, 1992.

June 12, 1992 Copies of order put in box for Atty's Fabian and Mason.

July 1, 1992 Petition for Contempt for Failure to Deposit Required SEcurity with Prothonotary and Order filed. AND NOW, this 1 day of July, 1992, upon presentation of the foregoing Petition a rule is entered upon the defendant to show cause why he should not be held in contempt of Court for failure to make the required deposit of security with the Prothonotary, and why he should not pay to plaintiff attorney's fees, said rule returnable on the 13 day of July, 1992, at the Courthouse, Meadville, CrawfordCounty, Pennsylvania, at 3:30 o'clock p.m. in Courtroom No. 1 or 2.

BY THE COURT
Anthony J.Vardaro, J.

July 1, 1992 Copy of the Order to Gary Fabian, Esq., Joan Mason, Esq. and David Pickens, ESq.

July 13, 1992 Motion for Continuance and ORDER OF COURT filed. AND NOW, July 13, 1992, Hearing reset for August 4, 1992, at 9:30 A.M., Courtroom 1 or 2.

FOR COURT,
Imogene Yetman, Court Administrator

July 15, 1992 Copy of Order to Attys. Gary Fabian, Joan Mason and David Pickens.

Oct. 1, 1992 Stipulation and Order filed. AND NOW, the 30th day of September, 1992, it is hereby ordered that the Defendnat, Kenneth E. Peters, shall deposit the required $500.00 with the Prothonotary as follows:
1. $250.00 on or before August 10, 1992.
2. $250.00 on or before September 10, 1992.
Hearing in this matter scheduled for August 4, 1992 at 9:30 shall not be required.

Gordon R. Miller, J

Oct. 7, 1992 Copies of order put in box for Atty's Fabian, Mason and Pickens

Jan. 13, 1993 Affidavit of Consent of Defendant filed.

Jan. 13, 1993 Affidavit of Consent of Plaintiff filed.

Jan. 28, 1993 Upon Praecipe of Plaintiff's Attorney, Gary A.Fabian, Esquire for Review under §3301 (c) of the Divorce Code this case moved to Court.

D I V O R C E D E C R E E F I L E D

Feb. 3, 1993 1. Divorce: Upon consideration of the pleadings and affidavits filed in the above-captioned case, this Court hereby grants an absolute divorce from the bonds of matrimony to the above-named parties on the grounds that the marriage is irretrievably broken and ninety (90) days has elapsed since the date of the filing of the complaint and an affidavit has been filed by each of the parties evidencing that each of the parties consents to the divorce, pursuant to Section 3301(c) of the PA. Divorce Code.

2. Equitable Property Determination and Distribution: This decree provides that the marital property of the above-named parties shall be divided in accordance with a Marital Settlement Agreement executed by the parties, the effective date of said agreement being Jan. 12, 1993, and said agreement being filed in the Court of Common Pleas of Crawford Co., PA., at the above-captioned number.

The agreement, in part, provides that:

A. Real estate: Defendant Husband shall make, execute and deliver to Plaintiff Wife a quit claim deed conveying and transferring all his right, title and interest in and to certain real estate, said real estate being the former marital residence, and being real estate being the former marital residence, and being real estae located in the Borough of Saegertown, Crawford Co., PA., and being commonly known as 522 David Alley, and being more particularly described in a deed dated May 10, 1973, and recorded in Crawford Co. Deed Book 515, Page 946. Said premises are awarded to Plaintiff Wife.

Defendant Husband shall also make, execute and deliver to Plaintiff Wife a quit-claim deed conveying and transferring all his right, title and interest in and to certain real estate, said real estate being located in Borough of Saegertown, Crawford Co., PA., and being more commonly known as 320 Mill St., and being more particularly described in a deed dated Sept. 21, 1976, and recorded in Crawford Co. Deed Book 503, Page 042. Said premisses are awarded to Plaintiff Wife.

Plaintiff Wife shall make, execute and deliver to Defendant Husband a quit-claim deed conveying and transferring all her right, title and interest in and to certain real estate, said real estate being located in the Borough of Saegertown, Crawford Co., PA., and being commonly knows as 314-314½ Erie St., and being more particularly described in a deed dated April 4, 1974, and recorded in Crawford Co. Deed Book 482, Page 420. Said premises are awarded to Defendant Husband.

B. Cash Payment. Defendant Husband shall pay to Plaintiff Wife the sum of Four Thousand Two Hundred Fifty ($4,250.00) Dollars together with interest at the rate of seven (7) percent per annum, which payment shall be made in accordance with the terms and provisions of the Marital Settlement Agreement of the parties.

C. Further, the division of all other marital property, and the payment of all debts of the parteis shall be made in accordance with the terms of the Marital Settlement Agreement, which said Agreement was effective Jan. 12, 1993.

3. A copy of the Marital Settlement Agreement of the parties, which said Agreement was effective Jan. 12, 1993, which sets out in further detail the agreement of the parties concerning the matters herein, shall be filed with this decree in the Prothonotary's Office at the above-number.

The order shall be effective as of the 1st day of February, 1993.

BY THE COURT
Gordon R. Miller, J.

Feb. 9, 1993 Motion for Payment of Master, Refund of deposits and Order filed. And Now, February 9, 1993 The prothonotary shall make payment as prayed for in the mtoion and refund the balance equally tothe parties.

Anthony J. Vardaro,

Feb. 12, 1993 Copies of order to Atty's Mason, Fabian & Pickens

1990

Mary Ann Kirkpatrick

271.

DAVID J. LINZ

vs.

DEBORAH BRANT LINZ

Filed Mar. 15, 1990
@ 4:14 p.m.

Tax & entry Paid	$50.50
1 count paid	15.00
Pro Co Pd 7/10/90	9.00
State pd. 7/10/90	10.00
Pro Co pd 12/16/94	5.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION

1 copy (atty)

Mar. 21, 1990 Affidavit Of Service filed. And Now, March 20, 1990, comes Lisa M. Sherretts being duly sworn according to law, deposes and sets forth as follows:
1. That she is the legal secretary of Attorney for David J. Linz, Plaintiff in the above-captioned matter.
2. That on information furnished her by the Plaintiff, she caused a certified copy of the Complaint in Divorce to be forwarded by Certifed Mail, P 276 618 194; postmarked March 16, 1990, to the last known address of the Defendant, Deborah Brant Linz, Saegertown, Pennsylvania and she receives her mail c/o Postmaster, Saegertown, PA 16433.
3. That the Defendant, Deborah Brant Linz, on March 19, 1990, personally signed the return receipt card which was affixed to the Complaint in the above-matter and which is attached hereto as Exhibit"A"/
4. Service of the Complaint against Defendant is therefore effected in accordance with Pennsylvania Rules of Civil Procedure.
Lisa M. Sherretts

June 22, 1990, Affidavit of Consent of plaintiff filed.

June 22, 1990, Affidavit of Consent of defendant filed.

July 10, 1990, Upon praecipe of plaintiff attorney, for review Under Section 201(c) of the Divorce Code, this case moved to court.

July 20, 1990, Motion to Withdraw Claim and order filed. ORDER: AND NOW, JUly 20, 1990 Motion granted by the court.
P. Richard Thomas, J.

July 25, 1990 **D I V O R C E D E C R E E F I L E D .**

And now, July 25, 1990, it is ordered and decreed that David J. LInz: plaintiff, and Deborah Brant linz, defendant, are divorced from the bonds of martirmony.
BY THE COURT,
P. Richard Thomas, J

Dec. 16, 1994 Notice Of Election To Retake Maiden Nsame filed. Deborah A. Linz TO BE KNOWN AS: Deborah A. Brant

Culbertson, Weiss, Schetroma and Schug
Kemp C.Scales

272.

KEVIN J. PATRICK, KRISTEN S. PATRICK, HIS WIFE, AND JANE S. PATRICK

vs.

THE HEIRS, DEVISEES AND ASSIGNS OF WALTER B. ROBERTS, a/k/a W. B. ROBERTS, AND EDWARD A. L. ROBERTS, a/k/a E. A. L. ROBERTS

Filed Mar. 15, 1990
@ 4:23 p.m.

Tax & entry Paid $50.50
Pro Co pd 6/20/90 9.00
Pro Co Pd 7/10/90 1.00

COMPLAINT TO QUIET TITLE

Apr. 2, 1990 Motion For Leave To Serve By Publication filed.

Apr. 2, 1990 Order For Service Of Complaint To Quiet Title By Publication filed. And now, this 2nd day of April, 1990, upon consideration of the Motion file dby counsel for the Plaintiffs, and in reliance uopn the Affidavit, concerning the status of the Defendants, their heirs, devisees, successors and assings, filed by counsel for the Plaintiffs, it is hereby ordered that the Plaintiffs shall obtain service ofthe Complaint to Quiet Title filed in the above captioned action agianst the defendants, their heirs, devisees and successors and assigns generally, by single publication of the Legal notice attached to said Motion in a Crawford County newspaper of general circulation and in the Crawford County Legal Journal, notifying the defendants, their heirs, devisees, successors and assigns generally, to respond to the complaint to Quiet Title within twenty (20) days from the date of said publication or be forever barred from asserting any right, title interest, claim or demand whatsoever in to or against that certian tract of land described in said Complaint.

BY THE COURT,
Gordon R. Miller, J

Apr. 3, 1990 Copy of order put in Kemp Scales box.

Apr. 2, 1990 Affidavi Of Diligent Search filed. And now, Kempt C. Scales, esquire, Attorney for the Plaintiffs above named, being duly sworn according to law, deposes and says:

1. That he has conducted an investigation among the Records of Crawford County, Pennsylvania.
2. That he has examined all available sources of information contained within the various offices of the Crawford County Courthouse in an attempt to locate the Defendants, or their heirs, devisees, successors and assigns.
3. That the Courthouse records indicate that most of the heirs of Defendant E. A. L. Roberts were residents of the State of Iowa in the late 1880's.
4. That he has found no record information with respect to the Defendants which gives any indication as to the whereabouts of their heirs, devisees, successors or assigns.
5. That he has examined local telephone directories and made numerous telephone inquiries of various person in the Titusville area with the same last name as Defendants but has been unable to ascertain any current information concerning the whereabouts of the Defendants.
6. That based on this investigation, he believes that the named Defendants have left the area and that their whereabouts are unknown and unknowable based on current record information.

And further affiant sayeth naught.

Kemp C. Scales

May 16, 1990 Affidavit Of Service By PUblication filed. AND NOW, this 2nd day of May, 1990, appeared before me, a Notary Public, Kemp C. Scales, Esquire, who, after being duly sworn according to law, deposes and says:

1. that he is the attorney for the plaintiff in the above captioned Action to Quiet Title;
2. that on April 4, 1990, he did cause to be published in The Titusville Herald, and on April 11, 1990, he did cause to be published in The Crawford County Legal Journal, a Legal NOtice of the pendency of the within action to Quiet Title, all pursuant to the Order for Service of the Complaint to Quiet Title by Publication dated April 2, 1990;
3. that servicewas made by publication in accordance with this Order as appears by the proofs of publication attached hereto;
4. that all fees and expenses in connection with the publication of same have been paid in full by your Affiant on behalf of the Plaintiffs; and
5. that more than twenty (20) days have passed for the date of the last publication of the Notice and that neither Defendants nor their heirs, devisees, personal representatives, successors or assigns, have appeared or filed an answer to the Complaint.
6. And further Affiant sayeth naught.

Kemp C. Scales

May 16, 1990 Motion For Judgment filed.

May 16, 1990 Order filed. And Now, this 16th day of May, 1990, upon presentation of the foregoing motion and due consideration thereof, it is her eby ordered and decreed that the Defendants, their heirs, devisees, personal representatives, successors, and assigns, are forever barred f rom asserting any right, title, lien or interest inconsistent with the claim of the Plaintiffs, as set forth in the Complaint in this case, of, in, or to the parcel of and described in the Complaint and from impeaching, denying or in any way attachking the title of the Plaintiffs in this property; from issuing or continuing any action attacking the same and from encumbering, mortgaging or conveying the smae or any part thereof; unless the Defnednats, their heirs, devicees personal representatives successors and assigns take such action as is herein directed within thirty (30) days after the entry of this judgment.

If is further ordered and decreed that if no petition to open or set aside this Judgment is presented by the defnednats, their heirs, devisees, personal representatives or assigns within (30) days from and after the entry of this Judgment, the smae shall be final. If such action is not taken within this thirty-day period, the Prothonotary, on praecipe of the Plaintiffs, shall enter final judgment in favor of the Plaintiffs.

PER CURIAM,
Gordon R. Miller, J

May 17, 1990 Copy of order put in Kemp Scales box.

And now, this 18th day of June, 1990 @ 2:36 PM upon praecipe of plaintiff's attorney, final judgment is hereby entered in this case, in favor of the plaintiffs and against the defendants, pursuant to the foregoing Order of Court.

R-174-214

FINAL JUDGMENT
James F. Simmons
Prothonotary

1990

273.

Bruce A. Barrett

PETITION FOR INVOLUNTARY TREATMENT

of

WALTER C. STUTZMAN

Filed Mar. 15, 1990
@

PETITION FOR INVOLUNTARY TREATMENT
Mental Health Procedures act of 1976
(Sections 304 and 305)

Mar. 20, 1990 Report of Mental Health Review Officer, Recommendation and Order filed. AND NOW, this 20 of March, 1990, upon consideration of the petition filed at the above number and term, an dother relevant matter, and after a review of the report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said Walter C. Stutzman be committed to Warren State Hospital for treatment for a period not to exceed 90 days.

BY THE COURT,
P. Richard Thomas, J

Mar. 21, 1990 copies to MH/MR, Atty. Barrett and WSH

June 4, 1990 Report of Mental Health Review Officer, Recommendation and Order filed. ORDER:AND NOW, this 1st of June 1990, upon consideration of the petition filed at the above number and term, and other relevant matter, and after a review of the report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said Walter C. Stutzman be committed to Warren State Hospital for treatment for a period not to exceed 180 days.

BY THE COURT,
P. Richard Thomas, J.

June 11, 1990 copies to Atty. Barrett, WSH and MH/MR

Nov. 7, 1990, Petition for involuntary Treatment filed.

Dec. 5, 1990 Report of Mental Health Review Officer and Order filed. AND NOW, this 5th of December, 1990,,upon consideration of the petition filed at the above number and term, and other relevant matter, and after a review of the report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said Walter Stutzman be committed to Warren State Hospital for treatment for a period not to exceed 180 days.

BY THE COURT, P. Richard Thomas, S.J.

Dec. 7, 1990 Copies to Atty. Bruce Barrett, W.S.H. and MH/MR

June 3, 1991 Petition for Involuntary Treatment filed.

June 27, 1991 Report of Mental Health Review Officer and Order filed. AND NOW, this 26 of June, 1991, upon consideration of the petition filed at the above number and term, and other relevant matter, and after a review of the report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said Walter Stutzman be committed to Warren State Hospital for treatment for a period not to exceed 180 days.

BY THE COURT, P. Richard Thomas, S.J.

June 28, 1991 copies to Atty. B. Barrett, W.S.H. and MH/MR

Jan. 21, 1992 Petition for Involuntary Treatment filed.

Jan. 21, 1992 Report of Mental Health Review Officer and Order filed. AND NOW, this 20th day of January, 1992 upon consideration of the petition filed at the above number and term, and other relevant matter, and after a review of the report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said Walter Stutzman be committed to Warren State Hosp. for treatment for a period not to exceed 180 days.

This order shall take effect on 1-20-92.

BY THE COURT,
Gordon R. Miller, P.J.

Jan. 22, 1992 copy to B. Barrett, Warren State Hosp., MH/MR

July 8, 1992 Petition for Involuntary Treatment filed.

July 29, 1992 REPORT OF MENTAL HEALTH REVIEW OFFICER and ORDER filed. ORDER: AND NOW, this 29th day of July, 1992 upon consideration of the petition filed at the above number and term, and other relevant matter, and after a review of the report of the Mental helth Review Officer, it is hereby ORDERED and DIRECTED that the said Walter Stutzman be committed to Warren State Hospital for treatment fora period not to exceed 180 days.

This order shall take effect on July, 1992.

BY THE COURT
Gordon R. Miller, P.J.

Aug 4, 1992 copy to Barrett, MH/MR, Warren

Jan. 4, 1993 Petition for Involuntary Treatment, filed.

Jan. 8, 1993 REPORT OF MENTAL HEALTH REVIEW OFFICER and ORDER filed. ORDER: And now, Jan. 7, 1993, upon consideration of the petition filed at the above number and term, and other relevant matter, and after a review of the report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said Walter Stutzman be committed to Warren State Hospital for treatment for a period not to exceed 180 days.

BY THE COURT,
Gordon R. Miller, P.J.

Jan.12, 1993 copy to Barrett, MH/MR, WSH

July 6, 1993 Petition for Involuntary Treatment, filed.

July 20, 1993 Report of Mental Health Review Officer and Order, filed. ORDER: And now, July 19, 1993, upon consideration of the petition filed at the above number and term, and other relevant matter, and after a review of the report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said Walte rStutzman be committed to Warren State Hospital for treatment for a period not to exceed 180 days.

This order shall take effect on this date.

BY THE COURT,
Gordon R. Miller, P.J.

July 22, 1993 copy to Barrett, MH/MR, WSH.

Dec. 29, 1993 Petition For Involuntary Treatment, filed.

Jan. 27, 1994 Report of Mental Health Review Officer and Order, filed. ORDER: AND NOW, this 26th day of January, 1994, upon consideration of the Petition filed at the above number and term, and other relevant matter, and after a review of the Report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said Walter Stutzman be committed to the Warren State hospsital for treatment for a period not to exceed 180 days from January 19,1994.

BY THE COURT,
Gordon R. Miller, P.J.

Jan. 28, 1994 copy to Baarrett, Africa, MH/MR, WSH

1990

Mary Ann Kirkpatrick

274.

Blackman & Blackman
Kenneth L. Crosby

~~Anthony Vardaro~~
withdrawn

5/3/90 Recd $46.00 from Plaintiff

Recd 6-1-90
$46.00
Vivian Stoltz

FRANK RANKIN AND SHIRLEY RANKIN

vs.

DIANA REAUGH

Filed Mar. 16, 1990

Tax & entry Paid $50.50 ✓
William Pineo, mediator
Mediation Costs 92.00
Rec'd 5/3/90 9.00 ✓

COMPLAINT FOR PARTIAL CUSTODY

1 copy (atty)
1 copy (mediator)

ORDER:
AND NOW,March 16, 1990 the parties herein and their counsel are ordered to appear before WILLIAM PINEO, CHILD CUSTODY MEDIATOR AT SUCH TIME and place as the child custody mediator shall determine.
BY THE COURT,
Gordon R. MIller, J.

Mar. 21, 1990 Affidavit of Service filed. And Now, March 20 1990, comes Lisa M. Sherretts being duly sworn according to law, deposes and sets forth as follows:
1. That she is the legal secretary of Attorney for Frank Rankin and Shirley Rankin, Plaintiffs inthe above-captioned matter.
2. That on information furnished her by the Plaintiffs, she caused a certified copy of the Complaint for Partial Custody to be forwarded by Certified Mail, P 276 618 195; postmarked March 16, 1990, to the last known address of the Defendant, Diana Reaugh, Box 5, 180 Murray Rd., Shady Acres Mobil HOme Park, Meadville, Pennsylvania 16335.
3. That the defendant, Diana Reaugh, on March 19, 1990, personally signed the return receipt card which was affixed to the Complaint in the above-matter and whcih is attached hereto as Exhibit "A".
4. Service of the Complaint against Defendant is therefore effected in accordance with Pennsylvania Rules of Civil Procedure.
Lisa M. Sherretts

Apr. 26, 1990 Temporary Order filed. AND NOW, this 25 day of April, 1990, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator, IT IS HEREBY ORDERED AND DECREED THAT:
1. The defendant mother shall retain legal and physical custody of the subject minor child.
2. The plaintiff grandparents shallhave the right of viistation and temporary physical custody on alternate weekends, beginning with the weekend of May 4 at 3:30 p.m., The defendant grandfather shall pick Cory up at Cory's home on his way home from work and shall have the right to pick up Cory whenever he shall pass the house. The visitation period shall end Sunday at 5:00 p.m. with the grandparents returning Cory to his mother's home.
3. The plaintiff grandparents shall also have the right of visitation and temporary physical custody with Cory each summer for a two week period. If the grandparents wish to take Cory on a vacation tip, the period may be extended to three weeks. The grandparents shall notify the mother by May 15 of the vacation period they wish to select.
4. the Plaintiff grandparents shall also have the right of temporary physical custody and visitation with Cory each Thanksgiving from 10;00 a.m. to 6:00 p.m., an dduring Cory's Christmas vacation from school, a three day period to begin at Noon on December 26 and end at noon on December 29.
5. the grandparents shall be responsible for transportation in the exercise of their visitation rights.
6. Each party shall teach said child to give to the other party that love and respect which is due a parent from his or her child.
7. Any person transporting the child shall make sure that the seat belts or other restraints are used in accordance with the law of Pennsylvania.
8. Neither party shall do or say anything to blacken the character of the other in the child's estimation. Each party shall treat th eother in a polite and respectful manner when in the child's presence and each pa rjty shall instruct his or her relatives and friends to do likewise andl also not to disparage the other pa rty in the child's estimation.
9. The parties are free to make additional or alternative arrangements respecting the custodial and visitation periods and are strongly encouraged to do so if that would be proper and convenient. Said arrangements shall be by mutual consent only, in the absenceof which this Order shall govern.
10. Costs and fees of this Mediation, which are fixed at $92.00 are divided equally between the parties with a share of each being assessed to him or her as costs in this case. Payment shall be made to the Prothonotary of Crawford County.
11. Either party may move the court ofr a hearing de novo for thirty (30) days form date hereof. If neither party so moves, this Order shall be considered permanent.
By the Court,
Gordon R. Miller, J

Apr. 27, 1990 Copies of order put in Mary Ann Kirkpatrick, Anthony vardaro and william Pineo's box and copies mailed to plaintiff and defendatn.

May 9, 1990 Consent Order filed. AND NOW, this 9 day of May, 1990, come the parties hereto and agree to the modification of a temporary order in this matter as follows:
IT IS HEREBY ORDERED AND DECREED THAT:
1.) The defendant mother shall retain legal and physical custody ofthe subject minor child.
2.) The Plaintiff grandparents shall have the right of visitation and temporary physical custody from April 27, 1990 at 3:30 p.m. until April 29, 1990 at 5:00 p.m. The defendant grandfather shall pick Cory up at Cory's home on his way from work and shall have the right to pick up Cory whenever he shall pass the house. At the end of the visitation period, the grandparents shall return Cory to his mother's home.
3.) The plaintiff grandparents shall also have the right of visitation and temporary physical custody with Cory each summer for a six week period beginning July 1.
4.) The Plaintiff grandparents shall also have the right of visitation and temporary physical custody with Cory each Christmas vacation from school for a period of five days beginning at noon on December 26.
5.) The grandparents shall be responsible for transportation in the exercise of their visitation rights.
6.) Each party shall teach said child to give to th eother party that love and respect which is due a parent from his or her child.

CONTINUED ON THE NEXT PAGE

Frank Rankin and Shirley Rankin

vs.

Diana Reaugh

Record continued from page 274

of record

A.D. 1990 - 274

****

7.) Any person transporting the child shall make sure that the seatbelts or other restraints are used in accordance with the law of the Commonwealth of Pennsylvania.
8.) Neither par ty shall do or say anything to blacken the character of the other par ty in the child's estimation. Each par ty shall treat th eother in a polite and respectful manner when in the child's presence and each party shall instruct his or her relatives and friends to do likewise and also not to disparage the other party in the child's estimation.
9.) The parties are free to make additional alternative arrangments respecting the custodial and visitaiton periods and are strongly encouraged to do so if that wuld be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which this Order shall govern.
10.) Beginning on or about April 30, 1990, the defendant mother shall be residing at 16220 Tampa Street, brooksville, Florida 34609 and if that address shall change, defendant mother shall give pl aintiff grandparents notice of that change of address and any change of telephone number wi thin seven day sof when such change occurs.
11.) The terms of any previous recommendations by a court appointed mediator and/or court order shall be forthwith void and this Consent Order shall not be controlling.

BY THE COURT,
P. Richard Thomas, J

May 10, 1990 Copies of order put in Mary Ann Kirkpatrick, Anthony Vardaro and William Pineo's box.

June 14, 1991 Contempt Petition and Order filed. And Now, June 14, 1991, the Court is unwilling to schedule hearing on Grandparent's contempt Petition until an dunless MOther fails to send the minor child to grandparents on July 1, 1991 as Ordered; however, mother is admonished to comply with the Order and to provide the grandparents with her telephone number so that transportation arrangements may be made and the Grandparents may talk with their grandson.

By the Court:
P. Richard Thomas, S.J.

June 18, 1991 Copies of order put in Mary Ann Kirkpatrick, Anthony Vardaro and William Pineo's box.

June 24, 1991 Affidavit of Service of Contempt Petition and Court Order filed.

July 17, 1991 Notice and Order To Appear, Contempt Petition and Order filed. Legal proceedings have been brought against you alleging you have wilfully disobeyed an order of court for parital custody or visitation.
If you wishe to defendant against the claim set foth in the following pages, you may but are not required to file in writing with the court your defenses or objections.
Whether or not you file in writing with the cour tyour defenses or objections, you must appear in person in cour ton August 2, at 3:00 p.m., in Courtroom 1 or 2, crawford County Courth House, Meadville, PA.
IF YOU DO NOT APPEAR IN PERSON, THE COURT MAY ISSUE A WARRANT FOR YOUR ARREST.
If the cour tfinds that you have wilfully failed to comply with its order for partial custody or visitation, you may be found to be in contempt of court and committed to jail, fined or both.
YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Crawford County Bar Assocaition
Service to the Public Committee
c/o Prothonotary, Court House
Meadville, PA 16335
(814) 724-4636

Date: 7/17/91

By the Court:
P. Richard Thomas, S.J.

And Now, July 17, 1991 hearing on Plaintiffs' Contempt Petition is scheduled for Aug. 2, 1991 at 3:00 p.m. o'clock in court room 1 or 2 of the Crawford County Court House in Meadville, PA. The child, Cory Vincent Rankin, shall be brought to Court on that date unless he has been previously delivered to Plaintiffs.

1 copy atty.

By the court:
P. Richard Thomas, S.J.

July 31, 1991, Motion to Reschedule and Order filed. And nOw, July 31, 1991, hearing on Plaintiff's contempt Petition is rescheduled to Aug. 14, 1991 at 9:30 a.m. in Courtroom No. 1 or 2 of the Crawford County courthouse in Meadville, Pa. The minor child, Cory Rankin shall be brought to Court on that date unless he has been previously delivered to plaintiffs.

By the Court,
Gordon R. Miller, J.

July 31, 1991, copies to W. Pineo, M. Kirkpatrick, A. Vardaro.

Aug. 1, 1991 Appearance of Blackman & Blackman by Kenneth L. Crosby for Defendant filed.

***

August 12, 1991 Exhibits filed with papers.

Aug. 12, 1991 Return of Service of Petition for Contempt filed.

***

Aug. 9, 1991 Motion To Reschedule and Order filed. AND NOW, August 8, 1991, the hearing on Plaintiff's Contempt Petition is rescheduled to August 12, 1991, at 3:00 p.m. o'clock in Courtroom 1 or 2 of the Crawford County Courthouse in Meadville, PA. The minor child, Cory Rankin shall be brought to Court on the date unless he has been previously delivered to Plaintiffs.

BY THE COURT,
Gordon R. Miller, J

1 copy atty.

CONTINUED ON PAGE 274B

274
B

1990

Frank Rankin and Shirley Rankin

vs.

Diana Reaugh

Record Continued from page 274 A

of record

A.D. 1990 - 274

Aug. 13, 1991 ORDER filed. ORDER: AND NOW, Aug. 12, 1991, at the time fixed for hearing on the Plaintiffs' Petition for Contempt, wherein the defendant clearly did not abide by the custody and visitation Order of May 9, 1990, the Court finds that the defendant's failure is will ful and is tantamount to contempt of court. The defendatn may satisfy this contempt and purge herself from any further punishment by fully and completely complying with the balance of this Order as follows:

1. She shall make the necessary arrangements to have the child transported to the plaintiffs no later than 5:00 o'clock P.M. on Thursday, Aug. 15, 1991, which may be satisfied by having the child fly to the Greater Pittsburgh Airport, where the plaintiffs shall p ick him up. The child shall be returned to the defendant so that he arrives at the airport she chooses that is closest to her home no later than 8:00 o;clock P.M. on Sunday, Aug. 25, 1991. The cost of the transportation shall be borne by the defendant.

2. The defendant shall pay the sum of $608.00 to the plaintiffs in such installments as she chooses, which said payment shall be made in full no later than Sept. 12, 1991. Said amount consists of $350.00 in attorney fees and $258.00 in air fare expenses paid by the plaintiffs.

3. The cost of transporting the child to and from the Christmas, 1991 visitation with the plaintiffs shall be borne inf ull by the defendant.

BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

Aug. 16, 1991 copy in box for M.A.Kirkpatrick; mailed copy to K. Crosby

Dec 20, 1991 Motion to Withdraw Appearance and order filed: AND NOW, this 20 day of Dec., 1991, upon consideration of the foregoing Motion, Anthony J. Vardaro, Esquire, is permitted to withdraw his appearance on behalf of the defendant, Diane Reaugh.

BY THE COURT,
P. R. Thomas, S.J.

Dec 31, 1991 Copies of order put in Attys Kirkpatrick and Vardaro's boxes and copy mailed to Atty Crosby.

1990

Jorden and White
William T. Jorden

275.

ROBERT AND CATHERINE HEIST AS PARENTS AND NATURAL GUARDIANS OF DORAN, A MINOR

vs.

RUTH E. ELLIS, AND DAVID M. ELLIS

Filed Mar.16, 1990
@ 9:48 a.m.

Tax & entry Paid $50.50

PETITION FOR APPROVAL OF SETTLEMENT OF MINOR'S CLAIM

ORDER:
AND NOW, this 16the dayof March 1990, upon consideration of the foregoing petition for approval of settlement of a Minor's claim, the court does hereby approve settlement of a Minor's claim as follows:

Initial settlement amount received from United Services Automobile Association	$50,000.00
Disbursements:	
One third attorneys fees Jorden & White (based on the $100,000.00 policy limit)	$33,333.33
Check #1244, Meadville Medical Center. re: copies of medical records	19.00
Check #1245, Meadville Medical center re: emergency room records	25.00
Check # 1246, ST. Vincent's Health Center re: copies of medical records	10.00
Check #1247, Pa. Bureau of Motor vehicles re: driving record of Ruth Ellis	5.00
Check #1257, St. Vincent's Health center re: balance due for medical records	38.95
Check #1258, Medical-Surgical Associates re: medical report	25.00
Check #1405, Orthopedic Associates of Meadville re: medical report	100.00
Check #1489, Orthopedic Associates of Meadville re; prognosis letter	80.00
Check #1590, James F. Simmons, Prothonotary re: filing Complaint	50.50
Total Disbursements	$33,686.78

Balance due to the minor plaintiff, Doran Heist, at time of settlement..... $16,313.22

Then, as follos by Metropolitan Insurance Company:

Payments of $8,000.00 semi-annually for a period certain of five (5) years starting at 8/1/2002 through 2/1/2007	$80,000.00	
Payment on 04/1/2008	20,000.00	
Payment of 4/1/2013	30,000.00	
Payment on 4/1/2018	125,220.98	
total	$255,220.98	
Total settlement.....		$305,220.98

Gordon R. Miller, J.

1990

Mahany, Roeder &
Rothschild
Tamera Rothschild

276.

DANIELLE R. WHITE

vs.

BRIAN K. WHITE

TAX + Entry Pd 8/8/90 65.50✓
Proc Co Pd 8/8/90 15.00✓
State Pd 8/8/90 10.00

Filed Mar. 16, 1990
@ 1:53 p.m.

Indigent filing
Bruce Smith, Mediator

COMPLAINT IN CUSTODY AND DIVORCE

2 copies (atty)
1 copy (mediator)

ORDER:

You, Brian k. White, defendant, have been sued in Court to obtain custody of the child, to wit: Braxton A. White.

You are ordered to appear in person at a mediation conference at a time place and date to be established by the custody mediator.

BRUCE SMITH, ESQ., is hereby appointed Custody Mediator in this matter.

Until further order of court, temporary custody of said child is hereby granted to plaintiff, Danielle R. WHite.

If you fail to appear as provided by this order, an order of partial custody or visitation may be entered against you or the court may issue a warrant for your arrest.

You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.

District Court Administrator, Lancaster County Courthouse, 50 N. Duke St. Lancaster, Pa 17604, 717 299 8041.

Dated: Mar. 12, 1990 BY THE COURT,
Gordon R. Miller, Judge

Mar.16, 1990, Petition to Proceed In Forma Pauperis, and Order filed. 1 copy (atty) ORDER: AND NOW, Mar. 12, 1990, upon consideration of Plaintiff's Petition to Proceed In Forma Pauperis this court finds that plaintiff is indigent and without financial resources to pay the costs involved in bringing this action, for these reasons, it is ORDERED AND DECREED that;

Plaintiff's Petition to Proceed In Forma Pauperis is GRANTED, with costs to be determined at the time this matter is concluded. BY THE COURT,
Gordron R. Miller, Judge

March 21, 1990 Certificate of Service of Complaint filed. On March 20, 1990, I mailed a certified copy of the Order and Complaint for Custody and Divorce in the above captioned matter by Certified Mail No. P 382 386 024 Return Receipt Requested, Restricted delivery, postage prepaid, to the Defendant, Brian K. White. Attached hereto is the Receipt for Certified Mail marked "Exhibit A".

I make this statement pursuant to 18 PA. C.S. Section 4904 relating to unsworn falsification to authorities and understand that false statements may subject me to criminal penalties under that statute. Tamera Ochs Rothschild, Esq.

March 28, 1990 Affidavit of Return of Service by Mail filed. On March 20, 1990, I mailed a true copy of the Order and Complaint for Custody and Divorce in the above captioned matter by Certified Mail No. P 382 386 024 Restricted Delivery to the Defendant, Brian K. White. Defendant signed a return receipt upon delivery March 22, 1990. The receipt is attached hereto and marked as "Exhibit A".

I make these statements pursuant to 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities and understand that false statements may subject me to criminal penalties under that statute.

Mahany. Roeder & Rothschild
Tamera Ocsh Rothschild, Esq.

July 11, 1990 Petition For Entry of Agreement and ORDER filed. AND NOW, July 11, 1990, upon consideration of the foregoing Petition and Agreement for Custody beteen the parties, it is ORDERED and DECREED that:

1. The parties shall share legal custody of Braxton A. White. Shared legal custody shall entitle both of the parents to equal access to any records relating to the child held bya third party, including, but not limited to, school and medical records, and shall entitle both parents to equal input with regard to the educational and religious upbringing of the child, as well as elective surgery.

2. Danielle R. White shall continue to have primary physical custody of the minor child at her residence, subject to Brian K. White's shared physical custody rights. Danielle R. White presently resides at PO Box 92, Main St., Townville, PA 16360. Brian K. White presently resides at 960 W. Main St., Apt. 2, New Holland, PA.

3. Brian K. White shall have physical custody of the minor child on a regular basis according to the following schedule:

Visitation shall be as follows:

A. 1990
   (1) The first full week of July;
   (2) The third full week of August;
   (3) December 22 through December 29;

B. 1991
   (1) The last full week of June and the first full week of July;
   (2) The third full week of August;
   (3) December 26 through January 2;

C. 1992
   (1) The last full week of June and the first full week of July;
   (2) The second and third full weeks of August;
   (3) December 22 through December 29;

D. 1993 and succeeding years
   The father shall continue to retain the child according to the following schedule:
   (1) The last full week of June and the first full week of July;
   (2) The second and third full weeks of August;
   (3) In even years, the Father shall retain custody of the minor child the Saturday preceding December 26 through December 29; in odd years, the Father shall retain the child from December 26 through January 2.

E. A "week" for purposes of defining the Father's custody, shall be 12:00 noon on a Saturday through the Sunday, seven (7) days later, at 12:00 noon.

RECORD CONTINUED ON
PAGE 276 (a).....

276
(a)

1990

Danielle R. White

vs.

Brian K. White

Record Continued from Page 276

OF

AD 1990 - 276

****

F. The parties agree to meet at the crossroads of PA. Routes 144 and 45 (Route 144, south of Centre Hall, PA.) at 12:00 noon of the day the Father is to pick up the child and on the day the Father is to return the child.

4. The party having custody of the child shall notify the other parent as soon as possible in the event of illness or injury requiring medical treatment.

5. The parties agree to keep one another informed of their current address and telephone number so that the other may maintain continuous telephone and mail contact with the minor child.

6. Neither party shall take the child into any environment which might be commonly though of as detrimental to his development or the development of his character, or which would be commonly thought of as dangerous to his physical safety.

7. The parties will allow the child to develop the love and respect a child is entitled to have for a parent, and neither of the parents will do anything to blacken the character of the other parent in the eyes of the child.

8. The parties agree that this Agreement shall be presented to the Crawford County Court of Common Pleas Court for approval and entry as a Court Order. The parties further agree that it is their intention that this Agreement be merged and incorporated into said Court Order.

By The Court:
P. Richard Thomas, J.

July 11, 1990 Three (3) copies of Order to Atty. Tamera Rothschild.

July 11, 1990 Affidavit of Consent of Plaintiff filed.

July 11, 1990 Affidavit of Consent of Defendant filed.

July 11, 1990 Upon Praecipe of Plaintiff Attorney for Review under Section 201(c) of Divorce Code, this case is moved to Court.

July 18, 1990 **D I V O R C E D E C R E E F I L E D .**

AND NOW, this 18th day of July, 1990, it is ORDERED, ADJUDGED AND DECREED that Danielle R. White, Plaintiff, and brian K. White, Defendnat, are divorced from the bonds of matrimony. The Court retains jurisdiction of the following claims which have been raised of record by the parties to this action for which a final order has not yet been etnered: None.

BY THE COURT,
Gordon R. Miller, J

276
(6)

1990

277.

WANDA FINK

vs.

STEPHEN VanTASSEL

Filed Mar. 16, 1990
@ 2:04 p.m.

Tax & entry	$50.50
Sheriff's costs	20.00
	9.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies (sheriff)
1 copy (plaintiff)

TEMPORARY ABUSE ORDER:

AND NOW, this 16 day of March 1990, upon review of the petition of plaitniff, the court enteres the following temporary order.

1. The defendant shall not assault, abuse harass or threaten the plaitniff or any of the minor children named in the petition.

2.Special Conditions: Defendant may not go to or inside the premises of Pl. at 1092 Morgan Village Road. def. may not take or visit the child.

3. This order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.

4. A copy of this order shall be delivered to the polcie departments in the jurisdiction where the plaintiff resides and to county control.

5. Service of a copy ofthe petition and this order shall be made upon the defendant by a sheriff, constable, polcie officer or competent adult.

6. This temporary order shall remain in full effect and force until modified or terminated by further orde rof this court. Liablity for payment of fees and costs will be determined by final court order.

7. The defendant is reminded that this is an order of court and violation of this order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.

8. The court reserves ruling on allocation of fees and costs/

HEARING is hereby set for Mar. 22, 1990 at 10:00 a.m. in C. R. No. 1 or 2 of the Crawford county Courthouse.

The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF THE COURT,
P. Richard Thomas, J.

March 20, 1990 Sheriff's Return filed. SERVED Stephen Van Tassel personally on March 16, 1990 at 4:31 pM by handing copy of Protection From Abuse to him at residence of his parents 808 Stewart St., Meadville, Crawford Co. PA. 16335
So answers,

Howard N. Stewart, Sheriff

Mar 23, 1990 Order filed: AND NOW, March 22, 1990, at the time scheduled for hearing, both parties were present and the Plaintiff indicated that she desired to discontinue this matter. She also indicated a willingness and ability to pay court costs within the next thirty days.

Therefore, it is Ordered as follows:

1. This matter is dismissed and the temporary abuse Order entered March 16, 1990, is hererby terminated and dissolved.

2. A copy of this Order shall be given to the Police Departments in the jurisdiction where the Plaintiff resides and to County Control.

3. The Plaintiff shall pay the court costs in the amount of $79.50 directly to the Prothonotary of Crawford County no later than April 22, 1990.

BY ORDER OF THE COURT,
Gordon R. Miller, Judge

Mar 23, 1990 Copies of order mailed to Plaintiff and Defendant.& Co. Control.

1990

Shafer, Swick, Bailey
Irwin & Stack
James R. Irwin

278.

DOUGLAS CHRIS COLDREN

vs.

LINDA KAY COLDREN

Filed Mar. 16, 1990
@ 4:07 p.m.

Tax & entry Paid	$50.50
1 count paid	15.00
Pro Co. Pd 6-19-90	9.00
State Surcharge Pd.	10.00

COMPLAINT UNDER SECTION 201(c) OR 201(d) OF DIVORCE CODE, EQUITABLE PROPERTY DETERMINATION & DISTRIBUTION

1 copy (atty)

June 19, 1990 Verification filed. I, James R. Irwin, Esq., do hereby verify that I am the attorney of record for Plaintiff and that as such, I am authorized to execute this Verification; that I did, on the 16th day of March, 1990 send by Certified Mail, Return Receipt Requested, Addressee Only, to Linda Kay Coldren, the above named Defendant, a true and correct copy of the Divorce Complaint filed at the above number at her last known address of RD # 1, Box 24A, Guys Mills, PA., as evidenced by the attached sender's receipt No. P 063 586 073 and that on the 22nd day of March, 1990 I did receive the duly executed return receipt dated the 21st day of March, 1990.

James R. Irwin, Esq.

June 19, 1990 Affidavit of Consent of Plaintiff filed.

June 19, 1990 Affidavit of Consent of Defendant filed.

June 19, 1990 Separation And Property Settlement Agreement filed.

June 19, 1990 Upon Praecipe of Plaintiff Attorney for Review Under Section 201(c) of Divorce Code, this case is moved to Court.

June 27, 1990 **D E C R E E F I L E D .**

1. Divorce: Upon consideration of the pleadings and affidavits filed in the abovecaptioned case, this Court hereby grants an absolute divorce form the bonds of matirmony to the abovenmaed parties, onthe grounds that the marriage is irretrievably broken and Ninety (90) days have elapsed from the date of filing of theComplaint and an affidavit has been filed by each of the parties evidencing that each of the par t ies consents to the entry of a divorce decree, pursuant to Section 201(c) of the Pennsylvania Divorce Code.

2. Equitable Property Determination and distribution: It is ordered and decreed that the marital proper ty of the abovenamed parties shall be divided in a ccordance with a Separation and Property Settlement Agreement dated june 18, 1990, executed by the parties and filed in the Court of Common Pleas of Crawford County, Pennsylvania at the above cpationed number and term.

The real estate located at R.D.#1, Box 24A, Guys mills, Pennsylvania shall be sold and upon the sale of the marotial residence all outstanding debts incurred by the parties, including but no limited to credit c ards, the motor vehicle installment loan, and the balance of the mortgage shall be retired from the proceeds of said sale. The remainder of the money will be divided 50/50 between the parites.

This Agreement, in part, provides that the division of marital owned personal property shall be mad ein accordance with Paragraphs 11, and 12, of the SEparation and Property AGreement dated June 18, 1990, which in part, provides:

a) The Plaintiff shall be the sole and exclusive owner of all marital onwed personal property listed on Exhibit "B" in the Separation and Property settlement Agreement.

b) Defendant shall be the Sole and exclusive owner of all marital owned personal property listed on Exhibit "A" in the Separtion and Property Settlement Agreement.

c) The defendnat shall be the sole and exclusive of the 1988 Toyota Four-Runner vehicle.

3. Alimony: In accordance with Paragraph 15 of the June 18, 1990, agreement neither of the parties hereto shall be awarded alimony.

4. A copy of the Separation and Property Settlement Agreement of the parties, dated June 18, 1990, which sets in further detail the agreement of the parties concerning the matters herien, shall be filed with this decree in the Prothonotary's Office at the above number and term.

5. No other matters or causes of action provided under the Pennsylania Divorce Code are reserved by either of the parties.

This Order shall be effective as of this 27 day of June, 1990

BY ORDER OF THE COURT,
P. Richard Thomas, P.J.

1990

Brian J. Lindsay

Thomas, Truax, Spadafore, vardaro & Walker
~~Anthony J. Vardaro~~ withdrawn

279.

Ferguson & Spataro
John F. Spataro

DEBORAH R. CATALANO

vs.

EDNA G. McCLINTON

12/5/91 Received $37,000.00 from Everett Cash Mutual Ins. Co. Deposit in Mellon Bank Savings Account # 63-0803-5 Book in Safe

12/5/91 Received $37,000.00 From Conemaugh Valley Mutual Ins. Co. Deposited in Mellon Bank Savings Account # 63-0803-5

6-9-93 Per Gorder Pd Brian Lindsay Esq atty for Catalano $6500.00

6-9-93 Per Gorder Pd John Spataro Esq atty for McClinton including int. 70,979.60

Filed Mar. 16, 1990
@ 4:09 p.m.

Tax & entry Paid	$50.50 ✓
Sheriff's Costs	20.00
Pro Co Pd 7/31/91	9.00 ✓

COMPLAINT

1 copy (sheriff)

Mar. 29, 1990 Sheriff's Return filed. SERVED Edna G. McClinton, personally on March 20, 1990 at 9:40 AM, at her residence, 827 Water Street, Meadville, Crawford County, PA. So answers, Robert M. Stevens, Deputy
Howard N. STewart, Sheriff

Apr. 30, 1990 Answer To Complaint and Counterclaim For Specific Performance filed.

May 16, 1990 Answer To Counterclaim filed.

June 18, 1990, Notice of Service of Plaintiff's Response to Defendant's Request for Production of Documents, filed.

June 24, 1991 Certificate of Readiness filed.

ON OCTOBER 1991 TRIAL LIST

And Now, July 30, 1991 at 10:07 a.m., upon praecipe of defendant attorney, this action indexed against plaintiff in the Judgment index; property description attached.
C - 45
7/30/91
Lis Pendens entered

LIS PENDENS
James F. Simmons,
Prothonotary

Aug 14, 1991 Motion and Order filed: AND NOW, this 14th day of August, 1991, upon consideration of the within Motion a rule to show cause is hereby entered upon the Plaintiff to show cause is hereby entered upon the Plaintiff to show cause why the request of the Defendant should be denied, this rule is returnable on the 28th day of August, 1991, in Courtroom No. 1 or 2, Crawford County Courthouse, Meadville, Pennsylvania. If the parties wish to file briefs they shall do so no later than August 26th.

BY THE COURT,
Gordon R. Miller, J.

August 19, 1991 Copies of order put in Attys. Vardaro and Spataro's boxes.

Aug. 15, 1991 PLAINTIFF'S RESPONSE TO DEFENDANT'S REQUEST FOR ADMISSIONS, filed.

Aug. 15,1991 NOTICE OF SERVICE to Plaintiff's Response to Defendant's Request for Admissions, filed.

Sept. 30, 1991 Motion For Continuance and Order filed. AN DNOW, this 30th day of September 1991, the trial of this case is continued to the February, 1992, Term of Civil Court.

BY THE COURT,
Gordon R. Miller, P.J.

Sept. 30, 1991 Copies of order to Atty. Vardaro and Spataro

Sept. 25, 1991 Petition of Plaintiffs to Pay Proceeds in to Court for Distribution, and Order filed.

Oct. 9, 1991 ORDER filed. AND NOW, Oct. 1, 1991; upon receipt and review of a petition of Everett Cash Mutual Insurance Company and Conemaugh Valley Mutual Insurance Company to pay insurance proceeds in to court by way of interpleader, since thre is no indication in said petition as to whether or not Deborah R. Catalano and Edna G. McClinton were ever served with a copy of said petition and whether or not said persons consent to, oppose, or have no position with respect to said petition, the court will not enter an order ex parte.

Therefore, a rule to show cause is hereby granted and directed to Deborah R. Catalano and Edna G. McClinton to show cause if any they have, why the prayer of the petitioners should not be granted.

Said rule is returnable for hearing and/or argument for the 26 day of Nov. 1991 at 1:30 p.m. in C. R. No. 1 or 2 of the Crawford County courthouse.

Counsel for all parties are advised that they shall follow the local rules of court with respect to the filing of briefs and counsel for the petitioners shall expressly address the issue of whether or not this is a proper petition or whether a separate action in equity must be brought.

BY THE COURT,
Gordon R. Miller, P.J.

Oct. 10, 1991, copies to Attys. Scott G. Dunlop, D. McGlynn, A. Vardaro and J. Spataro.

Nov. 26, 1991 STIPULATION AND ORDER OF COURT filed. AND NOW, this 26 day of November, 1991, in consequence of the within stipulation and agreement entered into by and among Deborah R. Catalano ("Catalano"), Edna G. McClinton ("McClinton"), Everett Cash Mutual Insurance Company ("Everett") and Conemaugh Valley Mutual Insurance Company ("Conemaugh"), through their respective counsel, it is hereby ORDERED, ADJUDGED and DECREED as follows:

(1) The Prothonotary of Crawford Co. is directed to accept the sum of Thirty-Seven Thousand Dollars ($37,000.00) from Everett, paid pursuant to its Policy No. FP280-071, and the sum of Thirty-Seven Thousand Dollars ($37,000.00) from Conemaugh, paid pursuant to its Policy No. cP-3004, and to deposit said sums into an interest bearing account with Mellon Bank;

(2) The funds so deposited with the Prothonotary pursuant to this Order shall not be paid out or distributed except by further order of this Court, pending resolution by judgment or settlement of the issues which remain pending in the above-captioned action pertaining to the competing claims of Catalano and McClinton to ownership of the premises at 825-827 Water St., Meadville, PA. which premises were insured by Everett and Conemaugh against risk of fire;

RECORD CONTINUED ON PAGE 598.....

1990

Thomas, Truax, Spadafore Vardaro, Walker
Anthony J. Vardaro

280.

ROSEANN DARCANGELO

vs.

RONALD M. DARCANGELO

Filed Mar. 16, 1990
@ 4:11 p.m.

Tax & entry Paid	$50.50
Pro Co pd 5/8/90	9.00
State pd 5/8/90	10.00

COMPLAINT UNDER SECTION 201(d) OF THE DIVORCE CODE

1 copy (atty)

Mar. 16, 1990, Plaintiff's Affidavit Under section 201(d) of the divorce code filed.

April 9, 1990 Affidavit of Service filed. Vicki Bradshaw, being duly sworn according to law, deposes and says that she is the secretary to Anthony J. Vardaro, Esq., Attorney for Plaintiff in this action and certifies that on March 23, 1990 she sent a true and correct copy of a Complaint in Divorce and Plaintiff's Affidavit Under Section 201(d) of the Divorce Code in this matter to Ronald . Darcangelo at 139 North Good Hope Road, Greenville, PA 16125 by certified mail, postage prepaid, return receipt requested, delivery restricted to addressee only, by certified mail no. P 063 589 706 which is attached hereto as Exhibit "A". Thereafter on March 26, 1990, it was returned to Anthony J. Vardaro, Esquire, return receipt card bearing the same number and signed by R. . Darcangelo said return receipt card being attached hereto sa Exhibit "B".

Vicki Bradshaw

May 4, 1990 Affidavit of Service filed. Vicki Bradshaw, being duly sworn according to law, deposes and says that she is the secretary of Anthony J. Vardaro, Esquire, Attorney for Plaintiff in this aciton and certifies that on April 13, 1990 she sent a true and correct copy of a Defendant's Counter-Affidavit Under Section 201(d) of the Divorce Code and a Notice of Intention to Request Entry of Divorce Decree in this matter to Ronald M. Darcangelo at 139 North Good Hope Road, Greenville, PA 16125 by first clasee mail, postage prepaid. Copies of the documents are attached to this Affidavit.

Vicki Bradshaw

May 4, 1990 Notice of Intention To Request Entry of Divorce Decree filed.

May 4, 1990 Upon praecipe of Plaitiff Attorney For Review Under §201(d) of the Divorce Code, this case moved to court.

May 11, 1990 **D I V O R C E D E C R E E F I L E D .**

And now, May 11, 1990, it is ordered and decreed that Roseann Darcangelo, plaintiff, and Ronald M. Darcangelo, defendant, are divorced from the bonds of matrimony.

BY THE COURT,

P, Richard Thomas, J

1990

Mazzotta, McCague & Associates, PC
Donald S. Mozzotta

281.

GENERAL MOTORS ACCEPTANCE CORPORATION

vs.

LOUIS F. FORRO

Filed Mar. 19, 1990
@ 11:41 a.m.

Tax & entry Paid	$50.50
Sheriff's Costs	28.72
Pro Co pd 4/26/90	9.00

COMPLAINT IN CIVIL ACTION (ASSUMPSIT)

2 copies (sheriff)

Mar. 30, 1990 Sheriff's Return filed. SERVED Louis F. Forro, March 21, 1990 at 11:34, by handing copy of complaint to his authorized agent Linda Barnes, at the Sheriff's Office, Crawford County Courthouse, Meadville, PA. Signed Acceptance of Service attached.
So answers, Cathy Allen, Deputy
Howard N. Stewart, Sheriff

And NOw, Apr. 26, 1990 at 11:29 a.m. upon praecipe of Plaintiff's attorney, with Notice Of Intention to File Default Judgment attached, judgment is hereby entered in favor of the plaintiff and against the defendant for failure to file an answer and the damages are assessed at the sum of Four Thousand Six Hundred Forty six and 31/100 dollars plus interest and cost of suit.

F-104
judgment entered 4/26/90
notice of entry of judgment mailed 4/27/90

Debt $4,646.31
Int. from 9/19/89
Judgment
James F. Simmons
Prothonotary

1990

Mason and Mason
Joan D. Mason

282.

DEBRA A. COLVIN

vs.

LARRY E. COLVIN

Filed Mar. 19, 1990
@ 2:33 p.m.

Tax & entry Paid	$50.50
Pro Co pd 7/11/90	15.00
Pro Co Pd. 7/31/90	15.00
State pd. 7/31/90	5.00
Pro.Co. Pd 11/15/95	9.00

COMPLAINT IN DIVORCE

1 copy (atty)

Apr. 5, 1990 Affidavit Of Service filed. I, Joan D. Mason, Esquire,, attorney for the Plaintiff in the above entitled case, and beng duly sworn according to law, despose and say that I did on March 26, 1990 mail to the above Defendant, Larry E. Colvin, by certified mail return receipt requested, deliver to addressee only, a complaint in the above divorce action. Said notice was received on March 28, 1990 as indicated by the return receipt card which was returned to the office of the Plaintiff's attorney and is attached hereto. Joan D. Mason

July 11, 1990 Petition For additional Remedies filed. (Equitable Distribution)

July 31, 1990, Petition for Additional Remedies (Custody) filed.

July 31, 1990, Affidavit of Consent of plaintiff filed.

Aug. 30, 1990 Affidavit of Acceptance of Service by Larry E. Colvin, defendant filed.

May 12, 1995, Defendant's Affidavit of Consent filed.

Oct.12,1995 Affdiavit of Consent of Debra A. colvin,Plaintiff, filed.

Nov. 15,1995 The Plaintiff &Defendant by their Attorneys, move the Court to withdraw Count II-Equitable Distribution and Count III-Custody, from the above captioned divorce action.

Nov.15,1995 UponPraecipe of Joan D. Mason, Esquire,Attorney for Plaintiff to Transmit record, Case moved to Court.

DIVORCE DECREE FILED

Nov. 27, 1995 AND NOW, November 27, 1995, it is hereby ordered and decreed that DEBRA A. COLVIN, Plaintiff, and LARRY E. COLVIN, Defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.

BY THE COURT:
Anthony J. Vardaro, J.

Brian J. Lindsay

283.

Elderkin, Martin, Kelly, Messina & Zamboldi
Kenneth G. Vasil

MARY E. JANNOT

vs.

ALFRED C. ADSIT AND DOROTHY M. ADSIT

Filed Mar. 19, 1990
@ 3:22 p.m.

Tax & entry Paid $50.50 ✓

JURY TRIAL DEMANDED

COMPLAINT IN CIVIL ACTION

2 copies (sheriff)

Mar. 29, 1990 Sheriff's Return filed. SERVED Dorothy Adsit personally on March 20, 1990 at 1:10 PM, at Sheriff's Office, Crawford County Courthouse, Meadville, PA.
SERVED Alfred C. Adsit, by handing copy of Complaint to his authorized agent, Dorothy Adsit, at the Sheriff's Office, Crawford County Courthouse, Meadville, PA, acceptance of service attached.
So answers, Edgar D. Householder, Chief Deputy
Howard N. Stewart, Sheriff

Mar. 30, 1990 Appearance of Elderkin, Martin, Kelly, Messina & Zamboldi by Kenneth G. Vasil for Defendants filed.

Apr. 18, 1990, Preliminary Objections to Plaintiff's Complaint filed.

May 3, 1990, Amended Complaint filed. 2 copies (atty)

June 6, 1990 Notice Of Service Of INterrogatories To Plaintiff (First set) filed.

June 6, 1990 Answer and New Matter filed.

June 25, 1990, Praecipe to File Verification, and Verification filed.

Dec. 28, 1990 Reply To New Matter filed.

Feb. 4, 1991, Defendants Motion to Compel Discovery and Motion for Sanctions filed.

Feb. 4, 1991, Upon praecipe of defendant attorney, above Motion placed on next argument list.

ON ARGUMENT LIST FOR MARCH 1991 - (April 4, 1991 @ 1:00 PM. C.R. #1.)

Feb. 20, 1991 Notice Of Taking Depositions On Oral Examination of Mary E. Jannot and Richard Adsit filed.

Mar. 6, 1992, Notice of Service of Requests for Admission and Interrogatory Directed to PlaINTIff filed.

July 15, 1992 Notice Of Service Of Answers To Interrogatories (First Set) filed.

September 4, 1992 Amended Answer to Requests for Admission filed.(4 copies atty.)

Nov. 6, 1992 Motion Of Defendant Dorothy M. Adsit for Summary Judgment filed.

Nov. 6, 1992 Motion of Defendant Alfred C. Adsit for Summary Judgment filed.

Nov. 6, 1992 Upon praecipe of Attorney for Dorothy M. Adsit the above captioned matter is placed on the next available argument list.

Nov. 6, 1992 Upon praecipe of Attorney for Alfred C. Adsit the above captioned matter is placed on the next available argument list.

1992 December Argument List

Mar 3, 1993 MEMORANDUM AND ORDER filed. ORDER: AND NOW, March 2, 1993, summary judgment is entered in favor of the defendants, against the plaintiff and the plaintiff's cuase of action is dismissed. BY ORDER OF COURT
Gordon R. Miller, P.J.
Mar. 3, 1993 copies given to Vasil & Lindsay

1990

Watts & Pepicelli
Alan Pepicelli

Mason and Mason
Joan D. Mason

284.

Shafer, Swick, Bailey
Irwin & Stack
James R. Irwin

7/3/91, Rec'd $75.00 from Plaintiff
Aug 1, 1991 paid Co-Comm. $75.00

8/7/91 Rec'd $75.00 from Defendant
Sept 3, 1991 paid Co. Comm. $75.00

CAROL LINDSAY-WALTER

vs.

MARVIN L. WALTER

Filed Mar. 19, 1990
@ 3:38 p.m.

Tax & entry paid	$50.50
1 count paid	15.00
Pro Co pd. 8/30/90	9.00
State pd 8/30/90	10.00
John Fuller, Mediator	150.00
	9.00

Prothy pd 7/19/91

COMPLAINT IN DIVORCE, CUSTODY

1 copy (atty)

Mar. 20, 1990 Affidavit Of Service filed. I, James R. Irwin, an adult individual, being duly sworn according to law, depose and says that I did on March 20, 1990, at approximately 2:25 P.M. serve on the above defendant, Marvin L. Walter, a person known to me, by per sonally handing him a certified copy of a complaint in divorce in the above captioned action, at 360 Chestnut Street, Meadville, Pennsylvania. James R. Irwin

Mar 21, 1990 Stipulation and Consent Custody Order filed: AND NOW, this 21st day of March, 1990, the court orders as follows:

1. The parties hereto shall share legal and physical custody of the two minor children, LeAndra Lindsay-Walter, born March 21, 1984; and Armond Walter, born September 30, 1986.

2. Physical custody, as long as the parties are working their existing schedules (mother working third shift, and father working first shift and most of the weekend) will be as follows:

a. Mother shall have the children in her custody from 8:30 a.m. until 2:45 p.m. each Tuesday, Wednesday and Thursday, and from 9:30 a.m. Friday until 6:00 p.m. Saturday.

b. Father shall have the children in his custody during the remaining portions of the week.

c. Mother shall provide transportation for the children from father's home to mother's home. Father shall provide transportation for the children from mother's home back to his home. Either party may elect to have transportation provided by a babysitter known to the children or a relative.

d. Christmas Holidays shall be divided such that father shall have the children Christmas Eve through noontime on Christmas Day. Mother shall have the children from noon until 10:00

e. In regard to all other holidays, if father is working, mother shall have the children from 9:00 a.m. to 9:00 p.m. If father is not working, mother shall be entitled to have the children from 9:00 a.m. until 3:00 p.m. of each said holiday, with the holidays in question to be Thanksgiving Day, New Year's Day, Memorial Day, July 4th, and Labor Day.

3. A separate order has been set forth in regard to the financial responsibilities of each party relative to the financial needs and support of the children, which order is filed at the Domestic Relations Section of the Crawford County Court of Common Pleas.

4. Each party will keep the other party notified of his or her currenct address and telephone number, and will provide the address and phone number of babysitters who will be attending the children.

5. It is the intention of the parties, under their present working schedules, to share equally in the total responsibilities of caring for the children.

BY THE COURT,
Gordon R. Miller, J.

Mar 22, 1990 Copies of order put in Atty Mason's box.

July 5, 1990 Affidavit Of Consent of Plaintiff filed.

July 16, 1990, Affidavit of Consent of defendant filed.

Aug. 30, 1990 Upon Praecipe of Plaintiff's Attorney for Review under §201(c) of the Divorce Code , this case moved to Court.

Sept. 20, 1990 **D I V O R C E D E C R E E F I L E D .**

And now, September 20, 1990, it is ordered and decreed that Carol Lindsay-Walter, plaintiff, and Marvin Walter, defendant, are divorced from the bonds of matrimony.

BY THE COURT,
P. Richard Thomas, S.J.

Apr 24, 1991 Complaint for Custody and Order filed: You, Marvin L. Miller, Defendant, have been sued in Court to obtain custody of the children: LeAndra L. Lindsay-Walter and Armond D. Walter.

You are ordered to appear in person for a conference at such time and place as may be set by John Fuller, Esq., Child Custody Mediator.

If you fail to appear as provided by this order, an Order for custody may be entered against you or the court may issue a warrant for your arrest.

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

Crawford County Bar Association
Service to the Public Committee
c/o Prothonotary
Courthouse
Meadville, Pa 16335
Telephone: (814) 724-4636

Date April 24, 1991
1 copy (atty)
1 copy(mediator)

BY THE COURT,
Gordon R. Miller, J.

May 1, 1991 Acceptance of Service and Entry of Appearance filed. AND NOW, this 30th day of April, 1991, I hereby accept service of th eComplaint for Custody, by receipt of a copy thereof, being duly authorized to accept service on behalf of said Defendant.

I hereby entry my appearance as attorney for said defendant, Marvin L. Walter in the above-captioned case. James R. Irwin

Continuned on page 284(a)

CONTINUATION
OF RECORD.....

III. This order a Temporary Order but shall become a permanent order unless exceptions thereto are filed by either party within Thirty (30) days of the date hereof.

IV. Cost of the mediation conference shall be equally divided betweenthe parties.

BY THE COURT,
Gordon R. Miller, J.

July 19, 1991 copies to Attys. Pepicelli and J. Irwin.

As of Aug. 1, 2001 any filings involving this case may be found on computer.

CAROL LINDSAY-WALTER, now marriage, CAROL L. KING

VS.

MARVIN L. WALTER

Record Continued from page 284

of

AD 1990-284

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June 19, 1991 Order filed: AND NOW, June 19, 1991, after mediation before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS:

I. Legal custody of LeAndra L. Lindsay-Walter and Armond D. Walter shall be shared between the parents, that, each parent shall be entitled to take part fully in decisions affecting the children's education, religious instruction and medical treatment and each parent shall be entitled full access to all school records, medical records and important records.

II. Physical custody of Leandra L. Lindsay-Walter and Armond D. Walter shall be shared between the mother and the father as follows:

A. From June 15th until August 15th of each Summer, the children shall be in the custody of their mother subject to the following conditions:

(1) The father shall be entitled to visit and take the children into his custody every Sunday from 7:00 p.m. until 7:00 P.M. Monday evening.

B. From August 15th until June 15th each year, the children shall be in the custody of their father, subject to the following conditions:

(1) The mother shall be entitled to visit and take the children into her custody every weekend from Friday at 4:00 p.m. until Sunday at 7:00 p.m.

C. Christmas holidays shall be divided so that the father shall have the children Christmas Eve through 12:00 Noon on Christmas Day and the mother shall have the children from 12:00 Noon on Christmas Day until 10:00 p.m.

D. On other holidays, if the father is working the mother shall have the children from 9:00 a.m. until 9:00 p.m. If the father is not working, the mother shall be entitled to have the children from 9:00 a.m. until 3:00 p.m. on each said holiday, with the holidays in question to be Thanksgiving Day, New Year's Day, Memorial Day, July 4th and Labor Day.

E. Each parent has be entitled to have the children in their custody for a two (2) week period each year to correspond with the parent's vacation from work. Each parent shall given the other parent at least thirty (30) days notice of this two (2) week vacation period and the two (2) week vacation period shall take precedence over weekend, holiday and other schedules set forth herein.

F. Transportation will be divided with the person receiving custody of the child providing transportation.

G. Each parent is encouraged to view this visitation and custody schedule liverally for the benefit of the children so that both parents will be entitled to take the children to special events and classes to maximize the children's development and education.

H. Neither mother nor father shall say or do anything in an attempt to turn the children against the other parent, but on the other hand shall do everything in the power of each to foster a favorable and loving attitude on the part of the children towards both parents.

I. Neither mother nor father shall expose the children to any person or situation which may be harmful to the children's health or well being.

J. Both parents agree to inform the other immediately of any illness or injury regarding the children and both parents agree to furnish the other with a current telephone number.

III. This order is a temporary order but shall become a permanent order unless exceptions thereto are filed by either party within thirty (30) days of the date hereof.

IV. Cost of the mediation conference shall be equally divided between the parties.

P. Richard Thomas, S. Judge

June 25, 1991 Copies of order put in Attys. Pepicelli, Irwin, and Mason's boxes and copies mailed to plaintiff and Defendant. and put in Atty. Fuller's box.

July 18, 1991 Motion to Enter Order, Stipulation and Consent and Order filed.

STIPULATION AND ORDER: AND NOW, this 18th day of July 1991, upon Stipulation of the parties, the temporary order of this court entered June 19, 1991 is hereby modified, and superseded, and in its place, it is hereby Ordered and Decreed as follows:

1. Legal custody of LeAndra L. Lindsay-Walter and Armond D. Walter shall be shared between the parents, that is, each parent shall be entitled to take part fully in decisions affecting the children's education, religious instruction, and medical treatment and each parent shall be entitled full access to all sc hool records, medical records and important records.

II. Physical custody fo LeAndra L. Lindsay-Walter and Armond D. Walter shall be shared between the mother and the father as follows:

A. From the day following the final day of School in June until the last Sat. before commencement of school at the end of Aug., each Summer, the children shall be in the custody of their mother, subject to the following conditions:

1. The father shall be entitled to visit and take the children into his custody every Sun. from 7;00 p.m. until 7:00 p.m. Mon. evening.

B. From the last Saturday before the ocmmencement of school at the end of August until the day following the final day of school in June each year, the children shall be inthe custody of their father, subject to the following conditions:

1. The mother shall be entitled to visit and take the children into her custody every weekend from Fri. at 4;00 p.m. unti Sun. at 7:00 p.m.

C. Christmas holidays shall be divided so that the father shall have the children Christmas Eve through 12;00 noon on Christmas Day and the mother shall have the children from 12:00 noon on Christmas Day until 10:00 p.m.

D. ON other holidays, if the father is working, the mother shall have the children from 9:00 a.m. until 9:00 p.m. If the father is not working,the mother shall be entitled to have the children from 9:00 a.m. until 3;00 p.m. on each said holiday, with the holidays in question to be Thanksgiving Day, New Year's Day, Memorial Day, July 4th, and Labor day.

E. Ea ch parent shall be entitled to have the children in their custody for a two (2) week period each year to correspond with the parent's vacation from work. each parent shall give the other parent at least thirty (30) days notice of this two (2) week vacation period and the two (2) week vacation period shall take precedence over weekend, holiday and other sc hedules set forth therin. Father shall exercise his two (2) week vacation period as set forth herein during the period of time which he has primary physical custody as set forth in paragraph II (B) above. It is noted that mother presently anticipates utilizing her two (2) week vacation period herein during the time period in which she ahs primary physical custody as set forth in paragraph II (A) above.

F. Transportation will be divided with the person receiving custody fo the child providing transportation.

G. Each parent is encouraged to view this visitation and custody schedule liberally for the benefit of the children so that both parents will be entitled to take the children to special events and classes to maximize the children's development and education.

H. Neither mother nor father shall say or do anything in an attempt to turn the children against the other parent but on the other hand shall do everying in the power of each to foster a favorable and loving attitude on the part of the children towards both parents.

I. Neither mother nor father shall expose the children to any person or situation which may be harmful tothe children's health or well-being.

J. Both parents agree to inform the other immediately of any illness or injury regarding the children and both parents agree to furnish the other with a current telephone number.

RECORD CONTINUED ON MARGIN.....

284
-b-

1990

1990

Paul J. Carney Jr.

285.

DENISE L. BALDWIN

vs.

JAMES R. BALDWIN

Filed Mar. 20, 1990
@ 10:37 a.m.

Tax & entry Paid	$50.50
4 counts paid	60.00
Pro Co Pd 10-18-90	9.00
State Pd 10-18-90	10.00
Pro Co. pd 3-25-91	6.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION OF MARITAL PROPERTY, MAINTENANCE OF INSURANCE PROPERTIES, ALIMONY, ALIMONY PENDENTE LITE, COUNSEL FEES AND EXPENSES, AND SPECIAL RELIEF

2 ocpies (atty)

Oct 18, 1990 Affidavit of Service of Complaint under section 201(c) of the Divorce Code filed: I, Paul J. Carney, Jr., attorney for the plaintiff, Denise L. Baldwin, hereby certify that a true and attested copy of the Complaint in Divorce in the above-captioned action, was served upon the Defendant, James R. Baldwin, by Restricted Delivery, Return Receipt Requested, on March 22, 1990. The return receipt is attached hereto and marked as Exhibit "A".

Paul J. Carney, Jr., Esquire

Oct 18, 1990 Affidavit of Consent of Defendant filed.

Oct 18, 1990 Affidavit of Consent of Plaintiff filed:

Oct 18, 1990 Motion for Decree filed.

Oct 18, 1990 Upon Praecipe of Plaintiff's attorney for Review under §201(c) of the Divorce Code, this case is moved to court.

Oct. 26, 1990 Memorandum filed. AND NOW, October 23, 1990, this matter having been reviewed by the Court pursuant to the Plaintiff's praecipe to transmit the record and the Court having reviewed the proposed form decree submitted by the Plaintiff which terminates the marriage and resolves issued of alimony, support, personal proper ty and debts, the Court refuses to enter any decree at this time.

The reason for the court's refusal is that the proposed decree contains items which have not been finally litigated before this Court or which have not been agreed to by the parties. The record doe snot indicate that the parties have stipulated or agreed to the entry of the decree as presented. No such agreement is required with respect to the divorce count but such an agreement, in lieu of a hearing and disposition by the Court, is required to dispose of all other matters.

This matter is returned to the Prothonotary for further action as the aprties deem appropriate consistent with this memorandum.

BY THE COURT,
Gordon R. Miller, P.J.

Oct. 30, 1990 Copies mailed to Paul Carney and James Baldwin

Nov. 7, 1990 **D E C R E E F I L E D .**

AND NOW, this 7th day of November, 1990, the court orders and decrees as follows:

1. DIVORCE: Upon consideration of the pleadings and affidavits filed in the above-captioned case, this court hereby grants an absolute decree form the bonds of matrimony to the above-named parties, on the grounds that the marriage is irretrievably broken and ninety (90) days have elapsed from the date of the filing of the Complaint, and an affidavit has been filed by each of the parties, evidencing that each of the part ies consents to the divorce pursuant to Section 201(c) of the Pennsylvania Divorce Code.

2. ALIMONY: Each of the parties has waived and given up any rights they may respectively have against th eother for alimony, support or maintenance, and it shall be, on the date of this decree, the sole responsibility of each of the parties to sustain themselves without seeking any support from the other party.

3. PENSION, ETC: Each of the parties hereto will ret ain all pension and/or profit sharing plans, bank accounts, stocks bonds, securities, credit union accounts and individual retirement accounts listed in their individual names and waive any interest they may have in th eother par ty's stated property.

4. (a) Personal Property; The personal property of the parties has already been amicably divided by the parties and it is hereby decreed that each party will retain and become the sole and separate owner of any and all property in his or her possesison as of the date of this decree.

(b) Mobile HOme: Husband transferred all his right, title and interest to the mobile home to the Wife and the Wife is solely responsible for the debt owing on the dame andhold Husband harmless and indemnified.

(c) MOtor Vehicles: Wife transferred all her right, title and interest of a certain 1988 Chevrolet S-10 Blazer to Husband and the Husband shall agree to be soley responsible for the debt owing on the same at Marine Bank and shall hold Wife harmless and indemnified.

(d) Separate assets: The parties agree that, as to all assets not specifically mentioned herein which are presently titled in the sole name of one of the parties hereto or, if untitled, are presently in the sole possession of the parties hereto, the party not having title hereto or possession thereof shall waive, release and relinquish and forever abandon any and all claims therein, and acknowledges that the party having title or possession of such items shall be the sole and the exclusive owner thereof.

5. DEBTS: With the exception of the aforementioned debts, the marital debts have been paid in full.

6. SPECIAL RELIEF: Each party shall be barred from bringing any further claims for special relief as per Count V of the Complaint in Divorce filed in this action.

7. EXECUTION OF DOCUMENTS: Each of the parties hereto shall execute any and all documents which may require his or her signature for purposes of effectuating all the terms and conditions of this decree so as to give full force and effect to this decree.

8. INVENTORY AND INCOME AND EXPENSE STATEMENT: Neither party hereto shall be required to file an income and expense statement in accordance with the Pennsylvania Rules of Civil Procedure.

BY THE COURT,
Gordon R. Miller, J

Thomas, Truax, Spadafore Vardaro and Walker

R. Charles Thomas

286.

Knox McLaughlin Gornall & Sennett PC
JOhn O. Dodick
for dfts. Integon Gen. Inc Integon Indemn. & New South Inc. Co.

Culbertson, Weiss, Schetroma & Schug
Nancy M. Sennett
for Sandra Soltesz, Adm. of Est of R. C. Braden

BERNICE E. BRADEN, ADMINISTRATOR OF THE ESTATE OF BONNIE JEAN BRADEN, AND BERNICE E. BRADEN AND LEO J. BRADEN, AS CO-GUARDIANS OF THE PERSON OF AARON MICHAEL BRADEN, A MINOR

vs.

SANDRA SOLTESZ, ADMINISTRATOR OF THE ESTATE OF RICHARD SCOTT BRADEN ~~AND INTEGON GENERAL INSURANCE CORPORATION, INTEGON INDEMNITY CORPORATION AND NEW SOUTH INSURANCE COMPANY~~

Filed Mar. 21, 1990
@ 9:12 a.m.

Tax & entry paid $50.50
Sheriff's Costs 56.51
Pro. Co. Pd. 3-21-91 6.00

COMPLAINT - WRONGFUL DEATH ACTION

4 copies (sheriff)

Apr. 2, 1990, Appearance of Knox McLaughlin Gornall & Sennett PC, by JOhn O. Dodick, attorneys for defendants Integon General Insurance corporation, Integon Indemnity Corporation and New South Insurance Company, filed.

Apr. 3, 1990, Appearance of Culbertson, Weiss, Schetroma and Schug, by Nancy M. Sennett, attorneys for defendant, Sandra Soltesz, Administratrix of the Estate of Richard Scott Braden filed.

Apr. 16, 1990, Preliminary Objections of Integon general Insurance Corporation, Integon Indemnity corporation, and New South Insurance Company to Plaintiffs' Complaint, filed.

April 16, 1990 Upon Praecipe of Attorney for Ontegon and New South this case is placed on the argument list.

ON MAY 1990 ARGUMENT LIST

Apr. 25, 1990 Preliminary Objections of Sandra Soltesz, Administratrix of the Estate of Richard Scott Braden to Plaintiff's Complaint filed.

Apr. 27, 1990 Upon praecipe of Attorney Sennett the above matter is placed on the next available argument list.

June 4, 1990 Order filed. AND NOW, May 29, 1990, after argument, the Court sustains the preliminary hearing objection of the Defendant in finding that INtegon General Insurance Corporation, Integon Indemnity Corporation and New South Insurance Company are not viable Defendants in the current action and that said companies cannot be joined as Defendants as an additional count in this lawsuit.

Accordingly, having sustained the preliminary objection, the Prothonotary is directed to amend the caption of this case, listing the present named Plaintiffs as Plaintiffs and listing the Defendnat as Sandra Soltesz, Administrator of the Estate of Richard Scott Braden. This Order is made without prejudice to the right of the Plaintiff to pursue at an appropriate time a declaratory judgment action if the insurance companies deny coverage. In this regard, counsel for the Plaintiff is advised that one of the reasons for joinder of the companies was the refusal of the companies to produce the policy at issue in this case. Counsel for the companies this date advises he has a copy of said policies in his possession and before leaving the Courthouse will deliver a copy of same to counsel for the Plaintiff.

BY ORDER OF THE COURT,
P. richard Thomas, P.J.

June 7, 1990 Copy of order mailed to John Dodick and copies put in R. Charles Thomas and Nancy Sennett's box.

July 13, 1990 Sheriff's Return filed. Served New South Insurance Company by Certified Mail on March 26, 1990 at 500 West Fifth Street, P.O. Box 3199, Winston-Salem NC 27152-3199. Return receipt attached.
Served Integon Corp. by Certified Mail on March 26, 1990 at 500 West Fifth Street, P.O. Box 3199, Winston-Salem NC 27152-3199. Return receipt attached.
Served Integon General Insurance Corp. by certified Mail on March 26, 1990 at 500 West Fifth Street, P.O. Box 3199, Winston-Salem NC 27152-3199. REturn Receipt attached.
Served Sandra Soltesz personally on March 22, 1990 at 11:45 AM at her residence, R.D. #2, Box 57 C. Springboro, PA 16435.
So answers,

Robert M. Stevens, Deputy SHeriff
Howard N. STewart, Sheriff

March 13, 1991 Petition For Settlement of Wrongful Death and Survival Action and ORDER filed. AND NOW, this 13 day of March, 1991, upon presentation and consideration of the foregoing etition for settlement of wrongful death and survival actions in the above entitled case, this Court hereby approves the settlement of said actions for the gross amount of $50,000.00 and further orders and decrees that the proceeds of said settlement shall be distributed as follows:

$42,500.00 under the Wrongful Death Action to be distributed as follows:

(a) $12,500.00 to R. Charles Thomas, Esquire, as Attorney's fees;
(b) $479.50 to R. Charles Thomas, Esquire by way of reimbursement for costs and advances made;
(c) $29,520.50 to Leo J. Braden and Bernice E. Braden, as co-guardians of the Estate of Aaron Michael Braden;
(d) $7,500.00 under the survival action to be distributed to the Estate of Bonnie Jean Braden.

Upon payment of all monies due under this Order, the Court authorizes counsel for the Plaintiff-Petitioner to mark the case at No. AD 1990-286 settled and discontinued of record and further authorizes Bernice E. Braden as Administrator of the Estate of Bonnie Jean Braden and Bernice E. Braden and Leo J. Braden, as Co-Guardians of the Estate of Aaron Michael Braden, to sign any and all necessary Releases and other documents to complete this settlement to terminate this legal action.

By The Court,
P. Richard Thomas, S. Judge

March 13, 1991 Copy of Order to Atty. R. Charles Thomas. Copy mailed to Atty. John Dodick and copy to Nancy M. Sennett.

Mar. 21, 1991 Upon praecipe of Plaintiff's Attorney, the above captioned case is hereby marked settled and discontinued of record.

R.Charles Thomas, Atty. for Plaintiff

Halliday & Halliday
Michael Halliday

287.

PATRICIA J. WAGNER

vs.

BERNARD R. WAGNER

Filed Mar.21,1990
@ 9:28 a.m.

Tax & entry Paid $50.50
Sheriff's Costs 20.00

PETITION FOR PROTECTION FROM ABUSE

2 copies (atty)

TEMPORARY PROTECTION ORDER:

AND NOW, this 21st dayof March 1990, upon motion of Michael Halliday, Esq. attorney for plaintiff, and upon consideration of the within Petition for relief, and further, upon Plaintiff's showing during an ex parte proceeding to the Court's satisfaction that there is an immediate and present danger of abuse to the plaintiff, the following Temporary Protection Order is hereby granted:

1. The defendant bernard R. Wagner, is directed and prohibited from (1) attempting to cause or intentionally, knowingly, or recklessly causing bodily injury or serious bodily injurywith or without a deadly weapon to the palintiff and (ii) placing by physical menace another in fear of imminent serious bodily injury.

2. The defendant Bernard r. Wagner is hereby evicted from the marital residence located at R. D. #6, Meadville, Crawford County, Pa. 16335, and the plaintiff is given exclusive possession of the said residence.

This temporary Protection Order shallremain effective only until the date of final hearing on Plaintiff's Petition for Relief which shall be fixed within ten (10) days of the filing of plaintiff's petition. This hearing is scheduled for March 29, 1990 at 3:30 p.m. in Court Room No. 2.

A true and correct copyof this order shall be serviced upon the defendant by the sheriff or by a competent adult inthe same manner as a complaint in an action in equity. A true and correct copy of this order shall likewise be sent by cert. mail, ret. rec. req., to the Meadville police Department, which has appropriate jurisdictin toenforce this order.

A violation of this order may subject the violating party to punishment for contempt.

BY THE COURT,
Gordon R. Miller, J.

Mar. 26, 1990 Sheriff's Return filed. SERVED Bernard R. Wagner personally on March 21, 1990 at 11:20 AM by handing copy of Protection From Abuse to him at his residence, R.D. #6, Meadville, Crawford County, PA.
So answers, James Withers, Deputy Sheriff
Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

Apr. 2, 1990 Petition For Contempt and Order filed. Legal proceedings have been brought against you alleging you have wilfully disobeyed an Order of Court for visitation.

If you wish to defend against the claim set forth in the following pages, you may but are not required to file in writing with the Court your defenses or objections.

A Rules hereby issued against you to Show Cause why you should not be held in Contempt.

Said Rule is Returnable the 6 day of April, 1990 in Courtroom #2 of the Crawford County Courthouse at 11:30 a.m.

IF YOU DO NOT APPEAR IN PERSON, THE COURT MAY ISSUE A WARRANT FOR YOUR ARREST.

If the Court finds that you have wilfully failed to comply with its Order for visitation, you may be found t obe in contempt of Court and committed to jail, fined or both.

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

Brian J. Lindsay, Esquire
Attorney for Defendant
311 Walnut Street
Meadville, PA 16335
(814) 3336771

Crawford County Bar Association
c/o Prothonotary
Crawford County Courthouse
Meadville, PA 16335
(814) 336-1151

Date: April 2, 1990
4 copies atty.

BY THE COURT:
Gordon R. Miller, J

Apr. 2, 1990 Order filed. AND NOW, March 30, 1990, after a formal hearing on the Plaintiff's petition under the Protection From Abuse Act, the Court is satisified by the fair weight and preponderance of the evidence that the defendant abused the Plaintiff on March 16, 1990 as abuse is defined in the Act. and accor dingly, entered the following Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the parties minor children.
2. POssession of the parties' marital residence and household is hereby granted to the Plaintiff to the exclusion of the defendant. The Defendant shall be permitted to go upon that residence residence whenever it is reasonable necessary for him to fix or maintain any of the services or to have access to any equipment or other matters that are directly related to his farm operation provided that he (a) gives the Plaintiff reasonable advance notice; (b) is accompanied by an adult male who would witness the conduct of either of the parties when the Defendant is at the marital residence.
3. Temporary custody of the parties minor children is awarded to the Plaintiff. The Defendant shall be permitted to take his minor children into his custody at any time that the aprties mutually agree, and furthermore, he may take the parties' minor children into his custody every friday evening from 5:30 p.m. until 10:00 p.m. and every Saturday between 10:00 a.m. and 10:00 p.m. This temporary Order regarding custody and visitation shall remain in full force and effect until the parties obtain either an agreement regarding custody and visitation or a Court Order is entered on custody or visitation after a hearing before a custody mediator or the Court.
4. The defendant shall be permitted to go upon the marital residence to obtain personal items that he wishes to have providing he gives the Plaintiff reasonable advance notice and provided he is in the company with an adult male who may witness the conduct of the parties.
5. It is recognized that the parties may have to have communications and dealings with each other in view of the uniqueness of the farm business being so closely connected to the residence and because it is tax season and for other reasons. This Order does not prohibit the parties from dealing with each other, provided that the defendant complies with Paragraph 1 regarding abuse.
6. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe that it has been violated.
7. A copy of this Order shall be delivered to the police deparmtents in the jurisdiction in which the Plaintiff resides and the County Control.
8. This Order shall remain in full force and effect until June 15, 1990 unless modified or terminated by further Order of Court inthe meantime.
9. The Defendant shall pay the record court costs in this proceeding.
10. The defendant is reminded that this is an Order of Court and Violation of this Order may be punishable by a fine of up to $1,000.00 and a jail sentence up to six (6) months.

BY ORDER OF THE COURT,
Gordon R. Miller, J

Apr. 3, 1990 Copies put in Brian Linday and County Control's box and copies mailed to Michael Halliday

Continued on page 607

Paul J. Carney, Jr.

288.

William F. Scarpitti

CHARLES W. PLATT

vs.

VALERIE PLATT

Filed Mar. 21, 1990
@ 11:12 a.m.

Tax & entry Paid $50.50

William Pineo, mediator
Mediation Cost 47.00
Pro Co Pd 6/5/90 - 9.00

6/5/90 Rec'd $23.50 from pltf.

6/22/90 Rec'd $23.50 From Defendant

Rec'd 7-3-90 $23.50 Vivian Stalty

Rec'd Aug 1, 1990 $23.50 Vivian Stalty

COMPLAINT FOR CUSTODY

2 copies (atty)
1 copy (mediator)

ORDER OF COURT:

YOU, Valerie Platt, defendant have been sued in court to obtain custody of Heather N. Platt, Charles D. Platt, and Nicholas E. Platt.

William Pineo is appointed Custody mediator in this case.

You are ordered to appear in person at thetime set by the custody mediator.

If you fail to appear as provided by this order or to bring the child an order for custody, partial custody, visitation may be entered against you ro the court may issue a warrant for your arrest.

You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.

Crawford County Bar Assoc. Ser. tot he Public Comm. c/o Prothonotary Courthouse, Meadville, Pa. 16335, 814 724-4636.

Date: 3/22/90 BY THE COURT,
Robert L. Walker, J.

Apr. 5, 1990 Appearance of William F. Scarpitti, Jr., for Defendant. William Scarpitti

May 24, 1990 Temporary Order filed. AND NOW, this 23 day of May, 1990, after Mediation in the above referenced matter, and upon the recommendations of the Child CUstody Mediator, IT IS HEREBY ORDERED AND DECREED THAT:

1. The parties shall share legal and physical custody of the subject minor children.
2. The parties shall share with each other any and all information which each may have regarding the health, education, and the major events in the life of the subject minor children. Health care, school personnel and other care providers are hereby authorized to release to either par to any and all confidential information which they may have regarding the subject minor children.
3. The father shall have primary custody of Charles and Nicholas, and the mother shallhave primary physical custody of Heather. The parties have indicated to the Mediator that they are able to arrange the details or visitation and accor dingly, no schedules is set out herein. Should a visitation schedule be necessary, either par ty may move the Court for further mediation on this issue.
4. The parties shall split responsibility for transportation with th eparty receiving the children in the exercise of his or her rights picking up the children at th ehome fo the other.
5. Each party shall teach said children to give to th eother parjty that love and respect which is due a parent form his or her children.
6. Neither pa rty shall use illegal drugs or be under the influence of alcohol at any time when said apr ty has the care and custody of the subject minor children.
7. Any person transporting the children shall make sure that the seat belts or other restraints are used in accordance with the law of Pennsylvania.
8. Neither party shall do or say anything to blacken the character of the other in the children's estimation. Each party shall treat th eother in a polite and respectful manner when in the children's presence and each par ty shall instruct his or her relatives and friends to do likewise and also not to dis parage the other pa rty in the children's estimation.
9. The parties are free to make additional or alternative arrangements respecting the custodial and visitation periods and are strongly encouraged to do so if that would be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which this Order shall govern.
10. Costs and fees of this Mediation, which are fixed at $47.00 are divided equally between the parties with a share of each being assessed to him or her as costs in this case. Payment shall be made ot the Prothonotary of Crawford County.
11. Either par ty may move the court for a hearng de novo for thirty (30) days from date hereof. If neither party so moves, this Order shall be considered permanent.

By the Court,
P. Richard Thomas,
J

May 29, 1990 Copies of order mailed to Paul Carney, William Scarpitti, Plaintiff and Defendant and copy put in William Pineo's box.

1990

Gent, Gent & Snyder Michael D. Snyder 289.	THE FIRST NATIONAL BANK OF PENNSYLVANIA vs. MARY E. ROBINSON Filed Mar. 21, 1990 @ 11:19 a.m. Tax & entry Paid $50.50 ✓	COMPLAINT IN MORTGAGE FORECLOSURE June 20, 1990 Complaint Reinstated. Dec.21, 1990, Complaint Reinstated.

1990

James R. Irwin
Shafer, Swick Bailey, Irwin & Stack

290.

Fuller, Kinnunen, Petruso, Gamble, Fabian & Hall
Ann Hansen Gamble

JOHN W. WHITE

vs.

FANNIE M. WHITE

Filed Mar. 21, 1990
@ 1:24 p.m.

Tax & entry Paid $50.50
1 count paid 15.00
Pro Co pd 3/29/90 15.00
David W.Pickens, Master
Pro.Co. pd 11/16/95 9.00

8-5-93 Recieved from Pltf Masters deposit 750.00

COMPLAINT IN DIVORCE, EQUITABLE PROPERTY DETERMINATION & DISTRIBUTION

1 copy (atty)

Mar. 29, 1990 Answer and Counterclaim filed. (Alimony, Alimony Pendente Lite & Counsel Fees)

Mar. 29, 1990 Certificate Of Service of Answer and Counterclaim filed.

Feb. 25, 1991 Affidavit of Consent of plaintiff filed.

May 5, 1993 AFFIDAVIT OF SERVICE, filed. I, JAMES R. IRWIN, Esq., being duly sworn according to law, depose and say that I am the attorney of record, and as such say that I served a true and correct copy of the Complaint in Divorce certified by the Prothonotary of Crawford County, Pennsylvania on the above named Defendant by certified mail, addressee only, return receipt requested, dated March 21, 1990. The Defendant acknowledged service on March 22, 1990 by accepting delivery on that date as evidenced by the attached signed return receipt.

May 25, 1993 Plaintiff's Affidavit Under Section 3301(d) of the Divorce Code filed.

May 27, 1993 Motion for Hearing Date and Order filed. AND NOW, this 26th day of May, 1993 the 25th day of June, 1993, at 2:30 o'clock p.m., at Courtroom 1 or 2 is hereby set for hearing the defendant's claim for alimony pendente lite, counsel fees, costs and expenses.

FOR THE COURT,
Ann A. Walker, C.A.

June 2, 1993 Copies of order to Atty's Irwin and Gamble

June 25, 1993 Defendant's Monthly Income and Expense, filed.

June 25, 1993 Inventory of Defendant, filed.

June 28, 1993 ORDER filed. AND NOW, June 25, 1993 this matter is before the Court on a petition for alimony pendente lite, counsel fees, and costs on a divorce filed by the husband March 1, 1990. Plaintiff's counsel appears but the Plaintiff does not appear and is living and has employment in the State of Michigan. The Defendant and her ocunsel appear.

In an informal statement to the Court, the history of this case from the viewpoint of the Defendant wife is that there was no immediate action on the divorce case as the parties were considering and in fact reconciled one or more times. Apparently, the parties exchanged respective rings in 1993, which the wife interpreted as evidence of a permanent desire on the part of both parties to reconcile.

The husband lost his job in October of '91 with Integra, but received serverance pay in an unknown amount until May of 1992. The wife at one time had a full-time job in the Pittsburgh area where she had moved and where she was receiving spousal support under a Crawford County support action under a reciprocal arrangement with Allegheny County.

Payments under this support order have apparently been inactive and she has received no support for a considerable period of time.

The wife's position is that in as late as April of 1993, the parties, contemplating fulfillment of their reconciliation, jointly purchased a home in the State of Michigan for $129,000. Apparently at their son's wedding May 1, 1993 the husband advised the wife that the contemplated reconciliation would not come about.

In view of the foregoing, it is understandable that neither party complied with the Divorce Rules in filing income and expense statements and the evidence required by Rule 1920.31.

This hearing is continued until July 29, 1993 at 9:30 a.m. before the undersigned and the Court directs that the Plaintiff husband appear at such hearing.

The Court notes that this date, the Defendant wife filed an inventory listing the assets of the parties, marital property, non-marital property, and other pertinent data. The Plaintiff is directed to file an inventory. The Plaintiff and Defendant shall file tax returns, pay stubs, and income and expense statemetns required by Divorce Rule 1920.31 at least 10 days before the next scheduled hearing.

In addition, the Court directs the Plaintiff husband to file, as part of his inventory, a statement of the price paid for the house, the amount of mortgage against said property and the monthly payments thereon, the amount of annual taxes thereon, and any other indirect lien on the jointly owned real estate.

At the hearing, the husband will be prepared to produce written or oral evidence of his wage or salary agreement with his present employer, givign the annual amount of expected earnings under the present agreement and his involvement with any ancillary profit sharing or incentive plans.

BY ORDER OF THE COURT,
P. Richard Thomas, S.J.

June 29, 1993 copies distributed to Irwin & Gamble

July 29, 1993 Defendant's Tax Returns and Pay Statements filed.

July 29, 1993 Plaintiff's Income and Expense Statement filed.

July 29, 1993 Inventory of JohnW. White, filed.

Aug. 3, 1993 Motion for Appointment of Master in Divorce and ORDER APPOINTING MASTER filed. AND now, July 29, 1993, David W.Pickens, Esquire is appointed Master in respect to the following claims: Equitable Property Distribution, Counsel Fees,Alimony and Alimony Pendente Lite
Deposit Required: Plaintiff $750.00 (Master to equitably allocate) Defendant $ _____

PER CURIAM:
P. Richard Thomas, S. Judge

8-4-93 Copy of Order to Attys.Irwin,Gamble & Pickens.

Continued to Page 290 A

JOHN W. WHITE
vs
FANNIE M. WHITE

Continued from Page 270
of record
A.D. 1990 - 290

****

Aug. 3, 1993 ORDER filed. AND NOW, July 29, 1993, at the time set for hearing in this protracted divorce case, the plaintiff files an inventory, income and expense statements, tax records and payroll records. The matter is discussed informally and counsel agree that the Court may enter appropriate Orders without the necessity of a protracted hearing. The requisite two-year affidavit has been filed by the plaintiff, and the parties request the Court appoint a Master this date, which the Court intends to do.

Without detailed tesimony, the parties seemingly agree that for the purposes of spousal support in the form of alimony pendente lite, the income of the wife is approximately $600 per month net; and that of the husband,approximately $2800 per month net.

The parties mutually agree that they own two lots in joint name in a development known as Lake Lure, North Carolina that must be appraised and that said lots constitute marital property.

The defendant wife agrees that within 10 days of this date,she will make appropriate inquiry of reputable realtors in the Lake Lure, North Carolina area who will be asked to make an appraisal of the two lots. If the plaintiff husband, upon notification of the selection of the realtor, does not object thereto within seven days,the realtor or appraiser selected by the wife shall proceed to make a written appraisal of the two properties and forward the same to both parties. Appraisal costs will be initially paid upon submission of a bill by the appraiser by the plaintiff. Appraiser fees may be appropriately allocated to each party by Master recommendation and Court Order.

The Court awards alimony pendente lite to defendant wife in the amount of $400 for the month of July, 1993, payable within 10 days of this date. Alimony pendente lite is further awarded to the wife for the months of August, September and October, 1993 in the amount of $850 per month, payable as follows: August alimony shall be paid $400 by August 15, 1993; and $450 by September 5, 1993. September and October alimony will be paid within 5 days of the end of each of said months.

If the matter becomes protracted and is not scheduled for conclusion by November 1, 1993, either party may petition for continuance or modification of alimony.

The defendant's counsel fees are awarded at this time in the amount of $1,000, with $500 of said amount to be paid to counsel for the defendant on or before August 31, 1993, and an additrional $500 on or before September 30, 1993. The award of counsel fees is made without prejudice to the defendant to petition for additional fees if the matter becomes protracted and without prejudice to the right of the Master to allocate counsel fees equitably between the parties. The Court advises counsel that upon presentation of a standard Motion for Appointment of Master, the Court will order a deposit of $750 as partial Master fees, with the plaintiff being responsible to pay said fee within 5 days of this date and without prejudice to the right of the Master or ultimately the Court to allocate total Master fees equitable between the parties.

The Court advises counsel that it intends to appoint on filing the official motion Attorney David W.Pickens and both counsel agree said appointment is appropriate and there is no conflict of interest.

BY THE COURT:
P.Richard, Thomas, S.J.

Aug. 4, 1993 Copy of Order to Attys. Irwin,Gamble & Pickens.

Sept. 30, 1993 Defendant's Counter-Affidavit under Section 3301(d) of the Divorce and Certificate of Service filed.

Nov. 24, 1993, Notice of Filing Master's Report; Master's Report filed.

Dec. 1, 1993 Motion for Extension of Time for Filing Exceptions to Report of Master in Divorce and ORDER filed. AND NOW, this 1st day of December, 1993, the parties hereto are granted an extension of 30 days from the date hereof in which to file exceptions to the report of the master in divorce, which was filed November 23, 1993.

BY THE COURT
Gordon R. Miller

12-6-93 Copy of Order to Attys. Irwin, Gamble & Pickens.

Dec. 3, 1993 Application for Master's Fee and ORDER filed. AND NOW, upon receipt and review of the Master's Petition for payment of fees filed December 3, 1993, and without objection of the parties who were notified of the presentation of the petition on that date, it is ordered as follows:

1. A Master's fee of $884.00 is approved and awarded to the Master based upon 13.6 hours of time legitimately devoted to this case, as represented by the Master in his petition, at $65.00 per hour.
2. The court reporter's fee of $125.00 shall also be paid by the parties pursuant to the Master;s recommendation.
3. The parties shall be reponsible for the fee with Plaintiff paying $879.50, and Defendant paying $129.50. That division, which the Court independently believes is appropriate, was recommended by the Master and neither party has noted an objection t hereto.
4. The Plaintiff has deposited $750.00 with the Prothonotary with a balance remaining for the parties of $259.00
5. Each party shall make a payment of $129.50 forthwith to the Prothonotary, but in no event will it be paid later than December 23, 1993.
6. The Master is directed to pay the reporter's fee from the funds first paid him.

BY THE COURT:
Gordon R. Miller, J.

12-9-93 Copy of Order to Attys. Irwin,Gamble & Pickens.

Dec. 3, 1993 Notice of Scheduled Master Hearing, filed.

Dec. 29, 1993 Exceptions to Report of Master In Divorce filed. (Defendant)

Dec. 30, 1993 Plaintiff's Exceptions to Master's Report in Divorce filed.

Jan.12, 1994 Upon Praecipe of James R. Irwin, ESquire, Attorney for Plaintiff, the above catpioned matter of Plaintiff's Exceptions to Master's Report in Divorce is placed on the next available Argument List.

ON FEBRUARY, 1994 ARGUMENT LIST

Feb. 8, 1994 Transcript of MASTER'S HEARING, held before David Pickens, Esq., on the 18th day of October, 1993, filed.

Aug. 15, 1994 PETITION FOR BIFURCATION and RULE filed. AND NOW, this 12 day of August, 1994, upon consideration of Plaintiff's Petition for Bifurcation, a Rule is hereby entered upon the Respondent, Fannie M. White, to show cause why the relief requested should not be granted.

Rule Returnable with hearing thereon the 20th day of September, 1994, at 9:15 A.M. in the Crawford County Courthouse, Corutroom No. 1, 2, or 3.

BY THE COURT:
Anthony J. Vardaro, J.

Aug. 15, 1994 Copy of Order Faxed to Atty. Irwin and Gamble.

Sep. 19, 1994 Motion for Continuance and ORDER filed. AN DNOW, this 16th day of September, 1994 uponpresentation and consideration of the within Motion this hearing is continued generally. The hearing shall be rescheduled upon motion of either Plaintiff or Defendant.

BY THE COURT:
Gordon R. Miller, J.

9-19-94 Faxed to Attys. Irwin & Gamble

Continued to Page 290 B

290 B

1990

Aug. 21, 1995 Petition for Contempt and Notice and Order to Appear filed. Legal proceedings have been brought against you alleging you have wilfully disobeyed an Order of court of

If you wish to to defend against the claim set forth in the following pages,you may, but are not required to, file in writing with the court your defenses or objections.

Whether or not you file in writing with the court your defenses or objections,you must appear in person in Court on September 1, 1995, at 9:15 A.M. in Courtroom 3, at the Crawford County Courthouse, Meadville,Pennsylvania.

IF YOU DO NOT APPEAR IN PERSON,THE COURT MAY ISSUE A WARRANT FOR YOUR ARREST.

If the court finds you have wilfully failed to comply with its orders, you may be found to be in contempt of court and committed to jail, fined or both.

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

Pa. Lawyer REferral Service
Pa. Bar Association
100 South Street
P.O.Box 186
Harrisburg, PA 17108
Telephone: (800) 692-7375

Court Administrator
Courthouse
Meadville,PA 16335
Telephone (814)336-1151
Extension: 498

DAte: 8/18/95

BY THE COURT:
Anthony J.Vardaro, J.

8-21-95 Faxed. Attys. Irwin &Gamble

Nov. 16, 1995 Stipulation filed.

Nov. 16, 1995 Affidavit of Consent by Fannie M. White,Defendant, filed.

Nov. 16, 1995 Upon Praecipe of James R.Irwin, Esquire, Attorney for Plaintiff to transmit record, case moved to Court.

DIVORCE DECREE FILED

Nov. 28, 1995 AND NOW, november 28, 1995, it is ordered and decreed that JOHN W. WHITE, plaintiff and FANNIE M. WHITE, defendant are divorced from the bonds of matrimony.

AND IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that terms, provisions and conditions of a certain Marriage Settlement Agreement between the parties dated September 7, 1995 and attached hereto, are hereby incorporated in this decree and order by reference as fully as though the same were set forth herein at length. Said agreement shall not merge with, but shall survive this decree and order.

BY THE COURT
Gordon R. Miller, P.J.

Dec. 21, 1995 Qualified Domestic Relations Order filed. The following order is hereby approved:

1. This order shall apply to the Individual Retirement Account of John W. White, at Dean Whitter-Reynolds, Inc. and shall be directed to the account executive Jon Hawk, Dean Whitter-Reynolds, Inc., One Oxford Center, 301 Grant Street, Pittsburgh, Pennsylvania 15219.
2. The Individual Retirement Account belongs to John W. White, 303 West Washington, Howell, Michigan, date of birth, March 29, 19940, and whose Social Security Number is 165-34-4605.
3. The Alternate payee covered by this order is Fannie M. White, 254 Westfield Avenue, Pittsburgh, Pennsylvania, date of birth, October 23, 1990, whose Social Security Number is 165-34-8511.
4. This order shall aplly to $68,000.00, of the Participant's account balance in the Individual Retirement Account as of September 7, 1995, and all earnings accrued on such amount beginning on such date and ending on the date the furds are trarsferred to the separate accourt of the Alterrate Payee. The balance, if any, of the Participant's account balance as of September 7, 1995, and all earnings thereon shall remain the sole property of the Participant and shall not be subject to this order.
5. The sum shall be paid into the regregated into a separate account by Dean Whitter-Reynolds, Inc., solely under the name of the Alternate Payee and shall be the Alternate Payee's sole and separate property. The Alternate Payee shall have the right to elect to withdraw funds from her own account subject to whatever laws and regulations may apply.
6. The Participant and Alternate Payee shall submit this order to Dean Whitter-Reynolds, Inc. for its determination that this order constitutes a Qualified Domestic Relations Order.
7. It is intended that this order shall constitute a Qualified Domestic Relations Order and theCourt Retains jurisdiction to amend this order as may be necessary to establish or maintain it as a Qualified Domestic Relations order.

SO ORDERED, this 21 day of December, 1995.

BY THE COURT:
Anthony J. Vardaro, J

CONSENTED TO:
Participant
John W. White
Altnernate Payee
Fannie M. White

Counsel For Participant
James R. Irwin
Counsel For Alternate Payee
Ann Hansen Gamble

Feb. 16, 1996 Petition for Contempt filed.

Feb. 16, 1996 ORDER filed. AND NOW, this 15 day of February, 1996, it is hereby ORDERED, ADJUDGED AND DECREED that a Rule to Show Cause is hereby entered upon Defendant, Fannie M.White, to show cause why he should not be held in contempt of Court. Said Rule is returnable on the 4th day of March, 1996, in Courtroom No 1 or 2 of the Crawford CountyCourthouse, Meadville,pennsylvania at 11:00 o'clock A.M.

BY THE COURT:
Anthony J.Vardaro,J.

2-20-96 Faxed Irwin & Gamble

Feb.29, 1996 Motion to Withdraw Petition for Request filed.

Feb. 29, 1996 ORDER filed. AND NOW, this 29th day of February, 1996 upon presentation and consideration of the within Motion, Plaintiff's Petition for contempt is hereby withdrawn.

Gordon R.Miller,J.

2-29-96 Faxed Gamble & Irwin

1990

Watts, Pepicelli,
Youngs and Youngs PC
Alan L. Pepicelli

291.

Culbertson, Weiss,
Schetroma and Schug
Nancy M. Sennett

BARBARA K, KRINER AND
W. SCOTT KRINER, HER HUSBAND

vs.

BETTY COLLEEN SHINER AND
DONALD L. SHINER, HER HUSBAND

Filed Mar. 21, 1990
@ 4:08 p.m.

Tax & entry Paid	$50.50
Sheriff's Costs	26.00
Pro Co pd 4-16-93	6.00

Jury Trial Demanded

COMPLAINT IN CIVIL ACTION

2 copies (sheriff)

Apr. 2, 1990 Sheriff's Return filed. SERVED Donald L. Shiner, personally at his residence, RD #9, Box 518, Meadville, PA on March 23, 1990 at 10:50 A.M.
SERVED Betty Colleen Shiner, by handing Complaint, Request for Production of Documents, and INterrogatories to her husband Donald L. Shiner, at their residence, RD #9 Box 518, Meadville, PA on March 23, 1990 at 10:51 AM.
So anwers, Robert M. Stevens, Deputy
Howard N. Stewart, Sher;iff

Apr. 5, 1990, Appearance of Culbertson Weiss, Schetroma, and Schug, by Nan cy M. Sennett, attorney for defendants filed.

June 20, 1990 Notice Of Service Of Defendant's Answers To Interrogatories and Responses to Requests For Production Of Documents filed.

June 20, 1990 Notice Of Service Of Interrogatories to the Plaintiff (First Set) and request for Production (First Set) filed.

Aug. 14, 1990 Notice Of Depositions of Betty Colleen Shiner and Donald L. Shiner filed.

Mar. 20, 1991 NOtice of Depositions of Betty Colleen Shiner will be taken on Wed. April 10, 1991 filed.

Mar. 21, 1991 NOtice of Taking Depositions on Oral Examination of Barbara K. Kriner filed.

May 21, 1991 Notice of Taking Depositions on Oral Examination Under Pa. R.C.P. No. 4007.1 of Charles Larson filed.

June 11, 1991, Notice of Taking Depositions on Oral ExaminaTION Under Pa. R.C.P. NO. 4007.1 filed. (of Charles Larson)

May 22, 1992 Consent to Filed Amended Complaint of Defendants, Betty Colleen Shiner and Donald L. Shiner, filed.
May 22, 1992 Amended Complaint filed.

June 10, 1992 Stipulation, filed.

June 16, 1992 ANSWER AND NEW MATTER OF BETTY COLLEEN SHINER AND DONALD L. SHINER TO PLAINTIFFS AMENDED COMPLAINT, filed.

Aug. 5, 1992, Reply to New Matter filed.

Oct. 29, 1992 NOTICE OF INTENT TO COMPLETE DISCOVERY, filed.

Feb. 19, 1993 Notice of Deposition of James R. Macielak, M.D. filed.

Feb. 19, 1993 Certificate of Readiness filed.

Apr. 13, 1993 Upon praecipe of Plaintiff attorney the above-captioned case is settled and discontinued of record.
Apr. 13, 1993 1 copy atty

Shafer, Swick, Bailey, Irwin & Stack

James R. Irwin

292.

Mason and Mason
Joan D. Mason

MARGARET JABLONSKI

vs.

DANIEL R. JABLONSKI

Filed Mar. 22, 1990
@ 9:49 a.m.

Tax & entry Pd 4-19-90 $50.50 ✓
Pro. Pd 4-19-90- 9.00 ✓

PETITION FOR RELIEF UNDER THE PROTECTION FROM ABUSE ACT

ORDER:

AND NOW, this 12 day of March 1990 upon consideration of the within Petition it is hereby Ordered, adjudged, and Decrees that the above named Respondent shall refrain from abusing the Petitioner and other family members who formerly resided in the marital residence.

A Rule is hereby granted on the respondent to show cause why the foregoing Order should not be made final.

Rule Returnable and hearing on the 23 dayof March 1990 at 10:00 a.m. in Courtroom No. 1 or 2 of the Crawford CountyCourthouse Meadville, Pa.

BY THE COURT
Gordon R. Miller, J.

Mar. 13, 1990 copies of order put in Attys. Irwin and Mason boxes. (originally filed at AD 1988-599)

Mar. 23, 1990, Answer to Petiton for Relief Under the Protection From Abuse Act filed.

Mar 27, 1990 Order filed: AND NOW, March 23, 1990, at the time scheduled for for hearing upon the Protection from Abuse Petition filed by the plaintiff, the parties have agreed that an Order be entered as follows: 1. The Defendant shall not abuse, harass or threaten to abuse or harass the plaintiff or any of the parties' minor children.

2. The Defendant shall continue to have possession of the farm presently occupied by him including the dwelling thereon, subject to the right of the Plaintiff to come to the farm and specifically to the milk house only for the purpose of obtaining a supply of milk for herself and the children twice a week as has been the custom in the past, but shall not go to the dwelling located at the farm at that time.

3. The three (3) minor children of the parties shall remain in the custody of the Plaintiff. No presnet provision is made for visitation by the Defendant without prejudice to the right of the Defendant to request reasonable visitations either by petition for amendment of this order, by requesting a custody order in a pending divorce between the parties or by separate custody proceeding.

4. The Defendant shall have a right to contact the Plaintiff by telephone at reasonable intervals to inquire after the health and welfare of the children, and in the event of any serious health problems or other serious matters affecting the welfare of any ot he children, the Plaintiff shall promptly notify the Defendant of such problems.

5. In a separate Domestic Relations proceeding at DR 1988-563, by agreement of the parties, the Defendant was directed to pay $200.00 per month tward the support of the three children. That order was entered on February 3, 1989, and it was indicated therein that it was for a temporary period of six months (6) to be reviewed on or after August 1, 1989 unless the parties iled some further agreement with the Domestic Relations Section. No such further agreement was filed nor was any review of the then existing order undertaken, but the Defendant has continued to make the payments required by that Order voluntarily through the Domestic Relations Office. It is stipulated and agreed in this proceeding that the Defendant will continue to make the payments required under the Order of February 3, 1989 until any Order for such payment is modified in an appropriate manner. It is the intention of this provision that the Defendant shall also continue to make car payments to GMAC as provided in the Order of February 3, 1989.

A copy of this Order shall be filed with the Domestic Relations Office by the Plaintiff so that they will be aware of the ongoing nature of the current Order for payments. Support payments shall continue to be made through the Domestic Relations Office.

6. The plaintiff has certain personal effects located at the former marital residence. She will at any time through her counsel and defendant's counsel submit a list os such personal property sufficiently described so that it will be intelligible to all parties, and upon receipt of such a list, the defendant shall transport that personal property to the Plaintiff's current residence within one (1) week of receipt of the list, provided that in the event there is a dispute over the ownership of such personal property, Defendant shall notify Plaintiff's counsel within said week, and if the dispute cannot be resolved between the parties, the Court will resolve the dispute upon application of any party in interest in the divorce proceeding.

7. The record costs in this matter shall be paid by the defendant.

8. This Order shall continue in full force and effect for a period of one (1) year from this date.

9. The fact that the parties have agreed to the entry of this order shall not be deemed as admission on the part of the Defendant of any of the allegations contained in the petition filed by the Plaintiff nor shall it be deemed as an admission by the Plaintiff of any of the counterallegations contained in the answer filed by the Defendant, that the entry of this Order is solely for the purpose of resolving the immediate proceedings for protection from abuse. This order shall not constitute any admission or be admissible in evidence in any criminal proceeding involving the defendant.

10. This Order may be enforced by any police officer having jurisdiction in accordance with the Protection From Abuse Act.

11. The entry of this Order by consent shall not be deemed to in any way affect any of the marital rights of either of the parties to marital property or to any other matter that may be in litigation between them.

BY ORDER OF THE COURT,
Robert L. Walker, S.J.

Mar 27, 1990 Copies of order put in Attys. Irwin and Mason's and Dom. Rel's boxes and copies given to Co. Control and DA.

293.

SHEILA A. BRAWLEY

vs.

PHILIP A. RADER

Filed Mar. 22, 1990
@ 9:24 a.m.

Tax & entry	$50.50
Sheriff's costs	20.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

1 copy (plff)
3 copies (sheriff)

TEMPORARY ABUSE ORDER:

AND NOW, this 22 dayof March 1990, upon review of the petition of plaintiff, the court enters the following temporary order:

1. the defendant shall not assault, abuse, harass or threaten the plaintiff named in the petition.

2. Special conditions:

3. this order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.

4. A copy of this order shall be delivered to the police departments in the jurisdiction where the plaintiff resides and to county control.

5. service of a copy ofthe petition and this order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.

6. this temporary order shall remain in full force and effect until modified or terminated by further order of court. Liability for payment of fees and costs will be determined by final court order.

7. The defendant is reminded that this is an order of court and violation of this order may be punishable by a fine up to $1,000 and a jail sentence of up tosix months.

8. The court reserves the right on allocation of fees and costs.

Hearing is hereby set for Mar.28, 1990 at 3:00 p.m. in Courtroom 2 of thecrawford County Courthouse.

The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Robert L. Walker, S.J.

March 30, 1990 Sheriff's Return filed. SERVED Philip A. Rader, personally, on Mar. 22, 1990 at 9:43 PM, at the Meadville City Police Dept., Meadville, Crawford Co., PA. So answers.

Ptlm. Liscinski
Howard N. Stewart, Sheriff

April 2, 1990 ORDER filed. AND NOW, March 28, 1990, at the time fixed for hearing in this matter, both parties appeared without consel, were advised of their right to counsel of their own choice, and the opportunity to apply for counsel at no charge through Legal Services, but both parties waive their right to counsel. The Defendant admitted that he committed the fact set forth in Paragraph 8 of the Plaintiff's Petition, and accordingly, the Court is satisfied that the Defendant has abused the Plaintiff as abuse is defined in the Protection From Abuse Act. The Plaintiff is uncertain as to whether or not she wants to continue her relationship with the Defendant.

Accordingly, it is ORDERED as follows:

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff in any way.

2. The Plaintiff is granted possession of the residence at 312 Pine Place, Meadville, Pa., to the exclusion of the Defendant. So long as this Order is effective, as between the Plaintiff and Defendant, the Plaintiff is responsible for the rent. The Defendant shall have the opportunity to return to the residence within the next week upon giving the Plaintiff no less than twelve (12) hours notice for the purpose of picking up his personal belongings. When he returns to the premises, neither shall do anything to aggravate the other, and the Defendant shall take his sister, Julie Norr, with him as an independent third party to witness any improper events that take place.

3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable grounds to believe it hs been violated.

4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.

5. This Order shall remain in full force and effect for one (1) month unless amended, modified or extended by the consent of the parties and approval of the Court or after a hearing before the Court.

6. The Defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine of up to $1,000.00 and a jail sentence of up to six (6) months.

7. Costs in these proceedings shall be borne by the County as neither party has the appropriate financial ability to pay the costs.

BY ORDER OF THE COURT,
Gordon R. Miller, J.

April 3, 1990 Copy of Order to County Control, Meadville City Police Dept., Plaintiff, and Defendant.

May 1, 1990 Motion to Terminate and Order filed. AND NOW, April 24, 1990, upon receipt and review of the foregoing Motion this matter is discontinued. The Order entered March 28, 1990 is hereby terminated. A copy of this Order shall be delivered to the police departments in the jurisdiction where the plaintiff resides and to County Control.

BY ORDER OF THE COURT,
Gordon R. Miller, J

May 4, 1990 Copies of order to County Control, Meadville City Police Dept., Plaintiff and Defendant.

1990

Mazzotta, McCague & Associates PC
Donald S. Mazzotta

294.

GENERAL MOTORS ACCEPTANCE CORPORATION

vs.

MICHAEL C. RANKIN AND JANET A. McLALLEN

Filed Mar. 22, 1990
@ 11:31 a.m.

Tax & entry Paid	$50.50
Sheriff's Costs	32.00
Pro Co Pd 5-7-90	9.00
Pro Pd 11/8/95	5.00

COMPLAINT IN CIVIL ACTION (ASSUMPSIT)

2 copies (sheriff)

Apr. 3, 1990 Sheriff's Return filed. SERVED Michael C. Rankin, personally, March 28, 1990 at 4:15 PM, at the Sheriff's Office, Crawford County Courthouse, Meadville, PA. SERVED Janet A. McLallen, by serving her authorized agent, Michael C. Rankin, at the Sheriff's Office, Crawford County Courthouse, Meadville, PA on March 28, 1990 at 4:16 PM. Signed acceptance of service hereto attached.
So answers, Catherine Allen, Deputy
Howard N. Stewart, Sheriff

AND NOW, May 7, 1990 @ 11:31 A.M., Upon Praecipe of Plaintiff's Attorney with Notice of Judgment attached, judgment is hereby entered in favor of the plaintiff and against the defendants for failure to file an answer and the same is liquidated as follows: Amount claimed in complaint, Five Thousand One Hundred and 32/100 Dollars; Interest from 9/26/89 to 5/1/90 @ 6%, One hundred Eighty-four and 45/100 Dollars; costs of suit; TOTAL Five Thousand Two Hundred Eighty-four and 77/100 Dollars
R-113; M-91

Debt.....$5,284.77 + costs
JUDGMENT
James F. Simmons
Prothonotary

5-7-90 Judgment entered.

Nov. 6, 1995, Upon praecipe of plaintiff attorney, this judgment satisfied of record.

1990

Jack, Kookogey &
Felton
Robert J. Felton
295.

R. Charles Thomas

ROBERT F. MADDEN

vs.

KATHERINE L. YOUNG

Filed Mar. 22, 1990
@ 11:38 a.m.

Tax & entry Paid $50.25

APPEAL OF DEFENDANT FROM JUDGMENT OF DISTRICT JUSTICE, MAGISTERIAL DISTRICT OF 30- 3- 06

Mar. 22, 1990 Rule entered upon plaintiff to file Complaint issued.

Mar. 30, 1990 Proof of Service filed.

Apr. 9, 1990 Complaint filed.

1990

Jorden & White
William T. Jorden

296.

Culbertson, Weiss,
Schetroma & Schug
E. Max Weiss
for dfts. B. & L. Blystone

Swensen, Perer &
McCandless
John W. McCandless
Oakes & McClelland Co.

Richard t. Ruth
for add'l dft. Interlock

ROBERT A. BOYLAN AND
BONITA BOYLAN HIS WIFE

vs.

BERNARD J. BLYSTONE AND
LARRIE ROSE BLYSTONE HIS
WIFE, AND OAKES &
McCLELLAND CO.

vs.
Interlock Steel Products, Inc.

Filed Mar. 22, 1990
@ 2:45 p.m.

Tax & entry Paid	$50.50
Sheriff's Costs	55.80
Sheriff's Costs	37.60
pro co pd. 10/8/91	6.00

COMPLAINT

3 copies (sheriff)

Apr. 2, 1990, Appearance of Culbertson, Weiss, Schetroma, and Schug, by E. Max Weiss, attorneys for defendants Bernard J. and Larrie Rose Blystone, filed.

Apr. 9, 1990 Sheriff's Return filed. Before me, the undersigned authority, personally appeared Douglas R. Long, Deputy Sheriff who being duly sworn accor ding to law, deposes and says that on the 27th day of March, 1990, at 4:00 p.m., he served Complaint and Interogatories, filed March 22, 1990 at No. 296 A.D. term, 1990, Crawford County Pennsylvania, upon defendant Oakes & McClelland Co. at 40 Conneaut Lake Rd., Greenville, PA 16125 By making known the consents thereof to Jill Koval, Bookkeeper, person in charge and handing to and leaving with her the certified copy of the complaint, interrogatories for the defendnat received from Sheriff of Crawford County.
So answers. Douglas R. Long, Deputy Sheriff
William H. Romine, Jr., Sheriff
SERVED Bernard J. Blystone on March 23, 1990 at 2:56 PM by handing copy of Complaint to Larrie Rose Blystone, his wife, at their residence, R.D. #1, Humes Hill Road, Cambridge Springs, Crawford County, PA.
SERVED Larrie Rose Blystone personally on March 23, 1990 at 2:55 p.m. at her residence, R.D.#1, Humes Hill Road, Cambridge Springs, Crawford County, PA.
SERVED Oakes & McClennand Co. by deputizing the Sheriff of Mercer County, PA as per his affidavit of service attached. Served both the Complaint and INterrogaoties on March 27, 1990.
So answers, Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

Apr. 9, 1990 Appearance of Swensen, Perer & McCandless by John W. McCandless for Oakes & McClelland filed.

May 4, 1990, Answer and New Matter, and New Matter of defendant Oakes and McClelland Co. filed.

June 27, 1990, ANSWER to New Matter filed.

July 16, 1990, Notice of Service of Answers to Interrogatories directed to Defendant Oakes and McClelland Co. filed.

July 26, 1990 Notice Of Depositions of Robert Boylan filed.
July 26, 1990, Petition of dft. Oakes & Mclelland Company to join additional dfts. filed.
July 31, 1990 Notice Of Depcsition of Robert A. Boylan filed.

Aug. 7, 1990, RE: DEFENDANT'S PETITION TO JOIN ADDITIONAL DEFENDANT - ORDER filed.
And now, this 7 day of August 1990, defendant Oakes & McClelland Company petitions the court for leave to grant the joinder of an additional defendant, Interlock Steel Products, Inc. located in East Palestine, Ohio, with offices in Sharon, Pa.
The original complaint in this matter was filed on March 22, 1990. We note that the 60 day time limitation for joinder of an additional defendant pursuant to Pa. R.C.P. 2253 ran as of May 26, 1990. Undre Pa. R.C.P. 2253 the defendant may petition the court for leave to join an additional defendant upon good cause. The defendant's Petition asserts that should this court grant the relief requested, the other parties would suffer no prejudice. However, even if this were true, in order toshow cause the defendant must allege some "justification for the delay." Accordingly, in order to elicit the position fo the other parties to this matter and for the defendant to present additional facts that my justify this four month delay, this court sua sponte sets this matter for hearing and/or argument on Aug. 27, 1990 at 10:00 a.m.
BY ORDER OF THE COURT,
P. Richard Thomas, P.J.
Aug. 8, 1990 copies gi ven to W. JOrden, E. M. Weiss, and mailed to JOhn W. McCandless.

Aug. 20, 1990 Supplement to Petition to Join Additional Defendant, Interlock Steel Products, Inc.filed.

Aug. 30, 1990 Order filed. ORDER: AND NOW, this 29th day of August, 1990 upon presentation and review of the petition of Oakes and McClelland Company, one of the defendants, to join Interlock Steel Products,inc. as an additional defendant and, after oral argument, at which time none of the other current parties to the action oppose the petition, said petition is granted and Oakes and McClelland Company is granted leave to join Interlock Steel Products, Inc. as an additional defendant.
Oakes and McClelland Company shall file a complaint under Pa. R.C.P. 2252 within twenty (20) days from the date of this order.
It appears that no applicable statute of limitations has run, that there may not be prejudice to any party nor the additional defendant, and that the reason for late joinder was that Oakes and McClelland Company was not certain as to the potential involvement of the additional defendant until after receipt of answers to interrogatories and review of photographs, all of which took place prior to July 26, 1990. The additional defendant shall be given the opportunity, if it so desires, to challenge this ex parte extension of time for joinder of it.
BY THE COURT,
Gordon R. Miller, P.J.
Aug. 31, 1990 Copies to W. Jorden, E.M.Weiss,and mailed to John W. McCandless

Sept. 17, 1990 Complaint To Join Interlock Steel Products, Inc. As Additional Defendant filed.

Continued on page 296 A

Robert A. Boylan al

vs.

Bernard J. Blystone et al

Record continued from page 296

of record

A.D. 1990 - 296

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Oct. 8, 1990 Sheriff's Return filed. Before me, the undersigned authority, personally appeared Anthony J. Hnida, Deputy Sheriff who bieng duly sworn accor ding to law, deposes and says that on the 19th day of September, 1990, at 2:23 P.M., he served Complaint to Join Additional Defnedant, filed at No. AD 1990-296 Term, 19, Crawford County Pennsylvania, upon defendant INTERLOCK STEEL PRODUCTS, INC. at their place of business, 3679 East State Street, Sharon, Pennsylvania 16146 By making known the contents thereof to Laurie A. Loreno, Executive Secretary, person in charge and handing to and leaving with her the certified copy of the complaint to join additional defendant received from Sheriff of Crawford County.
So answers, Anthony J. Hnida, Deputy Sheriff
William H. Romine, Jr., Sheriff
SERVED Interlock Steel Products, Inc. by deputizing Sheriff of Mercer County, as per his Affidavit of Service attached. Served: September 19, 1990.
So answers, Howard N. Stewart, Sheriff

Oct. 12, 1990 Notice Of Service of Interrogatories and Requests for Production filed.

Oct. 12, 1990 Notice of Service Of Interrogatories and Requests for Production filed.

Oct. 17, 1990 Request For Production To Defendant Oakes & McClelland Company filed.

Oct. 29, 1990, Notice of Filing Answers to Interrogatories filed.

Oct. 29, 1990, Notice of Filing Answers to Requests for Production filed.

Nov. 27, 1990, Appearance of Richard T. Ruth, attorney for Interlock Steel Products, additional defendants filed.

Nov. 27, 1990, defendant Interlock steel Products, Inc. answer and New Matter and New Matter Under Pa. R.C.P. Section 2252(d) filed.

Nov. 29, 1990, Answer and New Matter of Bernard J. Blystone and Larrie Rose Blystone to Plaintiff's Complaint filed.

Nov. 29, 1990, Answer of Blystones to Interlock Crossclaim filed.

Nov. 29, 1990, Answer of Blystones to New Matter Crossclaim of Oakes and McClelland Company, filed.

Dec. 12, 1990, Reply to New Matter of Additional Defendant, Interlock Steel Products, INc. filed.

Dec. 12, 1990 Reply to New Matter of Bernard J. Blystone and Larrie Rose Blystone, his wife, defendants, filed.

Jan. 17, 1991 Notice Of Service Of Request For Production filed.

Jan 18, 1991 Answer to New Matter filed.

Feb. 14, 1991, Notice of Service of Interrogatories upon additional defendatn Interlock Steel Products, Inc. filed.

Mar. 6, 1991 Notice Of Filing Interlock Steel's Answers and Objection To Interrogatories Propounded By Defendant Oakes & McClelland filed.

Mar. 6, 1991 Notice of Filing INterlock Steel's Reply To Requests For Production Propounded by plaintiffs filed.

May 17, 1991 Notice of Deposition of Robert Moore filed.

May 23, 1991 Notice of Taking Depositions of Harold "Jake" McClelland filed.

Aug. 23, 1991 Notice of Depositions of Harold Jake McClelland filed.

Aug. 23, 1991 Notice of Deposition of Dr. Curtis H. Laub filed.

Aug. 27, 1991 Corrected Ntoice of Deposition of Harold Jake McClelland filed.

Aug. 30, 1991 Certificate of Readiness filed.

On October 1991 Trial list

Oct. 7, 1991, Upon praecipe of plaintiff attorney, for value received, and upon payment of costs, the above ca ptioned matter is hereby marked settled and discontinued.

296
B

1990

1990

297.

James R. Irwin

CRAIG JOHNSTON

vs.

RAYMOND RICHARD JOHNSTON

Filed Mar. 22, 1990
@ 4:27 p.m.

Tax & entry Paid $50.25
Pro paid 6/19/90 9.00

APPEAL OF DEFENDANT FROM JUDGMENT OF HUBERT VOGAN, MAGISTERIAL DISTRICT 30- 3- 02

Mar. 22, 1990, Rule entered upon plaintiff to file Complaint issued.

Mar. 23, 1990 Proof of Service filed.

Apr. 26, 1990 Amended Affidavit Of Service filed. I, James R. Irwin, do verify that I attempted service upon Craig Johnston with the NOtice of Appeal and Rule to To File Complaint by Certified Mail, REturn receipt Requested on March 22, 1990. Mr. Johnston was given 1st notice on March 24, 1990 and second notice on March 29, 1990. On April 7, 1990 said NOtice was returned unclaimed (copy of envelope attached). On April 26, 1990 I again served him by Certified Mail only (copy of Certified Mail Receipt is attached hereto). James R. Irwin

June 15, 1990, @ 11:15 a.m., and now, upon praecipe of defendant attorney, Judgment of Non Pros is hereby entered against the named plaintiff, in above matter, pursuant to Rule of Civil Procedure 1037(a).

J - 201
Judgment entered
6/15/90

JUDGMENT OF NON PROS
James F. Simmons,
Prothonotary

1990

Bettie J. Peterson-Muth

298.

LINDA A. TYLER

vs.

TERRY L. TYLER

Filed Mar. 23, 1990
@ 8:43 a.m.

Tax & etnry Paid	$50.50
1 count paid	15.00
Pro co pd 7/12/90	9.00
State pd 7/12/90	10.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION

1 copy (atty)

July 12, 1990 Affidavit Of service filed. bettie J. Peterson-Muth, being duly sworn according to law, deposes and says that she is a competent adult; that she served the complaint in Divorce filed in the above matter on Terry L. Tyler, per sonally, by handing him a true and correct copy thereof and informing him of its contents at her office, Star Route, Meadville, Pennsylvania on April 10, 1990, at 4:20 PM

Deponent further avers that she personally knows the defnednat Bettie J. Peterson-Muth

July 12, 1990 Affidavit of Consent of Plaintiff filed.

July 12, 1990 Affidavit Of Consent of Defendant filed.

July 12, 1990 Upon praecipe of Plaintiff Attorney To Transmit Record, this case moved to court.

July 18, 1990 **DECREE AND ORDER FILED.**

AND NOW, this 18 day of July, 1990, upon consideration of the pleadings and affidavits filed in the above-captioned matter, this court hereby grants an absolute divorce from the bonds of matrimony to the above-named parties, on the grounds that the marriage is irretrievably broken and ninety (90) days have elapsed from the date of the filing of the Complaint, and an affidavit has been filed by each of the aprties, evidencing that each of the parties consents to the divorce pursuant to Section 201(c) of the Pennsylvania Divorce Code.

AND IT IS FURTHER ORDERED, ADJUDGED, AND DECREED, pursuant to Pa.R.C.P. 1920.1, et seq. & Act 26-1980, 23 P.S. §1, et seq., " The Divorce Code", that the terms, provisions and conditions of a certain Agreement between the parties dated April 20, 1990, and attached to this Decree and ORder as Exhbiit "A" is her eby incorporated into this decree and ORder by reference as fully as though the same were set forth her ein at length. Said agreement shall not merge with but shall survive this decree and ORder.

BY THE COURT:
P. Richard Thomas,

July 3, 1991 Petition For Contempt of Order of Court and ORDER filed. And now, this 2 day of July, 1991, upon review of the petition of Linda A. Tyler, Hearing is hereby set for July 30 1991, at 3:30 PM in Courtroom 1 or 2 of the Crawford County Courthouse.

By The Court,
P. Richard Thomas, S. J.

July 5, 1991 Copy of Order to Atty. Bettie Peterson-Muth.

Aug. 1, 1991 Order filed. AND NOW, July 30, 1991, the matter is before the Court on a petition for contempt filed by the Plaintiff contending she has not received checks in the amount of $100.00 per week provided in a divorce settlement agreement dated April 20, 1990.

The defendant admits that he is in default under the payment agreement, but has this date turned over ten (10) checks in the amount of $100.00 each which the parties mutually agree pays the account through July 27, 1991.

The Defendant contends that he has not made the payments because an old charge account with Sears & Roebuck in his name is allegedly in defualt because the wife has not made agreed payments thereon and that the Sears & Roebuck Company was advising him his credit standing is in jeopordy. The Court is presented with a payment schedule for Sears & Roebuck and what with adding a monthly apyment for the month of July, 1991, the account does not appear to be substantially in arrears.

The former wife agrees she will continue to keep the account current by paying $20.00 per month or such other amount as required by Sears & Roebuck to keep the account frm being actually or technically in default.

In view of the foregoing, the Court refuses to adjudge the Defendant in contempt, but cautions him that in the future if he refuses to pay the $100.00 per week required by the divorce Decree, it will entertain a further motion for contempt.

BY ORDER OF THE COURT,
P. Richard Thomas, S.J.

Aug. 2, 1991 Copies of order put in Bettie Muth's box.

1990

Mason and Mason
Joan D. Mason

299.

ROBERT P. KERSTETTER

vs.

LAURA A. KERSTETTER

Filed Mar. 23, 1990
@ 10:13 a. m.

Tax & entry Paid $50.50 ✓

COMPLAINT IN DIVORCE

1 copy (atty)

Apr 12, 1990 Affidavit of Service filed: I, Joan D. Mason, attorney for the Plaintiff in the above entitled case, and being duly sworn according to law, depose and say that I did on March 28, 1990 mail to the above Defendant Laura A. Kerstetter by certified mail return receipt requested, deliver to addressee only, a complaint in the above divorce action. Said notice was received on March 30, 1990 as indicated by the return receipt card which was returned to the office of the plaintiff's attorney and is attached hereto.

Joan D. Mason, Attorney for Plaintiff

Feb. 17, 1998 Important Notice and Court Order filed. Our court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since 4/12/90 . We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonably delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.

If you do not object this this case being dismissed, you do not have to do anything. The case will be marked "dismissed with prejudice" in our records, and will be over forever.

If you object to the case being dismissed, you must put your object in writing and follow Crawford County Civil Local Rule L206, LJA 1901E and LJA 1901F, explaining why there has been a delay in your case and why it is not unreasonable. These written objections must be filed in the Prothonotary's Office on or before April 24, 1998. You must also give or sent a copy of any objections you file to the other party or his or her attorney, and certify that you have done so when you file your objections with the Prothonotary.

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

Court Administrator
Second Floor-Crawford County Courthouse
Meadville, PA 16335
(814) 333-7498

By the Court,
Date: February 13, 1998 Anthony J. Vardaro, J

Feb. 17, 1998 copies mailed by Court Administrator's Office

May 6, 1998 Order filed. AND NOW, this fourth day of May, 1998, written notice of the Court's intent to terminate the cases listed below having been given to the parties or their counsel of record, and further notice having been given to counsel and parties by publication of a "Notice of Intent to Terminate Cases" printed in the Crawford County Legal Journal on April 15, 1998, and no objection thereto haing been received by the Court from either party in the cases listed below, **all and each of the 245 cases listed below are hereby terminated and dismissed with prejudice.** A copy of this order shall be filed at each of the docket numbers listed below, but copies need not be given to or served upon the parties or their attorneys. Cases may be reinstated only in accordance with Crawford County Rule LJA 1901.

By the Court:
Gordon R. Miller, P.J.

(See original filed at A.D. 1997 - 702)

1990

William B. Moore

300.

Peters, Lindsay, Lewis & Gagliotti
Brian J. Lindsay,
For Charles Robey

8/17/90 Rec'd $30.67 from Respondent Charles Robey
Rec'd 9-5-90
$30.67
Vivian Statty

LINDA LOU IRLAM
Petitioner

vs.

JAMES GILCHRIST, SR.
Respondent

IN RE: CUSTODY OF JAMES GILCHRIST AND LISA GILCHRIST

CHARLES ROBEY
Respondent

IN RE: CUSTODY OF MATTHEW ROBEY

Filed Mar. 23, 1990
@ 10:20 a.m.

Indigent filing
William Pineo, mediator
Mediation costs 92.00
9.00
William Pineo, Mediator
John Spatara, Mediator
Sheriff's Costs: 29.00

COMPLAINT FOR CUSTODY

1 copy (atty)
1 copy (mediator)

ORDER OF COURT:
AND NOW, this 23rd dayof March 1990 upon consideration of the foregoing complaint afor custody it is hereby ordered that all parties and their counsel are to appear in person for mediation conference before WILLIAM PINEO, CHILD CUSTODY MEDIATOR, at such time and place as the mediator may specify.

BY THE COURT:
Robert L. Walker, J.

Mar. 23, 1990, Petition for Leave to Proceed In Forma Pauperis, and order filed. ORDER OF COURT: AND NOW, this 23 day of March 1990 Linda Lou Irlam petitioner inthe above custody action is granted leave to proceed In Forma Pauperis, reserving the right to impose costs if appropriate.

BY THE COURT:
Robert L. Walker, J.

Mar. 23, 1990, Praecipe to Proceed In Forma Pauperis filed.

Aug. 3, 1990 Temporary Order filed. AND NOW, this 1st day of August, 1990, after Mediation in the above referenced matter, and upon the recommendations of the Child CUstody Mediator, IT IS HEREBY ORDERED AND DECREED THAT:

1. Custody ofJames Gilchrist, Jr., and Lisa Gilchrist is hereby awarded to their mother, Linda Lour Irlam.
2. Custody of Matthew Robey shall be shared between his parents, Linda Lou Irlam and Charles Robey, petitioner and respondent herein, respectively.
3. Linda Lou Irlam and James Gilchrist will share with each other any and all information which each may have regarding the health, education, and th emajor events in th elives of James Gilchrist, Jr., and LIda Gilchrist, subject minor children. Health care, school personnel, and other care providers are her eby authorized to release to either party any and all confidential information which they may have regarding the subject minor children.
4. Linda Lou Irlam and Charles Robey shall share with each other any and all information which each may have regarding the health, education, and major events in the life of Matthew Robey, subject minor child, Health care, school personnel, and other care providers are herejby authorized to either party any and all confidential information which they may have regarding Matthew Robey.
5. With respect to Matthew Robey, the mother shall have primary physical custody each year from August 15 through the following June 15, an dthe father shallhave primary physical custody each year from June 15 to the following August 15. The parent not having primary physical custody shallhave the right of visitation on laternate weekends from Friday at 7:00 p.m. through Sunday at 9:00 p.m., beginning with the second full weekend after primary phsyical custody shall have shifted.
6. With respect to James Gilchrist, Jr. and Lisa Gilchrist, the father shall the right of ivistaiton nand temporary physical custody with his chidlren at least one weekend per month. He shall notify the mother one week in advance of which weekend he wishes to select. The weekend visitation periods shall begin Friday at 7:00 p.m. and end Sunday at 9:00 p.m.
7. The mediator has noted for the Court that respondent, Charles Robey, has been an influence in the lives of the Gilchrist children and he shall also have the right of visitaiton with them one weekend per mnth from Friday at 7:00 p.m. to Sunday at 9:00 p.m. He shall notify the mother one week in advance of which weekend he wishes to select. In the event of a conflict of weekends, the visitation of James Gilchrist shallhave precedence and the parties shall try to arrange for Charles Robey to exercise his visitation at some other time.
8. Holidays are defined as New Year's Day, Easter, Memorial Day, Independence Day, Labor Day, Thanksgiving, and Christmas. HOliday visitation shall be between the hours of 9:00 a.m. and 8:00 p.m., except for INdependence Day, when the holiday visitaiton shall be extended to 11:00 p.m., so the children may watch the fireworks. James Gilchrist, SR. shall have visitation with his chidlren, and Charles Robey with Matthew, for Labor Day, 1990, and the holidays shall thereafter be alternated between the fathers of the respective children and the mother.
9. The children shall spend Father's Day with their father from 9:00 a.m. to 7:00 p.m., and MOther's Day with their mother, during the same hours.
10. HOliday visitation shall take precedence over the other provisions of this order relating to custody and visitation.
11. Should it be necessary for any pa rty to cancel or modify the visitations as set out in this Order or as previously arranged, the party seeking cancellation or modification shall notify the other party as soon as hr or she knows of the necessity which impels the cancellation or modificaton. Said modifications or cancellations shall not be proposed except for good reasons. Should a cancellation or modification be necessary, the parties shall attempt at once to arrange for alternative visits or to make alternative arrangements.
12. James Gilchrist and Charles Robey shall provide transportation in the carrying out of their responsibilities and rights under this order.
13. Each party shall teach said children to give to the other party that love and respect which is due a parent from his or her children.
14. No party shall use illegal drugs or be under the influence of alcohol at any time when said par ty has the care and custody of the subject minor children. The parties are cautioned that recent medical research has indicated that tobacco smoke is injurious to the health of growing children. Therefore, no party shall smoke tobacco or permit others to do so in a closed automobile in which the children are being transported or in the bedroom of the children.
15. Any person transporting the children shall make sure that the seat belts or other restraints are used in accordance with the law of Pennsylvania.
16. No party shall do or say anything to blacken the character of th eother in the children's estimation. Each party shall treat th eother ina polite and respectful manner when in the children's presence and each par ty shall instruct his or her relatives and friends to do likewise and also not to gis parage the other party in the children's estimation.
17. The parties are free to make additional or alternative arrangements respecting the custodial and visitation periods and are strongly encouraged to do so if that would be proper and convenient. Said arrangements shall be by mutual consen only, in the absenc eof which this Order shall govern.
18. Either par ty may request a review of this Order two years fromdate hereof to make any adjustments.
19. costs and fees of this Mediation, which are fixed at $92.00 are divided in thirds. The mother's share is assessed to Crawford County. The shares of James Gilchrist, Sr., and Charles Robey are assessed to them as costs in this case. Payment shall be made to the Prothonotary of Crawford County.
20. Either party may move the Court for a hearing de novo for thirty (30) days from date hereof. If neither party so moves, this Order shall be considered permanent.

By the Court,
P. Richard Thomas, J

Aug. 6, 1990 Copies of order mailed to Defendants and Plaintiff and Copies put in William Pineo and Bill Moore's box.

Continued of Record to Page 300 A

Linda Lou Irlan
vs.
James Gilchrist, Sr.,

Continued from Page 300
of Record
A. D. 1990 - 300

****

In re: Custody of James Gilchrist Jr., and Lisa Gilchrist, minor children.

Charles Robey,
In re; Custody of Matthew Robey minor child.
Defendant

Jan. 22, 1993 Petition to Modify and Order filed. AND NOW, this 22 day of January, 1993, this Honorable Court hereby appoints Custody Mediator, William Pineo, to hear this matter.
Gordon R. Miller, J.
Jan. 22, 1993 Copy of Order to: Attys. Moore, Lindsay, Pineo

Jan. 22, 1993 Petition to Proceed in Forma Pauperis and Order filed. AND Now, January 22, 1993 the defendant is permitted to proceed in Forma Pauperis and is not required to deposit a fee for the mediation. He is under the obligation imposed Pa. R.C.P. 240 (c).

Gordon R. Miller

Jan. 22, 1993 Copy of Order to Attys. Moore, Lindsay & Pineo.

Sept. 113, 1993 Petition To Modify and Order, filed. ORDER: You, Linda Lou Irlam, Plaintiff have been sued in court to obtain custody, partial custody or visitation of the children: James Gilchrist, Jr. and Lisa Gilchrist.

You are ordered to appear in person at such time and place as will be determined by the Mediator, William Pineo, for a mediation conference.

If you fail to appear as provided by lthis Order, an Order for custody, partial custody or visitation may be entered against you or the court may issue a warrant for your arrest.

BY THE COURT:
Anthony J. Vardaro, J.

Sept. 14, 1993 copies dist. to Pineo & Lindsay

Sep. 22, 1993 Affidavit of Service filed. I,Brian J. Lindsay, Esquire, af ter being duly sworn according to law, do hereby certify that I am the attorney of record for the above named Defendant, and that as such I am authorized to make this verification; that I did on the 17th day of September, 1993, send to the above named Plaintiff, by Certified Mail, Return REceipt Requested, a true and correct copy of the Petition to Modify filed at the above term and number; and that I did on the 21st day of September, 1993, receive a duly executed return receipt dated September 20, 1993.
September 21, 1993
Brian J. Lindsay, Esquire

Feb. 17, 1994 Temporary Order filed. AND NOW, this 16 day of February, 1994, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator, IT IS HEREBY ORDERED AND DECREED THAT:

1. Legal and physical custody of the subject minor child, Matthew Robey, is awarded to his father, Charles Robey.
2. If the mother desires visittion rights with matthew and thie matter cannot be worked out preivately between her and the father, she shall have the right to request mediation.
3. Costs and fees of this Mediation, which are fixed at $152.00, are to be paid by Crawford County. The mediator has noted for the court that the father is proceeding in forma pauperis and that themother, in all probability, is indigent.
4. Either party may move the Court for a hearing de novo within ten (10) days from date hereof. If neither party so moves, this Order shall be considered permanent.

By the Court,
Anthony J. Vardaro, J

Feb. 17, 1994 Copies of order to Atty's Pineo and Lindsay and to Plaintiff

Oct. 31, 1995 Petition to Proceed in Forma Pauperis Pursuant to Pa. R.C.P. 240 filed. ORDER filed. AND NOW, October 30, 1005, upon consideration of the petition filed by the Plaintiff in this action, and supported by an affidavit attached thereto, all being pursuant to Pa. R.C.P. 240, the Plaintiff is granted leave to proceed in forma pauperis at this time.

The Plaintiff is directed to inform the Prothonotary's office or the Court of any improvement in his/her financial circumstances that would permit him/her to pay the costs incurred in this action and shall be responsible for doing so upon an improvement of financial condition.

BY THE COURT:
Anthony J. Vardaro, J.

Oct. 31, 1995 Notice and Order to appear filed. You, James Gilchrist, have been sued in Court to obtain custody of Lisa.

You are ORDERED to appear in person at such time and place as will be determined by the Mediator John Spataro for a mediation conference.

If you fail to appear as provided by this Order, an Order for custody, partial custody or visitation may be entered against you or the Court may issue a warrant for you arrest.

Date: 10/31/95
Anthony J. Vardaro, J.

Oct. 31, 1995 ORDER filed. AND NOW, this 31 day of October, 1995, the Court having appointed a custody mediator in this action for custody, and/or partial custody and/or visitation of a minor child or children it is ordered and directed as follows:

1. The plaintiff is allowed to proceed without payment of court costs reserving to the Court the right to impose costs at a later time.
2. The Prothonotary is ordered and directed to deliver a true and correct copy of this Order and any complaint or petition filed at the time this Order was entered and any required notice, with appropriate numbers of copies, to the Sheriff of Crawford County for service upon the defendant.
3. The pliantiff is ordered and directed to immediately go to the Sheriff's Office to give the Sheriff written instructions on when and where the defendant may be served.
4. The Sheriff of Crawford County is ordered and directed to serve a true and correct copy of the complaint or petition and order upon the defendant and make an appropriate return of service as required by the law. The Sheriff shall indicate the cost of service which said cost shall be paid by Crawford County and which said cost may be taxed as record costs and imposed as costs by the Court.

BY THE COURT
Anthony J. Vardaro, J.

1 copy plff.
1 copy Sherif
1 copy Mediator

Continued on Page 300 B

300 B

1990

300	LINDA IRLAM VS. JAMES GILCHRIST, SR.	CONTINUED FROM PAGE 300-A of RECORD A. D. 1990 - 300

Nov. 8, 1995 Sheriff's Return filed. SERVED James Gilchrist, Sr., on November 3, 1995 at 3:05 PM by handing a copy of the Custody Complaint to Dianna Gilchrist, Wife and Authorized Agent, in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, Crawford County, PA.
So Answers,
Diane Brittain, Deputy Sheriff
Robert M. Stevens, Sheriff

Dec. 14, 1995 ORDER filed. AND NOW, this 13 day of December, 1995, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator,

IT IS HEREBY ORDERED AND DECREED THAT:

1) The parties shall share legal and physical custody of the subject minor child, Lisa J. Gilchrist, born July 15, 1979.

2) The parties shall share with each other any and all information which each may have regarding the health, education, and major events in the life of the subject minor child. Health care, school personnel, and other care providers are hereby authorized to release to either party any and all confidential information which they mayhave regarding the subject minor child.

3) The father shall retain primary physical custody of the child, subject to the visitation rights of the mother as follows:

a. Commencing with Friday, December 7, 1995 and every other weekend thereafter, the mother shall have the right to take the child into her care and custody on Friday at 6:00 p.m. until Sunday at 7:30 p.m. Mother's return of the child may be extended beyond the 7:30 p.m. deadline on days when she and the child are unable to make a timely return from visits with son, James Gilchrist, who is a dependent child under the jurisdiction of the juvenile court.

4) Holiday, vacation and birthday visitations shall be arranged as follows:

a. Christmas. Mother shall have the right to take the child into her care and custody at 12:00 noon on Christmas Day and continuing until 12:00 noon on December 26.

b. The other holidays to be observed are: Easter, Memorial Day, Independence Day, Labor Day and Thanksgiving. Holiday visitation shall be between the hours of 9:00 a.m. and 8:00 p.m. For calendar year 1996 and each even numbered year thereafter, mother shall have the child on Easter, Independence Day, and Thanksgiving, while the father shall have the child on Memorial Day and Labor Day. For 1997 and each odd numbered year thereafter, the father shall have the child on Easter, Independence Day and Thanksgiving, while the mother shall have the child on Memorial Day and Labor Day.

c. The child shall spend Father's Day with her father from 9:00 a.m. to 7:00 p.m., and Mother's Day with her mother during the same hours.

d. Summer vacation. Mother shall have the right to take the child into her care and custody for a period of four (4) weeks during the summer months, which four (4) weeks shall be agreed upon by and between the parties. In the event the parties are unable to agree upon the four (4) week period of continuous visitation, then in that event the four (4) week period will commence in the month of August and conclude at 7:00 p.m. on the next to the last day of summer school vacation.

e. The provisions of this paragraph shall take precedence over the other provisions of this order relating to custody.

5) Should it be necessary for either to cancel or modify the visitations as set out in this order or as previously arranged, the party seeking cancellation or modification shall notify the other party as soon as he or she knows of the necessity which impels the cancellation or modification. Said modifications or cancellations shall not be proposed except for good reasons. Should a cancellation or modification be necessary, the parties shall attempt at once to arrange for alternative visits or to make alternative arrangements.

It is noted that the child is employed at the Dairy Isle in Saegertown on a part-time basis. The parents shall modify the visitation rights of the mother and the primary custody rights of the father to accommodate the child's work schedule. The parent having custody of the child shall provide transportation for the child so that she can provide transportation for the child so that she can go to work.

6) The mother shall have responsibility for transportation of the child. Any person transporting the child shall make sure that the seat belts or other restraints are used in accordance with the laws of Pennsylvania.

7) Each party shall teach said child to give to the other party that love and respect which is due a parent from his or her children.

8) Neither party shall use illegal drugs or be under the influence of alcohol at any time when said party has the care and custody of the subject minor child. The parties are cautioned that medical research has indicated that tobacco smoke is injurious to the health of growing children. Therefore, neither party shall smoke tobacco or permit others to do so in a closed automobile in which the child is being transported or in the bedroom of the child.

9) Neither party shall do or say anything to blacken the character of the other in the child's estimation. Each party shall treat the other in a polite and respectful manner when in the child's presence and each party shall instruct his or her relatives and friends to do likewise and also not to disparage the other party in the child's estimation.

10) The parties are free to make additional or alternative arrangements respecting the custodial and visitation periods and are strongly encouraged to do so if that would be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which this order shall govern.

11) Either party may request a review of this order upon any material change in circumstances.

12) Costs and fees of this Mediation, which are fixed at $180.00 ($60.00/hr. x 3 hrs.) and the $9.-- Court Order filing fee are to be paid by Crawford County for the reason that the mother's sole source of income is SSI and the father's wages from his employment at Bedrock Sand and Gravel must go to supporting himself, his wife, and the six children who reside with them.

13) Either party may move the Court for a hearing de novo within ten (10) days from the date hereof. If neither party so move, this Order shall be considered permanent.

BY THE OCURT,
Anthony J. Vardaro, J.

12-14-95 FAXED Walton, Lindsay, Moore, Spatos.

Watts, Pepicelli, YOungs and Youngs PC
Christopher J. Youngs

301.

Zanita A. Zacks-Gabriel

MICHELE L. KENNELLEY

vs.

BARRY L. KENNELLEY, JR.

Filed Mar. 23, 1990
@ 10:26 a.m.

Tax & entry Paid $50.50 ✓
John Fuller, Mediator

COMPLAINT FOR CUSTODY

3 copies (atty)
1 copy (mediator)

ORDER OF COURT:

You, Barry L. Kennelley, Jr. defendant have been sued in court to obtain custody of Courtney LeAnn Kennelley.

You are ordered to appear in person for a conference at such time and place as may be set by JOHN FULLER, CHILD CUSTODY MEDIATOR.

If you fail to appear as provided by this order, an order for custody may be entered against you or the court may issue a warrant for your arrest.

You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.

Crawford County Bar Assoc. Ser. tothe Public Committee: c/o Prothonotary Crawford CountyCourthouse, Meadville, Pa. 16335, 814 7244636.

Date: Mar. 23, 1990

BY THE COURT,
robert L.Walker, J.

Mar 28, 1990 Affidavit of Service filed: Christopher J. Youngs, hereby certifies that he is the Attorney for the Plaintiff, Michele L. Kennelley, in the within Action and that a copy of the Complaint for Custody was sent by certified mail, return receipt requested, deliver to addressee only to the Defendant, Barry L. Kennelly, Jr., at 1618 Union Avenue, Erie, Pa 16510 on March 26, 1990 and was received by the Defendant on March 27, 1990. The receipt for certified mail and the return receipt are attached hereto marked Exhibit "A".

WATTS, PEPICELLI, YOUNGS AND YOUNGS, PC
Christopher J. Youngs,
Attorney for Plaintiff

Apr. 24, 1990 Petition To transfer Matter To Erie County and Order filed. AND NOW, to-wit this 23rd day of April, 1990, a Rule is granted upon Plaintiff to show cause why the relief prayed for in the foregoing Petition to Transfer Matter to Erie County should not be granted.

RETURNABLE: May 4, 1990, at 9:30 a.m., in Courtroom 1 or 2 of Crawford County Courthouse.

P. Richard Thomas, J

Apr. 26, 1990 copy put in Christopher Youngs box and copy mailed to Zanita Gabriel and copy put in John Fuller's box.

May 7, 1990 Order filed: AND NOW, May 4, 1990, after argument on the Defendant's petition to transfer the case to Erie County, the petition for transfer is denied, because the court feels that venue exists in Crawford County pursuant to Pa. R.C.P. 1915.2(a)(1)(i), although venue might also exist in Erie County. In the normal course of events a Plaintiff has an option to choose venue provided venue exists under the Rules of Civil procedure.

Pending a custody mediation hearing, the Defendnt is granted visitation with the subject child every other weekend from 2:00 p.m. on Saturday until 6:00 p.m. on Sunday beginning with Saturday, May 5, 1990. This temporary visitation Order shall be automatically vacated once a mediator's report has been filed unless a request for hearing de novo is filed in which case this temporary visitation Order shall continue in full force and effect until a final Order is entered.in entered.

BY ORDER OF THE COURT,
Robert L. Walker, S.J.

May 8, 1990 Copies of order mailed to Atty. Zacks-Gabriel and copy put in attys. Fuller and Youngs boxes.

June 6, 1990 Stipulation and Order For Child Custody filed. AND NOW, June 6, 1990, upon the foregoing Stipulation, it is ORDERED and DECREED as follows:

1. Legal custody of Courtney LeAnne Kennelley shall be shared between the parties. Both MOther and FAther shall be entitled to participate in all important decisions affecting the child's eduction, medical treatment, religious instruction, health, welfare and nay othe rimportant matter. Both parties shall have full access to all school records, medical records and other important records. The party having physical custody of the child shall immediately notify other parent of any accident or ilness requiring hospitalization.
2. Physical custody of Courtney LeAnne Kennelley shall be shared as follows:
a. Primary physical custody shall be with the Mother.
b. Beginning May 5, 1990 and on each succeeding alternate weekend, Father shall have the child in his custody from Saturday at 2:00 p.m. until Sunday at 6:00 p.m.
c. Beginning August 31, 1990 and on each succeeding alternate weekend, Father shallhave physical custody of the child from Friday at 6:00 p.m. until Sunday to 6:00 p.m.
d. The following provision for holidays shall supersede the provisions for weekends. Holidays shall be defiend as Christmas, Thanksgiving, Easter, Memoral Day, Labor Day, Fourth of July, Mother's Day, FAther's Day and the child's birthday.
e. Christmas: For 1990, father shallhave the child from 6:00 p.m. on Christmas Eve until 11:00 am on Christmas Day. In 199 Father shall have the child from 11:00 am until 8:00 pm Christmas Day. Therafter, the parties shall alternate.
f. Thanksgiving: Father shallhave custody of the child from 10:00 am until 5:00 pm every other, beginning in 1990.
g. Easter: For 1991, Father shall have custody of the child from the immediately preceding Saturday evening at 7:00 pm until Easter Sunay at 6:00 pm. In 1992, Mother shallhave the child for Easter. Thereafter, the parties shall alternate.
h. Memorial Day: Shall be defined as the immediately preceding Sunday night at 8:00 pm until Monday, Memorial Day at 8:00 pm Mot;her shallhave the child in 1990 and Father in 1991. Thereafter, the parties shall alternate.
i. Fourth of Juuly: Shall be defined as July 3 at 8:00 pm until 11:00 pm on the Fourth of July. Father shall have custody of the child in 1990, and MOther in 1991. Thereafter, the parties shall alternate.
j. Labor Day: shall be defined as the immediately preceding Sunday night at 8:00 pm until Monday, Memorial Day at 8:00 pm Mother shall have the child in 1990 and father in 1991. Therafter, the parties shall alternate.
k. Mother's Day: Each year, Mother shallhave the child from 10:00 am until 8:00 pm on Mother's Day.
l. Father's Day: Each year, FAther shallhave the child from 10:00 am until 8:00 pm on Father's day.
m. Child's birthday; In 1990n and each year in which the child's birthday falls on a weekday, Father shall have the child until 6:00 pm until 9:00 pm. Whenever the child's birthday shall fall on a weekend, each party shall receive, as nearly as possible, one-half of the birth with the child.
3. Summers" Beginning with the Summer of 1991, father shallhave physical custody of the child for two (2) weeks, without interruption, except for reasonable telephone calling by mother. Father shall give mother no less than thirty (30) days notice of the two week period he selects.
4. Father shall be responsible for all transportation.
5. Each parent shall be entitled to call and speak with the child by telephone at reasonable times, with reasonable frequency. Each party shall keep the other supplied with a current telephone number.
6. Neither party shall say or do anything in an attempt to turn the child against the other parent, but on the other hand, eacy parent shall do everything in his or her power to foster a favorable and loving attitude on the part of the child toward both parties. Neither parent shall expose the child to any person or situation which may be harmful to the child's health or well being. Neither parties shall be unde fluence of alcohol or any other substance, legal or illegal, at a time when he or she has physical custody of the child.
7. The parties shall comply with the law by using appropriate child or passenger restraints any time the child rides in a motor vehicle.
8. Father shall keep the child insured on his health insurance provided through his employer. In the event Father beocmes unemployed or for any other reason loses or is about to lose health care coverage on the child, he shall immediately notify Mother so that other arrangements for health insurance coverage can be made.
9. The parties are free to modify the terms of this Order by mutual agreement.

BY THE COURT,
Gordon R. Miller, J

1990

Mahany, Roeder &
Rothschild
Tamara Ochs Rothschild

302.

Joseph Barnhart

GERALD LINKERHOF

vs.

PATRICIA G. LINKERHOF

Filed Mar. 23, 1990
@ 10:42 a.m.

Tax & entry Paid	$50.50
Pro Co pd 6/24/91	9.00
state paid	10.00

DIVORCE COMPLAINT

2 copies (atty)

March 28, 1990 Certificate of Service of Complaint in Divorce filed. On March 27, 1990, I Mailed a certified copy of a Divorce Complaint in the above captioned matter by Certified Mail No. P 899 145 447, Return receipt requested, restricted delivery, postage prepaid, to Patricia G. Linkerhof, 520 West Hemlock St., Titusville, PA. 16354. The receipt for certified mail is attached hereto and marked "Exhibit A".

I make this statement pursuant to 18 Pa. C.S. Seciton 4904 relating to unsworn falsification to authorities and understand that false statements may subject me to criminal penalties under that statute.

Tamera Ochs Rothschild, Esq.

Apr. 5, 1990 Affidavit Of Return Of Service By Mail filed. On March 27, 1990, I mailed a true copy of the Divorce Compalint in the above captioned matter by Certified Mail No.P 899 145 447 Restricted Delivery to the defendant, Patricia G. LInkerhof. Defendant signed a return receipt upon delivery April 3, 1990. The receipt attached hereto and marked as "Exhibit A" was returned by the post office on April 4, 1990.

I make these statements pursuant to 18 Pa C.S. Sec. 4904 relating to unsworn falsification to authorities and understand that false statements may subject me to criminal penalties under that statute.

Tamera Ochs Rothschild.

June 24, 1991 Affidavit of Consent of plaintiff filed.

June 24, 1991, Defendant's Affidavit of Consent Under Section 201(c) of the Divorce Code filed.

June 24, 1991 UPon praecipe of plaintiff attorney, to transmit the record, this case moved to court.

June 28, 1991 Order filed: The Court has reviewed this matter pursuant to the plaintiff's praecipe to transmit the record for a divorce decree. Along with that praecipewas a suggested decree and an agreement. The Court gets the distinct impression that the agreement is to become a part of the decree based upon the matters submitted to it at this time.

The record is not returned to the Prothonotary for further proceedings consistent with this memorandum. The Court does not have jurisdiction over any matters other than the divorce. The Court only has jurisdiction over matters that have been raised by the pleadings. 23 P.S. 301(a), 401(b).

Therefore, the plaintiff must either file and serve an amended complaint, file an appropriate petition under the law and rules if he desires the decree dispose of property matters and other matters or, in the alternative, should indicate to the court that he does not want those matters disposed of but simply only wants a decree of divorce entered.

BY THE COURT,
Gordon R. Miller, P.J.

July 2, 1991 Copies of order mailed to Attys. Rothchild and Barnhart.

July 10, 1991 Upon praecipe of Plaintiff Attorney To transmit Record, this case moved to court.

July 22, 1991 Memorandum and Order filed. AND NOW, July 18, 1991, this matter is once against referred to the Prothonotary for proceedings consistent with the foregoing memorandum

BY THE COURT,
Gordon R. Miller, J

July 22, 1991 Copies of order mailed to Atty. Rothschild and Barnhart

July 24, 1991 Upon praecipe of Plaintiff Attorney To Re-Transmit record, this case moved to Court.

July 31, 1991 Order filed. AND NOW, July 30, 1991, in accordance with the memorandum filed July 22, 1991 after which the plaintiff filed a praecipe to retransmit the record for a divorce decree only, the plaintiff's petition for entry of agreement of refused.

The Court is, simultaneously herewith entering a decree granting a divorce and nothing more.

BY THE COURT,
Gordon R. Miller, J

July 31, 1991 copy of order mailed to Atty. Rothschild

July 31, 1991 **D I V O R C E D E C R E E F I L E D .**

AND NOW, this 30th day of July, 1991, it is ORDERED, ADJUDGED AND DECREED that Gerald Linkerhof, Plaintiff, and Patricia G. Linkerhof, defendant, are divorced from the bonds of matrimony. No claims have been raised by the parties to this action for which a final order has not yet been entered.

1990

Edgar M. Snyder Assoc.
Karl Alexander
James D. Belliveau
303.

Culbertson, Weiss,
Schetroma & Schug
E. Max Weiss

Shafer, Swick, Bailey
Irwin & Stack
Robert S. Bailey
DeVore Construction,
Inc.

Knox, McLaughlin,
Gornall & Sennett, PC
Mark E. Mioduszewski
DeVore Construction Co
Inc.

Scott H. Fergus
Larry Shipton Carpets

PAUL S. SUTTON

vs.

TITUSVILLE HOUSING
AUTHORITY
vs.
DeVore Construction, Inc
and Larry Shipton Carpets
Additional Defendants

Filed Mar. 23, 1990
@ 10:58 a.m.

Tax & entry Paid	$50.50
Sheriff's Costs	31.40
Sheriff's Costs	50.00
Sheriffs costs	43.60
Pro.Co. pd 2/22/94	6.00

COMPLAINT IN A CIVIL ACTION

1 copy (sheriff)

(JURY TRIAL DEMANDED)

Apr. 2, 1990 Sheriff's Return filed. SERVED Titusville Housing Authority, at Box 107, Central Towers, Titusville, PA, by handing copy of Complaint to Billie L. Brown, Executive Director, person in charge, on March 28, 1990 at 11:55 AM
So answers, Robert M. Stevens, Deputy
Howard N. STewart, Sheriff

Apr. 4, 1990 Appearance of Culbertson, Weiss, Schetroma, & Schug by E. Max Weiss for Defendant filed.

June 15, 1990, Answer and New Matter of titusville Housing Authority to Plaintiff's Complaint filed. 1 copy (atty)

June 25, 1990, Petition of Titusville Housing Authority for Extension of Time to Join Additional Defendants and Order filed. ORDER EXTENDING TIME TO JOIN ADDITIONAL DEFENDANTS: AND NOW, this 25th day of June 1990 upon presentation of the within Petition, it is hereby ordered that the time to join Additional Defendants is extended for sixty (60) days nunc pro tunc from May 28, 1990 without prejudice to the right of the proposed Additional defendants to challenge the validity of the joinder.
BY THE COURT,
Gordon R. Miller, J.
June 26, 1990, copies of order to Karl Alexander and E. Max Weiss, attys.

July 27, 1990 Upon praecipe of Defendant Attorney, DeVore Construction, Inc and Larry Shipton Carpets are hereby joined as Additional Defendants.

Aug. 2, 1990 Appearance of Edgar M. Snyder & associates, P.A. by James D. Belliveau for Plaintiff filed.

Aug. 2, 1990 Notice Of Service of request For Production Of Documents to counsel for Defendant filed.

Aug. 16, 1990 Complaint of Original Defendant Titusville Housing Authority, against Additional Defendants De Vore Construction, Inc. and Larry Shipton Carpets filed.
2 copies (sheriff) Jury Trial of 12 is Demanded.

A ug. 20, 1990 Sheriff's Return filed. Before me, the undersigned authority, personally appeared Eric A. Garrett, Dep. Sheriff, who being duly sworn according to law, deposes and says that on the 6th day of Aug. 1990, at 2:01 PM he served Writ to Join Additional Defendant, filed at No. AD 1990 - 303, Crawford Co. Pa., upo n defendant additional Larry Shipton Carpets at their place of business, R.D.# 2, Hadley, Pa. By making known the contents thereof to Judy Shipton, co owner, person in charge and handing to and leaving with her the certified copy of the Writ for defendant received from Sheriff of Crawford County.
Eric A. Garrett, Deputy Sheriff
So answers, William H. Romine, Jr. Sheriff, Mercer Co.
SERVED DeVore Construction, Inc. on July 31, 1990 at 12:15 PM by handing copy of Writ to Join Additional Defendants to Brenda Beck, Secretary, person in charge at business, Morgan Village Road, Meadville, Crawford County Pa.
SERVED Larry Shipton Carpets by deputizing Sheriff of Mercer Co. Pa. as per his Affidavit of Service attached. Served: August 6, 1990.
So answers, Robert M. Stevens, Dep. Sheriff
Howard N. Stewart, Sheriff
***

Aug 27, 1990 Supplement to Complaint of Original Defendant Titusville Houseing Authority against Additional Defendants DeVore Construction Inc., and Larry Shipton Carpets filed.

***

Aug. 24, 1990 Appearance of Shafer, Swick, Bailey, Irwin & Stack by Robert S. Bailey for Additional Defendant, DeVore Construction, Inc., filed.

Sept. 7, 1990 Appearance of Knox, McLaughlin, Gornall & Sennett, P.C. by Mark E. Mioduszeski for DeVore Construction Company, Inc. filed.

Sept 12, 1990, Sheriff's Return filed. SERVED DeVore Construction on Aug. 20, 1990, at 1:50 p.m. by handing copy of Complaint aganst Additional Defendants to Tammie Martin, Sec. at business, Morgan village Rd. Meadville, Crawford County, Pa.
SERVED Larry Shipton Carpets by deputizing Sheriff of MErcer County Pa. as per his affidavit of Service attached. Served: Aug. 21, 1990.
So answers . Robert M. Stevens, Dep. sheriff
Howard N. Stewart, Sheriff
MERCER COUNTY RETURN:
Before me the undersigned authority personally appeared Ronald L. Clark Ch. Dep. Sheriff, who being duly sworn according to law, dposes and says that on the 21st day ofAug. 1990, at 2:34 p.m. he served Complaint of Orig. Dft. Against Additional Defendants filed at 303 Ad 1990 Crawford County upon dft. Larry Shipton Carpets at the place of R. D. #2, Hadley, Pa. By making known the contents thereof to Judy Shipton, person in charge and handng to and leaving with her the cert. copy of the complaint rec'd from Sheriff of Crawford County.
So answers, Ronald L. Clark, Sh. Dep Sheriff
William H. romine, Jr. Sheriff of Mercer Co.

Continued on Page 557

Stephen E. Hall

304.

IN THE MATTER OF:

ANN CHANDLER
(Older Adult)

Filed Mar. 23, 1990
@ 4:23 p.m.

PETITION FOR INVOLUNTARY INTERVENTION BY EMERGENCY ORDER

Mar 23, 1990 Emergency Order for Involuntary Intervention filed: AND NOW, this 23rd day of March, 1990, upon review and consideration of the foregoing Petition and it appearing, to the Court that there is clear and convincing evidence that if protective services are not provided, Ann Chandler is at imminent risk of death or serious physical harm, it is, therefore ORDERED THAT Active Aging, Inc. shall provide the following protective services to Ann Chandler and that such service shall be provided with or without her consent.

She shall be taken to a hospital for testing, disgnosis and treatment by that hospital or any other licensed physician. The local police accompanied by a representative of Active Aging, Inc are hereby authorized to enter the home of Ann Chandler to enforce the terms of this Order. If it is the opinion of the treating physician or any other physican that Ann Chandler is in need of in-patient hospital treatment, she shall be admitted for in-patient hospital treatment as is reasonably necesary to treat her.

The terms of this Order shall expire at 3:30 o'clock p.m. Tuesday, March 27, 1990. The Court hereby sets Tuesday, March 27, 1990, at 3:30 o'clock p.m. as the time and place for a review hearing in the event of need for an additional emergency court order or continued Court and protective services involvement or both. The Court hereby appoints WILLIAM L. WALKER, Esquire to represent the aforesaid older adult at said hearing.

BY ORDER OF THE COURT,
Gordon R. Miller, Judge

Mar 26, 1990 Copy of order to Stephen Hall, Esq.

1990

Mary Ann Kirkpatrick

305.

KATHLEEN L. WATSON

vs.

STEVEN WATSON

COMPLAINT IN DIVORCE, CLAIM FOR ALIMONY, ALIMONY PENDENTE LITE, COUNSEL FEES, COSTS, AND EXPENSES

1 copy (atty)

Filed Mar. 26, 1990
@ 9:20 a.m.

State paid 8/14/90 10.00
~~Indigent filing~~
TAX + Entry Pd 4/6/90 50.50
Pro Co. Pd 4/6/90 9.00
Pro Co Pd 4/6/90 15.50
Pro paid 8/14/90 9.00

Pro.Co. pd 3/17/94 5.00

Mar. 26, 1990 Praecipe and Affidavit to Proceed In Forma Pauperis, filed.

Mar. 26, 1990 Petition for Special Relief and Order filed. ORDER: AND NOW, Mar. 26, 1990, Hearing on plaintiff's Petition for Special Relief is scheduled for April 6, 1990 at 10:00 a.m. in Courtroom No. 1 or 2 of the Crawford County courthouse, Meadville, Pa.

Pending further order of court, Defendant PROHIBITED from selling, transferring or otherwise disposing of any personal property ac quired by the plaintiff or the defendant during the marriage including, but not limited to automobiles, except his personal checking acocunt which he may use provided he keeps accurate records of all deposits and withdrawals.

BY THE COURT,
Gordon R. Miller, Judge

Mar. 26, 1990 copy of order to M. Kirkpatrick Esq.

Mar. 26, 1990,Motion to Set Hearing on Alimony Pendente Lite Claim and Order filed.

ORDER: AND NOW, Mar. 26, 1990, hearing sc heduled for april 6, 1990 at 10:00 a.m. in Courtroom 1 or 2 of the Crawford CountyCourthouse in Meadville, Pa.

By the Court,
Gordon R. Miller, J.

Mar. 26, 1990 copy of order to M. Kirkpatrick Esq

April 4, 1990 Affidavit of Service filed. AND NOW, April 2, 1990, comes Lisa M. Sherretts being duly sworn according to law, deposes and sets forth as follows:

1. That she is the legal secretary of Attorney for Kathleen L. Watson, Plaintiff in the above-captioned matter.

2. That on information furnished her by the Plaintiff, she caused a certified copy of the Complaint in Divorce, Petition for Special Relief and Order, Motion to Set Hearing on Alimony Pendente Lite and Order to be forwarded by Certified mail, P 276 618 197; postmarked March 26, 1990, to the last known address of the Defendant, Steven Watson, at R D # 2, Box 67, Linesville, PA 16424.

3. That the Defendant, Steven Watson, on March 28, 1990, personally signed the return receipt card which was affixed to the Complaint in the above-matter and which is attached hereto as Exhibit "A".

4. Service of the Complaint against Defendant is therefore effected in accordance with PA. Rules of Civil Procedure.

Lisa M. Sherretts

Apr. 6, 1990 Motion to Cancel Hearing and Order filed. AND NOW, April 6, 1990 Motion allowed.

Gordon R. Miller, J

Apr. 10, 1990 copy put in Mary Ann Kirkpatrick's box.

Apr. 6, 1990 Memorandum of Agreement as to Divorce, Alimony, Alimony Pendente Lite, Counsel Fees, Costs and Expenses, and Equitable Distribution filed.

April 6, 1990 Memorandum of Agreement as to Request for Special Relief and Order filed. And Now, April 6th, 1990, by agreement ofthe parties, it is hereby ordered that the Court's Order of March 26, 1990, prohibiting Defendant from selling, transferring or otherwise disposing of personal property is hereby vacated and the defendant is free to sell, transfer or otherwise dispose of personal property.

BY the Court,
Gordon R. Miller, J

Apr. 10, 1990 Copy of order put in Mary Ann Kirkpatrick's box.

July 25, 1990, Affidavit of Consent of plaintiff filed.

Aug. 1, 1990 Affidavit Of Consent of Defendant filed.

Aug. 10, 1990, Motion to Withdraw Counts and Order filed. ORDER: AND NOW, this 10th day of August 1990, the within Motion is allowed.

By the Court,
Gordon R. Miller, J.

Aug. 13, 1990, copy to Atty. Kirkpatrick.

Aug. 10, 1990, UPon praecipe of plaintiff attorney, for review under Section 201(c) of the Divorce Code, this case moved to court.

Aug. 23, 1990 DIVORCE DECREE FILED.

AND NOW, August 22, 1990, it is ordered and decreed that KATHLEEN L. WATSON, plaintiff, and STEVEN WATSON,defendant, are divorced from the bonds of matrimony.

BY THE COURT,
Gordon R. Miller, P.J.

Mar. 17, 1994 Notice of Intention to Resume Maiden name of Kathleen L. Watson to be known as Kathleen L. King filed.

1990

Barbara J. Walton
~~Allen and Hall~~
~~Stephen E. Hall~~

306.

RICKEY J. HARMON

vs.

JENNIFER M. HARMON

Filed Mar. 26, 1990
@ 9:31 a.m.

Indigent filing

Pro.Co. pd 11/10/92 $9.00

Pro.Co. pd 11/23/93 9.00

COMPLAINT UNDER SECTION 201(c) OF DIVORCE CODE

1 copy (atty)

Mar. 26, 1990 Application to Proceed In Forma Pauperis and Order filed. ORDER: AND NOW, March 26, 1990, upon consideration of the foregoing application, plaintiff Rickey J. Harmon is granted leave to proceed in this matter, IN FORMA PAUPERIS and the Prothonotary is directed to accept the complaint for filing.

This order is without prejudice to a future showing that either party is financially able to pay all or part of the costs incurred in this matter.

BY THE COURT,
Gordon R. Miller, J.

Mar. 26, 1990 copy of order to S. Hall, atty.

April 3, 1992 Appearance of Barbara J. Walton, Esq. for plaintiff filed.

May 20, 1992 ACCEPTANCE OF SERVICE Of the Complaint in Divorce and Notice of Appearance of Jennifer Harmon, Defendant, filed.

Aug. 24, 1992 Affidavit of Consent of Plaintiff, filed. 1 copy atty

Nov. 10, 1992 Affidavit of Consent of Jennifer Harmon,Defendant filed.

Nov. 10, 1992 Upon Praecipe of Plaintiff Attorney to transmit record, case moved to Court.

Nov. 23, 1992 Memorandum and Order filed. November 23, 1992 This matter is before theCourt upon praecipe ofthe Plaintiff requesting a Section 3301(c) divorce.

The complaint was filed on March 26, 1990 and was not served within the 30 day period allowable for service thereafter.

A New attorney then entered an appearance for the Plaintiff on April 3, 1992 and the Defendant accepted service of that complaint on May 15, 1992.

Unfortunately,by that date the complaint was no longer valid for service and needed to be reinstated by the Prothonotary pursuant to Pa. R.C.P. 401.

Therefore, this matter is being returned to the Prothonotary so that the Plaintiff may praecipe the Prothonotary to reinstate the complaint and then serve the reinstated complaint within the time period allowable by Pa. R.C.P. 401(a). Thereafter appropriate affidavits of consent can be filed and this matter can be praeciped once again.

In doing so, since consel has now changed and two years have passed since the Plaintiff was allowed to proceed in forma pauperis, there should b eosme sort of indication that he is still indigent and counsel is representing him without charge or else the Plaintiff should be prepared to pay the Court costs in this matter including the cost of original filing and the entry of an order.

This file is returned to the Prothonotary until action consistent with this Memorandum is taken by the Plaintiff.

BY THE COURT,
Anthony J. Vardaro,

Nov. 24, 1992 Copy given to Atty. Walton

Dec. 16, 1992, Complaint reinstated.

Dec. 29, 1992 Acceptance of Service filed. I accept service of the Complaint for Divorce on behalf of JENNIFER HARMON, and State that I am authorized to do so.

Brian Lindsay, Atty. for
Jennifer Harmon

Jan. 22, 1993 Affidavit of Consent of Plaintiff filed.

Oct. 11, 1993 Affidavit of Consent by Ricky Harmon,Plaintiff, filed.

Oct. 15, 1993 Affidavit of Service filed. And Now, October 15, 1993, comes Barbara J. Walton, and avers as follows:

1. A true and correct copy of theComplaint for Divorce was mailed to the Defendant via Certified Mail, return receipt on October 12, 1993.
2. That the Defendant signed the return card on October 14, 1993 and in accordance with Pa. R.C.P. 412, service of the Complaint was made as is evidenced by the United States Postal Service Return Receipt (Certified No. P 100656405) attached hereto as Exhibit A.

I VERIFY that the statements made in this Affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. §4904,relating to unsworn falsification to authorities.

Babara J.Walton, Esquire

Nov. 17, 1993 Affidavit of Service filed. A true and correct copy of the Coutner-Affidavit filed in the above-captioned matter was served upon the Defendant,November 12, 1993, by certified mail, restricted delivery, pursuant to Pa.R.C.P.412 on November 15, 1993, as is evidenced by the United States Postal Service Return Receipt (Certified No. P100656408)attached hereto as Exhibit A.
Date: 11-17-93 Barbara J.Walton, Esq.

Continued on page 306A

Nov.23, 1993 Upon Praecipe of Barbara J.Walton, Esquire, Attorney for Plaintiff to transmit record, case moved to Court.

Jan. 4, 1994 Memorandum and Order filed. AND NOW,January 4, 1994, this matter is returned to the Prothonotary for action by the Plaintiff consistent with this Memorandum and the Pennsylvania Rules of Civil Procedure.

Either party may file a praecipe to transmit the record once everything is in order and we would suggest that before doing so counsel review the file as it stands against the Pennsylvania Rules of Civil Procedure to be sure that compliance has been made with those rules.

BY THE COURT:
Anthony J. Vardaro, J.

1-5-94 Copies dist.to Lindsay & Walton

1990 TERM

Rickey Harmon

vs.

Jennifer Harmon

Record continued from page 306

of record

A.D. 1990 - 306

****

Jan. 11, 1994 Amended Affidavit of Service filed. And Now, January 11, 1994, comes Barbara J. Walton, and avers as follows:

1. A true and correct copy of the Affidavit under Section 3301(d) of the Divorce Code was mailed to the Defendant via Certified Mail, return receipt on October 12, 1993.

2. That the Defendant signed the return card on October 14, 1993 and in accordance with Pa. R.C.P. 412, service of the Affidavit was made as is evidenced by the United States Postal Service Return Receipt (Certified No. P100656405) attached hereto as Exhibit "A".

I verify that the statements made in this Affidavit are true and correct. I underrstand that false statements herein are made subject to the penalties of 18 Pa. C.S. 4904, relating to unsworn falsification to authorities.

Barbara J. Walton

Jan. 12, 1994 Notice of INtention toRequest Entry of Divorce Decree, filed.

Feb. 23, 1994 Counter Affidavit Under Section 3301(d) of the Divorce Code of Defendant filed.

Mar. 8, 1994 Affidavit of Personal Service filed. Paul L. Walton, being duly sworn according to law, deposes and say the he is an adult over the age of eighteen (18) years, that he served the Notice of Intention to Request Entry of Divorce Decree in the above matter on Brian J. Lindsay, Esquire, Attorney for Defendant, by handing to him a true and correct copy hereof and informing him of its contents at 311 Walnut Street, Meadville Pennsylvania, onFebruary 17, 1994, at 9:30 a.m.

Deponent further avers that at the time of said service the said Brian J. LIndsay, Esquire, identifed himself to deponent.

Feb. 17, 1994 Paul L.Walton

Mar.8, 1994 Upon Praecipe of Barbara J. Walton, Esquire, Attorney for Plaintiff, to transmit record, case moved to Court.

DIVORCE DECREE FILED

March 16, 1994 AND NOW, this 11 day of March, 1994, upon presentation of the Stipulation and Consent of the parties, attached hereto, and after consideration of same, it is hereby ORDERED, DIRECTED AND DECREED that RICKEY HARMON, Plaintiff, and JENNIFER HARMON, Defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.

BY THE COURT:
Anthony J. Vardaro, J.

306
B

_____TERM

Shafer, Swick, Bailey
Irwin & stack
Charles J. Swick

307.

MARQUETTE SAVINGS
ASSOCIATION

vs.

DELBERT G. MOON AND
DARLENE L. MOON

Filed Mar. 26, 1990
@ 1:12 p.m.

Tax & entry Paid	$50.50
Sheriff's Costs	30.20
Pro. Co. PD 6-6-90	9.00
Pro Co pd 10/9/90	5.00

COMPLAINT IN MORTGAGE FORECLOSURE

2 copies (sheriff)

Apr. 3, 1990 Sheriff's Return filed. SERVED Delbert G. Moon, personally, at his residence, R.D.#1, Atlantic, PA on March 28, 1990 at 3:00 p.m.
SERVED Darlene L. Moon, by handing copy of Complaint in Mtg. Floreclosure to her husband, delbert G. Moon, at their residence RD #1 Atlantic, PA on March 28, 1990 at 3:01 PM.
So answers, Robert M. Stevens, Deputy
Howard N. Stewart, Sheriff

June 6, 1990, at 3:07 P.M., AND NOW upon Praecipe of Plaintiff Attorney, judgment is hereby entered in favor of Plaintiff and against Defendant for failure to file an answer and damages are assessed as follows:

Principal Debt	$25,650.11
Interest to March 31, 1990	2,221.89
Attorney's Commission	2,565.89
TOTAL	$30,437.01

Together with interest on debt at a rate of 10.00% per annum from March 31, 1990 and costs of suit.

Shafer, Swick, Bailey, Irwin & Stack
By: Charles J. Swick, Atty.

M-43,43
Judgment entered 6-6-90

Debt $ 30,437.01
Judgment
James F. Simmons, Pro.

EXECUTION NO. 1990 - 307

Oct. 9, 1990 Upon praecipe of Plaintiff Attorney the above captioned case is marked settled and discontinued of record.

1990

Shafer, Swick, Bailey
Irwin & Stack
Louis J. Stack

308.

Jorden & White
Jos. Tinko
for Beachfront
Enterprises Inc.

R. Charles Thomas
for twp.

OAKLAND BEACH ASSOCIATES INC., AND EMIL KOLEDIN

vs.

SADSBURY TOWNSHIP BOARD OF SUPERVISORS

Filed Mar. 26, 1990
@ 3:19 p.m.

Tax & entry Paid $50.50 ✓

ZONING AND LAND USE APPEAL PURSUANT TO 53 PS §11003-A

(Certiorari Issued)

Mar. 26, 1990, Certificate of Service filed. And now, this 26 day of Mar. 1990 comes the undersigned and represents that a certified copy of this notice of appeal has been served upon the follwoing parties by First Class Mail Postage Pre-paid at the following addresses: Joseph Tinko, Esq. Jordan and White, 966 South Main St. Atty. for Beachfront Enterprises, Inc; R. Charles Thomas, 296 Chestnut st, Meadville, pa. 16335, Atty. for Supervisors; and Sadsbury township Board of Supervisors, Sadsbury Townhouse, R. D. #2 Conneaut Lake, Pa. 16316.

Louis j. Stack, Esq.

Apr. 5, 1990, Notice of Intervention filed.

April 10, 1990, Certiorari Returned. The plea above mentioned, with all things touching the same, so full and entire as before me they remian, I hereby respectfully certify and send, together with this writ, as above I am commanded.

Donovan K. Roberts

(record in lg. box by file cabinets)

Apr. 12, 1990, RE: BEACHFRONT ENTERPRISES, INC"S - NOTICE OF INTERVENTION - ORDER filed. And now this 9th day of April 1990, upon a notice of intervention brought by Beachfront Enterprises, Inc., we find said notice fails to conform with Pa. R.C.P. 2328 requiring a petition in the form of a plaintiff's initial pleading set forth the reasons for intervention. The notice of Intervention is not in petition form and we may not consider it.

In addition, Pa. R.C.P. 2329 requires notice and a hearng on the sufficiency fo the petition to intervene. Upon proper filing of said petition we will then set time for argument.

BY ORDER OF THE COURT,
P. Richard thomas, P.J.

Apr. 12, 1990, copies put in attorneys boxes.

April 18, 1990, RE: BEACHFRONT ENTERPRISES, INC'S NOTICE OF ITNERVENTION - AMENDED ORDER filed. And now, this 17 dayof April 1990, we amend our order of april 9, 1990, concernign Beachfront Enterprise's Notice to Intervene Notice to Intervene in the subject case. In this Order, we held that the intervention required a petition be filed by the intervening party pursuant to Pa. R.C.P. 2328. However, we note that under 53 P.S. %11004-A that "any owner or tenant of property directly involved in a (land use appeal) may intervene as of course by filing a notice of intervention." We stand corrected, and we do hereby grant Beachfront enterprise's request to intervene in the within case. BY ORDER OFTHE COURT,
P. Richard Thomas, P.J.

April 20, 1990 copies to L. Stack, R. C. Thomas, and Jos. Tinko.

May 3, 1990 Petition For Relief Pursuant To Section 908(7) of the municipal Planning Code filed.

May 3, 1990 Order filed. AND NOW, May 3, 1990, in accordance with the Petition for Relief filed by Sadsbury Township, the following order relating to the transcript of the testimony at the hearing before the Supervisors of Sadsbury Township is entered:

Counsel for all parties shall meet on or before May 7, 1990 to determine if the record can be dimininshed without affecting the rights of the parties or the ability of the Court to make a determination of the appeal. To the extent all parties agree to diminish any part of the written transcript, a stipulation signed by counsel for all parties shall be filed in this action delineating the portion of the record that nee dnot be transcribed. The balance of the record shall be transcribed at the expense of the appellants in accordance with 53 P.S. 10908(7). Any other party requesting a copy of the record shall do so at the party's expense.

BY ORDER OF THE COURT,
Robert L. Walker, J

May 7, 1990 Copies of order put in Louis Stack, r. Charles Thomas and Joseph Tinko's box.

Nov. 30, 1990 Transcript Of Proceedings filed.

Feb. 11, 1991, Motion for Hearing or For Argument and Order filed. AND NOW, this 11 day of Feb. 1991, upon presentation and consideration of the foregoing motion, it is hereby ordered adn decreed, as follows to wit:

1. The Prothonotay of Crawford County shall set down the above captioned appeal for argument during Argument Court of March 1991.
2. Counsel for all parties to this appeal shall file briefs in accordance with Rule 7 of the local rules of Crawford County.
3. All proceedings otherwise to stay meanwhile.

BY THE COURT,
P. Richard Thomas, S./J.

Feb. 12, 1991 copies to L. Stack, J. Tinko and R. C. Thomas attys.

1991 March Argument List - (Apr. 16, 1991 @ 3:30 PM. C. R. 2)

Apr. 16, 1991 Stipulation and Order filed. AND NOW, this 12 day of April, 1991, upon presentaiton and consideration of the foregoing Stipulation, it is hereby Ordered that the argument scheduled for April 17, 1991 be continue,d and that the Prothonotary of Crawford County shall set down the above captioned appeal for argument during the next available Argument Court of 1991.

BY THE COURT,
P. Richard Thomas, S.J.

copy put in att'y box.

On May 1991 Argument List

Record Continued on Page 308A

May 22, 1991 Motion for Continuances(stipulations attached) filed.

May 22, 1991, ORDER filed. AND NOW, this 22 day of May 1991 upon presentation of the foregoing Motion for Continuance and the attached stipulations it is hereby ordered that the Argument sc heduled for May 28, 1991 is continued generally and that any party may move the court to place the same upon a future argument list at any party's discretion.

By the Court,
P. Richard Thomas, S. J.

May 23, 1991 copies to Attys. L. Stack, J. Tinko and R. C. Thomas.

308 B

1990

1990

Mary Ann Kirkpatrick

309.

DEBORAH S. PLYLER

vs.

BRENT L. PLYLER

Filed Mar. 26, 1990
@ 3:48 p.m.

Tax & entry paid $50.50
3 counts paid 45.00

COMPLAINT IN DIVORCE, CHILD SUPPORT, ALIMONY PENDENTE LITE, COUNSEL FEES, COSTS, EXPENSES, EQUITABLE DISTRIBUTION, AND CHILD CUSTODY

1 copy (atty)

April 2, 1990 Affidavit Of Service filed. And NOw, March 29, 1990, comes LIsa M. Sherretss being duly sworn according to the above-captioned matter.

2. That on information furnished her by the Plaintiff, she caused a certified copy of the Complaint in Divorce to be forwarded by certified Mail, P276 618 196; postmarked March 26, 1990 to the last known address of the Defnedant, Brent L. Plyler, at R.D.#4, Cochranton, PA 16314.

3. That the Defendnat, Brent L. Plyler, on March 28, 1990, personally signed the return receipt card which was affixed to the Complaint in the above matter and which is attached hereto as Exhibit "A".

4. Servic eof the Complaint against Defendant is therefore effected in accordance with Pennsylvania Rules of Civil Procedure.

Lisa M. Sherretts

Aug 9, 1990 Affidavit of Consent of Plaintiff filed.

Sept. 26, 1990 Affidavit of Consent of Defendant filed.

Feb. 17, 1998 Important Notice and Court Order filed. Out court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since 9/26/91 . We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonable delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.

If you do not object to this case being dismissed, you do not have to do anything. The case will be marked "dismissed with prejudice" in our records, and will be over forever.

I If you object to the case being dismissed, you must put your objections in writing and follow Crawford County Civil Local Rule L206, LJA 1901E and LJA1901F, explaining why there has been a delay in your case and why it is not unreasonable. These written objections must be filed in the Prothonotary's Office on or before April 24, 1998. You must also give or send a copy of any objections you file to the other party or his or her attorney, and certify that you have done so when you file your objections with the Prothonotary.

YOU MAY LOSE IMPORTANT RIGHTS IF YOUR CASE IS TERMINATED. YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHER EYOU CAN GET LEGAL HELP.

Court Administrator
Second Floor-Crawford County Courthouse
Meadville, PA 16335
(814) 333-7498

By the Court,
Anthony J. Vardaro, J

Date: February 13, 1998

Feb. 13, 1998 Copies mailed by Court Administrator's Office

May 6, 1998 Order filed. AND NOW, this fourth day of May, 1998, written notice of the Court's intent to terminate the cases listed below having been given to the parties or their counsel of record, and further notice having been given to counsel and parties by publication of a "Notice of Intent to Terminate Cases" printed in the Crawford County Legal Journal on April 15, 1998, and no objection thereto haing been received by the Court from either party in the cases listed below, **all and each of the 245 cases listed below are hereby terminated and dismissed with prejudice.** A copy of this order shall be filed at each of the docket numbers listed below, but copies need not be given to or served upon the parties or their attorneys. Cases may be reinstated only in accordance with Crawford County Rule LJA 1901.

By the Court:
Gordon R. Miller, P.J.

(See original filed at A.D. 1997 - 702)

1990

310.

CAROL KRESGE

vs.

RONALD CAMPBELL

Filed Mar. 27, 1990
@ 11:07 a.m.

Tax & entry	$50.50
Sheriff's Costs	20.00
Pro Co pd	9.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies (sheriff)
1 copy (mediator)

TEMPORARY ABUSE ORDER:

AND NOW, this 27 day of March 1990, upon review of the petition of plaintiff, the court enters the following temporary order:

1. The defendant shall not assault, abuse harass or threaten the plaintiff or any of the minor children named in the petition.

2. Special Conditions: The defendant shall not live with the plaintiff until further order of court.

3. This order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.

4. A copy of this order shall be delivered to the police departments in the jurisdiction where the plaintiff resides and to county control.

5. Service of a copy of the petition adn this order shall be made upon the defendant by a sheriff, constable police officer or competent adult.

6. This temporary order shallremain in full force and effect until modified or terminated by further order of this ocurt. Liability for payment of fees and costs will be determined by final court order.

7. The defendant is reminded that this is an order of court and violation of this order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.

8. The court reserves ruling on allocation of fees and costs.

Hearing is hereby set for April 4, 1990 at 1:00 p.m. in C. R. No. 1 or 2 of the Crawford County Courthouse.

The defendant is advised he may retain a lawyer to represent himat said hearing if he so desires but he is not required to do so.

BY ORDER OF THE COURT,
Gordon R. Miller, J.

Apr. 2, 1990 Sheriff's REturn filed. SERVED Ronald Campbell, personally on March 27, 1990 at 11:28 AM, at the Crawford County Jail, Center Street, Meadville, PA
So answers,
Robert A. Fisher, Deputy
Howard N. Stewart, Sheriff

Apr. 5, 1990 Order filed. AND NOW, April 4, 1990, after informal hearing, the Court accepts the version of the Plaintiff that the Defendant assaulted her and her contention that he has done so on prior occasions. The Defendant advises he was so intoxicated he does not remember the incident. The Court notes that there are also assault charges pending against the defendant arising from the same incident.

Accordingly, underthe terms of the Abuse Act, the defendant is directed not to go to the home of the Plaintiff or to contact her directly or indirectly or threaten, annoy, abuse, or harass her in any fastion.

In the event the Plaintiff and the defendant inadvertently end up in the same premises, store, or other establishment, the defendant must leave immediately.

The Plaintiff advises she already has the defendant's personal possessions and clothing packed and she will deliver it to the address where he now contends he will be living with the Plaintiff's aunt, Mrs. Phyllis Stearns, r.D.#1, Cooperstown, Pennsylvania, 16317, within forty-eight (48) hours.

This Order shall remain in force and effect for a period of one year.

Any police officer having reasonable cause to believe that the terms and conditions of this abuse Order have been violated by the defendant may apprehend the defendant without warrant, lodge him the Crawford County Jail forthwith, and advise the Court that an immediate contempt hearing is necessary.

The Defendant is directed to pay costs in this case within twenty (20) days of receiving a bill therefor form the Prothonotary's Office.

BY ORDER OF THE COURT,
P. Richard Thomas, P.J.

Apr. 17, 1990 Copies of order put in Gerald Sullivan and County Control's box and copy mailed to Defendant.

1990

Fuller, Kinnunen,
Petruso & Gamble
Gary A. Fabian

311.

Watts, Pepicelli,
Youngs & Youngs
~~Alan L. Pepicelli~~ withdraws

ROBERT T. SMITH, JR.

vs.

JULIE D. SMITH

Filed Mar. 27, 1990
@ 3:03 p.m.

Tax & entry Paid	$50.50
1 count paid	15.00
State paid	10.00
Pro Co. pd 8/17/92	9.00

COMPLAINT UNDER SECTION 201(c) OF DIVORCE CODE
EQUITABLE DISTRIBUTION

1 copy (atty)

Apr. 2, 1990 Acceptance Of Service Of Complaint and Appearance filed. AND NOW, this 30th day of March, 1990, I Alan L. Pepicelli, Esquire, being authorized to do so, do hereby accept service of a copy of the Complaint in the above-captioned matter on behalf of the defendant herien with the same force and effect as if she had been personally served therewith, and I do also hereby appear herien on behalf of the defendant.
Alan L. Pepicelli

June 10, 1991, Affidavit of Consent of plaintiff filed.

May 5, 1992 Motion to Withdraw and Order, filed. ORDER: AND NOW, this 4th day of May, 1992, the within Motion is granted and Alan L. Pepicelli, Esq. and Watts and Pepicelli PC are granted leave to withdraw as counsel of record in this case.
BY THE COURT,
Gordon R. Miller, P.J.
May 12, 1992 copy in box for G. Fabian & A. Pepicelli

May 6, 1992 Motion To Amend Complaint In Divorce and Order filed. AND NOW, this 6 day of May, 1992, plaintiff is granted leave to amend his Complaint in accordance with the request of the foregoing Motion.
BY THE COURT
P. Richard Thomas, S.J.
May 12, 1992 Copies of order put in box for Atty. Fabian

May 6, 1992 Amended Complaint Under Section 3301(c) of 3301(d) of the Divorce Code filed.

June 1, 1992 AFFIDAVIT OF SERVICE OF AMENDED COMPLAINT, filed. GARY A. FABIAN,d being duly sworn according to law, deposes and says that:
1. He is an attorney authorized to practice law within the Commonwealth of Pa.
2. He is the attorney for the plaintiff in the above-captioned matter.
3. On May 11, 1992, he had deposited in the United States Mail by Certified Mail, return receipt requested, Certified Mail No. P 899 084 850 as evidence by Certified Mail Receipt No. P 899 084 850 attached hereto and made a part hereof, a true and correct copy of a Amended Complaint in Divorce addressed to Julie D. Smith said Amended Complaint in Divorce naming Julie D. Smith as the defendant in the above-captioned matter.
4. Service was obtained upon the defendant, Julie D. Smith, on May 13, 1992, as evidenced by Return Receipt for Certified Mail No. P 899 084 850 attached hereto and made a part hereof, said receipt being signed by Julie D. Smith.

June 4, 1992 AFFIDAVIT UNDER SECTION 3301(d) OF THE DIVORCE CODE, filed.

June 12, 1992 AFFIDAVIT OF SERVICE OF AFFIDAVIT UNDER SECTION 3301(d) OF THE DIVORCE CODE, Filed.

July 29, 1992, Motion to Withdraw Count for Equitable Distribution and Order filed. ORDER: AND NOW, this 29 day of July 1992, upon presentation of the foregoing Motion, plff, is hereby granted leave to withdraw from his amended complaint and from his orig. complaint his request for equit. dist. being Count II in both the amended complaint and the orig. complaint.
BY THE COURT,
Anthony J. Vardaro, J.
Aug. 4, 1992, copies of order to G. Fabian, Esq. and dft.

Aug. 6, 1992 Affidavit of Service of Motion to Withdraw Count for Equitable Distribution filed.

Aug. 11, 1992 Affidavit of Consent of defendant filed.

Aug. 14, 1992 Upon Praecipe of plaintiff attorney for Review under §3301(c) this case moved to court.

DIVORCE DECREE FILED

August 19, 1992 AND NOW, August 18, 1992, it is ordered and decreed that ROBERT T. SMITH JR., plaintiff, and JULIE D. SMITH, defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered and which has not been withdrawn by the party making the claim.

BY THE COURT,
Gordon R. Miller, P.J.

1990

Jorden & White
Harry Faber White II

312.

SANDRA BALLARD

vs.

BERNADETTE COMPTON

Filed Mar. 27, 1990
@ 3:10 p.m.

Tax & entry paid $50.50
Pro for Co. Pd 4-24-90 6.00

SUMMONS IN A CIVIL ACTION

Issued (atty)

April 27, 1990, Upon Praecipe of Plaintiff's Attorney, Harry Faber White, II, the above captioned action is hereby settled and discontinued of record.

Harry Faber White, II, atty for plaintiff

1990

Ferguson & Spataro
Douglas w. Ferguson

313.

Fuller, Kinnunen,
Petruso, & Gamble
Ann H. Gamble

JAY STRAUB, AGENT FOR D. W. FERGUSON, WILLIAM GRASINGER AND JAY STRAUB

vs.

NICK ZORIA

Filed Mar. 27, 1990
@ 3:57 p.m.

Tax & entry Paid	$50.25
Pro Co paid	9.00
Pro Co pd 1-9-95	6.00

APPEAL OF DEFENDANT FROM JUDGMENT OF MAGISTERIAL DISTRICT 30-2-01

Mar. 27, 1990, Rule entered upon plaintiffs to file Complaint Issued.

Apr. 5, 1990 Proof Of Service filed.

Apr. 12, 1990, Complaint in Trespass filed. 2 copies (atty)

May 3, 1990, Preliminary Objections filed.

Sept. 2, 1993 Upon Praecipe of Douglas Ferguson, Esquire, the above captioned matter is placed on the next available Argument List.

ON OCTOBER 1993 ARGUMENT LIST

Oct. 20, 1993 Motion to Dismiss Defendant's Preliminary Objections for Failure to Complay with Crawford County Local Rule L306 (D) and ORDER filed. AND NOW, this 20th day of October, 1993, Argument on the Plaintiffs' Motion herein is scheduled for October 25, 1993 at 2:00 p.m. in Courtroom No. 1.

BY THE COURT:
Gordon R. Miller, J.

10-21-93 Copy of Order to Attys. Ferguson & Gamble

May 20,1994 And Now, upon praecipe of Plaintiff's attorney judgement is entered in favor of the Plaintiffs, and against the Defendant for failure to file an Answer to the Plaintiffs' complaint and Withdrawal of the Defendant's Preliminary Objections on November 30, 1993, by Notice to the Court Administrator for the sum of One thousand eight hundred eighty-five and 50/100 plus interest and costs of suit.

entered 5-20-94 Debt: $1,885.50 plus interest and costs
Z - 124 JUDGMENT
Barbara H. King, Pro,.

Jan. 4, 1995 Upon praecipe of plaintiff attorney the above captioned judgment is satisfied of record.

Suckling & Valasek
David C. Suckling

314.

Alan E. Cech
for U.S.

THE MERCHANTS NATIONAL BANK OF KITTANNING, A CORPORATION

vs.

JOSEPH M. LIMANO AND DAVID A. LIMANO, CO-PARTNERS, TRADING AND DOING BUSINESS AS MEADVILLE ITALIAN BAKERY, AND UNITED STATES OF AMERICA

Filed Mar. 28, 1990
@ 9:58 a.m.

Tax & entry Paid $50.50
Sheriff's Costs 49.00
Pro Co Pd 9/27/90 - 9.00

COMPLAINT IN MORTGAGE FORECLOSURE

2 copies (sheriff)
1 copy (atty)

Apr. 16, 1990, Affidavit of Service filed. David C. Suckling Esq. being duly sworn according to law, deposes and says that he served the complaint in Mortgage Foreclosure upon Richard Thornburg, Esq. U. S. Atty. Gen, by mailing a cert. copy thereof. incl. a notice ot defend within 20 days, by U.S. Cert. Mail, postage prepaid, Ret. Rec. rEq. on Mar. 29, 1990, addressed as follows: Richard Thornburg, Esq. U.S. Atty. Gen'. U.S. Dept. of Justice, 10th St. and Constitution Ave, Washington DC 20530, Atta ched hereto, and made a part thereof, is the U. S. postal receipt for Cert. Mail No. P 738 341 824 signed by the Dept. of Justice on 4/2/90
David Suckling, Esq.

May 3, 1990 Complaint Reinstated.

May 3, 1990, Answer of Defendant United States of America filed.

May 22, 1990 Sheriff's rEturn filed. Before me, the undersigned authority, personally appeared Sgt. Ziegler who being duly sworn according to law, deposes and says that on the 2 day of April, 1990, at 10:20 a.m., he served Comp. Mort. Fore., filed at No. 314 Term, 1990, Crawford County, Pennsylvania, upon defendant US Attorney at 633 US POst Office & Courthouse, PGh. By making known the contents thereof to Scott Kanary, Clerk and handing to and leaving with him the certified copy of the received from Crawford.
So answers,
Sgt. Ziegler, Deputy Sheriff
Eugene L. Coon, Sheriff

SERVED Meadville Italian Bakery on March 29, 1990 at 8:42 AM by handing copy of Complaint to partner, David A. LImano, at Sher;iff's Office, Crawford County Courthouse, Meadville, PA.
SERVED United States of America by deputizing the Sheriff of Allegheny County, PA as per his Affidavit of Service attached. Served: April 2, 1990
So answers,
Catherine I. Allen, Deputy
Howard N. Stewart, Sheriff

Sept. 12, 1990, Consent Judgment filed. And now, to wit this 12 day of Sept. 1990, it appearing that counsel for plaintiff and counsel for dft. United States of America, have consented to the entry of within order on behalf of their respective clients, it is hereby ORDERED, ADJUDGED AND DECREED that a judgment be entered in favor of plaintiff and against the U. S. of A. for foreclosure of the mortgage of plaintiff in the within cause and for sale of the mortgaged property of dfts. Jos. M. Limano and David A. Limano, co-partners t/a/d/b/a Meadville Italian Bakery.

It is further ORDERED, ADJUDGED AND DECREED that dft. U. S. of A. shall be noti fied by plaintiff of the date, time and place sc heduled for any sheriff's sale of the real property of the aforesaid dfts; that the U. S. of A. shall be entitled to payment from the proceeds of the sheriff's sale to the extent its proper priority would entitle it to the same; and that the U. S. of A. shall be entitled to redeem the aforesaid property wi thin 120 days from the date of the sale, as provided by 28 U.S.C. § 2410.

Nothing contained in the within order shall, in any way, be construed as entry of a monetary judgment against the U. S. of A. but rather said judgment is limited to the foreclosure and sale of the real estate of the aforesaid defendants in the within proceeding.
Consented to by:
David C. Suckling, Esq.
BY THE COURT,
P. Richard Thomas, S.J.

Alan E. Cech, Esq. for U.S.
Judgment entered 9/12/90
CONSENT JUDGMENT
James F. Simmons, Pro.

And Now, Sept 12, 1990, at 3:08 p.m., Upon praecipe of plaintiff attorney, with copies of two default orders, default notice, Judgment is hereby entered in favor of the plaintiff and against the defendants Joseph m. Limano and David A. Limano, co-partners, trading and doing business as Meadville Italian Bakery for failure to file answer; damages assessed in the sum of One Hundred Sixty Two thousand Eight Hundred Forty Eight and 88/100 Dollars .
(prin. bal. of $134,074.10; late charges $777.04; 1987 taxes etc. $8,304.92; attys. comm. $6,717.83 int. to 3/19/90 $12,974.99)
Judgment entered 9/12/90
L - 92, 42
M - 181

Debt -- $162,848.88
JUDGMENT
James F. Simmons,
Prothonotary

Sept 18, 1990, Notices of entry of Judgment mailed to Mr. david A. Limano, Meadville Italian Bakery, Mr. Joseph m. Limano, U. S. Dept of Justice.

EX/1990-91

1990

Ferguson & Spataro
Douglas W. Ferguson
~~Ruthanne Beighley~~ withdrawn

315.

Mary Ann Kirkpatrick

PATRICIA J. RUGALA

vs.

JOHN J. RUGALA

John Fuller, Mediator 200.00
Pro Co 9.00
Pro Co pd 10-20-93 30.00
State pd 10-20-93 10.00
Kathleen Nelson, mediator 241.74
Pro Co 9.00
Filed Mar. 28, 1990
@ 10:42 a.m.
Pro Pd 3/30/93. 30.00
State Pd 3/30/93 10.00
Tax & entry Paid $50.50
John Fuller, Mediator 135.00
1 Court Pd 12/3/90 15.00
Pro Co. Pd 12/3/90 9.00
User Fee Pd 12/3/90 5.00
Pro Co Pd 3-22-94 Ck# 8180 6.00

1/3/90 Rec'd $135.00 From Defendant
Rec'd 12-31-90 $135.00
Vivian Stolty

7-20-93 Rec from plff med fee dep. 150.00
1-17-94 Pd Plff Bal Med dep Ck#8035 41.00 (Beagley)
2-17-94 Rec'd from dft med fee #106.00
3-22-94 Pd Co #8179 200.00
11-12-98 Rec'd from Plff med dep. 200.00
2-9-99 Pd Co 135.87
2-9-99 Pd plff 55.13
3-30-99 - Rec'd from dft Masters 250.00
6-21-99 Rec'd from dft - med fee 135.87
6-23-99 Pd Co 135.87

2-9-99 Pd Co 9.00 V

COMPLAINT IN DIVORCE

1 copy (atty)

Apr. 25, 1990 Complaint Reinstated.

April 27, 1990 General Appearance of Ruthanne Beighley and accept service of and acknowledge receipt of a copy of the original Complaint in Divorce filed.

July 19, 1990, Appearance of Mary Ann Kirkpatrick, attorney for defendant filed.

Sept. 26, 1990 Petition For Custody and Order filed. AND NOW, September 26, 1990, upon presentation of defendant's Petition for Custody, the matter is referred to John Fuller, Child Custody Mediator, By the Court,
1 copy atty, 1 copy mediator P. R Thomas, J

Oct. 5, 1990, Motion for Temporary shared Custody and Order filed. ORDER: AND NOW, Oct. 5, 1990, upon presentation of Defendant's request for temporary custody pending mediation, it is herey ordered:

1. The parties shall proceed to child custody mediation as soon as is reasonable practical.
2. Pending further order of court the children shall be in the custody of their mother from 6:00 p.m. Friday until 6:00 p.m. sunday.

2 copies (atty) By the Court,
P. Richard Thomas, S. J.

Oct. 5, 1990, copies to M. Kirkpatrick and R. Beighley.

Oct. 8, 1990 Affidavit Of Consent of Defendant filed.

Nov 9, 1990 Order filed: AND NOW, November 8, 1990, after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS:

I. Legal custody of Cydnee Rugala and Mark Rugala shall be shared between the mother and the father, that is, each parent shall be entitled to have full access to school records, medical records and other important records and each parent shall be entitled to take part fully in decisions affecting the children's education, religious instruction, medical treatment and other such important decisions.

II. Physical custody of Cydnee Rugala and Mark Rugala shall be with their mother, Patricia J. Rugalla, subject to the following condition:

A. The father shall be entitled to visit and take the children into his custody every weekend, with the exception of the second weekend of each month, from Friday, evening at 6:00 until Sunday evening at 6:00 p.m. On the second weekend of each month (that being the weekend on which the second Friday of each month falls), The children shall remain in the custody of their mother.

B. The father shall be entitled to visit and take the children into his custody every Wednesday evening from 5:00 p.m. until 8:00 p.m.

C. Transportation of the children on weekend and weeknight visits shall be the responsibility of the father.

D. Holidays shall be defined as Thanksgiving, Christmas and Easter. The parties shall share physical custody of the two children on the three aforementioned holidays. In the event the parties are unable to agree otherwise, the mother shall have custody of the two children on the three holidays until 1:00 p.m. on each such holiday and the father shall have custody of the two children from 1:00 p.m. until 8:00 on each such holiday.

E. Beginning with the Summer of 1991, the father shall be entitled to have both children in his care and custody for an extended period not to exceed two (2) weeks. The father shall give the mother at least thirty (30) days notice of the two (2) week period in which he intends to exercise his Summer custody.

F. Either party may have the children in their custody for such additional times as the parties agree, it being understood that the above is a minimum visitation schedule.

G. The parents are directed to take the children for counseling with a good counselor selected by mutual agreement of the parties' attorneys. After the initial evaluation, counseling is to continue for such period as is recommended by the counselor. The parents shall cooperate in such counseling sessions, including attending counseling themselves, if that is recommended.

H. Neither mother nor father shall say or do anything in an atempt to turn the children against the other parent, but on the other hand shall do everything in the power of each to foster a favorable and loving attitude on the part of the children towards both parents.

I. Neither mother nor father shall expose the children to any person or situation which may be harmful to the children's health or well being.

J. Both parents agree to inform the other immediately of any illness or injury regarding one or both of the children and both parents agree to furnish the other with a current telephone number.

III. This order is a temporary order but shall become a permanent order unless exceptions thereto are filed by either party within thirty (30) days of the date hereof.

IV. Cost of the mediation conference shall be paid by the father.

Robert L. Walker, SJ.

Nov. 15, 1990 Copies of order mailed to Plaintiff and Defendant and Atty. Beigley and copies put in Attys. Fuller and Kirkpatrick's boxes.

Feb. 6, 1991, Petition for Injunction and Order filed. Preliminary injunction denied. Hearing on whether an injunction or order should issue in this divorce case is set for Feb. 28, 1991 at 1:30 p.m. in Ct. rm 1 or 2. P. Richard thomas s. J.
Feb. 8, 1991 copies of order to R. Beighley and M. Kirkpatrick.

Continued on page 561

1990

MacDonald, Illig,
Jones & Britton
T. Warren Jones

316.

JAMES BEACH AND LINDA BEACH, HIS WIFE

vs.

JOSEPH C. BARNHART, INDIVIDUALLY AND TRADING AS ALTOMARE & BARNHART

Filed Mar. 28, 1990
@ 11:36 a.m.

Tax & entry R1/3/30/90	$50.50 ✓
Pro Co. Pd 10/30/90	9.00 ✓
Pro Co Pd 10/30/90	1.00 ✓
PRO CO Pd 4-12-91	5.00 ✓

SUMMONS IN A CIVIL ACTION

Issued (atty)

Apr. 24, 1990 Writ Reissued.

June 22, 1990 Acceptance Of Service filed. I accept service of the Writ of Summons on behalf of Joseph C. Barnhart, individually and trading as Altomare & Barnhart and certify them that I am authorized to do so.
Date: April 19, 1990 Joseph C. Barnhart

Sept 4, 1990 Complaint filed.

Sept 12, 1990, Affidavit of Service filed. On this the 11th day of Sept 1990 the undersigned deposes and says that he is counsel for plaintiff in above matter, and that he caused a copy of Complaint to be served upon defendant at 228 E. Central Ave Titusville, Pa. 16354 by cert. mail no. P276 638 614 the receipt being executed on Sept 5, 1990 in accordance with Pa R.C.P. 406(c).
Craig R. F. Murphey, Esq.

Oct. 11, 1990 Default Notice filed.
@ 2:38 p.m.

And Now, Oct. 25, 1990, upon praecipe of plaintiff attorneys, with copy of default notice and certificate of service attached, Judgment is hereby entered in favor of plaintiff and against the defendants Joseph Barnhart and Altomare & Barnhart; damages assessed at such later time as directed by praecipe pursuant to Rule 1037 of the Pa. Rules of Civil Procedure.
Judgment entered
10/25/90
B - 94
A - 181

JUDGMENT
James F. Simmons,
Prothonotary

April 8, 1991 Upon Praecipe of Plaintiffs' Attorney the above referenced action is marked discontinue of record.

1990

R. Charles Thomas

317.

FIRST NATIONAL BANK
OF COCHRANTON
NOW BY MERGER,
MARINE BANK

vs.

JOHN J. PARISE
JANE M. PARISE

Filed Mar. 28, 1990
@ 11:43 a.m.

Pro Simmons Paid $9.00
plff on orig 14.50

AGREEMENT TO REVIVE

of

DSB 1985 - 151

Judgment of revival indexed in favor of the plaintiff and against the defendants in the sum of Tw enty Five Thousand Five Hundred Twenty Two and 31/100 Dollars.

Debt ------$25,522.31
Dated------March 13, 1990
P - 94, 94 JUDGMENT
James F. Simmons,
Prothonotary

Dec. 20, 1990 Revival
To:
AD 1990 - 1189

1990

Watts, Pepicelli,
Youngs & Youngs PC
Theodore H. Watts

318.

LINDA JEAN MAAS

vs.

BERNARD MAAS

Filed Mar. 28, 1990
@ 4:12 p.m.

Tax & entry Paid	$50.50
2 counts paid	30.00
Pro Co pd 6/26/91	9.00
State pd 6/26/91	10.00

COMPLAINT UNDER SECTION 201(c) OF THE DIVORCE CODE
EQUITABLE DISTRIBUTION, AND CUSTODY

1 copy (atty)

Apr. 4, 1990 Affidavit Of Service filed. THEODORE H. WATTS, being duly sworn according to law, deposes and says that he is the attorney for the Plaintiff in the above matter, and that he served a certified copy of the Complaint In Divorce upon the defendant, Bernard Maas, on March 30, 1990, by certified mail, No. P 966 070 161, as evidenced by the receipt for certified mail and return receipt card attached hereto and made a part hereof as Exhibit "A". Theodore H. Watts

May 13, 1991 Affidavit of Consent of defendant filed.

June 12, 1991 Affidavit of Consent of plaintiff filed.

June 24, 1991 Upon praecipe of Plaintiff Attorney Fore Review Under §201(c) of the Divorce Code, this case moved to court.

June 26, 1991 **DIVORCE DECREE AND ORDER FILED.**

AND NOW, this 26th day of June, 1991, the Court, by vertue of the authority vested in it by law, decrees that **LINDA JEAN MAAS and BERNARD MAAS** are hereby divorced from the bonds of matrimony, and all the duties, rights, and claims accorded to either of the said parties at any time heretofore, in pursuance of said marriage, shall henceforth cease and determine, and the said parties shall severally be at liberty to marry again as if they had never been married.

AND IT IS FURTHER ORDERED, ADJUDGED AND DECREED, pursuant to Pa. R.C.P. 1920.1, et seq. & Act 26-1980, 23 P.S. §1, et seq., "The Divorce Code", that the terms, provisions, and conditions of a certain property settlement agreement between the parties dated February 14, 1991, and attached to this Decree and Order as Exhibit "A" is her eby incorporated into this Decree and Order by reference as fully as though the same were set forth herein at length. Said agreement shall not merge with but shall survive this Decree and Order.

AND IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the Husband shall pay to the Wife $500 payable on the first day of each month. Said payment shall be made directly to Wife.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the parents shall have joint legal custody of the minor children and the Wife shall have sole physical custody of the minor children subject to the visitation rights mutually agreed to by both parties. The equitable distribution ofthe marital estate shall be governed by the terms contained inthe property settlement agreement.

BY ORDER OF THE CUORT,
Gordon R. Miller, J

1990

MacDonald, Illig, Jones & britton Susan Fuhrer Reiter 319.	ERIE-CRAWFORD COOPERATIVE vs. JOSEPH VARISH Filed Mar. 29, 1990 @ 11:08 a.m. Ta x & entry Paid $50.50 Sheriff's Costs 33.92	COMPLAINT 1 copy (sheriff) Apr. 9, 1990 Sheriff's Return filed. SERVED Joseph Varish on April 3, 1990 at 11:20 AM by handing copy of Complaint to Joseph Varish, Jr., his son, at their residence, R.D. #2, Union City, Crawford County, PA. 16438. So answers, Robert M. Stevens, Deputy Sheriff Howard N. Stewart, Sheriff

1990

Anthony J. Vardaro 320.	CRAWFORD COUNTY, AND CRAWFORD COUNTY COMMISSIONERS vs. RED LINE MEDICAL SUPPLY, INC. Filed Mar. 29, 1990 @ 3:48 p.m. Tax & Entry paid $50.50	SUMMONS IN A CIVIL ACTION Issued (atty) April 9, 1990 Affidavit of Service filed. Vicki Bradshaw, being duly sworn according to law, deposes and says that she is the secretary to Anthony J. Vardaro, Esq., Attorney for Plaintiff in this action and certifies that on March 30, 1990 she sent a true and correct copy of a Writ of Summons in this matter to Jackie A. Anderson, Marketing Director, REd line Medical Supply, Inc., at 8121 Tenth Ave. North, Golden VAlley, MN 55427 by certified mail, postage prepaid, return receipt requested, by certified mail, postage prepaid, return receipt requested, by certified mail No. P 063 589 708 which is attached hereto as Exhibit "A". Thereafter on April 5, 1990 it was returned to Anthony J. Vardaro, Esquire, return receipt card bearing the same number and signed by David Nicolett said return receipt card being attached hereto as Exhibit "B". Vicki Bradshaw Apr. 26, 1990 Notice Of Filing Notice Of Removal filed.

1990

R. Charles Thomas
Thomas, Truax, Spadafore Vardaro & Walker

321.

GAIL M. CROWE

vs.

DAVID W. CROWE

Filed Mar. 30, 1990
@ 9:16 a.m.

Tax & entry Paid	$50.50
Pro Co. pd 8-20-90	9.00
State pd 8-20-90	10.00
ProCopd 6-30-92	5.00

COMPLAINT UNDER SECTION 201(c) OF THE DIVORCE CODE

1 copy (atty)

May 4, 1990, Complaint Reinstated.

Aug. 20, 1990 Affidavit of Service filed. R. Charles Thomas, Esq., being duly sworn according to law, deposes and says that on May 7th 1990, he sent a true and correct copy of the Complaint in Divorce, to the Defendant, David W. Crowe, by Certified Mail No. P063585911, Postage Prepaid, Restricted Delivery, Return Receipt Requested, at his last known address, c/o Adult Probation Office, 898 Park Ave., Meadville, Pa. 16335, further that there is attached hereto a duly executed return receipt card showing date of delivery as May 8th, 1990

R.Chas. Thomas, Atty. for Plaintiff

Aug. 20, 1990 Affidavit of Consent of Defendant filed.

Aug. 20, 1990 Affidavit of Consent of Plaintiff filed.

Aug. 20, 1990 Upon Praecipe of Plaintiff 's Attorney for Review under 201(c) of the Divorce Code, this case moved to court.

Sept. 4, 1990 **D I V O R C E D E C R E E F I L E D .**

And now, September 4, 1990, it is ordered and decreed that gail M. Crowe, plaintiff, and David W. Crowe, defendnat, are divorced from the bonds of matrimony.

BY THE COURT,
P. Richard Thomas, Sr. J

June 30, 1992 Notice of Election to Retake Maiden Name, Gail M. Crowe to be known as GAIL M. THOMPSON, filed.

Shafer, Swick Bailey
Irwin & Stack
James R. Irwin

322.

LYNETTE A. CROOK

vs.

RONALD H. CROOK

Filed Mar. 30, 1990
@ 9:25 a.m.

Tax & entry Paid $50.50

STIPULATION AND CONSENT TO ENTRY OF CUSTODY ORDER

ORDER: AND NOW, this 30th day of March 1990, upon presentation of the Stipulation and Consent of the parties, attached hereto, and after consideration of same, it is hereby ORDERED, DIRECTED AND DECREED that:

1. Primary legal and physical cusotdy fo the minor child, Nichole Sharee, shall be with the mother, Lynette.

2. The natural father Ronald H. crook, shall have liberal visitation of the aforementioned minor child at times that shall be agreed upon between the parties and further provided Father shall give a forty-eight (48) hour notice of his request to exercise said visitation.

BY THE COURT,
Gordon R. Miller, J.

Apr. 2, 1990, copy of order to Atty. Irwin. (box)

1990

C. Barton Jones

323.

ANTHONY J. CASTIGLIONE

vs.

JOHN BETTEYS AND
SHERYL SIPPOLA

Filed Mar. 30, 1990
@ 10:43 a.m.

Tax & entry Paid $50.25 ✓

APPEAL OF DEFENDANTS FROM JUDGMENT OF DISTRICT JUSTICE, MAGISTERIAL DISTRICT 30-3-01

Mar. 30, 1990 Rule entered upon plaintiff to file complaint issued.

Apr. 4, 1990 Proof of Service filed.

April 18, 1990 Order filed: 4/18/90 Rule granted. Returnable for hearing and argument April 24, 1990 at 2P.M.

P. Richard Thomas,

April 23, 1990 Copies of order to Atty. Jones.

April 18, 1990 Complaint filed.

April 18, 1990 Petition to Strike Appeal filed.

April 27, 1990 Order filed: AND NOW, April 24, 1990, at the time scheduled for a hearing or argument on a Rule to Show Cause obtained by the Plaintiff, it appears that the Defendant's took and appeal from an adverse decision of a District Magistrate timely, that proof of service of the notice of appeal and rule to file the complaint was filed timely, but that the Defendants-Appellants obtained a supersedeas under District Justice Rule 1008B by representing to the Prothonotary they would be filing the required bond within a certain period of time. The Defendants have appeared in Court without counsel and everyone agrees that the bond was not filed.

The Defendants represent to the Corut that they don't have the money to pay for the bond or to post case in the amount of the bond. Therefore, the supersedeas entered by the Prothonotary is hereby stricken. In all other respects, this case shall proceed in accordance with the Rules of Civil Procedure.

BY THE COURT,
Gordon R. Miller, J

April 27, 1990 Copies of order mailed to Atty. Jones.and Defendants.

1990

William J. Gregg

324.

JAMES J. HAYES, SR.

vs.

BRUCE McKEE, HIS HEIRS AND ASSIGNS

Filed Mar. 30, 1990
@ 11:08 a.m.

Tax & entry Paid $50.50
Sheriff's costs 23.00
Pro Co Pd. 11/15/90 - 9.00

COMPLAINT - ACTION TO QUIET TITLE

June 4, 1990 Motion For Service By PUblication, Affidavit and Order filed. AND NOW, to-wit: June 4, 1990, upon consideration of the foregoing Motion, the Sheriff of Crawford County is ORDERED AND DIRECTED to make service of the Complaint on the Deffendnat, BRUCE McKEE, his heirs and assigns, by publication once in the Meadville Tribune newspaper, a newspaper of general circulation in Crawford County, Pennsylvania, and in the Crawford County Legal Journal. Gordon R. Miller, J
June 6, 1990 Copy of order put in William Gregg's box.

July 30, 1990 Complaint Reinstated.

Sept. 19, 1990 Sheriff's Return filed. The within Action to Quiet Title was published once on Aug. 15, 1990, Wednesday, in the Meadville Tribune, Federal Court, Meadville, PA. Proof of publication attached.
The within Action to Quiet Title was published once on Aug. 22, 1990, Wednesday, in the Crawford County Legal Journal, Meadville, PA. Proof of publication attached.
So answers,
Howard N. Stewart, Sheriff

Oct. 12, 1990 Motion for Judgment and Order filed. AND NOW, Oct. 12, 1990, it appearing that the Complaint in the above action has been served bu Publication in accordance with the Order of this Court and no Answer has been filed or Appearance entered by the Defendants, Bruce McKee, his heirs and assigns. The Court, upon Motion of William J. Gregg, Esq. Attorney for the Plaintiff, hereby decrees that title to the her einafter described property is in the Plaintiff, and the said named Defendants, and their heirs, personal representatives, successors, or assigns, are forever barred from asserting any right, lien, title or interest in the premises hereinafter described, to wit:

BEGINNING at a point on the Westerly line of Legistlative Route 20003, said point being at the Southwest corner of Lot No. 11 of the Hoy Allotment as recorded in Crawford County Plan Book 5, page 20; thence North 16 degrees 40' East along the Westerly line of said Legislative Route 20003 a distance of 150 feet to a point; thence North 73 degrees 20" West along the Southerly line of Lot No. 9 in said allotment a distance of 275 feet to a point; thence south 16 degrees 40' West along part of the Easterly line of Lot NO. 52 in said Allotment a dstance of 192.04 feet to an iron pin ; thence South 82 degrees 01' 30" East a distance of 278.19 feet to a point on the Westerly line of Legislative Route 20003 a point of place of beginning.

BEING and intended to be Lots 10 and 11 of the Hoy Allotment as recorded aforesaid and subject to the restrictins and reservations set forth therein.

It is further ORDERED and DECREED that the said Bruce McKee, his heirs and assigns are enjoined from impeaching, denying, or in anyway attackin g the title of the Pl aintiff or of their successors in title to his parcel of land or form issuing or maintaining any action attacking the same or form encumbering, mortgaging or conveying the same or any part thereof unless the Defendants or any of them, shall within thirty days from the entry of this Order, file with the Court written objections. If such action is not taken within the thirty days period, the Prothonotary, upon Praecipe ofthe Plaintiff, shall enter final judgment. Robert L. Walker, J
Oct. 15, 1990 Copy of order put in William Gregg's box.

And Now, Nov. 15, 1990 at 10:31 a.m. Upon praecipe of plaintiff attorney, Final Judgment is hereby entered in the above matter in accordance with Order of Court of Oct. 12. 1990.
judgment entered - 11/15/90
M - 26

FINAL JUDGMENT
James F. Simmons,
Prothonotary

1990

Mazzotta, McCague & Associates PC
Donald S. Mazzotta

325.

GENERAL MOTORS ACCEPTANCE CORPORATION

vs.

PETER KORSAK

Filed Mar.30, 1990
@ 1:39 p.m.

Tax & entry Paid	$50.50
Sheriff's costs	29.60
Pro Co pd 5/11/90	9.00

COMPLAINT IN A CIVIL ACTION

1 copy (sheriff)

April 11, 1990 Sheriff's Return filed: SERVED Peter Korsak personally on April 9, 1990 at 11:20 A.M. by handings copy of Complaint to him at Sheriff's Office, Crawford County Courthouse, Meadville, Pa 16335.
So answers, Catherine I. Allen Deputy Sheriff
Howard N. Stewart, Sheriff

And Now, May 11, 1990 at 1:15 PM upon praecipe of plaintiff's attorney, with Notice of Intention to File Default Judgment attached, judgment is hereby entered in favor of the plaintiff and against the defnednat for failure to file an answer and the damages are assessed at the sum of Three thousand Six Hundred Ninety-two and 56/100 plus interest and cost of suit.

K-134
judgment entered 5/11/90
notice of entry mailed 5/15/90

Debt $3,692.56
INt. from 8/9/89 to 5/10/90
Judgment
James F. Simmons
Prothonotary

1990

Thom;as, Truax, Spadafore, Vardaro & Walker
Emil M. Spadafore Jr

326.

ROY A. SMITH

vs.

AMBROSE CHAPMAN,
ELIZA J. CHAPMAN,
J. C. CHAPMAN,
M. L. STEVENS,
ELIAS CHAPMAN,
SARAH W. BETTS,
E. C. ALVARD,
E. J. CHAPMAN,
AARON CHAPMAN,
HATTIE E. CAWTHORNE
NELLIE CHAPMAN,
THEIR HEIRS AND ASSIGNS

Filed Mar. 30, 1990
@ 3:05 p.m.

Tax & entry	$50.50
Pro Co Pd 9/11/90	9.00

COMPLAINT IN ACTION TO QUIET TITLE

Apr. 6, 1990 Motion For Leave To Serve By Publication and Order filed. AND NOW, upon Motion of Emil M. Spadafore, Jr., Attorney for Plaintiff in the above-captioned matter, leave is hereby granted to serve the above-named defendants, their heirs and assigns, generally, defendant sin said action by publication of a notice of the facts set forth in the complaint in the Meadville Tribune, a newspaper of general circulation, and the Crawford County Legal Journal one (1) time and requiring the said defendants to plead within twenty (20) days from the last date of publication thereof.

April 6, 1990 BY THE COURT:
P. Richard Thomas, J

Apr. 9, 1990 Copy of order put in Emil Spadafore's box.

August 1, 1990 Affidavit of Service by Publication filed.

August 1, 1990 Motion For Judgment filed.

August 1, 1990 FINAL DECREE filed. AND NOW, this 1 day of Aug., 1990, upon presentation of the foregoing Motion and due consideration thereof, it is hereby ordered and decreed that the defendants, Ambrose Chapman, Eliza J. Chapman, J.C. Chapman, M. L. Stevens, Elias Chapman, Sarah W. BEtts, E.C. Alvard, E. J. Chapman, Aaron Chapman, Hattie E. Cawthorne, Nellie Chapman,their respective heirs, personal representatives, and assigns are forever barred from asserting any right, title, lien or interest inconsistent with the claim of the plaintiff as set forth in the Complaint in this case, or in any way attacking the title of the Plaintiff in said property; from issuing or continuing any action and taxing the same and from encumbering, mortgaging, or conveying the same or any part thereof, unless the defendants, their heirs and assigns take such action as is herein directed with thirty (30) days after the entry of this judgment. It is further ordered and decreed that if no petition to open this judgment or satisfy this decree is presented by the defendants, their heirs and assigns within thirty (30) days from and after the entry of this decree same shall be final. If such action is not taken within said thirty (30) day period, the Prothonotary shall enter judgment.

By The Court:
P. Richard Thomas, Judge

Aug. 1, 1990 Copy of Final Decree to Atty. Emil Spadafore.

And Now Sept. 11, 1990 at 3:32 p.m. upon praecipe of plaintiff attorney, Final Judgment is hereby entered in favor of the plaintiffs and against the defendants, in accordance with the foregoing order of court.

Judgment entered - 9/11/90
C - 12, 252, 92
S - 274
C - 252
B - 155
A - 512
C - 252, 12, 85

FINAL JUDGMENT (QUIET TITLE)
James F. Simmons,
Prothonotary

327.

4/30/90 Rec'd $20.00 From Defendant
4/30/90 Paid $20.00 To Howard Stewart, Sheriff's Office #5585

JULIE BRICKNER

vs.

SCOTT BAKER

Filed Mar. 30, 1990
@ 3:33 p.m.

Tax & entry pd 4/30/90 $50.50
Sheriff's Costs 20.00
Proc Pd 4/30/90 9.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies (sheriff)
1 copy (plaintiff)

TEMPORARY ABUSE ORDER:

AND NOW, this 30th dayof March 1990, upon review of the petition of plaintiff, the court enters the following temporary order;

1. The defendant shall not assault, abuse, harass or threaten the plaintiff or any of the minor children named in the petition.

2. Special conditions: the parties residence is awarded to the plaitniff to theexclusion of the defendant.

3. This order may be enforced without a warrant of arrest by any law enforecemtn officer having reasonable ground to believe it has been violated.

4. A copy of this order shall be delivered to the polcie departments in the jurisdiction where the plaitniff resides and to county control.

5. service of a copy fothe petition and this order shall be made upon the defendant by a sheriff, constable, police officer or comptent adult.

6. This temporary order shall remian in full force and effect until modified or terminated by further order of this court. Liability for payment of fees and costs will be determined by final court order.

7. The defendant is reminded that this is an order of court and violation of this order may be punsihable by a fine up to $1,000 and a jail sentence of up to six months.

8. The court reserves ruling on allocation of fees and costs.

Hearing is hereby set for April 11, 1990 at 1:30 p.m. in C. R. No. 1 or 2 of the Crawford County Courthouse.

The defendant is advised he may retain a lawyer to represent him at said hearing if he so desures but he is not required to do so.

BY ORDER OF THE COURT,
Gordon R. Miller, J

Apr. 3, 1990 Sheriff's Return filed. SERVED Scott Baker, personally, in the City of Titusville, on March 30, 1990 at 11:12 PM.
So answers,

Lt. James Alexander, TPD
Lt. Reroy Diamond, TPD
Howard N. Stewart, Sheriff

Apr. 12, 1990, CONSENT AGREEMENT Pursuant to Protection from Abuse Act and Order filed. ORDER: AND NOW, this 12 dayof April 1990, upon consideration of the consent agreemnt of the parties hereto attached, the following Protection Order is hereby entered:

1. The Consent Agreement as executed by the parties is hereby approved.

2. The parties are hereby directed to comply with the terms and conditions of the consent agreement for a period of one year from the date thereof or unless otherwise ordered by this court.

3. The temporary Abuse Order entered by this court is hereby suspended.

4. A true and correct copy of this corder shall be sent by certified mail return receipt requested to the plaintiff, the defendant and to the Titusville Police Dept. which has appropriate jurisdiction to enforce this order and further a copy shall be delivered to CountyControl. The parties are hereby advised that violation of this order may subject the violating party to Punsihment for Contempt.

Record costs shall be paid by the defendant.

3 copies (atty) Gordon R. Miller, J.

April 24, 1990 Affidavit of Mailing filed. Ann Hansen Gamble, being duly sworn according to law, deposes and says that she is an Attorney atlaw, duly authorizd to practice law in the Commonwealth of PA. and that on April 16, 1990, she sent a copy of the Consent Agreement Pursuant to Protection from Abuse Act, to the Defendant by certified mail, restricted delivery, postage prepaid, receipt requested, to Scott Baker, PO Box 322, Titusville, PA 16354, the Defendant's last known address; and a copy was also sent to by certified mail, postage prepaid, receipt rquested to Julie Brickner, 227 East Main St., Titusville, Pa 16354, and to Michael Anderson, Chief of Police, Titusville Police Dept., 113 N. Franklin St., Titusville, PA 16354. The said receipts being attached hereto. A copy of said document was also sent to the Defendant's attorney, Joseph C. Barnhart, PO Box 373, Titusville, on April 16, 1990 by regular mail.

Ann Hansen Gamble

1990

Christopher J. Youngs
Watts, Pepicelli,
Youngs and Youngs PC

328.

ROBERT C. STEWART AND
JANE E. STEWART,
HUSBAND AND WIFE

vs.

JOHN E. SANDERS

Filed Mar. 30, 1990
@ 4:11 p.m.

Tax & entry Paid $50.50 ✓

Pro Co Pd 5-21-90 137.00
Pro Co Pd 6/11/90 - 9.00 ✓

6/11/90 Rec'd
#68.50 from
Pff.
Rec'd Aug 1, 1990
#68.50
Vivian Stoltz

PETITION FOR CHILD CUSTODY

3 copies (atty)

ORDER OF COURT:
You, JOhn E. Sanders, defendant have been sued in court to obtain custody of the children; Nathaniel J. Sanders and Jonell R. Sanders.

You are ordered to appear in person for a conference at such time and place as may be set by WILLIAM PINEO, CHILD CUSTODY MEDIATOR.

If you fail to appear as provided by this order, an order for custody may be entered against you or the court may issue a warrant for your arrest.

You should take this paper to your atty. at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.

Crawford County Bar Association, Service to the Public Comm. c/o Prothonotary, Crawford County Courthouse, Meadville, Pa. 16335 Tele: 814 724-4636.
Dated: Mar. 30, 1990

BY THE COURT,
Gordon R. Miller, J.

Apr. 16, 1990 Affidavit Of Service filed. Christopher J. Youngs, hereby certifies that he is the attorney forthe Plaintiffs Robert C. STewart, and Jane E. Stewart, husband and Wife, in the within Action and that a copy of the Custody Complaint was sent by certified mail, return receipt requested, deliver to addressee only to the Defendant, John E. Sanders at 980 Park Avenue, Meadville, PA 16335 on April 12, 1990 and was received by the Defendnant on April 14, 1990. The receipt for certified mail and the return receipt are attached hereto marked Exhibit "A".

Christopher J. Youngs

May 21, 1990 Temporary Order filed: AND NOW, this 21 day of May, 1990, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator,

IT IS HEREBY ORDERED AND DECREED THAT:

L. Legal and physical custody of the subject minor children is hereby awarded to the plaintiffs.

2. The father shall have the right of visitation with his children each Sunday from 10:00 a.m. to 7:00 p.m.. Starting July 1, 1990, the visitation shall be expanded so that he will have visitation every weekend, except for the last full weekend of every month, from Friday at 6:00 p.m. through Sunday at 6:00 p.m..

3. The father shall have the right to designate a two week period during the months of July and August when the children may reside with him. He shall give the plaintiff thirty(30) days notice of the two week period he wishes to select.

4. Holiday visitation shall be arranged as follows:

a. Each year the children shall spend Christmas Eve from 3:00 p.m. to Christmas Day at noon with their father and shall spend Christmas Day at noon until Christmas Day at 8:00 p.m. with their grandparents, the Plaintiffs.

b. The children shall spend each Thanksgiving from the Wednesday preceding Thanksgiving at 3:00 p.m. to Thanksgiving Day at noon with their father and shall spend Thanksgiving Day from noon until Thanksgiving Day at 8:00 p.m. with their grandparents.

c. The other major holidays are New Years Day, Easter, Memorial Day, Independence Day, and Labor Day. Holiday visitation periods shall begin at 9:00 a.m. and end at 8:00 p.m. except for Independence Day when the visitation period shall last until 11:00 p.m. so that the children may watch the fireworks. The children shall spend Memorial Day, 1990, with their father and the parties shall thereafter alternate the holidays.

5. Children and Youth Services of Crawford County is hereby requested to conduct a home study of the father's residence to determine whether or not it is suitable for extended visitations and for the residence of small children.

6. The parties shall split responsibility for transportation with the party receiving the children in the exercise of his or her rights picking up the children at the home of the other.

7. Each party shall teach said children to give to the other parties that love, respect and obedience which is due a parent from his or her children or grandchildren, as the case may be.

8. Neither party shall use illegal drugs or be under the influence of alcohol at any time when said party has the care and custody of the subject minor children.

9. Any person transporting the children shall make sure that the seat belts or other restraints are used in accordance with the law of Pennsylvania.

10. No party shall do or say anything to blacken the character of the other. Each party shall treat the others in a polite and respectful manner and not to disparage the other parties in the children's estimation.

11. The parties are free to make additional or alternative arrangements respecting the custodial and visitation periods and are strongly encouraged to do so if that would be proper and convenient. Said arrangements shall be mutual consent only, in the absence of which this order shall govern.

12. Any party may request a review of this order one year from date hereof to make any adjustments.

13. Costs and fees of this Mediation, which are fixed at $137.00 are divided equally between the parties. The father's share shall be paid by Crawford Countyu, the Mediator having noted that he is indigent. The share of the plaintiffs shall be assessed to them as costs in this case. Payment shall be made to the Prothonotary of Crawford County.

14. Either party may move the court for a hearing de novo for thirty (30) days from date hereof. If neither party so moves, this Order shall be considered permanent.

By the Court,
P. Richard Thomas, J.

May 23, 1990 Copies of order put in Attys. Youngs, Sullivan and Pineo's boxes and copy mailed to Plaintiffs.

328
A

Robert C. Stewart al

vs.

John E. Sanders

Record continued from page 328

of record

A.D. 1990 - 328

****

Sept. 27, 1990 Supplemental Order filed. And now, August 9, 1990, this Court by Order of May 21, 1990;, directed Children & Youth Services to conduct a home study of the father's residence, the Court notes the same was received on or about August 1, 1990; and we direct a copy of the same to be lodged with the records in this case.

BY ORDER OF THE COURT,
P. Richard Thomas, P.J.

Sept. 28, 1990 Copies of order put in Gerald Sullivan, William Pineo and Christopher Youngs box.

328
B

1990

Thomas, Truax, Spadafo, Vardaro, Walker
R. Charles Thomas,

329.

Shafer, Swick, Bailey
Irwin & Stack
James R. Irwin

JUDITH A. SEAGLE

vs.

VANCE L. SEAGLE

Filed Apr. 2, 1990
@ 11:12 a.m.

Tax & entry Paid	$50.50
3 counts paid	45.00
Pro Co. pd. 4-27-93	9.00

COMPLAINT IN DIVORCE, DIVISION OF MARITAL PROPERTY, ALIMONY PENDENTE LITE, COUNSEL FEES AND COSTS, PERMANENT ALIMONY

1 copy (atty)

May 2, 1990 Appearance of Shafer, Swick, Bailey, Irwin & Stack by James R. Irwin for Defendant filed.

Mar. 9, 1992 Income and Expense Statement of Plaintiff filed.

Sept. 3, 1992 Motion To Withdraw Appearance and Order filed. AND NOW, this 2nd day of September, 1992, upon presentation and consideration of the within Motion, Defendant's counsel, James R. Irwin, Esquire, is hereby aurthorized to withdraw his appearance on behalf of the defendant in the abovecaptioned case.

Gordon R. Miller, J

Sept. 9, 1992 Copies of order put in box for aTty's Thomas and Irwin

April 27, 1993 Affidavit of Service of Complaint In Divorce filed. R. Charles Thomas, Esq., being duly sworn according to law, deposes and says that on April 2nd, 1990, he sent a true and correct copy of the Complaint in Divorce, properly endorsed with the Notice To Defend, filed in the above action to the Defendant, Vance L.Seagle, at Defendant's last known address of 801 Pinemont Dr., Mobile, AL 36600, by Certified Mail No. P063585904, postage prepaid, restricted delivery, return receipt requested and that attached hereto is a duly executed return receipt card showing date of delivery as 4/6/90.

R. Charles Thomas, Esq.

April 27, 1993 Affidavit of Consent of Judith A. Seagle filed.

April 27, 1993 Affidavit of Consent of Vance L. Seagle filed.

April 27, 1993 Upon Praecipe of plaintiff attorney for Review Under 3301(c) of Divorce Code this case moved to Court.

DIVORCE DECREE FILED

May 4, 1993 STIPULATION and FINAL DECREE filed. AND NOW, this 3rd day of May, 1993, it is ordered and decreed that JUDITH A. SEAGLE, Plaintiff, and VANCE L. SEAGLE, Defendant, are divorced from the bonds of matrimony.

IT IS FURTHER ORDERED AND DECREED AS FOLLOWS:

EQUITABLE DISTRIBUTION - REAL ESTATE

1. The plaintiff is awarded the net proceeds from the sale of the condominium unit known and designated and enumerated as Unit No. 501 in the Lighthouse Cove Condominium lying and being situate in the Township of Sadsbury, Co. of Crawford, commonwealth of PA., as more specifically described in a certain Deed from Herbert G. Kunkel and Dorothy A. KUnkel, his wife, to the Plaintiff and Defendant, said Deed being dated August 31, 1990 and recorded in Crawford Co. REcord Book 101, Page 539. Said property is subject to agreement of sale dated Sept. 4, 1992 between the parties and Joseph and Vicky Hilinka. Plaintiff shall be responsible for all costs associated with such sale and any capital gains taxes which may be due as a result. The Defendant shall immediately sign,e xecute and acknowledge a Special Power of Attorney designating the Plaintiff as his Attorney-in-Fact for the purpose of the transfer of title to the aforesaid condominium unit upon the issuance of this final decree. In the event that the sale of such property is not consummated within 45 days, Plaintiff shall transfer title to the property into her sole name.

EQUITABLE DISTRIBUTION-TANGIBLE PERSONAL PROPERTY

2. The Defendant is awarded all tangible personal property which he presently has in his possession, cutody and control including bu tnot limited to all tangible personal property was formerly located at the marital residence of the Plaintiff and Defendant on Route 18, Box 650 Conneaut Lake, PA 16316.

3. The Plaintiff is awarded a 1985 Honda Civic 4-Wheel Drive motor vehicle which is already in her possession.

4. The Plaintiff is awarded the Pontoon Boat which is already in her possession.

EQUITABLE DISTRIBUTION-INTANGIBLE PERSONAL PROPERTY

5. The Plaintiff is awarded cash in the amount of $38,955.42 representing the proceeds received as a result of a claim made by the Plaintiff and Defendant against the Allstate Insurance Company arising out of a fire loss that occurred on April 30, 1992, resulting in the destruction of all tangible personal property located in Condominium Unit No. 501 in the Lighthouse Cove Condominiums, Sadsbury Township, Crawford Co., PA. Plaintiff is already in possession of said cash.

6. The Plaintiff is awarded all of the stock owned by the Plaintiff and Defendant in a business corporation known as Computer Technology Corporation with its principal place of business being located at Milford, Ohio.

7. The Defendant is awarded a certain individual retirement account with the New England Funds, PO Bbox 767, Boston, Massachusetts 02117, said account being designated as "State Street Bank & Trust Co., Custodian for IRA of Vance Seagle".

8. The Defendant is awarded all pension and retiement benefits to which he may be entitled as the former employee of a business corporation known as Computer Technology Corp. with its pincipal place of business being Milforrd, OH, provided, however, that said retirement and/or pension benefits shall not include the stock in that corporation heretofore awarded the Plaintiff.

9. The Defendant is awarded all pension benefits and retirement benefits that may be available to him as a former employee of a business corporation known as Microtie Corporation with its principal place of business being in Mobile, AL.

10. The Plaintiff is awarded a certain 1991 Ford Taurus automobile which motor vehicle is subject to a Lease in favor of Ford Credit Corporation and which vehicle is already in possession by Plaintiff. Plaintiff shall be responsible for all obligations pursuant to the aforementioned lease and any and all related expenses for the maintenance and disposition of said vehicle.

11. The Plaintiff is awarded a certain life insurance policy with the New England Mutual Life Insurance Co., being Policy No. 6887592 which shall be transferred by Collateral Assignment

RECORD CONTINUED ON
PAGE 564.....

1990

Jack, Kookogey &
Felton
Robert J. Felton

330.

IN RE:
CHANGE OF NAME OF
BENJAMIN JOHN HAYCOCK
a/k/a
BENJAMIN JOHN HOKE

Filed Apr. 2, 1990
@ 2:32 p.m.

Tax & entry 4/4/90 $50.50
Pro Co pd 5/24/90 5.00
Pro Co Pd 11/1/91 9.00

PETITION FOR CHANGE OF NAME

ORDER:
AND NOW this 2nd day of April 1990 upon consideration of the within petition a hearing on the matter is set for the 24 day of May 1990, in Courtroom 1 or 2 of the Crawford County Court House, Meadville, Pa. at 9:30 a.m.

Imogene Yetman, Ct. Adm.

Apr. 3, 1990, copy of order to R. Felton, Esq.

May 18, 1990 Affidavit of Service filed: I, ROBERT J. FELTON, Attorney at Law, 144 W. Spring Street, Titusville, Pennsylvania, am the attorney for the petitioners in the within matter. In that capacity, I state that I served a true and correct copy of the Petition in this proceeding, along with a copy of the Order of Court setting a time and place for hearing, on the natural father of the child, Mr. Patrick S. Haycock, 70 West High Street, Union City, Pennsylvania 16438, by mailing the same to him by certified mail number P-620 648 946, return receipt requested, the same having been mailed from Titusville, Pennsylvania, on May 8, 1990, and received by Patrick S. Haycock on May 11, 1990, as witnessed by the attached receipt for certified mail.

Robert J. Felton

May 24, 1990, ORDER filed.
AND NOW, this 24th day of May 1990, following a hearing on this matter, it is Ordered and Decreed that the name of Benjamin JOhn Haycock, also known as, Benjamin John Hoke, is changed for all purposes to Benjamin John Campasino.

This order shall constitute authority for registrante of public records to effect this change of name on all such records.

BY THE COURT,
P. Richard Thomas, J.

May 30, 1990, copy to Atty. Felton.

May 24, 1990, Certificate of Liens filed.

May 24, 1990, Proofs of Publication filed.

1990

Ferguson & Spataro
John F. Spataro

331.

BENEFICIAL MORTGAGE COMPANY OF PENNSYLVANIA

vs.

WILLIAM DAVISON AND SANDRA DAVISON

Filed Apr. 2, 1990
@ 3:34 p.m.

TAx & entry Paid	$50.50
Sheriff's Costs	99.00
Pro Co pd 8/23/90	9.00

COMPLAINT - ACTION TO QUIET TITLE

2 copies (sheriff)

May 23, 1990 Complaint Reinstated.

June 13, 1990 Sheriff's REturn filed. Not Found, as to defendants William Davison and Sandra Davison, as per Affidavits received from Allegheny County Sheriff and hereto attached.
So answers, Howard N. Stewart, Sheriff
(see Affidavits attached)

June 19, 1990 Complaint Reinstated.

July 17, 1990, Sheriffs Return filed. Before me, personally appeared Jerry Hanlon, who beind duly sworn according to law, deposes and says that on the 28 day of June 1990 at 11:30 a.m. he served Complaint in Quiet Title Action filed 25 of June at 331 1990 Crawford County Pa. upon defendant William Davison by making known contents thereof to Sandra, his wife, both of 737 Warrington Ave, 2nd Fl. Pgh., and to Sandra Davision, to her, personally, same address, by handing to and leaving with her the certified copy of Complaint rec'd from Crawford County.
Jerry E. Hanlon, Sr. Dep. Sheriff
Eugene L. Coon, Sheriff
SERVED William Davison by deputizing Sheriff of Allegheny County, Pa. as per his Affidavit of Service attached. Served: June 28, 1990.
SERVED Sandra Davison by deputizing Sheriff of Allegheny County, Pa. as per his affidavit of Service attached. Served: June 28, 1990.
So answers, Howard N. Stewart, Sheriff

July 23, 1990 Affidavit filed. JOHN F. SPATARO, ESQ., being duly sworn according to law, deposes and says that he is Attorney for the P laintiff and makes this affidavit on behalf of the Pl aintiff, being authorized to do so; that a Complaint in action to quiet title, endorsed with ntoice to defend within twenty (20) days from sercie thereof was served on the Defendants on June 28, 1990; and that Defendants have not filed an Answer thereto, although the time in wh which to do so has expired. Attached hereto and made a part of hereof is a true and correct proof of the return of service issued and file dby the Sheriff of Crawford County.
John F. Spataro

July 23, 1990 Motion For Judgment and Order filed. AND NOW, this 23 day of july, 1990, an affidavit of service of the Complaint with notice to plead having been filed, and no Answer having been made by the DEfendants, the Court, upon motion of John F. Spataro, Esq., attorney for Pl aintiff, her eby orders that, the DEfendants be forever barred from asserting any right, lien, title, or interest inconsistent with the interest or claims of the Plaintiff in the premises of the P laintiff, more particularly described as follows:
ALL that certain piece or parcel of land situate in Summit Township, Crawford County, Pennsylvania, being more particularly bounded and described as follows, to-wit:
BEGINNING at an iron pin on the southerly side of Legislative Route 20034, said place of beginning being distant 511.57 feet from the point where the southerly side of Legislative Route 20045 intersects with the westerly side of Township Route 400: thence by the southerly side of Legislative Route 20045, South 56" - 51' past, a distance of 78.19 feet to an iron pin; thence South 43 degrees 54' - 30" East, a distance of 71.81 feet to an iron pin; thence South 46 degrees - 40' West; a distance of 189.16 feet to an iron pin; thence NOrth 56 degrees - 52' West a distance of 103.96 feet to an iron pin; thence north 33" 09' East, a distance of 200 feet an an iron pin at the place of beginning.
Provided, however, that the Defendants shall have thirty days from the date of this order to file with the Prothonotary of Crawford County a responsive pleading (answer or preliminary objections as provided by the Rules of Civil procedure) to the complaint of the plaintiff before this order becomes final . If such ac tion is not taken within the thirty (30) days period, the prothonotary on praecipe of the pl aintiff, shall enter final judgment.
P. Richard Thomas, J

July 25, 1990 Copy of order put in John Spataro's box.

And now, Aug. 23, 1990 at 10:41 am, upon praecipe of pl aintiff's Attorney, final judgment is hereby entered in this case, in favor of the plaintiffs and against the defendants, pursuant to the foregoing Order of Court.
D-214-153

FINAL JUDGMENT
James F. Simmons
Prothonotary

1990

James R. Irwin
Shafer, Swick, Bailey,
Irwin & Stack

332.

ROBERT F. LINN

vs.

CECILIA M. LINN

Filed Apr. 3, 1990
@ 1:09 p.m.

Tax & entry paid $50.50 ✓

STIPULATON AND CONSENT TO ENTRY OF CUSTODY ORDER

1 copy (atty)

Apr. 3, 1990 ORDER filed. 1 copy (atty)

AND NOW, this 30 th day of Mar. 1990, upon presentation of the Stipulation and consent of the parties, attached hereto, and after consideration of same, it is hereby ORDERED, DIRECTED AND DECREED that:

1. Primary physical custody of the minor children, shall be with the natural mother, Cecilia Linn.

2. Legal Custody of the minor children, aforementioned shall be shared between the mother, cecilia Linn and the father, Robert Linn.

3. The natural father, shall have temporary custody of the aforementioned minor children from 6:00 Friday until 6:00 p.m. Sunday on alternating weekends.

4. Upon the availability of the father he shall be premitted to take the children into his custody for a period of not more that six (6) weeks during the children's summer vacation, at a time that shall be agreed upon by the parties.

5. Except in emergency situations, the Father shall give the Mother at least twenty-four (24) hours notification when he will not be exercising a scheduled visitation.

6. The natural father, Robert, shall be responsible for all transportation of the minor children in regard to the exercise of his temporary custodial periods.

BY THE COURT:
Gordon R. MIller, J.

1990

Thomas J. Dempsey

333.

JACK, KOOKOGEY & FELTON
John S. Kookogey

FRANCIS J. COSMARK

vs.

TITUSVILLE AREA SCHOOL DISTRICT

Filed Apr. 3, 1990
@ 1:58 p.m.

Tax & entry paid $50.50
Pro Co Pd 9/26/90 5.00

PETITION FOR APPOINTMENT OF VIEWERS

1 copy (Atty.Petruso)
1 copy (atty)

ORDER OF COURT:
AND NOW, April 4, 1990, upon consideration of the foregoing petition and on motion of thomas J.Dempsey, Esq. attorney for Petitioner, JOHN PETRUSO, STEPHEN E. HALL AND PAUL DEARMENT are hereby appointed Viewers to ascertain the just compensation due the petitioner for the taking of his property located in the First Ward of the City of Titusville, Crawford County, Pa. by theTitusville Area School District, including all sums payable to the petitioner under the provisions of Section 609 of the Eminent Domain Code. P. Richard Thomas, J.

Apr. 4, 1990 copies to Attys. Petruso, Hall and Paul DeArment
Aug 2, 1990 Appearance of Jack, Kookogey & Felton by John S. Kookogey, Esq. for Defendant filed.

Sept 11, 1990 Notice of View and Hearing filed.

Sept 20, 1990 Praecipe to Mark Docket in this case settled and discontinued of record filed.

1990

Barrett & Dratler
Bruce A. Barrett

334.

ELEANOR ANN McNAMARA

vs.

JOHN JOSEPH McNAMARA

Filed Apr. 3, 1990
@ 2:37 p.m.

Tax & entry Paid	$50.50
Pro Co Pd 11/19/90-	9.00
state pd 11/19/90	10.00

COMPLAINT UNDER SECTION 201(c) OF THE DIVORCE CODE

1 copy (atty)

Apr. 11, 1990, Affidavit of Service filed. Bruce A. Barrett Esq. being duly sworn to law, deposes and says that the following facts are true and correct.

1. That the affiant is the atty. for plff. in the above case.
2. that a true and correct copy of the complaint Under Section 201(c) of the divorce code was sent by reg. mail to dft. on Apr. 4, 1990 Senders receipt attached hereto.
3. The reg. mail was sent to John Jos. McNamara, 1815 Sunrise Lake Apt. 4, Erie Pa. 16509.
4. That the dft. received said reg. mail on Apr. 6, 1990. Said rec. card no. P 966 074 373 is attached hereto and signed by John J. McNamara. Bruce A. Barrett, Esq.

Jul 3, 1990 Affidavit of Consent of Plaintiff filed.

Nov. 14, 1990, Affidavit of Consent of defendant filed.

Nov. 14, 1990, Upon praecipe of plaintiff attorney, for review under 201(c) of the Divorcecode, this case moved to court.

Nov. 27, 1990 **DIVORCE DECREE FILED.**

AND NOW, November 27, 1990, it is ordered and decreed that Eleanor Ann McNamara, plaintiff, and John Joseph McNamara, defendant, are divorced from the bonds of matrimony.

BY THE COURT,
Gordon R. Miller, J

Thomas, Truax, Spadafore, Vardaro, Walker
~~Anthony J. Vardaro~~

335.

Mahany, Roeder & Rothschild
Tamera Ochs Rothschild

GARY L. GRANDA

vs.

REBECCA F. GRANDA

Filed April 3, 1990
@ 3:08 p.m.

Tax & entry Paid	$50.50 ✓
Bruce Smith, Mediator	
Mediation Costs	168.80
Pro Co Pd 7/5/90	9.00 ✓
Bruce Smith Mediator	148.93
Pro Co.	9.00

6/14/90 Recd. $30.00 From Plaintiff
6/25/90 Recd $30.00 From Plaintiff
Rec'd 7-3-90 $30.00 Vivian Stoltz
Rec'd 7-3-90 $30.00 Vivian Stoltz
7/5/90 Recd $24.40 From Plaintiff
Recd Aug 1, 1990 $24.40 Vivian Stoltz

COMPLAINT FOR PARTIAL CUSTODY

1 copy (atty)
1 copy (mediator)

ORDER OF COURT:

YOu, Rebecca, F. Granda, defendant, have been sued in court to obtain partial custody of the child, Kale L. Granda.

You are ordered to appear in person at such time and place as BRUCE SMITH, CHILD CUSTODY MEDIATOR, shall designate for a mediation conference.

You are further ordered to bring with you the child, Kale L. granda.

If you fail to appear as provided by this order or to bring the child, an order for custody, partial custody, or visitation may be entered against you or the court may issue a warrant for your arrest.

You should take this paper to your lawyer at once. If you do not have a lwayer or cannot afford one, go to or telephone the office set forth below to find out where you can get legalhelp.

Crawford CountyBar Assoc., Ser. tothe Public Committee.
c/o Prothonotary, Courthouse, Meadville, Pa. 16335
814 724-4636. BY THE COURT,
P. Richard Thomas, J.

April 9, 1990 Affidavit of Service filed. Vicki Bradshaw, being duly sworn according to law, deposes and says that she is the secretary to Anthony J. Vardaro, Esq., Attorney for Plaintiff in this action and certifies that on April 5, 1990 she sent a true and correct copy of the Complaint for Partial Custody and Order of Court in this matter to Rebecca Granda at R D # 1, Centerville, PA 16404 by certified mail, postage prepaid, return receipt requested, delivery restricted to addressee only, by certified mail no. P 063 589 709 which is attached hereto as Exhibit "A". Thereafter on April 9, 1990 it was returned to Anthony J. Vardaro, Esquire, return receipt card bearing the same number and signed by Rebecca Granda said return receipt card being attached hereto as Exhibit "B".

Vicki Bradshaw

May 8, 1990 Temporary Order of Court filed. AND NOW, this 7 day of May, 1990, after Mediation and upon recommendation of the Child Custody Mediator, it is her eby ordered and decreed that:

1. The natural parents of Kale E. granda, age two, born March 10, 1988, the parties t this action, shall share legal custody of the minor child. Said joint legal custody being shared shall entitle both of the parents to equal access to any records relating to the child held by a third party, including, but not limited to, medical records and later school records, and shall also entitle both parents to equal input with regard to the future educational and religious upbringing of the child, as well as to elective surgery.
2. Primary physical custody of the child shall remain with the natural mother, Rebecca F. Granda. Regular visitation and temporary custody of the child shall be granted to the plaintiff father, Gary L. Granda. Temporary physical custody for the father shall be as follows:
   a. Beginning with the month of May, 1990, the father shall have the right to take the child into his temporary physical custody on the second and fourth full weekends of each month from Friday at 7:00 p.m., prevailing time, through Sunday at 7:00 p.m., prevailing time. The father shallhave the responsibiltiy of picking up and dropping off the child at the defendant mother's residence. The m;other shallhave the duty to keep the father advised from time to time as to where she is living.
   b. The father shallhave the additional opportunity to have the child for one uniterrupted week each summer on one week's written or telephone notice to the mother of the time of the visit.
   c. The parties shall share holidays with the child beginning in 1990. Holiday visitation shall take priority over other scheduled visitation. The parties are encouraged to agree to holiday visitation; however, in the event that they cannot, during even-numbered years, beginning in 1990, the mother shallhave the child on Easter and the Fourth of July of each year, and the father shallhave the child on Memorial Day and Labor Day of each year. These days shall begin at 9:00 a.m., prevailing time, and shall end at 7:00 p.m., prevailing time. These days shall be reversed in odd-numbered years. The child shall spend Thanksgiving each year in the mother's home, and the day following Thanksgiving each year in the father's home beginning in1990. With regard to Christmas each year, the child shall be available to spend from noon, prevailing time, on Christmas Day until 9:00 p.m., prevailing time, with the father.
3. The parent having custoyd of the child at anytime shall notify the other parent as soon as possible in the event of injry or illness of the child requiring medical treatment.
4. Neither party shall take the child into nay environment which might be commonly throught of as detrimental to his development or to the development of his character or which would be commonly thought of as dangerous t his physical person.
5. The parents are encouraged to discuss arrangements for physical custody of the child; and if the parties mutually agree to n alternative arrangement to accommodate themselves and/or the child's schedule, they may adjsut th ephysical custody arrangement accordingly and are encouraged to do so by mutual consent and agreement.
6. Each of the parents will teach the child,a s will any person(s) living with either of the parents and any grandparent of the child, to have and demonstrate that love and respect due a parent from his or her child, and neither of the parents, grandparents, or live-in person(s) will do or say anything to blacken the character of the iether parent in the eyes of the child.

Each of the parents indicates concern about excessive use of alcohol while the child is in the other parent's custody and control. Each parent is directed to not become intoxicated while the child is in his or her custody and control. Failure to abide by this provision of the Order shall be sufficient reason for additional Mediation.

7. This Order shall not prejudice the right of either party to request further Mediation if there are circumstances in the lives of the parties or the child which would affect the best interest of the child or if it is believed that the best interest of the child would require further Mediation at anytime.
8. The Court of Common Pleas of Crawford County, Pennsylvania, shall retain jurisdiction of this matter so long as either parent or the child resides inthe Court's jurisdiction and for at least six months form the date of this Temporary Order.
9. The fee for the child Custody Mediator shall be paid 50% by the plaintiff father and 50% by the County of Crawford on behalf of the defendant mother.
10. This Order shall be a Temporary Order, but shall become a permanent Order unless exceptions are filed by either party within thirty days from the date of this temporary Order.

BY THE COURT:
P. Richard Thomas, J

May 9, 1990 Copy put in Anthony Vardaro' box and copies mailed to Plaintiff, Defendant and Bruce Smith

June 6, 1990 Motion For Hearing De Novo and Order filed. AND NOW, this 6th day of June, 1990, a hearing de novo is set in the above captioned matter for the 6th day of July, 1990 at 1:30 o'clock p.m. in Courtroom No. 1 or 2 Crawford County Courthouse, Meadville, Pennsylvania.

BY THE COURT,
Gordon R. Miller, J

June 12, 1990 Copies of order to Anthony Vardaro's box and copy of order mailed to Bruce Smith

June 12, 1990 Appearance of Mahany, Roeder & Rothschild by Tamera Ochs Rothschild for defendant filed.

July 6, 1990 Exhibit filed.

July 6, 1990 Motion To Continue filed.

RECORD CONTINUED ON PAGE 596.....

1990

336.

pro se

SCOTT E. ALLEN t/d/b/a
ALLEN'S SERVICE

vs.

DAVID AND LOIS DOWLER

Filed Apr. 3, 1990
@ 3:20 p.m.

Tax & entry Paid $50.25
Pro Co. Pd 5/4/90 9.00

APPEAL OF DEFENDANTS FROM JUDGMENT OF GEORGE W. HERZBERGER, III, MAGISTERIAL DISTRICT 30-3-04

Apr. 3, 1990, Rule entered upon plaintiff to file complaint issued.

Apr. 9, 1990 Proof of Service filed.

May 4, 1990 Judgment of Non Pros filed and Notice sent to Plaintiff.

May 9, 1990 Petition To Open Judgment Of Non Pros and Order filed. AND NOW, this 9 day of May 1990, upon Petition by Plaintiff, the Court grants a Rule on Defendant to show cause why the Judgment Non Pros should not be open and why the Plaintiff should not be permitted to re-file his Complaint and require Defendant to enter a defense. This Rule is returnable June 1, 1990 at 1:15 o'clock p.m. in Courtroom No. 1 or 2.

BY THE COURT,
2 copies atty P. Richard Thomas, J

May 15, 1990 Affidavit Of Service filed. I, TERRY TOOMEY, ESQUIRE, attorney for the Plaintiff in the above-captioned matter do hereby ceritfy that I have, on this date, mailed the Defendants David Dowler and Lois Dowler, his wife, a true and correct copy of the Petition to Open Judgment of Non Pros and the Rule to Open Judgment of Non Pros which Rule is returnable June 1, 1990 at 1:15 p.m. in either Courtroom 1 or 2.

I further certify that I have on this date mailed David Dowler and Lois Dowler, his wife, ture and correct copies of the Civil Complaint which was erroneously filed at A.D. No. 1990-404 in response to the Defendants' Rule to File a Complaint issued under A.D. No. 1990-336.

I have caused all of the above to be mailed to the Defendants by Certified Mail, Return Receipt Requested. I have also sent true and correct copies of the same to the Defendnats by ordinary mail.

I veriyf that the statements made in this Affidavit of Service are true and correct. I understand that false statements made herein are subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities.

Terry Toomey

June 6, 1990 Memorandum and Order filed. ORDER: AND NOW, June 5, 1990, the judgment of non pros is stricken. The Prothonotary shall take the necessary steps to make certain that the complaint filed in 190-404 is made a part of the record at 1990 -336. The defendants have twenty (20) days from the date of this order within which to file a responsive pleading to the complaint filed by the plaintiff on April 25, 1990.

BY THE COURT
Gordon R. Miller, J.

June 6, 1990 copy to T. Toomey and copy to defendants Dowler.

1990

Jorden & White
Harry Faber White II

337.

DONNA L. GEHRT

vs.

WILLIAM C. GEHRT

Filed Apr. 3, 1990
@ 3:31 p.m.

Tax & entry Paid $50.50
1 count paid 15.00

COMPLAINT UNDER SECTION 201(c) OF THE DIVORCE CODE, CUSTODY

1 copy (atty)

Apr. 6, 1990 Acceptance Of Service filed. AND NOW, this 4th day of April, 1990, comes the defendant, William C. Gehet, and swears that he accepted service of a Divorce Complaint under Section 201(c) with a custody claim therein and a NOtice to Defend and Claim Rights on the 4th day of April, 1990 in the above captioned matter, with the full force and effect of service under the Divorce Code of Pennsylvania. William C. Gehrt

Apr. 6, 1990 Agreement And Consent Court Order filed.

1. The MOther and Father shall share legal custody of the aforesaid child, William James Gehrt. That is, each shall be entitled to full access to school records, medical records and other important records and each shall be entitled to take part in decisions affecting the child, including decisions as to the child's education, safety, welfare, medical treatment and religios instruciton.

2. Neither par ty shall say anything to blacken the character of the other parent in the eyes of the child.

3. Primary physical custody of the child, William James Gehrt, shall be with Mother.

4. Defendant Father shall be entitled to visitation privileges with the aforesaid child at times, including holidays, to be mutually agreed upon between Mother and Father.

5. Father shall give Mother forty-eight (48) hours notice of his intent to seek visitation with the child.

6. Mother and Father shall exchange telephone numbers insurance information, school information, and any and all records relating to the aforesaid child, william James Gehrt.

7. During all times that FAther exercises visitation privileges pursuant to this Agreement, the Father shall spend that time wtih the child, William James Gehrt, except in exceptionedal circumstances.

8. Neither ofthe parents shall expose this child to any person or situation which would be harmful to the welfare of that child.

9. The Court of Common Pleas of Crawford County, Pennsyvlania shall retain jurisdiction of this matter and this order shall be in effect until further order of court.

WITNESS:

Harry FAver White, II
Harry FAver White, II

Donna L. Gehrt
William C. Gehrt
BY THE COURT,
P. Richard Thomas, J

Apr. 9, 1990 Copy of order put in Harry White's box.

Feb. 17, 1998 Important Notice and Court Order filed. Out court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since 4/6/90 . We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonable delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.

If you do not object to this case being dismissed, you do not have to do anything. The case will be marked "dismissed with prejudice" in our records, and will be over forever.

I If you object to the case being dismissed, you must put your objections in writing and follow Crawford County Civil Local Rule L206, LJA 1901E and LJA1901F, explaining why there has been a delay in your case and why it is not unreasonable. These written objections must be filed in the Prothonotary's Office on or before April 24, 1998. You must also give or send a copy of any objections you file to the other party or his or her attorney, and certify that you have done so when you file your objections with the Prothonotary.

YOU MAY LOSE IMPORTANT RIGHTS IF YOUR CASE IS TERMINATED. YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHER EYOU CAN GET LEGAL HELP.

Court Administrator
Second Floor-Crawford County Courthouse
Meadville, PA 16335
(814) 333-7498

By the Court,
Date: February 13, 1998 Anthony J. Vardaro, J

Feb. 13, 1998 Copies mailed by Court Administrator's Office

May 6, 1998 Order filed. AND NOW, this fourth day of May, 1998, written notice of the Court's intent to terminate the cases listed below having been given to the parties or their counsel of record, and further notice having been given to counsel and parties by publication of a "Notice of Intent to Terminate Cases" printed in the Crawford County Legal Journal on April 15, 1998, and no objection thereto haing been received by the Court from either party in the cases listed below, **all and each of the 245 cases listed below are hereby terminated and dismissed with prejudice.** A copy of this order shall be filed at each of the docket numbers listed below, but copies need not be given to or served upon the parties or their attorneys. Cases may be reinstated only in accordance with Crawford County Rule LJA 1901.

By the Court:
Gordon R. Miller, P.J.

(See original filed at A.D. 1997 - 702)

1990

Barrett & Dratler
Bruce A. Barrett

338.

Alan Pepicelli

DONALD LEE CADY

vs.

SYLVIA J. TROUP

Filed Apr. 3, 1990
@ 3:45 p.m.

Tax & entry Paid $50.50 ✓
John Fuller, Mediator 135.00
9.00 ✓
Rec'd 3/19/90

3/19/90 Rec'd $67.50 From Plaintiff
Rec'd Aug 1, 1990 $67.50 Vivian Stoltz

COMPLAINT FOR CUSTODY

1 copy (atty)
1 copy (mediator)

ORDER OF COURT:

You, Sylvia J. Troup, defendant have been sued in court to obtain custody fothe child: Brittany Jean Troup.

You are ordered to appear in person for a conference at such time and place as may be set by JOHN FULLER, CHILD CUSTODY MEDIATOR.

If you fail to appear as provided by this order , and order for custody may be entered against you or the court may issue a warrant for your arrest.

You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.

Crawford County Bar Association, Ser. tothe Pub. Comm. c/o Prothonotary, Crawford County courthouse, Meadville, Pa.

16335. 814 724-4636
Date: Mar. 30, 1990

BY THE COURT,
Gordon R. Miller, J.

May 9, 1990 Affidavit Of Service filed. BRUCE A. BARRETT, Esq., being duly sworn according to law, deposes and says that the following facts in support of his Affidavit of Service are true and correct to the best of his knowledge, information and belief.

1. That the affiant is the attorney for the Plaintiff in the above cpationed action.
2. That a true and correct copy of the complaint Under Section 201(c) of the Divorce Code was sent by registered mail to the Defendant on April 18, 1990. The sender's receipt is attached hereto.
3. The registered mail was sent to Sylvia J. Troup, 102 River Street, Cochranton, PA 16314.
4. That the Defendant received said registered mail on April 19, 1990. said receipt card number P. 966 074 375 is attached hereto and signed by Sylvia J. Troup.

Bruce A. Barrett

June 15, 1990 Temporary Order filed: AND NOW, June 12, 1990, after mediation conference before John Fuller, Esquire, IT IS HEREBY ORDERED AND DECREED AS FOLLOWS:

I. Legal custody of Brittany Jean Troup shall be shared between the mother Sylvia J. Troup, and the father, Donald Lee Cady, that is, each parent shall be entitled full access to school records, medical records and other important records and each parent shall be entitled to take part in important decisons affecting the child such as the child's education, religious instruction, medical treatment and other such important decisions.

II. Physical custody of Brittany Jean Troup shall be with her mother, Sylvia J. Troup, subject to the following conditions:

A. Beginning Friday, June 1, 1990, the father shall be entitled to take the child into his custody every other weekend from Friday at 6:30 p.m. until Sunday at 6:00 p.m. The father shall provide transportation for the child to and from the home of the mother on weekend, holiday and other visits.

B. The father shall be entitled to have the child in his custody for a continuous period beginning at 12:00 Noon on December 25, 1990 until Sunday, December 30, 1990 at 6:00 p.m..

C. In the Summer of 1991, the father shall be entitled to have the child in his custody for three (3) nonconsecutive weeks. The father shall provide the mother at least thirty (30) days notice of the three weeks that he intends to exercise the Summer visits in 1991.

D. In 1992 and each Summer thereafter, the father shall be entitled to have the child in his custody for two (2) nonconsecutive two (2) week periods, totally four (4) weeks in all. The father shall provide the mother at least thirty (30) days notice of the time in which he intends to exercise such Summer visits.

E. Holidays shall be defined as Thanksgiving, Christmas and Easter. The foregoing three holidays shall be divided with the parents then having custody of the child, having the child on that particular holiday from 9:00 a.m. until 1:00 p.m. and the other parent having the child from 1:00 p.m. until 6:00 p.m. on those three holidays.

F. Neither parent may remove the child from the Commonwealth of Pennsylvania for a period of more than two (2) weeks without the consent of the other parent or without a further court order.

G. When transporting the child, the parent shall see that the child is in a car seat belt at all times.

H. Neither parent shall use illegal drugs nor consume an excessive amount of alcohol when the child is in their custody and the father specifically shall not have consumed immediately prior to or during a trip when he is transporting the child.

I. In the event the father intends to cancel any visit, he shall provide the mother with at least forty-eight (48) hours notice of such cancellation.

J. Neither mother nor father shall say or do anything in an attempt to turn the child against the other parent, but on the other hand shall do everyting in the power of each to foster a favorable and loving attitude on the part of the child towards both parents.

K. Neither mother nor father shall expose the child to any person or situation which may be harmful to the child's health or well being.

L. Both parents agree to inform the other immediately of any illness or injury regarding the child and both parents agree to furnish the other with a current telephone number.

III. This order is a temporary order but shall become a permanent order unless exceptions thereto are filed by eithr party within thirty (30) days of thedate hereof.

IV. Costs of the Mediation conference shall be divided with the father paying one-half of the costs thereof and the remaining one-half to be paid by Crawford County.

P. Richard Thomas, Judge

June 19, 1990 Copies of order put in Attys. Pepicelli and Barrett and Fuller's Boxes and copies mailed to plaintiff.

1990

Legal Services
Gerald Sullivan

339.

KATHLEEN CRANNELL

vs.

RONALD FOULK, SR.

Filed Apr. 4, 1990
@ 10:16 a.m.

Tax & entry pd 4/6/18/90 $50.50
Pro Co pd 6/18/90 9.00

PETITION FOR PROTECTION FROM ABUSE WITH TEMPORARY ORDER

4 copies (atty)
1 copy (county control)

ORDER:
AND NOW, this 4th day of April 1990, upon presentation and consideration of the within Petition, a hearing thereon is scheduled for the 11th dayof April 1990, at 3:30 p.m. in C. R. No. 1 or 2 of the Crawford County courthouse in Meadville, Pa.

The Crawford County Sheriff Dept. is directed to serve a copy of this Petition and Order upon the defendant, In the alternative, this petition and order may be served by an competent adult or by cert. mail.

The City of Meadville Police Dept. and/or the State Police of the Commonwealth of Pa. and/or any police dept. having appropriate jurisdiction, are directed to enforce this order and to prevent the return of the defendant to the aforesaid premises by any appropriate means.

This Petition and order shall be filed and served without payment of costs; the court shall determine at the hearing if the defendant shall be required to pay the costs.

The defendant is hereby advised of his right to be represented by counsel, and he is notified that his failure to attend the hearing scheduled above may have serious legal consequences.

The defendant should take this paper to his lawyer at once. If he does not have a lawyer or cannot afford one, he should go to or telephone the office set forth below to find out where he can get legal help.

Crawford County Bar Assoc. Ser. tothe Pub. Comm. c/o Prothonotary, Crawford County Courthouse, Meadville, Pa. 16335 814 724-4636.

BY THE COURT,
Gordon R. Miller, J.

Apr. 10, 1990, Proof of Service filed. I hereby certify that a copy of the foregoing Order and Petition was served upon defendant Ronald Foulk, Sr. by certified mail on Apr. 5, 1990, return receipt requested.
Dated: Apr. 9,1990 Gerald Sullivan, Esq.

Apr. 16, 1990 Order filed. AND NOW, this 11th day of April, 1990, at the time scheduled for hearing in this matter, the parties largely agree upon a resolution of this case, and therefore, the Court enters the following Order:

1. The defendant shall not assault, abuse, harass or threaten the plaintiff or the minor child named in the petition.
2. Temporary custody of the minor child is awarded to the plaintiff, with the defendant having the right to visit the child every Saturday, starting with Saturday, April 14, 1990, between the hours of 2:00 o'clock p.m. and 4:00 o'clock p.m., which said visitation shall take place in the home where the child is residing. This shall not preclude the parties from agreeing to additional periods of visitation. In the event that the defendant cannot make a particular visitation, he shall try to call the plaintiff to let her know that so that shy may make other plans. If at the time of a shceduled visitation, the defendant is one-half hour late, the plaintiff may assume that that visitation is cancelled and she may make other plans for the balance of that itme. This is a temporary Order with respect to custody and visitation. Either party may file an appropriate petition for custody and/or visitation, and once an Order in that proceeding is entered, that Order shall supersede this Order with respect to custody and visitation.
3. This Order may be enforced without a warrant of arrest by any law enforcement Officer having reasonable ground to believe that it has been violated.
4. A copy of this Order shall be delivered to the Police Departments in the jurisdiction where the plaintiff resides and to County Control.
5. The defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six (6) months.
6. This Order shall remain in effect for one (1) year fromthis date unless modified by Order of Court.
7. Court costs inthis matter shall be split between the parties equally. The Plaintiff shall pay her share of the costs within fifteen (15) days. The defendant is given sixty (60) days to pay his share of the costs.

BU ORDER OF THE COURT,
Gordon R. Miller, J

Apr. 18, 1990 Copies mailed to Plaintiff and Defendant and copies put in Gerald Sullivan and County Control's box.

Louis P. Vitti & Assoc
Louis P. Vitti

340.

FIREMAN'S FUND MORTGAGE CORPORATION, FORMERLY KNOWN AS MANUFACTURERS HANOVER MORTGAGE CORPORATION, ASSIGNEE OF LIBERTY MORTGAGE CORPORATION

vs.

JAMES P. MAYER AND ROBERTA L. MAYER, HIS WIFE

Filed Apr. 4, 1990
@ 11:08 a.m.

Tax & entry Paid	$50.50
Sheriff's Costs	61.30
Pro Co Pd 5-17-90	9.00

COMPLAINT IN MORTGAGE FORECLOSURE

2 copies (sheriff)

May 3, 1990 Sheriff's Return filed. Before me, the undersigned authority, personally appeared Roger Gunesch, Deputy who being duly sworn according to law, deposes and says that on the 23rd day of April, 1990, at 10:40 a.m., he served Complaint in Mortgage Foreclosure, filed at No. AD 1990-340, Term, 19, Crawford County Pennsylvania, upon defnedant Roberta L. Mayer at 324 West Second Street, erie County, Erie, Pennsylvania. By making known the contents thereof to Roberta L. Mayer and handing to and leaving with her the certified copy of the Complaint in MOrtgage Forclosure received from Crawford County.
So answers, Roger Genesch, Deputy Sher.
Robert M. Michel, sheriff

Before me, the undersigned authority, personally appeared Roger Gunesch, Deputy who bieng duly sworn according to law, deposes and says that on the 23rd day of April, 1990, at 10:40 a.m., he served Complaint in Mortgage Foreclosure, filed at No. 1990-340, Term, 19, Crawford County, Pennsylvania, upon defendant James P. Mayer at 324 west Second Street, Erie County, Erie Pennsylvania By making known the contents thereof to Roberta L. Mayer, adult in charge and handing to and leaving with her the certified ocpy of the Complaint in Mortgage Foreclosure received from Crawford County.
So answers, Roger Gunesch, Deputy Sher.
Robert N. MIchel, Sheriff

SERVED James P. Mayer and Roberta L. Mayer, by deputizing the Sheriff of Erie County, PA as per his affidavits of Service attached.
Both served: April 23, 1990
S oanswers, Howard N. Stewart, Sheriff

AND NOW, May 17, 1990 @ 1:27 P.M. upon Praecipe of Plaintiff's Attorney judgment is hereby entered in favor of the Plaintiff and against the defendants for failure to file an answer and the same is liquidated in the amount of Twenty-five Thousand Six Hundred Fifty and 44/100 Dollars together with interest and costs.
M-94,144
Debt.....$25,650.44 + int. & costs
JUDGMENT
James F. Simmons
Prothonotary

May 17, 1990 Judgment entered.

May 18, 1990 Notice of Judgment mailed defendants.

EX 1990-43

Nov. 27, 1990, Petition to Reassess Damages and order filed.. 1 copy (atty) 1 copy (sheriff)
ORDER OF COURT: AND NOW, this 21st day of Nov. 1990, upon consideration, the foregoing Petition is hereby ordered, Adjudged and Decreed that the judgment amount in the above captioned case is to reassessed to $29,250.68 being the proper amount of damages to be assessed at Sheriff's Sale.
BY THE COURT,:
Gordon R. Miller, J.
(see order also at
EX 1990 - 43)

1990

Marsh, Spaeder, Baur, Spaeder & Schaaf
James E. Marsh, Jr

341.

Sidney M. Carlburg

ROBERT H. AVERILL

vs.

DAVID R. STERLING AND LANA J. STERLING, HIS WIFE

Filed Apr. 5, 1990
@ 10:48 a.m.

Tax & entry Paid $50.50
Sheriff's Costs 38.08

COMPLAINT (ASSUMPSIT)

2 copies (sheriff)

Apr. 25, 1990 Sheriff's Return filed. SERVED David R. Sterling personally on April 18, 1990 at 11:18 AM by handing copy of Complaint to him at residence, R.D.#2, Union City, Crawford County, PA.
SERVED Lana J. Sterling on April 18, 1990 at 11:19 AM by handing copy of Complaint to David r. STerling, her husband, at their residence, R.D. #2, Union City, Crawford County, PA. 16438
So answers, Robert M. Stevens, Deputy Sheriff
Howard N. STewart, Sheriff

June 4, 1990 Answer To Complaint In Assumpsit and New Matter filed.

1990

Bogaty, McEwen & Sparks PC

Raymond H. Bogaty

342.

BETTY L. KYLER

vs.

HARRY VANNELL AND
DIANE VANNELL

Filed Apr. 5, 1990
@ 11:00 a.m.

Pro Simmons Paid	$15.00
plff on orig	9.25
Sheriff's Costs	38.72
Pro Co pd 5/17/90	9.00

WRIT OF REVIVAL

of

DSB 1985 - 278

Revival of Judgment indexed in favor fo the plaintiff and against the defendant in the amount of One Thousand Three Hundred Forty Two and 89/100 Dollars with interest from Apr. 10, 1985.

Debt -------$ 1,342.89
Int.-------from 4/10/85
V - 83, 43----Revival of Judgment
James F. Simmons,
Prothonotary

Issued (sheriff)

Apr. 17, 1990 Writ Return filed. SERVED Harry Vannell personally on April 10, 1990 at 12:35 PM by handing copy of Writ of Revival to him at Sheriff's Office, Crawford County Courthouse, Meadville, PA 16335
SERVED Diane Vannell on April 10, 1990 at 12:36 PM by handing copy of Writ of Revival to her Authorized Agent, Harry Vannell, at Sheriff's Office, Crawford County Courthouse, Meadville, PA 16335. Signed Acceptance of Service Attached.
So answers, Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

And now, May 17, 1990 at 11:15 a.m. upon praecipe of plaintiff's attorney, with Notice of Intention to File Default Judgment attached, judgment is hereby entered in favor of the plaintiff and against the defendants for failure to file an answer and the damages are assessed at the sum of One Thousand Three Hundred Forty-two and 89/100 plus interest and cost of suit.

V-83-43
judgment entered 5/17/90

Debt $1,342.89
Judgment
James F. Simmons
Prothonotary

Revived to AD 1995-314

Aug. 29, 1996 This Lien satisfied.
(see paper filed)

SEE AD 1995-314

1990

Bogaty, McEwen &
Sparks PC

Raymond H. Bogaty

343.

BETTY L. KYLER

vs.

HARRY VANNELL AND
DIANE VANNELL

Filed Apr. 5, 1990
@ 11:00 a.m.

Pro Simmons paid	$15.00
plff on orig	9.25
Sheriff's Costs	38.72
Pro Co pd 5/17/90	9.00

WRIT OF REVIVAL

of
AD 1985 - 513

Revival of Judgment indexed in favor of the plaintiff and against the defendants in the amount of One Thousand Three Hundred Thirty Two and 40/100 Dollars with int. from July 24, 1985.

Debt ------$1,332.40
Int. from---July 24, 1985
V - 83, 43-----JUDGMENT of Revival

James F. Simmons,
Prothonotary

Issued (sheriff)

Apr. 17, 1990 Wtir Return filed. served Harry Vannell personally on April 10, 1990 at 12:37 PM by handing copy of Writ of Revival to himat Sheriff's Office, Crawford County Courthouse, Meadville, PA 16335.
SERVED Diane Vannell on April 10, 1990 at 12:38 PM by handing copy of Writ of Revival to her Authorized Agent, Harry Vannell, at Sheriff's Office, Crawford County Courthosue, Meadville, PA 16335. Signed Acceptance of Service attached.
So answers,

Robert M. Stevens, Deputy
Howard N. Stewart, Sheriff

And Now, May 17, 1990 at 11:15 a.m. upon praecipe of plaintiff's attorney, with Notice of Intention to File Default Judgment attached, judgment is hereby entered in favor of the plaintiff and against the defnedant for failure to file an answer and the damages are assessed at the sum of One Thousand Three Hundred Thirty-two and 40/100 plus interest and cost of suit.

V-83-43
judgment entered 5/17/90

Debt $ 1,332.40
Judgment
James F. Simmons,
Prothonotary

Revived to AD 1995-315

1990

C. Barton Jones

344.

R. Charles Thomas

MARY ANN MALLEY

vs.

PATRICK M. MALLEY

Filed Apr. 5, 1990
@ 1:31 p.m.

Tax & entry paid	$50.50
4 counts paid	60.00
Pro Co Pd 4/5/90	9.00
State Pd. 4/5/90	10.00

William Jorden, Master

5/15/91 Received $300.00 master fees from dft.
5/16/91 Paid $300.00 To Morse, Gantverg + Hodge Inc. Ck# 6230 Steno Fee
6/18/91 Recd $344.00 From Defendant
6/18/91 Paid $144.00 To Morse, Gantverg + Hodge Inc. Ck# 6278 Steno Fee

COMPLAINT UNDER SECTION 201(c) OF THE DIVORCE CODE, PARTIAL CUSTODY, EQUITABLE DISTRIBUTION, AWARD OF ALIMONY PENDENTE LITE, COUNSEL FEES, EXPENSES, ALIMONY

July 23, 1990 Inventory and Appraisement of Mary Ann Malley filed.

Aug. 17, 1990 Petition by Indigent Party Under Pa. R.C.P. 1920.62 filed.

Aug. 17, 1990 Income and Expense Statement of Mary Ann Malley filed.

Sept. 24, 1990 Order filed. AND NOW, this 21 day of September, 1990, a petition due to indigency having been filed by the Plaintiff in the above-captioned case, it is hereby ORDERED that the Pl-aintiff by leave of this Court may proceed before the Master in the case without necessity of posting costs or bond, an dit hsall be the determination of the Master upon his resolution of the parties' differences whether any costs are appropriate to levy against Plaintiff at that time in view of the Master's disposition in the case.

dated 9/21/90 By Order of:
P. richard Thomas
R. C. Thomas Jr &
W. Jorden.

Sept. 25, 1990 Copy of order mailed to C. Barton Jones.

Sept. 24, 1990 Motion For Appointment of Master In Divorce and Order filed. AND NOW, 9/21/90, 90 , William Jorden, Esquire is appointed Master in respect to the following claims:
Deposit required: By Plaintiff $ 0; By Defendant, $300.0

PER CURIAM,
P. Richard Thomas, J

Sept. 25, 1990 Copies of order to C. Barton Jones, R. Charles Thomas and William Jorden

Nov. 20, 1990, Notice of Master's Hearing filed.

Dec. 17, 1990, Defendant's Income and Expense Statement filed.

Dec. 17, 1990, Inventory and Appraisement of Patrick M. Malley filed.

Jan. 24, 1991, Transcript of Proceedings of Monday Dec.,17, 1990 filed.

Jan. 24, 1991, Supporting References to Testimony Evidence - References to Findings of Fact, Transcript and other evidence filed.

Jan. 24, 1991, Plaintiff's Proposed findings of Fact filed.

Jan. 25, 1991 Motion For Additional Fees filed.

Jan. 25, 1991 Order filed. AND NOW, this 25th day of January, 1991, a further Petition for Defendant's further deposit for the amount of the invoice for the transcript of the Master's Hearing of December 17, 1990, the account being insufficient to pay said invoice, and it being the case that Defendant has failed to deposit with the Court the $300.00, ordered on September 21, 1990, the Defendant, Patrick M. Malley, is her eby ordered to immediately deposit $644.00 in the case with the Prothonotary of the crawford County Court, upon which payment the Prothonotary shall pay the transcript invoice from said funds.

Gordon R. Miller, J

Jan. 28, 1991 Copies of order put in R. Charles Thomas and William Jorden's box and copy mailed to C. Barton Jones

May 13, 1991 Petition To Hold Defendant In Contempt of Court For Failure To Comply With Court Orders filed.

May 13, 1991 Order filed. AND NOW, upon receipt and review of the plaintiff's petition to hold the defendant in contempt of court for failure to comply with a Court Order, it came to the attention of the Court that the defendant has paid the $300 he was ordered to pay.
Accordingly, the plaintiff's petition to hold the defendant in contempt is denied.

BY THE COURT,
Gordon R. Miller, J

May 17, 1991 1 copy each atty.

May 29, 1991 Affidavit of Consent of defendant filed.

May 29, 1991 Notice of Filing Master's Report filed.

May 29, 1991, Master's Report filed.

May 30, 1991, Motion for Reconsideration filed.

May 30, 1991, ORDER filed. AND NOW, May 28, 1991 a Rule to show cause is hereby entered and directed to the defendant to show cause, if any he has, why he should not be held in contempt of court for failure to pay $344.00 tothe Prothonotary pursuant to an order of Jan. 25, 1991.
Said rule is returnable for hearing and/or argument on the 27th dayof June 1991 at 2:00 p.m. in C. R. No. 2 of the Crawford CountyCourthouse.

BY THE COURT,
Gordon R. Miller, p.J.

May 30, 1991 copy put in box for Atty. Thomas; copy mailed to Atty. Jones.

June 6, 1991 Plaintiffs Exception to Master's Report filed.

June 3, 1991 Affidavit of Consent of Plaintiff filed.

June 27, 1991 Order filed: AND NOW, June 25, 1991, argument on the plaintiff's exception to the Master's Report shall be held on the 30th day of July, 1991 at 11:00 o'clock a.m., in Courtroom No. 2 of the Crawford County Courthouse. This will merely be an argument. No evidence or testimony shall be heard. The procedure for resolving this matter is set forth in Pa. R.C.P. 1920-55.

BY THE COURT,
Gordon R. Miller, P.J.

JUNE 27
~~July 1,~~ 1991 Copies of order put in Attys. Thomas and Jorden's boxes and copy mailed to Atty Jones.

RECORD CONTINUED ON PAGE 581.....

1990

Ferguson & Spataro
Douglas Ferguson

345.

William Gregg

RONALD F. STANFORD

vs.

CAROL STANFORD

Filed Apr. 5, 1990
@ 3:43 p.m.

Tax & entry Paid $50.50✓
1 count paid 15.00✓

COMPLAINT UNDER SECTION 201(d) OF DIVORCE CODE, AND EQUITABLE DISTRIBUTION

1 copy (atty)

April 5, 1990, Plaintiff's Affidavit Under section 201(d) of the Divorce Code filed.

Apr. 16, 1990, Appearance of William Gregg, attorney for defendant filed.

Apr. 16, 1990, Acceptanc eof Service filed. I, William Gregg, Esq. atty. for the defendant in the above matter, hereby accept service ofthe Amended Complaint in Divorce filed April 5, 1990, and certified by the Prothonotary of Crawford County on behalf of may client, Carol Stanford.
4/16/90 William Gregg, Esq.

Feb. 17, 1998 Important Notice and Court Order filed. Our court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since 4/16/90 . We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonably delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.

If you do not object this this case being dismissed, you do not have to do anything. The case will be marked "dismissed with prejudice" in our records, and will be over forever.

If you object to the case being dismissed, you must put your object in writing and follow Crawford County Civil Local Rule L206, LJA 1901E and LJA 1901F, explaining why there has been a delay in your case and why it is not unreasonable. These written objections must be filed in the Prothonotary's Office on or before April 24, 1998. You must also give or sent a copy of any objections you file to the other party or his or her attorney, and certify that you have done so when you file your objections with the Prothonotary.

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

Court Administrator
Second Floor-Crawford County Courthouse
Meadville, PA 16335
(814) 333-7498

By the Court,
Date: February 13, 1998 Anthony J. Vardaro, J
Feb. 17, 1998 copies mailed by Court Administrator's Office

May 6, 1998 Order filed. AND NOW, this fourth day of May, 1998, written notice of the Court's intent to terminate the cases listed below having been given to the parties or their counsel of record, and further notice having been given to counsel and parties by publication of a "Notice of Intent to Terminate Cases" printed in the Crawford County Legal Journal on April 15, 1998, and no objection thereto haing been received by the Court from either party in the cases listed below, **all and each of the 245 cases listed below are hereby terminated and dismissed with prejudice.** A copy of this order shall be filed at each of the docket numbers listed below, but copies need not be given to or served upon the parties or their attorneys. Cases may be reinstated only in accordance with Crawford County Rule LJA 1901.

By the Court:
Gordon R. Miller, P.J.

(See original filed at A.D. 1997 - 702)

Watts, Pepicelli, Youngs and Youngs PC
Alan L. Pepicelli

346.

Culbertson, Weiss, Schetroma and Schug
By: John B. Brautigam

Elderkin, Martin, Kelly & Messina
Kenneth G. Vasil
Richard Owens

Thomas, Truax, Spadagore, Vardaro & Walker
R. Charles Thomas for
Arthur J. Nies and
A. J. Construction

RANDY S. ZELEN AND MARIXIE O. ZELEN, a/k/a AUXILIADORA O. ZELEN, HIS WIFE

vs.

TODD SWARTWOOD AND DIANA SWARTWOOD, HIS WIFE, INDIVIDUALLY, AND t/a/d/b/a SWARTWOOD GENERAL CONTRACTING

vs.

Richard Owens, t/a/d/b/a Owens Drywall, and Arthur J. Nies, t/a/d/b/a A. J. Nies construction

Filed Apr. 5, 1990
@ 4:22 p.m.

Tax & entry Paid	$50.50
Sheriff's Costs	51.60
Pro.Co. pd 6/30/93	6.00
Satisfaction PD 7/1/96	6.00
Certificates pd 9-4-96	2.00

COMPLAINT IN CIVIL ACTION

3 copies (sheriff)

April 17, 1990 Sheriff's Return filed: SERVED Todd Swartwood on April 11, 1990 at 11:16 A.M. by serving Earl Kagey adult in charge of the business at Star Route, Meadville, Crawford Co., Pa.
SERVED Diana Swartwood on April 11, 1990 at 11:17 A.M. by serving Earl Kagey, adult in charge of the business, at Star Route, Meadville, Crawford County, Pa.
So answers, Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

Apr. 27, 1990 Appearance of Culbertson, Weiss, Schetroma and Schug, By: John B. Brautigam, Esq. for defendants filed.

May 25, 1990, Answer and New Matter of Todd Swartwood and Diana Swartwood to Plaintiffs' Complaint filed. 3 copies (atty)

June 11, 1990 Complaint of Original Defendant, Todd Swartwood, t/a/d/b/a Swartwood General Contracting, Against Additional Defendants, Richard Owens, t/a/d/b/a Owens Drywall, and Arthur J. Nies, t/a/d/b/a A.J. Nies Construction, Additional Defendants filed.

June 26, 1990 Sheriff's Complaint filed. Before me, the undersigned authority, personally appeared Eric A. garrett, Deputy Sheriff who bieng duly sworn according to law, deposes and says that on the 18th day of June, 1990, at 3:20 P.M., he served Complaint of Original Defendant, filed at No. 346 A.D. Term, 1990 Crawford County Pennsylvania, upon defendant Richard Owens, t/a/d/b/a Owens Drywall at his place of residence, 111 Osborn Road, Greenville, Pennsylvania 16125 By making known the contents thereof to Richard Owens personally and handing to and leaving with him the certified copy of the complaint received from Sheriff of Crawford County.
So answers, Eric A. Garrett, Deputy Sheriff
William H. Romine, Jr. Sheriff
SERVED Arthur J. Nies personally on June 13, 1990 at 12:44 PM at Sheriff's OFfice, Crawford County Courthouse, Meadville, PA.
SERVED Richard Owens by deputizing Sheriff of Mercer County, PA as per Affidavit of Service Attached. Served: June 18, 1990.
So answers, Carole Sefanucci, Deputy Sheriff
Howard N. STewart, Sheriff

June 29, 1990 Notice of Service of Interrogatories (First Set) and Request for Production of Documents filed.

July 5, 1990 Appearance of Elderkin, Martin, Kelly & Messina by Kenneth G. Vasil for Richard Owens filed.

July 11, 1990 Certificate Of Service of Defendants' Answers To Plaintiffs' Interrogatories and Request for Production of Documents filed.

July 25, 1990, Notice of Service of Interrogatories to Plaintiffs (First Set) filed.

July 25, 1990, notice of Service of Interrogatories to Defendants (First Set) filed.

Sept. 5, 1990 Appearance of Thomas, Truax, Spadafore, Vardaro & Walker by R. Charles Thomas for Arthur J. Nies filed.

Sept 13, 1990 Answer and New Matter of Owens to Complaint Against Additional Defendants filed.

Sept. 26, 1990, Reply of Original Defendant, Todd Swartwood, to New Matter of Additional Defendant, Richard Owens, t/a/d/b/a Owens Drywall, filed.

Oct. 3, 1990, Answer of Additional Defendant Arthur J. Nies t/a/d/b/a A. J. Construction, filed. 3 copies (atty)

Oct. 25, 1990 Reply of Original Defendant, Todd Swartwood to New Matter of Additional Defendant, Arthur J. NIes t/d/b/a A.J. Nies Construction filed.

Oct. 31, 1990 Owen's Reply To New Matter Of Nies Construction filed.

June 24, 1992 Certificate Of Service of Answers To Interrogatories and Request for Production of Documents filed.

June 28, 1993 Certificate of Service of Answers, filed.

Jun. 30, 1993 Stipulation of Counsel and Upon Praecipe of Kenneth G. Vasil, Esquire, the above captioned action as to Additional Defendant Richard Owens, t/a/d/b/a Owens Drywall Only is marked discontinued of record.

Mar. 7, 1994 Stipulation, filed.

May 13, 1994 Notice of Service ofAnswers to Interrogatories and Requests for Production of Documents, filed.

May 13, 1994 Notice of Service of Answers to Interrogatories and Requests for Production of Documents of A.J. Niews, filed.

Oct. 4, 1994, Notice of dft. A. J. Nies Construction, add'l dft, of intent to complaint discovery filed.

June 28, 1996 Praecipe to Settle and Discontinue filed. Upon Praecipe of Plaintiff Attorney the above captioned matter settled and filed.

1990

Phillips & Galanter
Cary W. Valyo

347.

SARA J. WILCOX

vs.

TAMARA D. STEVENSON

Filed Apr. 6, 1990
@ 10:52 a.m.

Tax & entry Paid	$50.50
Sheriffs costs	17.00
Sheriff's Costs	26.40
Pro. Co. Pd 7/27/90	9.00
Plaintiff's costs	40.00
Pro Co Pd 11/6/90	2.00
Pro Co pd.5/21/96	6.00

COMPLAINT IN CIVIL ACTION

1 copy (sheriff)

Apr. 11, 1990, Sheriffs Return filed. Not found as to Tamara D. Stevenson, Moved to 1250 Prace Avenue, warren, Ohio. 44485.
So answers. Howard N. Stewart, Sheriff

Apr. 16, 1990, Complaint Reinstated

May 16, 1990. Sheriff's Return filed: Tamara D. Stevenson was not served as of May 8, 1990.
A Certified letter was mailed to Tamara D. Stevenson at her last known address, 2150 Peace Ave., Warren, Ohio 44483-3256 which was returned "Unclaimed".
Return letter attached to return.
Son answers, Howard N. Stewart, Sheriff

June 18, 1990, Complaint Reinstated.

July 10, 1990 Affidavit of Mailing filed. Before me, the undersigned authority, personally appeared, Cary W. Valyo, who being duly sworn according to law, deposes and says that he is attorney for the plaintiff above and that service of the Reinstated Complaint was made by mailing a true and correct copy to the defendnat, Tamara D. Stevenson, at the address of 2150 Peace Ave., Warren, OH 44483-3256 on April 16, 1990 from the Crawford County Sheriff's Office, by Certified Mail, which letter was returned to Sheriff's Office, "unclaimed", a copy of return is attached hereto as Exhibit "A". Said Complaint was resent on June 20, 1990, by first class mail for which a Certificate of Mailing is attached hereto as Exhibit "B". Fifteen days have elapsed since the date of said first class mailing and said Complaint has not been returned.

Phillips And Galanter, P.C.
Cary W. Valyo, Atty.

July 27, 1990, 2:49 p.m., AND NOW upon Praecipe of Plaintiff Attorney, with copy of Notice of Intention to file default judgment, Verification of Non-Military Service, Plaintiff's Bill of Costs, and Affidavit of last known address attached, judgment is hereby entered in favor of Plaintiff and against Defendant for default of appearance or pleading sec. reg. 1047 P.L.C.P. in the amount of Two Thousand seven hundred ninety two and 79/100 Dollars.

S-165
Judgment entered 7/27/90

Debt $ 2,792.79
Judgment
James F. Simmons, Pro.

May 15, 1996 Upon Praecipe of plaintiff attorney the above-captioned judgment marked satisfied.

1990

Ely & Smith
Edwin W. Smith

348.

Joan L. Turner
Community Chevrolet,Inc

MONSANTO EMPLOYEES
CREDIT UNION

vs.

JAMES L. LaBARR
AND COMMUNITY CHEVROLET, INC.

Filed Apr. 6, 1990
@ 11:00 a.m.

Tax & entry Paid $50.50
Pro co Pd 5/22/90 9.00

Sheriff's Costs 35.00

COMPLAINT

2 copies (sheriff)

******April 17, 1990 Affidavit of Service filed (See*****below)

May 4, 1990, Default notice filed.

May 8, 1990 Default notice filed.

May 14, 1990 Answer Of Defendant, Community Chevrolet, Inc. and New Matter filed.

*******April 17, 1990 Sheriff's Return filed:SERVED Community Chevrolet on April 9, 1990 at 10:45 a.m. by handing copy of Complaint to Marian Blair, General Manager and person in charge at place of business, 1300 Conneaut Lake Road, Meadville, Crawford County, Pa 16335

SERVED James L. LaBarr on April 11, 1990 at 11:07 a.m. by handing copy of Complaint to Art Sheckler, adult person in charge of residence, R.D.#2, Box 622, Meadville, Crawford Co., Pa 16335.

So answers, Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

And Now, May 21, 1990, Upon praecipe of plainitff attorney, Judgment is hereby entered against the defendant James L. LaBarr only, for failure to answer, in the amount of Twenty Thousand Ninety and 10/100 Dollars, together with int. and costs of suit.
Judgment entered 5/21/90
L - 94 Debt -----$20,090.10
JUDGMENT
James F. Simmons,
Prothonotary

May 22, 1990,Notice of entry of judgment mailed to defendant James L. LaBarr.

June 11, 1990 Motion For Summary Judgment filed.

June 11, 1990 Affidavit Of William F. Stark, Jr. filed.

June 11, 1990 Upon praecipe of Plaintiff Attorney the above matter is placed on the next available argument list.

1990 JULY AGRUMENT LIST

July 25, 1990, Response to Motion for Summary Judgment (by dft. Community Chevrolet, Inc.) filed.

Sept. 5, 1990 Motion To Discontinue and Order filed. AND NOW, to-wit this 5 day of Sept., 1990, it is her eby ORDERED ADJUDGED and DECREED that the plaintiff Monsanto Employees Credit Union, suit against Community Chevrolet, Inc. only shall her eby be discontinued and the Prothonotary shall be directed to mark the docket accordingly. P. Richard Thomas, S.J.

Sept. 10, 1990 Copies of order mailed to Edwin Smith and Joan Turner

Sept 11, 1990, Notice of Deposition of James L. LaBarr filed.

Joseph F. Kulwicki

349.

CHARLES C. DeROSS

Vs.

BRENDA S. DeROSS

Filed Apr. 6, 1990
@ 2:36 p.m.

Tax & entry Paid	$50.50
Pro Co. Pd 7-10-90	9.00
State Surcharge Pd.	10.00
Pro.Co.pd 11/13/95	5.00

COMPLAINT UNDER SECTION 201(c) OF THE DIVORCE CODE

1 copy (atty)

Apr. 17, 1990 Certificate Of Service filed. Laura VanGorder, being duly sworn according to law, deposes and says that she is employed by Joseph F. Kulwicki, Esq., attorney forthe plaintiff, and as such on or about April 6, 1990, she placed a certified copy of the above Divorce Complaint in the U.S. mail, addressed to the defendant, as follows:

Brenda S. DeRoss
c/o David Walker, Sr.
R.D. 1
Atlantic, PA 16111

Said Divorce Complaint was mailed certified mail, restricted delivery, being certified mail item number P 262 246 367. The signature card for said certified mail item was returned to the officer of Joseph F. Kulwicki, Esq., bearing the signature of the defndnat as having received same on April 7, 1990. Said signature card is attached hereto and made a part hereof.

FURTHER DEPONENT SAIETH NOT. Laura VanGorder

July 10, 1990 Affidavit of Consent of Plaintiff filed.

July 10, 1990 Affidavit of Consent of Defendant filed.

July 10, 1990 Upon Praecipe of Plaintiff Attorney For Review Under Section 201(C) of Divorce code, this case is moved to Court.

July 18, 1990 **D I V O R C E D E C R E E F I L E D .**

And Now, July 18, 1990, it is ordered and decreed that Charles DeRoss, plaintiff, and Brenda DeRoss, defendant, are divorced from the bonds of matirmony.

BY THE COURT,
P. Richard Thomas, J

Nov.13, 1995 Notice of Election to Retake Maiden Name of Brenda DeRoss to be known as BRENDA WALKER, FILED.

1990

Ferguson & Spataro
Douglas W. Ferguson

350.

6/8/90 $90.00 pd by plffs.
Recd Aug 1, 1990
$90.00
Vivian Stoltz

GLENN F. LINN AND MARION M. LINN, HIS WIFE

vs.

ROBERT F. LINN AND CECILIA V. LINN, HIS WIFE

IN RE:
CUSTODY OF ANDREW LINN, MATTHEW LINN AND JEREMY LINN

Filed Apr. 9, 1990
@ 9:13 a.m.

Tax & entry Paid $50.50 ✓
John Fuller, mediator
Mediation Cost 180.00
Pro Co Pd 6/8/90 9.00 ✓

PETITION FOR GRANDPARENTS VISITATION AND PARTIAL CUSTODY WITH GRANDCHILDREN

1 copy (atty)
1 copy (mediator)

ORDER:
AND NOW, upon presentation of the within Motion it is hereby ordered and decreed that JOHN FULLER is appointed child custody mediator in this matter. Servcie of this petition shall be made upon the defendant Robert F. Linn, through his attorney, James Irwin, Esq. and upon the defendant Cecilia V. Linn, by forwarding to her by cert. mail a copy of this petition and order to her last known address, c/o Richard Valesky, R. d. #1, Atlantic, Pa. 16111.

BY THE COURT,
P. Richard Thomas, J.

Apr. 25, 1990 Affidavit Of Service filed. I, the undersigned, being duly sworn according to law, depose and say that I served a ture and correct copy of the Petition for Grandparents Visitation and Partial Custody with Grandchildren filed by the Plaintiffs and certified by the Prothonotary of crawford County, Pennsylvania, on the defendant, Cecilia V. LInn, by ceritifed mail, addressee only, return receipt requested, dated April 11, 1990. the defendant acknowledged service on April 12, 1990 by accepting delivery on that date as evidenced by the attached signed return receipt.

Douglas W. Ferguson

May 22, 1990 Order filed. and now, May 22, 1990, after mediation conference before JOhn Fuller, Esquire, IT IS HEREBY ORDERED AND DECREED AS FOLLOWS:

I. Legal custody of Andrew Linn, Matthew LInn and Jeremy LInn, shall be shared between the mother, Cecilia V. Linn, and the father, Robert F. Linn, that is, each parent shall be entitled to full access of school records, medical records and other important records and that each parent shall be entitled to take part fully in decisi ons the children's education, religious instruction, medical treatment and other such important decisions.

II. Physical custody of Andrew Linn, Matthew Linne and Jeremy Linn shall be with the mother, Cecilia V. Linn, subject to the following conditions:

A. Such physical custody is subject to the father's visitation rights and partial custody as set forth in the an agreement incorporated into a divorce decree terminating the mother and father's marriage:

B. The grandparents, Glenn F. Linn and Marion M. Linn, shall be entitled to visit the children in the home of the grandparents the second and fourth Sundays of each month, beginning May 27, 1990 from 10:00 a.m. Sunday Morning until 6:00 p.m. Sunday evening. The father of the children shall transport the children to and from the home of the grandparents on such visits and may stay at the home of the grandparents on such visits and may stay at the home of the grandparents and supervise the visits, if he elects to do so.

C. This order is entered without prejudice to the right of any of the parties to request a further mediation conference or hearing at any time after August 1, 1990, to determine what the partial custody or visitation rights of the grandparents should be after September 1, 1990.

D. Neither the grandparents nor the parents shall speak ill of each other in the presence of the children but shall do everything in the power of each of them to foster a favorable and loving attitude on the part of the children towards both parents and the grandparents.

III. Cost of the mediation conference shall be divided with the grandparents paying one-half thereof and the remaining one-half shall be paid by Crawford County.

P. Richard Thomas, J

May 24, 1990 Copies of the order amiled to James Douglas, Ruthanne Beighley and the plaintiff and a copy of order put in Douglas Ferguson and John Fuller's box

July 3, 1990 Stipulation of Parties and Order Entered on Stipulaiton of Parties filed. AND NOW, this 2 day of July, 1990, this Court having reviewed the within Stipulation of parties, executed by all parties to the above-captioned matter, IT IS HEREBY ORDERED AND DECREED that the Stipulation of the parties is incorporated in this Order as though fully set forth at length Hence, said Stipulation replaces and supersedes the Order of this Court of May 22, 1990.

BY THE COURT,
P. Richard Thomas, P.J.

July 6, 1990 Copy of order put in Douglas Ferguson's box and copy mailed to Ruthanne Beighley

1990

Mahany, Roeder &
Rothschild
Tamera Rothschild

351.

6/18/90 Rec'd. $56 = From Plaintiff
Rec'd July 3, 1990
$56.00
Vivian Stoltz

PETER R. HACKETT

vs.

DENISE L. HACKETT

Filed Apr. 9, 1990
@ 9:23 a.m.

Tax & entry paid $50.50 ✓
Bruce Smith, mediator 112.00
9.00
Pro Se 6/18/90

CUSTODY COMPLAINT

1 copy (atty)
1 copy (mediator)

ORDER:
You, Denise L. Hackett defendant have been sued in court to obtain custody, partial custody, or visitation of the child Kayla Marie Hackett.

BRICE SMITH, ESQ. is hereby appointed as the Custody Mediator in this matter. You will be ordered to appear at a place and time specified by the Mediator for a conference.

If you fail to appear as provided by this order, or to bring the child, an order of custody, partial custody or visitation may be entered against you.

You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.

Crawford CountyBar Assoc. Ser. tothe PUb. Committee.
c/o Prothonotary Courthouse, Meadville, Pa. 16335,
Tele: 814 7244636. BY THE COURT,
Date: 4/9/90 P. Richard Thomas, Judge

Apr. 12, 1990, Certificate of Service of Custody Complaint and Order filed: On Apr. 11, 1990, I mailed a cert. copy of Custody Compalint and order in the above matter by Cert. Mail No. P 899 145 450 Ret. Rec. Req. REstricted Del., postage pre-paid to the dft. at R. D. #2, Box 320A, Brimstone Rd. Centerville, Pa. 16404. The receipt for cert. mail is attached hereto and marked Exhibit "A". Tamera ochs Rothschild, Esq.

Apr. 16, 1990, Affidavit of Return of service by Mail filed.

May 23, 1990 Temporary Order of Court filed: AND NOW, this 22 day of May, 1990, after Mediation and upon recommendation of the Child Custofy Mediator, it is hereby ordered and decreed that:

1. The natural parents of Kayla Marie Hackett, age two, born March 17, 1988, the parties to this action, shall share legal custody of the minor child. Said joint legal custody being shared shall entitle both of the parents to equal access to any records relating to the child held by a third party, includiang, but not limited to, medical records and later school records, and shall also entitled both parents to equal input with regard to the future educational and religious upbringing of the child, as well as elective surgery.

2. Primary physical custody of the child shall remain with the natural mother, Denise L. Hackett. Regular visitation and temporary custody of the child shall be granted to the plaintiff father, Peter R. Hackett. Temporary physical custody for the father shall be as follows:

a. On the second and fourth full weekends of each month, beginning in May, 1990, the father shall have the right to take the child into his temporary physical custody from Saturday at 10:00 a.m., prevailing time, through Monday at 5:00 p.m., prevailing time.

b. On Thursday of each week, the father shall have the right to take the child into his temporary custody from 10:00 a.m., prevailing time, through 7:00 p.m., prevailing time.

c. During the summer months of June, July and August, the father shall have the right to take the child into his exclusive temporary custody for two non-consecutive one-week visits. He shall inform the mother of the times of those visits at least fifteen days in advance of the visit. The hours for these weeks shall commence at 7:00 p.m., prevailing time, on Sunday, and shall end at 7:00 p.m., prevailing time, on Saturday.

d. Holiday visitation shall take priority over other scheduled visitation. The parties are encouraged to agree to holiday visitation; however, in the event that they cannot, major holidays will be defined as Easter, Memorial Day, Independence Day, Thanksgiving, Christmas and New Year's Day each year.

e. The parties shall share custody of the child on Thanksgiving and Christmas each year. The mother shall have custody of the child from 9:00 a.m., prevailing time, through 3:00 p.m., on Thanksgiving and Christmas, and the father shall have custody of the child from 3:00 p.m., prevailing time, through 9:00 p.m., prevailing time.

f. All other holiday visitation shall begin at 6:00 p.m., prevailing time, the day preceding the holiday and end at 9:00 p.m., prevailing time, on the holiday. Beginning in 1990, the mother shall have the child on Easter and Independence Day, and the father shall have the child on Memorial Day and New Year's Day. Beginning in 1991, these holidays shall be reversed between the parents.

g. The mother shall have the child on Mother's Day and the father shall have the child on Father's Day during the same time periods as indicated in the paragraph above.

h. The father shall pick-up the child from and return the child to the mother's residence. Anytime the father is one hour or more late for a scheduled transfer of custody, the transfer and partial custody shall be waived unless prior satisfactory arrangements by telephone or otherwise have been made.

3. The parent having custody of the child at anytime shall notify the other parent as soon as possible in the event of injury or illness of the child requiring medical treatment.

4. Neither parent shall take the child into any envirnment which might be commonly thought of as detrimental to her development or to the development of her character or which would be commonly thought of as dangerous to her physical person.

5. The parents are encouraged to discuss arrangements for physical custody of the child; and, if the parties mutually agree to an alternative arrangement to accommodate themselves and/or the child's schedule, they may adjust the physical custody arrangement accordingly and are encouraged to do so by mutual consent and agreement.

6. Each of the parents will teach the child, as will any grandparent or other person coming into contact with the child, to have and demonstrate that love and respect due a parent from his or her child, and neither of the parents will do or say anything to blacken the character of the either parent in the eyes of the child, nor will the parents permit anyone else to do so in their presence.

7. This Order shall not prejudice the right of either party to request further Mediation if there are circumstances in the lives of the parties or the child which affect the best interest of the child or if it is believed that the best interest of the child would require further mediation at anytime.

8. The Court of Common Pleas of Crawford County, Pennsylvania, shall retain jurisdiction of this matter so long as either parent or the child resides in the Court's jurisdiction and for at least six months from the date of this Temporary Order.

9. The fee for the Child Custody Mediator shall be paid 50% by the plaintiff father and 50% by the County of Crawford on behalf of the defendant mother.

10. This Order shall be a Temporary Order, but shall become a permanent Order unless exceptions are filed by either party within thirtydays from the date of this Temporary Order.

BY THE COURT,
P. Richard Thomas, PJ

May 25, 1990 Copies of order mailed to Attys. Ochs-Rothchild, Felton, Smith and Plaintiff & Defendant.

SEE COMPUTER AS OF June 14, 2005.

1990

Mahany, Roeder &
Rothschild
Tamara Ochs Rothschild

352.

ROBERT J. MANROSS

vs.

TAMMY I. MARTIN

Filed Apr. 9, 1990
@ 9:23 a.m.

Tax & entry paid $50.50
BRUCE SMITH MEDIATOR 98.10
Pro to Pd 6/29/90 9.00

6/29/90 Recd #45.04
From Plaintiff
Recd 7-3-90
$45.05
Vivian Stoltz

CUSTODY COMPLAINT

1 copy (atty)
1 copy (mediator)

ORDER:

You, Tammy I. Martin, dft. have been sued in court to obtain custody, partial custody, or visitation ofthe child, Jennifer Nichole Manross.

BRUCE SMITH ESQ. is hereby appointed as the Custody Mediator in this matter. You will be ordered to appear at a place and time specified by the mediator for a conference.

If you failto appear as provided by this order or to bring the child, an order for custody, partial custody or visitation may be entered against you.

You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.

Crawford County Bar Association, SEr. tothe Public Committee. c/o prothonotary, Crawford county Courthouse, Meadville, Pa. 16335 814 724-4636

Apr. 9, 1990

BY THE COURT,
P. Richard Thomas, J.

Apr. 12, 1990, Certificate of Service of Custody Complaint and order filed. Aon April 11, 1990, I amiled a cert. copy of a Custody Complaint and order inthe above matter by cert. mail No. P 899 145 449 Ret. Rec. Req. Restricted Delivery, postage prepaid, to the dft. Tammy I Martin, 526 West Walnut St. Titusville Pa. 16354. The receipt for cert. mail is attached hereto and marked "Exhibit A".

Tamera Ochs Rothsc hild, Esq.

Apr. 19, 1990 Affidavit Of Return Of Service By Mail filed. On April 11, 1990, I mailed a true copy of the Custody Complaint and Orde rin the above captioned matter by Certified Mail No. P 899 145 449 Restricted Delivery to the defendant, Tammy I. Martin. Defendant signed a return receipt upon delivery April 16, 1990. The receipt attached hereto and marked as "Exhibit A" was returned by the post office on April 16, 1990.

I make these statements pursuant to 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities and understand that false statements may subject me to criminal penalties under that statute.

Tamera Ochs Rothschild.

June 4, 1990 Temporary Order of Court filed: AND NOW, this 4th day of Juane, 1990, after Mediation and upon recommendation of the Child Custody Mediator, it is hereby ordered and decreed that:

1. The natural parents of Jennifer Nichole Manross, age eight, born April 9, 1982, the parties to this action, shall share legal custody of the minor child. Said joint legal custody being shared shall entitle both of the parents to equal access to any records relating to the child held by a third party, including, but not limited to, school and medical records and shall also entitle both parents to equal input with regard to educational and religious upbringing of the child, as well elective surgery.

2. Primary physical custody of the child shall remain with the natural mother, Tammy I. Martin, and her husband, David Martin. Regular visitation and temporary custody of the child shall be granted to the plaintiff father, Robert J. Manross and his wife, Denise Manross. Because the plaintiff father lives in the state of Florida, his periods of temporary physical custody will be of longer duration and less frequent than normal. Physical custody of the plaintiff father shall be as follows:

a. The child shall visit in the home of the natural father for three consecutive uninterrupted weeks each summer, beginning with the summer of 1990, beginning on May 31, 1990, with return to the defendant mother to be accomplished on June 20, 1990. Each year thereafter, beginning in 1991, the period of visitation shall be increased by one consecutivce week, meaning that in 1991 the child will spend four consecutive weeks with the plaintiff father in the state of Florida. Thereafter, one week will be added to a maximum of eight consecutive weeks. Arrangements shall be made for the child to be transferred from the mother to the father one full week after the completion of school each year, and the mother shall be obligated to notify the father of that date at least thirty days prior to the end of school so travel arrangements may be made. The father will transport the child both to and from the Titusville area at his own expense. Air travel will be the primary means of transportation, but appropriate and agreed-to automobile transportation by family members is also authorized. During the time that the child is visiting with the father and stepmother in the state of Florida, the mother shall be permitted to call the child by telephone not more often than twice a week. During the rest of the year, the father shall be authorized to call the child at her residence in Titusville not more often than twice a week.

b. Beginning with the year 1990, the child shall, with transportation provided by the father at his expense, be permitted to spend from December 23 through December 30 of each alternate year in the father's home. The father shall notify the mother thirty days in advance of December 23 if he intends to exercise this right to temporary custody. Christmas visits in Florida with the father shall be possible in even-numbered years at the father's option, and shall not be available to the father in odd-numbered years. In odd numbered years, the father shall have the opportunity to have the child in his custody during the Easter school recess, beginning with Good Friday and ending the following Friday. Once again, transportation shall be arranged for the mother shall be notified thirty days prior to any year the father intends to exercise this right to temporary custody.

c. Anytime the father intends to be in the Titusville area, he shall to take the child into his temporary custody for up to one week in the Titusville area while he is living with family or friends, with notification to the mother forty-eight hours previous to his arrival. This is during the school year, and the father shall make certain that the child attends school on a regular and timely basis.

The parent having custody of the child at anytime shall notify the other parent as soon as possible in the event of injury or illness or the child requiring medical treatment from a physician or in a hospital.

4. Neither parent shall take the child into any environment which might be commonly thought of as detrimental to her development or to the development of her character or which would be commonly thought of as dangerous to her physical person.

5. The parents are encouraged to discuss arrangements for physical custody of the child; and, if the parties mutually agree to an alternative arrangement to accommodate themselves and/or the child's schedule, they may adjust the physical custody arrangements accordingly and are encouraged to do so by mutual consent and agreement.

6. Each of the parents and stepparents will teach the child to develop that love and respect due a parent or stepparent from his or her child, and neither a parent nor a stepparent will do or say anything to blacken the character of either parent or a stepparent in the eyes of the child, nor will the parents permit anyone else to do so in their presence.

Continued on page 352(a)

ROBERT J. MANROSS

VS.

TAMMY I. MARTIN

Record continued from page 352

of

AD 1990-352

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7. This Order shall not prejudice the right of either party to request further Mediation if there are changed circumstances in the lives of the parties or the child.

8. The Court of Common Pleas of Crawford County, Pennsylvania, shall retain jurisdiction of this matter so long as either parent or the child resides in the Court's jurisdiction and for at least six months from the date of this Temporary Order.

9. The fee for the Child Custody Mediator shall be paid 50% by the plaintiff father and 50% by the Defendant mother.

10. This Orde shall be a Temporary Order, but shall become a permanent order unless exceptions are filed by either party within thirty days from thedate of this Temporary Order.

BY THE COURT:
Gordon R. Miller, Judge

June 8, 1990 Copies of order mailed to Attys Ochs-Rothchild, Felton and Smith and to plaintiff and Defendant.

352
-b-

1990

Jorden & White
William T. Jorden

353.

Manion McDonough & Lucas PC
James R. Walker
for dft. Dresser Inc. Inc & I.R.I. Int. Corp.

Kevin P. LUcas
John E. Kunz,
Union Drilling

~~S. E. Riley, Jr.~~ Withdrawn
Pitts. Nat. Bank

MacDonald, Illig, Jones & Britton
T. Warren Jones
John F. Mizner
for Pittsburgh Nat'l Bk, defendant

ALAN PROPER

vs.

~~I. R. I. INTERNATIONAL, INC.~~:
DRESSER INDUSTRIES, INC.:
OILFIELD EQUIPMENT GROUP,
IDELCO DIVISION, AND
PITTSBURGH NATIONAL BANK
and
DRESSER INDUSTRIES INC.
VS.
UNION DRILLING INC.

Filed April 9, 1990
@ 10:57 a.m.

Tax & entry 4/9/90 $50.50
Appeal pd. 6/21/91 $30.00
Appeal pd 4/25/94 30.00
User's Fee pd 4/25/94 5.00
ProCopd 9-24-96 5.00
Pro Co pd 2-12-97 30.00
State pd 2-12-97 5.00

+JURY OF TWELVE DEMANDED

CONSENT COURT ORDER TRANSFERRING VENUE TO THE COURT OF COMMON PLEAS OF CRAWFORD COUNTY

CONSENT ORDER:

AND NOW, this 29 dayof March 1990, it appearing as follows:

1. Plaintiff filed the initial complaint in this action on Oct. 27, 1987 and an Amended Complaint in this action on Nov. 6,, 1987 containing the same material allegations. On. Nov. 23, 1987 prior to filing any response to the Amended complaint in this court, Defendants I.R.I. International Corporation (I.R.I.) and Dresser industries, Inc. (Dresser) removed this action to the U. S. District Court for the Western District of Pennsylvania. On Sept. 15, 1989 an Order was entered by the District Court remanding this matter back to state court.

2. Defendants I.R.I and Dresser have filed Prelininary Objections in the nature of a Petition to Transfer Venue to the Court of common Pleas of Crawford County, asserting, Inter alia that C rawford County is a more appropriate forum for trial of this matter because the underlying accident occured in Crawford County rather than in Erie County.

3. Plaintiff now agrees that this action should be transferred to the Court of Common pleas of Crawford County. In addition, Defendant Pittsburgh National Bank and Additional Dft. Union Drilling, Inc have consented to this transfer of venue.

In light of these considerations and pursuant to Pa. R. C. P. 1006(e), it is hereby ORDERED, ADJUDGED AND DECREED that venue in this action is hereby transferred from this court to the Court of Common Pleas of Crawford County. The Prothonotary is directed to take appropriate steps to effect this transfer.

BY THE COURT,
George Levin, Judge

(copies to attys. of record)

ERIE
~~ALLEGHENY~~ COUNTY ENTRIES

Oct. 27, 1987, Complaint in Civil action filed.

Nov. 6, 1987, Amended Complaint filed.

Nov. 6, 1987, Praecipe for Status Conference filed.

Nov. 18, 1987, Affidavit of Service filed.

Nov. 25, 1987, Notice of Filing of Verified Petition for Removal and Consolidation filed.

Dec. 15, 1987, Appearance of John M. Wolford, Esq. for dft. Pittsburgh Nat. Bank filed.
(Sept. 19, 1989- Memorandum Order from U.S.,District Court for Western Pa. filed)
Oct. 13, 1989 Brief in Support of Preliminary objections filed.

Oct. 13, 1989, Preliminary Objections to Amended Complaint in Nature of a Petition to Transfer, filed.

MaR. 29, 1990, Consent Order Transferring Venue to the Court of Common Pleas of Crawford County filed. (see order typed above)

June 13, 1990, Notice of Service of Interrogatories on defendant Dresser iNd. filed.

June 13, 1990, notice of Service of Interrogatories on defendant I.R. I. Int. INc. filed.

July 3, 1990 Notice of Service of Answers to Defendants' Second Set of Interrogatories Directed to Plaintiff filed.

Aug. 6, 1990 MOtion Of Defnedant I. R. I. International Corporation For Summary Judgment filed.

Nov 2, 1990 Motion to Dismiss the Objections of the Defendant, Dresser Industries, Inc., Direct that the Interrogatories be Answered, and to Issue Appropriate Sanctions and Order filed: AND NOW, this 2nd day of November, 1990, the defendant is ruled to show cause, if any there may be, as to why the plaintiff's Motion to Dismiss the Objections of the Defendant, Dresser Industries, Inc., Direct that the Interrogatories be Answered, and to Issue Appropriate Sanctions, should not be granted. This matter is to be placed on the Argument List.
Gordon R. Miller, J.
Nov. 5, 1990 Copies of order put in Atty. Jorden's box and mailed to Atty Walker. aand/Attys. Riley & Kunz.

Nov. 13, 1990 Notice of Service of Request for Production directed to Defendant, Dresser Industries, Inc. filed.

ON DECEMBER 1990 ARGUMENT LIST

Dec. 14, 1990 Motion To Continue Argument and ORDER filed. AND NOW this 14 day of December, 1990, upon consideration of the foregoing Motion, it is hereby ordered that the Plaintiff's Motion to Compel the Defendant, Dresser Industries, to respond to interrogatories and for sanctions is hereby continued until the January 1991 argument list.
P. Richard Thomas, S. J.
Dec.14, 1990 Copy of Order to Attys. Wm. Jorden, James Walker, John Kunz, S.E. Riley, Jr.

Jan 4, 1991 Upon Praecipe of Plaintiff's Attorney, Defendant, IRI's Motion for Summary Judgment is placedon the January Argument List.

ON JANUARY 1991 ARGUMENT LIST

1-26-94 Brief (Addl dft) fld.
2-10-94 Brief + opposition filed.
2-15-94 Pltf Brief filed
3-24-94 Union Drilling Brief filed

Record Continued on Page 600.....

354.

TAMMY L. WASKO

vs.

ALFRED JOHN PHILLIPS

Filed Apr. 9, 1990
@ 4:28 p.m.

Tax & entry Paid 4/19/90 $50.50
Sheriffs costs Pd 4/19/90 20.60
Prothy Paid 4/19/90 9 00

4/19/90
Reed Sheriffs Costs
$20.60
Pd to Howard N.
Stewart Sheriff
$20.60
Check #5565

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

1 copy (plff)
3 copies (sheriff)

Order:

And now, this 09 day of Apr. , 1990, upon review of the petition of Plaintiff, the Court enteres the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named inthe Petition.
2. Special Conditions: Not contact Pl in any way nor to to her residence
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an **ORDER OF COURT** and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocation of fees and costs.

Hearing is hereby set for April 19, 1990, at 3:00 P M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF THE COURT,
P. Richard Thomas, J

Apr. 11, 1990 Sheriffs Return filed. SERVED Alfred JOhn Phillips personally on April 10, 1990, at 2:22 p.m. by handing copy of Protection From Abuse to him at his residence, R. D. #3, Grange Center Rd., Saegertown, Crawford County, Pa.

So answers,
Robert M. Stevens, Dep. Sheriff
Edgar d. Householder, chief Deputy
Howard N. Stewart, Sheriff

1990

Mary Ann Kirkpatrick

355.

ROBERT J. ACKERMAN

vs.

TAMMIE ACKERMAN

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION

1 copy (atty)

August 9, 1990 Affidvit of Consent of Plaintiff filed.

April 12, 1991 Memorandum of Agreement as to Divorce and Equitable Distribution filed. (1 Copy to Atty.)

Filed Apr. 10, 1990
@ 10:42 a.m.

Tax & entry paid	$50.50
1 count paid	15.00
Pro Co Paid 8-28-91	9.00
State paid 8-28-91	10.00

Apr 30, 1991 Affidavit of Consent of Defendant filed.

Aug. 14, 1991 ACCEPTANCE OF SERVICE, filed. And Now, I , Tammie Ackerman, Defendant, hereby accept service of the Complaint in Divorce which I received on or before Apr. 15, 1990.

This in no way authorizes my approval of any services, only verification that I received a Complaint in Divorce Apr. 15, 1991.

Aug 21, 1991 Upon Praecipe of Plaintiff's Attorney for Review Under §3301(c) of the Divorce Code, this case is moved to Court.

Sept. 9, 1991 DECREE IN DIVORCE FILED.

And now, September 9, 1991, pursuant to the Pennsyvlania Rules of Civil Procedure and the Divorce Code, the Court enters the following Order, Adjudication and Decree:

1. Robert J. Ackerman and Tammie Ackerman are her eby divorced from the bonds of matirmony pursuant to §3301(c) of the Divorce Code.
2. Unless he has already done so as provided in their Agreement, Husband shall pay to Wife the sum of $8,700.00.
3. Wife shall deliver to Husband all books and records pertaining to Husband's land and farming business.

Date: 9/9/91

By the Court:
P. Richard Thomas, S.J.

1990

James R. Irwin
Shafer, swick, Bailey,
Irwin & Stack

356.

D. Ferguson (?)

Received from Plff
2-7-92 500.00
master fees

Received from
Weft 5-4-92 or
500
master fees

9-25-92 Pepicelli
Paid P. Youngs
Youngs Masters
PC Fees 275 or

10-26-92 Paid
Betty Ann Greig
Refund Masters Fee dep.
Bal. 362.50

11-9-92 Pd George Greig
Diff Refund Masters
dep. Bal 362.50
Ck# 7163

BETTY ANN GREIG

vs.

GEORGE D. GREIG

Filed Apr. 10, 1990
@ 11:37 a.m.

Tax & entry Paid	$50.50
2 counts paid	30.00
Christopher YOungs, master	
1 Add'l Count pd 9-21-92	15.00
State pd 9-26-92	5.00
State pd 10-1-92	10.00
Pro Co pd 10-1-92	9.00

COMPLAINT IN DIVORCE, EQUITABLE PROPERTY
DETERMINATION AND DISTRIBUTION, CHILD CUSTODY

1 copy (atty

Sept 4, 1990 Affidavit of Consent of Plaintiff filed.

Sept 4; 1990 Affidavit of Consent of Defendant filed.

Jan. 15, 1992 AFFIDAVIT OF SERVICE filed. I, JAMES R. IRWIN, Esq., being duly sworn according to law, depose and say that I am the attorney of record, and as such say that I served a true and correct coopy of the Complaint in Divorce certified by the Prothonotary of Crawford County, Pa. on the above named Defendant by certified mail, addressee only, return receipt requested, dated April 10, 1990. The Defendant acknowledged service on April 11, 1990 by accepting delivery on that date as evidenced by the attached signed return receipt.

Jan. 28, 1992, Inventory of Betty A. Greig filed.

Jan. 28, 1992, Motion for Appointment of Master in Divorce and Order Appointing Master filed.
ORDER APPOINTING MASTER: ANd Now, Jan. 29, 1992, Christopher J. Youngs, esq. is appointed master in respect to the following claims: EQUITABLE DISTRIBUTION AND DIVORCE
Deposit Required: Plaintiff: $500.00
Defendant: $500.00
PER CURIAM:
Gordon R. Miller, Judge
Feb. 4, 1992, copies to J. Irwin, D. Ferguson and C. Youngs.

May 4, 1992 Summary of Discussions and Action taken at Prehearing Conference filed.

May 4, 1992 Notice of Master's Hearing filed.

May 20, 1992 Motion To Continue Master's Hearing Scheduled For May 26, 1992 and Order filed. AND NOW, this 20th day of May, 1992, upon consideration of the foregoing Motion is hereby ordered and decreed that the Master's Hearing scheduled for May 26, 1992, in the above captioned matter is hereby continued. Said Master's Hearing shall be rescheduled by the Master, Christopher Youngs, Esquire, at a time convenient fo rthe parties after June 20, 1992.
BY THE COURT,
Gordon R. Miller, J
May 20, 1992 Copies of order distributed to Atty. Irwin, Ferguson and Youngs

June 2, 1992 NOTICE OF RESCHEDULED MASTER'S HEARING, filed.

July 24, 1992 NOTICE OF MASTER'S HEARING, filed.

Sept. 3, 1992 Inventory and Appraisement of Defendant, George D. Greig, filed.

Sept. 9, 1992 PETITION FOR ALIMONY, filed.

Sept. 9, 1992 ORDER filed. AND NOW, this 9th day of September, 1992 the Plaintiff's Petition is granted and the Plaintiff shall be permitted to raise a claim of alimony. BY THE COURT,
Gordon R. Miller, P.J.
Sept. 10, 1992 copy in box for J. Irwin & D. Ferguson

Sept. 25, 1992 Petition for Approval of Master's Fee filed. AND NOW, September 25, 1992, upon presentation and consideration of the foreoing Petition for Approval of Master's Fees, the Master, Christopher J. Youngs, is awarded and the Prothonotary is directed to pay the sum of $275. Further, the Prothonotary is ordered and directed to issue a check in the foregoing amount to Pepicelli, Youngs and Youngs, PC. Federal Employer Identification No.: 25-1645172. Said check is not to be issued to the Mster per sonally. The balance of the parties' funds on deposit with the Prothonotary shall be disbursed in accordance with further order of this Court.
BY THE COURT,
Gordon R. Miller, J
Sept. 28, 1992 Copies of order put in box for Atty's Irwin, Ferguson and Youngs

Sept. 30, 1992 Motion To Withdraw Count 3 From Divorce Complaint and Order filed. AND NOW, this 30 day of September, 1992, upon presentation and consideration of the within Motion, Plaintiff is granted permission to withdraw Count 3 from her Complaint in divorce filed at the within number. Anthony J. Vardaro, J
Oct. 7, 1992 Copies of order put in box for Atty's. Irwin, Ferguson

Oct 1, 1992 AFFIDAVIT OF SERVICE filed. I, JAMES R. IRWIN, Esq., being duly sworn according to law, depose and say that I am the attorney of record, and as such say that I served a true and correct copy of the Complaint in Divorce certified by the Prothonotary of Crawfor dcounty, Pennsylvania on the above named Defendant by certified mail, addressee only, return receipt requested, dated April 10, 1992. The Defendant acknowledged service on April 11, 1992 by accepting delivery on that date as evidenced by the attached signed return reciept.

Oct 1, 1992 Upon praecipe of Plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

October 15, 1992 STIPULTATION and FINAL DECREE filed. AND NOW, this 12 day of October, 1992, it is Ordered and Decreed that **BETTY ANN GREIG**, Plaintiff and **GEORGE D. GREIG**, Defendant, are divorced from the bonds of matrimony.
IT IS FURTHER ORDERED AND DECREED AS FOLLOWS:

EQUITABLE DISTRIBUTION

1. Plaintiff is awarded the sum of $25,000.00 immediately upon the execution of this Agreement.
2. Plaintiff is awarded an additional sum of $10,000.00 on or before Sept. 30, 1992.

RECORD CONTINUED ON
PAGE 356 (a).....

BETTY ANN GREIG
VS.
GEORGE D. GREIG

RECORD CONTINUED FROM PAGE 356
OF
AD 1990 - 356

3. Plaintiff will retain all personal proeprty currently in her possession.

4. Plaintiff is awarded the 1983 Buick motor vehicle and Defendant shall, within five (5) days of demand, execute any documents necessary to effectuate the transfer of his interest in and to said vehicle.

5. Plaintiff is awarded the John Deere riding lawn mower and Defendant will incur and be solely responsible for any expenses necessary to make said riding lawn mower in a fixed and operable condition.

6. Plaintiff will become the designated owenr of all life insurance policies insuring the lives of the parties' minor children.

7. Plaintiff will have the right to reside in her current residence for a period of sixty (60) days after the receipt of the $10,000.00 installment payment.

8. All personal property currently in Defendant's possession shall be his sole and exclusive property.

9. Defendant is awarded all right, title and interest in and to the real estate, livestock, equipment and accounts, of the busiens known as Greig's Dairy Farm.

10. Plaintiff is awarded her pension plan through her place of employment.

11. Defendant is awarded any and all retirement plans currently in his name.

12. The Plaintiff shall be solely liable for the installment loan owed to Marine Bank and secured by the 1983 Buick motor vehicle awarded to her in this decree. She shall save harmless and indemnify the Defendant from any and all claims or demands made against him by reason of this obligation and from any and all legal costs and reasonable counsel fees incurred in the enforcement of this decree.

13. The Defendant shall be solely liable for all other obligations for which the parties could be held legally responsible. He shall hold harmless and indemnify the Plaintiff from any and all claims or demands made againsnt her by reason of these obligations and from any and all legal costs and reasonable counsel fees incurred in the enforcement of this decree.

ALIMONY

14. Defendant shall pay Plaintiff, as and for her support, the sum of Two Hundred Fifty ($250.00) Dollars each and every month commencing the first day of October 1992 and continuing for One Hundred Nineteen (119) subsequent months (for a total of 120 such monthly payments.) The monthly amount due hereunder shall be payable on the first day of each month during the foregoing period; Defendant's obigation for support under this paragraph shall terminate in the event of the death of wife.

15. In the event any monthly installment is not received by Plaintiff on or before the eighth (8th) day of the calendar month, Defendant shall pay a late charge of 5% of the overdue amount owing to Plaintiff.

16. The parties agree that all provisions under this paragraph shall be and herewith are non-modifiable as to either term or amount, regardless of any change in circumstances of Plaintiff, or Defendant, unless the parties agree in advance in a written amendment.

17. Additionally, the parties agree that the payments received by Plaintiff s alimony under the provisions of this Decree shall not be utilized in subsequent child support hearings between the parties and that said amount shall not be deducted from Defendant's income, nor added to Plaintiff's.

18. Defendant shall name, or cause to be named, Plaintiff as irrevocable beneficiary on a life insurance policy in an amount sufficient to insure that all payments due under the terms of this Order shall be made in the event of Defendant's death. Defendant shall provide proof of said arrangements at the time of the entry of this Order and annually thereafter. The Defendant shall not for any period of time that alimony is due and owing the Plaintiff change the beneficiary designation, reduce the amount of said life insurance policy, or permit the life insurance policy to lapse for any reason.

19. All Master's fees in this matter shall be divided equally between the parties, each paying one-half of same.

20. Any party violating a term or provision of this decree shall be liable to the other party for any and all legal costs and reasonable counsel fees incurred in the enforcement of this decree.

BY THE COURT:
Anthony J. Vardaro, J.

Oct. 23, 1992 Petition for return of Master's Fees and Consent filed.
Oct. 26, 1992 Order Filed. AND NOW, this 23 day of October, 1992, the Prothonotary of Crawford County is ordered to refund Betty A. Greig,Plaintiff in the above-captioned divorce action, the amount of $362.50 for unused Master's Fees.
BY THE COURT:
Anthony J.Vardaro, J.

Oct. 26, 1992 Copy of the Order to Attys. Irwin, Ferguson & Youngs.

Nov. 9, 1992 Petition to Return Master's Fees and Order filed. AND Now, this 9 day of November, 1992, the Prothonotary of Crawford County is ordered to refund George D. Greig, defendant in the above-captioned divorce action, the amount of $362.50 for unused Master's Fees.
BY THE COURT:
Anthony J. Vardaro, J.

Nov. 13, 1992 Copy of Order toAttys. Irwin, Ferguson & C. Youngs.

356
(b)

1990

1990

Donald E. Lewis

357.

Douglas W. Ferguson

VIOLA B. BOYD

vs.

H. RUSSELL HUDSON
BUILDING CONTRACTOR

Filed Apr. 10, 1990
@ 4:04 p.m.

Tax & entry Paid	$50.25
Pro Co pd 9/19/90	9.00
Sat pd 7/2/91	5.00

APPEAL OF DEFENDANT FROM JUDGMENT OF
WILLIAM CHISHOLM, DISTRICT 30- 2- 01

Apr. 10, 1990, Rule entered upon plaintiff to file complaint issued.

Apr. 12, 1990, Proof of Service filed.

Apr. 30, 1990 Complaint filed.

Sept. 19, 1990 Vertification Of Service filed. I, Donald E. Lewis, Esquire, do hereby verify that I am the attorney for the Plaintiff, and that as such I am authorized to make this verification; that I did, on the 18th day of August, 1990, send Notice as required by Rule 237.1 of the PA Rules of Civil Procedure, to the Defendant at his address of H. Russell Hudson, as is evidenced by the attached Certificate of Mailing.

Don Lewis

And Now, Sept. 19, 1990 at 4:27 p.m., upon praecipe of plaintiff's attorney, with Notice of Intention to File Default Judgment attached, judgment is hereby entered in favor of the plaintiff and against the defendant for failure to file an answer and the damages are assessed at th esum of One Thousand Eight Hundred and 00/100 plus interest and cost of suit.

H-218
judgment entered 9/19/90

Debt $1,800.00
Int. from June 17, 1989
Judgment
James F. Simmons
Prothonotary

July 2, 1991, Upon praecipe of plaintiff, the above captioned judgment is hereby satisfied of record; and action discontinued.

1990

Thomas, Truax, Spadafore, Vardaro, Walker
Emil M. Spadafore Jr

358.

TAMMY L. WASKO

vs.

ALFRED JOHN PHILLIPS

Filed Apr. 10, 1990
@

Indigent filing
Sheriff's Costs 25.00
John Fuller, Mediator $135.00
9.00

COMPLAINT FOR CUSTODY
1 copy mediator, 1 copy sheriff

ORDER:

You, Alfred John Phillips , have been sued in court to obtain custody, of the child (ren) Michelle Wasko .

You are Order to appear in person at such time and such place as John Fuller, Child custody mediator, orders.

Pending the Mediation Conference, temporary custody of the children shall remain with mother and mother is hereby ordered to bring all the children with her to the Mediation Conference

If you fail to appear as provied by this Order, an Order for Custody may be entered against you or the court may issue warrant for your arrest.

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

Plaintiff's Attorney
Emil M. Spadafore, Jr. Esq.
296 Chestnut Street
Meadville, PA 16335
(814) 332-6000

Crawford County Bar Association
Service to the PUblic Committee
c/o Prothonotary, Courthouse
Meadville, PA 16335
(814) 724-4636

Dated: 4-16-90

BY THE COURT:
P. Richard Thomas; J

May 8, 1990 Sheriff's Return filed. SERVED Alfred John Phillips on May 4, 1990 at 4:03 PM by handing copy of Complaint for Custody to his Authorized Agent, Edith N. Phillips, his mother, at Sheriff's Office, crawford County Courthouse, Meadville, PA. Signed Acceptance of Service attached.
So answers,
Robert M. STevens, Deputy Sher.
Howard N. STewart, Sheriff.

June 25, 1990 Temporary Order filed: AND NOW, June 22, 1990, after mediation conference before John Fuller, Esquire, and based upon an agreement of the parties, IT IS HEREBY ORDERED AND DECREED AS FOLLOWS:

I. Legal custody of Michelle Wasko shall be shared between the mother, Tammy L. Wasko and the father, Alfred John Phillips, that is each parent shall be entitled full access to school records, medical records and other important records and each parent shall be entitled to take part in important decisions affecting the child such as the child's medical treatment, education and religious instruction.

II. Physical custody of Michelle Wasko shll be with her mother, Tammy L. Wasko subject to the following conditions:

A. The father shall be entitled to visit and take the child into his custody every other Sunday afternoon, beginning June 24, 1990, from 1:00 p.m. until 5:00 p.m.

B. The father shall be entitled to visit and take the child into his custody every other weekend, beginning June 29, 1990 from 5:00 p.m. Friday evening until 5:00 p.m. Sunday evening. such weekend as it shall be at the father's parents home where the father resides.

C. Holidays shall be defined as Christmas, Thanksgiving and Easter. The child shall spend Easter Sunday and Thanksgiving Day with the father in 1990 and even years thereafter. The child shall spend Christmas Day of 1990 and even years thereafter with the mother. The child shall spend Christmas in 1991 and odd years thereafter with the father and Thanksgiving Day and Easter Sunday in 1991 and odd years thereafter with the mother. The child's birthday shall be divided with the child spending part of the day with the mother and part of the day with the father and in the absence of an agreement of the parties shall spend her birthday with the mother until 1:00 p.m. and the birthday with the father from 1:00 p.m. until 7:00 p.m. The holiday visitation schedule shall take precedence over weekend and other visits.

D. The father shall provide transportation for the child to and from the home of the mother on Sunday afternoon and weekend and Holiday visits.

E. Each party shall disclose to the other all matters relating to the children's health, education and welfare and shall provide the other with current telephone numbers and addresses at all times.

F. Neither party shall do and say anyting in an effort to turn the child against the other parent, but on the other hand shall do everything in the power of each to foster a favorable and loving attitude on the part of the child towards both parents. It is specifically provided that there shall be no arguing between the parents during custody exchanges.

III. This order is a temporary order but shall become a permanent order unless exceptions thereto are filed by either party within thirty (30) days of the date hereof.

IV. Cost of the mediation conference shall be Crawford County paying ½ (one half) thereof and the father paying the remaining ½ (one half).

Gordon R. Miller, Judge

June 26, 1990 Copies of order put in Attys Fuller and Spadafore's box and copy mailed to Defendant.

Thomas, Truax, Spadafore
Vardaro and Walker
Emil M. Spadafore, Jr.

359.

WILLIAM E. FRIEDRICH AND
DOROTHY G. FRIEDRICH

vs.

CHARLES C. COLLER, a/k/a
CHARLES C. COLLIER, HIS
PERSONAL REPRESENTATIVES,
HEIRS AND ASSIGNS

Filed Apr. 10, 1990
@ 4:08 p.m.

Tax & entry 8/4/1990 $50.50
Pro Co Pd 8/31/90 9.00

COMPLAINT IN ACTION TO QUIET TITLE

May 18, 1990 Motion For Leave To Serve By Publication and Order filed. AND NOW, May 18, 1990, upon Motion of Emil M. Spadafore, Jr., attorney for plaintiffs in the above-captioned matter, leave is hereby granted to serve the above-named defendant, his heirs, and assigns, generally, defendant in said action by publication of a notice of the facts set forth in the complaint in the Meadville Tribune, a newspaper of general circulation, and the Crawford County Lega Journal one (1) time and requiring the said defendnat to plead within twenty (20) days from the last date of publication thereof.BY THE COURT:
Gordon R. Miller, J

May 21, 1990 Copy of order put in Emil Spadafore's box.

August 1, 1990 Affidavit of Service by Publication filed.

August 1, 1990 Motion For Judgment filed.

August 1, 1990 FINAL DECREE filed. AND NOW, this 1 day of Aug., 1990, upon presentation of the foregoing Motion and due consideration thereof, it is hereby ordered and decreed that the defendants, Charels C. Coller, a/k/a Charles C. Collier, his personal representatives, heirs, and assigns are forever barred from asserting any right, title, lien or interest inconsistent with the claim of the plaintiff as set forth in the Complaint in this case, or in any way attacking the title of the plaintiff in said property; from issuing or continuing any action and taxing the same and from encumbering, mortgaging, or conveying the same or any part thereof; unless the defendants, their heirs and assigns take such action as is herein directed with thirty (30) days after the entry of this judgment. It is further ordered and decreed that if no petition to open this judgment or satisfy this decree is presented by the defendants, their heirs and assigns within thirty (30) days from and after the entry of this decree same shall be final. If such action is not taken within said thirty (30) day period, the Prothonotary shall enter judgment.

By The Court:
P. Richard Thomas, Judge

Date: Aug. 1, 1990
August 1, 1990 Copy of Final Decree to Atty. Emil Spadafore, Jr.

And Now, August 31, 1990 at 2:47 p.m., upon praecipe of plaintiff attorney, Final Judgment is hereby entered in this matter, since 30 days has lapsed since the issuance of a final decree, according to the foregoing order of court.
Judgment entered - 8/31/90
C - 31, 31

FINAL JUDGMENT
James F. Simmons,
Prothonotary

1990

James R. Irwin

Watts, Pepicelli, Youngs and Youngs PC
Alan L. Pepicelli

360.

Mary Ann Kirkpatrick

BETTY K. SMITH

vs.

RUSSELL G. SMITH

Filed Apr. 10, 1990
@ 4:11 p.m.

Tax & entry Paid $50.50
1 count paid 15.00
Pro Co Pd 2 cts 5-4-93 30.00
State Pd 4-4-93 10.00

Pro. Co., pd 12/1/93 9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION

1 copy (atty)

Apr. 10, 1990, Plaintiff's Affidavit Under 201(d) of the Divorce code filed. 1 copy (atty)

Apr. 18, 1990 Certificate Of Service filed. ALAN L. PEPICELLI, Esquire, hereby certifies that he is the Attorney for the Plaintiff inthe within Action and that a certified copy of the Complaint in Divorce and Plaintiff's Affidavit were sent by certified mail, return receipt requested, addressee only, to the defendant, Russell G. Smith, 522 Deissler Court, Meadville, Pennsylvania 16335 on April 11, 1990 and were received by the same on April 13, 1990. The receipt for certified mail and the return receipt are attached hereto marked Exhibit "A". Alan L. Pepicelli

Apr. 1, 1993, Appearance of James r. Irwin, attorney for plaintiff filed.

Apr. 2, 1993, Appearance of Mary Ann Kirkpatrick attorney for defendant filed.

Apr. 6, 1993, Affidavit of Consent of Defendant filed.

Apr. 23, 1993 Motion for Permission to File Amended Complaint in Divorce and Order filed. AND NOW, this 22 day of April, 1993, Plaintiff is hereby granted permission to file the attached Amended Complaint in Divorce. BY THE COURT:
Anthony J. Vardaro, J.

Apr. 29, 1993 Copy of Order to Attys. Irwin, Pepicelli & Kikrpatrick.

Dec. 1, 1993 Motion to Withdraw Counts from Complaint in Divorce filed.

Dec. 1, 1993 Affidavit of Consent by Betty K. Smith, Plaintiff, filed.

Dec. 1, 1993 Upon Praecipe of Attorney, James R. Irwin, Esquire, to trnasmit record, case moved to Court.

DIVORCE DECREE FILED

Dec. 10, 1993 AND NOW, December 10, 1993, it is ordered and decreed that BETTY K. SMITH, plaintiff and RUSSELL G. SMITH, defendant are divorced from the bonds of matrimony.

AND IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that terms, provisions and conditions of a certain marriage settlement agreement between the parties dated Nov. 2, 1993 and attached hereto, are hereby incorporated in this decree and order by reference as fully as though the same were set forth herein at length. Said agreement shall not merge with, but shall survive this decree and order.

BY ORDER OF COURT
Gordon R. Miller, P.J.

1990

William J. Gregg 361. Emil m. Spadafore Jr.	RICHARD VanBUREN SUSAN VAN BUREN, HIS WIFE vs. DAVID AND NANETTE C. HILES AND STATE FARM Filed Apr. 11, 1990 @ 9:37 a.m. Tax & entry Paid $50.25 Pro co Pd 8/13/90 5.00	APPEAL OF DEFENDANTS FROM JUDGMENT OF MAGISTERIAL DISTRICT 30 - 3 - 03 Apr. 11, 1990, Rule entered upon plaintiff to file complaint issued. Apr. 11, 1990, Affidavit of Service of Appeal to Defendant filed. Apr. 11, 1990, Affidavit of Service of Appeal to Robert J. Leonhart, District Justice, filed. May 29, 1990, Complaint filed. 1 copy (atty) Aug. 13, 1990, Upon praecipe of plaintiff attorney, the above captioned case is hereby marked settled and discontinued of record.

1990

Jorden & White
Harry Faber White II

362.

GARY E. BLAKE

vs.

TRACY JAYNE DORADO

Filed Apr. 11, 1990
@ 10:25 a.m.

Tax & entry Paid $50.50 ✓
William Pineo, mediator 137.00 ✓
Pro Co Pd 9/13/90 ~~$60.00~~ $46.00 ✓
Pro Co Pd 11/28/91 $9.00 ✓
Pro Co Pd 3/12/91 $9.00 ✓

9/13/90 Recd. $46.00 From Plaintiff
Recd 10-2-90
$46.00
Vivian Stoltz

1/28/91 Recd. $68.50 From Plaintiff
Recd 2-1-91
$68.50
Vivian Stoltz

3/12/91 Recd $12.25 From Defendant
Recd 4-1-91
$12.25
Vivian Stoltz

COMPLAINT IN CUSTODY

1 copy (atty)
1 copy (mediator)

ORDER: You, Tracy Jayne Dorado, have been sued in court to obtain custody, partialcustody or visitation of the children: Kyla Sky Blake and Terra Jayne Blake.

You are ordered to aPPEAR IN PERSON AT THE Crawford County courthouse before the mediator, at time set.

You are further ordered to bring with you the children: Kyla Sky Blake and Terra Jayne Blake.

If you fail to appear as provided by this order or to bring the children, an order for custody, partial custody or visitation may be entered against you or the court may issue a warrant for you arrest.

You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.

Crawford County Bar Assoc. Ser. to the Public Committee c/o Prothonotary, Crawford County Courthouse, Meadville, Pa. 16335. 814 724-4636.

BY THE COURT,
P. Richard Thomas, J.

ORDER:
AND NOW, this 11 day of April, 1990, upon consideration of the foregoing Complaint in Custody, the same is hereby referred to WILLIAM PINEO, CHILD CUSTODY MEDIATOR, for hearing.

Pending said mediation hearing the defendant shall not remove herself and the children which are the subject of this custody action from the jurisdiction of Crawford County, Pa.

BY THE COURT,
P. Richard Thomas, J.

May 8, 1990 Affidavit Of Service filed. HARRY FABER WHITE, II, ESQUIRE, attorney for plaintiff in the above captioned matter, being duly sworn according to law, deposes and says that he served the NOtice to Plead and Complaint In Custody upon the defendant, tracy Jayne Dorado, by certified mail, return receipt requested, on April 27, 1990, at the defnednat's address, 1213 Livermore Street, Meadville, Pennsylvania, 16335. the defnedant's acceptance of the same is attached heeto. Harry Faber White, II

June 29, 1990 Temporary Order filed: AND NOW, this 28 day of June, 1990. after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator,
IT IS HEREBY ORDERED AND DECREED THAT:

1. the parties shall share legal and physical custody of the subject minor child.

2. The parties shall share with each other any and all information which each may have regarding the health, education, and the major events in the life of the subject minor child. Health care, shcool personnel, and other care providers are hereby authorized to release to either party any and all confidenctial information which they may have regarding the subject minor child.

3a. The father shall have the right of visitation and temporary physical custody with Kyla on alternate weekends, beginning with the weekend of June 29 from Friday at 5:00 p.m. throught Sunday at 5:00 p.m.. He shall also have visitation for twon weeks each summer to coincide with his plant shut down. For the summer of 1990, the plant shut down will begin on July 2, and end two weeks thereafter so that the father's total visiation, including the alternate weekends shall be from June 29 at 5:00 p.m. through July 15, at 5:00 p.m.

b. The father shall have the right of visitation with daughter Terra each week on Thursday evenings from 7:30 p.m. to 9:00 p.m.

4. Holiday visitation shall be arranged as follows:

The father shall have the right of visitation each Christmas from 5:00 p.m. Christmas Eve to 9L00 a.m. Christmas Day. He shall also have the right of visitation on Father's Day from Saturday at 5:00 p.m. through Sunday at 5:00 p.m.

5. Should it be necessary for either party to cancel or modify the visitations as set out of this Order or as previously arranged, the party seeking cancellation or modification shall notify the other party as soon as he or she knows of the necessity which impels the cancellation or modification. Said modifications or cancellations shall not be proposed except for good reasons. Should a cancellation or modification be necessary, the parties shall attempt at once to arrange for alternative visits or to make alternative arrangements.

6. The father shall have the responsibility of transportation resulting from commpliance with this order.

7. Each party shall teach said children to give to the other party that love and respect which is dua a parent from his or her children.

8. The parties are directed to arrange counseling for themselves and for their children. The mediator has noted for the court that the children are presently counseling with Centers for Families in Change and this choice is approved. The parties and the children will cooperate with the counselor and counseling shall continue at the recommendation of the counselor. The counselor shall be authorized and directed to share with the mediator, William Pineo, Esquire, any and all information which he may request.

9. Neither party shall use illegal drugs or be under the influence of alcohol at any time when said party has the care and custody of the subject minor children. The parties are cautioned that recent medical research has indicated that tobacco smoke is injurious to the health of growing children. Therefore, neither party shall smoke tobacco or permit others to do so in a closed automobile in which the children are being transported or in the bedroom of the children.

10. Any person transporting the children shall make sure that the seat belts or other restraints are used in accordance with the law of Pennsylvania.

11. Neither party shall do or say anything to blacken the character of the other in the children's estimation. Each party shall treat the other in a polite and respectful manner when in the children's presence and each party shall instruct his or her relatives and friends to do likewise and also not to disparage the other party in the children's estimation.

12. The parties are free to make additional or alternative arrangements respecting the custodial and visitation periods and are strongly encouraged to do so if that would be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which this Order shall govern.

13. The mediator will review the situation during the month of September, 1990 to see if any adjustments may be made.

14. Costs and fees of this Mediation, which are fixed at $92.00 are divided equally between the parties with a share of each being assessed to him or her as costs in this case. Payment shall be made to the Prothonotary of Crawford County. By the Court, Gordon R. Miller, J.

June 29, 1990 Copies of order put in Attys. Pineo, White and Thomas' boxes and copies mailed to Pltf & Deft.

Continued on Page 362(a)

GARY E. BLAKE

VS.

TRACY JAYNE DORADO

RECORD CONTINUED FROM PAGE 362

OF

AD 1990-362

****

Jan 7, 1991 after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator,

IT IS HEREBY ORDERED AND DECREED THAT:

1. The parties shall share legal and physical custody of the subject minor children.

2. The parties shall share with each other any and all information which each may have regarding the health, education, and the major events in the live of the subject minor children. Health cae, school personnel, and other care providers are hereby authorized to release to either party any and all confidential information which they may have regarding the subject minor children.

3. Visitations between the father and thechidlren are suspended for a period of thirty (30) days from the date of this order. Meanwhile the parties shall arrange for counseling for themselves and the children. Counseling shall be arranged with Dr. Kathryn Anderson, of Saegertown, as quickly as possible. The counselor shall have the right to share with the mediator any and all findings and observations she may develop with respect to the suject minor children and their parents. Should the counselor wish to speak to the father's new wife, Leslie Blake, the father shall attempt to persuade Mrs. Blake to cooperate. Cost of the counseling shall be split evenly between the parties.

4. The mediator shall schedule a further review of this matter during the month of February, 1991, with a view toward resumption of the visitations.

5. Costs and fees of this Mediation, which are fixed at $137.00 are divided equally between the parties with a share of each being assessed to him or her as costs in this case. Payment shall be made to the Prothonotary of Crawford County.

6. Either party may move the court for a hearing de novo for thirty (30) days from date hereof. If neither party so moves, this Order shall be considered permanent.

By the Court,
Gordon R. Miller, J.

Jan 8, 1991 Copies of order mailed to Plaintiff, Defendant and Dr Anderson and copies put in Attys. Pineo, Thomas and White's boxes.

Feb. 20, 1991 Temporary Order filed. AND NOW, this 21 day of February, 1991, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator, IT IS HEREBY ORDERED AND DECREED THAT:

1. Legal and physical of the subject minor children is hereby awarded to their mother the defendant.

2. The parties shall make all reasonable efforts to arrange liberal visitation and periods of temporary physical custody for the father.

3. Either party is free to seek further mediation in this matter one year from date hereof.

4. Costs and fees of this Mediation, which are fixed at $24.50 are divided equally between the parties with a share of each being assessed to him or her as costs in this case. Payment shall be made to the Prothonotary of Crawford County.

5. Either party may move the Court for a hearing de novo for thirty (30) days from date hereof. If neither party so moves, this Order shall be considered permanent.

By the Court,
P. Richard Thomas, S.J.

feb. 22, 1991 Copies of order put in William Pineo, R. Charles Thomas, plaintiff and defendant.

362
-b-

1990

1990

David P. Truax
Thomas Truax,
Spadafore, Vardaro
& Walker

363.

IN RE:
CHANGE OF NAME
OF
MEADE CLINTON PARK

Filed Apr. 11, 1990
@ 10:27 a.m.

Tax & entry Paid $50.50 ✓
Pro Co Pd 5/30/90 9.00 ✓

PETITION FOR CHANGE OF NAME

1 copy (atty)

ORDER FOR PUBLICATION:
AND NOW, to wit, this 11 day of April 1990, upon Motion of David P. Truax, Esq. attorney for the Petitioners above-named it is Ordered and Decreed that the within Petition shall be heard on the 24 day of May 1990, at 9:00 a.m. in C. R. No. 1 or 2 of the Court House in Meadville, Pa., and that notice of the filing of the within Petition and of the aforesaid date of hearing shall be published in the Meadville Tribune and the Crawford County Legal Journal one (1) time; further, Petitioners, through counsel, shall forthwith serve a true and correct copy ofthe within Petition and Order upon David Lee Park, by registered mail, return receipt requested, deliverable to addressee only, and shall file proof of servcie thereof with the court prior to hearing.
P. RICHARD Thomas, J.

Apr. 17, 1990 Affidavit Of Service filed. DAVID P. Truax, Esquire, being duly sworn according to law, deposes and says that on April 12, 1990, he sent a true and correct copy of a Petition For Change of Name, filed in the above action, to David Lee Park, at his last known address at Reed avenue extension, Conneaut Lake, Crawford County, Pennsylvania, 16316, by Certified Mail No. P 425 657 209, postage prepaid, restricted delivery, return receipt requested, and that attached hereto is a duly executed return receipt card showing date of delivery as April 13, 1990.
David P. Truax

May 24, 1990 Proof of Publication, Meadville Tribune, filed.

May 24, 1990 Proof of Publication,Crawford County Legal Journal, filed.

May 25, 1990 Affidavit of No Liens filed.

May 25, 1990 Decree filed: AND NOW, this 24th day of May, 1990, after hearing upon the within Petition and upon Motion of David P. Truax, Esquire, attorney for the Petitioners, and upon presentation of proof of publication of notice as required by law, together with proof that there are no judgments or decrees of record or any other matter of like effect against the minor-Petitioner, and it appearing that there is not legal objection to the granting of the Petition,

IT IS ORDERED AND DECREED THAT THE NAME OF THE MINOR-PETITIONER BE AND IS HEREBY CHANGED TO MEADE CLINTON AYERS.

By the Court,
Gordon R. Miller

May 25, 1990 Copies of order put in Atty. Truax' box.

1990

Thomas, Truax,
Spadafore, Vardaro
& Walker
R. Charles Thomas

364.

WATTS, PEPICELLI, YOUNGS &
YOUNGS .
Theodore H. Watts

6/25/90 Rec'd $67.50 from
Defendant
Rec'd 7-3-90
$67.50
Vivian Stoltz

7/5/90 Rec'd $67.50 from
Plaintiff
Rec'd Aug 1, 1990
$67.50
Vivian Stoltz

WILLIAM G. COULTER

vs.

PAULA M. COULTER

Filed Apr. 11, 1990
@ 10:31 a.m.

Tax & entry paid $50.50
John Fuller, mediator 135.00
9.00
Pd 7/6/90

COMPLAINT FOR PARTIAL CUSTODY

1 copy (atty)
1 copy (mediator)

ORDER OF COURT:

You, Paula M. Coulter, have been sued in court to obtain partial custody ofthe following children: Megal Marie Coulter, Sabrina Sue Coulter and Lindsy Lee Coulter.

You are hereby ordered to appear in person at such time and place as is hereby designated by the Custody Mediator hereinafter appointed for a conference.

You are further ordered to bring with you the following named children: Megan Marie Coulter, Sabrina Sue Coulter, and Lindsy Lee Coulter.

JOHN FULLER, ESQUIRE is hereby appointed as Custody Mediator in this case.

If you fail to appear at the time specified by the custody mediator hereby appointed by this order or to bring the children an order for custody may be entered against you or the court may issue a warrant for your arrest.

You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.

Crawford County Bar ASSOCIATION, Service to the Public Committee, c/o Prothonotary,
Tele: 814 724-4636. Courthouse, Meadville, Pa. 16335

DAted: 4/11/90 P. Richard Thomas, Judge

Apr 19, 1990 appearance of Watts, Pepicelli, Youngs & Youngs, PC by Theodore H. Watts, Esq. for Defendant filed. Defendant filed.

June15, 1990 Temporary Order filed: AND NOW, June 12, 1990, after mediation conference before John Fuller, Esquire, IT IS HEREBY ORDERED AND DECREED AS FOLLOWS:

I. Legal custody of Megan, Coulter, Sabrina Coulter and Lindsay Coulter shall be shared between their father William G. Coulter, and their mother Paul M. Coulter, that is, each parent shall be entitled full access to school records, medical records and other important records and each parent shalla be entitled to take part in important decisions affecting the children such as the children's education, religious instruction, medical treatment and other such important decisions.

II. Physical custody of Megan Coulter, Sabrina Coulter and Lindsay Coultery shall be with her mother, Paul M. Coulter, subject to the following conditions:

A. The father shall be entitled to visit and take the children into his custody every Saturday for the months of June, July and August, from 9:00 a.m. Saturday morning until 7:00 p.m. Saturday evening. Such Saturday visits shall begin June 16, 1990. The father shall also be entitled to one weekend visit in July of 1990 and one weekend visit of August of 1990 which unless otherwise agreed between the parties shall be the weekend of July 7, 1990 and August 4, 1990. Such weekend visits shall begin at 9:00 a.m. Saturday morning and the father shall return the children to the home of the mother by 4:00 p.m. Sunday afternoon.

B. Beginning in September of 1990, the father shall be entitled to have the children in his custody every other weekend beginning September 8, 1990 from 9:00 a.m. Saturday morning until 4:00 p.m. Sunday afternoon.

C. Holidays shall be defined as Thanksgiving, Christmas and Easter. The aforesaid three holidays shall be divided with the children spending the morning of the three holidays with their mother and the father shall have the children on the three holidays from 1:00 p.m. until 7:00 p.m.

D. Beginning with the Summer of 1991 and each Summer thereafter, the father shall be entitled to have the children in his continuous custody for two (2), two week periods each Summer and the father shall provide the mother with at least thirty (30) days notice of the time in which he intends to exercise such Summer visitations.

E. Neither mother nor father shall say or do any thing in an attempt to turn the children against the other parent, but on the other hand shall do everything in the power of each to foster a favorable and loving attitude on the part of the children towards both parents.

F. Neither mother nor father shall expose the children to any person or situation which may be harmful to the children's health or well being.

G. Both parents agree to inform the other immediately of any illness or injury regarding any or all of the children and both parents agree to furnish the other with a current telephone number.

III. This order is a temporary order but shall become a permanent order unless exceptions thereto are filed by either party within thirty (30) days fo the date hereof.

IV. Cost of the Mediation conference shall be equally divided between the parties.

P. Richard Thomas, Judge

Jun 18, 1990 Copies of order put in Attys. Thomas, Watts and Fuller's boxes and copies mailed to Plaintiff and Defendant.

1990

Barrett & Dratler
Bruce A. Barrett

365.

Mary Ann Kirkpatrick

TERRY W. MORRIS

vs.

SHIRLEY J. MORRIS

Filed Apr. 11, 1990
@ 1:27 p.m.

Tax & entry Paid	$50.50
2 counts pd 4-24-90	30.00
Pro.Co.Pd.6/5/92	9.00
State Pd.6/5/92	10.00

COMPLAINT UNDER SECTION 201(c) OF THE DIVORCE CODE

1 copy (atty)

Apr 20, 1990 Defendant's Answer and New Matter filed.

Apr 20, 1990 Affidavit of Service filed: BRUCE A. BARRETT, Esq., being duly sworn to law, deposes and says that the following facts in support of his Affidavit of Service are true and correct to the best of his knowledge, information and belief.

1. That the affiant is the attorney for the plaintiff in the above captioned action.

2. That a true and correct copy of the Complaint Under Section 201(c) of the Divorce Code was sent by registered mail to the Defendant on April 10, 1990. The sender's receipt is attached hereto.

3. The registered mail was sent to Shirley J. Morris, 256 Sarah Drive, R.D.#7, Meadv ille, Pa 16335.

4. That the defendant received said registered mail on april 12, 1990. Said receipt card number P 966 074 374 is attached hereto and signed by Shirley J. Morris.

Bruce A. Barrett
Attorney for Plaintiff

May 18, 1990 Petition Four Counseling and Order filed. And Now, May 18th, 1990, upon presentation of Petition for Counseling, the parties are ordered to schedule and attend 3 sessions of counseling with Margaret Squires. Plaintiff shall apy the uninsured expenses of counselling, mutually with the ultimate allocation of thses fees to be determined by the Court or the Master.

BY THE COURT,
Gordon R. Miller, J

May 21, 1990 Copies of order put in Bruce Barrett and Mary Ann Kirkpatrick's box.

May 18, 1992 Affidavit of Consent of plaintiff filed.

May 18, 1992 Affidavit of Consent of defendant filed.

June 5, 1992 Upon Praecipe of Plaintiff's Attorney, Bruce A.Barret, for Review under §3301 (c) of the Divorce Code, this case moved to court.

June 17, 1992 Memorandum filed. (Copies put in Atty's Barret & Kirkpatrick boxes.)

July 6, 1992 Memorandum of Agreement as to Divorce, Alimony, Alimony Pendente Lite, Counsel Fees, Costs, Expenses and Equitable Distribution filed.

July 6, 1992 Upon Praecipe of Bruce A. Barrett, Esquire, Attorney for Plaintiff for Review Under §3301 (c) of the Divorce Code this case moved to Court.

D I V O R C E D E C R E E F I L E D

July 10, 1992 AND NOW, July 10, 1992, it is hereby ordered and decreed that **TERRY W. MORRIS**, Plaintiff, and **SHIRLEY J. MORRIS**, Defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.

BY THE COURT:
Anthony J. Vardaro, J.

1990

Shafer, Swick,
Bailey, Irwin, Stack
James R. Irwin

366.

Brian J. Lindsay

SHELLY ANN HERMAN

vs.

DONALD J. HERMAN

Filed Apr. 12, 1990
@ 10:20 a.m.

Tax & entry Paid	$50.50
1 count paid	15.00
1 count paid 9/7/90	15.00
State paid	5.00
Pro Co pd 9/10/91	9.00
State pd 9/10/91	10.00
Pro Co pd 11/12/91	5.00

COMPLAINT IN DIVORCE, EQUITABLE PROPERTY
DETERMINATION AND DISTRIBUTION

1 copy (atty)

Sept 7, 1990, Petition for Related Claims Under the Divorce Code filed. 1 copy (atty)

Sept. 7, 1990, RULE TO SHOW CAUSE filed. AND NOW, this 7th day of Sept. 1990 upon presentation and consideration of the foregoing Petition, a Rule is entered upon the REspondent to show cause if any he has, why the prayers of the Petitioner for interim counsel fees and expert fees should not be granted.
RULE RETURNABLE ON the 26 day of Sept. 1990, at 10:00 a.m. in C. R. No. 1 or 2 of the Crawford County Courthouse, Meadville, Pa. 16335.
BY THE COURT,
2 copies (atty) Gordon R. Miller, J.

Sept. 26, 1990 Motion For Continuance and Order filed. AND NOW, this 25 day of September, 1990 upon presentation and consideration of the within Motion this hearing is continued generally. Hearing to be scheduled upon Motion of either Plaintiff or Defendant.
BY THE COURT,
P R Thomas, S.J.

Sept. 27, 1990 Copies of order put in James Irwin's box.

Apr. 4, 1991 Appearance of Brian J. Lindsay, attorney for defendant Donald J. Herman, filed.

Apr. 16, 1991 Affidavit of Consent of plaintiff filed.

Apr. 16, 1991 Inventory and Appraisement of Shelly Ann Herman filed.

Apr. 23, 1991 Affidavit of Consent of defendant filed.

May 17, 1991, Request for Hearing and order FIled. ORDER: AND NOW, this 17 day of May 1991, upon presentation and consideration ofthe foregoing Request for Hearing a hearing is scheduled with the court of Common pleas of Crawford County, Pa. on the 20 day of June 1991, at 3:00 p.m. in C. R. No. 1 or 2 of the Crawford County Courthouse, Meadville, Pa.
BY THE COURT:
P. R. Thomas, S. J.
Apr. 21, 1991, copies to B. Lindsay and J. Irwin, box.

June 18, 1991, Defendant's Income and Expense Statement filed.

June 18, 1991, Inventory and Appraisement of Donald J. Herman, Defendant filed.

Sept. 5, 1991 Affidavitof Acceptance of Service filed. I, Donald J. Herman, Defendant in the above captioned case, do her eby acknowledge service of the original Divorce Complaint dated April 12, 1990. Said Complaint was received by Certified Mail at my address of R.D. #2, Box 258C, Venango, PA 16440 on April ;19, 1990. Donald J. Herman

Sept. 5, 1991 Upon praecipe of Plaintiff Attorney To Transmit Record, this case moved to Court.

Sept. 10, 1991 Stipulation and Consent Decree filed. AND NOW, this 10th day of September 1991, upon presentation and ocnsideration of the foregoing Stipulation, this Court hereby directs that:

1. The Plaintiff shallhave sole and exclusive possession of any and all personalty currently in her possession, including nut not limited to her life insurance policy and defendnat shall have sole and exclusive possession of any and all personalty currently in his possesison,including but not limited to: wocdburner, furnishings, riding lawn mower, tractor, mechanics tools and tool box, Prudential Life INsuranc eandHOnda profit sharing.
2. The defendant shall be the sole and exclusive owner of a certain 1988 Chevrolet pick-up truck, the title to which has been transferred to defendant by plaintiff. Defendant shall be solely responsible for any outstanding balance due and owing on said vehicle, including but not limited to insurance, maintenance, title and registration. Defendant has effected a refinance of the repayment obligation owed to Pennbank in his name alone.
3. Plaintiff waives any and all rights she has or may have to temporary alimony, alimony, counsel fees and costs..
4. Defendant shall be the sole and exclusive owner of the marital mobile home, a Springbrook trailer 14x70, the title to which has been transferred to defendnat by plaintiff. Defendant has effected a refinance of the repayment obligtion owed to American Federal Savings and Loan in his name alone.
5. Defendant hs delivered the sum of $6,500.00 to plaintiff, said sum representing payment to plaintiff for any and all interest she has in and to the marital mobile home and furnishings therein.
6. Upon consideration of the pleadings and affdiavits file din the above captioned case, this Court hereby grants an absolute divorce fromthe bonds of matrimony to the above named parties, on the grounds that the marriage is irretrievably broken and ninety (90) days have elapsed fromthe date of the filing of the Complaint and an affidavit has been file dby each of the parties evidencing that each of the parties consents to the divorce pursuant to §201(c) of the Pennsyvlania Divorce Code.
BY THE COURT,
Gordon R. Miller, J

Sept. 12, 1991 Copies of order to Atty's Irwin and Lindsay

Sept. 10, 1991 **DIVORCE DECREE FILED.**

AND NOW, September 10, 1991, it is ordered and decreed that Shelly Ann Herman, plaintiff and Donald J. Herman, defendant, are divorced from the bonds of matrimony.
BY THE COURT,
Gordon R. Miller, P.J.

Nov. 4, 1991 Notice Of Election To Retake Maiden Name filed. Shelly Ann Herman TO BE KNOWN AS: Shelly Ann Montafiori

1990

Kathleen R. Nelson

367.

THOMAS R. BARICKMAN

vs.

SUSAN M. BARICKMAN

Filed Apr. 12, 1990
@ 11:24 a.m.

Tax & entry Paid	$50.50
Pro Co Pd 10/24/91	10.00
Pro Co Pd 10/24/91	9.00

COMPLAINT UDNER SECTION 201(c) OF THE DIVORCE CODE

1 copy (atty)

Apr. 25, 1990 Affidavit Of Service filed. KATHLEEN R. NELSON, ESQUIRE, being duly sworn according to law, deposes and says that the following facts in support of her Affidavit of Service are true and correct to the best of her knowledge, information and ~~belief~~:

1. That the Affiant is the Attorney for the Plaintiff in the above-captioned action.
2. That a true and correct copy of the Complaint in Divorce and Notice were sent by registeed mail to the Defendant, Susan M. Barickman, on April 18, 1990.
3. The registered mail was sent to Susant M. Barickman, 755 Terrace Avenue, Aprt. 2-D, Meadville, Pennsylvania 16335. The sender's receipt is attached hereto.
4. That the defnednat received said registered mail on April 23, 1990. Said Return Receipt card P 076 254 230 is attached hereto, signed by Susan M. Barickman, and made a part hereof.

Kathleen R. Nelson

Sept. 17, 1990 Affidavit Of Consent of Plaintiff filed.

June 28, 1991 Plaintiff's Affidavit Under Section 201(D) of the Divorce Code filed.

July 10, 1991 Affidavit of Service filed. KATHLEEN R. NELSON, ESQUIRE, being duly sworn according to law, deposes and says that the following facts in support of her Affidavit of Service are true and correct to the best of his knowledge, information and belief:

1. That the Affiant is the Attorney for the Plaintiff in the above-captioned action.
2. That a true and correct copy of the Plaintiff's Affidavit were sent by certified mail to the Defendant, Susan M. Barickman on July 3, 1991.
3. The certified mail was sent to Susan M. Barickman at 755 Terrace Avenue, Apt. 2-D, Meadville, PA 16335. The sender's receipt is attached hereto.
4. That the Defendant received said certified mail on July 8, 1991. Said Return Receipt Card P 848 678 914 is attached hereto, signed by Susan M. Barickman and made a part hereof.

Kathleen R. Nelson

July 15, 1991 Affidavit of Consent of defendant filed.

Oct. 18, 1991, Upon praecipe of plaintiff attorney, for review under 201(c) of the divorce code, this case moved to court.

Oct. 28, 1991 **D I V O R C E D E C R E E F I L E D .**

And now, October 28, 1991, it is ordered and decreed that Thomas R. Barickman, plaintiff, and Susan M. Barickman, defendant, are divorced from the bonds of matrimony.

BY THE COURT,
P. Richard Thomas, S.J.

1990

Joseph E. Hudak

Behrend and Ernsberger
Kenneth W. Behrend

368.

Cassidy, Kotjarapoflus & Pohland
By:Geo. A. Kotjarapoglus

Culbertson Weiss Schetroma and Schug
Glenn A. W. Thompson
for Indispensable Party

ROBERT P. DINNEEN

vs.

MARK RESOURCES CORPORATION
Theodore J. Suslovic, Indispensable party

Filed Apr. 12, 1990
@ 11:42 a.m.

Tax & entry Paid $50.50
Sheriff's Costs 24.00
Pro Co pd 12/7/93 5.00

SUMMONS IN A CIVIL ACTION

Issued (sheriff)

Apr. 24, 1990 Writ Return filed. SERVED Mark Resources Corporation on April 16, 1990 at 10:45 AM by handing copy of Summons to Matt Vauro, Superintendent, person in charge at place of business, R.D.#6, Box 53, Meadville, Crawford County, PA.
So answers, Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, sheriff

July 27, 1990 Complaint in Civil Action filed.

Aug. 16, 1990 Preliminary Objections filed.

Aug. 16, 1990 Praecipe of Defendant's Attorney to place above case on the next Argument list filed.
(Argument list September 1990)

1990 SEPTEMBER ARGUMENT LIST

Sept 4, 1990 Amended Complaint in Civil Action filed.

Sept 7, 1990, ARGUMENT Set for Oct 25, 1990 at 9:30 a.m.

July 9, 1991 Default Notice filed.

July 15, 1991 Answer, New Matter and Counterclaim filed.

July 17, 1991, Certificate of Service of Responsive pleading filed by defendant, filed.

July 17, 1991, Acceptance of Service filed. I, Glenn A. W. Thompson, atty. for Theodore J. Suslovic, accept service of the Plaintiff's Amended Complaint on behalf of Indispensable Party and certify that I am authorized to doso.
Date: July 17, 1991 Glenn A. W. Thompson Esq.

Dec. 7, 1993 Upon praecipe of Atty. William Walker the above-captioned case is marked settled and discontinued of record.

July 17, 1991 Answer, New Matter and Counterclaim of Indispensable Party Theodore J. Suslovic to Plaintiff's Amended Complaint filed. 1 copy (atty)

August 5, 1991 CERTIFICATE OF SERVICE filed. I hereby certify that a true and correct copy of the Answer, New Matter and Counterclaim has been served personally, by handing a copy of same to the undersigned, on Tuesday, July 22, 1991 at 9:30 a.m., on the following: Theodore J. Suslovic, c/o Glenn A. W. Thompson, Esq., 911 Diamond Park, Meadville, Pa. 16335. George A. Kotjarapoglus, Esq.

Aug. 16, 1991 PLAINTIFF'S PRELIMINARY OBJECTION TO DEFENDANT'S COUNTERCLAIM, filed.

Aug 16, 1991 PLAINTIFF'S REPLY TO DEFENDANT'S NEW MATTER, filed.

aug. 20, 1991 PLAINTIFF'S REPLY TO NEW MATTER FILED BY INDISPENSABLE PARTY AND PLAINTIFF'S REPLY AND NEW MATTER TO COUNTERCLAIMS FILED BY INDISPENSABLE PARTY, filed.

Sept. 3, 1991 Reply To New Matter, Answer To Counterclaim I, Answer and New Matter To Counterclaim II Filed by the Indispensable Party filed.

Sept. 4, 1991, Defendant's reply to New Matter filed by Plaintiff filed.

Dec. 18, 1991, Reply to New Matter, filed by Robert P. Dinneen, filed.

Dec. 18, 1991, Reply to New Matter, filed by Mark Resources Croporation, filed.

Apr.30, 1993 Certificate of Readiness filed.

ON OCTOBER, 1993 TRIAL LIST

Aug. 30, 1993 Notice of Service of Deposition and Request for Production filed.

Aug. 30, 1993 Amended Answer, New Matter and Counterclaim To Plaintiff's Amended Complaint filed.

Sept. 3, 1993 Notice of Deposition of Ann Marie Hazuka Toerper, filed.

Sept. 8, 1993 Preliminary Objections to Defendant, Mark Resource's Amended Answer, New Matter and Counterclaim to Plaintiff's Amended Complaint, filed.

Sept. 8, 1993 Praecipe to Place on Argument List, filed.

ON ARGUMENT LIST FOR OCTOBER 1993

Sep. 10, 1993 Motion for Protective Order and/or Objection to Notice of Deposition of Toerper filed.

Sep. 10, 1993 Amended Complaint in Civil Action (With Exhibit Error Corrections) filed.

Oct. 5, 1993 ORDER filed. AND NOW, September 30, 1993, this case having been listed for the October argument list by praecipe filed September 15, 1993, and the Court having been informed by Attorney William Walker in the meantime that the case has been settle (and having been so marked on the October civil jury trial list), this matter is removed from the argumetn list on the understanding that the entire case will soon be settled of record, with no prejudice to any party to reset any argumetn should that not come to fruition.
BY THE COURT
Gordon R. Miller, p.J.

Oct 8,1993 copy to K. BEhrend, G. Kotjarapoglus & W. Walker

1990

Louis P. Vitti & Assoc.
Louis P. Vitti

369.

UNIVERSAL MORTGAGE CORPORATION ASSIGNEE OF FIRST NATIONWIDE SAVINGS, ASSIGNEE OF FIRST FEDERAL SAVINGS AND LOAN ASSOCIATION OF ERIE

vs.

RANDALL P. FULMER AND JUDY A. FULMER, HIS WIFE AND JOHN DOE AND MARY ROE, TERRE TENANTS

Filed Apr. 12, 1990
@ 12:56 p.m.

Tax & entry Paid	$50.50
Sheriff's Costs	75.00
Pro Co Pd 5-17-90	9.00

COMPLAINT IN MORTGAGE FORECLOSURE

4 copies (sheriff)

May 4, 1990 Sheriff's Return filed. Before me, the undersigned authority, personally appeared Michae L. Almes, who being duly sworn according to law, deposes and says that on the 25th day of April, 1990, at 1:45 P.M., he served Complaint Mortgage Foreclosure, filed at No. 369 Term, 1990, Crawford County Pennsylvania, upon defnednat July A. Fulmer at R.D. #3 Box 233-C Shelocta ARmstrong Twp. Indiana County PA By making known the contents thereof to Randall Fulmer husband of defendant an dhanding to and leaving with him the certified copy of the complaint received from crawford County.
So answers, Michael L. Almes, Deputy Sheriff
John R. Gondal, Sheriff

Before me, the undersigned authority, personally appeared Michael L. Almes, who being duly sworn according to law, deposes and says that on the 25th day of April, 1990, at 1:45 PM. he served Complaint Mortgage Foreclosure, filed at No. 369 Term, 1990, Crawford County Pennsylvania, upon defnednat Randall P. Fulmer at R.D.#3 Box 233-C Shelocta Armstrong Twp. Indiana County, PA By making known the contents thereof to him personally and handing to and leaving with him the certified copy of the complaint received from Crawford County, PA.
So answers Michael L. almes, Deputy Sheriff
John R. Gondal, Sheriff

SERVED Randall P. Fulmer by deputizing the Sheriff of Indiana County, PA as per his Affidavit of Service attached. Served: April 25, 1990
SERVED Judy A. Fulmer by deputizing the Sheriff of Indiana County, PA as per his Affidavit of Service attached. Served: April 25, 1990
SERVED Tenant, Barbara Laderer, on April 16, 1990 at 8:58 AM by hanidng copy of Complaint to her at residence, 948 Alfred Street, Meadville, Crawford County, PA.
SERVED Tenant, Marilyn Yoder of 946 Alfred St., on April 17, 1990 at 1:40 PM by handing copy of Complaint to her at place of employment, Pennbank, Chestnust Street, Meadville, Crawford County, PA.
So answers, Robert M. sTevens, Deputy Sheriff
Howard N. Stewart, Sheriff

AND NOW, May 17, 1990 @ 1:40 P.M., Upon praecipe of Plaintiff's attorney judgment is hereby entered in favor of the Plaintiff and against the defendants for failure to file an answer and the same is liquidated in the amount of Thirty-eight Thousand Two Hudnred Seventy-One and 72/100 together with interest and costs.
F-141, 91; D-96, R-116

Debt.....$38,271.72 + int. & costs
JUDGMENT
James F. Simmons
Prothonotary

May 17, 1990 Judgment entered.

May 18, 1990 Notice of Judgment mailed defendants.

EXECUTION NO. 1990-44

1990

Watts, Pepicelli,
Youngs and Youngs PC
Christopher J. Youngs

370.

WENDY TERWILLIGER

vs.

JAY R. MARCINOWSKI

Filed Apr. 12, 1990
@ 1:51 p.m.

Tax & entry Paid	$50.50
Pro Co pd 7/31/90	9.00
State pd 7/31/90	10.00

COMPLAINT IN DIVORCE

1 copy (atty)

Apr. 16, 1990 Affidavit Of Service filed. Christopher J. Youngs, hereby certifies that he is the Attorney for the Plaintiff Wendy Terwilliger, in the within Action and that a copy of the Divorce complaint was sent by certified mail, return receipt requested, deliver to addressee only to the Defendant, Jay r. Marcinowski, at P.O. Box 428, Edinboro, PA 16412 on April 12, 1990 and was received by the Defendant onApril 13, 1990. The receipt for certified mail and the return receipt are attached hereto marked Exhibit "A".

Christopher J. Youngs

July 24, 1990, Affidavit of Consent of plaintiff filed.

July 25, 1990 Affidavit of Consent of Defendant filed.

July 30, 1990 Upon praecipe of Plaintiff Attorney For Review Under 201(c) of the Divorce Code, this case moved to court.

Aug. 10, 1990 DIVORCE DECREE FILED.

And now, August 10, 1990, it is ordered and decreed that Wendy Terwilliger, plaintiff, and Jay R. Marcinowski, defendant, are divorced from the bonds of matrimony.

BY THE COURT,
P. Richard Thomas, J

1990

Babb & Fall, P.C.
Alfred W. Babb

371.

Shafer, Swick, Bailey, Irwin & Stack
James R. Irwin

CATHERINE A. FORTUNATO, INDIVIDUALLY AND AS GUARDIAN FOR TARA FORTUNATO AND LAUREN FORTUNATO, MINORS, AND EVA CINIELLO, INDIVIDUALLY, AND AS GUARDIAN FOR ROBERT CINIELLO, A MINOR

vs.

BETTY FELESKY

Filed Apr. 16, 1990
@ 10:50 a.m.

Tax & entry paid $ 50.50
Pro Co pd. 11/2/92 6.00

COMPLAINT IN CIVIL ACTION

1 copy (atty)

May 18, 1990 Appearance of Shafer, Swick, Bailey, Irwin & Stack by James R. Irwin for defendant filed.

Oct. 31, 1990 Defendant's Answer To Plaintiff's Complaint filed.

Nov. 8, 1990, Plaintiff's Preliminary Objections to Defendants Answer and New Matter filed.

Nov. 19, 1990, Verification to Answer and New Matter filed.

Dec. 3, 1990, Notice of Deposition of Betty Felesky, filed.

Jan. 10, 1991 Reply To New Matter filed.

June 5, 1992 Notice To Complete Discovery Under Local Rule L302A(2) filed.

Nov. 2, 1992 Petition To Settle Claim Involving Minors and Order filed. AND NOW, this 27th day of November, 1992, upon presentation of the foregoing Petition and Stipulation of consel, it is hereby ORDERED, ADJUDGED AND DECREE that the settlement involving minors proposed in said Petition, including affidavits and Exhibit "A", is hereby approved.

BY The Court
Gordon R. Miller, J

Nov. 6, 1992 Copies of order to Atty's Babb and Irwin

Nov. 2, 1992 Upon praecipe of Plaintiff Attorney the above-captioned case is marked settled and discontinued of record.

7

1990

Dennis G. Kuftic

372.

BARBARA A. GUIDO

vs.

JAMES F. GUIDO

Filed Apr. 16, 1990
@ 11:22 a.m.

Tax & entry paid	$50.50
Pro Co. Pd. 8-8-90	9.00
State Surcharge Pd.	10.00

COMPLAINT IN DIVORCE

2 copies (atty)

April 23, 1990 Acceptance of Service of Complaint filed. I, James F. Suido, the Defendant in the above-captioned matter, hereby certify that on the 4-19-90 day of April, 1990, I was duly served a true and attested copy of the Complaint in Divorce filed at the above term and number.

James F. Guido

Aug. 8, 1990 Affidavit of Consent of Plaintiff filed.

Aug. 8, 1990 Affidavit of Consent of Defendant filed.

Aug. 8, 1990 Upon Praecipe of Plaintiff Attorney For Review Under Section 201(c) of Divorce Code, this case is moved to Court.

Aug. 13, 1990 **DECREE FILED.**

AND NOW, August 13, 1990, it is ordered and decreed that BARBARA A. GUIDO, Plaintiff, and JAMES F. GUIDO, Defendant, are divorced from the bonds of matrimony.

BY THE COURT:
Gordon R. Miller, J

1990

Shafer, Swick, Bailey, Irwin & Stack
Louis J. Stack

373.

Joseph F. Kulwicki III

KENNETH BECHARD AND DEBRA BECHARD

vs.

FRANK REICHART AND JUDY REICHART

Filed Apr. 16, 1990
@ 1:51 p.m.

Tax & entry Paid $50.25✓

Arb paid 9/13/90 15.00✓

APPEAL OF DEFENDANTS FROM JUDGMENT OF ROBERT J. LEONHART, MAGISTERIAL DISTRICT 30-3-03

Apr. 16, 1990 Rule entered upon plaintiffs to file complaint issued.

Apr. 23, 1990 Proof of Service Of Notice Of Appeal and Rule To File Complaint filed.

May 1, 1990 Complaint filed.

May 21, 1990 Answer filed.

June 7, 1990 Plaintiffs' Preliminary Objections To Defendants Counter-Claim filed.

June 7, 1990 Upon praecipe of Plaintiff Attorney the above matter is placed on the next available argument list.

June 19, 1990 Answer to Plaintiffs' Preliminary Objections filed.

June 20, 1990 Certificate of Service filed. Joseph F. Kulwicki, III, attorney for the Defnedants, certifies that on June 19, 1990, at approximately 4:45 p.m., a true and correct copy of the answer to Plaintiffs' Preliminary Objections and Defnedants' Brief in Opposition to Plaintiffs' Preliminary Objections was personally delivered to the office of Louis J. Stack, Esq., attorney for the plaintiffs, Chestnut Street, Meadville, PA. Joseph F. Kulwicki

ON JULY 1990 ARGUMENT LIST

August 1, 1990 Memorandum and Order filed. AND NOW, July 31, 1990, the Plaintiffs' preliminary objections in the nature of a demurrer are dismissed. The Plaintiffs shall file a reply to the Defendants' counterclaim within twenty (20) days from the date of this Order.

By The Court,
Gordon R. Miller, J.

Aug. 1, 1990 Copy to Attys. Louis Stack and Joseph Kulwicki.

Aug. 14, 1990 Plantiffs' Reply To Defendants' Coutnerclaim filed.

Sept 4, 1990 Reply to New Matter filed.

Sept 13, 1990, Upon praecipe of plaintiff attorneys for reference to the arbitrators, the following arbitrators are appointed:

E. Max Weiss, Esq. Ch.
Christopher j. Youngs
Paul E. Allen

Oct. 8, 1990 Arbitrators Take the Qualifying Oath.

Nov. 7, 1990, Notice of Hearing Before Board of Arbitrators filed.

1990

Joseph F. Kulwicki

374.

MARY BOWSER

vs.

MATTHEW BOWSER

Filed Apr. 16, 1990
@ 1:53 p.m.

Tax & entry Paid	$50.50
Pro. Co. Pd 7-31-90	9.00
State Surcharge Pd.	10.00

COMPLAINT UNDER SECTION 201(c) OF THE DIVORCE CODE

1 copy (atty)

April 23, 1990 Affidavit of Service filed. Laura Vangorder, being duly sworn according to law, deposes and says she is an adult individual, over the age of eighteen (18) years, is employed by Joseph F. Kulwicki, Esq., attorney for the plaintiff, and as such, on Wednesday, April 18, 1990, at approximately 2:05 p.m., she personally served a certified copy of the Divorce Complaint in the matter above captioned upon the Defendant, Matthew Bowser, at 891 Grove St., Meadville, Crawford Co., PA.

FURTHER AFFIANT SAITH NOT.

Laura VanGorder
Plaintiff

July 26, 1990 Affidavit Of Consent of ~~Defendant~~ filed.

July 31, 1990 Affidavit of Consent of Defendant filed.

July 31, 1990 Upon praecipe of Plaintiff Attorney For Review under Section 201(c) of Divorce Code, this case is moved to Court.

Aug. 10 1990 **DIVORCE DECREE FILED.**

And now, August 10, 1990, it is ordered and decreed that Mary Bowser, plaintiff, and Matthew Bowser, defendant are divorced from the bonds of matrimony.

BY THE COURT,
P. richard Thomas, J

Barbara J. Walton
Brian J. Lindsay

375.

Gregg & Nelson
Kathleen R. Nelson, Esq.

ANN HUSON

vs.

MICHAEL F. McCORMICK

John Fuller, Esq. Mediator

Filed April 16, 1990
@ 3:03 p.m.

11-16-92
Received from Defendant
Mediation fees
175.00

Indigent filing

John Fuller Mediator 200.00
Pro Co 11-16-92 9.00

11-20-92
Pd Comm
Med. fee Ck #7186
$175.00

COMPLAINT FOR CUSTODY

1 copy atty, 1 copy mediator

Order:

You, Michael F. McCormick, have been sued in court to obtain custody, of the child (ren) Tyl Jacob Tyler Husann Jacob Tyler Huson.

You are Order to appear in person before Custody Mediator John Fuller, _____, at such time and place as the Mediator may specify.

If you fail to appear as provied by this Order, an Order for Custody may be entered against you or the court may issue warrant for your arrest.

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

Prothonotary
Crawford County Courthouse
Meadville, PA 16335
(814) 335-1151

Brian J. Lindsay, Esquire
311 Walnut Street
Meadville, PA 16335
(814) 336-1151

Date:

BY THE COURT,
P. Richard Thomas, J

Apr. 16, 1990 Petition For Leave To Proceed In Forma Pauperis filed.

July 19, 1990 Vertification Of Service filed. I, Brian J. Lindsay, Esquire, Attorney for Plaintiff, do verify that a true and correct copy of the Order and Complaint for Custody was sent to the above named defnednta on June 27th, 1990 by Certified Mail, Return REceipt Requested. Further, that as Plaintiff's attorney, I am authorized to make verification of service nad that on July 5, 1990 I did receive the return receipt evidencing service of the aforesaid Order and Complaint on the above named defendant on June 30, 1990.

Brian J. Lindsay

Feb. 20, 1991 Order filed. AND NOW, February 19, 1991, after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS:

I. Legal custody of Jacob Tyler Huson, shall be shared between the mother, Ann Huson, and the father, Michael F. McCormick, that is, each parent shall be entitled to full access to school records, medical records and other important records and that each parent shall be entitled to take part fully in important decisions affecting the child's education, medical treatment and regilious instruction.

II. Physical custody of Jacob Tyler Huson shall be with his mother, Ann Huson, subject to the following conditions:

A. The father shall be entitled to visit the child at the mother's home for a four (4) hour period on February 9, 1991 and a four (4) hour period on February 10, 1991.

B. The father shall notify th emother of the weekend in March that he will be visiting in Crawford County and he shall likewise be entitled to a four (4) hour Saturday nvisit and a four (4) hour Sunday visit which visits shall also take place inthe mother's home.

C. Beginning withthe month of April, 1991, the father shall be entitled to visit the child and take the child in his custody one (1) weekend each month from 9:00 a.m. Saturday morning until 4:00 p.m. Sunday afternoon. The father will give the mother at least three (3) weeks notice of the weekend in which he will exercise such weekmd visits. The visit between the child and the father shall take place in Crawford County and the father shall not remove the child from Crawford County without the consent ofthe mother.

D. Holidays shall be defined as Christmas and Easter. The parties shall share custody ofthe child on Christmas and Esater and unless otherwise agreed between the parties, the child shall be in the custody of the mother on the two holiday until 1:00 p.m. and in the custody of the father on the two holidays from 1:00 p.m. until 4:00 p.m.

E. This order is entered without prejudice to the right of either party to request a further hearing or mediation conference at any time after January 1, 1991 for the purpose of changing or expanding the father's visitation rights.

F. Neither mother nor father shall say or do anything in an attempt to turn the child against the other parent, but on the other hand shall do everything in the power of each to foster a favorable and loving attitude on the part of the child towards both parents.

G. Neither mother nor father shall expose the child to any person or situation which may be harmful to the child's health or well being.

H. Both parents agree to inform the other immediately of any illness or injury regarding the child and both parents agree to furnish the other with a current telephone number.

III. This order is a temporary order but shall become a permanent order unless exceptions thereto are filed by eithr party within thirty (30) days of the date hereof.

IV. Cost of the mediation conference shall be equally divided with the father paying one-half ofthe cost thereof and the remaining one-half being paid by Crawford County.

P. Richard Thomas, S.J.

Feb. 22, 1991 Copies of order put in Brian Lindsay and John Fuller's box and copy mailed to defendant.

Mar. 18, 1991 Order filed. AND NOW, March 13, 1991, a letter addressed to the Court by the Defendant father comes to the attention of the cour tan dthe court considers the same as exceptions to the temporary order entered February 19, 191, in this custody action. We advise the Defendant that we cannot change temporary orders at the written or oral request of either party and that we consider his letter as excepting tothe provisions of the temporary order. ACCORDINGLY we hereby set a hearing to review the temporary order and the Defendant's exceptions thereto for April 9, 1991 at 1:30 P.M., in Courtroom No. 1, 2, or 3.

The defendant is advised that if he wishes to pursue this matter, he must appear at said hearing to testify in person.

BY ORDER OF THE COURT,
P. Richard Thomas, S.J.

Mar. 18, 1991 copy put in box for Atty. and copy mailed to defendant

April 22, 1992 PETITION FOR REVIEW OF CUSTODY ORDER BY MEDIATOR FILED.

April 23, 1992 ORDER FILED. AND NOW, April 22, 1992, this matter is referred back to John Fuller, Esquire, Custody Mediator.

BY ORDER OF THE COURT,
Gordon R. Miller, P. J.

April 29, 1992 copy of order distributed to: Brian J. Lindsay, Esq., Kathleen R. Nelson, Esq. and John Fuller, Esq.

Aug. 10, 1992 Appearance of Barbara J. Walton, Esq. for Plaintiff filed.

Continued on Page 556

1990

Brian J. Lindsay

376.

JEROME DALE FAIVRE AND
BARBARA P. FAIVRE

vs.

CHERYL HERSHELMAN

Filed Apr. 16, 1990

John Fuller, Mediator 135.00

~~Indigent filing~~
Pro Co pd 4/16/90 50.50 ✓
Pro Co Pd 8/23/90. 9.00 ✓

8/23/90
Recd mediation fee # 67.50 from plff.
Recd 9-5-90
$67.50
Vivian Stoltz

COMPLAINT FOR CUSTODY
1 copy mediator
2 copies (atty)

Order:

You, Cheryl Hershelman, have been sued in court to obtain custody, of the child (ren) Timothy Joel Hershelman.

You are Order to appear in person before Custody Mediator _____, at such time and place as the Mediator may specify.

If you fail to appear as provied by this Order, an Order for Custody may be entered against you or the court may issue warrant for your arrest.

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

Brian L. Lindsay, Esq.
311 Waltnut Street
Meadville, PA 16335
(814) 333-6771

Prothonotary
Crawford County Courthouse
Meadville, PA 16335
(814) 335-1151

Date: April 17, 1990

BY THE COURT,

May 3, 1990 Affidavit of Service filed: I, BRIAN J. LINDSAY, ESQUIRE, after being duly sworn according to law, depose and say that I am the attorney of record for JEROME DALE FAIVRE and BARBARA P. FAIVRE, at that as such I am authorized to execute this Affidavit; that I did on the 23rd day of April, 1990, send by Certified Mail, Addressee only, return receipt requested, a true and correct copy of the Complaint for Custody, to CHERYL HERSHELMAN, at her last known address of 402 Forest Green Drive, P.O. Box 225, Meadville, Pa 16335, as evidenced by the attached sender's receipt No. P 276 200 346, and that on the 27th day of April, 1990, I did receive the duly executed return receipt dated April 24th, 1990.

I verify that the statements made in this Affidavit are true and correct. I understand that false statements herein made are subject to the penalties of 19 Pa. C.S. Section 4904, relating to unsworn falsification to authorities.

Date: 5/2/90

Brian J. Lindsay, Attorney for Plaintiff

July 17, 1990 ORDER filed. AND NOW, July 16, 1990, after mediation conference before John Fuller, Esquire, It is Hereby Ordered and Decreed As Follows:

I. egal custody of Timothy Joel Hershelman shall be shared between the father, Jerome Dale Faivre, and the mother, Cheryl Hershelman, that is each parent shall have full access to school records, medical records and other important records and each parent shall be entitled to take part in important decisions affecting the child such as the child's education, religious instruction, medical treatment and other such important decisions.

II. Physical custody of Timothy Joel Hershelman shall be with his mother, Cheryl Hershelman, subject to the following conditions:

A. The father shall visit the child Sunday afternoons, beginning July 15, 1990 from 2:00 p.m. until 4:00 p.m. for a period of two weeks, that is such visits shall occur on July 15 and July 22. These visits shall be under the supervision of the mother and shall be either at the mother's home or at such other place as the mother shall designate.

B. Beginning Sunday, July 29, 1990, the father shall be entitled to visit and take the child into his custody for four (4) consecutive Sundays, that is on Sunday, July 29, August 5, August 12 and August 19. Such Sunday visits shall entitle the father to take the child into his custody Sunday at 12:00 noon and keep the child until Monday at 5:00 p.m. Such visits shall be at the home of the father.

C. Beginning August 26, 1990, the father shall be entitled to take the child into his custody every Sunday from 12:00 Noon until 5:00 p.m. on Monday. These visits shall be at the home of the paternal grandmother, Barbara P. Faivre.

D. Transportation of the cild on visits shall be the responsibility of the father and the paternal grandmother.

E. Holidays shall be defined as Thanksgiving and Easter. The child shall be in the home of the father every Thanksgiving Day and every Easter Sunday, but in the home of the mother every Christmas Day. The father shall respect the mother's religious concerning holidays.

F. Each party shall disclose to the other all matters relating to the child's health, education and welfare and shall provide the other with current telephone numbers and addresses at all times.

G. Neither party shall do and say anything in an effort to turn the child against the other parent, but on the other hand shall do everything in the power of each to foster a favorable and loving attitude on the part of the child towards both parents. It is specifically provided that there shall be no arguing between the parents during custody exchanges.

III. This order is a temporary order but shall become a permanent order unless exceptions thereto are filed by either party within thirty (30) days of the date hereof.

IV. Cost of the mediation conference shall be divided with Crawford County paying one-half o f the cost thereof and the remaining one-half to be paid by the father.

P. Richard Thomas,
Judge

July 19, 1990 Copy of Order to Attys. Brian Lindsay, John Fuller.

1990

Dale, Woodard, Montgomery, Greenfield, Pemrick
Atty. Woodard

377.

Swanson, Bevevino & Millin, P.C.
Steven J. Gilford

Shafer, Swick, bailey, Irwin & Stack
James R. Irwin

ALBERT BROADHURST, JR.

vs.

SANDRA BROADHURST

Filed Apr. 16, 1990
@ 4:03 p.m.

Tax & entry Paid $50.50
1 count paid 15.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION

1 copu (atty)

Apr. 26, 1990 Appearance of Swanson, Bevevino & Millin, P.C. by STeven J. Gilford for Defendant filed.

Apr. 26, 1990 Acceptance of Service filed. In lieu of service by the Sheriff, or otherwise as provided by Pa. R.C.P. 1920.4, the undersigned attorney for the defendant hereby accepts service of the Complaint in the above case.
IN WITNESS WHEREOF, and intending to be legally bound hereby, the undersigned has hereunto executed this document this 20th day of April, 1990. Steven J. Gilford

Sept. 28, 1992 Appearance of Shafer, Swick, Bailey, Irwin and stack by James r. Irwin for defendant filed.

Feb. 17, 1998 Important Notice and Court Order filed. Our court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since 9/28/92 . We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonably delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.
If you do not object this this case being dismissed, you do not have to do anything. The case will be marked "dismissed with prejudice" in our records, and will be over forever.
If you object to the case being dismissed, you must put your object in writing and follow Crawford County Civil Local Rule L206, LJA 1901E and LJA 1901F, explaining why there has been a delay in your case and why it is not unreasonable. These written objections must be filed in the Prothonotary's Office on or before April 24, 1998. You must also give or sent a copy of any objections you file to the other party or his or her attorney, and certify that you have done so when you file your objections with the Prothonotary.
YOU MAY LOSE IMPORTANT RIGHTS IF YOUR CASE IS TERMINATED. YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP:
Court Administrator
Second Floor-Crawford County Courthouse
Meadville, PA 16335
(814) 333-7498

By the Court,
Date: February 13, 1998 Anthony J. Vardaro, J
Feb. 17, 1998 copies mailed by Court Administrator's Office

May 6, 1998 Order filed. AND NOW, this fourth day of May, 1998, written notice of the Court's intent to terminate the cases listed below having been given to the parties or their counsel of record, and further notice having been given to counsel and parties by publication of a "Notice of Intent to Terminate Cases" printed in the Crawford County Legal Journal on April 15, 1998, and no objection thereto haing been received by the Court from either party in the cases listed below, **all and each of the 245 cases listed below are hereby terminated and dismissed with prejudice.** A copy of this order shall be filed at each of the docket numbers listed below, but copies need not be given to or served upon the parties or their attorneys. Cases may be reinstated only in accordance with Crawford County Rule LJA 1901.

By the Court:
Gordon R. Miller, P.J.

(See original filed at A.D. 1997 - 702)

1990

Northwestern Legal Services
R.Christopher Brode

Fuller, Kinnunen,
Petruso & Gamble
Ann Hansen Gamble

378.

William J. Gregg

3/1/90 Recd. $ 68.50
From Plaintiffs
Recd Aug 1, 1990
$ 68.50
Vivian Stoltz

Recieved from defendant 76.00
Plaintiff
Mediation fee
5-4-92

Pd McComm
6-25-92 Med Fee
Ch #6902 76.00

ALDRICH JOHN BORKOVEC, JR.

vs.

BONNIE P. McKINNEY

Filed Apr. 17, 1990

Tax & entry Paid	$50.50 ✓
William Pineo, Mediator	137.00
	9.00 ✓
Pro Co Pd 7/1/90	
William Pineo Mediator	152.00
Pro Co	9.00

COMPLAINT FOR CUSTODY
1 copy atty, 1 copy mediator

Order:

AND NOW, this 17 day of April, 1990, William Pineo is hereby appointed Custody Mediator and is hereby directed to hold such Custody Mediation Conference as he deems appropriate and to make recommendations thereafter to this HOnorable Court.

P. Richard Thomas, J

April 24, 1990 Affidavit of Mailing filed. Ann Hansen Gamble, being duly sworn according to aw, deposes and says that she is an Attorney at Law, duly authorized to practice law in the Commonwealth of PA. and that on April 19, 1990, she sent a copy of the Complaint for Custody to the Defendant by certified mail, restricted delivery, postage prepaid, receipt requested, to Bonnie P. McKinney, 463 Arch St., Meadville, PA 16335, the Defendant's last known address. The said receipt being attached hereto.

Ann Hansen Gamble

June 8, 1990 Temporary Order filed: AND NOW, this 5th day of June, 1990, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator,

IT IS HEREBY ORDERED AND DECREED THAT:

1. Legal custody of the subject minor child is awarded to his mother, the defendant.

2. The parties shall share with each other any and all information which each may have regarding the health, education, and the major events in the life of the subject minor child. Health care, school personnel, and other care providers are hereby authorized to release to either party any and all confidential information which they may have regarding the subject minor child.

3. The father shall have the right of visitation and temporary physcal custody each weekend, beginning with the weekend of June 8 from Saturday at 10:00 a.m. throught Saturday at 7:00 p.m. and Sunday at 10:00 a.m. throught Sunday at 7:00 p.m. Starting with the weekend of August 4, 1990, the father shall have the right of temporary physical custody and visitation each weekend, except for the last full weekend of each month from Saturday at 10:00 a.m. throught Sunday at 7:00 p.m.

4. Holiday visitation shall be arranged as follows:

a. Christmas holiday shall be arranged as follows:
The father shall have the right of visitation each Christmas from 2:00 p.m. Christmas Day through 6:00 p.m. of December 28.

b. Thanksgiving holiday visitation shall be arranged as follows:
The father shall have temporary physical custody and visitation each Thanksgiving from 3:00 through 6:00 p.m. of the Friday following Thanksgiving.

c. The other holidays to be observed are New Years Day, Memorial Day, Independence Day, Labor Day, and Easter. Holiday visitation shall be between the hours of 9:00 a.m. and 8:00 p.m., except for Independence Day, when the holiday visitation shall be extended to 11:00 p.m. so that the child may watch the fireworks. The father shall have visitation and temporary physical custody on the holiday next following the entry of this order, and the parties shall thereafter alternate the holiday periods.

d. The child shall spend Father's Day with their mother, during the same hours.

e. The father shall have the right of visitation and temporary physical custody for a period not to exceed one week to coincide with his vacation from work. For summers succeding 1990, he shall have visitation and temporary physical custody for two weeks, to be taken during his vacation from work. In each case he shall notify the mother one month in advance of the period he wishes to select for the summertime visit.

5. Should it be necessary for either party to cancel or modify the visitation as set out in this order or as previously arranged, the party seeking cancellation or modification shall notify the other party as soon as he or she knows of the necessity which impels the cancellation or modification. Said modification or cancellations shall not be proposed except for good reasons. Should a cancellation or modification be necessary, the parties shall attempt at once to arrange for alternative visits or to make alternative arrangements.

6. The parties shall split responsibility for transportation with the party receiving the child in the exercise of his or her rights picking up the child at the home of the other.

7. Each party shall teach said child to give to the other party that love and respect which is due a parent from his or her child.

8. Neither party shall use illegal drugs or be under the influence of alcohol at any time when said party has the care and custody of the subject minor child. The parties are cautioned that recent medical research has indicated taht tobacco smoke is injurious to the health of growing child. Therefore, neither party shall smoke tobacco or permit others to do so in a closed automobile in which the child are being transported or in the bedroom of the child.

9. Any person transporting the child shall make sure that the seat belts or other restraints are used in accordance with the law of Pennsylvania.

10. Neither party shall do or say anything to blacken the character of the other in the child's estimation. Each party shall treat the other in a polite and respectful mannen when in the child's presence and each party shall instruct his or her relatives and friends to do likewise and also not to disparage the other party in the child's estimation.

11. The parties are free to make additional or alternative arrangements respecting the custodial and viaitation periods and are strongly encouraged to do so if that would be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which this Order shll govern.

12. Either party may request a review of this Order two years from date hereof to make any adjustments. The issue of shared legal custody may be reviewed at that time also.

13. Costs and fees of this Mediation, which are fixed at $137.00 are divided equally between the parties with a share of each being assessed to him or her as costs in this case. Payment shall be made to the Prothonotary of Crawford County.

14. Either party may move the court for a hearing de novo for th irty (30) days from date hereof. If neither party so moves, this Order shall be considered permanent.. BY THE COURT, Gordon R. Miller, J

June 15, 1990 Copies of order put in Atty. Pineo's box and copies mailed to Plaintiff and Defendant.

July 5, 1990 Appearance of William J. Gregg for Defendant filed.

Continued on page 378 A

ALDRICH JOHN BORKOVEC, JR

vs.

BONNIE P. Mckinney

Record continued from page 378

of record

A.D. 1990 - 378

****

July 13, 1990 Motion For Trial de Novo and Order filed. AND NOW, this 12 day of July, 1990, upon presentation and consideration of the foregoing Motion for Trial De Novo, a hearing is set for the 21st day of August, 1990, at 9:00 o'clock a.m., in Courtroom No. 1 or 2 of the Crawford County Courthouse, Meadville, Pennsylvania.

For The Court,
Imogene Yetman, C.A.

July 13, 1990 Copy of order mailed to Ann Hansen Gamble and copy of order put in William Gregg's box.

Aug.7, 1990 Petition For Contempt and Order filed. AND NOW, this 6th day of August, 1990, hearing on the pl aintiff's petition for contempt is set forth same time and date as the De Novo Hearing requested by the defendnat, August 21, 1990, at 9:00 a.m., in Courtroom #1, or #2 of the Crawford County Courthouse, Meadville, Pennsylvania.

P. Richard Thomas, J

Aug. 8, 1990 Copy of order mailed to Ann Hansen Gamble and copy of order put in William Gregg's box.

Aug. 21, 1990 Motion For Continuance and ORDER filed. Upon consideration of the foregoing Motion to Continue the hearing in the above-captioned matter previously set for Aug. 20, 1990 at 9:00 a.m., it is hereby continued until the 3rd day of October, 1990 in Courtroom 1 or 2 at 9:30 o'clock.

Imogene Yetman, Ct. Adm.

Aug. 24, 1990 Copy of Order to Attys. Ann Hansen Gamble, William Gregg.

Oct. 9, 1990, Motion to Continue to a Date Certain filed.

Oct. 9, 1990, ORDER filed. And now, Oct. 3, 1990, hearing s cheduled in the above captioned matter for this date is continued generally, pending the outcome of the hearing presently sc heduled before the court on Oct. 12, 1990, at 1:30 p.m.

Upon resolution of the matter set for hearing on Oct. 12, 1990, either party may petition the court for a hearing date concerning the custody issue.

BY ORDER OF THE COURT,
P. Richard Thomas, S. J.

Oct. 9, 1990, copies mailed to attys and plff.

Jan. 10, 1992 Complaint For Partial Custody filed. (One copy to Atty. Wm. Pineo, Three (3) copies to R. Christopher Brode.

Jan. 10, 1992 ORDER OF COURT filed. You, Bonnie McKinney, Defendant, have been sued in Court to obtain custody of the minor child. Aldrich Borkovec III.

You are ordered to appear in person at the time and place selected by William Pineo, Custody Mediator. You are further ordered to bring with you the child named in this Order.

If you fail to appear as provided by this Order, an Order for custody, partial custody, or visitation may be entered against you or the Court may issue a warrant for your arrest.

Service shall be effectuated by First Class Mail, Certified. In the alternative, the Crawford County Sheriff's Department is directed to serve a certified copy of this Complaint and Order upon the Defendant.

Plaintiff is allowed to proceed without payment of Court costs reserving to the Court the right to impose costs.

You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help:

Court Administrator
Crawford County Courthouse
Meadville, PA 16335
(814) 336-1151, ext. 298

By The Court,
P. Richard Thomas, S. J.

Jan. 10, 1992 Copy of Order to Atty. William Pineo; 3 copies of Order to Atty. R. Christopher Brode, Jan. 16,1992 to Wm. Gregg.

Jan. 10, 1992 Affidavit To Proceed In Forma Pauperis filed.

Jan. 10, 1992 Praecipe to Proceed In Forma Pauperis filed.

Jan. 16, 1992 AFFIDAVIT OF SERVICE filed. I hereby certify that I have served, by U.S. Certified Mail, a true and exact copy of the complaint that has been filed in the above matter to Bonnie McKinney on Jan. 15, 1992 at 463 Arch St., Meadville, Pa.

Proof of service is evidenced by the attached return receipt signed by Bonnie McKinney. R. Christopher Brode

Feb. 19, 1992 TEMPORARY ORDER filed. AND NOW, this 18th day of February, 1992, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator,

IT IS HEREBY ORDERED AND DECREED THAT:

1. Legal and physical custody of the subject minor child is awarded to his mother, the Defendant.

2. The parties shall share with each other any and all information which each may have regarding the health, education, and the major events in the life of the subject minor child. Health care, school personnel, and other care providers are hereby authorized to release to either party any and all confidential information which they may have regarding the subject minor child.

3. The father shall have temporary physical custody and visitation with the subject minor child each Tuesday and Thursday, beginning wtiht the week of February 17, from 2:30 p.m. to 6:00 p.m., and on alternate weekends, beginning with Friday, February 21, from Friday at 7:00 p.m. through Sunday at 6:00 p.m.

4. Holiday visitation shall be arranged as follows:

a. There shall be two Christmas holiday visitation periods, the first beginning Christmas Eve at 6:00 p.m. and ending Christmas Day at 11:00 a.m. and the second beginning Christmas Day at 11:00 a.m. and ending Christmas Day at 7:00 p.m. For Christmas, 1992, the mother shall have the first period and the father, the second, and the parties shall thereafter alternate the periods.

b. There shall be two Thanksgiving holiday visitation periods, the first beginning at 7:00 p.m. on the Wednesday preceding Thanksgiving and ending Thanksgiving Day at 2:00 p.m. and the second beginning Thanksgiving Day at 2:00 p.m. and ending Thanksgiving Day at 7:00 p.m. For Thanksgiving 1992, the father shall have the first period, and the mother, the second, and the parties shall thereafter alternate the periods.

c. There shall be two Easter visitation periods, the first beginning on Holy Saturday at 6:00 p.m. and ending Easter Sunday at 2:00 p.m. and the second beginning on Easter Sunday at 2:00 p.m. and ending Easter Sunday at 7:00 p.m. For Easter 1992, the mother shall have the first period, and the father, the second, and the parties shall thereafter alternate.

d. The other holidays to be observed are Memorial Day, Independence Day, and Labor Day. Holiday visitation shall be between the hours of 9:00 a.m. and 8:00 p.m., except for Independence Day, when the holiday visitation shall be extended to 11:00 p.m. so that the children may watch the fireworks. The father shall have visitation for Memorial Day 1992, and the parties shall thereafter alternate the holiday periods.

CONITNUED ON PAGE 378 B

Aldrich John Borkovec, Jr.

vs.

Bonnie P. McKinney

RECORD CONTINUED FROM PAGE 378 A

of Record

A.D. 1990 - 378

e. The child shall spend Father's day with his mother, during the same hours.

f. The provisions of this paragraph shall take precedence over theother provisions of this order relating to the custodial or visitation periods.

5. Should it be necessary for either party to cancel or modify the visitations as set out in this Order or as previously arranged, the party seeking cancellation or modification shall notify the other party as soon as he or she knows of the necessity which impels the cancellation or modification. Said modifications or cancellations shallnot be proposed except for good reasons. Should a cancellation or modification be necessary, the parties shall attempt at once to arrange for alternative vists or to make alternative arrangements.

6. The parties shall split reaponsibility for transportation with the party receiving the child in the exercise of his or her reights picking up the child at the home of the other.

7. Each party shall teach said child to give to the other party that love and respect which is due a parent from his or her children.

8. Neither party shall use illegal drugs or alcohol at any time when said party has the care and custody of the subject minor child. The parties are cautioned that recent medical research has indicated that tobacco smoke is injurious to the health or growing children. Therefore, neither party shall smoke tobacco or permit others to do so in a closed automobile in which the child is being transported or in the bedroom of the child.

9. Any person transporting the child shall make sure that the seat belts or other restraints are used in accordance with the law of Pa.

10. Neither party shall do or say anything to blacken the character of the other in the child's estimation. Each party shall treat the other in apolite and respectful manner when in the child's presence and each party shall instruct his or her relatives and friends to do likewise and also not to disparage the other party in the child's estimation.

11. The parties are free to make additional or alternative arrangements respecting the custodial and visitation periods and are strongly encouraged to do so if that would be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which this Order shall govern.

12. Neither party shall expose the subject minor child to the company of persons of the opposite sex to whom they are not related by blood or marriage between the hours of 8:00 p.m. and 8:00 a.m.

13. The mediator has noted for the court that the father's living arrangements are still fluid as he intends to marry, is seekign employment, and is still recovering from a medical condition. Therefore either party may request a review of this Order upon any substantial change in circumstances.

14. Costs and fees of this Mediation, which are fixed at $152.00. The mother shall pay one-half of said amount as costs in this case. The mediator has noted for the court that the father is being represented by Northwestern Legal Services and his share will be paid by Crawford County. Payment shall be made to the Prothonotary of Crawford County.

15. Either party may move the Court for a hearing de novo for thirty (30) days from date hereof. If neither party so m oves, this Order shall be considered permanent.

By the Court,
Anthony J. Vardaro, J.

Feb. 25, 1992 copy in box for W. Pineo, C. Brode, W. Gregg, Plf. & Dft.

Apr. 24, 1992 Petition For Contempt of Court and Order filed. AND NOW, this 24 day of April, 1992, upon presentation and consideration of the foregoing Petition, a Rule is entered upon the REspondent to show cause, if any she has, why the imposition of sanctions for contempt should not be granted.

This Rule is returnable on the 28 day of May, 1992, at 3:00 o'clock p.m., in Courtroom No 1 or 2 of the Crawford County Courthouse, Meadville, PA.

BY THE COURT,
Anthony J. Vardaro, J

apr. 30, 1992 Copies of order put in box for Atty's Brode, Gregg and Pineo

May 7, 1992 PROOF OF SERVICE FILED. I hereby certify that a copy of the foregoing Rule to Show Cause and Petition for Contempt was served on Respondent Bonnie McKinney, at 463 Arch Street, Meadville, PA. 16335 by U. S. Certified Mail, Return Receipt Requested, on May 5, 1992. Additonally, William J.Gregg, Esq., counsel for Defendant, was served by U. S. First Class Mail onApril 29, 1992.

Respectfully submitted,
Northwestern Legal Services
R. Christopher Brode, Esq., 231 Chestnut Street, 4th Floour, Meadville, PA 16335

Date: 5-7-92

May 29, 1992 Motion for Discontinuance of Contempt and Order filed. AND NOW, this 28 day of May, 1992 upon consideration of the foregoing Motion for Discontinuance of Contempt, said Motion is granted.

BY THE COURT,
Anthony J.Vardaro, J.

May 29, 1992 Copy of Order toAtty.Brode, Atty. Gregg and Atty.Pineo.

1990

Shafer, Swick, Bailey
Irwin & Stack
Louis J. Stack

379.

MEADVILLE FARM CREDIT, ACA,
NOW KNOWN AS
PENNWEST FARM CREDIT ACA

vs.

FLOYD L. BISHOP AND
CAROLYN H. BISHOP,
HUSBAND AND WIFE

Filed Apr. 17, 1990
@ 3:08 p.m.

Tax & entry Paid	$50.50
Sheriff's costs	27.00
Pro Co pd. 5/23/90	9.00
Pro Co pd 7/10/90	$6.00

COMPLAINT

2 copies (sheriff)

April 26, 1990 Sheriff's Return filed. SERVED Floyd L. Bishop personally on April 19, 1990 at 9:16 am at his palce of residence 233 N. Main St., Meadville, Crawford County, PA.

SERVED Carolyn H. Bishop on April 19, 1990 at 9:17 am by serving her husband, Floyd L. Bishop, at residence, 233 N. Main St., Meadville, Crawford Co., PA.

So answers,

Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

And Now, May 23, 1990 at 3:34 p.m. upon praecipe of plaintiff attorney, with Notice of Intention to File Default Judgment attached, judgment is hereby entered in favor of the plaintiff and against the defendant for failure to file an answer and the damages are assessed at the sum of Seventy-two Thousand Six Hundred twenty-eight and 70/100 plus interest and cost.

B-66-36 Debt $72,628.70
judgment entered 5/23/90 Judgment
notice of entry mailed 5/25/90 James F. Simmons
Prothonotary

Ex 1990-53

July 10, 1990 Upon praecipe of Plaintiff Attorney the above captioned matter is marked satisifed.

380

1990

Shafer, Swick, Bailey,
Irwin & Stack
James R. Irwin
380

Roger P. Mickle

vs.

Valerie A. Mickle

Filed Apr. 18, 1990
@ 1:15 p.m.

Tax & entry paid 50.50
2 Counts paid 30.00

COMPLAINT IN DIVORCE, EQUITABLE PROPERTY DETERMINATION
AND DISTRIBUTION , CHILD CUSTODY
1 copy atty

Feb. 17, 1998 Important Notice and Court Order filed. Our court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since 4/18/90 . We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonably delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.

If you do not object this this case being dismissed, you do not have to do anything. The case will be marked "dismissed with prejudice" in our records, and will be over forever.

If you object to the case being dismissed, you must put your object in writing and follow Crawford County Civil Local Rule L206, LJA 1901E and LJA 1901F, explaining why there has been a delay in your case and why it is not unreasonable. These written objections must be filed in the Prothonotary's Office on or before April 24, 1998. You must also give or sent a copy of any objections you file to the other party or his or her attorney, and certify that you have done so when you file your objections with the Prothonotary.

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

Court Administrator
Second Floor-Crawford County Courthouse
Meadville, PA 16335
(814) 333-7498

By the Court,
Date: February 13, 1998 Anthony J. Vardaro, J
Feb. 17, 1998 copies mailed by Court Administrator's Office

May 6, 1998 Order filed. AND NOW, this fourth day of May, 1998, written notice of the Court's intent to terminate the cases listed below having been given to the parties or their counsel of record, and further notice having been given to counsel and parties by publication of a "Notice of Intent to Terminate Cases" printed in the Crawford County Legal Journal on April 15, 1998, and no objection thereto haing been received by the Court from either party in the cases listed below, **all and each of the 245 cases listed below are hereby terminated and dismissed with prejudice.** A copy of this order shall be filed at each of the docket numbers listed below, but copies need not be given to or served upon the parties or their attorneys. Cases may be reinstated only in accordance with Crawford County Rule LJA 1901.

By the Court:
Gordon R. Miller, P.J.

(See original filed at A.D. 1997 - 702)

1990

Ferguson & Spataro
John F. Spataro

381

Harry F. White, II

Kapanick Construction, Inc.

vs.

Larry Smock

Filed Apr. 18, 1990
@ 2:31 p.m.

Tax & entry paid	50.25
Pro Co pd 6/20/90	15.00
Pro.Co. Pd 2/2/96	5.00

APPEAL OF DEFENDANT FROM JUDGMENT OF ROBERT J. LEONHART, MAGISTERIAL DISTRICT 30-3-03

Apr. 16, 1990 Rule entered upon plaintiff to file complaint issued.

Apr. 20, 1990 Proof of Service filed.

May 9, 1990 Complaint filed.

May 31, 1990 Answer and New Matter To The Plaintiff's Complaint filed.

June 14, 1990, Reply to New Matter filed.

June 14, 1990 Upon praecipe of P laintiff Attorney For Reference To Arbitrators the following are herjeby appointed:
Robert S. Bailey, Chairman
~~Mark D. Prather~~ William B. Moore
William Walker

July 16, 1990, Arbitrators Take the Qualifying Oath.

Aug. 22, 1990 Decision of Arbitrators filed in which they find , And now, the 22nd day of Aug., , we the undersigned Arbitrators chosen in this case, after having been duly sworn and having heard the evidence and allegations of the parties find in favor of Plaintiff in the amount of $600.00. This decision is entered by mutual agreement of the parties and their Counsel and is to be paid within 30 days of this date
Decision filed 8-22-90 S-102
Decision of Arbitrators, James F. Simmons, Prothonotary

Aug. 22, 1990 copies in boxes of John Spataro and Harry White II.

Feb. 1, 1996 Upon Praecipe of John F.Spataro, Esquire, Attorney for Plaintiff, this case marked settled and discontinued of record.

1990

382

Deborah S. Kelso

vs.

Troy A. Wofford

Filed Apr. 18, 1990
@ 4:25 p.m.

Tax & entry	50.50
Sheriff's Costs	25.00
Pro Co	9.00

10-11-90
Received $20 on Judgment
Bal due $4.50

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies (sheriff 1 copy (plff)

ORDER:

And now, this 18th day of April, 1990, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Defendant shall not return to 159 Walker Drive not see his children until further order of court.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for April 24, 1990, at 3:00 P M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller

Apr. 20, 1990 Sheriff's Return filed. SERVED Troy A. Wofford personally on April 19, 1990 at 12:30 PM by handing copy of Protection From Abuse to him at corner of Chestnut street and Chancery Lane, Meadville, Crawford County, PA.
So answers,

Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

April 26, 1990 ORDER filed. AND NOW, this 24th day of April, 1990, after a formal hearing at which neither party was represented by counsel, even though they were given the right to have counsel and after they elected to proceed without counsel, the Court finds that the Plaintiff has proven the allegations of abuse by the preponderance of the evidence and hereby enters the following order:

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the petition.
2. Temporary custody of the parties' minor children is awarded to the Plaintiff. The Defendant shall have the right to visit and take his minor children into his custody under the following occasions and under the following terms:

A) Every Tuesday and Saturday commencing with Saturday, Aprl. 28, 1990, between the hours of one o'cock p.m. and four o'clock p.m.

B) The visitations with the ather shall take place at the home of the paternal grandfather, Cordie Wofford.

C) The Plaintiff shall be obligated to deliver the children to the grandfather's home no later than one o'clock p.m. and shall be obligated to pick up the children at four o'clock p.m. each day the father has visitation rights.

D) This is intended to be a temporary order regarding custody and visitation and should remain in full force and effect until a Court or hearing officer having jurisdiction over the matter enters an appropriate custody and or visitation order.

E) Neither party shall do anything to adversely effect the health, saftety, morals or welfare of the children. The Defendant shall not, while he exercises his visitation rights, be under the influence of any alcohol or substances, and shall not have consumed any alcohol or substances within eight hours before the visition commences.

3. Possession of the Plaintiff's residence at 159 Walker Drive shall belong to her and the Defendant shall not be permitted to reside at that residence until futher order of Court. The Defendant maintains he has personal belongings at that residence. The Plaintiff shall do nothing to harm or damage those items. She shall package up those items and deliver them to the Defendant on April 28, 1990, at the time of the first visitation period. If the Defendant believes that he has not received everything he owns and if the parties cannot resolve that issue, the Defendant may petition this Court in this proceedings for a hearing to resovle those matters.
4. This order may be enforced without a warrant of arrest by any law enforcement officer having reasonable grounds to believe it has been violated.
5. Copy of the order shall be delivered into the police department in the jurisdiction where the Plaintiff resides and County Control.
6. This order will remain in full force from one year from this date unless modified by a further order of Court.
7. The Defendant is reminded that this is an order of Court and violation of this order may be punishable by a fine of $1,000 and a jail sentence up to six months.
8. In view of the fact that the Defendant is not gainfully employed, the costs of this proceedings shall be borne by the Plaintiff. She has thirty days from this date to pay the costs if she has not already done so.

By The Court,
Gordon R. Miller, J.

April 27, 1990 Copy of Order to County Control, Plaintiff and Defendant.

Continued on Page 382(a)

DEBORAH S. KELSO

VS.

TROY A. WOFFORD

RECORD CONTINUED FROM PAGE 382

of

AD 1990-382

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June 18, 1990 Order Setting Comtempt Hearing filed: AND NOW, June 18, 1990, the Court having been advised that the above defendant was placed in the Crawford County Jail for contempt of court order dated April 24, 1990, in the above matter, hearing is hereby set for June 20, 1990, at 4:00 p.m. in Courtroom Number 2, Crawford County Courthouse, Meadville, Pennsylvania.

BY ORDER OF THE COURT,
Imogene Yetman,
Court Administrator

June 25, 1990 Order filed: AND NOW, June 20, 1990 after hearing, at which neither party was represented by counsel, although both were given the right to have counsel, but elected to proceed without counsel, the court finds that the Defendant did violate the prior Order and is satisfied that the Plaintiff has proven that beyod a reasonable doubt. We do not now impose any further penalty because the Defendant as already spend upwards of ten days in the Crawford County Jail and because we are going to limit his activities further by this Order.

It is ordered as follows:

1. The Order of April 24, 1990 remains in full force and effect, except as herein modified or added to.

2. The Defendant shall not go upon the property of the Plaintiff at any time. He shall not go to her place of employment. He shall nct assault, abuse, harass, or threaten the Plaintiff or any of the minor children named in the petition.

3. The Defendant's visitation rights are hereby modified. He shall have the right to take his minor children into his custody two (2) days per week between the hours of 1:00 p.m. and 4:00 p.m. Those days shall be Tuesday and Saturday, unless the Defendant or someone acting on his behalf contacts the Plaintiff by telephone at least 24 hours in advance of a proposed visitation, in which case the Defendant may substitute other days of the week for Tuesdays and Saturdays, the purpose being to accommodate the Plaintiffs so that she can go about her affairs. in the event that the Defendant desires to see the children on a day other than a Tuesday or a Saturday, and if the Plaintiff has already pre-arranged a matter of importance to the children, the parties shall endeavor to come up with another day so that the Defendant's visitation may be accorded and so that the children and the mother may attend to that matter of importance that they had already arranged.

During these visitations, the Defendant shall be in the presence of his paternal grandfather Cordie Wofford, or his paternal grandmother, Essie Wofford, at all times.

In all other respects, the Order of April 24, 1990 regarding custody and visitation remains in full force and effect.

4. The Defendant is reminded that this is an Order of Court and any further violation of this order may be punishable by a fine of up to $1,000.00 and a jail sentence up to six months.

5. Costs of these proceedings shall be borne by the Defendant as he is now gainfully employed. He shall pay those costs within fifteen (15) days from this date.

BY ORDER OF THE COURT,
Gordon R. Miller, J

June 26, 1990 Copies of order to Plaintiff, Defendant and Co. Control.

Sept. 18, 1990 Order filed. And now, September 18, 1990, it having been reported to the Court that the above Defendant has been placed in the Crawford County Jail for contempt of this Court's Order of June 20, 1990, hearin gi sher eby set for September 19, 1990, at 11:00 a.m., before Judge Gordon R. Miller,.

BY ORDER OF THE COURT,
P. Richard Thomas, S.J.

Sept. 20, 1990 Order filed. AND NOW, September 19, 1990, at an informal hearing held to determine whether or not the Defendant is in contempt of Court and/or violated the order of June 20, 1990 and April 24, 1990, the Defendant elected to proceed without counsel. The Defendant was apparently arrested on Sunday morning, September 16, 1990 on an alleged violation of the prior orders, by a Gina Ullio. The Defendant has been incarcerated from September 16th until now.

There has been no evidence presented hereto that the Defendant violated the prior orders. We do not hold the Defendant in contempt of Court and we order his immediate release from incarceration. In the event that there are any court costs due as a result of this proceeding, they shall be paid by Gina Ullio within 15 days from this date. In that event, the Prothonotary shall send to Gina Ullio, at an address to be given to the Prothonotary by the Plaintiff, a letter by Certified Mail with a true and correct copy of this Order, wherein she is required to pay court costs.

BY ORDER OF THE COURT,
Gordon R. Miller, J

Sept. 21, 1990 Copies to plaintiff, defendant, County Control and Gina Ullio.

Sept. 20, 1990 Order filed. AND NOW, September 19, 1990 both parties appeared in Court on a contempt matter involving out prior orders. The parties stated that they get along now, that the Defendant has not abused, harassed, or threatened the Plaintiff in any way, an din fact, the Defendant has custody of the parties' minor children while the Plaintiff is attending school out of town.

The Court explained these proceedings to the Plaintiff and explained her options to her, which she understood. The Plaintiff desires to withdraw this matter and to have the prior order terminated. Accordingly, the abuse orders of June 20, 1990 and April 24, 1990 are termianated rescinded and cancelled upon payment by the Defendant of all court costs due in these proceedings, except the costs which Gina Ullio is required to pay.

Upon payment ofthe costs by the Defendant, a copy of this order shall be delivered to the police department in th eCity of Meadville and to County Control.

The defendant is required to pay the court costs for which he is reponsible no later than October 19, 1990.

BY ORDER OF THE COURT,
Gordon R. Miller, J

Sept. 21, 1990 Copies of order to plaintiff, defendant, County Control and Gina Ullio.

Continued on page 382 -B-

382
-b-

1990

Deborah S. Kelso

vs.

Troy A. Wofford

Record continued from page 382 A

of record

A.D. 1990 - 382

****

Nov. 21, 1996 Petition For Contempt and Orders filed. Legal proceedings have been brought against you alleging you have wilfully disobeyed an order of court for the payment of costs.
If you wish to defendant against the claim set forthin the following pages, you may but are not required to file in writing with the court your defeses or objections.
Whether or not you file in writing with the court your defenses or objections, you must appear in person in court on Thurs. Jan. 9, 1997, at 10:00 AM in Courtroom 1; Crawford County Court
House, Meadville, Pennsylvania 16335.
IF YOU DO NOT APPEAR IN PERSON, THE COURT MAY ISSUE A WARRANT FOR YOUR ARREST.
If the court finds that you have wilfully failed to comply with its order for payment of costs, you may be found to be in contempt of court and committed to jail, fined or both.
YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORDONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Court Administrator
Crawford County Courthouse
Second Floor
Meadville, PA 16335
(814) 333-7498

BY THE COURT,
Gordon R. Miller, J

AND NOW, this 20th day of November, 1996, the within Petition having been presented and duly consiered, the prayer of the Petitionis granted and a Rule is issued on said Plaintiff/Defendant to show cause, if any she/he has, why she/he should not be held in contempt of this court.
Said Rule returnable and to be heard on the 9th day of January, 1997 at 10 o'clock A.M. in Courtroom 1 or 2, Crawford County Courthouse, Meadville, Pennsylvania.
The Plaintiff/Defendant shall be present.
The Prothonotary is directed to mail a certified copy of the Petition, Rule and order to the Palintiff/Defendant by certified mail. If Service cannot be made by certified mail, the Sheriff of Crawford County shall forthwith serve or have served a copy of the Petition, Rule and Order upon the Plaintiff/Defendant.

BY THE COURT,
Gordon R. Miller, J

11-22-96 Distributed Dft.

Jan. 13, 1997 Order filed. AND NOW, January 9, 1997, at the ocntempt hearing held in this case, the defendant did not appear. The Prothonotary sent n notice by regular mail.
ACCORDINGLY, it is ORDERED as follows:
1. The hearing in this case is continued to 1:30 on Thursday, March 6, 1997, in Courtroom NO. 1
2. The Prothonotary shall send a true and correct copy of the ocntempt Petition, original notice and Order to Appear and this Order to the defendant at the defendant's last known address by regular mail and by Certified Mail, Return Receipt Requested.
3. If the Prothonotary believes that service has not been effected on the defendant, the Prothonotary shall determine whether she shall serve all of the rrequired documents on the defendant by personal service by utilizing the Sheriff or a Constable.

BY THE COURT,
Gordon R. Miller, J

1/14/97 mailed reg & cert. to dft.

Mar 12, 1997 ORDER: AND NOW, March 6, 1997, at a time fixed for hearing on a contempt petition brought by the Prothonotary of Crawford County for nonpayment of costs, the Court finds that the Prothonotary sent to this Defendant a copy of the contempt petition and order setting the hearing for this date, by certified mail, return receipt requested, and furhter, that the Defendant received said mailing, as evidenced by a green card that is filed of record in this case.

Accordingly, the Defendant failed to appear when ordred to do so. A bench warrant is issued for the Defendant's arrest and incarceration in the Crawford County Jail.

Once the Defendant is incarcerated, the Warden or the Sheriff shall notify the Prothonotary and the Court Administrator, and the Court Administrator will schedule a contempt hearing as soon as the attention of the Court may be had.

The Defendant shall be entitled to bond in the amount of $100.

In the event that the Defendant posts bond and is released, at the time of release, the Defendnat shall give to the Sheriff, Prothonotry, or Warden his exact mailing address. That address shall be given to the Court Administrator, and the Court Administrator shall schedule a hearing when the attention of the Court may be had, and give the Defendant written notice of the date, time, and place of the hearing at the address the Defendant gives to the authorities, as hereinabove provided. In the event that a Defendant makes bond, it is not necessary that an immediate hearing be held.

Gordon R. Miller, P.J.

Mar 17, 1997 Dist. Sheriff, Ct. Adm. & Brickner
(issued 3-17-97)

May 23, 1997 Order filed. AND NOW, May 23, 1997, the Defendant having been incarcerated on a Bench Warrant for failing to appear for a contempt hearing in the above originally set for March 6, 1997, this matter is hereby reset for Tuesday, May 27, 1997, at 11:30 a.m., via video conferencing between CR# 2 and the Crawford County Correctional Facility.

FOR THE COURT,
Ann A. Walker, Ct. Admin.

5-23-97 DISTRIBUTED by Holly

May 19, 1997 Bench Warrant returned.

June 2, 1997 ORDER: AND NOW, May 27, 1997, this matter comes before the Court on a Petition for Contempt filed by the Prothonotary due to the defendnat's still owing $64.50 in outstanding costs in this matter.

Anthony J. Vardaro, J.

June 2, 1997 Mailed Dft
(FOR COMPLETE ORDER SEE PAPER FILED)

1990

383

4/24/90 Rec'd. $21.00 from Defendant.

4/24/90 Paid $21.00 To Howard Stewart, Sheriff Check # 5575

Julia Mae Parker

vs.

Robin Jay Parker

Filed Apr. 19, 1990
@ 9:06 a.m.

Tax & entry Pd 4/24/90 50.50
Sheriff's Costs 21.00
9.00
Pd 4/24/90

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies sheriff, 1 copy plaintiff

ORDER:

And now, this 18th day of April, 1990, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Plaintiff shall be permitted to return to the joint residence to remove her clothing and other personal items so long as she is in the compnay of another adult or adults.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for Thursday, April 26, 1990, at 11:00 A M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

Apr. 20, 1990 Sheriff's Return filed. SERVED Robin Jay Parker personally on April 19, 1990 at 10:50 AM by handing copy of Protection From Abuse to him at his place of employment, Pennsylvania Tool & Gages, Conneaut Lake Road, Meadville, Crawford County, PA.
So answers,

Edgar D. Householder, Chief Deputy Sheriff
Robert M. Steve, Deputy Sheriff
Howard N. Stewart, Sheriff

384

Robin Calkins

vs.

Patrick Calkins

Filed Apr. 19, 1990
@ 9:19 a.m.

Tax & entry	50.50
Sheriff's costs	27.40
Pro Co	9.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies sheriff, 1 plaintiff

ORDER:

And now, this 18 day of April, 1990, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.

2. Special Conditions: Defendant shall not live at the marital residence (a Trailer) nor have custody of the children. Plaintiff is given sole possession of the residence and custody of the children.

3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.

4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.

5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.

6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.

7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.

8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for Wednesday April 25 1990, at 11:00 A M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

April 24, 1990 Sheriff's Return filed. SERVED Patrick Calkins personally on April 20,1990 at 10:30 am at his place of residence, RD #1, Shadeland Rd., Springboro, Crawford Co., Pa.
So answers,
Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

Apr. 25, 1990 Order filed. AND NOW, April 25, 1990, after informal hearing, Court finds it is impossible at this time for the parties to live together because of a conflict of personality and the husband's admiited addition to alcohol. Accordingly, the wife is accorded exclusive custody of the residence at Box 133, Springboro, with the right to occupy the same together with the children. The husband is precluded from going in the premises except for visitations with the children as hereafter prescribed.

Mother shall have exclusive custody of the three (3) minor children, but the parties mutually agree the father willhave visits with the children at the residence of the mother MOnday, Wednesday and Friday between the hours of 6 p.m. and 9 p.m. and on Saturday between the hours of 8 a.m. and 12 noon. The parties may make additional arrangements for visitations between father and children if they mutually agree on the same.

It shall be a condition of all visitaitons with the children specified herein or agreed to by the parties that the Defendant will not have consumed alcoholic beverages for a period of eight (8) hours before the visit and will not consume alcohol of any nature while he is the presence of the children or while they are with him.

Defendant may pick up his personal effects and clothing at the home of the 28th of April during the visit with the children.

Each party will retain possession and exclusive right to the cars now in their possession.

The Defendant shall not threaten or assault the wife in any fashion or procure others to do so on his behalf.

Any law enforcement officer having reasonable grounds to believe that the abuse portions of this Order have been violated, may apprehend the Defendant without warrant and lodge him in the County Jail and notify the Court to hold an immediate contempt hearing.

This Order shall reamin in force and effect for a period of one (1) year from this date.

Defendant is DIRECTED to pay costs in this case within ten (10) days of being billed by the Prothonotary's Office.

BY ORDER OF THE COURT,
P. Richard Thomas, P.J.

Apr. 27, 1990 Copies of order mailed to plaintiff and defendant and copy put in County Control's box.

Dec. 28, 1990 ORDER filed. AND NOW, Dec. 28, 1990 this abuse case is before the court regarding an alleged violation of the Order occurring the night of Dec. 18 and 19. Through some administrative oversight, the Court's attention was not directed to the fact the Defendant had been incarcerated in the County Jail since Dec. 19, 1990 and the Court did not know of this fact until Dec. 27.

The matter is discussed at an informal hearing this date and the Court is satisfied that the Defendant violated the letter and intent of the Court Order entered in this case by going to his wife's residence sometime between 11:00 p.m. Dec. 18th and 2:00 a.m. Dec. 19th and causing a disturbance.

The wife advises she has no desire to see the Defendant incarcerated and requests his release.

Apparently, the parties have not been diligent in complying with the visitation schedule prescribed by the Court in paragraph 2 of our Order of April 25, 1990. Since the Court allowed the parties to make additional arrangements for visitation over and above the four days of visitation prescribed, the parties have failed to definitely define when the additional visits shall take place. Additionally, it appears that with the passage of time, the Defendant has taken the position that he can go for visits with the children at his convenience.

Record Continued on Page 384 (a)

1990

Robin Calkins

VS.

Patrick Calkins

Record Continued from Page 384

OF

AD 1990 - 384

****

The Court directs that the visitation schedule set forth in paragraph 2 be strictly followed, and that any additional arrangements between the parties for visits between father and the children be reduced to writing so there can be no dispute about the dates and times of additional visits.

In view of the fact th eDefendant admittedly had consumed an excess of alcohol on the night this incident took plade, the Court requires strict compliance with paragraph 3 of our original order prescribing that when the Defendant coems to the house to talk to the mother or to visit with the children, he shall nto have consumed alcoholic beverages for a period of 8 hours.

The Warden of the jail is authorized to release the Defendant from confinement forthwith.

By Order Of The Court,
P. Richard Thomas, S. J.

Jan. 2, 1991 Copy of Order to County Control, Warden, Plaintiff, Defendant.

1990

Donald E. Lewis

385

DERRICK ST. CLAIR

vs.

ALLEGHENY COLLEGE and DANIEL F. SULLIVAN, President of Allegheny College and RON CANTOR, Office of Residence Life and STUDENT JUDICIAL BOARD and ANNEMARIE MURPHY, Chairman, Student Judicial Board and SCOTT WISSINGER, Chairman, College Judicial Board and COLLEGE JUDICIAL BOARD

Filed Apr. 19, 1990
@ 9:53 a.m.

Tax & entry paid 50.50 ✓

COMPLAINT FOR DECLARATORY RELIEF
AND
PETITION FOR STAY AND INJUNCTIVE RELIEF

May 1, 1990 ORDER filed. This action captioned as a Complaint for Declaratory Relief and Petition for Stay and Injunctive Relief was filed in the Prothonotary's Office April 19, 1990. At motion court April 25, 1990, counsel for the Plaintiff appeared with a copy of said Complaint and presented the same to Judge Gordon Miller asking for Court actio on the matter. Judge Miller being a trustee of the College took no action and referred the matter to the undersigned for appropriate court action. On review, we noted that service of the Complaint may not have complied with service rules and, additionally, the request for injunctive relief did not delineate whether an immedite injunction was being requested or an injunction after service and hering.

We informally discussed the matter with Attorney Don Lewis, advising that if he accomplished service by mail it may have been defective and, additionally, if he wanted an immediate court order requiring reinstatement of his client that the Equity Rules regarding preliminary injunctions and posting of bond would have to be complied with.

Attorney Lewis advised that he might withdrw this action and file a different action. On April 30, 1990, the Court's secretary was advised by telephone by Mr. Lewis that he would be withdrawing the present action.

Accordingly, the Court takes no action in this matter at this time.

Date: April 30, 1990

By Order of the Court,
P. Richard Thomas, P.J.

May 1, 1990 Copy of Order mailed to Allegheny College, Copy to Donald Lewis, Atty.

May 1, 1990 Motion To Withdraw Petition and Order filed. AND NOW, this 1 day of May, 1990, the Court upon consideration of the within Motion, hereby grants the Petitioner's Motion and pursuant to the Petitioner's request to withdraw, dismisses the Petitioner's Petition at the above captioned number. Plaintiff counsel will forward a copy of this order to All defendants.

P. Richard Thomas, J

May 4, 1990 copy of order put in Donald Lewis' box.

1990

386

5/4/90 Recd $25.84 From Plaintiff

5/4/90 Pd $25.84 to Howard Stewart, Sheriff Cash 5597

CATHERINE MARIE SHARPLESS

vs.

RICHARD STEVEN SHELATZ

Filed Apr. 19, 1990
@ 10:09 a.m.

Tax & entry Pd 5/4/90 50.50
Sheriff's Costs 25.84

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies sheriff 1 copy plaintiff

ORDER:

And now, this 19 day of April, 19 90, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: the defnedant shall not call the plaintiff's place of business A & M Miracle Ear, mother's home, and shall not visit either at work or mother's home. defendant will allow Pl to remove personal clothing & belongings from trailer 4:21;90 at 12 noon.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for May 1, 1990, at 3:00 P M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
P. Richard Thomas, J

Apr. 20, 1990 Sheriff's Return filed. SERVED Richard Steven Shelatz personally on April 19, 1990 at 11:15 AM by handing copy of PRotection From Abuse to him at his palce of employment, Molded Fiber Glass, Linesville, Crawford County, PA.
So answers,

Robert M. Stevens, Deputy Sheriff
Edgar D. Householder, Chief Deputy
Howard N. Stewart, Sheriff

1990

James L. Moran

387

Culbertson, Weiss, Schetroma & Schug.
By :E. MaxWeiss, for D. and B. Guanzon
and Shawn A. Fitzsimmons

Thomas, Truax, Spadafore, Vardaro & Walker
By: R.Charles Thomas for Richard H. Crago

LLOYD D. NOBLIT and JULIANN NOBLITT

VS.

RICHARD H. CRAGO, SHAWN ALLAN FITZSIMMONS, DANILO L. GUANZON and BONNIE GUANZON

Filed April 20, 1990
@ 9:03 A.M.

Tax & Entry paid	$50.50
Sheriff's costs	50.00
Pro.Co. pd 2/3/95	7.00

CIVIL COMPLAINT

4 copies (sheriff)

April 26, 1990 Sheriff's Return filed. SERVED Richard H. Crago personally on April 20, 1990 at 11:30 AM at his place of employment, Wentworth Auto Sales, Mt. Hope, Crawford Co. PA.

SERVED Shawn Allan Fitzsimmons on April 23, 1990 at 10:25 am by serving his authorized agent and father, Allen Fitzsimmons, at his place of employment, Leech Tool & Die, State Road Hill, Meadville, Crawford C., PA. His signed Acceptance of Service attached.

SERVED Danilo L. Guanzon on April 20, 1990 at 11:51 AM by handing copy of Complaint to Fannie Schlabach, housekeeper and person in charge, at residence, 264 Jefferson St., Meadville, Crawford County, PA.

SERVED Bonnie Guanzon on April 20, 1990 at 11:50 am by handing copy of Complaint to Fannie Schlabach, housekeeper, and person in charge of residence, 264 Jefferson st., Meadville, Crawford Co. PA.

So.answers,

Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

June 5, 1990 Appearance of Culbertson, Weiss, "Schetroma and Schug, By: E. Max Weiss, Esq.for Danilo L. Guanzon and Bonnie Guanzon filed.

June 11, 1990 Verification To Complaint filed.

June 26, 1990 Verification filed.

July 13, 1990, Appearance of Culbertson, Weiss, Schetroma and Schug, by E. M. Weiss, attorneys for Shawn Allan Fitzsimmons, one of the defendants filed.

July 19, 1990, Notice of Serving Interrogatories and REquests for Production of Documents filed.

Aug. 6, 1990, Answer and New Matter of defendants Shawn Allan Fitzsimmons, D. and B. Guanzon, filed.

A ug. 20, 1990 Answer and New Matter filed. (5 copies atty)

Nov. 30, 1992, Plaintiffs' Reply to New Matter of defendants', Shawn Allan Fitzsimmons, Danilo L. Guanson, and Bonnie Guanzon, filed.

Feb. 12, 1993, Reply to New Matter of Additional Defendant and New Matter Pursuant to Pa. Rule of Civil Procedure 2252(d) filed.

Apr. 25, 1994 Petition for Rule to Show Cause Why A Non-Pros Should not be granted and ORDER filed. AND NOW, this 25th day of April, 1994, upon presentation and consideration of the within Petition, a rule is granted upon the Plaintiff to show cause if any they have why judgment of non-pros should not be entered.

Returnable and for hearing and/or argument next available argument list. Ct. Adminstrator is directed to place it on next available Argument List.

4-27-94 Copy of Order to Attys. Moran, Weiss, Thomas, & Ct. Adm.

ON MAY, 1994 ARGUMENT LIST

May 10, 1994 Petition and Brief of Defendant Fitzsimmons for Judgement of Non Pros filed.

June 17, 1994 Memorandum and Order filed. AND NOW, June 16, 1994, the petitions for judgment of non pros filed by the defendants, Richard H. Crago and Shawn Allan Fiszimmons, are denied.

BY THE COURT,
Gordon R. Miller J

June 20, 1994 Copies dist. to Moran, Thomas & Weiss

June 21, 1994 Notice of Filing of Discovery Responses filed.

Oct. 5, 1994 Motion for Sanctions and ORDER filed. ORDER. AND NOW, this 5 day of October, 1994,upon presentation and consideration of the within Motion, a Rule is granted upon the Plaintiffs to show cause, if any they have, why the relief requested in the aforesaid Motion should not be granted.

Returnable for hearing and/or argument on the 28 day of October,1994 at 8:45 A.M. in Court Room No.1 or 2 ofthe Crawford County Court House, Meadville,Pennsylvania.

BY THE COURT.
Anthony J.Vardaro,J.

10-5-94 Faxed to Attys. Thomas & Moran.

Oct. 24, 1994, Plaintiffs' Answers to Defendant, Richard H. Crago's Interrogatories to Plaintiff filed.

Feb. 3, 1995 Upon Praecipe of James L.Moran, Esquire, Attorney for Plaintiff the above captioned matter marked settled and discontinued of reocrd.

1990

Shafer, Swick, Bailey, Irwin & Stack
James R. Irwin

388

RONALD E. SHREFFLER

VS.

GERI L SHREFFLER

Filed April 20, 1990
@ 10:25 A.M.
Tax & Entry Paid $50.50

PETITION FOR CUSTODY (UCCJA)

1 copy (atty)

Apr. 30, 1990 Stipulation and Consent To Entry of Custody Order filed.

Apr. 30, 1990 Order filed. AND NOW, this 30 day of April, 1990, upon presentation of the Stipulation and consent of the parties, attached, hereto, and after consideration of same, it is hereby ORDERED, DIRECTED and DECREED that:

1. Physical and legal custody of the minor child, Ronald D. Shreffler, Jr. shall be shared between the mother, Geri Shreffler and the father, Ron shreffler.

2. The natural mother, Geri Shreffler, shall have physical custody of the aforementioned minor child from 7:00 a.m. until 3:00 p.m. every MOnday through Friday and 9:00 a.m. until 7:00 p.m. every Saturday. The natural father shall have physical custody at all other times except for those periods addressed in Paragraph 7 herein.

3. The parties shall share custoyd on the following holidays and in the following manner:

A. Christmas Day. The natural mother shall have custody of the minor child from 4:00 p.m. Christmas Eve until 7:00 a.m. on Christmas Day.

4. The parties shall share custody on the following holidays and in the following manner:

A. Christmas Day. The matural mother shall have custody of the minor child on Christmas Eve until 7:00 a.m. on Christmas Day.

B. Easter. The parties shall hsrae custody as follows: Even numbered years the natural father shallhave custody of the minor children on Good Friday until 9:00 a.m. pn Easter Sunday, with the natural mother have custody from 9:00 a.m. Easter Sunday until MOnday following Easter at 3:00 p.m. and alternate years thereafter.

C. Thanksgiving. Father shall have custo;dy of the minor child on Thanksgiving Day.

5. The parties shall alternate ucstody on the following designated holidays: Memorial Day, Fourth of July, and Labor DAy with Father have custody ofnthe parties' minor children Memo;rail Day and LABOR ON EVEN NUMBERED YEARs and mother having custody of the parties' minor children on the July 4th every even numbered year.

Every odd numbered year the visitaiton schedule will be reserved with MOther having custody of the parties minor child Memorial day and Labor Day and Father having custody fourth of July. For th epurposes fo the holiday visitaitons for Memorial Day, Fourth of July and Labor Day said visitaiton shal lcommence at 10:00 a.m. and terminate at 8:00 p.m. of said holiday.

6. Exept in emergency situations, each party shall give the other at least Twenty-four(24) hours notification when he or she will not be exercising a scheudled visitation.

7. The natural father, Ron Shrellfer, shall be responsible for all transportaiton of the minor child in regard to the exercise of his custodial periods.

8. Neither party is permitted to remove the child from the jurisdiction of this Court without the other's kno;wledge and ocnsent.

9. Each party shal lteach said child to give to the other party that love and respect which is due a parent form his or her children.

10. Neither party shall do or say anything to blacken the character of the other in the children's estimation. Each party shall treat the other in a polite and respectful manner when in the childrne's presence and each party shall instruct his or her relatives and friends to do likewise and also not to disparage the other party in the children's estimation.

11. Any person transporting the children shall make sure that the seatbelts or other restraints are sued in accordance with the law of Pennsylvania.

BY THE COURT,
P. Richard Thomas, J

May 1, 1990 Copy of order put in James Irwin's box.

1990

Joel B. Gold

389

Curtis E. Blystone

PITTSBURGH NATIONAL BANK
a national banking
association

VS.

RANDOLPH R. BROWN

Filed April 20, 1990
@ 11:05 A.M.

Tax & Entry paid	$50.50
Sheriff's Costs	21.00
Pro Co Pd 1/4/90	5.00

COMPLAINT IN CIVIL ACTION

May 9, 1990 Sheriff's Return filed. SERVED Randolph R. Brown on April 30, 1990 at 1:45 PM by handing copy of Complaint to Gertrude Brown, his wife, at residence, 742 Baldwin Street, Meadville, Crawford County, PA.

So answers, Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

May 24, 1990 Answer, New Matter and Counterclaim filed.

June 11, 1990, Reply to New Matter and Answer to Counterclaims filed.

July 6, 1990 Notice Of Service Of Defendant's Interrogatories (First Set) and Request For Production of Documents Directed To Plaintiff Pittsburgh National Bank filed.

Aug. 10, 1990 certificate of Service Of Response To Interrogatories filed.

Jan. 3, 1990, Upon praecipe, signed by both counsels of record, the above referenced matter is discontinued with prejudice of record.

1990

390

IN RE: ANNUAL AUDIT OF CRAWFORD COUNTY FOR THE YEAR 1989

Filed April 20, 1990
@ 2:02 p.m.

PETITION FOR EXTENSION TO COMPLETE AUDIT AND MAKE ANNUAL REPORT

ORDER:

NOW, April 20, 1990, upon presentation of the foregoing Petition, and after due consideration thereof, it is hereby ordered, adjudged and decreed that the time for making the annual report of the County Audit for the year 1989 be hereby extended for a period of thirty (30) days from the first day of May, 1990.

PER CURIAM,
P. Richard Thomas, J

May 17, 1990, Annual Financial Report of the County of Crawford for 1989 for the year ending Dec. 31, 1989, and order filed.

ORDER:

AND NOW, May 17, 1990, the Prothonotary is directed to file the foregoing report of record.

BY ORDER OF THE COURT,
P. Richard Thomas, P.J.

1990

BUKAC AND TOOMEY
Terry Toomey

391

JOHN E. HAZEN

VS.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

Filed April 20, 1990
@ 3:37 P.M.

Tax & Entry paid $50.50

APPEAL FROM SUSPENSION OF MOTOR VEHICLE
OPERATING PRIVILEGES

1 copy (atty)

Apr. 26, 1990 Request For Hearing and Writ of Supersedeas and Order filed. AND NOW, this 25th day of April, 1990, upon consideration of the request for Hearing and Writ of Supersedeas this Court hereby schedules a hearing to determine the merits of the Appellant's Appeal from May 31, 1990 at 9:30 o'clock m. in either Courtroom No. 1 or Courtroom No. 2 in the Crawford County Courthouse in Meadville, Pennsylvania. Further, this Order of Court shall operate as a Writ of Supersedeas and suspension of Appellant's motor vehicle operating privileges is herjeby stayed until a hearing and determination of the merits of Appellant's Appeal.

BY THE COURT,
Gordon R. Miller, J

1 copy atty

Apr. 26, 1990 Certificate Of Service filed. I, terry Toomey, Esquire, hereby certify that on this day, I served the foregoing Notice of Appeal, Request for Hearing and Writ of Supersedeas, and Order of Court onthe following individuals, and in the following manner:

First Call certified Mail, REturn Receipt Requested
Douglas K. tobin
Bureau of Driver LIcensing
Room 305
Transportation & Safety Building
Harrisburg, PA 17105

Attorney general
Department of Justice
Capital Annex Old Museum Building
Harrisburg, PA 17120

Office of Chief Counsel
Department of Transportation
1209 State Office Building
300 Liberty Avenue
Pittsburgh, PA 15222

Dated: 2/26/90

Terry Toomey

May 30, 1990 Motion for Continuance filed.

May 30, 1990 ORDER OF COURT filed. AND NOW, this 30 day of May 1990, upon consideration of the motion for continuance, the Hearing now scheduled in this matter for May 31, 1990, is hereby continued and a new date will be scheduled not less than 90 days from this date, ujpon motion of either party.

BY THE COURT,
Gordon R. Miller, J.

May 31, 1990, copies to T. Toomey and Com. of Pa.

Jan 14, 1991 Stipulation filed.

Jan 14, 1991 Order of Court filed: AND NOW, to-wit: this 14 day of Jan, 1991, upon agreement of the parties, the above-captioned matter is remanded to the Department of Transportation for the purpose of recinding the appealed revocation and assigning four points to the appellant's driving record, which sanction is mandated by Section 1535 of the Vehicle Code, 75 Pa.C.S. §1535, for a conviction of violating Section 3745 of the Vehicle Code, 75 Pa. C.S.§3745.

By the Court,
P. Richard Thomas, S.J.

Jan 15, 1991 Copies of order put in Terry Toomey's box and copy mailed to Atty. Kuhar.

1990

R. Charles Thomas

392

Shafer, Swick, Bailey
Irwin & Stack
James R. Irwin

9/20/91 Rec'd
#500.00 from dft.

9/25/91 Rec'd #250.00
From Defendant

Pd Plaintiff
ch #6772 4-10-92
409.50

Pd Rem Reporting
ch 6773 4-10-92
50.00

Pd Defendant
ch #6774 4-10-92
290.50

ANGELA R. FRASER

VS.

JAMES E. FRASER

Filed Apr 20, 1990
@ 4:25 P.M.

Tax & Entry Paid $50.50
2 Counts Pd 9-20-90 30.00
Pro Co Pd 5-12-92 9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION, ALIMONY DISTRIBUTION AND COSTS

1 copy (atty)

Jan. 9, 1991 Appearance of Shafer, Swick, Bailey, Irwin & Stack by James R. Irwin for Defendant filed.

May 10, 1991 Petition to Compel Discovery and for the Imposition of Sanctions filed.

May 10, 1991 Petition for Special Relief filed.

May 10, 1991 Petition for Related Claims Under the Divorce Code filed.

May 10, 1991 Motion for Scheduling of Hearing and Order filed: AND NOW, May 10, 1991, A hearing is scheduled for the 20 day of May, 1991, at 1:30 o'clock p.m. in Court room as assigned of the Crawford County Court House, Meadville, Pennsylvania. Robert L. Walker, S.J.

May 14, 1991 Copies of order put in Attys. Thomas and Irwin's boxes.

May 17, 1991 Plaintiff's Income and Expense Statement filed. 1 copy (atty)

May 17, 1991 Inventory and Appraisement of Angela R. Fraser filed. 1 copy (atty)

May 21, 1991 Affidavit of Consent of Defendant filed.

May 23, 1991 Order filed. AND NOW, May 20, 1991, th ematter is before the Court on Alimony pendente lite, counsel fees and ancillary matters involving a divorce action at 1990-392.

The Court's attention is directed to a Support Order entered for minor July by Judge Robert L. Walker, March 29, 1991, at D.R. 1990 - 561 in the amount of $390.00 per month.

The child will graduate from school on or about June 1, 1991, and the parents advise tha tthe child's present plans are to take up residence with her father at Tipton, Pennsylvania, until about July 1, 1991, when she will become eighteen and emancipated.

ACCORDINGLY, insofar as the child's support obligation is concerned, the Court directs that that suport obligation will terminate effective June, 1991.

With regard to alimony pendente lite, counsel fees and other reated matters raised at the hearing this date, the Court takes the matter under advisement and will entertain a separate Order in due course.

Complex matters regarding the filing of appropriate income and expenses statements and inventories and apapraisements have apparently been re solved and both counsel and clients agree that on or about July 30, 1991, all the requisite forms regarding income and expense and inventory and apprais-ments will be filed.

The Court urges the parties to attempt to agree upon a mutual agreement for an appraiser for the prope rty on Arch Street in Meadville, Pennsylvania and come to an agreement for payment therefor.

The parties this date mutually agree that they will forthwith file the requisite 201(c) affidavits in the divorce action so the matter wil not be undly delayed by the failure to file the same.

The Court notes that in terminating this Support Order of the minor child June 1, 1991, it is not the intention of the court to cancel or exonerate the defenants from amking arrears payment thereon.

BY ORDER OF THE COURT,
P. Richard Thomas, S.J.

May 23, 1991 Copies put in Atty's box and Dom Rel's box.

May 24, 1991 Re: Alimony Pendente Lite and Related Matters and ORDER filed. This complex divorce matter came to the Court's attention May 21, 1991, as a result of petitions filed by the wife May 10, 1991, claiming various ancillary relief under the Divorce Code. Spousal support was previously denied by Judge Robert L. Walker at the same time child support order was entered. By separate Order at the Domestic Relations number, we terminated the obligation for child support, effective June 1, 1991, due to the upcoming emancipation of the minor child.

The parties own a rental property on Arch Street in the City of Meadville, with a first and second mortgage payment due monthly thereon in a total amount of $422.00. The wife lives in a portion of the premises and rental income from the other portion amounts to $235.00 per month.

The wife has recently acquired a school teaching certificate and has only been able to work as a substitute teacher. For a ten-week period over the summer months she will be grossing some $30.00 per day in part-time counseling work at Bethesda Home. At the time of the support hearing, the husband's net income was reported at $2,600.00 per month and apparently remains the same. We attribute a net earning capacity over the next several months to the wife of $600.00 per month.

Several matters need to be addressed and we dispose of the same as follows:

Alimony Pendente Lite is awarded to the wife in the amount of $530.00 for the month of May to be paid by May 31 and $800.00 per month for the months of June, July, August and September. Alimony Pendente Lite will be paid on or before the 15th of each month and will terminate October 1, 1991, unless extended by further Court Order. If the divorce is completed before said date, alimony pendente lite is awarded to the wife in the amount of $530.00 for the month of May to be paid by May 31 and $800.00 per month for the months of June, July, August and September. Alimony Pendente Lite will be paid on or before the 15th of each month and will terminate October 1, 1991, unless extended by further Court Order. If the divorce is completed before said date, alimony pendente lite will be terminated at such time as agreed upon by the parties.

As part of the award of Alimony Pendente Lite, it shall be the obligation of teh wife to pay the first and second mortgage payments due thereon.

There is confusion between the parties regarding real estate taxes and insurance on the ARch Street premises estimated to total something between $1,400 and $1,500 per year. It seems uncertain as to whether 1990 taxes have been paid and the Court rules as follows:

Each party shall be responsible for payment of one-half of the real estate taxes due and one-half of the insurance due on the premises on ARch St. for calendar 1991. It shall be the obligation of the wife to procure copies of the taxes due for city, county and school for 1991, and the total amount of insurance due for 1991. Upon presentation to the husband of said statemetns, the husband will remit one-half of the amount totally due to the wife within fifteen (15) days of receiving the statements and the wife shall be responsible for the remaining one-half.

Continued on Page 392 (a).....

1990

Angela R. Fraser

VS.

James E. Fraser

Record Continued from Page 392

OF

AD 1990 - 392

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There apparently is a joint obligation note in the amount of some $1,896.00 due at First National Bank covering a car in possession of wife and it is reported to the Court that the husband continues to keep interest current on this note, but pays nothing on principle. The Court directs the husband to continue to pay interest on this note and the unpaid principle will be an appropriate matter for disposition as part of the final divorce decree.

Apparently, the parties consolidated various loans due on credit cards and the current balance outstanding is some $3,228.00. The husband will continue to be responsible for payment of this sum on this joint obligation and he shall pay not less than $100 per month toward said debt.

The wife is responsible on a student loan procured to enable her to acquire her teaching education and her loan payments on the same amount of some $126.00 per month. The wife shall continue to be responsible for these monthly payments on her student loan. The ongoing obligation to pay the unpaid principle on this loan will be subject to ultimate decision in the equitable distribution portion of the divorce decree.

The wife requests counsel fees and we direct the husband to be responsible for $500 in immediate attorney fees with $250 to be paid to counsel for the plaintiff on or before june 15th and a similar amount to bve paid before july 15, 1991. This Order is made without prejudice to the right of the plaintiff to petition for additional counsel fees if the matter becomes unduly protracted.

One final complex item requires Court disposition. It seems that when one of the mortgages on the Arch Street property fell in default, the wife's account at the bank was attached for the sum of $390 to bring the mortgage payments current. Wife believes she should be reimbursed for this full amount. The Court decrees that the husband should be responsible for two-thirds of the amount, namely $260 and the defendant husband is directed to pay this sum directly to his wife on or before July 1, 1991.

By Order Of The Court,
P. Richard Thomas, Senior Judge

May 29, 1991 Copy of Order to Attys. R. Charles Thomas, James R. Irwin.

June 12, 1991 Defendant's Income and Expense Statement filed.

June 12, 1991 Inventory and Appraisement of James E. Fraser filed.

June 18, 1991 Affidavit of Consent filed by Plaintiff. Angela R. Fraser

Sept. 9, 1991 Motion For Appointment Of Master In Divorce and Order filed. AND NOW, Sept. 11, 1991, John Spataro Esquire is appointed Master in respect to the following claims: Equitable Distribution, alimony pendente lite, costs and counsel fees

Deposit required: Plaintiff $250.00 Defendant $500.00

PER CURIAM,
Gordon R. Miller, J

Sept. 16, 1991 Copies of order to Atty's Thomas, Irwin and Spataro

Oct. 30, 1991 PRELIMINARY REPORT OF MASTER filed.

Mar. 18, 1992 MOTION and ORDER filed. ORDER: AND NOW, this 18th day of March, 1992, upon presentation and consideration of the within Motion, Defendant shall return the personal property by 4:00 P.M., March 1992 and shall notify plaintiff's counsel of its location and shall deliver jewelry to Jeron Jewlers at the same time.

BY THE COURT,
Robert L. Walker, P.J.

Mar. 19, 1992 copy in box for J. Irwin & R.C. Thomas

Mar. 18, 1992 Petition for Permission to Tak ePictures of Appraised Personal Property for Use at Master's Hearing, filed.

Mar. 18, 1992 ORDER filed. AND NOW, this 18th day of March, 1992, upon consideration of the Defendant's Petition for Permission to Take Pictures of Personal Property, it is hereby ORDERED and DECREED that Plaintiff, Angela Fraser, shall make the 664 Arch Street residence available to Auctioneer, Sherman Allen, for his return to take pictures of the personal property attached hereto as Exhibit "A" to this Order. Said photographs shall be taken on or before March 20, 1992 in order for the Defendant to properly prepare for the Master's Hearing scheduled for March 24, 1992. Pictures to be taken between 1:30 and 4:30 P.M. on notice.

It is further ORDERED and DECREED that Plaintiff, Angela Fraser, shall pay Defendant's reasonable counsel fees and costs with regard to the preparation and presentation of the within Petition.

BY THE COURT,
Robert L. Walker, P.J.

Mar. 19, 1992 copy in box for J. Irwin & R.C. Thomas

Apr. 10, 1992 Motion For Establishment Of Master's Fees and Payment of Court Costs, Including Report of Master and Order filed. AND NOW, this 8th day of April, 1992, upon consideration of the within Motion, the Master's fees are hereby set at $409.50. The Prothonotary is directed to pay the Master, John F. Spataro, the sum of $409.50 for services rendered in connection with this divorce case. The Prothonotary is furthe r directed to issue a check payable to the Rains reporting Service in the amount of $50.00., the balance remaining after payment of the aforesaid amounts shall be returned to the Defendant, James E. Fraser.

BY THE COURT,
Gordon R. Miller, J

Apr. 14, 1992 Copies of order put in box for Atty's Irwin, Thomas and Spataro

May 12, 1992 AFFIDAVIT OF SERVICE OF COMPLAINT IN DIVORCE,filed. R.CHARLES THOMAS, Esq., being duly sworn according to law, deposes and says that on April 23rd, 1990, he sent a true and correct copy of the Complaint in Divorce, properly endorsed with the Notice To Defend, filed in the above action to the Defendant, James E. Fraser, at Defendant's last known address of 421 Grant St., Apt. C., Reynoldsville, Pa. 15851, by certified mail No. P 063 582 928, postage prepaid, restricted delivery, return receipt requested and that attached hereto is a duly executed return receipt card showing date of delivery as 4-25-90.

May 12, 1992 Upon praecipe of Plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED.

May 19, 1992 STIPULATION AND FINAL DECREE. AND NOW, this 18th day of May, 1992, it is ordered and decreed that ANGELA R. FRASER, Plaintiff, and JAMES E. FRASER, Defendnat, are divorced from the bonds of matrimony.

It is further ordered and decreed as follows:

EQUITABLE DISTRIBUTION - REAL ESTATE

1. The Plaintiff is awarded the marital residence located at 664 Arch St., Meadivlle, Crawford Co., PA. as more specifically described in a

RECORD CONTINUED ON PAGE 392 (b).....

392
-b-

199D

Angela R. Fraser
vs.
James E. Fraser

Record Continued from Page 392 (a)

of

AD 1990 - 392

****

certain Deed from Jack B. Hunter and Sandra Lee Hunter, his wife, to the Plaintiff and Defendant, said Deed being dated Sept. 10th, 1971 and duly recorded in the Office of the Recorder of Deeds of Crawford Co. in Deed Book 459, Page 357.

2. The Defendant is awarded certain real estate located in Neshannock Township, Lawrence Co., PA., consisting of twenty-seven 927) acres together with a dwelling house located thereon,as more specifically described in a certain Deed dated Oct. 21, 1968 by and between Josephine Fraser, Unmarried, and James E. Fraser.

EQUITABLE DISTRIBUTION -

TANGIBLE PERSONAL PROPERTY

3. The Plaintiff is awarded a 1986 Ford Thunderbird automobile.

4. The Defendant is awarded a 1986 Subaru automobile.

5. The Defendant is awarded a 1966 Triumph automobile.

6. The Plaintiff is awarded all of the tangible personal property presently in her custody, control and possession at the marital residence at 664 Arch St., Meadville, Crawford Co., PA., except those items specifically awarded to the Defendant as hereinafter set forth in Paragraph 7 of this Decree, which property shall become the sole and exclusive property of the Defendant.

7. The Defendant is awarded the following specific items of tangible personal property presently located at 664 Arch St., Meadville, Crawford Co., PA., to-wit; A 1928 RCA Victrola and records; a 1915 Curly maple settee consisting of one high-back chair with leather trim; one high-back rocker with leather trim; one highback loveseat with leather trim; one 1890 gallon copper apple butter kettle with stand and two paddles; one 1900 cut glass oil lamp; one 1890 wooden and leather steamer trunk; three white pottery milk pitchers; one quart gray mason jar; one meat cleaver; one 1910 blue willow turkey platter; one 1926 case sheath knife; one cross cut saw; one beam borer; two quart bottles with porcelain stoppers; one 1946 American Flyer model train.

8. The Plaintiff is awarded all articles of personal adornment presently in her custody, control and possession.

9. The Defendant is awarded all articles of personal adornment presently located in his custody, control and possession.

10. The following items of personal adornment are awarded to the Defendant to-wit: One 24 inch 18 kt. gold chain; one free form gold medallion containing five 4 pt. diamonds; one 14 kt. gold hemitite ring; one ladies rose gold graduation ring; one 14 kt. yellow gold onyx ring. The exact whereabouts of the aforesaid articles of personal adornment are unknown and if and when the Plaintiff locates said items she shall immediately deliver the same to the Defendant.

11. The Defendant is awarded all of the tangible personal property presently in his custody, control and possession at his residence at RD # 5, Tipton, PA., which property was formerly located at the marital residence at 664 Arch St.,Meadville, PA.

EQUITABLE DISTRIBUTION - INTANGIBLE PERSONAL PROPERTY

12. The Defendant is awarded all right, title and interest to which he may be entitled in a certain Certificate of Deposit originally issued by the First Seneca Bank and now reissued by Integra Bank in the names of Josephine Fraser or James E. Fraser in the face amount of $56,000.00.

13. The Defendant is awarded and shall retain the Railroad Retirement Benefits which include all of Tier I and Tier II commencing 9/20/68 and ending upon retirement, disability or death.

14. The Plaintiff is awarded eligibility to receive those benefits that she is entitled to by law as a divorced married to and living with a Railroad Employee in excess of 10 years. Eligibility to be calculated from 9/20/68 until 7/13/89. Estimated by Railroad Retirement to be $520.00 per month upon retirement age.

MARITAL DEBTS

15. The Plaintiff shall be solely and exclusively responsible for payment of the first Mortgage to the First National Bank of PA., which Mortgage encumbers the property known as 664 ARch St., Meadville, PA., and identified as Loan No. 120123029. The Plaintiff shall make regular and timely payments on the aforesaid Mortgage to comply with all the terms and conditions of said Mortgage by and between the Plaintiff and the Defendant and the First National Bank of PA. The Plaintiff will further indemnify and hold the Defendant harmless from any liability on the aforesaid Mortgage and accompanying Note.

16. The Plaintiff shall be solely and exclusively responsible for payment of the second Mortgage to the First National Bank of PA., which Mortgage encumbers the property known as 664 Arch St., Meadville, PA. and identified as Loan No. 0120147360. The Plaintiff shall make regular and timely payments on the aforesaid Mortgage to comply with all the terms and conditions of said Mortgage by and between the Plaintiff and the Defendant and the First National Bank of PA. The Plaintiff will further indemnify and hold the Defendant harmless from any liability on the aforesaid Mortgage and accompanying Note.

17. The Plaintiff shall make a diligent effort to refinance the Mortgage loan encumbering the property known as 664 ARch St., Meadville, PA. so as to relieve the Defendant from any financial responsibility on account of the aforesaid Mortgage and accompanying Note.

18. The Plaintiff shall be solely and exclusively responsible for payment of a student loan in favor of the Commonwealth of Pennsylvania insurred by the Plaintiff when she was attending Edinboro State University. The Plaintiff shall make regular and timely payments on the aforesaid loan pursuant to the terms and conditions of the loan agreement entered into by and between the Plaintiff and the Commonwealth of PA. The Plaintiff will further indemnify and hold the Defendant harmless from any liability on the aforesaid loan.

19. The Defendant shall be solely responsible for payment of a certain loan evidenced by a Judgment Note in favor of the First National Bank of PA., being Loan No. 0243647-80103, and the Defendant shall make regular and timely payments on the aforesaid loan and to comply with all terms and conditions of the loan agreement by and bewteen the Plaintiff and the Defendant and the First National Bank of PA. The Defendant will further indemnify and hold the Plaintiff harmless from any liability on the aforesaid loan.

20. The Defendant shall be solely responsible for payment of a certain loan evidenced by a Judgment Note in favor of the First Deposit Bank, being Loan No. 4121294505201716. The Defendant shall make regular and timely payments on the aforesaid loan and shall comply with all of the terms and conditions of the loan agreement entered into by and between the Plaintiff and the Defendant and the First Deposit Bank. The Defendant will further indemnity and hold the Plaintiff harmless from any liability on the aforesaid loan.

21. The Defendant shall make a diligent effort to refinance Loan No. 0243647-80103 with the First National Bank of PA., and Loan No.0243647-80103 with the First National Bank of PA., and Loan No. 4121294505201716 with the First Deposit Bank, so as to relieve the Plaintiff from any financial responsibility on account of the aforesaid loans to the First National Bank of PA. and the First Deposit Bank.

22. The Defendant shall pay an amount not to exceed teh sum of $2,051.50 on account of the 1990 and 1991 real estate taxes due and owing on the property known as 664 Arch St., Meadville, PA. The payment of this obligation shall be made within five (5) days after the date of the entry of the Decree in Divorce in this case.

COUNSEL FEES & COSTS

23. The Plaintiff is awarded an additional $750.00 to be applied on her attorneys fees. Payment of this amount shall be made directly to Plaintiff's counsel, R. Charles Thomas, Esquire, within five (5) days after the filing of the Decree in Divorce in this case.

24. Master's fees, stenographic fees and Court costs shall be paid by the Defendant and the Prothonotary is, upon approval of stenographic fees and Master's fees by the Court, authorized and directed to pay the same from the security deposit heretofore posted with the Prothonotary of the Court of Common Pleas of Crawford Co., PA. The residue of the deposit after payment of stenographic fees, Master's fees and Court costs shall be refunded to the Defendant.

MISCELLANEOUS

25. That the Plaintiff and Defendant will sign, execute and acknowledge any and all documents necessary to implement the provisions of this Decree in Divorce.

26. That neither the Plaintiff nor the Defendant shall make any further claims against the other party hereto except for the enforcement of the rights and responsibilities set forth in this Divorce Decree.

27. That the tangible personal property heretofore awarded to the Defendant, including but not limited to the Triumph motor vehicle which is in the custody, control and possession of the Plaintiff at 664 Arch St., Meadville, PA., shall be removed from the property of the Plaintiff within ten (10) days after the filing of this Decree in Divorce.

BY THE COURT,
Gordon R. Miller, J.

1990

R. Charles Thomas

393

JOHN T. KOSNAC AND KAREN D. KOSNAC

VS.

ROBERT CLARK WYANT

Filed April 20, 1990
@ 4:25 P.M.

Tax & Entry Paid	$0.50 ✓
Sheriff's Costs	25.00
Pro Co Pd 7/17/90	9.00 ✓
Pro Co Pd 2/7/91	2.00
Pro. Co pd 8/2/93	5.00
Cert. Pd 8-20-86	1.00

COMPLAINT

1 copy (sheriff)

May 8, 1990 Sheriff's return filed. SERVED Robert Clark Wyant personally on April 25, 1990 at 11:40 AM by handing copy of Complaint to him at residence, 796 Water Street, Meadville, Crawford County, PA.
So answers, Robert M Stevens, Deputy Sheriff
Howard N. Stewart, sheriff

June 13, 1990, Default Notice filed.

And Now, July 17, 1990, at 10:32 a.m., upon praecipe of plaintiff attorneys, with notices, and affidavit richard E. McCartney, attached, Judgment is hereby entered in favor of plaintiffs and against the defendant - damages assessed in the sum of Four Thousand Eight Hundred Fifty Two and 00/100 Dollars; together with costs and interest.

W - 143
Judgment entered 7/17/90

Debt ---- $4,852.00
JUDGMENT
James F. Simmons,
Prothonotary

Aug. 2, 1993 this Judgment satisfied.
(See paper filed)

1990

Mary ann Kirkpatrick

394.

TERRANCE CHECOTS

VS.

EUGENE A. CHECOTS

Filed Apr 23, 1990
@ 8:45 A.M.

Tax & Entry paid	$50.50
Pro Co pd 8/7/90	9.00
State pd 8/7/90	10.00

COMPLAINT IN DIVORCE

1 copy (atty)

Apr. 24, 1990 Memorandum of Agreement as to Divorce filed.

July 27, 1990 Affidavit of Service filed. Mary Ann Kirkpatrick, being duly sworn according to alw, deposes and sets forth as folows:

1. That she is a competent adult.
2. That on information furnished her, she served a certified copy of the Divorce Complaint in the above-matter upon Eugene A. Checots on April 24, 1990 at Meadville, PA.
3. Further Deponent Saith Not.

Mary Ann Kirkpatrick

Aug. 1, 1990 Affidavit of Consent of Plaintiff filed.

Aug. 1, 1990 Affidavit of Consent of Defendant filed.

Aug. 7, 1990 Upon praecipe Of Plaintiff Attorney for Review Under Section 201(c) of the Divorce Code, this case moved to court

Aug. 9, 1990 **DIVORCE DECREE FILED.**

AND NOW, August 9, 1990, it is ordered and decreed that Terrance Checots, plaintiff, and Eugene A. Checots, defendant, are divorced fromthe bonds of matrimony.

BY THE COURT,
Gordon R. Miller, J

1990

395

VENIRE FOR THE WEEK
COMMENCING JUNE 11, 1990

Filed April 23, 1990

ORDER FOR SIXTY-FIVE QUALIFIED PERSONS TO COME
AND SERVE AS JURORS FOR TRIAL COMMENCING
JUNE 11, 1990

Issued (sheriff)

TO THE SHERIFF AND JURY COMMISSIONERS
OF CRAWFORD COUNTY

We command you, in your official capacity to draw from the jury wheel in accordance with the law, the names of 65 persons to serve as jurors in the Court of Common Pleas, to be held at the Court House in Meadville, Pa commencing June 11, 1990 at 9 o'clock A.M.

You, the Sheriff, shall make an appropriate return as to how you have executed this order on the day and date aforesaid.

BY ORDER OF, The Hon. P. Richard Thomas, President Judge at Meadville, this 23rd day of April, 1990

James F. Simmons, Prothonotary

June 26, 1990, Writ Returned. I do hereby make return that I have summoned the 65 persons whose named appear on schedule hereto attached to serve as Jurors at a term of Court to be held at Meadville, Pa. commencing on Monday June 11, 1990. So answers,

Howard N. Stewart, sheriff

The schedule hereto attached is a correct list of the above jurors drawn by us.

Nancy L. Hanes
Dorothy H. Kennedy

1990

396

BARBARA A. GUIDO

VS.

JAMES F. GUIDO GUIDO

Filed Apr 23, 1990
@ 9:16 A.M.
Sheriff's costs $21.00
Taxt Entry 4/15/90 50.00
Pro to Pd 5/7/90 9.00

5/7/90 Reed. $21.00 From Defendant

5/7/90 Paid $21.00 To Howard Stewart, Sheriff
CH# 5597

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

2 copies (sheriff)
1 copy (plaintiff)

ORDER:

And now, this 23 day of April, 1990, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition

2. Special Conditions: **Not go to Villa Restaurant or Plaintiff's apartment for any purpose.**

3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.

4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.

5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.

6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.

7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.

8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for **May 2, 1990**, at 9:00 M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,

P. Richard Thomas, J

April 24, 1990 Sheriff's Return filed. SERVED James F. Guido personally on April 23, 1990 at 1:50 PM by handing copy of Protection From Abuse to him t his place of employment, Saegertown Beer Dist., Saegertown, Crawford County, PA.
So answers,

Robert M. Stevens, Deputy Sheriff
Edgar D. Householder, Chief Deputy
Howard N. Stewart, Sheriff

May 2, 1990 Consent Agreement Under Protection From Aubse Act and Order filed. AND NOW, to-wit, this 2nd day of May, 1990, upon consideration of the Consent Agreement of the parties hereto attached, the following protection order is hereby entered:

1. The Consent Agreement as executed by the parties is her eby approved, and the parties are directed to comply with the terms and conditions of the Consent Agreement for a period of one year, unless otherwise ordered by this Court.

2. The Respondent/husband will not physically abuse, molest, harass or annoy the Petitioner/wife or procure others to do so on his behalf at her home, place of employment or anywhere else.

3. Exclusive possession of the parties' residence and place of business known as "The Villa" is granted to the wife and husband will not enter the property and is totally excluded therefrom.

4. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable grounds to believe it has been violated.

5. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Petitioner resides and to County Control.

6. this Agreement shall be construed in accordance with the laws of the State of Pennsylvania. The parties are hereby advised that a violation of this Order may subject the violating party to punishment for contempt.

7. A true and correct copy of this Order shall be sent by certified mail, return receipt requested, to the Petitioner, the Respondent and to the police department which has appropriate jurisdiction to enforce this Order.

8. The Respondent/husband is hereby directed to forthwith pay the fees and costs for this application to the Prothonotary in the amount of $80.50.

3 copies atty, 1 copy County Control

Robert L. Walker, J

1990

WATTS, PEPICELLI, YOUNGS
AND YOUNGS
Christopher J. Youngs

397

7/14/90 Recd $91.00 from Defendants

7/16/90 Recd $91.00 from Plaintiff

Recd Aug 1, 1990
$9.00
Vivian Stoltz

Recd Aug 1, 1990
$9.00
Vivian Stoltz

DAVID W. SPRINGER

VS.

STELLA M. AUSTIN

Filed April 23, 1990
@ 9:36 A.M.

Tax & Entry paid $50.50 ✓
MEDIATION 182.00
Pmt to Pl 7/20/90 9.00 ✓

COMPLAINT FOR CUSTODY

2 copies (atty)
1 copy (Mediator)

ORDER OF COURT::

You, Stella M. Austin, Defendant, have been sued in Court to obtain custody of the child: Paul W. Springer.

You are ordered to appear in person for a conference at such time and place as may be set by William Pineo, Child Custody Mediator.

If you fail to appear as provided by this Order, an Order for custody may be entered against you or the court may issue a warrant for your arrest.

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

Crawford County Bar Association
Service to the Public Committee
c/o Prothonotary
Crawford County Courthouse
Meadville, Pa 16335
Telephone: (814) 724-4636

Date 4/23/90

BY THE COURT,
P. Richard Thomas, J

Apr. 25, 1990 Affidavit of Service filed. Christopher J. Youngs, hereby certifies that he is the Attorney for the Plantiff David W. Springer in the wihtin Action and that a copy of the Custody Complaint was sent by certified mail, return receipt requested, deliver to addressee only to the Defnednt, Stella M. Austin, at R.D. #3, Box 72A, Conneaut Lake,PA 16316 on April 23, 1990 and was received by the defendnat on April 24, 1990. The receipt for certified mail and the return receipt are attached hereto marked Exhibit "A".

Christopher J. Youngs

June 27, 1990 TEMPORARY ORDER filed. AND NOW, this 27 day of June, 1990, after mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator,

IT IS HEREBY ORDERED AND DECREED THAT:

1. The parties shall share legal and physical custody of the subject minor child.

2. The parties shall share with each other any and all infirmation which each may have regarding the health, education, and the major events in the life of the subject minor child. Health care, school personnel, and other care providers are hereby authorized to release to either party an and all confidential information which they may have regarding the subject minor child.

3a. The mother shall have primary physical custody until July 26, 1990. The father shall have the right of visitation and temporary physical custody from July 26, 1990 until August 24, 1990. The mother shall resume physical custody of the subject minor child August 24, 1990. Thereafter, the mother shall have physical custody of the subject minor child each year from August 21 until the following June 21 and the father shall have physical custody from June 21 until the following August 21 of each year.

b. The parent not having physical custody shall have the right to telephone the subject minor child twice each week for periods not to exceed one-half hour. The noncustodial parent shall notify the custodial parent one week in advance of the date and time of the call and the custodial parent shall have the subject minor child ready to receive the call. Said telephone calls shall not be interfered with or monitored by the custodial parent in any way.

4. Holiday visitation shall be arranged as follows:

a. Christmas holiday visitation shall be arranged as follows: For Christmas 1990 and at alternate years thereafter, the subject minor child shall spend his Christmas vacation from school with his father.

b. Thanksgiving holiday visitation shall be arranged as folows:
For Thanksgiving 1991 and in alternate years thereafter, the subject minor child shall spend his holiday vacation from school with his father.

c. If the spring or Easter vacation, including holidays, is five days or longer, the subject minor child will spend it with his father.

d. The father shall have the right of visitation and temporary physical custody one weekend per month. Said weekend may include Friday at the father's option. The father shall notify the mother one month in advance of the weekend he wishes to select.

5. Should it be necessary for either party to cancel or modify the visitations as set out in this Order or as previously arranged, the party seeking cancellation or modification shall notify the other party as soon as he or she knows of the necessity which impels the cancellation or modification. Said modifications or cancellations shall not be proposed except for good reasons. Should a cancellation or modification be necessary, the parteis shall attempt at once to arrange for alternative visits or to make alternative arrangements, if at all possible.

6. For the weekend visitations specified in paragraph 3d hereof, it is contemplated that the father shall visit with th subject minor child in the area of the mother's residence and therefore the father shall bear complete responsibility for transportation for said weekend visits. Transportation necessitated by the other provisions in the order shall be split between the parties with the paraty receiving the child and the exercise of his or her visitation or custodial rights picking up the subject minor child at the home of the other parent.

7. The parties shall arrange for the subject minor child to have counseling with a reputable family counselor. The mediator has noted for the court that arrangemetns have been made with Kathy Berkey, M.A., to undertake counseling and this arrangement is approved. Counseling shall continue as recommended by the counselor. Costs of counseling which are not covered by insurance shall be split between the parties. Healthcare and school personnel are hereby authorized to divulge to Kathy Berkey any and all information, whether confidential or not, which she may require in her sole discretion, in the discharge of her duties.

8. The parties shall cooperate closely in making sure that all information relating to medical insurance coverage is promptly shared upon request.

9. Any person transporting the children shall make sure that the seat belts or other restraints are used in accordance with the law of Pennsylvania.

10. Neither party shall do or say anything to blacken the character of the other in the child's estimation. Each party shall treat the other in a polite and respectful manner when in the child's presence and each party shall instruct his or her relatives and friends to do likewise and also not to disparage the other party in the child's estimation.

Record Continued on
Page 597.....

1990

MAHANY, ROEDER & ROTHCHILD
Tamera Ochs Rothchild

398

JANE DIXON

VS.

LLOYD THOMAS, Deceased, his heirs, administrators, executors, successors and assigns, including but not limited to MRS. PAUL HURLBUT, DONALD W. THOMAS AND HAROLD R. THOMAS, their heirs, successors and assigns.

Filed April 23, 1990
@ 10:56 A.M.

Tax & Entry paid	$50.50
Sheriff's Costs	97.50
Pro co pd 6/22/90	5.00
Pro Co Pd 7/26/90	#1.00

COMPLAINT

3 copies (sheriff)
1 copy (atty)

May 30, 1990 Sheriff's Return filed. Before me, the undersigned authority, personally appeared Rhonda L. McVay, Deputy Sheriff who bieng duly sworn according to law, deposes and says that on the 4th day of May, 1990, at 9:12 a.m., he served NOtice to Defend - Complaint, filed at No. AD 398 Term, 1990, Crawford County, Pennsylvania, upon defendnat Harold R. Thomas at Star Route #3, Box 72, Tionesta, PA By making known the contents thereof to Marilynn Thomas, adult in charge (daughter) and handing to and leaving with her the certified copy of the Complaint received from Crawford County Sheriff
So answer , Rhonda L. McVay, Deputy SHeriff
Gene Price, Sheriff
Before me, the undersigned authority, personally appeared Geraldine Taylor who being duly sworn according to law, deposes and says that on the 17th day of May, 1990, at 11:30 a.m., he served Complaint, filed at No. 398 A.D. Term, 1990, Crawford county, Pennsylvania, upon defendant Mrs. Paul Hurlbut at Hamot Hospital Second and State Streets, Erie County, Erie Pennsylvania By making known the contents thereof to Mrs. Paul Hurlbut and handing to and leaving with her the certified copy of the Complaint received from Crawford County.
So answers, Geraldine Taylor, deputy Sheriff
Robert N. Michel, Sheriff
SERVED Donald W. Thomas on April 25, 1990 at 11:20 AM by handing copy of Complaint to Patricia Thomas, his wife, at their residence 541 Dunham Road, Meadville, Crawford County, PA 16335.
SERVED Hoarld R. Thomas by deputizing the Sheriff of venango County PA as per Affidavit of Service attached. Served: May 4, 1990
SERVED Mrs. Paul Hurlbut by deputizing the Sheriff of Erie County PA as per Affidavit of Service attached. Served May 17, 1990.
So answers, Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

June 22, 1990 Upon praecipe of Plaintiff Attorney the above captioned case is marked settled and discontinued of record.

1990

MAHANY, ROEDER & ROTHCHILD
Tamera Ochs Rothchild

399

KATHLEEN S. FIELDING

VS.

WILLIAM R. FIELDING

Filed April 23, 1990
@ 11:33 A.M.

Tax & Entry Paid	$50.50
Pro Co pd 7/25/91	9.00
State pd 7/25/91	10.00

DIVORCE COMPLAINT

Copies 2(atty)

April 26, 1990 Certificate of Service of Divorce Complaint filed. On April 25, 1990, I mailed a certified copy of a Divorce Complaint in the above captioned matter by Certified Mail No. P 899 145 451 Return Receipt Requested, REstricted Delivery, postage prepaid, to the Defendant, William R. Fielding at the following address:

RD # 4, Box 237
Centerville, PA 16404

The receipt for certified mail is attached hereto and marked "Exhibit A".

I make this statement pursuant to 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities and understand that false statements may subject me to criminal penalties under that statute.

Tamera Ochs Rothschild, Atty.

May 1, 1990 Affidavit of Return of Service by Mail filed. On April 25, 1990, I mailed a true copy of the Divorce Complaint in the above captioned matter by Certified Mail No. P 899 145 451 Restricted Delivery to the Defendant, William R. Fielding. Defendant signed a return receipt upon delivery April 27, 1990. The receipt attached hereto and marked as "Exhibit A" was returned by the post office on April 27, 1990.

I make these statements pursuant to 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities and understand that false statements may subject me to criminal penalties under that statute.

Mahany, Roeder & Rothschild
Tamera Ochs Rothschild, Esq.

Stricken - Per Court Order

~~July 11, 1991 Petition For Entry of Agreement filed.~~

July 24, 1991 Upon praecipe of Plaintiff Attorney To Transmit Record, this case moved to court.

July 25, 1991 RE: Petition For Entry of Agreement and ORDER filed. AND NOW, July 23, 1991, this Court having determined that it has no jurisdiction to resolve, by Court Order, the ancillary issues related to this divorce action, we direct the Prothonotary not to file said petition and agreement and return the same to counsel for the Plaintiff.

By Order Of The Court,
P. Richard Thomas,
Senior Judge

July 25, 1991 Copy of Order to Atty. Tamera Ochs Rothchild.

Aug. 7, 1991 **D I V O R C E D E C R E E F I L E D .**

AND NOW, this 7 day of August, 1991, it is ORDERED, ADJUDGED AND DECREED that Kathleen S. Fielding, Plaintiff, and William R. Fielding, Defendant, are divorced from the bonds of matrimony. No claims have been raised by the parties to this action for which a final order has not yet been entered.

BY THE COURT,
P. Richard Thomas, S.J.

Emil M. Spadafore

400

MARY CAROL MOYER

VS.

VS.

FLOYD L. MOYER

Filed Apr 23, 1990
@ 2:26 P.M.

Tax & Entry Paid	50.50
1 count paid	15.00
STATE pd 9/5/90	5.00
Pro Co pd 9/21/90	9.00
State pd 9/21/90	10.00

CONSOLIDATED COMPLAINT IN DIVORCE
EQUITABLE DISTRIBUTION
1 copy (Atty)

May 1, 1990 Affidavit of Service filed. Debra Mattocks, being duly sworn according to law, deposes and says that she is the secretary to Emil M. Spadafore, Jr., Esq., Atty. for Plaintiff in this action and certifies that on April 18, 1990 she delivered to the Post Office in Meadville, PA for delivery to Floyd L. Moyer at 126 Smith St., Cochranton, PA by certifeid mail, return receipt requested, delivery restricted to addressee only, a true and correct copy of the Consolidated Complaint in this matter for which deponent received atthe time receipt for certified article no. P 063 588 786 which is attached hereto as Exhibit "A". Thereafter on April 26, 1990 it was returned to Emil M. Spadafore, Jr., return receipt card bearing the same number and signed by Floyd L. Moyer, said return receipt card being attached hereto as Exhibit "B". Debra Mattocks

Aug. 30, 1990 Property Settlement Agreement filed.

Aug. 30, 1990 Affidavit of Consent of Defendant filed.

Aug. 30, 1990 Affidavit of Consent of Plaintiff filed.

Aug. 31, 1990 Upon praecipe of Plaintiff Attorney To Transmit Record, this case moved to court.

Oct. 4, 1990 **D I V O R C E D E C R E E F I L E D .**

AND NOW, October 3, 1990 it is ordered and decreed that Mary Carol Moyer, plaintiff and Floyd L. Moyer, defendant, are divorced from the bonds of matrimony.

BY THE COURT,
John Q. Stranahan, J

1990

Thomas, Truax, Spadafore
Vardaro & Walker
R. Charles Thomas

401

MacDonald, Illig, JOnes &
Britton
~~By: S.E. Riley,Jr. Withdrawn~~

Marcia H. Haller

MARY ANN HANNA

VS.

GEORGE THUMM

Filed April 23, 1990
@ 2:31 P.M.

Tax & Entry paid	$50.50
Sheriff's costs	29.80
Pro Co Pd 6/7/93	6.00

COMPLAINT

1 copy (sheriff)

May 9, 1990 Sheriff's Return filed: SERVED George Thumm personally on April 30, 1990 at 11:05 a.m. by handing copy of Complaint to him at residence, R.D.#3, Johnstown Road, Cambridge Springs, Crawford Co., Pa.
So answers, Robert M. Stevens, Deputy
Howard N. Stewart, Sheriff

May 16, 1990 Preliminary Objections filed.

Sept. 18, 1990 Complaint filed.

Nov. 13, 1990 Answer and New Matter filed.

Sept. 28, 1992 60 Day Notice To Complete Discovery filed.

Sept. 28, 1992 Answer to New Matter filed.

Dec. 24, 1992 Certificate of Readiness filed.

1993 FEBRUARY CIVIL TRIAL LIST

Jan. 15, 1993 Withdrawal of Appearance on behalf of defendant George Thumm by S.E. Riley, Jr., Esquire filed.

Jan. 15, 1993 Appearance of MacDonald,Illig, Jones & Britton by Marcia H.Haller, Esquire for George Thumm, defendant, filed.

Jan. 28, 1993 Assignment Of NOnjury Trial Date filed. January 27, 1993, nonjury trial in the above matter is set for May 26, 1993, at 9:15 AM., in Courtroom 1, before Gordon R. Miller, P.J.

FOR THE COURT,
Imogene Yetman, C.A.

Jan. 29, 1993 Copies given to Atty' Thomas and Haller

June 3, 1993, Upon praecipe of plaintiff attorney the above captioned case is hereby settled and discontinued of record.

1990

Stephen E. Hall

402

JACK A. STIVANSON, JR.

VS.

DARLETA L. A. STIVANSON

Filed April 24, 1990
@ 4:22 P.M.

Tax & Entry Paid	$50.50
Pro Co. Pd. 8-2-90	9.00
State Surchage Pd.	10.00
Pro.Co. Pd 7/13/95	5.00

COMPLAINT UNDER SECTION 201(c)
OF THE DIVORCE CODE

1 copy (atty)

August 2, 1990 Acceptance of Service filed. I, the undersigned Defendant in the above captioned action, hereby accept service of the Complaint in Divorce.

Darleta L. A. Stivanson

August 2, 1990 Affidavit of Consent of Plaintiff filed.

August 2, 1990 Affidavit of Consent of Defendant filed.

August 2, 1990 Upon Praecipe of Plaintiff Attorney For Review Under Section 201(c) of Divorce Code, this case is moved to Court.

Aug. 9, 1990 **DIVORCE DECREE FILED.**

AND NOW, August 9, 1990, it is ordered and decreed that Jack A. STivanson, Jr., plaintiff, and Darleta L. A. Stivanson, defendnat, are divorced from the bonds of matrimony.

BY THE CCURT,
Gordon R. Miller, J

Jul. 13,1995 Notice of Election to Retake Maiden of Darleta L. A.Stivanson to be known as DARLETA L. ARCHER, filed.

QUINN, GENT, BUSECK & LEEMHUIS
AND
SCHMIDT AND RONCA, P.C.
James R. Ronca
Gerald J. Williams
Riehl & Moore
~~Ralph R. Riehl~~ Withdrawn (for Fry's only)

403

Shafer, Swick, Bailey, Irwin & Stack
Paul D. Shafer, Jr.
Louis J. Stack

~~Douglas F. Brennan~~, Atty.
For DER Donald A. Brown

CAROL FRY, KENNETH FRY, ANDREW G. HIMES, MARYANN HIMES, JEFFREY DEARDORFF and PATRICIA DEARDORFF, Individually and on behalf of all persons similarly situated

VS.

LEECH TOOL AND DIE WORKS, INC.

Filed April 25, 1990
@ 1:00 P.M.

Tax & Entry paid	$50.50
Sheriff's Costs	21.00

Jury Trial
Demanded

COMPLAINT

1 copy (sheriff)

May 4, 1990, Appeara nce of Shafer, Swick, Bailey, Irwin and Stack, by Paul D. Shafer, Jr. and Louis J. Stack, attorneys for defendant, filed.

May 10, 1990 Sheriff's REturn filed. SERVED Leech Tool and Die Works, Inc. on April 30, 1990 at 9:25 AM by handing copy of Compalint to Jan Leech, Secretary, at business, State Road Hill, Meadville, Crawford County, PA.
So answers, Robert M. STevens, Deputy Sheriff
Howard N. Stewart, Sheriff

May 17, 1990, Defendant's Preliminary Objections to Complaint filed.

May 29, 1990, Amended Complaint Pursuant to Pennsylvania Rule of Civil Procedure 1028(c) filed.

June 14, 1990 Defendant's Preliminary Objections To First Amended Complaint filed.

July 16, 1990 Answer to Preliminary objections filed.

July 27, 1990 Second AMended Complaint Pursuant To Pennsylvania Rule Of Civil Procedure 1028(c) filed.

Aug. 6, 1990 Defendant's Preliminary Objections To Second Amended Complaint filed.

Sept. 27, 1990 Upon praecipe of Defendant Attorney the above matter is placed on the next available argument list.

1990 OCTOBER ARGUMENT LIST.

Oct. 6, 1990 Re: Preliminary Objections, Order Setting Argument Date filed: And Now, October 5, 1990, argument in the above captioned matter is hereby set for Monday, November 19, 1990, at 9:30 A.M., in Courtroom No. 2, of the Crawford County Courthouse.
FOR THE COURT,
Imogene Yetman,, Ct. Adm.
Oct 9, 1990 Copies of order mailed to Atty Ronca and Quinn Firm and copy put in Atty. Stack's box.

Nov. 16, 1990, ORDER filed. AND NOW, Nov. 15, 1990, argument in the above captioned matter heretofore set for Nov. 19, 1990 is hereby reset by the court for Dec. 18, 1990 at 10:30 a.m. in C. R. No. 2.
FOR THE COURT,
Imogene Yetman, Ct. Adm.
Nov. 20, 1990, copies to James R. Ronca, P. Shafer and L. Stack, attys.

Dec 6, 1990 Motion of the Commonwealth of Pennsylvania, Department of Environmental Resources for Leave to File Amicus Curiae Brief filed.

Dec 6, 1990 Certificate of Service of of Motion filed.

Dec. 14, 1990 Order filed. AND NOW, December 12, 1990, after receipt and review of the motion of the commonwealth of Pennsylvania, department of Environmental resources, for leave to file an amicus curiae brief a rule to show cause is hereby granted directed to all other parties in the cause to show cause, if any they have, why said motion should not be granted.
the Rule to show cause is returnable for hearing and/or argument on Tuesday, December 18, 1990 at 10:30 o'clock a.m. in Courtroom No. 2, which said hearing and/or argument shallt ake place immediately prior to the argument on the defendant's preliminary objections.
This motion was not file din accordance with the Local Rules of Court. the Local Rules of Court require the filing of a motion in open motion's court with prior notice to all opposing counsel. Since we do not known the position of opposing counsel and have not given them an opportunity to be heard before ruling onthe motion we are using the rule to show caus eprocedure prior to considering the motion..
BY THE COURT,
Gordon R. Miller, J
Dec. 14, 1990 Copy of order mailed to James Ronca and copy put in Paul Shafer's box.

6-27-94 Brief filed

Dec. 14, 1990 ORDER filed. AND NOW, December 19, 1990, the Commonwealth of PA., Dept. of Environmental Resources, is granted leave to file a brief and present an oral argument, amicus curiae, on the preliminary objections now pending before the Court.
Furthermore, the Defendant is granted leave until January 2, 1991 to file a brief in response to the amicus curiae brief filed by the Commonwealth, Dept. of Environmental Resources.

By The Court
Gordon R. Miller, P.J.
Dec. 20, 1990 Copy of Order to Attys. James R. Ronca, Paul D. Shafer, Louis Stack, Dougals F. Brennan.

Apr. 3, 1991, Letter of Response from Douglas F. Brennan, for disqualification in above matter; future correspondence to be addressed to Donald A. Brown, Esq.

April 5, 1991 Motion to Strike and Motion to Disqualify Counsel filed.

April 5, 1991 Order filed: AND NOW, April 1, 1991, upon consideration of plaintiffs' motion to strike ex parte letters and to disqualify counsel and rule to show is hereby entered and directed to the plaintiffs and the Commonwealth Department of Environmental Resources, amicus curiae, to show cause, if any they have, why said motions should not be granted. These rules are returnable for hearing and/or argument on the 15th day of April, 1991 at 1:00 o'clock p.m. in Courtroom No. 2 of the Crawford County Courthouse.

Continued on page 609.....

404

1990

TERRY TOOMEY 404	SCOTT E. ALLEN t/d/b/a ALLEN'S SERVICE VS. DAVID DOWLER and LOIS DOWLER, his wife Filed Apr 25, 1990 @ 1:16 P.M. Tax & Entry paid $50.50 ✓	CIVIL COMPLAINT 2 copies (atty)

1990

Shafer, Swick, Bailey
Irwin & Stack
Louis J. Stack
405

DAVID HANAHAN

VS.

WEOZ

Filed April 25, 1990
@ 2:57 P.M.

Tax & Entry paid	50.25
Pro Co pd 8/3/90	15.00
Pro Co pd 11/2/90	9.00

APPEAL FROM JUDGMENT OF DISTRICT JUSTICE WILLIAM CHISHOLM

Apr. 27, 1990 Proof of Service filed.

May 17, 1990, Complaint filed. 1 copy (atty)

June 5, 1990 Answer filed.

Aug. 2, 1990 Upon praecipe of Plaintiff Attorney For Reference To Arbitrators the following are hereby appointed:
William F. Pineo, Chairman
John D. Petruso
Terry Toomey

Aug. 22, 1990, Arbitrators Take the Qualifying Oath.

Sept. 28, 1990 Decision of Arbitrators filed in which they find Judgment in favor of Plaintiff and against defendant in amount of $688.73 plus costs and interest from entry of judgment at 6% per annun.
C-812;M-184; W-186 DECISION OF ABRITRATORS
Sept. 28, 1990 copy put in box for Atty. Stack and copy mailed to defendant.

And now, Oct. 31, 1990 at 3:21 p.m., upon praecipe of plaintiff Attorney judgment is her eby entered in the above captioned matter in accordance with decision of the Board of Arbitrators entered thereon.
C-182; M-186; W-186 Debt $688.73
judgment entered 10/31/90 JUDGMENT
Notice of entry of judgment mailed 11/2/90 James F. Simmons
Prothonotary

406

1990

406

VIRGINIA M. PERDUE

VS.

PHILLES OACKS

Filed Apr 26, 1990
@ 10:32 A.M.

Tax & entry	50.50
Sheriff's costs	27.84

9 02

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies (sheriff)
1 copy (plaintiff)

ORDER:

And now, this 26 TH day of April, 1990, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.

2. Special Conditions:

Defendant shall not go to the plaintiffs home.

3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.

4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.

5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.

6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.

7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.

8. The court reserves ruling on allocations of fees and costs. Hearing is here by set for May 3, 1990, at 3:30 P M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

May 4, 1990, ORDER filed. AND NOW, May 3, 1990, at the time s cheduled for hearing on the plaintiff's abuse petition, it appears that the defendant has not been served which explains why the defendant is not present at the hearing.

Accordingly, this matter is continued until Wed. May 16, 1990 at 3:30 p.m. when a hearing shall be held on the plaintiffs petition in Courtroom No. 2 of the Crawford County courthouse. In the meantime, the temporary abuse order entered Apr. 26, 1990 is continued.

Pursuant to 35 P.S. 10189 and Rule 430 of the Pa. Rules of Civil Procedure, the sheriff of Crawford County is directed to serve a true and correct copy of the petition for emergency relief, the temporary abuse order of Apr. 26, 1990, the notice to defend that was attached to that petition and this order on the defendant by mailing true and correct copies of said documents to the defendant at 1125 Main St. West Portsmouth, Ohio 45662, by cert. mail, ret. rec. req. This was the address that was represented to be the Defendant's last known address. The sheriff shall make return of service.

A copy of this order shall be delivered to the police departments in the jurisdiction where the plaintiff resides and to county control.

BY ORDER OF THE COURT,
Gordon r. Miller,J.

May 4, 1990, copies to county control, to sheriff, and copies mailed to plaintiff, and mailed to Linesville Police.

May 10, 1990 Sheriff's Return filed: SERVED Certified Mail to Philles Oacks on May 7, 1990 at her last known address, 1125 Main St., West Portsmouth, OH 45662. Return receipt signed by Agent, Emma Brown, attached.
So answers, Howard N. Stewart, Sheriff

May 17, 1990 Order filed. AND NOW, May 6, 1990, at the time fixed for the hearing, the Plaintiff and the Defendant appeared in Court, both without counsel, and it appears that both want a hearing on this matter.

Therefore this matter is continued until Wednesday, June 27, 1990, at one o'clock p.m. in courtroom number two of the Crawford County Court House. The parties are encouraged to get counsel to assist them min this matter and are directed to Northwest Pennsylvania Legal Services in the professional building or the Crawford County Bar Association Service to th ePublic Committee in care of the PRothonotary, Crawford Countycourt House.

In the meantime, the temporary abuse order entered April 26, 1990, is continued in full force and effect.

BY THE COUR,
Gordon R. Miller, J

May 21, 1990 Copies mailed to plaintiff and Defendant

1990

ELDERKIN, MARTIN, KELLY,
MESSINA & ZAMBOLDI
Kenneth G. Vasil

407

SEARS, ROEBUCK AND COMPANY

VS.

DONNIE RIGGS AND
PHYLLIS RIGGS, his wife

Filed April 26, 1990
@ 10:42 A.M.

Tax & Entry Paid $50.50
Sheriff's Costs 27.00

COMPLAINT

2 copies (sheriff)

May 10, 1990 Sheriff's REturn filed. SERVED Phyillis Riggs personally on April 30, 1990 at 10:10 AM at her residence, R.D. 1 Box 387, Black Rd., Saegertown, Crawford County, PA 16433. SERVED Donnie Riggs on April 30, 1990 at 10:11 AM by handing copy of Complaint to Phyliss Riggs, his wife, at residence, R.D.#!, Box 387, Black Rod., Saegertown, Crawford County, PA. 16433.
So answers, Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

1990

ELDERKIN, MARTIN, KELLY,
MESSINA & ZAMBOLDI
Kenneth C. Vasil

408

Ferguson & Spataro
Douglas W. Ferguson
Arthur Hollabaugh

SEARS, ROEBUCK AND COMPANY

VS.

ARTHUR HOLLABAUGH and
ADA HOLLABAUGH, his wife

Filed Apr 26, 1990
@ 10:45 A.M.

Tax & Entry Paid	$50.50
sheriff's Costs	35.00
Pro Co pd 7/5/90	9.00
Sat. pd 8/29/90	6.00

COMPLAINT

2 copies (sheriff)

May 18, 1990 Appearance of Ferguson & Spataro by Douglas W. Ferguson for Defnednat Arthur Hollabaugh filed.

May 18, 1990 Preliminary Objections filed.

May 31, 1990 Sheriff's Return filed. SERVED Ada Hollabaugh per sonally on April 27, 1990 at 8:04 AM by handing copy of Complaint to her at Sheriff's Office, Crawford County Courthouse Meadville, PA
SERVED Arthur Hollabaugh personally on May 16, 1990 at 3:40 PM by handing copy of Complaint to him at Sheriff's Office, Crawford County Courthouse, Meadville, PA.
So answers, Catherine I. Allen, Deputy Sheriff
Howard N. Stewart, Sheriff

And Now, July 5, 1990 at 1:23 p.m. upon praecipe of plaintiff's attorney, with Notice of Intention to File Default Judgment attached, judgment is hereby enterd in favor of the plaintiff and against the defendant for failure to file an answer and the damages are assessed at the sum of Two Thousand One Hundred Six and 78/100 plus interest and cost of suit.
H-11-11 Debt $2,106.78
judgment entered 7/5/90 Int. from March, 1990
Judgment
James F. Simmons
Prothonotary

Aug. 29, 1990 Praecipe for Satisfaction of debt, judgment, interest and costs in the above matter on behalf of Arthur Hollabaugh, only, filed.
Kenneth G. Vasil, atty. for Plaintiff

1990

FULLER, KINNUNEN, PETRUSO
AND GAMBLE
Ann Hansen Gamble

409

Shafer, Swick, Bailey
Irwin & Stack
James R. Irwin

PAMELA J. BOGARDUS

VS.

WAYNE E. BOGARDUS

Filed April 26, 1990
@ 11:17 A.M.

Tax & Entry paid	50.50
2 counts paid	30.00
Pro Co Pd 3/12/92	9.00
state	10.00

COMPLAINT IN DIVORCE, ALIMONY, ALIMONY PENDENTE LITE, COUNSEL FEES, COSTS AND EXPENSES AND EQUITABLE DISTRIBUTION

1 copy (atty)

May 1, 1990 Affidavit Of Mailing filed. Ann Hansen Gamble, being duly sworn according to law, deposes and says that she is an Attorney at Law, duly authorized to practive law in the Commonwealth of Pennsylvania and that on April 27, 1990, she sent a copy of the Complaint in Divorce to the defendant by certified mail, restricted delivery, postage prepaid, receipt requested, to Wayne E. Bogardus, R.D. 2, Box 4021, Guys Mills, PA 16217, the Defendnat's last known address. The said receipt being attached hereto. Ann Hansen Gamble

Jan. 27, 1992 AFFIDAVIT UNDER SECTION 3301(d) OF THE DIVORCE CODE, filed.

Feb. 10, 1992, Motion to withdraw CLaims and Order filed. ORDER: AND NOW, this 10 day of Feb. 1992, on plaintiff's motion to withdraw claims is hereby granted in the said claims are to be marked settled and discontinued.

BY THE COURT,
Anthony Vardaro, Judge
Feb. 14, 1992, copy to A. Gamble, Esq.

Mar. 11, 1992, Notice of Intent to REquest Divorce Decree filed.

Mar. 11, 1992, Upon praecipe of plaintiff attorney to transmit the record, this case moved to court.

Mar. 13, 1992 Appearance of Shafer, Swick, Bailey, Irwin & Stack by James R. Irwin forDefendant filed.

Mar. 20, 1992 **D I V O R C E D E C R E E F I L E D .**

AND NOW, March 18, 1992, it is ordered and decreed that Pamela J. Bogardus, plaintiff, and Wayne E. Bogardus, defendant, are divorced from the bonds of matrimony.
The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not been entered and which have not been withdrawn by leave of Court.

BY THE JCOURT,
Gordon R. Miller, J

410

PETITION FOR INVOLUNTARY TREATMENT

OF

CLIFTON E. MATTHEWS

Filed April 26, 1990

PETITION FOR INVOLUNTARY TREATMENT
Mental Health Procedures act of 1976
(Sections 304 and 305)

May 2, 1990 Report of Mental Health Review Officer, Recommendation and ORDER filed. AND NOW, this 1st of May, 1990, upon consideration of the petition filed at the above number and term, and other relevant matter, and after a review of the report of the Mental Health Reveiw Officer, it is hereby ORDERED and DIRECTED that the said Clifton E. Matthews be committed to Warren State Hospital for treatment for a period not to exceed 90 days.

BY THE COURT,
P. Richard Thomas, J.

May 2, 1990 Certified copy given WSH.
May 3, 1990 Copy to Bruce Barrett, Atty., MHMR.

1990

William L. Walker

411

ALLEN B. BELEAL

VS.

CHRISTINA A. SCOTT

Filed Apr 26, 1990
@ 1:36 P.M.

Indigent filing

COMPLAINT FOR CUSTODY

1 copy (atty)
1 copy (mediator

April 26, 1990 Petition to Proceed In Forma Pauperis filed.

April 26, 1990 Order of Court filed: You, CHRISTINA A. SCOTT, defendant, have been sued in Court to obtain custody, partial custody or visitation of the child: Adam Edward Scott.

You are ordered to appear in person in from of William Pineo, Child Custody Mediator, at such time and such place as he shall designate for a Mediation Conference.

Pending the Mediation Conference, temporary custody of the minor child, Adam Edward Scott, shall remain with the plaintiff, father, Allen E. Beleal and he is hereby ordered to bring the child, if requested, with him to the Mediation Conference.

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

BY THE COURT,
P. Richard Thomas, J

Date: 5/1/90

July 2, 1990 Affidavit Of Service filed. Debra Mattocks, being duly sworn according to law, deposes and says that she is the secretary of william L. Walker, Esquire, attorney for Petitioner in this action and certifies that on May 31, 1990 she delivered to the POst Office in Meadville, PA for delivery to Christina A. Scott at 2915 East 59th Street, Cleveland, OH 44122 by certified mail, return receipt requested, delivery restricted to addressee only, a true and correct copy of the Complaint for Custody in this matter for which deponent received at the time receipt for certified article no. P 276 618 751 which is attached hereto as Exhibit "A". Thereafter on June 28, 1990 it was returned to William L. Walker, Esquire return receipt card bearing the same number and signed by Christina A. Scott said return receipt card being attached hereto as Exhibit "B".

Debra Mattocks

Sept. 18, 1990 Temporary Order filed. AND NOW, this 13th day of Sept., 1990, after Mediation in the above referenced matter an dupon the recommendations of the child Custody Mediator, IT IS HEREBY ORDERED AND DECREED THAT:

1. Legal and physical custody of the subject minor child, Adam Edward Scott, is hereby awarded to the plaintiff, his father.
2. The mother shall have reasonable visitation with the child, provided she gives the father one week's notice of the visitation period that she wishes to select.
3. Either party shallhave the right to request a visitation scheduled at any time.
4. Costs and fees of this Mediation, which are fixed at $47.00 are assessed to Crawford County the Mediator, having advised the Court that the plaintiff is on public assisatance and the mother's circumstances unknown. Payment shall be made to the Prothonotary of Crawford County.
5. Either party may move the Court for a hearing de novo for thirty (30) days from date hereof. If neither par ty so moves, this Order shall be considered permanent.

By the Court,
P. Richard Thomas, S.J.

Sept. 19, 1990 Copies of order to William PIneo, William Walker and Christina Scott

412

1990

MASON AND MASON
Joan D. Mason

412

4/24/91 RECD $75.00 from Defendant
Recd May 1, 1991
$75.00
Vivian Stoltz

LLOYD RICK ANTHONY

VS.

PAMELA JOANN ARTMAN

Filed April 26, 1990

Tax & Entry paid	$50.50
Sheriff's Costs	21.00
Mediation Costs	150.00
	9.00

PETITION FOR CUSTODY

3 copies (atty)
1 copy (mediator)

Order:
YOU, Pamela Joann Artman, have been sued in court to obtain custody, partial custody or visitation with the child, Brandi Lee Anthony.

JOHN FULLER is hereby appointed Mediator to hear this matter. You are ordered to appear in person at such times and places as shall be set for hearing in this matter, whether by the mediator or the judge.

You are further ordered to bring with you, if in your physical custody, the above named child.

It is further ordered and decreed that pending a final determination by the Court, the aforesaid minor child, Brandi Lee Anthony shall not be removed from the jurisdiction of the Court by either party hereunder, under possible punishment for Contempt of Court.

Date: April 30, 1990

BY THE COURT,
P. Richard Thomas,
J.

May 16, 1990, Sheriff's Return filed: SERVED Pamela Joann Artman personally on May 11, 1990 at 2:05 P.M. by handing copy of Complaint to her at her place of employment, Skylight Room, Allegheny College, Meadville, Crawford Co., Pa.
So Answers, Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

July 3, 1990, STIPULATION AND CONSENT CUSTODY ORDER filed. CONSENT CUSTODY ORDER: AND NOW, this 24 dayof July 1990, the court orders as follows:

1. Primary legal and physical custody of Brandi Lee Anthony, age almost fourteen (14) is hereby awarded to her father, Lloyd Rick Anthony, subject to temporary custody which is hereby awarded to mother, Pamela Joann Artman, as set forth below. The parties hereby shall share information regarding the child's well-being, and shall each have access to important legal documents. IN regard to matters such as the child's welfare, including her educational, medical, and religious welfare, the parties shall cooperate in discussing important matters.

2. It shall be the responsibility of each party, to firmly secure the well-being of their daugther by keeping her properly supervised at all times, when she is in that parent's care and custody. Brandi Lee Anthony shall not be left alone during periods of temporary visitation If the mother must work, she will notify the father and return the child to the home of the father so that the child will not be in the mother's temporary custody during the hours that the mother must work.

3. The mother of the child shall be entitled to have the child for two twenty-four hour periods during the week, provided that she is available to be with the child. She shall notify the father and make arrangements through him in regard to said periods of temporary custody rather than making arrangements directly with the child. In no event shall said visitation days be deemed to accumulate beyond the particular week in question. At such time as the mother requests temporary custody, she shall indicate when specifically she wishes to pick up the child, and when she will return the child.

4. It is the intention of the parties that the chld attend the Conneaut Lake School District through her high school years.

5. The parties hereto shall attempt to agree on times of visitation with the mother on holidays, being specifically July 1st (the child's birthday), July 4th, Labor Day, Thanksgiving Day, christmas Day, Easter Sunday, and Memorial Day, and if they cannot agree on a sc hedule on their own, then the following sc hedule and terms shall rule:

Mother shall have the child the first half of the holiday (9:00 a.m. to 3:30 p.m.) unless she is working, in which case she will have the child from 3;00 p.m. to 9:00 p.m. of said holiday. the first said holiday to which this order shall apply, shall be Labor Day, 1990.

(3 copies -atty)
BY THE COURT,
P. Richard Thomas, J.

Dec. 12, 1990 Petition For Modification of Custody Order and Request for Mediation and ORDER filed. AND NOW, this 12 day of December, 1990, upon presentation and consideration, this matter is referred to John Fuller, Esquire, Child Custody Mediator, for the purpose of reviewing the current Order entered in this case and addressing the issues set forth in the Petition for Modification.

A copy of this Petition shall be served upon the Respondent by certified mail, return receipt requested, and also by regular mail upon counsel of record for the Respondent, to-wit, Joan D. Mason, Esquired.

By The Court:
P. Richard Thomas, S.J.

Dec. 12, 1990 Copy of Order to Atty. Joan Mason and John Fuller.

Feb. 20, 1991 Order filed. AND NOW, February 19, 1991, after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS:

I. Legal custody of Brandi Lee Anthony shall be shared between her father, Lloyd Rich Anthony, and her mother, Pamela Joann ARtman, that is, each parent shall be entitled to take part fully in important decisions affecting the child such as the child's education, religious instruction and medical treatment and each parent shall be entitled to full access to school records and other important records.

II. Physical custody of Brandi Lee Anthony shall be with her mother, beginning Sunday, February 10, 1991 at 6:00 p.m., subject to the following conditions:

A. The father shall be entitled to visit and take the child into his custody every other weekend beginning February 8, 1991, from 6:00 p.m. Friday evening until 6:00 p.m. Sunday evening.

B. Holidays shall be defined as Christmas, Easter and Thanksgiving. The parties shall share custody of the child on the aforesaid three holidays and unless otherwise agreed between them, the child shall be in the custody of her mother on those three holidays until 2:00 p.m. and in the custody of her father on those three holidays from 2:00 p.m. until 8:00 p.m.

C. Beginning with the Summer of 1991 the father shall be entitled to have custody of Brandi Lee Anthony for two (2) non-consecutive two (2) week periods each Summer. The father shall give the mother at least thirth (30) days notice of the time in which he intends to exercise such extended Summer visitations.

D. Transportation of the child on weekend, holiday and Summer visits shall be shared with the parent receiving custody providing transportation, that is, if the father is to receive custody of the child Friday evening, he shall pick up the child at the home of the mother and if custody

Continued on page 412 A

Lloyd Rick Anthony

vs.

Pamela Joann Artman

Record continued from page 412

of record

A.D. 1990 - 412

****

is to be returned to the mother Sunday evening, she shall pick up the child at the home of the father on Sunday evenings. It is specifically directed that in exchanging custody of the child there shall be no angry exchanges between the parties and the parent will not enter the home of the other parent, but the custody exchange will be in the driveway.

E. Neither mother nor father shall say or do anything in an attmept to turn the child against the other parent, but on the other hand shall do everything in the power of each to foster a favorable and loving attitude on the part of the child towards both parents.

F. Neither mother nor father shall expose the child to any person or situation which may be harmful to the child's health or well being.

G. Both parents agree to inform the other immediately of any illness or injury regarding the child and both parents agree to furnishe the other with a current telephone number.

III. This order is a temporary order but shall become a permanent order unless exceptions thereto are filed by either party within thirty (30) days of the date hereof.

IV. Cost of the mediation conference shall be equally divided between the parties.

P. Richard Thomas, S.J.

Feb. 22, 1991 Copies of order put in Joan Mason, and John fuller's box, and copies mailed to plaintiff and defendant.

412
B

1990

1990

Curtis E. Blystone

413

Donald E. Lewis

Watts & Pepicelli PC
Alan L.Pepicelli

TODD SWARTWOOD, d/b/a
SWARTWOOD GENERAL CONTRACTING

VS.

KENNETH A. SCOTT and
CHERYL L. SCOTT

Filed April 26, 1990
@ 3:21 P.M.

Tax & Entry Paid	$50.25
Pro Co Pd 11/5/90	15.00
Pro Co pd 2-13-96	5.00

APPEAL FROM JUDGMENT OF DISTRICT JUSTICE WILLIAM CHISHOLM FILED.

April 26, 1990 Complaint in Civil Action filed. 1 copy (atty)

Apr. 27, 1990 Proof of Service filed.

May 1, 1990 Acceptance of Service filed. I accept service of the Complaint on behalf of the defnednat, Kenneth A. Scott and Cheryl L. Scott, and certify that I am authorized to do so.
Donald E. Lewis

June 1, 1990 Answer and New Matter filed.

June 18, 1990 Reply To New Matter filed.

July 26, 1990, Plaintiff's Motion for Partial summary Judgment filed.

July 26, 1990, Affidavit of Plaintiff's Counsel filed.

July 26, 1990, Upon praecipe of palintiff counsel, the above case is placed on next argument list.

ON ARGUMENT LIST FOR AUGUST 1990

Aug. 7, 1990, RE: MOTION FOR PARTIAL SUMMARY JUDGMENT - ORDER SETTING ARGUMENT DATE - filed. And now, Aug. 6, 1990 argument in the above matter is hereby set for Aug. 27, 1990, at 11:00 a.m. in C.R. No. 2 of the Crawford CountyCourthouse.
FOR THE COURT,
Imogene Yetman, Ct. Adm.
Aug. 8, 1990, copies of order to Attys. C. Blystone, and D. Lewis.

Aug. 31, 1990 Memorandum and ORder filed. ORDER: AND NOW, August 29, 1990, the Plaintiff's motion for partial summary judgment is refused.
(Copy put in Atty's Box)
BY THE COURT
Gordon R. Miller, P.J.

Oct. 31, 1990, Upon praecipe of attorney for plaintiff, for reference to the arbitrators the following arbitrators are appointed:
~~Russell L. Scott, CH.~~ Ann H. Gamble, CH.
William Walker,
David W. Pickens

Nov. 19, 1990 Arbitrators Take the Qualifying Oath.

Dec. 2, 1992 Motion for Discovery Order and Order filed. AND NOW, this 30th day of November, 1992, upon presentation of plaintiff's Motion for a Discovery Order, a rule is hereby granted upon the defendants to show cause why the relief requested therein should not be granted.
Returnable for hearing on the 28th day of January, 1993 at 9:00 o'clock a.m., prevailing local time, in Court Room No. 1 or 2, Crawford County Courthouse, Meadville, Pennsylvania.
By the Court
Anthony J.Vardaro,J.
Dec. 4, 1992 Copy of the Order to Attys.Blystone and Lewis.

Jan.14, 1993 Appearance of Watts and Pepicelli PC by Alan L. Pepicelli, Esquire for Kenneth A. Scott and Cheryl L. Scott, Defendants, filed.

Feb. 2, 1993 ORDER filed. AND NOW, Jan. 28, 1993, at the time fixed for argument on the Plaintiff's motion for discovery Order asking for the right to listen and possibly copy a tape that recorded some or all of the proceedings before a district justice in this case and a copy of any written transcript of that tape, the Court heard argumetn as well as the representation from counsel for the Defendants that the tape may not exist but that he was not the attorney who made or has the tape.
It is ORDERED as follows:
1. The Defendants and their attorneys shall make a good-faith search to locate said tape and any written transcription of that tape. They shall do this within the next twenty (20) days.
2. If said tape is discovered, counsel for the Defendants shall notify counsel for the Plaintiff and they shall arrange an appropriate time when counsel for the Plaintiff can listen to the tape and, if he so desires, make a copyof it.
3. If the tape is not located, but if there is a written transcription of the contents or part or all of the tape, a copy of that written transcription shall be delivered to the Plaintif
4. In the event that neither the tape nor a transcription is furnished to counsel for the Plaintiff as required above, then it shall be assumed that the tape islost or destroyed and that a transcription thereof was either never made or if made lost and destroyed. Thereafter, the tape, if it is located, and any transcription, if it is located, may not be used in evidence at any proceedign in this case unless it or they are furnished to counsel for the Plaisntiff and counsel for the Plaintiff agreeds that they may be used.
5. Neither the Defendants nor their current counsel nor their former counsel counsel shall destroy the tape of any transcription if they find them.
BY ORDER OF THE COURT,
Gordon R. Miller, P.J.
Feb. 3, 1993 copy to C. Blystone, D. Lewis & A. Pepicelli

Dec 29, 1995 Upon praecipe of plaintiff attorney to appoint Arbitrators, the following Arbitrators have been appointed.
William Walker, Chr.
Robert S. Bailey
William Peters

Jafn 12, 1996 Arbitrators take Qualifying Oath.

Feb 9, 1996 Upon praecipe of plaintiff attorney the above captioned action is discontinued of record.

1990

Ernest J. DeSantis, Jr
for United States

414

JAMES A. MORRIS d/b/a
MORRIS PLUMBING

VS.

MAGGIE MILLER and FARMERS
HOME ADMINISTRATION

Filed Apr 27, 1990

Entry paid 50.00

WRIT OF CERTIORARI

4 copies (atty)

Issued

RULE TO SHOW CAUSE:

AND NOW, to wit, this 27 day of April, 1990, after consideration of the government's Praecipe for Writ of Certiorari filed in this matter, it is hereby ORDERED that argument shall be held on this matter, it is hereby ORDERED that argument shall be held on this matter on the 24 day of May, 1990, at 9:30 a.m. in Courtroom 1 or 2 of the Crawford County Courthouse, at which time any interested party shall show cause why the relief requested by the United State of America should not be granted.

P. Richard Thomas,
Judge

May 8, 1990 Record from Hubert Vogan, District Justice, in answer to Certiorari, filed.

May 24, 1990, ORDER filed. AND NOW, towit, this 24th day of May 1990, after considering the arguments of the parties, it is hereby

ORDERED, ADJUDGED AND DECREED that the United States praecpe for Writ of Certiorari is hereby granted and the judgment entered by the Honorable Hubert E. Vogan, district Justice, on or about March 29, 1990, is hereby vacated as to the United States of America and any of its agencies and departments, all based upon the consent and agreement of the parties.

Gordon R. Miller
Judge, Court of common Pleas of Crawford County

May 25, 1990 copies to Atty. DeSantis, James A. Morris and Hubert Vogan, *M. Miller.*

William J. Gregg

415

Robert S. Wynn

WILLIS P. GILL

VS.

ALLCO REALTY INC and
VICTORIA D. SCHLOSSER

Filed April 27, 1990 1:27
@ 11:28 A.M.

Tax & Entry Paid 50.25

Pro.Co. pd 3/26/93 5.00

JURY TRIAL DEMANDED
APPEAL FROM JUDGMENT OF DISTRICT JUSTICE
WAYNE HANSEN

May 2, 1990 Proof of Service filed.

May 21, 1990 Complaint filed.

June 18, 1990, Pa. R.C.P. No. 248 Modification of Time by Agreement of Parties & Certificate of Service filed.

July 13, 1990, Defendants' Preliminary Objections Pa. R. C. P. Nos. 1017(b), 1028, filed.

July 13, 1990, Pa. R.C.P. No. 248 Modification of Time filed.

Apr. 23, 1992 Upon praecipe of defendant Attorney the above Preliminary Objections are placed on the next available argument list.

MAY 1992 ARGUMENT LIST

May 26, 1992 Motion for Continuance and Order filed. AND NOW, this 22 day of May, 1992, Plaintiff's Motion for Continuance is granted., Hearing inthe above matter is rescheduled to July 9, 1992 at 1:30 P.M. in Courtroom No. 2 of the Crawford County Courthouse.
For the Court,
Imogene Yetman, Court Administrator
May 26, 1992 copy of order to:WilliamJ.Gregg, ESq. & Robert S. Wynn, Esq.

Aug. 27, 1992 Memorandum and Order filed. ORDER: AND NOW, Aug. 27, 1992, the Defendant's preliminary objections are overruled and the Defendants are given leave to fiel an answer to the Plaintiff's complaint within 20 days of the date of this Order. BY THE COURT:
Anthony J. Vardaro, J.
Aug. 27, 1992 copies given to Atty Gregg and mailed to Atty Wynn.

Sept. 22, 1992 Answer filed.

sept. 22, 1992 Pa.R.C.P. No. 248 Modification Of Time filed.

Mar. 26, 1993 Upon Praecipe of Plaintiff Attorney the above case marked settled and discontinued to record.

1990

Prather, Prather & Pineo
Mark D. Prather

416

Douglas G. Linn, II & Associates
RAYMOND A. SWAN

11/21/90 Rec'd $160 ck from Atty for Plaintiff

11/26/90 Paid $160 ck To Crawford County Commissioners Ck# 5937

CARL VAN SCOOTER
t/d/b/a
VAN SCOOTER TRUCKING

vs.

WILLIAM & LINDA McNUTT
dfts

Tiger Express, Inc. a/k/a
Tiger Management
add'l dfts.

Filed April 27, 1990
@ 1:17 P.M.

Tax & Entry paid	$50.25
Sheriff's Costs	43.00
Arb paid 9/6/90	15.00
Sheriff's Costs Pro Co Rd 4/22/91	43.50 #5.00

APPEAL FROM JUDGMENT OF DISTRICT JUSTICE
HUBERT VOGAN
AND RULE TO FILE COMPLAINT

May 14, 1990 Complaint In Assumpsit filed.

May 24, 1990, Appearance of Douglas G. Linn II & Associates, by Raymond A. Swan, Esq. attorneys for defendants, filed.

May 24, 1990, Complaint Against Additional Defendants Tiger Express, Inc. a/k/a Tiger Management, filed.

May 24, 1990 Preliminary Objections In The Nature Of A Petition For Change Of Venue Pursuant To Pa. R.C.P. 1006(d)(1) and Order filed. AND NOW, this 24 day of May, 1990, following presentation of the within Preliminary Objections, a Rule is issued upon the Plaintiff to show cause, if any he has, why this matter should not be transferred to the Court of Common Pleas of Lawrence County, Pennsylvania.

Said Rule returnable and to be heard on the 25 day of June, 1990 at 9:00 o'clock a.m. in Courtroom # 1 or 2 Crawford County Courthouse.

BY THE COURT,
P. Richard Thomas, J

May 30, 1990 Copy of order put in Mark Prather's box and copy mailed to Raymond Swan

June 19, 1990 Motion For Continuance and Order filed. And now, June 19, 1990, the Prothonotary is directed to place this case on the July 30, 1990 Argument List -- time set for 9:00 a.m. in Courtroom 1 or 2.

For the Court,
Imogene Yetman

June 20, 1990 Copy of order put in Mark Prather's box and copy mailed to Raymond Swan

1990 JULY ARGUMENT LIST

July 6, 1990 Sheriff's Return filed. Before me, the undersigned authority, personally appeared Leon who being duly sworn according to law, deposes and says tha ton the 15th day of June 1990, at 2:15 P.m. no service made moved.
So answers,

Leon, Deputy SHeriff
Eugene L. Coon, Sheriff

NOT FOUND as to additional Defendant Tiger Express, Inc. as per Affidavit received from Sheriff of Allegheny County, PA and hereto attached.
So answers,

Howard N. Stewart, Sheriffg

Aug. 3, 1990, Amended Complaint Against Additional Defendant filed. 1 copy (sheriff)

Aug. 3, 1990 ORDER Filed. AND NOW, July 30, 1990, after argument, the preliminary objection filed by Defendant McNutts petitioning for change of venue is denied.

Defendant McNutts are attempting to join Tiger Express, Inc. as additional defendants and to date have been unsuccessful. The Court grants Defendant McNutts an additional thirty (30) days from this date to file evidence of record that they have obtained service of their Complaint to join an additional defendant. If service has not been perfected within thirty (30) days of this date, the Plaintiff may praecipe to send the matter to a board of arbitrators and the suit will be tried involving the original parties.

Defendant McNutts are required to file an Answer within twenty (20) days of this date.

By Order Of The Court,
P. Richard Thomas, P.J.

Aug. 6, 1990 Copy of Order to Attys. Mark Prather, Raymond Swan.

Aug. 21, 1990 Answer and New Matter filed.

Aug. 22, 1990 Certificate of Service filed.

Aug. 23, 1990 Reply To New Matter filed.

Sept 6, 1990, Upon praecipe of plaintiff attorney, for reference to the arbitrators, the following arbitrators are appointed:

James R. Irwin, Ch.
William F. Peters
Joan D. Mason

Sept. 10, 1990 Sheriff's Return filed. Before me, the undersigned authority, personally appeared Louis Leon, who being duly sworn according to law, deposes and says that on the 17 day of Aug., 1990, at 1:15 PM, he did not serve Comp. add. deft, filed at No. 416 Term, 1990, Crawford County, Pennsylvania upon defendant Tiger Express at 238 Moon Clinton Rd., Coraopolis, PA No service no longer doing business at given address.
NOT FOUND, as to additional defendant Tiger Express, Inc., as per Affidavit received from Allegheny County, PA and hereto attached.
So answers,

Howard N. Stewart, Sheriff

Sept. 18, 1990, Arbitrators Take the Qualifying Oath.

Oct. 29, 1990, DECISION OF THE ARBITRATORS filed in which they find in favor of plaintiff, however deferring collection on this judgment until Defendant William McNutt collects on the action he has against Tiger Management Inc. Costs awarded to the palintiff with no interest to accrue on the award. Plaintiff withdraws the action against Linda McNutt. Dissenting opinion by James R. Irwin, Esq.
M - 173
Decision entered 10/29/90

DECISION OF ARBITRATORS
James F. Simmons,
Prothonotary

Oct. 29, 1990, copy put in box for Atty.Prather, copy mailed to Atty. Swan and Add'l dft.

Continued on page 416(a)

CARL VAN SCOOTER t/d/b/a VAN SCOOTER TRUCKING

VS.

WILLIAM and LINDA McNUTT, Defendants
TIGER EXPRESS, INC., a/k/a TIGER MANAGEMENT, Additional Defendants

Record Continued from Page 416

OF

AD 1990-416

****

Nov 21, 1990 Motion for Post Trial Relief filed.

Nov 21, 1990 Memorandum and Order filed: AND NOW, November 19, 1990, the Plaintiff's motion for post trial relief is denied for procedural reasons. This is not a determination on the merits as the Plaintiff has the right to a trial de novo if he takes an appeal in the manner provided by the Rules of Civil Procedure.

BY THE COURT,
Gordon R. Miller, P.J.

Nov 28, 1990 Copies of order given to Attys. Prather and Irwin and mailed to Atty Swan.

Nov. 27, 1990, Notice of Appeal of plaintiff from Decisionsof Board of Arbitrators filed. (copy mailed to Atty. Swan)

Jan. 9, 1991, Certificate of Readiness filed.

ON NON JURY TRIAL LIST FOR FEBRUARY 1991 LIST

Jan. 24, 1991 Motion fo Continuance, Certificate of Service and ORDER filed. AND NOW, this 24th day of January, 1991, upon Motion of the Defendants and consideration of same, nonjury trial is hereby set for March 26, 1991, at 9:00 A.M., in Courtroom 1 or 2.

By The Court,
P. Richard Thomas, J.

Jan. 24, 1991 Copy of Order to Attys. Mark Prather, James Irwin and mailed to Atty Swan.

Apr. 22, 1991, Upon praeceipe of plaintiff attorney, the above captioned case is hereby marked settled and discontinued of record.

416
-b-

1990

1990

JORDEN & WHITE
William Jorden

417

WILLIAM T. JORDEN

VS.

WALL STREET CAMERA EXCHANGE

Filed Aapril 27, 1990
@ 1:26 P.M.
Pro Simmons Paid $50.50

COMPLAINT

1 copy (atty)

May 31, 1990 Affidavit Of Service filed. William T. Jorden, Esq., attorney for the plaintiff in the above captioned matter, being duly sworn according to law deposes and says that pursuant to Pennsylvania Rules of Civil Procedure 403 and 404, he served the Complaint filed in this matter on April 27, 1990, upon the defendant, Wall Street Camera Exchange, on April 30, 1990, by certified mail, return receipt requested, upon said non-resident defendant at their address: Wall Street Camera Exchange, 82 Wall Street, New York, New YOrk, 10005. The defendant's acceptence of the same is attached hereto. William T. Jorden

418

1990

WILLIAM TAGGART 418	DANIEL VIOLETTE and NANCY VIOLETTE VS. TITUSVILLE FORD LINCOLN MERCURY, INC., ASSOCIATED LIFE INSURANCE and E. R. EMERY AGENCY, INC Filed April 30, 1990 @ 8: 43 A.M. Tax & Entry paid $50.50 ✓ Sheriff's Costs 32.60 Pro Co pd 7/11/90 9.00 ✓	CIVIL COMPLAINT 1 copy (sheriff 4 copies (atty) May 11, 1990 Sheriff's Return filed. SERVED Titusville, Ford Lincoln Mercury, Inc. on May 2, 1990 at 2:09 PM by handing copy of Complaint to Linda Herriott, General Manager, at place of business, 1185 Hydetown Road, Titusville, Crawford County, PA. 16354 So answers, Robert M. Stevens Deputy Sheriff Howard N. Stewart, Sheriff May 25, 1990 Default Notice filed. AND NOW, July 11, 1990 @ 1:18 p.m. upon praecipe of plaintiff's attorney, with Notice of Intention to File Default Judgment attached, judgment is her eby entered in favor of the plaintiff and against the defendant Titusville Ford Lincoln Mercury, Inc. in the amount of Seven Thousand Seven Hundred Thirty and 76/100 with interest and cost of suit. T-185 Debt $7,730.76 judgment entered 7/11/90 Judgment notice of entry mailed 7/13/90 James F. Simmons Prothnootary

1990

419

Bruce A. Barrett

PETITON FOR INVOLUNTARY TREATMENT

OF

JERRY.
~~TERRY~~ E. BEARCE

Filed April 30, 1990

PETITION FOR INVOLUNTARY TREATMENT
Mental Health Procedures act of 1976
(Sections 304 and 305)

Apr.30, 1990 Certification by Court for Ext. Vol. Trt. filed. This 2nd day of May 1990, after hearing and consideration of: ----------, the court finds that the patient is severely mentally disabled and in need of treatment, Accordingly the court orders that patient receive inpatient treatment, at MHC (Grove Street) for period of 20 days; patient represented byBruce A. Barrett, Esq. John D. Petruso, MHRO

May 14, 1990, Petition for involuntary Treatment filed.

May 17, 1990, Report of Mental Health Review Officer and Order filed. ORDER: AND NOW, this 16 dayof May 1990, upon consideration of the petition filed at the above number, and other relevant matter, and after a review of the report of the Mental Health Review Officer (John Petruso, esq) it is herby ORDERED AND DIRECTED that the said Jerry E. Bearce be committed to Warren State Hospital for treatment for a period not to exceed 90 days. This order shall take effect when arrangements can be made for transfer of patient.

BY THE COURT,
P. Richard Thomas, J.

May 17, 1990, copies to MH/MR, Warren St. Hosp. and Atty. barrett.

Aug. 10, 1990, Petition for Involuntary Treatment filed.

Aug. 16, 1990 Report of Mental Health Review Officer, Findings of Fact,Recommendation and Order filed. ORDER: AND NOW, this 16 day of August, 1990, upon consideration of the Petition filed at the above number and term, and other relevant matter, and after a review of the Report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said Jerry Bearce be committed to the Warren State Hospital for treatment for a period not to exceed 180 days from July 23, 1990 .

BY THE COURT,
Gordon R. Miller, P.J.

Aug. 21, 1990 Copies of order to Thomas E. Africa, Warren State Hospital,M/H M/R Administrator and Bruce Barrett

Jan. 4, 1991, Petition for Involuntary Treatment filed.

Feb. 1, 1991 Report of Mental Health Review Officer , Findings of Fact, Recommendation and ORDER filed. AND NOW, this 29th day of Jan., 1991, upon consideration of the Petition filed at the above number and term, and other relevant matter, and after a review of the Report of the Mental Health Reveiw Officer, it is hereby ORDERED and DIRECTED that the Respondent be committed to the Warren State Hospital for treatment for a period not to exceed 180 days from Jan. 16,1991.

By The Court,
Gordon R. Miller, P.J.

Feb. 1, 1991 Copy of Order to Atty. Gregory B. Fraser, WSH, MH.

June 27, 1991 Report of Mental Health Review Officer and Order filed. AND NOW, this 26 of June, 1991, upon consideration of the petition filed at the above number and term, and other relevant matter, and after a review of the report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said Jerry E. Bearce be committed to Warren State Hospital for treatment for a period not to exceed 180 days.

BY THE COURT, P. Richard Thomas, S.J.

June 28, 1991 copies to Atty. B. Barrett, W.S.H. and MH/MR

Jan. 21, 1992 Petition for Involuntary Treatment filed.

Jan. 21, 1992 Report of Mental Health Review Officer and Order filed. AND NOW, this 20 th day of January, 1992 upon consideration of the petition filed at the above number and term, and other relevant matter, and after a review of the report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said Jerry Bearce be committed to Warren State Hosp. for treatment for a period not to exceed 180 days.

This order shall take effect on 1-20-92.

BY THE COURT,

Jan. 22, 1992 copy to B. Barrett, Warren State Hosp., MH/MR

July 8, 1992 Petition for Involuntary Treatment, filed.

July 29, 1992 REPORT OF MENTAL HEALTH REVIEW OFFICER and ORDER, filed. ORDER: AND NOW, this 29th day of July, 1992 upon consideration of the petition filed at the above number and term, and other relevant matter, and after a review of the report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said Jerry Bearce be committed to Warren State Hospital for treatment for a period not to exceed 180 days.

This order shall take effect on July, 1992.

BY THE COURT
Gordon R. Miller, P.J.

Aug 4, 1992 copy to Barrett, MH/MR, Warren

Jan. 4, 1993 Petition for Involuntary Treatment, filed.

Jan. 8, 1993 REPORT OF MENTAL HEALTH REVIEW OFFICER and ORDER filed. ORDER: And now, Jan. 7, 1993, upon consideration of the petition filed at the above number and term, and other relevant matter, and after a review of the report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said Jerry E. Bearce be committed to Warren State Hospital for treatment for a period not to exceed 180 days.

BY THE COURT,
Gordon R. Miller, P.J.

Jan 13, 1993 copy to Barrett, MH/MR, WSH

July 6, 1993 Petition For Involuntary Treatment, filed.

Continued on Page 566

1990

PLATE, SHAPIRA, HUTZELMAN, BERLIN, MAY, WALSH AND BRABENDER
Gene P. Placidi

420

Dickie, McCamey & Chilcote; P.C.
Jeffrey T. Wiley

DANIEL T. FOLTZ

VS.

GEORGIA ANN WILLIAMS

Filed April 30, 1990
@ 10:57 A.M.

Tax & Entry paid $50.50
6.00

Jury trial demanded

COMPLAINT

2 copies (atty)

May 21, 1990 Affidavit Of Mailing Complaint filed. GENE P. PLACIDI, ESQUIRE, being duly sworn according to law, deposes and says that he is an adult individual over 18 years of age, and further that on the 2d day of May, 1990, he did deliver for mailing at the United States POst Office at Erie, Pennsylvania, as Certified Mail, a true and correct copy of the foregoing Complaint and that said letter was addressed to Georgia Ann Williams, RT 6, Box 389, Marshall, texas 75670; that thereafter there was returned by the said United States Post Office a Return REceipt card duly receipted by the said Georgia Ann Williams, defnedant herein, dated the 9th day of May, 1990, and said Return Receipt Card is attached hereto and made a part hereof by reference.
Gene P. Placidi

May 24, 1990 Appearance of Dickie, McCamey & Chilcote, P.C. by Jeffrey T. Wiley, Esq. for Defendant filed.

July 16, 1990, Answer and New Matter filed.

July 27, 1990 Reply To Defendant's New Matter filed.

Sept 24, 1990, Certificate of Readiness filed.

ON TRIAL LIST FOR FEBRUARY 1991

Feb. 11, 1991, Plaintiff's Proposed Points for Charge filed.

Feb. 11, 1991, Plaintiff's Proposed Voir Dire filed.

Feb. 11, 1991, Plaintiff's Motion in Limine filed.

Feb. 11, 1991, Plaintiff's Memorandum of Law Re: Admissibility of Photographs, filed.

Feb. 14, 1991 Points For Charge and Binding Instructions filed.

Feb. 14, 1991 Motion In Limine filed.

Feb. 15, 1991 Exhibits filed.

And Now, Feb. 15, 1991 at 11:38 a.m., jury selected and sworn Feb. 14, 1991 at 10:08 a.m. as follows

1. David King
2. Jacqueline Hogue
3. Richard Henrich
4. Emma Jean Bush
5. Marie chappel
6. Patricia Barretta
7. Donald Mowrey
8. Nancy Markwood
9. Pearl Mook
10. Lenore Scannell
11. Helen Fischer
12. Leonard L. Opelt, Jr.

Alt. Eli Mihailov, Jr.

twelve good and lawful persons who upon their solemn oaths which they have taken and at least 10 of them say, find in favor of the Plaintiff in the amount of $25,000.00.
W-71
Donald E. Mowrey, Foreman

Feb. 25, 1991 Plaintiff's Motion For Post-Trial Relief Pursuant To Pa. Rule Civ. Pro. No. 227.1 filed.

March 6, 1991 Motion to Withdraw Motion for Post-Trial Relief, Consent, and ORDER filed. AND NOW, to-wit, this 5th day of March, 1991, upon the Plaintiff's Motion to Withdraw his Motion for Post-Trial Relief, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Plaintiff is hereby granted leave to withdraw his Motion for Post-Trial Relief.
Gordon R. Miller, J.
Mar.11, 1991 Copy of Order to Attys. GEne Placidi and Jeffrey T. Wiley.

Mar 11, 1991 Upon Praecipe of Plaintiff's Attorney, the above referenced action is hereby marked settled and discontinued.

1990

R. CHARLES THOMAS

421

PATRICK HUMES

VS.

SUSAN HUMES

Filed April 30, 1990
@ 11:06 A.M.

Tax & Entry paid $50.50
William Pineo, Mediator
Mediation Cost 92.00
Rec'd 8/27/90 ... $9.00

8/27/90 $46.00
Rec'd 1/2 from pltff
Mediation Costs.
Rec'd 9-5-90
$46.00
William Stolfy

COMPLAINT FOR PARTIAL CUSTODY

1 copy (atty)
1 copy (mediator)

ORDER OF COURT:

You, SUSAN HUMES, have been sued in Court to obtain partial custody of Brandon Humes,

You are ordered to appear in person at the Crawford County Court House, Meadville, Pennsylvania at such time as you may be directed to do so for a conference at such time as directed by WILLIAM PINEO, Esquire, who has been appointed as Custody Mediator in this case.

You are further ordered to bring with you the minor child, Brandon Humes.

If you fail to appear as provided by this Order and bring with you Brandon Humes, an Order for Custody, Partial Custody, or Visitations amy be entered against you or the Court may issue a warrant for your arrest.

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

Crawford County Bar Association
Service to the Public Committee
c/o Prothonotary
Crawford County Court House
Meadville, Pennsylvania 16335

BY THE COURT,
P. Richard Thomas, J.

July 23, 1990 Temporary order filed. AND NOW, this 23rd day of July, 1990, after mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator,

IT IS HEREBY ORDERED AND DECREED THAT:

1. The parties shall share legal and physical custody of the subject minor child.

2. The parties shall share with each other any and all information which each may have regarding the health, education, and the major events in th elife of the subject minor child. Health care, school personnel, and other care providers are hereby authorized to release to either pa rty any and all confiential information which they may have regarding the subject minor child.

3. The MOther shallhave primary physical custody. The father shall have visitation and temporary physical custody with his son on laternate weekends beginning with July 20, 1990, from Friday at 5:00 p.m. to Sunday at 5:00 p.m. In addition, the father shallhave temporary physical custodyyand visitation with his son for two weeks each summer during the child's summer vacation from school. The father shall notify the mother by May 1 each year which two weeks he wishes to select.

4. Holiday visitation shall be arranged as follows:
The holidays are defined as New Year's Day, Easter, Memorial Day, Independence Day, Labor Day, Christmas Eve, and Christmas. Holiday visitation shall take pl ace from 9:00 a.m. until 8;00 p.m., except for Independence Day, when the vistiation shall be extended to 11:00 p.m. so that the child may watch the fireworks. The father shallhave visitation with his son on Labor Day, 1990, and the parties shall thereafter alternate the holidays.

5. Should the father be more than 45 minutes late for any scheduled visitation, without having called with reasonable explanation, the mother may consider the vis ita tion cancelled. Should it be necessary for either party to cancel or modify the visitations as set out in this ORder or as previously arranged, the party seek ing cancellation or modification shall notify the other party as soon as he or she knows of the necessity which impels the cancellation or modification. Said modifications or cancellations shall not be proposed except for good reasons. Should a cancelllation or modification be necessary, the parties shall attempt at once to arrange for alternative visits or to make alternative arrangements.

6. Theeparties shall split responsibility for transportation with the party receiving the children in the exercise of his or her rights picking up the children at the home of the other.

7. Each party shall teach said chidlren to give to the other par ty that love and respect which is due a parent form his or her children.

8. Neither party shall use illega ldrugs or be under the influence of alcohol at any time when said party has the care and custody of the subject minor children. the parties are cautioned that recent medical research has indicated that tabacco smoke is injurious to the health of growing children. therefore, neither pa rty shall smoke tabacco or permit others to do sin in a closed automobile in whichthe chidlren are bieng transported or in the bedroom of the children.

9. Any person transportoing the chilren shall made sure that the seat belts or other restraints are used in accordance with the law of pennsylvania.

10. Niether party shall do or say anything to blacken the character of the other in the childrne's estimation. Each party shall treat the other in a polite and respectful manner when in the children's presence and each party shall instruct his or her relatives and friends to do likewise and also mot to dis parage the other party in the children's estimation.

11. The parties are free to make additional or alternative arrangements respe cting the cusotdial and visitationnperiods and are strongly encouraged to do so if that would be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which this order shall govern.

12. Either partyymayyrequest a review of this Order two ears form date her eof to make any adjustments.

13. Costs and fees of this Mediation, which are fixed at $92.00 are divided in half. The mother's share is assessed to Crawford County. The father's share is assessed to him as costs in this case. Payment shall be made to the Prothonotary of Crawford County.

14. Either party may move the court for a hearing de novo for thirty (30) days form date hereof. If neither party so moves, this Order shall be considered permanent.

BY THE COURT,
P. Richard Thomas, J

July 25, 1990 copies of order put in R. Charles Thomas, Douglas Ferguson and William Pineo's box aND COPY mailed to Plaintiff

Continued on Page 551

1990

R. CHARLES THOMAS

422

Mary Ann Kirkpatrick

JAMES A. DeVORE

VS.

CHRISTY L. DeVORE

Filed April 30, 1990
@ 11:08 A.M.

Tax & Entry paid $50.50 ✓

John Fuller, Mediator 135.00
Pro Co 9.00 ✓
John Fuller, Mediator 150.00
Pro Co 9.00

7/2/90 Rec'd $67.50 From Plaintiff Rec'd Aug 1, 1990 $67.50 Vivian Stoltz

Deposited 8-27-92 Mediator dep from Plff 150.00

10-12-92 Pd Comm. Med fee Ch 7106 150.00

COMPLAINT FOR CUSTODY

1 copy (atty)
1 copy (mediator)

ORDER OF COURT:

YOU, CHRISTY L. DeVORE, defendant, have been sued in Court to obtain custody of the following child: RYAN J. DeVORE.

You are hereby ordered to appear in person at such time and at such place as is hereby designated by the Custody Mediator hereinafter appointed for a conference.

You are futher ordered to bring with you the following named child: RYAN J. DeVORE.

JOHN FULLER, Esquire, is hereby appointed as custody mediator in this case.

If you fail to appear as the time specified by the Custody Mediator hereby appointed by this order or to bring the child, an Order for Custody may be entered against you or the Court may issue a warrant for your arrest.

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

Crawford County Bar Association
Service to the Public Committee
c/o Prothonotary
Court House
Meadville, Pennsylvania 16335
(814) 724-4636

BY THE COURT,
P. R. Thomas, J

June 8, 1990 Consent Order filed. James and Christy DeVore, parents of Ryan James DeVore, hereby agree to the entry of this Order:

1. The parents shall share legal custody of Ryan James DeVore.
2. James DeVore shall have primary physical custody of the child.
3. Christy DeVore shall be entitled to take the child into her custody for frequent and liberal visits for at least: (a) one weekend per month, upon 4 days notice; (b) 6 weeks each summer, upon 30 days notice.
4. The parents shall keep each other informed of the child's whereabouts at all times; parents shall have the right to telephone the child at reasonable times.
5. Neither parent shall be intoxicated or use illegal drugs while the child is in his or her custody.
6. This Order shall replace any Order or recommendation arising from Mediation held onMay 24, 1990.

I agree to the entry of this Order and agree that it shall be entered without my being present in Court.

Witnesses:
David M. Spaid — James A. DeVore 5-31-90
Lisa M. Sherretts — Christy L. DeVore 5-30-90

The fees of the custody mediatore shall be paid in the manner set forthin the mediators recommendations.

Gordon R. Miller, J

June 13, 1990 Copies of order put in R. Charles Thomas, Mary Ann Kirkpatrick and John Fuller's box.

June 15, 1990 TEMPORARY ORDER FILED:

AND NOW, June 12, 1990 after mediation conference before John Fuller, Esquire, IT IS HEREBY ORDERED AND DECREED AS FOLLOWS:

I. Legal custody of Ryan James Devore shall be shared between the mother, Christy L. Devore and the father, James A. Devore, that is, each parent shall be entitled full access to school records, medical records and other important records and each parent shall be entitled to take part in important decisions affecting the child such as child's education, religious instruction, medical treatment and other such important decisions.

II. Physical custody of Ryan James Devore shall be with her mother, Christy L. Devore, subject to the following conditions:

A. The father shall be entitled to visit and take the child into his custody every weekend, beginning June 1, 1990 from 4:00 on Friday until 8:00 p.m. on Sunday,

B. Transportation of the child such weekend visits shall be as follows: The mother shall deliver the child to the home of the paternal grandparents, Paul and Carolyn Devore at or about 4:00 p.m. on Friday afternoon and the father shall transport the child to the home of the mother at or about 8:00 p.m. Sunday evening.

C. Christmas Day shall be alternated with the mother having the minor child in her custody on Christmas Day on odd numbered years and the father shall have the minor child in his custody on Christmas Day on even numbered years. The mother shall have the child in her custody on Easter and Thanksgiving on even numbered years and the father shall have the child in his custody on Easter and Thanksgiving on odd numbered years.

D. The mother is prohibited from removing the child from the Commonwealth of Pennsylvania or from having a residence at any place other than in Crawford County or Erie County, without further order of Court.

E. The mother shall not expose the child to any person or situation that would not be in the best interest of the child and the mother is specifically prohibited from permitting Bobby Fagan to be in the presence of the child.

F. Neither mother nor father shall use illegal drugs or consume alcohol while the child is in their custody.

G. The mother shall reside alone with the child at her present residence or any other residence she may acquire and may not permit other persons to reside with her without further order of court.

H. Neither mother nor father shall say or do anything in an attempt to turn the child against the other parent, but on the other hand shall do everything in the power of each to foster a favorable and loving attitude on the part of the child towards both parents.

I. Both parents agree to inform the other immediately of any illness or injury regarding the child and both parents agree to furnish the other with a current telephone number.

III. This order is a temporary order but shall become a permanent order unless exceptions thereto are filed by either party within thirty (30) days of the date hereof.

IV. Cost of the mediation shall be equally divided with one-half of the cost thereof being paid by the father and the remaining one-half to be paid by Crawford County.

P. Richard Thomas, Judge

June 18, 1990 Copies of order put in Attys Thomas, Kirkpatrick and Fuller's boxes and copy to Plaintiff.

Continued on Page 422A

Dec. 17, 1990, ORDER filed. AND NOW, dec. 14, 1990 upon receipt of a written letter from the defendant alleging that the plaintiff has not complied with the order of June 12, 1990 a rule to show cause is hereby entered and directed to the palintiff to show cause, if any he has, why he should not be held in contempt of court.

Said rule is returnable for hearing and/or argument on the 21st day of Dec. 1990 at 1:00 p.m. in C. R. No. 2 of the Crawford Countycourthouse.

The defendant's letter shall be filed of record with the Prothonotary together with the original copy of this order which said letter shall be considered a petition for contempt. A copy of said letter shall be attached to the copy of this order that is served upon the PLAINTiff so that he will be advised of the basis upon which the defendant seeks a contempt order.

BY THE COURT,
Gordon R. Miller, P.J.

Dec. 17, 1990, copies to R. C. Thomas and defendant by Judge's Sec. Kim.

Dec. 28, 1990 Order filed. AND NOW, December 21, 1990 the matter is back before the Court on a request for contempt filed by the mother of the child alleging she was denied a monthly visit accorded her by a consent order between the parties dated June 8, 1990, which consent order by agreement of the parties superseded the temporary order resulting from mediation filed June 15, 1990.

The Court finds there was no reason for the father of the child to deny the requested visit but declines to hold him in contempt and punish him therefore. He is cautioned that any further violation of the order may result in punishment.

The Court believes the weekend missed in November should be made up in the month of January. Accordingly, the Court directs the motehr shall have a December weekend visitation withthe child on the weekend of December 28-30, and she shall have the child in her custody between Friday at 6:00 p.m. and Sunday at 8:00 p.m.

The Court believes the mother's missed visit should be made up in the month of January and accordingly the mother shall have the child in her custody between the aforesaid hours on the second and fourth weekends of January.

Additionally, in the month of February, the mother may have the child in her custody for one weekend in accordance with the parties' consent orde,r and that weekend in February by agreement of the parties shall be the second weekend in February.

By agreement of the parties, the mother shall pick up and return the child for the visits in the parking lot beside District Justice Leonhart's Office.

It is now the contention of the father that the mother is again associating with Mr. Bobby Fagan, and that it is not in the best interest of the child for her to do so or have Mr. Fagan in the presence of the child. The Court is unable, at this point, to pass judgment on this contention.

It appears tha tat the time the matter was originally mediated, the mother resided in Crawford County, but upon her decision to move to the State of Virginia the parties modified the mediation order with their consent order filed June 9, 1990. The mother has now returned to Pennsylvania from the State of Virginia permanently and is residing with her grandparents in Albion. Accor dingly, if the mother wishes more extensive visits or if the father wishes to have the visits subject to one or more of the conditions originally described in the mediation Court Order, either party may petition the Court for referral of this matter back to custody mediator John Fuller.

If neither party makes said request by January 25, 1991 the court will assume the parties will continue to operate under their consent order of June 8, 1990 or that the parties have reached a mutually satisfactory visitation and custody arrangement in this matter.

BY ORDER OF THE COURT,
P. richard Thomas, S.J.

Dec. 31, 1990 Copies of order put in R. Charles Thomas and John Fuller's box and copy mailed to Christy DeVore

Aug. 8, 1991, ORDER filed. And now, Aug. 6, 1991 we received the attached communication from the defendant in this custody action requesting a hearing on her contempt claim against the father of the child for violation of previous custody and visitation orders.

Hearing is set for Aug. 19, 1991 at 1:30 p.m. in C. r. No. 1 or 2 of theCourthouse, Meadville, Pa.

BY ORDER OFTHE COURT,
P. Richard Thomas, S.J.

Aug. 12, 1991 copy to R. C. Thomas, plff. atty. and dft. (mailed)

Aug. 20, 1991 ORDER filed. ORDER: AND NOW, Aug. 19, 1991, at the time set for hearing, the plaintiff objects to this hearing because he contends it is not properly called. Because of that, no testimony is being taken. The Court is turning this matter over to the Mediator John Fuller for a mediation conference and report to the Court at the earliest convenience of all parties involved. Mr. Fuller will set a date as soon as proctical, at which time, the parties should apper and present the testimony necessary. In the meantime, the Court orders that the parties abide by the terms of their mutually agreed Consent Order, which they agreed to on June 8, 1990. Those terms shall be followed to the letter until further Order of th is Court after the mediation conference.

BY ORDER OF THE COURT,
James R. Dwyer, S.J., Specially Presiding

Aug. 26, 1991 copy in box for Atty. R.C.Thomas. Mailed copy to Defendant. Also copy in box for Atty. J. Fuller

August 27, 1992 Motion For Return To Custody Mediator and ORDER filed. AND NOW, this 26 day of August 1992, upon presentation and consideration of the within Motion, this matter is returned to the Custody Mediator, John Fuller,Esq., for further mediation for review of the allegations set forth in the within Motion and review of the aforesaid Consent Order of June 8, 1990.

BY THE COURT,
Anthony J. Vardaro, J.

Aug. 31, 1992 Copy of Order to Atty. R. Charles Thomas, John Fuller, defendant.

Aug. 28, 1992 Petition for Contempt, filed. Mailed certified copy by certified mail to Dft., mailed copy to Plf.

Sept. 1, 1992 ORDER filed. AND NOW, Aug. 26, 1992, upon receipt and review of a letter dated Aug. 4, 1992 from Christy L. DeVore, which was received Aug. 21, 1992, the Court will treat said letter as a petition for contempt even though it does not comply with the Pa. Rules of Civil Procedure and was not filed in accordance with the Crawford County motions practice as set forth in the Crawford County Local Rules of Civil Court.

Accordingly, we hereby enter a rule to show cause and directed to the plaintiff to show cause, if any he has, why he should not be held in contempt of court.

Said rule is returnable for hearing and/or argumetn on the 7th day of October, 1992 at 2:30 p.m. in Courtroom No. 1 or 2 of the Crawford County Courthouse.

The defendant's letter shall be filed of record with the Prothonotary together with the original copy of this Order. A copy of said letter along with a copy of this Order shall be served upon the plaintiff so that he is advised of the basis upon which the defendant seeks a contempt order.

In accordance with Pa. R.C.P. 1915.12 the plaintiff is advised that legal proceedings have been brought against him alleging that he has wilfully disobeyed a court order for custody. If he desires to defend against the claims set forth in the attached letter he may but he is not required to file any defenses or objections in writing.

If he does not appear in person at the hearing, the Court may issue a warrant for his arrest.

If the Court finds that he has wilfully failed to comply with the custody order he may be found incontempt of court and committed to jail, fined or both.

A true and correct copy of this Order and the defendant's letter shall be mailed to the Plaintiff at his last known address, to-wit; 258 At Cambridge Springs, Pa. 16403 by certified mail, delivery restricted to addressee, return receipt requested, by the Prothonotary.

CONTINUED ON PAGE 422B

422B

1990

JAMES A. DeVORE
VS.
CHRISTY L. DeVORE

CONTINUED FROM PAGE 422A
of Record
A.D. 1990 - 422

This is the second time the defendant has written a letter to the Court asking that the plaintiff be held in contempt of Court. She has the right to seek contempt but she is not doing it in the proper manner. From this point on we will accept no further letters from the defendant alleging tht the plaintiff is in contempt. She must file a petition required by the Pa. Rules of Civil Procedure, in the form required and she must file that petition in keeping with Crawford County Rules of Civil Court governing motions practice. The next time she sends a letter to the Court alleging that she wants a contempt hearing, the letter will be returned to her without further action.

BY ORDER OF COURT
Gordon R. Miller, P.J.

also J.Fuller & M. A. Kirkpatrick
Sept. 2, 1992 copy to R.C. Thomas, Plf. & Dft. Mailed certifed copy by certified mail to Dff., mailed copy to Plf.

Oct 6, 1992 ORDER filed. AND NOW, Oct 5, 1992, after mediation conference before John Fuller, Esq., IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Ryan James Devore shall be with his father, the plaintiff herein.

II. Physical custody of Ryan James Devore shall be with his father, subject to the following conditions:

A. The mother shall be entitled to visit and take the child into her custody approximately every 6 weeks, for a weekend visit, not to exceed 48 hours. The mother shall provide the father at least 7 days notice of the intended visit and specific hours of the visit. Such visits shall take place at the home of Theresa Cress in Erie County, Pa., or at such other place as is mutually agreeabel to the father and mother.

B. Beginning with the Summer of 1993 and each Summer thereafter, the child shall be in the custody of the mother for a period of 4 weeks. The mother shall give the father at least 30 days notice of the dates of the Summer visit. The Summer visit is contingent upon the mother securing and furnishing the Court and the father the results of a satisfactory home study of the mother's home by a Children's Service Agency in Virginia.

C. Transportation of the child on weekends, and Summer visits shall be equally divided as follows: The mother shall provide transportation at the beginning of a visit and the father shall provide transportation at the conclusion of a visit.

D. Neither mother nor father shall say or do anything in an attempt to turn the child against the other parent, but on the other hand shall do everything in the power of each to foster a favorable and loving attitude on the part of the child towards both parents.

E. Neither mother nor father shall expose the child to any person or situation which may be harmful to the child's health or well being.

F. Both parents agree to inform the other immediately fo any illness or injury regarding the child and both parents agree to furnish the other with a current telephone number.

G. Except for Summer visits as provided in Paragraph B, above, the mother shall not remove the child from the Erie County-Crawford County area, without prior Court order.

III. This order is a temporary order but shall become a permanent order unless exceptions thereto are filed by either party within 30 days of the date hereof.

IV. Cost of the mediation conference shall be paid by the father.

Anthony J. Vardaro, J.

Oct. 12, 1992 cooy to J. Fuller, R.C. Thomas, M.A. Kirkpatrick, Plf. & Dft.

Oct 9, 1992 ORDER filed. AND NOW, Oct. 7, 1992 this matter is before the Court on a request by the Defendant to hold the Plaintiff in contempt. This process began by the Defendant sending a letter to the Court and then an Order was entered on Aug. 26, 1992 by President Judge Gordon R. Miller setting this hearing.

In the interim, apparently the Plaintiff attempted to request a return to the custody mediator possibly as early as May of 1992, but because of the changing local Civil Rules in Crawford County, the scheduling of the mediation did not occur until around September 30 of 1992.

As a result of that mediation, a recommended order was prepared by Mediator John Fuller and has been signed by the Court sometime in early October of 1992.

That new order changes the custody and visitation arrangements and the contents are shared with the parties in open Court insofar as the Defendant had not previously reviewed the same.

The Court explores informally with the parties what brought about the refused visitation with the Defendant for the summer of 1992 prior to th new order and the Court is not convinced that the Plaintiff was in will ful contempt of the previous order.

Accordingly, the Court declines to hold the Plaintiff in contempt and it appears to the Court that either the new order is clear enough that it shall take care of any future problems or else either party may request a de novo hearing within 30 days of the date of that order. The Defendant indicates that she will probably be doing that and if that is done, the Court can hear this matter de novo.

IN the meantime, the October 1992 order will remain in full force and effect.

Insofar as the Defendant will be in the area through this coming weekend, the parties agree that she shall have visitation with Ryan by picking him up at noon on Oct. 9, 1992 with said visitation to continue until noon on Oct. 10, 1992 at which time his father will p ick him up to return him to his custody. These visits shall take place at the home of Theresa Cress in Erie County, Pennsylvanai or at such other place as is mutually agreeable between the father and mother.

BY ORDER OF THE COURT,
Anthony J. Vardaro, J.

Oct 9, 1992 2 copies (Plf.), 1 copy (mediator), 2 copies (Thomas)

1990

423

Sheila A. Hall

vs.

Robert L. Hall

Filed Apr. 30, 1990
@ 11:41 a.m.

Tax & entry 50.50

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT
3 copies sheriff; 1 copy ptf.

ORDER:

And now, this 30 day of April, 1990, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Def. may not contact plaintiff or pl's children for any reason. Father's visits with minor child are suspended till further order of court.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for May 8, 1990, at 3:00 P. M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
P. Richard Thomas, J

May 3, 1990 Sheriff's Return filed: SERVED Robert L. Hall, personally on April 30, 1990 at 2:00 P.M. by handing copy of Complaint to him at his place of employment, Seco Warwick, Mercer Street, Meadville, Crawford County, Pa.
So answers,

Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

1990

JACK, KOOKOGEY & FELTON
Robert J. Felton

424

KATHLEEN A. CAREY

VS.

ROBERT A. CAREY

Filed Apr 30, 1990
@ 1:15 P.M.

Tax & Entry paid $50.50

COMPLAINT FOR PRIMARY, PHYSICAL AND LEGAL CUSTODY

1 copy (atty)
1 copy Mediator

ORDER:
AND NOW, this 30 day of April, 1990, upon presentation of the foregoing Complaint for Primary, Physical and Legal Custody, the parties hereto and their respective counsel are Ordered to appear before BRUCE SMITH, the Child Custody Mediator; who is hereby appointed in this case. The said parties and their respective counsel shall appear at such time or times that the Child Custody mediator shall hereinafter determine.

P. Richard Thomas, J

May 18, 1990 Affidavit of Service filed: I, Robert J. Felton, Esquire, Attorney at Law, 144 West Spring Street, Titusville, Pennsylvania, do hereby certify that, in my capacity as attorney for the Plaintiff in the above-captioned matter, served a certified copy of the Divorce Complaint in this matter on Defendant, Robert A. Carey, by sending him the same by certified mail, return receipt requested. A complaint was mailed to the Defendant on May 15, 1990, and receipted for by a member of his residence on May 16, 1990, as reflected in the receipt for mailing and the return receipt attached hereto.

Robert J. Felton

1990

425

COMMONWEALTH OF PENNSYLVANIA

VS.

ONE (1) GREYHOUND DOUBLE UP JOKER POKER VIDEO DISPLAY GAMBLING DEVICE, ONE (1) GREYHOUND TABLE TOP JOKER POKER VIDEO DISPLAY GAMBLING DEVICE, FORTY ONE DOLLARS IN U.S. CURRENCY AND FIVE DOLLARS AND TWENTY FIVE CENTS IN U.S. QUARTERS

Filed Apr. 30, 1990
@ 3:15 p.m.

Tax & entry 5/1/90 50.00

PETITION FOR FORFEITURE OF SEIZED PROPERTY
1 copy atty.

July 17, 1990 Motion For Order and Decree filed. AND NOW, this 16 day of July, 1990, pursuant to the Act of June 29, 1987, 32 No. 14 §107 (47 P.S. §6-602), this Court Orders and Decrees the property set forth in the above captioned petition Condemned and Forfeited to the Commonwealth.

Said property shall be disposed of by the District Attonrey's Office as follows:

a. The video display gambling devices have the program destroyed and electronic components and keys be released to the Crawford County Vo-Tech School for educational purposes.

b. The $41.25 in U.S. currency and coin be used by the Crawford County District Attorney's Office for the enhancement of criminal prosecutions.

BY THE COURT,
P. Richard Thomas, P.J.

1990

J. Wesley Rowden

426

COMMONWEALTH OF PENNSYLVANIA

vs.

ONE (1) BASEBALL WORLD SERIES POOL, ONE (1) REMOTE CONTROL KNOCK OFF DEVICE, (1) DOUBLE UP POKER VIDEO DISPLAY GAMBLING DEVICE, ONE (1) DOUBLE UP DRAW POKER VIDEO DISPLAY GAMBLING DEVICE, ONE (1) DRAW 80 POKER VIDEO DISPLAY GAMBLING DEVICE, one (1) HI-LOW DOUBLE UP JOKER POKER VIDEO DISPLAY GAMBLING DEVICE, AND KEYS TO ABOVE GAMBLING DEVICES

Filed Apr. 30, 1990
@ 3:15 p.m.

Tax & entry 4/15/90 50.00

PETITION FOR FORFEITURE OF SEIZED PROPERTY
1 copy atty

July 17, 1990 Motion For Order and Decree filed. AND NOW, this 16 day of July, 1990, pursuant to the Act of June 29, 1987, 32 No. 14 §107 (47 P.S. §6-602), this Court Orders and Decrees the property set forth in the above captioned petition Condemned and Forfeited to the Commonwealth.

Said property shall be disposed of by the District Attonrey's Office as follows:

a. The video display gambling devices have the program destroye d
and electronic components and keys be released to the Crawford County Vo-Tech School for educational purposes.

b. The remaining property be destroyed by the Pennsylvania State Police.

BY THE COURT,
P. richard Thomas, P.J.

1990

J. Wesley Rowden

427

COMMONWEALTH OF PENNSYLVANIA

vs.

ONE (1) ELECTRO-SPORT DRAW POKER VIDEO DISPLAY GAMBLING DEVICE, ONE (1) IGT DRAW POKER VIDEO DISPLAY GAMBLING DEVICE, NINE HUNDRED FIFTY ONE DOLLARS SEVENTY FIVE CENTS IN U.S. QUARTERS, AND EIGHT SHEETS OF WHITE PAPER WITH NUMBERS.

Filed Apr. 30, 1990
@ 3:15 p.m.

Tax & entry 7/15/90 50.~~50~~ 60

PETITION FOR FORFEITURE OF SEIZED PROPERTY
1 copy atty

July 17, 1990 Motion For Order and Decree filed. AND NOW, this 16 day of July, 1990, pursuant to the Act of June 29, 1987, 32 No. 14 §107 (47 P.S. §6-602); this Court Orders and Decrees the property set forth in the above captioned petition Condemned and Forfeited to the Commonwealth.

Said property shall be disposed of by the District Attonrey's Office as follows:

a. The video display gambling devices have the program destroyed and electronic components and keys be released to the Crawford County Vo-Tech School for educational purposes.

b. The $851.75 in U.S. quarters by used bythe Crawford County District Attorney's Office for the enhancement of criminal prosectuions.

c. the remaining property be destroyed by the Pennsylvania State Police.

BY THE COURT,
P. Richard Thomas, P.J.

J. Wesley Rowden

428

COMMONWEALTH OF PENNSYLVANIA

vs.

ONE (1) HI-LO DOUBLE UP JOKER POKER VIDEO DISPLAY GAMBLING DEVICE, ONE (1) DRAW POKER VIDEO DISPLAY GAMBLING DEVICE, ONE (1) DOUBLE UP VIDEO DISPLAY GAMBLING DEVICE, ONE (1) WINNER SHUFFLE VIDEO DISPLAY GAMBLING DEVICE, 19 MILLER LIGHT FOOTBALL HANDBOOKS, SIX (6) KEYS, THREE (3) USED FOOTBALL POOL SHEETS, ONE (1) BLANK FOOTBALL POOL SHEET, ONE (1) GREEN NOTEBOOK WITH NUMEROUS NAMES, ONE (1) BIG CHUCK-A-LUCK GAMBLING DEVICE WITH RECEIPT, AND THREE HUNDRED TWENTY SIX DOLLARS IN U.S. CURRENCY AND COIN.

Filed Apr. 30, 1990
@ 3:15 p.m.

Tax & entry 5/7/90 50 ~~50~~ 00

PETITION FOR FORFEITURE OF SEIZED PROPERTY
1 copy atty

July 17, 1990 Motion For Order and Decree filed. AND NOW, this 16 day of July, 1990, pursuant to the Act of June 29, 1987, 32 No. 14 §107 (47 P.S. §6-602), this Court Orders and Decrees the property set forth in the above captioned petition Condemned and Forfeited to the Commonwealth.

Said property shall be disposed of by the District Attonrey's Office as follows:

a. The video display gambling devices have the program destroyed and electronic components and keys be released to the Crawford County Vo-Tech School for educational purposes.

b. The $326.00 in U.S. currency and coin be used by the Crawford County District Attorney's Office for the enhancement of criminal prosecutions.

c. The remaining property be destroyed by the Pennsylvania State Police.

BY THE COURT,
P. Richard Thomas, J

1990

J. Wesely Rowden

429

COMMONWEALTH OF PENNSYLVANIA

vs.

THREE (3) KRAMER RIVERBOAT POKER VIDEO DISPLAY GAMBLING DEVICES, ONE DOLLARS IN U.S. CURRENCY AND ONE DOLLAR TWENTY FIVE CENTS IN U.S. QUARTERS

Filed Apr. 30, 1990
@ 3:15 p.m.

Tax & entry 5/7/90 50 ~~50~~

PETITION FOR FORFEITURE OF SEIZED PROPERTY
1 copy atty

July 17, 1990 Motion For Order and Decree filed. AND NOW, this 16 day of July, 1990, pursuant to the Act of June 29, 1987, 32 No. 14 §107 (47 P.S. §6-602), this Court Orders and Decrees the property set forth in the above captioned petition Condemned and Forfeited to the Commonwealth.

Said property shall be disposed of by the District Attonrey's Office as follows:

a. The video display gambling devices have the program destroyed and electronic components and keys be released to the Crawford County Vo-Tech School for educational purposes.

b. The $2.25 in U.S. currency and coin be used by the Crawford County District Attorney's Office for the enhancement of criminal prosecutions.

BY THE COURT,
P. Richard Thomas, P.J.

J. WEsely Rowden

430

COMMONWEALTH OF PENNSYLVANIA

vs.

ONE (1) SMS MFG. CO. HI-LO DOUBLE UP POKER VIDEO DISPLAY GAMBLING DEVICE, ONE (1) OMEGA PRODUCTS DOUBLE UP POKER VIDEO DISPLAY GAMBLING DEVICE, ONE (1) DRAW POKER (NO BRAND NAME) VIDEO GAMBLING DEVICE, KEYS TO ABOVE GAMBLING DEVICES, AND THIRTY THREE DOLLARS AND SEVENTY FIVE CENTS IN U.S. QUARTERS

Filed Apr. 30, 1990
@ 3:15 p.m.

Tax & entry 5/7/90 50.~~50~~ 00

PETITION FOR FORFEITURE OF SEIZED PROPERTY
1 copy atty

July 17, 1990 Motion For Order and Decree filed. AND NOW, this 16 day of July, 1990, pursuant to the Act of June 29, 1987, 32 No. 14 §107 (47 P.S. §6-602), this Court Orders and Decrees the property set forth in the above captioned petition Condemned and Forfeited to the Commonwealth.

Said property shall be disposed of by the District Attonrey's Office as follows:

a. The video display gambling devices have the program destroyed and electronic components and keys be released to the Crawford County Vo-Tech School for educational purposes.

b. The $33.75 in U.S. currency and coin be used by the Crawford County district Attorney's Office for the enhancement of criminal prosecutions.

BY THE COURT,
P. richard Thomas, P.J.

1990

J. Wesely Rowden 431	COMMONWEALTH OF PENNSYLVANIA VS. ONE (1) GRAYHOUND CASINO GAMES VIDEO DISPLAY GAMBLING DEVICE, ONE (1) KRAMER RIVERBOAT POKER VIDEO DISPLAY GAMBLING DEVICE, AND ONE (1) GRAY-HOUND JOKER POKER VIDEO DIS-PLAY GAMBLING DEVICE Filed Apr. 30, 1990 @ 3:15 p.m. Tax & entry 4/30/90 50.~~50~~ 00	PETITION FOR FORFEITURE OF SEIZED PROPERTY 1 copy atty June 26, 1990 Complaint Reinstated.

J. Wesely Rowden

432

COMMONWEALTH OF PENNSYLVANIA

VS.

ONE GLASS JAR CONTAINING TEN DOLLARS AND FIFTY CENTS IN U.S. CURRENCY WITH STICKER READING FOOTBALL POOL, $1.50 FOR SEASON/WEEK CONTAINING 7 SLIPS FOOTBALL POOLS, MONDAY NIGHT 2 FOR $1.00, AND ONE GLASS JAR CONTAINING TWO HUNDRED EIGHTEEN DOLLARS IN U.S. CURRENCY WITH STICKER READING SUPER BOWL $5.00 A SQUARE, 22 FOOTBALL POOL RESULTS SHEETS, ONE SUPER BOWL BOARD $5.00 A SQUARE, TWO FOOTBALL POOL BOARD SHEETS 2 FOR $1.00, ONE GLASS DRINKING GLASS WITH THREE ENVELOPES CONTAINING $10.00 EACH AND TWO HUNDRED FIFTY EIGHT DOLLARS AND FIFTY CENTS IN U.S. CURRENCY.

Filed Apr. 30, 1990
@ 3:15 p.m.

Tax & entry 4/30/90 50.00 ✓

PETITION FOR FORFEITURE OF SIZED PROPERTY
1 copy atty.

July 17, 1990 Motion For Order and Decree filed. AND NOW, this 16 day of July, 1990, pursuant to the Act of June 29, 1987, 32 No. 14 §107 (47 P.S. §6-602), this Court Orders and Decrees the property set forth in the above captioned petition Condemned and Forfeited to the Commonwealth.

Said property shall be disposed of by the District Attonrey's Office as follows:

a. The $258.50 in U.S. currency and coin be used by the Crawford County District Attonrey's Office for the enhancement of criminal prosecutions.

b. The remaining property be destroyed by the Pennsylvania State Police

BY THE COURT,
P. Richard Thomas, P.J.

1990

J. Wesely Rowden

433

COMMONWEALTH OF PENNSYLVANIA

vs.

ONE (1) KRAMER HI-LO DOUBLE UP POKER VIDEO DISPLAY GAMBLING DEVICE, ONE (1) KRAMER HI SPEED BONUS POKER VIDEO DISPLAY VIDEO GAMBLING DEVICE, ONE LINEAR REMOTE CONTROL DEVICE AND THIRTEEN DOLLARS AND SEVENTY FIVE CENTS IN U.S. QUARTERS

Filed Apr. 30, 1990
@ 3:15 p.m.

Tax & entry 4/5/7/90 50.~~50~~ 00

PETITION FOR FORFEITURE OF SEIZED PROPERTY
1 copy atty

July 17, 1990 Motion For Order and Decree filed. AND NOW, this 16 day of July, 1990, pursuant to the Act of June 29, 1987, 32 No. 14 §107 (47 P.S. §6-602), this Court Orders and Decrees the property set forth in the above captioned petition Condemned and Forfeited to the Commonwealth.

Said property shall be disposed of by the District Attonrey's Office as follows:

a. The video display gambling devices have the program destroyed and electronic components and keys be released to the Crawford County Vo-Tech School for educational purposes.

b. The #13,75 in U.S. quarters be used by the Crawford County District attorney's Office for the enhancement of criminal prosecutions.

c. the remaining property be destroyed by the Pennsylvania State Police.

BY THE COURT,
P. Richard Thomas, P.J.

1990

Altomare & Barnhart Joseph E. Altomare 434	NORTHWEST CONSUMER DISCOUNT COMPANY, t/a TITUSVILLE CONSUMER DISCOUNT COMPANY vs. LESTER E. WRIGHT, JR., and PATRICIA L. WRIGHT, husband and wife Filed May 1, 1990 @ 10:42 a.m. Tax & entry pd 50.50 Sheriff's Costs 32.60	COMPLAINT 1 copy sheriff May 10, 1990 Sheriff's Return filed: SERVED Patricia L. Wright on May 2, 1990 at 2:08 PM by handing copy of Complaint to Maude Wright, adult person in charge of residence, at 404 W. Central Avenue, Titusville, Crawford County, PA. So answers, Edgar D. Householder, Deputy Sheriff Howard N. Stewart, Sheriff

1990

Jack H. Kudzma

435

Bromall, Bender & Simon
Ernest Simon

Richard E. Martin

vs.

JIMMIE TAYLOR

Filed May 1, 1990
@ 12:11 p.m.

Tax & entry pd	$50.50
Sheriff's Costs	25.00
Pro Co Pd 3/28/91	6.00

COMPLAINT IN CIVIL ACTION
1 copy sheriff

May 10, 1990 Sheriff's REturn filed. SERVED Jimmie Taylor personally on May 2, 1990 at 3:33 PM by handing copy of Complaint to him at residence, 33 Asbury Manor West, Meadville, Crawford County, PA.
So answers, Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, SHeriff

Feb. 21, 1991, Appearance of Bromall, Bender & Simon, by Ernest Simon, attorneys for defendant filed.

Mar. 26, 1991, Upon praecipe of plaintiff attorney, the above captioned case is hereby marked settled and discontinued of record.

1990

436

MACHELE A. ANTILL

vs.

BRIAN E. ANTILL

Filed May 1, 1990
@ 1:42 p.m.

Tax & entry	50.50
Sheriffs costs	32.60

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT
3 copies sheriff, 1 copy plaintiff

ORDER:

And now, this 1 day of May, 19 90, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.

2. Special Conditions: the Plaintiff shall have temporary custody of the children and full possession of 161 Newland Avenue, Titusville, PA

3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.

4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.

5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.

6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.

7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.

8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for May 9, 1990, at 3:00 P M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

May 3, 1990, Sheriffs Return filed. SERVED Brian E. Antill personally on May 1, 1990, at 9:05 a.m. by handing a copy of the compalint to him at place of residence, Dowling Hotel, Rm. 17, Titusville, Crawford County, Pa.
So answers,

Lt. Campbell Shrout, Titusville P.D.,
Howard N. Stewart, Sheriff

1990

William F. Peters

437

Thomas, Truax, Spadafore, Vardaro & Walker
R. Charles Thomas

ANTHONY J. SOKALL, SR.

vs.

TOM BERRY

Filed May 1, 1990
@ 3:26 p.m.

Tax & entry pd 50.25
Sheriffs costs 21.00

APPEAL OF DEFENDANT FROM JUDGMENT OF HUBERT E. VOGAN, MAGISTERIAL DISTRICT 30-3-02

May 1, 1990 Rule entered upon plaintiff to file complaint issued.

May 4, 1990, Proof of Service filed.

May 25, 1990 Motion To Consolidate Docket Numbers and Order filed. AND NOW, this 25 day of May, 1990, upon consideration of the foregoing Motion to Consolidate Docket Numbers, it is hereby ORDERED, ADJUDICATED AND DECREED that the Plaintiff's Motion to Consolidate Docket Numbers is her eby made effective.

BY THE COURT,
P. Richard Thomas, J

May 30, 1990 Copies of order put in R. Charles Thomas and William Peters' box.

JUne 13, 1990, Sheriffs Return filed. (Complaint in Assumpsit) SERVED Tom Berry personally on May 17, 1990, at 2:30 p.m. at his residence, 1476 Leslie Rd. Meadville, Crawford County, Pa. So answers, Howard N. stewart, sheriff.

1990

Watts, Pepicelli,
Youngs & Youngs, PC
Christopher Youngs

438

~~Brian J. Lindsay~~

TERESA L. GRANT, individually and doing business as COLDWELL BANKER BAINBRIDGE-KAUFMAN REAL ESTATE,

vs.

FREDRICK A. BEST and
BARBARA J. BEST

Filed May 1, 1990
@ 4:02 p.m.

Tax & entry pd	50.50
Sheriff's Costs	60.00
Arb. pd. 7/22/91	15.00
Exemp. of Record pd.8/14/92	$10.00 6.00
Pro.Co. pd 12/17/92	5.00

Received 1-6-92 #160 00 Arbitration Fee (appeal)

Paid 1-6-92 #160 00 to C.C. Commission Ch #6576

COMPLAINT IN CIVIL ACTION
2 copies atty

May 29, 1990 complaint Reinstated.

June 26, 1990 Complaint Reinstated.

July 6, 1990 Sheriff's Return filed. Before me, the undersigned authority, personally appeared Louis Leon who being duly sworn according to law, deposes and says that on the 14 day of May 1990, at 10:11 a.m. he did not serve, upon Frederick Best at Prestley Road, Collier Twp.
So answers, Louis L. Leon, Deputy Sher
Eugene L. Coon, Sheriff
Before me, the undersigned authority, personally appeared Louis L. Leon who being duly sworn according to law, deposes and says that on the 14th day ofMay, 1990, at 10:11 a.m. he did not serve, upon defnednat Barbara Best at Prestley Road, Collier Twp.
So answers Louis L. Leon, Deputy Sher
Eugene L. coon, Sheriff
NOT FOUND as to defendants Frederick A. best and Barbara J. Best as per Affidavits received from Sheriff of Allegheny County, PA and hereto attached.
So answers, Howard N. Stewart, Sheriff

July 23, 1990 Sheriff's Return filed. Before me, the undersigned authority, personally appeared L. Leon who being duly sworn according to law, deposes and says that on the 12th day of July , 1990 at 1:35 P.M. he served Complaint in Civil Action, filed at No 438, 1990, Allegheny County Pa. upon defendant Frederick A. Best, at P.O. Box 237 Presthy Rd.
By making known the contents thereof to Barbara Best and handing to and leaving with her the certified copy of the Complaint received from Crawford Co.
Louis J, Leon, Dep. Sheriff
So answers Eugene L. Coon, Sheriff Allegheny Co.
Before me, the undersigned authority, personally appeared L. Leon who being duly sworn according to law, deposes and says that on the 12th day of July 1990 at 1:35 P.M., he served Complaint in Civil Action filed at No. 438, 1990, Allegheny Co. Pa. upon defendaNT Barbara J. Best at P.O. Box 237 Presthy Rd., By making known the contents thereof to Barbara J. Best and handing to and leaving with her the certified copy of the complaint received from Crawford Co.
Louis J. Leon, Dep. Sheriff
So answers, Eugene L. Coon, Sheriff Allegheny Co.
SERVED Frederick A. Brest and Barbara J. Brest by deputizing the Sheriff of Allegheny Co.,Pa. as per his Affidavits of Serivce attached. Both served on July 12, 1990.
So answers, Howard N. Stewart, Sheriff

July 30, 1990 Preliminary Objections filed.

Aug. 3, 1990, Amended Complaint in Civil Action filed.

Nov. 7, 1990, Upon praecipe of plaintiff attorneys, preliminary objections placed on next argument list. (service attached)

ON ARGUMENT LIST FOR DECEMBER 1990

Jan. 2, 1990, MEMORANDUM AND ORDER filed. ORDER: AND NOW, Dec. 31, 1990, the defendants' demurrer is denied. BY THE COURT,
Gordon R. Miller, P.J.

Jan. 2, 1990, copies put in attys' boxes.

Feb. 28, 1991, Answer to Amended Complaint filed.

Mar. 15, 1991 Praecipe to Attach Verification of Defendants to their Answer to Amended Complaint filed.

July 19, 1991, UPon praecipe for Reference to Arbitrators, the following Arbitrators are Appointed:
Bruce L. Smith, Ch.
Tamera M. Rothschild
David Pickens

Dec. 6, 1991, Decision of Arbitrators filed in which they find in favor of the plaintiffs and against the defendants in the amount of $4,893.00 plus interest at 6% from 3/1/90.
Decision entered - B - 65, 25
on 12/6/91 DECISION OF ARBITRATORS
James F. Simmons,
Prothonotary

Dec. 6, 1991 copies of decision given to Attys. Lindsay and Youngs

Jan. 6, 1992 Notice of Appeal of Defendants From Award of Board of Arbitrators filed.

Jan. 7, 1992 Certificate of Readiness filed.

ON FEBRUARY 1992 ARGUMENT LIST

Jan. 30, 1992 ORDER filed. AND NOW, this 29th day of January, 1992, upon presentation and consideration, the foregoing and Motion to Continue Motion is granted. The counsel for Plaintiff has advised the Court he does not appose this Motion. This case will not be continued again unless agreed to in writing by the parties and their counsel. BY THE COURT,
Anthony J. Vardaro, J.

Feb. 4, 1992 copy in box for C. Youngs & B. Lindsay

Continued on Page 438 A

1990

Teresa L. Grant, individually and doing business as Coldwell Banker Bainbridge-Kaufman Real Estate,
vs.
Fredrick A. Best and Barbara J. Best

RECORD CONTINUED FROM PAGE 438

of Record
A.D. 1990 - 438

Mar. 2, 1992 MOTION TO WITHDRAW and ORDER filed. ORDER; AND NOW this 2nd day of March, 1992, upon presentation and consideration, the above Motion is granted and the Prothonotary is directed to maek the record accordingly.

BY THE COURT:
Anthony J. Vardaro, J.

Mar 6, 1992 copy in box for B. Lindsay & C. Youngs

Mar. 30, 1992 Petition - Motion for Continuance, filed.

Apr. 1, 1992 ORDER filed. AND NOW, March 30, 1992; at the call of the Trial List, counsel for the Plaintiff and defendants appeared and agreed that this case may be tried nonjury.

ACCORDINGLY, the case is stricken from the Trial List and shall be tried nonjury, at a time to be selected by the Court Administrator, after May 1, 1992.

The parties shall sign and file a stipulation, agreeing to a nonjury trial, which said stipulation shall be signed by the attorneys and their clients.

In view of the foregoing, the defendants' motion to continue has been withdrawn.

BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

Apr. 1, 1992 copies given Youngs & Crt. Adm. Apr. 7, 1992 mailed copy to James Nevant

Apr. 16, 1992 ASSIGNMENT OF NONJURY TRIAL DATE, filed. April 15, 1992, nonjury trial in the above matter is set for July 1,1992, at 9:30 a.m., in Courtroom 2.

FOR THE COURT,
Imogene Yetman, Crt. Adm.

Apr. 23, 1992 copy in box for C. Youngs, mailed copy to J. Nevant

July 1, 1992 Stipulaton for Non-Jury Trial filed.

June 29, 1992 Acknowledgment of Receipt of Subpoena of Holly W. Dempsey filed.

June 29, 1992 Acknowledgment of Receipt of Subpoena of Francis M. Dempsey filed.

July 1, 1992 Certificate of Service of Defendant's Pre-Trial Narrative filed.

July 7, 1992 DECISION OF COURT AFTER NON-JURY TRIAL, filed. AND NOW, July 6, 1992, after trial in the above captioned matter and pursuant to Pa. R.C. P. 1038(c), the Court finds in favor of the plaintiff and against the Defendants in the amount of $4,893.00 plus interest at the rate of 6% per annum from March 1, 1990. Additionally the Defendants shall pay costs of this action.

BY THE COURT:
Anthony J. Vardaro, J.

Judgment Entered - July 7, 1992
B - 25, 65

Debt: $4,893.00 plus interest and costs
JUDGMENT
Barbara H. King, Pro.

July 7, 1992 copies distributed

July 10, 1992 Exhibits filed.

August 13, 1992 And Now upon Praecipe of plaintiffs attorney, Judgment is hereby entered pursuant to Pa. R.C.P. 227.4, against the Defendants above named in accordance with the attached verdict, in the amount of Five Thousand seven hundred fourteen and 33/100 Dollars with continuing interest. The amount is computed as follows:

Judgment Amount	$4,893.00
6% Simple Interest from 3/1/90 through 6/7/92	689.83
Statement of Costs	131.50
TOTAL	$5,714.33

DEBT $5,714.33
JUDGMENT
Barbara H. King, Pro.

Nov. 24, 1992, Correspondence regarding Judgment filed.

Dec. 17, 1992 Upon Praecipe of Plaintiff Attorney the above case marked settle and Discontinue and Satisfy Judgment, filed.

438
-b-

1990

1990

W. Gustave McGeorge

439

Dennis G. Kuftic

STERILE A. GARIHAN, JR.
Executor of the Estate of
STERILE A. GARIHAN

vs.

JAMES and BARBARA GUIDO, Individually, and VILLA RESTAURANT and BAR, AND JIM BAG, INC.

Filed May 1, 1990
@ 4:31 p.m.

Tax & entry pd	$50.50
Sheriff's Costs	54.80

WRIT OF SUMMONS
issued - sheriff

June 5, 1990 Sheriff's Return filed. SERVED Barbara Guido personally on May 8, 1990 at 11:40 AM by handing copy of Summons to her at place of business, 236 South Main St., Cambridge Aprings, Crawford Co, Pa.
SERVED James Guido on May 8, 1990 at 11:41 am by handing copy of Summons to wife and co-owner Barbara Guido, at 236 S. Main St., Cambridge Springs, Crawford County, Pa.
SERVED Villa Restaurant and Bar on May 1990 at 11:42 am by serving part-owner Barbara Guido at 236 S. Main St.,Cambridge Dprings, Crawford Co. Pa.
SERVED Jim Bag, Inc. on May 8, 1990 at 11:43 AM by serving Barbara Guido, person in charge at 236 S. Main St. Cambridge Springs, Crawford Co., Pa.
So answers, Robert M. Stevens, Dep. Sheriff
Howard N. Stewart, Sheriff

June 18, 1990 Appearance of Dennis G. Kuftic, Attorney for Defendants filed.

1990

Thomas, Truax,
Spadafore, Vardaro
& Walker
R. CHARLES THOMAS

440

GAIL D. KING

VS.

DAVID G. KING

Filed May 2, 1990
@ 9:07 a.m.

Tax & entry paid	$50.50
Pro Co pd 9/19/90	9.00
State pd 9/19/90	10.00

COMPLAINT IN DIVORCE
1 copy atty.

Sept. 17, 1990 Affidavit of Service of Complaint In Divorce filed. R. CHARLES THOMAS, Esquire, being duly sworn according to law, deposes and syas tha ton May 2nd, 1990, he sent a true and correct copy of the Complaint In Divorce, properly endorsed with with Notice To Defend, filed in the above action to the Defendant, David G. King, at Defendant's last known address of R.D. #4, Box 252 Centerville, PA. 16404, by Certified mail No. P063 589 568, postage prepaid, restricted delivery, return receipt requested and that attached hereto is a duly executed return receipt card showing date of delivery as May 3, 1990. R. Charles Thomas

Sept. 17, 1990 Affidavit of Consent of Plaintiff filed.

Sept. 17, 1990 Affidavit of Consent of Defendant filed.

Sept. 17, 1990 Upon praecipe of Plaintiff attorney For Review Under Section 201(c) of the Divorce Code, this case moved to Court.

Oct. 4, 1990 **D I V O R C E D E C R E E F I L E D .**

AND NOW, October 3, 1990 it is ordered and decreed that Gail D. King, plaintiff, and David G. King, defendant, are divorced from the bonds of matrimony.

BY THE COURT,
John Q. Stranahan,

1990

Brian J. Lindsay

441

Allen & Hall
Stephen E. Hall

ELMER N. YONEK

VS.

KAREN YONEK

Filed May 2, 1990
@ 9:36 a.m.

Tax & entry paid $50.50
William Pineo, Mediator

COMPLAINT FOR CUSTODY
2 copies atty, 1 copy mediator

ORDER:

You Karen Yonek, Defendant, have been sued in Court to obtain custody of the child, Courtney Yonek.

You are Ordered to appear in person at a conference at such time and place may be set by William Pineo, Child Custody Mediator. Plaintiff shall have Temporary Custody of Courtney, pending Order of Court.

If you fail to appear as provided by this Order, an Order for custody may be entered against you or the Court may issue a warrant for your arrest.

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

Crawford county Bar Association
c/o Prothonotary
Crawford County Courthouse
Meadville, PA 16335
(814) 336-1151

BY THE COURT,
Robert L. Walker, J

May 16, 1990 Motion To Dismiss Complaint and/or Transfer Jurisdiction and Order filed AND NOW, upon consideration of the foregoing MOtion a hearing and argument are secheduled for June 6, 1990, 3:30 p.m. at the Crawford County Court House, Meadville, Pennsylvania.

Per Curiam,
Gordon R. Miller, J

May 17, 1990 Copies of order put in Brian Lindsay and Stephen Hall's box.

June 12, 1990 MEMORANDUM AND ORDER filed. AND NOW, June 12, 1990, it is ordered that venue in this matter does not reside in Crawford County and the complaint is dismissed leaving to the parties the opportunity to pursue this matter in the Courts of common Pleas of Allegheny County, Pennsylvania where the child has resided since sept. 16, 1988.

BY THE COURT,
Gordon R. Miller, J.

June 12, 1990, copies of order toBrian Lindsay and Stephen Hall, attys.

June 12, 1990, exhibits filed.

Jan. 28, 1992 MOTION TO WITHDRAW APPEARANCE and ORDER filed. ORDER: AND NOW, January 28, 1992, petition to allow Joseph F. Kubacki, Esq., to withdraw his appearance for Defendant. Ordered that it be so. Robert L. Walker, Pres. J.

442

1990

Mason & Mason
Joan D. Mason

442

FORBES E. LILLY, II

vs.

LYNN A. LILLY

Filed May 2, 1990
@ 11:09 a.m.

Tax & entry paid	50.50
1 count paid	15.00
Pro co Pd 10/11/91	9.00

COMPLAINT IN DIVORCE, CUSTODY
1 copy atty

May 15, 1990 Affidavit of Service filed: I, Verna M. Bode, employee for the law firm of Mason and Mason, being duly sworn accordiang to law, depose and say that I did on May 14 1990 at 1:40 p.m. serve on the above Defendant, Lynn A. Lilly, by personally handing to her, a certified copy of the Divorce Complaint in the above action, at 973 Liberty Street, Meadville, Pennsylvania. Verna M. Bode

Sept 24, 1991 Affidavit of Consent of plaintiff filed.

Sept. 24, 1991 Affidavit of Consent of defendant filed.

Oct. 9, 1991 upon praecipe of plaintiff attorney, for review under 201(c) of the divorce code, this case moved to court.

Oct. 16, 1991 **STIPULATION AND DECREE FILED.**

AND NOW, this 14th day of October, 1991, the court orders and decrees as follows:

1. Divorce: Upon consideration of the pleadings and affidavits file din the above-captioned case, this court hereby grants an absolute divorce from the bonds of matrimony to the above-named parties, on the grounds that the marriage is irretrievably broken and ninety (90) days have elapsed from the date of the filing of the complaint, and an affidavit has been filed by each of the praties, evidencing that each of the parties consents to the divorce pursuant to Section 201(c) of the Pennsylvania Divorce Code.

2. Custody: Legal custody of Nicole Louise Lilly, age nine (9), born June 19, 1982, shall be shared, so that each parent has accress to documents pertaining to the child, adn shallhave the right to participate in important educational and medical decisions.

Primary physical custody is hereby awarded to Plaintiff/father, Forbes E. Lilly, II.

a. At such time as defendant/mother, Lynn A. Lilly wishes to see the child, shall be able to do so by calling the P laintiff at least twenty-four hours in advance, and arranging the exact times of a visit.

b. It shall be a condition of any visit between the mother and the child, that the mother not be drinking or under the influence of any mood altering or mind altering substances.

c. The Defendant shall be entitled to call her child at the home of the Plaintiff, at such times as she is not drinking, to visit with the child by telephone.

BY THE COURT,
Gordon R. Miller, P.J.

Oct. 23, 1991 Motion to Strike Divorce decree dated October 14, 1991 and Order filed. AND NOW, October 21, 1991 See attached order. Gordon R. Miller, J

D E C R E E

AND NOW, October 22, 1991 the Court orders and decrees as follows:

1. The custody provisions of the decree of October 14, 1991 are hereby vacated and the following substituted therefore.

2. CUSTODY: Legal custody of Nicole Louise Lilly, age nine (9), born June 19, 1982, shall be shared, so that each parent has access to documents pertaining to the child, and shall have the right to participate in important educational and medical decisions.

Primary physical custody is hereby awarded to Plaintiff/father, Forbes E. Lilly, II.

a. At such time as Defendant/mother, Lynn A. Lilly wishes to see the child, she shall be able to do so by calling the Plaintiff at least twenty-four hours in advance, and arranging the exact times of a visit by mutual agreement with Plaintiff/father.

b. The defendant shall be entitled to call her child at the home of the Plaintiff, to visit with the child by telephone.

BY THE COURT,
Gordon R. Miller, J

1990

Phillips & Galanter, P.C.
Donald L. Phillips

443

BECKWITH MACHINERY COMPANY

vs.

THOMAS GRAHAM, i/ and t/a
THOMAS GRAHAM EXCAVATING

Filed May 2, 1990
@ 11:17 a.m.

Tax & entry	paid	$50.50
Sheriff's Costs		18.72
Pro Co pd 12/6/90		5.00

COMPLAINT
1 copy sheriff

May 16, 1990 Sheriff's REturn filed. Not Found as to defendant Thomas Graham. Moved to R.D. #1, sandy Lake,PA, Mercer County.
So answers, Howard N. Stewart, Sheriff

Dec. 6, 1990 Upon praecipe of Plaintiff Attorney a voluntary discontinuance per Pa. R.C.P. 220, without prejudice is hereby entered of record.

1990

Harry N. Sydor

444

TRAVELERS INSURANCE COMPANY

vs.

TRUMAN BOYD

Filed May 2, 1990
@ 11:25 a.m.

Tax & entry paid 40.50 ✓
Pro Co Pd 5/3/90 10.00 ✓
Sheriff's Costs 21.00 ✓
Pro for Co pd. 9.00 ✓

COMPLAINT IN CIVIL ACTION
! COPY SHERIFF

May 16, 1990 Sheriff's Return filed: SERVED Truman Boyd on May 7, 1990 at 3:23 P.M. by handing copy of Complaint to Luella Pope, his mother, at their residence, 432 Fairmond St., Meadville, Crawford Co., Pa 16335.
So answers, Robert M. Stevens, Deputy
Howard N. Stewart, Sheriff

Aug. 16, 1990 Default Judgment notice filed.

AND NOW, upon Praecipe of Plaintiff's Attorney, with copy of Notice of Intention to file default judgment attached, judgment is hereby entered in favor of Plaintiff and against defendant, Truman Boyd in the amount of $2,303.85(Two Thousand Three Hundred Three and 85/100) plus costs.
Affidavit of Military service attached.

Debt. $$2,303.85
B-166 Judgment
Judgment entered 8-16-90 James F. Simmons, Pro
Notice of entry mailed 8-20-90

1990

Shafer, Swick, Bailey
Irwin & Stack
Charles J. Swick

445

AMERICAN FEDERAL SAVINGS

VS.

BRIAN R. HANNOLD

Field May 2, 1990
@ 1:33 p.m.

Tax & entry paid	$50.50
Sheriff's costs	29.00
Pro Co pd 6/6/90	9.00
Pro Co pd 10/9/90	5.00

COMPLAINT IN MORTGAGE FORECLOSURE
1 copy sheriff

May 24, 1990 Sheriff's Return filed: SERVED Brian R. Hannold personally on May 14, 1990 at 2:40 P.M. by handiang copy of Complaint to him at Sheriff's Office, Crawford County Courthouse, Meadville, Pa.
So answers, Carole Stefanucci, Deputy Sheriff
Howard N. Stewart, Sheriff

And Now, June 6, 1990 at 2:39 upon praecipe of plaintiffs attorney, judgment is her eby entered in favor of the plaintiff and agianst the defendant for failure to file an answer and the damages are assessed at the sum of Twenty Thousand One Hundred Thirty seven and 06/100 plus interest and cost of suit.
H-23 Debt $20,137.06
judgment entered 6/6/90 Int. to March 31, 1990
Judgment
James F. Simmons
Prothonotary

EX 1990 - 58

Oct. 9, 1990 Upon praecipe of Plaintiff Attorney the above captioned matter is marked settled and discontinued of record.

446.

LORENE RENEE BRITTON

vs.

HOWARD PAUL BRITTON

Filed May 3, 1990
@ 1:48 p.m.

Tax & entry pd 5/3/90 $50.50

Sheriff's Costs 41.80

pd 5/29/90 9.00

5/3/90 Recd $41.80 From Defendant

5/29/90 Paid $41.80 to Howard Stewart, Sheriff Check 5645

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies sheriff
1 copy ptf.

ORDER:

And now, this 3rd day of May, 1990, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.

2. Special Conditions: temporary custody of the child shall be with Plaintiff. Plaintiff shall have a reasonable opportunity to go upon the joint residence to pick up personal items belonging to her and her child.

3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.

4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.

5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.

6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.

7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.

8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for Monday, May 14, 1990, at 3:30 P. M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

May 9, 1990 Sheriff's Return filed: SERVED Howard Paul Britton personally on May 8, 1990 at 1:14 p.m. by handing copy of Protection from Abuse to him at Sheriff's Office, Crawford County Courthouse, Meadville, Pa
So answers,
Catherine I. Allen, Deputy Sheriff
Howard N. Stewart, Sheriff

May 17, 1990 Order filed: AND NOW, May 14, 1990, at the time scheduled for hearing both parties appeared with counsel and agreed to the disposition of the matter. The defendant does not admit the truthfulness of the allegations set forthin the petition, nor dores he admit that his conduct constitutes abuse as that is defined by the Act; however, the defendant is willing to have the Court enter an order covering the following items.

Therefore, based upon the agreement of the parties as indicated above it is ordered as follows:

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff.

2. Possession of the marital residence at 102 Scott Road, Jamestown, Pennsylvania, shall be granted to the Plaintiff to the exclusion of the Defendant effective tomorrow at twelve o'clock p.m., local time, on May 15, 1990. The Defendant shall be permitted to remove his personal effects, clothing and any other items the parties agree upon before twelve noon on May 15, 1990. Thereafter he shall not go upon the marital residence other than to exercise the visitation rights he may be granted.

3. Temporary primary custody of the parties' minor son, Jarrod, is hereby awarded to the Plaintiff with the Defendant having the right to visit and take his son into his custody as follows:

a) On every other weekend commencing with Saturday, May 15, 1990, from nine o'clock a.m. locat time to two o'clock p.m., local time, on Sunday.

b) During such other periods as the parties mutually agree upon.

The Defendant shall be responsible to provide the necessary transportation in exercising his visitation privileges. It shall be his responsibility to provide transportation to the home of the mother to pick up the child, as well as to return the child to the home of the mother. In the event that the father does not desire to exercise any visitation period, he shall attempt to call the mother to give her reasonable notice of that. If the father has not appeared within one-half hour of the scheduled time of the visitation, the mother may consider that visitation period to have been cancelled and no substitute will be granted unless she has, prior to that time, agreed to a late pickup. These provisions with respect to custody and visitation are intended to be temporary, but shall remain in full force and effect until a further court order in this proceedings or in a custody and visitation proceedings brought in a Court with appropriate jurisdiction.

4. The Defendant shall pay fifty dollars per week for the support of his minor son, Jarrod, which said payment shall be made to the Plaintiff on or before Friday, May 18, 1990, with each subsequest payment to be made weekly thereafter until further order of Court in this proceeding or in a support proceedings brought before a Court of competent jurisdiction.

5. The Defendant shall pay record Court Costs of these proceedings no later than May 31, 1990, by paying the same to the Prothonotary of Crawford County, and in default thereof, subjects himself to contempt of Court proceedings.

6. This order shall remain in full force and effect until May 31, 1990, unless modified, ammended or terminated by further order of Court.

7. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable belief it has been violated.

8. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and County Control.

9. The Defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine of one thousand dollars and a jail sentence of up to six months.

BY ORDER OF THE COURT,
Gordon L. Miller, J.

May 18, 1990 Copies of order put in Atty. Sullivan's Box and copy mailed to Atty. Peterson and Co. Control.

447.

KARLA L. EDWARDS

vs.

EUGENE E. WILLIAMS

Filed May 3, 1990
@ 4:26 p.m.

Tax & entry	$50.50
Sheriff's costs	21.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT
3 copies sheriff
1 copy Plaintiff

ORDER:

And now, this 3rd day of May, 1990, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Defendant shall not go upon the Plaintiff's premises until further order of court. Temporary custody of the parties minor child is awarded to plaintiff.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for Friday, May 11, 1990, at 11:30 A.M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

May 8, 1990 Sheriff's Return filed. SERVED Eugene E. Williams personally on May 4, 1990 at 9:40 AM by handing copy of Protection From Abuse to him at Allegheny College, Secretary Office, Meadville, crawford County, PA.
So answers,

Robert M. Stevens, Deputy Sheriff
Edgar D. Householder, Chief Deputy
Howard N. sTewart, Sheriff

May 15, 1990 Order filed: AND NOW, May 11, 1990, at the tiem this abuse case is called for hearing at 11:30, neither of the parties appear. The mother of the Plaintiff appears and advised that her daughter told her she intended to appear at this hearing, but failed to do so. Another member of the family arrived at 11:45 A.M. and advised that she had called the Plaintiff's residence and the Plaintiff reported she was still in bed and that to get ready to appear would take her approximately 2 hours, but she made no commitment as to whether she would appear or not.

Under the circumstances, the Court dismisses this petition and directs the County to pay the costs. In the event of a new episode of abuse, the Plaintiff will have to file a new abuse petition.

BY ORDER OF THE COURT,
P. Richard Thomas, P.J.

May 16, 1990 Copies of order mailed to Plaintiff and Defendant and copy given to Co. Control.

Control.

1990

William J. Gregg

448.

RALPH E. WEAVER, JR. AND KATHLEEN M. WEAVER, HIS WIFE

vs.

RUSSELL J. WILLIAMS, AND JOYCE A. WILLIAMS, HIS WIFE

Filed May 4, 1990
@ 2:11 p.m.

Tax & entry paid $50.50

Sheriff's Costs 39.00

COMPLAINT, AFFIDAVIT AND CONFESSION OF JUDGMENT IN EJECTMENT

2 copies (atty)
(notice mailed to each defendant)

And Now, May 4, 1990 at 2:11 p.m., upon praecipe of plaintiff attorney, pursuant to the authority contained in the warrant of attorney, a copy of which is attached, I appear for defendants and confess judgment in ejectment in favor of the plaintiffs and against the defendants for possession of real property described as follows:

ALL that certain piece or parcel of land situate in the third ward of the city of Meadville (formerly West Mead Twp.), Crawford County, Pa. bounded and described as follows, to wit:

BEGINNING at the northeast corner of Zone P of the Plateau Land Company's Plan of lots as recorded in Office of Recorder of Deeds of Crawford County in Plan Book 2, page 32; thence westwardly along the south line of Carmont Drive ninety-seven (97) feet to the point; thence southwardly at right angles with Carmont Drive one hundred twenty and seventeen one-hundredths (120.17) feet to a point; thence eastwardly in a line parallel with Carmont Drive ninety-seven (97) feet to the west line of Shawnee Road; thence northwardly along the west line of Shawnee Road one hundred twenty and seventeen one-hundredths (120.17) feet to the point or place of beginning.

Judgment entered 5/4/90
W - 206, 208

JUDGMENT
James F. Simmons,
Prothonotary

May 23, 1990 Sheriff's Return filed: SERVED Russell J. Williams personally on May 14, 1990 at 11:05 a.m. at Sheriff's Office, Crawford County Courthouse, Meadville, Pa 16335.

SERVED Joyce A. Williams on May 14, 1990 at 9:07 a.m. by handing copy of Complaint, Affidavit and Confession of Judgment in Ejectment to her mother, Kathryn Curran, at their residence, 1037 S. Morgan St., Meadville, Crawford County, Pa 16335.

So answers, Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

Writ of Possession Ex 1990-54

1990

Thomas, Truas, Spadafore, Vardaro & Walker
R. Charles Thomas

449.

Harry Faber White II
Jorden and White

CINDI LOU McKISSOCK

vs.

MARK D. McKISSOCK

Filed May 4, 1990
@ 3:15 p.m.

Tax & entry Paid	$50.50
2 counts paid	30.00
Pro Co Pd 3-31-92	9.00
State pd 3-31-92	10.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
ALIMONY PENDENTE LITE, COUNSEL FEES AND COSTS

1 copy (atty)

Sept. 7, 1990 Plaintiff's Income & Expense Statement filed.

Nov. 8, 1990, Inventory and Appraisment of Cindi Lou McKissock filed.

Nov. 8, 1990, Plaintiff's Income and Expense Statementfiled.

May 3, 1991 Motion For Scheduling Of Hearing and Order filed And now, May 3, 1991 A hearing on Plaintiff's request for alimony pendente lite, counsel fees and costs is scheduled for the 6th day of June, 1991 at 3:00 o'clock p.m. in Court Room No. 1 or 2 of the Crawford County Court House, Meadville, Pennsylvania.
Gordon R. Miller, J
May 6, 1991 Copy of orde rput in R. Charles Thomas' box.

June 4, 1991 ORDER RESETTING HEARING filed. AND NOW, June 3 1991, hearing in the above matter heretofore set for June 6, 1991 is hereby reset by the court for july 9 1991 at 11:00 a.m. in C. R. No. 1 or 2.
FOR THE COURT,
P. Richard Thomas, S. J.
June 11, 1991 copies to Attys. Thomas and White.

June 5, 1991, Appearance of JOrden and White by Harry Fa ber, White II, attorneys for defendant filed.

July 30, 1991 Memorandum and Order filed. AND NOW, July 29, 1991 it is ordered as follows;
1. The defnedant shall pay $350.00 to apply on the plaintiff's counsel fees which said sum shall be payable in the following manner: the sum of $87.50 on or befor ethe 20th day of August, 1991 and a similar amount on the 20th day of each subsequent month until paid in full. Said amount shall be paid no later than November 20, 1991. Said amount shall be paid directly to R. Charles Thomas, Attorney for the plaintiff.
2. The defendan tshall pay alimony pendente lite to the plaintiff in the amount of $250.00 per month four four months, tha ti sfor August, September, October and November, 1991. Said amount shall be paid on or before the last day of each month commencing with August 31, 1991.
3. This Order shall not limit or affect the righ to rability of the Master or the Court to make further awards of alimony pendente lite, counsel fees and expenses in this case.
BY THE COURT,
Gordon R. Miller, J
July 31, 1991 Copies of order put in box for Atty's Thomas and White

Mar. 27, 1992, Affidavit of Consent of defendant filed.

Mar. 31, 1992 AFFIDAVIT OF CONSENT filed. 1. A complaint in divorce under Section 201(c) of the Divorce Code was filed on
2. The marriage of plaintiff and defendant is irretrievably broken and ninety days have elapsed from the date of filing the Complaint.
3. I consent to the entry of a final decree of divorce.
4. I understand that I may lose rights concerning alimony, division of property, lawyer's fees or expenses if I do not claim them before a divorce is granted.
I verify that the statements made in this affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities. Cindi Lou McKissock

Mar. 31, 1992 AFFIDAVIT OF SERVICE OF COMPLAINT IN DIVORCE filed. R. Charles Thomas, Esq., being duly sworn according to law, deposes and says that on May 7th, 1990, he sent a true and correct copy of the Complaint in Divorce, properly endorsed woth the Notice to Defend, filed in the above action to the Defendant, Mark D. McKissock, at Defendant's last known address of 511 Spring St., Cambridge Springs, Pa. 16403, by Certified Mail No. P 063 585 912, postage prepaid, restricted delivery, return receipt requested and that attached hereto is a duly executed return receipt card showing date of delivery as May 9th, 1990.

Mar. 31, 1992 Upon praecipe of Plaintiff attorney to transmit record, case moved to Court.

April 9, 1992 STIPULATION and FINAL DECREE filed. AND NOW, this 9 day of April, 1992, IT IS ORDERED AND DECREED that CINDI LOU MCKISSOCK, Plaintiff, and MARK D. MCKISSOCK, Defendant, are divorced from the bonds of matrimony.
It is Further Ordered And Decreed as follows:
EQUITABLE DISTRIBUTION--INTANGIBLE PERSONAL PROPERTY
1. The Defendant is awarded cash in the amount of Four Thousand Dollars ($,000.00), which award will be paid from an "Escrow Fund" which has a present balance in it of Twelve Thousand Six Hundred Seventy-Five and 89/100 ($12,675.89) Dollars; said payment shall be made by the Escrow Agent, Harry Faber White, II within five (5) days after the entry and filing of the Decree In Divorce in this case.
2. The Plaintiff is awarded the entire cash balance in the aforesaid "Escrow Fund", being maintained by the Escrow Agent, Harry Faber White, II, Esquire, after the payment from the aforesaid Escrow Fund of the award heretofore made to the Defendant in Paragraph 1 of this Decree and after the payment of the following marital obligations:
(a) The unpaid balance with all accrued interest due on a certain loan in favor of Mellon Bank incurred by the Plaintiff and Defendant as a result of the establishment of a Redi-Credit Account with Mellon Bank. The Escrow Agent shall pay the aforesaid Redi-Credit loan to Mellon Bank immediately upon the signing of the Stipulation attached to this Decree In Divorce.
(b) The Escrow Agent shall pay to the Plaintiff the balance of the Escrow Fund within five (5) days after the entry and filing of the Decree In Divorce in this case.

Record Continued on
Page 578.....

450

1990

Apple & Apple PC
Joel E. Hausman

450.

Watts, Pepicelli,
Youngs & Youngs PC
Alan L. Pepicelli

FAIRCHILD PUBLICATIONS
DIVISION OF CAPITAL CITIES
MEDIA, INC.

vs.

COUNTRYSIDE FRAGRANCES, INC.

Filed May 7, 1990
@ 10:57 a.m.

Tax & entry Paid $50.50
Sheriff's costs 34.10

COMPLAINT

1 copy (sheriff)

June 1, 1990 Appearance of Watts, Pepicelli, Youngs & Youngs PC by Alan L. Pepicelli for Defendnat filed.

June 5, 1990 Sheriff's Return filed. AND NOW, May 14th, 1990, at 9:18 AM served the within Complaint upon Countryside Fragrances, Inc. By Personally handing to Lorie Taylor, Corp. Asst. and person in charge at time of service. At True attested copy of the original Complaint and making known to her the contents thereof at their place of busienss, c/o Prentice Hall, 100 Pine St., Harrisburg, PA.

So Answers,
William H. Livingston, Sheriff
By, Deputy Sheriff

June 22, 1990, Answer and New Matter filed.

Aug. 6, 1990, Reply to New Matter filed.

1990

Shafer, Swick, Bailey, Irwin & Stack
Louis J. Stack

451.

Jorden & White
Joseph W. Tinko
for dft. Beachfront Enterprises Inc.

M. Dan Mason
Mason and Mason
for dfts. Swick

THEO ALLEN AND LISA ALLEN, HUSBAND AND WIFE, AND OAKLAND BEACH ASSOCIATES, INC. A PENNSYLVANIA NON-PROFIT CORPORATION

vs.

BEACHFRONT ENTERPRISES, INC. A PENNSYLVANIA CORPORATION, AND MICHAEL SWICK AND JILL SWICK, HUSBAND AND WIFE

COMPLAINT, QUIET TITLE, DECLARATORY JUDGMENT

3 copies (sheriff)

May 24, 1990 Sheriff's Return filed: SERVED Beachfront Enterprises, Inc. on May 9, 1990 at 10:50 a.m. by handing copy of Complaint to Renea Farrah, Officer, at her residence 697 N. Main Street, Meadville, Pa.

SERVED Jill Swick personally on May 14, 1990 at 2:58 p.m. by handing copy of Complaint to her at residence, Lake Drive, Conneaut Lake, Crawford County, Pa.

SERVED Michael Swick on May 14, 1990 at 2:58 p.m. by handing copy of Complaint to his wife, Jill Swick, at their residence, Lake Drive, Conneaut Lake, Crawford County, Pa.

So answers, Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

May 25, 1990 Preliminary Objections to Plaintiffs' Complaint filed. (of dft. Beachfront Enterprises, INc.)

June 7, 1990 Amended Complaint Pursuant To Pa.R.C.P. 1028(c) filed.

June 28, 1990, Defendant's, Beachfront Enterprises', Answer and New Matter to Plaintiffs' amended Complaint filed.

June 29, 1990 Certificate of service of Answer and New Matter filed.

July 5, 1990 Notice Of Service Of Beachfront Enterprises, Inc.'s First Set Of Interrogatories Directed To Plaintiffs filed.

July 5, 1990 Notice Of Service Of Beachfront Enterprises, Inc's First Request For The Production Of Documents Directed To The Plaintiffs filed.

Filed May 8, 1990
@ 1:32 p.m.

Tax & entry Paid	$50.50
Sheriff's costs	44.44
Pro.Co. pd 4/29/93	6.00

July 12, 1990 Notice Of Depositions of Beachfron Enterprosies, INc. filed.

July 18, 1990, Plaintiff's Reply to Beachfront Enterprises, Inc.'s New Matter, filed.

July 20, 1990 Answer and New Matter of Defendants Michael Swick and Jill Swick to Plaintiffs' Amended Complaint filed. (3 copies attorney)

Aug. 10, 1990 Plaintiff's Reply To Swick New Matter filed.

Sept. 28, 1990 Motion For Class Certification Pursuant to 1707 filed.

Oct. 4, 1990, ORDER filed. And now, this 3rd day of Oct. 1990, upon the Motion of Oakland Beach Associates, Inc. for class certification pursuant to Pa. R.C.P. 1707, it is hereby ordered that an evidentiary hearing shall be held concerning the issues of clas certification on Nov. 19 1990, at 1:30 p.m. in C. R. No. 1.

Counsel for the plaintiff shall file its brief within 20 days of this order. With such brief to include a summarized chronology of the facts, in narrative form, as to the chain of title to the subject properties and its relevance to the certification of a class action suit

Counsel for the defendant will then have 10 days from the filing of the plaintiff's brief to file its responsive brief, which shall include those facts in dispute to the Plaintiff's chronology fo the facts.

Contingent upon class certification, counsel for th eplaintiff will then advise the court as to how notice to the class members would best be effectuated consistent with Pa. R.C.P. 1712.

BY ORDER OF THE COURT,
P. Richard Thomas, S. J.

Oct. 4, 1990, copies put in attys boxes.

Oct. 23, 1990 Oakland Beach Associates, Inc Class Certification Memorandum filed

Nov. 13, 1990, Proposed Notice of Class Action Pursuant to Rule 1712 filed.

Nov. 19, 1990 ORDER filed. AND NOW, Nov. 16, 1990, argument and hearing in the above captioned matter heretofore set for Nov. 19, 1990, is reset by the court for Jan. 31, 1991, at 9:00 A.M., in Court Room No. 1.

For The Court,
Imogene Yetman, Court Administrator

Nov. 26, 1990 Copy of Order to Attys. Louis Stack, Joseph Tinko, M. Dan Mason.

Jan. 31, 1991 Beachfront Enterprises, INc's First Request For the Production Of Documents Directed To The Plaintiffs filed.

Jan. 31, 1991 Plaintiff's Answer To The Beachfront Enterproises', Inc., First Request For Production Of Documents filed.

Jan. 31, 1991 Plaintiff's Answer To Beachfront Enterprises' First Set Of INterrogatories Directed To Plaintiffs filed.

Jan. 31, 1991 Deposition of Theo Allen filed.

Jan. 31, 1991 Deposition of William Cooper filed.

Jan. 31, 1991 Exhibits filed.

Feb. 8, 1991 Order filed. AND NOW, January 31, 1991, at the conclusion of a hearing to certify a class action, the Court expresses a tentative opinion that a class action would be appropriate and directs that counsel for the plaintiffs prepare a proposed Order for the Court to sign, authorizing a class action and submit it to counsel for the defendants on or before February 8, 1991, at 4:30 p.m., with a copy to the Court. Unless the Court hears objections from opposing counsel by February 15, 1991, the Court will sign the Order as presented on said date. If there are objections by defense counsel, any counsel may request a chambers conference for clarification of the areas of disagreement.

The Court's attention is directed that in the material submitted by the plaintiff was a proposed notice to be sent to owners of land in the affected area. Counsel for the defnedants have received a copy of the same. The Court directs that in reviewing the proposed class action Order, counsel also review the proposed notice to be sent to landowners in the affected area, and if there are objections thereto that cannot be amciably resolved, any counsel may request a chambers conference to resolve the same.

The Court's attention is directed to the fact that the Rule apparently requires Findings of Fact and Conclusion of Law. In view of the agreed admission of voluminous issues in the case and extremely brief oral testimony, the Court visualizes very few Findings of Fact and conclusions of Law. Counsel for the plaintiffs shall present to the Court and opposing counsel proposed Findings of Fact and Conclusions of Law in the briefest possible form.

2/8/91 Copies put in Atty's Box.

BY ORDER OF THE COURT,
P. Richard Thomas, S.J.

Continued on page 560

452

1990

Thomas, Truax, Spada-
fore, Vardaro, Walker
R. Charles Thomas

452.

WILLIAM BOYD AND LINDA BOYD,
HIS WIFE

vs.

RAYMOND R. VALENTINE, III

Filed May 9, 1990
@ 9:16 a.m.

Tax & entry Paid $50.50
Sheriff's Costs 25.72
Pro Co. Pd 11/26/90 6.00

SUMMONS IN A CIVIL ACTION

Issued (sheriff)

May 24, 1990 Sheriff's Return filed: SERVED Raymond R. Valentine, III on May 14, 1990 at 4:00 p.m. by handing copy of Summons to Valorie Valentine, his wife, at their residence, R.D.#2, Box 1224, Compbell Road, Conneaut Lake, Crawford County, Pa 16316.
Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

Nov. 26, 1990 Upon Praecipe of Plaintiffs Attorney, this case is marked settled and discontinued.

1990

Legal Services
Gerald Sullivan

453.

Mahany, Roeder &
Rothschild
Tamera Ochs Rothschild

SHARON R. MILLER

vs.

ROBERT W. MILLER, JR.

Filed May 9, 1990
@ 10:21 a.m.

Indigent filing
John Fuller, Mediator

COMPLAINT FOR CUSTODY

4 copies (atty)
1 copy (mediator)

ORDER OF COURT: You, Robert W. Miller, Jr. dft., have been sued in court toobtain custody of the minor children, Robert Miller III and Nathan Miller.

You are ordered to appear in person at the time and place selected by JOHN FULLER, CUSTODY MEDIATOR.

If you fail to appear as provided by this order, an order for custody, partial custody, or visitation may be entered against you or the court may issue a warrant for your arrest.

The Crawford County Sheriff's Dept. is directed to serve a certified copy of this complaint and order upon the defendant. In the alternative this Petition and Order may be served by any competent adult or by cert. mail.

Plaintiff is allowed to proceed without payment of court costs reserving to the court the right to impose costs.

You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.

Crawford County Bar Association, Ser. tothe Public Committee, c/o Prothonotary, Crawford County courthouse, Meadville, Pa. 814 724-4636. BY THE COURT,
P. Richard Thomas, J.

May 9, 1990, Affidavit to Preceed in Forma Pauperis, Praecipe to Proceed IN Forma Pauperis filed.

May 23, 1990 Proof Of Service filed. I her eby certify that a copy of the foregoing Order and Complaint for Custody was served on defendant Robert W. Miller, Jr. by certified mail on May 14, 1990 by U.S. Mail, Return REceipt Requested. Gerald Sullivan

May 31, 1990 Appearance of Mahany, Roeder & Rothschild by Tamera Ochs Rothschild for Defendant filed.

June 25, 1990 Order filed. AND NOW, June 22, 1990, after mediation conference before John Fuller, Esquire, IT IS HEREBY ORDERED AND DECREED AS FOLLOWS:

I. Legal custody of Wendy Rose Miller, Robert Miller, III, and Nathan Miller, shall be shared between the mother, sharon R. Miller, and the father, Robert W. Miller, Jr., that is each parent shallhave full access to school records, medical records, and other important records and each parent shall be entitled to take part in important decisions affecting the children such as the children's education, religious instruction, medical treatment and other such important decisions.

II. Physical custody of Wendy Rose Miller, Robert Miller, III, and Nathan Miller shall be with their mother, Sharon R. Miller, subject to the following conditions:

A. The father shall be entitled to visit and take the three children into his custody the first three weekends of each month (those being the weekends on which the first three fridays of each month faull, from Friday evening at 6:00 p.m. until Sunday evening at 9:00 p.m.

B. The father shall be entitled to visit and take the children into his custody every Wednesday evening from 5:00 p.m. until 9:00 p.m.

C. HOlidays are defined as Thanksgiving, Christmas, fAther's Day andMother's Day. The three children shall be in the custody of their father every Father's day and the custody of theit mother every Mother's Day. The holidays of Christmas and Thanksgiving shall be divided between the mother and the father as they agree and in the absence of an agreement the children shall be in the home of the mother on Thanksgiving morning and Christmas morning until 12:00 noon and in the home of the father form 12:00 noon until 7:00 p.m.

D. Beginning the summer of 1990 the children shall be entitled to spend up to one (1) week in June, one (1) week in July and one (1) week in August with their father. Such one week summer vacation period shall correspond with the father's vacation from work. The father shall notify the mother at least two (2) weeks in advance of the intended one (1) week vacation periods except for June of 1990. IN June of 1990 the father will not have a one (1) week vacation with the children but in June of 1991 and thereafter he shall be entitled to the full three (3) weeks each summer.

E. Transportation of the children on weekends, holidays and summer vacations periods shall be the full responsibility of the father.

F. Each party shall disclose to the other all matters relating to the children's health, education and welfare and shall provide the other with current telephone numbers and addresses at all times.

G. Neither party shall do and say anything in an effort to turn the children against the other parent, but on the other hand shall do everything in the power of each to foster a favorable and loving attitude onthe part of the children towards both parents. It is specifically provided that there shall be no arguing between the parents during custody exchanges.

III. This order is a temporary order but shall become a permanent order unless exceptions thereto are filed by either party within thirty (30) days of the date hereof.

IV. Cost of the mediation conference shall be paid by Crawford County. Gordon R. Miller, J

June 26, 1990 Copies of order put in Gerald Sullivan and John Fuller's box and copy mailed to Tamera Rothschild.

1990

Jack, Kookogey
& Felton
John S. Kookogey

454.

Stephen Hutzelman
Hutzelman Walsh & Walsh

RAYMOND LEWIS d/b/a
LEWIS & SONS HEATING

vs.

CLARENCE AND JANET FULLER

Filed May 9, 1990
@ 11:02 a.m.

Tax & entry Paid $50.25

Pro Co. pd 11-12-92 15.00

APPEAL OF DEFENDANTS FROM JUDGMENT OF
RONALD A. COLE, SR., DISTRICT JUSTICE

May 9, 1990, Rule entered upon plaintiffs to file complaint issued.

May 9, 1990 Proof of service.filed.

June 7, 1990 Complaint filed.

June 25, 1990 Acceptance of Service filed. The undersigned Attorney for the Defendnats in the above-captioned action hereby accepts service for said Defendants of the Complaint with Notice to Plead. Stephen H. Hutzelman

July 26, 1990 Answer and Counterclaim filed.

Aug. 20, 1990 Reply to Counterclaim filed.

Nov. 12, 1992 Upon Praecipe of Plaintiff attorney for Reference to Arbitrators, the following are hereby appointed:
James Irwin, Chairman
Glenn A. W. Thompson
William Walker

NOv. 20, 1992 Arbitrators take qualifying oath.

Dec. 5, 1994 Notice of Arbitration Hearing, filed.

Dec. 7, 1994 Notice of Arbitration Hearing, filed.

Feb. 3, 1995 Decision of Arbitrators, filed. And Now, the 3rd day of February, 1995, we the undersigned Arbitrators chosen in this case, after having been duly sworn and having heard the evidence and allegations of the parties find Judgment in favor of the Plaintiff in the amount of $1400 and further requiring the Defendant to return to the Plaintiff a Wood Burning Stove and its parts within 30 days of this date. The Plaintiff shall be responsible for the physical transportation of said stove.
James Irwin, Chr.
Glenn A. W. Thompson
William Walker

Feb. 3, 1995 Faxed Hutzelman, mailed Felton

1990

455.

CLARENCE J. SPIRES
AMMA MAE SPIRES

vs.

BETTY M. KELLEY d/b/a
BETTY'S RESTAURANT

Filed May 9 1990
@ 11:40 a.m.

Pro Simmons paid $9.00
plff costs 15.50

AGREEMENT TO REVIVE

of

AD 1985 -2

Revival indexed in favor ofthe plaintiff and against the defendants in the sum of Ten Thousand and 00/100 Dollars plus costs.

Debt ---------$10,000.00
Dated--------May 7, 1990
K - 21, 185------JUDGMENT

James F. Simmons,
Prothonotary

1990

Quinn, Gent, Buseck,
& Leemhuis, Inc.
Lawrence C. Bolla

456.

FARNERS NATIONAL BANK OF CONNEAUTVILLE, NOW BY PURCHASE MARINE BANK

vs.

JOHN A. CHIZMAR

Filed May 9, 1990
@ 1:12 p.m.

Pro Simmons paid	$15.00
plff on orig.	101.85
Sheriff's Costs	25.72
Pro Co pd 6/26/90	9.00

WRIT OF REVIVAL

of

AD 1986 - 631

Debt --------$1,614.42
Int. from Mar. 23, 1982
Atty. fee of 242.16
C - 92 -------REVIVAL OF JUDGMENT
James F. Simmons, Pro.

Revival of Judgment indexed in favor of plaintiff and against the defendant in the samount of One thousand Six Hundred Fourteen and 42/100 Dollars, with int, from Mar. 23, 1982 and costs of action, plus atty. fees of $242.16.

Issued (sheriff)

June 13, 1990 Writ Return filed. SERVED John A. Chizmar personally on May 18, 1990 at 11:20 AM at his residence, RD #1, Conneaut Lake, Crawford County, PA.
So answers, Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

And Now, June 26, 1990 at 11:17 a.m. upon praecipe of plaintiff's a ttorney, with Notice of Intention to File Default Judgment attached, judgment is hereby entered in favor of the plaintiff and agianst the defnedant per Writ of Revival and the damages are assessed at the sum of One Thousand Six Hundred Fourteen and 42/100 plus interest, and cost of suit.
C-92 Debt $1,614.42
judgment entered 6/26/90 Int. from March 23, 1982
Judgment
James F. Simmons
Prothonotary

3-17-94
Revived to ad 1994-257

1990

Quinn, Gent, Buseck
& Leemhuis, Inc
Lawrence C. Bolla

457.

MARINE BANK

vs.

JOHN D. SPINNATO

WRIT OF REVIVAL
of
AD 1986 - 630

Writ of Revival indexed in favor of the plaintiff and against the defendant in the sum of Nine Thousand Five Thousand Eighty One and 01/100 Dollars, with int. from Nov. 1, 1983 and costs of action.

Debt -------$9,581.01
Int. from Nov. 1, 1983
S - 93------REVIVAL OF JUDGMENT
James F. Simmons, Pro.

Filed May 9, 1990
@ 1:19 p.m.

Pro Simmons Paid $15.00
plff on orig 61.96

Sheriff's Costs 28.00
Pro Co pd 6/26/90 9.00
Pro.Co. pd 6/1/94 5.00

Issued (sheriff)

May 16, 1990 Sheriff's Return filed: SERVED John D. Spinnato personally on May 11, 1990 at 2:40 p.m. at Clerk of Courts Office, Crawford County Courthouse, Meadville, Pa.
So answers, Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

And Now, June 26, 1990 at 11:21 a.m. upon praecipe of plaintiff's attorney, with NOtice of Intention to File Default Judgment attached, judgment is hereby entered in favor of the plaintiff and against the defendant per Writ of Revival and the damages are assessed at the sum of Nine Thousand Five Hundred Eighty-one and 01/100 plus interest and cost of suit.
S-93
judgment entered June 26, 1990

Debt $9,581.01
Int. from Nov. 1, 1983
Judgments
James F. Simmons
Prothonotary

Jun. 1, 1994 Upon Praecipe of Lawrence C. Bolla, Esquire, Attorney for Plaintiff, the above-captioned judgment, debt, interest and costs are satisfied and discharge the same of record.

1990

Halliday & Halliday
Michael Halliday

458.

Fuller, Kinnunen,
Petruso & GAmble
Gary A. Fabian

ROBERT D. BUCKEYE AND
CECELIA A. BUCKEYE,
HUSBAND AND WIFE

vs.

MICHAEL J. PARENTI AND
ALEXANDER T. PARENTI

Filed May 9, 1990
@ 3:47 p.m.

Tax & entry paid	$50.50
Sheriff's Costs	50.00
Pro Pd 11/1/93	5.00
ProCo pd 1-3-94	1.00

COMPLAINT IN CIVIL ACTION

2 copies (sheriff)

May 31, 1990 Sheriff's REturn filed. Before me, the undersigned authority, personally appeared Douglas R. Long Deputy Sheriff, wh;o bieng duly sworn according to law, deposes and says that on the 15th day of May, 1990, at 3:47 P.M., he served Complaint in Civil Action, filed at No. AD 1990 458 Term, 19, in Crawford County, Pennsylvania, upon defendant Alexander T. Parenti at R.D. #2, Box 2240, Grove City, PA 16127 By making known the ocntents thereof to Pat Parenti, wife, adult family member with whom Alexander resides and handing to an dleaving with her the certified copy of the complaint for the defendant received from Crawford County.
So answers, Douglas R. LOng, Deputy sheriff
William H. Romine, Sheriff
SERVED Michael J. Parenti on May 24, 1990 at 9:45 AM by handing copy of Complaint to Jennie Motsch, Authorized Agent, at Atty. Ted Watts office, 363 Chestnut Street, Meadville, Crawford County Pa. Signed Acceptance of Service attached.
SERVED Alexander T.Parenti by Deputizing Sheriff of Mercer County, PA as per his affidavit of Service attached. Served: May 15, 1990.
So answers, Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

July 6, 1990 Answer and New Matter filed.

July 20, 1990 Preliminary Objections filed.

Nov. 14, 1990, Upon praecipe of plaintiff attorney, this preliminary objections placed on next argument list.

ON ARGUMENT LIST FOR DECEMBER 1990

Jan. 2, 1990, MEMORANDUM AND ORDER filed. ORDER: AND NOW, Dec. 31, 1990, the plaintiffs' preliminary objections to a portion of the defendants' New Matter is granted and paragraphs 27(e) and 27(f) of the defendants' New Matter are stricken.
The defendants' motion to amend subparagraph 27(f) of their New Matter is denied.
BY THE COURT,
Gordon R. Miller, P.J.
Jan. 2, 1990, MEMORANDUM AND ORDER COPIES to G. Fabian (box) and M. Halliday (mail).

Jan 18, 1991 Plaintiffs' Reply to New Matter filed.

Mar. 31, Notice to Complete Discovery filed.

Aug. 19, 1993 Certificate of Readiness filed.

Sep. 23, 1993 Notice of Deposition of Dr. Lawson C. Smart, filed.

Sep. 23, 1993 Notice of Deposition of Dr. James R. Macielak, filed.

Sep. 27, 1993 Motion for Continuance and ORDER filed. AND NOW, this 27th day of September, 1993, uponpresentationof the foregoing Motion, this matter is continued to the April 1994 term of Civil Trials.
BY THE COURT
Gordon R. Miller, J.
10-4-93 Copy of Order to Attys. Halliday & Fabian.

Oct. 25, 1993, UPon praecipe of plaintiff attorney, the above captioned action is hereby settled and discontinued upon payment of costs.

1990

Jorden & White
Harry Faber White II

459.

Dickie, McCamey & Chilcote, PC
Thomas M. Fallert

Thomas, Truax , Spadafore, Vardaro & Walker,
R. Charles Thomas
for J. Gionti

MARY ELLEN TISCHLER

vs.

JAMES PETER GIONTI AND
ROBERT WILLIAM TISCHLER

Filed May 9, 1990
@ 4:02 p.m.

Tax & entry paid	$50.50
Sheriff's Costs	31.00
Pro Co Pd 2/18/92	6.00
Pro Co Pd 2/18/92	1.00

COMPLAINT IN CIVIL ACTION

2 copies (sheriff)

May 22, 1990 Appearance of Dickie, McCamey & Chilcote, P.C. by Thomas M. Fallert, Esq. for Defendant, Robert William Tischler filed.

May 24, 1990 Sheriff's Return filed: SERVED Robert W. Tischler personally on May 11, 1990 at 10:47 A.M. at Sheriff's Office, Crawford County Courthouse, Meadville, Pa.

SERVED James Peter Gionti personally on May 14, 1990 at 8:50 a.m., at his residence, R.D.#9, Box 656, Meadville, Crawford County, Pa.

So answers, Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

June 13, 1990, Appearance of Thomas, Truax, Spadafore, Vardaro and Walker, by R. Charles Thomas, attorneys for one of defendants, James Peter Gionti, filed.

July 23, 1990 Answer filed. (1 copy atty.)

Oct. 9, 1990, Answer, New Matter and New Matter Pursuant to 2252(d) filed.

Oct. 9, 1990 Reply To The Defendant Tischler's New Matter filed.

Oct. 24, 1990, Notice of Service of Answers to Interrogatories Directed to Defendant Tischler, filed.

Nov. 8, 1990, Reply to New Matter Pursuant to 2252(d) filed.

Jan. 16, 1991 Reply of Defendant, James Peter Gionti, to the New Matter of the Defendant, Robert William Tischler filed.

Feb. 15, 1991 notice of Filing Answers to Interrogatories Directed to Plaintiff by Defendant James Peter Gionti filed.

Mar. 5, 1991, Notice of Deposition of James Peter Gionti filed.

Mar. 14, 1991 Notice of Deposition of James Peter Gionti and Robert William Tischler to be taken April 1, 1991 filed.

May 3, 1991 Notice of Service of Answer to Request for Production of Documents to Mary Ellen Tischler and James Peter Gionti, filed.

Aug. 30, 1991 Certificate of Readiness filed.

On October 1991 Trial List

Oct. 11, 1991, Motion to Continue Trial and Order filed. ORDER - AND NOW, this 11th day of Oct. 1991, upon consideration fo the foregoing Petition to continue, this trial in the above captioned action is continued until the Feb. term of Civil Court.

BY THE COURT,
Gordon R. Miller, J.

Oct. 15, 1991 copies to H. white, R. C. Thomas and Thomas m. Fallert.

Nov. 6, 1991 Notice Of Depositions Of Dr. Garrett Dixon filed.

Feb. 13, 1992, Upon praecipe of plaintiff attorney, for value received and upon payment of costs, the above captioned action is hereby marked settled and discontinued of record.

Watts, Pepicelli,
Youngs and Youngs
Alan L. Pepicelli

460.

Kenneth J. Nolan

MEGAN MONDAY, A MINOR, BY JEF MONDAY AND CAROLYN MONDAY HER GUARDIANS, AND JEF MONDAY AND CAROLYN MONDAY, HIS WIFE, INDIVIDUALLY AND IN THEIR OWN RIGHT

vs.

MEADVILLE COUNCIL ON THE ARTS A NON PROFIT CORPORATION, AND JOANN R. SACHDEVA

Filed May 10, 1990
@ 10:31 a.m.

Tax & entry Paid	$50.50 ✓
Sheriff's Costs	54.00
	6.00

SUMMONS IN A CIVIL ACTION

Issued (sheriff)

June 26, 1990 Writ Return filed. Before me, the undersigned authority, personally appeared Gail Carter who being duly sworn accor ding to law, deposes and says that on the 6th day of June, 1990, at 2:40 P.M., she served Writ of Summons, filed at NO. Term, 19, County Pennsylvania, upon defnednat JOann Sashdina at sa 647 Maryland Ave. Pgh. By making known the contents thereof to her, personally and handing to and leaving with her the certified copy of the summons received from Crawford County.
So answers, Gail L. CArter, deputy Sher;iff
Eugene L. coon, SHeriff
SERVED Meadville Council on the aRts on May 15, 1990 at 3:50 PM by handing copy of Summons to Kate Wayland-Smith, Director, at Market House, Second Floor, Meadville, Crawford County, PA.
SERVED Joann Sachdeva by deputizing the Sheriff of Allegheny County, PA as per his affdavit of Service attached. Served: June 6, 1990.
So answers, Robert M. STevens, Deputy SHer;iff
Howard N. STewart, Sheriff

Sept. 10, 1991, Appearance of Kenneth J. Nolan, attorney for Meadville Council on the Arts, and Joann R. Sachdeva, filed.

Sept. 10, 1991, Upon praecipe of defendant attorneys, Rule entered upon plaintiffs to file Complaint issued.

Sept. 19, 1991 Service of the foregoing Rule is hereby accepted by Alan L. Pepicelli

Mar. 4, 1992 PETITION TO SETTLE MINOR'S CLAIM and ORDER APPROVING SETTLEMENT OF MINOR'S CLAIM filed. AND NOW, this 4th day of March 1992, upon consideration of the within Petition to Settle Minor's Claim, it is hereby Ordered and Decreed that a settlement of the within action of Megan Monday, a minor, for the aggregate sum of $110,000 additional monies to be paid by the Defendants, be approved, with distribution thereof tobe as follows:

To Watts and Pepicelli PC and Mason and Mason, as attorneys' fees $22,000.00

The balance of $88,000.00, to be sequestered in a Savings Account, Money Market, Insured Certificate of Deposit, or similar account with the provision that the income earned on said funds shall be accumulated, and that no withdrawal can be made except as authorized by prior Court Order in accordance with 20 Pa. C.S. Section 5103.

It is further Ordered that the said Jef Monday and Carolyn Monday, as parents and natural guardians of Megan Monday, a minor, execute appropriate Releases with the Defendants upon the payment of said sum as aforesaid, and the Defendants are relieved of any and all further liability without obligation to look as to the payment of the proceeds; Defendants to pay costs of suit.

Proof of deposit to be filed no later than April 15, 1992.

BY THE COURT,
Anthony J. Vardaro, J.

Mar 4, 1992 2 copies (atty)

Apr. 16, 1992 AFFIDAVIT/PROOF OF DEPOSIT, filed.

1990

Peterson & Gula
Richard A. Peterson

461.

HOWARD PAUL BRITTON

vs.

LOREN RENEE BRITTON

Filed May 10, 1990
@ 11:20 a.m.

Tax & entry Paid $40.50
Bal Pd 5/14/90 10.00

COMPLAINT IN DIVORCE

1 copy (atty)

May 14, 1990 General Appearance filed. Please enter my general Appearance in the above-described divorce action. I hereby accept service of and acknowledge receipt of a true and correct ocpy of the original Complaint in Divorce filed in this action SERVE ALL PAPERS AT THE FOLLOWING ADDRESS: 102 Scott Rd. Jamestown, PA 16134
Dated; May 14, 1990 Loren Renee Britton

Feb. 17, 1998 Important Notice and Court Order filed. Our court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since 5/14/90 . We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonably delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.
If you do not object this this case being dismissed, you do not have to do anything. The case will be marked "dismissed with prejudice" in our records, and will be over forever.
If you object to the case being dismissed, you must put your object in writing and follow Crawford County Civil Local Rule L206, LJA 1901E and LJA 1901F, explaining why there has been a delay in your case and why it is not unreasonable. These written objections must be filed in the Prothonotary's Office on or before April 24, 1998. You must also give or sent a copy of any objections you file to the other party or his or her attorney, and certify that you have done so when you file your objections with the Prothonotary.
YOU MAY LOSE IMPORTANT RIGHTS IF YOUR CASE IS TERMINATED. YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP:
Court Administrator
Second Floor-Crawford County Courthouse
Meadville, PA 16335
(814) 333-7498

By the Court,
Date: February 13, 1998 Anthony J. Vardaro, J
Feb. 17, 1998 copies mailed by Court Administrator's Office

May 6, 1998 Order filed. AND NOW, this fourth day of May, 1998, written notice of the Court's intent to terminate the cases listed below having been given to the parties or their counsel of record, and further notice having been given to counsel and parties by publication of a "Notice of Intent to Terminate Cases" printed in the Crawford County Legal Journal on April 15, 1998, and no objection thereto haing been received by the Court from either party in the cases listed below, **all and each of the 245 cases listed below are hereby terminated and dismissed with prejudice.** A copy of this order shall be filed at each of the docket numbers listed below, but copies need not be given to or served upon the parties or their attorneys. Cases may be reinstated only in accordance with Crawford County Rule LJA 1901.

By the Court:
Gordon R. Miller, P.J.

(See original filed at A.D. 1997 - 702)

1990

Jorden and White
William T. Jorden

462.

COLEEN SUSAN MILLER

vs.

GAYLORD GEORGE KARNS

Filed May 10, 1990
@ 1:50 p.m.

Tax & entry Paid $50.50
Pro Co Pd 6/13/90 6.00

SUMMONS IN A CIVIL ACTION

Issued (sheriff)

** see below

June 13, 1990, Upon praecipe of plaintiff attorney, the above action is settled and discontinued of record, upon payment of costs.

** June 13, 1990, Sheriff Return filed. SERVED Gaylord George Karns personally on May 23, 1990, at 11:57 a.m. at his residence, R. D 3, Griffith Road, Cochranton, Crawford County Pa.
So answers, Robert M. Stevens, Dep. sheriff
Howard N. Stewart, sheriff

1990

463.

LINDA KEAN

vs.

DAVID F. SHARPLESS

Filed May 11, 1990
@ 9:58 a.m.

Tax & entry Paid $50.25

APPEAL OF DEFENDANT FROM JUDGMENT OF
HUBERT VOGAN, DISTRICT MAGISTRATE

May 11, 1990, Rule entered upon the plaintiff to file Complaint issued.

May 11, 1990, Proof of Service filed.

1990

Edgar M. Snyder &
Associates, P.A.
Michael H. Rosenzweig

464.

Elderkin, Martin,
Kelly & Messina
Kenneth G. Vasil

MINDY AND GREGROY RANKIN

vs.

CARL J. TYLER, DON C. TYLER,
JR., AND
JOHN AND REBA CASBOHM-

Filed May 11, 1990
@ 10:46 a.m.

Tax & entry Paid $50.50
Sheriff's Costs 57.40

Pro Co pd 8/21/90 7.00
Pro Co pd 9/28/90 1.00

SUMMONS IN A CIVIL ACTION

Issued (sheriff)

June 18, 1990, Appearance of elderkin, Martin, Kelly & Messina, by Kenneth g. Vasil, attorney for defendants Casbohm filed.

June 18, 1990, Upon praecipe of defendants Casbohm, Rule entered upon plaintiffs to file Complaint issued. (atty)

June 20, 1990 Sheriff's Return filed. SERVED Carl J. Tyler on May 18, 1990 at 12:02 PM by serving his wife Kimberly Tyler at their residence, R.D. #2 Springboro, PA 16435.
SERVED Don C. Tyler, Jr. personally on May 18, 1990 at 11:55 AM at his residence, R.D. #1, Conneautville, PA 16406.
SERVED John Casbohm on May 18, 1990 at 12:12 PM by serving his wife Reba Casbohm at their residence, R.D.#1 Conneautville, PA 16406.
SERVED Reba Casbohm personally on May 18, 1990 at 12:11 PM at her residence, RD #1 Conneautville, PA 16406.
So answers, Robert M. STevens, Deputy Sheriff
Howard N. STewart, Sheriff

July 2, 1990 Service of the foregoing Rule accepted by plaintiff, filed.

Aug. 21, 1990 Upon Praecipe of Plaintiffs Attorney, the above captioned case is marked settled and discontinued of record.
Michael H. Rosenzweig, atty. for plaintiff

1990

Bryan and Bryan
James S. Bryan

465.

COMMUNITY NATIONAL BANK
OF NORTHWESTERN PENNSYLVANIA

vs.

CYNTHIA A. ONDAS, NOW BY
MARRIAGE CYNTHIA A. WILLIAMS

Filed May 11, 1990
@ 11:46 a.m.

Tax & entry Paid	$ 50.50
Sheriff's Costs	24.80
Pro Co Pd 9/13/90	9.00

COMPLAINT IN MORTGAGE FORECLOSURE

1 copy (sheriff)

May 25, 1990 Sheriff's Return filed. SERVED Cynthia A. Williams personally on May 16, 1990, at 10:45 AM by handing Complaint to her at residence, R.D. #2, Box 268, Cambridge Springs, Crawford County, PA.
So answers, Robert M. Stevens, Deputy Sheriff
Howard N. STewart, Sheriff

Aug. 10, 1990, UPon praecipe of plaintiff attorney, the above matter is discontinued of record.

1990

Joseph F. Kulwicki

466.

R. Charles Thomas

KEITH R. MILLARD

vs.

SHIRLEY I. MOSS, EXECUTRIX OF THE ESTATE OF MORGAN HILL, DECEASED

Filed May 14, 1990
@ 10:44 a.m.

Tax & entry Paid $50.50
Sheriff's Costs 37.28
Pro Co Pd 4/22/91 5.00
Pro Co Pd 5/13/91 1.00

COMPLAINT IN REPLEVIN
1 copy (sheriff)

(for possession of personal property-see Exhibit "A".)

June 1, 1990 Petition For Rule To Amend filed.

June 1, 1990 ORDER filed. AND NOW, May 30, 1990, upon presentation of the within petition, but understanding that notice of the filing of this petition has not been given to the attorneys for the defendant, said petition is granted and the plaintiff is given leave to amend his complaint in the manner set forth in the petition.

If counsel for the defendant objects to this order he shall file a motion with this Court within ten (10) days from this date indicating his objection as well as the reasons for his objection, in which case we will rescind this order and schedule an argument on whether or not the plaintiff may amend his petition in the manner indicated.

BY THE COURT,
Gordon R. Miller,J.

June 5, 1990 Copy of Order to Attys. Joseph Kulwicki and R. Charles Thomas.

June 22, 1990 Complaint Reinstated.

July 10, 1990 Sheriff's Return filed. SERVED Shirley I. Moss personally on July 3, 1990 at 2:42 Pm at her residence, R.D. #3, Box 53, LInesville, Crawford County, PA. 16424
So answers, Edgar D. Householder, Deputy Sheriff
Howard N. STewart, sHeriff

July 27, 1990 Preliminary Objections filed.

Aug. 31, 1990, Plaintiff's Answer to Defendant's Preliminary Objections filed.

Mar. 21, 1991 Upon praecipe of plaintiff attorney, the above captioned case is hereby discontinued of record, and the same satisfied.

1990

Elderkin, Martin,
Kelly & Messina
Kenneth g. Vasil

467.

SEARS, ROEBUCK AND COMPANY
800 Millcreek Mall
Erie, Pennsylvania

vs.

CHRISTI BLYSTONE , now by marriage CHRISTI ATKINSON

Filed May 14, 1990
@ 2:44 p.m.

Tax & entry Paid	$50.50
Pro Co pd 6/4/90	9.00
Sheriff's Costs	36.50
Sat Pd. 3-30-92	6.00

COMPLAINT

1 copy (sheriff)

June 4, 1990 acceptance of Service filed. AND NOW, to-wit This 21 day of May, 1990, the undersigned hereby accepts service of a true and correct copy of the Complaint filed at the above captioned term and number. Christi Blystone
Christi Atkinson

AND NOW, June 4, 1990 at 1:21 p.m. upon praecipe of plaintiff attorney, with consent and admission the averments contained in said Complaint, Defendant waives any defect of service, waives any applicable time period for the filing of a responsive pleading, waives service of a NOtice of Default, and hereby consents to the entry of a judgment against her in the amount of One Thousand Six HUndred Fifty and 13/100 plus interest and cost of suit.
B-31; A-35
Judgment entered 6/4/90

Debt $1,650.13
INt. from April, 1990
Judgment
James F. Simmons
Prothonotary

June 29, 1990 Sheriff's Return filed. SERVED Christine Blystone, per sonally with complaint onJune 6, 1990 at 9:30 AM at RD #1, Box 231, Guys Mills, PA, County of Crawford.
So answers, Robert M. STevens, Deputy
Howard N. Stewart, Sheriff

Mar 30, 1992 Upon praecipe of Plaintiff attorney the above judgment, interest and costs are satisfied of record.

1990

Plate, Shapira, Hutzelman, Berlin, May, Walsh & Brabender Stephen H. Hutzelman 468.	AMERICAN EXPRESS TRAVEL RELATED SERVICES COMPANY, INC. vs. TIM BUNDY Filed May 14, 1990 @ 3:15 p.m. Tax & entry Paid $50.50 ✓ Sheriff's Costs 25.00	COMPLAINT 1 copy (sheriff) June 13, 1990 Sheriff's Return filed. SERVED Tim Bundy on May 17, 1990 at 3:32 PM by handing copy of Complaint to his Authorized Agent, Barbara M. Bundy, at Sheriff's Office, Crawford County Courthouse, Meadville, PA Signed Acceptance of Service attached. So answers, Catherine I. Allen, Deputy Sheriff Howard N. Stewart,,Sheriff

1990

Bernard Stuczynski &
Bonanti
James J. Stuczynski

469.

Robert T. McDermott
4th Floor Manor Complex
564 Forbes Ave.
Pittsburgh, Pa 15219

SHERRY L. SCERE AND ANTHONY SCERE

vs.

RALPH EDWARD HAWKINS AND THE COMMONWEALTH OF PENNSYLVANIA, DEPARTMENT OF TRANSPORTATION

Filed May 15, 1990
@ 11:23 a.m.

Tax & entry Paid	$50.50
Sheriff's costs	48.82
Pltfs costs	28.00
Pro Co Pd 8-20-91	6.00

CIVIL COMPLAINT

2 copies (sheriff)

(TRIAL BY JURY OF TWELVE DEMANDED)

May 31, 1990 Appearance of Robert T. McDermott, Esq., Deputy Attorney General, for Defendants filed.

June7, 1990 Sheriff's Return filed. AND NOW, May 18, 1990, at 8:55 a.m. served the within Complaint upon Department of Transportation by personally handing to Marian Vanhorn, Sec'y and person in charge at time of service a true attested copy of the original complaint and making known to her the contents thereof at Trans. & Safety Bldg., Harrisburg, Dauphin County, Penna.
So answers, William H. Livingston, Sheriff
Michael Rinehar, Deputy Sheriff
SERVED Ralph Edward Hawkins personally on May 17, 1990 at 3:34 PM at Sheriff's OFfice, Crawford county Courthouse, Meadville, PA
SERVED Pennsylvania Department of Transportation by deputizing Sheriff of Dauphin County, PA as per Affidavit of Service attached.
Served: May 18, 1990
So answers, Carole Stefanucci, Deputy sheriff
Howard N. Stewart, sheriff

July 13, 1990 Answer and New Matter filed.

Aug. 16, 1990 Reply to Defendants' Answer and New Matter filed.

Aug. 16, 1990 Certificate of Service of Interrogatories filed.

Nov 28, 1990 Notice of Service of Answers to Interrogatories filed.

Nov 30, 1990 Certificate of Service of Interrogatories and Request for Production filed.

Dec. 13, 1990 Notice of Deposition of Ralph Edward Hawkins, Sherry L. Scere and Anthony Scere filed.

Dec. 13, 1990 Certificate Of Service of Notice of Depositions filed.

Dec. 14, 1990, Notice of Deposition of Ralph Edward Hawkins, Sherry L. Sc ere and Anthony Scere, filed.

Aug20, 1991 Plaintiffs' Bill of Costs filed.

Aug 20, 1991 Upon Praecipe of Plaintiffs' Attorney, the above captioned matter is marked settled and discontinued of record.

Stanley M. Stein

470.

~~Withdrawn~~
~~Stephen M. Elek~~
~~For John Dawson~~
~~and Crawford County~~
Grigsby, Gaca &
Davies, P.C.
Thomas P. McGinnis
Thomas A. Matis
Jack L. Loutzenhiser
Robert J. Mullen and
City of Meadville

Sean J. McLaughlin
Knox McLaughlin, Gornall
& Sennett PC
for John Dawson

Israel and Wood
James A. Wood
for dft. Crawford County

JOSEPH F. KULWICKI AND
JUDITH KULWICKI, HIS WIFE

vs.

JOHN DAWSON AND JACK L.
LOUTZENHISER dfts

Robert J. Mullen,
City of Meadville, a municipal
corporation & Crawford County
a municipal corporation
add'l dfts

Filed May 15, 1990
@ 11:34 a.m.

Tax & entry Paid	$50.50
Sheriff's Costs	31.00
Sheriff's costs	50.00
JPro Co pd 2-5-97	6.00

SUMMONS IN CIVIL ACTION

Issued (sheriff)

May 25, 1990 Writ Return filed. SERVED John Dawson on May 15, 1990 at 3:16 PM by handing copy of Summons to him personally at Sheriff's Office, Crawford County Courthouse, Meadville, PA. SERVED Jack L. Loutzenhiser on May 15, 1990 at 3:12 PM by handing copy of Summons to him personally at Sheriff's Office, Crawford County Courthouse, Meadville, PA.
So answers, Carole STefanucci, Deputy Sheriff
Cathy Allen, Deputy Sheriff
Howard N. STewart, Sheriff

May 31, 1990, Appearance of Stephen M. Elek, Esq. attorney for John Dawson, dft. filed.

May 31, 1990, Upon praecipe of Stephen M. Elek, attonrey for defendant, John Dawson, Rule entered upon plaintiffs to file Complaint, issued.

June 4, 1990 Appearance of Grigsby, Gaca & Davies, P.C. by Thomas P. McGinnis and Thomas A. Matis for Jack L. Loutzenhiser filed.

June 18, 1990, Upon praecipe of plaintiff attorney, writ reissued and Robert j. Mullen, City of Meadville, a municipal corporation and Crawford County, a municipal corporation, joined as additional defendants.

June 21, 1990, Complaint in Civil Action filed. 5 copies (atty)

June 29, 1990, Motion of Defendant Jack L. Loutzenhiser to Preserve Transcript of Testimony and Proceedings and for Order Permitting Release of Transcript filed.

June 29, 1990 Motion to Enjoin Expengement of Criminal Records filed.

July 3, 1990 Affidavit of Service filed: RICHARD L. STINSON, being duly sworn according to law, deposes and says he is a Constable in and for the State of Pennsylvania, and County of Crawford, and as such served certified copies of a Complaint in Civil Action upon the named defendants as follows:

1. Crawford County, a municipal corporation, upon Mr. David Glenn, Commissioner at the Commissioner's office, Crawford County Court House, Meadville, Crawford County, Pa. on June 22, 1990 at 1:15 p.m. by personally handing him same.

2. City of Meadville, a municipal corporation, upon the Administrative Secretary for the City Manager at the Meadville City Building, Meadville, Crawford County, pa. on June 22, 1990 at 3:20 p.m. by personally handing her same.

3. Defendant, Robert J. Mullen at his office in the City Building, Meadville, Crawford County, Pa on June 25, 1990 at 1:07 p.m. by personally handing him same.

4. Defendant, John Dawson at the Crawford County Court House, Meadville, Crawford County, Pa on June 25, 1990 at 2:37 p.m. by personally handin him same.

5. Defendant, Jack Loutzenhiser in front of house number 838 Liberty Street, Meadville, Crawford Coummty, Pa on Jue 26, 1990 12:05 p.m., by personally handing him same.

FURTHER AFFIANT SAITH NOT.

Richard L. Stinson

July 3, 1990 Sheriff's Return filed: SERVED Crawford County Chief Clerk, Debra Donahue, personally, on June 20, 1990 at 10:05 A.M. at the Crawford County Courthouse, Meadville, Pa.

SERVED The City of Meadville, by handing Summosn to City Manager, Gregory A. Knowles, at the Meadville City Building, June 20, 1990 at 10:30 A.M.

Served Robert Mullen, Chief of Police, personally, on June 26, 1990 at 10:08 A.M. at the City Building, Meadville, Pa.

So answers, Robert M. Stevens, Deputy Sheriff
Edgar D. Household, Chief Deputy
Howard N. Stewart, Sheriff

July 9, 1990 Appearance of Grigsby, Gaca & Davies, P.C. by Thomas P. McGinnis, Esq. for Defendants, Robert J. Mullen and The City of Meadville filed.

July 11, 1990 Order filed: AND NOW, June 29, 1990, at the time of the presentation of three motions in open court, to wit: Motion of Jack L. Loutzenhiser to preserve the transcript of testimony and proceedings and for an Order permitting release of transcripts; Motion of John Dawson to enjoin expungement of criminal court records; and oral motion of Joseph F. Kulwicki II, one of the Plaintiffs, requesting the Court recuse itself, argument on these motions is hereby scheduled for Thursday, July 19, 1990 at 10:30 o'clock a.m. in Courtroom No. 2 of the Crawford County Courthouse. In the meantime, the Expungement Order of April 11, 1990 in the case of Commonwealth of Pennsylvania vs. Joseph F. Kulwick, III is hereby held in abeyance to the extent that records in that case have not yet been expunged, said records shall not be expunged but shall be preserved until further Order of Court. However, persons who have custody or possession of those records are hereby directed to not divulge those records or to disseminate those records to anyone and shall keep those records sealed in their office or in their possession until further order of Court.

All persons who were directed to expunge records in the criminal proceeding and all persons who were served with a copy of the Expungement Order shall be served with a copy of this Order by the Court Administrator.

BY ORDER OF THE COURT,
Gordon R. Miller, J

July 12, 1990 Copies of order mailed to Attys. Stein, Matis, Elek and McGinnis.

July 13, 1990 Recusal filed. AND NOW, July 11, 1990, upon receipt of an oral request made on behalf of the plaintiffs that we recuse ourselves in this case we do hereby recuse and disqualify ourselves from any further participation in this matter. This refusal and disqualification is not becuase of any interest in the outcome of this case, nor because of any relationship, bias or prejudice. this action is taken in order to dispel any suspicion that the litigants, two of whom are members of the Bar and actively practice before this Court, are not receiving impartial justice The parties are entitled to justice and impartiality as well as the appearance of justice and impartiality.

BY THE COURT,
Gordon R. Miller, J

July 17, 1990 Copies of order mailed to Attys. McGinnis, Stein & Elek

Continued on page 470A

Joseph F. Kulwicki and
Judith Kulwicki, his wife

vs.

John Dawson and Jack L.
Loutzenhiser, et al

Record continued from page 470

of record

A.D. 1990 - 470

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July 13, 1990 Reply Of Plaintiffs To MOtion Of Defendant Loutzenhiser to Preserve Transcript Of Testimony and Proceedings and For Order Permitting Release Of Transcript filed.

July 13, 1990 Reply Of Plaintiffs To Motion Of defendant Dawson To Enjoin Expungement of Criminal REcords filed.

July 27, 1990, Appearance of Stephen M. Elek, attorney for defendant Crawford County, a minicipal corporation filed.

July 30, 1990 News Release and Exhibits filed. (Part of Petition.)

Aug 3, 1990 Order filed: AND NOW, July 19, 1990, a motion to preserve transcripts of testimony and proceedings having been presented, and after argument thereon, ard pursuant to an agreement of counsel, it is the finding of this Court that there does exist such compelling circumstances as to constitute extraordinary cause justifying a modification of the expungement order dated April 11, 1990 of this court per Judge Stranahan, specially presiding; those special circumstances being the subsequent filing of federal and civil actions for damages by the Plaintiff based on the criminal action; the obtaining of partial transcripts of the criminal action by the Plaintiff before and after his expungement petition and expungement order; and the agreement of the parties as to this modification. See Gabovitz vs. State Auto Ins. Assn.,Pa. Super 17,523A. 2d 402, appeal denied. 516 Pa. 634, 533 A.2nd 92 (1987); Simpson vs. Allstate Ins. Co., 350 Pa. Super 239, 244, 504 A.2nd 335,337 (1986).

Accordingly, it is ORDERED and DECREED that the balance of the trial transcript in the case of Commonwealth vs. Joseph F. Kulwicki, III at 1988-674, not in the possession of the Plaintiff, shall be transcribed by the appropriate court reporters, sealed, and filed of record in this civil case along with their stenographic notes of the entire trial transcript, and also along with all court exhibit entered in the criminal casse. These sealed transcripts, notes and exhibits shall not be unsealed except by further order of Court. The cost of the transcription of the balance of the record and sealing shall be at the cost of the defendants. The expungement orde of April 11, 1990, except as modified herein, shall remain in full force and effect.

BY ORDER OF THE COURT,
Francis J. Fornelli, Specially presiding.

Aug 6, 1990 Copies of order mailed to Attys. Stein, Elek and McGinnis.

Aug 3, 1990 Order filed: AND NOW, July 19, 1990 upon motion of the Defendants Dawson and Crawford County, the motion to enjoin filed in this case is withdrawn.

BY ORDER OF THE COURT,
Francis J. Fornelli, J.,
Specially presiding

Aug 6, 1990 Copies of order mailed to Attys. Stein, Elek, and McGinnis.

Aug. 13, 1990, Notice of Filing by Elsie E. Huser, RPR, Official Court Reporter, for 30th Judicial District, filed, per above court order. (back of N-O file) PRIVATE OFFICE

Aug. 17, 1990 NOtice of Filing by Walter A. Podurgiel, Jr., Official Court Reporter, for 30th Judicial District, filed, per above court order. ((filing cabinet) PRIVATE OFFICE

Oct. 9, 1990, Appearance of Knox McLaughlin Gornall and Sennett PC by Sean J. McLaughlin, Attorneys for defendant John M. Dawson, filed.

Oct. 10, 1990, Appearance of Israel and Wood, P.C. by James A. Wood, Esq. attorney for defendant, Crawford County, a municipal corporation, filed.

Oct. 19, 1990, Notice of Filing by Melinda Funera, RPR, Official Court Reporter, of filing of Vol. III of III along with notes of testimony and info sheet pertaining, as directed by court order dated July 19, 1990. (N-O file) IN WITN FROM PRIVATE OFFICE

Oct. 31, 1990 Upon Praecipe of Stephen M. Elek, Attorney for John Dawson, appearance withdrawn.

Dec. 12, 1990 Order filed: AND NOW, December 10, 1990, upon joint motion of the defendants, it is ORDERED and DECREED that the Prothonotary of Crawford County shall unseal and release to the defendants the transcripts, notes and exhibits from the case of Commonwealth vs. Joseph F. Kulwicki, III previously filed of record. Defendants shall not release or promulgate these documents or the information therein except by further order of this court or for such purposes as are deemed material and relevant by the Federal District Court to the pending action in Federal District Court involving the parties hereto.

BY THE COURT,
Frances J. Fornelli, Judge
Special Presiding

Dec 14, 1990 Copies of order Mailed to Attys Stein & McGinnis.&McLaughlin and Wood.

Dec. 12, 1990 Acknowledgment of Receipt filed.

June 26, 1991 Defendant Crawford County's Motion to Dismiss filed.

June 28, 1991 Praecipe to Discontinue Motion to Dismiss and Order filed: AND NOW, to-wit, this 1st day of July, 1991, it is hereby ORDERED that the Motion to Dismiss on behalf of the defendant, Crawford County be dismissed.

Dec. 12, 1990 Acknowledgment of Receipt filed.

BY THE COURT,
Gordon R. Miller, J.

July 2, 1991 copies of order mailed to Attys. Stein, McGinnis, McLaughlin and Wood.and Elek.

May 10, 1993 Motion to Permit Restricted Release of Documents Under seal filed.

May 21, 1993 ORDER FILED. AND NOW, May 5, 1993, it is hereby ORDERED that all files relative to former Assistant District Attorney Linda Barr's participation in the case of the Commonwealth v. Kulwicki, currently under seal in the evidence room of the Office of the District Attorney of

of

Continued to Page 470 B

470
B

1990

Mercer County, Pennsylvania, be released into the custody of Linda Barr for the purpose of transporting same under seal to and for use in the deposition of Ms.Barr in the instant civil action or in the parallel civil action filed in the Federal District Court for the Western District of Pennsylvania at CivilAction No. 90-127E, said file(s) to be fully accessible to all parties to said actions during the course of said deposition, with said file (s) to be resealed and returned by Ms.Barr following deposition to the Mercer County District Attorney's Office repository where they are currently housed.

It is further ORDERED that to extent that any documents from said file (s) are disclosed during Ms.Barr's deposition made part of the record thereof, said documents or the contents thereof shall not be disclosed by any party to any third persons except as provided by further order of this court or by order of the Federal District court for theWestern District of Pennsylvania in the action filed at Civil Action No. 90-127E.

It is further ORDERED that the parties attorneys and Mrs. Barr shall have access to the file for purposes of review and preparation in the office of District Attorney of Mercer County during the 48 hours immediately prior to the deposition.

BY THE COURT:
Francis J.Fornelli
President Judge

May 25, 1993 Copy of Order to Atty. Kulwicki, D.A. Stein,McGinnis, Matis, McLaughlin & Wood

Oct. 12, 1993 Motion For Preservation and Limited Copying of Documents Subject To Expungement Order and ORDER OF COURT filed. NOW, this 31st day of September, 1993, upon consideration of the foregoing Motion, it is ordered that defendants John Dawson, RAL, TPM, Jack L. Loutzenhiser, Robert J. Mullen and the City of Meadville be and hereby are authorized and directed to preserve until further Order of this Court all official and unofficial arrest records and other documents pertaining to the arrest, or prosecution, or both, of Joseph L. Kulwicki, III and may permit the inspection thereof by, and provide copies thereof to, counsel for any party in the within action or in the action entitled Joseph F. Kulwick III, et ux. v. Joseph M. Dawson, et al., now pending in the United States District Court for the Western District of Pennsylvania at Civil Action No. 90-127E.

Except as set forth above, neither the documents that the subject of this Order nor the information therein shall be further released or promulgated except by further Order of this Court or for such purposes are deemed material and relevant by the Federal District Court in the aforementioned civil action pending in that Court.

BY THE COURT:
Francis J. Fornalli, Judge
Specially Presiding

Oct. 20, 1993 Copy of Order to Attys. John Jordan, Thomas McDermott, Knox, McLaughlin, Gornall & Sennett, James A. Wood, Grigsby, Gaca & Davies.

Dec. 19, 1996 Order filed. AND NOW, December 12, 1996, upon receipt and review of a Petition to Vacate Orders of Court and to Reinstate Expungement Order of April 11, 1990, a Rule to Show Cause is issued and directed to the Defendants, as well as the District Attorney of Crawford County as a representative of the Commonwealth of Pennsylvania to show cause, if any, they have why the prayer of said Petition should not be granted.

Said Rule is returnable for hearing and/or argument on the 27th day of January, 1997 at 3:00 o'clock P.M. in Courtroom No. 1 of the Crawford County Courthouse.

In keeping with the Crawford County Civil Rules regarding petitions and motions practiced, a true and correct copy of this Petition and Order shall be served upon all defendants and upon the District Attorney of Crawford County.

BY THE COURT:
Gordon R. Miller, P.J.
12-19-96 DISTRIBUTED Kulwicki MAILED Lamzile McGinnis Elek

Dec. 19, 1996 Petition to Vacate Orders of Court and to Reinstate Expungement Order dated April 11, 1990,filed.

Feb 5, 1997 Upon praecipe of plaintiffthe above-captionedmatter is marked settled and discontinued of record.

Feb. 3, 1997 Order of January 30, 1997 Sealed in a Marked Envelope and put in safe in the Prothonotary's Office.
BY THE COURT
Gordon R. Miller, P.J.
2-3-97 DISTRIBUTED Kulwicki & FAXED Thomas, McGinnis, Rich. Lanzello & Stol Eleh

1990

Thomas, Truax , Spadafore, Vardaro & Walker
William L. Walker

471.

ANDOVER BANK

vs.

WALTER RENWICK AND MARLENE RENWICK, HIS WIFE

Filed May 15, 1990
@ 3:34 p.m.

Tax & entry Paid	$50.50
Sheriff's Costs	33.40

COMPLAINT

2 copies (sheriff)

June 6, 1990 Sheriff's Return filed. SERVED Walter Renwick personally on May 16, 1990 at 2:15 PM by handing copy of Complaint to him at place of business, west Bay Boat Sales, Jamestown, Crawford County, PA.
SERVED Marlene Renwick onMay 16, 1990 at 2:16 PM by serving her husband and co-owner at their place of business, walter, Renwick, at West Lake Boat sales, Jamestown, Crawford County, PA.
So answers, Robert M. Stevens, Deputy Sher;iff
Howard N. Stewart, sheriff

Thomas, Truax, Spadafore, Vardaro & Walker
William L. Walker

472.

ANDOVER BANK

vs.

STANLEY RENWICK, JR. AND MATILDA RENWICK, HIS WIFE

Filed May 15, 1990,
@ 3:34 p.m.

Tax & entry Paid $50.50
Sheriff's costs 33.40

COMPLAINT

2 copies (sheriff)

June 5, 1990 Sheriff's Return filed. SERVED Matilda Renwick personally on May 16, 1990 at 2:20 PM by handing copy of Complaint to her at place of business, West Bay Boat Sales, Lake Road, Jamestown, Crawford County, PA.

SERVED Stanley Renwick, Jr. personally on May 16, 1990 at 2:21 PM by handing copy of Complaint to him at place of business, West Lake Boat Sales, Lake Road, Jamestown, Crawford Co., PA.

So answers,

Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

1990

Thomas, Truax, Spadafore
Walker, Vardaro
William L. Walker

473.

ANDOVER BANK

vs.

RONALD RENWICK AND FLORENCE M. RENWICK, HIS WIFE

Filed May 15, 1990
@ 3:34 p.m.

Tax & entry Paid	$50.50
Sheriff's costs	33.40

COMPLAINT

2 copies (sheriff

June 6, 1990 Sheriff's Return filed. SERVED Ronald Renwick personally on May 16, 1990 at 2:20 PM at his place of business, West Lake Boat Sales, Lake Rd., Jamestown, Crawford Co., PA.

SERVED Florence M. Renwick on May 16, 1990 at 2:22 PM by serving her husband and co-owner at their place of business, Ronald Renwick, at West Lake Boat Sales, Jamestown, Crawford, Co. PA.

So answers,

Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

1990

Brian J. Lindsay

474.

William A. Kuhar, Jr.

FRANCIS F. BROWSKI

, vs.

.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

Filed May 16, 1990
@ 9:19 a.m.

Tax & entry Paid $50.50 ✓

PETITION FOR WRIT OF SUPERSEDEAS, MOTION AND
NOTICE OF APPEAL

2 copies (atty)

ORDER OF COURT:
AND NOW, THIS L¢TH DAY OF May 1990, upon Motion by the Appellant, a hearing is set on said Appeal for the 25th day of June, 1990, at 1:30 p.m. in courtroom No. 1 or 2, of the crawford County Courthouse.

Further, notice of said Appeal and of this order of court are to be given forthwith by Appellant's attorney to the appropriate representatives ofthe Appellee.

Finally, said Appeal shall act as a supersedeas to Appellee's suspension of Appellant's operating privileges.

BY The COURT,
Gordon R. Miller, J.

June 7, 1990 Motion For transfer and Order filed. AND NOW, this 7th day of June, 1990, after consideration ofthe foregoing MOTION, it is hereby ORDERED that a rule be issued against the appellant, Francis F. Browski, to show cause, if any, as to why the above-captioned case should not be transferred to the Court of Common Pleas of Luzerne County.

Said rule is returnable the 23rd day of July, 1990 at 9:00 a.m in Courtroom No. 1 or 2, of the Crawford County Courthouse, Meadville, Pennsylvania.

For The Court,
Imogene Yetman, C.A.

June 12, 1990 Copy of order put in Brian LIndsay's box and copy mailed to William Kuhar

July 24, 1990 Petition For Leave To Take Testimony By Deposition For Use At Trial filed.

July 24, 1990 Order filed. AND NOW, July 23, 1990, upon receipt and review of a petition for leave to take testimony by deposition for use at trial filed by the Commonwealth of Pennsylvania, Department of Transportation, the appellee is grante leave to take the testimony of Chief JOhn Masloski, Patrolman Scott Baker and Officers Ernest Hoover and Frank Martin by deposition for use at any hearing held in this matter.

Initially the appellee shall pay to counsel for the appellant necessary and resonable costs of transportaton, food and lodging that is incurred by him in attending any depositions out of Crawford County, Pennsylvania, subject, however, to th erigh to fthis Court to enter an order requiring the appellant to reimburse the appellee for such payments if the Court ultimately determines that the appellant did reside in Luzerne County and should have taken his appeal to the Court of Common Pleas of Luzerne County.

Said depositions shall be completed no later than August 1, 1990.

The hearing on the de novo appeal and related matters shall be held on the 5th day of September, 1990 at 9:30 o'clock.

BY THE COURT
Gordon R. Miller, J

July 24, 1990 Copy put in Box for Atty. Lindsay and copy mailed to Atty. Kuhar

July 24, 1990 Order filed. AND NOW, July 23, 1990, a decision on the motion for transfer filed by the Commonwealth of Pennsylvania, Department of Transportation, is deferred until a hearing is held thereon, either specially set, or at the time the de novo hearing is held since there has not been any evidence presented a sto the residence of the appellant.

BY THE COURT,
Gorodn R. Miller, J

July 24, 1990 Copy of order put in Brian Lindsay's box and copy mailed to Atty. Kuhar

July 24, 1990 Copy of order put in Brian Lindsay's box and copy mailed to Atty. Kuhar

July 30, 1990 NOtice Of Deposition of Chief John Masloski filed.

July 30, 1990 Notice Of Depositionof Patrolman Scott Baker filed.

July 30, 1990 Notice Of Deposition of Officer Ernest Hoover filed.

Aug. 31, 1990 Motion to Continue Hearing and Order filed. ORDER: AND NOW, this 31 day of Aug. 1990, upon presentation and consideration of the Motion by the Appellant, the appeal hearing is sc heduled in the above matter for Sept. 5, 1990 is continued until Oct. 23, 1990 at 10:30 a.m.

BY THE COURT,
P. R. Thomas, S. J.

2 copies (atty)

Oct. 29, 1990, Deposition Transcript of JOhn Masloski filed.

Oct. 29, 1990, Deposition Transcript of Scott Baker filed.

Oct. 29, 1990, deposition Transcript of Ernest Hoover filed.

Oct. 29, 1990, MEMORANDUM AND ORDER filed. ORDER: AND NOW, Oct. 26, 1990, after hearing, the court dismisses the defendant's appeal and sustains the one year suspension imposed by the Commonwealth of Pennsylvania Department of Transportation.

BY ORDER OF THE COURT,
P. Richard Thomas, S. Judge

Oct. 29, 1990, copy put in box for Atty. Lindsay; cpy mailed to Atty. Kuhar.

1990

Rudov and Stein
Robert B. Stein

475.

BANK ONE, YOUNGSTOWN, NA

vs.

DONALD H. STORMS, JR.

Filed May 16, 1990
@ 11:01 a.m.

Tax & entry Paid	$50.50
Sheriff's Costs	21.00
Pro Co Pd 6-20-90	9.00
release pd. 12/9/92	5.00

COMPLAINT IN A CIVIL ACTION

1 copy (sheriff)

June 5, 1990 Sheriff's Return filed. SERVED Donald H. Storms on May 16, 1990 at 1:32 PM by handing copy of Complaint to Penny Storms, his MOther and person in charge of residence, R.D. #5, Box 513, Semerod road Meadville, Crawford County, PA.
So answers, Robert M. STeven, Deputy Sheriff
Howard N. Stewart, Sheriff

June 11, 1990 Notice Of Intention To File Praecipe For entry of Default Judgment filed.

AND NOW, June 20, 1990 @ 11:25 A.M. Upon Praecipe of Plaintiff's Attorney with Notice of Judgment attached, judgment is hereby entered in favor of the Plaintiff and against the defendant for failure to file an answer and the same is liquidated in the amount of Twenty-three Thousand One Hundred Eighty-seven and 18/100 Dollars plus costs and interest.
S-45 Debt .....$23,187.18 + costs & int.
JUDGMENT
James F. Simmons
Prothonotary
June 20, 1990 Notice of Judgment mailed defendant.

EX 1990-95

Dec. 4, 1992, Writing filed wherein plaintiff releases from the lien of the above described judgment the following property: All that certain piece or parcel of land situate in Vernon Twp, Crawford County, pa. (see paper filed for complete description)

Purcell, Nissley,
Krug & Haller
Anthony DiSanto

476.

SOCIETY NATIONAL BANK, f/k/a FARMERS NATIONAL BANK AND TRUST COMPANY

vs.

GARY J. SCHULZ AND
AMY J. SCHULZ

Filed May 16, 1990

Tax & entry Paid	$40.50
Bal Rd 5/24/90	10.00
Sheriff's Costs	24.40
Sheriff's Costs	23.00
Sheriff's Costs	46.40
Pro Co pd 10/10/90	9.00

COMPLAINT IN MORTGAGE FORECLOSURE

2 copies (sheriff)

May 30, 1990 Sheriff's REturn filed. Not Found as to defendant Gary J. Schulz and Amy J. Schulz. No record at POst Office.
So answers, Howard N. Stewart, Sheriff

June 8, 1990, Complaint Reinstated.

July 13, 1990 MotionFor Service Of Process In real Property Action In Accordance With Rules 410 & 430 of Pennsylvania Rules of Civil Procedure and Order filed. AND NOW, tb wit, this 13 day of July, 1990, upon consideration of the wtihin Affidavit, is appearing that a good faith investigation and effort to locate the Defendnat Gary J. Schulz has been made by Plaintiff, it is hereby
ORDERED that service of the Complaint be made by posting a copy of the original Complaint on the most public part of the property located at R.D. #2, Philadelphia Road, Springboro, Pa. 16435 and by forwarding a copy of the Complaint by registered/certified mail and ordinary mail (service to be completed upon mailing) to defendant gary J. Schulz at his last known address located at R.D. #3, Box 236A, Franklin, PA. 16323 and by publication pursuant to Rule 430(b).
1 COPY ATTY.
BY THE COURT,
P. Richard Thomas, J

July 19, 1990 Sheriff's Return filed. Before me, the undersigned authority, personally appeared Terry L. Schultz, Deputy Sheriff who being duly sworn according to law, deposes and says that on the 18th day of June, 1990, at 1:35 P.M., he served Notice to Defend - Complaint in MOrtgage Foreclosure, filed at No. A.D. 476 Term, 1990, Crawford County Pennsylvania, upon defendant AMY L. SCHULZ, at RD #3 Box 236A, Franklin, PA 16323 By making known the contents thereof to Amy J. Schulz, in person an dhanding to and leaving with her the certified copy of the Writ received from Crawford County Sheriff.
So answers
Terry L. Schultz, Deputy SHeriff
Gene Price, Sheriff

Before me, the undersigned authority, personally appeared Terry L. Schultz, Deputy Sheriff who being duly sworn according to law, deposes and says that n the 18th day of June, 1990, at a.m. he served Notice to Defend- Complaint in Mortgage Foreclosure, filed at No. A.D. 476 Term, 1990, Crawford County Pennsylvania, upon defendant Gary J. Schultz at ** NOT SERVED - LEFT THE STATE END OF SEPT. "89", no known address, per wife**
So answers,
Terry L. Schultz, Deputy Sheriff
Gene Price, Sheriff

SERVED Amy J. Schulz by deputizing Sheriff of Venango County, PA as per his Affidavit of Service attached. Served: June 18, 1990
NOT FOUND as to defendnat Gary J. Schulz, as per Affidavit received from Sheriff of Venango County, PA and hereto attached.
So answers,
Howard N. Stewart, Sheriff

July 30, 1990 Complaint Reinstated.

Aug. 22, 1990 Sheriff's Return filed. POSTED Property on July 31, 1990 at 1:43 PM at R.D. # 1, Philadelphia Road, Springboro, Crawford County, Pa.
MAILED copy of Complaint on July 31, 1990 to Gary J. Schulz by regular mail to his last known address, R.D.# 3, Box 236A Franklin, Pa. 16323
MAILED copy of Complaint on July 31, 1990 to Gary J. Schulz by certified mail to his last known address, R.D.# 3, Box 236A, Franklin, Pa. 16323. Letter was returned after three notices marked "Unclaimed" and hereto attached.

So answers,
Robert M. Stevens, Dep. Sheriff
Howard N. Stewart, Sheriff

And Now, Oct. 10, 1990 at 2:40 p.m. upon praecipe of plaintiff's attorney, judgment is hereby entered in favor of the plaintiff and against the defendant for failure to file an answer and the damages are assessed at Twenty-eight Thousand One Hundred Four and 65/100 Dollars plus interest and cost of suit.
S-71-11
judgment entered 10/10/90
notice of entry of judgment mailed 10/11/90
Debt $28,104.65
Judgment
James F. Simmons, Pro
Prothonotary

EX 1990 - 94

Nov. 13, 1990 Motion For Service Of Notice Of Sale In Real Property Action In Accordance With Rules 3129(b)(2) Of Pennsylvania Rules of Civil Procedure and Order filed. AND NOW, to-wit, this 14 day of November, 1990, upon consideration of the Plaintiff's Motion for Service pursuant to spcial Order of Court, it is her eby ORDERED that the Motion is granted; and, it is further ORDERED that Plaintiff is not required to serve notice of the December 7, 1990 Sheriff's Sale on the defendant Amy J. Schulz in the manner prescribed in Pa. R.C.P. 401(a) or 403 because the posting of the Handbill on the subject premises at R.D. #2, Philadelphia Road, Springboro, Pa. 16435, by the Sheriff thirty (30) days before the Crawford County Sheriff's Sale, the mailing of Notice by ordinary and certified mail to Defendant's last known address, and the publication of the notice of the Sale of the subject premises as required are sufficient notice to the Defendant Amy J. Schulz of the December 7, 1990 Sher;iff's Sale to satisfy the notice requirements of Pa. R.C.P. 3129; and, it is further ORDERED that the subject premises shall be sold bythe Sheriff of Crawford County at the December 7, 1990 Sheriff's Sale as advertisied and scheduled. BY THE COURT,

BY THE COURT,
Gordon R. Miller, J

1 COPY ATTY, 1 COPY SHERIFF

1990

477.

CHRISTINE PELC

vs.

PAUL PELC

Filed May 16, 1990
@ 1:41 p.m.

Tax & entry pd 5/17/90 $50.50
Sheriff's Costs 21.00
Proth pd 5/17/90 9.00

5/17/90 Rec'd. # 21.00 From Defendant

5/17/90 Paid # 21.00 To Howard Stewart, Sheriff= Costs Ck# 5750

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies sheriff
1 copy plaintiff

ORDER:

And now, this 16th day of May, 1990, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petitio n.
2. Special Conditions: possession of the parties residence shall belong to the plaintiff. The defendant shal lmove out temporaryily Custody of the children is temporary awarded to plaintiff
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for May 23, 1990, at 3:30 P M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

May 17, 1990 Sheriff's Return filed. SERVED Paul Pelc personally on May 17, 1990 at 2:15 PM at his place of employment, Meadville Industrial Development, Meadville, Crawford County, PA.
So answers,

Robert M. Stevens, Deputy Sheriff
Edgar D. Householder, Chief Deputy
Howard N. Stewart, Sher;iff

May 24, 1990 Order filed. AND NOW, May 23, 1990, at the time scheduled for hearing in this matter, the Plaintiff has appeared with counsel and the Defendant has appeared without counsel. The Defendant is willing to proceed and after the Court fully explained his right to counsel and the options available if he wanted to get free counsel. The parties have largely agreed upon the disposition of this matter and accordingly, we order as follows:

1. The Defendant shall not abuse, assault, harass, or threaten the Plaintiff or any of the minor children named in the petition.
2. Plaintiff is granted possession of 28 Asbury Manor to the exclusion of the Defendant. The Defendant shall not go to that address under any circumstances.
3. The Defendnat shall not go to the Plaintiff's place of employment under any circumstances.
4. Custody of the parties' minor son Paul is awarded temporarily to the Plaintiff. The parties have indicated that they will attempt to work out satisfactory visitation privileges for the Defendant. THis is a temporary Order and either party may bring an appropriate action in a Court of competent jurisdiction for visitation and other custody, and any Court Order entered thereon shall supercede this Order. This Order is not intended to be a final Order with respect to custody and visitation and shall not have binding or precedential effect onthe subsequent Order.

The Defendant is ordered and directed to pay support for his minor son Paul in the amount of $33.00 per week which said payment shall be made twice a month on the day that the Defendant is paid by his employer. The first payment shall be made on or before May 31, 1990 in the amount of $66.00 to cover the period from May 21, 1990 through May 31, 1990. Thereafter, the Defendant shall pay the sum of $70.00 semi-monthly at the time he receives his paycheck from his employer In the event the Plaintiff does not file an appropriate Petition for Support within two weeks from the date of this Order, this Order relative to support is void. Otherwise, this is a temporary support order which may be changed at any time upon the Petition of either party by a Court of competent jurisdiction and neither party is required to show change to circumstances in order to obtain a subsequent Court Order for support. It is intended that the next Order on support shall be treated as though it was a first Order for support, so that the requirements for modification of a Support Order shall not apply at that time.

5. The Defendant shall pay the cost of these proceedings in the amount of $80.50 to the Prothonotary of Crawford County no later than June 29, 1990.
6. This Order may be enforced without a Warrant of Arrest by any law enforcement officer having reasonable proof to believe it has been violated.
7. This Order shall remain in full force and effect until May 22, 1991.
8. A copy of this Order shall be delivered to the Police Department inthe jurisdiction where the Plaintiff resides and to County Control.
9. The Defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
10. The Defendant has c;onsented to this Order although he has not admitted that he has abused the Plaintiff or her children.

BY ORDER OF THE COURT,
Gordon r. Miller, J

May 30, 1990 Copy of order mailed to Dft. and copies of order put in Gerald Sullivan and County Control's box.

1990

William F. Peters 478.	ANTHONY J. SOKALL, SR., vs. TOM BERRY Filed May 16, 1990 @ 3:48 p.m. Tax & entry Paid $50.50	COMPLAINT IN ASSUMPSIT 1 copy (sheriff) May 25, 1990 Motion To Consolidate Docket Numbers and Order filed. AND NOW, this 25 day of May, 1990, upon consideration of the foregoing Motion to Consolidate Docket Numbers, it is hereby ORDERED, ADJUDICATED AND DECREED that the Plaintiff's Motion to Consolidate Docket Numbers is hereby made effective. BY THE COURT, P. Richard Thomas, J May 30, 1990 Copies of order put in William Peters and R. Charles Thomas' box (SEE PAPERS FILED AT A.D. 1990 - 437)

1990

Thomas, Truax, Spadafore,
& Walker
R. Charles Thomas
Shafer, Swick, Bailey
Irwin & Stack
~~James R. Irwin~~ withdrawn

479.

MARY ANN KIRKPATRICK

LARRY E. SPENCER

vs.

LAURA ANN SPENCER

Filed May 16, 1990
@ 3:49 p.m.

Tax & entry Paid $50.50 ✓
Pro Co Pd 7/9/90 - $45.00 ✓
Pro. Co. Pd. 1/21/94 $9.00
Douglas W. Ferguson, Master

11-19-93 Returned from Pltf Master's Report 750.00

12-22-93 Pd Lorraine Kalbin Ck Rec'd Fax Ferguson Ck#7970 215.20

1-25-94 Pd Master Ferguson Ck#8046 $345.00

COMPLAINT IN DIVORCE

1 copy (atty)

June 4, 1990 Answer with Additional Claims filed. (Equitable Distribution, Claim Alimony, Alimony Pendente Lite, Reasonable Counsel Fees, Costs and Expenses, Custody) 2 copies (atty)

Oct. 29, 1990, Affidavit of Consent of plaintiff filed.

Nov. 2, 1990, Motion to Set Hearing on Alimony Pendente lite, Reasonable Counsel Fees, Costs and Expenses, and order filed. ORDER: AND NOW, Nov. 2, 1990, hearing on Alimony Pendente Lite, Reasonable Counsel Fees, Costs and Expenses is set for Dec. 11, 1990, in C. R. No. 1 or 2 Crawford County courthouse, located in Meadville, Pa. at 1:30 p.m. BY THE COURT, Gordon R. Miller, J.

Nov. 5, 1990, copies of order to M. Kirkpatrick and J. Irwin Esqs.

Nov. 7, 1990 Affidavit of Consent of Defendant filed.

Dec. 11, 1990 Affidavit of Consent of Defendant filed.

Dec 17, 1990 Memorandum and Order filed: AND NOW, December 17, 1990, after hearing it is ordered as follows:

1. The plaintiff shall pay the sum of $250.00 per month to the defendant as alimony pendente lite for three (3) months, to-wit: December 1990, January 1991, and February, 1991. Said payments shall be made on or before the last day of each month commencing with December 31, 1990.

2. The plaintiff shall pay the sum of $750.00 to apply on the defendant's attorney fees by paying $250.00to the defendant's attorney on or before December 31, 1990 and a similar amount monthly thereafter until paid in full.

3. The plaintiff shall pay the sum of $500.00 to counsel for the defendant to apply on accounting fees which the defendant reasonably and necessarily incurs in order to determine the value of the plaintiff's veterinary medicine practice for equitable distribution purposes. Said amount shall be paid to counsel for the defendant no later than December 31, 1990.

This order is without prejudice to the defendant to request additional sumes of alimony pendente lite and counsel fees before the Court or the Master at a later date. This Court and the Master have a continuing right to award additional sums of alimony pendente lite, counsel fees and expenses as it appropriate under the circumstances and law. The plaintiff is encouraged not to protract this litigation because of the possibility of ongoing alimony and counsel fees. The defendant is admonished against stalling this litigation soley for the purpose of obtaining alimony pendente lite and counsel fees.

BY THE COURT,
Gordon R. Miller, P.J.

Dec 18, 1990 Copies of order put in Attys. Irwin and Kirkpatrick's boxes.

Dec 18, 1990 Exhibits filed with papers.

Dec. 27, 1990, Inventory and Appraisement of Larry E. Spencer, filed.

FEb 20, 1991 Motion for Appointment of Master in Divorce filed.

Mar 4, 1991 Motion in Opposition to Plaintiff's Motion to Appoint Master and Order filed: AND NOW, March 4, 1991, hearing is scheduled for April 16, 1991 at 1:30 p.m. o'clock in Courtroom number 1 or 2 of the Crawford County Courthouse, located in Meadville, Pennsylvania.

By the Court,
Gordon R. Miller, J.

Mar 6, 1991 Copies of order put in Attys. Irwin and Kirkpatrick.

Mar 4, 1991 Petition for Continued Alimony Pendente Lite and Additional Appraisal Expense and Order filed: AND NOW, March 4, 1991, upon presentation of Defendant's Petition for Continued Alimony Pendente Lite and Additional Appraisal Expense, hearing is scheduled for April 16, 1991, at 1:30 P.M. o'clock p.m. in Courtroom Number 1 or 2 of the Crawford County Courthouse in Meadville, Pennsylvania. Meadville, Pennsylvania.

By the Court,
Gordon R. Miller, J.

Mar 6, 1991 Copies of order put in Attys. Irwin and Kirkpatrick's boxes.

Mar 4, 1991 Motion for Leave to Conduct Discovery and Order filed: AND NOW, March 4, 1991, hearing on Defendant's motion for leave to conduct discovery is scheduled for April 6, 1991, at 1:30 p.m. o'clock in courtroom number 1 or 2 of the Crawford County Courthouse located in Meadville, Pennsylvania.

By the Court,
Gordon R. Miller, J

Mar 6, 1991 copies of order put in Attys. Irwin and Kirkpatrick's boxes.

Mar. 15, 1991 Motion to Amend Motion to Appointa Master and Order filed. ORDER: AND NOW, this 15 day of March, 1991 uponPlaintiff's Motion to Amend Motion to Appoint a Master, Plaintiff's request is hereby granted.

BY THE COURT,
Gordon R. Miller, J.

Mar. 20-,1991 copy of order to James R. Irwin and Mary Ann Kirkpatrick, attys.

Mar. 27, 1991 Petition For Bifurcation filed.

Mar. 27, 1991 Rule filed. AND NOW, this 27th day of March, 1991, upon consideration of Plaintiff's Petition for Bifurcation, a Rule is hereby entered upon the Respondent, Laura A. Spencer, to show cause why the relief requested should not be granted.

Rule Returnable with hearing thereon the 16th day of April, 1991 at 1:30 P.m. in the Crawford County Courthouse, Courtroom No. 1 or 2.

BY THE COURT,
Robert L. walker, J

Mar. 28, 1991 Copies of order put in James Irwin and Mary Ann Kirkpatrick's box.

Continued on Page 585

480

1990

Culbertson, Weiss, Schetroma and Schug JOhn B. Brautigam 480.	THEODORE M. WILLIAMSON vs. DIANE WILLIAMSON Filed May 18, 1990 @ 3:13 p.m. Tax & entry Paid $50.50 Pro Co pd 8-22-90 9.00 State pd 8-22-90 10.00	COMPLAINT IN DIVORCE 1 copy (atty) May 23, 1990 Acceptance of Service filed. I accept service of the Complaint filed in the above action . Diane Williamson Aug. 22, 1990 Affidavit of Consent of Plaintiff filed. Aug. 22, 1990 Affidavit of Consent of Defendant filed. Aug. 22, 1990 Upon Praecipe of Plaintiff's Attorney for Review Under Section 201(c) of the Divorce Code , this case moved to court. Aug. 30, 1990 **D E C R E E A N D O R D E R F I L E D** And Now, the 30th day of August, 1990, it is ordered and decreed that Theodore M. Williamsson, Plaintiff and Diane Williamson, Defendant, are divorced from the bonds of matrimony. By The Court: Gordon R. Miller, J

1990

Ferguson & Spataro
Douglas W. Ferguson

481.

Emil Spadafore Jr.

DAVID E. PERRY

vs.

DORIS A PERRY

Filed May 18, 1990
@ 3:34 p.m.

Tax & entry Paid	$50.50
Pro Co. pd 8/16/90	9.00
State pd 8/16/90	10.00

COMPLAINT UNDER SECTION201(d) OF THE DIVORCE CODE

: 1 copy (atty)

May 18, 1990, Plaintiff's Affidavit Under Section 201(d) of the Divorce Code filed. 1 copy (atty)

May 30, 1990 Affidavit of Service filed: I, the undersigned, being duly sworn according to law, depose and say that I served a true and correct copy of the Complaint in Divorce certified by the Prothonotary of Crawford County, Pennsylvania on the above named Defendant by certified mail, addressee only, return receipt requested, dated May 22, 1990. The Defendant acknowledged service on May 24, 1990, by accepting delivery on that date as evidenced by the attached signed return receipt.

FERGUSON & SPATARO
Douglas W. Ferguson, Esq.
Attorney for Plaintiff

June 7, 1990 Counter-Affidavit Under Section 201(d) of the Divorce Code,of Defendant filed.

July 20, 1990 Motion To Schedule Hearing and Order filed. AND NOW, this 20th day of July, 1990, upon consideration of the foregoing Motion a hearing in regard to the Defendant's Counter-affidavit pursuant to section 201(d) of the Divorce Code of 1980 is scheduled for Aug. 8, 1990 9:00 AM

BY THE COURT,
P. Richard Thomas, J

July 24, 1990 Copies of order put in Douglas Ferguson and Emil Spadafore's box.

Aug. 13, 1990 Order filed. AND NOW, August 10th, 1990, after hearing regarding the Defendant Wife's Counter-Affidavit to a divorce under 23 Pa. C.S.A., section 201(d), the Defendant avers thattthe marriage is not irretrievably broken and requests the Court to order three counseling sessions.

We find from the weight of the evidence that the marriage is irretrievably broken and there is not prospect of reconsicilaiton, and we believe such counseling if ordered would only prove futile and an unnecessary delay. Accordingly, we deny defendant's request for counseling.

BY ORDER OF THE COURT,
P. Richard Thomas, P.J.

Aug. 14, 1990 Copies of order put in Douglas Ferguson and Emil Spadafore's box.

Aug. 16, 1990 Praecipe by Plaintiffs' Attorney to Transmit Record- Section 201(d)of the Divorce Code to Court filed.

Aug. 23, 1990 DIVORCE DECREE FILED.

AND NOW, August 22, 1990, it is ordered and decreed that DAVID E. PERRY,plaintiff, and DORIS A. PERRY, defendant, are divorced from the bonds of matrimony.

BY THE COURT,
GORDON R. MILLER, P.J.

1990

Ferguson & Spataro
Douglas W. Ferguson

482.

Thomas, Truax,
Spadafore, Vardaro &
Walker,
R. Charles Thomas

CHERYL A. LOJEK

vs.

JACKIE L. LOJEK

Filed May 18, 1990
@ 3:35 p.m.

Tax & entry Paid	$50.50
2 counts paid	30.00
State paid 7/28/92	10.00
Pro Co. pd 7/28/92	9.00

of the Divorce Code filed.

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION, COUNSEL FEES, COSTS, AND EXPENSES

1 copy (atty)

May 30, 1990 Affidavit of Service filed:
I, the undersigned, being duly sworn according to law, depose and say that I served a true and correct copy of the Complaint in Divorce certified by the Prothonotary of Crawford County, Pennsylvania on the above named Defendant by certified mail, addressee only, return receipt requested, dated May 22, 1990. The Defendants acknowledged service on May 24, 1990, by accepting delivery on that date as evidenced by the attached signed return receipt.

FERGUSON & SPATARO
Douglas W. Ferguson, Esq.
Attorney for Plaintiff

June 28, 1990 Appearance of Thomas, Truax, Spadafore, Vardaro & Walker by R. Charles Thomas for defendant filed.

June 19, 1991, Plaintiff's Affidavit Under Section 201(d)

June 19, 1991, notice of Intention to Request Entry of Divorce Decree filed.

June 19, 1991, Affidavit of Service of above Affidavit and Notice filed.

Oct. 2, 1991 Petition For Birufcation and ORDER filed. AN DNOW, this 2nd day of October, 1991 hearing on the Plaintiff's Petition for Bifurcation is set for the 30th day of October, 1991 at 3:00 o'clock, P.M., in Courtroom 1 or 2, of the Crawford Co. Courthouse, Meadville, PA.

By The Court,
Gordon R. Miller, J.

Oct. 3, 1991 Copy of Order to Attys. Douglas Ferguson and R. Charles Thomas.

Nov. 1, 1991 ORDER, filed. AND NOW, Oct. 30, 1991 the matter is before the Court ona petition for bifurcation filed by the Plaintiff wife. Counsel for the Defendant appears and brief testimony is taken from the wife advising that her husband called her Oct. 29th advising that he did not intend to contest a bifurcation of the divorce, but wished to litigate the equitable distribution of martial property and assets in this action.

Accordingly, on or before Nov. 15, 1991 the Plaintiff will fiel the requisite inventory in accordance with the Rules. Upon filing the same, the Court will entertain a further motion to grant a abifurcated divorce and it is the Court's understanding that a copy of the same will not have to be served on counsel for the Defendant and that there would be no opposition to the Court's granting of a bifurcated divorce but reserving the equitible distribution issue.

The Court is anxious that the collateral equitable distribution not lie dormant in this case, and accordingly directs that the Defendant will file an answer to the Plaintiff's inventory and list any additional claimed marital assets within 15 days of the time the Plaintiff files her inventory.

BY ORDER OF THE COURT,
P. Richard Thomas, S.J.

Nov. 8, 1991 copies in boxes for Attys. Ferguson & Thomas.

July 24, 1992 Affidavit of Consent of Plaintiff, filed.

July 28, 1992 Affidavit of Consent of defendant filed.

July 28, 1992 Upon Praecipe of Defendant attorney for Reveiw Under §201 (c) of Divorce Code this case moved to court.

STIPULATION AND FINAL DECREE FILED.

July 31, 1992 FINAL DECREE filed. AND NOW, this 3 day of August, 1992, it is ordered and decreed that CHERYL A. LOJEK, Plaintiff, and JACKIE L. LOJEK, Defendant, are divorced from the bonds of matrimony.

IT IS FURTHER ORDERED AND DECREED AS FOLLOWS:

EQUITABLE DISTRIBUTION - REAL ESTATE

1. The Defendant is awarded all that certain piece or parcel of land located in East Mead Township, Crawford Co., PA. and more specifically described in a certain Deed from Lloyd A. Frye and Sally M. Frye, his wife, to Jackie Lojek, Unmarried, dated the 6th day of July, 1978 and recorded in the Office of the Recorder of Deeds of Crawford Co. in Deed Book 516, Page 1044. The Plaintiff shall, within five (5) days after the entry of this Decree in Divorce, deliver a Quit Claim Deed to the Defendant conveying to the Defendant all of her right, title and interest in the aforesaid real estate.

EQUITABLE DISTRIBUTION - TANGIBLE PERSONAL PROPERTY

2. The Defendant is awarded all tangible personal property presently located in the former marital residence at RD # 1, Townline Road, East Mead Township, Crawford Co., PA.

3. The Plaintiff is awarded all tangible personal property that she presently has in her possession at her residence at 1005B-202, Berkshire Dr., Meadville, PA. and which tangible personal property was formerly located at the marital residence at RD # 1, Townline Rd., East Mead Township, Crawford Co. PA.

4. The Plaintiff is awarded a certain 1982 Cutlass motor vehicle.

5. The Defendant is awarded a certain 1978 Chevrolet Pickup Truck.

6. The Defendant is awarded a 1964 Chevrolet Corvette motor vehicle.

EQUITABLE DISTRIBUTION - INTANGIBLE PERSONAL PROPERTY

7. The Plaintiff is awarded cash in the amount of Eight Thousand Dollars ($8,000.00), which amount shall be paid in the following manner: $5,000.00 shall be paid in cash within five (5) days of the date of the filing and entry of this Decree in Divorce and the balance of $3,000.00 to be paid within one year after the filing and entry of this Decree in Divorce shall be non-interest bearing provided, however, that in the event that said sum is not paid within the time herein specified then in that event the Plaintiff is awarded interest on the aforesaid $3,000.00 payable at the rate of 9% per annum computed and payable monthly.

CONTINUED ON PAGE 482(a).....

1990

482
(a)

CHERYL A. LOJEK

VS.

JACKIE L. LOJEK

RECORD CONTINUED FROM PAGE 482

OF

AD 1990 - 482

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8. The Defendnat is awarded any and all pension plan benefits and/or retirement benefits that may be available to him by reason of his employment in the roofing industry and as a member of Roofers Local Union 210, Erie, Pennsylvania.

MISCELLANEOUS

9. The Plaintiff shall be responsible for payment of her counsel fees and costs incurred by her in connection with the filing of this divorce action.

10. The Defendant shall be responsible for payment of counsel fees and costs incurred by the Defendant in connection with the defense of this divorce action.

11. That neither the Plaintiff nor the Defendant shall make any further claims against the other party hereto except for the enforcement of the rights and responsibilities set forth in this Divorce Decree and except for the rights and responsibilities relative to the support and maintenance of the minor children born of the marraige of the Plaintiff and the Defendant.

BY THE COURT,
Anthony J. Vardaro, J.

Feb.2, 1994 Petition for Contempt and ORDER filed. AND NOW, this 2 day of February, 1994, upon presentation of the foregoing Petition, it is hereby Ordered and Decreed that a Rule to Show Cause isplaced upon the defendant, Jackie L. Lojek, to show cause, if any he should have, why he should not be held in contempt of the Court's Order of August 3, 1992, for nonpayment of the $3,000.00 plus interest awarded pursuant to paragraph seven of the Court's final decree. Returnable for hearing February 25, 1994 at 11 AM in Ct. Rm 1 or 2. Notice of this hearing and a copy of this Petition shall be served upon the Defendant through attorney, R. Charles Thomas, Esquire, by leaving a copy of the same for him at his box in the Prothonotary's Office of the Crawford County Courthouse. In addition, the Defendnt, Jackie L. Lojek shall be served by regular mail at his last know address by the Plaintiff's counsel.

BY THE COURT:
Anthony J. Vardaro, J.

2-4-94 Copy of Order to Attys.Ferguson & Thomas

Feb. 23, 1994 MOtion toCancel Hearing and ORDER filed. AND NOW, this 23 day of February, 1994, the within Motion is granted and the hearing in the above-captioned matter has been canceled.

BY THE COURT:
Anthony J.Vardaro, J.

2-28-94 Copy of Order to Attys. Ferguson & Thomas

1990

Bettie J. Peterson-Muth

483.

MARCI MALLIARD

vs.

RANDY P. MALLIARD

Filed May 18, 1990
@ 4:25 p.m.

Tax & entry Paid	$50.50
Pro Co pd 7/17/91	9.00
State pd 7/17/91	10.00

COMPLAINT IN DIVORCE

1 copy (atty)

July 16, 1991 Affidavit of Service By Mail filed. Bettie J. Peterson-Muth, Esquire, being duly sworn according to law, deposes and says that sh eis the attorney for the plaintiff, Marci Malliard and that she did mail a true and correct copy of the Complaint in Divorce filed in the abov ematter, by certified mail, return receipt requested, deliver to addressee only, to the defendnat, Randy P. Malliard, on August 8, 1991, at his last known address, R.D. #1, Meadville, Crawford County Pennsylvania 16335. The signed receipt is attached hereto as Exhibit "A'. Bettie J. Peterson-Muth

July 16, 1991 Affidavit of Consent of Plaintiff filed.

July 16, 1991 Affidavit of Consent of Defendant filed.

July 16, 1991 Upon praecipe of Plaintiff Attorney To Transmit Record, this case moved to court.

July 24, 1991 MEMORANDUM filed. This case has been reviewed pursuant to a praecipe for review filed by the Plaintiff on July 16, 1991. The file is returned to the Prothonotary for further proceedings consistent with this memorandum. The Court will review this matter further upon the filing of another praecipe for review after the further proceedings have been completed.

The complaint was filed on May 18, 1990. Service of the Defendant was made on or about August 13, 1990. That is not proper. Service of the complaint more than thirty days after filing was invalid and does not give the Court jurisdiction over the defendant in a divorce case.

Pa. R.C.P. 401(a) mandates that original process shall be served within thirty (30) days after the filing of the complaint if service is to be made within the Commonwealth. Beyond that the complaint becomes stale, not dead, and must be reinstated before it may be properly served. See Pa. R.C.P. 401(a); 401(b) (1); Lauterbach vs. Lauterbach, 202 Pa. Super 260, 195 A.2d 159 (1963); Blose v. Blose, 21 D & C 2d 186 (1960); O'Shall v. O'Shall, 22 D & C 2nd 158 (1960).

By The Court,
Gordon R. Miller, P.J.

July 24, 1991 Copy of Order to Atty. Bettie j. Peterson-Muth.

Aug. 8, 1991 Complaint reissued.

Sept. 6, 1991 Affidavit of Service filed. Personally appeared before me, a Notary Public in and for the said Commonwealth of County, at Meadville, Pennsylvania, Bettie J. Peterson-Muth an attorney admitted to practive in the Commonwealth of Pennsylvania, who being duly sworn according to law deposes and says that she served a true and correct copy of the Reissued Complaint in Divorce kupon the defendant, RAndy P. Malliard, personally at 5:30 p.m. on September 5, 1991, at said Attorney's place of business, star Route 27, Meadville, Pennsylvania by reading the same to him and making known the contents of same and leaving said true and correct copy withihim. Bettie J. Peterson-Muth

Sept. 6, 1991 Upon praecipe of Plaintiff Attorney To Transmit REcord, this case moved to Court.

Sept. 18, 1991 **DIVORCE DECREE FILED.**

AND NOW, September 16, 1991, itis hereby ordered, adjudged and decreed that the marriage heretofore existing between

MARCI MALLIARD and RANDY P. MALLIARD

is hereby dissolved and the parties are hereby divorced and all legal duties, rights and claims ofeither ofthe parties tothe other in pursuance of said marriage are hereby terminated.

BY ORDEROF THE COURT,
Gordon R. Miller, J

1990

Fuller, Kinnunen,
Petruso & Gamble
Gary A. Fabian

484.

MARY E. BOBAN AND ARNOLD M. BOBAN, HER HUSBAND

vs.

CHARLES A. NIGH

Filed May 18, 1990
@ 4:25 p.m.

Tax & entry Paid	$50.50
Sheriff's Costs	29.32
Pro Co pd 10/18/90	6.00

SUMMONS IN A CIVIL ACTION

Issued (sheriff)

June 14, 1990 Sheriff's REturn filed. SERVED Charles Nigh personally on May 24, 1990 at 1:19 PM at Sheriff's Office, Crawford County Courthouse, Meadville, PA.
So answers, Catherine I. Allen, Deputy Sheriff
Howard N. Stewart, Sheriff

Oct. 17, 1990 Upon praecipe of Plaintiff Attorney the above-captioned matter is marked settled and discontinued of record.

1990

James M. Lemieux

485.

Ferguson & Spataro
John F. Spataro

THE ANDERSONS MANAGEMENT CORP.
P.O. Box 119
Maumee, Ohio 43537

vs.

FRANK URBANICK
R. D. #2 box 289
Linesville, Pa. 16424

Filed May 21, 1990
@ 11:13 a.m.

Tax & entry paid	$50.50
sheriffs costs	41.68
Pro.Co.pd 8/6/92	5.00

COMPLAINT FOR MONEY

1 copy (sheriff)

May 21, 1990, Motion Pro Hoc Vice filed. (1 copy -atty)

May 21, 1990 ORDER filed. The aforegoing Motion Pro Hoc Vice filed by James M. Lemieux, Esq. having been submitted, read and considered, and for good cause shown, it is hereby
ORDERED that James M. Lemieux may enter his appearance pro hoc vice as counsel for the plaintiff in the instant action.
Date: May 21, 1990 P. Richard Thomas, Judge
(1 copy-atty)

June 1, 1990 Defendant's Preliminary Objections To Plaintiffs Complaint filed.

June 27, 1990 Answer amd New Matter filed.

July 2, 1990, Sheriffs Return filed. SERVED Frank Urbanick personally on May 23, 1990 at 3:00 p.m. at his residence, R. D. #2, Box 289, Linesville, Pa. County of Crawford.
SERVED Frank Urbanick, personally on April 18, 1990, at 11:30 a.m. at his residence R. d. #2, Box 289, Linesville, Pa. County of Crawford.
So answers, Robert M. Stevens, Dep. sheriff
Howard N. Stewart, Sheriff

July 23, 1990 Answer to New Matter filed.

Jan. 14, 1991 Motion For Production Of Documents PUrsuant To Rule 4009 filed.

Jan. 14, 1991 Notice To Plead filed.

Apr. 17, 1991, Motion for Sanctions filed.

Apr. 17, 1991 Notice to Plead filed.

Apr. 30, 1991, Re: Plaintiff's Motion for Sanctions - ORDER filed. And Now, this 29 day of April 1991, upon the plaintiff's Motion for Sanctions for failure to the defendant to produce certain enumerated documents as set forth in its Motin for the Production of Documents, we hereby set argument on May 10, 1991 at 9:30 a.m. in C. R. No. 1, 2, or 3.
Submission of briefs will not be required for the argument.
BY ORDER OF THE COURT,
P. R. Thomas,
S. J.
Apr. 30, 1991, copy put in box for Atty. Spataro and copy mailed to J. Lemieux.

May 10, 1991 ORDER filed. AND NOW, May 10, 1991 after argument, and it appearing that the Defendant prepared and served on February 6, 1991 a response to the Plaintiff's motion for production of documents, the original of which does not appear to be in the records of the case, and it further appearing that the motion for production of documents is broader than the requisites of the case, the following order is entered:
1. The Defendant shall file of record his response to Plaintiff's motion for production of documents.
2. The Defendant shall produce for the Plaintiff any record he has of the production from his farm for the calendar year 1988, and any elevator weigh slips or settlement sheets for the sale of soybean or oats raised during the crop year 1988.
All other requests for production are denied.
By Order Of The Court,
Robert L. Walker, S.J.
May 10, 1991 Copy put in Atty. John Spataro's box. Copy mailed to Atty. James Lemieux.

May 14, 1991 Response To Plaintiff's Motion For Production Of Documents filed.

Mar. 18, 1992, Praecipe for Issuanc eof Subpoena to Alltel Telephone Company filed.

May 11, 1992 Notice of Submission of Answers To Interrogatories, Request For Production Of Documents And REquests For Admissions filed.

May 22, 1992 NOTICE TO TAKE DEPOSITION DUCES TECUM OF ALLTEL TELEPHONE COMPANY FILED.

July 30 1992 MEMORANDUM OF COURT filed. (Gordon R. Miller, P.J.)
July 30, 1992, copies to Attys. Lemieux and J. Spataro, attys.

Aug. 6, 1992 Upon Praecipe of Plaintiff's attorney, James M.Lemieux, the above number and term is discontinued without prejudice, and costs to plaintiff.
Certificate of Service filed. The undersigned hereby certifies that a copy of the foregoing Discontinuance was mailed via regular U.S. Mail this 4th day of August, 1992 to John F. Spataro, Esq., 283 Walnut St., Meadville, PA 16335.
James M.Lemieux,Attorney for Plaintiff

Kathleen R. Nelson

486.

MARY J. MACK

vs.

JOSEPH P. MACK

Filed May 21, 1990
@ 1:34 p.m.

Tax & entry Paid	$50.50
1 count paid	15.00
Pro Co pd 6/20/91	9.00
State pd 6/20/91	10.00

COMPLAINT UNDER SECTION 201(d) OF DIVORCE CODE, CUSTODY

1 copy (atty)

June 11, 1990 Affidavit Of Service filed. KATHLEEN R. NELSON, Esquire, duly sworn according to law, deposes and says that the following facts in support of her Affidavit of Service are true and correct to the best of her knowledge, information and belief:
1. That the Affiant is the Attorney for the Plaintiff in the above-captioned action.
2/ That a true and correct copy of the Complaint in Divorce and Notice were sent by registered mail to the DEfendant, JOSEPH P. MACK, on May 30, 1990.
3. The registered mail eas sent to Joseph P. Mack, 4606 Kirkland Avenue, Springhill, FL 34606. The sender's receipt is attached hereto.
4. That the defendant received said registered mail on June 2, 1990. Said Return Receipt card P 076 254 184 is attached hereto, signed by Darrell O'Berry, agent for the defendant, and made a part hereof. Kathleen R.Nelson

Aug. 29, 1990 Motion For Appointment Of Custody Mediator and Order filed. AND NOW, 8/29/, 1990, John Fuller is hereby appointed Child Custody Mediator in the above-captioned matter.
P R Thomas, SJ
1 copy atty; 1 copy mediator

Aug. 29, 1990 Order Of Court filed. YOU, JOSEPH P. MACK, have been sued in Court to obtain custody of the children, KELLY LYNN MACK, AARON PATRICK MACK, and BRIAN JOSEPH MACK.
You are ordered to appear in person at the time and place selected by John Fuller, Custody Mediator.
If you fail to appear as provided by this Order, an Order for custody, partial custody, or visitation may be entered against you, or the Court may issue a warrant for your arrest.
YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.
CRAWFORD COUNTY BAR ASSOCIATION
c/o Prothonotary's Office
Crawford County Courthouse
Meadville, PA 16335
Telephone: (814) 724-4636

Dated: 8/29/90

BY THE COURT,
P R Thomas, SJ

Nov. 5, 1990 Order filed. AND NOW, November 1, 1990, after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS:
I. Legal custody of Aaron Patrick Mack and Brian Joseph Mack shall be shared between their mother, Mary J. Mack, and their father, Joseph P. Mack, that is, each parent shall be entitled to full access to school records, medical records and other important records and each parent shall be entitled to tak ein important decisions affecting the two children such as their education, religious instructoin and medical treatment.
II. Physical custody of Aaron Patrick Mack shall be with his father, Joseph P. Mack, subject to the provision that the child is encouraged to visit his mother, Mary J. Mack, whenever reasonably possible and to otherwise remain in contact with her by correspondence and telephone calls.
III. Physical custody of Brian Joseph Mack shall be shared as follows:
A. Brian Josesph Mach shall remain in the custody of his father in Florida from the date of the mediation conference, October 26, 1990 until January 1, 1991. On or before January 1, 1991 Brian Joseph Mack will be returned to the custody of his mother in Crawford County, Pennsylvania and remain in her custody until July 1, 1991. On or before July 1, 1991, Brian Joseph Mack shall be returned to the custody of his father in Florida and remain there, unless the parties agree otherwise until January 1, 1992, at which time he shall be returned to the custody of his mother.
The parties shall continue to alternate having the child in their custody every six months thereafter in the same manner as provided above, unless they agree otherwise, or until further order of Court.
The cost of transporting Brian to and from Pennsylvania shall be equally divided between the parties
B. Neither mother nor father shall say or do anything in an attempt to turn the children against the other parent, bu ton the other hand shall do everything in the power of each to foster a favorable and loving attitude on the part of the children towards both parents.
C. Neither mother nor father shall expose the children to any person or situation which may be harmful to the children's health or well being.
D. Both parents agree to inform the other immediately of any illness or injury regarding one or both of the children and both aprents agree to furnish the other with a current telephone number.
III. This order is a temporary order but shall become a permanent order unless exceptions thereto are filed by either party within thirty (30) days of the date hereof.
IV. Cost of the mediation conference shall be paid by Crawford County.
Gordon R. Miller, J

Nov. 7, 1990 Copies of order put in Kathleen Nelson and John Fuller's box.

Mar. 5, 1991, Plaintiff's Affidavit Under Section 201(d) of the Divorce Code filed.

Mar. 6, 1991 Affidavit of Service filed. KATHLEEN R. NELSON, ESQUIRE, being duly sworn according to law, deposes and says that the following facts in support of her Affidavit of Service are true and correct to the best of her knowledge information and belief:
1. That the Affiant is the Attorney for the Plaintiff in the above-captioned action.
2. That a true and correct copy of the Plaintiff's affidavit and Notice were sent by registered mail to the Defendant, Joseph P. Mack, on February 21, 1991.
3. The registered mail was sent to Joseph P. Mack a 224 Fort Dade Avenue, Brooksville, FL 34601. The sender's receipt is attached hereto.
4. That the defendant received said registered mail on February 25, 1991. Said Return Receipt care P 269 402 228 is attached hereto, signed by Joseph P. Mack and made a part hereof. Kathleen Nelson

April 10, 1991 Affidavit of Service of Notice of Intention to Request Entry of Divorce Decree and Defendant's Counter-Affidavit filed.

June 17, 1991 Upon praecipe of Plaintiff Attorney For Review Under §201(d) of the Divorce Code, this case moved to court.

6-7-02- See Computer for further entries.

July 1, 1991
DIVORCE DECREE FILED.

And Now, June 26, 991, it is ordered and decreed that MARY J. MACK, pl aintiff, and JOSEPH P. MACK, defendant are divorced form the bonds of matrimony.
BY THE COURT,
P. Richard Thomas

1990

Mahany, Roeder &
Rothschild
Tamara Ochs Rothschild

487.

FRANCES L. REESE

vs.

THEODORE W. REESE

Filed May 21, 1990
@ 1:51 p.m.

Tax & entry Paid	$50.50
1 count 5/25/90	15.00
Pro Co pd 9/6/90	9.00
State pd 9/6/90	10.00

COMPLAINT IN DIVORCE, AND EQUITABLE DISTRIBUTION

2 copies (atty)

May 25, 1990 Certificate Of Service Of Divorce Complaint filed. On May 24, 1990, I mailed a certified copy of a Divorce Complaint in the above captioned matter by Certified Mail No. P 899 145 453 Return Receipt Requested, Restricted Delivery, postage prepaid, to the Defendnat, Theodore W. Reese, addressed as follows: Mr. Theodore W. Reese, 138½ Diamond Street, Titusville, PA 16354. The receipt for Certified Mail is attached hereto and marked "Exhibit A".

I make this statement pursuant to 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities and understand that false statements may subject me to criminal penalties under that statute. Tamera Ochs Rothschild

May 31, 1990 Affidavit Of Return Of Service By Mail filed. On May 24, 1990, I mailed a true copy of the Divorce Complaint in the above captioned matter by Certified Mail No. P 899 145 453 Restricted delivery to the Defnednat, Theodore W. Reese, Defnedant signed a return receipt upon delivery May 29, 1990. The receipt attached hereto and marked as "Exhibit A" was returned by the post office on May 30, 1990.

I make these statements pursuant to 18 Pa.C.S. Sec. 4904 relating to unsworn falsification to authorities and understnad that false statements may subject me to criminal penalties under that statute. Tamera Ochs Rothschild

Aug. 31, 1990 Affidavit Of Consent of Defendant filed.

Aug. 31, 1990 Affidavit Of Consent of Plaintiff filed.

Aug. 31, 1990 Upon praecipe of Plaintiff Attorney Count II requesting equitable distribution of the marital property, is marked settled and discontinued of record.

Aug. 31, 1990 Upon praecipe of Plaintiff Attorney To Transmit Record, this case moved to court.

Sept. 19, 1990 **D I V O R C E D E C R E E F I L E D .**

AND NOW, this 19th day of September, 1990, it is ORDERED, ADJUDGED AND DECREED that Frances L. Reese, Plaintiff, and Theodore W. Reese, defendant, are divorced from the bonds of matrimony. No claims have been raised by the parties to this action for which a final order has not yet been entered.

BY THE COURT,
Gorodn R. Miller, J

1990

John F. Spataro
Ferguson & Spataro

488.

Watts, Pepicelli
Youngs and Youngs
Theodore H. Watts

ANTHONY F. SABRUNO

vs.

RITA A. SABRUNO

Filed May 21, 1990
@ 3:18 p.m.

Tax & entry Paid	$50.50
1 count pd. 10/8/90	15.00
State paid 10/8/90	5.00
John Petruso Master Pro.Co. pd 10/20/92	9.00

COMPLAINT IN DIVORCE

1 copy (atty)

Aug. 10, 1990 Request For Counseling Pursuant To 23 P.S. §§201 and 202, and Pa.R.C.P. 1920.45 and Order filed. IT is hereby ordered and decreed that the present divorce proceedings are continued until such time as the above-named parties have attached at least three counseling sessions.
It is further ordered and decree dthat if the parties have not reconciled within the time perios required by 23 P.S. §§ 201 and 202 that the above entitled action shall proceed accordingly.
8/9/90 By the Court,
P. Richard Thomas, J

Aug. 14, 1990 Copies of order put in John Spataro and Ted Watts box.

Oct. 5, 1990, Amendment to Complaint in Divorce, Adding Equitable Distribution, filed.

Oct. 5, 1990, Inventory and Appraisement of Anthony F. Sabruno filed.

Oct. 5, 1990, Income and Expense Statement of Anthony F. Sabruno filed.

Oct. 5, 1990 Motion For Appointment Of Master In Divorce filed.

Oct. 10, 1990 Order filed. This matter is presented to the Court for appointment of a Master, but we cannot do so at this time as the record is deficient. The Complaint in Divorce was filed May 31, 1990, and th eonly g rounds alleged for the divorce is that the marriage is irretrievably broken. No answer to this allegation was filed, and neither party has filed the requisite 201(c) or 201(d) affidavits. We note that a prerequisite for the granting of the divorce under each of the aforesaid sections (23 P.S. 201(c), 201(d)) requires said affidavit be filed.
The matter is presented to the Court for the appointment of a Master merely alleging an irretrievably breakdown of marriage and requesting that the Master only adjudicate the equitable distribu tion of property.
We decline to appoint a Master in this case, as a recommeded equitable distribution of marital assets would be nullity untilsuch time as the record is in a position for the Court or a Master to also litigate the issue of divorce.
Accordingly, we return the Motion for Appointment of a Master to the Prothonotary's Office until such time as the record is in a position to have either the Court or the Master determine whether a divorce is appropriate before determing an appropriate equitable distribution of marital assets.
Date: October 9, 1990 BY ORDER OF THE COURT,
P. Richard Thomas, S.J.

Oct. 10, 1990 Copies of order put in John Spataro and Theodore Watt's box.

Nov. 30, 1990 Petition For Exclusive Possession Of Marital Residence and Order filed. AND NOW, this 30 day of November, 1990, upon presentation of the foregoing Petition for Exclusive Possession of Marital Residence, a Rule is issued upon the Plaintiff to appear and show cause, if any, why the relief requested should not be granted.
The said Rule shall be returnable and a hearing held thereon Dec. 18, 1990, at 3:30 o'clock p.m. Courtroom , Crawford County Courthouse, Meadville, Pennsylvania 16335.
BY THE COURT,
P. richard Thomas, S.J.

Nov. 30, 1990 Copies of order put in John Spataro and Theodore Watt's box.

Dec. 28, 1990 Motion For Entry of Consent Order and Order filed. AND NOW, this 28 day of December, 1990, upon consideration of the within Consent Court Order, the same is hereby entered as an order of this Court. BY THE COURT,
P. Richard Thomas, S.J.

Jan. 2, 1991 Copies of order put in John Spataro and Theodore watts' box.

Apr. 10, 1992 Plaintiff's Affidavit Unde rSection 201(d) of the Divorce Code filed.

Apr. 10, 1992 Affidavit of Cosnent of Plaintiff filed.

May 12, 1992 Motion for Appointment of Master in Divorce and Order filed. ORDER: AND NOW, May 12, 1992, John D. Petruso, Esq. is appointed Master in respect to the following claims: Equitable Distribution.
Depost required: By Plaintiff $400 By Defendant $350
If not filed already the parties are ordered to file their pretrial statements within thirty (30) days from this date. PER CURIAM,
Gordon R. Miller, P.J.
May 18, 1992 copy in box for J. Spataro, T. Watts & J. Petruso

July 28, 1992 ACCEPTANCE OF SERVICE CERTIFICATE filed. AND NOW, this 23rd day of May, 1990, comes the undersigned, RITA A. SABRUNO, who hereby accepts service of the Complaint in Divorce which was filed on May 21, 1990 in the above matter.

Aug. 3, 1992 MOTION FOR BIFURCATION AND ENFORCEMENT OF SETTLEMENT AGREEMENT and ORDER filed. ORDER: And now, Aug. 3, 1992, hearing is set for Sept. 3, 1992, at 9:00 a.m. in Courtroom 1 or 2. FOR THE COURT,
Imogene Yetman, Crt. Adm.
Aug 6, 1992 copy in box for J. Spataro & T. Watts

Aug. 31, 1992 Motion to Continue and Order filed. AND NOW, this 31st day of August, 1992, upon presentation and consideration of the foregoing MOtion to Continue, said hearing is continued to September ?, 1992, at 1:30 o'clock p.m. in Courtroom 1 or 2.
BY THE COURT,
Gordon R. Miller, J.
Aug. 31, 1992 Copy of the order to: Attys. Spataro, Watts & Petruso.

Continued of Record to Page 488 A

Anthony F. Sabruno
vs.
Rita A. Sabruno

Continued from Page 488
of
A.D. 1990 - 488

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Oct. 20, 1992 Affidavit of Consent of Rita A. Sabruno, Defendant, filed.
Oct. 20, 1992 Upon Praecipe of Plaintiff Attorney to transmit record, case moved to Court.

D I V O R C E D E C R E E F I L E D

Oct. 26, 1992 AND NOW, this 26th day of Oct., 1992, the grounds for the above case having been approved and the Affidavits of Consent having been filed by both paraties, the Court, by virtue of the authority vested in it by law, decrees that Anthony F. Sabruno and Rita A. Sabruno are hereby divorded from the bonds of matrimony, and all the duty, rights, and claims accorded to either of the said parties at any time heretofore and pursuance of said marriage shall henceforth cease and determine, and the said parties shall severally be at liberty to marry again as if they had never been married.

It is further ORDERED, ADJUDGED AND DECREED pursuant to PA R.C.P. 1920.1, et seq. and Act 26-1980, 23 P.S. #1 et seq., "the Divorce Code", that the terms, provisions and conditions of a certain property settlement agreement between the parties dated Sept. 3, 1992 and attached to this Decree and Order as Exhibit "A" is hereby incorporated into this Decree and Order by reference as if the same were set forth herein at length. Said Agreement shall not merge with but shall survive this Decree and Order.

Specifically, it is ORDERED, ADJUDGED AND DECREED in keeping with the said Agreement that this Order shall serve as a Qualified Domestic Relations Order with regard to the division of the pension and annuity benefits of Anthony F. Sabruno as follows:

1. Rita A. Sabruno shall be entitled to receive one-half of the retirement benefits due to Anthony F. Sabruno, SSN 271-30-6431, under the District of Columbia Police Officers and Fire Fighters Retirement System. In accordance with District of Columbia Act 7-289 "the District of Columbia Spouse Equity Act of 1988" as amended by Senate Bill S-1880.

It is the specific intention of this Court that Rita A. Sabruno shall be paid Fifty Percent (50%) of Anthony F. Sabruno's monthly annuity due to him under the aforesaid pension plan.

2. It is further ORDERED, ADJUDGED AND DECREED that Rita A. Sabruno is hereby awarded survivor annuity benefits under the Pension Plan of Anthony F. Sabruno. Rita A. Sabruno is hereby awarded a "former spouse annuity" which annuity shall be payable to the said Rita A. SAbruno upon the death of Anthony F. Sabruno.

3. It is hereby further ORDERED, ADJUDGED AND DECREED that any payments due to Rita A. Sabruno, either as retirement benefits or as survivor annuity benefits shall be paid directly to Rita A. Sabruno by the DC Office of Personnel, Benefits Administration Division or such other appropriate District of Columbia governmental administrative agency.

4. Anthony F. Sabruno is hereby directed to notify the District of Columbia, Office of Personnel, Benefits Administration Division in writing of his election that Rita A. Sabruno shall receive a former spouse annuity as his divorced spouse. This letter of notification shall be sent to the above Office of Personnel by regular mail not later than thirty (30) days from the date of this Order.

BY THE COURT,
Gordon R. Miller, J.

1990

Barbara J. Walton
~~David W. Pickens~~
Ferguson & Spataro
~~John F. Spataro withdrawn~~

489.

Stephen Hall
Joan D. Mason

as of 1/24/91
~~Brian J. Lindsay~~
withdrawn

HELEN M. TWILLA

vs.

CARL G. TWILLA

Filed May 21, 1990
@ 3:19 p.m.

Tax & entry Paid	$50.50
4 counts paid	60.00
John Fuller, Mediator	180.00
Pro to Pd 9/7/90	9.00
Pro.Co. Pd 9/21/94	5.00
Appeal pd 10/4/94	30.00
State Pd 10/4/94	5.00
Appeal pd. 8/16/95	30.00
State Pd 8/16/95	5.00
Pro Co pd 10-10-95	30.00
State pd 10-10-95	5.00
Pro Co pd 4-1-97	30.00
State pd 4-1-97	5.00
Kathleen Nelson-Mediator	
Pro to Pd 1-7-98	

9/5/90 Recd. $120.00 from Defendant.
9/7/90 Recd. $60.00 from Plaintiff
Recd Oct 2, 1990 $120.00 Vivian Stalty
Recd 10-2-90 $60.00 Vivian Stalty
10/4/90 Recd $150.00 from Plaintiff
3/12/91 Paid $130.00 To James I. McClearey Steno. File #6037
8/15/91 Recd $50.00 from plff.
9/9/91 Recd $942.34 from Defendant
9/25/91 Paid $1062.34 To Emil Spadafore, Jr. Partial Master Fee 426.20
10-5-92 Recieved from deft. mediation Fee 100.00
10-12-92 Pd Comm Med Fee Ck#7106 $100.00
11-17-97 Rec'd from dft Med Fee 200.00
1-7-98 Pd Dft Refund #11538 $92.83
1-7-98 Pd Co #11537 108.87
2-26-98 Rec'd from Plff 108.87
2-27-98 Pd Co Med #11702 108.87

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION, CUSTODY, ALIMONY, ALIMONY PENDENTE LITE, COSTS, COUNSEL FEES & EXPENSES

1 copy (atty)

May 23, 1990 Motion For Referral Of Child Custody Matters To Mediator and Order filed. AND NOW, this 23 day of May, 1990, upon consideration of the within Motion, John Fuller is here by appointed the child Custody Mediator. The parties shall arrange to attend any and all conferences schedule by the Mediator and, if requested by the Mediator, they shall bring the children with them.

Pending the mediation conference to be scheduled by the Child Custody Mediator, the parties shall abide by the terms and conditions of a certain separation agreement entered into between them on or about May 15, 1990. Insofar as said agrement does not relate specifically to who is to have custody of the children during periods of time when either of the parties are out of town or otherwise overnight and unable to care for the children, the court interprets the agreement and so orders that the care and custody of the children shall be with the parent who remains at his or her home during periods of time when th eother parent is out of town and unable to care for the children.

BY THE COURT,
P. Richard Thomas, J

1 copy atty; 1 copy mediator

May 23, 1990 Motion Requesting Heairng on Matters Relating To Alimony Pendente LIte, Counsel Fees and Court Costs and Order filed. AND NOW, this 23 day of May, 1990, upon consideration of the within Motion, a hearing is scheduled thereon for the 28 day of June, 1990, at 1:30 o'clock, p.m., in Courtroom No. 2, Crawford County Courthouse, Meadville, Pennsylvania.

BY THE COURT,
P. Richard Thomas J

Gov

May 24, 1990 Copies of order put in John Sparato and Stephen Hall's box.

May 25, 1990 Affidavit of Service filed: I, James Withers, Constable, the undersigned being duly sworn according to law, depose and say that I served a true and correct copy of the Complaint in Divorce filed by the plaintiff and certified by the Prothonotary of Crawford County, Pennsylvania, by personal service by handing said copy to the above named Defendant at his address, 57 Jackson Avenue, Meadville, Pennsylvania, on May 21, 1990 at 3:48 o'clock p.m.

James Withers, Constable

June 29, 1990, Inventory and Appraisement of Helen M. Twilla and Carl G. Twilla filed.

JUly 20, 1990, MEMORANDUM AND ORDER filed. ORDER: AND NOW, July 19, 1990, the plaintiffs request for counsel fees and expenses is denied and her petiton for alimony pendente lite is granted.

The defendant shall pay the sum of $200.00 per month to the plaintiff as alimony pendente lite for three (3) months, to-wit: July, August and September of 1990. Said payments shall be mad made on or before the last day of each month commencing with July 31, 1990.

This order is without prejudice to the plaintiff to request additional sums of alimony pendente lite before the court or the Master at a later date. This court and the Master have the continuing right to award additional sums of alimony pendente lite as is appropriate under the circumstances and law.

BY THE COURT,
Gordon R. Miller, J.

July 20, 1990, copies put in attys. box.

JUly 20, 1990, Exhibits filed. (in folder)

July 26, 1990 Motion for Appointment of Master in Divorce and Order filed: And now, July 30, 1990, Emil Spadafore, Esquire is appointed Master in respect to the following claims:

Divorce, Alimony, Alimony Pendente Lite, Distribution, Counsel Fees, Costs and Expenses except as already disposed of by our order of July 19, 1990.

Deposit required: By Plaintiff $-- 150.00 ; By Defendant $ $350.00.

PER CURIAM,
Gordon R. Miller, Judge

July 30, 1990 Copies of order put in Stephen Hall and John Spataro's boxes.

Aug 9, 1990 Rule entered upon Plaintiff to File Bill of Particulars issued.

Aug 15, 1990 Comtempt Petition and Order filed: AND NOW, this 15 day of August, 1990, upon consideration of the within Petition for Contempt, a hearing is scheduled thereon for the 24 day of August, 1990, in Courtroom No. 2, Crawford County Courthouse, Meadville, Pennsylvania, at 11:00 o'clock a.m.

BY THE COURT,
Gordon R. Miller, J.

Aug 15, 1990 Copies of order put in Attys Spataro, Hall and Mason's boxes.

Aug 15, 1990 Motion for Special Relief and Order filed: AND NOW, this 15th day of August 1990, upon consideration of the within Motion, a hearing is scheduled thereon for the 24th day of August, 1990, in Courtroom No. 2, Crawford County Courthouse, Meadville, Pennsylvania at 11:00 o'clock, A.M.

BY THE COURT, Gordon R. Miller, J

Aug 15, 1990 Copies of order put in Attys. Spataro, Hall and Mason's boxes.

Continued on page 591.....

1990

Mary Ann Kirkpatrick

490.

JANIS E. TIDD

vs.

JERRY D. TIDD

Filed May 22, 1990
@ 10:42 a.m.

Tax & entry Pd 6/13/90	$50.50	
Sheriff's Costs	21.00	
Pro Co Pd 6/13/90	9.00	

Received from Deft 6-13-90 80.50

Paid Howard N. Stewart, Sheriff #21.00 check #5689

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies sheriff
1 copy plaintiff

ORDER:

And now, this 22 day of May, 1990, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Plaintiff shall have exclusive use of marital home together with her children until further order of court.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for May 29 1990, at 2:00 P.M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
P. Richard Thomas, J

May 22, 1990 Sheriff's Return filed. SERVED Jerry D. Tidd personally on May 22, 1990 at 2:05 PM at his residence, R.D. #7, Box 293, Oakgrove Avenue, Meadville, Crawford County, PA. So answers,

Robert M. Steven, Deputy Sheriff
Edgar D. Householder, Chief Deputy
Howard N. Stewart, Sheriff

June 4, 1990 Order filed. AND NOW, May 29, 1990, the matter comes before the Court for an Abuse hearing. The Defendnat could be sentenced to the entry of a protective Order without the necessity of the Plaintiff proving the allegation of abuse. It appears the wife has moved from the marital residence and taken her possessions and there is no dispute regarding ownership of the property that the Plaintiff removed. The P laintiff requests additional car keys and the Defendant volunteers to surrender the same to her this date. Accordingly, the Defendant is directed not to threaten or abuse or go to the residence of the Pl a intiff for any purpose nor will he arrange for other persons to do so on his behalf. This Order shall remain in full force and effect for a period of one year.

Any police officer having reasonable grounds to believe that the provisions of this Order have been violated may immediately apprehend the Defendnat, confine him in the Crawford County Jail, and notify the Court to schudel an immediate contempt hearing.

The Defendant is directed to pay costs in this case within ten (10) days of the submission of a bill for the smae to him by the Prothonotary's Office at his address at R.D. 7, Box 293, Oak Grove aVenue, Meadville, Pennsylvania.

BY ORDER OF THE COURT,
P. Richard Thomas, P.J.

June 8, 1990 Copies of order put in Gerald Sullivan and County Control's box and copy mailed to Dft.

Aug. 17, 1990 Contempt Petition and Order filed.ORDER: And Now, August 17, 1990, Hearing on Plaintiff's Petition for Contempt is scheduled for August 31, 1990, at 3:30 P.M. in Courtroom #1 or # 2 of the Crawford County Courthouse at Meadville, Pennsylvania. Service of the Petition and Order shall be made on the defendant bypersonal service or certified mail, return receipt requested, delivery restricted to addressee.

By The Court,
Gordon R. Miller, J.

Aug. 22, 1990 copies of order to Gerald Sullivan, County Control's box , Mary Ann Kirkpatrick and copy mailed to defendant.

Sept. 6, 1990 Order filed. AND NOW, August 31, 1990, the matter is before the Court on a contempt citation. It appears there have been no direct assaults upon the plaintiff/wife by the husband since entry of the Order of May 29, 1990, but her complaint is that he is annoying and harassing her at various drinking establishments and in favious other places and it attempting to write romantic letters to her and effect a reconciliation. The Court does not believe it can hold the defendant in contempt at this time becuase the Order hereto fore entered was not sufficiently broad.

The Court notes at this time that it is the posture of the p laintiff in this case that she does not wish to reconcile with the derfnedant, that she does not wish him to have contact with her for any reason, that she does not wish him to come to any place where she is and that she doe snot wish to associate with him in any fashion or receive any communication from him.

ACCORDINGLY, the Order heretofore entered is amended as follows:

In order to prevent any abuse or threats of abuse, the defendant is directed not to contact his wife directly or indirectely in any fashion. If the wife happens by circumstance to end up at the same place as his wife, it shall be the obligation of the defendant to promptly remove himself without any communications whatsoever with his wife. The defendant may not go to any place, knowingly seeking out his wife. The defendant may not go to the residence of the wife nor park his car near the residence of the wife. The defendant may not frequent establishments in the hope if finding hiw wife in said establishment.

The Wife is cautioned that nay violation of this Order, combined withthe conduct the Court heard this day, will undoubtedly result in a furthe rocntempt citation and an appropriate punishment.

BY ORDER OF THE COURT,
P. Richard Thomas, J

Sept. 11, 1990 Copies of order put in Mary Ann Kirkpatrick, William Walker and County Control's box.

Continued on page 490A

Janis E. Tidd

vs.

Jerry D. Tidd

record continued from page 490

of record

A.D. 1990 - 490

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Oct. 3. 1990 Affidavit of Service filed. And Now, Oct., 1990, comes Jeremy A. Vitaro being duly sworn according to law, deposes and sets forth as follows:

1. That he is th elegal secretary of Attorney for Janis E. tidd, Plaintiff in the above-captioned matter.

2. That on information furnished him by the Pl aintiff, he caused a certified copy of the Complaint in Divorce and of the Contempt Petittion to be forwarded by Certified Mail, P 320 785 125; post-marked August 17, 1990, to the last known address of the defendant, Jerry D. Tidd, R.D. #7, Box 293, Meadville, PA 16335.

3. That the Defendant, Jerry d. tidd, on August 21, 1990, personally signed the return receipt card which was affixed to the Complaint and to the Petition in the above matter and which is attached hereto.

4. Service of the complaint and of the Petitition against defendant is therefore effected in accordance with Pennsylvania Rules of Civil Procedure. Jeremy A. Vitaro

July 15, 1991 Motion to Suspend Order and Order filed: AND NOW, July 15, 1991, the Protection from Abuse Order originally entered on May 29, 1990, expired one year from that date. The Protection from Abuse - Contempt - Order dated August 31, 1990, does not state a duration. Both Orders are hereby suspended and shall not be enforced.

P. Richard Thomas, S.J.

July 16, 1991 Copies of order put in Attys. Sullivan, Kirkpatrick and Walker's boxes and copy given to Co. Control.

490
B

1990

1990

Quinn,Gent,Buseck&Leemhuis,Inc.
Lawrence C. Bolla

Thomas, Truax,
Spadafore, Vardaro
& Walker
Emil m. Spadafore Jr.

491.

MARINE BANK

vs.

BARBARA B. JOHNSON

Filed May 22, 1990
@ 11:20 a.m.

Tax & entry Paid	$50.50
Pro Co Pd 9/27/90	9.00
Exemp. of Record pd.	10.00

COMPLAINT

June 28, 1990 Affidavit Of Service filed. Debra Mattocks, being duly sworn according to law, deposes an dsays that she is the secretary to Emil M. Spadafore, Jr., Esquire, Attorney for Petitioners in this action and certifies that on June 21, 1990 she delivered to the Post Office in Meadville, PA for delivery to Barbara B. Johnson at 531 DeNarvaez, Longboat Key, FL 34228 by certified mail, return receipt requested, delivery restricted to addressee only, a true and correct copy of the Complaint in this matter for which deponent received at the time receipt for certified article no. P 063 588 785 which is attached hereto as Exhibit "A". Thereafter on June 23, 1990 it was returned to Emil M. Spadafore, Jr., Esquire return receipt card bearing the same number and signed by Barbara Johnson and return receipt card being attached hereto as Exhibit "B". Debra Mattocks

And Now, Sept. 26, 1990, at 2:33 p.m., upon praecipe of plaintiff attorney, and with default notice attached, Judgment is hereby entered in favor of the palintiff and against the defendant in the amount of Eight Thousand Eight Hundred Seventy Nine and 50/100 together with interest at rate of 13.25% per annum from May 11, 1990, for failure to file timely answer.
Judgment entered
9/26/90
J - 216

Debt --------$8,879.50
Int. at 13.25% per annum
JUDGMENT
James F. Simmons,
Prothonotary

Oct. 8, 1991 Appearance of Quinn, Gent, Buseck and Leemhuis, Inc. By Lawrence C. Bolla attorney for plaintiff filed.

Reversed & AD1992-227

1990

Allen & Hall
Stephen E. Hall
Paul E. Allen

492.

Phillips & Galanter
Cary Valyo

BARBARA LEHENY and Michael P. Leheny, her husband
vs.
~~TIM SHEPPARD, AND~~
SUE ANN MILLER

Filed May 22, 1990
@ 11:30 a.m.

Tax & entry Paid	$50.25
Arb. pd 8/31/90	15.00
Pro Co. pd. 5/7/91	5.00

APPEAL OF DEFENDANTS FROM JUDGMENT OF WILLIAM D. CHISHOLM, MAGISTERIAL DISTRICT 30 - 2- 1

May 22, 1990 Rule entered upon plaintiff to file complaint issued.

May 24, 1990, Proof of Service filed.

May 31, 1990 Verification of Service filed.

June 15, 1990 Motion To Amend Caption Of Action and Order filed. AND NOW, June 15, 1990, upon consideration of the foregoing Motion the same is granted and the caption is hereby amended in the same form as indicated on the attached complaint and the Prothonotary is hereby directed to accept said complaint for filing in this action. P. Richard Thomas, J
June 19, 1990 Copy of order put in Stephen Hall's box and copy mailed to Cary Valyo

June 15, 1990 Complaint filed.

July 24, 1990 Answer to Complaint and New Matter filed.

Aug. 23, 1990 Reply To New Matter filed.

Aug. 31, 1990, Upon praecipe of plaintiff attorney, for reference to the arbitrators, the following arbitrators are appointed: Douglas W. Ferguson, Esq.
~~Ann Hansen Gamble~~ Betti Peterson Muth
Brian J. Lindsay

Sept. 10, 1990 Arbitrators take qualifying oath.

Nov. 19, 1990, Notice of Arbitrator's Hearing filed.

Dec. 24, 1990 Motion to Consolidate and Order filed: Dec 24, 1990 Motion Granted.
P. Richard Thomas, SJ
(Consolidated with AD 1990-705)
Dec 27, 1990 Copies of order mailed to Atty. Valyo and put in Atty. Hall's box.

Jan. 7, 1991, Notice of Intention to Offer Documents Pursuant to Rule 1305, Pa. R.C.P., filed.

Jan. 21, 1991, Upon praecipe of Ann Hansen Gamble, arbitrator, appointment withdrawn; Betti Peterson Muth substituted.

Feb. 1, 1991, Decision of Arbitrators filed in which they find in favor of the plaintiff and against the defendant in the sum of $1,216.35 plus costs of suite. $1,216.35 represents 75% of the plaintiffs' claim. The board finds as a fact the defendant was 75% negligent and the plaintiff, Barbara J. Leheny 25%.
Decision entered - 2/1/91 DECISION OF ARBITRATORS
M - 151 James F. Simmons,
Prothonotary
Feb. 4, 1991, copy put in box for Atty Hall; copy mailed to Atty. Southward.

May 3, 1991 Upon Praecipe of Plaintiffs attorney, the above-captioned case marked settled and discontinued.

1990

Jorden & White
Harry Faber White II

493.

RICHARD GALLAGHER AND
TINA GALLAGHER

vs.

GARY BILICH, TRADING AS
BILICH'S TAVERN

Filed May 22, 1990
@ 3:55 p.m.

Tax & entry Paid $50.50 ✓

Pro co Pd 7-9-90 5.00 ✓

SUMMONS IN CIVIL ACTION

Issued (sheriff)

July 9, 1990 Upon Praecipe of Plaintiff's Attorney, this case is marked discontinued of record.

Jan. 3, 1990 Writ REturn filed. Summons returned 1-3-91 to Prothonotary. No service instructions or costs received by Sheriff's Office.
So answers, Howard N. Stewart, Sheriff

1990

Fuller, Kinnunen, Petruso, & Gamble
John D. Petruso

494.

IN RE:
PRIVATE SALE OF TAX CLAIM LAND, A PARCEL CONSISTING OF A LOT AND BUILDING SITUATE IN FIRST WARD, MEADVILLE, CRAWFORD COUNTY, PENNSYLVANIA CRAWFORD COUNTY ASSESSMENT NO. 3300-027-70021

Filed May 23, 1990
@ 9:40 a.m.

Tax & entry Paid $50.50

PETITION TO DISAPPROVE PROPOSED SALE OF COUNTY LANDS

3 copies (atty)

ORDER:

AND NOW, this 23 day of May 1990, upon presentation of the within petition a rule is granted upon the director of the Crawford County Tax Claim bureau and upon Pero Electric, Angelo Pero, owner of R. D. #5, Box 106, Meadville, Pa. 16335, to show cause, if any they shaould have, why the proposed private sale of property assessed to Michael J. Guttadauria for the sum of $1,000.00 should not be set aside.

Returnable for hearing on the 25 day of june 1990, at 3:30 p.m. at the Crawford CountyCourthosue, Courtroom No. 1 or 2.

It is further ordered and directed that if the petition is granted, all parties appearing at suc h time shall be prepared to bid on the aforesaid property in an immediate auction to be oncducted by the Crawford County Tax Claim Bureau director with the aforesaid property to sell for not less than a sum to be set by this court. Pursuant to the provisions fo 72 p.S. §5860.613(a).

A true and correct copy of this order shall be served upon the director of the Crawford County Tax Claim Bureau by regular mail and upon Pero Electric, Angelo Pero, Owner, of R. D. #5, Box 106, Meadville, Pa. 16335 by certified mail.

BY THE COURT,
P. Richard Thomas, J.

June 1, 1990 Affidavit of Service filed.John D. Petruso, after first being duly sworn according to law, deposes and says that he is the attorney for Ralph J. Merenda and that pursuant to order of court dated May 23, 1990, he served a true and correct copy of the petition and rule filed in the within matter by certified mail upon Angelo Pero, owner of Pero Electric, at RD # 5, Box 106, Meadville, PA 16335 as evidenced by certified mail receipt attached hereto showing date of delivery of May 25, 1990; that he further served a true and correct copy of the within petition and rule by regular mail upon Frederic Wagner, Director, Tax Claim Bureau, Crawford County Courthouse, Meadville, PA 16335 and upon Michael J. Guttadauria, 1230 East Hand, Phoenix, Arizona, 85018.

John D. Petruso, Atty.

June 28, 1990 ORDER filed. AND NOW, June 25, 1990, at the time scheduled for public sale of the real estate described in County Assessment No. 3300-027-70021, being a vacant lot in the First Ward of the City of Meadville, the Court establishes a value on said property of not less than $1,700.00.

The Court directed the County Treasurer to conduct an auction of the property and in open court the property was purchased by Ralph J. Merenda and Mary V. Merenda, 704 Pine St., Meadville, PA., for the sum of $2,700.00.

The Court DIRECTS the County Solicitor to prepare the necessary deed for transfer of said property to the aforesaid purchasers within ten (10) days and to deliver the same upon receipt of said sum.

The Court notes that prior to the sale the County Solicitor advised the bidders that there was a City Demolition Lien against the property of approximately $900.00, which will not be paid by the County from the proceeds of the sale but shall be the responsibility of the purchaser.

By Order Of The Court,
P. Richard Thomas, P.J.

June 29, 1990 Copy of Order to Attys. John D. Petruso and Anthony J. Vardaro.

1990

Jack, Kookogey & Felton
Robert J. Felton

495.

ANN C. GREATHOUSE

vs.

WILLIAM H. GREATHOUSE

Filed May 23, 1990
@ 10:36 a.m.

Tax & entry Paid	$50.50
Pro Co. Pd. 6-3-91	9.00
State pd.	10.00
Pro Co pd 6/13/91	5.00

COMPLAINT UNDER SECTION 201(c) OF THE DIVORCE CODE

1 copy (atty)

June 1, 1990 Affidavit Of Service filed. I, Robert J. Felton, Esquire, attorney at Law, 144 West Spring Street, Titusville, Pennsylvania, do hereby certify that, in my capacity as attorney for the plaintiff in the above-captioned matter, served a certified copy of the Divorce Complaint in this matter on Defendant, William H. Greathouse, by sending him the same by certified mail no. P-620 648 957, return receipt requested. A complaint was mailed to the defendant on May 25, 1990, and receipted for by a member of his residenced on as reflected in the receipt for mailing and the return receipt attached hereto.
Robert J. Felton

May 31, 1991 Affidavit of Consent of Plaintiff filed.

May 31, 1991 Affidavit of Consent of Defendant filed.

May31, 1991 Upon Praecipe of Plaintiff Attorney for Review under Section 201(c) of Divorce Code, this case moved to Court.

June 10, 1991 DIVORCE DECREE FILED.

DECREE: AND NOW, June 6, 1991 it is ordered and decreed that ANN C. GREATHOUSE, Plaintiff, and WILLIAM H. GREATHOUSE, defendant are divorced from the bonds of matrimony .
BY THE COURT,
P. Richard Thomas, Sen. Judge

June 13, 1991 Election To Resume Maiden Name filed. Ann C. Greathouse TO BE KNOWN AS: Ann C. Smith

1990

Mary Ann Kirkpatrick

496.

Eugene J. Brew
McClure & Miller

8/3/92 deposited 800.00 by plaintiff for Master's Hearing. 3-30-93 PA mailed files Ck#7444 135.00

3-93 Recieved from deft. 400.00 Masters fees

6-16-93 Recieved from deft $222.00 Masters fees

6-23-93 Pd Muth, Masters fees Ck#1622 128.00

Bal. $0

LAWRENCE SNIEZEK

vs.

JUDY KAY KRALJ SNIEZEK

Filed May 23, 1990
@ 11:42 a.m.

Tax & entry Paid $50.50
Service Costs 37.00
Pro Co Pd 6/24/91 ~~$5~~.00
Bettie Muth, Master

COMPLAINT IN DIVORCE

1 copy (atty)

May 23, 1990, Petition for Special Relief and Exclusive possession and Order filed. (1 copy - atty)
ORDER: AND NOW, May 23, 1990, hearing on Plaintiff's Petition for Special RElief is sc heduled for june 8, 1990, at 3:00 p.m. in Courtroom No. 1 or 2 of the Crawford CountyCourthouse, meadville, Pa.
By the Court,
P. Richard Thomas, J.

June 7, 1990 Affidavit Of Service filed. Jeffrey M. Tidd, being duly sworn according to law, deposes and sets forth as follows:
1. That he/she is a competent adult.
2. That on information furnished him, he cuased a certified copy of the Petition for Special Relief and Divorce Complaint in the above-matter to be served upon Judy K. Sniezek at 10:30 o'clock a.m., on 30 May 1990, at RD #1, Guys Mills, Crawford County, PA. (her residence)
3. That costs incured for this service were as follows:

a.) Service	$25.00
b.) Mileage	$12.00
Total	$37.00

4. Further Deponent Saith Not. Jeffrey M. Tidd

June 8, 1990, Counterclaim adding counts of Equitable Distribution, Alimony Pendente Lite, Counsel Fees and Expenses, and Alimony, filed.

June 8, 1990, Answer to Petition for Special relief and Exclusive Possession, filed.

June 8, 1990, Petition for Special Relief and Exclusive Possession filed.

July 24, 1990, MEMORANDUM AND ORDER filed. ORDER: AND NOW, July 24, 1990, exclusvie possession of the marital residence in Richmond Township, Crawford County, Pa. R. D. #1, Guys Mills, Pa. is awarded to the plaintiff, Lawrence Sniezek, effective immediately. The defendant is forbidden to go to the marital residence for nay purpose without a further order of court permitting her to go to that residence for cause shown.
BY THE COURT,
Robert L. Walker, S.J.
July 24, 1990 copies mailed to Atty. Brew, and box of Atty. Kirkpatrick.

July 24, 1990 Exhibit filed. (on inside cover of folder)

Jan 23, 1991 Petition for Special Relief filed.

Courts Not Paid Do Not Move To Court

Jan 23, 1991 Order filed: AND NOW, January 23, 1991, upon presentation of the Petition for Special Relief, Exclusive Possession of the parties' Corvette Automobile is given to Plaintiff, husband, pending further Order of Court. Hearing to determine whether Pl should remain in the exclusive possession of Auto set for Feb 1, 91 at 3 P.M.
By the Court,
P. R. Thomas, S.J.
Jan 23, 1991 Copies of order put in Atty Kirkpatrick's box and mailed to Atty Brew.

Feb. 1, 1991 ORDER filed. And Now, Feb. 1, 1991, at the time for hearing, counsel for Plaintiff advised the Court that the parties have reached an agreement and accordingly, it is hereby ORDERED:
1. Plaintiff shall have exclusive possession of the parties' Chevrolet Corvette automobile.
2. Defendant shall have exclusive possession of the parties' Arctic Cat snowmobile and John Deer snowmobile.
3. This order shall remain in full force and effect until changed by further order of court.
4. This order shall govern exclusive possession only and shall have no effect on equitable distribution of marital assets.
By the Court:
Gordon R. Miller, J.
Feb. 5, 1991 Copy of Order to Attys. Mary Ann Kirkpatrick and Eugene J. Brew.

Feb. 4, 1991, Motion for Sanctions and Order filed. ORDER: AND NOW, this 4 dayof Feb. 1991 Plaintiff is directed to file his Inventory and Appraisement, and Income and Expense Statements on or before 60 days after the date of this order.
Gordron R.Miller, J.
Feb. 7, 1991, copies of order to Attys. M. Kirkpatrick and E. Brew.

Feb. 4, 1991, Petition for Counsel Fees and Expenses and Order filed. ORDER: AND NOW, this 4 day of Feb. 1991, hearing is scheduled on the within Petition for Counsel Fees and Expenses for Mar. 8, 1991 at 9:30 a.m. C. R. No. 1 or 2. Gordon R. Miller, P.J.
Feb. 7, 1991 copies of order to Attys. M. Kirkpatrick and E. Brew.

Mar 4, 1991 Answer to Defendant's Petition for Counsel Fees and Expenses with New Matter filed.

Mar. 8, 1991 Motion to Reschedule Hearing and Order filed. And now, March 7, 1991, Hearing is rescheduled to April 22, 1991, at 2:30 o'clock p.m. in Courtroom number 1 or 2 of the Crawford County Courthouse, located in Meadville, Pennsylvania. For the Court:
Imogene Yetman, C.A.
Mar. 11, 1991 Copy of order put in Mary Ann Kirkpatrick's box and copy mailed to Eugene Brew
Mar. 12, 1991 Reply to New Matter filed.
Mar 13, 1991 Affidavit of Consent of Plaintiff filed.

RECORD CONTINUED ON PAGE 595.....

1990

Shafer, Swick Bailey, Irwin & Stack
Paul D. Shafer Jr.

497.

Bryan and Bryan
James s. Bryan
for Dave Thornton, dft.

Thomas, Truax, Spadafore, Vardaro & Walker,
William L. Walker
Gulf Stream Coach, Inc

MELVIN E. VACLAVIK

vs.

GULF STREAM COACH, INC. AND DAVE THORNTON d/b/a NORTH EAST MOTORS

Filed May 23, 1990
@ 11:45 a.m.

Tax & entry Paid $50.50
Sheriff's costs 53.10

COMPLAINT

2 copies (sheriff)

June 12, 1990 Sheriff's Return filed. Before me, the undersigned authority, personally appeared Geraldine Taylor, Deputy who being duly sworn according to alw, deposes and says that on the 1st day of June, 1990, at 3:10 p.m., he served Complaint at No. aD 1990-497, Crawford Co. PA., upon defendant Dave Thornton at North East Motors, 10650 West Main St., Erie Co., North East, PA. By making known the contents thereof to Dave Thornton and handing to and leaving with him the certified copy of the Complaint received from Crawford Co.

Geraldine Taylor, Deputy Sheriff
So answers,
Robert N. Michel, Sheriff
Erie Co., PA.

June 13, 1990, Preliminary Objection by way of Petition for Change of Venue, filed.

June 13, 1990, Upon praecipe of defendant attorney (Dave Thornton d/b/a North East Motors) preliminary objections placed on next argument list.

ON ARGUMENT LIST FOR JULY 1990

July 9, 1990 Preliminary Objections By Way Of Petition For Change Of Venue filed.

July 9, 1990 Upon praecipe of William Walker the Preliminary Objections are placed on the next available argument list.

1990 AUGUST ARGUMENT LIST.

July 18, 1990 Answer To Defendant, Gulf Stream Coach, INc's Petition For Change of Venue filed.

July 18, 1990 Answer To defnednat, DAve Thornton's, d/b/a North East Motors, Petition For Change of Venue filed.

July 25, 1990 Motion To Continue and Order filed. AND NOW, July 25, 1990, upon consideration of the foregoing Motion, the argument on Defendant Dave Thornton d/b/a North East MOtors' Petition For Change of Venue is continued until the August Argument List to afford the opportunity for the parties to file a stipulation of facts or to take depositions.

Per Curiam,
P. Richard Thomas, J

July 27, 1990 Copies of order put in Paul Shafer and William Walker's box and copy maile dto James Bryan

Aug. 6, 1990, RE: PETITION FOR CHANGE OF VENUE AND ORDER SETTING ARGUMENT DATE filed. And now, Aug. 2, 1990, argument inthe above matter is hereby set for Sept. 19, 1990 at 9:00 a.m in C. R. No. 2, of the Crawford County Court house, Meadville, Pa.

BY THE COURT,
Imogene Yetman, Ct. Adm.

Aug. 7, 1990, copies to Attys. shafer, Bryan and Walker.

Aug. 13, 1990 Notice Of Service Of First Demand For Admissions Made By David L. Thornton filed.

Sept. 12, 1990, Reply of defendant gulf Stream Coach, Inc. to New Matter filed.

Sept 19, 1990 First Demand for Admissions by David L. Thornton filed.

Sept 19, 1990 Answer to Request for Admissions by David L. Thornton filed.

Oct. 2, 1990 Order filed. And now, this 28 day of Sept., 1990, we sustain the Preliminary Objectons of the defendants determining that venue is improper in Crawford County as the case should have been brought in Erie County, Pennsylvania.

Accordingly, we transfer the case case to the common Pleas Court of Erie County, Pennsylvania, in accord with Rule of Civil Procedure 1006(3)(e) and direct the Prothonotary to effectuate said transfer and assess transfer costs to the Plaintiff.

The Court reserves the right to file a written opinion at a later time if it is deemed necessary to do so.

FOR THE COURT,
John Q. Stranahan, S.J.

Oct. 2, 1990 Copies of order put in Paul Shafer and William Walker's box and copy mailed to James Bryan

1990

Davis Reilly .
Richard J. Parks

498.

DANIEL R. KIGHTLINGER, JR.
AND KIMBERLYN KAY KIGHTLINGER

vs.

WILLIAM S. STININGER

Filed May 24, 1990
@ 8:45 a.m.

Tax & entry paid $9.50
Bal Pd 5/24/90 41.00

COMPLAINT IN CONFESSION OF JUDGMENT

And Now, May 24, 1990 at 8:45 a.m., pursuant to the authority contained in the Warrant of Attorney, the original or copy of which is attached to Complaint filed, in this action, I appear for the defendant and confess judgment in favor of the plaintiff against the defendant for possession of the real property subject to the agreement.

Judgment entered
5/24/90
S - 175

JUDGMENT
James F. Simmons,
Prothonotary

1990

Jack, Kookogey &
Felton
Robert J. Felton

499.

JOYCE E. EDWARDS

vs.

KENNETH E. EDWARDS, JR.

Filed May 24, 1990
@ 10:13 a.m.

Tax & entry paid	$50.50
3 counts paid	45.00
Pro Co. pd 5/7/91	9.00
State Surcharge pd.	10.00

COMPLAINT UNDER SECTION 201(c) OF THE DIVORCE CODE, EQUITABLE DISTRIBUTION, PERMANENT ALIMONY, ALIMONY PENDENTE LITE, COUNSEL FEES, AND COSTS

1 copy (atty)

June 25, 1990 Affidavit Of Service filed. I, Robert J. Felton, Esquire, ATtorney at Law, 144 West Spring, Titusville, Pennsylvania, do hereby certify that, in my capacity as attorney for the plaintiff in the above-captioned matter, served a certified copy of the Divorce Complaint in this matter on Defendant, Kenneth E. Edwards, Jr., by sending him the smae by certified mail No. P-620 648 956, return receipt requested. A complaint was mailed to the defendant on May 25, 1990, and receipted for by him on May 26, 1990, as reflected in the receipt for mailing and the return receipt attached hereto. Robert J. Felton

May 3, 1991 Affidavit of Consent of Plaintiff filed.

May 3, 1991 Affidavit of Consent of Defendant filed.

May 3, 1991 Upon Praecipe of Plaintiff attorney for Review under Section 201(c) of Divorce Code, this case moved to Court.

May 3, 1991 Motion For Withdrawal of Counts II, III and IV and Order filed. And now, May 9, 1991 Motion granted.
Gordon R. Miller, J

May 13, 1991 Copies of order to Robert Felton

May 9, 1991 **D I V O R C E D E C R E E F I L E D .**

AND NOW, May 9, 1991, it is ordered and decreed that Joyce E. Edwards, plaintiff, and Kenneth E. Edwards, Jr., defendant, are divorced from the bonds of matrimony.

BY THE COURT,
Gordon R. Miller, J

1990

Blystone &
Blystone
Peter Blystone

500.

PENNBANK, FORMERLY THE PENNSYLVANIA BANK AND TRUST COMPANY

vs.

GILBERT E. GRAY AND LINDA L GRAY, LADDIE O. WALKER AND HELEN R. WALKER

Filed May 24, 1990
@ 11:00 a.m.

Pro Simmons paid $15.00
Plff on orig $43.25
Sheriff's Costs 33.00
Sat. Pd 12/4/92 - $5.00

WRIT OF REVIVAL

Issued (sheriff).

Revival of Judgment indexed in favor of the plaintiff and against the defendants in the sum of Forty Two Thousand Nine Hundred Eighty Three and 49/100 Dollars, with interest form Dec. 12, 1985 at rate of 9% per annum.

Debt -------$ 42,983.49
Int from 12/12/85 @ 9%
G - 74, 104
W - 219, 81 -----REVIVAL OF JUDGMETN
James F. Simmons, Pro.

(Issued - sheriff)

June 15, 1990 Writ Return filed. SERVED Laddie O. Walker personally on June 1, 1990 at 1:54 Pm by handing copy of Writ of Revival to him at residence, R.D.#1, Rt. 77, Meadville, PA 16335 SERVED Helen R. Walker on June 1, 1990 at 1:55 PM by handing copy of Writ of Revival to Laddie O. Walker, her husband, at residence R.D.#1, Rt. 77, Meadville, PA 16335
So answers, Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

Dec. 4, 1992 This Judgment Satisfied.
(See Papers filed)

Crawford County

Pages

501

Thru

550

MISSING

1990

Patrick Humes

vs.

Susan Humes

Record continued from page 421

of record

AD 1990 -[illegible]421

****

Aug. 30, 1990 Motion for Technical Correction and Order filed.
ORDER: AND NOW, this 29th day of August, 1990, upon consideration of the foregoing motion, the same is hereby granted and paragraph four (4) of the temporary order of July 23, 1990, is hereby amended to read as follows:

4. Holiday visitation shall be arranged as follows:

The holidays are defined as New Year's Day, Easter, Memorial Day, Independenc e Day, Labor Day, Thanksgiving, Christmas Eve, Christmas, and Halloween. HOliday visitation shall take place from 9:00 a.m. until 8:00 p.m., except for Independence Day, when the visitation shall be extended to 11:00 p.m. so that the child may watch the fireworks. The father shall have visitation with his son on Labor Day, 1990, and the parties shall thereafter alternate the holidays.

By the Court,
P. Richard Thomas, J.

Aug. 31, 1990 Copies of order put in R. Charles Thomas, Douglas Ferguson and William Pinedo's box and copy mailed to plaintiff.

Laura E. Kuhn

vs.

Dave W. Kuhn

Record continued from page 45

of record

A.D. 1990 - 45

****

July 25, 1990 Sheriff's Return filed. SERVED Dave W. Kuhn personally on July 25, 1990 at 10:40 AM at his place of employment, U.S. Bronze, Rt. 19, Meadville, Crawford County, pA.
So answers,

Robert M. Stevens, Deputy Sheriff
Howard N. STewart, Sheriff

July 31, 1990 Answer Of Respondent filed.

Aug. 8, 1990 Order filed. AND NOW, August 3, 1990, the matter is before the Court on a contempt citation arising from an abuse Order previously entered January 19, 1990. It appears the parties separated on or about June 4,. 1990, and the Plaintiff/Wife is now interested in a hearing to hold the DEfendant in contempt for violations of the previous abuse Order occurring during the one or more times the parties reconciled after entry of the origianl abuse Order. The wife advises the Court that even if the Court found the Defnedna tin contempt by committing assaults upon her, she would not like the contempt punishment to be confinement in jail. The wife's primary thrust is to get stabilized a visitation arrangement with minor child Megan, 11 months, and to withhold from her husband any knowledge of her present whereabouts.

Accordingly, this Court finds no need to enter into a lengthy hearing to ascertain whether or not the existing abuse Order has been violated by the DEfendant. Hearing on this issue is continued until se tforth further hearing by the Court. The Defendant is cautioned that if there are further alleged violations of the original abuse Order, that the Court would not only consider the alleged new violations but also the violations set forth in this contempt petition in determining appropriate disposition and contempt punishment in the event the Court finds a violation of the Order.

It appears the Defendant?Father has now filed a petition for custody and visitation at A.D. 1990 -673 an dth ematter has been referred by Court Orde rto Custody Mediator John Fuller. Mr. Fuller has given counsel three possible dates and by agreement of counsel, this hearing before the Custody Mediator will be scheduled August 22, 1990 at the a.m. The Court DIRECTS theCustody Mediator to notify the aprties of the time of the hearing onthe 22nd through counsel.

In the meantime, The Defendant requests visitation with the minor child, but in view ofthe fact the mother now resides some 60 miles from the DEfendant's residence, transportation becomes a problem. Accordingly, the Court DIRECTS that on Sunday, August 5 and Sunday, August 19, the mother shall arrange for delivery of the child to the residence ofJessie and Norma Tracy, Box 334, Meadville - Harmonsburg, at 1:00 p.m. on said dates and will arrange to pick up the child at 9:00 p.m. on said dates for return to her custody. For said visits, it shall be the obligation of the father to return the child to the residence ofthe Tracys after the visit is completed for th emother oto pick up the child.

In this Order the Court does not indicate to the Custody Mediator that this present temporary arrangement should impact in any way onthe discretion ofthe custody Mediator.

It shall be a condition of this Order that neither parent shall take the child out of the jursidictionofthe Commonwealth of Pennsylvania

BY ORDER OF THE COURT,
P. Richard Thomas, J

Aug. 9, 1990 Copies of order put in Geral dSullivan, Emil Spadafore, County Control and John Fuller's box.

Aug 14, 1990 Order filed: AND NOW, August 13, 1990, at a hearing held pursuant to 35 P.S. 10190 after the Defendant was arrested by a police officer who apparently believed he had probable cause to believe the abuse Order had been violated, the Court is not convinced that the Defendant violated the Court Order on or about August 7, 1990, the incident for which he was arrested, since we are not satisfied that his actions arise to a level of abuse as that term is defined by this Act.

Accordingly, the Defendant is released from incarceration.

However, since there was an abuse Order entered January 19, 1990, a petition filed by the Plaintiff for contempt alleging that the Defendant had violated the Order of January 19, 1990 and Judge P. Richard Thomas of this Court did not determine whether or not there had been a violation by the Defendant after a hearing on August 3, 1990 we believe the issue of the Defendant's violation of the January 19, 1990 Order is still open. The Plaintiff desires to proceed on her petition for contempt. Accordingly, in order to give the Defendant a reasonable opportunity to know about the incidents complained of and to prepare a defense and after the Plaintiff's evidence and testimony was received this date, a further hearing on the contempt petition is continued until August 20, 1990 at 11:00 a.m. in Courtroom No. 2 of the Crawford County Courthouse, at which time this hearing will resume and all testimony and evidence will be received and the matter concluded.

In the meantime, the Defendant is reminded that the abuse Order of January 19, 1990 does continue in full force and effect except as modified with respect to visitations by the Order of August 3, 1990.

BY ORDER OF THE COURT,
Gordon R. Miller, PJ

Aug 16, 1990 Copies of order put in Attys Sullivan and Spadafore's boxes and copy to Co. Control.

Aug. 20, 1990 Upon Motion of Plaintiff's attorney for Dismissal of Contempt Proceedings filed.

Aug. 20, 1990 Order filed.(2 copies atty.) ORDER: AND NOW, this 20th day of August, 1990, upon consideration of the foregoing Motion, said Motion is granted and the contempt petition is hereby dismissed. The Protection from Abuse Order entered on January 19, 1990 remains in full force and effect. Costs, by agreement, shall be paid by defendant.

Gordon R. Miller.

June 14, 1991 Application for Return of Personal Property and order filed: AND NOW, this 14th day of June, 1991, upon consideration of the within Application and upon motion of counsel for the Defendant/Petitioner, Emil M. Spadafore, Jr., Esquire, a rule is hereby issued against the Commonwealth to show cause, if any, why the within petition should not be granted.

The above matter is set for hearing and argument on the 18th day of June, 1991, at the Crawford County Courthosue, Meadville, Pennsylvania, on Courtroom 1 or 2 at 1:00 o'clock p.m.

A true and correct copy of the within Application shall be served forthwith unpon the Office of the District Attorney and the Crawford County Sheriff's Department.

By the Court,
P. Richard Thomas, S. Judge

June 17, 1991 Copies of order put in Attys. Sullivan and Spadafore's boxes and copy to DA and Sheriff.

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1990

Laura E. Kuhn

vs.

Dave W. Kuhn

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June 19, 1991 **ORDER** filed. AND NOW, June 18, 1991, at the time set for hearing the Defendant David Kuhn, his attorney and the Defendant's wife, Laura Kuhn, appear in court. Counsel for the Defendant claims that when the petition was filed he gave a copy or offered a copy to the District Attorney's Office and they did not want any part of this matter since this was a matter of abuse problem.

At the time set for hearing, Mrs. Kuhn, Defendant's wife, said she has no objection to her husband receiving this gun back, that he has never threatened her with it at all.

Mr. Kuhn is then authorized to receive this gun, the Sheriff shall turn it back to him, but the gun shall be kept in a safe place in a cabinet which his father is about to give him and is to be kept away from the possible use by their young daughter who is now two (2) years old.

BY ORDER OF THE COURT,
James B. Dwyer, S.J.
Specially Presiding

June 19, 1991 copy given to Sheriff's Dept.
June 21, 1991 copy to Atty. Spadafore and County Control

Aug. 21, 1991 MOTION TO WITHDRAW and ORDER, filed. ORDER: AND NOW, this 21st day of Aug. 1991, upon presentation and consideration of the foregoing Motion, Gerald Sullivan, ESq., is hereby granted permission to withdraw.

BY THE COURT,
Gordon R. Miller, P.J.

2 copies Atty.

MARK GUANZON

VS.

Richard H. Crago et al

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Aug. 1, 1990 Notice of Service of INterrogatories Directed to Add'l Dft. Shawn Allen Fitzsimmons, (Second Set) filed.

Aug. 1, 1990 Notice of Service of Interrogatories to Plaintiff, Mark Guanzon (First Set) filed.

Aug. 1, 1990 Requests for Productionof Documents Directed to Defendant Richard H. Crago (First Set) filed.

Aug. 1, 1990 Notice of Service of Interrogatories Directed to Defendant Richard H. Crago (First Set) filed.

Aug. 1, 1990 Notice of Service of INterrogatories Directed to Defendant Richard H. Crago (Second Set) filed.

Aug. 1, 1990 Notice of Service of Interrogatories Directed to Defendant Lloyd NOblit (First Set) filed.

Aug. 1, 1990 Notice Of Service of Requests for Production of Documents Directed to defendant Lloyd Noblit (First Set) filed.

Aug. 1, 1990 Notice of Service of Interrogatories Directed to Additional Defendant Elk's BPOE #219 Lodge, (First Set) filed.

Aug. 1, 1990 Notice of Service of Interrogatories Directed to Additional Defendant Elk's BPOE #219 Lodge (Second Set) filed.

Aug. 1, 1990 Notice of Service of Request for Production of Docuemtns Directed to Additional Defendant Elk's BPOE #219 Lodge (First Set) filed.

Aug. 6, 1990, Upon praecipe of Attorneys for Additional Defendant West Mead Township Dist. 2 Volunteer Fire Department, writ to join additional defendants, reissued.

Aug 15, 1990 Complaint to Join Additional Defendant filed.

Aug 15, 1990 Answer, New Matter and New Matter Pursuant to Pa. R.C.P. 2252(d) filed.

August 20, 1990 Answer (Count I & Count II) filed. (5 copies attys)

Aug. 24, 1990 Complaint Of The Original Defendant, Richard H. Crago, Against The Additional Defendant, Shawn Allan Fitzsimmons filed.

Aug. 24, 1990 Complaint Of The Original Defendant, Richard H. Crago, Against The Additional Defendant, West Mead Township No. 2 Volunteer Fire Company and Relief Association filed.

Aug. 29, 1990, Upon praecipe of plaintiff, Rule to File Additional Defendants Complaint upon Defendant West Mead Township District No. 2 Volunteer Fire Complaint and RElief Association Issued. (2 copies to Atty. Pentz)

Aug. 28, 1990 Writ Return filed. SERVED Eagles' Club on August 7, 1990 at 3:30 PM by handing copy of Writt to James Casperson, Bowling Manager, person in charge at the time, at business, Water Street, Meadville, Crawford County, PA.
SERVED Elk's Club on August 7, 1990 at 3:10 PM by handing copy of Writ to Robert Little, Exhalter Ruler, and person in charge at the time, at business, Rt. 86, Meadville, Crawford County, PA.
So answers,
Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

Sept. 5, 1990 Reply Of Eagles To The New Matter Of Lloyd Noblit filed.

Sept 5, 1990 Service ofthe foregoing Rule is hereby accepted on 8/31/90 by Peter A. Pentz

Sept. 7, 1990 Answer and New Matter Of Additional Defendant, West Mead, To Defendant-Noblit's Complaint To Join Additional Defendants filed.

Sept. 7, 1990 Answer and New Matter Of Additional Defendant, West Mead, To Defendant-Crago's Complaint Against Additional Defendant filed.

Sept. 7, 1990 Answer and New Matter of Shawn Allen Fitzsimmons to Defendant Crago's Complaint filed.

Sept 11, 1990, Complaint of Additional Defendant, West Mead, Against Additional Defendant, Eagles Club, filed.

Sept. 11, 1990, Complaint of Additional Defendant West Mead, Against Additional Defendant, Elk's B.P.O.E. #219 Lodge, filed.

Sept 12, 1990, Reply to New Matter Pursuant to Pa. R.C.P. 2252(d) of Original Defendant Lloyd Noblit, filed.

Sept. 14, 1990, Additional Defendant West Mead's Reply to New Matter of Additional Defendant Fitzsimmons, filed.

Sept. 17, 1990 Reply Of Original Defendant Lloyd Noblit To New Matter Pursuant To Pa.R.C.P. 2252(d) of Shawn Allen Fitzsimmons Raid In Defendant Richard H. Crago's Complaint filed.

Sept. 19, 1990 Plaintiff's Reply To Defendant Lloyd Noblit's New Matter filed.

Sept. 26, 1990 Notice Of Service of Requests for Admissions filed by Eagles Club and Directe to All Parties filed.

Oct. 3, 1990, Answer and New Matter of Eagles Club to the Complaint of West Mead Township District No. 2 Volunteer Fire Company and Relief Association, filed.

Oct. 5, 1990 Additional Defendant, West Mead's, Reply To New Matter Of Additional Defendant, Eagles Club filed.

Continued on the next page

1990

Mark Guanzon

vs.

Richard H. Crago et al

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Oct. 9, 1990 Notice of Service Of Request For Production To Additional Defendant (First Set) To Elk's B.P.O.E. #219 Lodge filed.

Oct. 9, 1990 Notice of Service Of INterrogatories To Addition Defendant (First Set) To Elk's B.P.O.E. #219 Lodge filed.

Oct. 9, 1990 Notice of Service Of Request For Production To Defendant (First Set) To Shawn Allen Fitzsimmons filed.

Oct. 9, 1990 Notice of Service Of INterrogatories To Defendant (First Set) Shawn Allen Fitzsimmons filed.

Oct. 9, 1990 Notice of Service Of Request For Production To Additional Defendant (First Set) To Eagles Club, filed.

Oct. 9, 1990 Notice Of Service Of Interrogatories To Additional Defedant (First Set) To Eagles Club, filed.

Oct. 9, 1990 Notice Of Service Of Request For Production To defendant (First Set) To Richard H. Crago filed.

Oct. 9, 1990 Notice Of Service Of Request For Production To defendant (First Set) To Richard H. Crago filed.

Oct. 9, 1990 Notice Of Service of Interrogatories To defendant (First Set) To Richard H. Crago filed.

Oct. 9, 1990 Notice Of Service Of Request For Production To Plaintiff (First Set) filed.

Oct. 9, 1990 Notice Of Service Of Interrogatories To Plaintiff (First Set) filed.

Oct. 9, 1990 Notice Of Service Of Request For Production To Defendant, Lloyd Noblit, (First Set) filed.

Oct. 9, 1990 Notice Of Service Of INterrogatories To Defendant, Lloyd Noblit, (First Set) filed.

Oct. 17, 1990 Response To Requests For Admissions filed By Eagles Club and directed to All Parties filed.

Oct. 17, 1990 Reply To New Matter Pursuant To Pa. R.C.P. 2252(d) Of Additional Defendant Shawn Allen Fitzsimmons filed.

Oct. 17, 1990 Answer And New Matter To Complaint Of Additional Defendant, West Mead, Against Additional Defendant, Elk's B.P.O.E. #219 Lodge filed.

Oct. 22, 1990, Reply of Richard H. Crago to the New Matter of the Additional Defendant, West Mead Township District No. 2 Volunteer Fire Company and Relief Association filed.

Oct. 23 1990, Reply to New Matter Pursuant to Pa. R.C.P. 2252(d) of Additional Defendant Elk's Club, filed.

Oct. 23, 1990, Requests for Admissions filed by Eagles Club and Directed to All Parties filed.

Oct. 23, 1990, Reply of Original Defendant Lloyd Noblit to New Matter Pursuant to Pa. R.C.P. 2252(d) Contained in Answer and New Matter to Complaint oif Additional Defendant West Mead Against Additional defendant Elk's BPOE #219 Lodge, filed.

Oct. 23, 1990, Rep ly of Original Defendant Lloyd Noblit to New Matter of Additional Defendant, West Mead, filed.

Oct. 31, 1990 Plaintiff's Reply To The New Matter Of Additional Defendant Elk's BPOE #219 Lodge filed.

Feb. 24, 1992, Notice of Service of Requests for Admissions filed.

Feb. 24, 1992 Notice of Servcie of Supplemental Interrogatories Directed to Plaintiff filed.

May 20, 1992 Upon praecipe of Plaintiff attorney the above captioned case is marked settled and discontinued of record.

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1990

Donna M. Riggs
vs.
Ralph W. Riggs

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July 21, 1992 NOTICE TO THE DEFENDANT - AFFIDAVIT UNDER SECTION 3301(d) OF THE DIVORCE CODE, filed.

July 22, 1992 MOTION TO EXTEND ORDER FOR ALIMONY PENDENTE LITE, filed.

July 22, 1992 Order filed. ANDN OW, July 22, 1992, upon presentation and consideration of the Motion to Extend Order for Alimony Pendente LIte, a hearing on Plaintiff's requests is set for August 7, 1992 at 3:30 p.m. in Courtroom No. 2, Crawford County Court house, Meadville, Pennsylvania.
Gorodn R. Miller, J

July 24, 1992 Copies of order put in box of Pepicelli, Youngs & Youngs

August 7, 1992 Motion to Continue Hearing and ORDER filed. AND NOW, August 6, 1992, the foregoing Motion is granted.
BY THE COURT,
Anthony J. Vardaro, J.

Aug. 11, 1992 Copy of Order to Atty. Christopher Youngs, and Joan Mason.

Oct 13, 1992 Affidavit of Consent of Defendant, filed.

Oct 14, 1992 MOTION TO WITHDRAW ALL ANCILLARY CLAIMS and ORDER filed. ORDER: AND NOW, Oct. 14, 1992, the foregoing Motion is granted.
BY THE COURT,
Anthony J. Vardaro, J.

Oct 21, 1992 copy to C. Youngs, J. Mason

Oct 14, 1992 Upon praecipe of Plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Oct. 26, 1992 AND NOW, this 22 day of October, 1992, the court orders and decrees as follows:

1. DIVORCE:

Upon consideration of the pleadings and affidavits filed in the above-captioned case, this court hereby grants an absolute divorce from the bonds of matrimony to the above-named paraties, on the grouhs that the marraige is irretrievably broken and ninety (90) days have elapsed from the date of the filing of the complaint, and an affidavit has been filed by each of the parties, evidencing that each of the paraties consents to the divorce pursuant to Section 3301(c) of the PA. Divorce Code.

2. TANGIBLE PERSONAL PROPERTY:

Each party shall retain those items of personal property now in his or her possession.

3. CAMPGROUNDS:

The paraties previously owned Shangri-La Campgrounds in Jamestown, Pa., which was sold June 12, 1992, and the proceeds deposited in escrow. The parties hereto have agreed to distribution of the proceeds, in accordance with a separate document to be executed simultaneously herewith. Each party shall be responsible for any taxes or capital gains on his or her share of the proceeds, except that Ralph W. Riggs shall be responsible for paying any income tax on the income from the campgrounds, which he operated, since the time the parties separated in 1990. Defendant agrees that the Plaintiff shall not bve held responsible for any issues faced by the purchasers of the campgrounds, regarding the removal of storage trailers. The parties shall be equally responsible for any costs incurred to bring the two swimming pools at the campground into compliance with DER regulations, to allow transfer of the pool license from Ralph Riggs to the purchasers.

4. LIFE INSURANCE:

Defendant agrees to apply any proceeds of his Midland National Life Insurance Co. policy #1267122, currently with face value of $20,000.00, to be applied first to his funeral and burial expenses, with the balance to belong to his son Ralph W. Riggs, II, to be paid to his son directly if he has attained the age of twenty-three (23), and if not, to be paid to First National Bank of PA., Mercer Co., as trustee, until such time as his son is twenty-three (23) years of age.

5. WAIVER OF CLAIMS:

Neither party hereto shall make any claim against the other party hereto, except for enforcement of the rights and responsibilities set forth in this decree.

BY THE COURT,
Anthony J. Vardaro, J.

Lester E. Wright

vs.

Patricia L. Wright

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of record

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Nov. 19, 1990 Certificate of Service and Affidavit of Return of Service filed. On November 14, 1990, I served a true and correct copy of the Order and Petition for Additional Mediation to Modify Custody Order in the above captioned matter by personally hand-delivering same to Ann Hansen Gamble, Esq., counsel for the Defendant and authorized to accent same on Defendant's behalf. An acceptance of Service is attached hereto and marked "Exhibit A".

I make these statements pursuant to 18 Pa.C.S. Sec. 4904 relating to unsworn falsification to authorities and understand that false statements may subject me to criminal penalties under that statutue. Tamera Ochs Rothschild Tamera Ochs Rothschild

Dec. 28, 1990, Motion for Entry of Agreement and Order filed. ORDER: AND NOW, this 28th day of Dec. 1990, upon consideration of the foregoing Petition and AGreement for custody between the parties, it is ORDERED AND DECREED that:

1. the parties agree to discuss arrangements for physical custody of their natural born children, Christopher Jared and Melissa Blaire; and if the parties mutually agree to an alternative arrangement to accommodate themselves and the children's schedule, they may adjust the physical custody arrangement contained herein by their mutual consent and agreement.

2. The parties shall share legal custody of Christopher Jared and Melissa Blaire Wright. Shared legal custody shall entitle both of the parents to equal access to any records relating to the children held by a third party, including but not limited, to school and medical records, and shall entitle both parents to equal input with regard to the educational and religious upbringing of the childrne,as well as elective surgery.

3. patricia L. Wright shall continue to have primary physical custody of both minor children subject to Lester E. Wright's shared physical custody rights.

4. Lester E. Wright shal have physical custody of the minor children on a regular basis according to the following schedule:

A. Lester E. Wright shall be entitled to physical cusotdy of both minor children on alternating weekends to commence Jan. 20, 1990. A "weekend" shall be defined as Sat. at 9:00 a.m. through Sun. at 6:00 p.m.

1. It shall be the responsibility of the father to pick up and return the children or designate another responsible adult to do so.

2. If the father is unable to arrive by 9:00 a.m. Saturday, he agrees to notify the mother and make alternative arrangements.

3. If the father is unable to make arrangements to see the children on a scheduled weekend, he shal notify the mother by 9:00 a.m. the Wednesday preceding the scheduled weekend.

4. If the weekend custodial parent does not arrive within one hour of the specified time without prior notice and alternative arrangements having been made, he or she relinquishes visitation.

B. During the months of June, July and August, the father shall have the right to have the children at 12:00 p.m. the monday following the second Sun. of June, through 7:00 p.m. the Sat. preceding the second Sun. of August. It is expressly understood that Melissa shall be returned to the Mother's custody the evening before her attending church camp and band camp. The Father shall be permitted to resume custody of Melissa t the end of these designated weeks through the end of his summer visit.

C. It is expressly understood that the Mother shall have cusotdy of the children the second Sunday of June every year.

D. The major holidays are defined as: Easter; Memorial Day; Independence Day; Labor Day; Thanksgiving; Christmas; and New Years day.

1. Easter, Memorial Day, Independence Day, Labor Day and New Years Day shall be subject to alternating visitation. The holiday visitation for these holidays shall begina at 6;00 p.m. the day preceding the holiday and end at 7:00 p.m. on the holiday. The mother shall be entitled to physical custody of his children on Easter, 1991 and the parties shall thereafter alternate the periods.

2. The father shall be entitled to custody of the children each Thanksgiving from 2:00 p.m. through the following Sat. at 12:00 noon.

3. The father shall be entitled to custody of the children each year on Christmas Day at 2;00 p.m. through Dec. 28 at 7:00 p.m.

4. The privisions of this paragraph shall take precedence over the other provision of this agreement regarding the custodial and visitation periods.

5. In the year 1990, the father shall be entitled to custody of the children from 5;00 p.m. Dec. 25 through 5;00 p.m. Dec. 29.

6. The party having custody fo the children shall notify the other parent as soon as possible in the event of illness or injury requiring medical treatment.

7. Neither party shall take the children into any environment which might be commonly through of as detrimental to their development or the development of their character, or which would be commonly thought of as dangerous to their physical safety.

8. The parties will allow the children to develop the love and respect a child is entitled to have for a parent, Neither of the parents will do anything to blacken the character of the other parent in the eyes of the children.

9. This court order shall supercede the court order dated Fe. 2 1990 entered at Crawford County AD 1990 - 133.

BY THE COURT,
P. Richard Thomas, S.J.

Jan. 2, 1991, copies to A. Gamble and T. Rothschild attys.

ANN HUSON
VS.
MICHAEL F. McCORMICK

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Aug. 27, 1992 ORDER filed. AND NOW, Aug. 26, 1992, after mediation conference before John Fuller, Es., IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Jacob Tyler Huson shall be shared between the mother and the father, the plaintiff and defendant herein, that is, each parent shall be entitled to full access to school records, medical records and other important recordsa and that each parent shall be entitled to take part fully in important decisions affecting the child such as the education,medical treatment and religious instruction of the subject child.

II. Physical custody of Jacob Tyler Huson shall be with his mother, subject to the following conditions:

A. The father shall be entitled to visit and take the child into his custody one weekend in September and one weekend in Octobe of 1992, from 9:00 a.m. on Saturday to 4:00 p.m. on Sunday, beginning in September of 1992. The father shall give the mother at least 3 weeks notice of the weekend that he will exercise these visits.

B. Beginning in November of 1992, the father shall be entitlesd to visit and take the child into his custody for approximately one week each month. The father shall have the child in his custody from 12:00 noon on the second Saturday of each month until 12:00 noon on the third Sunday of each month.

C. Transportation of the child shall be divided as follows: the mother shall deliver the child to the father at 12:00 noon on the second Saturday of each month and the father shall deliver the child to the mother at 12:00 noon on the third Sunday. Change in custody shall take place at a mutually agreeabel place at or near State College, Pa.

D. Neither mother nor father shall say or do anything in an attempt to turn the child against the other parent, but on the other hand shall do everything in the power of each to foster a favorable and loving attitude on the part of the child towards both parents.

E. Neither mother nor father shall expose the child to any person or situation which may be harmful to the child's health or well being.

F. Both parents agree to inform the other immediately of any illness or injury regarding the child and both parents agre to furnish the other with a current telephone number.

III. This order is a temporary order but shall become a permanent order unless exceptions thereto are filed by either party within thirty days of the date hereof.

IV. Cost of the mediation conference will be equally divided between the parties. Anthony J. Vardaro, J.

Aug. 28, 1992 copy to K. Nelson, B. Walton, J. Fuller, Plf. & Dft.

Paul S. Sutton

vs.
Titusville Housing Authority
dft.

DeVore Construction, Inc. &
Larry Shipton Carpets
add; dfts

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of
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Sept 21, 1990, Plaintiff's Reply to New MaTTER filed.

Oct.2, 1990 Answer To Complaint Against Additional Defendants and New Matter filed.

Oct. 5, 1990 Notice Of Service Of INterrogatories To Plaintiff (First Set) filed.

Oct. 5, 1990 Notice Of Service Of Requests For Production To Plaintiff (First Set) filed.

Oct. 8, 1990 Reply of Titusville Housing Authority to New Matter of DeVore Construction,Inc. filed.

Nov. 15, 1990 Notice of Taking Deposition Upon Oral Examination of Paul S. Sutton filed.

Nov. 28, 1990 Notice Of Service Of Plaintiff's Request For Production Directed To Defendant Devore filed.

Dec. 4, 1990, Objections of Additional Defendant Devore Construction, Inc. to Plaintiffs' Request for Production, filed.

Dec. 14, 1990, Notice of Takign Rescheduled Deposition Upon Oral Examination of Paul S. Sutton, filed.

Jan. 10, 1991 Appearance of Scott H. Fergus, Esq. for Additional Defendant, Larry shipton Carpets filed.

Jan. 31, 1991, Notice of Service of Plaintiff's Request for Production Directed to Defendant Devore Construction, Inc. filed.

Jan. 31, 1991, Notice of Service of Plaintiff's Request for Production Directed to Defendant Larry Shipton carpets filed.

Jan. 31, 1991, notice of Servcie of Plaintiff's Interrogatories directed to Defendant Titusville Housing Authority filed.

Sept. 18, 1991 Notice Of Depositions of Billie Brown, Dave Mona and Susan Reed filed.

Nov. 4, 1991 Notice Of Service Of Plaintiff's Second Request For Production Directed To defendant Titusville Housing Authority filed.

Dec. 16, 1991 Motion for Summary Judgment filed.

Dec. 16, 1991 upon praecipe of add'd dft. Devore Construction Inc. Motion for Summary Judgment is hereby placed on next argument list.

ON JANUARY 1992 ARGUMENT LIST

Jkan. 15, 1992 ASSIGNMENT OF ARGUMENT DATE filed. Jkan. 14, 1992, argument in the above matter is set for Feb. 14, 1992, at 9:00 A.M., in Courtroom No. 2.

FOR THE COURT,
Imogene Yetman, Crt. Adm.

Jan. 17, 1992 copy in box for M. Weiss, R. Bailey, & mailed copy to K. Alexander, J. Belliveau, M. Mioduszewski & S. Fergus.

Feb. 18, 1992, ORDER filed. AND NOW, Feb. 18, 1992, after oral argument the Motion for Summary Judgment by the Additional defendant DeVore Construction, Inc. is denied.

BY THE COURT,
Anthony J. vardaro, Judge

Feb. 20, 1992, copies to all counsel of record.

Feb. 21, 1992 Affidavit of Billie Brown, on Behalf of the Titusville Housing Authority, filed.

May 22, 1992 Answer and New Matter To Complaint Against The Additional Defendant, Larry Shipton Carpets filed.

May 22, 1992 MOTION FOR SUMMARY JUDGMENT FILED.
May 22, 1992 Upon Praecipe of Attorney Joseph J. May, the above captioned matter is placed on the next available argument list.

June 1, 1992 Notice Of Deposition of Jerry L. Phillips filed.

June 8, 1992 Reply of Titusville Housing Authority to Larry Shipton Carpets' New Matter, filed.

June 11, 1992 REPLY OF DEVORE CONSTRUCTIION, INC. TO NEW MATTER OF LARRY SHIPTON CARPETS, filed.

Aug. 19, 1992 Memorandum and Order filed. AND NOW, August 19, 1992, the motion of the Additional Defendant, Larry Shipton Carpets, for summary judgment is granted.

BY THE COURT:
Anthony J.Vardaro, J.

August 19, 1992 Copy of the order to:Attys. Weiss, Bailey. Mailed to: Attys. Alexander, Belliveau, Mioduszewski and Fergus.

May 19,1993 Motion to Compel Discovery filed.

May 19, 1993 Upon Praecipe of Attorney Mark E. Mioduszewski, the above captioned matter is placed on the next available Argument List.

ON JUNE, 1993, ARGUMENT LIST

Continued to Page 613

CYNTHIA L. ANDREWS COOKSON
VS.
VERN PIERRE COOKSON

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Dec 18, 1992 Petition for REquesting Amendment to Court's Order of October 5, 1992 and Order, filed. ORDER: AND NOW, this 18th day of Decembr, 1992, upon consideration of foregoing Motion, it is hereby Ordered and Decreed that a hearing thereon has been scheduled for January 25, 1993 at 3:30 pm in Courtroom 1 or 2 Pending said hearing, the Plaintiff, Cynthia L. Andrews Cookson, is hereby Ordreed and Directed that any and all funds received from the purchaser of Cindy's News Stand on a certain note in the sum of $5,000.00 since Oct. 5, 1992, are to be deposited with the Prothonotary of Crawford County, Pennsylvania, pending further Order of Court concerning equitabel distribution.

BY THE COURT:
Anthony J. Vardaro, J.

Dec 22, 1992 copy to H. White & D. Ferguson

Jan. 25, 1993 Inventory and Appraisement of Cynthia Andrews Cookson filed.

Jan. 25, 1993 Motion for Appointment of Master in Divorce and Order Appointing Master filed. AND NOW, this 27 day of January, 1993, Gregory Keenan, Esq. is appointed master in respect to the following claims: Divorce/Distribution of Property. Deposit required: By Plaintiff 250; By Defendant 500
If not filed already the parties are ordered to file their pretrial statements within thirty (30) days from this date.

BY THE COURT,
Anthony J.Vardaro, J.

Jan. 29, 1993 Copy of Order to Attys. White, Ferguson & Keenan.

Jan. 29, 1993 Petition for Requesting Amendment to Court's Order of October 5, 1992 Order filed. AND NOW, January 25, 1993, this matter is before the Court on a petition filed by the defendant requesting amendment of the Court's Order of October 5, 1992.

At the time of a hearing when that Order was entered on October 5, 1992, theCourt ordered funds from the sale of a business which had been run by the plaintiff to be escrowed with the Prothonotary, but although there were discussions of a monthly payment plaintiff would be receiving from a note she was carrying with regard to the sale of that business, the Court for some reason neglected to use those monthly payments as funds escrowed. Frankly, we do not recall the reason for that, although we do not recall discussion regarding those funds.

The defendant now wants to have those funds escrowed with the Prothonotary and the plaintiff maintains that because she has now petitioned for the appointment of a Master and a Master's hearing should be held soon,that those funds should no longer be escrowed. Additionally, the plaintiff maintains that she needs those funds in order to have an adequate income.

The Court will allow the plaintiff to take possession of the FEbruary 15, 1993 payment so that she will have received since the Court's Order of October 5, 1993 five payments of $161.34.

Beginning with the March 15, 1993 payment, each payment, including that one, shall be escrowed with the Office of the Prothonotary pending further Order of Cort with regard to equitable distribution in this divorce action.

In making ksuch equitable distribution, the Master in making his or her recommendation and ultimately the Court, may take into consideration in such distribution, however it is appropriate, that the plaintiff has received these five payments in the amount of $161.34.

BY ORDER OF THE COURT,
Anthony J. Vardaro, J.

Jan. 29, 1993 Copy of Order given to Attys. White, Ferguson & Keenan.

Jun. 30, 1993 Motion to Compel Master to File Master's Report and Order filed. AND NOW, this 30 day of June, 1993, upon consideration of the foregoing Motion, it is hereby Ordered and Decreed that the Master in the above captioned divorce, Gregory Keenan, Esquire, shall file his MaSTER"S Report in the above-captioned action with the Prothonotary of Crawford County on or before July 15, 1993.

BY THE COURT:
P.Richard Thomas, S. J.

7-2-93 Copy of Order to Attys. White,Ferguson & Keenan.

JUly 16, 1993, Notice of Filing of Masters Report and MASTER'S REPORT filed.

July 23, 1993 Plaintiff's Exceptions To Master's Report filed.

Aug. 2, 1993 Petition for Contempt of Court and ORDER filed. AND NOW, this 2 day of August, 1993, upon consideration of the foregoing Petition and upon oral motion of Douglas W. Ferguson, Esquire, attorney for Vern Pierre Cookson, the Defendant in the above-captioned matter, a Rule to Show Cause is hereby directed to the Plaintiff, Cynthia L.Andrews Cookson to show cause if any she should have why she should not be held in contempt of the Court's Order of January 25, 1993. Returnable for hearing August 11, 1993 at 3:30 P.M. Court Room 1 or 2. Service of this Petition and Order shall be made upon the Plaintiff through her attorney, Harry F.White, III, Esquire, by leaving a copy of the same at the Prothonotary's Office of Crawford County, Pennsylvania.

BY THE COURT:
Anthony J.Vardaro, J.

Aug. 3, 1993 Copy of Order to Attys. White, Ferguson & Keenan.

Aug 13, 1993 ORDER filed. AND NOW, August 11, 1993, this matter is before the Court on a petition for contempt of Court filed by the Defendant with respect to the Plaintiff's failure to deposit with the Prothonotary in escrow the sum of $161.34 per month, an amount she receives on a note she is carrying from the sale of a business.

Those payments were to begin in March of 1993, so through August of 1993, the Plaintiff has failed to make six such deposits.

After listening to the explanation given by the Plaintiff through her attorney, we are satisfied she is in contempt of the Cfourt Order of January 25, 1993.

She may purge herself of contempt by making such deposits beginning with the September, 1993, payment and since she receives the payments on the first day of the month, she shall have deposited such payments with the Prothonotary each and every month beginning September, 1993, by the fifth day of the month.

If she fails to do so, she shall be fined the sum of $500.00 for each and every month that she does not make such payment. If she is unable to pay the fine, then the same amount that has accrued for fines shall be considered in the ultimate disposition of the assets and debts of these parties after the Court has reviewed the pending exceptions to the Master's report.

We note that in determining the final outcome of this divorce case, in addition to the five months of payments in the amount of $161.34 previously mentioned in our Order of January 25, 1993, as indicated above, the Plaintiff has now received an additional six payments for a total of eleven paymetns in the amount of $161.34.

BY ORDER OF THE COURT,
Anthony J. Vardaro, J.

Aug 13, 1993 copies dist. to Ferguson & White

Aug. 17, 1993 Petition For Payment of Master's Fees filed.

Aug. 17, 1993 ORDER filed. AND NOW, Aug. 16, 1993, upon petition of the Master for payment of Master's fees and neither party opposing the same, the Master is awarded fees in the amount of $487.50.

The Prothonotary is directed to pay Gregory A. Keenan, Esq., Master, that sum and also to issue a check to him but to the order of Lorraine A. Dallas, Court Reporter, in the amount of $45 for payment of her fees at the time of the Master's hearig.

All such payments shall be made from the funds on deposit with respect to this divorce action.

BY THE COURT:
Anthony J. Vardaro, J.

Aug. 17, 1993 copies to Attys. Keenan and White; Aug. 23, 1993 Copy to Atty. Ferguson.

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Cynthia L.Andrews Cookson
vs.
Vern Pierre Cookson

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Oct. 11, 1993 Upon Praecipe of Douglas W. Ferguson, Esquire, the Plaintiff's Exceptions to the Master's Report is placed on the next available Argument List.

ON NOVEMBER, 1993 ARGUMENT LIST

Oct. 20, 1993 Appearance of Joseph W. Tinko for Plaintiff filed.

Nov. 1, 1993 Upon Praecipe of Harry Faber White,II, Esquire, Attorney for Cynthia L. Andrews Cookson,Plaintiff, his appearance is hereby withdrawn.

Nov. 10, 1993 Assignment of Argumetn Date, filed. November 10, 1993, argument in the above matter is hereby set for November 30, 1993 at 3:45 P.M. , in Courtroom 2.

FOR THE COURT,
Ann A. Walker, Crt. Adm.

Nov. 16, 1993 copy to J. Tinko, D. Ferguson

MEMORANDUM AND DIVORCE DECREE FILED

Dec. 21, 1993, AND NOW, Dec. 20, 1993, it appearing that both parties have filed affidavits of consent as required by Section 3301(c) of the Divorce code, it is ordered and decreed that CYTHIA L. ANDREWS COOKSON, Plaintiff, and VERN PIERRE COOKSON, Defendant, are divorced from the bonds of matrimony.

With respect to the equitable distribution count, the parties agreeing that the only issue regards the sum of $7,381.92 paid by the Defendant to the benefit of the Plaintiff's business, it is further ordered and decreed that the Plaintiff shall reimburse the Defendant for 50% of that sum or $3,690.96 in the following manner:

1. The Prothonotary is directed to pay forthwith to the order of the attorney for the Defendant current funds held which we find to be $2,081.13.

2. The Plaintiff shall pay to the Defendant the remaining sum of $1,609.83 within 30 days of the date of this decree or alternatively, she may pay the same in monthly installments of $71.35 beginning on Jan. 20, 1994 and continuing monthly thereafter for a total of 23 months from which payment simple interest at the rate of 6% per annum will first be deducted and the balance will be applied to the principal sum due. Additionally, there shall be a final payment on the 20th day of the 24th consecutive month in the amount of $71.32.

BY THE COURT:
Anthony J. Vardaro, J.

Mar. 28, 1994 Petition For Contempt and Order filed. AND NOW this 28 day of March, 1994, upon consideration of the foregoing Petition for Contempt, it is hereby ordered and decreed that a rule to show cause is placed upon the Plaintiff, Cynthia L. Andrews Cookson, to show cause, if any she should have, why she should not be held in contempt of the Court's Decree of December 20, 1993. Returnable for hearing April 22, 1994 at 9:30 a.m. in Courtroom 1 or 2. A copy of this notice shall be served upon the Plaintiff's attorney of record, Joseph W. Tinko, Esquire, by forwarding a copy of same to him by regular mail.

BY THE COURT,
Anthony J. Vardaro, J

Mar. 30, 1994 Copies of order to Atty's Tinko and Ferguson

Apr. 13, 1994 ORDER filed. AND NOW, April 11, 1994, t he hearing heretofore set for April 22, 1994, in the above case for Cont empt is hereby reset for May 27, 1994 at 1:30 P.M. in Courtroom No. 2,Crawford County Courthouse, Meadville, PA.

FOR THE COURT,
Ann A. Walker, Ct. Administrator

4-12-94 Ct. Adm. Dist. copies to Attys. Tinko & Ferguson

May 31, 1994 ORDER filed. AND NOW, May 27, 1994, this matter is before the Court on a Petition for Contempt filed by the Defendant.

Essentially, the Defendant brough this Petition because pursuant to Paragraph 2 of our Divorce Decree entered on December 20, 1993, the Plaintiff is required to make a $71.35 payment to the Defendant each month by the 20th of the month.

She made the January and February, 1994 payments on time as well as the Apriland May, 1994, but the March, 1994 payment didn't arrive until March 23, 1994, although the Plaintiff maintains she mailed it on the weekend of March18, 1994.

There have been some other problems with regard to the exchange of the checks and in order to try to aid the parties in getting through the next several months of these payments without further difficulties,the Court declines to hold the Plaintiff in contempt, but enters the following Order, which is intended to expand and clarify our Decree of December 20, 1993.

1. The Plaintiff will be considered to have made her payment to the Defendant on time each month so long as she mails the same by the 18th day of the month and the check is dated no later than t he 20th day of the month.

2. In the event that she does not comply with that requirement, a five percent (5%) penalty shall be due on that payment or in the case of any late payment, $3.75 for that monthly payment.

3. The Plaintiff shall make no notation with regard to why the payment is being made anywhere on the check that has been mailed to him by the Plaintiff with any sort of notation, it being the Court's intention that we expect these payments just to be made and this matter to conclude in a reasonable manner.

We note that the Defendant this day also requests that he be paid in full, and we took that possiblity into consideration when we entered our Order of December 20, 1993, and apparently that was not possible.

BY ORDER OF THE COURT,
Anthony J.Vardaro, J.

5-31-94 Copies given to FErguson & Tinko

Jul. 31, 1995 Appearance of Joseph F.Kulwicki, III, Esq. for Vern Pierre Cookson, Defendant, filed.

1990

LAKELAND MUTUAL INSURANCE COMPANY
vs.
CHARLES R. MOSIER AND DENISE A. MOSIER, ET AL

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Sept 26, 1990, ORDER filed. AND NOW, Sept. 24, 1990, at the call of the nonjurylist, counsel advise the court a motion for summary judgment is pending that is currently set for Oct. 31, 1990 at 11:00 a.m. Accordingly, this case is continued generally pending outcome of the ruling on the summary judgment.
BY ORDER OF THE COURT,
P. R. Thomas, S.J.

Sept. 26, 1990, copies to (mailed) attorneys of record.

Oct. 3, 1990, Deposition of Elmer Stainbrook filed.

Oct. 3, 1990, Depositions of Denise A. Mosier and Charles R. Mosier, filed.

Oct. 3, 1990, Deposition of Howard Orr filed.

Oct. 5, 1990, ORDER filed. And Now, Oct. 3, 1990, finding factual issue in dispute the Defendant's Motion for Summary Judgment is refused. BY ORDER OF THE COURT,
John Q. Stranahan, Senior Judge

Oct. 8, 1990, copies to Attys. Shapira, Brew and Kuftic. (mailed)

Oct. 5, 1990, Upon praecipe of defendants James M. Gallant and Laura L. GaLLANT, BY their attorney, Motion to Strike Demand for Jury Trial in above matter, withdrawn.

Oct. 10, 1990, Plaintiff's Reply to New Matter of Defendants' Charles A. Mosier and Denise A. Mosier filed.

On February 1991 Trial List

Feb. 11, 1991, Order Setting NON JURY TRIAL filed. AND NOW, Feb. 6, 1991 nonjury trial in the above matter is hereby set for Apr. 1, 1991 at 1:30 P.M. in C. R. No. 1 or 2.
For the Court
Imogene Yetman ,Ct. adm.

Feb. 14, 1991, copies to Atyts. Shapira, Brew and Kuftic.

Mar. 18, 1991 Defendant's Motion To Dismiss Objections To Interrogatories and Requests For Production Of Documents Addressed To Plaintiff and Order filed. Mar. 18, 1991 All matter raised shall be argued at time scheduled for non-jury trial, April 1, 1991 without prejudice to the right of either party to request a continuance of trial depending on outcome of preliminary matters.
R L Walker, S.J.

Mar. 21, 1991 Copies of order mailed to Attys. Kuftic and Shapira

Mar. 20, 1991 Notice of Serving Answers to Interrogatories filed.

Apr. 5, 1991, Upon praecipe of attorney for defendants, Mosier's conterclaim in the above case is hereby settled and discontinued of record upon payment of costs. Upon praecipe of plaintiff attorney, the above captioned case is hereby settled and discontinued of record.

Theo Allen and Lisa Allen
et al

vs.
Beachfront Enterprises, Inc
al

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Mar. 4, 1991 Order For Meeting filed. AND NOW, this 28th day of February, 1991, pursuant to request of counsel to Beachfront Enterprises, Inc., the Court orders a conference of the attorneys before the Court to resolve the objections raised by Defendant Beachfront Enterprises to the proposed orde rto certify the class and the proposed orde rfor class notification submitted to the Court by the Plaintiffs. Such proposed orders were submitted pursuant to our Order of January 31, 1991, requiring Plaintiffs to submit the same to the Defendants for their affirmation or objection. If objected to, then a conference could be requested. In light of Defendants' objections, we set such conference to be held on March 18, 1991, at 3:30 P.M., in Courtroom No. 1.

BY ORDER OF THE COURTP.
P. Richard Thomas, S.J.

Mar. 4, 1991 copies (boxes) to L. Stack, J. Tinko and M. D. Mason

Mar. 19, 1991 Order Resetting Hearing filed. AND NOW, March 18th, 1991, hearing in the above matter heretofore set for March 18th , 1991, is hereby reset by the court for April 10, 1991, at 1:30 P.M., in Courtroom 1, 2 or 3.
(copy put in Atty's box)

FOR THE COURT,
Imogene Yetman, Court Administrator

Apr. 10, 1991, Defendant's Objections to Proposed Class Notification and Order filed.

Apr. 10, 1991, Defendants Objections to Proposed Class Certification Order filed.

Apr.10, 1991 Order Pursuant to Pa. RCP NO. 1712 filed. (unsigned)

Apr. 10, 1991 Newspaper Notice - Notice of Pendency of Class Action filed.

Apr. 10, 1991, Notice of Pendency of Class Action filed.

Apr. 10, 1991 Proposed Class Certification Order filed. (unsigned by Ct.)

Apr. 16, 1991 Stipulation and Order filed. AND NOW, this 12 day of April, 1991, upon presentation and consideration of the foregoing Stipulation, it is hereby Ordered that all further proceedings shall be stayed and continued for thirty (30) days form the date of this Order.

BY THE COURT,
P. Richard Thomas, S.J.

copy put in Atty's box.

May 22, 1991 Motion for Continuance (stipulations attached) filed.

May 22, 1991 ORDER filed. AND NOW, this 22 dayof May 1991 upon presentatin and consideration of the Motion for continuance generally and the stipulations attac hed hereto, it is hereby ordered that the all further proceedings shall by stayed and continued generally and that any party has the right to reinstatute further proceedings in this a ction at any time by filing a motion with court.

By the Court:
P. Richard Thomas, S. J.

May 23, 1991, copies to L. Stack, J. Tinko and M. Dan Mason.

Dec. 8,1992 Motion For Approval of Compromise of Class Action Pursuant To Rule 1714 filed.

Dec. 8, 1992 Order Directing Service Of Notice Of Proposed Settlement and Hearing filed. ORDERED that a hearing on the advisabiliy of the proposed settlement and compromise be held before the undersigned Judge of this Court in courthouse Assembly Room on the 1 day of Feb., 1993 at 9:30 o'clock a.m. andit is further ORDERED, that notice of said hearing in the form attached as Exhibit 1 to the Motion be mailed by certified mail, return receipt requested, on or before December 24, 1992 by the class representative, Oakland Beach Associates, Inc to each class member listed on Exhibit A of the Settlement Agreement and that Oakland Beach Assocaites, Inc. shall, on or before the date of said hearing, file in this Court proof of mailing of said notice, as aforesaid.

By the Court:
P. Richard Thomas,

Dec. 15, 1992 Copies of order to Atty's Stack, Tinko and Mason

Dec. 8, 1992 Order Pursuant To Pa. RCP No. 1712 filed. AND NOW, this 7 day of December, 1992 upon consideration of Oakland Beach Associates, Inc's proposed Notice of Class Action pursuant to Rule No. 1712 and after hearing consel for the parties with respect to the notice to be given, the Court hereby enteres the following Order:

1. Plaintiff's counsel is directed to reasonably identify the members of the class from the records of the crawford County Tax Assessors Office and the Sadsbury Township Tax Collector and to obtain the names and addresses of the class members and prepare a list to be submitted with Plaintiff's Certification of Notice pursuant to this order.
2. Plaintiffs shall give ntoice in the form attached hereto as Exhibit A to the individual class members by first class mail, postage prepaid on or before December 24, 1992. Plaintiff shallfile a Certification of Notice and a list of the names and addresses to whom such notice has been given.
3. The first class mail notice shall be administered by Plaintiff's consel. Defendants' counsel shall cooperate with Planitiff's consel in providing information relating to reasonably identifying the names and addresses of the class members.
4. As stated inthe proposed notices, consel for Oakland Beach Associates, Inc., Louis J. Stack, shall be responsible for providing additional copies ofthe Notice and Exclusion Forms. The Prothonotary has previously been directed to docket and file any exclusion received by him and to maintain a list of such exclusions.
6. The Notice shall provide that January 15, 1993 is the last filing date for any class member to file an exclusion to opt out ofthe class action.

By the Court:
P. Richard Thomas, S.J.

Dec. 15, 1992 Copies of order to Atty's Stack, Tinko and Mason

Dec. 8, 1992 Motion For Class Certification Order filed.

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vs.

Beachfront Enterprises, Inc. et al

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Dec. 8, 1992 Class Certification Order upon Stipulation filed. AND NOW, this 7th day of December, 1992 after consideration of the evidence presented at the Class Certification hearing on January 31, 1991 including the testimony, depositions, interrogatories, and 20 exhibits entered by Oakland Beach Associates, Inc., and upon stipulation by all parties and their counsel the Court hereby enters the following order certifying Count II ofthe Complaint as a class action and Oakland Beach Associates as the class representative pursuant to Pa. RCP No. 1710 and mkes the following findings and conclusions:

1. On May 1990, Oakland Beach Associtates, Inc. filed a Class Action in Count II ofthe Complaint requesting the Court to enter a declaratory judgment that the agreement recorded at Agreeement Book M, page 152 grants to the successors, assigns, heirs, tenants, occupiers, and lessees of Oakland Beach Land Company, D. L. McGuire, T. P. McGuire, and STanley A. Gillespie the free and uninterrupted use, liberty, and privlege of, and passage in and along those certain roads, parcels of land, bathing beach, dock andother areas as more fully described in the agreement; that said agreement is valid; and that the Defendants will not unlawfully interfere withthe free and uninterrupted use of the same. The Defendants filed Answers denying that Agreement Book M, page 152 is or was ever valid and various other defenses. A controversy exists by and between the parties as to whether Agreement Book M, page 152 is a valid agreement; as to who, if anyone, has rights under the agreement; and as to the location of said rights.

2. Oakland Beach Associates, Inc. on November 30, 1989 incorporated in Pennsylvania as a non-profit corporation It currently has approximately 16 member.

3. The stated primary purpose of Oakland Beach Associates, Inc. as set forthin the corporation's by-laws is to protect and promote the best interests of the residents of the Oakland Beach Allotment and to promote and strive for the improvement and betterment of all public facilities and private facilities including but not limited to the beachfront, docks and roads. The corporation has sone class of membership. All property owners and adult members of their immediate families in Oakland Beach Allotment and tenants in the allotment are eligible for membership in the corporation upon submitting an application, paying annual dues, and signing an agreement to be bound by the by-laws.

4. Plaintiff entered into evidence the tax assessors map of the Oakland Beach Allotment dated January 1990 being tax assessment #4403-42. (Exhibit 8). Further, Plaintiffs entered into evidence the tax assessor's computer list dated March 14, 1990. (Exhibit 9.) Plaintiff represented that it had the ability to determine the successors and assigns of Oakland Beach Land Company, D.L. McGuire, T.P. McGuire, and Stanley A. Gillelspie by reviewing the records ofthe Crawford County Tax Assessor and the Sadsbury Township Tax Collector.

5. all of the land in dispute in Count II of the Declaratory Judgment Action is located in Crawford County. Crawford County is the appropriate forum for a determination of this issue since the land is located in and only in Crawford County. This Court has jurisdiction over the land situated in this County pursuant to 42 PA CSA 5302 and has personal jurisdiction over non-resident Plaintiffs who own real estate within Crawford County pursuant to 42 PA CSA 5322(a)(5).

6. This Court has the power to declare rights, status and other legal relations relating to the construction of documents pursuant to 42 PA CSA 7532 and 8533 being part of the Pennsyvlania Declaratory Judmgents Act, 1976, July 9, PL 586, No. 142, 2, effective June 27, 1978, et. seq.

7. The prosecution of separate quiet title or declaratory judgment actions by each allotment owner would be expensive and burdensome to each lot owner in view of the complexity of the issues and the expense or litigation and would be burdensome to the Court. The class actionis a fair and efficient method of adjudicationo these issues.

8. By and through their answers to the Complaint, both Defendants have denied the validity and continued viability of Agreement Book M., page 152. Thus, the Defendants have acted on grounds generally applicable and adverse to all members of the class.

9. The law firm of Shafer, Swick, Bailey, Irwin & Stack will adequately represent the interests of the class. The law firm has no apparent conflict of interest in representing the class.

10. Oakland Beach Associates, Inc. does not have a conflict of interest in the maintenanc of the class action. None of its members are stockholders of Beachfront Enterprises, Inc. and none of its members have nay other relationship with Beachfront Enterprises, Inc. or the Defendants Swicks.

11. Oakland Beach Associates, Inc. is relying upon contributions from its members to provide adequate financial resources to assure proper representation of the interests ofthe class and can rely upon fund raising mechanisms provided in the by-laws such as dues, regular assessments, and special assessment. Oakland Beach Associates, Inc. can acquire adequate financial resources to assure that the interests ofthe class will not be harmed.

12. From review ofthe tax assessors map of Oakland Beach Allotment submitted into evidence, it is apparent that the class is so numerous that joinder of all members is impractical.

13. Oakland Beach Associates, Inc. does not own real estate within the allotment. However, its members are composed of owners, immediate family members of owners, and tenants, and therefore, its members have standing to sue. Oakland Beach Associates, Inc., as a non-profit corporation, is an appropriate representative of its members and has standing to sue through its members. Thus, Oakland Beach Associates, Inc. is an appropria class representative.

14. Common questions of law of fact predominate over any question effecting individual lot owners. Counsel for the Plaintiff assets that the following appear to be common questions of fact and law:

a. What type of agreement is Agreement Book M, page 152?

b. Was sthe agreement valid and binding when it was entered into or when lots were sold.

c. Was the agreement contrary to the terms of the trust deed mortgage to Lamberton National Bank of Franklin, and, if so, what if any effect would that have?

3. Whether the agreement creates a covenant running with the land of Beachfront, Swick and Oakland Beach Allotment or is an easement or an equitable servitude or some other right of use?

e. Whether the sale by Dittrick, as assignee ofthe McGuires for the benefit or creditors pursuant to a court order discharging judgment lien creditors, also divested Agreement Book M., page 152?

f. Whether the sheriff's sale on a judgment had any impact or divested the Agreement in 1932.

g. If the Agreement was originally valid and continued to be v alid after the assignee's sale and sheriff's sale of 1932, were the rights granted by Agreement Book M. page 152 divested or extinguished by any actions or inactions by the allotment owners?

h. If the agreement was valid and continued to be valid after 1932, hes the agreement been extingquished or divested by any claim of adverse possession of laches orthe statute of limitations.

i. If the agreement was valid and continues to be valid after 1932, and has not been divested by any inactions or actions of the parties, then what rights do the current lot owners enjoy under Agreement Book M, page 152?

15. The following is a description of the class: The class shall consist of all those owners of proper located in Sadsbury Township, Crawford County, Pennsylvania which owners are the respective successors, assigns, and heirs of land formerly owned b Oakland Beach Land Compoany, D.L. McGuire and Mae McGuire, and T. P. McGuire and Stanley A. Gilllspie and Bess Gillespie on April 5, 1928 including but not limited to all of the lot owners in Oakland Beach Allotment as shown on Plaintiff's Exhibit #8 and the Crawford County Tax Assessors Officer computer list being Exhibit #9 and having tax assessment #4403-042 and assessment #4403-40-B owned by Beachfron Enterprises, Inc; #4403-40-2; #4403-40-A; #4403-40-22; and #4403-40-23 owned by other entities, all of which appear on Plan Book 1, page 18 (Exhibit 10).

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16. At this time, it would be premature for the Court to create subclasses. However, the Court reserves the right to create subclasses in the future if the Court deems it appropriate to expedite the trial of this matter or to award proper relief.

17. Every member of the class is included unless by January 15, 1993 a class member files of record a written election to be excluded from the class.

18. The Prothonotary is hereby directed to file any written elections to be excluded formthe class with the file of this case; to enter such exclusion on the docket, and to maintain a log of those members requesting exclusion which log shall contain the member's name, address and date of filing of the exclusion. (See PA RCP No. 1711, comment.)

By the Court:
P. Richard Thomas, P.J.

Dec. 15, 1992 Copies of order to Atty's Stack, Tinko and Mason

Dec. 15, 1992 Exclusion of Stanley L. Baker and Agnes L. Baker filed.

Dec. 31, 1992 Exclusion of Roy E. Beggs and Katherine M. Beggs filed.

Dec. 31, 1992 Exclusion of Richard F. Stein and Beverley Stein filed.

Jan. 8, 1993 Exclusion of Thomas J.Scully filed.

Jan. 8, 1993 Exclusion of Grace Kenna-Krupa filed.

Jan. 11, 1993 Exclusion of John E. Manning and Dolores C. Manning filed.

Jan. 13, 1993 Request For Exclusion of Gary & Betty McClellan filed.

Jan. 13, 1993 Request For Exclusion of Donna G. Luke filed.

Jan. 15, 1993 Request for Exclusion of Judith V. Bairhalter, filed.

Jan. 14, 1993 Request for Exclusion of M.C. Jacelyn Reid, filed.

Jan. 15, 1993 Letter of Exclusion by Vigginia M. Anderson filed.

Jan. 29, 1993 Certification of Service of Class Action Notices filed.

Feb. 1, 1993 Exhibits filed.

Feb. 8, 1993 ORDER FOR APPROVAL OF COMPROMISE OF CLASS ACTION PURSUANT TO RULE 1714, filed. AND NOW this 8th day of February, 1993, upon presentation of the parties' joint Motion for Approval of Compromise of Class Action Pursuant to Rule 1714, and it appearing that due notice of the Proposed Compromise Settlement and Mutual Release Agreement was given to the court certified class pursuant to certified mail, return receipt requested, as more fully shown by the Certification of Service of Class Action Notice filed on Jan. 29, 1993 by class action counsel, Louis J. Stack, Esq., and after an evidentiary hearing held on Feb. 1, 1993, it is hereby ORDRED that:

1. After notice of the class action and notice of the proposed settlement of the class action as Ordered by the Court on Dec. 7, 1992, all members of the court certified class had an opportunity to file Requests for Exclusion thereby opting out of the court certified class. Eleven (11) of the ninety-six (96) court certified class members exercised their option to be excluded from the court certified class by filing Requests for Exclusion. The legal consequences to those said eleven (11) who elected to opt out of the court certified class include, but are not limited to, the following: they shall not be legally bound by this Order; they have waived their rights to use and enjoy the easements and other benefits granted under the Proposed Compromise Settlement and Mutual Release Agreement and attachments thereto; they shall not be entitled to share in the rights and benefits set forthe in the said Proposed Compromise Settlement and mutual Release Agreement and attachments thereto; they have waived their rights to participate as Class "O" members in Morningshores Assoc. Inc.; and they shall not be eligible for Class "O" membership in Moringshores Assoc., Inc. Those said eleven (11) who elected in writing to be excluded from the court certified class are as follows:

Edward C. & Virginia Anderson	RD 1, Oakfield Dr, Conn. Lake	Lot #103
Judith V. Bairhalter	PO Box 525, Conn Lake	112
Stanley L. & Agnes L. Baker	PO Box 5002, Conn Lake	50, 51
Roy E. & Katherine M. Briggs	RD 2, Box 717, Grove City, Pa.	128
Grace Kenna & Jack Kenna Kupa, Jr.	RD 1, Conn Lake	147, 129
Donna G. Luke	PO Box 490, Conn Lake	86
John E. & Dolores C. Manning	21309 Plum Path, Rocky River, OH	82
Gary L. & Betty L. McClellan	RD 1, Conn Lake	81
Ivan D. & M.C. Jocelyn Reid	PO Box 5081, Conn Lake	111, 126, part of 125, 127
Thomas J. Scully	RD 1, Oakridge Dr., Conn Lake	144,145,146
Richard F. & Beverley A. Stein	RD 1, Oakview Rd, Conn Lake (Box 518)	39,40,41,45

2. After notice of the class action and notice of the proposed settlement of the class action as Ordered by the Court on Dec. 7, 1992, eighty-five (85) of the ninety-six (96) court certified class members elected to remain members of the court certified class. The legal consequences to those eighty-five (85) who elected to remain members of the court certified calss include, but are not limited to, the folowing: they shall be legally bound by this Order; they have not waived their rights to use and enjoy the easements and other benefits granted under the proposed Compromise Settlement and Mutual Release Agreement and attachments thereto; they shall be entitled to share in the rights and benefits set forth in the said Proposed Compromise Settlement and Mutual Release Agreement and attachments thereto pursuant to the terms and conditions set forth therein, provided they become Class "O" members in Moringshores Assoc., Inc. and pay all applicable dues and fees therefor; and they shall have the option of becoming Class "O" members in Moringshores Assoc., Inc. A list of those eighty-five (85) who elected to remain members of the court certified class is attached hereto as Exhibit "A" and incorporated herein by reference.

3. The parties have entered into a written agreement entitled Proposed Compromise Settlement and Mutual Release Agreement, as referred to hereinabove, wherein a plan for the settlement of the above-captioned action was agreed upon subject to the approval and determination by this Court as to its fairness, adequacy and propriety, and subject to the other terms and conditions therein outlined. The said settlement is to be in full and final

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discharge of all claims and matters which have been alleged and/or might be raised in connection with the matters involved, directly or indirectly, in the above-captioned action. An evidentiary hearing was held on Feb. 1, 1993 at which hearing the parties presented testimony and other evidence concerning the fairness, adequacy and propriety of the terms and conditions of the Proposed Compromise Settlement and Mutual Release Agreement and attachments thereto, and at which hearing the aforesaid eighty-five (85) members of the court certified class were given every opportunity to present additional evidence, to seek clarification and ask questions about, and to object to the fairness, adequacy and propriety of the terms and conditions of the Proposed Compromise Settlement and Mutual Release Agreement and attachments thereto. After considering the testimony and other evidence presented at the said hearing, and there being no objections from the aforesaid eighty-five (85) members of the court certified class, this Cour thereby concludes that the said Proposed Compromise Settlement and Mutual Release Agreement and attachments thereto are fair, adequate, proper and adequately protects all members remaining in the court certified class, and this Court hereby APPROVES each and every one of the terms and conditions of the said Proposed Compromise Settlement and Mutual Release Agreement and attachments thereto, and this Court hereby INSTRUCTS counsel for the court certified class, Louis J. Stack, Esq., to consummate the settlement of the above-captioned action on behalf of the court certified class in accordance with the terms and conditions of the said Proposed Compromise Settlement and Mutual Release Agreement and attachments thereto.

4. In accordance with the terms and conditions of the said Proposed Compromise Settlement and Mutual Release Agreement and attachments thereto, this Court hereby DECLARES that the Easement Replacement and Modification Agreement entered into by and between the parties shall be recorded in the Office of the Recorder of Deeds of Crawford County, Pa., and this Cour tfurther DECLARES that the covenants and agreements set forth in the document recorded in Agreement Book jM, page 152 of the Office of the Recorder of Deeds of Crawford County, Pa., are hereby amended, modified and entirely replaced by the said Easement Replacement and Modification Agreement.

5. Further, it is hereby ORDERED that a copy of this Order shall be mailed by regular mail, postage prepaid by the court certified class representative to each of the aforesaid eighty-five (85) court certified class members listed on Exhibit "A" attached hereto and to each of the aforesaid eleven (11) who elected to opt out of the court certified class as identified hereinabove in paragraph #1 of this Order, and that the court certified class representative shall file in this Court a proof of mailing said copy of this Order.

BY THE COURT:
P. Richard Thomas, S.J.

Feb. 10, 1993 copy given to L. Stack; Feb. 11, 1993 copy to J. tinko & D. Mason

Feb. 11, 1993 Certification Of Service Of February 8, 1993 Class Settlement Order filed.

Apr. 29,1993 Praecipe to File "Proposed Compromise and Mutal Release Agreement" filed.

Apr. 29, 1993 Upon praecipe of M.Dan Mason, Esquire, Attorney for Defendants, Michael Swick and Jill Swick, husband and wife, the above captioned matter, including Plaintiffs' claim against Defendants and Defendants' New Matter against Plaintiffs settled, discontinued and ended, upon payment of your costs only, filed.

EXHIBITS filed on Topaz aisle A

CHERYL D. SANTOS
VS.
Dennis A. Vernesoni

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SHALL HAVE THE CHILD ON Memorial Day and Labor Day. The holiday schedule shall be reversed in odd-numbered years. With regard to Thanksgiving Day in a year when a parent does not have the child, he or she shall have the child on Friday and Saturday followisng Thanksgiving Day. On Christmas Day each year, the father shall have the child from 4:00 p.m. to 9:00 p.m., prevailing time, December 24, and the mother shall have the child from 9:00 p.mk., prevailing time, December 24, to 8:00 a.m., prevailing time, December 27. From December 27 through December 31, the child shall be with the father and shall be returned to the mother no later than 8:00 p.m., prevailing time, on December 31.

d. The father shallpick up and return the child at the mother's residence. Anytime the father is more than one hour late for a scheduled transfer of custody, that transfer and the resulting partial custody shall be considered waived until the next day at 8:00 a.m., prevailing time, unless satisfactory arrangements have been previously made with the mother regarding pick up.

3. The parent having custody of the child at anytime shall notify the other parent as soon as possible in the event of injury to or illness of the child requiring medical treatment.

4. Neither parent shall take the child into any environment which might be commonly thought of as detrimental to his development or to the development of his character or which would be commonly thought of as dangerous to his physical person.

5. The parents are encouraged to discuss arrangements for physical custody of the child; and, if the parties mutually agree to alternative arrangements to accommodate their and/or the child's schedules, they may adjust the physical custody arrangements accordingly and are encouraged to do so by mutual consent and agareement.

6. Each of the parents and any adult coming into regular contact with the child shall teach the child involved in this cse to develop and express that natural love and respect due a parent from his or her child. None of the adults coming into regular contact with the child will do or say anything to blacken the character of either parent in the eyes of the child.

7. Because the father will begin having overnight visitation which he had not previously enjoyed, it is envisioned that he will have to make arrangements to provide a bed for the child at his place of residence.

8. This Order shall not prejudice the right of either party to request further Mediation if there are changed circumstances in the lives of the parties or the child or in the event that the best interest of the child would be served by further Mediatiion. For the purpose of this paragraph, the mother shall give a written notice of thirty

days to the father of any intention to move from Crawford County ona more or less permanent basis, during which time the father shall be entitled to request further Mediation.

9. The Court of Common Pleas of Crawford County, Pennsylvania, shall retain jurisdiction of this matter so long as either of the parents or the child resides in the Court's jurisdiction and for at least six months from the date of this Temporary Order.

10. The fee for Child Custody Mediation shall be paid 100% by the defendant father.

11. This Order shall be a Temporary Order, but shall become a permanent Order unless exceptions are filed by either party within thirty days from the date of this Temporary Order.

BY THE COURT:
Gordon R. Miller,P.J.

Sept. 23, 1993 copy to B. Walton, B. Lindsay, B. Smith, Plf. & Dft.

Oct. 30, 1995 Appearance of Shafer, Swick, Bailey, Irwin, Stack & Millin by James R. Irwin, Esquire for Cheryl D.Santos, Plaintiff, filed.

Nov. 2, 1995, Motion to Refer BAck to Mediation and order filed: Legal proceedings have been brought against you allleging that you have wilfully disobeyed an order of court for weekend partial custody.

If you wish to defend agaisnt he claim set forth in the following pages, you may but are not required to file in writing withthe court your defendses or objections.

You, , have been sued in Court to obtain custody of .
You are ORDERED to appear in person at such time and place as will be determined by the Mediator, for a mediation conference. Kathleen Nelson

If you fail to appear as provided by this Order, an Order for custody, partial custody or visitation may be entered against you or the Court may issue a warrant for your arrest.

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

Court Administrator
Courthouse
Meadville, PA 16335
(814) 333-7498

10/31/95 BY THE COURT, Anthony J. VArdaro, J.

April 8, 1996 TEMPORARY ORDER filed. AND NOW, April 4, 1996, after Mediation and upon the recommendation of the child Custody Mediator, it is Ordered and Decreed as follows:

Legal custody of child to be shared by Father and Mother. Primary physical custody to be with Mother.
Cost of Mediation conference to be equally divided between the paraties. (SEE PAPERS FILED).

BY THE COURT:
Anthony J. Vardaro, J.

April 9, 1996 Order FAXED Attys. Lindsay, Walton, A. Pepicelli & Irwin. (Distributed to Atty. Walton).

Patricia J. Rugala

vs.

John J. Rugala

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Mar. 4, 1991 Order filed. AND NOW,February 26, 1991, upon agreement of the parties, it is hereby ordered:

All documents requested by Plaintiff and delivered by Defendant including, but not limited to, financial statements, tax returns and business and corporate records shall be kept confidential, not to be released to any other person or entity except Plaintiff; Plaintiff's father, Plaintiff's attorneys and Plaintiff's accountants. All such personal shall not disclose said information to any person for any purpose without further Order of Court.

This Order is not bilateral and doe snot impair the albility of the Defendnat or any of his employees to disseminate any or any portion of the foregoing information.

BY ORDER OF THE COURT,
P. richard Thomas, S.J.

Mar. 4, 1991 Copies of order to Attys. Kirkpatrick, Beighley and fuller

Mar. 4, 1991 Order filed. AND NOW, February 28, 1991, at the time a contested support obligation is amicably resolved at 1990-522, the plaintiff agrees to generally continue the Petition for Injunction so long as the aforesaid support Order is complied with and so long as there is no unusual or dramatic change within the various corporate partnership and individual businesses of the defendant.

BY ORDER OF THE COURT,
P. Richard Thomas, S.J.

Mar. 4, 1991 copies of orde rot atty. Kirkpatrick Beighley and Fuller

Mar. 30, 1993, Amended Complaint in Divorce adding Equitable Distribution, Alimony and Counsel Fees, filed.

Mar. 30, 1993, Motion for Increased Alimony Pendente Lite filed.

Mar. 30, 1993, Motion for Appointment of a Master filed.

Apr. 8, 1993, ORDER filed. The plaintiff's motion for Appointment of a Master is not in the form required by local Rule 1920.51(a), exhibit L1920.74.

BY ORDER OFTHE COURT,
Gordon R. Miller, P.J.

Apr. 12, 1993, copies of order to Attys. Kirkpatrick and Beighley.

May 27, 1993, Certificate of Servcie of Plaintiff's First Set of Interrogatories Directed to Defendant and Request for Production of Documents, filed.

June 21, 1993 Answer To Plaintiff's Request For Production of Documents filed.

July 20, 1993 Petition For custody and Order filed. AND NOW, July 16, 1993, upon presentation of Plaintiff's Petition for Custody, the matter is referred to John Fuller, Child Custody Mediator.

BY THE COURT:
Gordon R. Miller, J

July 22, 1993 Copies of order to Atty's Kirkpatrick, Beighley and Fuller

July 20, 1993 Motion To Compel Discovery and Mtoion for Sanctions and Order filed. AND NOW, this 15th day of July, upon consideration of the wthin Motion to Compel Discovery and Motion for Sanctions, it is hereby ORDERED AND DECREED that hearing date be set for the 19th day of August, 1993, at 1:30 o'clock p.m., Courtroom No. 1, Crwaford County Courthouse, Meadville, Pennsylvania.

BY THE COURT,
Gordon R. Milelr, J

July 22, 1993 Copies of order to Atty's Kirkpatrick and Beighley

Continued on page 565

Aug. 20, 1993 Motion for Continuance and ORDER filed. AND NOW, this 16 day of August, 1993, upon consideration of the within Motion for Continuance, it is hereby ORDERED AND DECREED that hearing in the above-captioned matter is continued until the 1st day of November, 1993, at 3:00 o'clock p.m., Courtroom No. 1, 2 or 3, Crawford County Courthouse, Meadville, Pennsylvania.

BY THE COURT:
Anthony J. Vardaro, J.

Aug. 25, 1993 Copy of Order to Attys. Kirkpatrick,Beighley & Fuller.

Oct. 20, 1993 Amended Complaint in Divorce filed. (Temporary Alimony, Counsel Fees and Post-Divorce Alimony, Equitable Distribution)

Nov. 5, 1993 ORDER filed. AND NOW, November 1, 1993, neither party appeared at the hearing scheduled on August 16, 1993 on the Plaintiff's motion to compel discovery and motion for sanctions, said motion is dismisse.

If the plaintiff desires to pursue said matter she shalll file anappropriate motion.

BY ORDER OF COURT
Gordon R. Miller, P.J.

NOv. 5, 1993 copies dist. to Attys. Beighley & Kirkpatrick

Jan. 17, 1994 ORDER filed. AND NOW, January 13, 1994 after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Cydnee Rugala and Mark Rugala shall be shared between the mother and the father, the plaintiff and defendant herein, that is, each parent shall be entitled to full access to school records, medical records and other important records and that each parent shall be entitled to take part fully in important decisions affecting the children such as the education, medical treatment and religious instruction of the subject children.

II. Physical custody of Cydnee Rugala and Mark Rugala shall be with their mother, subject to the following conditions

A. The father shall be entitled to visit and take the children into his custody every other weekend from 6:00 o'clock p.m. on Friday to 6:00 o'clock p.m. on Sunday, beginning January 14,,,1994. These visits shall not take place at mother's home unless mother specifically agrees that visits may take place there. If father is unable to keep a scheduled visit he shall notify mother, at least twenty-four (24) hours in advance and the visit shall be cancelled. In such event the Father shall be entitled to a compensatory visit at a time agreeabale to mother.

B. Holidays shall be defined as Christmas, Easter and Thanksgiving. Custody of the children shall be shared on the aforesaid holidays and in the absence of an agreement to the contrary, the children shall be in the custody of the mother on the aforesaid holidays until 1:00 o'clock p.m. and in the custody of the father on the aforesaid holidays from 1:00 o'clock p.m. until 8:00 o'clock p.m.

C. Beginning with the Summer of 1994, the father shall be entitled to have the children in his custody for a period of two (2) weeks. The father shall give the mother at least thirty (30) days notice of the dates of the Summer visit.

Continued on pg. 565

LAWRENCE SNIEZEK

VS.

JUDY KAY KRALJ SNIEZEK

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DIVORCE DECREE FILED

June 8, 1993 MEMORANDUM AND DIVORCE DECREE. AND NOW, June 7, 1993, the Court orders and decrees as follows:

1. Divorce. Upon consideration of the pleadings and affidavits filed in the above captioned case, this Court hereby grants an absolute divorce from the bonds of matrimony to the above named parties upon the grounds that the marriage is irretrievably broken and the parties have lived separate and apart for a period of at least two years and an affidavit has been filed by the Plaintiff evidencing these facts. The Defendant did not file a counteraffidavit thereby not opposing the divorce pursuant to Section 3301(d) (1) of the Divorce Code.

2. Equitable Distribution. The Defendant, Judy Kay Kralj Sniezek, shall become the sole and separate owner of: the household goods and other items currently in her possession; her Individual Retirement Account; the marital checking account which had an approximate balance of $4,500 at the date of separation; the Corvette automobile net equity; and the sum of $35,000 to be paid to her by the Plaintiff for her share of the Keystone Precision, Inc. business in the following manner:

a. The sum of $5,000 within five days of the date of this decree;

b. The balance of $30,000 shall be payable in the following manner with interest first to be deducted from each payment at the rate of 6% per annum:

(i) Payment in the amount of $800 on July 15, 1993 and a like payment on the 15th of each month thereafter through June 15, 1994.

(ii) Payment in the amount of $1,250 on July 15, 1994 and a like payment on the 15th of each month thereafter through March 15, 1995.

(iv) A final payment of $1,405.28 on December 15, 1995.

c. An amortization schedule evidencing this payment schedule is attached to this decree.

d. The Defendant's attorney shall prepare the following documents which shall be signed by the Plaintiff within ten days of the date such documents are presented to Plaintiff's attorney:

(i) A mortgage and mortgage note securing any and all real estate owned.

(ii) A security agreement and UCC-1 financing statemetns for filing locally and in Harrisburg securing any and all personal and business assets and property of the Plaintiff.

(iii) The mortgage shall have a standard "due on sale" clause and shall provide that in the event the Plaintiff has not personally presented any payment or mailed the same by its due date said payment shall bear a penalty of 4% of that payment.

(iv) If the Plaintiff shall be more than 30 days behind with respect to any payment, the Defendant may request the Court to hold him in contempt.

e. The Defendant shall pay the filing fees with respect to filing all such documents securing her interest with respect to the Plaintiff's personal and business real estate and assets.

f. At such time as the Plaintiff has paid the Defendant the debt due to her in full, he, through his attorney, may present appropriate documents to extinguish any interest she has in his real estate and assets and the same shall be executed by the Defendant within ten days of presentation.. The cost of filing said documents shall be borne by the Plaintiff.

g. The Plaintiff, Lawrence Sniezek, shall become the sole and separate owner of: the 1990 Dodge truck; his Individual Retirement Account; Keystone Precision, Inc.,; and the household goods and other items currently in his possession.

3. Alimony. The Defendant is awarded alimony in the total amount of $6,150 less a credit of $1,304 for spousal support paid by the Plaintiff for April and May 1993 which balance of $4,846 shall be paid in equal monthly installments of $403.83 for4 12 months beginning July 15, 1993.

4. Cousnel Fees, Costs and Expenses. The Plaintiff shall pay the sum of $2,468.88 toward the Defendant's legal fees. Said payment shall be made to attorney Eugene J. Brew, Jr., with the sum of $1,234.44 being paid byJuly 15, 1993 and the balance of $1,234.44 being paid on or before Aug. 15, 1993. All other costs and expenses shall be her own responsibility.

5. Corut Csots, Stenographer's Fees and Master's Fees. All record court costs, stenographer's fees and Master's fes shall be paid out of the deposit made by the parties. Any additional sums owed shall be paid by the parties in the following shares: 60% by the Plaintiff, Lawrence Sniezek, and 40% by the Defendant, Judy Kay Kralj Sniezek. The records of the Prothonotary indicated that on April 23, 1993 the Defendant still owed $222 toward such Master's fees and, if that amount or any amount due by any party is still outstanding, the same shall be paid within five days of the date of this decree.

BY THE COURT:
Anthony J. Vardaro, J.

Rose Mary Medlin

vs.

Robert Wade Medlin

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June 10, 1991 **ORDER** filed. ORDER: AND NOW, July 9th , 1991, after mediation conference before John Fuller, Esquire, IT IS HEREBY ORDERED AND DECREED AS FOLLOWS:

I. Legal custody of the minor children, Carrie Ann Medlin and Justin Wade Medlin, shall be shared between their mother, Rose Mary Medlin, and their father, Robert Wade Medlin, that is, each parent shall be entitled to full access to school records, medical records and other important records and each parent shall be entitled to take part in important decisions affecting the children's education, medical treatment and religious instruction.

II. Physicalf custody of Carrie Ann Medlin and Justin Wade Medlin, shall be with their mother, Rose Mary Medlin, subject to the following conditions:

A. The father, Robert Wade Medlin, shall be entitled to visit and take the children into khis custody every other Sunday, beginning, July 7, 1991, from 9:00 a.m. Sunday morning until 5:30 p.m. Sunday afternoon. The father shall provide transportation both ways on such Sunday visits.

B. As soon as the father has secured suitable housing where the children can stay overnight, a further mediation conference will be held, in the event the parties cannot arrive at a consent order, to consider the father's request for weekend visits, holiday visits and Summer vacation time.

III. Cost of the m ediation conference shall be paid by Crawford County.

Gordon R. Miller, P.J.

July 12, 1991 copy in boxes for Attys. R. Walker & J. Fuller. Mailed copy to Plf. & Dft.

JUDITH A. SEAGLE
VS.
VANCE L. SEAGLE

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making Plaintiff owner of the entire policy. Defendant shall not be responsibble for any future obligations for payment of preminiums, interest, penalties, or subsequent taxes or liens in the event of cancellation, surrender, or liquidation of said policy by Plaintiff.

ALIMONY

12. The Plaintiff is awarded alimony and the Defendant shall pay alimony to the Plaintiff at the rate of $1,500.00 pe month for a period of sixty (60) consecutive months commencing June 1, 1993 and terminating the 30th day of May, 1998. The award of alimony as hereinbefore set forth shall not be subject to modification for any reason, including but not limited to, Plaintiff's cohabitation with a person of the opposite sex, provided, however, that this award of alimony shall terminate immediately upon the occurrence of any of the following events: the remarriage of the Plaintiff; the death of the Plaintiff; or the death of the Defendant.

13. The Defendant shall pay as additional alimony, the sum of $100.00 per month to the Plaintiff and the Plaintiff shall secure her rown health care insurance policy. This obligation shall also be non-modifiable and terminate upon re-marriage of the Plaintiff provided, however, that if the Plaintiff does not remarry, then this payment of alimony shall teminate simultaneously with the termination of alimony as provided in Paragraph 12 of this Decree.

LIABILITIES

14. The Plaintiff shall be solely and exclusively responsible for payment of the unpaid principal balance due and owing on a certain Mortgage in favor of the Greenville Savings and Loan Association encumbering the real estate known as Lighthouse Cove Condominium 501 and shall indemnify and hold Defendant harmless from any liability in the aforesaid oligation. Further, Plaintiff shall be solely and exclusively responsible for payment of any and all fees, transfer costs, penalties, liens of rrecord, and expenses related to the maintenance and sale of the aforementioned Condominium.

15. The Plaintiff shall be solely and exclusively responsible for all payments due to the Ford Motor Credit Corp. on account of a certain Lease enterred into y and between the Plaintiff and Defendant and the Ford Motor Credit Corp. in connection with the lease of a Ford Taurrus moto vehicle. The Plaintiff shall indemnify and hold the Defendant harmless from any liability on the aforesaid obligation to Ford Motor Credit Corporation. The Plaintiff shall make regular and timely payments on account of the aforesaid obligation.

MISCELLANEOUS

16. The parties shall file joint income tax returns for the years 1991 and 1992 and cooperate fully with each other in that regard. Defendant shall be responsible for the preparation of such returns, the costs of such preparation and the taxes due thereon. Plaintiff represents that her total income from all sources exclusive of support payments from defendant during 1991 was less than $1000 and during 1992 to be less than $3000.

17. In the event that either the Plaintiff or the Defendant fail to comply with any of the provisions of this Decree in Divorce, then in that event the breaching party shall pay all counsel fees and costs which are reasonable and normal to such processes incurred by the non-breaching party in obtaining compliance with this Decree in Divorce.

18. The Plaintiff shall be solely and exclusively responsible for payment of any counsel fees and costs incurred by her in connection with the filing and processing of this action in divorce.

19. That the Defendant shall be responsible for payment of counsel fees and costs incurred by the Defendant in connection with the defense of this divorce action.

20. That neither the Plaintiff nor the Defendant shall make any further claims against the other party hereto except for the enforcement of the rights and responsibilities set forth in this Divorce Decree and both parties do hereby waive any rights or claims either may have against the other arising from their marital relationship or otherwise.

21. That the Plaintiff and Defendant shall sign, execute and acknowledge any and all documents necessary to effectuate the terms and provisions of this Divorce Decree.

BY THE COURT,
Gordon R. Miller, Judge

March 17, 2003 See Computer for further entries

Patricia J. Rugala
vs.
John J. Rugala

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D. Transportation of the children on weekends, holidays and Summer visits shall be provided by the father, or a responsible adult on his behalf.

E. Neither mother nor father shall say or do anything in an attempt to turn the children against the other paent, but on the other hand shall do everything in the power of each to foster a favorable and loving attitude on the part of the children towards both parents.

F. Neither mother nor father shall expose the children to any person or situation which may be harmful to the children's health or well being, and, specifically neither parent shall use foul or obscene language in the children's presence.

G. Both parents agree to inform the other immediately of any illness or injury regarding the children and both parents agree to furnish the other with a current telephone number.

III. This order is a temporary order but shall become a permanent order unless exceptins thereto are filed by either party within ten (10) days of the date hereof.

IV. Cost of the mediation conference shall be equally divided between the parties. The Prothonotary of Crawford County is hereby directed to refund a part of the deposit paid in advance by the Plaintiff, less the cost of the custody order.

Gordon R. Miller, P.J.

Jan. 18, 1994 copy to R. Beighley, M.A. Kirkpatrick, K. Berkey, Plf. & Dft. also J. Fuller

May 2, 1995 Appearance of FErguson & Spataro by Douglas W.Ferguson, Esquire, for Patricia J. Rugala, Plaintiff, filed.

May 4, 1995 Praecipe for Withdrawal of Appearance and Order, filed. AND NOW, this 3rd day of May, 1995, the within Motion is allowed.

BY THE COURT:
Gordon R. Miller, P.J.

May 4,1995 Faxed Ferguson & Kirkpatrick, mailed Beighley

Oct. 5, 1995, Certificate of Mailing of Plaintiff's First Request for Production of Documents filed.

Nov 8, 1995 Answer To Plaintiff's Request for Production of Documents, filed.

Feb. 17, 1998 Important Notice and Court Order filed. Out court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since 11/8/95 . We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonable delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.

If you do not object to this case being dismissed, you do not have to do anything. The case will be marked "dismissed with prejudice" in our records, and will be over forever.

I If you object to the case being dismissed, you must put your objections in writing and follow Crawford County Civil Local Rule L206, LJA 1901E and LJA1901F, explaining why there has been a delay in your case and why it is not unreasonable. These written objections must be filed in the Prothonotary's Office on or before April 24, 1998. You must also give or send a copy of any objections you file to the other party or his or her attorney, and certify that you have done so when you file your objections with the Prothonotary.

YOU MAY LOSE IMPORTANT RIGHTS IF YOUR CASE IS TERMINATED. YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHER EYOU CAN GET LEGAL HELP.

Court Administrator
Second Floor-Crawford County Courthouse
Meadville, PA 16335
(814) 333-7498

By the Court,
Anthony J. Vardaro, J

Date: February 13, 1998

Feb. 13, 1998 Copies mailed by Court Administrator's Office

Apr 22, 1998 Plaintiff's Objection to Dismissal of Case Pursuant to Local Rule of Civil Procedure L.J.A. 1901.

*Nov. 19, 1998 Motion to Vacate and order field. ORDER: AND NOW, Nov.17,1998 after consideration of Motion, it is hereby ordered and decreed as follows, to-wit: John fuller, esq. is hereby gratned leave to withdraw as custody mediator in above case and Kathleen Nelson, is hereby appointed in this place.

Gordon R. Miller, J.

11/19/98 faxed to Kirkpatrick, Ferguson, Nelson and fuller.

*Nov. 12, 1998 Plaintiff's Petition to Modify Custody and Order filed. And Now, this 10th day of November 1998 upon consideration of the foregoing motion it is hereby ordered and decreed that JOHN Fuller, Esq. is appointed Child Custody Mediator in regard to the above captioned action.

By Gordon R. Miller, J.

11/12/98 Faxed Kirkpatrick, Ferguson & Fuller,

Dec 22, 1998 Certificate of completion of the Seminar for Separating Parents for John J. Rugala, filed.

December 29, 1998 Stipulation filed.

Jan 13, 1999 ORDER: AND NOW, January 12, 1999, after Mediation and upon the recommendation of the Child Custody Mediator, it is Ordered and Decreed as follows:

1) Legal custody of the subject minor children, Cydnee Rugala and Mark Rugala, shall be shared by the Father and Mother, the parties to this action, with each parent entitled to full access to any records relating to the children held by a third party including, but not limited to school records and medical records and each parent shall have equal input regarding important decisions affecting the children such as education, religious instruction and medical treatment.

2) Primary physical custody of Cydnee Rugala and Mark Rugala, shall be with their Mother, subject to the following conditions: (see paper filed)

3) thru 8) (see paper filed)

9) The cost of the mediation conference shall be divided equally between the parents. The deposit paid in advance by the Mother shall first be applied to her share of the costs and teh remainder refunded to her, less the cost of the Court's Order.

10) (see paper filed)

Gordon R. Millr, P.J.

Jan 14, 1999 Faxed Ferguson, Kirkpatrick & Nelson

Jan. 26, 1999, Certification of completion of seminar of plff. filed.

CONTINUED ON PAGE 568

	PETITION FOR INVOLUNTRY TREATMENT OF JERRY E. BEARCE	CONTINUED FROM PAGE 419 of Record A. D1990 - 419

July 20, 1993 Report of Mental Health Review Officer and Order, filed ORDER: And now, July 19, 1993, upon consideration of the petition filed at the above number and term, and other relevant matter, and after a review of the report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said Jerry E. Bearce be committed to Warren State Hospital for treatment for a period not to exceed 180 days.
This order shall take effect on this date. BY THE COURT, Gordon R. Miller, P.J.

July 22, 1993 copy to Barrett, MH/MR, WSH

Dec. 29, 1993 Petition for Involuntary Treatment, filed.

Jan. 27, 1994 Report of Mental Health Review Officer and Order, filed. ORDER: AND NOW, this 26th day of January, 1994, upon consideration of the Petition filed at the above number and term, and other relevant matter, and after a review of the Report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said Jerry Bearce be committed to the Warren State Hospital for treatment for a period not to exceed 180 days from January 19, 1994. BY THE COURT, Gordon R. Miller, P.J.

Jan. 28, 1994 copy to Barrett, Africa, MH/MR, WSH

Jul. 11, 1994 Mental Health Procedures Act of 1976 (Sections 304 and 305), filed.

July 27, 1994 Report of Mental Health Review Officer and Order, filed. And now, July 27, 1994, upon consideration of the petition filed at the above number and term, and other relevant matter, and after a review of the report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said Jerry E. Bearce be committed to Warren State Hospital for treatment for a period not to exceed 180 days.
This order shall take effect on N.A. BY THE COURT, Gordon R. Miller, P.J.

Aug 2, 1992 copy to Barrett, MH/MR, WSH

Dec. 28, 1994 Mental Health Procedures Act of 1976 (Sections 304 and 305) filed.

Jan. 27, 1995 Report of Mental Health Review Officer and Order, filed. And now, January 27, 1995, upon consideration of the petition filed at the above number and term, and other relevant matter, and after a review of the report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said Jerry E. Bearce be committed to Warren State Hospital for treatment for a period not to exceed 180 days.
This order shall take effect on N/A. BY THE COURT, Gordon R. Miller, P.J.

Jan. 30, 1995 copy to WSH, MH/MR, Barrett

Jun. 26, 1995 Mental Health Procedures Act of 1976 (Sections 304 and 305) filed.

Jul 26, 1995 Report Of Mental Review Officer and Order, filed. And now, July 26th , 1995, upon consideration of the petition filed at the above number and term, and other relevant matter, and after a review of the report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said Jerry E. Bearce be committed to Warren State Hospital for treatment for a period not to exceed 180 days.
This order shall take effect on N/A. BY THE COURT, Gordon R. Miller, P.J.

July 26, 1995 copies to WSH, MH/MR & Barrett

Dec 27, 1995 Mental Health Procedures Act of 1976 (Sections 304 and 305), filed.

Jan 26, 1996 Report of Mental Health Review Officer and Order of January 25, 1996 committing Jerry Bearce to Warren State Hospital for treatment for a period not to exceed 180 days from January 9,1996.
Jan 29, 1996 copy to Africa, WSH, MH/MR

7-15-96 Mental Health Procedures Act of 1976 filed

Aug. 7, 1996 Report of Mental Health Review Officer and ORDER filed. AND NOW, this 7th day of August, 1996, upon consideration of the Petition filed at the above number and term, and after a review of the Report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said Jerry Bearce be committed to the Warren State Hospital for a treatment period not to exceed 180 days form July 9,1996. BY THE COURT, Gordon R. Miller, P.J.

Jan. 31, 1997 Report of Mental Health Review Officer and Order filed. AND NOW, this 29th day of January, 1997, upon consideration of the Petition filed at the above number and term, and after a review of the Report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED THAT THE SAID Jerry Bearce be committed to the Warren State Hospital for a treatment period not to exceed 18 days for January 14, 1997. BY THE COURT, Gordon R. Miller, P.J.

Jan. 31, 1997 Mental Health Procedures Act of 1976 filed.

July 24, 1997 Mental Health Procedures Act of 1976 (Sections 304 and 305), filed.

July 24, 1997 Report of Mental Health Review Officer and Order: AND NOW, this 23rd day of July, 1997, upon consideration of the Petition filed at the above number and term, and after a review of the Report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said Jerry Bearce be committed to the Warren State Hospital for a treatment period not to exceed 180 days from July 8, 1997. Gordon R. Miller, P.J.
July 30, 1997 sent WSH given Barrett and MH/MR

Jan. 29, 1998 Mental Health Procedures Act of 1976 (Sections 304 and 305) filed.

Jan. 29, 1998 Report of Mental Health Review Officer, Findings of Facts, Recommendations and Order filed. AND NOW, this 28 day of January, 1998, upon considerationof the Peittion filed at the above number and term, and after a review o of the Report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said Jerry Bearce be committed to the Warren State Hospital for a treatment period not to exceed 180 days form January 13, 1998.
BY THE COURT, Gordon R. Miller, J

Aug 20, 1998 Report of Mental Health Review Officer and Order: AND NOW, this 20 day of August, 1998, upon consideration of the Petition filed at the above number and term, and after a review of the Report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said Jerry Bearce be committed to the Warren State Hospital for a treatment period not to exceed 180 days from July 20, 1998. Anthony J. Vardaro, J.
Sept 1, 1998 sent copy to WSH, MH/MR - given to Barrett

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	Petition For Involuntary Treatment of Jerry E. Bearce	CONTINUED FROM PAGE 566 of Record A.D. 1990 - 419

Feb 8, 1999 Report of Mental Health Review Officer and Order: AND NOW, this 8 day of February, 1999, upon consideration of the Petition filed at the above number and term, and after a review of the Report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said Jerry Bearce be committed to the Warren State Hospital for a treatment period not to exceed 180 days from Jan 12, 1999. Anthony J. Vardaro, J.
Feb 17, 1999 sent WSH, MH/MR & Barrett

July 30, 1999 Report of Mental Health Reveiw Officer, Findings of Fact, RECOMMENDATION and ORDER filed. AND NOW,, this 29 day of July, 1999, upon consideration of the Petition filed at the above number and term, and after a review of the Report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said Jerry Bearce be committed to the Warren State Hospital for a treatment period not to exceed 180 days from July 12, 1999.

BY THE COURT,
Gordon R. Miller, P.J.

Aug. 6, 1999 Order Distributed to Atty. Maureen A. Skerda,WSH, Atty. Thomas Africa, MH/MR.

(SEE COMPUTER OR PAPERS FILED FOR MORE INFORMATION) 1990 30419

Patricia J. Rugala
vs
John J. Rugala

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March 22, 1999 Notice to the Plaintiff - Defendants Affidavit under Section 3301(d) of the Divorce Code Filed (Deft)

March 26, 1999 Plaintiff's Counter-Affidavit under Section 3301(d) of the Divorce Code Filed.

March 30, 1999 Income and Expense Statements Filed.

March 30, 1999 Defendant's Inventory Filed.

March 30, 1999 Motion to Appoint Master and Order Appointing Master filed. And Now, March 31, 1999 David W. Pickens Esq. is appointed master in respect to the following claims: Divorce, Alimony, Alimony Pendente Lite, Equitable Distribution, Counsel fees, Costs & Expenses, Defendant: $250.00.
If not]filed already the parties are ordered to file their pretrial statements within 30 days from this date
By the Court
Gordon R. Miller

3/31/99 Faxed Kirkpatrick Ferguson and Pickens

April 23, 1999 Notice of Scheduled Pre-hearing Conference filed.

June 24, 1999 Summary of Pre-Hearing Conference and Scheduling Order Filed.

Jun 24, 1999 Notice of Scheduled Master's Hearing filed.

July 6, 1999 Notice of Scheduled Pre-Hearing Conference filed.

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CINDI LOU MCKISSOCK

VS.

MARK D. MCKISSOCK

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3. The Plaintiff is awarded all retirement, pension, and insurance benefits to which she may be entitled as an employee of the Northwest Tri-County Intermediate Unit.

4. The Defendant is awarded all retirement, pension and insurance benefits to which he may be entitled as an employee of Northwestern Rural Electric Cooperative Association.

EQUITABLE DISTRIBUTION--PERSONAL PROPERTY

5. The Plaintiff is awarded all tangible personal property presently in her possession and which tangible personal property was formerly located at the marital residence of the Plaintiff and Defendant at RD # 1, Saeger Road, Cambridge Springs, PA 16403.

6. The Defendant is awarded all tangible personal property presently in his possession and formerly located at the marital residence of the Plaintiff and Defendant at RD # 1, Saeger Road, Cambridge Springs, PA 16403.

7. The Plaintiff is awarded the cash value of a 1982 Ford Automobile which automobile was previously subject to a trade in connection with the acquisition of another automobile by the Plaintiff.

8. The Defendant is awarded a certain 19__ Ford Truck.

9. The Defendant is awarded a certain outboard motor boat together with all accessories for said boat.

MARITAL DEBTS

10. The loan at Mellon Bank established by the Plaintiff and Defendant in connection with the establishment of a Redi-Credit Account shall be paid as hereinbefore provided from the "Escrow Account."

11. The Plaintiff shall be solely responsible for payment of a certain loan in favor of the Erie County School Employees Federal Credit Union and the Plaintiff shall make regular timely payments on the aforesaid loan pursuant to the terms and conditions of the loan agreement by and between the Plaintiff and the Erie County School Employees Federal Credit Union. The Plaintiff will further indemnify and hold the Defendant harmless from any liability on the aforesaid loan.

12. The Defendant shall be solely responsible for the payment of a certain loan in favor of the Pennsylvania Rural Electric Association Credit Union, PO Box 1266, Harrisburg, PA., and the Defendant shall make regular and timely payments on the afoaresaid loan pursuant to the terms and conditions of the loan agreement entered into by and between the Plaintiff and Defendant with said Credit Union. The Defendant further indemnifies and holds the Plaintiff harmless from any liability on the aforesaid loan.

13. The Defendant shall be solely and exclusively responsible for payment of a certain loan in favor of the Defendant's father, to-wit Mr. Samuel McKissock, in connection with certain Mortgage payments made on behalf of the Plaintiff and Defendant by the Defendant's father to-wit Mr. Samuel McKissock. The Defendant will further indemnify and hold the Plaintiff harmless from any liability on the aforesaid loan.

14. The Plaintiff and Defendant agree that the balances due on the aforesaid loans are as follows:

Pennsylvania Rural Electric Association Credit Union (principal balance due as of 3/25/92).....$1,467.37

Erie County School Employees Federal Credit Union..... $1,500.00

Samuel McKissock (the Defendant's father)..... $1,500.00

ALIMONY PENDENTE LITE, COUNSEL FEES AND COSTS

15. Pursuant to an Order of Court entered on July 29, 1991 the Defendant was ordered to pay alimony pendente lite to the Plaintiff in the amount of $250.00 per month for the months of August, September, October and November, 1991. The Defendant shall not be required to pay any additional alimony pendente lite.

16. The Plaintiff shall be responsible for payment of her own counsel fees provided, however, that the Defendant shall be obligated to make payment of the balance due on counsel fees which were awarded to Plaintiff's counsel by Order of Court entered on July 29, 1991, which balance as of the date of this Decree is in the amount of $85.00. Said amount shall be paid within five (5) days from the date of the entry and filing of this Decree In Divorce.

17. The cost of an appraisal of the marital property located at RD # 1, Saeger Road, Cambridge Springs, PA., and completed by Larry Price, shall be shared equally between the Plaintiff and Defendant, said appraisal fee being in the amount of $165.00 and shall be paid within five (5) days of the entry and filing of this Decree In Divorce

18. The Defendant shall be solely and exclusively responsible for the payment of his own counsel fees.

MISCELLANEOUS

19. That the Plaintiff and Defendant will sign, execute and acknowledge any and all documents necessary to implement the provisions of this Decree In Divorce.

20. That neither the Plaintiff nor the Defendant shall make any further claims against the other party hereto except for the enforcement of the rights and responsibilities set forth in this Divorce Decree.

BY THE COURT,
Anthony J. Vardaro, Judge

Hugh I. Sturgis
vs.
Sandra E. Sturgis

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of
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Aug. 7, 1991, Motion to Withdrawn Plaintiff's Motion for Sanctions for Failure to File Inventory and Appraisement as Required by Pa. R.C.P. 1920.33, and Order filed. ORDER: AND NOW, this 7 day of Aug. 1991 upon consideration of Plaintiff's Motion for Sanctions for Failure to File Inventory and Appraisement, it is Ordered that:
1. Plaintiff's Motion to Withdraw Plaintiff's Motion for Sanctions is hereby granted; and
2. The Aug. 9, 1991 3:30 p.m. hearing on this issue is cancelled.

BY THE COURT,
P. Richard Thomas, J.

Aug. 12, 1991 copies to R. C. Thomas and T. Rothsc hild, Esqs.

Aug. 7, 1991 Certificate of Service of above motion filed.

Sept. 17, 1991 Certificate of Service of Motion for Appointment of a Master filed.

Sept. 17, 1991, Plaintiff's Affidavit Under Section 3301(d) of the Divorce Code filed.

Sept. 17, 1991, Motion for Appointment of a Master and Order appointing Master filed. ORDER APPOINTING MASTER: And Now, this 19 day of Sept. 1991 upon consideration of the Motion of plaintiff Hugh I. Sturgis, by his attorneys, Mahany, Roeder and Rothsc hild, Ann Hanson Gamble, esq. is appointed master with respect tothe following claims:
Divorce, Equitable Distribution, Alimony Pendente Lite, Alimony, Counsel Fees and Costs and Expenses.
The plaintiff sahll deposit $350 and the defendant shall deposit $150. with the Porthonotary to apply on the Masters Fees and costs. Said deposits shall be made iwthin 20 days of this order.

BY THE COURT,
Gordon R. Miller, J.

Sept 24, 1991 copies to R. C. Thomas, T. Rothsc hild and Master A. Gamble.

Nov. 14, 1991 Motion to Vacate Master appointment and Order filed. ORDER: AND NOW this 13 day of Nov. 1991 the appointment of Ann Hansen Gamble, Master in the above matter is hereby vacated and Jos. C. Barnhart, Esq. is appointed in her stead.

BY THE COURT,
Gordon r. Miller, J.

Nov. 18, 1991 copies to A. Gamble, R C., Thomas, t. Rothschild and Jos. Barnhart.

Feb. 20, 1992, Master's Summary of Pre-Hearing Conference and notice of Hearing filed.

Apr. 8, 1992 Postponement Of Master's Hearing filed.

April 21, 1992 MOTION TO PAY COURT REPORTER AND ORDER filed. ORDER AND NOW, this 21 day of April, 1992, upon consideration of the Motion of the Master duly appointed in the above-captioned matter, the Court hereby grants said Motion and directs the Prothonotary of Crawford County to pay James I. McClerry, Court Reporters, the sum of Thirty and 00/100 ($30.00) DOLLARS from funds on deposit in the above-captioned matter. SAid payment representing the court reporter's appearance fee for Master's hearing scheduled for April 7, 1992.

BY THE COURT:
Anthony J. Vardaro, J.

April 27, 1992 copy of order mailed to Joseph C. Barnhart, Esq. and Tamera Ochs Rothschild and distributed to R.Charles Thomas, Esq.

June 2, 1992 Agreement filed.

June 2, 1992 AFFIDAVIT OF CONSENT OF DEFENDANT, filed.

June 2, 1992 AFFIDAVIT OF CONSENT OF PLAINTIFF, filed.

June 2, 1992 Upon praecipe of Plaintiff attorney to transmit record, case moved to Court.

June 15, 1992 ORDER filed. AND NOW, June 12, 1992, the Court has reviewed this matter in response to a precipe to transmit the record to the Court for a final decree that was filed by the plaintiff on June 2, 1992. The Court intends to enter a divorce decree after this Order is entered. However the Court notes that a Master is appointed and he appears to have spent some time on this matter after the appointment. IF the Master desires to be compensated for his services he should either (a) obtain a written stipulation from the parties setting his fee and establishing the method and source of payment; or (b) file an appropriate motion or petition with the Court in accordance with local motions practice whereupon the Court will set the fee. All funds deposited with the Prothonotary in this case shall be held by the Prothonotary until further order of Court.
The Master shall obtain stipulation or file his motion or petition within thirty (30) days from this date.
Even though a divorce decree is now being entered the issue of Master's fees, allocation of the payment of the Master's fee and the proper return or allocation of all deposits shall remain open and the Court retains jurisdiction over those matters. The parties should have resolved the issue of the Master's fees in their agreement and before the matter was transmitted to Court for final decree.

BY ORDER OF COURT
Gordon R. Miller, P.J.

June 15, 1992 Copy of Order to Attys. Tamara Rothschild, R. Charles Thomas, and Joseph Barnhart.

D I V O R C E D E C R E E F I L E D

June 15, 1992 AND NOW, June 12, 1992, it is ordered, adjudged and decreed that **H U G H I . S T U R G I S**, plaintiff, and **S A N D R A E . S T U R G I S**, defendant, are divorced from the bonds of matrimony. The parties having entered into an agreement for the disposition of marital properties and other matters with regard to the divorce action pending between the said agreement, which is attached hereto, is hereby incorporated into this divorce decree.
The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered and which has not been withdrawn by the party making the claim.

BY THE COURT,
Gordon R. Miller, P.J.

1990

MARY ANN MALLEY

Vs.

PATRICK M. MALLEY

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July 31, 1991 Memorandum and ORDER filed. AND NOW, July 30, 1991 the Master is ordered and directed to review this matter and to file a supplemental report and recommendation as to the plaintiff's indebtedness on her automobile in keeping with the attached memorandum.

The Master shall file his supplemental report and recommendations, if any, no later than August 20, 1991. He shall serve a copy on both counsel by regular mail and attach a certificate of mailing to his supplemental report and recommendation, if any. Thereafter the Court shall resolve the plaintiff's exceptions with no further hearings or argument.

BY THE COURT,
Gordon R. Miller, P.J.

Aug. 1, 1991 Copy of Order to Attys. C. Barton Jones, R. Charles Thomas and William Jorden.

Aug. 8, 1991 Notice Of Filing Supplemental Master's Report filed.

Aug. 8, 1991 Supplemental Master's Report and Recommendation filed.

Sept. 27, 1991 Motion For Order To Pay Attorney's Fees and Order Of The Master filed.

Oct. 29, 1991, Affidavit of Consent of plaintiff filed.

Nov. 13, 1991, Affidavit of service by Mail Pursuant to Pa. R.C.P. 1920.4(a)(1)(ii) filed. I, C. Barton JOnes, Esq. being duly sworn according to law, deposes and says that he is the atty. for plaintiff and that he did mail a true and correct copy of the Complaint in divorce filed in the above matter, by cert. Mail, ret. rec. req. to the defendant on April 4, 1990 at his last known address, 484 Scott Road, Jamestown, Pa. 16134. The signed receipt is attached as Exhibit "A"/ C. Barton Jones, Esq.
Date: Nov. 11, 1991

Nov. 13, 1991 Certificate of Service of Statistic form, praecipe to transmit Record, Certificate of Service, Petition to Grant Divorce Decree, Motion to Incorporate three Master's Reports in to divorce Decree, and proposed Decree and Order to R. Charles Thomas, filed.

Nov. 13, 1991 Motion to Incorporate the Three Final Master's Reports in Court's Divorce Decree filed.

Nov. 13, 1991, Petition to Move the Court to grant Divorce Decree in the Case filed.

Nov. 13, 1991 Upon praecipe of plaintiff attorney, to transmit the record, this case moved to court.

Nov. 18, 1991 Affidavit of Consent of defendant filed.

Nov. 25, 1991 **D E C R E E A N D O R D E R F I L E D .**

AND NOW, this 25th day of November, 1991, on the grounds of Irretrievably Breakdown, in the above case having been duly approved, the Court, by virtue of the authority vested in it by law, decrees that MARY ANN MALLEY and PATRICK M. MALLEY, are hereby divorced from the bonds of matirmony, and all the duties, rights, and claims accorded to either of the said parties at any time heretofore, in pursuance of siad marriage, shall henceforth cease and determine, and the said parties shall severally be at liberty to marry again as if they had never been married.

AND IT IS FURTHER ORDERED, ADJUDGED, AND DECREED, pursuant to Pa. R.C.P. 1920.1, et seq. & Act 26-1980. 23 P.S. 1, et seq., " The Divorce Code", that the terms, provisions, and conditions as set out in Three (3) Master's Reports in the base from William Jorden, Esquire, which reports are attached hereto in their entireties, and which reports are final, having no excepitons thereto surviving as filed by either par ty, said Three Master's Reports being the Master's recommendations to the Court for allissues between the parties excepting support, and attached to this Decree andOrder as Exhibits "A", "B" and "C", and which three (3) reports are hereby incorporated in this Order and decree in their entirety, being final, and now being accepted, adopted, and ratified by this Court by reference thereto as though the same were set forth herein at length. Said Master's Reports shall not merge with, but shall survive this Decree and Order.

BY THE COURT:
Gordon r. Miller, J

Feb. 3, 1992 Petition To HOld Defendant In Contempt Of court For Failure To Comply With Court Order filed.

Feb. 3, 1992 Rule To Show Cause filed. You are hereby ordered to appear before this Court at Courtroom No. 1, Crawford County Courthouse, Diamond Park, Meadville, PA 16335, at 1:30 p.m. o'clock, on March 23, 1992, to show cause why you should not be held in contmpet of this Court for failure to comply with three (3) Orders of this Court as more fully set out in the within Petition.

BY THE COURT,
Gordon R. Miller, J

Date: January 30, 1992

feb. 11, 1992 Copies of order to Atty's C. B. Jones, R. C. Thomas and William Jorden

Feb. 3, 1992 Certificate of Service of Petition For Contempt filed.

Mar. 31, 1992 AMENDED DECREE filed. WHEREAS, on Nov. 25, 1991, this Court entered a Final Decree in divorce terminating the marriage of the parties and furthermore approved three (3) Master's Reports that contained, inter alia, a proposed Order of equitable distribution of marital property (report mailed out May 29, 1991); further defined the responsibility for the payment of indebtedness on a repossessed vehicle (Supplemental Master's Report); and approved attorney's fees to be paid by the Defendant to the Plaintiff's attorney in the amount of $1,440.50' and

WHEREAS, it appears that some aspects of the Decree have not been complied with, consummated or fulfilled, primarily the disposition of the residential real estate; and

WHEREAS, the Plaintiff filed a petition to hold the Defendant in contempt of Court for failure to comply with the Decree in three (3) respects, to-wit: Failure to purchase or list the marital residence for sale; failure to pay eleven thirteenths (11/13) of the Plaintiff's indebtedness on an automobile formerly titled in her name which was repossessed; and failure to pay Plaintiff's counsel fees; and

WHEREAS, a rule to show cause was issued directing the Defendant to show cause, if any he had, why he should not be held in contempt of court in the manner alleged by the Plaintiff; and

WHEREAS, at a contempt hearing on that rule to show cause scheduled for March 23, 1992, the parties appeared and agareed upon a proper resolution of the yet outstanding matters; and

WHEREAS, the resolution generally provides that the Defendant shall have an additional six (6) months from this date to purchase the marital residence, to pay off the indebtedness on the Plaintiff's repossessed motor vehicle and to pay counsel fees; and

WHEREAS, in order to reach this agreement the Defendant has also agreed to perform two (2) acts that are in addition to those acts required of him in the Dovorce Decree. That is to pay the Plaintiff $2,000.00 in cash and to pay Plaintiff's counsel an additional $300.00 for attorney fees.

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Mary Ann Malley
vs.
Patrick M. Malley

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NOW, THEREFORE, this 23rd day of March, 1992, pursuant to the agreement of the parties it is DECREED as follows:

1. All of the terms, conditions and requirements of the Divorce Decree and Order of Nov. 25, 1991 shall remain in full force and effect unless modified or extended by this Decree.

2. The Defendant shall purchase the former marital residence at 484 Scott Road, Jamestown, Crawford County, Pa. for $49,500.00 within six (6) months from this date. At the time of purchase, he shall pay off all debts that are secured by that property, all credit card balances as of the date of separation of the parties with respect to credit cards held by both parties, eleven-thirteenths (11/13) of the remaining balance of the indebtedness on a vehicle formerly owned by the Plaintiff, which has now been repossessed, payment in full or all indebtedness on a Geo, payment to the Plaintiff of the sum of $2,000.00 in cash or it's equivalent and payment of $1,740.50 in cash or it's equivalent as his share of the PLaintiff's attorney's fees.

3. At the time the Defendant purchases the former marital residence in the manner set forth in Paragraph 2, the Plaintiff shall make, execute, acknowledge and deliver to the Defendant conveying all of her right, title and interest in that property to him.

4. In the event that the Plaintiff elects to not pay off the balance of the article agreement from Shirley Guregian and/or not pay off the debt on the marital residence owed to Robert E. Malley and Elizabeth Malley, his wife, but rather to continue those debts, then the Defendant shall not be required to pay off those debts but shall make, execute and deliver to the Plaintiff an agreement to be solely responsible for th ose debts and to hold the Plaintiff harmless from any loss she should suffer as a result of his failure to pay those debts including reasonable attorney fees.

5. Counsel for the Defendant shall attempt to negotiate a discounted pay-off on the indebtedness on the Plaintiff's former vehicle. If he is able to do that, then the Plaintiff is not required to make any payment toward that debt, but rather the Defendant shall pay the indebtedness as discounted in full rather than merely paying eleven-thirteenths (11/13) of that pay-off.

6. In the event that the Defendant complies with this Decree, the contempt proceedings will be dissolved. In theevent that the Plaintiff alleges that the Defendant has not complied with this Decree, the Plaintiff may file another petition to hold the Defendant in contempt of court setting forward the allegations she intends to prove and show in support of that petition. Thereafter, the Court shall enter a rule to show cause directed to the Defendant to appear at a hearing to show cause, if any he h as, why he should not be held in contempt of court. BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

Apr. 3, 1992 copy mailed to Plaintiff

BRENDA J. PETRICK

VS.

JOHN PETRICK

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of
No. 207 AD of 1990

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1. The defendant shall pay an additional amount of alimony pendente lite in the amount of $200, which said sum shall be paid as follows:

a. The sum of $100 on or before July 1, 1991

b. The sum of $100 on or before August 1, 1991

2. The issue of counsel fees as well as any additional alimony pendente lite is left to ultimate disposition by the parties or by the master or by the court, for this order simply resolves the issue before the court this date.

BY ORDER OFTHE COURT,
Gordon R. Miller, P.J.

July 1, 1991 copies to J. Irwin and D. Ferguson and Bettie Muth attys.

Oct. 11, 1991 Petition For Bifurcation and Order filed. AND NOW, this 11th day of October, 1991, hearing on the Plaintiff's Petition for Bifurcation is set for the 7th day of November, 1991 at 2:30 o'clock p.m., in Courtroom 1 or 2, of the Crawford County Courthouse, Meadville, Pennsylvania.

BY THE COURT,
Gordon R. Miller, J

Oct. 15, 1991 Copies of order put in box for Atty's Irwin, Ferguson and Muth

Nov. 12, 1991 Order filed. AND NOW, November 7, 1991, the Defendant having filed a petition for bifurcation, it apearing that a Master was appointed on May 31, 1991, that the Plaintiff has made the required deposit toward the Master's fees, but the Defendanthas not made such a deposit, and it further appearing that the paraties agree that the only marital asset, which is the marital home, is being sold as of November 12th, and they have agreed to put the money in escrow pending final disposition, we do not believe this is an appropriate case in which to grant bifurcation. The request for bifurcation is denied.

BY ORDER OF THE COURT,
Robert L. Walker, S.J.

Nov. 15, 1991 Copies of order put in box for Atty's Irwin and Ferguson

Mar. 26, 1992 PROOF OF NOTICE OF MASTER'S HEARING, filed.

April 27, 1992 Defendant's PreTrial Narrative filed.

April 27, 1992 Income and Expense Statement of Defendant filed.

April 27, 1992 Inventory and Appraisement of John J. Petrick, defendant filed.

June 4, 1992 AFFIDAVIT OF SERVICE, filed. I, JAMES R. IRWIN, Esq., being duly sworn according to law, depose and say that I am the attorney of record, and as such say that I served a true and correct copy of the Complaint in Divorce certified by the Prothonotary of Crawford County, Pennsylvania on the above named Defendant by certified mail, addressee only, return receipt requested, dated Feb. 27, 1990. The Defendant acknowledged service on Feb. 28, 1990 by accepting delivery on that date as evidenced by the attached signed return receipt.

June 4, 1992 Upon praecipe of Plaintiff attorney to transmit record, case moved to Court.

June 15, 1992 MEMORANDUM AND ORDER, filed. The Court reviewed this matter pursuant to the plaintiff's praecipe to transmit the record. The file also included a form divorce decree that awards marital property, allocates responsibility for marital debt, etc. Finally, we note that a Master was appointed and she gave notice of a Master's hearing on March 25, 1992. We will not enter a decree at th is point because we think there is some unfinished business.

We will not sign the submitted divorce decree unless it is agreed to by both parties in writing or unless it is the divorce decree prepared by the Master after hearing and the filing of a proper Master's report.

Furthermore, if the parties have settled this matter on their own then they should make the necessary arrangements to satisfy the Master's fees or the Master should file a motion with the Court, pursuant to motion's practice, so that the court may establish a fee and allocate responsibility for the payment of a fee.

We now return the entire file to the Prothonotary for further proceedings consistent with this memorandum.

BY ORDER OF COURT
Gordon R. Miller, P.J.

June 15, 1992 copy put in Atty Muth's box. June 19, 1992 copy in box for Irwin & Ferguson

June 30, 1992 Stipulation, filed

June 30, 1992 Upon praecipe of Plaintiff attorney to transmit record, case moved to Court.

July 8, 1992 Motion for Payment of Master's Fees and Order filed. And Now, this 8 day of July, 1992, the court hereby directs that Bettie J. Peterson-Muth be compensated for services in the amount of $100.00, with each party paying an equal share of$50.00.

By the Court,
Anthony J. Vardaro, J.

July 8, 1992 Copy of the Order to: Atty. Irwin, Atty. Ferguson and Atty. Peterson-Muth

DIVORCE DECREE FILED.

July 16, 1992 AND NOW, this 15th day of July, 1992, the Court Orders and Decrees that:

DIVORCE

Brenda J. Petrick, Plaintiff, and John J. Petrick, Defendant, are divorced from the Bonds of Matrimony.

MARITAL PROPERTY

The marital property of the parties is awarded to the Plaintiff and Defendant as follwos:

a. The Plaintiff and Defendant shall become the sole and exclusive owners of all marital property presently in his or her possession with no claim by the other against the same.

MARITAL DEBTS

The Defendant, John J. Petrick, shall be solely responsible for the payment of the following marital debts acquired during the course of the parties marriage:

CURRENT BALANCE

a. Mastercard/Visa - $530.12
b. First Card - $703.20
c. Sears - $754.97
d. Pennbank - $1402.07
e. Mellon Ready Credit - $481.06

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BRENDA J. PETRICK
vs.
JOHN J. PETRICK

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The Defendant shall pay these sum directly in full to the above list of creditors within ten days of receipt of various monies currently held in an escrow account and set forth in this divorce decree. The Defendant further agrees to indemnify and hold the Plaintiff/Wife harmless with regard to the payment of said debts.

HUSBAND'S PENSION PLAN AT LORD CORPORATION

The Defendant/Husband shall become the sole and exclusive oner of a certain pension through his employment at Lord Corporation with the exception of Wife being entitled to receive 50% of the sum of 1118.37 per month payable to the Defendant, John J. Petrick, at age 65 (8-31-2015). To effectuate Wife receiving said sum the Defendant/Husband the shall execute a certain qualified Domestic Relations' Order which shall be incorporated to reflect that the Wife is entitled to receive 50% of the sum of 158.37 per month payable to John J. Petrick at age 65 (8-31-2015).

ALIMONY AND ALIMONY PENDENTE LITE

No award is made to the Wife for her claim to Alimony and/or Alimony Pendente Lite with the exception of those amounts previously awarded by the court and paid by the Defendant to the Plaintiff.

COUNSEL FEES, MASTER FEES, COSTS AND EXPENSES

Plaintiff and Defendant shall be equally responsible for the payment of all costs and expenses incurred by the Master including but not limited to any Master fee and/or possible stenographer's fees. The Plaintiff and Defendant shall each be solely rsponsible for their own attorney's fees without contribution from the other except to the extent that any payment has been made by the Defendant to the Plaintiff on account of previous court orders to the date of this order.

ESCROWED BANK ACCOUNT

All monies currently held in excrow at Northwest Savings by attorneys Douglas W. Ferguson, Esquire, and James R. Irwin, Esquire, representing the net proceeds from the sale of the parties marital home and incurred interest thereon having an approximate balance of $29,096.19 shall be distributed as follows:

a. To the Plaintiff/Wife, Brenda J. Petrick, the sum of $16,000.00;

b. To the Defendant/Husband, John J. Petrick, the balance of the proceeds in said account asof the date of distribution or approximately $13,096.19.

This order shall be effective immediately.

BY THE COURT,
Gordon R. Miller, J.

July 16, 1992 Motion For Refund of Unused Master's Fees and Order filed. AND NOW, this 15th day of July, 1992, the Prothonotary of Crawford County is ordered to refund Brenda J. Petrick, Plaintiff in the abovecaptioned divorce action, the amount of $250.00 for unused Master's Fees.

BY THE COURT,
Gordon R. Miller, J

July 20, 1992 Copies of order put in box for Atty's Irwin, Ferguson & Muth

July 16, 1992 Motion for Refund of unused Master's fees and Order filed. AND NOW, this 15th day of July 1992, the Prothonotary of Crawford County is ordered to refund John J. Petrick, Defendant, in the above captioned divorce action, the amount of $400.00 for unused Master's fees.

BY THE COURT,
Gordon R. Miller, J

July 20, 1992 Copies of order put in box for Atty's Irwin, Ferguson & Muth

April 2, 1993, Qualified DOMESTIC RELATIONS ORDER filed. AND NOW, this 2 day of April 1993 it appearing to the court that:

1. the parties hereto are husband and wife and a divorce action ispresentlypending in this court at above number.

2. John J.Petrick, Soc.Sec. # 198-40-0341, hereinafter referred to as "Defendant" or "Participant" is employed by Lord Corporation, and is a participant in the Lord corp. Salaried employees' Pension plan, (hereinafter referred to as "Pension Plan');

3. Brenda J.Petrick, soc. sec. # 186-42-5954 hereinafter referred to as "Plaintiff or "Alternate Payee" has raised claims for, inter alia equitable distribution of marital property pursuant to the Pa. divorce Code, 23 PS §101 et seq;

4. Pla intiff's current and last known mailing address is r. d. #2, box 99F, Cambridge Springs, Pa. 16403;

5. Defendant's current and last known mailing address is R. D. #2, Box 252, Cambridge Springs, Pa. 16403;

IT IS ORDERED, ADJUDGED AND DECREED as follows:

1. A portion of the aforementioned Pension Plan, currently in the anme of JohnJ. Petrick, is marital property subject to distribution by this court.

2. The portion ofthe aforementioned Pension Plan, currently in the name of John J. Petrick, awarded to the Alternate Payee, Brenda j. Petrick, is Seventy-Nine Dollars and Nineteen Cents ($79.19) per month, payable at John J. Petrick's normal retirement date, said date being Aug. 31, 2015. This sum shall be subject to actuarial adjudtments as might be necessary based upon the Alternate Payee's age at the actual commencement date of Mr. Petrick's Pension plan annuity. Alternate Payee shall be responsible for all taxes resulting from su ch payments.

3. The participant, John J.Petrick, is awarded the remaining monies in the Lord Corporation Pension Plan.

4. The term of said payments tot he Alternate Payee is for the life of the Alternate Payee, and will commence at the time that Mr. Petrick's Pension Plan annuity begins.

5. In no event shall the Alternate Payee have greater rights than those which are available to the participant. The Alternate Payee is not entitled to any benefit not otherwise provided under the Plan and is not entitled to any benefit specifically prohibited by the Retirement equity Act of 1984, as amended "REA"; Section 206 (d) of the Employee Retirement Income Security Act of 1974, as amended "ERISA"; or Section 414 (q) of the Internal Revenue Code (IRC) of 1986, as amended the "Code".

6. The Pension Plan to which this order applies isthe Lord corporation Salaried Employees' Pension Plan or any suc cessor Plan.

7. the parties shall promptly notify the Corporation Pension Administrator of any change in their addresses from those set forth inthis order.

8. The parties shall promptly submit this order to the Corporation Pension Plan Administrator for determination of its status as a Qualified Domestic Relations Order.

9. Neither party shall encumber, transfer, pledge or in any other way dispose of any portion of this pension plan untilsuch time as the Plan Administrator has qualified this order after which each party shall be entitled to take su ch actions as he or she deems appropriate with regard to his or her share, free of any claim by the other.

IT IS INTENDED that this Order shall qualify as a qualified Domestic Relations Order under the REA, ERISA and the Code . The court retains jurisdiction to amend this order as might be necessary to establish or maintain it's status as a Qualified Domestic Relations Order under the REA, ERISA and the code.

BY THE COURT:
Gordon R. Miller, J.

Apr. 8, 1993, copies of order to Attys. J. Irwin and D. Ferguson.

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Larry E. Spencer
vs.
Laura Ann Spencer

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April 4, 1991 Notice of Withdrawal of Consent to Divorce filed.

Apr. 17, 1991 Order filed. AND NOW, April 16, 1991 the Plaintiff's Petition to Bifurcate and Motion to Appoint Master and the defendant's Motion in Opposesion to Plaintiff's Motion to Appoint Master and defendant's Petition for Continued Alimony Pendente Lite and Related Relief and defendant's Motion for Leave to Conduct Discovery are denied without prejudice and may be re-presented at such time as both parties have filed thier Affidavits of Consent to Divorce or the parties have been separated for the statutorily required period.
This Order is entered with the consent of both parties and their counsel.

BY ORDER OF THE COURT,
P. Richard Thomas, S.J.

Apr. 17, 1991 2 - copies each put in Atty's box.

Nov. 25, ₮991 Affidavit of Servcie filed. I, James R. Irwin Esq. being duly sworn according to law, depose and say that I am the atty. of record, and as such say that I served a true and correct copy of Compalitn in Dviorce certified by the Prothonotary of Crawford County Pa. on the above named defendant by cert. mail, addressee only, ret. rec. req. dated May 17, 1990 The dft. acknowledged service on May 18, 1990 by accepting del on that date as evidenced by the attached signed return receipt. James R. Irwin, Esq.

May 29, 1992 Notice to the Defendant and Plaintiff's Affidavit Under Section 201 (d) of the Divorce Code filed.

June 18, 1992 DEFENDANT'S COUNTER-AFFIDAVIT UNDER SECTION 3301(d) OF THE DIVORCE CODE, filed.

July 13, 1992 Petition For Leave To Conduct Discovery and ORDER filed. And, Now, July 13, 1992, hearing on Defendant's Petition for Leave to Conduct Discovery is scheduled for Aug. 17, 1992, at 1:30 p.m. o'clock in Courtroom number 1 or 2 of the Crawford County Courthouse at Meadville, PA.
For the Court:
Imogene Yetman, Court Administrator
July 15, 1992 Copy of Order to Attys. Mary Ann Kirkpatrick, James Irwin.

July 17, 1992 Answer To Petition For Leave To Conduct Discovery filed.

July 20, 1992 Motion to Withdraw Appearance and Order filed. AND NOW, this 17th day of July, 1992, upon presentation and consideration of the within Motion, Plaintiff's counsel, James R. Irwin, Esquire, is hereby aut horized to withdraw his appearance on behalf of the Plaintiff in the above captioned case.
Gordon R. Miller, J.
July 22, 1992Copy of Order to: R. Charles Thomas, Esq. James R. Irwin, Esq. and Mary Ann Kirkpatrick, Esq.

July 20, 1992 Petition To Adjudicate The defendant IN Contempt and for Imposition of Sanctions and Order filed. AND NOW, this 17 day of July, 1992, upon presentation and consideration of the within Petition a Rule is granted upon the Defendant to show cause if any she has why the relief requested in the foregoing Petition should not be granted. REturnable and for hearing on the 17 day of August, 1992, at 1:30 o'clock P.M., in Court Room No. 1 or 2, Crawford County Court House, Meadville, Pennsyvlania. A copy of this Petition shall be served upon the Defendant's counsel, Mary Ann Kirkpatrick Esq., by regular mail and a copy of the same upon the defendant by certified Mail.
BY THE COURT,
Gordon R. Miller, J

July 22, 1992 copies of order put in for Atty's Kirkpatrick & Thomas

July 31, 1992 MOTION TO RESCHEDULE HEARING and ORDER filed. ORDER: And, Now, July 31, 1992, hearing scheduled for August 17, 1992, is rescheduled for September 2, 1992, at 2:30 p.m. in courtroom number 1 or 2 of the Crawford County Courthouse at Meadville, Pa.
By the Court
Gordon R. Miller, P.J.
Aug 6, 1992 copy in box for M.A. Kikrpatrick & R.C. Thomas

Sept. 2, 1992, Defendant's Preliminary Inventory filed.

sept. 3, 1992 Order filed. AND NOW, September 3, 1992, after an informal hearing on the record on tw0 matters before the Court, towit: the Plaintiff's petition for contempt filed July 20, 1992 and the Defendant's request for a discovery order filed July 13, 1992, it is ORDERED as follows:
1. The Plaintiff's petition for contempt is dismissed largely because the Plaintiff does not wish to proceed on it and because the defendant this date filed an inventory.
2. The Defendant is granted leave to engage in discovery under the following terms and conditions. We note that both parties have accountants and that any information given by the Plaintiff or his accountant to the Defendant or her accountant will be used and scrutinized bythe Defendant, her counsel and her accountant in order to properly prepare for a trial in this case. We also note that this case has been pending for a long time.
3. The Plaintiff shall, within 21 days from this date, furnish the following information or records or materials contained in the following matters available to the Derfendant, her counsel, and her accountant:
A. The Plaintiff's contract or any other written agreement setting forth any business or professional relationship between the Plaintiff and Dr. Schulz.
B. The Plaintiff's contract or any other written agreement setting forth any business or professional relationship between the Plaintiff and Dr. Nogay.
C. Corporate or other documents establishing the ownership of the veterinary practive and business that the Plaintiff has or has had within the past four (4) years, going back from this date.
D. wage information for Sue Skerlec from date of employment through the time when the employment was terminated, or until the present tiem, whichever occurs first.
E. Statements or authorization to obtain statements form any life insurance companies that have issued life insurance policies on the life of the Plaintiff in order that the defendant obtain appropriate values with respect to tha tlife insurance. This shall include life insurance that was on the life of the Plaintiff at any time within two years prior to separation, and at any time since separation.
F. Any and all records used by the Plaintiff or any partnerhsip or corporation that he has been reguarlarly invovled with as a veterinarian setting forth accounts receivable for all periods of time for three years prior to separation through the present time.
G. Copies of any and all appraisals performed by an realtors or other experts who have appraised and given written opinions as to the value of any marital assets.
H. Any and all records, including but not limited to tax returns, which would show or indicate an identity of assets or property and income and expenses of any business known as the Cow Project or Imperial Breeders, including but not limited to any frozen embryos that may havee ben owned by or the property of the Cow Project and/or Imperial Breeders. This shall also include any other breeding or cow proprgrams.
I. Any financial records or financial statements that the Plaintiff has furnished to any banks, lending institutions or others from whom he has sought loans at any time from 3 years prior to separation until the present time.
J. Full and complete copies of any corporate tax returns, including Form K-1, for any corporation in which the Plaintiff is a shareholder, officer, or director for all periods of time beginning with five years prior to separation through the present time.
K. True and correct copies of any and all personal tax returns which the Plaintiff has filed with the Commonwealth or the Internal Revenue Service for all periods of time commencing with five years before the separation through the present time.
L. Any and all records or information which the defendatn's accountant reasonably needs that are reasonable and appropriately related to equitable distribution matters such as the indentity of the marital assets, acquisition or disposition of marital assets and valuation of marital assets.
4. The defendat shall have 81 days from this date to scrutinize and evaluate the information she has received under this production order. If she believe she needs more information or more discovery, she shall, within the next 81 days, submit a detailed list of what she requests to the Plaintiff. The Plaintiff shall either (a) produce the information requested within 21 days after receipt of the request, or (b) refuse to produce some or all of the additional materials requested.

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If the Defendant does not request additional materials, or if the Defendant requests additional materials and the Plaintiff furnishes those materials or if the Defendant requests those materials and the Plaintiff doe snot provide those materials and the defendant doe snot approach the Court for relief as hereinafter provided, there shall be no further discovery, no further preliminary proceedings, and either par ty may file a mo;tion for the appointment of a master so that this case proceeds.

If the Defendant requests additional discovery as hereinabove provided, an dif the Plaintiff disagrees and does not furnish that additional information to the defendant, then the defendant shall file a motion for relief with the Court within 10 days after the Pl aintiff either refuses or the deadline for production has expired, at which time the Court shall schedule a hearing and/or argument to determine whether or not the request for additional information is appropriate and whether or not is shall be furnished.

5. The parties are using and consulting with experts. The Plaintiff, and t osome extent the defendant, want to know the opinions and testimony of the experts to assist in settlement and preparation for trial. The Court encourages a full exchange of expert reports, opinions and proposed testimony. We make no order in that now, believing that Pa. r.A.P. 1920.33(b) and the local rules adequately require the exchange of this information in the pretrial statements.

BY ORDER OF THE COURT,
Gordon R. Miller, J

Sept. 4, 1992 Copies distributed to Atty.s.

Sept. 22, 1992 MOTION TO REQUEST COUNSELING and ORDER, filed. ORDER: And, Now, Sept. 21, 1992, upon consideration of the foregoing motion hearing is scheduled for Nov. 20, 1992, at 1:30 p.m. at the Crawford County Courthouse in Meadville, Pa.

FOR THE COURT:
Imogene Yetman, Crt. Adm.

Sept. 23, 1992 copy to Thomas & Kirkpatrick

Nov. 23, 1992 Order filed. AND NOW, November 20, 1992, after argument and brief testimony from Plaintiff and Defendant and after a review of the Divorce Code, particularly Section 3302 and the Rules of Procedure, particulary Section 3302 and the Rules of Procedure, particularly 19290.45, this Court is of the opinion that under the peculiar facts of this case and the length of time since the initial filing of the Divorce and after listening to the testimony, that the ordering of conseling at this belated stage in the Divorce action lies solely in the discretion of the court. In this Court's descretion counseling would serve no useful purpose in bringing this troubled divorce to a conclusion and accordingly, we reject the Defendant/Wife's rquest for counseling contained in her Petition filed September 22, 1992.

BY ORDER OF THE Court
P. Richard Thomas, S.J.

Nov. 24, 1992 Copies igvento Atty' Thomas & Kirkpatrick

Sept. 21, 1993 Affidavit of Consent of Defendant filed.

Oct. 1, 1993 Petition for Appraisal Fees and ORDER filed. And Now, September 27, 1993, hearing on Defendant's Petition for Appraisal Fees is scheduled for October 7, 1993 at 1:30 p.m. o'clock in courtroom 1 or 2 of the Crawford County Courthouse in Meadville, PA.

For the Court:
Ann A.Walker, Court Adminsitrator

10-6-93 Copy of Order to Attys. Thomas & Kirkpatrick & Ferguson

Oct. 5, 1993 Motion for Appointment of Master and ORDER APPOINTING MASTER filed. AND NOW, 9-30-1993, Douglas W. Ferguson, Esquire is appointed Master in respect to the following claims: Alimony, Alimony Pendente LIte, Eq. Distribution, Counsel Fees, Costs & Expenses.

Deposit required: By Plaintiff $750 By Defendant: $250

If not filed already the parties are ordered to file their pretrial statements within thirty (30) days from this date.

Per Curiam,
Gordon R. Miller, Judge

10-6-93 Copy of Order to Attys. Thomas, Kirkpatrick & Ferguson

Oct. 13, 1993 Motion to Reschedule and ORDER filed. And, Now, October 13, 1993, the hearing set for October 7, 1993, is hereby continued generally to be reset upon motion of either party.

For the Court:
Ann A. Walker, Court Administrator

10-13-93 Copies Dist. to Counsel by Ct. Admin. Office.

Oct. 12, 1993 Pre-Hearing Conference filed.

Oct. 29, 1993 Memorandum of Pre-Hearaing Conference, filed.

Oct. 29, 1993 Notice of Master's Hearing filed.

Nov. 12, 1993 Affidavit of Consent of Plaintiff, filed.

Dec. 3, 1993 Plaintiff's Pre-Trial Narrative filed.

Dec. 3, 1993 Plaintiff's Income and Expenses' Statement, filed.

Dec. 10, 1993 Withdrawal of Claim for permanant alimony for Laura Ann Spencer, Defendant, filed.

Dec. 9, 1993 Addendum to Pre-Trial Statement, filed.

Dec. 22, 1993 Petition For Payment Of Stenographer's Fees and Order, filed. ORDER: AND NOW, this 22nd day of December, 1993, upon consideration of the foregoing Petition it is hereby Ordered and Decreed that the Prothonotary of Crawford County shall issue a check payable to Lorraine A. Dallas, Court Reporter, the sum of $215.20 representing pay ment in full of all stenographer's fees due in this matter. The Prothonotary shall issue a check to Lorraine A. Dallas and deliver the same to the Master, Douglas W. Ferguson, Esquire, for transmittal to the Court Reporter.

BY THE COURT:
Anthony J. Vardaro, J.

Jan. 6, 1994 copy to D. Ferguson, R.C. Thomas, M.A. Kirkpatrick

Jan. 17, 1994 Master's Petition For Approval Of Divorce Decree and Master's Fee and ORDER filed. AND NOW, January 14, 1994, upon presentation and consideration of the foregoing Petition for Approval of Master's Fees the Master Douglas W. Ferguson, Esquire, is awarded Master's Fees in the sum of $675.00. Further, the Prothonotary is Ordered and Directed to pay from the balance of the deposited monies from the Plaintiff and Defendant the total sum of $534.80. The balance of the Master's Fee in the sum of $140.20 shall be paid by the Plaintiff in the sum of $140.20 within 30 days of the date of this Order.

BY THE COURT:
Gordon R. Miller, J.

Jan. 19, 1994 Copy of Order to Attys. R. Charles Thomas, M.A. Kirkpatrick and D. Ferguson.

RECORD CONTINUED ON PAGE 586 (a).....

DIVORCE DECREE FILED

Jan. 17, 1994 STIPULATION AND DECREE. AND NOW, January 14, 1994, upon consideration of the report and recommendations of the Master appointed in this case and by agreement of the parties as set forth in their testimony at the conclusion of the Master's Hearing, the Court enters the following Decree:

1. DIVORCE

The necessary Affiavits of Consent to Divorce under Section 3301(c) of the Divorce code having been filed, it is Ordered and Decreed that LARRY E. SPENCER, Plaintiff, and LAURA ANN SPENCER, Defendant, are divorced from the bonds of matrimony.

2. EQUITABLE DISTRIBUTION - REAL ESTATE

A. Laura Ann Spencer is hereby awarded all right, title and interest in the parties marital home and outbuilding located at RD # 2, Cochranton, PA. Larry E. Spencer shall transfer all of his right, title and interest in the aforesaid marital home to Laura Ann Spencer by quitclaim deed within fifteen (15) days from the date of this Decree. In addition thereto Larry E. Spencer shall be solely responsible for the payment of an outstanding balance of a certain mortgage ont he marital home with Mellon Bank having an approximate principal balance of $18,948.02. Larry E. Spencer shall have the right to make said payments to Mellon Bank pursuant to the payment schedule set forth in the mortgage documents or to prepay the principal balance at any time.

In the event Laura Ann Spencer shall sell the aforesaid marital residence prior to the time the Mellon Bank Mortgage is paid in full, Larry E. Spencer shall pay to Laura Ann Spencer a sum equal to the monthly mortgage payment of principal and interest due Mellon Bank pursuatn to the amortization schedule for the balance of the aforesaid mortage balance.

B. Larry E. Spencer is hereby awarded all right, title and interest in the real estate known as the Cochranton Veterinary Clinic located at RD ___, Cochranton, PA. Laura Ann Spencer shall transfer all of her right, title and interest in the aforesaid Cochranton Veterinary Clinic to Larry E. Spencer by quitclaim deed within fifteen (15) days from the date of this Decree. In addition thereto, Larry E. Spencer shall be solely responsible for the paymetn of an outstanding balance of a certain joint mortgage on the Cochranton Veterinary Clinic to Mellon Bank having an approximate principal balance of $104,457.06 and shall hold Laura Ann Spencer harmless thereon. Larry E. Spencer shall also deliver to Laura Ann Spencer a certain second mortgage and bond on the aforesaid Cochranton Veterinary Clinic in the principal sum of $57,600.00 with no interest to secure the payment of certain equitable distribution payments as set forth in paragraph 3 of this Decree. Said mortgage to Laura Ann Spencer shall be subordinte to the first mortgage to Mellon Bank on the Cochranton Veterinary Clinic. In the event Larry E. Spencer shall choose to refinance the first mortgage on the Cochranton Veterinary Clinic, Laura Ann Spencer will agree to continue to subordinate here mortgage as set forth herein. Laura Ann Spencer will not unreasonably withhold her consent to subordination in the event the refinancing of the first mortgage on the Cochranton Veterinary Clinic.

3. EQUITABLE DISTRIBUTION - PERIODIC PAYMENTS

It is hereby Ordered and Decreed that Larry E. Spencer shall pay to Laura Ann Spencer, her heirs and assigns, the sum of $600.00 per month for a period of ninety-six (96) consecutive months commencing on Jan. 1, 1994, and on the first day on the month for the remaining ninety-five (95) months. Said payments shall be non-interest bearing and shall be secured in the following manner:

A. A second mortgage on the Cochranton Veterinary Clinic property as set forth in paragraph 2B of this Decree.

B. Designation of Laura Ann Spencer as a second assignee on a certain Harcourt Life Insurance Policy #95241 during any time monies are owed to Laura Ann Spencer pursuant to the periodic payments set forth herein and in an amount equal to the balance of equitable distribution due to her pursuant to this paragraph. Larry E. Spencer shall continue to pay all premiums on the aforesaid Harcourt Policy so as to keep that policy in full force and effect until such time as there has been full compliance with installment payments due Laura Ann Spencer pursuant to this paragraph.

C. Larry E. Spencer shall have the right to prepay all or any portion of these periodic payments at any time.

4. EQUITABLE DISTRIBUTION - PERSONAL PROPERTY

The personal property that each of the parties has in their possession at the present time shall become their sole and exclusive property of that party except for the following:

LAURA ANN SPENCER

a. All marital IRA's including certain IRA's with Decatur, Delaware, and two policies with Mellon shall become the sole and exclusive property of Laura Ann Spencer.

b. A certain 1987 Ford Station Wagon shall become the sole and exclusive property of Laura Ann Spencer.

c. A certain wall hanging located at the Veterinary Clinic shall become the sole and exclusive property of Laura Ann Spencer.

LARRY E. SPENCER

a. Harcourt Life Insurance Policies #13046 and 95241 and Central Life Assurance Company Policy _____shall be the sole and exclusive property of Larry E. Spencer.

b. A certain IDS term life insurance policy shall become the sole and exclusive property of Larry E. Spencer and shall be maintained by him by the payment of the necessary premiums in order to fulfill his obligations concerning installment payments to Laura Ann Spencer and the payoff of a certain mortgage to Mellon Bank on the marial residence.

c. A certain 1989 Nissan truck and 1991 Dodge truck shall become the sole and exclusive property of Larry E. Spencer.

d. All tangible personal property, intangible personal property, equipment, including but not limited to accounts receivable, inventory, goodwill and everything else associated with Cochranton Veterinary Clinic shall become the sole and exclusive property of Larry E. Spencer.

e. A cerain Allegheny Airport Bond shall become the sole and exclusive property of Larry E. Spencer.

f. All fishing equipment, water fowl gear, long extension ladder, long ladder and wood working equipment, supplies including wood lcoated at the barn at the marital residence and a snow blade for tractor shall become teh sole and exclusive property of Larry E. Spencer.

5. IMPERIAL BREEDERS

Larry E. Spencer and Laura Ann Spencer are hereby each awarded one half of the total 15% interest owned by them in a partnership known as Imperial Breeders. Laura Ann Spencer is hereby awarded a certain 7.5% interest in Imperial Breeders and Larry E. Spencer is hereby awrded 7.5% interest in Imperial Breeders.

6. RYND COWS

All cows presently owned by Larry E. Spencer of Laura Ann Spencer and designated as the Rynd Cows from testimony before the Master shall be sold forthwith and the proceeds thereof split equally between Laura Ann Spencer and Larry E. spencer; provided however that Laura Ann Spencer shall receive a sum from the sale of the aforesaid cows of not less than $2200.00.

7. COW LOCATED AT SPENCER RESIDENCE

A certain cow located at the Spencer residence which is due to have an offspring in the near future shall be taken to the farm of one Tim Wilson. After the birth of the offspring, both the cow and the offspring shall be sold as promptly as possible for the best possible price. The proceeds from the aforesaid sale of the cow and offspring shall be placed in a certain college fund for the children of Larry E. Spencer and Laura Ann Spencer. Said monies shall be the sole property of the children.

8. COUNSEL FEES AND COSTS

Larry E. Spencer shall pay to Laura Ann Spencer in thirty days from the date of this Decree the total sum of $1,000.00 in addition to any and all attorneys fees he has previously made pursuant to various Court Orders. All Master's fees, costs and expenses incurred herein shall be paid from the deposit of $750.00 previously made by the Plaintiff, Larry E. Spencer. In the event said deposit shall be insufficient to pay the aforesaid stenographic costs and Master's fees, Larry E. spencer shall pay the balance thereof within thirty (30) days from the date of this Decree.

RECORD CONTINUED ON PAGE 586 (b).....

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(b)

_____TERM

LARRY E. SPENCER VS. LAURA ANN SPENCER RECORD CONTINUED FROM PAGE 586(a) AD 1990 - 479

9. MISCELLANEOUS

A. The Plaintiff and Defendant wil sign, execute and acknowledge any and all documents necessary to effectuate this settlement including but not limited to deeds, titles to motor vehicles, forms to banks to transfer IRA accounts, forms from insurance companies to change ownership of insurance policies.

B. A certain Spousal Support Order for the benefit of Laura Ann Spencer and payable by Laura Ann Spencer through the Domestic Relations Office of Crawford County, PA., shall terminate upon the entry of this Decree in divorce at DR 1990 - 208.

C. And and all tax liability in connection with the transfer of certain IRA's designated herein has become the sole and exclusive obligation of Laura Ann Spencer.

D. Within seven days from the date of this Decree Larry E. Spencer shall notify laura Ann Spencer through their respective attorneys of the date and time he intends to come to the marital residence to remove the items of personal property he has been awarded in and are located at the marital home. At such time he shall deliver to wife the certain painting from the Cochranton Veterinary Clinic to Laura Ann Spencer.

BY THE COURT:
Gordon R. Miller, J.

Oct. 19, 1994 Contempt Petition and ORDER filed. And, Now, October 18, 1994, hearing on the Contempt Petition in the above captioned matter is scheduled for November 21, 1994, at 9:15 AM. o'clock in Courtroom 1, 2 or 3 of the Court of Common Pleas of Crawford Co. in Meadville, PA.

By/For the Court:
Anthony J. Vardaro, J.

Oct. 19, 1994 Order FAXED Attys. Kirkpatrick and Thomas.

Oct. 24, 1994, Petition for Contempt and Order filed. ORDER: AND NOW, this 24 day of Oct. 1994 upon consideration of the foregoing Petition it is hereby ordered and decreed that a Rule to Show Cause is placed upon the plff. Larry E. Spencer to show cause, if any he should have, why he should not be held in contempt of the Court's order of Jan. 14, 1994 with regard to the non payment of court ordered Master's fees.

This rule is returnable for hearing and argument Nov. 22, 1994 at 9:00 a.m. in C1 R. No. 1.

Servcie of this petition and order shall be made upon the atty. of record, r. Charles Thomas, Esq.

BY THE COURT,
Anthony J. Vardaro, J.

10/24/94 faxed to Kirkpatrick and Thoams, given to Ferguson.

Nov. 15, 1994 Motion to Change Hearing Date and ORDER OF COURT filed. And Now, 11-14, 1994 The hearing heretofre set for November 22, 1994 at 9:00 is reset for Nov. 21, 1994 at 9:15 A.M. in Courtroom 1, 2 or 3.

Gordon R. Miller, J.

11-15-94 Faxed to Thomas, Kirkpatrick & Ferguson

Nov.18,1994 Answer to Contempt Petition with Counter Petition,filed. (1 copy Atty.)

Nov. 22, 1994 ORDER filed. AND NOW, Nov. 21, 1994, this divorce matter coems back before the Court on a Petition for Contempt filed by the defendant wife and an Answer to said Petition, which apparently raises counter issues filed Nov. 18, 1994.

Plaintiff appears personally at the hearing, but defendant Laura Ann Noel does not appear.

The Court listens to input from both counsel, and it is obvious that many conditions of the final divorce decree have not been carried out and the Court hears various arguments between counsel and a poverty plea by the plaintiff as the reasons therefor.

Counsel for the parties are in serious disagreement as to which counsel should be the motivating factor in exchanging documents, payment sums due and carrying out the terms and conditions of the final divorce decree.

The Court directs the parties and their counsel to meet and attempt to resolve these issues. In the event that the matter cannot be amicably resolved, including the request for additional counsel fees filed by counsel for the defendant by Dec. 9, 1994, either party may move this Court for appointment of a special Master whose sole obligation will be to hold hearings, determine which party has been dilatory or in contempt in carrying out the provisions of the final divorce decree as agreed to by the parties, allocate additional counsel fees as determined necessary, recommend contempt citations if appropriate to the Court and establish additional attorney fees equitably between the parties for the additional time and hearings necessary.

There is some contention that certain documents such as deeds and mortgages have already been executed and are awaiting delivery. But the dispute appears to be that defendant wife and her counsel are unwilling to grant a deed for the property and accept the security therefor unless all the ancillary issues are finalized.

BY THE COURT,
P. Richard Thomas, Senior Judge

Nov. 22, 1994 Copies distributed to Attys. Kirkpatrick, Thomas and Ferguson.

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Joseph Forro and Zelma Forro

VS.

Conrad Delp & Salt Painting, Inc.

VS.

Joseph Forro, Additional Defendant

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****

Oct. 14, 1991 Amendmend to Complaint filed.

Oct. 25, 1991 SEE DISCONTINUANCE OF RECORD FILED AT A.D. 1989-944

Nov. 13, 1991, Plaintiff's Bill of Costs filed.

Nov. 13, 1991 Upon praecipe of plaintiff attorney, the above captioned matter is marked settled and discontinued of record; certificate and statement of costs issued.

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1990

LINDA TIPTON
VS.
MYRON D. TIPTON

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of Record
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Jan. 20, 1993 Petition for Payment of Master's Fee, filed.

Jan. 20, 1993 ORDER filed. AND NOW, Jan. 12, 1993, upon petition of Kathleen R. Nelson, Esq., the Master in the above referenced case a Master's fee in the amount of $531.50 is hereby approved. Since the Prothonotary does not have that amount on deposit the Prothonotary is ordered and directed to pay the amount of funds remaining on deposit after payment of $339.65 to the Court Reporter pursuant to another order entered in this case this date.
The ultimate division of the Master's fee between the parties as well as any provision of the payment of said fee shall await further petition, proceedign or order. It appears that the Master has rendered a report and, hopefully, athat will contain a recommendation as to the ultimate responsibility for the payment of the Master's fees.
BY ORDER OF COURT
Gordon R. Miller, P.J.

Jan. 20, 1993 copies of order given to Atty Nelson, Ferguson & Gamble

June 11, 1993, ORDER filed. AND NOW, this 9 day of june 1993, hearing and argument on defendant's motion to have a stipulated order entered as an order of court shall be had on the 11th of June 1993 at 8:30 a.m.
Gordon R. Miller, J.
June 18, 1993, copies of order to Attys. Nelson, Ferguson and Gamble.

June 11, 1993, Motion to Enter Stipulated Order and Order filed. ORDER: AND NOW, June 11, 1993, this motion is granted. The court will sign an original order when it is presented for only a Xerox copy was provided. A memorandum will be filed shortly.
Gordon R. Miller,
Judge

June 21, 1993, copies of order to Attys. Nelson, ferguson and Gamble

June 17, 1993 ORDER filed. AND NOW, this 17th day of June, 1993, the parties hereto having stipulated and agreed, IT IS HEREBY ORDERED AND DECREED as follows:
1. The recommended Order of Court presented by the Master is hereby amended to provide as follows:
a. Each party shall keep all assets which each has in his or her possession or which assets are titled to him or her individually.
b. The plaintiff shall promptly transfer to the defendant her interest in the martial residence.
c. The defendant will assume the payment of all debts incurred during the marriage which are listed in the Report of the Master.
d. The defendant shall pay to the plaintiff, Linda L. Tipton, $33,000.00, of which amount $1,000.00 shall be paid forthwith, $22,000.00 shall be paid within forty-five (45) days thereafter, %5,000.00 shall be paid six (6) months from the date hereof and an additional $5,000.00 shall be paid one (1) year from the date hereof. This sum of money shall conclude any and all claims which the Linda L. Tipton may have arising out of the marriage. Any claims for alimony, alimony pendente lite, counsel fees, costs, and expenses or any other payments which may have been required by the Recommendation of the Master are hereby marked settled for the amount set forth herein.
All fees and costs of the Master have been paid by sums previously contributed by the parties. Neither shall have any claim against the other for such payments made or advanced.
Gordon R. Miller, P.J.
June 23, 1993 copy to Ferguson, Gamble, K. Nelson

July 8, 1993, MEMORANDUM filed.
BY ORDER OF THE COURT,
Gordon R. Miller, J.
July 8, 1993, copies distributed to Attys. Gamble and Ferguson.

1990

ROGER L. FERRY

VS.

JACQUELINE A. FERRY

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Oct 10, 1990 Motion for Continuance and Order filed: AND NOW, this 10 day of October, 1990, motion granted. Hearing in the above matter is rescheduled to October 31, 1990, at 1:30 p.m. in Courtroom Number 1 or 2 of the Crawford County Courthouse.

Robert L. Walker, J.

Oct 11, 1990 Copies of order put in Attys. Irwin, Fuller and Gregg's boxes.

Nov. 5, 1990 Order filed. AND NOW, October 31, 1990, after hearing, the Court is satisfied that a joint custody arrangement is in the best interest of the two minor children, age three and two.

At the present time, the mother is unemployed, but may become employed in the future. The father has undertaken new employment and works full-time in the insurance business. The minor child Tanya is now in a Head Start Program from approximately 9:00 a.m. until 1:00 p.m., Monday through Thursday, and it is the Court's desire that the child continue in said Program.

The Court decrees shared custody of the children as follows:

1. The father may pick up the children on Thursday at 4:00 p.m. and have the children in his exclusive custody until Sunday at 7:00 po.m. The parties mutually agree to alternate holiday visits, and with regard thereto, agree to the following:

2. The parties shall alternate custody on the following designated holidays: New Year's Day, Easter, Memorial Day, the Fourth of July, Labor Day, Thanksgiving and Christmas.

All holidays, with the exception of Christmas and Easter, shall have visitations which will commence at 9:00 a.m. and terminate at 7:00 p.m. of said holiday. Christmas and Easter visitations shall commence at 9:00 p.m. of the evening preceding the holiday and shall end at 7:00 p.m. the day of said holiday. The parent not having custody on Christmas Day shall have custody of the two minor children from 9:00 a.m. until 9:00 p.m. on December 24th.

The father shall have custody of the parties' minor children on Thanksgiving Day, 1990, and the parties shall alternate each holiday thereafter.

3. Every Father's Day, the children shall be in the custody of the natural father. Likewise, every Mother's Day, the children shall be in the custody of the natural mother. Said temporary custodial periods shall be from 1:00 p.m. until 7:00 p.m.

4. The parties shall alternate custody of their minor children onthe child's birthdays, with the father having custoyd on Matthew's birthday in 1990 and the mother having cusotdy on Tanya's birthday in 1991. The parties shall thereafter alternate custody of the children's birthday in a manner that will provide that the mother shall have custody on Matthew's birthday in 1991 and the father shallhave custody on Tanya's birthday in 1992. For the purposes of this paragraph, the temporary custodial period shall be from 5:00 p.m. until 9:00 p.m. of the child's birthday.

5. The Court believes that under the frequent exchange of custody, that extensive summer stays with either parent is not advisable at the tender age of the children. ACCORDINGLY, during the months of June and August of each year, the father will designate to the mother by May 1 of each year two (2) separate fourteen-day consecutive periods when he wishes to have the children in his exclusive custody, with one such period being in the month of June and one such period being in the month of August. Likewise, the mother, after receiving notice from the father of his scheduled visit may designate within ten (10) days thereafter two (2) consecutive periods of fourteen (14) days, one in the month of June and another in the month of July that she wishes to have the children inn her exclusive care and custody.

6. There has been some confusion regarding medical care for the children, with a number of doctors involved. This Court does not intend to dictate medical care for the children, but urges both parents to establish as such as is possible ongroing medical care for the children with Doctors Snyder and Matthews at the Conneaut Valley Medical Center. Obviously, in the case of emergency, other physicians would have to be used.

7. It shall be the responsibility of the mother in regard to visit to pick the children up at the home of the father and it shall be the father's responsibility to pick the children up at the home of the mother.

8. Each parent will keep the other promptly notified of any change of address or telephone number.

9. Each parent shall keep the other parent notified of any accidents or emergency medical treatment occurring to the children while they are in their custody.

BY ORDER OF THE COURT,
P. Richard Thomas, S.J.

Nov. 5, 1990 Copies of order put in James Irwin and William Gregg's box.

June 18, 1993 Stipulation and Consent Custody Order filed. AND NOW, this 12 day of June, 1993, upon stipulation of the parties to this action, the following order is hereby entered:

1. Legal and physical custody of the subject minor children, Tanya M. Ferry and Matthew R. Ferry, shall be wtih their mother, Jacquelire A. Ferry.

2. Father shall be entitled to have the children in his custody each summer beginning with the first weekend after the end of school year and ending on the third Sunday in August.

3. Mother shall be allowed to visit the children at the Father's home during his period of visitation provided she give Father reasonable notice of her intended visit and Father must bring the children back home to Pennsylvania to visit with their Mother for one weekend in the month of July.

4. In the event that the children should desire to return home before the end of their visitation period, Father will promptly return the children to their Mother.

5. Father shall also be entitled to visit with the children in Pennsylvania during the time which Mother has physical custody provided that he give reasonable notice to the Mother of his intended visit.

6. The parties shall alternate visitation for the holidays of New Year's Day, Easter, Memorial Day, Fourth of July, Labor Day, Thanksgiving, and Christmas. Father shall give advance notice to the Mother if he is unable to exercise his holiday vistiation.

7. Each party shall promptly notify the other of any change of address or telephone number.

8. Each party shall promptly notify the other of any accidents or medical treatment that the children may have while in their custody.

By the Court,
Anthony J. Vardaro, J

June 24, 1993 copies of order to Atty's Irwin & Gregg

Continued on page 602-B

1990

Roger Ferry
vs.
Jacqueline Ferry

Record continued from page 589
of record
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Oct. 14, 1996 Petition To Modify Custody Order Notice to Defend and Order filed. You, Jacqueline Ferry, have been sued in Court to obtain custody, custody or visitation of the children: Tanya and Matthew Ferry.

You are ORDERED to appear in person at such time and place as will be determined by the Mediator John Fuller, Esquire. for a mediation conference. The Mediator shall send you a Notice of the Hearing by mail to the address listed on the complaint or petition that has been filed recently.

If you fail to appear as provided by this Order, an Order for custody, partial custody or visitation may be entered against you or the Court may issue a warrant for your arrest.

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

Court Administrator
Courthouse
Meadville, PA 16335
814 (333-7498)

AMERICANS WITH DISABILITIES ACT OF 1990

The Court of Common Pleas of Crawford Countis required by law to comply with the Americans with Disabilities Act of 1990. For information about accessible faciliities and reasonable accommodations available to disabled individuals having business before the Court, please contact the Court Adninistrator's Office. All arrangmeent smust be made at least 72 hours prior to any hearing or business befor ethe Court. You must attend the scheduled confernece or hearing.

BY THE COURT,
Anthony J. Vardaro, J

Date: 10/15/96

AND NOW, this 15 day of October ,1996 it is ordered and decreed that the parents in this matter shall satisfactorily complete the Seminar for Separating Parents in accordance with Crawford County Civil Rule L1930. Applications for the seminar may be obtained at the Center for Family Services, Inc. at 996 S. Main Street, Meadville, Pennsylvania 16335; the Prothonotary at the Crawford County Courthouse; or the Court Administrator at the Crawford County Courthouse.

Application for attendance at the seminar must be made by the plaintiff or petitioner within fifteen (15) days after the pleading or petition is filed; and by the defendant or respondent within fifteen (15) days after he or she is served with the pleading or petition.

THE SEMINAR MUST BE COMPLETED WITHIN FORTY-FIVE (45) DAYS AFTER APPLICATION. FAILURE TO ATTEND THE SEMINAR MAY RESULT IN SANCTIONS, INCLUDING CONTEMPT OF COURT, A DISMISSAL OF THE ACTION OR A DELAY IN THE PROCEEDINGS UNLESS ATTENDANCE IS WAIVED BY ORDER OF COURT.

If either party has any questions about this seminar he/she should consult an attorney or refer to the Crawford County Civil Rules of Court that are available in the Prothonotary's office and in the Crawford County Law Library or contact the Center for Family Services, Inc.

BY THE COURT,
Anthony J. Vardaro, J

1990

HELEN TWILLA

VS.

CARL TWILLA

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August 15, 1990 Request for Child Custody Hearing and Order filed: AND NOW, this 15th day of August, 1990, upon consideration of the within Motion, a hearing is scheduled thereon for the 6th day of September, 1990, in Courtroom No. 2, Crawford County Courthouse, Meadville, Pennsylvania, at 1:30 o'clock p.m.

The parties are directed to cooperate with Gary Maine, who is the psychologist which the parties have agreed to hire for the purpose of undertaking a phychological evaluation of the parties and their children. Failure on the part of either party to cooperate fully with the phychological evaluation will be considered grounds for contempt of court.

BY THE COURT,
Gordon R. Miller, J

Aug 15, 1990 Copies of order put in Attys. Spataro, Hall and Mason's boxes.

Aug 15, 1990 Order filed: AND NOW, August 14, 1990, after Mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS:

I. Legal custody of Michael, Twilla, Daniel Twilla, Bret Twilla and Alicia Twilla shall be shared between their mother, Helen M. Twilla, and their father, Carl G. Twilla, that is, each parent shall be entitled to full access to medical records, school records, and other important records and each parent shall be entitled to take part fully in decisions affecting the children's education, religious instruction, medical treatment and other such important decisions.

II. Physical custody of the children shall be shared between the mother and father as follows:

A. The children shall reside with their father from after school on Wednesdays (Wednesday morning when school is out) to Saturday at 4:00 p.m. The children shall reside with their mother from 4:00 p.m. on Saturday until after school on Wednesday (Wednesday morning when school is out).

B. The mother shall be entitled to have the children in his custody every other Federal holiday, Father's day and on the father's birthday, January 9th, each year. The father shall provide the mother with a list of the Federal Holidays with every other Federal holiday marked to indicate those holidays that the children would be with the father.

D. The parties have agreed to a psychological evaluation of the parents and the children by Gary Main, Psychologist and it is ordered and directed that a copy of such psychological evaluation be furnished to the attorney for the mother, the attorney for the father, the child custody Mediator and the Court.

E. Beginning with the Summer of 1991 and each Summer thereafter, each parent shall be entitled to have the children in their exclusive custody for a period ot two (2) weeks to correspond with each parents' vacation from work. Any parent wishing to have the children in their custody for a Summer vacation period (not to exceed two (2) weeks) shall provide the other parent with at least thirty (30) days notice of the intended Summer vacation visit.

F. When either parent is out of town overnight, the children shall be placed in the custody of the other parent for that period of time.

G. Transportation of the children to and from the home of the mother and to and from the home of the father shall be furnished by the father.

H. Neither mother nor father shall say or do anything in an attempt to turn the children against the other parent, but on the other hand shall do everything in the power of each to foster a favorable and loving attitude on the part of the children towards both parents.

I. Neither mother nor father shall expose the children to any person or situation which may be harmful to the children's health or well being.

J. Both parents agree to inform the other immediately of any illness or injury regarding one or both of the children and both parents agree to furnish the other with a current telephone number.

III. This order is a temporary Order but shall become a permanent order unless exceptions thereto are filed by either party within thirty (30) days of thedate hereof.

IV. In the absence of petitions to proceed informa pauperis (PaRCP240) and knowing that the parties are gainfully employed, the costs of this proceeding in custody, including mediation costs shall be borne 2/3 by the father, 1/3 by the mother.

Gordon R. Miller, Judge

Aug 15, 1990 Copies of order given to Defendant, put in Attys. Mason, Spataro and Pineo's boxes and copy mailed to Plaintiff.

Aug 15, 1990 Notice of Rule to File Bill of Particulars accepted by John Spataro, Esq., Attorney for Plaintiff.

Aug. 23, 1990, Inventory and Appraisement of defendant filed.

Aug. 23, 1990, Income and Expense Statement of Defendant filed.

Aug 28, 1990 Order filed: AND NOW, August 24, 1990, after argument and review of the Plaintiff's motion for special relief, it appears that all matters have been resolved to the satisfaction of the Plaintiff, but for the following, which said following items are resolved as hereinafter provided:

1. MASTER'S FEES. Both parties shall make their respective deposits to apply on the Master's fees to the Prothonotary of Crawford County no later than October 15, 1990 at 4:30 o'clock p.m. This date was established because of the apparent bad financial conditions of the parties and order to give them additional time to resolve their matters short of further litigation.

2. APPRAISAL FEES. The Plaintiff's request for an order directing the Defendant to pay $150.00 towards the Plaintiff's appraisal fes is denied. It is noted of record that the Defendant has already had an appraisal which he paid for. It is further noted for the record, the parties, and the Master, that the ultimate allocation and responsibility for costs, including appraisal fees, is reserved to the Master and to the Court, if the parties don't resolve these matters amicably on their own.

The Defendant shll cooperate with the Plaintiff and any appraiser that she selects, permitting him reasonable access at reasonable times after reasonable notice to the property which he proposes to appraise and evaluate.

3. AUTHORIZATION FOR INFORMATION ON EMPLOYEE BENEFITS AND PLANS, ETC. The Defendant advises the Court that he has already signed the authorization that the Plaintiff presented to him to allow the Plaintiff to obtain the information she desires to get. Therefore, no further order is entered on this matter, on the assumption that the issue has been taken care of or will soon be taken care of.

If the Defendant has not already done so, he shall present that authorization to counsel for the Plaintiff no later than 5:00 p.m. on Monday, August 27, 1990.

4. The Defendant has requested leave to file a two-page response to the request for special relief, which the Court denies as not being necessary in view of this Order and in view of the matters that have been solved prior to this court appearance.

BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

Aug 30, 1990 Copies of order put in Attys Mason, Spataro's boxes and copy put in Atty. Spadafore's box.

Continued on Pg. 592

HELEN M. TWILLA

VS.

CARL G. TWILLA

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18/ Aug 28, 1990 Order filed: AND NOW, August 24, 1990 after argument and review of the contempt petition filed by the plaintiff on August 15, 1990, it appears that as of this moment, all of the alleged violations and payments have been corrected and made, and therefore said petition is dismissed, the Defendant is not held in contempt of Court under that petition, and no further action is necessary on that petition.

BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

Aug 30, 1990 Copies of order put in Attys. Spataro, Mason and Spadafore's boxes and copy mailed to defendant.

19/ Aug 29, 1990 Motion to Continue Hearing and Order filed: AND NOW, this 29 day of August, 1990, upon consideration of the attached Motion to Continue Hearing, the motion is granted to postpone hearing now scheduled for September 6, 1990, at 1:30 p.m., until Oct 23, 1990 at 1:30 o'clock P.M. Ct Rm 2.

PER CURIAM,
P. Richard Thomas, J.

Aug 30, 1990 Copies of order put in Attys Mason, Spataro and Spadafore's boxes.

20/ Oct. 15, 1990 Motion To Schedule Alimony Pendente Lite Hearing and Order filed. AND NOW, this 15th day of October, 1990, upon consideration of the within Motion, the child custody hearing scheduled for October 23, 1990 at 1:30 p.m. in Courtroom No. 2 is continued generally. Hearing shall be held on the Plaintiff's request for a continuation of alimony pendente lite beyond September 30, 1990 said hearint to take place on October 23, 1990 at 1:30 p.m. in Courtroom No. 2, Crawford County Courthouse, Meadville, Pennsylvania.

BY THE COURT,
Robert L. Walker, J

Oct. 16, 1990 Copies of order put in Attys. Spataro, Mason and Spadafore's box.

21/ **Oct 20, 1991 Exhibits filed with papers.**

22/ Oct. 24, 1990, Plaintiff's Response to Rule to File Bill of Particulars filed.

23/ Dec. 14, 1990 Contempt Petition and Order filed. AND NOW, this 14th day of December, 1990, upon consideration of the within Petition for Contempt, a hearing is scheduled thereon for the 4th day of January, 1991, in Courtrooom No. 2, Crawford County Courthouse, Meadville, Pennsylvania, at 3:30 o'clock p.m.

BY THE COURT,
Gordon R. Miller, J

Dec. 18, 1990 Copies of order mailed to plaintiff and defendant.

24/ Dec. 17, 1990 Memorandum and Order filed. AND NOW, December 14, 1990, the plaintiff's request for additional alimony pendente lite is granted. The defendant is ordered and directed to pay the sum of $200.00 per month to the pl aintiff as alimony pendente lite for three (3) months, to-wit: December 1990, January 1991 and February 1991. Said payments shall be made on or before the last day of each month commencing with december 31, 1990.

This order is without prejudice to the plaintiff to request additional sums of alimony pendente lite before the Court or the Master at a later date. This Court and the Master have continuing right to award additional sums of alimony pendente lite, or to deny the same, as it appropriate under in the circumstances and the law.

BY THE COURT,
Gordon R. Miller, J

Dec. 18, 1990 Copies of order mailed plaintiff and defendant.

25/ **Dec 21, 1990 Motion and Order filed: 12/21/90 By Agreement, children will be in mother's custody Dec 22, 4 P.M. until Dec 26, 9 AM in spite of any allegations regarding whether Dec 24 is a Federal holiday.**

P. R. Thomas, SJ

Dec. 21, 1990 Copies of order given to Mz Twilla and mailed to Mr. Twilla.

26/ Dec. 31, 1990 Petition For Modification Of Custody Order and Order filed. AND NOW, this 31st day of December, 1990, upon consideration of the within Petition for Modification of Custody Order, a hearing is scheduled for the 4th day of January, 1991, in courtroom No. 2, Crawford County Courthouse, Meadville, Pennsylvania, at 3:30 o'clock, p.m. time permitting.

BY THE COURT,
Gordon R. Miller, J.

Jan. 2, 1991 Copies mailed to plaintiff and defendant.

27/ Jan. 7, 1991, Petition for Reconsideration of Alimony Pendente Lite Orders and Order filed. ORDER: AND NOW, this 7 day of Jan. 1991, upon consideration of the within Petition for Reconsideration of Alimony Pendente Lite Orders, a hearing is scheduled for the 30th day of Jan. 1991, in Courtroom No. 2, Crawford County Courthouse, Meadville, Pa. at 3:30 p.m.

BY THE COURT,
P. R. Thomas, S. J.

Jan. 8, 1991 copies of order to plff. and dft. mailed.

28/ Jan 8, 1991 Sur: Petition for Modification of Custody Order and Request for Child Custody Hearing, Order filed: AND NOW, January 4, 1991 at the time scheduled for hearing on the Defendnat's petition for modification of the custody order, which said hearing was recently scheduled on December 31, 1990 notice of which the Plaintiff maintains she has not yet received, the Court continues the matter on its own. For the record, the custody order entered by the madiator on August 14, 1990 never became final because the Plaintiff filed a request for hearing de novo on August 15, 1990, chich said hearing de novo has never taken place because of a series of continuances, the last of which apparently being a general continuance.

The Court believes that that de novo hearing must be held first, at which time any issues which the parties intend to raise may be raised, including the matters set forth in the Defendant's petition for modification which he filed on December 28, 1990. Accordingly, a de novo custody hearing shall be held on February 6, 1991 at 9:30 o'clock a.m. in Courtroom No. 2 of the Crawford County Courthouse.

One or both of the parties shall arrange to have the children present to meet with the Court at 3:00 p.m. on February 6, 1991.

In the meantime, the Plaintiff and Defendant shall undergo phychological evaluation as ordered by the custody mediator on August 14, 1990 and, time permitting, a copy of that evaluation shall be presented to the Court on February 6, 1991. If such evaluation is not furnished to the Court by that date, the court will not enter a final custody

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HELEM M. TWILLA

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order at least until a copy of this psychological evaluation is furnished to the Court. The Court reserves the right to require phychological evaluation of the children at some point in these proceedings but declines to do so because of the time and the cost.

BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

Jan 9, 1991 Copies of order mailed to Plaintiff and Defendant.

29/ Jan 8, 1991 Sur: Plaintiff's Contempt Petition, Order filed: AND NOW, January 4, 1991 at the time fixed for hearing in this matter, it is ordered as follows:

1. The Court does not hold the Defendant in contempt of Court for failure to pay support, because the Defendant was never ordered by the Court to pay support, but rather entered into an agreement to pay support. The Court does not have the power to hold the defendant in contempt of a court order that does not exist. The Defendant is encouraged to live up to his agreement with respect to support. The Court understands that the Plaintiff has filed a petition before the Domestic Relations Section to obtain a Court Order for support.

2. Pending the modification of the child custody order, both parties are ordered and directed to comply with the temporary order entered August 14, 1990 in all respects. Therefore, the times set forth in that order are absolute. The children shall be available for pick-up, and they shall be returned, exactly at the times set forth in that order without fail, unless the parties agree in writing to a specific deviation at a specific time

The defendant, having been ordered on December 14, 1990 to pay additional alimony pendente lite in the amount of $200.00 per month with the first payment to paid on December 31, 1990 is directed to make that first payment no later than 12:00 noon on Monday, January 7, 1991. If he fails to make said payment at that time, he shall be in direct contempt of the Order of December 14, 1990 as well as this order, and shall pay as a consequence thereof, as additional $200.00 to the Plaintiff by January 31, 1991.

BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

Jan 9, 1991 Copies of order mailed to Plaintiff and Defendant.

30/ Jan. 24, 1991, Appearance of Brian J. Lindsay, attorney for defendant filed.

31/ Feb. 4, 1991, MEMORANDUM AND ORDER filed. ORDER: AND NOW, Feb. 4, 1991, the defendant's request for reconsideration is denied.

BY THE COURT,
Gordon R. MIller, p.J.

Feb. 4, 1991, copies to plff. and dft. by Kim, Judge Miller's sec.

32/ Feb. 12, 1991 Petition for Payment of Stenographer's Fees and Order filed. ORDER: AND NOW this 11th day of Feb. 1991 upon presentation of the foregoing Petition the Prothonotary is directed to apy the bill to James I McCleery in the amount of $130 from funds that are on deposit at the Prothonotary's Office.

BY THE COURT,
Gordon R. Miller, J.

Feb. 15, 1991 copies to Attys. J. Spataro and B. Lindsay.

33/ Feb. 12, 1991, ORDER filed. AND NOW, Feb. 6, 1991 at the close of the court day, but before all of the testimony and evidence has been heard and received, the matter is continued unti friday April 19, 1991 at 9:00 a.m. in C. R. No. 2 of the Crawford County Courthouse, unless the Court Administrator is able to find a half day in the court schedule earlier thatn Apr. 19, in which event an amended order will be entered and the parties will be duly notified. BY ORDER OF THE COURT,
Gordon R. Miller P.J.

Feb. 15, 1991 copies to Attys. J. Spataro and B. Lindsay.

34/ Feb. 19, 1991 Notice Of Filing Master's Report filed.

35/ Feb. 19, 1991 Master's Report filed.

36/ Feb. 26, 1991 Notice Of Filing Exceptions To Master's Report filed.

37/ Feb. 26, 1991 Exceptions To Master's Report filed. (Plaintiff's)

38/ Feb. 28, 1991 Exceptions To Master's Report of defendant filed.

39/ Mar. 4, 1991 Contempt Petition and Order filed. AND NOW, this 4th day of March 1991, the Court sets a hearing for contempt onthe 13th day of March, 1991, in Courtroom No. 2, at 8:30 a.m. The plaintiff shall serve a copy of this petition and order of the defendant forthwith. GordonR. Miller, J

Mar. 6, 1991 Copies of order mailed to plaintiff and defendant.

40/ Mar. 8, 1991 Letter from Mrs. Twilla cancelling hearing scheduled for March 13, 191 at 8:30 a.m. filed.

41/ April 19, 1991 Exhibits filed with papers.

42/ Aapr 29, 1991 Memorandum and Order filed: AND NOW, April 26, 1991, after a hearing de novo it is ordered and decreed as follows:

1. The Order of August 14, 1990 is continued except as modified herein.

2. During times when the defendant has custody of his minor children overnight, Judy Trubic shall not remain in the premises overnight unless she is staying with the children and the defendant is not present at his residence at any time between the hours of 11:00 o'clock p.m. and 8:00 o'clock a.m. the next day. She shall remove herself no later than 11:00 p.m. and return the next day no earlier than 8:00 o'clock a.m.. Likewise while the children are in the custody of the plaintiff no unrelated make person over the age of 21 shall be on her premises between the hours of 11:00 p.m. and 8:00 o'clock a.m. the next day.

3. The parties shall engage in periodic counseling sessions, together, or separately as determined by the counselor, in order to assist them in becoming better parents, and, especially dealing with each other at an appropriate level so the best interest of the children can be promoted and so that they can trust each other, work things out, ignore and accept the little things, etc.. The length and duration of this counseling shall be left to the discretion of the counsellor. The counseling sessions may terminate

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Helen M. Twilla

vs.

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if the counselor concludes either (a) the parties have reached a point where they can satisfactorily deal with each other in a share custody arrangement; or (b) it appears to the counselor that further counseling would be fruitless. The Court directs that this counseling be done by Kathryn A. Anderson or, if she is unable or unwilling to do so, an appropriate person whom she selects.

4. The children shall be evaluated by Kathryn A. Anderson or, if she is unable to do so, by a party she selects, such as the Mental Health unit, for an educational evaluation and for an assessment of their needs, emotional state, etc so as to assist the parties and, if necessary, the Court, in resolving the custody issue and where the children should each go to school for the 1991-1992 school year. It may well be that the evaluation will include a comparison (once the childrens' nees and educational standing or progress have been determined), between the public school in the Crawford Central School District and the Chilren's Christian School.

5. Paragraph II(b) of the order of August 14, 1990 is modified by adding thereto the provision that the holiday visitations provided to the plaintiff shall take priority over other visitations where there is a conflict between the holiday visitation and other visitations.

6. Paragraph II(c) of the order of August 14, 1990 is amended by adding thereto the provision that December 24th shall not included as a "federal holiday" but that the defendant shall be permitted to have his children with him (unless they are in school for some part of December 24th) from 12:00 noon until 8:00 o'clock p.m.

7. Paragraph II(d) of the Order of August 14, 1990 is deleted.

8. Paragraph III, of the Order of August 14, 1990 is deleted as no longer being necessary.

9. No child shall be left unattended or in the care of any person younger than 16 years of age for any period of time.

10. Any child who is ill to the extent that he or she cannot attend school shall, unless hospitalized or unless the attending physician disapproves, be with the defendant during all periods of time when the plaintiff is working and/or is not at home to care for the child who is ill for more than 3 hours.

11. The cost of counseling of the parties and evaluations of the children shall, to the extent that the same are not covered by appropriate insurance, be paid by the parties on a shared basis with the defendant paying 70% thereof and the plaintiff paying 30% thereof.

BY THE COURT,
Gordon R. Miller, P.J.

April 29, 1991 Copies put in Attys. Spataro and Lindsays boxes.

43/ July 17, 1991 Petition For Payment of Master's Fees filed.

44/ July 17, 1991 Order filed. AND NOW, July 15, 1991, upon receipt and review of the Master's petition for payment of fees filed July 10, 1991, it is ordered as follows:

1. Unless either party files written objections with the Court within ten (10) days from this date, a Master's fee of $1,358.50 is approved and awarded to the Master based upon 20.9 hours of time legitimately devoted to this case, as represented by the Master in his petition, at $65.00 per hour. Since the Court is not certain whether the petition for pyament of Master's fees was served upon the parties by the Master prior to presentation, as required by the local rules of Court, the court is giving each party the opportunity to file objections to one portion of this order only, that is, the amount of hours the Master alleges he devoted to this matter, to-wit: 20.9 hours.

2. The Master's fee shall be paid by the parties on the following basis, to-wit: the plaintiff one-third; the defendant two-thirds. that division, which the Court independenly believes is appropriate, was recommended by the Master and neither party took exceptions thereto.

3. That the court reporters fee of $130.00 shall be paid by the parties onthe same basis, to wit:; the plaintiff one-third and the defendant two-thirds.

4. That the total amount owed by the plaintiff, pursuant to this Order, is $496.16, however the plaintiff said her deposit of $150.00 on October 4, 1990, therefore she owes a balance of $346.16 which said balance shall be paid by depositing the same with the Prothonotary no later than August 15, 1991.

5. That the defendant's share of costs, pursuant to this Order, amounts to $992.34 which shall be paid in full by depositing the same with the Prothonotary no later than August 15, 1991.

6. That upon receipt of all sums required by this Orde rthe Prothonotary is ordered and directed to pay the Master his fee of $1,358.50.

BY THE COURT,
Gordon R. Miller, J

July 18, 1991 Copies of order to Helen Twilla, Carl Twilla and Emil Spadafore.

45/ Sept. 4, 1991 Petition For Contempt filed.

46/ Sept. 4, 1991 Order filed. AND NOW, August 30, 1991, upcn receipt and review of the Master's petition for Contempt a rule to show cause is hereby granted and directed to Helen M. Twilla, plaintiff and Carl G. Twilla, defendant, to show cause, if any they have, why they should not be held in contempt of Court for failure to pay Master's fees as ordered on July 15, 1991.

This rule is returnable for hearing and/or argument on the 25th day of Sept., 1991 at 3:00 o'clock p.m. in Courtroom No. 2 of the Crawford County Courthouse.

Service of the petition for contempt in this order shall be mad eupon the plaintiff and defendan tby regular mail at their last known address or upon their counsel of record, if they in fact have counsel of record. The Master and the Prothonotary shall determine which of them shall give notice as directed.

BY THE COURT,
Gordon R. Miller, J

Sept. 4, 1991 Copy of order put in Atty's box for Spataro, Lindsay & Spadafore and copies mailed to plaintiff and defendant.

47/ Sept. 23, 1991, Motion for Stay of Hearing and Order filed. ORDER: the relief requested is hereby granted and the hearing for Sept. 25, 1991 is stayed pending further order ofthe bankruptcy court. Gordon R. Miller, J.

Sept. 24, 1991 copies to D. Pickens, E. Spadafore, B. Lindsay pfff and dft.

Continued on page 592-c-

Helen M. Twilla

vs.

Carl G. Twilla

Record continued from page 592 -b-

of record

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48/ Oct. 9, 1991 Motion For Leave To Withdraw As Counsel and Order filed. AND NOW, this 9 day of October, 1991, upon consideration of the within Motion, leave is hereby granted to attorney John F. Spataro to withdraw as counsel for the above Plaintiff.

BY THE COURT,
Gordon R. Miller, J

Oct. 11, 1991 Copies of order put in box for Atty's Spataro and Lindsay

49/ July 22, 1992 PETITION TO MODIFY and ORDER filed. ORDER: AND NOW, this 22nd day of July, 1992, this Court refers this matter back to John Fuller as Custody Mediator. Gordon R. Miller, P.J.
July 24, 1992 copy in box for Spataro, Lindsay & Fuller

50/ July 22, 1992 Petition to Withdraw Motion to Quash and Order filed. ANDNOW, the Plaintiff's request to dismiss the Hearing De Novo and the Defendant's request to dismiss the Petition to Quash are hereby granted.

Gordon R. Miller, J

July 24, 1992 Copies of order put in box for atty's Spataro, Lindsay & Fuller

51/ July 29, 1992 Appearance of Barbara J. Walton, Esquire for Helen T willa, Plaintiff, filed.

52/ Sept. 15, 1992 ORDER filed. AN DNOW, Sept. 14, 1992, after mediation conference befoe John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Michael Twilla, Daniel Twilla, Bret Twilla and Alicia Twilla shall be shared between the mother and the father, the plaintiff and defendant herein, that is, each parent shall be entitled to full access to school records, medical records and other important records and that each parent shall be entitled to take part fully in important decisions affecting the children such as the education, medical treatment and religious instruction of the subject children.

II. Physical custody of Michael Twilla, Daniel Twilla, Bret Twilla and Alicia Twilla shall be with their father, subject to the following conditions:

A. mother shall be entitled to visit and take the children into her custody every weekend from 7:00 p.m. on Friday to 7:00 p.m. on Sunday, beginning Sept. 11, 1992.

B. Holidays shall be defined as Christmas, Easter and Thanksgiving. Custody of the children shall be shared on the aforesaid holidays and in the absence of an agreement to the contrary, the children shall be in the custody of the father on the aforesaid holidays until 1:00 p.m. and in the custody of the mother on the aforesaid holidays from 1:00 p.m. until 8:00 p.m.

C. Beginning with the Summer of 1993, the children shall be in the custody of each parent for a continuous period of four (4) weeks without any weekend visits. Unless the parties agree otherwise the children will be with the father from June 15th to July 15th and with the mother from July 15th to August 15th.

D. Transportation of the children on weekends, holidays and Summer visits shall be equally divided with the parent receiving custody providing transportation.

E. Neither mother nor father shall say or do anything in an attempt to turn the children against the other parent, but on the other hand shall do everything in the power of each to foster a favorable and loving attitude on the part of the children towards both parents.

F. Neither mother nor father shall expose the children to any person or situation which may be hamful to the children's health or well being.

G. Both parents agree to inform the other immediately of any illness or injury regarding the children and both parents agree to furnish the other with a current telephone number.

H. The children shall attend Children's Christian School in Meadville and the father shall pay for any costs or fees in connection with this school.

III. This order is a temporary order but shall become a permanent order unelss exceptions thereto are filed by either party within thirty (30) days of the date hereof.

IV. Cost of the mediation confernce will be equally divided between the parties.

Gordon R. Miller, Judge

Sept. 16, 1992 Copy of Order to Attys. Brian Lindsay, Barbara Walton, John Fuller, copy mailed to plaintiff and defendant.

53/ June 11 ,1993, Appearance of David W. Pickens, attorney for plaintiff filed.

54/ Sep. 20, 1993 UponPraecipe of David W.Pickens,Esquire, Attorney for Plaintiff, the above captioned matter is placed on the next avaialable Argument list.

ON OCTOBER, 1993 ARGUMENT LIST

55/ Oct. 5, 1993 ORDER filed. AND NOW, September 29, 1993, it having come to the court's attention that the plaintiff wife's exceptions to the master's report herein have beenpraeciped for the October argument list, and it also having come to the court's attention that the defendant husband also filed exceptions to the master's report on February 28, 1991, which exceptions have never been scheduled for argumetn, it is therefore ordered on the court's own motion that in the interest of judicial economy and so that this divorce finally may be resolved, the defendant's exceptions to the master's report shall also be argued as part of the October argument list, specifically on October 25, 1993 at 9:00 a.m. in Courtaroom No. 1. Briefs shall be filed in accordance with Rule L306D(3) and (4).

BY THE COURT,
Gordon R. Miller, P.J.

Oct 8, 1993 copy to D. Pickens & B. Lindsay

56/ Nov. 30, 1993 Memorandum and Order filed. AND NOW, November 30, 1993, for the reasons set forth in the foregoing memorandum it is ordered as follows:

1. The parties shall arrange to have the transcript of the testimony presented at the Master's hearing transcribed within thirty (30) days from this date. They shall contact the Court Reporter and make the appropriate financial arrangements under the Rules of Judicial Administration for the payment of that transcript. The defendant shall pay two-thirds ofthe cost of the transcript and the plaintiff shall pay one-third of the cost of the transcript. The Court reserves the right to reallocate that when all of the economic issues are resolved.
2. The reporter shall prepare the transcript and submit it to the Court within thirty (30) days after the deposits or payments are made.
3. The Court hereby schedules a hearing to receive testimony and evidence regarding matters that occurred after the Master's hearing which said hearing is hereby set for the 3rd day of February, 1994 at 1:30 o'clock p.m. in Courtroom No. 1 of the Crawford County Courthouse.
4. A true and correct copy of this Order and Memorandum shall be sent by the Prothonotary to the Master and to James McCleary, court reporter, who apparently was a court reporter that attended the hearing.

BY THE COURT,
Gordon R. Miller, J

Nov. 30, 1993 Copies dist. by Ct.

Continued to Page 592 D

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- D -

1990

~~Dec. 10, 1993 Petition for Contempt filed.~~

~~Dec. 13, 1993 Petition for Contempt filed.~~

57 Dec. 10, 1993 ORDER filed, AND NOW, December 10, 1993, upon receipt of the Defendant's Petition for Contempt that was presented this day in Motions Court, it appears that the defendant is raising four matters, to-wit:

A) That the plaintiff is in contempt because the children were not at her former Walnut Street address on December 5, 1993 when he returned to pick the children up.

B) That the Plaintiff has been going to the children's school during non-visitations and causing disruption.

C) That the plaintiff has threatened to go to a Christmas dinner this evening to be held at the private Christian school where the children and custodial parents will both attend.

D) That there should be a clarification for Christmas 1993 because Christmas occurs on a Saturday.

ACCORDINGLY, IT IS ORDERED AS FOLLOWS:

1. A hearing on this Petition and the Cross-Petition shall be held in Courtroom No. 1 of the Crawford County Courthouse on Wednesday, December 15, 1993 at 9:30 o'clock p.m. The plaintiff shall file her Cross-Petition for Contempt no later than 4:30 p.m. on Monday, December 13, 1993, and shall immediately serve a copy thereof on the defendant.

2. The Court does not now dispose of the Christmas visitation clarification, but is strongly leaning toward permittin he mother to have the children from 7:00 o'clock p.m. on Friday, December 24, 1993, and return them in the early afternoon of Saturday, December 25, 1993, with the father having custody the rest of the weekend. A final decision on that will be made on December 15, 1993. The Cdourt simply indicates its inclination now in case the parties want to make more final Christmas plans.

3. The Court may not have the ability to deal with dinners put on by private schools. We believe that both parents shouldhave an equal role in the upbringing and education of their children, with some limitations. The Court will not now order that the mother can attend the dinner this evening for two reasons. First of all, it appears that there has been a great deal of turmoil involving these children over the last several weeks and that forcing the parents to go to a dinner together this evening may not be in the best interests of the children. Secondly, we want to think more deeply about our ability to effect private parties put on by a private school. Nonetheless, the parties will comply with the Order of September 15, 1992 in all respects until changed, which means that the mother will have a right to pick those children up this evening at 7:00 o'clock for the private school dinner this evening cannot interfere with the mother's ordered visitation rights.

4. The plaintiff now resides at 128 Waterford Street, Edinboro, Pennsylvania and believes her telephone number is 838-4678. The defendant shall pick the children up at that address until further Order of Court or until the plaintiff notifies the defendant in writing by Certified Mail, Return Receipt Requested, Delivery Restricted to Addressee Only that her address has changed again.

BY THE COURT,
Gordon R. Miller, P.J.

Dec. 10, 1993 copies dist. to Carl & Helen Twilla

58 ✓ Dec. 10, 1993 Petition for Contempt filed.

59 ✓ Dec. 13, 1993 Petition for Contempt, filed.

*(see below)

61 ✓ Dec. 17, 1993 Motion to Withdraw and ORDER filed. AND NOW, this 16 day of December, 1993, theDefendant requests this Honorable Court to grant the above Motion.

BY THE COURT:
Anthony J.Vardaro, J.

12-22-93 Copy of Order toAtty. LIndsay & Carl & Helen Twilla.

62 ✓ Dec. 20, 1993 ORDER filed. AND NOW,December 15, 1993, after an informalhearing on the record held to dispose of cross contempt petitions filed on December 10, 1993 by the defendant-father, and filed on December 13, 1993 by the plaintiff-mother,it is ORDERED as follows:

1. The father's Petition for Contempt is DENIED.

2. The mother's Petition for Contempt with respect to the visitations around November 28, 1993 is DENIED, although it appears that the father may have known of an address change prior to that.

3. The mother's Petition for Contempt centering around the return after the visitation of December 5, 1993 is GRANTED and the Court holds the father in contempt of court for not picking the children up in Edinboro at the mother's address that day. The Court does not impose any punishment on the father for that contempt. He shallpurge himself from contempt by fully and completely complying with all applicable Court Orders involving custody for the next six (6) months. If he does not, and the Court adjudicates him to be further in contempt, an appropriate punishment or sanction will be imposed for this incident. If the father immediately and fully complies with all applicable Custody Orders during the next six (6) months, then this contempt shallbe dissolved automatically without any further proceeding onthe part of any party or the Court.

4. The mother's Petition for Contempt in all other respects is DENIED.

5. The transportation provisions contained in Paragraph II(d) of the Order of September 14, 1992 shall remain in full force and effect. The father shall pick up the children at the home of the mother at 128 Waterford Street, Edinboro, Pennsylvania. Her telephone number at that address is 734-8628. If either party changes his or her address or telephone number,they shall notify the other inwriting within 48 hours after said change occurs. The writing shall be specific as to when and where the change took place and the notifying party shall keep a photocopy or a carbon copy of that letter for evidence, if notice becomes an issue in a further proceeding. At all times, both parents shallabsolutely know where the other parent is living and how to locate that parent by telephone.

6. Paragraph II(b) of the Order of September 14, 1992 relative to three holidays shall remain it its original form,but amplified and modified as follows:

Holiday visitations shall take priority over all other visitations. When a holiday occurs on Saturday,the mother's weekend visitation shall be modified,that is,she shall pick up the children at 7:00 o'clock on the preceding Friday evening, and her visitation shall terminate the next day, Saturday, at 1:00 o'clock p.m.,at which time, the father shall pick the children up and may have the children for the balance of that weekend. Whena holiday occurs on Sunday, the mother's weekend visitation shall commence at 7:00 p.m. on Friday and terminate at 1:00 p.m. onSunday.

7. In the event that the mother decides not to exercise a particular weekend or holiday visitation,she shall notify the father in writing or orally at least 72 hours in advance of the expected pickup unless the father agrees to a different type of notice or shorter notice.

8. The Court continues to be disturbed about the mother's ability to be involved in the education of her children. THEREFORE, the defendant and the Children's Christian School shall do absolutely nothing to exclude the mother from fully participating inand attending all matters connected with the educationof her children. She shall be permitted to participate in and attend each and every function sponsored or put on by the school or sponsored or put onby parents of the school at which parents (custodial or non-custodial) participate in or attend, as well as all functions that are attended by parents (custodial or non-custodial). As to all such functions, where parents (custodial or non-custodial) are permitted to attend, the mother shall have the right to attend and the father shall give the mother notice in advance of the time, place length and purpose of such events so that she may attend if she wishes.

9. FURTHERMORE, the mother shall be entitled to receive reports fromthe school,and the father shall do nothing to interfer with those, and infact, shall do what the school requires in order to facilitate the mother receiving report cards, other reports and matters involving the children.

10. Neither party shall argue or bicker or cause disruption or dissention or unhappiness during any functions where parents of children at the school attend and where the mother and father are both in attendance. They must be cordial with each other and cooperate with each other at such sessions. They shall do nothing in public at those sessions to embarrass the children or make them unhappy. These should be pleasant events for the parents as well as the children.

11. FURTHERMORE, while the mother has a right to be involved with the education of her children and attend school functions and meet with administrators or teachers at school at times to be arranged betweenthem and her, she does not have the right

Continued toPage 592 E

to go to the school to discuss non-emergency matters withthe children, including, but not limited to, weekend plans, as there are other opportunities for doing that. She shall not go tothe schooland discuss with the children any custodial matters or visitation matters unless those matters are of such an emergency that there is no other opportunity to discuss them.

12. The Court will enforce and respect the mother's right tofull access tothe schooland its functions,and no other parent nor school, private or public, will interfere withthose rights or theCourt may change where the children attend school. Likewise,the mother cannot cause any scenes or be disruptive during any of those visitations or contacts because that conduct would be adverse to the health,safety, morals and welfare of the children and not be in their best interets.

BY THE COURT,
Gordon R. Miller,P.J.

12-20-93 Copies dist.to Deft. & Pickens

60/ (See above)
Dec. 15, 1993 Certificate of Service filed.

61/
Feb. 2, 1994 Notice to Attend filed.

62/ Feb.8, 1994 ORDER filed. AND NOW,February 3, 1994, this hearing is ccontinued until 9:15 o'clock a.m. onthe 30th day of March, 1994, in Courtroom No. 1 of the Crawford County Courthouse. At that time, all of the testimony with respect to matters that have takenplace since the Master's Report was filed shall be concluded. We will then begin with theccross examination the plaintiff. At that time, the Court will hear legal arguments on all of the exceptions.

James I.McCleary and Associates, Court Reporters, and theplaintiff and the defendant are all ordered to immediately make the necessary arrangements for the completion of the transcript of the Master's Hearing. The plaintiff and defendant, if they have not already done so, shall make appropriate deposits with Mr.McCleary. He shall complete the transcript by the 23rd day of march of 1994 and mail it to the undersigned Judge.

The parties shall make timely payment of their respective shares of the transcript. Mr. McCleary and the parties shall do everyt hing this is required by them to assure that this Court receives a transcript of the Master's Hearing by said date so that this matter may be concluded finally.

The Judge's chambers or the Court Administrator will forward a true and correct copy of this Order to Mr.McCleary.

BY THE COURT,
Gordon R. Miller, P.J.

2-8-94 Copies dist. to Pickens, CA, McCleary & Dft.

✓65 Mar. 30, 1994 Master's Hearing Transcript filed.

✓66 Mar. 30, 1994 Master's Hearing Transcript, filed.

✓67 Mar. 31, 1994 ORDER filed. AND NOW, March 30, 1994, the hearing in this case is continued one final time. The hearing shall be reconvened at 1:30 o'clock p.m.on Wednesday, April 27, 1994 at which time Mr. Twilla shall testify and answer a few questions that Mr. Pickens has with respect to his occupancy of the marital residence after the Master's hearing. At that poist Mrs. Twilla's case in chief will terminate and Mr. TWilla will then be permitted to present any other evidence that he has not already prepared with respect to changes that have occurred since the Master's Hearing that might impact on the Master's recommendations and report.

This case will be concluded that date. If there are any matters not then presented to the Court at that time, they shall never be presented to the Court thereafter. We intend to make a decision shortly af ter April 27th and will not permit the case to be delayed any further.

BY ORDER OF THE COURT,
Gordon R. Miller, P. J.

3-31-94 Copy of Order to Atty. Pickens and Deft.

68 DIVORCE DECREE FILED

✓Sept. 2, 1994 MEMORANDUM, FINDINGS AND FINAL DECREE. AND NOW, Sept. 1, 1994, it is ordered, adjudged and decreed as follows:

1. The parties hereto are divorced from the bonds of matrimony.

2. The following personal property is non-marital property which shall be retained by the plaintiff, Helen M. Twilla and if now in a possession of Carl Twilla shall be delivered to Helen M. Twilla within thirty-five (35) days from the date of this decree:

Shelving
Double bed

If Carl Twilla does not have said items then they shall not be distributed to Helen M. Twilla and Carl Twilla is not obligated to pay Helen M. Twilla the fair market value of said items.

3. The following personal property is non-marital property which shall be retained by the defendant, Carl Twilla.

The interest of Carl Twilla in real estate in Tennessee.
Carl Twilla's Civil Service Retirement Service
Plan and benefits..

4. Except as provided in this final decree each party shall retain the tangible personal property that each now has in his or her possession.

5. Family photographs that are in the possession of either party shall be split between the parties on an equal basis. Carl Twilla shall permit Helen M. Twilla to look at photographs in his possession and to select ones that she would like up to one-half of the total photographs in his possession. If there are any photographs that they both want then the negatives shall be obtained and duplicates made with the cost of the duplicates to be paid by the parties on an equal basis. As to photographs that they both want where there are no negatives the parties shall chose which ones they want on an alternating basis with the wife choosing first one photograph then the husband choosing a photograph and so on until all of the photographs in dispute have been divided. This same process shall apply to any family photographs that Helen M. Twilla has in her possession. All of this shall be done within thirty-five (35) days from the date of the decree.

6. The defendant, Carl Twilla, shall pay or cause to be paid to the plaintiff, Helen M. Twilla, $702.08 as his share of the marital debts within sixty (60) days from the date of this decree.

7. Within thirty-five (35) days from the date of this decree the parties shall sign all the necessary documents to transfer the title to the 1986 Chevrolet Nova automobile to Patterson's Auto Wrecking and shall direct Patterson auto wrecking to split the proceeds of the sale to the parties and deliver separate checks to each one of them.

8. The defendant, Carl Twilla, shall pay the balance of the indebtedness to his father that was incurred at the time the parties purchased their property at Jackson Ave., Vernon Township, Crawford Co., PA. and shall save harmless the plaintiff from any loss she may suffer by reason of his failure to do so, including attorneys fees thereon.

9. The defendant shall pay the sum of $9.00 within thirty-five (35) days from the date of this decree to the Prothonotary of Crawford County as payment for the balance of the costs.

RECORD CONTINUED ON PAGE 592F.....

HELEN M. TWILLA

VS.

CARL TWILLA

RECORD CONTINUED FROM PAGE 592 E

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10. The Court Administrator shall arrange to have the sum of $296.16 paid to Emil M. Spadafore, Jr., Esquire, Master, being the balance of the share owed by the plaintiff, Helen M. Twilla but which has been discharged in bankruptcy. That shall be paid out of account no. 01-0460-01440 out of the Court's budget.

11. The defendant shall pay the sum of $200 per month as alimony to the plaintiff for a period of sixty (60) months commencing with the month of September 1994. The first payment shall be made on or before the last day of September, 1994 and each subsequent payment shall be made on or before the last day of each subsequent month.

12. Each parth shall pay his/her own attorneys fees.

13. The Prothonotary shall furnish a true and correct copy of the attached Memorandum, Findings and this Final Decree to both parties. The defendant's copy shall be mailed to him at PO Box 1393, Meadville, PA 16335. The plaintiff's copy shall be delivered to her by handing the same to her counsel of record, David W. Pickens, Esquire.

BY THE COURT
Gordon R. Miller, P.J.

69 Sep. 21, 1994 Notice of Election toRetake Maiden Name of Helen Twilla to be known as HELEN SANDERS, filed.

70 Oct. 3 corrected to 4, 1994, APPEAL of plaintiff to the Superior Court of Pa. from Order entered in this matter on Aug. 23, 1994, filed.

71 Oct. 7, 1994 Notice of Superior Court Docketing, Docket # 01720PGH94, filed.

72 Oct.11, 1994 Petition to Modify Divorce Decree and ORDER filed. AND NOW,this 6th day of October,1994,upon consideration of the foregoing Petition, a hearing is set for November 4, 1994,at 2:30 P.M. in courtroom 1.

BY THE COURT
Gordon R. Miller,J.

10-12-94 Faxed to Attys. Walton, Hall & J.Mason. 10-17-94 Copy given Plaintiff

73 Oct. 19, 1994 Motion For Leave To Withdraw Appearance and ORDER filed. And Now, October 18, 1994, the motion for withdrawal of appearance is granted.

By the Court:
Anthony J. Vardaro, J.

Oct. 19, 1994 Order FAXED Attys. Walton, Hall and Mason.

74 Nov. 1, 1994 Certified from the Record. 10/27/94 Motion to Amend Notice of Appeal filed. "ORDER OF COURT UPON CONSIDERATION OF THE APPLICATION TO CORRECT FORMAL ERROR, THE NOTICE OF APPEAL IS AMENDED TO REFLECT THAT THE APPEAL IS TAKEN FROM THE ORDER DATED SEPTEMBER 2, 1994. DATE: OCTOBER 31, 1994
PER CURIAM"

75 Nov. 4, 1994 Motion to Continue Hearing and ORDER filed. AND NOW, this 4th day of November, 1994, upon consideration of the foregoing Motion, the Court grants Defendant/Petitioner's request for continuance. The hearing is continued generally to be rescheduled on motion of either party.

BY THE COURT,
Gordon R. Miller, J.

Nov. 4, 1994 Order FAXED Atty. Gagliotti; Nov. 7, 1994, copy mailed Pltf.

Nov.15,1994 Contempt Petition and ORDER filed. AND NOW, this 10th day of November, 1994,upon consideration of the foregoing Petition, a hearing in the matter is scheduled for the 7th day of December, 1994,in Courtroom No.1.

BY THE COURT,
P.Richard Thomas,S.J.

11-18-94 Faxed to Attys. Walton, Hall & Mason, copy mailed to Pltf & Deft.

Nov.17,1994 Motion to Reschedule Hearing upon Petition to Modify Divorce Decree and ORDER filed. AND NOW, this 16thday of November,1994, upon consideration of the foregoing Motion, a hearing upon the Petition to Modify Divorce Decree is scheduled for December 7, 1994, at 9:00 o'clock A.M. inCourtroom No. 1 of the Crawford County Courthouse.

Gordon R.Miller, J.

11-17-94 Faxed to Gagliotti, Mailed to Pltf & Deft

Nov. 29, 1994 Contempt Petition filed.

Ncv. 29, 1994 Order filed. AND NOW, November 23, 1994, we have before us in Motion Court a contempt petition filed by the Plantiff. The Defendant is preent represented by counsel and, after some discussions with the Court indicating that we will set a hearing but that the Plaintiff's dog may not be preent for visitation with the children or must be caged pending that hearing, the Plaintiff withdraws the contempt petition and therefore no hearing shall be scheduled.

BY THE COURT
Anthony J. Vardaro , J.

Nov. 29, 1994 copies dist. to Pltf. & Gagliotti

Dec. 12, 1994 Request for a Hearing and ORDER filed. AND NOW, this 12th day of December, 1994, upon consideration of the foregoing Petition, said petition is denied.

BY THE COURT,
Gordon R. Miller, J.

Dec. 12, 1994 Order FAXED Atty. J. Gagliotti; copies mailed Plf.

Dec. 19, 1994 MEMORANDUM and ORDER filed. AND NOW, December 19, 1994, for the reasons set forth in the attached memorandum the plaintiff's petition for contempt filed Nov. 9, 1994 and the defendant's petition to modify filed Oct. 11, 1994 are denied.

BY THE COURT
Gordon R. Miller, P.J.

Dec. 20, 1994 Copy of Order to Pltf and Atty. Gagliott.

Jan. 19, 1995 Petition for IFP filed.

Jan. 19, 1995 ORDER filed. AND NOW, January 18, 1995, a hearing on the Petition is scheduled for Friday, January 27, 1995, at 11 o'clock a.m. in Courtroom No.1 of the Crawford County Courthouse.

At that time, the focus of the hearing will be on Mrs. Twilla's financial capacity, including, but not limited to, her earnings from all sources, and her expenses. She would be well advised to refer to the Pennsylvania Rules of Civil Procedure regarding informa pauperis petitions,both general rules and divorce rules, for guidance to the kind of matters the Court will enter into.

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A true and correct copy of her petition and this Order shall be served forthwith upon counsel for Mr.Twilla in case they wish to appear and be heard since they are involved in this case.

BY THE COURT,
Gordon R. Miller, President Judge

1-19-95 Copies dist.to Pltf., Gagliotti & J. Mason

✓Jan. 31, 1995 ORDER filed. AND NOW, January 27, 1995 after an informal hearing held this date, the Plaintiff does not have the current financial capacity to pay for the costs of the appeal, but if there is an award to her that she ultimately receives, then she should pay out of that.

Accordingly, it is ORDERED as follows:

1. The Plaintiff is granted leave of Court to proceed in forma pauperis.
2. In the event that the Plaintiff ultimately prevails and receives some port or allof the approximately $11,000 which we awarded her,she then will be obligated to pay the costs of the appeal within 1 year after this matter becomes final.

BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

2-1-95 Copies dist. to Plft & Atty.Gagliotti

Feb. 2, 1995 Transcript of Proceedings Taken At Time of Continued Evidentiary Hearing filed.

Feb. 6, 1995 Transcript of Proceedings at time of Evidentiary Hearing (Volume I) Thursday, February 3, 1994 filed.

Feb. 8, 1995 Transcript of Proceedings At Time of Evidentiary Hearing (Volume III), Wednesday, April 27, 1994 filed.

✓ Feb. 8, 1995 Eratta filed. A Transcription Error occurred in the Transcript in the above-entitled matter of **Thursday, February 3, 1994** as follows: Page 52, lines 8 and 9 Reads: "Mrs. Twillà: I had it in my credit union."
Page 52, Lines 8 and 9 should Read: "Mr. Bamburger: I ahd it in my credit union.

Walter A. Podurgiel, Jr.
Official Court Reporter

Dated: Feb. 7, 1995
Approved: Gordon R. Miller, P.J.

✓Jun. 14, 1995 Contempt Petition and ORDER filed. AND NOW, this 14 day of June, 1995, upon consideration of the foregoing Petition, a hearing in the matter is scheduled for the 7th day of July, 1995, in Courtroom No. 1 at 3:00 p.m.

BY THE COURT,
Anthony J.Vardaro, J.

6-14-95 Faxed Gagliotti, mailed H. Sanders. June 15, 1995 copy given Atty.Steve Hall

✓ June 23, 1995 Petition For Venue Change and ORDER filed. AND NOW, upon consideration of the foregoing petition, this matter shall be scheduled to be heard at the same time as Plaintiff's Petition for Contempt, i.e. July 7, 1995 in Courtroom No. 1 at 3:00 o'clock p.m.

BY ORDER OF THE COURT
Anthony J. Vardaro, J.

June 23, 1995 Order FAXED Atty. Hall, mailed Pltf.

✓Jul 20. 1995 Memorandum and Order. filed. AND NOW. July 18. 1995. it is ordered as follows:

1. The defendant's petition for change for venue is denied.
2 The plaintiff's request for modification of the custody order of September 15. 1992 is denied.
3. The parties are ordered and directed that they must follow all custody and visitation orders according to their terms without change or modification unless there is a change or modification set forth in writing and signed by both parties. Any arrangement entered into between a child and a parent with respect to a change in visitation will not be effective unless reduced to writing and signed by both parties. The parties cannot rely on representations made by the children with respect to changes in visitation.
4. The defendant is in contempt of court for having deprived the plaintiff of a June 9. 1995 visitation with Michael and not furnishing Michael's SAT score results to her. This is the second time the Court has held the defendant in contempt. As punishment for contempt the defendant is ordered and directed to:
   a. Grant to the plaintiff four full days of visitations with Michael within the next six months that are in addition to other days the plaintiff is entitled to have which said four days may include or runover into a holiday. Plaintiff shall give defendant two weeks written notice prior to the days she selects.
   e. Pay $150 to plaintiff by August 31. 1995.
5. In the event that the defendant continues to violate any custody orders and is held in contempt the Court will incarcerate him without question.
6. The defendant is ordered and directed to keep the plaintiff informed of any and all information regarding any medical or mental or psychological evaluation. counseling. therapy and treatment for any of the children. including Michael. He shall inform the plaintiff of the dates and times of treatment. medications prescribed includign dosage and times when the medicatiion should be taken. He shall give to the plaintiff any and all information that he receives from Dr. Hazlett unless Dr. Hazlett qive sthe plaintiff a written opinion indicating that there has been information given to the defendnat which is beign witheld from the plaintiff because it is Dr. hazlett's opinion that Michael's health. safety. morals and welfare would be adversely affected if the information was give to the plaintiff.
7. If the plaintiff learns that any of the children are being treated by any health care providers she shall have a right to contact the health care providers she shall have a right to contact the health care providers directly and discuss matters with them. She may receive appropriate information from the health care providers unless the health care providers refuse to give her that information based upon any privileqe or patient confidentiality or unless the health care providers qive an opinion in writing to the plaintiff indicating that the disclosure of certain information to her would adversely affect the health. safety. morals or welfare of a child. We believe that the plaintiff should be aware of any history given. diagnosis performed. treatment rendered. and prognosis regarding any physical or mental matter involving her children up to the point where the health care provider is required to respect any patient privileqe or confidentiality and up to the point where the health. safety. morals and welfare of the child is adversely affected.

BY THE COURT
Gordon R. Miller. P.J.

July 20. 1995 copies dist to Plf. Hall & Dr. Hazlett

✓Aug. 16, 1995, Notice of Appeal of Defendant tothe Superior Court of Pennsylvania from Order entered in this matter on July 18, 1995, filed.

Continued on Page 592 H

1990 TERM

Helen Twilla,
n/k/a Helen sanders

vs.

Carl Twilla

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of
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Aug. 21, 1995, ORDER TO File Statement Under Pa. R.A.P. 1925(b) filed. AND NOW, August 17, 1995, the defendant is ordered and directed to file of record and to serve on the undersigned trial judge a concise statement of the matters complained of on appeal no later than fourteen (14) days after the date of the entry of this order. This order is entered under Pa. R.A.P. 1925(b). BY THE COURT,
Gordon R. Miller, P.J.

8/21/95 dist to plff. and Hall.

Aug. 22, 1995, Notice of Appeal Docketing at No. 01578PGH95 filed.

Sep 12, 1995 Statement of Matters Complained Of , filed.

Sep. 12, 1995 ORDER filed. AND NOW, September 8, 1995, pursuant to the instructions from the Superior Court of Pennsylvania in its opinion entered in the appeal of this case on September 5, 1995 we hereby enter the following order:

1. The plaintiff, Helen Twilla, is hereby awarded the 1986 Chevrolet Nova automobile. The defendant, Carl Twilla, is ordered and directed to sign all of the necessary titles, transfers, sales and use tax returns and other documents reasonably necessary and appropriate to transfer all of his right, title and interest in and to said Chevrolet Nova to the plaintiff, Helen Twilla. The defendant, Carl Twilla, shall sign said documents within ten (10) days after Helen Twilla advises him as to when and where the documents will be available.

2. The plaintiff, Helen Twilla, is entitled to be compensated for her lost equity in the marital residence in the amount of $12,000.00. Said sum shall b epaid by Carl Twilla to Helen Twilla on an installment basis at the rate of $200 per month for a period of 60 months commencing with the month of September 1995. The first payment shall be made on or before the last day of September 1995, and each subsequent monthly payment shall be made on or before the last day of each subsequent month. As correctly observed by teh Superior Court this Court intended to make said award to the plaintiff, Helen Twilla for the reasons set forth in our Memorandum, Findings and Final dEcree of Septemaber 1, 1994. WE structured the amount as permanent alimony for the reasons set forth in our Memordandum, Findings and Final Decree of September 1, 1994. We totally lost tract of the fact that the plaintiff was living with another man and thus forfeited her right to permanent alimony. 23 Pa.C.S.A. 3706. Had we remembered that fact we would have made the same award to the plaintiff, Helen Twilla, and classfied it as equitable paymetn on her share of equitable distribution or as compensation for her lost equity in the marital residence as permitted and envisioned by Wagoner v. Wagoner, Pa., 648 A.2d 299 (1994), a decision of the Pennsylvania Supreme Court that was handed down at about the time we entered our decree in this case.

3. The time limits set forth in the final decree of September 1, 1994 within which the parties must comply with said decree are hereby changed and modified. Any matters which the parties are required to perform under said final decree shall be performed and completed within 21 days from this date.

4. In all other respects, except as hereinabove provided, the final decree of September 1, 1994 shall remain in full force and effect without change or modification. BY THE COURT
Gordon R. Miller, P.J.

Sept 12, 1995 copies mailed to Plf, given Hall

October 4, 1995 Notice of Appeal to Superior Court filed.

October 10, 1995 Transcript of Proceedings of July 7, 1995 filed.

October 10, 1995 Order to File Concise Statement of Matters Complained of on Appeal filed: AND NOW, October 9, 1995 the Court having received a notice of Appeal in this case hereby directs the defendant to file of record and serve on the undersigned Judge a concise statement of matters complained of on appeal no later that fourteen (14) days after the date of this Order, all pursuant to Pa. R. A. P 1925(b), so that this Court may prepare an opinion in support of our order.

BY THE COURT,
Gordon R. Miller,PJ

Oct 10, 1995 dist to Plaintiff and Hall.

Oct. 12, 1995, Notice of Appeal Docketing at Superior court of Pa. No. 01824PGH95 filed.

102 Oct. 17, 1995, Certified copy of Judgment and Memorandum from the Superior Court of Pa. filed. Judgment: ON CONSIDERATION WHEREOF, it is now here ordered and adjudged by this court that the judgment of the court of commons pleas of Crawford County be, and the same is hereby AFFIRMED. By the court, Judges McEwen, Beck and Cercone JJ.

Oct. 17, 1995, Certificate of Contents of Remanded Record (Orig. Record, 5 transcripts, Superior Ct. Judgment Order and opinion) and notice of Remand filed.

103 Feb.13, 1996 Contempt Petition filed.

104 Feb.13, 1996 Petition for Hearing Date filed.

105 Feb. 13,1996 ORDER filed. AND NOW,February 12, 1996,after review of two petitions filed by the plaintiff the Court will not act on said petitions because they do not comply with the Rules of Civil Procedure.
The contempt petition must be filed in Motions Court and must include a notice form required by Pa.R.C.P. 1915.12.
The petition for hearing date does not seem to have a prayer for relief. We cannot tell if the plaintiff is claiming that the defendant is in contempt of a court order or whether she simply seeks clarification of a prior court order. BY THE COURT
Gordon R. Miller,P. J.

2-13-96 Mailed Plft, given Hall.

106 Feb. 26, 1996 Contempt Petition and ORDER filed. AND NOW, this 21st day of February, 1996, upon consideration of the foregoing Petition, a hearing in the matter is scheduled for the 8th day of April, 1996, in Courtroom No.1, at 11:00 A.M.

BY THE COURT,
Gordon R. Miller, J.

Feb. 26, 1996 Order FAXED Atty. Hall; mailed Pltf.

RECORD CONTINUED ON PAGE 592 I.....

Helen Twilla, n/k/a Helen Sanders

vs.

Carl Twilla

RECORD CONTINUED FROM PAGE 592 H

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107 Feb. 26, 1996 Contempt Petition and NOTICE AND ORDER TO APPEAR filed. Hearing set for April 8th, 1996 at 11:00 A.M. in Courtroom No. 1, Crawford Co. Courthouse. (see papers filed).

BY THE COURT:
Gordon R. Miller, P.J.

Feb. 26, 1996 Order FAXED Atty. Hall; mailed Twilla.

108 Mar. 28, 1996 Answer to Custody Contempt Petition, filed.

109 Mar. 28, 1996 Answer to Contempt Petition,filed.

110 April 9, 1996 NOTICE AND ORDER TO APPEAR and ORDER filed.

Legal proceedings have been brought against you alleging you have willfully disobeyed an Order of th Court for custody.

If you wish to defend against the claim set forth in the following pages, you may but are not required to file in writing with the Court your defenses or objections.

Whether or not you file in writing with the Court your defenses or objections, you must appear in person in Court on 24th day of April, 1996, at 9:00 o'clock A.M., in Courtroom No. 1, Crawford Co. Courthouse, 903 Diamond Park, Meadville, PA 16335.

IF YOU DO NOT APPEAR IN PERSON, THE COURT MAY ISSUE A WARRANT FOR YOUR ARREST.

If the Court finds you have willfully failed to comply with its order for custody, you may be found to be in contempt of Court and committed to jail, fined or both.

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

Crawford County Court Administrator
903 Diamond Park
Meadville, PA 16335
814-333-7498

BY THE COURT:
Gordon R. Miller, P.J.

April 9, 1996 Order FAXED Atty. Hall.

111 April 9, 1996 ORDER filed. AND NOW, this 9th day of April, 1996, upon consideration of the foregoing Petition, a hearing in the matter is scheduled for the 24th day fo April, 1996, in Courtroom No. 1.

BY THE COURT,
Gordon R. Miller, J.

April 9, 1996 Order FAXED Atty. Hall.

112 Apr. 11, 1996 ORDER filed. AND NOW,April 9, 1996, at the time for the rescheduled hearing in this matter, the Court is in the middle of a juvenile hearing that was previously set that will clearly not be completed this day; and therefore, there is not court time for this case today.

The hearing in this case is continued to Wednesday,April24, 1996 at 9:00 a.m. in Courtroom No. 1.

Since Mr.Twilla does not have his schedule with him, we will consider a properly filed motion to continue the case if he has extremely important work matters on Wednesday, April 24, 1996 that would prevent him from appearing at this hearing. If he wishes to file such a motion, it shallbe filed in compliance with the local motions rules. Said motion shall be filed within the next week if it is going to be filed at all.

BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

4-11-96 Distributed Hall, mailed Plaintiff

113 Apr.18, 1996 Answer to Contempt Petition of April 8, 1996, filed.

114 May 1, 1996, MEMORANDUM AND ORDER filed. ORDER: AND NOW, April 30, 1996, it is so ordered as follows:

1. Except as hereinafter provided the mother's contempt petitions now pending before the court are alldenied.

2. The mother's contempt petition fo Feb. 21, 1996 claiming that the father has not complied with certain portions of the divorce decree and decree of equitable dist. of Sept. 1, 1994 is granted. The father is adjudicated in contempt for having failed to pay $702.08 as well as his share fothe automobile. Accordingly, he is ordered tocomply with the decree of equit. dist. Furthermore as punishment for said contempt he shall pay all sums required of him to be paid together with interest of $59.62 calculated at 6% per annum from sixty days after the date of the divorce decree together with a civil penalty of $150 to be paid to the mother and not to Crawford County. All said sums shall be paid within thirty (30) days from this date.

by the court,
Gordon R. Miller, J.

115 5/2/96 faxed to HALL, MAILED TO PLFF.

May 29, 1996 ORDER filed. AND NOW, May 22, 1996, pursuant to a judgment of the Superior Court dated May 14, 1996 an evidentiary hearing will be held in this case in order that the Court may make a factual determination as to the matters referred to in the remand.

Said hearing is set for the 22nd day of July, 1996 at 9:15 o'clock a.m. in Courtroom No. 1 of the Crawford County Courthouse.

BY THE COURT
Gordon R. Miller, P.J.

5-29-96 DISTRIBUTED Hall. MAILED Pltf.

116 July 1, 1996, Certificate of contents of Remanded Record, and Notice of Remand filed. Orig. Record, 3 parts, 9 transcripts, Superior Ct. Judg. order and opinion, remanded.

MEMORANDUM AND

117 July 1, 1996, JUDGMENT Certified from the Superior Court of Pennsylvania filed. JUDGMENT: ON CONSIDERATION WHEREOF, it is now here ordered and adjudged by this court that the judgment of the court of common Pleas of Crawford County be, and the same is hereby Vacated and Remanded for an evidentiary hearing. Jurisdiction relinquished.

BY THE COURT,
McEwen, P.J. Hudock and Hester, JJ.

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-J-

590 TERM

489	HELEN TWILLA, n/k/a HELEN BAMBERGER Plaintiff VS. CARL TWILLA, Defendant	CONTINUED FROM PAGE 592-I OF RECORD A. D. 1990 - 489

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118 July 12, 1996 Motion for Continuance or for Other Relief and ORDER filed. AND NOW, July 12, 1996, upon consideration of the foregoing motion, **OR**, a hearing for purpose of taking the testimony of Michael Twilla, only, in this matter is hereby set for August 21, 1996 at 9:00 A.M. in court Room 1.

BY ORDER OF THE COURT
Gordon R. Miller, J.

7-12-96 FAXED Hall

119 July 23, 1996 ORDER filed. AND NOW, July 22, 1996 the Court has made a determination that we will not open the record and receive additional testimony or evidence on the issues of the defendant's attempt to sell or refinance the marital residence or any obstacles or conduct of the Plaintiff in regard to the husband's attempts, or the determination of the value of the marital residence. We believe that (1) the Superior Court remanded the matter for a factual determination, no a factual hearing on those issues; and (2) the parties should not have a second hearing on those matters.

The parties have agreed to present written briefs and arguments, and we wish to set that schedule now. Accordingly, it is ordered as follows:

1. The parties shall submit their written memorandums, briefs, or arguments to the Court no later than 4:30 p.m. on Wednesday, August 7, 1996. Upon filing, each party shall serve a true and correct copy of their filing on the other.

2. Each party shall have until 4:30 p.m. on August 21, 1996 to file any supplement response or rebuttal in the event that any party desires to respond further to the initial argument of the other.

3. The Court will consider this matter ripe for determination on August 21, 1996, the date of the hearing, the date when Michael's testimony will be taken on the custody contmept issue.

4. The Plaintiff shall have the right to take portions of the record from the Prothonotary's Office, upon signing an appropriate receipt on the receipt forms that are in the Prothonotary's Office, but she may not take any original documents outside of the Crawford County Courthouse. This means she is permitted to take papers to a quiet place in the Courthouse, such as to the Crawford County Law Library or some other room that's appropriate, but she may not take original documents from the building.

BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

7-23-96 DISTRIBUTED Hall. MAILED Pltf.

120 Aug. 20, 1996 Motion for Continuance and ORDER filed. AND NOW, this 19th day of August, 1996, upon consideration of the foregoing Petition, a hearing in the matter is scheduled for the 5th day of September, 1996, in Courtroom No. 1.

BY THE COURT,
Gordon R. Miller, J.

8-20-96 FAXED Hall & MAILED Pltf.

#121 Sept. 5, 1996 Plaintiff's Response to Defendant's Brief Regarding Remand for Factual Determination as to Marital Residence, filed.

122 Sept. 5, 1996 Defendant's Reply Brief to Plaintiff's Brief Re: Remand for Factual Determination as to Marital Residence,filed.

123 Sept. 6, 1996 ORDER filed. AND NOW, September 5, 1996, it is ordered as follows:

1. The record is complete on all matters this Court must resolve pursuant to the Superior Court Remand.

2. The court reporters shall prepare an original copy of a transcript of the hearing of July 22, 1996. The initial cost shall come from the Court's budget. Depending upon the outcome of the Court, the Court may assess that cost to one or both of the parties.

3. When the transcript is prepared, it shall be delivered to the undersigned judge and at that point this matter will then be ripe for determination by the Court.

BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

9-6-96 DISTRIBUTED Ct. Rep. & Hall. MAILED Pltf.

124 Sept. 6, 1996 Defendant's Brief Re: Remand for Factual Determination as to Marital Residence filed.

125 Jan. 6, 1997 Order filed. On December 23, 1996, the Court received the transcript of proceedings taken at the hearing on remand on July 22, 1996 from the court reporter.

This matter is now ripe for determination by the Court. The court will endeavor to resolve this matter and issue to resolve this matter and issue another order within the next thirty to forty-five days.

BY THE COURT
Gordon R. Miller, P.J.

1-6-97 MAILED Pltf & DISTRIBUTED Hall

126 Feb. 26, 1997 MEMORANDUM AND ORDER filed. AND NOW, February 26, 1997, it is ordered as follows:

1. The final decree in divorce entered Sept. 1, 1994 as modified by our Order of Sept. 12, 1995 is further modified as hereinafter set forth.

The plaintiff, Helen Twilla, now Helen Bamberga is entitled to be compensated for her loss in equity in the marital residence which we have calculated to be $9,800.00. Said sum shall be paid by Carl Twilla to Helen Bamberga on an installment basis at the rate of $200 per month for a period of 49 months. The first payment shall be made on or before March 31, 1997 and each subsequent monthly payment shall be made on or before the last day of each subsequent month.

This provision modifies paragraph 11 of the divorce decree of Sept. 1, 1994 and paragraph 2 of the order of Sept. 12, 1995.

2. The contempt Order of July 18, 1995 is affirmed in all respects. The payment of $150 by the defendant to the plaintiff as set forth in paragraph 4 of said order shall be paid by the defendant to the plaintiff on or before April 15, 1997.

BY THE COURT,
Gordon R. Miller, P.J.

Feb. 26, 1997 Order Distributed Atty. Hall; Mailed Plff.

#127 Mar 21, 1997 Notice of Appeal, filed.

128 Mar. 31, 1997 Notice of Appeal being Returned for correction filed.

129 April 10, 1997 Notice of Apeal Docketing @ Superior Court No 00680PGH97 filed.

Con'd on Pg 592K

HELEN TWILLA n/k/a
Helen Bamberger
v
CARL TWILA

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Nov. 18, 1997, PETITION FOR MODIFICATION OF A SHARED CUSTODY ORDER ON BEHALF OF THE DEFENDANT AND ORDER FILED. NOTICE AND ORDER TO APPEAR FILED: You, Helen Twilla n/k/a Helen Bamberger, have been sued in Court to obtain custody of and visitation with.

You are ORDERED to appear in person at such time and place as will be determined by the Mediator John Spataro, Esq. for a Mediation Conference. The Mediator shall send you a Notice of the Hearing by mail to the address listed on the complaint or petition that has been filed recently.

If you fail to appear as provided by this Order, an Order for custody, partial custody or visitation may be entered against you or the Court may issue a warrant for your arrest.

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

Court Administrator
Courthouse
Meadville, PA 16335
(814) 333-7498

AMERICANS WITH DISABILITIES
Act of 1990

The Court of Common Pleas of Crawford County is required by law to comply with the Americans with Disabilities Act of 1990. For information about accessible facilities and reasonable accommodations available to disabled individuals having business before the Court, please contact the Court Administrator's Office. All arrangements must be made at least 72 hours prior to any hearing or business before the Court. You must attend the scheduled conference or hearing.

Gordon R. Miller

11/17/97
11/20/97 Faxed Hall Distributed Pltf

ORDER AND NOTICE FILED. AND NOW, this 17th day of Nov., 1997, it is ordered and decreed that the parents in this matter shall satisfactorily complete the Seminar for Separating Parents in accordance with Crawford County Civil Rule L 1930. Applications for the seminar for Separating Parents may be obtained at the Center for Family Services, Inc. at 996 S. Main St., Meadville, PA 16335; the Prothonotary at the Crawford County Courthouse; or the Court Administrator at the Crawford County Courthouse.

Application for attendance at the seminar must be made by the plaintiff or petitioner within fifteen (15) days after the pleading or petition is filed; and by the defendant or respondent within fifteen (15) days after he or she is served with the pleading or petition.

THE SEMINAR MUST BE COMPLETED WITHIN FORTY-FIVE (45) DAYS AFTER APPLICATION. FAILURE TO ATIEND THE SEMINAR MAY RESULT IN SANCTIONS, INCLUDING COMTEMPT OF COURT, A DISMISSAL OF THE ACTION OR A DELAY IN ATEH PROCEEDINGS UNLESS ATTENDANCE IS WAIVED BY ORDER OF COURT.

If either party has any questions about this seminar he/she should consult an attorney or refer to the Crawford County Civil Rules of Court that are available in the Prothonotary's office and in the Crawford County law Library or contact the Center for Family Services, Inc.

BY THE COURT
Gordon R. Miller

11/20/97 FAXED Hall Dist. Pltf.

Nov. 18, 1997 PETITION TO EXCUSE MANDATORY SEMINAR FOR SEIARATING PARENTS FILED ON BEHALF OF Defendant and order FILED. AND NOW, comes the defendant, Carl Twilla, by his attorneys Fuller, Kinnunen, Petruso, Gamble, Fabian and Hall and requests the Court to excuse the requirements to attend the seminar for separating parents whereof the following is a statement:

1. Plaintiff and Defendant have been separated since 1990, and were divorced Sept. 2, 1994.
2. The current custody order has been in effect since Sept. 14, 1992.
3. These parties have been involved in extensive litigation almost continuously since 1990. Issues relating tc equitable distribution and custody contempt are currently before the Superior Court.
4. No purpose would be served under these circumstances for the parties to attend the mandatory seminar.

WHEREFORE, Defendant requests the Court to excuse the requirement of teh parties to attend the seminar for separating parents.

Respectfully Submitted
Stephen E. Hall, Esq.

ORDER AND NOW, Nov. 17, 1997, upon consideration of the foregoing petition, the relief requested therein is denied.

BY THE COURT
Gordon R. Miller, J

11/20/97 Faxed Hall / Dist. Pltf.

Dec. 3, 1997 Motion to Appoint Substitute Mediator and order filed. ORDER: AND NOW, this 3 day of Dec. 1997, upon consideration of within motion, KATHLEEN NELSON ESQ, is hereby appointed mediator in the above case.

BY THE COURT,
Anthony J. Vardaro, J.

Dec. 3, 1997 copies to Spataro, Hall & Nelson

Dec. 18, 1997 CERTIFICATION OF COMPLETION OF SEMINAR FOR SEPARATING PARENTS FILED. (CARL TWILLA DEFT.)

Jan. 2, 1998 TEMPORARY ORDER FILED.AND NOW, , 1998, after Mediation and upon the recommendation of the Child Custody Mediator, it is Ordered and Decreed as follwos:

1. Legal custody of the subject minor children, Daniel Twilla, Bret Twilla & Alicia Twilla, shall be shared by the Father and Mother, the parties to this action, with each parent entitled to full access to any records relating to the children held by a third party including, but not limited to school records and medical records and each parent shall have equal input regarding important decisions affecting the children such as education religious instruction and medical treatment.
2. Primary physical custody of Daniel Twilla, Bret Twilla and Alicia Twilla, shall be with their father, subject to the following conditions:
   a. The Mother shall be entitled to visit and take the children into her temporary physical custody every other weekend from Friday at 7Pm until Sunday at 7PM beginning with the weekend of jan. 9, 1998.
   b. The Holiday schedule shall be observed as follows:
      i. Thanksgiving: There shall be two Thanksgiving holiday visitation periods, the first beginning on the Wed preceding Tahnksgiving at 7PM and ending on the Saturday following Thanksgiving at 7PM and the second beginning on the Saturday following Thanksgiving at 7:00 PM and ending on the Monday following Thanksgiving at 7:00 PM. In 1998, the mother shall have the first visitation period and the Father the second and the parents shall thereafter alternate.
      ii. Christmas: There shall be two Christmas holiday visitation periods, the first beginning at 7:00PM on the evening of the children's last day of school prior to the holiday and ending at 7:00 PM on Christmas Day and the second beginning at 7PM on Christmas Day and ending at 7PM on December 30. In 1998, the Father shall have the first period and the Mother the second and the parents shall thereafter alternate.
      iii. Easter: There shall be two Easter holiday visitation periods, the first beginning on the Thursday preceding Good Friday at 7 PM and ending on Holy Saturday at 3PM and ending on Easter Sunday at 7:00 PM. In 1998 Mother shall have the first visitation period and the Father the second and the parents shall thereafter alternate.
      iv. Summer: Beginning with the summer of 1998, the Mother shall be entitiled to take the children into her temporary physical custody for four nonconsecutive one-week periods. Mother shall give Father advance notice of which weeks she intends to select by May 15th of each year. The mother shall exercise her summer custodial reights during the period beginning five days after the children's school dismisses for the year until five days before school resuems again for the following year.
      v. The holiday visitaiton periods shall take precedence over all other visitaiton periods.
3. Transportation of the children on weekends, holidays and summer visits shall be shared between the parents with the parent receiving custody of the children to provide transportation.
4. Neither parent shall expose the children to any person or situation which may be harmful to the health, safety or well being of the children.
5. Neither parent shall say or do anything in an attempt to turn the children against the other parent, nor shall either parent permit others to do so, but rather each parents shall do everything in their power to promote a favorable and loving attitude on teh part of the children toward both parents.

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Helen Bamberga
vs
Carl Twilla

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6. Each parent shall inform the other parent immediately of any serious illness or injury regarding the children and both parents shall furnish the other with a current address and telephone number. If the children sustain a minor injury or illness, it is sufficient that the parent of same when there is an exchange of custody of the children.

7. Neither parent shall use illegal drugs or alcohol at any time when that parent has the care and custody of the subject minor children. This Order is not intended to preclude either parent from taking the children to a restaurant which serves alcoholic beverages, so long as neither parent shall consume alcoholic beverages in that establishment when the children are with the parent.

8. The parents are encouraged to make additional or alternative arrangements regarding physical custody of the children and may modify the herein custody arrangements if such modifications are by mutual consent and in writing and signed by both parents only; otherwise, the provisions contained herein shall govern and this order shall be followed completely as it is written.

9. The Mother shall complete the Seminar for Separtating Parents within thirty days of the date of this Order.

10. The cost of the mediation conference shall be divided equally between the parents. The deposit paid in advance by the Father shall first be applied to his share of the costs and the remainder refunded to him, less the cost of the Court's Order.

11. This Order is a temporary Order but shall become a permanent Order unless either parent files a request for a Hearing De Novo within twenty days of the date hereof.

by the court
GORDON R. MILLER, J.

1/7/98 FAXED FULLER & NELSON 1/19/98 COPY TO PLTF. 128 Waterford St., Edinboro, PA 16412

Feb. 24, 1998 Certificate of Completion of Seminar for Separating Parents by Plaintiff filed.

March 4, 1998 Certificate of Contents of Remanded Record and Notice of Remand under PA. Rules of Appellate Procedure 2571 and 2572 of the Superior Court of Pennsylvania, dated.March 3, 1998, filed.

March 4, 1998 Superior Court of PA. JUDGMENT filed. ON CONSIDERATION WHEREOF, it is now here ordered and adjudged by this Court that the judgment of the Court of Common Pleas of Crawford County be, and the same is hereby AFFIRMED.

BY THE COURT:
Eleanor R. Valecko
Deputy Prothonotary

DATED: January 22, 1998

September 2, 1998 Petition for Special Relief filed.

September 4, 1998 Order filed.And Now September 2, 1998 upon receipt and reivew of teh Petition for Special Relief filed by the Defendant it is ordered as follows:
1. A hearing on said petition is set for Friday, September 11, 1998 at 11:30 AM in Ct Room No. 1.
2. We do not now suspend the visitations with the mother because the Petition does not set forth specific accounts of specific violence or harm visited upon Bret and Alica by Michael. However, the allegations, if true, may in fact be a violation of Paragraph 4 of the custody order. Therefore, the mother is advised that she is obligated to not expose the children to any person which would include Michael Twilla or a situation which may be harmful to the health, safety and welfare of the children primarily, Bret and Alica.
3. At the hearing, we will expect both parties to present evidence with respect to specific acts that are harmful or possibly harmful to Bret and Alica.
4. Hopefully, the parties will be able to present their respective cases within 30 to 45 minutes because that is all of the court time that is available then.

BY ORDER OF THE COURT,
Gordon R. Miller, PJ

9/4/98 FAXED Steve Hall / Mailed Pltf.

Sept 22, 1998 Memordandum and Order: AND NOW, September 18, 1998, the father's petition for special relief is denied.
Gordon R. Miller, P.J.
Sept 22, 1998 Dist Hall & Plf

1990

Duane A. Marvin

VS.

Saundra L. Marvin

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12. Neither party shall do or say anything to blacken the character of the other in the child's estimation. Each party shall treat the other in a polite and respectful manner when in the child's presence and each party shall instruct his or her relatives and friends to do likewise and also not to disparage the other party in the child's estimation.

13. The parties are free to make additional or alternative arrangements respecting the custodial and visitation periods and are strongly encouraged to do so if that would be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which this Order shall govern.

14. Neither party shall remove the subject minor child from Crawford County with the intent of depriving this Court from jurisdiction over this matter. The parties are reminded that doing so will render them liable for contempt of court and, possible, for criminal prosecution for interference with child custody orders.

15. Either party may request a review of this Order two years from date hereof, or upon a substantial change in circumstances to make any necessary adjustments.

16. Costs and fees of this Mediation, which are fixed at $137.50, are divided in half. The mother's share shall be assessed to Crawford County. The father's share is assessed to him as costs in this case. Payment shall be made to the Prothonotary of Crawford County.

17. Either party may move the Court for a hearing de novo for thirty (30) days from date hereof. If neither party so moves, this Order shall be considered permanetn.

By The Court,
Gordon R. Miller, J.

Aug. 9, 1990 Copy of Order to Attys. William Pineo, Mary Ann Kirkpatrick, Joseph Kulwicki, Office of the District Atty. of Crawford Co., Children's & Youth SErvices of Crawford Co.

Sept. 7, 1990 Motion for Hearing De Novo and Order filed. And now, September 7th, 1990, hearing on Plaintiff's request for Hearing De Novo is scheduled for October 23, 1990, at 1:30 .m. in courtroom #1 or #2 of the Crawford County Courthouse in Meadville, Pennsylvania.

By the Court,
Gordon R. Miller, J

Sept. 13, 1990 Copies of order put in Mary Ann Kirkpatrick, Joseph Kulwicki and William Pineo's box.

Oct. 12, 1990, Motion to Continue Hearing De Novo and Order filed. ORDER: AND NOW, October 12, 1990, at 9:30 a.m. hearing in this matter is rescheduled for Nov. 30, 1990, at 9:30 a.m. in C. R. No. 1 or 2 of the Crawford CountyCourthouse, Meadville, Pa.

By the Court,
Robert L. Walker, J.

Oct. 15, 1990 copies to M. Kirkpatrick J. Kulwicki and W. Pineo.

Nov. 21, 1990 Motion to Continue Hearing De Novo and Order filed. ORDER: And NOw, NOvember 20, 1990, hearing on this matter is rescheduled for Dec. 21, 1990 at 1:30 o'clock p.m. in Courtroom number 1 or 2 of the Crawford County Courthouse, in Meadville, Pennsylvania.

By the Court:
P. R. Thomas. S.J.

Nov. 27, 1990 copies of order to M. KIrkpatrick, J. Kulwicki and W. Pineo, attys.

Dec. 7, 1990 Motion To Continue Hearing and Order filed. AND NOW, December 7, 1990, this matter is continued generally and to be reset on motion of either party.

By the Court,
Gordon R. Miller, J

Dec. 7, 1990 Copies of order put in Mary Ann Kirkpatrick, Joseph Kulwicki and William Pineo's box.

Lawrence Sniezek
vs.
Judy Kay Kralj Sniezek

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July 2, 1992 ORDER filed. AND NOW, June 29, 1992 this matter is before the Court on the Defendant's petition for special relief. It appears that at the time the parties were separating, apparently they had two vehicles; a 1989 Corvette and a truck. At the time of separation, the wife had possession of the Corvette and the husband had the truck.

Sometime thereafter, the wife was arrested for driving under the influence and lost her license and agreed toallow the Plaintiff husband to have the Corvette. She now has her license back and would like possession of that vehicle, pending the outcome of a master's hearing which should be held within the next several months.

After informal hearing, the parties agree to the following:

1. Wife shall at her expense immediately advertise the 1989 Corvette for sale at a price of $19,500 with the understanding that both parties will agree to the sale if she receives an offer of $17,000. While the vehicle remains in husband's possession, he shall cooperate in showing it to anyone who is interested in showing it or seeing it as a result of the advertisements placed by wife. Wife shall be able to request appropriate credit for advertising costs at the time of an equitable distribution in this matter, just as husband may do so with respect to earlier attempts on his part to sell the 1989 Corvette.

As an alternative to advertising the same, wife may make arrangements to trade the 1989 Corvette in on another vehicle and husband shall cooperate with the same, provided wife receives at least $16,000 as a trade-in value with respect to the trade-in of the Corvette.

2. Pending either a sale or trade-in of the 1989 Corvette, wife shall be entitled to immediate possession of the same for her use as soon as she presents evidence to husband of all insurance required by Integra Bank with respect to the 1989 Corvette with the same policy indicating coverage has been paid for in advance for a period of 6 months. The liability coverage with respect to said insurance shall be at least $100,000/$300,000.

3. In the event that the Corvette is sold, wife shall receive the sum of $5,000 from the proceeds immediately and husband shall receive the balance and such sums received shall be taken into account appropriately by the Master in making an equitable distribution. In the event the Corvette is traded in and wife receives the benefit of the trade-in value, likewise said amount shall be treated appropriately by the Master in an equitable distribution.

4. The wife shall not drive the 1989 corvette after consiming alcoholic beverages for a period of at least 8 hours after doing so, and in any event shall not drive the vehicle while she is incapable of safely driving after consuming alcoholic beverages.

BY ORDER OF THE COURT,
Anthony J. Vardaro, J.

July 2, 1992 copies given to Atty. Kirkpatrick & Brew

August 6, 1992 Income and Expense Statement of Defendant Judy Kay Kralj Sniezek, filed.

sept. 28, 1992 Proof Of Notice Of Master's Hearing filed.

Oct. 30, 1992 Plaintiff's Pre-Trial Statement filed.

Nov. 4, 1992 Defendant's Pre-Trial Narrative Statement filed.

Nov. 4, 1992 Notice to Produce filed.

Nov. 12, 1992 Affidavit of Eugene J. Brew, Jr., Esq. Attorneys fees filed.

Mar. 29, 1993 Motion for Payment of Court Reporter's Fees and Order filed. AND NOW, this 29th day of March, 1993, upon review of the within motion, it is hereby ordered that the reporting fees in the amount of $135.00 be paid to Lorraine A. Dallas, Court Reporter.

BY THE COURT,
Gordon R. Miller, J.

Apr. 2,1993 Copy of Order to Attys. Kirkpatrick, Peterson-Muth and Brew.

**** **Apr. 5, 1993 Exceptions Of Defendant To Master's Report filed.**

Apr. 8, 1993 Certificate of Service of Motion for Payment of Master'sFee filed.

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Mar. 29, 1993 Certificate of Service of Master's Report filed.

Mar. 29, 1993 Master's Report filed.

Apr. 13, 1993 Plaintiff's Exception to Master's Recommendations filed.

April 8, 1993 Motion For Payment of Master's Fees and ORDER filed. AND NOW, this 7th day of April, 1993, upon review of the foregoing motion, it is hereby ordered that the Master's Fees in the amount of $1,287.00 be paid.

BY THE COURT:
Gordon R. Miller, J.

April 20, 1993 Copy given to Attys. Kirkpatrick, Peterson-Muth and Brew.

Apr. 19, 1993 Order filed. AND NOW,April 16, 1993 it is ordered as follows:

1. The Defendnt shall make the required deposit which she was ordered to pay by order of June 19, 1992 in the amount of $400.00 within ten (10) days from the date of this Order or face contempt of Court proceedings.
2. Argument on the defendant's exceptions to the Master's report shall be held on the 1st day of June, 1993 at 9:15 A.M. in Courtroom No.1 or 2 of the Crawford County Courthouse.
3. A copy of this Order shall be delivered to all counsel and the Master by the Prothonotary.

BY ORDER OF COURT
Gordon R. Miller, P. J.

Apr.19, 1993 Copies to Attys. Kirkpatrick, Brew & Muth.

Apr. 23, 1993, ORDER filed. It has come to the attention that the plaintiff also filed exceptions to the Master's recommendations which said exceptions were filed on Apr. 13, 1993. Hearing and or argument on the plaintiff's exceptions shall take place at the same time that the court previously scheduled for hearing and/or argument on the defendant's exceptions.

BY THE COURT,
Gordon R. Miller, P.J.

Apr. 23, 1993, copies distributed to Attys. Muth, Brew and Kirkpatrick.

May 5, 1993 Request for Hearing/Argument on Certain Exceptions to Master's Report and Stipulation to Withdrawal of Remaining Exceptions and Order, filed. ORDER: And, Now, May 4, 1993, upon review of the parties' Request for Hearing/ Argument on Certain Exceptions to Master's Report and Stipulation to Withdrawal of Remaining Exceptions, the matter is scheduled for Hearing/Argument for Junel, 1993, at 9:15 a.m., in courtroom 1 or 2 of the Crawford County Courthouse in Meadville, Pa.

For/By the Court:
Gordon R. Miller, P.J.

May 10, 1993 copy to Attys. Muth, Brew and Kirkpatrick

May 12, 1993 Defendant's Memorandum of Law filed.

May 20, 1993 Plaintiff's Memorandum of Law Concerning Appropriate Method for Cash Buy-Out filed.

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March 20, 1991 Income and Expense Statement of Plaintiff filed.

March 20, 1991 Inventory and Appraisement of Lawrence Sniezek filed.

Apr. 22, 1991 Exhibits filed.

Apr. 25, 1991 Order filed. AND NOW, April 22, 1991, the matter is before the Court on a petition by the wife for counsel fees and expenses, three fees are involved; first a Mr. Linhart made an appraisal of the machinery at the husband's place of business, and the Court admits Exhibit C, which is a bill from Modern Machinery sale for $1,900 for appraising the assets of Keystone Precisions, Incorporated owned by the husband. The husband postulates that the fee is unreasonable largely because the appraiser was only present at the site about forty-five (45) minutes, made a hastily drawn-up list, ran the same on an adding machine at the husband's place of business, which totaled up machinery value of same $140,000. Husband's contention is that the fees incurred by the wife and charged by this expert are unreasonable.

The ruling of the Court is that the husband will pay one-half (1/2) of said bill, namely $950 within twenty (20) days ofthis date, and if the husband wishes to contest the reasonableness of this bill, the Court will entertain a motion to set a hearing on that issue, and it shall be the responsibility of the husband to subpoena the expert for appearance and testimony at the time of the hearing on the reasonableness of his charges.

If no petition for hearing is forthcoming, the balance of the fees of $950 will be paid within sixty (60) days of this date, one-half (1/2) by the husband and one-half (1/2) by the wife.

As far as the accountant fees are concerned, the Court accepts the postulation of the wife that the complexities of the business and the assets involved require the services of an accountant and accor dingly, the husband is DIRECTED to pay the accountant fees to date in the amount of $663, the dame to be paid within thirty (30) days ofthis date.

With regard to attorney fees in the amount of $776, the husband is DIRECTED to pay $500 of the $776, and it shall be the wife's obligation to pay the balance.

The aforesaid order is made without prejudice to the righ tof the Master or ultimately the Court to divide the parties' attorneys fees ancillary expenses equitably in the final Decree.

BY ORDER OF THE COURT,
P. Richard Thomas, S.J.

Apr. 26, 1991 copies given to M. Kirkpatrick and maile dto atty. Brew

June 4, 1991 Petition for Contempt and Order filed. ORDER OF COURT: AND NOW, this 4 day of June 1991 it is ORDERED that a hearing be scheduled before this court in Court Room NO. 102, Crawford County Courth House, Meadville, Pa. on jUne 26, 1991 at 3:30 p.m.

Gordon R. Miller, P.J.

June 11, 1991, copies of order to Attys. Kirkpatrick and Brew.

June 12, 1991 Petition for Special Relief for Sale of Motor Vehicles and Order filed; AND NOW, June 12, 1991 hearing on Plaintiff's Petition for Special Relief concerning the sale of motor vehicles shall be held on June 26, 1991 at 3:30 p.m. o'clock in the Crawford County Courthouse located in Meadville, Pennsylvania.

By the Court,
P. R. Thomas, S.J.

June 14, 1991 Copies of order put in Atty Kirkpatrick's box and copy mailed to atty. Brew.

June 26, 1991, Motion to Continue Generally and Order filed. ORDER: AND NOW, June 26, 1991, the hearing in this divorce is continued generally. By the court,
P. Richard Thomas, S.J.

July 1, 1991 copies to M. Kirkpatrick and Eugene Brew.

Aug. 9, 1991 Motion For Contempt and Order filed. AND NOW, this 12 day of August, 1991, it is ordered that a hearing be scheduled before this Court in Court Room No. 1 or, Crawford County Court House, Meadville, Pennsylvania on August 29, 1991 at 2:15 P.M.

Gordon R. Miller, J

Aug. 15, 1991 Copies of order to Atty. Kirkpatrick and Brew

Aug. 29, 1991 Motion To Cancel Hearing and Order filed. And Now, August 28, 1991 motion allowed.

BY THE COURT,
GordonR. Miller, J

Sept. 3, 1991 Copies oforder to Atty's. Kirkpatrick and Brew

May 13, 1992 Petition for Special Relief and Order filed. AND NOW, May 12, 1992, hearing upon Defendant's Petition for Special Relief is scheduled for June 29, 1992, at 1:30 p.m. in Court-room No. 1 of the Crawford County Courthouse in Meadville, Pennsylvania.

FOR THE COURT,
Imogene Yetman, C.A.

May 18, 1992 Copies of order to Atty. Brew and Kirkpatrick

June 2, 1992 PLAINTIFF'S AFFIDAVIT UNDER SECTION 3301(d) OF THE DIVORCE CODE, filed.

June 22, 1992 MOTION FOR APPOINTMENT OF MASTER IN DIVORCE and ORDER APPOINTING MASTER, filed. ORDER: And Now, June 19, 1992, Bettie Muth, Esq., is appointed master in respect to the following claims: Divorce, Alimony, Eq. Distribution Counsel Fees, Costs and Expenses.

Deposit required: By Plaintiff $800; By Defendant $400.

If not filed already the parties are ordered to file their pretrial statements within 30 days from this date.

By the Court:
Anthony J. Vardaro, J.

June 24, 1992 copy in box for M.A. Kirkpatrick, B. Muth, mailed copy to E. Brew

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vs.

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July 10, 1990 ORDER filed. AND NOW, July 6, 1990 at the time scheduled for hearing, counsel for the Defendant mother presented a motion for continuance on the basis that the client is unable to attend the hearing because she was victimized by an assault by her male companion. Accordingly, this hearing is continued until July 24, 1990 at 9:00 a.m. before the undersigned.

Custody of the child will be surrendered in the interim period to the father, subject, however, to the father arranging for a visit with the mother at the home of Mrs. Evelyn Rose on the weekends of July 14 & 15 and July 21 & 22 between the hours of 9:00 a.m. Saturday and 7:00 p.m. Sunday. During this period of time, the mother of the child may visit the child at the home of Mrs. Rose providing, however, she is not in an intoxicated condition and provided she consume no alcoholic beverages during the period of the visit.

By Order Of The Court,
P. Richard Thomas, P.J.

July 12, 1990 Copy of Order to Attys. Anthony J. Vardaro and Tamera Ochs Rothschild.

July 31, 1990 Order filed. AND NOW, July 24, 1990 the matter is befor ethe Court in a confused state becuase of the breakup of the parties' marriage. Both parents admit to alcohol problems and the mother contends she is now in AA and undergoing alcohol counseling. Unfortunately, the mother has taken up with another male companion, Charles Chappel, an dhe admits to some alcohol problems, and there was an assault committed upon Rebecca Granda by Mr. Chappel on or about July 5 arising from their relationship and apparently committed when both were drinking.

The father has temporary custody of the minor two-year old child, Kale, at this time andthe father is living in the home of his mother. The Court believes this matter is in a state of flux at this time and accordingly schedules further review before the undersigned for September 26, 1990 at 9:00 a.m. In the meantime, we enter the following temporary Order:

Temporary custody of the minor child, Kale, is awarded to the father for placement at the residence of his parents at R.D. 1, Guys Mills, PA. This award is made onthe assumption that the father will continue his residence with his mother, and if the father changes residence he will not be permitted to take the child with himon a permanent basis to his new residence without further order of Court.

The mother shall have the right to have the child for two weekend visits per month commencing with the month of August and these weekends shall be on the first and third weekend of the month and shall run form Friday at 7:00 p.m. until Sunday at 7:00 p.m. It shall be the obligation of the father to deliver the child to th emother for the Friday visits and it shall be the obligation of the mother to return the child to the residence of the father after said visits.

There has developed a strong relationship between the child and thematernal grandmother, evelyn Rose, and accordingly the Court desires the child and grandmother have a meaningful period of time together. Accordingly, on July 26, August 2, 16, and 30, and September 6 and 20 the child shall be in the custody of Evelyn Rose between the hours of 10:00 a.m. and 7:00 p.m. By agremeent between the respective grandparents, it shall be the responsibility of Evelyn Rose to pick up the child at 10:00 a.m. on the Thursday of the visit and it shall be the responsibility of Marilyn granda or another member ofthe family to return the child from said visits at 7:00 p.m.

It shall be a conditionof the award of custody to the father that he shall not consume alcoholic beverages at any time in the presence of the child. It shall be a condition of the weekend visits with the mother that neither she nor Charles Chappel will consume alcoholic beverages for a period of at least eight (8) hours before the visit and duringthe visit whem the child is in their custody.

Both parents agree it shall be a conditionof this Order that the child may not be removed form the jurisdictiom of Pennsylvania by either parent without the knowledge and consent of the other. Each parent shall keep the other notified of any illness or accident involving the child.

BY ORDER OF THE COURT,
P. Richard Thomas, J

Aug. 1, 1990 Copy of order mailed to Tamera Rothschild and copy put in Anthony vardaro's box

DOX

Sept 28, 1990 Amended Custody Order filed: AND NOW, September 26, 1990 at the time a review hearing is scheduled, the parties and their counsel appeared and the matter is discussed informally. After the Court granted a recess, the parties and their counsel returned to Court and advised that the matter has bee amicably resolved as follows:

Commencing with the week of September 23rd, 1990, the child will continue generally in the custody of the father at his parents' home. Each week, commencing with the week of September 23rd, the child shall be in the custody of the mother at her residence from 8:00 a.m. Thursday until Saturday at 7:00 p.m. It shall be the responsibility of the father to deliver the child to the mother each Thursday by 8:00 a.m. and it shall be the responsibility of the mother to return the child to the residence of the father each Saturday at 7:00 p.m.

When the child is in the regular custody of the father at his parents' home, on Mondays, Tuesday and Wednesdays, Mrs. Marilyn Grand and Mrs. Evelyn Rose will make mutually satisfactory arrangements for the child to spend a substantial portion of one of those days in the custody of the maternal grandparent Rose.

To avoid any dispute, the parties mutually agree that every Sunday the child will be in the custody of the father.

In anticipation that the husband's parents will be absent in Florida from the month of January throught mid-April, the parties mutually agree that custody of the minor child will be with Mrs. Rose on Monday, Tuesday and Wednesday of each week during the father's working hours. It shall be the responsibility of the father to deliver and pick up the child for these daily visits with Grandmother Rose.

Wilth regord to holiday visits between the parties and child, the parties first define holidays as being Thanksgiving, Christmas, New Years, Easter, Mothers Day, Fathers Day, child's birthday, Memorial Day, July 4th, and Labor Day. The parents intend to divide the days to the end that the child will be in partial custody of each parent on the aforesaid holidays. Beginning with Thanksgiving 1990, the child shall be in the custody of the father from 9:00 a.m. until 3:00 p.m., and in the custody of the mother from 3:00 p.m. until 9:00 p.m. The next holiday, namely Christmas, the hours will be reversed so that the mother will have the

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child from 9:00 a.m. to 3:00 p.m., and the father from 3:00 p.m. until 9:00 p.m., and each following holidays as defined before, the hours of the parents will alternate thereafter.

Regarding transportation for the holiday visits, the parties mutually agree that the receiving parent shall be responsible for picking up the child on the holiday, and the opposite parent shall have the responsibility of returning the child. (For example, on Thanksgiving of 1990, it shall be the responsibility of the mother to pick up the child at 3:00 p.m. and it shall be the responsibility of the father to pick up and return the child at 9:00 p.m.)

The parties mutually agree that the next to last paragraph of this Court's order of July 24, 1990 regarding alcohol use by the parents is incorporated in this amended custody order by consent of the parties.

The parties mutually agree that in spite of the explicit language, if they both mutually agree, the holiday visits and other described visits may be mutually changed. If the parties cannot mutually agree, the language of this Order will control.

Either party may request a review of the custody and visitation arrangements after May 1, 1991 if they are unable to mutually agree on any dramatic changes in the custody and visitation arrangements.

BY ORDER OF THE COURT,
P. Richard Thomas, S.J.

Oct 1, 1990 Copies of order mailed to Atty Rothchild and copy put in Atty. Vardaro's box.

Oct. 2, 1991 ORDER OF COURT filed. TO: Gary L. Granda, Respondent

A Complaint has been filed in th eCourt of Common Pleas of Crawford Co., PA., alleging that you, Gary L. Granda, Respondent herein, are in contempt of Court concerning custody of Kale E. Granda, born March 10, 1988.

A hearing will be held on 6th day of November, 1991, at 1:30 o'click p.. at the Crawford County Courthouse, Meadville, PA.

It is further ORDERED that this case be referred back to custody mediation to determine the best interest of the child.

If you fail to appear as provided by this Order, an Order for Contempt, Custody, Partial Custody or Visitation may be entered against you or the Court may issue a warrant for your arrest.

Service shall be effectuate by First Class Mail, Certified Mail. In the alternative, the Crawford Co. Sheriff's Department shall be directed to serve a certified copy of this Complaint and Order upon the Defendant or his attorney.

You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telepone the office set forth below to find out where you can get legal help.

Court Administrator
Crawford County Courthouse
Meadville, PA 16335
(814) 336-1151, ext. 298

By The Court,
Gordon R. Miller, J.

Oct. 3, 1991 Three copies of Order given to Atty. R. Christopher Brode, copy placed in Atty. Anthony Vardaro's box.

Oct. 16, 1991 Proof of Service filed. I here by certify that a copy of the foregoing Order and Petition for Contempt of Court, was served, upon Respondent Gary L. Granda, at 788 South Grant Street, Meadville, PA. on October 3, 1991, by Certified U.S. Mail, Return Receipt Requested.

R. Christopher Brode

Nov. 8, 1991 ORDER filed. AN DNOW, Nov. 6, 1991 after a formal contempt hearing, the Court is satisfied that the Plaintiff has willfully violated the prior order of Sept. 26, 1990, at least since early to middle summer of 1991, since the last time he had any evidence that the petitioner was conducting herself in such a way that would adversely effect the child; that is, drinking and living in an allegedly physically abusive household, was in the early part of the summer of 1991. To the extent that he denied the petitioner any visitation rights prior to that time, it appears that he was doing so in the best interest of the child based upon evidence and information that he had concerning the welfare of the child with respect to the petitioner drinking and living in the household where she may be physically abused by another member of that household.

However, there is no evidence before this Court that would indicate that that conduct continued after the early to middle part of the summer of 1991, and therefore the respondent should have complied with the prior court order in all respects or saw to the modification of them. He did that willfully, and is in contempt of court for having done so.

We impose no penalties on the respondent. Both parties are to faithfully and fully comply with the amended custody order of Sept. 26, 1990 until it is modified or changed by further Court Order.

We will make a slight modification at this point to reflect the current status.

The Plaintiff shall be permitted to enrol the child in a day-care program in lieu of taking the child to the home of either grandmother; however, day care shall be arranged so that the Defendant may take the child at 8:00 a.m. on Thursday morning to begin her period of visitations, and day care shall not interfere with that unless the Defendant is willing to have the child remain in day care, even during periods of time that she is entitled to visitations.

Until further Order of Court, the Plaintiff shall not be required to live in the home of his parents but he shall live in a suitable arrangement that does not adversely affect the health, safety, morals, or welfare of the child.

Until further order of Court, the Defendant shall live in a suitable place and shall do nothing while the child is in her custody to adversely affect the child's health, safety, morals or welfare.

The Defendant's request for mediation is granted and the case is referred to Bruce L. Smith, Esquire, custody mediator to hold a mediation conference in accordance with the Rules and the law.

By Order Of The Court,
Gordon R. Miller, P.J.

Nov. 14, 1991 Copy of Order to Atty. Gerald Sullivan, Bruce Smith and Tamera Rothschild.

Dec. 20, 1991 Motion To Withdraw Appearance and ORDER filed. AND NOW, this 20 day of December, 1991, upon consideration of the foregoing Motion, Anthony J. Vardaro, Esq., is permitted to withdraw his appearance on behalf of the Plaintiff, Gary L. Granda.

By The Court:
P. Richard Thomas, S. J.

Dec. 31, 1991 Copy of Order tc Attys. Gerald Sullivan, Bruce Smith and Tamera Rothchild.

Jan. 27, 1992 TEMPORARY ORDER OF COURT filed. AND NOW, this 23rd day of January, 1992, after further Mediation and upon recommendation of the Child Custody Mediator, it is hereby ordered and decreed that:

1. The natural parents of Kale E. Granda, age three, born March 10, 1988, the parties to this action, shall share legal custody of the said minor child. Said joint legal custody being shared shall entitle both of the parents to equal access to any records relating to the child held by a third party, including, but not limited ot, school and medical records, and shall also entitle both parents to equal input with regard to the educational and religious upbringing of the child, as well as to elective surgery.

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2. Primary physical custody of the child shall be shared on an approximately equal basis by the parents as follows:

a. Yhr vhilf dhsll dprnf gtom 7:30 a.m., prevailing time, each Wednesday through 8:00 p.m., prevailing time, each Saturday in the home of the mother; the child shall spend the rest of the time in the home of the father. These schedules shall be subject to the holiday schedule later described. It shall be the responsibility of the father to deliver the child to the mother each Wednesday by 7:30 a.m., prevailing time, and it shall be the responsibility of the mother to return the child to the residence of the father each Saturday by or before8:00 p.m., prevailing time.

b. Beginning with the month of June, 1992, each parent shall be entitled to take the child in his or her exclusive custody for two consecutive weeks. The mother shall have first option as to which weeks she will have custody of the child during the months of June, July, and August upon a written notice to the father of fifteen days. The father shall have the same opportunity to have two uninterrupted weeks with the child during the months of June, July, and August upon a written notice to the mother of fifteen days.

c. Holiday visitation shall take priority over other scheduled visitation. The holidays in question shall be Thanksgiving, Christmas, New Year's Day, Easter, Mother's Day, Father's Day, the child's birthday, Memorial Day, 4th of July, and Labor Day. The parents will divide the days to the end that the child will be in the partial custody of each parent on part of the aforesaid holidays. Beginning with Thanksgiving, 1992, the child shall be in the custody of the father from 9:00 a.m., prevailing time, until 3:00 p.m., prevailing time. On Christmas Day, the mother will have the child from 9:00 a.m., prevailing time, to 3:00 p.m., prevailing time. All other holidays, beginning with New Year's Day, will be divided with the child being available to be with the father from 9:00 a.m. until 3:00 p.m., prevailing time, and the child being available to be with the mother on Easter from 9:00 a.m. until 3:00 p.m., prevailing time. On Mother's Day, Father's Day, the child's birthday, Memorial Day, 4th of July, and Labor Day, custody from 9:00 a.m., prevailing time, until 3:00 p.m., prevailing time, will be alternated between the parents, with the father having the child for the first holiday, that being New Year's Day. That means that on Easter Day, 1992, the mother will have the child from 9:00 a.m., prevailing time, until 3:00 p.m., prevailing time. The parties are encouraged to agree as to holiday visitation; however, in the event that they cannot, the above visitation schedule shall be observed.

3. The parent having custody of the child at anytime shall notify the other parent as soon possible in the event of injury to or illness of the child requiring medical treatment.

4. Neither parent shall take the child into any environment which might be commonly thought of as detrimental to his development of to the development of his character or which would be commonly thought of as dangerous to his physical person.

5. The parents are encouraged to discuss arrangements for physical custody of the child; and, if the parties mutually agree to alternative arrangements to accommodate themselves and/or the child's schedule, they may adjust the physical custody arrangementts accordingly and are encouraged to do so by mutual consent and agreement.

6. Each of the parents shall teach the child to develop and demonstrate that natural love and respect due a parent from his or her child. Neither of the parents (nor any adult coming into regular contact with the child) will do or say anything to blacken the character of either parent in the eyes of the child.

7. it is a condition of theaward of custody to the parents that neither shall consume alcoholic beverages at anytime in the presence of the child or for a period of at least eight (8) hours before visitation begins and during the visitation when the child is in his or her custody. Violation of this provision may require the Court to cut back on visitation of the violating parent at some future time.

8. This Order shall not prejudice the right of either party to request further Mediation if there are changed circumstances in the lives of the parties or the child or in the event that the best interest of the child would be served by further Mediation.

9.The Court of Common Pleas of Crawford County, Pennsylvania, shall retain jurisdiction of this matter so long as either of the parents or the child resides in the Court's jurisdiction and for at least six months from the date of this Temporary Order.

10. The fee for Child Custody Mediation shall be paid 50% by the plaintiff father and 50% by the County of Crawford onbehalf of the defendant mother.

11. This Order shall be a Temporary Order, but shall become a permanent Order unless exceptions are filed by either party within thirty days from the date of this Temporary Order.

BY THE COURT:
Gordon R. Miller, P.J.

Jan. 31, 1992 copy in box for C. Brode, mailed copy to B. Smith, Plf. & Dft.

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11. The parties are free to make additional or alternative arrangements respecting the custodial and visitation periods and are strongly encouraged to do so if that would be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which this Order shall govern.

12. The mediator shall review the situation one year from date hereof to see if any adjustments need to be made. In addition, the mediator may review the situation upon receipt of reports from the counselor or counselors and from other health care and school personnel if reasonably necessary.

13. Costs and fees of this Mediation, which are fixed at $182.00 are divided equally between the parties with a share of each being assessed to him or her as costs in this case. Payment shall be made to the prothonotary of Crawford County.

14. Either party may move the Court for a hearing de novo for thirty (30) days from date hereof. If neither party so moves, this Order shall be considered permanent.

By The Court,
Gordon R. Miller, J.

June 27, 1990 Copy of Order to Attys. William Pineo, Chris Youngs, R. Charles Thomas.

DEBORAH R. CATALANO | Record Continued from Page 279

VS. | OF

EDNA G. MCCLINTON | AD 1990 - 279

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(3) Catalano and McClinton each reserve the right to contest the evaluation by Everett and Conemaugh of the damage caused by fire to the subject premises and to assert by the filing of a separate action that the value of the property damaged by the fire of January 17, 1991, exceeded the sum of Seventy-Four Thousand Dollars ($74,000.00); and,

(4) Everett and Conemaugh continue to maintain in good faith that the value of the real property damaged by fire on Jan. 17, 1991, at 825-827 Water Street does not exceed Seventy-Four Thousand Dollars ($74,000.00), and upon payment to the Prothonotary of the sums contemplated by this Stipulation and Order, Everett and Conemaugh shall be relieved of liability under any potential "bad faith" claim, and further they shall be entitled to full credit in the amount of Seventy-Four Thousand Dollars ($74,000.00) against any amount they may be found to owe to Catalano or McClinton under their respective fire insurance policies, including interest upon such amount.

By The Court,
Robert L. Walker, S. J.

Nov. 26, 1991 Copy of Order placed in Attys. John Spataro and Anthony Vardaro's box. Copy mailed to ATtys. Scott G. Dunlop and D. McGlynn.

Jan. 24, 1992 MOTION TO WITHDRAW APPERANCE and ORDER filed. ORDER: AND NOW, this 24th day of January, 1992, upon consideration of the foregoing Motion, Anthony J. Vardaro is permitted to withdraw his appearance on behalf of the Plaintiff, Deborah R. Catalano. BY THE COURT,
Gordon R. Miller, P.J.
Jan. 28, 1992 copy in box for J. Spataro

Jan. 28, 1992 Order filed. AND NOW, January 27, 1992 counsel for the Plaintiff makes an oral motion to continue this cae to th eapril term of civil court. Counsel for the Defendant does not object, and therefore this case is continued to the Aprl 1992 term of civil court. BY ORDER OF THE COURT,
Gordon R. Miller, J

Jan. 31, 1992 Copies put in box for Atty.s Lindsay and Spataro

On. February 1992 Trial List

On April 1992 Trial List

Apr. 1, 1992, Motion for Partial Summary Judgment filed.

Apr. 1, 1992 Apr. 1, 1992, Documents in Support of Motion for partial Summary Judgment filed.

Apr. 1, 1992, Upon praecipe of defendant attorney, above Motion set for Argument.

ON ARGUMENT LIST FOR MAY 1992

Apr. 7, 1992 ASSIGNMENT OF DATE FOR NONJURY TRIAL filed. April 3, 1992, nonjury trial in the above case is hereby set for July 2, 1992, at 9:00 a.m., in Courtroom 1, before the Honorable Gordon R. Miller, P.J. FOR THE COURT,
Imogene Yetman, Crt. Adm.
Apr. 13, 1992 copy in box for B. Lindsay & J. Spataro

July 10, 1992 Order Filed. AND NOW, July 2, 1992 the Court is unable to conclude this hearing this date because of the court schedule, and therefore continues thte hearing to Thursday, July 30, 1992 at 2:30 o'clock p.m. in Courtroom No. 1 of theCrawford County Courthouse. Counsel shall be prepared to conclude the case in its entirety at that time.
BY ORDER OF THE COURT,
Gordon R. Miller. J.
July 10, 1992Copy of the Order to: Brian J. LIndsay, ESq. and JohnF. Spataro, ESq.

July 30, 1992 STIPULATION AND ORDER OF COURT filed. AND NOW, this 30th day of July, 1992, in consequence of the within Stipulation and Agreement entered into by and among Deborah R. Catalano ("Catalano"), and Edna G. McClinton ("McClinton"), through their respective counsel, it is hereby ORDERED, ADJUDGED and DECREE as follows:

1) Catalano shall issue to McClinton a General Warranty Deed conveying all right, title and interest that she has in the property which is the subject of this action and which is more particularly described in the original Article of Agreement which is attached hereto and made a part hereof. Catalano shall be responsible for conveying the subject property in accordance with the terms of the Article of Agreement which require that the property be conveyed "in fee simple, free of all encumbrances."

2) The parties acknowledge that the Prothonotary of Crawford County is holding the sum of $74,000.00, pursuant to a Stipulation and Order of Court entered on Nov. 26, 1991 and the parties agree and stipulate that they shall obtain authorization to withdraw the sum of $6,500.00 from the aforesaid amount held by the Prothonotary of Crawford County and pay over said sum to Catalano, which sum is represented to be in reimbursement to Catalano of the loss she sustained as a result of a fire which occurred on or about Jan. 17, 1991.

3) Upon delivery of the deed and payment of the amount referenced above, the parties agree that they shall enter a praecipe at the above term and number for the purpose of marking as settled and discontinued of record this pending action.

BY THE COURT,
Gordon R. Miller, J.

Aug. 5, 1992 Copy of Order to Attys. Brian Lindsay, John Spataro.

July 31, 1992 MOTION TO AMEND COMPLAINT, filed

July 31, 1992 ORDER filed. AND NOW, July 1, 1992, it is ordered as follows:

1. The defendant's motion for partial summary judgment is denied. The Court views this as an equitable ejectment action with the center of the dispute being whether or not the contract, the article of agreement, has been performed. Since there is a factual dispute as to whether or not the defendant has fulfilled her obligations under the article of agreement a genuine issue of material fact exists and summary judgment may not be entered.

2. The plaintiff's motion to amend her complaint is denied as having been filed too late to raise new causes of action. The trial date has been set for July 2, 1992 for sometime. The motion to amend the complaint was filed on June 24, 1992 but was not accompanied by any proposed amended complaint. BY ORDER OF COURT
Gordon R. Miller, P.J.

Aug 6, 1992 copy in box for B. Lindsay & J. Spataro

Sept. 29, 1992 Order Filed. AND NOW, September 28, 1992, these cases are stricken from the trial list as they were settled and Consent Orders entered on a prior occasion.
BY ORDER OF THE COURT,
Gordon R. Miller, P. J.
Oct. 5, 1992 Copy of the Order to Attys. Lindsay, Spataro, Miller, Gregg, & Prather.

RECORD CONTINUED ON PAGE 614.....

1990

Continued from page 184 Ronald McClimans vs. Jacqueline McClimans AD 1990 - 184

June 6, 1990 Petition for Contempt and Order filed. ORDER: AND NOW. June 6th 1990, upon consideration of the foregoing Petition for Contempt it is hereby Ordered and Decreed that a rule to show cause is issued to the Plaintiff, Ronald McClimans. This rule is returnable for a hearing on Wednesday July 11, 1990 at 10:30 am.
Service of this Petition shall be made upon the Plaintiff, Ronald McClaims, through his Attorney of Record, Mary Ann Kirkpatrick, Esquire.

BY THE COURT
Gordon L. Miller, J.

June 11, 1990 Copies of order put in Attys. Kirkpatrick and Ferguson's boxes and copy to Dom. Rel.

July 13, 1990 Motion To Cancel Hearing and Order filed. AND NOW, this 11 day of July, 1990 the within MOtion is granted. P. Richard Thomas, J

July 16, 1990 Copies of order put in Mary Ann Kirkpatrick and Douglas ferguson's box.

Nov. 28, 1990 Motion for Leave to Withdraw as Counsel for Plaintiff and ORDER filed. And Now, November 28, 1990, Motion allowed.

By the Court:
P. R. Thomas, S.J.

Nov. 29, 1990 Copy of Order to Attys. Mary Ann Kirkpatrick, Douglas Ferguson and copy to Dom.Rel.

June 30, 1993 Petition for Bifurcation and Order filed. AND NOW, this 30 day of June, 1993 upon consideration of the within petition and upon motion of Rowley, Wallace, Keck, Karson & St., John, attorneys for Petitioner, a rule is entered upon respondent to show cause why the request for bifurcation should not be granted.
Rule returnable the 20th day of July, 1993, at 11:15 o'clock a.m. in Court Room at Crawford County courthouse, Meadville, Pennsylvania.

BY THE COURT:
P Richard Thomas, S.J.

July 6, 1993 Copies of order to Atty's Kirkpatrick, Ferguson and Rowley, Wallace, Keck Karson & St. John

July 22, 1993 Affidavit of Consent of Plaintiff filed.

July 22, 1993 Affidavit of Consent of Defendant filed.

July 22, 1993 ORDER filed. AND NOW, July 20, 1993, this matter is before the Court on a petition for bifurcation filed by the Plaintiff.
At the time set for hearing, the parties advise the Court that they have now both filed affidavits of consent to a 3301(c) divorce and are both agreeable to the Court bifurcating the divorce action and granting such a divorce immediately without the necessity of a praecipe for review provided the Court retains jurisdiction over the equitable distribution issue raised by the Plaintiff and the permanent alimony, alimony pendente lite, counsel fees, expert fees, court costs and related litigation expense count brought forth by the Defendant.
Therefore it is so ordered and we will enter a decree in divorce this day.

BY THE COURT:
Anthony J. Vardaro, J.

July 28, 1993 Copy of Order to Attys. Warren Keck and Douglas Ferguson.

DIVORCE DECREE FILED

July 23, 1993 AND NOW, July 20, 1993, it is hereby ordered and decreed that RONALD MCCLIMANS, plaintiff, and JACQUELINE MCCLIMANS, Defendant, are divorced from the bonds of matrimony.
The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered, with respect to issues that have not been litigated and consistent with our order bifurcating this divorce action dated July 20, 1993.

BY THE COURT:
Anthony J. Vardaro, J.

Alan Proper

VS.

I.R.I. International,Inc.,
Dresser Industreis, Inc.,

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OF

AD 1990 - 353

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Jan. 7, 1991 Motion To Dismiss The Objections of the Defendant, I.R.I. International,Inc. Direct that the Interrogatories be Answered, and to Issue Appropraite Sanctions and ORDER filed. AND NOW this 7 day of Jan., 1991, the defendant is ruled to show cause, if any there may be, as to why the plaintiff's motion to dismiss the objections of the defendant, I.R.I. International, Inc., should not be granted and the defendant ordered to submit full and complete answers to interrogatories, or other appropriate sanctions granted. This matter is to be heard on the 7 day of February, 1991, 9:00 A.M. and to be heard at the same time as the companion motion filed by the plaintiff to dismiss the objections of co-defendant, Dresser Industries, Inc. A separate motion for summary judgment having been filed by the defendant, I.R.I. International, Inc. is to be heard at the same time, as well.

P. R. Thomas, S.J.

Jan. 7, 1991 Copy of Order to Atty. Wm.Jorden, James R. Walker, John Kunz, and S.E. Riley,Jr.

Jan. 7, 1991 Motion To Set Argument Time and Date and ORDER filed. AND NOW this 7 day of Jan., 1991, upon consideration of the foregoing motion, it is hereby ordered that argument in the above captioned matters shall be heard on the 7 day of Feb., 1991, at 9:00 o'clock.

P. Richard Thomas,S.J.

Jan. 7, 1991 Copy of Order to Attys. Wm. Jorden, James R. Walker, John Kunz and S. E. Riley,Jr.

Feb. 11, 1991, RE: DEFENDANT I.R.I. INTERNATIONAL'S MOTION FOR SUMMARY JUDGMENT; PLAINTIFF's MOTION TO COMPEL DISCOVERY AGAINST I.R.I.; PLAINTIFF'S OBJECTION TO DEFENDANT DRESSER INDUSTRIES' ANSWER TO INTERROGATORIES - ORDER filed. AND NOW this 8 day of Feb. 1991, the court grants defendant I.R.I. Intervational's Motion for Summary Judgment, concluding that, pursuant to applicable case law, there is no successor liability to a corporation under Restatement 2d of Torts, section 402A, when the predecessor corporation remains an existing and viable business entity with sufficient assets to satisfy Plaintiff's claim.

We further grant I.R.I.'s objection todiscovery holding that I.R.I. need not answer the Plaintiff's interrogatories that remain unanswered.

As to the Plaintiff's objections to answers to interrogatories submitted by the Plaintiff toDresser Industries, counsel for Dresser states for the record that any previous answers to interrogatories filed by I.R.I. International may also be deemed the answers fo dresser Industries. This was acceptable to all counsel that were present, and we so order.

If plaintiff believes it si essential to learn the details of the incorporation and formation of I.R.I. counsel for Dresser and I.R.I. advise the court aht in order to save time, expense and to best clarify the issues, Mr. R. Weldon Walker, Project Management Engineer at I.R.I. and formerly of Dresser Industries, would be available for deposition if the plaintiff so requests. We concur and strongly recommend that such a deposition of Mr. Wlaker does occur, and we will defer ruling upon plaintiff's objections to the interrogatory answers until such deposition takes place or alternatively it is decided that the deposition will not take place.

BY ORDER OFTHE COURT,
P. Richard thomas, S.J.

Feb. 14, 1991 copies to Wm Jorden (box) and to Attys. walker, Mizner and Kunz (mail) + S.E. Riley

Feb. 25, 1991 Response To Plaintiff's Petition For Rehearing, Reconsideration and Supersedeas filed.

Feb. 25, 1991 Order filed. By Order of February 8, 1991, after argument, we removed I.R.I. INternational from the case by granting summary judgment.

We are now faced with a petition for rehearing and reconsideration contending that defendants' brief before the summary judgment decision of the court was entered.

We grant the plaintiff's request for a reconsideration and set aside our Order of February 8 granting summary judgment to I.R.I. We see no reason to reschedule oral argument as we believe the briefs and attonreys' arguments clearly delineated the focus of the court's decision on summary judgment.

ACCORDINGLY, we wil accord plaintiff additional time until March 15, 1991, to file a supplemental brief disputing or distinguishing cases cited in the defendants' brief and bringing to the Court's attention any additional cases the plaintiff believes controlling of the summary judgment issue. Counsel for I.R.I. shall have until April 1, 1991, to file a reply brief to defendants' supplemental brief. After receipt of both briefs, the Court will reconsider the matter and enter a new order regarding the request for summary judgment.

Dated: Feb. 25, 1991

BY ORDER OF THE COURT,
P. Richard Thomas, S.J.

Feb. 25, 1991 Copies of order mailed to James Walker, John Mizner and John Kunz and copy put in William Jorden's box.

Mar. 7, 1991 Notice Of Service of Interrogatories And Requests for Production filed.

March 20, 1991 Motion to Sever and Order filed. ORDER :AND NOW this 20 day of March, 1991 upon consideration of the foregoing Motion, the defendants are ruled to show cause, if any there may be.,as to why the third party claims of the defendants, Dresser Industries and Pittsburgh National against Union Drilling, Inc. should not be severed from the above captioned action.

This Motion is to be placed upon the argument list for argument to be scheduled accordingly. Pro list for April argument list.

P. Richard Thomas, S.J.

Mar. 20, 1991 copies of order to all counsel.

Mar. 27, 1991, Answer to Motion to Sever filed.

On April 1991 Argument List

Apr. 1, 1991, Reply of Defendant I.R.I. International Corporation to Plaintiff's Supplemental Brief filed.

Apr. 8, 1991 Plaintiff's Response to the Reply of Defendant IRI, filed on or about Apr. 2 1991, filed.

Continued on Pg. 600A

Apr. 16, 1991 Notice of Servcie of Answers to Plaintiff's First Set of Interrogatories filed.

Apr. 16, 1991, Notice of Service of Additional Defendants Response to Plaintiffs Request for Production filed.

Apr. 22, 1991, Notice of Service of Deposition of defendant I.R.I International, Inc. filed.

Apr. 24, 1991 Answer of Dresser iNdustries, Inc. to Plaintiff's Motion to Sever filed.

PLEADINGS ADDED TO RECORD FROM THE U. S. DISTRICT COURT: (FILED IN CRAWFORD COUNTY ON MAY 1, 1991)

Dec. 3, 1987, Answer to the Amended Complaint filed by Dresser Industries, Inc. filed.

Dec. 3, 1987, Answer to the Amended Complaint filed by I.R.I. International Corporation. filed.

Dec. 17, 1987, Third party complaint of Defendant Dresser Industries, Inc. filed.

Dec. 18, 1987, Amended Third Party Complaint of Defendant Dresser Industries, Inc. filed.

Dec. 18, 1987, Plaintiff's Motion to Remand filed.

Dec. 18, 1987, Plaintiff, alan Proper's Brief in Support of his Motion to Remand filed.

Jan. 13, 1988, Response of Defendants I.R.I. International Corporation and Dresser Industries, Inc. to Plaintiffs Alan Proper's Motion to Remand filed.

Jan 13, 1988, Brief of defenant I.,R.I. International Corporation and Dresser in Opposition to Plaintiff's Motion to Remand filed.

Jan. 18, 1988 Stipulation for Extension of time filed.

Jan. 19, 1988, Order of Court filed.

Mar. 1, 1988, Answer of Pittsburgh National Bank to Amended Complaint and Crossclaim filed.

Mar. 2, 1988, Third Party Complaint of Defendant Pittsburgh National Bank filed.

Mar. 8, 1988, Stipulation of Counsel filed.

Mar. 17, 1988, Answer of Defendants I.R.I. International Corporation and Dresser Industries, Inc. to the Crossclaim Asserted by Pittsburgh National Bank filed.

Mar. 21, 1988, Stipulation for Extension of Time filed.

Mar. 22, 1988, Order of court filed.

Apr. 11, 1988, Third Party Defendant's Answer and Crossclaim to dresser Industries' Amended Complaint filed.

Apr. 11, 1988, Third Party Defendant's Answer and Crossclaim to THird Party Complaint of Pittsburgh National Bank filed.

Apr. 15, 1988, Answer of Defendants I.R.I. International Corporation and Dresser Industries, Inc. to the Crossclaim Asserted by Union Drilling, Inc. filed.

Aug. 4, 1988, Entry of Ap pearanc eof McDonald, Illig, Jones and Britton on behalf of Defendant Pittsburgh National Bank filed.

Nov. 4, 1988, Responses of Third Party Plaintiff Dresser iNdustries, Inc. to Interrogatories of Third Party Defendant Union Drilling, Inc. filed.

END OF U.S. DISTRICT COURT PLEADINGS

Apr. 30, 1991 Responses to Plaintiff's REquest for Production Directed to Defendant, Pittsburgh National Bank, (first set) filed.

May 7, 1991 Additional Defendant, Union Drilling, INc's Response To Dresser's Request For Admissions filed.

June 3, 1991 Re: Defendant I.R.I.'s Motion for Summary Judgment, Memorandum and Order filed: AND NOW, May 24, 1991, we hereby grant Defendant I.R.I. International, Inc., a Motion for Summary Judgment and remove them as a party defendant in this action.

BY ORDER OF THE COURT,
P. Richard Thomas, Senior Judge

June 4, 1991 Copies of order mailed or given to all counsel of record.

June 3, 1991 Re: Plaintiff's Motion to Sever, Order filed: Plaintiff has moved to sever the third party complaints of Dresser Industries, Inc., and Pittsburgh National bank agains Union Drilling from Plaintiff's action against Dresser and Pittsburgh National Bank. Dresser and Bank filed appropriate answers arguing against said severance.

Until discovery is complete and the case is ready for trial, this Court believes the Plaintiff's Motion to Sever is premature at this time. ACCORDINGLY, we will hold the Plaintiff's Motion to Sever in abatement until we are advised by the Plaintiff that discovery has been completed and the case is ready for trial at which time they may renew their request for severance with the Court.

Dated: May 30, 1991

BY ORDER OF THE COURT,
P. Richard Thomas, Senior Judge

June 4, 1991 Copies of order mailed or given to all counsel of record.

June 21, 1991, Notice of Appeal of Plaintiff to the Superior Court of Pennsylvania from Order entered on the 24th day of May 1991, filed. (certificate of service attached)

July 11, 1991 Notice Of Appeal Docketing Superior Court Docket No. Assigned 01167PGH91 filed.

Record Continued on Page 600 (B).....

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1990

Record Continued from Page 600 A (Alan Proper VS. I.R.I. International Corp. et al)

September 20, 1991 MOTION FOR AMENDMENT TO THE COMPLAINT and ORDER filed. AND NOW this 20 day of Sept. 1991, upon consideration of the foregoing motion, a rule to show cause is directed upon the defendnat, Dresser, to show cause, if any there may be, that this court should not grant leave to the plaintiff to amend his complaint as proposed. The plaintiff shall submit a brief within five days of this Order. The defendant, Dresser's brief shall be due within fifteen (15) days after receipt of the plaintiff's brief. A hering on the plaintiff's rule to show cause shall be held in court room - 1 or 2 at 3:00 o'clock p.m. on Oct. 24, 1991.

P. Richard Thomas, S.J.

Sept. 23, 1991 Copy of Order mailed to all counsel of record.

Oct. 24, 1991, Reassignment of Argument Date filed. Oct. 24, 1991 argument in the above matter previously set for this date is now reset by the Court for Dec. 3, 1991 at 9:00 a.m. before Sen. Judge P. Richard Thomas.
FOR THE COURT, Imogene Yetman, Ct. Adm.
Oct. 28, 1991 copies to W. Jorden, J. Walker, S. E. Riley Jr. and John e. Kunz.

Jan. 2, 1992 Re: Motion for leave to Amend Complaint - Order filed. AND NOW, Dec. 31, 1991, upon the Plaintiff's motion for leave to amend his complaint to correct the omission of Dresser Industries in the factual averments under Counts I, II, and III of the complaint, we hereby grant the Plaintiff's request for leave to amend and Plaintiff shall have twenty (20) days from the date of this Order to file his amended complaint.

Plaintiff had brought this action originally against I.R.I. Upon later discovery that I.R. I. was the successor corporation to Dresser and it was Dresser that manufactured and sold the rig that caused the Plaintiff's injuries, the Plaintiff amended his complaint to allege those matters against Dresser as well as I.R. I. In paragraph 5 of the Amended Complaint, Plaintiff alleges that Dresser was the manufacturer and seller of the rig; however, in Counts I, II, and III in which Dresser was named in the individual captions for each count, the Plaintiff omitted adding Dresser within the factual averments thereunder (or alternately failed to delete I.R.I. and simply failed to pluralize "defendant" to read "defendants").

We believe the omission is an error due to modern wordprocessing in which a secretary or typist carried over the original averments of the averments of the original complaint to the amended complaint.

Clearly Dresser believed the averments were addressed to it as well as I.R. I., because Dresser specifically answered the averments as if they had also been named in each factual averment under Counts I through III. At the argument on the Motion for Summary Judgment filed by I.R. I., Defendant Dresser's counsel had asserted to the Court that Dresser was a viable defendant to the action (although not admitting liability). For Dresser to now argue that Dresser should be removed from this lawsuit would becounter to the assertions made at argument.

We believe the request for leave to amend is only a housekeeping measure to clarify the record. Dresser would in no way be prejudiced by the requested amendments. If Dresser had any doubts that the averments were to be answered by Dresser, Dresser should have filed preliminary objections to the amended complaint. By answering the complaint, the Defendatn is now estopped to argue that the averments were not addressed to Dresser but I.R.I. only. We accordingly grant the Plaintiff's motion.

BY ORDER OF THE COURT,
P. Richard Thomas,S.J.

Jan. 2, 1992, copy put in box of Wm. Jorden esq. and H. White and copy mailed to James Walker.

Jan. 14, 1992 Second Amended Complaint filed.

Jan. 14, 1992 Notice Of Service Of Plaintiff's Second Set Of Interrogatories Directed To defendant, Dresser Industries, Inc. filed.

Feb. 3, 1992, Answer and New Matter of Defendant Dresser Industries, Inc. to Plaintiff's Second Amended Complaint filed.

Feb. 3, 1992, Preliminary objections of I.R.I. International corporation to Plaintiff's second Amended Complaint filed.

Feb. 14, 1992, Response of Dresser iNdustries, Inc. to Plaintiff's Interrogatories Served on Jan. 14, 1992, filed.

May 14, 1992 NOTICE OF DEPOSITION TO DRESSER INDUSTRIES, Inc. filed.

May 15, 1992 Notice filed.

May 19,1992 NOTICE OF DEPOSITION OF DRESSER INDUSTRIES, Inc., filed.

May 19, 1992 NOTICE OF SERVICE OF THIRD REQUEST FOR PRODUCTION DIRECTED TO DEFENDANT, DRESSER INDUSTRIES, INC. FILED.

June 1, 1992 AMENDED NOTICE OF DEPOSITION , filed.

June 12, 1992 Motion for Correction of Opinion Pursuant to Pa Rule of Appellate Procedure 1701(b)(1) filed.

June 12, 1992 CORRECTION ORDER, filed Re: Motion for Correction of Opinion Pursuant to Pa. Rule of Appellate Procedure 1701(b)(1). AND NOW, June 12, 1992, upon review of this Court's Memorandum and Order dated May 24, 1991, this Court agrees with I.R. I.'s postition that a typographical error appears on Page 6 of said Memorandum and Order and the last sentence of paragraph two on said page is amended to read as follows:

There is no evidence on the record that Dresser Industries is in any financial trouble nor that it would be unable to satisfy a judgment to the Plaintiff.

This order is entered pursuant to Rule of Appellate Procedure 1701(b)(1).

BY THE COURT:
P. Richard Thomas

June 18, 1992 copy in box for W. Jorden, mailed copy to J. Walker, S.E. Riley, J. Kunz & Superior Court

July 28, 1992 MOTION TO COMPEL DRESSER INDUSTRIES, INC. TO ANSWER ALL MATTERS DESIGNATED TO BE INQUIRED INTO PURSUANT TO THE NOTICE OF DEPOSITION FILED IN ACCORDANCE WITH RULE 4007.1 (E) AND TO PRODUCE ALL THOSE MATERIAL SO DESIGNATED and ORDER filed. ORDER: AND NOW, this 27 day of July, upon the foregoing Motion to Compel Discovery, the defendant, Dresser Industires,Inc., is ruled to show cause, if any there may be, as to why it should not be compelled to respond without ilimitation to the areas of inquiry identified by the plaintiff in his Notice of Deposition and to provide on or before said deposition date those materials requested. Argument is scheduled for Aug. 5, 1992, at 9:00 a.m., in Courtroom 1.

Gordon R. Miller, P.J.

Aug. 4, 1992 copy in box for W. Jorden, mailed copy to J. Walker, J. Kunz & S.E. Riley, Jr.

Aug . 4, 1992 RESPONSE OF DRESSER INDUSTRIES TO PLAINTIFF'S MOTION TO COMPEL, filed.

Aug. 6, 1992 ORDER filed. AND NOW, August 5, 1992, at the time fixed for argument and/or hearing on the Plaintiff's Motion to Compel Discovery it appears to the Court that the Plaintiff desires that Dresser Industries, Inc. comply with Pa. R.C. P. 4007.1(e) which it has complied with in part to this point by designating Weldon Walker as a designee to testify on behalf of the corporation. It also appears that the Plaintiff has some fear that Weldon Walker may attempt to testify from his own personal knowledge, which he certainly must do, but that the he may not have made an appropriate inquirey and investigation so as to be able to testify as a designee of the corporation or that he may attempt to limit his testimony to personal knowledge and not testify as a designee of the corporation as required to do by the Rules.

It also appears to the Court that counsel for Dresser Industries, Inc. is fundamentally aware of the purposes and requirements of Pa.R.C. P. 4007.1 (e) and has been attempting to make certain that his client complies with that Rule.

It is, therefore, ORDERED as follows:

1. Dresser Industries, Inc. is ORDERED and DIRECTED to fully and completely respond to the noticed items set forth in the Plaintiff's Notice of Matters to be Inquired Into and Materials to be Produced, and the Plaintiff's Amended Notice to the exent of its corporate knowledge and to provide all information reasonably accessible and available to it that touches on those matters and shall otherwise in good faith make all reasonable effort to comply fully and completely with Pa. R.C.P. 4407.1(e) and Pa. R.C.P. 4003.1 dealing with scope of discovery all subject to Pa. R.C.P. 4011 regarding limitations on scope.

CONTINUED ON PAGE 600C

2. The parties shall take the deposition of Weldon Walker who is now the corporate designee. That deposition shall be taken as soon as reasonabley possible at a time to be agreed upon by the parties and cousnel.
3. If the Plaintiff believes that Dresser Industries, Inc. has not fully complied with the Rules in this Order he may after taking Mr. Walker's deposition approach the Court for additional relief.
4. In the event that Dresser Industries, Inc. believes that the Plaintiff is violating any of the Discovery Rules or believes that itneeds further protections it may approach the Court after the deposition of Weldon Walker for additional relief.

BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

Aug. 11, 1992 copy to J. Walker & W. Jorden

✓ Oct 19, 1992 Notice of Deposition for Tues., Oct. 27, 1992 of Dresser Industries, filed.

✓ Jan. 18, 1993 Certificate of Contents of Remanded Record and Notice of Remand filed.

✓ Jan. 18, 1993 Memorandum and Judgment of Superior Court filed. ON CONSIDERATION WHEREOF, it is now here ordered and adjudged by this Court that the judgment of the Court of Common Please of CRAWFORD County be, and the same is hereby REVERSES. CASE REMANDED. JURISDICTION RELINQUISED.

BY THE COURT:
Eleanor R. Valecho, DEPUTY PROTHONOTARY

✓ Jan. 25, 1993 Upon Praecipe of S, E.Riley, Jr., Esquire on behalf of defendant, Pittsburgh National Bank, his appearance is hereby withdrawn.

✓ Jan. 25, 1993 Appearance of MacDonald, Illig,Jones & Britton by T. Warren Jones and John F. Mizner, ESquire, attorneys for defendant,Pittsburgh National Bank filed.

✓ **June 29, 1993 Notice to Complete Discovery filed.**

✓ July 20, 1993 Certificate of Service of Dresser Industries, Inc.'s Third Set Of Interrogatories Directed To Plaintiff filed.

✓ July 30, 1993 Upon Praecipe of Kevin P. Lucas, Esquire and James R.Walker, ESquire, the above captioned matter is placed on the next available Argument list.

ON AUGUST, 1993 ARGUMENT LIST

✓ July 30, 1993 Motion of Defendant Dresser Industries, Inc. for Entry of Judgment on the Pleadings with Respect to Plaintiff's Claims for Breach of Warranty filed.

✓ July 30, 1993 Dresser Industries, Inc.'s Motion for Summary Judgment against additional defendant Union Drilling, Inc. filed.

✓ July 30, 1993 I.R.I. International Corp.'s Renewed Motion for Summary Judgment filed.

✓ Aug. 27, 1993 Motion to Continue Argument Date of Dresser's Motion for Summary Judgment Against Union Drilling on the Indemnity Claim and ORDER OF COURT filed. AND NOW this 27 day of August 1993 it is hereby ORDERED ADJUDGED and DECREED that the court administrator of the Court of Common PLeas of Crawford CountySshall remove Dresser Industries,Inc.'s Motion for Summary Judgment against Additional Defendant Union Drilling, Inc. from the argument list for September 8, 1993. Remaining issues will be argued on said date.

By the court,
P. Richard Thomas, S.J.

8/27/93 Ct. Adm.dist. copies to: Attys. Jorden, LUcas, Walker, Jones, Mizner & Kunz

✓ Sep. 8, 1993 Supplement to Record in Support of I.R.I. International Corp.'s Renewed Motion for Summary Judgment filed.

✓ Sep. 15, 1993 Notice of Deposition of John Williams filed.

✓ Nov. 1, 1993, Answers to Pittsburgh National bank's Interrogatories, REquests for Production of Documents and Requests for Admissions directed to Plaintiff Alan Proper, defenant Dresser Industries, Inc. and Additional Defendant Union Drilling, Inc. filed.

✓ Nov. 4, 1993, MEMORANDUM AND ORDER filed. ORDER: AND NOW, Nov. 3, 1993, the motion of defendant I.R.I. Int., Inc. for summary judgment in favor of I.R.I. International, Inc. is granted and I.R.I. International Inc. is removed as a party defendant in this case.
The motion of Defendant Dresser Industries, Inc. for judgment on the pleadings on the breachof warranty claim (count III (c) is granted and this court and theory of liability against Dresser is removed from this lawsuit.

BY THE COURT,
P. Richard Thomas, S. J.

Nov. 4, 1993, copies dist. to all atty. of record.

✓ Nov.9, 1993 Notice of Service of Updated Answers to Interrogatories, filed.

✓ Dec. 30, 1993 Praecipe to Reschedule Argument, filed.

✓ Jan. 26, 1994 Union Drilling, Inc's Motion For Summary Judgment filed.

✓ Jan. 31, 1994 Union Drilling, Inc.'s Motion for Special Argument Listing of Motion for Summary Judgment and ORDER OF COURT filed. AND NOW, to wit, this 27th day of January, 1994, upon consideration of the foregoing Motion for Special Listing for Argument on Motion for summary Judgment, for cause shown, it is hereby ORDERED, ADJUDGED, and DECREED that the Additional Defendant,Union Drilling's Motion for Summary Judgment will be heard on January 31, 1994 at 1:30 P.M.

BY THE COURT:
Gordon R. Miller, J.

Note: This Order Superceded by 1/31/94 Order of P.R.T. rescheduling both arguments to 2/15/94 at 3:00 P.M.
1/31/94
AAW, Ct. Admin.

2-2-94 Copy of Order toAttys.Mizner,Jorden, Lucas, Walker & Kunz

✓ Feb. 10, 1994 Affidavit of Frank Pittman, filed.

✓ Feb. 15, 1994, Motion for Summary Judgment, on behalf of dft. Pittsburgh Nat. Bank, filed

✓ Feb. 15, 1994, Appendix to Motion for Summary Judgment on behalf of dft. Pittsburgh National Bank, filed. (large filing)

✓ Feb. 15, 1994, Upon praecipe of defendant Pittsburgh National Ban k, Motion placed on next argument list.

ON MARCH 1994 ARGUMENT LIST

Continued to Page 600 D

Alan Proper

vs.

I.R.I. International, Inc. et al

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feb. 22, 1994 Union Drilling, Inc.'s Supplement To Motion For Summary Judgment filed.

Feb. 22, 1994 Dresser Industries,Inc.'s Supplement to Motion forSummaryJudgment, filed.

Feb. 24 , 1994 ORDER SETTING ARGUMENT filed. Re: Motion by Pittsburgh National Bank for Summary Judgment on Behalf of Defendant Pittsburgh National Bank. AND NOW,February 24, 1994, argument on the above motion is hereby set for March 29, 1994 at 1:30 P.M. before the undersigned in Courtroom No. 3,Crawford County Courthouse.

The brief of Pittsburgh National Bank having been filed with the motion, opposing briefs shall be limited to not more than 15 pages, double spaced, and must be lodged with the undersigned on or before March22, 1994.

BY THE COURT:
P. Richard Thomas,S.J.

2-24-94 Copies dist. by Court

Mar. 18, 1994 Motion to Withdraw Deemed Admissions,filed.

Mar.18, 1994 Re: Plaintiff's Motion to Withdraw Deemed Admissions. ORDER filed. This motion was presented at routine Motion Court and forwarded to t he undersigned who is handling the case. T he thrust of the motion is that counsel for the Plaintiff through inadvertence or oversigh neglected to respond to certain requests for admissions and in accordance with t he rules the facts alleged therein were deemed admitted. These admissions formed part of the basis for a motion for summary judgment filed by Pittsburgh National Bank and certainly impact dramatically when considering the pending Pittsburgh National Bank motion for summary judgment.

There is no doubt Plaintiff's counsel overlooked this procedural requirement but with the complexities of this case, the voluminous files and a flurry of all types of cross-pleadings, counsel, being only human, can overlook rule requirements.

We simply cannot conceive that justice would be served in a case of this complexity by allowing one of t he Defendant's to be removed from the case because of a technical procedural oversight.

The three crucial admissions left undenied and unexplained were Nos. 37, 40 and 43. Plaintiff's brief on Pages 3 and 4 list t he proposed answers that would be the proper responses thereto instead of the "technical admissions" resulting from the failure to file detailed narrative answers.

We will grant Plaintiff's motion to withdraw deemed admissions and we will consider the Plaintiff's responses to the aforesaid question as set forth on Pates 3 and 4 of his brief to be the appropriate answers to said questions. We grant the Plaintiff 10 days to file by separate document his appropriate answers to requests for admissions in substantially the same language contained inthe brief in order that the official record in this case contain the Plaintiff's answers to requested admissions.

Argument on Pittsburgh National Bank's motion for summary judgment is currently scheduled before the undersigned on March 29, 1994 at 1:30 P.M. With the aforesaid ruling, Court leaves to the discretion of counsel whether said argument should be continued. Counsel are directed to communicate on this issue and, if either side wishes a continuance of the argument, to agree to thelength of the continuance and advise this Court or the Court Administrator on or before 4:30 P.M. March 24, 1994 of their request in relation thereto.

BY THE COURT:
P. Richard Thomas, S. J.

3-18-94 Copies dist.by Judge's Secretary.

Mar. 24, 1994 Statement of Clarification by Dresser Industries,Inc. REgarding Pittsburgh National Bank's Motion for Summary Judgment filed.

Mar. 28, 1994 Alan Proper's Response to PNB's Interrogatories, REquests for Production of Documents, and Requests for Admissions, filed.

Mar. 25, 1994 Memorandum and Order, filed. AND NOW, March 24, 1994, we grant the motion for partial summary judgment of Dresser Industries, Inc. to the extent that Union Drilling, Inc. shall be responsible under the indemnity agreement to reimburse and save harmless Dresser Industries from any adverse verdict imposing monetary damages upon Dresser Industries.

We do not decide at this time whether attorney fees and costs incurred by Dresser Industries, Inc. are recoverable.

We deny the motion for summary judgment of Union Drilling, Inc. requesting a finding that the language of the indemnity agreement lacked sufficient specificity so as to exclude them from indemnity responsibility. BY THE COURT:
P. Richard Thomas, S.J.

Mar. 25, 1994 copies dist by Court.

Apr. 15, 1994 Opposition of Dresser Industries, Inc. to Union Drilling, Inc.'s Application for Pursuit of an Immediate Appeal filed.

Apr. 20, 1994 Reply to "Opposition of Drsser Industries, Inc. to UnionDrilling, Inc.'s Application for Pursuit of an Immediate Appeal" filed.

Apr. 21, 1994 Application for Determination of Finality of Order Granting Summary Judgment or in the Alternative, for Certification Pursuant to 42 PA. C.S. § 702 (b) filed.

Apr. 21, 1994 Plaintiff's Consent to the Application of Union Drilling, Inc. for a Determination of Finality of Order Granting Summary Judgment filed.

Apr.21, 1994 Certification Order and Recommendation Order filed. AND NOW, April 21, 1994, the undersigned Senior Judge assigned to specially handle this case hereby requests that the Superior Court of Pennsylvania, upon application by Union Drilling, Inc., grant an interlocutory appeal of this Court's decision of March 24, 1994 to t he end that the indemnity issue between Dresser Industries, Inc. and Union Drilling, INc. will be resolved in the interest of resolving a crucial issue in the case and would substantially narrow the focus of issues and enhance the possiblity of settlement of the case.

This Court also recommends the Superior Court, if an appeal is granted,issue a stay of proceedings in the lower court except for this Court's right to file an opinion and order relating to Pittsburgh National Bank's pending matter for summary judgment which has been briefed and argued and awaits this Court's written decision.

BY THE COURT:
P. Richard Thomas, S.J.

4-21-94 Copies dist.by Court

4-25-94 Notice of Appeal to Superior Court filed.

May 2, 1994 Notice of Superior Court Docketing, Docket #00700PGH94, filed.

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1990 **TERM**

Alan Proper

vs.

I.R.I International, Inc.
et al

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May 5, 1994, Motion for Clarification of Certification Order and order filed. ORDER OF COURT: AND NOW, to-wit, this 5 day of May 1994, this court's order of April 21, 1994 certifying the order of Mar. 24, 1994, hereby is amended to include the following language.

This court is of the opinion that the order of Mar. 24, 1994 involves a controlling question of law as to whcih there is substantial ground for difference of opinion, and that an immediate appeal from the order may materially advance the ultimate termination of the matter.

BY THE COURT,
P. Richard Thomas, S. J.

May 5, 1994, copies dist. by court.

May 5, 1994, MEMORANDUM AND ORDER filed. ORDER: AND NOW, May 4, 1994, Pittsburgh National Bank's motion for summary judgment relating to Plaintiff's claim against the bank for injuries sustained is granted and Pittsburgh National Bank is removed as a party defendant in this a ction.

Summary Judgment is granted in favor of Pittsburgh National Bank with respect to Union Drilling's claim for contribution or indemnity as a RESULT OF ANY ADVERSE VERDICT AGAINST Union Drilling in this case.

BY THE COURT:
P. Richard Thomas, S. J.

May 5, 1994, copies dist. by court.

Aug. 12, 1994, Certificate of Contents of Remanded Record filed. (Original Record 5 parts, certified copy of order of court dated July 1, 1994 received from Superior Court of Pa. Pgh, Pa.)

Aug. 12, 1994, Order certified from the Superior Court of Pa: ORDER: The court hereby grants the motion to quash this appeal. PER CURIAM.
Date: July 1, 1994

Fell in Bottom Tap Jodd docket Closed

June 12, 1996 Joint Consent Motion to Approve Settlement and Discontinue Action with Prejudice and ORDER filed. AND NOW, this 12 day of June, 1996, upon consideration of the Joint Consent Motion to Approve Settlement and Dismiss Action With Prejudice, it is hereby ORDERED, ADJUDGED AND DECREED that the Joint Consent Motion is GRANTED, that the parties' settlement as set forth in their Settlement Agreement And Full And Final Release is approved in accordance with its terms, that this action is discontinued with prejudice and in its entirety and with each party to bear its own costs (including attorneys' fees), and that the Prothonotary is directed to mark the docket to reflect that this action has been so settled and discontinued with prejudice.

BY THE COURT:
P. Richard Thomas, S.J.

Sept. 6, 1996 Petition for Reconsideration by Plaintiff and ORDER filed. AND NOW, this 6th day of September, 1996, upon consideration of the foregoing motion, a rule to show cause hearing is set before the Honorable P. Richard Thomas for the 9th day of October, 1996, at 3:30 o'clock, p.m., in courtroom 1 (P. Richard Thomas, S.J.)
FOR THE COURT
Ann A. Walker, Ct. Administrator
9-9-96 DISTRIBUTED Jordan & FAXED Lucas & Kanz

Oct. 7, 1996 Answer of Dresser Industries, Inc. in Opposition to Petition for Reconsideration filed.

Oct. 15, 1996, Opposition of Dresser Industries, Inc. to Plaintiff's Memorandum in Support of Motion for Reconsideration, file.

See Below ~~Nov. 1, 1996 Motion for Rule to Show Cause Hearing by Plaintiff filed.~~

Nov. 1, 1996 Order filed. We now have before us Plaintiff's Motion for Settlement Reconsideration requesting that some $18,655 remaining in defense attorney's settlement escrow account be surrendered to the Plaintiff.

This complex oil rig personal injury case was settled by a court approved settlement Order. The final Court ordered settlement agreed to by all parties was signed and filed June 12, 1996 after some extended negotiation between the parties that culminated May 17, 1996.

The settlement amounted to a $1,450,000 award to the Plaintiff. This sum was to represent a cash payment plus purchase of an annuity of $30,000 per year for the Plaintiff with an annual increase of 3 percent guaranteed for 20 years.

ORDER: AND NOW, October 31, 1996, the Plaintiff's Motion for Reconsideration and modification of this Court's approval of the Settlement Agreement by Order of June 12, 1996 is denied. We refuse to reschedule a hearing on said Motion.

BY THE COURT:
P. Richard Thomas, S.J.
11-1-96 DISTRIBUTED Jordan & MAILED Kunz & Lucas

Nov. 1, 1996 Motion for Rule to Show Cause Hearing and Order filed. AND NOW, this 1 day of Nov. , 1996, upon consideration of the foregoing Motion, the Court grants the plaintiff's request for a Rule to Show cause Hearing for the purpose of taking testimony and establishing a record. Said case is to be placed upon the next scheduled argument list. **MOTION DENIED**
P. Richard Thomas, J.
11-1-996 FAXED Jorden & MAILED Kunz & Lucas

Nov. 1, 1996 Opposition of Dresser Industries, Inc. to Motion for Rule to Show Cause Hearing and Order filed. AND NOW, this 1 of Nov., 1996, it is hereby Ordered and Decreed that plaintiff's Petition for Reconsideration of Settlement is DENIED with prejudice and in it's entirety and that plaintiff's Motion for Rule To Show Cause Hearing also is DENIED. Court's Ruling on this issue filed Nov. 1, 1996.
BY THE COURT:
P. Richard Thomas

Nov. 13, 1996 Praecipe for Argument List filed by Plaintiff filed.

Nov. 12, 1996, Motion for post Trial Relief Pursuant to R.C.P. 227.1 filed.

Nov. 20, 1996, Re Motion for Post Trial Relief - ORDER filed. And Now, Nov. 19, 1996 a hearing to establish a record for the purposes of appeal is scheduled before the undersigned for Dec. 16, 1996 at 10:00 a.m. in C. R. No. 1, 2 or 3 of the Crawford County Courthouse.

BY THE COURT,
P. Richard Thomas, S. J.

11/20/96 copies mailed by Sally, court.

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Dec 12 1996 Motin of Dresser Industries, Inc. to Vacate or Modify Order Scheduling Hearing and Order filed. Nov. 12, 1996 Requested Orders denied without prejudice to grant the same after further argument scheduled for Dec. 16, 1996.
P. Richard Thomas

Jan. 10, 1997 MEMORANDUM AND ORDER filed. AND NOW, January 10, 1997, we again deny the Plaintiff's Motion for Settlement Reconsideration for the same reasons expressed in our six page Memorandum and Order entered Oct. 31, 1996 and the further observations of this Court in this Memorandum. We consider our Oct. 31, 1996 Order as a Final Order on this issue as augmented by this Memorandum and both will serve at the Court's Final Opinion and Order for the purposes of appeal.

BY THE COURT:
P. Richard Thomas, S. J.

Jan. 10, 1997 Order Mailed Atty.s Kunz & Lucas; Distributed to Atty. Jorden.

Feb 7, 1997 Notice of Appeal and Order For Transcript, filed.

Feb. 14, 1997 Notice of Appeal Docketing No. Assigned 00323PGH97, in Superior Court of PA., filed.

March 18, 1997 Transcript of Original Transcipt of Proceedings filed.

Oct. 6, 1997 Certificate of Contents of Remanded Record and Notice of Remand Under PA. Rules of Appellate Procedure 2571 and 2572 of Superior Court of PA., filed.

Oct. 6, 1997 Superior Corut of Pennsylvania Certified from the Record and "ORDER filed. AND NOW, August 27, 1997, the within appeal is DISMISSED for failure to file a brief.
PER CURIAM" , filed.

1990

Anthony d. MOttillo and
Jeanne Mottillo his wife

vs.

Gasser Chair company, Inc.
et al

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Jan. 9, 1990 Motion to compel discovery filed.

Jan. 9, 1990,Order of Court to Motion to comple Discovery filed.

Jan. 22, 1990 Plaintiffs Supplemental Pretrial statement filed.

Jan. 26, 1990 Plaintiffs nOtice of deposition filed.

Feb. 8, 1990 ORDER OF COURT TRANSFERRING VENUE TO CRAWFORD COUNTY FILED.

Feb. 12, 1990, Motion to Compel and Order filed.

CRAWFORD COUNTY ENTRIES

Oct. 22, 1990, Certificate Of Readiness filed. (JURY TRIAL DEMANDED) ON TRIAL LIST FOR FEBRUARY 1991

Dec. 21, 1990, Plaintiffs' Notice of Deposition filed.

Dec 28, 1990 Response to Combined Motion for Sanctions and Motion to Compel filed.

Dec 28, 1990 Notice of Presentation of Plaintiffs' Motion for Enforcement of Sanctions filed.

Dec 28, 1990 Notice of Presentation of Plaintiffs' Motion to Compel filed.

Dec 28, 1990 Re: Motion for Sanctions and Motion to Compel and order filed: AND NOW, December 18, 1990, the Court meets with counsel in chambers on various procedural issues keyed toward discovery in this case. After input from all counsel, the court notes as follows:

1. Statements of witnesses for trial, Jones and Plaintiffs Mottillo, have been delivered to Plaintiffs' counsel December 17, 1990. This issue is not moot.

2. There is a disagreement about further discovery and the Court rules as follows: Depositions of Sandy Petruso in his individual and corporate capacity, depositions of an unknown named witness known as Hap and Defendant Officer witness, James Russo, will be taken in the month of January at a time convenient for all counsel.

Counsel for Sanray Corporation will ascertain the correct name and address of unknown witness "Hap" and disclose the same to counsel for the Plaintiffs within five (5) days. It shall be the responsibility of counsel for the Plaintiffs to subpoena said witness.

Counsel agree that the deposition of witness Russo will be taken in Youngstown, Ohio.

3. It appears that Plaintiff Anthony Mottillo had a back operation in the summer of 1990 and surgery was performed by Dr. Mark Foster. Apparently, Mark Foster has given a narrative statement of the results of said operation and said statement apparently was delivered to an insurance company representative at a settlement conference in Pittsburgh It shall be the obligation of counsel for the Plaintiffs within five (5) days of this date to forward by regular mail a copy of said narrative statement from Dr. Foster to counsel for both defendants.

This case apparently is already listed for the February term and the Court advises counsel that a call of the trial list will be held January 28, 1991, at 9:00 a.m., and a representative of all parties must be present.

BY ORDER OF THE COURT,
P. Richard Thomas, Senior Judge

Dec 28, 1990 copies of order mailed to Attys. Evans, Lowery and Olszewski.

Jan. 21, 1991 Application For Continuance and Order filed. AND NOW, to-wit, this 21 day of January, 1991, after review and consideration of the Application for Continuance presented by defendant Sanray Corporation and it appearing that the Application should be approved, it is hereby ORDERED and DECREED that the Application for Continuance is granted and the trial of the above-captioned case now scheduled for February 1991 be continued to the next trial term.

BY THE COURT:
Gordon R. Miller, J

Jan. 21, 1991 Copies of order mailed to Keith Mason, William Tighe and Danield Winters

Feb. 11, 1991 Notice of Service of Sanray Corporations supplemental Request for Production of Documents filed.

Feb. 19, 1991, Notic e of Service of REquest for Production of Documents to Co-Defendant Sanray Corp. Under Rule 4009 filed.

Apr. 2, 1991 Notice of Service of Notice to Attend (Sanray Corp.) filed.

Apr. 2, 1991, Notice of Service of notict to Produce (Sanray) filed.

April 5, 1991 PRETRIAL ORDER filed. AND NOW, April 2, 1991, after a pretrial conference with all counsel present we enter the following order:

1. The parties are ready for trial, all discovery is or will be completed and the jury shall be selected and the trial commended on Monday, April 8, 1991 in Courtroom No.2.

2. The ussues to be resolved at trial are:

a. Whether or not the defendants are liable to the plaintiffs on theories of ordinary regligence and in the manufacture, etc., or in the care and maintenance, etc. of a chair the husband, plaintiff was sitting in at the time he was injured.

b. Whether or not the defendants are liable to the plaintiffs on products liability theories.

c. The damages, if any, that the plaintiffs are entitled to receive.

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1990

Patricia J. Wagner

vs.

Bernard R. Wagner

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Apr. 10, 1990 Order filed. AND NOW, April 6, 1990, after an informal hearing on the Defendant's contempt petition, and after the Court has discussed this matter with the oldest two children, the Court admonishes the parties that:

1. The Defendant has an absolute, law-protected right to see his minor children.
2. He loses or forfeits his right to see his minor children if hes conduct is such that adversely affects their health, safety, morals or welfare.

The Court entered an Order on March 30, 1990, in this matter which provided visitation rights to the defendant which the Court now modifies.

The Defendant's visitation rights set forth in the Order of March 30, 1990, continue provided that:

1. He does nothing to adversely affect the health, safetly, morals, or welfare of the children.
2. During his periods of visitation for the next thirty (30) days, he shall hvae another adult in his presence or within the same bulding when he exercises his visitation rights, including but not limited to when he travels in an automobile with his minor children.

BY ORDER OF THE COURT,
Gordon R. Miller, J

Apr. 11, 1990 Copies mailed to Michael Halliday and copies put in Brian Lindsay's box.

Apr. 12, 1990 Transcript Of Testimony Of defendant Taken At Time of Hearing On Protection From Abuse Act Petition filed.

April 12, 1990 Exhibits filed with papers.

May 29, 1990 Petition for Sanctions and Order filed: AND NOW, this 29th day of May, 1990, upon consideration of the within Motion for Sanctions, a Rule is hereby entered upon the Defendant, Bernard R. Wagner, to show cause, if any ha has ,why:

(a) He should not be held in contempt of court;
(b) Sanctions should not be imposed upon him; and
(c) Why his visitations with his children should not be more serverely restricted.

RULE RETURNABLE, the 11th day of June, 1990, at 10:00 o'clock a.m., in Courtroom No. 2 of the Crawford County Courthouse, Meadville, Pennsylvania, at which time hearing will be held.

BY THE COURT,
Gordon R. Miller, J

May 30, 1990 Copies of order mailed Atty. Halliday. and put in Atty Lindsay's box.

June 12, 1990 Petition for Extension of Order filed.

June 12, 1990 Order filed: AND NOW, June 11, 1990, after presentation of the Plaintiff's petition for Extension of the Order of March 30, 1990 which said petition was given to counsel for the Defendant immediately prior to this hearing, we hereby enter a rule directed at the Defendant to show couse, if any he has, why the petition should not be granted. Said rule is returnable for hearing and/or argument for June 25, 1990 at 3:00 p.m. in Courtroom No. 2. In the meantime, the Order of March 30, 1990 shall continue in full force and effect until that hearing.

BY ORDER OF THE COURT,
Gordon R. Miller, J

June 13, 1990 Copies of order mailed Atty. Halliday and copy put in Atty. Lindsays box.

June 12, 1990 Order filed: AND NOW, June 11, 1990 after a hearing on the Plaintff's petition for sanctionsd, the Court does not hold the Defendant in contempt of the Court, but we remind the Defendant that he absolutely must comply with the Order of this Court, and shall not assault, abuse, harass, or threaten the Plaintiff or any of the parties' minor children.

The custody and visitation provisions of the Court Order of March 30, 1990 are continued temporarily in further Order of Court, with one additional provision. The Defendant shall not take his minor daughter Cara off the property where she now resides unless he is in the company of another adult or adults, or the plaintiff, or Sabrina and Robin.

In view of the fact that another petition is before the Court affecting the Order of March 30, 1990, we make no further Orders at this time regarding custody and visitation on the belief that this matter will be reviewed by the court shortly on that other petition.

BY ORDER OF THE COURT,
Gordon R. Miller, J

June 14, 1990 Copies of order mailed to Atty. Halliday and put in Atty. Lindsay's box

June 20, 1990, Transcript of Proceedings - Testimony of Bernard R. Wagner taken at Time of Hearing on Petition for Sanctions, filed.

June 27, 1990 Order filed. AND NOW, June 25, 1990 at the time scheduled for the hearing in this matter, the parties engaged in protracted settlement negotiations and advised the Court that they had not reached an agreement but that an agreement was possible, and further agreed that the prior Order be continued for three(3) weeks and this matter rescheduled.

therefore, it is Ordered as follows:

1. That Orders of March 30, 1990 and June 11, 1990 are continued in full force and effect until further Order of Court.
2. This matter is continued and a hearing shall be held on July 16, 1990 at 2:30 o'clock p.m. in Courtroom No. 2 of the Crawford County Courthouse.

BY ORDER OF THE COURT,
Gordon R.Miller, J

June 27, 1990 Copy of order mailed to Michael Halliday and copy of order put in Brian LIndsay's box.

July 19, 1990, ORDER FILED. AND NOW, July 16, 1990, after an informal hearing on the Plaintiff's petition to continue the Order of March 30, 1990 it is ordered as follows:

1. The order of march 30, 1990 is hereby dissolved and this Order is entered in its place.
2. The defendant shall not assault, abuse, harass or threaten the plaintiff or the parties minor children in any manner whatsoever.
3. This order may be enforced without a warrant of arrest by any law enforcement officer having reasonable grounds to believe that it has been violated.
4. A copy of this order shall be delivered to the police department in the jurisdiction where the plaintiff resides and to County Control.

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1990

Patricia J. Wagner

vs.

Bernard R. Wagner

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5. This order shall remian in fullforce and effect until March 29, 1991 unless modified or terminated by further order of court.

6. The defendant is reminded that this is an Order of corut and a violation of this order may be punishable by a fine of up to $1,000.00 and a jail sentence up to six months.

BY ORDER OF THE COURT,
Gordon R. Miller, J.

July 19, 1990, copy mail to Atty. Halliday and State Police; copy put in box for Atty. Lindsay; copy given to County Control.

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1990

Roger Ferry
vs.
Jacqueline Ferry

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Oct. 29, 1996 Affidavit of Service filed. AND NOW, October 28, 1996, comes Barbara J. Walton Esq. and avers as follows:

1. A true and correct copy of the Petition to Modify Custody and Notice to Defend was amiled to the Defendant via Certified Mail, return receipt requested, on October 16, 1996.

2. That the Defendant signed the return card on October 24, 1996, andin accordance with Pa. R.C.P. 412, service of the Complaint was made as is evidenced by the United States Postall Service Return receipt (Certified No. P 535 894 546) attached hereto as Exhbit "A".

I verify that the statements made in this affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. 4904, relating to unsworn falsification to authorities. Barbera J. Walton

Dec. 6, 1996 Certificate of Completion of Seminar For Separating Parents by Plaintiff filed.

Dec. 6, 1996 Certificate of Completion of Seminar For Separating Parents by Jacqueline Ferry filed.

Dec. 17, 1996 Order filed. AND NOW, December 16, 1996 after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Tanya Ferry and Matthew Ferry shall be shared between the mother and the father, the plaintiff and defendant herein, that is, each parent shall be entitled to full access to school records, medical records and other important records and that each parent shall be entitled to take part fully in important decisions affecting the children such as the education, medical treatment and religious instruction of the subject children.

II. Physical custody of Tanya Ferry and Matthew Ferry shall be shared by their parents under and subject to the following conditions: A. The father shall be entitled to take and have the children into his custody every week from 5:00 o'clock p.m. on Sunday to 7:00 o'clock p.m. on Friday, beginning January 19, 1997.

B. The mother shall be entitled to take and have the children in her custody every weekend from 7:00 o'clock p.m. on Friday to 5:00 o'clock p.m. on Sunday, beginning January 24, 1997.

Cost of the mediation conference will be equally divided between the parties. The Prothonotary of Crawford County is hereby directed to refund a portion of the deposit paid in advance by the Plaintiff, less the cost of the custody order. (SEE PAPERS FILED) Anthony J. Vardaro, J.

12-17-96 FAXED Walton & Fuller

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1990

IN THE MATTER OF A MEMORIAL

FOR

GEORGE J. BARCO

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Remarks of Dean Mark A. Nordenberg
at the Funeral of

GEORGE J. BARCO

Meadville, Pennsylvania
Saturday, November 18, 1989

During the course of his very full life, George Barco was involved in a great many things. At the heart of his existence, however, was his devotion to the rule of law and his commitment to the process of lawyering.

Judge Learned Hand, one of this country's most distinguished jurists, described the law in the following way:

> Without it, we cannot live; only with it can we ensure the future which by right is ours. The best of man's hopes are meshed in its success, when it fails they must fail; the measure in which it can reconcile our passions, our wills, our conflicts, is the measure of our opportunity to find ourselves.

George Barco understood and appreciated the law in this majestic sense. Much of what be loved about this country was a direct reflection of the fact that we are a law-based society. He viewed our laws as a source of freedom, of opportunity and of equality. Particularly for a lawyer, he also viewed the law as a source of special responsibilities.

Last year, before he became ill, George sent me a copy of a published perspective on the practice of law. The author wrote:

> As a young lawyer, I dealt with human problems on a human scale. I drew wills, tried negligence cases, handled real estate, negotiated contracts, and counseled people in need and despair. I learned the deep satisfaction of helping to solve a problem or settle a dispute. I was fulfilled when men and women who had entered my office in panic or distress left it feeling more at peace. I came to understand that no lawyer worth his salt can practice his calling impersonally. I learned that to be a real lawyer is to concern yourself with people and with the things that hold people together or drive them apart. The law for me was truly a human profession.

Though the words were not George's, I believe that they captured much of his experiences and his views, with one important difference. The author spoke of his work as a young lawyer. George Barco used the law to help real people with their very real problems throughout his career. To him, the practice of law was a truly human profession, from beginning to end.

Parting is never easy, and so the past few days have been difficult for all of us. Many of us believe, however, that those who die never really leave. Instead, to paraphrase D. H. Lawrence, they loom on, and they help.

George Barco was a great help to many of us in countless ways during his life. We should take comfort from the fact that we will continue to be helped by the power of his example, by the lessons that he taught so well, and by the feeling that his spirit will always be among us.

* * * * *

(The first quote is from The Spirit of Liberty, edited by Irving Dilliard. The second quote is from the commentary "Law Schools Must Help Make the Practice of Law the Learned and Humane Profession It Once Was," written by S. M. Linowitz and published in The Chronicle of Higher Education on Wednesday, September 14, 1988.)

- EXHIBIT A -

Remarks .....by Marlowe Frase
at the Funeral of
George J. Barco
St. Brigid's Catholic Church
Meadville, Pennsylvania
November 18, 1989 10 a.m.

Mr. Barco's daughter, Yolanda, once told me about a remark by him shortly after we had met. We had struck it off well, had identified a number of mutual interests, and had gone on to become friends. Mr. Barco had been introduced, Yolanda said, that I--like he--had come from the farm.

Mr. Barco did come from the farm where there is life in the ground and where, as Charles Warner once wrote, there is life for the people who stir it.

Mr. Barco came from the strenuous life,* one that emphasized the practical virtues and ideas. At the end of each day one took stock of what had been done and said, for one soon learned that the farm also meant renewal.

It was from that perspective that he saw education. There is life in education. There is life for all people who stir it.

Even in his severe illness he was busy with the stirrer, imploring one of the people who cared for him to continue her education.

For Mr. Barco, education--right after honesty, love of God and Country, and hard work--was the key to life.

His life showed that: In Meadville where he was graduated from high school and later served the Schools as solicitor of its Board. He also served public education as legal counsel for the State Board of Education.

At Allegheny College, where he earned his baccalaureate degree and went on to become an involved and dedicated alumnus.

In Erie, where he helped found the educational television station and served it well as one of its officers.

At the University of Pittsburgh where the law degree was conferred, where he served on the Board of Trustees, and where he and his family helped assure the quality of its libraries.

And at Penn State where he served as a principal advisor in the organization of its School of Communications.

In his chosen profession of law, an awareness of the importance of education led to his founding the Pennsylvania Bar Institute. It is the principal means by which lawyers of Pennsylvania are kept up to date on new developments in their field. The Bar Institute Building in Harrisburg is a tribute to his vision.

But it was in a new electronic technology, cable television, that Mr. Barco addressed to thousands of people his belief in the life that comes with education.

He and his family brought cable television to Meadville in the early 1950s, and, in so doing, was one of the first to emphasize the community--its government, its people, and its culture in television. Community television was of the community. It was more than the technology of cable.

His vision of cable television as an important medium of education was deeply felt. "When the history of cable television is written," he said, "its greatest story will be in education."

He took that vision to the state and national levels by doing and imploring. In Pennsylvania, his friend Joe Gans and he took the lead in organizing PENNARAMA, Pennsylvania's educational cable network.

And just this year, only a few months ago, the entire cable industry caught up and organized The Cable Alliance for Education, an initiative that is inspired in its potential of focusing the resources of cable television on community educational needs.

For the cable television profession, he also spoke of renewal. That was manifested when he worked with his Cable TV Pioneer colleagues in bringing the National Cable Television Center and Museum into being. One of its principal purposes is education. He took great pride in having the Center and Museum in Pennsylvania, the home of so much of its history, and at Penn State where he was fascinated by its work in continuing education through television and other media.

Mr. Barco was a man of the 20th century. Born in its first decade, he reflected the new century's strengths and courage of the agrarian life. They brought to him a love of country, of God, a sense of obligation to all humanity, a lofty set of ideals, and a belief in the rewards of hard work and education.

His, as Theodore Roosevelt described it, was the strenuous life. "Our Country calls not for a life of ease, but for the life of strenuous endeavor."

Mr. Barco's endeavors of the 20th century left each of us with a big part of his life. For the 21st century he left each of us wiser, stronger, and more dedicated to the strenuous life, and the ability to stir it, including those parts that are education and learning for which he held such hope.

* Charles Warner, "Preliminary", My Summer in a Garden (1871)

** Reference to the strenuous life is drawn from remarks by Theodore Roosevelt in a speech in Chicago in 1891.

- EXHIBIT B -

Feb 16, 1990

JUDGES CHAMBERS
THIRTIETH JUDICIAL DISTRICT OF PENNSYLVANIA
COURTHOUSE
P. RICHARD THOMAS, PRESIDENT JUDGE — MEADVILLE, PENNSYLVANIA 16335-2896 — TELEPHONE

January 26, 1990

Honorable P. Richard Thomas, President Judge
Honorable Gordon R. Miller, Judge
Court of Common Pleas of Crawford County
Meadville, Pennsylvania 16335

Gentlemen:

It is with the utmost regret that I find that an assignment to Dauphin County precludes my being present for the Memorial Service in honor of George J. Barco. Ironically, if it were not for George I probably would not find myself in this position.

When I sought the appointment to fill the vacancy created by the mandatory retirement of Judge F. Joseph Thomas, George used his considerable influence with Governor Shapp, a personal friend, on my behalf. In 1979, George supported me actively in what turned out to be a fairly close election. So without George's support both as to the appointment and the election it is entirely possible that I would never have become a judge at all.

In the fall of 1986 when I was toying with my decision as to whether to run for retention, George talked to me and strongly urged me to remain an active judge. For once I did not take his advice and opted instead to become a senior judge, which places me in Harrisburg today.

I had the honor of serving on the committee which prepared the formal petition that has been read in open court. At the time the committee met, one of the members said that it was very unlikely that any member of the Crawford County bar would ever even approach, let alone, exceed George's considerable record of service to the bar, to his community and its institutions, to his second occupation in cable television and to the other institutions which he favored by his support. I strongly concur in that opinion.

On perhaps a more personal note, George, because of his dedication to the Pennsylvania Bar Association, made every effort to interest younger lawyers in the work of that Association. I was one of those who took George's advice and did become active in our statewide bar association. A fact which I certainly have never regretted.

Although we did not always agree on every issue in which we were involved, both in the courtroom and out of it, I always had the greatest respect for George's opinions. He was a worthy opponent, always totally prepared and with his opinions well thought out in advance both in the courtroom and out of it.

The legal profession in Pennsylvania will owe a debt of gratitude to George in perpetuity for what are to my mind two of his greatest achievements, the creation of the Pennsylvania Bar Institute and the preparation and publication of the Pattern Jury Instructions. I often wonder how Judges functioned before the Pattern Jury Instructions were available.

When the Honorable R. Paul Campbell resigned as Chairman of the Socio-Legal Subcommittee after his retirement from the bench, George suggested that I might like to try and him, and again, due to George's intervention I was so appointed. I have found the work extremely interesting, although maintaining the standard jury instructions in an immediate situation doesn't begin to be the monumental job that creating them in the first place was.

I can add very little to the Petition and Resolution that has been formally presented. I can only say that the bar the other institutions that he touched, his family and the community have lost a giant of a man.

Sincerely,

Robert L. Walker

RLW/ml

Feb 16, 1990 Transcript of Proceeding Memorial Service held on February 1, 1990 filed.

pcta report
VOL. 14 NO. 3
Pennsylvania Cable Television Association
P.O. BOX 1141, HARRISBURG, PA 17108 NOVEMBER-DECEMBER, 198

Daniels Lauds Cable's Good News in ACS Keynote Address

"As an industry, we have not shared our impressive record of community involvement with the American public," Bill Daniels said in his keynote address to the 1989 Atlantic Cable Show. "To correct that, I will publish and disseminate to government and civic leaders—in cooperation with NCTA and the Cable Television Public Affairs Association—a comprehensive report, entitled *Cable Cares*. It will detail, for the first time ever, our concerted, powerful industry accomplishments in the area of community involvement."

Daniels' book aims to bring to wide attention some of the things he mentioned in his speech. He reported, for example, that since 1980 the cable industry has paid more than $4.7 billion to local governments in franchise fees to help fund needed programs for our cities; that Live Aid on MTV raised more than $70 million for African famine relief; that Farm Aid on the Nashville Network raised more than $6 million in support of family farmers that HBO raised more than $18 million in contributions with projects like Comic Relief (for the homeless), Welcome Home (for Vietnam veterans) and the Special Olympics.

Daniels also noted that local access programming has given platform to almost every segment of our society—people who, prior to the advent of cable television and local access programming, never had access to the television medium.

He pointed to the tons of toys cable collects for Toys for Tots, the $176 million in cash and in-kind contributions cable's top 100 multiple system operators contributed in the last two years and to the millions raised nationally for Muscular Dystrophy, the March of Dimes Easter Seals, Heart Association and the American Cancer Society.

Continued - See Page 7

Kearney Elected PCTA Chairman

Terence J. Kearney was elected chairman of the Pennsylvania Cable Television Association at PCTA's annual meeting in Atlantic City on October 2. Director of Marketing and Administration for the Susquehanna Cable Company, Kearney succeeds William Stewart of Armstrong Utilities in the two-year post.

Originally elected to the PCTA Board of Directors in 1985, Kearney has served as Secretary of the Association since 1986. He has been with Susquehanna for almost seven years, the first four as General Manager of the company's York, Pa. system.

PCTA also elected Gerard F. Boyle of TCI as Vice Chairman; Joseph S. Gans IV of Cable TV, Inc. as Secretary; and John Capparell of Service Electric Cable TV as Treasurer.

Re-elected to three year terms on PCTA's Board of Directors were Harry Brooks of the Lenfest Group and Daniel Churchill of Comcast. Elected to three-year terms were Jon Scott of Berks-Cable/ATC and Thomas Sharrard of Greater Media Cable of Philadelphia.

Elected to one-year terms on PCTA's Board were Terry Appleby of Raystay Company, Mary Chiodo of Eastern Telecom and Stephen Joyce of Wade Communications.

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Cable Pioneer George Barco Dies in Meadville

The cable television industry's one of its legends when George Barco, 82, died on November 15.

When one reviews his contributions to the cable television industry, the legal profession, his community and to education, it is easy to forget that it is the life of one man being discussed. For he accomplished in one lifetime than many of us could were we given three.

Continued - See Page 9

Cable Pioneer George Barco Dies

(Continued from Page 1)

Mr. Barco was admitted to the [illegible] County Bar in 1934 and practiced up to the day he died, remaining an active partner with his daughter Yolanda in the law firm Barco and Barco.

He served as PCTA's general counsel for 25 years from 1954 through 1979. He was president, vice president, a board member and general counsel for NCTA as well.

He won one of NCTA's first Vanguard Awards—the Larry Boggs Memorial Award for Outstanding Service in the CATV industry in 1967.

He was founder of the Pennsylvania Bar Institute, the continuing education arm of the Pa. Bar Association, and was the Institute's first president in 1960, the same year he became a charter member of the National Cable Pioneers.

He was also a champion of education, serving as a member of the University of Pittsburgh's Board of Trustees, working for the establishment of public television in Pennsylvania; serving ten years as a board member of Educational Television of Northwest Pa., Inc. (now Public Broadcasting of Northwest Pennsylvania, Inc., the licensee of WQLN Erie), serving as legal counsel to the state board of education; as the founder and leader of PECS, the Pennsylvania Education Communications System; as a driving force behind PENNARAMA, was co-founder of the National Cable Television Center and Museum at Penn State (and spearheaded the effort that helped raise $2 million for the establishment of the center), and the list goes on.

Shaped Cable Industry

Mr. Barco played a monumental role in shaping the cable television business as we know it today. A commemorative brochure issued by PCTA [illegible] paper in honor of Mr. Barco [illegible] this, it said in part:

> [illegible] years devoted to the cable television and its capacity serving the public that George [illegible] most outstanding and invaluable contributions to the industry. Very early [illegible] and directly participated in PCTA in the landmark Federal excise tax case which resulted not only in substantial tax savings for subscribers—including a refund of some $25,000,000 of taxes paid...but also in judicial recognition of the master antenna concept, on which the industry's legal right to carry signals is founded.
>
> "Also, in the early days, George fought and worked to secure cable's opportunity to operate, particularly establishing its status as a legal occupier of public rights of way and for recognition of its right to attachment space on utility poles. Later, George led the successful challenges before the Pennsylvania Public Utility Commission of the aggressive efforts of several utility companies in Pennsylvania to limit or foreclose cable's access to utility poles. With the officers of the Pennsylvania Association, he urged NCTA to take the necessary action to secure cable's position as an independent industry, eventuating in the Section 214 proceedings before the Federal Communications Commission.
>
> "In the face of widespread uncertainty in the industry during the long copyright litigation, George was steadfast in his conviction that television reception service was not legally subject to copyright payment. He was the 'majority of one' who insisted that the NCTA Board of Directors proceed with certiorari proceedings to the Supreme Court which ultimately ruled in June, 1968 that cable television reception is not subject to copyright payment under the present law.
>
> "For almost 20 years, George has opposed efforts to impose state public utility regulation on the industry, expending untold time, effort and concern assisting Pa. cable operators in attempting to deal with the difficulties, complications and frustrations of mounting regulations and restrictions imposed on the industry.
>
> "An untiring and effective advocate of cable's right to exist, grow and develop, George is always cognizant of the appropriate concerns of others regarding cable's operations and services, particularly the interests of the present subscribers and the public in cable's great service potential."



George Barco

While many of us would be content to rest on our laurels following testimonial like the above, this was years before the launch of PENNARAMA and some of what Mr. Barco regarded as his most important work.

Industry Mourns

PCTA President Stanley T. Sirk summed up the industry reaction when he said, "It won't be the same industry without George Barco."

According to Singer, Mr. Barco's long been a steadying influence PCTA. "Mr. Barco often applied state office to provide advice, understanding and insight on critically important matters giving the benefit of his years of experience and wisdom."

Singer said, "The cable industry mourns George Barco's passing and extends its profound sympathy to his family."

Barco is survived by his wife Emma, daughters Yolanda Barco Helene Duratz, two step children, sister and five brothers. The family suggests memorial contributions be made to The National Cable Television Center and Museum, Mitchell Building, Pennsylvania State University, University Park, PA 16802.

- EXHIBIT C -

Richard E. Mattern

vs.

Alice E. Mattern

Record continued from page 101

of record
A.D. 1990 - 101

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May 3, 1990 Order filed. AND NOW, May 2, 1990, after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS:

I. Legal custody of Marrern shall be shared between the mother, Alice E. Mattern, and the father, Richard E. Mattern, that is, ea ch parent shall be entitled to full access to medical records, school records and other important records and each parent shall be entitled to take part fully in decisions affecting the child's religious instruction, education, medical treatment and other such important decisions.

II. Physical custody of Darrin Mattern shall be with his father, Richar dE. Mattern, subject to the following conditions:

A. the mother shall be entitled to visit and take the child into her custody every weekend, beginning Saturday, April 28, 1990 from 10:00 a.m. Saturday morning until 8:00 p.m. Sunday evening.

B. On those weekends when th emother is obliged to work Saturdays, weekend visits shall commence at 3:00 p.m. on Saturday rather than 10:00 a.m. Darrin Mattern shall call his mother each Thursday to determine whether she will be working on Saturday.

C. Transportation of Darrin Mattern on weekend visits shall be arranaged with the mother picking up the child at the home of the father on Saturday and the father picking up the child at the home of the mother on Sunday evening.

D. Beginning with the Summer of 1990, the child shall reside with the father from June 1st until July 15th and in the home of the mother form July 15th until August 25th. During June and the first two weeks of July, th emother shall have weekend visits as provided above and form July 15th until August 25th the father shall be entitled to have Darrin in his custody from 10:00 a.m. each Saturday until 8:00 p.m. each Sunday.

D. Holidays shall be defined as Christmas and Thanksgiving. Holidays shall be divided so that the child is in the ohme of both parents form some portion of each holiday and unless otherwise agreed upon between the parties, the child shall be in the home of the fathe ron holidays until 12:00 noon and in th ehome of the mother from 12:00 Noon until 8:00 p.m. The holiday schedule shall precedence over the weekend schedule.

E. Neither mother nor father shall say or do anything in an attempt to turn the child against the other parent, but shall do everything in the power of each to foster a favorable and loving attitude on the part of the child towards both parents.

F. Neither mother nor father shall expose the child to any person or situation which may be harmful to the child's health or well being.

G. Both praents agree to inform the other immediately of any illness or injry regarding the child and to provide the other party with a current telephone number.

III. This order is a temporary order but shall become a permanent order unless exceptions thereto are filed by either party within thirty (30) days of the date hereof.

IV. Cost of the mediation conference shall be paid by Crawford County.

Gordon R. Miller, J

May 4, 1990 copies of order put in r. Charles Thomas, Mary Ann Kirkpatrick and John Fuller's box.

Feb. 17, 1998 Important Notice and Court Order filed. Out court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since 5/3/90 . We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonable delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.

If you do not object to this case being dismissed, you do not have to do anything. The case will be marked "dismissed with prejudice" in our records, and will be over forever.

I If you object to the case being dismissed, you must put your objections in writing and follow Crawford County Civil Local Rule L206, LJA 1901E and LJA1901F, explaining why there has been a delay in your case and why it is not unreasonable. These written objections must be filed in the Prothonotary's Office on or before April 24, 1998. You must also give or send a copy of any objections you file to the other party or his or her attorney, and certify that you have done so when you file your objections with the Prothonotary.

YOU MAY LOSE IMPORTANT RIGHTS IF YOUR CASE IS TERMINATED. YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHER EYOU CAN GET LEGAL HELP.

Court Administrator
Second Floor-Crawford County Courthouse
Meadville, PA 16335
(814) 333-7498

By the Court,
Anthony J. Vardaro, J

Date: February 13, 1998

Feb. 13, 1998 Copies mailed by Court Administrator's Office

May 6, 1998 Order filed. AND NOW, this fourth day of May, 1998, written notice of the Court's intent to terminate the cases listed below having been given to the parties or their counsel of record, and further notice having been given to counsel and parties by publication of a "Notice of Intent to Terminate Cases" printed in the Crawford County Legal Journal on April 15, 1998, and no objection thereto haing been received by the Court from either party in the cases listed below, **all and each of the 245 cases listed below are hereby terminated and dismissed with prejudice.** A copy of this order shall be filed at each of the docket numbers listed below, but copies need not be given to or served upon the parties or their attorneys. Cases may be reinstated only in accordance with Crawford County Rule LJA 1901.

By the Court:
Gordon R. Miller, P.J.

(See original filed at A.D. 1997 - 702)

Randall L. Hartzell

vs.

Pamela J. Hartzell

Record continued from page 15

of record

A.D. 1990 - 15

****

May 16, 1990 Petition For Contempt Of Court - Custody Order and Order filed. AND NOW, this 16th day of May, 1990, upon consideration of the foregoing Petition it is hereby Order and Decreed that a rule t show cause is placed upon the defendant, Pamela J. Hartzell, to show cause if any she shoul dhave why she should not be held in contempt of the Court's Order of April 17, 1990.

A hearing in regard to said Petition for Contempt is scheduled for 1:30 pm on June 29, 1990. Service of this Petition shall be made uponthe defendant's attorney of record, Alan J. Pepicelli Esq., by serving a copy of the same upon him.

Respectfully submitted,
GordonR.Miller, J

May 17, 1990 Copies of order put in Douglas Ferguson and Alan Pepicelli's box.

June 29, 1990, Budget Information of Pamela Hartzell filed.

July 2, 1990 Order filed: AND NOW, June 29, 1990, at a hearing held on the Plaintiff's petition for contempt alleging that the Defendant filed to comply with the Order of April 29, 1990 in two (2) respects. The parties agreed to proceed with a formal hearing but one not on the record. The Court finds that the Defendant violated the Court Order with respect to visitation accorded the Plaintiff on Aoril 22, 1990, but does not hold the Defendant in contempt of court.

It is ORDERED as follows:

1. The parties shall comply with the order of April 17, 1990 without fail and, because it doesn't appear that they can agree on minor deviations from the Order, there shall be absolutely no deviation from the Order under any circumstances until further order of court.

2. The Defendant would normally have visitations in both children on July 15, 1990. The Plaintiff shall have those visitations instead of the Defendant by reason of the fact that the Plaintiff was unable to have visitations with his son Chad on April 22, 1990. This is the only change that this Court makes at this time on the visitation schedule.

3. The Plaintiff's request for attorney fees, costs and expenses is denied.

BY ORDER OF THE COURT,
Gordon R. Miller, J.

July 5, 1990 Copies of order put in Attys. Ferguson and Pepicelli's boxes.

July 19, 1990, MEMORANDUM AND ORDER filed. ORDER: AND NOW, July 19, 1990, the plaintiff is ordered and directed to pay to the defendant:

1. A sum equal to $400.00 per month as alimony pendente lite for four (4) months commencing with July 1990 which said payment shall be made in any manner the plaintiff deems appropriate so long as it is paid in full on or before the last day of the month for which it is due. THis order is prospective, rather than partially retroactive and partially prospective so that the plaintiff does not begin with an arrearage.

2. The sum of $350.00 to apply on the defendant's counsel fees and expenses. $200.00 of said amount shall be paid on or before jUly 31, 1990 and the remaining balance of #150.00 shall be paid on or before Aug. 31, 1990.

The right is hereby reserved unto the court or the Master to make additional provisions for alimony pendente lite, counsel fees, and expenses as may be just and appropriate at a future time and, especially, at the time a final order is entered resolving all of the issues raised in this proceeding.

BY THE COURT,
Gordon R. Miller, J.

July 19, 1990, copies put in attorneys boxes.

July 19, 1990, Exhibit filed.

July 19, 1990, Budget Information of Randall L. Hartzell filed.

Aug. 17, 1990 Petition for Contempt of Court - Alimony Pendente Lite and Related Claims and Rule filed. ORDER: AND NOW, this 17th day of August, 1990, upon consideration of the foregoing Petition, a Rule is hereby entered upon the Plaintiff, Randall L. Hartzell, to show cause, if any he has, why he should not be held in contempt of the Court's Order of July 19, 1990.

A Hearing in regard to said Petition for Contempt is scheduled for the 4th day of September 1990, at 1:30 o'clock p.m. in Courtroom No. 2 of the Crawford County Courthouse, MeaDVILLE, Pennsylvania. Service of this Petition shall be made uponthe Defendant's attorney, Douglas W. Ferguson, Esquire, by serving a copy of the same upon him.

BY THE COURT,
Gordon R. Miller, J.

Aug. 20, 1990 Copies of order put in Attys. Ferguson and Pepicelli's boxes.

Sept 13, 1990 Memorandum and Order filed: AND NOW, this 11th day of September, 1990, the Plaintiff is held in contempt of Court for failing to comply with the order of July 19, 1990.

The Plaintiff may purge himself of said contempt by making payments as hereinafter ordered:

1. The Plaintiff shall pay alimony pendente lite, as ordered and directed in the order of July 19, 1990 for four months. The first payment shall be made on or before September 15, 1990. The payment for each subsequent month shall be made on or before the 15th day of each month.

2. Counsel fees as ordered and directed shall be paid as follows: The sum of $175.00 on or before September 30, 1990 and a similar amount on or before October 31, 1990.

3. The plaintiff shall pay an additional sum of $100.00 to apply on the Defendant's counsel fees incurred with respect to this contempt proceeding. Said sum shall be paid to the attorney for the Defendant no later than October 31, 1990.

BY THE COURT,
Gordon R. Miller, P.J.

Sept 18, 1990 Copies put in Attys. boxes.

Sept 28, 1990, Petition for Contempt of Court - Alimony Pendente Lite and RElated Claims and Rule filed. RULE: AND NOW, this 28 day of Sept. 1990, upon consideration of the foregoing Petition, a Rule is hereby entered upon the plaintiff, Randall L. Hartzell, to show cause, if any he has, why he should not be readjudicated in contempt of the Court's Order concerning the alimony pendente lite and related claims.

A hearing in regard to said Petition for Contempt is scheduled for the 1st day of Oct. 1990 at 2:30 p.m. in C. R. No. 2. of the Crawford County Courthouse, Meadville, Pa. Service fo this petition shall be made upon the defendant's attorney, Douglas W. Ferguson, Esq. by serving a copy of same upon him. Hearing to be held at same time as Dom. Rel hearing.

BY THE COURT, P. R. Thomas, S.J.

Sept. 28, 1990, copies of order to Attys. Ferguson and Pepicelli.

Continued On Page 606

Randall L. Hartzell
vs.
Pamela j. Hartzell

Record Continued from Page 605

of

AD 1990 - 15

Oct. 19, 1990, Motion to Withdraw Appearance and order filed. (of Atty. D. Ferguson)
ORDER: AND NOW, this 19 day of Oct. 1990, the within Motion to granted.
BY THE COURT,
Robert L. Walker, S. J.

Oct. 22, 1990, copies to Attys. Pepicelli, Ferguson.

Nov. 5, 1990 OPetition For Modification of Visitation and ORDER of COURT filed. You, Randall L. Hartzell, Plaintiff, have been sued in Court regarding Visitation of the child: Chad Luper Hartzell.

You are ordered to appear in person for a conference at such time and place as may be set by William Pineo, Esq., Child Custody Mediator.

If you fail to appear as provided by this Order, an Order for custody may be entered against you or the court may issue a warrant for your arrest.

You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.

Crawford County Bar Association
Service to the Public Committee
c/o Prothonotary
Crawford County Courthouse
Meadville, PA 16335
Telephone: (814) 724-4636

By the Court,
Gordon R. Miller, J.

Date: November 5, 1990
Nov. 5, 1990 Copy of Order to Theodore Watts, William Pineo.
Nov. 7, 1990 Copy of Order to Douglas Ferguson.

Nov. 5, 1990 Affidavit of Service filed. Before the undersigned, a Notary Public, personally appeared Laura J. McGee, who, having been duly sworn according to law, deposes and says that she persoally served a copy of the Petition for Modification of Visitation upon Randall L. Hartzell on the 3rd day of NOvember, 1990, at 7:15 P.M. o'clock and made known to him the contents hereof.

Laura J. McGee

Jan. 24, 1991, Motion to Continue and Order filed. ORDER: AND NOW, this 23 day of Jan. 1991, upon presentation and ocnsideration ofthe foregoing Motion, said Continuance is hereby granted. Consented to Pl.

P. Richard Thomas, S.J.

Jan. 24, 1991, copies to Attys. Pepicelli and Ferguson.

June 24, 1991 Affidavit of Consent of plaintiff filed.

June 24, 1991 Affidavit of Consent of defendant filed.

Aug 21, 1991 Upon Praecipe of Plaintiff's Attorney for Review Under §201(c) of the Divorce Code, this case is moved to court.

Sept. 30, 1991 MEMORANDUM filed. The attorney for the plaintiff has filed a praecipe to transmit the record to the Court for the entry of a final divorce decree. The filw is being returned and no decree is entered for further proceedings consistent with this memorandum.

At the time th epraecipe was filed counsel also submitted a suggested divorce decree which sets forth equitable distribution of marital property. The Court has the power to enter an equitable distribution decree since equitable distribution was raised in the complaint in the first place. However, there has not been any hearing and determination by the Court with respect to equitable distribution nor is there an indication in writing that the parties agree to that order.

This Court will not enter an equitable distribution decree unless we are satisfied the parties have agreed to it or unless there hs been a full hearing.

By The Court,
Gordon R. Miller, P.J.

Oct. 2, 1991 Copy of Order to Attys. Douglas Ferguson and Theodore Watts.

Oct. 4, 1991, Consent of Pamela J. Hartzell filed.

Oct. 4, 1991, Consent of Randall L. Hartzell filed.

Oct. 4, 1991, Upon praecipe of plaintiff attorney, to transmit to court, this case moved to court.

Oct. 9, 1991 **D I V O R C E D E C R E E F I L E D .**

1. Randall L. Hartzell, Plaintiff, and Pamela J. Hartzell, Defendant, are divorced from the bonds of Matrimony.

EQUITABLE DISTRIBUTION - MARITAL PROPERTY

2. The Plaintiff and the Defendant shall be the sole and exclusive owners of cash on hand, IRA's, annuities and any other personal proper ty currently in their possession.
3. The Defendant shall beocme the sole and exclusive owner of a certain 1987 Mercury Sable automobile.
4. The Plaintiff/Husband, randall L. Hartzell, shall beocme the sole and exclusive owner of his pension and related benefits through his employment at Pennsylvania Department of Transportation and specifically any and all benefits including his own constributions in the Commonwealth of Pennsylvania STate Employees Retirement System to the exclusion of the defendant/Wife.
5. The Plaintiff/Husband shall be solely responsible for the outstanding balances on certain martial debts to MOntgomery Wards, Discover Card and the Pennsylvania State Employee's Credit Union. In addition, the Plaintiff/Husband shall hold the Defendant/Wife harmless in regard to any and all claims thereto.
6. The Plaintiff and Defendant agree that the sum of $791.69 shall be considered non-marital proper ty and belonging to the parties minor child as part of an education fund esta blished during the time the parties were married. The Plaintiff and defendant agree they shall make no lca im against said fund in the amount of $791.69 and that said monies shall be the sole and exclusive property of the parties minor daughter, Kristy Hartzell.
7. This Order shall be effective immediately.

Entered: October 9, 1991.

BY THE COURT,
Gordon R. Miller, J

Nov. 6, 1991 Notice Of Intention To Retake Prior Name filed. Pamela Jane Hartzell TO BE KNOWN AS: Pamela Jane Luper

ROBERT CLARENCE GARVER, JR.
ET AL

VS.

BRADFORD/WHITE CORPORATION
ET AL

VS.

CHARLES M. LYDA ET AL

RECORD CONTINUED FROM PAGE 179

of

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June 1, 1990 Reply of Bradford/White Corporation to New Matter of Devore Construction, Inc. filed.

Juane 1, 1990 Reply of Bradford/White Corporation to New Matter of Robertshaw Controls Company filed.

June 1, 1990 Answer and New Matter of Defendant Bradford/White Corporation filed.

June 1, 1990 Reply of Bradford/White Corporation to New Matter of Titusville Housing Authority filed.

June 7, 1990 Reply To DeVore Construction To New Matter Of Additional Defendnat, LYda filed

June 11, 1990 Reply To DeVore Construction To New Matter Of Bradford/White corporation filed.

June 12, 1990 Notice Of Depositions of James Russell Faunce, Gary Baker, David Mona and Charles Lyda filed.

June 13, 1990, Answer to crossclaim, filed.

June 21, 1990 Reply Of Bradford/White Corporation To New Matter-Cross Claim of Charles M. Lyda, INdividually and T/D/B/A Lyda Hearing, REfrigeration & Air Conditioning filed.

July 2, 1990, Reply of Defendant Robertshaw Controls Company to New Matter of Defendant Bradford/White Corporation, filed.

July 5, 1990 Notice of Service of Interrogatories to defendant Bradford/White Corporation filed.

July 5, 1990 Notice Of Service of INterrogatories to Defendant DeVore Construction, INc filed.

July 5, 1990 Notice of Service of Plaintiff's Interrogatories to Defendant Charles M. Lyda filed.

July 5, 1990 Notice Of Service of Plaintiffs' Interrogatories to Defendant Titusville Housing Authority filed.

July 5, 1990 Notice of Service of Plaintiffs' Interrogatories to defendant Robertshaw Controls Company filed.

July 7, 1990 Reply Of Defendant Robertshaw Controls Company To New Matter Of Additional Defendnat Charle sm. Lyda, Individually and T/D/B/A Lyda Heating, Refrigeration & Air Conditioning filed.

July 18, 1990 Reply To New Matter Of Defendants Bradford/White Corporation filed.

July 27, 1990 Plaintiffs' Interrogatories To Defendant DeVore Construction, Inc. and DeVore Construciton Inc. Answers Thereto filed.

July 30, 1990 Amended New Matter filed.

Aug. 13, 1990 Reply To New Matter Pursuant To Pennsylvania Rule of Civil Procedure 2252(d) filed.

Aug. 13, 1990 New Matter Pursuant To Pennsylvania Rule of Civil Procedure 2252(d) filed.

Aug. 13, 1990 Reply To New Matter Of Charles M. Lyda Individually and trading and Doing Business As Lyda Hearing, Refrigeration and Air Conditioning filed.

Aug. 22, 1990 Reply to New Matter of Additional Defendant Charles M. Lydia, Individually and D/B/A Lydia Heating, Refrigeration and Air Conditioning filed.
(JURY TRIAL BEFORE TWELVE JURORS DEMANDED)

Oct. 29, 1990 Deposition of Lynette Garver filed.

Oct. 29, 1990 Motion For Summary Judgment filed.

Oct. 29, 1990 Upon praecipe of Attorney Newborg the above-referenced case is placed on the next available argument list.

1990 NOVEMBER ARGUMENT LIST

Nov. 1, 1990 Notice Of Taking Depositions Upon Oral Examination of Lannie Gray and Amy Gray filed.

Dec. 4, 1990, Notice of Rescheduled Depositions filed.

Dec 5, 1990 Affidavit of Roger H. Taft filed.

Dec. 4, 1990 Notice of Rescheduled Depositions of Gary Baker, David Mona and Charles Lyda filed.

Dec. 3, 1990 Sheriff's Return filed. SERVED Lannie Gray personally on November 16, 1990 at 12:01 PM at her residence, R.D. #2, Park Avenue, Titusville, Crawford County, PA 16354
Ms Amy Gray not served, byt aware of Subpoena and deposition.
So answers, Howard N. Stewart, Sheriff

Dec. 21, 1990 Memorandum and Order filed. AND NOW, December 20, 1990, the motion of the Titusville Housing Authority for summary judgment is denied. BY THE COURT,
Gordon R. Miller, P.J.

Dec. 27, 1990 Copies given to all counsel of record

Continued on Page 608

179 MacDonald, Illig, Jones & Britton Roger H. Taft	ROBERT CLARENCE GARVER, JR., a minor, by LYNETTE GARVER and ROBERT CLARENCE GARVER, his parents and natural guardians and LYNETTE GARVER and ROBERT CLARENCE GARVER, in their own right VS. BRADFORD/WHITE CORPORATION, A Delaware Corporation; ROBERSHAW CONTROLS COMPANY, a Delaware Corporation; DeVORE CONSTRUCTION, INC., a Pennsylvania Corporation; and TITUSVILLE HOUSING AUTHORITY, a Municipal Corporation VS. CHARLES M. LYDA, Individually and t/d/b/a LYDA HEATING, REFRIGERATION & AIR CONDITIONING, Additional Defendants.	Record Continued from Page 607 of AD 1990-179 Jan 7, 1991 Notice of Rescheduled Depositions filed. jUne 20, 1991 Notice of Rescheduled Depositions filed. Sept. 20, 1991 Notice Of Change Of Address filed. Apr. 20, 1993 Sheriff's Return filed. SERVED Tammy L. Sutton personally on April 5, 1993 at 10:40 AM by handing her a copy of the Subpoena, Letter and Witness Fee at her residence, 718 Jones Street, Titusville, Crawford County,PA. So answers, Dale A. Collins, Deputy Sheriff Robert M. Stevens, Sheriff May 17, 1993 Motion to Compel Discovery and Order of Court filed. AND NOW, this 17 day of May, 1993, it is hereby ORDERED that counsel for the plaintiffs provide a current and total list of the minor-plaintiff's medical specials within ten (10) days or else suffer the imposition of sanctions. Gordon R. Miller, J. May 20, 1993 Copy of Order to Atty.D'Amico, Newborg, Mioduszewski, Taft & Petruso. Oct. 4, 1993 Record in Support of Motion for Summary Judgment on behalf of Defendant, Deveore Constriction, Inc., filed. Oct. 4, 1993 Join Motion For Summary Judgment filed. Oct. 4, 1993 Exhibits In Support of Additional Defendant's Brief In Support of Motion For Summary Judgment filed. Oct. 4, 1993 Upon Praecipe of Timothy J. Burdette, Attorney for Additional Defendant, this case placed on next Argument. **ON NOVEMBER 1993 ARGUMENT LIST** Nov. 1, 1993 Motion for Summary Judgment of the Titusville Housing Authority, filed Nov. 1, 1993 Upon Praecipe of John Newborg, Esquire, Attorney for Titusville Housing Authority, Defendant, this case place on next Argument. **ON DECEMBER, 1993 ARGUMENT LIST** Jan. 14, 1994 Motion On Behalf Of Defendant Robertshaw Controls Company To Compel Answers To Expert Witness Interrogatories Directed To Plaintiffs Lynette Garver and Robert Clarence Garver, As Parents And Natural Guardians Of Robert Clarence Garver, Jr., A Minor, And Lynette Garver and Robert Clarence Garver, Individually and Order, filed. ORDER: AND NOW, to-wit, this 14th day of January, 1994, upon consideration of the foregoing Motion on Behalf of Defendant Robertshaw Controls Company to Compel Answers to Expert Witness Interrogatories Directed to Plaintiffs Lynette Garver and Robert Clarence Garver, as Parents and Natural Guardians of Robert Clarence Garver, Jr., a Minor, and Lynette Garver and Robert Clarence Garver, Individually, and it appearing after Hearing that said Motion should be granted pursuant to Rule 4007.4(3) and Rule 4019(a)(1) of the Pennsylvania Rules of Civil Procedure, IT IS ORDERED that plaintiffs Lynette Garver and Robert Clarence Garver, as Parents and Natural Guardians of Robert Clarence Garver, Jr., a Minor, and Lynette Garver and Robert Clarence Garver, Individually are hereby directed to serve a Supplemental or Amended Answer to Interrogatory No. 27 of the Interrogatories to Plaintiffs Lynette Garver and Robert Clarence Garver as Parents and Natural Guardians of Robert Clarence Garver, Jr., a Minor, and Lynette Garver and Robert Clarence Garver, Individually, From Defendant Robertshaw Controls Company (First Set), with proper verification and without objections, within thirty (30) days of the date of this Order. IT IS FURTHER ORDERED that if plaintiffs Lynette Garver and Robert Clarence Garver, as Parents and Natural Guardians of Robert Clarence Garver, Jr., a Minor, and Lynette Garver and Robert Clarence Garver, Individually, fail to file a timely and complete Supplemental or Amended Answer to said Interrogatory No. 27 as directed by this Order, the Court, upon further application and after notice to Garvers, may enter an Order imposign appropriate sanctions including, but not limited to, barring or limiting the scope of expert witness testimony, pursuant to Rule 4019(c) and (i) of the Pennsylvania Rules of Civil Procedure. Gordon R. Miller, P.J. Jan. 14, 1994 copies distributed by Mr.Taft Apr. 29, 1994 Memorandum and Order filed. ORDER: AND NOW, April 27, 1994 it is ordered as follows: 1. T he motions for summary judgment filed by Devore Construction, Inc. and Charles M. LYda t/d/b/a Lyda Refrigeration and Air Conditioning as to the alternative theory of removing doors from the utility room is granted with the condition that the plaintiffs may proceed on said theory if any defendants attempt to show or argue that the Garver childred turned the knob on the water tank or could have turned the knob on the water tank. 2. In all other respects the motions for summary judgment filed by Devore Construction, Inc. and Charles M. Lyda t/d/b/a Lyda Refrigeration and Air Conditioning are denied. 3. The motion for summary judgment filed by the Titusville Housing Authority is denied except as follows: Summary judgment is granted in favor of the Titusville Housing Authority as to the breach of implied warranty of habitablilty. BY ORDER OF COURT Gordon R. Miller, P.J. 5-2-94 Copies dist. to Attys.D'Amico, Newborg, Petruso, Mioduszewski, Taft & Burdette

Continued to Page 608 A

1990 TERM

May 10, 1994 Appearance of Swenson, Perer, Johnson & McCandless by John W. McCandless, Esquire for Titusville Housing Authority, defendant.

June 22, 1994 Notice of Service of Supplemental Answers To Interrogatories and Request for Production Directed to Defendant Titusville Housing Authority by Defendant DeVore Construciton, Inc. filed.

June 22, 1994 Notice of Service of Supplement to Answers to Plaintiffs' Interrogatories to Defendant Titusville Housing Authority filed.

Sept. 30, 1996 Joint Motion of Defendants and Additional Defendant to Dismiss For Failure To Prosecute filed.

Sept. 30, 1996 Upon praecipe of Attorneys Petruso and Taft the above Motion To Dismiss for failure to Prosecute is placed on the next available argument list.

1996 NOVEMBER ARGUMENT LIST

Oct. 31, 1996 Praecipe for Appearance filed. Please enter the appearance of Charles E. Evans, Esquire and Mark E. Milsop, Esquire and the law firm of Evans, Portnoy & Quinn, as counsel of record for the Plaintiffs in the within-captioned matter.

Evans, Portnoy & Quinn
BY Charles E. Evans, Attorney for Plaintiffs
BY Mark E. Milsop, Attorneys for Plaintiffs

Oct. 31, 1996 Certification of Plaintiffs' Counsel filed.

Nov. 4, 1996 Plaintiffs' Answer to Motion of Defendants and Additional Defendants to Dismiss for Failure to Prosecute by Plaintiffs filed.

Nov. 19, 1996 Affidavit of Roger H. Taft, Esq., filed.
Nov. 21, 1996 Affidavit of John D. Petruso on behalf of Bradford/White Corporation filed.

Nov. 25, 1996, Affidavit of Mark E. Mioduszewski in Support of Motion to Dismiss for Failure to Prosecute, filed.

Jan. 22, 1997 Memorandum and Order filed. AND NOW, January 6, 1997, the Court hereby shcedules an evidentiary hearing for the purposes set forthin the attached memorandum. Said hearing shall be held on the 5th day of March, 1997 at 10:30 o'clock A.M. in Courtroom No. 1 of the Crawford County Courthouse for the purposes set forth in the attached memorandum.
Thereafter the Court will make a factual determination and dispose of the defendants' mtoions for judgment of non pros.

BY THE COURT,
Gordon R. Miller, J

Jan. 30, 1997 Plaintiffs' Supplemental Memorandum Concerning State of the Art Medical Producsts V. Aries Medical, Inc. filed.

March 5, 1997 Exhibits filed.

March 5, 1997 Upon Praecipe of Marsh Spaeder Baur Spaeder & Schaaf Attys., by Thomas M. Lent, Esq., appearance on behalf of Defendant, Titusville Housing Authority, filed.

March 11, 1997 ORDER filed. AND NOW, March 5, 1997, at the close of the evidentiary hering with respect to the matters now before the Court on the Defendants' Motions for Judgment of Non Pros, it is ORDERED as follows:
1. The Prothonotary shall list this case for argument on the April 1997 Argument List, with the exact time of the argument to be established by the Court Administrator when the Argument List is closed and the cases are scheduled by her.
2. The defendants are the moving parties and they shall file their briefs 15 days prior to April 28, 1997, and the plaintiffs shall file their brief within 5 days prior to April 28, 1997.

BY THE COURT,
Gordon R. Miller, President Judge

March 11, 1997 Order Distributed to Atty. Petruso and Ct Adm.; MAILED to Attys. Mioduzewski,Evans,Taft,Berdette,Lent, D'amico.

Mar. 27, 1997 Transcript of Proceedings at time of Evidentiary Hearing filed.

May 16, 1997 Memorandum and Order filed. AND NOW, May 15, 1997, we grant the Joint Motion to Dismiss filed by all Defendants and Additional Defendant. Judgment of NOn Pros is hereby entered in favor of all Defendants and Additional Defendant and against Plaintiffs.

BY THE COURT,
Gordon R. Miller, J

G-144,104,144 Judgment of Non Pros

June 2, 1997 Petition To Open Judgment filed.

June 9, 1997 Memorandum and Order of Judge Gordon Miller filed.
June 9, 1997 Copies mailed to Evans, Milsop, Taft, Mioduszewski, Lent and Burdette and distributed to Petruso.

July 3, 1997 Notice of Appeal on behalf of Plaintiffs, filed.

July 8, 1997 Petition To Open Judgment of Non Pros and ORDER OF COURT filed. AND NOW, to-wit, this 30 day of June, 1997, upon consideration of Plaintiff's Petition to Open Judgment of Non Pros it is hereby ORDERED, ADJUDGED and DECREED that:
The Respondents shall file an Answer to the Petition within 20 days of this date; Depositions shall be completed within 60 days of this date.
Argument shall be held on Tuesday, September 30, 1997 in Courtroom No. 1 of the Crawford Co. Courthouse at 1:30 P.M.; Notice of Entry of this Order shall be provided to all parties by the Petitioners. (SEE PAPERS FILED).

BY THE COURT:
Anthony J. Vardaro, J.

July 8, 1997 Order FAXED to all Counsel.

July 11, 1997 Notice of Appeal Docketing No. Assigned 01426PGH97, filed.

July 16, 1997 Memorandum and Order filed. AND NOW, July 16, 1997, the Order of June 30, 1997, entered in this matter by the undersigned as a result of the plaintiffs' petition to open judgment of non pros is rescinded.

BY THE COURT,
Anthony J. Vardaro, J

7-16-97 Distributed Petruso & mailed remainder of counsel

(Continued on Pg. 608B)

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_____TERM

Continued from page 608A - Robert Clarence Garver, Jr. al vs. Bradford White Corp. et al - At AD 1990 - 179

Sept. 25, 1997 Certified from the record of Superior Court of Pa: Aug. 4, 1997, Motion to Transfer to Commonwealth Court filed.
Aug. 5, 1997, Answer to Motion to Transfer filed.
Aug. 11, 1997 Answer to Motion to Transfer filed.
ORDER: Upon consideration of the Objections to Jurisdiction and Motions to Transfer filed by Titusville Housing Authority and Robertshaw Controls Co. and the answers thereto, the above captioned appeal is transferred to Commonwealth Court. 42 Pa. C.S. 762(a)(7).
Date: Aug. 13, 1997 per curiam.
10/2/97 acknowledgement mailed to Superior CT.

Sept. 25, 1997 acknowledgement filed.

April 27, 1998 OPINION and ORDER filed. AND NOW, this 22nd day of April, 1998, the order of the Court of Common Pleas of Crawford County in the above-captioned matter is reversed, and the matter is remanded to the trial court for proceedings on the merits.
Jurisdiction relinquished.

James Gardner Colins, P. J.
Commonwealth Court of Pennsylvania

June 22, 1998, Certificate of Contents of Remanded Record and notice of remand filed.

June 22, 1998 Order certified from the commonwealth Court of Pa. filed. ORDER: AND NOW, athis 22 day of April 1998 the order of court of common Pleas of Crawford County is reversed, and the matter is remanded to the trial court for proceedings on the merits.
Jurisdiction relinquished. james gardner Colins, Pres. Judge

Jan 13, 1999 Notice To Complete Discovery Discovery Pursuant to Local Rule 302(A) (ii), filed.

August 6, 1999 Original Transcript of the Deposition of Allen L. Teichert taken pursuant tO nOtice and under PA Rules of Civil Procedure on the 14th day of Sept 1993 Filed.

August 9, 1999 Affidavit of Plaintiffs' Counsel Filed.

SEE COMPUTER FOR FUTURE FILINGS AS OF JANUARY 24, 2000.

Carol Fry, Kenneth Fry, Andrew G. Himes, Mary Ann Himes, Jeffrey Deardorff and Patricia Deardorff, individually and on behalf of all persons similarly situated

vs.

Leech Tool & Die Works, Inc.

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The Court notes that letters dated March 20, 1991 and March 21, 1991 were received by the Judge's secretary while the Judge was out of town and the undersigned has not read or seen those letters and any attachments and enclosures with those letters. Those letters and attachments shall be placed in an envelope by the Judge's secretary and sealed until these rules are disposed of.

In this case and from this point forward, the Court will not accept any ex parte communications from any party and the Judge's secretary will return the same to the sender unless the Crawford County Rules of Court governing the presentation of motions and petitions are strictly complied with or unless all counsel indicate in writing that a particular ex parte communication may be received and considered by the Court.

BY THE COURT,
Gordon R. Miller, P.J.

Apr 5, 1991 Copies put in Atty Shafer's box and copy mailed to Attys Brennan and Ronca.

Apr. 22, 1991, Motion for Leave to Supplement Plaintiffs' Brief in Opposition to Defendant's Preliminary Objections, filed. 4 copies (atty)

Apr. 22, 1991, ORDER filed. AND NOW, Apr. 19, 1991 upon receipt and review of the plaintiffs' motion for leave to supplement their brief it is ordered that the court will review the cases set forth in said motion and will consider them before reaching a final decision on the defendant's preliminary objections.

The defendant shall have seven (7) dasy from the date of this order to furnish the court will additional citation or to file a supplemental brief addressing the cases that the plaintiffs are now pointing out to the court.

thereafter the Court will make a decision in this case and will accept no longer further citations from any parties.

4 copies (atty)

BY THE COURT,
Gordon R. Miller, p.J.

Apr. 22, 1991 copy to P. Shafer Esq.

June 7, 1991, MEMORANDUM AND ORDER filed. ORDER: AND NOW June 6, 1991 defendants' preliminary objections numbered I, II, III, IV, V, VI, VII, VIII and X as set forth in defendant's brief are denied. Preliminary objections IX is granted in part and denied in part to-wit: defendant's denurrer to the intentional infliction of emotional distress claim is granted and the remainder of preliminary objections IX is denied.

BY THE COURT,
Gordon R. Miller, P.J.

June 7, 1991, copies to Attys. of record (box)

June 27, 1991 ORDER filed. AND NOW, June 24, 1991, upon presentation of the defendants motion to amend the order of court to allow an interlocutory appeal a rule to show cause is hereby entered and directed tothe plaintiffs to show cause if any they have why the motion should not be granted. Said rule is returnable for hearing and/or argument for july 10, 1991 at 3;30 p.m. in C. R. No. 2 ofthe Crawford County Courthouse.

BY THE COURT,
Gordon R. Miller, P.J.

June 27, 1991 copies of order to attys. Ronca and Brennen and Stack.

June 27, 1991 Certificate of Mailing filed.

June 27, 1991, Motion of defendant to Amend Order of Court filed.

June 27, 1991 Answer in Opposition to Defendant's Motion to Amend Order of Court filed.

July 15, 1991 Order filed: AND NOW, July 10, 1991, upon motion of the Defendant to amend the Order of Court to allow an immediate appeal and after argument held this day, the Order of June 6, 1991 is amended to read as follows:

AND NOW, July 10, 1991, Defendant's preliminary objections I, II, III, IV, V, VI, VII, VIII and X as set forth in Defendant's brief are denied. Preliminary objection IX is granted in part and denied in part, to-wit: Defendant's demurrer to the intentional infliction of emotional distress claim is granted and the remainder of preliminary objection IX denied.

This Order involves a controlling question of law as to which there is a substantial ground for difference of opinion and an immediate appeal from this Order may materially advance the ultimate termination of this matter.

Pursuant to Pennsylvania rule of Appellate Procedure 1313 all proceedings in this matter are stayed for twenty (20) days from this date to allow the Defendant to file a petition for permission to appeal with the Superior Court of Pennsylvania, and if the Defendant shall file said petition with the Superior Court within said period of time this stay shall continue until the petition for permission to appeal is decided by the Superior Court.

BY ORDER OF THE COURT,
Gordon R. Miller

July 15, 1991 Copies of order mailed to Atty Ronca, & put in Attys. Watts, Shafer and Stack's boxes.

Nov. 12, 1991 Defendant, Leech Tool and Die Works, Inc's Answer and New Matter To Second Amended Complaint filed.

Nov. 18, 1991 Notice Of Service Pursuant To Rule 235 filed.

Nov. 25, 1991 Plaintiffs' Preliminary Objections to Defendants' New Matter filed.

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Carol Fry, et al.,

vs.

Leech Tool & Die Works, Inc.

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of record

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Jan. 16, 1992 Upon praecipe of Plaintiff Attorney the above case is listed on the next available argument list.

1 9 9 2 F E B R U A R Y A R G U M E N T L I S T

Feb. 19, 1992 Consent Motion To Submit On Briefs and Order filed. Upon consideration of the above stated motion, it is hereby ordered that Plaintiff's Preliminary Objections to defendant's Answer and New Matter be submitted on briefs and the oral argument scheduled for February 24, 1992 is here by canceled.

By the Court:
Gordon R. Miller, J

Feb. 25, 1992 Copies to Atty. Stack and Ronca

Apr. 7, 1992 Memorandum and Order filed. AND NOW, April 6, 1992, plaintiffs preliminary objections to defendant's New Matter are granted in part and denied in part, to-wit:

1. Paragraphs 2, 3, 14 and 15 are stricken.
2. Paragraph 13 is not stricken.
3. Paragraph 1 is not stricken.
4. Paragraphs 4, 5, 10, 16, 17, 18, 21 and 27 are stricken and defendant is given leave to file amended New Matter amending those paragraphs if it is able to do so. Said amended New Matter shall be filed within 20 days form the date of this order.

BY THE COURT,
Gordon R. Miller, J

Apr. 7, 1992 Copies distributed to Atty's Ronca and Shafer

Apr. 24, 1992 Defendant, Leech Tool And Die Works,Inc.'s First Amended Answer and New Matter to Second Amended Complaint, filed.

Apr. 29, 1992 Notice of Service Pursuant To Rule 235, filed AND NOW this 29 day of April, 1992 comes the Defendant by its attorney,Louis J. Stack, Esq., and hereby certifies that a copy of Defendant's Amended Answer and New Matter and Plaintiffs' Second Amended Complaint have been served upon the Attorney general of Pennsylvania pursuant to PA RCP No. 235 as is more fully shown by the return receipt attached hereto.

May 11, 1992 Plaintiffs' Reply To Defendant's First Amended New Matter filed.

June 10, 1992 CERTIFICATE OF SERVICE PLAINTIFFS' INTERRORGATORIES ADDRESSED TO DEFENDANT, filed.

June 10, 1992 CERTIFICATE OF SERVICE REQUEST FOR PRODUCTION OF DOCUMENTS, filed.

June 6, 1994 Appearance of Riehl & Moore by Ralph R. Riehl, III for Plaintiffs filed.

June 10, 1994 Motion To Compel Discovery and Order, filed. AND NOW, to-wit, this 10th day of June, 1994, upon the within Motion, it is hereby ordered, adjudged and decreed that said motion is scheduled for hearing and argument for July 1, 1994 at 4:00 p.m. in Courtroom 1 or 2.

Gordon R. Miller, P.J.

June 10, 1994 faxed Stack, mailed Riehl & Brown. June 15, 1994 faxed Ronca

June 10,1994 Petition To Dismiss Due To Inactivity, filed.

June 10,1994 ORDER filed. AND NOW, this 10th day of June, 1994, it is hereby ordered that a Rule is issued upon the Plaintiff to show cause why this case should not be dismissed due to inacitivity. This Rule is returnable for hearing and argument on the 1st day of July, 1994 in Courtroom 1 or 2 at 4:00 p.m. The Plaintiffs shall file an answer to this Petition within 15 days.

By the Court:
Gordon R. Miller, P.J.

June 10, 1994 Faxed copy to Stack, mailed copy to Riehl & Brown. June 15, 1994 faxed to Ronca

Jun. 21, 1994 Answer to Petition to Dismiss, filed.

July 18, 1994 MEMORANDUM AND ORDER filed. AND NOW, July 18, 1994, it is ordered as follows:

1. The defendant's petition to dismiss due to inactivity is denied.
2. The plaintiffs are ordered and directed to move for class certification, if they desire to do so, within 45 days from the date of this order.

BY THE COURT,
Gordon R. Miller, P.J.

July 22, 1994 Copy of Order to Attys. Ralph Riehl,III and L. Stack.

July 18, 1994 ORDER filed. AND NOW, July 18, 1994, the plaintiff's motion to compel discovery is hereby granted. The defendant shall answer the interrogatories propounded in 1992 within 45 days from this date.

BY THE COURT
Gordon R. Miller, P.J.

July 22, 1994 Copy of Order to Attys. Ralph Riehl, III and Lou Stack.

Sep. 1, 1994 Motion for Class Certification and Supporting Memorandum and ORDER filed. AND NOW, this 8th day of September, on plaintiff's motion for class certification, a hearing is scheduled in accordance with Pa.R.C.P. 1707(b) and (c), and shall be held on the 9th day of November, 1994 at 1:30 p.m. o'clock in Courtroom #1.

BY THE COURT:
Gordon R. Miller, J.

9-12-94 Faxed to Atty.Stack, given Ronca, Williams & Reihl.

Sep. 30, 1994 Appearance of Gerald J. Williams, Esquire, as co-counsel for Plaintiffs in the above-captioned matter, filed.

Oct. 31, 1994 Joint Motion for Continuance of Class Certification Hearing, filed.

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Carol Fry, Kenneth Fry, Andrew G. Himes, Mary Ann Himes, Jeffrey Deardorff, individually and on behalf of all persons similarly situated, Plaintiffs
vs
Leech Tool and Die Works, Inc.
Defendants

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Oct. 31, 1994 ORDER filed. AND NOW, this 25th day of October, 1994, upon consideration of the parties joint Motion for a continuance of the class certification hearing, it is hereby Ordered that the class certification hearing scheduled for Wednesday, November 9, 1994 at 1:30 p.m. is hereby continued until March 31st 1995 at 1"30 P.M. in Courtroom number 1.

BY THE COURT:
Gordon R. Miller, J.

10-31-94 Faxedto Attys. Stack, mailed Williams

Mar. 24, 1995 Leech Tool and Die Works, Inc.'s Response to Plaintiffs' Motion for Class Action Certificaton, filed.

Mar.24, 1995 Certificate of Service filed. AND NOW,this 24th day of March,1995, the undersigned hereby certifies that a copy of Leech Tool andDie Works,Inc.'s Responses to Plaintiffs' Motion for Class Action Certification was served by First Class,United States Mail,postage prepaid, or hand delivery, addressed as follows:

Ralph Riehl, III, Esquire
Riehl and Moore
2580 West 8th SStreet
ERie,Pennsylvania 16505

Gerald J. Williams, Esquire
Williams and Cuker
1650 Arch Street, Suite 2350
Philadelphia,Pennsylvania 19103-2030

Paul D.Shafer,Jr. and Louis J. Stack, Esquire

Apr. 3, 1995 Motion for Continuance and ORDER filed. AND NOW, to-wit, this 31st day of March, 1995, upon the within Motion,it is hereby ordered, adjudged and decreed that the hearing in the above scheduled for March 31, 1995 is postponed to June 27, 1995 at 1:30 p.m. in Courtroom #1.

Gordon R.Miller, J.

4-4-95 Faxed Shafer & Williams, mailed Riehl.

July 3, 1995, ORDER filed. AND NOW June 27, 1995 after all of the evidence was presented with respect tothe class certification issue, it is ordered as follows:

1. If the parties desire a transcript of this proceeding, they shall take the necessary steps under the Rules of Judicial Administration to order a transcript. That shall be done within the next 7 days. If that is done, the court reporter shall immediately complete the transcript by July 31, 1995.
2. The palintiffs shall file their Suggested Findings of Fact and Proposed Conclusions of Law and Order, together with any additional brief or memorandums tothe court by August 23, 1995.
3. The defendant shall file its Proposed Findings of Fact and Proposed Conculsions of Law with Proposed Order and any additional brief or memorandum on the law no later that Sept. 13, 1995.
4. Upon the filing of these matters, the court will consider this matter as ripe for determination.
5. At the time the plaintiffs submit the materials they are required to submit by this order, they shall also submit for in camera inspection as well as a review by the counsel for the defendant, the contingent fee agreement and any other agreements regarding their services. That shall be reviewed in camera and not made a part of the record without further order of court.

by the court,
Gordon R.Miller, Pres. Judge

June 30, 1995, dist. to Stack and Williams

July 14, 1995, Transcript of Proceedings Hearing on Class Action Certification, filed.

Feb. 2, 1996 FINDINGS, Conclusions and ORDER filed. A conference to be held between counsel and the Court on the 5th day of March, 1996 at 2:30 o'clock p.m. in Courtroom No. of Crawford Co. Courthouse.(see papers filed).

BY THE COURT
Gordon R. Miller, P.J.

Feb. 2, 1996 Order given Atty. Stack; Atty. Williams (by Mail). (backup).

Feb. 16, 1996 Plaintiffs' Proposed Form and Medthod of Notice to the Class filed.

Feb. 16, 1996 Supplemental Order filed. AND NOW this 8th day of March 1996, it is hereby ORDERED,pursuant to Pa.R.C.P.1710, 1711, and 1712 that:

(a) Plaintiff's counsel shall provide notice to the class by first class mail, directed to each address identified on Defendant Exhibit 3 as having a detectable level of TCE, since 1988;
(b) Notice shall be in the form proposed by plaintiffs' counsel in their submission to the Court,which is hereby APPROVED;
(c) Plaintiffs' counsel shall provide the court with a certification confirming that all notices have been mailed, no later than March 22, 1996;
(d) all members of the class shall be included in this action, except for any members who file an election to be excluded, on or before May 3, 1996;
(e) A management conference shall be held on Thurs. May 30, 1996 at 9:00 A.M.

BY THE COURT:
Gordon R.Miller

3-15-96 Faxed Stack, mailed Williams

Mar. 21, 1996 Certification of Counsel filed.

June 4, 1996 ORDER filed. AND NOW, May 30, 1996, at the time fixed for the management conference neither counsel appeared. Louis J. Stack did come to the Judges Chambers indicating that neither party was prepared to have a management conference and that somehow the date and time had slipped everyone's mind.

Accordingly it is ordered as follows:

1. The management conference is continued generally to be rescheduled on motion or petition of any party.
2. The Court will do nothing further on this case unless approached by a party for further assistance or intervention.

BY THE COURT
Gordon R. Miller, P.J.

6-4-96 MAILED Williams. DISTRIBUTED Stach

Continued to Pg. 610 B

1990 TERM

403	CAROL FRY, KENNETH FRY, ANDREW G. HIMES, MARY ANN HIMES, JEFFREY DEARDORFF VS. LEECH TOOL AND DIE WORKS, INC.	CONTINUED FROM PAGE 610-A OF RECORD A. D. 1990 - 403

Aug. 13, 1997 Rule to Show Cause filed.

Aug. 13, 1997 Order filed. AND NOW, August 12, 1997, upon motion of plaintiff's counsel it is ordered as follows:

1. Counsel is granted leave to withdraw as counsel for Carl Fry and Kenneth Fry.
2. Carol Fry and Kenneth Fry shall obtain new counsel within the next 60 days.
3. Current Counsel shall serve a true and correct copy of this order upon Carol Fry and Kenneth Fry in accordance with Crawford County Civil Rule L206B 4.

BY THE COURT
Gordon R. Miller, P.J.
8-14-97 MAILED Ronca & DISTRIBUTED Stach, Brennan & Reehl

Sept 5, 1997 Motion For Leave To Withdraw As Counsel, filed.

Sept 5, 1997 ORDER: AND NOW, September 4, 1997, upon motion of Ralph R. Riehl, III, Esquire, it is ordered as follows:

1. Mr. Riehl is granted leave to withdraw as counsel for Carol Fry and Kenneth Fry.
2. Carol Fry and Kenneth Fry shall obtain new counsel within the next sixty (60) days.
3. Mr. Riehl shall serave a true and correct copy of this order upon Crol fry and Kenneth Fry in accordance with Crawford County Civil Rule L206B4.

Gordon R. Miller, P.J.
Sept 5, 1997 Mailed Brennan 7 Reihl
Sept 10, 1997 Faxed to Stack

Sept 11, 1997 Certificate of Service of Order of Sept 4, 1997, filed.

Sept. 30, 1997 Upon Praecipe of Schmidt and Ronca, by James R. Ronca, attorney and William & Cuker, by Gerald J. Williams, Esq., appearance withdrawn on behalf of Plaintiffs Carol and Kenneth Fry, ONLY, filed.

Oct. 14, 1997 Upon praecipe of Rhiel & Moore, by Ralph R. Riehl, III, appearance withdrawn for Carol Fry and Kenneth Fry. (still represents Andrew G. Himes, Mary Ann Himes and Jeffrey Deardorff)

July 30, 1999 Motion for Settlement Approval filed.

July 30, 1999 Order Preliminarily Approving Settlement, Conditionally certifying a Settlement Class, Directing Notice to the Class and Setting a Hearing on Proposed Final Settlement filed. The Plaintiffs and Defendant have reached an agreement, the terms of which are described in plaintiffs' motion for settlement approval and the attached Settlement Agreement (Exhibit "B"). The Court has reviewed and considered the terms of the Settlement Agreement and presentation by counsel for the reasons underlying the Settlement. The Court determines preliminarily, without prejudice to the rights of Class members to object to the proposed Settlement, that the terms of the Settlement are fair, adequate and reasonable and fall within the range of possible approval, and that the form, content and method of the proposed notice will adequately inform Class members of their rights and the proposed notices constitute the best practicable notice under the circumstances.

It is hereby ORDERED:

1. The Settlement Agreement, including each of its terms, is preliminarily approved, subject to this Court's eharing and considering any objections by Class members.
2. Notice of the pendency of this action, the terms of the Settlement Agreement, the right to object to the Settlement, and the hearing on objections shall be given to each member of the potential Class by first class mail to his or her last known address in the form appended hereto.
3. The notice of the Class members shall bear the caption of this action.
4. Plaintiffs' counsel shall arrange for the duplication and mailing of the notices to the potential Class members according to the method set forth in paragraph 2.
5. All such notices all be mailed within 7 days after the date of this Order. Within 14 days of the date of this Order, Plaintiffs shall file with the Court and serve upon the Defendants an affidavit that such notice has been given in accordance with the terms of this Order.
6. The court hereby finds that the manner of giving notice set out in Paragraph 2 and 5 is the best practicable under the circumstances.
7. The parties shall preserve all objections and other written communications from Class members or other person received in response to said notices.
8. Counsel for the Class, shall be responsible for answering requests and questions from Class members and all other persons concerning said notice.
9. A hearing shall be held before this Court at 11:00 a.m. on Oct. 5, 1999, in Courtroom 1, Crawford co. Court of Common Pleas, 903 Diamond Park, Meadville, Pa 16335 for the purpose of deciding whether the Settlement should be finally approved (the "Hearing"). Any Class member who wishes to file objections to the Settlement described in the Notice attached as Exhibit "B" (the Notice") should, no later than Sept. 30, 1999, file such objection with the Court and serve such objection upon counsel for Plaintiffs and Defendants as instructed in the Notice. Anyone wishing to appear at the Hearing and be heard on the objection must, in addition to filing such objection, file and serve no later than Sept. 30, 1999 timely written notice of intention to appear at the Hearing and all supporting papers. Those who do not file both timely objections and timely written notice of intention to appear at the Hearing shall not be heard at the Hearing nor shall their supporting papers and briefs be received or considered by the Court. Those Class members who do not file timely objections shall nto be entitled to have such objections considered and shall be deemed to have waived any objections to the Settlement.

SO ORDERED:
Gordon R. Miller, J.
July 30, 1999 FAXED Attys. Ralph Riehl, III and Altomare.

Oct. 5, 1999 ORDER APPROVING SETTLEMENT OF CLASS ACTION filed. Plaintiffs and Defendant reached an agreement, the terms of which wre reduced to writing and submitted to the Court.

By order dated July 29, 1999, this Court issued preliminary approval of the settlement agreement, and directed issuance of notice of the settlement under Pa. R.C.P. 1714(c), and scheduled a hearing on any objections. Plaintiffs' counsel complied with the order regarding notice, and filed a timely affidavit of compliance, dated Aug. 6, 1999.

Under the Court's 7/29/99 order, and the notice issued to class members, any objectors to the settlement were required to file their objections on or before Sept. 30, 1999. No objections were filed, and not notice of objection was received by class counsel. No objections were heard at the hearing on this settlement, held Oct. 5, 1999.

After hearing, and after its review of the settlement agreement of the parties, the Court determines:

RECORD CONTINUED ON PAGE 610 ~C~.

CAROL FRY, KENNETH FRY, ANDREW G. HIMES,
MARY ANN HIMES, JEFFREY DEARDORFF

VS.

LEECH TOOL AND DIE WORKS, INC.

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a) the terms of the settlement agreement, which assure defendant's continued compliance with governmental regulation, and provides for a $120,000.00 settlement fund which will be used to compensate each class member adequately, are fair and reasonable, and the agreement is APPROVED;

b) the class representatives' services warrant a "premium" of $4,000.00, as proposed by the parties;

c) a review of plaintiffs' counsels' submissions regarding fees and costs reveals that their request for reimbursement and payment from the settlement fund, in the amount of $38,000.00, including both fees and costs, is reasonable, and is APPROVED.

In addition, the Court has been informed that, despite reasonable effort by plaintiffs' counsel, six (6) class members, whose aggregate share of the settlement fund is $7,500.00, have not been located. Furthermore, two class members, whose aggregate share of the settlement fund was $3,500.00, have renounced participation in the settlement, but have no objection, and will be bound by the terms of the argument.

In light of these findings, the Court issues the following directives:

a) the "renounced" shares, totaling $3,500.00, shall be reallocated, per captia, to the thirty-eight non-renouncing members, who shall each receive an additional $92.10;

b) plaintiffs' counsel shall retain the shares of the "unfound" class members[1] in an escrow account until April 30, 1000, pending further efforts to locate the unfound members. Any class member so located shall receive their share of the retained settlement funds;

c) on May 1, 2000 any funds remaining in escrow shall be distributed to the class members on a per capita basis, less any administrative expenses used by counsel in an attempt to locate the unfound members (such expenses shall nto exceed $1,000.00).

In accordance with the Court's findings and subject to the above directives, it is hereby ORDERED:

(1) the settlement and discontinuance of this matter is approved pursuant to Pa. R.C.P. 1714(a);

(2) defendant shall pay the settlement funds ($120,000.00) to plaintiffs' counsel for placement in an excrow account within thirty (30) days of the date of this order;

(3) plaintiffs' counsel shall make distribution of the funds in accordance with this order.

SO ORDERED:
Gordon R. Miller, J.

Dated: Oct. 4, 1999

[1]$8,062.58 ($7,500.00 + allocation of "renounced" shares).

Oct. 5, 1999 Copy to Attys. Williams, Riehl and mailed to Atty. Altomare.

610
~D~

Anthony D. Mottillo, and
Jeanne Mottillo, his wife

vs.

Gasser Chair Company, Inc. and
Sanray Corporation, d/b/a
Sandalini's Italian Gourmet
Restaurant

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3. The plaintiffs maintain that they are entitled to receive damages for pain and suffering to the husband (past, present and future); possible wage loss to the date of trial; possible diminution of future earning capacity; loss of consortium to the wife-plaintiff, loss of life pleasures; embarrassment and humiliation.

4. All counsel shall prepare and deliver to the others the following no later than 12:00 o'clock noon on Friday, April 5, 1991:

a. WRitten voir dire questions that counsel propose to ask at collective voir dire of the jury.. If counsel have any objections to the questions proposed by opposing counsel, those objections shall be brought to the attention of the Court after the Call of Trial List on April 8, 1991 in order that the Court may dispose of any objections.

b. Copies of all exhibits, prenumbered.

c. Plaintiffs shall deliver copies of all bills for which they now seek recovery in this trial.

d. Plaintiffs shall furnish copies of all tax returns that they intend to use in support of any wage or income claims including but not limited to all post accident tax returns.

e. Sanray shall deliver its relevant work records or repair records.

f. Gasser shall deliver any and all stickers and other warnings or warranties that Glasser believes it placed on its chair at or about the time it sold the chairs in question to Sanray. At some point during the trial the Court will rule on whether or not thoses stickers are admissible as evidence in this case.

5. Thirteen (13) jurors shall be selected with the last juror serving as an alternate. The number of preemptory challenges each side ahs shall be determined immediately prior to trial.

6. The parties agree that the defendant, Gasser Chair Company, Inc. did manufacture the chair in question but the identity of the exact chair is unknown.

7. The parties will stipulate that the bills submitted by the plaintiffs are fair and reasonable for the services rendered unless the defendants object thereto prior to the selection of the jury.. Sanray shall produce a Gasser Chair, similar to the chair the plaintiff was in at the time of the alleged injury no later than 12:00 o'clock noon on April 5, 1991. The plaintiffs shall pay $10.00 per day for the rental of chair.

8. Counsel shall furnish the Court with proposed points for charge as early as possible but, in no event, not later than the beginning of closing arguments.

9. Hard copies of all deposition testimony where objections were made of record shall be delivered to the Court no later than 4:30 o'clock p.m. on April 5, 1991 so that the Court may review the deposition testimony and rule on the objections prior to the selection of the jury.

10. Each party shall prepare and furnish to the Court a proposed verdict slip no later than the end of the first day of trial.

11. The parties intend to call the following witnesses Plaintiffs:

a. Witnesses named by the other parties:

b. Dr. Vandervort;

c. Dr. Foster;

d. Gloria Dropick;

e. The plaintiffs;

f. Alvin S. Weinstein;

Defendant Gasser:

a. Any witnesses named by the other parties

b. Frank Whitmore;

c. Frank Tomasovich;

d. Dr. Temeles;

Defendant Sanray;

a. Any witnesses named by other parties

b. Dr. Temeles

By The Court
Gordon R. Miller, P.J.

April 5, 1991 Copy of Order mailed to Attys. Evans, Lowery, Olszewski.

√ Apr. 12, 1991, Third Supplemental Pretrial Statement of Plaintiffs Anthony D. Mottillo and Jeanne mottillo, his wife, filed.

√ Apr. 16, 1991 Motion for Continuance and order filed. ORDER OF COURT: AND NOW, to wit this 15 day of Apr., 1991 upon consideration of defendatn Gasser Chair's Motion for Continuance, it is hereby Ordered, Adjudged and Decreed, that this case iscontinued until the Oct. 1991 civil trial list. BY THE COURT,
P. Richard Thomas, S. J.

Apr. 19, 1991, copies mailed to Attys. Evans, Lowery and Olszewski.

On October 1991 Trial List

√ Sept. 30, 1991 Motion to Continue to the ~~Jan~~ Feb. 1992 Trial Term filed.

√ Sept. 30, 1991, Motion to Continue and Order filed. ORDER: AND NOW, this 30th day of Sept. 1991, upon consideration of the attached Motion to continue, this cause of action shall be continued to the Feb. 1992 trial term. No further continuances without written consents fo the parties. Gordon R. Miller, J.

Oct. 2, 1991, copies to Attys. Evans, Lowery and Olszewski.

√ Sept. 30, 1991, Affidavit of Service of attached Subpoena upon Frank Whitmore, c/o Sanray Corporation, filed.

√ Sept. 30, 1991, Affidavit of service of attached Subpoena upon Frank Tomasovich, c/o Sanray Corporation, filed.

√ Oct. 4, 1991 affidavit of Service of attached Subpoena upon Jack Vandervort, D.C. filed.

√ Oct. 4, 1991, Affidavit of Service of attached subpoena upon Kathleen Ulbrich, filed.

√ Feb. 5, 1992, Defendant Sanray's Supplemental Answers to Interrogatories filed.

√ Feb. 5, 1992, MEMORANDUM AND ORDER filed.ORDER: AND NOW, Feb. 5, 1992 it is ordered and

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Anthony D. Mottillo and
Jeanne Mottillo, his wife

vs.

Gasser Chair Company, Inc.
et al

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DIRECTED THAT ALL COUNSEL IN THIS CASE SHALL BE PRESENT AT THE CALL OF THE TRIAL list on Monday, February 10, 1992 and be prepared to discuss all open pre-trial issues. Furthermore, counsel and the parties may be required to pick a jury and commence trial on Feb. 10, 1992.

BY THE COURT,
Gordon R. Miller, p.J.

Feb. 5, 1992, copies to aLL COUNSEL of record by Kim, Judge's sec.

Feb 10, 1992- Motion in Limine filed.

Feb. 10, 1992, Notice to Attend filed. (Frank Whitmore)

Feb. 10, 1992, Notice ot Attend filed. (John W. Gizzie)

Feb. 10, 1992, Verification for Supplemental Answers to Interrogatories filed.

Feb. 11, 1992 Plaintiffs' Motion for Distribution of Peremptory Challenges filed.

Feb. 11, 1992 ORDER filed. AND NOW, Feb. 10, 1992, the parties appear at the time set forth for selection of a jury and after negotiations the Court is advised that the parties have agreed that all claims of the plaintiffs shall be settled for the sum of $71,000.00.

The Plaintiffs are directed to praecipe to discontinue this action with prejudice and to sign a general release satisfactory to their counsel which will be exchanged for appropriate drafts from the Defendants.

Upon presentation of a bill of costs from the Plaintiffs, the Defendants will equally divide the record costs in this action.

BY THE COURT,
Anthony J. Vardaro, J.

Feb. 18, 1992 mailed copies to J. Evans, J. Olsezewski & T. Lowery

Feb. 18, 1992 Notice of Address Change of Plaintiff's Counsel filed.

Mar. 30, 1992, Upon praecipe of plaintiff attorney, this case is marked settled and discontinued of record.

Apr 9, 1992 Stipulation for Withdrawal of Crossclaims filed.

Paul S.Sutton
vs.
Titusville Houseing Authority
vs.
DeVore Construction, Inc.

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of A.D. 1990 - 303

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May 28, 1993 Upon Praecipe of Mark E.Mioduszewski, Esquire Attorney for Additional Defendant, DeVore Construction, Inc. to withdraw Motion to Compel From Argument List filed

July 19, 1993 Affidavit of James D. Belliveau pursuant To Local Rule 302(a)(2) filed.

July 19, 1993 Certificate of Readiness filed.

ON 1993 OCTOBER CIVIL TRIAL LIST

Sep. 23, 1993 Motion for Continuance to the Next Available Trial List and ORDER OF COURT FILED. And Now, to wit, this 21st day of September, 1993, upon the foregoing motion, it is hereby ordered that this matter be continued to the next available trial list.

By the Court:
Gordon R. Miller, J.

9-30-93 Copy of Order to Attys. Belliveau, Bailey, Mioduszewski,Weiss & Ferguson.

Feb. 2, 1994 ORDER, filed. And now, this 1st day of February,1994, following the call of the February Civil Trial List, pretrial conferences are hereby scheduled in the following cases onthe following dates at the times set forth below:

Caption & Number (Abbreviated)	Pretrial Conference Date and Time
Sutton v. Titusville HOusing Auth., et al. AD 1990-303	Wedn, Feb.9, 1994, 11:00 A.M.

To the extent possible, pretrial conferences will be held before the judge who it is anticipated will try the case (subject to change). Counsel are directed to report any change in the status of any case to the Court Adminsitrator at the earliest possible time.

BY THE COURT,
Gordon R. Miller, P.J.

2-2-94 Copies to all counsel of record and unrepresented parties.

Feb. 22, 1994 Upon Praecipe of Todd Berkey, Esquire, Attorney for Plaintiff, the above captioned matter is marked satisfied, settle and discontinued of record.

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DEBORAH R. CATALANO

VS.

EDNA G. MCCLINTON

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June 9, 1993 STIPULATION AND ORDER OF COURT filed. AND NOW, THIS 9 day of June, 1993, in consequence of the within Stipulation entered into by and between Brian J. Lindsay, Esq., Att. for Plaintiff; Deborah R. Catalano ("Catalano"); John F. Spataro, Esq., Atty. for Defendant; Edna G. McClinton ("McClinton"); and Scott G. Dunlp, Esq., Atty. for Everett Cash Mutual Insurance Co. and Dennis M. McGlynn, Esq., Atty. for Conemaugh Valley Mutual Insurance co., it is hereby ORDERED, ADJUDGED AND DECREED as follows:

1) By Order dated July 30, 1992, Catalano and McClinton reached a settlement of their dispute concerning a certain piece or parcel of property situated in the First Ward of the City of Meadville which was the subject of the instant action.

2) By Stipulation and Order of Court of November 26, 1991, the parties agreed and it was so ordered that the sum of $74,000.00 was to be deposited with the Prothonotary of Crawford Co., and "not be paid out or distributed except by further order of this court, pending resolution by judgment or settlement of the issues which remain pending."

3) The parties acknowledge, stipulate and agree that the issues pending have been resolved and in accordance therewith, the Prothontoary of Crawford County is directed to pay to Catalano's attorney, Brian J. Lindsay, Esq., the sum of $6,500.00 to be held in escrow with the express direction that Atty. Lindsay shall utilize said funds for the purpose of satisfying any and allliens and encumbrances affecting the subject premises before any disbursements are made to the Plaintiff and further providing that Catalano shall deliver to mcClinton a General Warranty Deed pursuant to this Court's Order of July 30, 1992. The balance of the funds held by the Prothonotary shall be paid over to McClinton's attorney John F. Spataro, Esq.

BY THE COURT,
Anthony J. Vardaro, J.

June 17, 1993 Copy of Order to Attys. Brian Lindsay and John Spataro, Scott G. Dunlop, Dennis M. McGlynn.

Exhibit on File Case A - Disc Exhibit Box

John Anthony Frisina
vs
Linda Karen Frisina

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Dec 12, 1996 SHERIFF'S RETURN: Served, John A. Frisina by handing the notice to Tony Frisina, his father, on December 6, 1996 at 10:45 AM at RD#7 Talon St., Meadville, Pa.
So answers,

Shawn E. Ashbaugh, Deputy
Robert M. Stevens, Sheriff

Jan 16, 1997 Certificate of completion of the Seminar for Separating Parents for John A. Frisina, filed.

Feb. 7, 1997 Temporary Order filed. AND NOW, February 6, 1997, after Mediation and upon the recommendation of the Child Custody mediator, it is Ordered and Decreed as follows:

1. Legal Custody of the subject minor children, Nikita Louise Frisina and Giovanni Antonio Frisina shall be with their Father. The Father shall provide Mother will copies of the children's report cards within ten days after Father's receipt of same, and shall provide Mother with critical information in regard to the children as Mother may request from time to time.
2. Primary physical custody of the children shall be with their Father, subject to the following conditions:
   a. The Mother shall be entitled to visit and take the children into her temporary physical custody during the following weekends from 8:00 a.m. through 8:00 p.m. each day: February 15 and 16, 1997; March 15 and 16, 1997; April 19 and 20, 1997; and May 17 and 18, 1997. Mother's visits with the children during these weekends shall take place in Crawford County, Pennsylvania.
   b. Mother shall be entitled to visit and take the children into her temporary physical custody for overnight visits during the weekends of June 21 and 22, 1997, and July 19 and 20, 1997. Mother shall receive custody to the home of the Father at 8:00 p.m. on Sunday. Said overnight visits shall take place in Crawford County, Pennsylvania.

The cost of the mediation conference shall be equally divided between the parties. The deposit paid in advance by the Mother shall first be applied to her share of the costs and the remainder to her, less the cost of the Court's Order.

This Order is a Temporary Order but shall become a Permanent Order unless exceptions thereto are filed by either parent within twenty days of the date hereof.

BY THE COURT:
Anthony J. Vardaro, J.

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95	ROSALIND M. HARDING N/B/M ROSALIND M. ROBERTS VS. KENNETH N. HARDING	CONTINUED FROM PAGE 95 OF RECORD A. D. 1990 - 95

Mar. 24, 1997 Petition for Waiver of Seminar Attendance by Plaintiff and Order filed. AND now, this 21st day of March, 1997, upon Petition of the parties, this Court hereby waives their requirement for Rosalind M. Roberts and Kenneth N. Harding to attend the mandatory Seminar for Separating Parents.

BY THE COURT:
Gordon R. Miller, J.
3-26-97 FAXED Nelson

Mar. 31, 1997 Acceptance of Service filed. I, Kenneth N. Harding, the Defendant in the above-referenced divorce action, hereby accept service of the Petition for Modification filed on
DATED: 3-31-97
Kenneth N. Harding, Defendant
Mary Ann Geiser, Witness

Apr. 29, 1997 CONSENT CUSTODY ORDER: AND NOW, April 29, 1997, it is Ordered and Decreed as follows:

1. Legal custody of the minor child, Kenneth Scott Harding, shall be shared by the Father and Mother, and parties to this action, with each parent entitled to full access to any records relating to the child helf by a third party including, but not limited to school records and medical records and each parent shall have equal input regarding important decisions affecting the child such as education, religious instruction and medical treatment.

2. Primary physical custody of Kenneth Scott Harding shall be with his Father, subject to following conditions:

a. Visitation between the child and the Mother shall take place at such times as shall mutually agareed upon between the parties.

Anthony J. Vardaro, J.

Apr 29, 1997 Faxed Nelson