CRAWFORD COUNTY

APPEARANCE DOCKET

BOOK 294
Vol. 1

JAN 1993

PIRRELLO ENTEPRISES INC.
Scanned June 2017

1993

1

3-8-93 Received from deft Sheriffs Costs 26.00

3-8-93 Pd Sheriff Ch# 7383 26.00

MAXINE FAYE LINZ, EDWARD LAWRENCE LINZ, JR.

vs.

EDWARD LAWRENCE LINZ, III

Filed December 31, 1992
@ 12:01 PM

Tax & entry Pd 3-8-93 50.50
User's Fee Pd 3-8-93 5.00
Sheriff's Costs 26.00
Pro Co Pd 3-8-93 9.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Planitiff

Order:

And now, this 31 day of December , 1992 , 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 Plantiff or any of the minor children named in the Petition.
2. Special Conditions: The defendant may not go to Plaintiff property unfil further order of court.
3. This Order may be enforced without a warrant of arresdt 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 or 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 here by set for January 6, 1993 , at 9:15 a. 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 COURT,
Anthony J. Vardaro, J

Jan. 7, 1993 Sheriff's Return filed. SERVED Edward L. Linz, III, personally on December 31, 1992 at 3:16 PM by handing a copy of the Protection from Abuse to him at his residence, R.D. #3, Conneautville, Crawford County, PA.
So answers,

Dale A. Colins, Deputy Sheriff
Robert M. Stevens, Sheriff

Jan. 8, 1993 Order Filed. AND NOW, January 6, 1993, after hearing testimony in a case involving the same defendant in which Maxine Linz testified, the Court is satisfied that the defendant has abused Maxine Linz in the manner set forth in the petition, and therefore, enters the following Order:

1. The defendant shall not assault, abuse, harass or threaten Maxine Linz in any manner. No Order is entered with respect to Edward L. Linz, Jr. one of the plaintiffs.
2. The defendant shall not go to the home of Maxine Linz under any circumstances except to peaceably and quickly pick up his personal belongings at a time to be arranged between the parties and at a time when one or more third parties are present to make sure that the peace is kept. If there is a dispute about what assets the defendant may take, those assets shall remain with the plaintiffs in good condition and the defendnt may bring an appropriate replevin action to get his personal belongings back. The plaintiff shall not destroy or dispose of any of the defendant's personal belongings.
3. The defendant may contact Maxine Linz by telephone between the hours of 8:00 o'clock a.m. and 9:00 o'clock p.m., and in writing; provided those contacts are not abusive, harassing or threatening. He shall be civil during those contacts.
4. This Order may be enforced without a Warrant of Arrest by any law enforcement officer having reasonable ground to believe it has been violated.
5. A Copy of this Order shall be delivered to the Pensnylvania State Police and to County Control by the Prothonotary.
6. This Order shall remain in full force and effect for a period of one (1) year, or until January 5, 1994, unless modified or teminated by further Order of Court.
7. The defendant shall pay record costs to the Prothonotary in the amount of $90.50 no later than March 15, 1993. Failure to pay the cots may result in a contempt of court proceeding.
8. 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.

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

1-11-93 (1-6-93 Hand delivered to Deft by Court) given to Co.Control, Copy mailed to M. Linz & Pa.State Police.

Aug. 30, 1996 Transcript of Proceedings at time of Hearing on Protection from abuse filed.

R.Christopher Brode

2

Received 1-13-93 Sheriffs cash 26.00
Pd Sheriff 1-13-93 26.00 Ch #7218

EDITH E. LINZ, KATELYN R. LINZ

vs.

EDWARD L. LINZ, III

Filed December 31, 1992
@ 12:01 PM

Tax & entry	Pd 1-13-93	50.50 ✓
User's Fee	Pd 1-13-93	5.00
Sheriff's Costs		26.00
Pro Co Pd 1-13-93		5.00 ✓
Pro Co Pd 1-13-93		9.00 ✓

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 31 day of December , 1992 , upon review of the petition of 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: The Plaintiff shall have temporary physical custody of both chidlren pending further order of Court. The Defendant shall return Michail to Plaintiff's custody in the presence of the Sheriff's Deputies when they serve this 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. 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 or 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 tis 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 the January 6, 1993 , at 9:15 a 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,
Anthony J. Vardaro, J

Jan. 7, 1993 Sheriff's Return filed. SERVED Edward L. Linz, III, personally on December 31, 1992 at 3:15 PM by handing a copy of the Protection from Abuse to him at his residence, R.D. #3, Conneautville, Crwaford County, PA. Custody of the child was given to Plaintiff at that time. So answers,

Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Jan. 8, 1993 Petition To Hold Plaintiff in Contempt filed.

Jan. 8, 1993 Order filed. AND NOW, January 6, 1993, after a formal hearing, the Court finds that the plaintiffs have carried their burden of proof by the preponderance of the evidence and that the defendant has engaged in abuse as that is defined by the Act when he pushed or grabbed his wife on December 10, 1992 and December 24, 1992, and when he shoved or hit his mother while she was holding one of his children on December 30, 1992. Accordingly, it is ORDEREDas follows:

1. The defendant shall not assault, abuse, harass or threaten the plaintiff or her minor children.
2. The defendant shall not go to the plaintiff's place of residence for any purpose. He may contact her by telephone or in any writing in a non-abusive, non-threatening way for the purpose of resolving marital matters and matters involving the children. The phone calls shall not take place after 9:00 o'clock p.m.
3. Temporary physical custody of the children is given to the plaintiff. The defendnt shall have the right to visit with his children every Tuesday, Thursday and Saturday between 12:00 o'clock Noon and 6:00 o'clock p.m. The plaintiff shall deliver the children to the home of Mark and Mary Roberts or some other relative of the plaintiff or the defendant who is mutually agreed upon by both parties. The defendant shall visit the children at that residence of that relative between the hours of 12:00 Noon and 6:00 p.m.Transportation shallbe provided by the plaintiff.
4. If the defendant does not appear at the home by 12:30 on the day of visitation,that visitation shall be cancelled and the plaintiff shall have the right to go to the home of the relative to pick up the children if she desires. During exchanges of custody and visitation, the parties shall not argue or bicker in any way. The exchanges with respect to visitation shall be peaceful and caring. This Order with respect to custody and visitation is temporary and subject to modification in a custody proceeding by a court of competent jurisdiction. At no time shall either party remove the children from Crawford County except that the plaintiff may take the children on temporary visits for shopping and other purposes, if she desires,outside the County.
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 by the Prothonotary to the Pennsylvania State Police, the Conneautville Police Department and County Control.
7. This Order shall remain in full force and effect for one (1) year from this date, that is, until January 5, 1994,unless modified or terminated by further Order of Court. If the parties reconcile and the plaintiff desires to resume living with the defendnat, the defendant should resist that until the parties appear before the Court in an appropriate proceeding t have this Order modified, for if the defendant lives with the plaintiff, even if she invites him, he may be held in contempt of court for violating this Order.
8. The defendant shall pay the record court costs of $90.50 no later than February 15, 1993, by making payment to the office of the Prothnotary.
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 (6) months.
10. Since the parties are eminently expecting another child, the Court makes no provisions with respect to visitation of that child. Custody of the child shall remain with t he mother. The plaintiff is encouraged to afford the defendnt reasonable opportunity to see his new-born child since that is a special event. We make no provisions with respect to visitations as to that child because it is premature to do so.

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

Continued to Page 2 A

Jan. 11, 1993 Copies of mailed to Pa. S.P.D, given to Atty.Brode & Co. Control. 1-14-93 Copy to Conneautville Police Dept. and Defendant.

1993

Edith E.Linz & Katelyn R.Linz
vs.
Edward L.Linz III

Continued from Page 2 of Record

A.D.1993 -2

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Jan. 11, 1993 Certificate of Service filed.

Jan. 13, 1993 Motion and Order of Court filed. And now, 1-13-93 Abuse Order discontinued and hearing set for Jan. 22, 1993 canceled.

P.Richard Thomas, S.J.

Jan. 14, 1993 Copy of Order to Atty.Brode,Pa.S.P.D.,Co. Control,Conneautville Police Dept. & Deft.

Jan. 13, 1993 Upon Praecipe of Edith Linz, plaintiff, the above case marked discontinued of record.

Jan.14, 1993 Copy to Atty.Brode, Pa.S.P.D., Co. Control, Conneautville Police & Deft.

Jan. 14, 1993 ORDER filed. AND NOW, Jan. 8, 1993 upon receipt and review of the Defendant's contempt petition, a RULE TO SHOW CAUSE is hereby entered and directs the Plaintiff to show cause if any she has why she should not be held in contempt of Court for the reasons set forth in the petition.

Said rule is returnable for hearing and/or argument at 1:00 o'clock p.m. on Friday, Jan. 22, 1993.

Since the Defendant presented his own petition and is not familiar with the Rules of Civil Procedure, he is reminded that he must follow the Rules of Civil Procedure as any other litigant, including litigants with attorneys.

A true and correct copy of his petition and a true and correct copy of this Rule to Show Cause shall be served upon the Plaintiff in any manner by which service of original process in a civil action may be made, including by registered mail, delivery to addressee only, return receipt requested. Service shall be made forthwith. The Defendant shall file a proof or affidavit of service prior to teh date and time of the hearing.

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

Jan. 19, 1993 Copy of Order to Atty. R. Christopher Brode; copy mailed to defendant.

Aug. 30, 1996 Transcript of Proceedings at Time of Hearing on Protection from Abuse filed. (Original filed with A.D. 1993-1)

1993

pro se

3

R. Charles Thomas

Barbara Walton

WILLIAM D. HARKNESS

vs.

MICHELE L. HARKNESS

Filed December 31, 1992
@ 3:15 PM

Indigent Filing

William D.Pineo, Mediator 152.00

Pro Co 9.00

1 SHARED CUSTODY/VISITATION

2 Dec. 31, 1992 Petition To Proceed In Forma Pauperis Pursuant PA.R.CIV.P. 240 and Order filed. AND NOW, to wit, this 18 day of December, 1992, upon presentation and consideration of the within petition;
It is ORDERED that plaintiff, WILLIAM D. HARKNESS, PRO SE, is granted leave of court to proceed in all acts of the above captioned case, IN FORMA PAUPERIS.

BY THE COURT,
Anthony J. Vardaro, J

3 Jan. 7, 1993 Proof of Service filed. I hereby certify that I am this day serving the foregoing documents (certified order of the 18th day of December, 1992, plaintiffs Petition to proceed in Forma Pauperis) upon the person and in the manner indicated below, which service satisfies the requirements of PA.R.CIV. P-440: Service by First Class Postage Paid, U.S. Mail: Michele L. Harkness
Date: 1/3/1993 William D. Harkness

4 Jan. 11, 1993 Complaint for Shared Custody/Vistation and Notice and Order to Appear filed. You, Michele L.Harikness, have been sued in Court to obtain custody of Gabriele Marke Harkness.
If you fail to appear as provided by this Order, and Order for custody, partial custody or visitation may be entered against you or the Court may issue a warrant for your arrest.
Date: 12/31/92 Anthony J.Vardaro, J.
Jan.14, 1993 Copy of Order to Plaintiff, Defendant and Atty. Pineo

5 Jan. 20, 1993 Proof Of Service filed. I hereby certify that I am this day serving the foregoing documents, NOTICE TO DEFEND, NOTICE AND ORDER and COMPLAINT FOR SHARED CUSTODY/VISITATION. Upon the person and in the manner indicated below, said service meets the requirements of PA. r.CIV.P. 412;
Service By Certified, Return Receipt, Restricted, U.S. Mail: Certified mail # P362 725 163

Michele L. Harnkness
Park Avenue Extension
Saegertown, PA 16433

William D. Harkness, Plaintiff

6 Feb. 9, 1993 Writ of Habeas Corpus Ad Testificandum filed.

7 Feb. 9, 1993 Memorandum and Order filed. AND NOW, February 8, 1993, the Plaintiff's petition for a writ of habeas corpus ad testificandum is denied.
The mediator, William Pineo, Esquire, is directed to continue the mediation conference scheduled for February 8, 1993 at 10:00 a.m. for at least a period of 30 days.

BY THE COURT:
Anthony J. Vardaro, J

Feb. 9, 1993 Copies mailed to Pltf. deft by Court.

8 Mar. 3, 1993 Motion for Reconsideration or Order, filed.

9 Mar. 3, 1993 ORDER filed. AND NOW, FEB. 19, 1993, we have received a motion for reconsideration of our order of Feb. 8, 1993 which motion has been filed by the Plaintiff pro se.
After review of that motion, we decline to change our order of Feb. 8, 1993 and it shall remain in full force and effect.

BY THE COURT:
Anthony J. Vardaro, J.

Mar 4, 1993 copies mailed Plf, Dft & Med.
Mar. 9, 1993 copy to R.C. Thomas

10 Mar. 3, 1993 Petition For Recusal, filed.

11 Mar. 3, 1993 ORDER filed. AND NOW, March 1, 1993, the Plaintiff has filed a petition for recusal asking the undersigned to recuse himself with respect to this matter.
First of all, we would note that this custody action is currently in front of a Custody Mediator, William Pineo, Es., and is not before the Court forhearing.
The Court's only involvement with respect to this matter was in ruling upon the Plaintiff's petition for a writ of habeas corpus ad testificandum in which the Plaintiff wished to compel his presence at the custody mediation.
In a Memorandum and accompanying Order dated Feb. 8, 1993, we denied that request and we believe the Memorandum explains our reasons why we did so. The Plaintiff asked us to reconsider that order and on Feb. 19, 1993 we declined to change our order of Feb. 8, 1993.
In denying the Plaintiff's petition for a writ of habeas corpus ad testificandum, we directed the mediator not to hold a hearing for a period of 30 days in order to give the Plaintiff a chance to determine how he wished to proceed in light of our ruling.
Apparently the Plainitff has interpreted our order as an effort to keep the mediation from going forward and wrote a scathing letter to Mr. Pineo with respect to that issue and apparently in response to a letter of Feb. 15, 1993 from Mr. Pineo (we do not know the contents of Mr. Pineo's letter insofar as we were not copied with the same).
Contrary to the Plaintiff's accusations, we have no personal bias or prejudice concerning this Plaintiff and the undersigned has no intent to recuse himself with respect to this matter.
We note that in his petition the Plaintiff indicates that another reason he believes that the undersigned should recuse himself is that the Defendant is represented by R. Charles Thomas, Esq., who is a former law partner of the undersigned. We note that the undersigned left the practice of law in January 1992 and no action was filed between these parties until the divorce action was begun in February 1992.
We have presided over a criminal trial involving matters between the parties and did not see any reason for recusal then nor is there a reason now to do so.
Accordingly, the Plaintiff's petition for recusal is denied.

BY THE COURT:
Anthony J. Vardaro, J.

Mar. 4, 1993 copies mailed to Plf, Dft & Mediator
Mar. 9, 1993 copy to R.C. Thomas

12 Mar 31, 1993 Supplemental Complaint for Shared Custody/Visitation, filed.

Record continued on page 500

1993

Kudzma Law Offices
Gary L. Bilotta

4

DONNA SHIAMONE, ROBIN SHIAMONE, her husband, and DESIREE PECK, a minor, by DONNA SHIAMONE, her Parent and Natural Guardian

vs.

MARY JANE DONEGAN and BUD MILLER FORD, INC.

Filed December 31, 1992
@ 3:17 PM

Tax & entry paid	50.50 ✓
User's Fee paid	5.00
Sheriff's Costs	42.00
Pro Co pd 2-26-93	6.00 ✓

WRIT OF SUMMONS
Issued Sheriff

Jan. 11, 1993 SHERIFF'S RETURN filed. SERVED Mary Jane Donegan on Jan. 5, 1993 at 1:15 PM by handing a copy of the Summons to Thomas E. Donegan, her husband and Authorized Agent, at Bud Miller Ford, Inc., Conneaut Lake Road, Route 322, Conneaut Lake, Cr. Co., Pa. Signed Acceptance of Service attached.

SERVED Bud Miller Ford, Inc. on Jan. 5, 1993 atl:16 PM by handing a copy of the Summons to Dale Miller, Owner, at Conneaut Lake Road, Route 322, Conneaut Lake, Cr. Co., Pa.

So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Feb. 18, 1993 Upon praecipe of Plaintiff attorney the above matter is settled and discontinued of record.

Mar. 1, 1993 Petition For Approval of Settlement and Distribution of Minor's Personal Injury Claim and Order fild. AND NOW, towit this 1st day of March, 1993, upon consideration of the foregoing Petition, it is hereby ORDERED as follows:

The settlement agreed to and recited in the foregoing Petition is hereby approved and it is hereby further ORDERED and directed that the proceedss of said settlement shall be distributed as follows:

(1) To: DONNA SHIAMONE, the mother and natural guardian of DESIREE PECK, a minor and to be deposited in a savings account or other savings instrument in the name of the minor in a bank, building and loan association or savings and loan association, the deposits of which are insured by a federal government agency with the following provision: "no withdrawal can be made of any monies in this account until the minor, DESIREE PECK, attains her majority, except as authorized by prior Order of Court". $4,530.03

(2) To: Gary L. Bilotta, Esquire Attorney's Fees (33 1/3%) 2,330.00

(3) To: Gary L. Bilotta, Esquire Expenses 139.97

TOTAL $7,000.00

It is further ORDERED that the Petitioners may execute an appropriate release to effect settlement.

BY THE COURT,
Gordon R. Miller,

(1) copy atty.

May 7, 1993 Petition For Approval of Money To Withdrawl Money From Settlement MOney for Minor child filed.

May 10, 1993 ORDER filed. AND NOW, May 7, 1993, Donna J. Shiamone, mother and natural guardian of Desiree Peck, appeared pro se in motions court with a "Petition" asking the Court approve the withdrawal of $530.00 from funds belonging to Desiree Peck, a minor, which said funds were created by the proceeds from a personal injury settlement, and which said proceeds should be held until she is eighteen (18) years of age. Ms. Shiamone indicated that there is no bank account even though the Court has ordered that one be created. Furthermore, her Petition is not in proper form and she is asking for the withdrawal of money to pay for some things that parents should pay for and which should not come out of the funds of minors. Accordingly, it is ORDERED as follows:

1. The parties' attorney, Gary L. Bilotta, Esquire, is ORDERED and DIRECTED to comply with the prior Court Order and immediately arrange to have $4,530.03 deposited in a savings account or other savings instrument in the name of the minor in a bank, building and loan association or savings and loan association, the deposits of which are insured by a Federal Government agency, and which said account shall be restricted by the following provisions: "No withdraw can be made of any moneys in this account until the minor Desiree Peck obtains her majority, except as authorized by prior Order of Court."

Mr. Bilotta shall do that at no additional fee, as he has been paid to settle this case and has not completed the settlement, and has not carried out the Court Order according to the Petitioner.

2. The Petition presented in motion's court shall be filed of record even though it is not in proper form. The Court hereby approves the withdrawal of $250.00 from the account to purchase or assist in the purchase of the items set forthin the Petition.

The Court believes that contacts may be an appropriate expenditure from funds of the minor, but the other matters may not be. Thus, we are approving a reduced amount. Furthermore, the Petition does not set forth the exact cost of all these items and it may well be that $250.00 will go a great way toward paying for those things.

The Prothonotary shall send a true and correct copy of this Oder to Gary L. Bilotta, Esq., 3342 Drabo Ave., Beaver, PA 15009.

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

May 10, 1993 Copy mailed to Pltf. and Atty. Gary Bilotta.

May 28, 1993, Confirmation of Receipt of Settlement Fund in Minor's Case filed.

1993

Kudzma Law Offices
Gary L.-Bilotta

5

BETTY F. EVANCHEC and
STEVEN T. EVANCHEC, her
husband

vs

BARBARA M. COLLINS and
ROBERT COLLINS, her husband

Filed December 31, 1992
@ 3:17 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's costs	42.00
Pro Co Pd 12/1/93	6.00

WRIT OF SUMMONS
Issued Sheriff

Jan. 14, 1993 Writ return filed. SERVED Barbara M. Collins personally on Jan. 8, 1993 at 1:15 PM by handing a copy of the Summons to her in the Sheriff's Office, Third Floor, Crawford Co. Courthouse, Meadville, PA.

SERVED Robert Collins on Jan. 8, 1993 at 1:16 pM by handing a copy of the Summons to Barbara M. Collins, his Wife and Authorized Agent, in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, PA. Signed Acceptance of Service attached. So answer,

Robert M. Stevens, Sheriff

Dec. 1, 1993, Upon praecipe of plaintiff attorney, the above case is hereby settled and discontinued of record.

6

1993

6

8-5-93 Rec from deft Sheriff's Costs 25.00

8-5-93 Pd Sheriff Ck# 7711 25.00

LINDA SWOGGER

vs.

RICHARD DANCKER, II

Filed January 4, 1993
@ 10:09 AM

Tax & entry Pd 8-5-93 50.50
User's fee Pd 8-5-93 5.00
Sheriff's Costs 25.00
Pro Co Pd 8-5-93 gov.

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 4 day of January , 1993 , upon review of the petition of 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: The Plaintiff shall have sole possession of the joint residence and physical custody ofthe minor child pending 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 or 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 tis 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 the January 12, 1993 , at 3:30 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,
Anthony J. Vardaro, J

Jan. 7, 1993 Sheriff's Return filed. SERVED Richard Dancker, II, personally on January 4, 1993 at 11:15 AM by handing a copy of the Protection from Abuse to him at his residence on Market and Watter Streets, Meadville, Crawford County, PA.
So answers,
Edgar D. Householder, Chief Deputy
Robert M. Stevens, Sheriff

Jan.15, 1993 Order Filed. AND NOW, January 12, 1993, this matter is before the Court on plaintiff's Request for Relief Under the Protection From Abuse Act.

The parties have appeared without counsel and indicate that they wish to proceed without counsel insofar as they have reached an agreement whereby an Order will be entered.

ACCORDINGLY, we enter the following Order:

1. The defendant shall not assault, abuse, harass or threaten the plaintiff or the minor child named in the petition.
2. The plaintiff shall have sole possession of the residence at 440 Baldwin Street, Meadville, Pennsylvania, with the understanding that the defendant may come there to visit when he leaves work at 1:00 a.m., so long as he leaves the residence by 4:00 a.m., and he may come at other times so long as he calls in advance and it is agreeable that he visit on the part of the plaintiff. When the defendant comes for any visit, he shall have someone agreeable to both parties with him for at least the first fifteen minutes of the visit so that the plaintiff is assured that the defendant has not been cosuming alcoholic beverages.
3. The defendant is now receiving Alcoholics Anonymous counseling and he will continue with that counseling on an ongoing basis.
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 plaintiff resides and to County Control.
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. A copy of this Order shall be sent by regular mail by the Prothonotary to the plaintiff at 440 BaldwinStreet, Meadville, Pennsylvania, 16335, and to the defendant at 768½ Market Street, Meadville, Pennsyvania, 16335, in care of Lesa Cornell.
8. The defendant shall pay court costs in this matter in the amount of$89.50 in such installments as he may determine, so long as the total amount is paid within ninety (90) days from the date of this hearing. Those payments shall go to the Office of the Prothonotary on the first floor of the Court House in Meadville,Pennsylvania.
9. This Order shall remain in full force and effect through January 11, 1994.

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

Jan. 15, 1993 Copies given to Co.Control, Pltf., Deft. & Meadville City Police

1993

Bruce A. Barrett 7	UNITED REFINING COMPANY OF PENNSYLVANIA vs. MARSHALL STEIN Filed January 4, 1993 @ 1:20 PM Tax & entry paid 50.50 User's Fee paid 5.00 Sheriff's Costs 25.00 Pro Co pd 8-2-93 9.00	COMPLAINT IN CIVIL ACTION 1 copy Sheriff Jan. 14, 1993 Sheriff's Return filed. SERVED Marshall Stein on January 8, 1993 at 10:55 AM by handing a copy of the Complanit to Rita Stein, his Wife and Authorized Agent, in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, PA. Signed Acceptance of Service attached. So answers, Carole Stefanucci, Deputy Sheriff Robert M. Stevens, Sheriff And Now, August 2, 1993 @1:36 p.m., upon praecipe of Plaintiff attorney judgment is hereby entered in favor of the plaintiff and against the defendant for want of an answer and the same is liquidated at the sum of One Thousand One Hundred Twenty-four and 68/100, plus late charges from February 6, 1992 and costs. Entered 8-2-93 Debt: $1,124.68 plus late chrgss& costs S - 115 JUDGMENT Barbara H. King, Pro.

8

1993

pro se

8

TRISHA L. HUBERT

vs.

JASON G. HUBERT

Filed January 4, 1993
@ 2:16 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 5-17-93	9.00
Pro Co pd 6/2/93	5.00

COMPLAINT UNDER SECTION 3301 OF THE DIVORCE CODE
1 copy pltf. (per dft.)

Jan. 4, 1993 Acceptance of Service filed. I, Jason G. Hubert, do hereby accept service of a certified copy of the Divorce Complaint in connection with the matter above ca ptioned.
Date: January 4, 1993 Jason G. Hubert

Apr. 15, 1993 Affidavit of Consent of Plaintiff filed.

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

May 17, 1993 Upon praecipe of Plaintiff to transmit record, case moved to Court.

DIVORCE DECREE FILED
May 26, 1993:

AND NOW, May 25, 1993, it is ordered and decreed that TRISHA L. HUBERT, plaintiff, and JASON G. HUBERT, 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.

June 2, 1993 Notice Of Intention To Resume Maiden Name filed. Trisha L. Hubert TO BE KNOWN AS Trisha L. Durand

1993

9

LaRINA M. WAID

vs.

JOSEPH E. CLARK, SR.

Filed January 5, 193
@ 11:54 AM

Tax & entry	50.50
User's Fee	5.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

Order:

A nd now, this 5 day of January , 1993 , 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 Plantiff or any of the minor children named in the Petition.
2. Special Conditions:

3. This Order may be enforced without a warrant of arresdt 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 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 Liability for payment or 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 here by set for January 15, 1993 , at 3:30 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 COURT,
Anthony J. Vardaro,J

Jan. 18, 1993 Order filed. AND NOW, January 15, 1993, this matter is before the Court, with the plaintiff seeking relief under the Protection From Abuse Act.

She appears with counsel and the defendant does not appear.

Counsel for the plaintiff indicates that the defendant has not been served to his knowlidge, neither in Crawford County nor in Fayette County, where he may now be residing.

The plaintiff does hav ethe address of the defendant's parents in Fayette County and planitiff's counsel will be attempting to serve this upon the defendant in that county.

In the meantime, the Order of January 5, 1993 is continued in full force and effect until further hearing can be held in this matter. Once service is obtained, the attorney for the plaintiff shall notify the Court Administrator, who can then schedule hearing with respect to this matter.

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

Jan. 18, 1993 Copies given to Co. Control, Meadville PD, & Atty. Brode

Jan. 22, 1993 AMENDED ORDER filed. AND NOW, Jan. 19, 1993, the Order of Jan. 15, 1993 entered by this Court is hereby AMENDED as flolows:

AND NOW, Jan.15, 1993, this matter is before the Court, with the plaintiff seeking relief under the Protection From Abuse Act.

She appears with counsel and the defendant does not appear.

The plaintiff does have the address of the defendant's parents in Fayette County and Plaintiff counsel will be attempting to serve this upon the defendant in that county.

The Order of Jan. 5, 1993 is modified to the extent that the plaintiff shall have temporary physical custody of the minor child pending further Order of Court.

AS modified above, the Order of Jan. 5, 1993 is continued in full force and effect until further hearing can be held in this matter. Once service is obtained, the attorney for the plaintiff shall notify the Court Administrator, who cna then shcedule further hearing with respect to this matter.

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

Jan. 22, 1993 copies given to Co. Ctrl., 3 copies given to Sullivan (1 for service on Dft.)
Jan. 25, 1993 copy to Mdvl. P.D.

July 26, 1993 Sheriff's Return filed. SERVED THE within Protection From Abuse on January 14, 1993, at 9:45 AM upon Joseph E. Clark, Sr. at Uniontown City, Fayette Co., PA by handing to Otto Clark, defendant's father a true and correct copy thereof and made known to him the contents therein.

So answers,
Norma Santore, Sheriff

I hereby deputize the Sheriff of Fayette County, Pennsylvania to serve the within Protection From Abuse according to law.
Robert M. Stevens, Sheriff

10

1993

Thomas, Truax,
Spadafore & Walker
William L. Walker

10

Leiws H. Bowes,
pro se

ANDOVER BANK

vs.

LEWIS H. BOWES and THOMAS J. GEHRING

Filed January 5, 1992
@ 2:12 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	59.00
Pro Co pd 3-2-93	9.00
Pro.Co.pd 5/27/94	5.00

COMPLAINT IN MORTGAGE FORECLOSURE
4 copies Sheriff

Feb. 4, 1993 Answer and Cross-Claim filed.

Feb. 9, 1993 SHERIFF'S RETURN, filed. SERVED Lewis H. Bowes on Jan. 15, 1993 by Certified Restricted Mail at his last known address of 22090 Shagbark Trail, Strongsville, OH 44136. Signed Return Receipt attached.

SERVED Thomas J. Gehring on Jan. 12, 1993 by Certified Restricted Mail at his last known address of 4108 E. Smith Rd., Medina, OH 44256. Signed Return Receipt attached.

SERVED Walter S. Pachoqicz on Jan. 15, 1993 by Certified Restricted Mail at his last known address of 3451 w. 94th Street, Cleveland, OH 44102. Signed Return Receipt attached.

SERVED Sharon L. Pachowicz on Jan. 15, 1993 by Certified Restricted Mail at her last known address of 3451 W. 94th St., Cleveland, OH 44102. Signed Return Receipt Attached.

So answers, Robert M. Stevens, Sheriff

And Now, March 2, 1993 at 11:46 a.m., upon praecipe of plaintiff's attforney judgment is hereby entered in favor of the olaintiff and against the defendants for want of an answer and the same is liquidated at Three thousand three hundred forty nine dollars and six cents together with interest on the principal debt at the rate of 13% per annum on and after July 8, 1992.

Entered 3-2-93 Debt: $3,349.06 plus int. at 13%
G - 164 per annum after July 8, 1992
P - 156, 176 JUDGMENT
3-18-94 Abstract to Atty.Walker Barbara H. King, Pro.

Mar. 25, 1993 Motion for Judgment on the Pleading and Order Filed. AND NOW, this 24rd day of March, 1993, upon consideration of the foregoing Motion for Judgment on the Pleadings filed on behalf of Andover Bank, the Court hereby sets argument in this matter for the 8th day of April, 1993, in Court Room No. 1 or 2 of the Crawford County Courthouse, Meadville, Crawford County, Pennsylvania at 9:15 o'clock A.M.

FOR THE COURT:
Ann A. Walker, Court Administrator

May 29, 1993 Copy of Order to Atty. Walker and Defendants.

Apr 12, 1993 ORDER filed. AND NOW, April 8, 1993, this matter is before the Court on Plaintiff's Motion for Judgment on the Pleadings with respect to Defendant Louis H. Bowes.

The Defendants' counsel appears this day, along with counsel for the plaintiff and the parties agree that a judgment on the pleadings, pursuant to Pennsylvania Rule of Civil Procedure 1034 may be entered against the Defendant Louis H. Bowes in this mortgage foreclosure action, and it is so entered.

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

Apr 12, 1993 copies given to Walker, Gehring & Pachowicz
Apr 15, 1993 copy to Bowes

May 27, 1994 This Judgment Satisfied. (See paper filed)

1993

11

DONNA BOYLES for TAMMY M. LEONHART, a minor

vs.

JAMES M. LEONHART

Filed January 5, 1993
@ 4:14 PM

Tax & entry	50.50
User's Fee	5.00
Sheriff's Costs	26.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy plaintiff

Order:

An d now, this 5 day of January , 1993 , 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 Plantiff or any of the minor children named in the Petition.

2. Special Conditions: The Defendant may not go to Plaintiff's residence at 1187 S. Main, pending further Order of Court.

3. This Order may be enforced without a warrant of arresdt 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 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 Liability for payment or 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 here by set for January 15, 1993 , at 3:30 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 COURT,
Anthony J. Vardaro, J

Jan. 7, 1993 Sheriff's Return filed. SERVED James Leonhart personally on January 6, 1993 at 11:00 AM by handing a copy of the Protection from Abuse to him at his mother's residence at P.O. box 77, Venango, Crawford County, PA. (Beside Swavey's Bar on Route 19).
So answers,
James Withers, Cosntable
Robert M. Stevens, Sheriff

Jan. 18, 1993 Order filed. AND NOW, January 15, 1993, this matter is before the Court, with the plaintiff seeking relief under the Protection From Abuse Act. Both parties appear with counsel and a Temporary Order has been entered byt he Court on January 5, 1993.

At the time set for this hearing, it proceeds formally and the plaintiff presents her testimony and the testimony of her mother.

The Court is not convinced by the preponderance of the evidence that there has been abuse within the meaning of the Protection From Abuse Act, and therefore, the Order entered on January 5, 1993 is terminated and the Court declines to enter a further Order with respect to this matter.

The Order of January 5, 1993 is modified to the extent that the plaintiff shall have temporary physical custody of the minor child pending further Order of Court.

The County shall pay the costs.

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

Jan. 18, 1993 Copies of order to Co. Control, Meadville C.P. and Atty's Brode & Walton

Jan. 22, 1993 Amended Order filed. AND NOW, January 19, 1993, the Order of January 15, 1993 entered by this Court is hereby AMENDED as follows:

AND NOW, January 15, 1993, this matter is before the Court, with the Plaintiff seeking relief under the Protection From ABuse Act. Both parties appear with counsel and a Temporary Order has been entered by the Court on January 5, 1993.

At the time set for this hearing, it proceeds formally and the plaintiff presents her testimony and the testimony of her mother.

The Court is not convinced by the preponderance of the evidence that there has been abuse within the meaning of the Protection From Abuse Act, and therefore, the Order entered on January 5, 1993 is terminated and the Court declines to enter a further Order with respect to this matter.

The County shall pay the costs.

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

Jan. 22, 1993 Copies of Order Given to Co.Control, Attys. Brode & Walton and mailed to Police Dept.

12

1993

pro se

12

Gerald Sullivan

JAMES H. ANDERS

vs.

BETTY WATKINS, et al

Filed January 6, 1993
@ 9:00 a.m.

Tax & entry paid	50.25 ✓
User's Fee paid	5.00
Pro Co. pd 4-27-93	15.00 ✓

APPEAL OF PLAINTIFF FROM DECISION OF
DISTRICT JUSTICE WILLIAM D. CHISHOLM

Jan 7, 1993 PROOF OF SERVICE OF NOTICE OF APPEAL, filed.

Jan. 11, 1993 Complaint filed.

Jan. 15, 1993 Motion To Set A Hearing Date filed.

Jan. 15, 1993 Memorandum and Order filed. AND NOW, January 13, 1993, the Plaintiff's motion to set a hearing date is denied without prejudice to the Plaintiff to litigate this matter once it is in a proper procedural posture for a hearing to be set.

BY THE COURT,
Anthony J. Vardaro, J

Jan. 18, 1993 Copies of order mailed to Anders and givento Sullian

Jan. 22, 1993 Amended Complaint filed.

Jan. 22, 1993 Motion To Set a Hearing Date filed.

Jan. 22, 1993 MEMORANDUM AND ORDER filed. The Plaintiff has appeared in Motions Court, once again, this time on Jan. 22, 1993 to file a motion to set a hearing date.

The Plaintiff filed a complaint against the Defendants on Jan. 11, 1993. That was after the Plaintiff had filed his notice of appeal and, more importantly, after he filed proof of service of the notice of appeal. Thus we don't know when and if the complaint was served on the Defendants or their counsel.

The Plaintiff's complaint did not contain a notice to plead (Pa. R.C.P. 1026). Thus the Defendants are not required to file a responsive pleading but they have the right to do so.

Under the circumstances of this case, we believe that the Plaintiff is entitled to move the case forward to trial once the case is at issue. Even though the Defendants are not required to file a responsive pleading, we don't believe the case is at issue until the Defendants are given some reasonable time to file the responsive pleading if they wish to do so.

Therefore, unless the Plaintiff files an amended complaint that contains a notice to plead (he may not now simply file a notice to plead) he must file a proof of service indicating the date and manner in which he served the original complaint on the Defendants or their counsel.

The Defendants should then have 20 days after the date upon which they were served with the complaint to file a responsive pleading if they desire. Thereafter, the Plaintiff will be in a proper posture to request a trial and trial date. Since it appears that he is bringing an action for possession of real estate, ejectment, the case cannot be referred to arbitrators (42 Pa. C.S.A. § 7361 et seq.; Pa. R.C.P. 1301 et seq.; Crawford Co. Civil Rule L. 1301A, L.1301B).

Therefore, the Plaintiff is required to follow Crawford Co. Rule L.302 in order to place this case on the trial list and obtain a trial date.

The Plaintiff's current motion will be denied.

ORDER AND NOW, Jan. 22, 1993, the Plaintiff's motion to set a hearing date is denied for the reasons set forth in the attached Memorandum.

BY ORDER OF COURT
/s Goron R. Miller, P.J.

Jan. 22, 1993 Copy of Order given to James Anders by Ct. and copy placed in Atty. Sullivan's box.

Feb. 3, 1993 Motion for Summary Judgement for Possession of Property and Order filed. Now, Feb. 3, 1993, This motion is denied as being filed before the pleadings are closed. It is premature.

Gordon R. Miller, Judge

Feb. 4, 1993 Copy of Order to Plft, Dft. and Atty.Sullivan.

Feb. 8, 1993, Motion for a Hearing for Summary Judgment, Proof of Service of Original Complaint, and Order filed.
Order: Motion Denied.
By the Court,
Anthony J. Vardaro, J.

Feb. 9, 1993, copies of order to Atty Sullivan, plff.

Feb. 10, 1993, Upon praecipe of plaintiff, matter placed on next argument list.

ON ARGUMENT LIST FOR MARCH 1993

Feb. 10, 1993, Answer, New Matter and Counterclaim filed.

Feb. 19, 1993 Notice of Interrogatories of Plaintiff filed.

Feb, 22, 1993 Plaintiff's Reply to Defendants' New Matter & Counterclaims filed.

Mar. 8, 1993 Memorandum filed. The Plaintiff filed a praecipe for argument on February 10, 1993 together with a brief in support of summary judgment. However there is no motion for summary judgment pending before this Court. Prior motions ofr summary judgment have been denied.
Since there are no motions for summary judgment pending before the Court neither the Court nor the Court Administrator will place this on the Argument List.
Furthermore it appears that the defendant filed an Answer and New Matter and Counterclaim on February 10, 1993. The Court notes for the benefit of the parties that a moiton for summary judgment may not be filed until after the pleadings are closed (Pa.R.C.P. 1035(a)).

BY THE COURT
Gordon R. Miller, J

Mar. 8, 1993 Copies given to Anders and Atty. Sullivan

Mar, 25, 1993 Motion to Dismiss Defendants' Counterclaims on the Basis That the Defendants are Unwilling to Answer Interrogatories Concerning Their Abilities to Engage Counsel filed.

Continued to Page 12 -A-

1993

Pro Se Gerald Sullivan	JAMES H. ANDERS VS. BETTY WATKINS, et al **********

Continued from Page 12
of Record

A. D. 1993 - 12

Mar. 25, 1993 Order filed. AND NOW, March 24, 1993, the Plaintiff appears in Motion Court with a motion to dismiss Defendants' countervlaims on the basis that the Defendants are unwilling to answer interrogatories concerning their abilities to engage counsel.

It appears that the Plaintiff properly notified the attorney for the Defendants of his intention to present this motion and the attorney for the Defendants does not appear.

In exploring this motion with the Plaintiff, apparently he filed interrogatories on February 18, 1993 which have not been answered nor have there been any objections filed.

Essentially, the Plaintiff is asking for the sanction that we dismiss the Defendants' counter-claim.

Accordingly, we will consider this motion to be a request for sanctions for failure to answer the interrogatories pursuant to Pa. R.C.P. 4019 and we will enter a rule upon the Defendants to show cause, if any they have, why sanctions should not be imposed.

Said rule shall be scheduled for argument on the next available argument list.

BY THE COURT:
Anthony J. Vardaro, J.

Mar.25, 1993 Copies given to Anders & Sullivan & Ct. Adm. by Court.

ON APRIL, 1993 TRIAL LIST

Apr. 1, 1993 Interrogatories filed.

Apr. 22, 1993, Affidavit of Service of Answer to the Interrogatories filed.

April 27, 1993 Upon Praecipe of Plaintiff for reference to Arbitrators the following are hereby appointed.

Richard Roeder, Chairman
Bettie Peterson Muth
Gregory Keenan

Apr. 27, 1993 Order filed. AND NOW, April 26, 1993 at the time fixed for argument on what the court has classified in Judge Vardaro's order of March 23, 1993 as a request for sanctions against the Defendant for failure to file an answer to interrogatories and what the Plaintiff has classified as Plaintiff's objection to the Defendants receiving legal services, the Plaintiff withdraws his current motion and any objection he has to the Defendants obtaining free legal services.

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

Apr. 27, 1993 copies to Sullivan and Anders

Apr. 29, 1993 Proof of Service For Interrogatories 111 filed.

May 26, 1993 Answer to Interrogatories filed.

June 2, 1993 Arbitrators take qualifying oath.

June 4, 1993, Notice of Hearing before Board of arbitrators filed.

July 15, 1993, DECISION OF ARBITRATORS filed in which they find Judgment by default for the plaintiff, Defendants having failed to appear, the sum of $832.00, Eight Hundred Thirty Two, wich includes costs.

Decision entered
7/15/93
W - 25, 95

DECISION OF ARBITRATORS
Barbara H. King,
Prothonotary

July 15, 1993 copies of decision to attys. of record.

Aug 11, 1993 Notice of Appeal From Award of Board of Arbitrators, filed.

Aug. 11, 1993 Praecipe of Judith A. Watkins to Proceed in Forma Paupers, filed.

Aug. 11, 1993 Praecipe of Betty M. Watkins to Proceed in Forma Paupers, filed.

Aug. 19, 1993 Motion for a Rule Showing Grounds for Appeal filed.

Aug. 19, 1993 ORDER filed. Re: Motion for a Rule Showing Grounds for Appeal. The Plaintiff appears pro se in Motion Court and the attorney for the Defendants appears also. After discussing this matter with them, apparently the Defendants who are proceeding in forma pauperis have appealed the award of the arbitrators and what the Plaintiff really wants at this point is that this matter be listed for non-jury trial.

Insofar as the Defendants are proceeding in forma pauperis and would therefore not be required at this time to reimburse the county for the arbitrators' fees we will instruct the Court Adminstrator or Prothonotary to place this case on the October 1993 non-jury trial list since both parties agree that is ready to try.

BY THE COURT:
Anthony J.Vardaro, J.

Aug. 20, 1993 Copies dist. to Anders & Sullivan & to Court Adm. by Court.

ON OCTOBER, 1993 TRIAL LIST

Nov. 24, 1993, MEMORANDUM AND DECISION filed. DECISION: AND NOW, Nov. 23, 1993, after a nonjury trial and for reasons set forth in the attached memorandum the curt finds in favor of the plaintiff and against the defendants and awards the plaintiff damages in the amount of $300 which represents the amount of rent as abated due to the condition of the premises.

Furthermore, the court finds in favor of the plaintiff on all of the defendants' counterclaims.

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

Nov. 24, 1993, copies dist. to anders and Sullivan.

Nov. 24, 1993, Exhibits (6 Photos) filed.

1993

Timothy Bevevino
Melvin S. Mantz

13.

FIRST DEPOSIT NATIONAL BANK

vs.

LINDA FURGIUELE

Filed Jan. 6, 1993
@ 11:43 a.m.

Tax & entry paid	$50.50 ✓
state paid	5.00
Sheriff's Costs	25.00

COMPLAINT IN CIVIL ACTION

1 copy (sheriff)

Jan. 19, 1993 Sheriff's Return filed. SERVED Linda Furgiuele personally on January 13, 1993 at 9:42 AM by handing her a copy of the Complaint at her residence, Route 9, Box 120, Meadville, Crawford County, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

14

1993

Shafer, swick, Bailey,
Irwin & Stack
Louis j. Stack

14.

PENNWEST FARM CREDIT ACA

vs.

MARSHALL L.LIVINGSTON AND
MARY C. LIVINGSTON

Filed Jan. 6, 1993
@ 3:35 p.m.

Tax & entry paid	$50.50 ✓
state paid	5.00
Sheriff's costs	38.00 ✓
Pro Co pd 2-25-93	5.00

COMPLAINT

3 copies (sheriff)

Jan. 14, 1993 Sheriff's Return filed. SERVED Marshall L. Livingston personally on Jan. 12, 1993 at 2:44 PM by handing him a copy of the Complaint at his residence, 390 Livingston Road, Jamestown, Crawford County, PA.

SERVED Mary C. Livingston on Jan. 12, 1993 at 2:45 PM by handing a copy of the complaint to Marshall L. Livingston, her husband, at their residence, 390 Livingston Road, Jamestown, Crawford Co., PA.

So answers,

Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Feb. 25, 1993 Upon praecipe of Plaintiff attorney the above captioned matter has been settled and discontinued of record.

1993

Shafer, swick, Bailey,
Irwin & Stack
Louis J. Stack

15.

PENNWEST FARM CREDIT ACA

vs.

KEITH R. SHIDEMANTLE

Filed Jan. 6, 1993
@ 3:35 p.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	40.00
Pro Co pd 2-25-93	9.00
Pro.Co. pd 8/2/94	5.00

COMPLAINT

2 copies (sheriff)

Jan. 28, 1993 SHERIFF'S RETURN filed. SERVED Keith Shidemantle personally on Jan. 18, 1993 at 1:48 PM by handing him a copy of the Complaint at h is residence, RD 2, Box 190, Conneautville, Crawford County, Pa.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Feb. 25, 1993 And Now, upon praecipe of plaintiff's attorney judgment is hereby entered in favor of the plaintiff and against the defendants for want of an answer and the same is liquidated at the sum of Four thousand three hundred sixty dollars and fifty two cents, plus interest and costs of suit.for
Entered 2-25-93 Debt: 4,360.52 plus interest and costs
S - 102 JUDGMENT
Barbara H. King, pro.

Aug. 2, 1994 Upon Praecipe of Louis J. Stack, Esquire, Attorney for Plaintiff, the above-captioned matter is marked satisfied of record.

16

1993

Shafer, swick, Bailey,
Irwin & Stack
Louis J. Stack

16.

Dennis G. Kuftic
Devine and Kuftic

PENNWEST FARM CREDIT ACA

vs.

MICHAEL J. HUYA, III

Filed Jan. 6, 1993
@ 3:35 p.m.

Tax & entry paid	$50.50 ✓
state paid	5.00
Sheriff's Costs	$26.00
Pro Co Pd 7-21-93	9.00 ✓

NON-JURY TRIAL

COMPLAINT

2 copies (sheriff)

Jan. 20, 1993 Sheriff's Return filed. SERVED Michael J. Huya, III personally on January 13, 1993 at 10:20 AM at his residence, R.D #.3, Saegertown, Crawford County, PA 16433.
So answers, Dale A. Collins, Deputy Sheriff
Robert M.Stevens, Sheriff

Feb. 23, 1993, Answer to Complaint filed.

Mar. 1, 1993 Notice Of Intent To Complete Discovery filed.

June 18, 1993 Motion For Non Jury Trial Date, filed.

June 18, 1993 Order filed. AND NOW this 17th day of June, 1993 upon consideration of Plaintiff's Motion for a Non-Jury Trial Date, it is hereby ordered that a non-jury trial shall be scheduled for the 15th day of July, 1993 in Courtroom No. 1 at 10:00 a.m.
By the Court:
Anthony J. Vardaro, J.
June 24, 1993 copy to L. Stack & D. Kuftic

July 16, 1993, Motion for Cons ent Judgment and Order filed. ORDER: AND NOW, this 13th day of July 1993, upon consideration of the party's Motion for Cons ent Judgment, it is hereby ordered:

1. The Prothonotary shall enter judgment in favor of the plaintiff, P ennWest Farm Credit, ACA, and against the defendant Michael J. Huya, III in the sum of $11,664.60 with interest from D ec. 22, 1992 at the rate of 13.25% per annum and costs; and

2. PennWest Farm Credit, ACA, shall not issue execution upon the judgment for six month period beginning July 25, 1993 so long as the defendant makes monthly payments in the sum of $210.20 beginning July 25, 1993, and upon failure to make said payments, PennWest Farm Credit, ACA, shall be able to issue execution upon the aforesaid judgment at its discretion.

By the Court,
Gordon R. Miller, J.

July 19, 1993, copies of order to Attys. Kuftic and Stack.

Judgment entered
7/16/93
H - 116

Debt ----$11,664.60
Int. from Dec. 22, 1992 at rate of 13.25%
CONSENT JUDGMENT
Barbara H. King,
Prothonotary

1993

Hayt, Hayt & Landau
Arthur Lashin

17.

FORD MOTOR CREDIT COMPANY
One American Road
Dearborn, Mich. 48122

vs.

EUGENE E. SMITH
R. D. #3, Box 322A
Union City, Pa. 16438

Filed Jan. 7, 1993
@ 11:38 a.m.

Tax & entry paid	$50.50 ✓
state paid	5.00
Sheriff's Costs	37.00
Pro Co. pd 2-19-93	9.00 ✓

COMPLAINT IN CIVIL ACTION

1 copy (sheriff)

Jan. 19, 1993 Sheriff's Return filed. SERVED Eugene E. Smith personally on January 13, 1993 at 11:03 AM by handing a copy of the Complaint to him at his residence, R.D. #3, Box 322A, Union City, Crawford County, PA.
So answers, Dale A. Collins, deputy Sheriff
Robert M. Stevens, Sheriff

Feb. 19, 1993, 1:59 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:

Unpaid Balance	$5,533.16
Plus Interest	304.32
Attorney's fees	1,167.49
TOTAL DUE	$7,004.97

Debt $7,004.97
S-208 Judgment
Judgment entered 2/19/93 Barbara H. King, Pro.

3-2-93 Notice of entry mailed to defendant.

EX1993-25

18

1993

Richard D. Goldberg

18.

J. Douglas Murphy

JOE TAGLIAFERRI

vs.

DR. W. HOLLAND

Filed Jan. 7, 1993
@ 1:29 p.m.

Tax & entry paid	$50.50 ✓
state paid	5.00
Sheriff's Costs	$28.00
Pro Co pd 4-7-93	9.00 ✓

SUMMONS IN A CIVIL ACTION

Issued (sheriff)

Jan. 20, 1993 Sheriff's Return filed. SERVED Dr. W.Holland on January 13, 1993 at 9:27 AM by handing copy of the Summons to his wife, Melba Holland, at their residence, 899 Grove Street, Meadville, Crawford County, PA 16335
So answers, Dale A. Collins, Deputy Sheriff
Robert M.Stevens, Sheriff

Feb. 8, 1993, Appearance of J. Douglas Murphy, of J. Douglas Murphy Law Offices, attorney for defendant filed.

Feb. 8, 1993, Rule Entered upon plaintiff to file Complaint Issued. (Rule mailed to Atty. Goldberg on 2/12/93)

And Now, Mar. 18, 1993 at 4:00 P.M. upon Praecipe of Defendant's Attorney judgment of Non Pros is hereby entered against the plaintiff for failure to file complaint.
T-91 Judgment of Non Pros
Barbara H. King
Prothonotary

19.

TAMMY M. HENRY

vs.

DANIEL M. HENRY

Filed Jan. 7, 1993
@ 3:21 p.m.

Tax & entry	$50.50
state	5.00
Sheriff's Costs	25.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT
3 copies Sheriff
1 copy Plaintiff

Order:

And now, this 7 day of January , 1993 , 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 Plantiff or any of the minor children named in the Petition.

2. Special Conditions: The Plaintiff shall have exclusive possession of the marital residence and exclusive physical custody of the minor chidlrending pending fruther order of court. When service occurs the defendant shall surrender custody of the chilren to Plantiff **

3. This Order may be enforced without a warrant of arresdt 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 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 Liability for payment or 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 here by set for January 15, 1993 , at 3:30 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 COURT,
Anthony J. Vardaro, J

** in the presence of the Sheriff or deputies. The Defendant's mother may remove his personal effects from the marital home at a time agreed upon with the Plaintiff.

Jan. 11, 1993 SHERIFF'S RETURN filed. SERVED Daniel M. Henry personally on Jan. 7, 1993 at 3:50 PM by handing him a copy of the Protection from Abuse at his mother's residence, RD 1, Meadville, Cr. Co., Pa. The children were returned to the plaintiff's custody at that time. So answers,

Dale A. Collins, Deputy Sheriff
Edgar D. Householder, Chief Deputy
Robert M. Stevens, Sheriff

Jan. 22, 1993 ORDER filed. AND NOW, Jan. 15, 1993 at the time this abuse action is before the Court, the parties appear without counsel. Both parties advise the Court they do not wish to proceed with this matter, have resolved their differences, and will commence living together again in an attempt to get their lives straightened out.

Accordingly, the Court declines to enter an abuse order in this matter, and in view of the fact the only family income for husband, wife and three minor children is public assistance, we DIRECT the County to absorb the costs of filing and serving this petition.

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

Jan. 22, 1993 copy given to Co. Control
Jan. 25, 1993 copy to Plf. & Dft.

1993

MacDonald, Illig,
Jones & Britton
Richard J.Parks

20.

INTEGRA NATIONAL BANK/NORTH
SUCCESSOR BY MERGER TO
PENNBANK

vs.

JOYCE L. BRADLEY

Filed Jan. 8, 1993
@ 9:02 a.m.

Tax & entry paid	$50.50
state paid	5.00
sheriff's costs	25.00
Pro Co pd 2-8-93	5.00

COMPLAINT IN REPLEVIN

1 copy (sheriff)

Jan. 8, 1993 Notice, Motion and Order Setting Hearing Date on Plaintiff's Motion for Inssuance of Writ of Seizure and Order filed. AND NOW, to-wit, this 8th day of January, 1993, upon motion of MacDonald, Illig, Jones & Britton, attorneys for Plaintiff, it is hereby ORDERED and DECREED that a hearing on Plaintiff's Mtoion for Issuance of Writ of Seizure be and hereby is set for the 29th day of January, 1993 at 3:00 o'clock p.m., in the Court of Common Pleas of Crawford County, Pennsylvania, Crwaford County Courthouse, Courtroom No. 1 or 2, Meadville, Pennsylvania 16335.

BY THE COURT,
Gordon R. Miller, J

Jan. 8, 1993 Notice, Petition and Order of Court Directing Defendant To Appear and Testify and Order filed. AND NOW, to-wit, this 8th day of January, 1993, upon consideration of the foregoing Petition and upon motion of MacDonald, Illig, JOnes & Britton, attorneys fro Plaintiff, it is hereby ordered and decreed that Defendant, Joyce L. Bradley, appear before the Court of Common Pleas of Crawford County, Crawford County Courthouse, Meadville, Pennsylvania 16335, on the 29th day of January, al993, at 3:00 o'clock p.m. to testify under oath as to the whereabouts of One (1) 1987 Toyota Van, Serial NO. JT4YR28V0H5050240 pledged to Planitiff and if a writ of seizure has been issued, to deliver the same unto the Sheriff, all pursuant to Pa. R.C.P. 1081(3).

BY THE COURT,
Gordon R. Miller, J

Jan. 21, 1993 Sheriff's Return filed. SERVED Joyce L. Bradley personally on Jan. 14, 1993 at 2:36 PM at her place of employment, 576 Washington St., Meadville, Crawford Co., PA.
So answers,

Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Feb. 8, 1993 Upon praecipe of Plaintiff attorney the above captioned matter is settled and discontinued of record.

1993

Bifulco, Bender,
S carpitti, and
Associates
William F. Scarpitti Jr.

21.

Culbertson, Weiss,
Schetroma & Schug,P.C.
E.Max Weiss

DAVID D. WILEY, AND TAMMY WILEY, HIS WIFE

vs.

NORMAN WEISMAN

Filed Jan. 8, 1993
@ 11:56 a.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	25.00
Pro Co pd 6-18-93	6.00

CIVIL COMPLAINT

1 copy (sheriff)

Jan. 28, 1993 SERVED Norman Weisman on Jan. 15, 1993 at 1:28 PM. by handing a copy of the Complaint to Jean Andre, his mother, at the residence, 1181 Market St., Meadville, Crawford County, Pa.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Feb. 2, 1993 Appearance of Culbertson, Weiss, Schetroma and Schug,P.C. by E. Max Weiss, Esquire for Norman Weisman, Defendant, filed.

Mar. 3, 1993 Answer and New Matter of Norman Weisman to Plaintiffs' Complaint, filed.
Mar. 3, 1993 1 copy atty

April 16, 1993, Reply to New Matter filed.

Apr. 21, 1993, Plaintiff's Verification to Reply to New Matter filed.

June 18, 1993 Upon praceipe of plaintiff attorney the above captioned matter is settled and discontinued of record.

1993

Joseph C. Barnhart

22.

TINA M. DEAN

vs.

ROBERT W. DEAN

Filed Jan. 8, 1993
@ 1:25 p.m.

Tax & entry paid	$50.50
state paid	10.00
state paid	5.00
Pro Co pd.10/13/93	9.00
Pro Co pd 11/16/93	5.00

COMPLAINT IN DIVORCE

Jan. 25, 1993 Plaintiff's Affidavit Under Section 3301(d) Acceptance of Service, Defendant's Coutner-Affidavit filed.

Oct. 13, 1993 Upon Praecipe of plaintiff attorney for Review Under Section 3301(d)(1) of Divorce Code, this case moved to Court.

DIVORCE DECREE FILED

Oct. 26, 1993 AND NOW, October 22, 1993, it is hereby ordered and decreed that TINA M. DEAN, Plaintiff, and ROBERT W. DEAN, 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:

Nov. 16, 1993 Notice Of election To Retake Maiden Name filed. Tina M. Dean TO BE KNOWN AS: Tina M. Daly

1993

Northwestern Legal Services
Gerald Sullivan

23.

KIMBERLY A. RITCHEY

vs.

WILLIAM J. HOOVER, JR.

Filed Jan. 8, 1993
@ 2:11 p.m.

Tax & entry	$50.50
state	5.00
Sheriff's Costs	26.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT
3 copies Sheriff
1 copy Plaintiff

Order:

And now, this 8 day of January , 19 93, 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 Plantiff or any of the minor children named in the Petition.
2. Special Conditions: The Plaintiff shall have exclusive temporar custody of minor child pending further order of Court. The Plaintiff may remove her personal effects and those ofthe child while the Sheriff and/or deputies are at the family residence to serve this ord
3. This Order may be enforced without a warrant of arresdt 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 or 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 here by set for January 18, 1993 , at 3:30 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 COURT,
Anthony J. Vardaro, J

Jan.12, 1993 Sheriff's Return filed. SERVED William J. Hoover, Jr. Personally on January 11,1993, at 10:00 AM by handing a copy of the Protection from Abuse at his residence, R.D.#3, Box 32A, Saegertown, Crawford County,PA.
So answers,

Dale A. Collins,Deputy Sheriff
Robert M.Stevens, Sheriff

Jan. 20, 1993 Motion to Continue and Order Filed. AND NOW, this 19th day of January, 1993, the within Motion is granted and the Protection from Abuse hearing scheduled for January 18, 1993 at 3:30 p.m. is hereby rescheduled for Jan. 26th, 1993 at 3:30 o'clock p.m.

Pending the hearing scheduled above, the provisions of the January 8, 1993 Order shall remain in full force and effect.

BY THE COURT,
Gordon R. Miller, J.

Jan. 20, 1993 Copy of Order to Atty Sullivan and Mailed to Defendant.

Jan. 28, 1993 ORDER filed. AND NOW, Jan. 26, 1993 at the time fixed for hearing in this matt matter, the Defendant appeared without counsel, was advised as to the nature of the proceedings, all of which he understood. The Plaintiff appeared with counsel. The parties entered into an agreement to settle this case but the Defendant does not admit that he engaged in the conduct set forth in the complaint. He is willing to have a Protection from Abuse Order entered against him.

Accordingly, it is ORDERED as follows:

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or the minor child Benjamin.
2. The Defendant will not go to the Plainitff's residence, her place of employment, or her place of training or schooling under any circumstances except that he may go to her place of residence to exercise his visitation rights.
3. The Defendant may contact the Plaintiff by telephone or in writing, provided that he is snot threatening, harassing, or beligerent.
4. Primary physical custody of Benjamin is awarded to the Plaintiff. The Defendant shall have a right to visit his child and take his child into this custody every other weekend commencing with the first weekend of February, which will commence on Friday, Feb. 5, 1993. The weekend visitations shall begin at 6:00 p.m. on Friday and end at 6:00 p.m. the following Sunday. The Defendant shall provide transportation to and from the visitations. He shall appear in person for the visitations even though someone else may have to drive him. He shall not get out of his car. The child shall walk from the house to the car at the time of pickups and the child shall go from the car to the house at the time of return. At the time of return, the Plaintiff shall be present and visible in front of the house to receive the child. The Defendant shall not be required to let the child out of the car until he actually sees the Plaintiff is also present. During the exchange, the parties shall not argue or bicker nor shall the Defendant threaten or harass the child or the Plaintiff. The exchange shall be peaceful. If the Defendant does not appear by 7:00 p.m. on the date he is entitled to visit his child and if the Plaintiff hasn't previously permitted a late arrival, then that particular week end visitation shall be deemed cancelled and no other weekend substituted therefore. That shall permit the Plaintiff and the child to make other arrangements.
5. These provisions with respect to custody and visitation shall remain in full force and effect unless in a nappropriate custody proceedign a court having competent jurisdiction enters an order that is differnet than this order.
6. The Defendant has certain items of personal property that he agrees he will deliver and turn over to the Plaintiff. That list is on the list attached hereto made a part hereof and marked exhibit A. The parties shall arrange a time when the Plaintiff will go to the Defendant's residence to pick those items up. She shall give at least 7 days advance notice of the date and time of the pick-up. That pick-up shall be peaceful. In the meantime, the Defendant will not destroy, damage or dispose of any of the items listed on Exhibit A.

Continued on Page 501

1993

Quinn, Buseck,
Leemhuis, Toohey &
Kroto, Inc.
Lawrence C. Bolla

24

NATIONAL FUEL GAS DISTRIBUTION CORPORATION

vs.

JAMES EDWARDS and
MARGARET EDWARDS

Filed January 8, 1993
@ 2:52 PM

Pro King paid	$15.00
Plff on orig.	110.50
sheriff's costs	29.00
Pro Co pd 3-9-93	9.00

WRIT OF REVIVAL

OF

AD 1989 - 207

Writ of revival of judgment entered and indexed against the defendants in the sum of Two Thousand Six Hundred Sixty-eight and 28/100 with interest from Jan. 16, 1985, and costs of action.

Debt.....$2,668.26
Int. from Jan. 16, 1985
E-94-114.....JUDGMENT

Barbara H. King
Prothonotary

Issued (Sheriff)

Jan. 21, 1993 Writ Return filed. NOT FOUND as to Defendants James Edwards and Margaret Edwards. They have moved from address of 233 Poplar St., Meadivlle, Crawford Co., PA., 16335, left no forwarding address.

So answers,

Robert M. Stevens, Sheriff

Mar. 9, 1993 ISSUE judgment against the Defendants per Writ of Revival in the amount of $2,668.28, plus interest from Jan. 16, 1985, and the costs of this action.

Entered 3-9-93
B - 111
E - 94, 114

Debt: 2,668.28 plus interest from
Jan. 16, 1985 and costs
JUDGMENT
Barbara H. King, Pro.

1993

Quinn, Buseck,
Leemhuis, Toohey and
Kroto, Inc.
Lawrence C. Bolla

25

GOVERNMENT EMPLOYEES
FINANCIAL CORPORATION AND
SUBSIDIARIES

vs.

DANNY R. BORTNER

Filed January 8, 1993
@ 3:07 PM

Pro King paid	$15.00
Plff on orig.	68.00
sheriff's costs	28.00
Pro Co Pd 6/4/93	9.00
Pro Co paid	5.00

WRIT OF REIVIAL

OF

AD 1988 - 1046

Writ of revival of judgment entered and indexed against the defendant in the sum of Seven Thousand Five Hundred Eighty-nine and 85/100 with interest and cost of action, plus fees of $1,138.47.

Debt.....$7,589.85
Int. from Nov. 18, 1988
B-44.....JUDGMENT

Barbara H. King
Prothonotary

Issued (Sheriff)

Jan. 21, 1993 Writ Return filed. SERVED Danny R. Bortner on Jan. 15, 1993 at 2:28 PM by handing a copy of the Writ of Revival to Joanne Bortner, his Wife, at their residence, 221 Erie St., Apafatmetn 1, Box 261, Saegertown, Crawford Co., PA.
So answers,

Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

June 4, 1993, at 11:53 a.m. upon praecipe of plaintiff attorney, Judgment is hereby entered against the defendant per Writ of Revival in the amount of Seven Thousand Five Hundred Eighty Nine and 85/100 Dollars, plus int. from Nov. 18, 1988 and costs of action plus fees of $1,138.47.
Judgment entered - 6/4/93
B - 44

Debt -----$7,589.85
Int. from 11/18/88
plus fees of $1,138.47
JUDGMENT
Barbara H. King,
Prothonotary

JUne 10, 1993, Notice of entry of judgment mailed to dft.

June 9, 1994 Upon praecipe of Plaintiffs attorney satisfaction in full of this judgment, has debt, interest and costs have been received and hereby discharge the same of record.

1993

Quinn, Buseck, Leemhuis, Toohey and Kroto, Inc.
Lawrence C. Bolla

26

SAINT VINCENT HEALTH CENTER

vs.

ELMER MILOSH and HAZEL R. MILOSH

Filed January 8, 1993
@ 3:41 PM

Pro King paid	15.00 ✓
Plff on orig.	91.50
Sheriff's Costs	39.00
Pro.Co. pd 3/26/93	9.00 ✓

WRIT OF REVIVAL

OF

AD 1989 - 235

Writ of revival of judgment entered and indexed against the defendants in the sum of Two Thousand Nine Hundred Ninety-one and 48/100 with interest from March 13, 1989 and cost of action.

Debt.....$2,991.48
Int. from March 13, 1989
M-51-81.....JUDGMENT

Barbara H. King
Prothonotary

issued (Sheriff)

Jan. . 28, 1993 SHERIFF'S RETURN filed. SERVED Elmer Milosh personally on Jan. 15, 1993 at 1:41 PM by handing a copy of the Writ of Revival to him at his residence, RD 4, Box 1113, Conneaut Lake, Crawford County, Pa.

SERVED Hazel Milosh on Jan. 15, 1993 at 1:42 PM by handing a copy of the Writ of Revival to Elmer Milosh, her husband, at their residence, RD 4, Box 1113, Conneaut Lake, Crawford Co, Pa. So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Mar. 26, 1993 Upon Praecipe of Plaintiff's Attorney, with notice of intention to file Default Judgment attached, judgment issued against the Defendants per Writ of Revival in the amount of Two thousand Nine hundred Ninety-one and 48/100 Dollars, plus interest from March 13, 1989, and the costs of this action.

M-51; 81;
Entered on March 26, 1993
Abstract to Atty. Bolla
Notice to Defendants

Debt $2,991.48
Int.from March31, 1989
Judgment
Barbara H. King
Prothonotary

1993

Thomas, Truax,
Spadafore & Walker
R. Charles Thomas

27

Burns, White & Hickton
David B. White

BESSIE McCRORY

vs.

EDWARD E. LUCKOCK and
BARBARA M. LUCKOCK,
individually, and t/d/b/a
LUCKOCK"S SHUR SAVE

Filed January 11, 1993
@ 9:06 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	31.00
Pro Co. Pd. 11-4-94	$9.00

COMPLAINT IN CIVIL ACTION
2 copies Sheriff

Jan. 28, 1993 SHERIFF'S RETURN filed. SERVED Edward E. Luckock personally on Jan. 18, 1993 at 1:35 PM by handing a copy of the Complaint to him at Luckock's Red & White, Harmonsburg Rd., Conneaut Lake, Crawford County, Pa.

SERVED Barbara M. Luckock personally on Jan. 18, 1993 at 1:36 PM by handing a copy of the Complaint to her at luckock's Red & White, Harmonsburg Rd., Conneaut Lake, Crawford County, Pa. So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Feb. 5, 1993, Appearance of Burns, White & Hickton by david B. White, attorneys for defendants, filed.
JURY TRIAL DEMANDED

Feb. 8, 1993, Notice of Service of Interrogatories Directed to Plaintiff filed.

Feb. 25, 1993 Answer and New Matter to Plaintiff's Complaint, filed.

March 8, 1993 Notice of Service of Interrogatories and Request for Production of Documents filed.

Apr. 26, 1993, Notice of Service of answers to Interrogatories filed.

Apr. 26, 1993, Notice of Servcie of Response to Plaintiff's Requext for Production filed.

Aug 5, 1993 Reply to New Matter, filed.

Jan. 24, 1994 60-day Notice For Completion of Discovery filed.

Mar. 7, 1994 Certificate of Readiness, filed.

ON ~~APRIL~~ JUNE, 1994 TRIAL LIST

May 31, 1994 Motion for Continuance and ORDER filed. AND NOW, this 31st day of May, 1994, upon presentation and consideration of the within Motion, this case is continued to the October Term of Civil Court.

BY THE COURT,
Gordon R. Miller, J.

6-6-94 Faxed to Atty. Thomas & Atty. White

ON OCTOBER, 1994 TRIAL LIST

Aug. 25, 1994 Defendant's Response to Plaintiff's Request for Admission of Facts, filed.

Oct. 4, 1994 PRE-TRIAL ORDER filed. AND NOW, October 3, 1994, after pre-trial conference with all counsel present, the Court enters the following Order:

1. All discovery is completed, the parties are ready for trial and trial shall commence on Monday, October 10, 1994, with jury selection sometime during the morning hours at the Crawford County Courthouse. It is anticipated this case will take three to four days to try.

2. **Description of the case.** This case began March 7, 1992 as a result of an alleged fall by the Plaint iff at the Defendants' grocery store in Harmonsburg, Pennsylvania. Specifically, it is alleged that there was an abrupt drop in elevation as the PlaINTIFF EXITED THE Defendants' grocery store and as a result the fall occurred.

3. **Legal issues.** The Defendants raise a comparative negligence issue and formerly raised that this action was barred by a 12 year statute of repose the second of which is no longer an issue now that depositions have taken place.

A final issue which the parties will brief so that briefs are available no later than 9:00 A.M. on October 10, 1994 is whether the Plaintiff can present expert testimony in this matter with respect to how the Plaintiff fell when the testimony will indicate the Plaintiff does not know what happened and there were no witnesses to her falling.

4. **Stipulations.** The Plaintiff's special damages include medical bills in the amount of approximately $42,957.07. The parties apparently agree that those medical bills will be admissible although apparently there is a dispute over a few small bills that the parties will work out prior to trial. If there are still any disputes at that point, they should be brought up at the final pre-trial conference on October 10, 1994. Additionally, the parties apparently agree that the hospital records will be admitted without objection.

Finally, there are some photographs which were taken by the insurance company in this case which will apparently be used by both parties and there may be some other photographs which will be presented by the Plaintiff. The parties may raise appropriate objections with respect to any of those photographs at the time of trial.

5. **Witnesses.** The Plaintiff anticipates calling Dr.Curtis Laub and Dr. Paul Liefeld both by deposition; the Plaintiff and two or three other witness with respect to her condition; and, if permitted, James W.Nutter,Ph. D. as an expert witness with respect to how the fall occurred. The parties indicate that they do not believe there will be any objections that need to be ruled on by the Court with respect to the depositions but if rulings are necessary they will bring that to the Court's attention as soon as possible.

The Defendants will call Mr. Luckock and, if the Plaintiff's expert is permitted to testify with regard to how a fall may have occurred, then the Defendants' expert, James A. Christenson,P.E. will testify.

At the beginning of trial, the Court will notify the jury that Mrs. Luckock, although a party to the action and apparently the person who found Plaintiff outside of the Defendant's grocery store after the alleged fall, will not be present in Court and will not be testifying due to the fact that she has subsequent to this incident developed a medical problem unrelated to this incident and the Court is just providing that information to the jury so that they will know why she is not present and not testifying and that the jury should not consider the fact that she is not here and/or the reason she is not here at trial either for or against any party.

6. **Voir dire.** The parties agree that the Court will conduct voir dire and they do not anticipate extensive questions on the part of the attorneys. The attorneys will be permitted to ask

Continued to Page 513

1993

Mason & Mason
Joan D. Mason

28

~~James R. Irwin~~
(withdrawn)

RONALD J. PHELPS

vs.

SHIRLEY E. PHELPS

Filed January 11, 1993
@ 9:59 AM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro.Co. pd 3/25/94	9.00

COMPLAINT IN DIVORCE
3 Copies Atty.

Jan. 29, 1993 AFFIDAVIT OF SERVICE filed. I, Joan D. Mason, Esq., attorney for the Plaintiff in the above entitled case, and being duly sworn according to .law, despose and say that I did on Jan. 19, 1993 mail to the above Defendant, Shirley E. P helps, by certified mail return receipt requested, deliver to addressee only, a Complaint in the above divorce action. Said notice was received on Jan. 20, 1993, as indicated by the return receipt card which was returned tot he office of the Plaintiff's attorney and is attached hereto.

Apr. 28, 1993, Affidavit of Consent of plaintiff filed.

June 14, 1993, Appearanc eof James R. Irwin, attorney for defendant filed.

Oct. 21, 1993, Motion to Withdraw Appearance and Order filed. ORDER: AND NOW, this 18 day of Oct. 1993, upon presentation and consideration ofthe within Motion, Defendant's counsel, James R. Irwin, Esq. is hereby authorized to withdraw his appearance on behalf of the de fendant in the above case.

Gordon R. Miller, J.

Oct. 28, 1993, copies to James Irwin and Joan Mason.

Mar. 25, 1994 Affidavit of Consent of Shirley E.Phelps, Defendant, filed.

Mar.25, 1994 UponPraecipe of Joan D. Mason, Esquire, Attorney for Plaintiff to transmit record, case moved to Court.

DIVORCE DECREE FILED

April 4, 1994 AND NOW, March 29, 1994, it is ordered and decreed that RONALD J. PHELPS, plaintiff, and SHIRLEY E. PHELPS, 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.

1993

Roeder & Rothschild
Richard W. Roeder

29

ESTATE OF CATHERINE A. VROMAN, DECEASED, by BLAIR ANTILL and MAE HUTCHINSON, Co-Executors, and MARGARET A. PRODY

vs.

WOITTO W. EKBLOM, GUSTAVA K. EKBLOM, CARLIS EKBLOM, ROY EKBLOM, SYLVIA REYNOLDS, RACHEL BROWN, CARRIE KECK, ERA J. EKBLOM, JANE ANTHONY their heirs, successors and assigns

Filed January 11, 1993
@ 11:22 am

Tax & entry paid	50.50
User's Fee paid	5.00
Pro.Co. Pd 5/17/93	9.00

COMPLAINT IN ACTION TO QUIET TITLE

Jan. 11, 1993 Affidavit filed. Richard W. Roeder, Esq., being duly sworn according to law, deposes and says that he is attorney for the Plaintiffs in the above captioned action, and further, that following diligent search of telephone indices and city directories in the locale of the las tknown address of the Defendants, neither the Plaintiffs nor their attorneys have been able to ascertain the present identify and/or whereabouts of the Defendants, Woitto W. Ekblom, Gustava K. Ekblom, Carlis Ekblom, Sylvia Reynolds, Rachel Brown, Carrie Keck, Era J. Ekblom, Jane Anthony, their heirs, successors and assigns. Defendant Roy Ekblom has been contacted and has signed a Quit-Claim Deed for his interest. Richard W. Roeder

Jan. 11, 1993 Motion For Publication and Order filed. AND NOW, this 11 day of January, 1993, upon consideration of the foregoing Motion for Publication, it appearing that the identity and/or whereabouts of the Defendants, Woitto W. Ekblom, Gustava K. Ekblom, Carlis Ekblom, Roy Ekblom, Sylvia Renolds, Rachel Brown, Carrie Keck, Era J. Ekblom, Jane Anthony, their heirs, successors and assigns, are not known, it is, therefore, ORDERED that the Plaintiffs make service upon the Defendants, their heirs, successors and assigns by publication once (1) in the Titusville Herald , and once (1) in the Crawford County Legal Journal, the aforesaid legal publications to require the Defendants to file an answer to said Complaint within twenty (20) days after the date of publication of the notice, in accordance with the notice to defend included in said publication.

BY THE COURT,
Anthony J. Vardaro, J
Jan. 12, 1993 Copy of order mailed to Atty. Roeder

March 24, 1993, MOTION FOR JUDGMENT, Affidavit, Proofs of Publication, and Order filed. ORDER: AND NOW, this 24 day of March 1993, upon consideration of the foregoing Motion for Judgment, it is DECREED that Defendants, Woitto W. Ekblom, Gustava K. Ekblom, Carlis Ekblom, Roy Ekblom, Sylvia Reynolds, Rachel Brown, carrie Keck, era J. Ekblom, Jane Anthony, Their Heirs, successors and assigns, be and are hereby forever barred from asserting any right, title or interest to the premises hereafter described which is inconsistent with the interest or claim of the plaitniffs set forth in their ocmplaint:

ALL those certain pieces or parcels of land situate inthe Second Ward of the City of Titusville County of Crawford and State of Pa., bounded and described as follows:

Being the North forty (40) feet of the south half of Lot No. 9, Block No. 6 of the Titus Estate Petroleum Company, known and numbered as 317 North Second Street, Titusville, Pa.

Intended to be included inthe above described parcel is the following piece or parcel of land:

Being the North forty (40) feet of the south half of Lot nO. 10, Block 6, of the Titus Estate Petroleum Company, known and numbered as 317 North Second Street, Titusville, Pa.

AND IT IS FURTHER DECREED that the defendants, Woitto W. Ekblom, Gustava K. Edblom, Carlis, edblom, Roy Edblom, Sylvia Reynolds, Rachel Brown, Carrie Keck, Era J. edblom, Jane Anthony, their heirs, successors and assigns, be and are hereby forever barred from impeaching, denying or in any way attackding the same, from encumbering, mortgaging or conveying the same or any part thereof.

PROVIDED, HOWEVER, that this Decree shall become final only if the Defendants, their heirs, successors and assigns, or no action of ejectment iscommenced by them or nay of them within the thirty (30) days from and after the entry of this decree, the same shall become final. If such action is not taken within thirty (30) days, the Prothonotary, upon praecipe of the palintiffs, shall enter final judgment, and the Recorder of Deeds shall properly index and record the order, indexing Woitto W. Edblom, Gustava K. Edblom, Carlis Edblom, Roy Edblom, Jane Anthony, as grantors, and Estate of Catherine A. Vroman by Blair Antill and May Hutchinson, Co-executors and Margaret A. Prody, as grantees, and shall make margin notations in Crawford County Record Book _____ page_____, showing the Deed Book and Page Number where it is recorded.

BY THE COURT,
Anthony J. Vardaro, J.
Mar. 25, 1993, copy of order to Atty. Roeder.

E - 171, 71, 31, 141, 51
R - 153 K - 93 A 51
B - 201

JUDGMENT - QUIET TITLE
Barbara H. King,
Prothonotary

And Now, May 17, 1993 at 3:35 P.M. upon praecipe of plaintiff's attorney, final judgment is hereby entred in this case, in favor of the plaintiffs and against the defendants,pursuant to the foregoing Order of Court.

E-171; E-71; E-31; E-141;
R-153; B-201; K-36; E-51
A-93

FINAL JUDGMENT
Barbara H. King
Prothonotary

1993

Thomas, Truax,
Spadafore & Walker
Emil M. Spadafore Jr.

30

LYNNE J. LINDSEY

vs.

RALPH T. LINDSEY

Filed January 11, 1993
@ 1:28 PM

Tax & entry paid	50.50
User's Fee paid	5.00
state paid	10.00
Pro.Co. pd 3/4/94	9.00

COMPLAINT IN DIVORCE UNDER SECTION 3301(c) or (d)
OF THE DIVORCE CODE
1 copy atty.

Feb. 10, 1994 Affidavit of Consent of Plaintiff, filed.

Feb. 23, 1994 Affidavit of Conset of Ralph T. Lindsey, Defendant, filed.

Mar. 4, 1994, Affidavit of Service filed. Emil M. Spadafore, Jr. being duly sworn according to law, deposes and says thathe on Jan. 12, 1993 mailed by cert. mail, restricted delivery, return rec. req., a cert. copy of the Complaint in Divorce in the avove action. The deponent further states that the dft. received the cert. copy of the Complaint on or about Jan. 13, 1993 as is evidenced by the Receipt for Cert. Mail which is attached hereto and incorporated herein by reference. Emil M. Spadafore, Jr. Esq.

Mar. 4, 1994 Upon Praecipe of Emil M. Spadafore, Jr., Esquire, Attorney for Plaintiff, to transmit record, case moved to court.

DIVORCE DECREE FILED

March 16, 1994 AND NOW, March 11, 1994, it is hereby ordered and decreed that LYNN J. LINDSEY, Plaintiff, and RALPH T. LINDSEY, 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.

1993

31

Chalres D. Agresti

—

MICHAEL BURGER

vs.

LUCY MAGEE

Filed January 11, 1993
@ 2:26 PM

Tax & entry paid	50.25
User's Fee paid	5.00
Pro co pd 2/21/93	9.00

APPEAL OF DEFENDANT FROM DECISION
OF DISTRICT JUSTICE ROBERT J. LEONHART

Jan. 11, 1993 Rule entered upon Plaintiff to file a Complaint issued.

Jan. 14, 1993 Proof of Service of Notice of Appeal and Rule To File Complaint filed.

And Now, Feb. 21, 1993 @ 3:21 pm upon praecipe of defendants attorney judgment of Non Pros is hereby entered against the named plaintiff for failure to file a Complaint within twenty days after being ruled so to do.

B-114

JUDGMENT OF NON PROS
Barbara H. King,
Prothonotary

1993

Pepicelli, Youngs
& Youngs PC
Christopher J. Youngs

32.

Bettie J. Peterso-Muth

WILLIAM S. STININGER

vs.

RENEE LYNN STININGER

Filed January 11, 1993
@ 3:59 PM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Counts paid	15.00
State paid	10.00
Pro Co. pd 4/22/94	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION,

Jan. 29, 1993 ACCEPTANCE OF SERVICE filed. I, Renee lynn Stininger, hereby accept service of a certified copy of the Complaint in Divorce filed by my husband, William S. Stininger, at the above caption and case number. I verify that the statements made herein are true and correct and that statements made herein are subject to the penalties of 18 Pa. C.S.A. §4904 relating to unsworn falsification to authorities.

Nov. 8, 1993 Affidavit of Consent by William S. Stininger, Plaintiff, filed.

Mar. 30, 1994 Appearance of Bettie J. Beterson-Muth for Defendant filed.

Apr. 13, 1994 Affidavit of Consent of Defendant, filed.

April 22, 1994 Motion to Withdraw Claim for Equitable Distribution and ORDER filed. Upon consideration of Plaintiff's motion to withdraw his claim for equitable distribution of property, the Court hereby allows said claim to be withdrawn.
SO ORDERED, this the 22 day of April, 1994.

BY THE COURT,
Anthony J. Vardaro, J.

April 27, 1994 Copy of Order to Attys. Chris Youngs, Bettie Muth.

April 22, 1994 Upon Praecipe of plaintiff attorney for Review under Section 3301(c) of Divorce Code, this case moved to Court.

DIVORCE DECREE FILED

May 3, 1994 AND NOW, April 28, 1994, it is hereby ordered and decreed that WILLIAM S. STININGER, Plaintiff, and RENEE LYNN STININGER, 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.

1993

Jorden & White
William T. Jorden

33

ALAN PROPER

vs.

BONNIE L. PROPER

Filed January 11, 1993
@ 4:02 PM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count paid	15.00
State paid	10.00
Pro Co pd 12-8-94	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION OF MARITAL PROPERTY
1 copy atty

Feb. 1, 1993 Bonnie L. Proper's Prelimlinary Objections To Plaintiff's Complaint, Motion For Change of Venue filed.

May 17, 1993 ORDER filed. AND NOW, this 17 day of May, 1993, after consideration of the foregoing Motion for Change of Venue, it is hereby ORDERED, ADJUDGED and DECREED that a rule to show cause is entered and returnable for argument and hearing Juen 10, 1993 at 8:45 a.m. Gordon R. Miller, P.J.
May 20, 1993 copy to W. Jorden

June 8, 1993 Stipulation and Order Filed. AND NOW, this 4th day of June, 1993, in consideration of the foregoing Motion and Stipulation it is hereby ORDERED, ADJUDGED AND DECREED, that defendant's request for change of venue and cancellation of hearing scheduled on June 10 1993 at 8:45 AM is hereby granted.

Gordon R. Miller, J.
June 15, 1993 Copy of Order toAtty. Jorden.

Dec. 5, 1994 Upon praecipe of Plaintiff's attorney to transmit record, case moved to Court.

Dec. 13, 1994 AND NOW, December 13, 1994, it appearing that the Defendant through her counsel has moved to change venue to Erie county and the Plaintiff has consented pursuant to Pa. R.C.P. 1006(d)(1), the Prothonotary of Crawford County is directed to transfer this matter to the Court of Common Pleas of Erie County.

BY THE COURT:
Anthony J. Vardaro, J.
Dec. 13, 1994 Order FAXED Atty. Jorden; copy mailed Atty. Gilmore.

1993

Ferguson & Spataro John F. Spataro 34	AVCO FINANCIAL SERVICES CONSUMER DISCOUNT COMPANY ONE vs. JOYCE L. BRADLEY and WILLIAM C. BRADLEY, JR. and THE UNITED STATES OF AMERICA Filed January 11, 1993 @ 4:11 PM Tax & entry paid 50.50 ✓ User's Fee paid 5.00 Sheriff's costs 36.00	COMPLAINT IN ACTION OF MORTGAGE FORECLOSURE 2 copies Sheriff; 2 copies atty. Jan. 21, 1993 Sheriff's Return filed. SERVED Joyce L. Bradley personally on Jan. 14, 1993 at 2:35 PM by handing her a copy of the Complaint in Mortgage Foreclosure at her place of employment, 576 Washington, St., Meadville, Crawford Co., PA. SERVED William C. Bradley, Jr. personally on Jan. 14, 1993 at 2:45 pM by handing him a copy of the Complaint in Mortgage Foreclosure at the Sheriff's Office, Crawford Co. Courthouse, Meadville, PA. So answers, Carole Stefanucci, Deputy Sheriff Dale A. Collins, Deputy Sheriff Robert M. Stevens, Sheriff

1993

35.

THERON J. VLASNIK and
CHARLENE R. VLASNIK, his
wife

vs.

WALTER LOSEE and HOLLY
LOSEE, his wife

Filed January 12, 1993
@ 8:34 AM

Pro King paid 9.00
plff on orig. 48.50

AGREEMENT TO REVIVE

OF

AD 1993 - 35

The undersigned hereby agrees that the judgment entered on Jan. 19, 1988 be revived; indexed by Prothonotary in favor of plaintiff and against the defendants in the sum of Two Thousand Two Hundred Fifty and 00/100 Dollars.

Debt----$2,250.00
dated ~~---~~ Jan. 12, 1993.
L-176-86 Judgment
Barbara H. King
Prothonotary

March 4, 1993 This Judgment Satisfied.
(See papers filed).

1993

36.

THERON J. VLASNIK

vs.

WALTER LOSEE and HOLLY LOSEE, his wife

Filed January 12, 1993
@ 8:33

Pro King paid 9.00
plff on orig. 48.50

AGREEMENT OF REVIVE

OF

A.D. 1988 - 43

The undersigned hereby agrees that the judgment entered on Jan. 19, 1988 be revived; indexed by Prothonotary in favor of plaintiff and against the defendant in the sum of Seventeen Thousand Eight Hundred Fifty-four and 39/100 Dollars.

Debt ----- $17,854.39
dated --- Jan. 12, 1993
L-176-86 JUDGMENT

Barbara H. King
Prothonotary

✓ March 4. 1993 This Judgment Satisfied.
(See paper filed.)

1993

William J. Gregg

37

Wm. Kuhar

IN RE: LICENSE SUSPENSION
OF KRISTI ANN MAGEE

Filed January 12, 1993
@ 10:14 am

Tax & entry paid 50.50
User's Fee paid 5.00

PETITION FOR APPEAL FROM SUSPENSION
OF OPERATING PRIVILEGES
1 copy (atty)

ORDER:
AND NOW, this 8 day of January, 1993, upon consideration of the attached Petition, the Court hereby grants Petitioner's Appeal from her Notification of Suspension of Driving Privileges as set forth in the December 8, 1992, letter from the Department of Transportation.
The Court hereby grants a hearing onthe merits which hearing is set forth 29 day of April, 1993, at 1:30 o'clock p.m. in Courtroom No. 1 or 2 of the Crawford County Courthouse, Meadville Pennsyvlania.
Petitioner should give notice of the hearing to the Chief Counsel, Pennsylvania Department of Transportation, Bureau of Driver Licensing, Harrisburg, Pennsylvania.

By the Court,
Gordon R. Miller, J

Apr. 26, 1993 Motion For Continuance and Order filed. AND NOW, this 23rd day of April, 1993, Defendant's Motion for Continuance is granted. Hearing in the above matter is rescheduled to July 8, 1993, at 11:00 a.m. in Courtroom No. 1 or 2 of the Crawford County courthouse.

FOR THE COURT,
Ann A. Walker, CA

Apr. 30, 1993 Copy of order to Atty. Gregg

July 6, 1993, Motion for Continuance of Hearing on Appeal From Suspension of Driving Privileges and Order filed. ORDER: AND NOW, this 7 day of July 1993, Defendants Motion for Continuance is granted. Hearing inthe above matter is rescheduled to Aug. 12, 1993 at 10:00 a.m. in C. R. NO. 1 or 2 of the Crawford County Courthousoe.

AnthonyJ. Vardaro, J.

July 12, 1993, copies of order to Wm. Gregg and Wm. Kuhar.

Aug. 10, 1993 Motion For Continuance of Hearing of Appeal From Suspension of Driving Privileges and Order, filed. ORDER: AND NOW, this 10th day of August, 1993, Defendant's Motion for Continuance is granted. Hearing in the above matter is rescheduled to October 7, 1993, at 10:45 a.m., in Courtroom No. 1 or 2 at the Crawford County Courthouse.

FOR THE COURT,
Ann A. Walker, Crt. Adm.

Aug. 13, 1993 copy to W. Gregg & W. Kuhar

Oct. 4, 1993 Stipulation and Order filed. ORDER: AND NOW, to-wit: this 6th day of October, 1993, upon agareement of the parties, the above-captioned matter is remanded to the Department of Transportation for the purpose of rescinding the appealed one year suspension and removing the charge of violating Section 6308 of the ?rimes Code on August 23, 1992 from the defendant's driving record.

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

Oct. 15, 1993 copy to W. Gregg & W. Kuhar

1993

38

CHERYL M. PARKER

vs.

RICHARD A. BUTCHECK

Filed January 12, 1993
@ 1:56 PM

Tax & entry	50.50
User's Fee	5.00
Sheriff's Costs	20.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT
3 copies Sheriff
1 copy plaintiff

ORDER:

And now, this 12 day of Jan. , 1993 , upon review of the petition of 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: The plaintiff shall exclusive possession of 877 Water St., Apr. 4 until further order of Court and Plaintiff shall have physical custody of both children and defendant shall have no visitation pending hearing in this matter
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 or 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 tis 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 the January 19, 1993 , at3:30 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,
Anthony J. Vardaro, J

Jan. 14, 1993 Sheriff's Return filed. SERVED Richard A. Butcheck personally on January 13, 1993 1993 at 3:30 AM by handing him a copy of the Protection from Abuse at City Hall, 984 Water Street Meadville, Crawford County, PA.
So answers,

Ptlm. Donald Erdley, MCPD
Robert M. Stevens, Sheriff

Jan. 22, 1993 ORDER filed. AND NOW, Jan. 19, 1993, at the time scheduled for hearing in connection with the Temporary Order heretofore entered, both parties have appeared, but appear to be making inconsistent allegations that are extremely confusing. The plaintiff has indicated that she is now separated from the defendant and is living at 877 Water Street with the two children thay may or may not be the children of those parties because apparently there is some dispute as to paternity, at least as to one of the children. The defendant has indicated that as long as this type of Order is inexistence, while he would like to see the children, he is not goitn to exercise visitation rights. Under these circumstances, the Temporary Order of Jan. 12, 1993 is continued in full force and effect for a period of 3 months from this date, unless a further Order of Court is entered modifying that situation. No disposition is made as to record costs, but will be made upon further application to the Court.

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

Jan. 22, 1993 Copies mailed to Plf., Dft, MCPD & given to Co. Control.

1993

Peters, Lindsay,
Lewis & Gagliotti
John P. Gagliotti

39

Bukac and Toomey
Terry Toomey

DALE R. McDANIELS, III

vs.

LOIS CAROL McDANIELS

Filed January 12, 1993
@ 3:19 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00

COMPLAINT IN DIVORCE
3 copies (atty)

Feb. 8, 1993, Answer to Complaint Under Section 3301 (d) filed. 1 copy (atty)

Nov. 22, 1993 Motion to Amend Divorce Complaint filed.

Nov. 22, 1993 ORDER filed. AND NOW, November 19, 1993, plaintiff is granted leave to amend his divorce complaint in the manner described in the motion filed at June 8, 1993.

Plaintiff shall file said amended complaint and serve it upon the defendant in any manner permitted by the Rules of Civil Procedure. Thereafter the action shall proceed on the amended complaint.

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

Nov. 23, 1993 Copies distributed to Attys. J. Gagliotti and T. Toomey.

Nov. 23, 1993 Amended Divorce Complaint on behalf of plaintiff filed.

Dec. 29, 1993 Acceptance of Service of Amended Complaint filed. AND NOW, I, Terry Toomey, Esquire, atttorney for the Defendant, do hereby acknowledge Service of the Amended Complaint by hand-delivery to me on November 23, 1993. I further acknoledge my authority to accept Service of this Complaint on behalf of my Client, the Defendant, Lois Carol McDaniels.

Terry Toomey

Mar. 12, 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 12/29/93. 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: March 12, 1998

Mar 12, 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)

40

1993

Knox, McLaughlin,
Gornall & Sennett, PC
Matthew J. McLaughlin

40

MARK D. WARING

vs.

JAMES DONALD MILLER and
SHIRLEY A. SNODGRASS

Filed January 13, 1993
@ 11:47 AM

Tax & entry paid	50.50 ✓
User's Fee paid	5.00
Sheriff's Costs	69.17
Pro Co pd 3-28-94	9.00
Pro.Co. pd 6/27/94	2.00 ✓
cert pd 1-24-96	5.00 ✓

COMPLAINT IN CIVIL ACTION
2 copies Sheriff

Feb. 19, 1993 Complaint Reinstated.

Mar 17, 1993 SHERIFF'S RETURN, filed. SERVED Shirley A. Snodgrass personally on Jan. 19, 1993 at 10:43 AM by handing a copy of the Complaint to her at 219 Erie St, Apt B, Linesville, Crawford County, Pa.
NOT FOUND as to Defendant James Donald Miller. According to the first floor tenant at PO Box 273, Linesville, Pa. he has moved to Greenville, Pa. The exact address is unknown.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Apr. 23, 1993 Complaint reinstated.

Sept. 24, 1993 Petition For Alternate Service and Order, filed.
ORDER: this 24th day of September, 1993, Plaintiff's Motion for Petition for Alternate Service is granted. Plaintiff shall publicize in the Crawford County Legal Journal and Meadville Tribune on oneoccasion the appropriate pleadings. If there is insurance coverage then a copy of the Complaint shall be served on Mr. Miller's insurance carrier or carriers. Gordon R. Miller, P.J.
Oct. 1, 1993 copy to M. McLaughlin

Oct. 1, 1993, Complaint Reinstated.

Oct. 1, 1993, Certificate of Service of Praecipe for Reinstatement filed.

Nov. 19, 1993, Complaint reinstated.

And Now, March 24, 1994, upon praecipe of plaintiff's attorney judgment is entered in favor of the above-named plaintiff and agaisnt the above-named defendants for failure to file an answer in the above action within twentu (20) days froms the date of service of the complaitn and within ten (10) days from the date of service of the notice of praecipe for entry of default judgment. Access the plaintiff damages as follows: Six Thousand One Hundred Ninety-eight and 27/100.
Entered 3-24-94 Debt: $6,198.27
M - 211 JUDGMENT
S - 153 Barbara H. King, Pro.

Jun. 27, 1994 Praecipe to Certify Judgment to the Commonwealth of Pennsylvania, filed.

Apr. 27, 1995 Praecipe for Entry of District Justice Judgment filed.

April 27, 1995 Upon Praecipe of Plaintiff's Attorney to restore driving privileges as per copy of agreement and praecipe attached. This praecipe refers to driving privileges of James Donald Miller ONLY.,filed.
5-3-95 Certificate & Bill to Atty. McLaughlin

1993

Schroeck & Associates PC
Christine Fuhrman Konzel

41

MEGAN B. CUNNINGHAM-SHIPLEY

vs.

PAUL R. SHIPLEY

Filed January 13, 1993
@ 1:57 PM

Tax & entry paid	50.50
User's fee paid	10.00
1 Add'l Count paid	15.00
State paid	10.00
Pro Co pd 8-2-93	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
2 copies (atty)

Feb. 1, 1993 Affidavit of Service By Registered Mail filed. Before me, a Notary Public in and for the County and State aforementioned, personally appeared CHRISTINE FUHRMAN KONZEL, Esquire, who deposes and says that a true and correct copy of a COMPLAINT IN DIVORCE, under Section 3301(c), in the above-captioned matter was served upon the Defendant, PAUL R. SHIPLEY, by Registered return receipt mailed, restricted delivery, certificate number P 316 716 761 on the 23rd day of January, 1993
Christine Fuhrman Konzel

July 12, 1993 Affidavit of Consent of Plaintiff, filed.

July 12, 1993 Affidavit of Consent of Defendant, filed.

August 2, 1993 Upon praecipe of plaintiff attorney to transmit records, case moved to Court.

DIVORCE DECREE FILED

August 6, 1993, AND NOW, to-wit, this 6 day of August, 1993, it is ORDERED and decreed that MEGAN B. CUNNINGHAM-SHIPLEY, Plaintiff, and PAUL R. SHIPLEY, Defendant, are divorced from the bonds of matrimony.

It is further ordered and decreed that the attached duly executed Marital Settlement Agreement is incorproated herein by reference and merged into this 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.

GROUNDS: Irretrievable Breakdown

BY THE COURT:
Anthony J. Vardaro, J.

Culbertson, Weiss, Schetroma & Schug
David 1. Hotchkiss

42

R. Christopher Brode

REALTY GROWTH CORP.
(and Fairview Apartments, LTD)

vs.

APRIL SKOVRAN, et al
(Steven Zirkle, a/k/a Steve Zirkle)

Filed January 13, 1993
@ 2:52 PM

Indigent Filing 50.25
Pro Co. pd.10/1/93 $6.00

APPEAL OF DEFENDANT FROM DECISION OF DISTRICT JUSTICE WILLIAM D. CHISHOLM

Jan. 13, 1993 Rule entered upon Plaintiff to file a Complaint issued.

Jan. 13, 1993 Upon praecipe of DEfendant To Proceed In Forma Pauperis filed.

Jan. 14, 1993 Proof of Service of Notice of Appeal and Rule To File Complaint filed.

Jan. 28, 1993 Complaint in Ejectment filed.

Feb. 12, 1993, Motion for Appellant/Appellee to Make Payment Rental Payments to the Office of Prothonotary, and Order filed. ORDER: AND NOW, this 12 day of Feb. 1993 after review of the foregoing motion, the court orders that the appellant Sharon Boardman pay all future payments due and owing the Appellee inthe amount of $165.00 per month, to be paid on or before the fifteenth of every month, to the Office of the Prothonotary of Crawford County Located in the Crawford County Court house, Meadville, Pa. until further order of court.

BY THE COURT,
Gordon R. Miller, J.

Feb. 18, 1993, copies of order to Attys. Hotchkiss and R. C. Brode.

Feb. 22, 1993, Answer and New MaTTER FILED.

Feb. 26, 1993 ORDER filed. AND NOW, this 12th day of February, 1993, after review of the foregoing Motion, the Court orders that the Appellant Sharon Boardman pay all future payments due and owing the Appellee in the amount of $165.00 per month, to be paid on or before the fifteenth of every month, to the Office of the Prothonotary of Crawford County located in the Crawford County Courthouse, Meadville, Pennsylvania, until further order of Court.

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

Now Feb. 23, 1993 this order is vacated and another order entered instead. Gordon R. Miller P.J.

AND NOW, this 23rd day of February, 1993, after review of the foregoing motion, the Court orders that the Appellant April Skovran, to pay all future rent payments due and owing the Appellee in the amount of $139.00 per month to be paid on or before the fifteenth of every month to the Office of the Prothonotary of Crawford County, located in the Crawford County Courthouse, Meadville, Pennsylvania, until further order of Court.

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

Mar 5, 1993 copy to Hotchkiss & Brode

Sep. 13, 1993 Motion andOrder of Court filed. And NOw,this 10 day of September, A.D. 1993,upon Motion for the Plaintiff consented in by counsel for the Defendant, the Prothonotary of Crawford County is authorized and directed to pay and disperse unto the Plaintiffs, Realty Growth Corporation and Fairview Apartments,Ltd., that fund of money representing rent paid into Court by the Defendants pursuant to the Order entered by the Court in this action dated February 23, 1993, which is currently in the total amount of $627.00 as reflected in the copy of the Prothonotary's Docket which is attached to Plaintiffs' Motion.

Anthony J. Vardaro, J.

9-20-93 Copy of Order to Attys. Hotchkiss & Brode

Sept. 24, 1993 Upon Praecipe of plaintiff attorney the above-captioned case marked settled and discontinued of record.

3-2-93 Received from deft 335.00 rent deposit
3-11-93 Received from deft 69.00 rent deposit
4-13-93 Received from deft 69.00 rent deposit
5-17-93 Received from deft 69.00 rent deposit
6-28-93 Received from deft. 69.00 rent deposit
9-20-93 Pd Realty Growth ac# 7796 627.00

1993

Plate, Shapira, Hutzelman, Berlin, May, Walsh & Brabender
Stephen H. Hutzelman

43.

AVCO FINANCIAL SERVICES CONSUMER DISCOUNT COMPANY, ONE

vs.

WILLIAM M. MOORE and SALLY A. MOORE and REBECCA S. GLENN

Filed January 14, 1993
@ 11:18 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's costs	40.00
Pro Co pd 3-15-93	5.00

COMPLAINT IN CIVIL ACTION
3 Copies Sheriff

Feb. 5, 1993 Sheriff's Return filed. SERVED William M. Moore on January 19, 1993 at 10:29 AM by handing a copy of the Complaint to Sally A. Moore, his Wife, at their residence, RD #3, Box 339, Linesville, Crwaford County, PA.
SERVED Sally A. Moore personally on January 19, 1993 at 10:28 AM by handing a copy of the Complaint to her at the residence, R.D. #3 Box 339, Linesville, Crwaford County, PA.
NOT FOUND as to Defendant Rebecca S. Glenn. She has moved from R.D. #3, Box 339, Linesville, PA to somewhere in Alabama. The exact address is unknown.
So answers,

Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Mar 15, 1993 Upon praecipe of Plantiff attorney the above referenced matter is settled and discontinued of record.

44

1993

Fuller, Kinnunen,
Petruso, Gamble,
Fabian & Hall
Ann Hanen Gamble

44.

pro se

BETHANY M. KWALTON

vs.

TIMOTHY M. KWALTON

Filed January 14, 1993
@ 11:49 AM

Tax & entry paid	50.50 ✓
User's Fee paid	10.00
1 Add'l Count paid	15.00 ✓
State paid	10.00
Pro Co pd 7-13-93	9.00

COMPLAINT IN DIVORCE, CUSTODY
1 copy (atty)

Feb 2, 1993 AFFIDAVIT OF MAILING, filed. Ann Hansen Gamble, being duly sworn according to law, deposes and says that she is an Attonrey at Law, duly authorized to practice law in the Commonwealth of Pa. and that on Jan. 15, 1993, she sent a certified copy of the Complaint in Divorce to the Defendant by certified mail, restricted delivery, postage prepaid, receipt requested, to Timothy M. Kwalton, 2479 Mason-Montgomery Rd., Mason, Ohio 45040, the Defendant's last known address. The said receipt being attached hereto.

Mar. 17, 1993 Answer To Complaint for Divorce filed.

Apr. 29, 1993 Affidavit of consent of Plaintiff filed.

June 2, 1993 Stipulation and Order for Custody filed. AND NOW, this 1 day of June, 1993, the parties hereto having stipulated and agreed, it is hereby ORDERED and DECREED as follows:

1. The primary custody ofthe child, Timothy M. Kwalton, II, is now and shall remain withthe plaintiff mother, Bethany M. Kwalton subject however to resonable rights of partial custody to be accorded to the father defendant herein Timothy M. Kwalton, I, as set forth hereinafter.

2. From the date hereof until such time as the child begins school, the father shall be entitled to take the child into his custody for one week out of each month provided that the father gives to the mother at least ten (10) days notice of the week which he shall elect for his visit, stating both the date and the time that he expects to take the child into his custody. The child shall be returned no later than 6:00 p.m. one week after the father takes the child into his partial cusotdy.

3. The holidays of Thanksgiving, Christmas, Easter, Memorial Day, Fourth of July, Labor Day, andthe Child's birthday of October 9th, shall be alternated between the parties, withthe mother having the holiday of Memorial Day of 1993, and the holidays alternating thereafter between the parties. In no event may the father include a holiday which has been allocated to the mother as a part of his week of partial custody, as the holiday visits supersede other visits.

4. Beginning at such time as the child is enrolled in school, the father shall be entitled to have the child in his custody on alternate weekends and for a period of six (6) weeks during the summer, which six (6) weeks shall be in three non-consecutive two (2) week periods. The father shall give the mother notice by May 1st of each year which weeks of summer visitation he shall elect. The periods of partial custody selected by the father shall not conflict with holidays accorded to the mother by paragraph 3 herein.

5. The father shall provide the transportation ofthe child to and fromthe home of the mother. At the return of the child to the mother's home, the mother shall pay to the father the sum of twenty ($20.00) dollars as her contribution toward the costs of transporting the child.

6. Neither party shall take the child into any situation which would be deemed unsafe or morally inappropriate for the said child.

7. Neither of the paraties hereto shall blacken or impeach the character of the other parent and each shall encourage the child to have suchr respect and affection for the other parent as the child is entitled to have.

8. The parties hereto may make such modification to this agreement as they deem appropriate and advisable. All such modifications whether temporary or permanent should be reduced to a writing and signed by both of the parties.

9. The parties shall keep one another advised as to the telephone number of each and e ach parent shall have the right to call the child at the home of the other at any reasonable hour. Each shall keep the other aware of his or her primary residence and shall advise the other within ten (10) days of any permanent change of address. If the mother wishes, she may have the child available for pick up for the father's periods of partial custody, at her own home, at the home of her parents, or at a day care location where the child may be. She shall notify the father in advance of the exact location ofthe child for the pick up.

Anthony J. Vardaro,

June 8, 1993 Copies of order to Atty. Gamble

July 7, 1993, Affidavit of Consent of defendant filed.

July 13, 1993 Upon praecipe of plaintiff attorney to transmit records, case moved to Court.

July 16, 1993 **DIVORCE DECREE FILED.**

AND NOW, July 15, 1993, it is hereby ordered and decreed that BethanyM. Kwalton, Plaintiff, and Timothy M. Kwalton, 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 f final order has not yet been entered.

BY THE COURT:
Anthony J. Vardaro, J

1993

Ferguson & Spataro
John F. Spataro,

45.

TWILA A. MILLER

vs.

JOSEPH W. MILLER

Filed January 14, 1993
@ 1:20 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro.Co. pd 6/8/93	9.00
Pro Co pd 6/22/93	5.00

COMPLAINT IN DIVORCE
1 copy (atty)

May 26, 1993 AFFIDAVIT OF SERVICE filed. I, the undersigned, being duly sworn accordign 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 Jan. 27, 1993. The Defendant acknowledged service by accepting delivery as evidenced by the attached signed return receipt. John F. Spataro

May 26, 1993 Affidavit of Consent of Defendant, filed.

May 26, 1993 Affidavit of Consent of Plaintiff, filed.

June 8, 1993 Upon Praecipe of Plaintiff Attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

June 22, 1993 AND NOW, June 17, 1993, it is hereby ordered and decreed that TWILA A. MILLER, Plaintiff, and JOSEPH W. MILLER, Defendant, are divorced form 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, P.J.

June 22, 1993 Notice Of Election To Retake Maiden Name filed. Sandra L. Mallory TO BE KNOWN AS: Sandra L. Shaffer

1993

Barrett & Dratler
Bruce A. Barrett

46.

EDITH M. PHILLIPS

vs.

ROBERT W. PHILLILPS, JR.

Filed January 14, 1993
@ 1:51 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Sheriff's Costs	30.00
Pro.Co. pd 3/22/93	9.00

COMPLAINT IN DIVORCE UNDER SECTION 3301(D)
OF THE DIVORCE CODE
1 copy (atty)

Feb. 9, 1993, Complaint Reinstated.

Feb. 24, 1993 SHERIFF'S RETURN, filed. SERVED Robert W. Phillips, Jr., personally on Feb. 18, 1993 at 2:34 PM by handing a copy of the Complaint in Divorce to him at the Sheriff's Office, Crawford County Courthouse, Meadville, Pa.
So answers, Edgar D. Householder, Chief Deputy
Robert M. Stevens, Sheriff

Mar. 22, 1993 Upon Praecipe of Plaintiff Attorney to transmit record, case moved to Court.

Mar. 29, 1993, DIVORCE DECREE filed.

AND NOW, March 26, 1993, it is hereby ordered and decreed that Edith M. Phillips, Plaintiff, and Robert W. Phillips, Jr., 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.

1993

Fuller, Kinnunen,
Petruso, Gamble,
Fabian & Hall
Gary A. Fabian

47

James Irwin

1/15/92 $150.00
deposited by plaintiff
for mediator.

1-18-93 Pd Plff Refund Med dep Bal Chk# 7350 90.00

3-16-93 Recieved 51.00 med fee from deft

4-16-93 Pd C C Com med fee Chk# 7482 $ 102.00

11-2-94 Rec'd from Plff med. Deposit 150.00

12-22-94 med refund Ck# 8743 52.50

12-29-94 C C Pd 88.50

1-6-95 Rec'd from deft med fee 88.50

3-21-95 Pd C C #9037 88.50

JENNIFER L. VANBUREN

vs.

GARY J. VANBUREN

Filed January 15, 1993
@ 9:58 am

Tax & entry paid	50.50 ✓
User's Fee paid	5.00
William Pineo, Mediator	102.00
Pr Co Pd 4-16-93 Ck#7483	9.00 ✓

Pro Co Pd 12-30-94 9.00

COMPLAINT FOR CUSTODY
1 copy med.; 1 copy Atty

You, Gary J. VanBuren, have been sued in court to obtain custody of Isaac J. VanBuren.

You are ORDERED to appear in person at such time and place as will be determined by the Mediator William PIneo, 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) 336-1151, Ext. 298

BY THE COURT,
Anthony J. Vardaro,

Date: 1-15-93

Jan. 22, 1993 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 Jan. 15, 1993, he had deposited in the United States Mail by certified mail, return receipt requested, Certified Mail No. P 260 509 883 as evidenced by Certified Mail Receipt No. P 260 509 883 attached hereto and made a part hereof, a true and correct copy of a Complaint in Custody and Order of Court addressed to Gary J. VanBuren said Complaint naming Gary J. VanBuren as the defendant in the above-captioned matter.

4. Service was obtained upon the defendant, Gary J. VanBuren on Jan. 16, 1993, as evidenced by Return Receipt for Certified Mail No. P 260 509 883 attached hereto and made a part hereof, said receipt being signed by Gary J. VanBuren.

Feb. 18, 1993 TEMPORARY ORDER, filed. AND NOW, this 16th day of February, 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. The parties shall share legal and physical custody of hte subject minor child, Isaac J. VanBuren.

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 parties will share physical custody according to the following weekly shcedule.
The mother will have physical custody each Friday from 7:00 a.m. to 8:00 p.m.
The father will have physical custody from Friday at 8:00p.m.
The mother will have physical custody from Sunday at 8:30 p.m. to Monday at 8:00 p.m.
The father will have physical custody from Monday at 8:00 p.m. to Tuesday at 8:00 a.m.
The mother will have physical custody from Tuesday at 8:00 a.m. to Wednesday at 6:30 p.m.
The father will have physical custody from Wednesday at 6:30 p.m. to thursday at 7:00 a.m.
The mother will have physical custody from Thursday at 7:00 a.m. to Thursday at 8:00 p.m.
The father will have physical custody from Thursday at 8:00 p.m. to Friday at 7:00 a.m.

4. Holiday visitation shall be arranged as follows:

a. Christmas: There shall be two Christmas holiday visitation periods, the first beginning on Christmas Eve at 4:00 p.m. and ending Christmas Day at noon and the second beginning Christmas Day at noon and ending at 8:00 a.m. on December 26. For 1993, The mother will have the first period, and the father, the second, and the parties will thereafter alternate.

b. Thanksgiving: There shall be two Thanksgiving holiday visitation periods, the first beginning at 8:00 a.m. and ending at 2:00 p.m. of Thandsgiving Day and the second beginning at 2:00 p.m. and ending at 8:00 p.m. of Thanksgiving Day. For 1993, the father shall have the first period, and the mother, the second, and the parties shall thereafter alternate.

c. 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, durign the same hours.

d. 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 children.

8. Neither party shall use illegal drugs or be under the influence of slcohol at nay 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 childrn. 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 transportign 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 ina 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.

CONTINUED ON PAGE 502

1993

Pietragallo, Bosick & Gordon
David P. Franklin

48

Martha Zeigler-Eberhardt
Rubinate & Marks
for R.F.B. Renting and Leasing Co. Inc.

JOSEPH M. NEWCOMB, an individual

vs.

ROBERT DUIGNAN, an individual and R.F.B. RENTING AND LEASING COMPANY, INC., a corporation

Filed January 15, 1993
@ 1:22 PM

Tax & entry paid	50.50
User's Fee paid	5.00
sheriffs costs	21.00
Sheriff's Costs	27.00
Pro Co Pd 11/8/93	6.00

COMPLAINT IN CIVIL ACTION
2 copies plaintiff
1 copy Sheriff

Jan. 29, 1993 Affidavit of Service of Complaint on Defendant R.F.B.Leasing filed. It is hereby certififed that a true and correct copy of the Complaint was served on R.F.B. Leasing by certified mail. Attached hereto, made a part hereof, and marked Exhibit "A" is a copy of the Return Receipt which indicates that service was made on this Defendant on January 20, 1993.

David P. Franklin, Esquire

Feb. 5, 1993, sheriffs Return filed. NOT FOUND as to Defendant Robert Kuignan. He is deceased.
So answers, robert M. Stevens, sheriff

Feb. 5, 1993, Appearanc eof Martha Zeigler-Eberhardt, Esq. of Rubinate & Marks, attorneys for one of defendants, R.F.B. Renting and Leasing Company, Inc. a Corp., filed.

Mar. 4, 1993 Praecipe to Reinstate Complaint, filed.

Mar. 30, 1993 SHERIFF'S RETURN, filed. SERVED Robert Duignan on March 17, 1993 at 3:49 PM by handing a copy of the Complaint to Nellie Duignan, his Mother and Authorized Agent, in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville Pa. Signed Acceptance of Service attached.
So answers, Diane Severo, Deputy Sheriff
Robert M. Stevens, Sheriff

May 13, 1993 Answer, New Matter, and New Matter Pursuant To Rule 2252(d) filed.

Nov. 8, 1993, Upon praecipe of plaintiff attorney, the above captioned case is hereby settled and discontinued of record.

1993

~~Barbara H. Walton~~ withdrawn
Harry F White II

49.

James R. Irwin

DAVID HAREGSIN

vs.

LEORA HAREGSIN a/k/a
JANE HAREGSIN

Filed January 15, 1993
@ 3:47 PM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count paid	15.00
State paid	10.00
2 Add'l Counts pd 9/24/93	30.00
State Paid 9/24/93	10.00
Andrew Baccallao, Master	
Pro.Co. Pd 6/14/95	9.00
filed.	

6-20-94 Reid Pltf 400.00 Marcus
61-95 PP Master #9229 400.00

6-12-95 Ref from Mr. Haregsin Balance of Master's fees for Pltf & deft $1849.60 check turned over to Mr Bacallao.

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
2 copies Atty.

Jan. 25, 1993 Affidavit of Service filed. And Now, January 25, 1993, 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 Haregsin, 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, P 899 097 888; postmarked Jan. 18, 1993, to the last known address of the Defendant, Leora Haregsin, a/k/a Jane Haregsin, RD # 3, Cambridge Springs, PA 16403.

3. That the defendant, Leora Haregsin, a/k/a Jane Haregsin, on Jan. 21, 1993, personally signed the return receipt card which was affixed to the Complaint in the above matter and which is attached hereto.

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

By: Lisa M. Sherretts
Legal Assistant

Apr. 5, 1993, Appearance of James R. Irwin, atty. for dft.

Sep. 24, 1993 Answer & Counterclaim to Complaint in Divorce, filed

Apr. 29, 1994 Affidavit of Consent under Section 3301 (c) of the Divorce Code by David Haregsin Plaintiff, filed.

Apr. 29,1994 Income and Expense Statement of David Haregsin,Plaintiff, filed.

Apr. 29, 1994 Inventory of Plaintiff, filed.

April 29, 1994, Motion for Master in Divorce and Order Appointing Master filed. AND NOW, May 2, 1994, ANDREW BACCALLAO Esq. is hereby appointed Master in respect to the following claim:
EQUITABLE DISTRIBUTION
Deposit required: By Plaintiff $400. By Defendant: $300.
Defendant shall file an affidavit of consent in 20 days. This motion does not follow local Rule L1920.74. The parties must comply with Pa. RCP 1920.46 within 20 days.
Gordon R. Miller, Judge
May 4, 1994, copies to Irwin, White and Walton, and Baccallao.

May 10, 1994, Motion to Withdraw Appeara nce and order filed. ORDER: AND NOW, May 9, 1994 the motion for withdrawal of appearance is granted.
BY THE COURT,
Gordon R. Miller, J.
May 10, 1994, copies faxed to Attys. Swick Walton and White

Oct. 3, 1994, Notice of Master's Hearing filed.

Oct. 3, 1994, Summary of Discussions and Action Taken at Pre-Hearing Conference filed.

Oct. 11, 1994 Inventory of Leora Jane Haregsin, filed.

Oct. 11, 1994 Affidavit of Consent of Defendant, filed.

Oct. 11, 1994 Domestic Relations Budget Information, filed.

Nov. 10, 1994, Findings of Fact, Conclusions of Law and Proposed Distribution filed by the plaintiff, filed.

Apr. 26, 1995 Notice of Filing Master's Report filed.

Apr. 26, 1995 Master's Report filed.

Apr. 26, 1995 Transcript of MASTER'S HEARING, held before Andrew Bacallao, Esq., the 4th day of October, 1994, filed. Master Exhibits filed on top of File Cab #1

May 31, 1995, Petition for Approval of Master Fees and Order filed. ORDER: AND NOW, the 31st day of May, 1995 upon presentation adn consideration ofthe foregoing Petition for Approval of Master's Fees, Andrew S. Bacallao, Esq. is awarded Master's fees in the sum of $2,249.60 Further the Prothonotary is Ordered and directed to pay from the balance of the deposited monies from the plaintiff the total sum of $400 minus costs of record withthe Prothonotary. The Plaintiff shall receive credit for the deposited sum and pay the sum of $724.80 to the Master. The defendant shall pay the amount of $1,124.80, representing the defendant's ½ share of the master's fees and costs as requested. Each party shall pay their respective sum within thirty (30) days of the date of this order.
BY THE COURT,
Gordon R. Miller, J.
6/1/95 copies faxed to Bacallao, White and Irwin.

Jun. 14, 1995 Upon Praecipe of Harry F.White, II, Esquire, Attorney for Plaintiff, to transmit record, Case moved to Court.

DIVORCE DECREE FILED

June 22, 1995 FINAL DIVORCE DECREE AND DISTRIBUTION. AND NOW, this 21 day of June, 1995, upon consideration of the Master's Report and the Recommendations, with no exceptions having been filed thereto within the statutory period, it is ORDERED AND DECREED:

RECORD CONTINUED ON PAGE 462.....

1993

Paul E. Allen

50.

ROBERT CHANEY, JR.

vs.

ROLANDA K. CHANEY

Filed January 18, 1993
@ 12:06 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Sheriff's Costs	25.00
Pro.Co. pd. 8/10/93	9.00

COMPLAINT UNDER SECTION 201(c) OF THE DIVORCE CODE
1 copy atty.

Mar 16, 1993 Complaint Reinstated. 1 copy atty

Mar. 30, 1993 SHERIFF'S RETURN, filed. SERVED Rolanda K. Chaney personally on March 18, 1993 at 9:55 AM by handing a copy of the Complaint in Divorce to her at her residence, 234 Walker Drive, Meadville, Crawford County, Pa.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

June 7, 1993 Acceptance of Service filed. I, the undersigned Defendant in the above captioned action, hereby accept service of the Complaint in Divorce.
Date: 3-29-93 Rolanda K. Chaney

Aug. 10, 1993 Affidavit of Consent by RobertChaney,Jr. Plaintiff, filed.

Aug. 10, 1993 Affidavit of Consent by Roland K. Chaney, Defendant filed.

Aug. 10, 1993 Upon Praecipe of Paul E. Allen, Esquire,Attorney for Plaintiff, to transmit record,case moved to Court.

Aug. 17, 1993, MEMORANDUM filed. This matter is before the court on a praecipe requesting a 3301(c) divorce.
Everything is in order except that the affidavit of consent filed with regard to dft. is dated June 17, 1993 but not filed until Aug. 10, 1993.
Therefore it was filed over 30 days from the date it was signed in violation of Pa. R.C.P. 1920.42(b)(2).
Therefore, we must return this file to the Prothonotary until an appropriate affidavit of consent is filed for the dft. at which time this matter may be praeciped to the court once again.
BY THE COURT,
Aug. 17, 1993, copy of order to Atty. Allen.

Aug. 23, 1993 Affidavit of Consent of Roland K. Chaney, Defendant, filed.

Aug. 23, 1993 Affidavit of Consent of Robert Chaney, Jr. Plaintiff, filed.

Aug. 23, 1993 Upon Praecipe of Paul E.Allen, Esquire, Attorney for Plaintiff, to transmit record, case moved to Court.

DIVORCE DECREE FILED

Aug. 30, 1993 AND NOW, Aug. 26, 1993, it is hereby ordered and decreed that ROBERT CHANEY,JR. Plaintiff, and ROLANDA K. CHANEY, 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 yetbeen entered.

BY THE COURT:
Anthony J. Vardaro, J.

51.

JAMIE L. LOHR

vs.

ERIC L. LOHR

Filed January 18, 1993
@ 2:24 PM

Tax & entry Pd 8-12-94 50.50
User's Fee Pd 8-12-94 5.00

Sheriff's Costs 43.50

Pro Co Pd 8-12-94 9.00

8-12-94 Rec from deft Sheriffs Cost 43.50

8-12-94 Pd Sheriff # Ck # 8485 43.50

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

Order:

And now, this 18th day of January , 1993 , 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 Plantiff or any of the minor children named in the Petition.

2. Special Conditions: Defendant shall not contact Plaintiff in a any way. Temporary custody of the children is awarded to Plaintiff Defendant shall not go to Plaintiff's residence or place of work.

3. This Order may be enforced without a warrant of arresdt 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 or 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 here by set for January 28, 1993 , at 3:30 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 COURT,
Gordon R. Miller, J

Jan. 25, 1993 Sheriff's Return and Affidavit of Service filed. SERVED the within Petiton for Protection from Abuse on January 21,1993, at 1136 hrs upon Eric L.Lohr at place of business, Mack Truck Sales, 960 West 12th Street, Erie County, Erie,Pennsylvania by handing to Eric L. Lohr a true and correct copy thereof and made known to him the contents therein.

Robert N. Michel, Sheriff Erie County
John Loomis, Deputy Sheriff

See Affidavit of Service endorsed hereon by Sheriff of Erie County, Pennsylvania, which is part of this return.

So Answers: Robert M.Stevens, Sheriff, Crawford County, PA

Feb. 5, 1993 Order filed. AND NOW, January 28, 1993, this matter is before the Court of a request by the Plaintiff for relief under the Protection from abuse Act. Both parties appear with consel and they have reached an agreement whereby an order may be entered without admission of the allegations ofthe Plaintiff's petition on the part of the Defendant.

Accordingly, we enter the following Order:

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

2. neither party shall go to the current residence of the other party or any future residence ofthe other party nor shall either party go to the place of employment currently of the other party or any future place of employment of the other party. If one party is at the residence of the other, even if they are invited. it shall be presumed that they are in violation of this orde,r it being the Court's intention that neither party shall go to the other's residence.

If the parties should reconcile and wish to go to one another's residence, then they should petition the Court for an amendment of this order insofar as any police agency shall correctly presume that a person at the residence of the other party is in violation of this order.

3. There shall be no confrontation between the parties at any public place.

4. Pending further order of Court, or further agreement ofthe parties, the Plaintiff shall have primary physical custody of the parties' two minor children, with the Defendant to have temporary physical custody beginning this week end on Friday at 7:00 p.m. through Sunday at 7:00 p.m. and continuing every other weekend for the same time period.

5. The Plaintiff shall have the children ready for each visitation with their father and shallhave everything that they need ready so that when he arrives, she can send them out to the car without any contact between the parties. The Plaintiff shall not go to the Defendant's car nor shall the Defendant go to the door of the Plaintiff's residence during such exchanges of the children for visitation purposes.

6. The parties may make any other arrangements for visitation whether they be in addition to those visitations prescribed or to replace a visit because of conflicts in schedule, so long as it is by agreement of the parties. Again, this portion of the order is in effect pending any further order of court or any other proceeding.

7. The Defendant may call the Plaintiff only for the purpose of discussing visitation or the welfare of the children and in no event shall there be any telephone calls after 9:00 p.m. on any day.

8. The Defendant may correspond with the Plaintiff by mail at any time so long as there is nothing within the contents of the mail that may be deemed to be threatening.

9. Pending any further order of Court regarding the property of the parties, no party shall sell, damage or deplete any personal property or real property of the parties which is currently in the party's possession. Additionally, no party shall damage, sell or deplete any personal property not currently in their possession nor shall they do so to any real estate not currently in their possession.

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

11. a copy of this Order shall be delivered to the police department in the jurisdiction where both parties reside and to County Control.

12. The parties are reminded that this is an order of Court and violation of this order maybe punishable by a fine of up to $1,000 and a jail sentence of up to six (6) months.

13. This Order shall remain in full force and effect through January 27, 1994.

14. The Defendant shall pay costs in this matter in the amount of $108 to the Prothonotary of Crawford County within 30 days of the date of this Order.

BY ORDER OF THE COURT,
Anthony J. Vardaro, J
Feb. 8, 1993 Copies of order to Atty's Brode, Kroto, County Control and Titusville City Police and Plaintiff and Defendant

1993

Kathleen R. Nelson

52.

JON B. GARLAND

vs.

TINA M. GARLAND

Filed January 19, 1993
@ 12:02 PM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count paid	15.00
State paid	10.00
Pro.Co.pd 9/20/93	9.00
Pro Co pd 10/20/93	5.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
1 copy (atty)

Feb. 1, 1993 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 a true and correct copy of the Complaint in Divorce was sent by registered mail to the Defendant, Tina M. Garland, on Jan. 20, 1993.

3. The registered mail was sent to Tina M. Garland, at 1678 Ballinger, Pittsburgh, Pa 15210. The sender's receipt is attached hereto.

4. That the Defendant received said registered mail on Jan. 26, 1993. Said Return Receipt card P 360-670-129 is attached hereto, signed by Juanita McHugh, mother of the Defendant, and made a part hereof.

Sep. 20, 1993 Affidavit of Consent by Jon B. Garland, Plaintiff, filed.

Sep. 20, 1993 Affidavit of Consent by Tina M.Garland, Defendant, filed.

Sep. 20, 1993 Upon Praecipe of Kathleen R.Nelson, Esquire, to transmit record, case moved to Court.

DIVORCE DECREE FILED

STIPULATION and DECREE filed. AND NOW, this 27th day of September, 1993, upon presentation and consideration of the foregoing Stipulation, the Court Orders and Decrees as follows:

I. DIVORCE:

Upon consideration of the pleadings and the Affidavits filed in the above captioned case, this court hereby grants an absoltue divorce from the bond of matrimony to the above-named parties upon the grounds that the marriage is irretrievably broken and ninety 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 consents to the divorce, pursuant to Section 3301 (c) of the Divorce Code.

II. REAL PROPERTY:

the parties are owners as Tenants by the Entireties of residential real estate situate in Sadsbury Township, Crawford Co., PA., which property is the marital residence. Simultaneously with the execution of this Agreement, Defendant shall deliver to Plaintiff, or Plaintiff's attorney, a Quit-claim deed conveying to Plaintiff, all right, title, claim, and interest in the residential premises, with said deed being in recordable form. From the date of the execution of this Agreement, Plaintiff shall be solely responsible for all past, present, and future costs, expenses, or liabilities attributable to or resulting from the ownership of the residential premises, including, but no limited to, the balance due to all mortgage payments, interest and principal, all real estate taxes, utilities, insurance, repairs and maintenance. Plaintiff shall hold Defendant harmless in regard to said liabilities and shall have the right to exclusive use of the property.

III. PERSONAL PROPERTY:

A. Contents of the Marital Residence:

Defendant shall set over, transfer, and assign to Plaintiff all of her right, title and interest in and to all of the remaining contents of the marital premises.

B. Vehicles:

Plaintiff shall transfer to Defendant all of his right, title, and interest in teh 1989 Toyota Truck currently in Defendant's possession. Defendant shall transfer to Plaintiff all of her right, title, and interest in the 1978 Chevrolet truck currently in the Plaintiff's possession.

C. Bank Accounts:

All bank accounts currently titled in the name of the Plaintiff shall remain Plaintiff's sole and separate property, and all bank accounts currently titled in the name of the Defendant shall remain the Defendant's sole and separate property.

D. Personal Property:

The parties shall each retain those items of personal property such as jewelry, clothing, investments, pensions, insurance policies, and other personal effects now in his or her possession.

IV, DEBTS:

A. Plaintiff's Obligations:

Plaintiff shall be solely responsible for the following marital debts and obligations, and shall hold the defendant harmless in regard to same: PNC Mortgage obligation, Master Card Visa account, Fashion Bug account titled in Plaintiff's name, and Kaufman's account, the Race Street Lumber and the Erie Cons. Disc. Accts.

B. Defendant's Obligations:

Defendant shall be solely responsible for the following marital debts and obligations and shall hold Plaintiff harmless in regard to same: First Federal of Western Pennsylvania vehicle loan (1989 Toyota Truck), PNC line of credit account, Fashion Bug account titled in Defendant's name, and Montgomery Wards account.

V. ALIMONY AND ALIMONY PENDENTE LITE:

Both parties acknowledge that each has property which is sufficient to meet the reasonable needs of each, therefore, each waives any claim for alimony and alimony pendente lite pursuant to the PA. Divorce code.

By the Court
Gordon R. Miller, J.

OCt. 20, 1993 Notice of Election To retake Maiden Name filed. Tina Marie Garland TO BE KNOWN AS: Tina Marie Lindstrom

1993

Thomas, Truax,
Spadafore & Walker
William L. Walker

53.

ANDOVER BANK

vs.

KENNETH E. McHENRY,
MICHELLE M. McHENRY, and
JOHN DOE

Filed January 19, 1993
@ 3:09 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	35.00
Pro Pd. 2/22/93	9.00

COMPLAINT IN EJECTMENT
4 copies sheriff

Feb. 8, 1993 SHERIFF'S RETURN, filed. SERVED Kenneth E. Mc McHenry personally on Jan. 21, 1993 at 10:35 AM by handing a copy of the Complaint in Ejectment to him at midway Motel, RD 1, Box 199-A, Hartstown, Crawford COunty, Pa.

SERVED Michelle M. McHenry personally on Jan. 21, 1993 at 10:36 AM by handing her a copy of the Complaint in Ejectment at Midway Motel, RD 1, Box 199-A, Hartstown, Crawford County, Pa.

No other occupants were at the Midway Motel.

So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

And Now, Feb. 22, 1993, at 11:52 p.m. upon praecipe of plaintiff attorney, with attached notice, Judgment is hereby entered in favor of plaintiff and against the defendants for want of an answer, damages to be determined sec. leg.

Judgment entered
2/22/93
M - 103, 113
D - 96

JUDGMENT
Barbara H. Kings
Prothonotary

1993

Watts & Pepicelli, PC
Alan L. Pepicelli

54

LINDA L. SHAFFER and EUGENE P. SHAFFER, her husband and CINDY L. SHAFFER a Minor, by Eugene P. Shaffer her Guardian

vs.

TIMOTHY C. POWELL, Individually, and t/a/d/b/a POWELL SANITATION SERVICE, a/k/a POWELL"S SANITATION and WILLIAM TODD McNAMARA

Filed January 20, 1993
@ 9:29 AM

Tax & entry paid	50.50 ✓
User's Fee paid	5.00
Sheriff's Costs	42.00
Pro.Co. pd 11/3/93	6.00

WRIT OF SUMMONS
Issued Sheriff

Feb. 8, 1993 SHERIFF'S RETURN, filed. SERVED Timothy C. Powell personally on Jan. 22, 1993 at 2:30 PM by handing him a copy of the Summons at Powell Sanitation Service, a/k/a Powell's Sanitation, 889 Cussewago Rd, Meadville Crawford County, Pa.

SERVED William Todd McNamara on Jan. 22, 1993 at 2:40 PM by handing a copy of the Summons to William F. McNamara, his father and Authorized Agent, in the Sheriff's Office, Crawford County Courthouse, Meadville, Pa. Signed Acceptance of Service attached.

So answers, Dale A. Collins, Deputy Sheriff
Edgar D. Housenodler, Chief Deputy
Robert M. Stevens, Sheriff

Nov. 3, 1993 Upon Praecipe of Alan L. Pepicelli, Esquire, Attorney for Plaintiff, the above-capitioned case settled and discontinued of record.

1993

Watts & Pepicelli
Alan L. Pepicelli

55

HOLMES E. SHIPLEY and JANICE MARIE SHIPLEY, his wife, a/k/a JANICE MARIE SNOW

vs.

LORRI J. RICE and RUSTY A. RICE

Filed January 20, 1993
@ 9:29 AM

Tax & entry paid	50.50 ✓
User's Fee paid	5.00
Sheriff's Costs	37.00
Pro Co Paid	6.00 ✓

WRIT OF SUMMONS
Issued Sheriff

Feb 8, 1993 SHERIFF'S RETURN, filed. SERVED Lorrie J. Rice personally on Ja. 22, 1993 at 2:13 PM by handing a copy of the Summons to her at the residence, RD 4, Box 528. Saegertown, Pa Crawford County, Pa.

SERVED Rusty A. Rice on Jan. 22, 1993 at 2:14 PM by handing a copy of the Summons to Lorrie J. Rice, his wife, at their residence RD 4, Box 528, Saegertown, Crawford County, Pa.

So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

June 14, 1994 Upon praecipe of Plaintiffs attorney the above-captioned case is settled and discontinued of record.

1993

C. Barton Jones 56. Kevin Feeney	DENIS ALEXATOS vs. WENDY GILL Filed January 20, 1993 @ 9:49 AM Tax & entry paid 50.25 ✓ User's Fee paid 5.00	APPEAL OF DEFENDANT FROM DECISION OF DISTRICT JUSTICE HUBERT E. VOGAN Jan. 20, 1993 Rule entered upon Plaintiff to file a Complaint Issued. Jan. 21, 1993 Proof of Service of Notice of Appeal and Rule to File Complaint filed. Feb. 8, 1993, Complaint filed. Feb. 17, 1993 Amended Complaint filed.

1993

Jorden & White
William T. Jorden

57.

MARK B. FLEMING & REBECCA B. FLEMING on the behalf of the estate of BRIDGET M. FLEMING and REBECCA B. FLEMING individually

vs.

HUBBARD BUS COMPANY

Filed January 20, 1993
@ 10:37 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriffs costs	0000

PETITION FOR COMPROMISED SETTLEMENT DISCONTINUANCE AND DISTRIBUTION

Order:

AND NOW, this 20 day of January, 1993, upon consideration of the foregoing Petition the Court does hereby approve the compromise and settlement and does hereby order distribution of the proceeds in accordance with the terms and representations set forth in the Petition as follows:

A. $167,428.88 dollars payable to the estate of Bridget Fleming to be attributed to wrongful death damages only and to be distributed accordingly by the estate to Mark B. Fleming and Rebecca B. Fleming, natural parents of the minor decedent.

B. $33,982.22 dollars payable to Rebecca Fleming as compensation for the negligent infliction of emotional distress.

C. $100,000.00 payable by the Estate of Bridget Fleming and Rebecca Fleming to the Firm of Jorden and White as approved.

D. Payment of expenses in the amount of $88.90 payable to the Firm of Jorden and White for a copy of the transcripts of the preliminary hearing and the filing fee of this petition as approved.

BY THE COURT,
Anthony J. Vardaro, J
Jan. 21, 1993 Copy of order to Atty' Jorden.

Oct. 25 1993. Sheriffs Return filed. Writ returned Oct. 21, 1993. We never received

1993

Barbara J. Walton

58.

JENNIFER RUDY

vs.

ROBERT RUDY

Filed January 20, 1993
@ 2:52 PM

Indigent Filing

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION,
ALIMONY PENDENTE LTIE, COUNSEL FEES & COSTS, PERMANENT ALIMONY
2 copies atty

Jan. 20, 1993 Petition To Proceed in Forma Pauperis and Order filed. And Now, January 18, 1993, upon consideration ofthe within Petition theCourt believing, based upon the representation and sworn statments of the petitioner, that the petitioner is indigent; andthe Petioner is exempt from paying any and all court costs and expenses in this matter. The planitiff has a continuing duty to inform the court of improvement in her financial circumstances which inable her to pay court costs (Pa RCP 240(e)). Costs may be imposed on the Defendant under applicable facts and law.

By the Court:
Gordon R. Miller, J

Jan. 21, 1993 Copy of order to Atty. Walton

Jan. 27, 1993 Affidavit of Service filed. And Now, January 27, 1993, 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 Jennifer Rudy, 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, P 899 097 889; postmarked January 21, 1993, to the last known address of the Defendant, Robert Rudy, 609 Baldwin St., Meadville, PA 16335.
3. That the Defendant, Robert Rudy, on January 25, 1993, personally signed the return receipt card which was affixed to the Complaint 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.

Lisa M. Sherretts

May 8, 1996 Inventory of Plaintiff filed.

June 7, 1996 Motion to Compel filing and ORDER filed. AND NOW, this 7th day of June, 1996, the Defendant is ordered to complete and file his Inventory and Income and Expense Statement within 15 days.

Gordon R. Miller, J.

6-7-96 FAXED Watson & Walton

Jan. 27, 1997 Affidavit of Consent of Plaintiff filed.

Mar 31, 1997 Waiver of Notice of Intention to Request Entry of Divorce Decree Under Section 3301(c) of the Divorce Code, filed. (Plaintiff)

June 9, 1997 Affidavit of Consent of Defendant, filed.

June 9, 1997 Waiver of Notice of Intention to Request Entry of Divorce Decree Under Section 3301(c) of the Divorce Code, filed. (Defendant)

June 9, 1997 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

June 19, 1997, ORDER filed. This divorce has been referred to court for review and decree. A final decree will not be entered at this time because:

Economic and other issues or counts have been raised in the pleadings or by petition which are not being disposed of by stipulation, withdrawal or hearing. To grant a div. decree without a resolution of thoseother issues would be tantamount to an improper bifurcation.

Either party may file a praecipe to refer the matter back to the court when the record is in suc h a state that the parties are entitled to a final decree.

BY THE COURT,
Anthony J. Vardaro, J.

6//19/97 dist. to Walton.

March 24, 1998 Defendant's Affidavit Under Section 3301(d) of Divorce Code, filed.

Apr. 3, 1998 Motion To Withdraw Count and Order filed. AND NOW, this 3rd day of April, 1998, the claim for Equitable Distribution of Property, Alimony Pendente Lite, Counsel Fees and Costs and Permanent Alimony are withdrawn.

By The Court,
Gordon R. Miller, J

4/3/98 Copy to Walton

Apr. 3, 1998 Amended Praecipe To Transmit the Record, this case moved to court.

DIVORCE DECREE FILED

May 1, 1998 AND NOW, this 1 day of May, 1998, upon presentation of the consent of the parties, and upon consideration of same, it is hereby ORDERED, DIRECTED AND DECREED that:

The bonds of marriage between Plaintiff, JENNIFER M. RUDY and Defendant, ROBERT L. RUDY, are dissolved because the marriage is irretrievably broken. Plaintiff and Defendant are divorced from the bonds of matrimony.

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

By the Corut:
Anthony J. Vardaro, J.

1993

Culbertson, Weiss,
Schetroma & Schug
David L. Hotchkiss

59

Pepicelli, Youngs
and Youngs PC
Andrew S. Bacallao

ERICA SHIFFLETT, d/b/a
HAYFIELD ESTATES MOBILE
HOMES, and WILLIAM SHIFFLETT

vs.

ROBERT M. MILLER, d/b/a
MILLER TRUCK REPAIR

Filed January 20, 1993
@ 3:08 PM

Tax & entry paid	50.25
User's Fee paid	5.00
Pro Co pd 4-14-93	15.00
Pro.Co. pd 9/21/93	9.00
Bal Pd 11/4/93	5.00

APPEAL OF PLAINTIFF FROM DECISION OF
DISTRICT JSUTICE ROBERT J. LEONHART

Jan. 22, 1993 Proof of Service filed.

Jan. 29, 1993 Complaint filed.

Feb. 12, 1993, Answer and Counterclaim filed.

Feb. 25, 1993 Reply of the Plaintiffs to Defendant's Counterclaim, filed.

Apr. 14, 1993 Upon praecipe to appoint Arbitrators the following Arbitrators are appointed.

~~Terry Toomey~~ ~~Charles Swick~~, Chr. ~~Dan Mason~~ Donald Lewis
Bruce Barrett
Stephen Hall

Apr. 29, 1993 Arbitrators take qualifying oath filed.

Apr. 29, 1993 Arbitrators take qualifying oath.

Jun. 29, 1993 Notice of Hearing Before Board of Arbitrators filed.

July 19, 1993 Notice of Hearing Before Board of Arbitrators, filed.

Aug. 6, 1993, DECISION OF THE ARBITRATORS filed in which they find Judgment in favor of defendant and against plaintiff upon plaintiff's complaint. Judgment in favor of defendant and against p laintiff upon defendants counterclaim for the amount of $924.71 plus 6% interest from Feb. 12, 1993.
Decision entered - 8/6/93
S - 51, 171
H - 181

DECISION OF ARBITRATORS
Barbara H. King,
Prothonotary
Aug. 6, 1993, copies to Attys. Hotchkiss and Bacallao

And Now, Sep. 21, 1993 upon praecipe of Andrew S.Bacallao, Esquire, attorney for Defendant, Robert M. Miller, judgment is hereby entered against the Plaintiffs, Eric Shifflett, d/b/a Hayfield Estates Mobile Homes, and William Shifflett, in accordance with the decision of the Board of Arbitrators entered thereon. in the amount of Nine.hundred FiftyEight and 15/100 Dollars, plus costs, itemized as follows:

$924.71	- Pursuant to Arbitrators' Decision on Aug. 3, 1993
33.44	- Interestt from 2/12/93 through 9/20/93 @ 6%
$958.15	Total excluding costs.

M-206; M-181:
Abstract to Atty. Bacallao

Debt $958.15
JUDGMENT
Barbara H. King
Prothonotary

Nov. 4, 1993 This Judgment Satisfied.
(see paper filed)

1993

60.

Culbertson, Weiss,
Schetroma & Schug
David L. Hotchkiss
—

MILLER TRUCK REPAIR

vs.

HAYFIELD ESTATES

Filed January 20, 1993
3:08 PM

Tax & entry paid 50.25 ✓
User's Fee paid 5.00

APPEAL OF DEFENDANT FROM DECISION OF
DISTRICT JUSTICE ROBERT J. LEONHART

Jan. 20, 1993 Rules entered upon Plaintiff to file a Complaint Issued.

Jan. 22, 1993 Proof of Service filed.

1993

Thomas, Truax,
Spadafore & Walker
Gregory A. Keenan

61

JEFFREY N. GRAVATT

vs/

MARJORIE E. GRAVATT

Filed January 21, 1993
@ 11:02 AM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count paid	15.00
State paid	10.00
Pro Co. paid 1/11/96	9.00
Pro.Co. Pd 4/15/96	5.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
1 copy (atty)

Feb. 2, 1993 Affidavit of Service Of Complaint In Divorce filed. Gregory A. Keenan, Esquire, being duly sworn according to law, deposes and says that on January 22, 1993, he sent a true and correct copy of a Complaint In Divorce, properly endorsed with the Notice To Defend, filed in the above action, to the Defendant, Marjorie E. Gravatt, at Defendant's last known address of R.D. #2, Box 216, Cochranton, PA, 16314, by Certified Mail No. P 899 092 575 postage prepaid, return receipt requested, restricted deliver and that attached hereto is a duly executed return receipt card showing date of delivery as January 23, 1993. Gregory A. Keenan

Nov 30, 1995 Affidavit of Consent of Defendant, filed.

Dec. 20, 1995 Affidavit of Consent of Plaintiff filed.

Jan. 10, 1996 Upon Praecipe of plaintiff attorney For Review Under Section 3301(c) of Divorce Code, this case moved to Court.

Jan. 19, 1996, ORDER filed. This divorce matter has been referred tocourt for review and decree. Final decree will not be entered at this time because:

As to a 3301(c) divorce:

There is no showing that the proper notice required by 1920.42(d) in the form required by 1920.73 was mailed or delivered to a party who is unrepresented or to counsel of a represented party, etc.

Either pary 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.

by order of court,
Gordon R. Miller, J.

1/19/96 faxed to Irwin and Keenan.

Feb. 27, 1996 Waiver of Notice Of Intention To Request Entry of a Divorce Under Section 3301(c) of the Divorce Code of Defendant filed.

Feb. 27, 1996 Waiver of Notice of Intention To Request Entry of a Divorce Under Section 3301(c) of the Divorce Code of Plaintiff filed.

Feb. 28, 1996 Upon praecipe of plaintiff attorney for Review Under Section 3301(c) of the Divorce Code, this case moved to Court.

DIVORCE DECREE FILED

March 7, 1996, AND NOW, March 6, 1996, it is Ordered and Decreed that JEFFREY N. GRAVATT, Plaintiff, and MARJORIE E. GRAVATT, Defendant are divorced from the bonds of matrimony.

AND IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the terms, provisions and conditions of a certain Marital Settlement Agreement between the parties dated Nov. 24, 1995, and attached hereto are hereby incorporated in this Decree and Order by reference 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, J.

Apr. 15, 1996 Notice of Election to Retake Maiden Name of Marjorie E. Gravatt to be known as MARJORIE RUMMEL, filed.

62

1993

Elizabeth A. Beroes
~~kathleen R. Nelson~~ Withdrawn

Watts and Pepicelli
Christopher D. Ferry

62.

Thomas, Truax, Spadafore
and Walker
~~Gregory A. Keenan~~ withdrawn

11-17-93 Received from deft Med. Deposit $150.00
4-13-94 Pd deft Refund Ch#8232 (Kenny) 141.00

ELAINE PIERCE

vs.

BARTHOLOMEW G. PIERCE

Filed January 21, 1993
@ 1:24 PM

Tax & entry paid	50.50
User's Fee paid	15.00
2 Add'l Counts paid	30.00
State paid	10.00
John Fuller, Mediator	250.00
Pro Co Pd 6-9-94	9.00
Pro.Co. pd 4/4/96	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION and CUSTODY
1 copy (atty)

Feb. 8, 1993 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 ture 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 to Defend were sent by certified mail to the Defendant, Bartholomew G. Pierce on Jan. 26, 1993.

3. The certified mail was sent to Bartholomew G. Pierce at 5 Pymatunign St., Linesville Pa 16424. The sender's receipt is attached hereto.

4. That the Defendant received said certified mail on Feb. 5, 1993. Said Return Receipt Card P 360 670 102 is attached hereto, signed by Bartholomew G. Pierce and made a part hereof.

May 21, 1993 Appearance of Thomas, Truax, Spadafore and Walker By Gregory A. Keenan, Attorney for Defendant filed.

Nov. 17, 1993 Motionto Appoint Custody Mediator and NOTICE AND ORDER TO APPEAR filed. You, ELAINE PIERCE,Plaintiff, have been sued in Court to obtain custody of Vance Pierce, Bonnie Pierce, and David Pierce.

You are ORDERED to appear in person at sucht ime and place as will be determined by the Mediator, John Fuller, for a Mediation Conference.

Date: 11/16/93 Gordon R. Miller, J.

11-22-93 Copy of Order to Attys.Nelson & Keenan.

Nov. 22, 1993, Motion for Change of venue filed.

Nov. 22, 1993, ORDER filed. AND NOW, Nov. 18, 1993, upon motion fo the plaintiff for change of venue a Rule to show cause is hereby entered and directed tot he defendant toshow cause, if any he has, why said motion should not be granted.

Said Rule is returnable for hearing and/or argument for Dec. 6, 1993 at 1:30 p.m. in C. R. No. 1, 2 or 3 of the Crawford County Courthouse.

The motion is filed at "FD 93-06658" but that is improper for the Crawford County number is 62 of 1993.

Furthermore, counsel has already appeared of record for the plaintiff in this action and therefore a copy of this order shall also be deleivered to Kathleen Nelson, who is atty., of record for the p laintiff in this action.

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

Nov. 23, 1993, copies dist. to Attys. Beroes, Keenan, Nelson and JOhn Fuller.

Nov.22, 1993 ORDER filed. AND NOW, November 18, 1993,upon motionof the plaintiff for change of venue a Rule to show cause is hereby entered and directed to the defendant to show cause,if any he has, why said motion should not be granted.

Said rule is returnable for hearing and/or argument for December 6, 1993 at 1:30 o'clock p.m. in Courtroom No.1, 2 or 3 of the Crawford County Courthouse.

The motion is filed at "FD 93-06658[but that is improper for the Crawford County number is 62 of 1993.

Furthermore counsel has already appeared of record for the plaintiff in this action and therefore a copy of this Order shall also be delivered to Kathleen Nelson, who is attorney of record for the plaintiff in this action.

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

11-23-93 Copies dist.to Beroes, Nelson, Keenan & Fuller.

Dec. 3, 1993 Preliminary Objection To Plaintiff's Motion For Change of Venue and Order filed. AND NOW, THIS 2 day of December, 1993, upon consideration of Defendant's Preliminary Objection to Plaintiff's Motion For a Change of Venue, a Rule to show cause is hereby entered and directed to the Plaintiff to show cause, if any she has, why the relief requested in Defendant's Preliminary Objection should not be granted.

Said Rule is returnable for hearing and/or argument on December 6, 1993, at 1:30 p.m. in Courtroom No. 1, 2 or 3 of the Crawford County Courthouse, said date being the same date and tim which has also been set for hearing on Plaintiff's Motion for Change of Venue.

By the Court:
Anthony J. Vardaro, U

Dec. 3, 1993 Copy of order to Atty's Nelson and Keenan

Dec. 8, 1993 Order filed. AND NOW, December 6, 1993 after argument, the Defendant's prelimlinary objection to Plaintiff's motion for change of venue relative to determining appropriate custody and visitation rights with the respective parents of minor child David is DENIED.

This Court believes that a mediation conference in Crawford County would be more appropriate than Allegheny County. The custody mediator, Attorney John Fuller, has already been appointed, and the Court directs he establish a date for said mediation conference and in his report to the Court, attempt to accurately delineate the position of the parties in making a representation to the Court.

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

dec. 8, 1993 Copies dist. to Atty's Beroes, Keenan and Fuller

Dec. 19, 1993 Motion to Withdraw and ORDER filed. AND NOW, this 9 day of December, 1993, this Honorable Court hereby grants MOvant's within Motion to Withdraw as counsel for Plaintiff, Elaine Pierce.

BY THE COURT:
Anthony J.Vardaro, J.

12-16-93 Copy of Order to Attys. Nelson,Beroes & Fuller

Continued on page 62A

Elaine Pierce

vs.

Bartholomew G. Pierce

Record continued from page 62

of record

A.D. 1993 - 62

****

Dec. 10, 1993 Amended Order filed. AND NOW, December 9, 1993, the court's attention is directed to an obvious error in the first paragraph of this Court's original order dated December 6, 1993. We correct the first paragraph to read as follows:

AND NOW, December 6, 1993 after argument, the Defendant's preliminary objection to Plaintiff's motion for change of venue relataive to determining appropriate custody and visitation rights withthe respective parents of minor child David is Sustained.

The second paragraph remains the same but was as follows:

This Court believes that a mediation conference in Crawford County would be more appropriate than Allegheny County. The custody mediator, Attorney John Fuller, has already been appointed, and the Court directs he establish a date for said mediation conference and in his re port to the Court, attempt to accurately delineate the position of the parties in making a representation to the Court.

BY THE COURT:
P. Richard Thomas, S.J.

Dec. 10, 1993 copies dist. by Court.

Apr. 13, 1994 ORDER filed. AND NOW, April 7, 1994 after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of David J. Pierce and Bonnie L. Pierce 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 Bonnie L. Pierce shall be with her father, subject to the followisng conditions:

A. The mother shall be entitled to visit and take the child, Bonnie, into her custody one weekend each month from 7:00 o'clock p.m. on Friday to 7:00 o'clock p.m. on Sunday, beginning May 6, 1994. Unless the parties agree otherwise, this weekend shall be the weekend beginning the first Friday of each month.

III. Physical custody of David J. Pierce shall be with his mother until the endof his school year in Pittsburgh. Thereafter, primary custody of David shall be with his father, subject to the following.

A. The father shall be entitled to visit and take David into his custody from Friday, April 15,1994, at 7:00 o'clock p.m. until Sunday, April 17, 1994 at 7:00 o'clock p.m. and from May 13, 1994 at 7:00 o'clock p.m. until Sunday May 15, 1994 at 7:00 o'clock p.m.

B. The mother shall be entitled to visit and take the child, David, into her custody the first and third weekends of each month from 7:00 o'clock p.m. on Friday to 7:00 o'clock p.m. on Sunday beginning June 17, 1994. The first and third weekends shall be those weekends on which the first and third Fridays of each month fall.

IV. Holidays shall be defined as Christmas and Thanksgiving. Custody of the children shall be alternated on the aforesaid holidays.

On even numbered years the children shall be in the custody of the mother on Christmas Day, and in the custody of the father on Thanksgiving Day.

On odd numbered years the children shall be in the custody of the mother on Thanksgiving Day, and in the custody of the father on Christmas Day.

V. The mother, father and children are directed to obtain an evaluation from the Crawford County Mental Health Center for the prupose of determining what is in the best interest of the children with srespect to custody and visitation. Father's attorney shall make arrangements for this evaluation and copies of the evaluation shall be furnished to mother's attorney, father's attorney and sahll be available to the Court,

VI. A. Transportation of the children on weekends and holidays shall be divided as follows: The parents shall meet and exchange custody of the children at Aetna, Pennsylvania at the Big Boy Restaurant.

B. 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.

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 the children and both parents agree to furnish the other with a current telephone number.

VII. This order is a temporary order but shall become a permanent order unless exceptions thereto are filed by either party within ten (10) days of the date hereof, provided, however, that this sorder is entered without prejudice to the right of either party to request a further mediation conference or custody hearing after receipt of the mental health evaluation referred to above.

VIII. Cost of the mediation conference shall be paid by Crawford County. The Prothonotary of Crawford County is hereby directed to refund the deposit paid in advance by the Defendant, less the cost of the custody order.

Anthony J. Vardaro, J.

Apr. 18, 1994 copy to E. Beroes, G. Keenan, J. Fuller, Plf. & Dft.

April 19, 1994, Exceptions to Recommendation of April 7, 1994 by John Fuller, Esq., and Order filed. ORDER OF COURT: AND NOW to-wit this 5 day of May 1994 upon consideration of the plaintiff's foregoing exceptions to the Recommendation of April 7, 1994 by John Fuller, esq. it is hereby ORDERED AND DIRECTED that a hearing be scheduled for the 7th day of July 1994 at 9:15 a.m. in Courtroom 1 or 2.

BY THE COURT,
Gordon R. Miller, J.

May 10, 1994, copies of order to Atty. Beroes, G. Keenan and Fuller.

June 1, 1994 Plaintiff's Motion To Hold Defendant in Contempt and For Sanctions, filed.

June 1, 1994 Motion to Strike Exceptions Filed By Plaintiff and Order, filed. AND NOW, this 1st day of June, 1994, upon consideration of Defendant's Motion to strike the exceptions filed by Plaintiff in the above referenced matter, the Court finds that Plaintiff's exceptions were filed after the 10 day period provided in paragraph 7 of the Temporary Order dated April 7, 1994, and said exceptions are therefore untimely by one day. Defendant's Motion to strike Plaintiff's exceptions is hereby denied.

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

June 1, 1994 Faxed copy to Keenan. June 2, 1994 mailed copy to Beroes
June 7, 1994 faxed copy to Fuller

Continued on next page

62
B

1993

Elaine Pierce

vs.

BARTHOLOMEW G. Pierce

Record continued from page 62a

of record

A.D. 1993 - 62

****

June 1, 1994 Plaintiff's Answer To Defendant's Motion To Strike filed.

June 1, 1994 Petition To Adjudicate Plaintiff In Contempt and For Sactions filed.

June 2, 1994 Order filed. AND NOW, June 1, 1994, upon presentation of cross petitions for contempt filed this date it is ORDERED AS FOLLOWS:

1. A hearing and/or argument on said contempt petitions is hereby scheduled for Thursday, July 7, 1994 at 9:15 a.m. in courtroom No. 1 or 2 of the Crawford County Courthouse. These matters shall be addressed after the de novo hearing is held on that date.
2. In the meantime, the parties shall follow and abide by the Order of April 7, 1994 without exception. Bonnie L. Pierce must be advised that she shall visit and be with her mother at the times provided for in the Order or the Court may hold her in contempt of court. It is a parent's right to see and visit with their children so long as said visitations are not detrimental to the health, safety, morals or welfare of the child. It is not the child's preivilege to accept or reject visitations.
3. Counsel for the parties shall make certain that the parents as well as David and Bonnie shall begin and evaluation with Cathy Berkey in order to filfil Paragraph V of the April 7th Order A copy of this Order shall delivered to Ms. Berkey. It is the Court's home that by the time of the de novo hearing on July 7th the parties will have met with Ms. Berkey an appropriate number of times and be thoroughly evaluated and hopefully, that Ms. Berkey will have a recommendation to present to the Court at that time. Ms. Berkey may present her recommendation in writing unless after receipt of that recommendation one of the attorney believes that Ms. Berkey should be present to testify live at the hearing. The Court doe snot now set out more detailed arrangements with respect to the evaluation, but believes that the attorneys as officers of the court and members of the Bar known what the Court order says, know what the Court desires and will carry it out as professionals.

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

June 2, 1994 Copies dist. to Beroes & Keenan

June 20,1994 Motion to Continue De Novo Hearing and Order, filed. AND NOW, this 20th day of June, 1994, consideration of Defendant's Motion to Continue the de novo custody hearing, shall be considered in motions court on Friday, June 24, 1994, at 8:45 a.m.

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

June 20, 1994 Faxed Keenan, given Beroes June 24, 1994 Faxed to Fuller

Jun. 24, 1994 ORDER filed. AND NOW, this 24th day of June, 1994, upon consideration of Defendant's Motion to Continue the de novo custody hearing, said motion is hereby granted and hearing is reset for the 2nd day of August, 1994, at 9:30 a.m. inCourtroom No. 1 or 2. The mediation order shall be followed. The evaluation shall be completed by August 2nd. No further continuances.

By the Court:
Gordon R. Miller, J.

6-24-94 Faxed to Keenan& Fuller, given to Beroes. 6-28-94 Faxed to Keenan, & Fuller, mailed to Beroes.

Jun. 24, 1994 Motion to Withdraw Defendant's Petiton to Adjudicate Plaintiff in Contempt and for Sanctions filed.

Jun. 20, 1994 ORDER filed. AND NOW, this 20 day of June, 1994, upon consideration of Defendant's Motion to withdraw Petition to adjudicate Plaintiff in contempt and for sanctions, said motion is granted and the aforesaid petition is hereby withdrawn. The Court Administrator is hereby directed to remove the hearing on said matter from the Court schedule.

By the Court:
Gordon R.Miller, J.

6-24-94 Gave copy to Keenan,Mailed to Beroes.

Aug. 4, 1994 And Now, August 2, 1994 after a lengthy all day custody hearing, thecourt advises counsel that while it does not view eithr parent as an indeal custodial parent, under all of the evidence heard,theCourt believes that primary physical custody of the children should be awarded to the father. However, there should be periodic visitations between mother and children, with a more lengthy visit over the summer months and a division of holidays between parents to the end that during major holiday and school vacation periods, the non custodial parent has meaningful visitations during those periods of time.

The Court directs counsel to immediately attempt to establish by agreement custodial visits to be accorded to the mother specifying conditions regarding transportation therefore andother details. If the parties through their counsel cannot establish said vistiations periods for the non-custodial parental mother, then the Court will resort primarily to the recommendation of the custody mediator and modify the same in view of the testimony heard by the Court at this hearing.

If the court does not hear form counsel by August 10, 1994 the court will assume the responsibility of devising a vistiation schedule and will not afford counsel an opportunity to argue the same again.

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

Aug. 4, 1994 Copies to Beroes & Keenan

Sep. 2, 1994 Visitation and Partial Custody, Supplemental Order filed. On August 2, 1994 after a lengthy hearing we awarded primary physical custody of minor children Bonnie and David to father Bartholomew Pierce and directed counsel to attempt to reach an agreeable supplemental order regarding periods of partial custody and visitations with the mother Elaine Pierce. Counsel have been unable to agree. We have received suggested partial custody and visitation suggestions from counsel for the parties direct they became part of the record in this case, and now establish schedules for the same.

1. Mother Elaine Pierce shall be entitled to a weekend visit every month with minor children Bonnie and David commencing with September 1994 through February 1995. The weekend visits shall be on the following dates and times:

September 1994 - Sat. Sept. 24 10 a.m. to Sun. 6 p.m.
October 1994 - Fri. Oct. 28 10 a.m. to Sun. 6 p.m.
November 1994 - Wed Nov. 23 8 p.m. to Sun. 6 p.m.
December 1994 - Fri. Dec. 16 7 p.m. to Sun. 6 p.m.
January 1995 - Fri. Jan. 20 7 p.m. toSun. 6 p.m.
February 1995 - Feb. 17 7 p.m. to Sun. 6 p.m.

2. Commencing March 1995 and monthly thereafter the mother shall have custody of said children on the first and third weekends of each month commencing Friday at 7 p.m. thru Sunday at 6 p.m.
3. The father shall be responsible for delivering and picking up the children for the visits from September 1994 through February 1995.

Thereafter it shall be the responsibility of the mother to pick up and return the children on the first weekend visit every month and the father's responsibility for pick up and return on the third weekend.

Continued to Page 62 C

Elaine Pierce
vs
Bartholomew G.Pierce

Record Continued from Page 62 B
of Record
AD 1993 - 62

4. Major holidays are designated as Easter, July 4th, Thanksgiving and Christmas. Commencing with Easter 1995 the parents shall alternate said holidays in 1995 for having custody of said children in their exclusive possession for a period of not less than 72 hours with the mother having custody for Easter 1995. The four holiday periods will be alternated between the parents each year so that the same parent does not enjoy the same holiday two years in succession.

a. It shall be the responsibility of the mother to pick up the children for her holiday visits and the responsibility of the father to return the children to his home at the conclusion of said visit.

5. Commencing in 1995 the mother may have a continuous one calender month custody period (July or August) with the two children being in here exclusive custody. Mother shall notify the father by May 1 each year which month she elects. During said one month period the father is accorded a "long weekend" visit with the children in his exclusive custody from Thursday at 7 p.m. till Sunday at 6 p.m. Unless the parties agree otherwise the "long weekend" shall be the second weekend the children are in the custody of the mother.

a.The father shall be responsible for delivering the children to the mother for the one month visit and the mother shallbe responsible for returning them. The father shall be responsible for the pick up and return for his "long weekend."

6. Both parents shall be entitled to share school records, medical records and be promptly informed of any injuries, diseases or crises in the children's lives and to take part in any important decision affecting said child's life.

7. While child Vance is now 18 years of age and by agreement is not subject to this order,the Court urges Vance and both parents to arrange comfortable visits between Vance and his mother.

8. Neither parent shall say or do anything in an attempt to belittle or downgrade the opposite parent in the opinion of the child. The parents are urged to set aside their bitterness toward each other and frankly objectively discuss matters concerning the best interests and welfare of their children and attempt to make joint decisions on matters impacting all the welfare and future of the children.

9. The parties are permitted to modify this custody visitation order by mutual agreement and the Court suggest that if major alterations are made the parties reduce their changes (temporary or permanent) to writing to avoid argument thereon.

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

Sept. 2, 1994 mailed Beroes and given Keenan

Sep. 30, 1994 Exhibits filed.

Oct. 12, 1994 Petition to Hold Defendant in Contempt and for Sanctions filed.

Oct. 12, 1994 ORDER OF COURT filed. AND NOW this 6 day of Oct. 1994,upon consideration of Plaintiff's Petition to hold Defendant inContempt and for Sanctions it is hereby ORDERED and DIRECTED that a hearing be scheduled on this matter for the 18th day of Oct., 1994 at 9:30 A.M.

BY THE COURT:
P. Richard Thomas,S. J.

10-12-94 Copies dist.by Judge's Chambers

October 20, 1994 ORDER filed. AND NOW, Oct. 18, 1994, at the time set for hearing to hold the defendant in contempt for his failure to see that the visitations with the mother prescribed in this Court's Order dated Aug. 2, 1994, the Court holds a lengthy contempt hearing and hears testimony from all three children and from mother and father.

After hearing, the Court finds the father in contempt of Court for his willful failure to see that the visits prescribed in the Court's Order were carried out by the children. As far as punishment for contempt is concerned, the Court hodls that matter in abeyance and has cautioned the father that it is his responsibility to see that the terms and conditions of the Order heretofore entered are carried out.

The Order previously entered shall remain in full force and effect, and in the event the Court fidns a violation thereof, the Court will consider removal of the children from the home and severe punishment for the father for failing to control the family to the extent that he assumes the responsibility for seeing the terms and conditions of the Order are carried out.

The Court holds in aveyance any punishment for contempt or the assessment of attorney's fees for being in contempt of the Court and again cautions the father that it is his obligation and duty to see that the Order of Court is complied with.

The Court encourages the father and the children to have periodic phone contact with the mother and if there is any need because of illness, family emergency or extremely important events in the children's lives that would impact on the visitation schedule, that any discussion of the same be carried out between mother and that the father not delegate said responsibility to the children.

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

Oct. 21, 1994 Copies of Order distributed to Attys. E. Beroes, Greg Keenan.

Apr 7, 1995 Petition to Hold Defendant in Contempt and for Sanctions, filed.

Apr. 7, 1995 Order filed. AND NOW thsi 16 day of March, 1994, upon consideration of Plaintiff's Petition to Hold Defendant in Contempt and for Sandctions it is hereby ORDERED and DIRECTED that a hearing be scheduled on this matter for the 31 day of March, 1995 at 1:30 P.M.

BY THE COURT:
P. Richard Thomas, S.J.

Copies circulated by Court.

April 7, 1995 Order filed. See paper filed

July 17, 1995 Plaintiff's Affidavit Under Section 3301(d) Of the Divorce Code filed.

Jul. 20, 1995 Inventory and Appraisment of Plaintiff, Elaine Pierce, filed.

Sep 25, 1995 Motion to Withdraw and Order, filed. AND NOW, this 25th day of September, 1995, upon consideration of Defense Counsel's Motion to Withdraw his srepresentation, and upon a finding that the grantign of said Motion will not unreasonably delay any stage of the proceeding and that the Defendant has received the requisite notice of the presentation of the Motion to Withdraw, said Motion ishereby granted and Gregory A. IKeenan, Esquire, Attorney for the Defendant, is hereby granted leave to withdraw his appearance from this case.

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

Sept 25, 1995 Faxed Keenan, mailed Beroes
Oct 3, 1995 Faxed Fuller

Mar. 11, 1996 Plaintiff's Affidavit Under Section 3301(d) Of The Divorce Code filed.

Mar. 11, 1996 Affidavit of NOn-Military Service filed.

Apr. 2, 1996 Upon Praecipe of Elizabeth A.Beroes, Esquire, Attorney for Plaintiff to transmit record, Case Moved to Court and Plaintiff's Affidavit Under Section 3301(d) of the Divorce Code filed.

RECORD CONTINUED ON PAGE 62 (D).....

62
D

1993 TERM

ELAINE PIERCE VS. BARTHOLOMEW PEIRCE — RECORD CONTINUED FROM PAGE 62 (C) of AD 1993 - 62

April 15, 1996 ORDER filed. This divorce matter has been referred to the Corut 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:

Economic and other issues or counts have been raised in the pleadings or by petition which are not being disposed of by stipulation, withdrawal or hearing. To grant a divorce decree without a aresolution of those other issues would be tantamount to an improper bifurcation.

As to a 3301(d) divorce: There is no showing that the proper notice required by 1920.42(d) (1) in the form required by 1920.73 has been given to a party who is unrepresented or to counsel of a represented party; and/or no copy of said notice is attached to the praecipe to refer or submit.

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.

BY ORDER OF COURT
Gordon R. Miller, J.

April 15, 1996 Order FAXED Elizabeth A. Beroes, Esq.

Sept. 23, 1996, Appearance of Watts and Pepicelli, PC by Christopher D. Ferry, on behalf of plaintiff filed.

Apr 3, 1997 Waiver of Notice of Intention to REquest Entry of a Divorce Decree Under Section 3301(c) of the Divorce Code, filed.

Apr 3, 1997 Affidavit of Consent of Defendant, filed.

May 9, 1997, Waiver of Notice of intention to request entry of div. decree (plff) filed.

May 9, 1997, Affidavit of consent of plff. filed.

1993

Rian J. Lindsay

63.

Thomas, Truax,
Spadafore & Walker
Gregory A. Keenan

3-22-93 Received Sheriff Cost 30.00

3-22-93
deputy 2.75

Pd Sheriff 3-22-93
ck # 7425-30.00

ROBIN L. JOHNSON

vs.

DELMAS (DUSTY) E. JOHNSON

Filed January 21, 1993
@ 2:52 PM

Tax & entry		50.00
User's Fee	Pd 3-22-93	5.00
Tax Paid	3-22-93	.50
Sheriff's Costs		30.00
Pro Co	Pd 3-22-93	9.00 ✓

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

Order:

And now, this 21st day of January , 1993 , 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 Plantiff or any of the minor children named in the Petition.
2. Special Conditions: Defendant shall move out, Temporary possession of the residence is awarded to Plaintiff. Temporary custody of the children is awarded to the Plantiff. Defendant shall not contact Plaintiff Defendant shall not go to Plaintiff's residence.
3. This Order may be enforced without a warrant of arresdt 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 or 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 here by set for January 29, 1993 , at 3:30 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 COURT,
Gordon R. Miller, J

Jan. 27, 1993 Sheriff's Return filed. SERVED Delmar E. Johnson personally on January 25, 1993 at 4:20 PM at the parking lot of Perkins Restaurant, Conneaut Lake Road, Meadville, Crawford County, PA.
So answers,

Dale A. Collins, Deputy Sheriff
Edgar D. Householder, Sheriff (Chief)

Feb 1, 1993 MOTION TO CONTINUE and ORDER filed. ORDER: AND NOW, this 29th day of January, 1993, the within Motion to Continue is Granted. A new hearing is scheduled for the 5th day of February, 1993, at 3:30 p.m. in Courtroom 1 or 2. The Temporary Order shall remain in full effect until further hearing.

By the Court:
Anthony J. Vardaro, J.

Feb. 3, 1993 copy to G. Keenan, Plf. & Co. Control

Feb. 10, 1993 Motionto Reschedule Hearing and Order, filed. ORDER: AND NOW, this 5th day of February, 1993, this Honorable Cour thereby grants the within Motion and hereby reschedules the PFA Hearing for the 12th day of Feburary, 1993, in Courtroom 1 or 2, at the Crawford County Courthouse, Meadville, Pa., at 3:30 P.M. All terms of Temporary Order shall remain in effect pending further order of Court.

BY THE COURT:
Anthony J. Vardaro, J.

Feb. 17, 1993 ORDER filed. AND NOW, Feb. 12, 1993, at the time this abuse case is before the Court for hearing, the parties, acting through their counsel, advise the Court the matter has been amicably resolved as follows:

1. Without admission of the allegations contained in the Petition, the Defendant agrees that he will not assault, threaten, annoy, harass or follow the plaintiff/wife in any fashion nor procure others to do so on his behalf.
2. Visitation of the three minor children shall be as follows: The father shall have visitation rights with minor children Dusty and William every other Friday every other weekend commencing Feb. 19, 1993, between the hours of 6:00 p.m. Friday and 6:00 p.m. Sunday. The father will pick up and return the children and the mother shall supply all of the necessary clothing and other items to properly maintain the children over the weekend.
3. The parties mutually agree the plaintiff/wife shall have exclusive use and residence in the marital home for nine(9) continuous months following this date, subject to the following conditions: This Sunday, Feb. 14, 1993, the plaintiff shall have access to the home to procure all of his personal possessions.
4. Each parent shall keep the other notified of any injuries or illnesses affecting all three children.
5. The parties mutually agree that the defendant shall have exclusive possession of a 1981 Pontiac automobile and the husband shall have exclusive possession of a 1979 Oldsmobile. Each party shall see that the mother possesses all of the keys of the respective vehicles.
6. The parties mutually agree that the defendant will not dispose of or attempt to dispose of marital property without the consent of the husband.
7./ Each party shall pay one-half of the costs in this case, with total costs amounting to $94.50, within thirty (30) days of his date.

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

Feb. 17, 1993 copies given to Lindsay, Keenan, Co Control
Feb. 25, 1993 copy to PSP (Mdvl), Plf. & Dft.

Mar. 1, 1993 Motion To Amed Order and Order filed. AND NOW, this 1 day of March, 1993, this Honorable Court hereby directs that the foreing amendments to the Order of February 12, 1993 shall supersede and take the place of paragraphs 5 and 6 ofthe Order.

Anthony J. Vardaro, J

3 copies atty.

1993

Northwestern Legal Services
~~R. Christopher Brode~~
Withdrawn

64.

PAULA L. MAY

vs.

FREDERICK F. MAY, JR. and MELISSA ANN FISHER

Filed January 21, 1993
@ 4:02 PM

Indigent Filing

COMPLAINT FOR TEMPORARY CUSTODY

Order:
You, Frederick F. May, Jr., defendant, and Melissa Ann Fisher, defendant, ahve been sued in Court to obtain custody of the minor children.
You are ordered to appear in person and bring the subject minor children, 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.
By agreement of Paul L. May and Melissa Ann Fisher, pending the outcome of the above-ordered mediation, the defendant Melissa A. Fisher shall immediately return custody of the minor chidlren to the Plaintiff. The plaintiff shall have legal and physical custody of the minor chidlren until further order of Court.
The Crawford County Sheriff'sDepartment is directed to serve a certified copy of this Complaint and Order upon the defendants. In the alternative, this Petition and Order may be served by any competent adult or by certified mail.
Plantiff is allowed to proceed without payment of Court costs reserving 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, gp to or telephone the office set forth below to find out where you can get legal help.

Court Administrator
Crawford County Courthouse
Meadville, Pennsylvania
(814) 336-1151, ext 298

BY THE COURT,
1-21-93 Anthony J. Vardaro, J

Jan. 21, 1993 Copies of order to Atty's Brode and Fuller

Jan. 21, 1993 Praecipe of Plaintiff Attorney To Proceed In Forma Pauperis filed.

Mar. 26, 1993 Withdrawal of Appearance of Northwestern Legal Services, Christopher Brode for Plaintiff Paula L. M ay and Order, filed. ORDER: AND NOW, this 26th day of March, 1993, upon presentation and consideration of the foregoing Motion said Motion is granted by the Court.

BY THE COURT:
Anthony J. Vardaro, J.

Mar. 29, 1993 copy to C. Brode

IMPORTANT NOTICE AND COURT ORDER

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 3/26/1993 . 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 from you in writing on or before Oct. 23, 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.

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 Oct. 23, 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 where you 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: Sept. 22, 1998

RECORD CONTINUED ON PAGE 404 (b).....

1993

Ambrose, Friedman
& Weichler
Philip B. Friedman

65

Marsh, Spaeder, Baur,
Spaeder & Schaaf
Thomas M. Lent

LYNN S. ELLIS and GEORGE A. ELLIS, her husband

vs.

MICHAEL G. NECAS, M.D.

Filed January 22, 1993
@ 1:17 pm

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	37.00
Pro.Co. pd 11/7/94	6.00

JURY TRIAL

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

Feb. 9, 1993 SHERIFF'S RETURN filed. SERVED Michael G. Necas, M.D., on Jan. 27, 1993 at 2:46 PM by handing a copy of the Complaint to Im Necas, his wife, at their residence, 107 E. Bloss Street, Titusville, Crawford Co., Pa.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Feb. 17, 1993 Appearance of Marsh, Spaeder, Baur, spaeder & Schaaf by Thomas M. Lent for Defendant filed.

Feb. 17, 1993 Preliminary Objections filed.

Feb. 17, 1993 Upon praecipe of Defendant Attorney the above captioned matter is placed on the next available argument list.

1993 MARCH ARGUMENT LIST

Mar 12, 1993 Amended Complaint - Civil Action, filed.

Mar. 26, 1993 Preliminary Objections filed.

Mar. 26, 1993 Upon praecipe of Defendant Attorney the above captioned matter is placed on the next available argument list

ON ARGUMENT LIST FOR APRIL 1993

June 21, 1993 Assignment of Argument Date, filed. AND NOW, June 18, 1993 argument of defendant's preliminary objections to the amended complaint in the above matter is hereby set for July 14, 1993, at 3:00 P.M., in Courtroom 1. FOR THE COURT,
Anna A. Walker, Crt. Adm.
June 18, 1993 copies mailed to Lent & Friedman by Crt. Adm.

June 21, 1993 Upon praecipe of Plaintiff Attorney the Defendant's Preliminary Objections are placed on the next available Argument List.

1993 JULY ARGUMENT LIST

July 21, 1993 Memorandum and Order filed. AND NOW, July 20, 1993, the defendant's preliminary objections to the amended complaint of the plaintiffs are denied as to the introductory portion of paragraph 8, and subparagraphs 8(a) and 8(c).
the preliminary objections are granted as to subparagraphs 8(b) and 8(d). Those paragraphs are stricken and the Plaintiffs are given twenty (20) days formthe date of this Order to file an amended complaint to aver with more specificity their allegations converning improper treatment and paragraph 8(b) and improper monitoring in paragraph 8(d).
BY ORDER OF COURT,
Gordon R. Miller, J

July 21, 1993 Copies dist. to Friedman & Lent

Aug. 2, 1993 Second Amended Complaint-Civil Action filed.

Aug. 5, 1993 Notice of Serving Interrogatories to Defendant, Michael G. Necas, M.D. (First Set), filed.

Aug. 5, 1993 Notice of Serving Request for Production of Documents to Defendant, Michael G. Necas, M.D. (First Request), filed.

Dec. 2, 1993 Notice of Default Judgment filed.

Dec. 9, 1993 Answer and New Matter, filed.

Dec. 13, 1993 Notice of Deposition of Michael G.NecAS, M.D.will be taken on Wednesday, December 29, 1993, filed.

Dec. 20, 1993, Notice of Deposition of Michael G. Necas .MD filed.

Jan. 10, 1994 Reply to Defendant's New Matter filed.

Jan. 27, 1994 Notice of Serving Interrogatories and Request for Production of Documents,filed.

Mar. 23, 1994 Discovery Notice filed.

9-9-94 Brief filed.

May 6, 1994, Notice of deposition of Teresa Cray filed.

May 6, 1994, notice of deposition of Ruth Boyle filed.

May 6, 1994, Notice of deposition of Johna Dean filed.

May 6, 1994, Notice of Deposition of Judith waychoff filed.

May 10, 1994, Notice of Depositon of Lynn S. Ellis filed.

Aug. 19, 1994 Certificate of Readiness filed.

ON OCTOBER, 1994 TRIAL LIST

Sep. 9, 1994 Motion in Limine, filed.

Sept. 12, 1994 Request For Settlement Conference, filed.

Continued to Pag 511

1993

Purcell, Krug
& Haller
Leon P. Haller

66

NATIONAL MORTGAGE COMPANY

vs.

WILLIAM E. GOLDBACH &
DIANE M. HENKE

Filed January 22, 1993
@ 1:30 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	35.00
Sheriff's Costs	36.00
Pro. Co.pd 3/3/93	9.00

COMPLAINT IN MORTGAGE FORECLOSURE
3 copies Sheriff

Feb. 9, 1993 SHERIFF'S RETURN, filed. NOT FOUND as to Defendants William E. Goldbach and Diane M. Henke at the last known address of RD 4, LeBoeuf Trail R. Titusville, Crawford County, Pa. The h ouse is vacant and they have moved to somewhere in Pittsburgh, address unknown,
So answers, Robert M. Stevens, Sheriff

Feb. 12, 1993, Complaint reinstated.

Apr. 14, 1993 SHERIFF'S RETURN filed. I hereby deputize the Sheriff of Allegheny County, Pennsylvania to serve the within Complaint accordign to law. The Defendants alleged address is 214 Vineland St., Pittsburgh Pa 15234. Robert M. Stevens
Sheriff Cr. Co.

AFFIDAVIT OF SERVICE: SERVED the sithin Complaint on 3-8-93 at 3:30 p.m. upon William Goldbach and Diane Henke at the above address by handing to Diane Hende in charge a true and correct copy thereof and made known to her the contents therein.
Eugene L. Coon Allegheny County

And Now, May 3, 1993 at 10:39 A.M. upon Praecipe of Plaintiff's Attorney, Leon P.Haller, Esquire, judgment is hereby entered in favor of the plaintiff and against the defendants for want of an answer and assess damages at the sum of Forty Thousand One hundred eighty-four and 58/100 dollars, together with any additional interests and late charges at the rates indicated above from 1/93 based on the contract rate, and other charges and costs to the date of the Sheriff's sale.

G-171; H-43:
Entered on May 3, 1993
Atty. Haller
5-3-93 Notice to Defendants

Debt	$32,435.53
Interest (Per month at $351.58 from 11/91 to 1/93)	4,567.94
Late Charges ($19.46 per month to 1/93)	252.98
Escrow Deficit	1,014.57
5% Attorneys Commission	1,913.56
TOTAL	$40,184.58

Judgment
Barbara H. King
Prothonotary

EXECUTION 1993 - 33

1993

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

67

Fuller, Kinnunen,
Petruso, Gamble, Fabian
and Hall
Ann Hansen Gamble

MARK E. PETERS

vs.

LORI L. PETERS

filed January 22, 1993
@ 3:26 PM

Tax & entry paid	50.50
User's Fee paid	5.00
STate paid	10.00
Pro.Co. pd 8/10/93	9.00

COMPLAINT IN DIVORCE
2 copies atty.

Feb. 1, 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, Pa. on the above named Defendant by certified mail, addressee only, return receipt requested, dated Jan. 26, 1993. The Defendant acknowledged service on Jan. 28, 1993 by accepting delivery on that date as evidenced by the attached signed return receipt.

Feb. 10, 1993, Appearance of Fuller, Kinnunen, Petruso, Gamble, Fabian and Hall, by Ann Hansen Gamble, attorneys for defendant, filed.

May 17, 1993 Affidavit of Consent of Plaintiff, filed.

July 28, 1993 Affidavit of Consent of Defendant, filed.

Aug. 10, 1993 Upon Praecipe of James R. Irwin, Esquire, Attorney for Plaintiff to transmit record, case moved to Court.

DIVORCE DECREE FILED

August 16, 1993 AND NOW, August 13, 1993, it is hereby ordered and decreed that MARK E. PETERS, Plaintiff, and LORI L. PETERS, 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.

68

1993

Barbara J. Walton	DIANA WITHERS	COMPLAINT IN DIVORCE, CUSTODY and EQUITABLE DISTRIBUTION 2 copies atty.
68	vs.	Jan. 25, 1993 Affidavit of Service filed. And Now, Jan.25,1993, 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 Diana Withers, 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 Mial, P 899 097 891; postmarked Jan. 22, 1993, to the last known address of the Defendant, James D. Withers, 338 Pine St., Meadville, PA 16335. 3. That the Defendant, James D. Withers, on Jan. 23, 1993, personally signed the return receipt card which was affixed to the Complaint in the above-matter and which is attached hereto. 4. Service of the Complaint against Defendant is therefore effected in accordance with Pa. Rules of Civil Procedure. By: Lisa M. Sherretts Legal Assistant
	JAMES D. WITHERS	
	Filed January 22, 1993 @ 4:14 PM	
	Tax & entry paid 50.50 ✓ User's Fee paid 15.00 2 Add'l Counts paid 30.00 ✓ State paid 10.00 Pro Co pd 6-4-93 9.00	Apr. 30, 1993 Property Settlement and Stipulation and Consent to Entry of Property Settlement Agreement, filed. May 17, 1993 Affidavit of Consent of Plaintiff, filed. June 4, 1993 Affidavit of Consent of Defendant, filed. June 4, 1993 Upon praecipe of Plaintiff attorney to transmit records, case moved to Court. DIVORCE DECREE FILED June 23, 1993 AND NOW, June 21, 1993, it is ordered and decreed that DIANA WITHERS , plaintiff and JAMES WITHERS, 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 undated but filed with the Prothonotary April 30, 1993 are 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.

1993

Barbara J. Walton

69.

SUSAN PHARES

vs.

MICHAEL PHARES

Filed January 22, 1993
@ 4:14 PM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count paid	15.00
State paid	10.00
Pro.Co. pd 4/26/93	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
2 copies atty.

Jan. 25, 1993 Affidavit of Service filed. And now, Jan. 25, 1993, 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 Susan Phars, 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, P 899 097 890; postmarked Jan. 22, 1993, to the last known address of the Defendant, Michael Phares, RD #4, Box 72, Meadville, PA 16335.

3. That the Defendant, Michael Phares, on Jan. 23, 1993, personally signed the return receipt card which was affixed to the Complaint in the above-matter and which is attached hereto.

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

Lisa M. Sherretts

Feb. 8, 1993, Property Settlement Agreement and Stipulation and Consent to Entry of Property Settlement Agreement filed.

April 26, 1993 Affidavit of Consent by Susan Phares,Plaintiff, filed.

April 26, 1993 Affidavit of Consent by Michael Phares, Defendant, filed.

April 26, 1993 Upon Praecipe of Plaintiff Attorney, Barbara J.Walton, Esquire for Review under Section 3301 (c) of the Divorce Code this case moved to Court.

DIVORCE DECREE FILED

May 4, 1993 AND NOW, May 3, 1993, it is ordered and decreed that SUSAN PHARES, plaintiff, and MICHAEL PHARES, 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.

1993

Halliday & Halliday, PC
Michael Halliday

70.

IN RE: PROPOSED PRIVATE SALE OF TAX CLAIM LANDS OF KATHLEEN CATALANO

Filed January 25, 1993
@ 2:02 PM

Tax & entry paid	50.50
User's Fee paid	5.00

PETITION FOR DISAPPROVAL
1 copy (atty)

Order:

AND NOW, December 31, 1992, upon petition of Michael Halliday, Esquire, and motion, a rule is entered upon the Crawford County Tax Claim Bureau to show cause if any it has, why the proposed sale of real estate to John C. Henry, Rita T. Goldberg and Lynn Weaver should not be disapproved.

This rule is returnable for hearing and argument on the 18th day of February, 1993, at 9:00 o'clock a.m. in Courtroom No. 1 or 2, Crawford County Courthouse, Meadville, Pennsylvania.

The Petitioner, Michael Halliday, Esquire, shall provide the required notice to all parties.

BY THE COURT,
Anthony J. Vardaro, J

Feb. 24, 1993 ORDER filed. AND NOW, Feb. 18, 1993, at the time set for public sale of tax claim lands in the Borough of Cambridge Springs, three prospective bidders appear. One of the bidders advises that the has been unable to secure access to the property and wishes to examine the interior in order to ascertain an appropriate bid. Without objection from the Treasurer, the County Solicitor or the other proposed bidders, this proposed sale is CONTINUED until March 3, 1993, at 9:00 a.m. in Courtroom No. 1 or No. 2.

The Court advises that no further continuances will be granted to allow further inspection of the premises.

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

Feb. 24, 1993 copy to M. Halliday & J. Spataro

Mar 4, 1993 ORDER filed. AND NOW, March 3, 1993, at the time fixed for hearing in this matter, the Treasurer and Chief of the Tax Claim Bureau appeared in court with the County Solicitor. The petitioner appeared pro se as did the original proposed purchasers at a private sale, John C. Henry, Henrietta T. Goldberg and Lynn Weaver. All of the parties are willing to pay $1,000.00 or more, plus $162.84, representing the County's advertising costs.

THEREFORE, pursuant to 72 P.S. 5860.613, the Court hereby disapproves of the proposed private sale of the tax claim lands and orders as follows:

1. The minimum price is hereby set at $1,162.84.
2. The Tax Claim Bureau shall conduct an auction-style bid of the property among the parties to these proceedings. Said sale shall take place immediately following this hearing in Courtroom No. 1 of the Crawford County Courthouse.
3. The successful bidder shall deposit a check, cash or check equivalent with the Director of the Crawford County Tax Claim Bureau, Frederic Wagner, no later than 12:00 Noon this date in the full amount of the purchase price.

BY ORDER OF THE COURT,
Gordon r. Miller, P.J.

Mar. 4, 1993 copy given to Spataro & Wagner, Goldberg, Henry & Weaver

1993

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

71.

Barbara Walton

FREDERICK J. ROSEBERRY

vs.

DEBORAH A. ROSEBERRY

Field January 25, 1993
@ 2:07 PM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count paid	15.00
State paid	10.00
Pro.Co. pd 6/11/93	9.00
Pro Co pd 8-3-93	5.00

COMPLAINT IN DIVORCE, EQUITABLE PROPERTY DETERMINATION AND DISTRIBUTION
2 copies (atty)

January 29, 1993 I, Barbara Walton, Attorney for the Defendant in the above captioned action, being duly sworn according to law, do hereby state that I accepted service of a true and correct copy of the Complaint in Divorce, on Jan. 27, 1993, by First Class Mail addressed to me at my office at Masonic Building, Room 332, Meadville, PA 16335.

Barbara Walton, Esq.

Feb. 9, 1993 Answer To Complaint For Divorce filed

May 26, 1993, Affidavit of Consent of plaintiff filed.

June 10, 1993 Affidavit of Consent by Deborah Roseberry, Plaintiff, filed.

June 11, 1993 Separation and Property Settlement Agreement filed.

June 11, 1993 Upon praecipe of Plaintiff Attorney, James R. Irwin,Esquire to transmit record, case moved to court.

DIVORCE DECREE FILED

June 23, 1993 AND NOW, this 2nd day of June, 1993, it is orderd and decreed that FREDERICK ROSEBERRY, Plaintiff, and DEBORAH A. ROSEBERRY, Defendant, are divorced from the bonds of matrimony.

It is further ordered that the parties' Separation and Property Settlment Agreement dated June 11, 1993, is incorporated herein and made a part hereof and shall be fully enforceable under the provisions of the Divorce Code.

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

Aug. 3, 1993 NOTICE OF ELECTION TO RETAKE PRIOR NAME, filed. Deborah A. Roseberry to be known as Deborah Watkins.

Nov. 23, 1994 Qualified Domestic Relations Order filed. WHEREAS, pursuant to Order dated June 22, 1993, Defendant is entitled to a portion of the Plaintiff/Participant's benefits in the King's Country Shoppes, Inc. Profit Sharing Plan.

It is hereby ORDERED, ADJUDGED AND DECREED as follows:

1. This Order is entended to be a Qualified Domestic Relations Order under Section 414(p) of the Internal Revenue Code of 1986.
2. The Plaintiff, herein referred to as participant, is Frederick Roseberry. The Participant's Social Security Number is [redacted]. The Participant's full address is R.D. #2, Box 71D, Cochranton, Pennsylvania 16314.
3. The Defendant, herein referred to as Alternate Payee, is Deborah A. Watkins. The Alternate Payee's Social Security Number is [redacted]. The Alternate Payee's full address is P.O. Box 420 Cochranton, Pennsylvania 16314.
4. The Alternate Payee is the Participants former spouse.
5. This Order applies to the King's Country Shoppes, Inc. Profit Sharing Plan.
6. This Order assigns to the Alternate Payee form the Participant's account 50% as of December 31, 1992.
7. The Plan will pay the Alternate Payee in a lump sum as soon as practicable following the Plan Administrator's approval of this Order as a Qualified Domestic Relations Order.
8. If theAlternate Payee dies, the assigned amount will be paid to the Alternate Payee's designated beneficiary or, if none, to the Alternate Payee's estate.

IT IS SO ORDERED. Gordon R. Miller, J

Dated: November 23, 1994.

Nov. 25, 1998 Motion to Withraw Request for Hearing DeNovo and Order filed. And Now, this 24 day of November 1998, upon presentation and consideration of the within Motion, the hearing now set for December 31, 1998 in the above captioned matter is hereby withdrawn.

Gordon R. miller, J.

11/25/98 Faxed Irwin & Dist Walton

1993

Barbara J. Walton

72

VIRGINIA L. McCORMICK

vs.

JERRY L. McCORMICK

Filed January 25, 1993
@ 4:16 PM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count paid	15.00
State paid	10.00
Pro Co pd 5-11-94	5.00

COMPLAINT IN DIVORCE, CUSTODY
2 copies (atty)

Feb. 1, 1993 Affidavit of Service filed. And Now, February 1, 1993, 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 Virginia L. McCormick, Plaintiff inthe 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, P. 899 097 821; postmarked January 27, 1993, to the last known address of the Defendant, Jerry L. McCormick, R.D. #1, Box 114-B, Conneautville, PA 16406.
3. That the defendant, Jerry L. McCormick, on January 29, 1993, personally signed the return receipt card which was affixed to the Complaint in the above-matter and which is attached hereto.
4. Service of the Complaint against Defendant is therefore effected in accordance with Pennsyvlania Rules of Civil Procedure.

Lisa M. Sherretts

Apr. 8, 1993 Stipulation and Consent To Entry of Custody Order and Order filed. AND NOW, this 7 day of April, 1993, upon presentation of the Stipulation and Consent of the parties, attached herto, and after consideration of same, it is hereby ORDERED, DIRECTED and DECREED that:
1. Primary physical custody of the minor children, JACOB MCCORMICK and ISAAC MCCORMICK will be withthe Plaintiff/Mother, Virginia L. McCormick at her home in Conneaut Lake, Pennsylvania.
2. Secondary custody will be with the Defendant/Father, Jerry L. McCormick at his home in Conneautville, Pennsylvania.
3. Visitation between the minor children and Defendant/Father shall be as follows: every other weekend beginning on Friday at 6:00 p.m. until Sunday at 6:00 p.m. Defendant/Father aagrees to contact Plaintiff/Mother if he will be late for his regularly scheduled pick-up time, otherwise should he be more than 1 hour late for said scheduled pick-up time, the visitation period will be forfeited.
4. Plaintiff and Defendant agree not to use any illegal drugs or be in an intoxicated condition while the minor children are in their temporary custody.
5. The parties are free to make additional or alternative arrangements respecting the cusotdial 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. 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. Neither party will allow others to say or do anything in an attempt to turn the children against theother parent.
7. 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.
8. Both parents agaree to inform th eother immediately of any illness or injury regarding the children and both parents agree to furnish the other with a current telephone number.
9. The parties to this action agree that this Honorable Court retain jurisdiction of this matter.

BY THE COURT,
Anthony J. Vardaro,

2copies atty.

Apr. 21, 1994 Petition to Withdraw Complaint and Order, filed. AND NOW, this 20 day of April, 1994, upon presentation of the Petition of Withdra3w Complaint in Divorce, it is hereby denied. See Rule 229.

By the Court:
Anthony J. Vardaro, J.

Apr. 26, 1994 copy to B. Walton & Dft.

May 11, 1994, Motion to Withdraw Complaint and Order filed. ORDER: AND NOW, this 10 day of May, 1994, upon presentation of the petition to withdraw complaint in divorce, it is hereby ordered that this complaint be withdrawn.

2ccopies (atty)

By the Court,
Gordon R. Miller, J.

1993

73

COURT OF COMMON PLEAS
CRWAFORD COUNTY ORDER TO
SELECT JURORS

Filed January 26, 1993
@ 11:02 AM

ORDER FOR EIGHTY-FIVE PERSONS TO COME AND SERVE
AS JURORS FOR TRIALS COMMENCING APRIL 12, 1993

TO THE SHERIFF AND JURY COMMISSIONERS OF Crawford County:
We command you, in your official capacity to draw fromthe jury wheel in accordance with the law, the names of 85 persons to serve as Jurors in the Court of Common Pleas, to be held at the Court House in Meadville, PA. commencing April 12, 1993 at 9:00 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. Gordon R. Miller, President Judge at Meadville, this Twenty-six day of January, 1993.

Barbara H. King, Prothonotary

Apr. 29, 1993 Sheriff's Return filed. I, do hereby make return that I have summoned the 100 persons whose names appear on schedule hereto attached to serve as Jurors at a term of Court to be held at Meadville, Pa., commencing on april 12, 1993.
So answers,

Robert M. Stevens, Sheriff

1993

John S. Kookogey

74.

JOANNE E. HUNTER

vs.

JOHN L. HUNTER

Filed January 26, 1993
@ 11:07 AM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 10-27-94	9.00
Pro.Co.Pd 12/16/94	$9.00

COMPLAINT IN DIVORCE,
1 copy (atty)

Oct. 25, 1994 ACCEPTANCE OF SERVICE, filed. I, John L. Hunter, hereby acknowledge personal service of the complaint in the above-captioned divorce, having had the same read to me and understanding tha tI have the right to answer the same and to acquire the services of an attorney; and I hereby do acknowledge my acceptance of said service ata the office of John S. Kookogely, Esq., Park Building, Room 206, Titusville, PA 16354, on June 24, 1994.

Oct. 25, 1994 Affidavit of Consent of Plaintiff, filed.

Oct. 25, 1994 Affidavit of Consent of Defendant, filed.

Oct. Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

NOv. 1, 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: The Defendant was not served with process within 30 days after the date of the filing of the complaint or reinstated complaint. Pa.R.C.P. 401(a); Lauterbach v. Lauterbach, 202 Pa. Super 260, 195 A.2d 159 (1964); Fox v. Thompson, 327 Pa. Super 39, 546 A.2d 1146 (1988).

Either party may file a praecipe to refer the matter back to the Court when the rrecord is in such a state that the parties are entitled to a final decree.

BYTHE COURT:
Anthony J. Vardaro, J

Nov. 1, 1994 Copies dist. to Kookogey

Nov.16, 1994 Complaint reinstated.

Dec. 16, 1994 Affidavit of Service filed. Personally appeared before me, a Notary Public, in and for said State and County, at Titusville, Pennsylvania, David L.Geer, a duly qualified Constable in and for the State of Pennsylvania, who, being duly sworn acording to law, deposes and says that he served a true and attested copy of the Complaint in Divorce (the same having been certified and reinstated by Barbara H. King,Prothonotary, as such) on John L. Hunter, the Defendant, personally at 8:00 P.M. onNovember 23, 1994,at his residence, R.D.#4, Titusville,Pennsylvania 16354 by reading the same to him and making known the contents of same and leaving a true and attested copy with him.

December 1, 1994 David L.Geer

Affidavit of Consent by Joanne E.Hunter, Plaintiff, filed.

Affidavit of Conssent by John L. Hunter, Defendant, filed.

Upon Praecipe of John S.Kookogey, Esquire, Attorney for Plaintiff, to transmit record, Case moved to Court.

DIVORCE DECREE FILED

Dec. 20, 1994 AND NOW, December 20, 1994, it is hereby ordered and decreed that JOANNE E. HUNTER, Plaintiff, and JOHN L. HUNTER, 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.

1993

75.

Villanova & Kukunas
Theodore J. Kukunas

LESLIE TARR

vs.

PHYLLIS RIGGS

Filed January 26, 1993
@ 11:21 AM

Tax & entry paid 50.25
User's Fee paid 5.00

APPEAL OF DEFENDANT FROM DECISION OF DISTRICT JUSTICE WILLIAM D. CHISHOLM

Jan. 26, 1993 Rule entered upon the Plaintiff to file a Complaint Issued.

Jan. 28, 1993 Proof of Service field.

Feb. 12, 1993 Certification of Notice and Service, filed. The undersigned represents that two days prior notice and a copy of this motion andproposed order have been served by first class mail, see receipt attached. Leslie Tar

Feb. 12, 1993 ORDER filed. AND NOW, Feb. 12, 1993 at the time fixed for motions court, the Plaintiff appeared and filed a notice which he believes should also be a motion and which the Court will accept as a motion to strike the Defendant's appeal from a District Justice decision because of insufficient or improper service.

A Rule to Show Cause is hereby ENTERED and DIRECTED to the Defendant to show cause if any she has why said motion should not be granted.

Said Rule is returnable for hearing and/or argument on Fri. Mar 5, 1993 at 9:00 a.m. in Courtroom No 1 or 2 of the Crawford Courthouse

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

Feb. 12, 1993 copies mailed to Dft., Tar & Atty Kukunas

Mar. 5, 1993 Complaint filed.

Mar. 12, 1993 Order filed. AND NOW, March 5, 1993, at the time fixed for hearing and/or argument on the Plaintiff's Motion to Strike the Appeal, the plaintiff maintains that he did not receive notice of the appeal from the defendantor her counsel, but had to call the District Justice to find out that status of the proceedings. He maintains that the defendant did not follow the Rules Governing Appeals from Judgments of the District Magistrates, (Pa.R.C.P.D.J. 1002, et seq.).

He further points out that the notice of the appeal was filed with the Prothonotary onJanuary 26, 1993, but that the Attorney's Affidavit of Service of Notice indicates the notice was sent on January 25, 1993, a day before the appeal was taken.

Finally, he claims that the defendant has not filed a copy of a Certified Mail receipt.

The defendant appeared pro se, even though she is represented by an attorney who took the appeal for her. She claims that the Notice of Appeal was sent by the attorney Certified Mail and that the plaintiff refused to accept it on January 27, 1993.

The court, at the moment, is relying upon the Proof of Service of Notice of Appeal that appears on the reverse side of the Notice of Appeal that was file with the Prothonotary. That Proof of Service was signed by an attorney, a member of the Bar, whereby he swears under oath that a copy of the Notice of Appeal was sent to the plaintiff by Certified or Registered Mail on January 25, 1993. If that is true, then Service was made in accordance with Pa.R.C.P.D.J. 1005. Since there is not specific evidence to the contrary, other thanthe plaintiff's statement that he did not receive the mailing, the Court for the moment, must rely on the Affidavit signed by the attorney.

THEREFORE, the Plaintiff's Motion to Strike the Appeal is DENIED, reserving unto the plaintiff however, to refile his Motion if he able to prove in a hearing before this Court, that the Affidavit of the attorney was false and/or neither the attorney nor the defendant attempt to timely serve the Notice of Appeal in this case..

In the meantime, the plaintiff is given twenty (20) days from this date to file his Complaint or suffer judgment of non pros.

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

Mar. 12, 1993 Copies mailed to Tar & Kukunas

Mar. 25, 1993, Answer and New Matter filed.

Mar. 30, 1993 Plaintiff's Answers to New Matters Brought Forth in Defendant's Answer Submission, filed.

Apr. 5, 1993 Plaintiff's Amended Answers to New Matters Brought Forth in Defendant's Answer Submission, filed.

Apr. 5, 1993 Motion For Summary Judgment, filed.

Apr. 5, 1993 Praecipe for Arguments, filed.

ON ARGUMENT LIST FOR May 1993

June 4, 1993 Certificate of Readiness, filed.

Jun. 9, 1993 Memorandum and Order filed. AND NOW, June 7, 1993, the Plaintiff's motion for summary judgment is denied.

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

6-10-93Copies mailed to Nelson & Tar. 6-17-93 Copy mailed to Atty. Kukunas.

Sept. 24, 1993 ORDER filed. AND NOW, September 24, 1993, the Court, having received and considered a motion to strike filed by the defendant in the case of Leslie Tar, M.D. v. Edna Ebbert at 1993-233 and having asked the Court Administrator to deliver other cases involving this plaintiff which are on the upcoming civil trial list, hereby strikes these cases above captioned from the October Civil Trial List because all of these cases come within the jurisdictional limits of compulsory arbitration under 42 Pa. C.S.A. 7361, Pa. R.C.P. 1001 (b) (1) and Rule L1301 of the Crawford County Rules of Civil Procedure.

These cases shall be stricken from the October Trial List and shall not be tried at that term.

RECORD CONTINUED ON PAGE 459.....

76

1993

Quinn, Buseck,
Leemhuis, Toohey
& Kroto, Inc.
Lawrence C. Bolla

76

SAINT VINCENT HEALTH
CENTER

vs.

IRENE STERLING and
RICHARD E. STERLING

Filed January 26, 1993
@ 11:50 AM

Tax & entry paid	15.00
Plff. on orig.	92.40
Sheriff's Costs	50.00
Pro Pd. 4/12/93	9.00

WRIT OF REVIVAL

of

A.D. 1989 - 47

Upon praecipe of plaintiff attorney, Writ of Revival indexed by Prothonotary in favor of the plaintiff and against the defendant Irene Sterling and Richard E. Sterling in the amount of Four Thousand Four Hundred Ninety=two and 35.100 plus interest from January 18, 1989 and plus costs of this suit.

Debt-----$4,492.35
Interest from January 18, 1989
S-85-145

REVIVAL OF JUDGMENT
Barbara H. King, Pro

Feb. 5, 1993 Writ return filed. SERVED Irene Sterling personally on February 4, 1993 at 11:00 AM by handing a copy of the Writ of Revival to her in the Sheriff's Office, Crwaford County Courthouse, Meadville, PA.
SERVED Richard Sterling on February 4, 1993 at 11:01 AM by handing a copy of the Writ of Revival to Irene Sterling, his Wife, in the Sheriff's Office, CrwafordCounty Courthouse, Meadville, PA, Signed Acceptance of Service attached.
So answers, Dale A. Collins, Deputy Sheriff
Robert M.Stevens, Sheriff

And Now, Apr. 6, 1993, upon praecipe of plaintiff attorney, with attached default notice, Judgment is hereby entered against the defendants per writ of revival in the amount of $4,492.35 plus interesttfrom Jan. 18, 1989 and costs of action.
Judgment entered
4/6/93
S - 85, 145

Debt ----$4,492.35
Int. from Jan 18, 1989
JUDGMENT
Barbara H. King,
Prothonotary

Apr. 12, 1993, notice of entry of judgment mailed to each defendant.

Revived to AD1996-1195

1993

M. Kathryn Karn

77.

James Irwin

DARLENE G. WACHOWIAK

vs.

ROBERT H. WACHOWIAK

Filed January 26, 1993
@ 1:06 PM

Tax & entry paid	50.50
User's Fee paid	20.00
3 Add'l Counts paid	45.00
State paid	10.00
master fee Pd 8-17-95	250.00
Pro. Co. Pd 1/9/96	9.00
Pro Co pd 2-8-96	5.00

COMPLAINT IN DIVORCE, CUSTODY, COSTS, COUNSEL FEES AND EXPENSES, ALIMONY AND ALIMONY PENDENTE LITE and EQUITABLE DISTRIBUTION
3 copies atty

Apr. 15, 1993, Petition for Special RElief and Order filed. ORDER OF COURT: AND NOW, to wit, this 14 day of April, 1993 it is hereby ordered that a Rule to Show Cause shall be granted against defendant as to why he should not be excluded possession from the marital home, returnable on Apr. 30, 1993, at 1:30 p.m. in C. R. No. 2 of the Crawford County Courthouse, Meadville, Pa.

BY THE COURT,
Anthony J. Vardaro, Judge.

Apr. 20, 1993, copy to Atty. Karn.

Apr. 28, 1993 Affidavit of Consent by Robert H.Wachowiak, Defendant,filed.

May 3, 1993 Order filed. AND NOW, April 30, 1993 this matter is beofre the Court on a petition for special relief filed by the Plaintiff seeking exclusive possession ofthe marital home pending the outcome of the divorce inthis matter.

Both parties appear with counsel and the Defendant agrees that the Plaintiff may have exclusive possession of the marital home pending the completionof the divorce and provided that at all times she shall keep all payments with respect to said home current and it is so ORDERED.

The exclusive possession shall occur as of this date at 7:00 p.m. and until that time, the Defendant may remove such items as may be appropriate and agreeable with respect to the parties.

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

May 3, 1993 Copies dist. to Karn & Irwin

June 30, 1993 Peition For Special Relief and Order, filed. ORDER: AND NOW, this 30 day of June, 1993, the Court hereby grants Plaintiff's Motion For Special Relief and ORDERS that Defendant Robert H. Wachowiak, shall promptly pay the 1993 house insurance premium for the marital home and the 1993 car insurance for the 1988 Pontiac Sunbird so that neither insurance coverages lapse. Defendant shall make such paymetn directly to the insurance providers. Such paymetn shall be taken into consideration in regard to any future equitable distribution of property between the parties in their pending divorce action.

Defendant will pay house insurance forthwith. Car insurance issue set for hearing July 9, 1993 at 11:00 a.m. any court room.

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

July 1, 1993 copy to K. Karn, & Dft.

July 12, 1993 ORDER filed. AND NOW, July 9, 1993 this matter is before the Court on a Petition for Special Relief filed by the plaintiff requesting that the defendant be ordered to pay the 1993 insurance premium for the marital home and the 1993 car insurance for the 1988 Pontiac Sunbird which is in the possession of the plaintiff.

After informal hearing we decline to order the special relief requested.

However, we note thatithe defendant, due to an Order of June 30th, 1993 by Sr. Judge P. Richard Thomas, did pay the house insurance for 1993 and it will not become due again for one year. At the time this matter is before a Master for disposition with regard to equitable distribution, the Master may take that payment in consideration however he or she deems it shall be appropriate. We only note that the defendant did in fact make that payment.

The parties do agree this day, and it is ordered, that the defendant shall within a period of fifteen days sign the title to the 1988 Pontiac Sunbird over exclusively to the plaintiff, again with the understanding that the Master may take into consideration any equity that may have been present in that Pontiac Sunbird, and shall appropriately deal with that issue at the time of the Master's Hearing with respect to equitable distribution.

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

July 12, 1993 copies of Order to Attys Karn & Irwin

Apr. 26, 1995, Affidavit of Consent of plaintiff filed.

Aug. 7, 1995 Income and Expense Statement filed.

Aug. 7, 1995 Defendant's Inventory filed.

Aug. 11, 1995, Acceptance of Servcie filed. I, Robert H. Wachowiak, dft, hereby state that I personally received and accepted service ofthe notice to Defend and Claim Rights, Notice of Availabilityof Counseling, and Complaint Under the Divorce Code, in above matter.
Date: 2/18/93 Robert H. Wachowiak.

Aug. 17, 1995, Motion to Appoint Master in Divorce filed.

Aug. 21, 1995, ORDER filed. And Now, Aug. 18, 1995 the defendant's Motion for the appointment of a Master is denied insofar as Paragraph Nos. 11 through 13 of the motion are not complete and the notice of the filing of the motion to opposing counsel required by the Local Rules is not filled out.

Once the defendant corrects those items, he may resubmit this motion for consideration by the court.

by the court,
Anthony J. Vardaro J.

8/22/95 dist to Irwin. 8/25/95 dist to Karn.

Cont.on Pg. 464

78

1993

78.

Thomas, Truax,
Spadafore, & Walker
R. Charles Thomas

FELIX STANIS

vs.

MARQUETTE SAVINGS BANK

Filed January 26, 1993
@ 1:28 PM

Tax & entry paid	50.25 ✓
User's Fee paid	5.00
Pro.Co. pd 3/2/93	9.00 ✓

APPEAL OF DEFENDANT FROM DECISION OF
DISTRICT JUSTICE WAYNE E. HANSON

Jan. 26, 1993 Rule entered upon Plaintiff to file a Complaint Issued.

Jan. 29, 1993 Proof of Service of Notice of Appeal and Rule to File Complaint filed.

And Now, Mar.2, 1993 at 12:27 P.M. upon Praecipe of Defendant's ATtorney Judgment of Non Pros is hereby entered against the plaintiff for failure to file complaint.

S-65;

Judgment of Non Pros
Barbara H. King
Prothonotary

1993

Fuller, Kinnunen,
Petruso, Gamble,
Fabian & Hall
Gary A. Fabian

79.

YVONNE K. CAPUTO and MARY C. DESMONE and DANIEL CROTTY her husband

vs.

MICHAEL W. HAJDU and JANET A. HAJDU, his wife.

Filed January 26, 1993
@ 3:13 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	40.00
Pro. Co. pd 3/4/93	9.00

COMPLAINT IN CIVIL ACTION
2 copies atty

Feb. 8, 1993 SHERIFF'S RETURN filed. SERVED Michael W. Hajdu on Jan. 27, 1993 at 2:07 PM by handing a copy of the Complaint to Janet A. Hajdu, his wife, at their residence, RD1, Centerville, Crawford County, Pa.

SERVED Janet A. Hajdu personally on Jan. 27, 1993 at 2:08 PM by handing a copy of the Complaint to her at RD1 Centerville, Crawford County, Pa.

So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

And Now, Mar. 4, 1993 at 11:24 AM 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 answer and assessment of damages at the sum of Forty-One Thousand Nine Hundred Fifty and 23/100 Dollars, interest included.

H-116; H-96:
Entered on 3-4-93
Att.Fabian

Debt	$41,950.23
Interest	
Judgment	

Barbara H. King
Prothonotary

1993

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

80

GRAZYNA U. SHEPHERD

vs.

ZYGMUND SHEPHERD

Filed January 26, 1993
@ 3:41 PM

Tax & entry paid	50.50
User's Fee paid	25.00
4 Add'l Counts paid	60.00
State paid	10.00
Pro. Co. pd 12/1/93	9.00

COMPLAINT IN DIVORCE, EQUITABLE PROPERTY DETERMINATION and DISTRIBUTION, COUNSEL FEES, EXPERT FEES, COSTS and EXPENSES, CHILD CUSTODY, ALIMONY, ALIMONY PENDENTE LITE
2 copies Atty.

Feb. 1, 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, Pa. on the above named Defendant by certified mail, addressee only, return receipt requested, dated Jan. 27, 1993. The Defendant acknowledged service on Jan. 28, 1993 by accepting delivery on that date as evidenced by the attached signed return receipt.

Nov. 12, 1993 Affidavit of Consent by Grazyna U.Shepherd, Plaintiff, filed.

Dec. 1, 1993, Affidavit of Consent of defendant filed.

Dec. 1, 1993 Upon Praecipe of James R. Irwin, Esquire, Attorney for Plaintiff to transmit record, case moved to court.

Dec. 2, 1993 Motion To Withdraw Counts 2, 3, 4 and 5 From Complaint In Divorce and Order, filed. ORDER: AND NOW, this 2 day of December, 1993, upon presentation and consideration of the within Motion, Counts 2, 3, 4 and 5 are hereby withdrawn from Plaintiff's Complaint in Divorce. Anthony J. Vardaro, J.
Dec. 8, 1993 copy to J. Irwin

DIVORCE DECREE FILED

December 10, 1993 , it is hereby ordered and decreed that GRAZYNA U. SHEPHERD, Plaintiff, and ZYGMUND SHEPHERD, 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.

1993

Roeder & Rothschild
Tamera Ochs Rothschild

81

TODD LEROY FELTENBERGER

vs.

DOROTHY JOSPHINE KEPHART

Filed January 27, 1993
@ 9:17 AM

Tax & entry paid 50.50 ✓
User's Fee paid 5.00

COMPLAINT IN CUSTODY
2 copies (atty)

Jan. 27, 1993 MotionTo Excuse Payment Of Custody Mediator Deposit and Order filed. AND NOW, January 27, 1993, upon consideration of the foregoing Motion to Excuse Payment of Custody Mediator Deposit dated January 25, 1993, it is ORDERED and DECREED that; Payment is excused.

BY THE COURT,
Anthony J. Vardaro, J

Jan. 28, 1993 Copy of order to Atty. Rothschild

Feb. 12, 1993 Acceptance of Service, filed. I, Dorothy Josephine Kephart, Defendant in the above-captioned matter, hereby accept service of the Custody Complaint.

Feb. 16, 1993 Petition For Entry of Agreement and Order filed. AND NOW, February 12, 1993, upon consideration of the foregiong Petition and Agreement for Custody between the parties, it is ORDERED and DECREED that:

1. The paraties shall share legal custody of Kutura Fristine Feltenberger. 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. Todd Leroy Reltenberger (hereinafter "Father"' shall have primary physical custody of the minor child at his residence, subject to Dorothy Josephine Kephart's (hereinafter "Mother") shared physical custody rights. Father presently resides at 114 North Monroe Street, Titusville, Pennsylvania 16354. Mother presently resides at 1209 South Main Street, Meadville, Pennsylvania 16335.

3. Mother shall have physical custody of the minor child on a regular basis according to the following schedule:

A. Mother shall retain custody of the minor child the third full weekend of every month to commence January 15, 1993. a "Weekend" shall be defined as Friday at 7:00 p.m. through Sunday at 7:00 p.m.

(1) It shall be the responsibility of the mother to pick up and return the child or designate another responsible adult to do so.

(2) If The mother is unable to arrive by 7:00 p.m. Friday, she agrees to notify the father and make alternative arrangements.

(3) If the mother is unable to make arrangements to see the child on a scheduled weekend, she shall notify the father by 9:00 a.m. the Wednesday preceding the scheduled weekend.

(4) If the weekend custodial parent does not arrive within one hour ofthe specified time without prior notice and alternative arrangements having been made, he or she relinquishes visitation:

C. The major holiays are defined as Easter, Memorial Day, Independence Day, Labor Day, Thanksgivir Christmas, New Year's Day, Mother's Day and father's Day. The holiay visitation periods shalla begin at 6:00 p.m. the day preceding the holiay and end at 7:00 p.m. on the holiday. The father shallhave the child for visitation on Easter and the parties shall thereafter alternate the periods, subject to the following:

(1) The father shall have custody of the child every Father's Day and the mother shall have custody of the child every Mother's Day.

(2) The provisions of this paragraph shall take precedence over the other provisions of this Agreement regarding the custodial and visitation periods.

4. The parties shall keep each other advised of their address and telephone number at all times. Any change in address and telephone number shall be communicated to the other party immediately.

5. The party having custoyd of the child shall notify the other parent as soon as possible in the event of illness or injury requiring medicala treatment.

6. 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.

7. Neither party shall take the child into any environment which might be commonly thought 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 teach the child to develop the love and respect due a parent form his or her child, and neither of the parent in the eyes of the child.

BY THE COURT,
Gordon R. Miller, J

2 copies (atty)

1993

Thomas, Truax,
Spadafore & Walker
Gregory A. Keenan

82.

TODD A. SOMMERS

vs.

STACY K. SOMMERS

Filed January 27, 1993
@ 9:41 AM

Tax & entry paid	50.50 ✓
User's Fee paid	5.00
State paid	10.00
Pro Co pd	9.00 ✓

COMPLAINT IN DIVORCE
2 copies (atty)

Feb. 9, 1993 AFFIDAVIT OF SERVICE OF COMPLAINT IN DIVORCE, filed. Gregory A. Keenan, Esw., beign duly sworn according to law, deposes and says that on Jan. 27, 1993, he sent a true and correct copy of a Complaint in Divorce, properly endorsed with the Notice to Defend, filed in the above action, to the Defendant, Stacy K. Sommers, at Defendant's last known address of 781 Dean Ave., Meadville Pa 16335, by Certified Mail No. P 899 092 576 postage prepaid, return receipt requested, restricted delivery to addressee only and that attached hereto is a duly executed return receipt card showing date of delivery as the 28th day of January, 1993.

Apr. 28, 1993 Affidavit of Consent of Defendant, filed.

Apr. 28, 1993 Affidavit of Consent of Plaintiff, filed.

May 3, 1993 Upon praecipe of Plaintiff attorney to transmit records, case moved to Court.

DIVORCE DECREE FILED

May 14, 1993 AND NOW, May 12, 1993, it is hereby ordered and decreed that TODD A. SOMMERS, Plaintiff, and STACY K. SOMMERS, 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.

1993

Prather, Prather
& Pineo
William Pineo

83.

Norman A. Coliane

MARGARET E. RUDNAY

vs.

SCOTT A. MOOK

Filed January 27, 1993
@ 11:31 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	28.00
Pro Co pd 12-13-94	6.00

WRIT OF SUMMONS
Issued (Sheriff)

Feb. 17, 1993 SHERIFF'S RETURN, filed. SERVED Scott A. Mook personally on Feb. 3, 1993 at 10:30 AM by handing a copy of the Summons to him at his residence, RD 3, Box 606, Meadville, Crawford County, Pa.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Mar. 30, 1994 Complaint filed.

Mar. 31, 1994 Verification of Service of Complaint filed. William Pineo, Esq., hereby verifies that he is the attorney for the planitiff in the above captioned case and that on March 30, 1994, he served a true and correct copy of the Complaint in this case on defendant Scott A. Mook at his last known address, R.D. 3, Box 606, Meadville, pennsylvania as provided by Pa.R.C.P. 440 (a)(2).

This verification is made pursuant to 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.
Dated: March 30, 1994 William Pineo

Apr. 25, 1994 Appearance of Norman A. Coliane for Defendant, filed.

May 26, 1994, Answer and New Matter filed.

Jun. 3, 1994 Verification in Support of Answer and New Matter, filed.

June 9, 1994 Notice/Certificate of Service of Discovery Requests filed.

Oct.21, 1994 Reply to New Matter filed.

Dec. 8, 1994 Upon praecipe of plaintiff attorney the above-captioned case is settled and discontinued of record.

1993

Kathleen R. Nelson

84.

SANDRA K. GERRICK

vs.

JOSEPH W. GERRICK

Filed January 27, 1993
@ 1:07 PM

Tax & entry paid	50.50
User's Fee paid	5.00
STate paid	10.00
Pro Co pd 3-30-93	9.00

COMPLAINT UNDER SECTION 3301(d) OF THE DIVORCE CODE
1 copy atty.

Jan. 27, 1993 Plaintiff'sAffidavit Under Section 3301(d) ofthe Divorce Code filed.

Feb. 8, 1993 AFFIDAVIT OF SERVICE, filed. KATHLEEN R. NELSON, Esq., beign 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, Notice to Defend, and Plaintiff's Affidavit were sent by certified mail to the Defendant, JOSEPH W. GERRICK on Jan. 29, 1993.

3. The certified mail was sent to JOSEPH W. GERRICK at 314 W. Main St., Andover, OH 44003. The sender's receipt is attached hereto.

4. That the Defendant received said certified mail on Feb. 3, 1993. Said Return Receipt Card P 360 670 124 is attached hereto, signed by JOSEPH W. GERRICK and made a part hereof.

Mar. 16, 1993 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 Notice of Intention to Request Entry of Divorce Decree and Defendant's Counter-Affidavit were sent by registered mail to the Defendant, Joseph W. Gerrick, on February 26, 1993.

3. The registered mail was sent to Joseph W. Gerrick, at 314 W. Main Street, Andover, Ohio 44003. The sender's receipt is attached hereto.

4. That the Defendant received said registered mail on March 5, 1993. Said REturn Receipt card P-360-670-117 is attached hereto, signed by Joseph W. Gerrick and made a part hereof.

Kathleen R. Nelson,Esq.

Mar. 30, 1993 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

April 5, 1993 AND NOW, April 5, 1993, it is ordered and decreed that S A N D R A K . G E R R I C K , plaintiff, and J O S E P H W . G E R R I C K , 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.

1993

Douglas W. Ferguson
Kathleen R. Nelson

85.

ROBERT ALLSHOUSE

vs.

JOAN ALLSHOUSE

Filed January 27, 1993
@ 1:19 PM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count paid	15.00
State paid	10.00
Pro Co Pd 4/16/93	15.00
state paid 4/16/93	5.00
master Pd 8-4-95 dep.	250.00

David W. Pickens, Master

Pro. Co. pd 1-23-97 9.00

1-16-97 Rec'd from Pltf Master Fees 247.50
1-28-97 Pd Dallas #10537 180.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
1 copy (atty)

Feb. 3, 1993 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 to Defend were sent by certified mail to the Defendant Joan Allshouse, on January 29, 1993.
3. The certified mail was sent to R.D. #3, Box 46, Conneaut Lake, PA 16316. The sender's receipt is attached hereto.
4. That the Defendant received said certified mail on January 30, 1993. Said Return Receipt Card P 360 670 126 is attached hereto, signed by Joan Allshouse and made a part hereof.

Kathleen R. Nelson

Apr. 16, 1993, Petition for Additional Claims of Alimony Pendente Lite, Alimony, Reasonable Counsel Fees, Costs and Expenses, filed

Oct. 28, 1994 Affidavit of Consent of Plaintiff filed.

Mar. 27, 1995 Plaintiff's Affidavit 3301(d) filed.

Aug 9, 1995 Income and Expense Statement of Robert Allshouse, filed.

Aug 9,1995 Inventory and Appraisement of Robert Allshouse, filed.

Aug 9, 1995 Motion For Appointment of Master in Divorce, filed.

Aug. 9, 1995 Appearance of Douglas W. Ferguson, Esquire for Robert Allshouse, filed.

Aug. 9, 1995 Motion for Appointment of Master in Divorce and ORDER APPOINTING MASTER filed. AND NOW,August 9, 1995, David W. Pickens, Eskquire is appointed Master in respect to the following claims:

Deposit required: By Plaintiff $250.00 By Defendant $_____

If not filed already the parties are ordered to file their pretrial statements within thirty (30) days from this date, and defendant shall within thirty days file her income & expense statement & inventory.

Per Curiam,
Anthony J.Vardaro, Judge

8-17-95 Faxed FErguson, Pickens, Kirkpatrick & Nelson

May 23, 1996 Notice of Scheduled Pre-Hearing Conference for Friday, August 23, 1996 at 10:00 A.M. filed.

July 5, 1996, notice of rescheduled pre-hearing conference filed.

Aug. 23, 1996 Defendant's Pre-Trial Statement filed.

Sept. 3, 1996 Summary of Pre-Hearing Conference filed. Master's Hearing scheduled for October 11, 1996 at 9:30 a.m.

Sept. 30, 1996 Notice of Master's Hearing filed.

Jan. 3, 1997 Notice of Filing Master's Report filed.
Jan. 3, 1997 Master's Report and Recommendation filed.

Jan. 16, 1997 Upon Praecipe of plaintiff attorney for Review Under Section 3301(c) of Divorce Code, this case moved to Court, filed.

DIVORCE DECREE FILED

January 24, 1997 AND NOW, January 24, 1997, it is Ordered, adjudged and decreed as follows:

1. The parties hereto are divorced from the bonds of matrimony.
2. Plaintiff Husband will pay to Defendant Wife Alimony at the rate of $365.00 per month for a period of 24 months. The Alimony will be non-modifiable by either party except upon the death of either party, etc. (SEE PAPERS FILED).

BY THE COURT:
Gordon R. Miller, J.

Jan. 24, 1997 SUPPLEMENTAL ORDER filed. AND NOW, January 24, 1997, it is Ordered, adjudged and decreed as follows:

1. Husband is directed to pay to the Prothonotary forthwith the Reporter's Fee and the additional Master's Fee, totaling $247.50.
2. The prothonotary is directed to pay the reporter's fee of $180.00 upon receipt of the costs from Husband. This is to be paid forthwith to Lorraine Dallas, 820 Ravine St., Meadville, PA 16335.
3. A certified copy of this decree may be provided to either party only after payment of all costs due hereunder, including master's fees, reporter's fees and fees otherwise due the Prothonotary.

BY THE COURT:
Gordon R. Miller, J.

Jan. 28, 1997 Copy placed in Atty. Ferguson's box.

1993

Fuller, Kinnunen,
Petruso, Gamble,
Fabian & Hall
John d. Petruso

86.

BURKE B. GRIFFIN

vs.

AMY GRIFFIN

Filed January 27, 1993
@ 1:22 PM

Tax & entry paid	50.50 ✓
User's Fee paid	5.00
State paid	10.00

COMPLAINT IN DIVORCE
1 copy atty

Mar. 12, 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 1/27/93 . 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,
Anthony J. Vardaro, J

Date: March 12, 1998
Mar. 12, 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)

1993

Robert J. Felton

87.

Shafer, Swick, Bailey, Irwin & Stack
~~Jeffrey K. Millin~~ withdrawn

ALBERT LEE DELP, JR.

vs.

CHARLES DELP

Filed January 28, 1993
@ 10:35 AM

Tax & entry paid	50.25
Users Fee paid	5.00
Sheriff's Costs	50.00

APPEAL OF DEFENDANT FROM DECISION OF DISTRICT JUSTICE RONALD A. COLE, SR.

Jan. 28, 1993 Rule entered upon the Plaintiff to file a Complaint Issued.

Feb. 1, 1993 Proof of Service filed.

Feb. 11, 1993 Complaint filed.

Feb. 24, 1993 SHERIFF'S RETURN filed. SERVED Charles Delp personally on Feb. 18, 1993 at 11:25 AM by handing a copy of the Complaint to him at Sylvan Equipment, RD 4, Centerville, Crawford County, Pa.
So answers, Diane Severo, Deputy Sheriff
Robert M. Stevens, Sheriff

Mar. 3, 1993 Appearance of Shafer, Swick, Bailey, Irwin & Stack by Jeffrey K. Millin, Esquire for Charles Robert Delp, Defendant, filed.

Mar. 12, 1993 Answer, New Matter and Counterclaim filed.

Feb 24, 1997 Motion For Leave to Withdraw Appearance and Order: AND NOW, this 21 day of February, 1997, it si Ordered that Jeffrey K. Millin, Esquire is hereby granted Leave to Withdraw as attorney for Defendant, Charles Rober Delp. Anthony J. Vardaro, J.
Feb 24, 1997 Faxed Felton & Millin

1993

Thomas, Truax,
Spadafore & Walker
William L. Walker

88.

MERCER COUNTY STATE BANK

vs.

MICHAEL L. GILLILAND and
PAULETTE I. GILLILAND h
his wife

Filed January 28, 1993
@ 3:20 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	61.18
Pro.Co. pd 3/8/93	5.00

COMPLAINT IN MORTGAGE FORECLOSURE
2 copies Sheriff

Mar. 4, 1993 Sheriff's Return filed. SERVED the within Notice Complaint in Mortgage Flreclosure on February 11, 1993, at 3:30 PM, upon Paulette I. Gilliland ar R.D. #2, Box 2312 Stoneboro, Pennsyvlania by handing to Paulette Gilliland, personally a true and correct copy thereof and made known to her the contents therein.
So answers David J. DeVenney, Deputy
Williame H. Romine, Jr. Sheriff
SERVED Michael L. Gilliland on February 4, 1993 at 12"05 PM by handing a copy of the Complaint to Phyllis Rocco, His Authorized Agent, at 104 Main Street, Springboro, Crawford County, PA. Signed Acceptance of Service attached.
SERVED Paulette I. Gilliland by deputizing the Sheriff of Mercer County, PA as per his Affidavit of Service attached. Served on February 11, 1993 at 3:30 PM at R.D. #2, Box 2312, Stoneboro, PA.
So answers, Robert M. Stevens, Sheriff

Mar. 8, 1993 Upon Praecipe of Plaintiff Attorney the above case marked discontinue the action of record.

1993

Barrett & Dratler
Sylvia L. Dratler

89.

MARIANNE SNYDER

vs.

SHANE A. SNYDER

Filed January 28, 1993
@ 3:46 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 5-13-93	9.00
Pro Co paid	5.00

COMPLAINT UNDER SECTION 201(c) OF THE DIVORCE CODE

Feb. 17, 1993 Affidavit of Service filed. Sylvia L. Dratler, Esquire, being duly sworn, 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. The affiant is the Attorney for the Plaintiff in the above captioned action.
2. A copy of the Divorce Complaint was sent by certified, restricted mail to the Defendant in the above captioned matter.
3. The certified mail was sent to 286 Main Street, Apt. #3, Greenville, PA 16125 on February 8, 1993. The Sender's receipt is attached hereto.
4. The Defendant received said certified mail on February 12, 1993. Said receipt card number 147 766 796 is attached hereto.
5. The return receipt card was returned after signature to the office of Sylvia L. Dratler, Esq., 965 S. Main Street, Meadville, PA 16335 on February 13, 1993. Sylvia L. Dratler

May 13, 1993 Upon praecipe of Plaintiff attorney to transmit record, case moved to Court. Affidavit of Plaintiff and Defendant filed.

May 25, 1993 Memorandum and Order filed. AND NOW, May 24, 1993, this matter is before the Court on a praecipe to transmit the record seeking a 3301 (c) divorce.

In reviewing the file, we note that the complaint does not contain the notice as required by Pa. R.C.P. 1920.12 (9)(c) which is to be substantially in the form to be prescribed by Rule 1920.71.

This notice must be attached (Creach v. Creach, 361 Pa. Super. 482, 522 A.2d 1133 (1987) and is particularly important in this case in that it contains a notice to the Defendant of vital rights that she has and she is unrepresented in this particular divorce action.

Therefore, this matter will be returned to the Prothonotary so that the Plaintiff may file an amended complaint with the notice to defend attached and serve the same on the Defendant. Thereafter, the Defendant must be afforded adequate time under the rules to file a responsive pleading or else may waive that right so long as she has received the proper notice.

Once this matter is in order, either party may once again praecipe to transmit the record so that we may consider granting the divorce once again.

BY THE COURT:
Anthony J.Vardaro, J.

May 25, 1993 Copy given to Atty.Dratler.

Jun. 23, 1993 Affidavit of Service filed. I,Shane A. Snyder, being duly sworn, 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. The Affiant is the Defendant in the above captioned action.
2. A true and correct copy of the Complaint with an attached Notice to Defend andClaim Rights was sent by certified, restricted mail to the me.
3. The certified mail was sent to me at 286 Main Street, Apt.#3, Greenville, PA 16125 on or about February 8, 1993. The sender's receipt is attached hereto.
4. I received said certified mail onFebruary 12, 1993. Said receipt card number 147 766 796 is attached hereto and signed by me.
5. The return receipt card signed by me was returned after signature to the office of Sylvia L. Dratler, Esq., 965 South Main Street, Meadville, Pennsylvania 16335.

Shane A.Snyder

Jun. 23, 1993 Upon praecipe of Sylvaia L.Dratler, Esquire, Attorney for Plaintiff to transmit record, case moved to Court.

DIVORCE DECREE FILED

July 7, 1993 AND NOW, July 7, 1993, it is hereby ordered and decreed that MARIANNE SNYDER Plaintiff, and SHANE A. SNYDER, 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.

Aug. 2, 1993 Notice Of Election To Resume Former Name filed. Marianne Snyder TO BE KNOWN AS: Marianne Suprys

1993

Mary Ann Kirkpatrick

90.

Kathleen R. Nelson

$150.00 deposit by Plaintiff for mediation

4-23-93 Pd plff Refund Master Fees Ck #7500 66.00

5-27-93 Pd Co Com. med fee Ck #7559

7-15-93 Received 75.00 from Dft. #75.00

8-17-93 Pd Co Com med fee Ck #7729 75.00

8-12-93 Rec from deft med dep. 150.00

9-10-93 Pd deft med bf. Ck# 7783 141.00

~~9-22-93 Pd Co Ck #7795 mediation 141.00~~

6-9-94 Rcd from deft med dep 150.00

7-14-94 Refund mediation deposit of #150.00 to Dft Ck 8448

7-18-96 Rcd from Dft med Cost 150.00

8-28-96 pd deft. med bf. #51.00 Ck 10200

9-10-96 Rcd from plff med fee 90.00

9-19-96 Pd to #10244 180.00

PETER DERRELL BROWN

vs.

ELIZABETH STEWART BROWN

Filed January 28, 1993
@ 4:00 PM

Tax & entry paid	50.50
User's Fee paid	15.00
2 Add'l Counts paid	30.00
State paid	10.00
John Fuller, Mediator	150.00
Pro Co Pd 5-27-93 Ch#7560	9.00
John Fuller, Mediator	150.00
Pro Co Pd 9-22-93 Ch.7795	9.00
Pro Co pd 3-3-95	9.00
Pro Co Pd 9-19-96	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION and CUSTODY

Feb. 8, 1993 Affidavit of Service filed. And Now, February 1993, comes Cosntance L. Deitman being duly sworn according to law, deposes and sets forth as follows:
1. That she is the legal secretary of Attorney for Peter Derrell Brown, 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, P 899 085 768; postmarked Febraury 2, 1993, to the last known address of the Defendant, Elizabeth Stewart Brown, P.O. Box 387, Saegertown, PA 16433.
3. That the Defendant, Elizabeth Stewart Brown, on February 3, 1993, personally signed the return receipt card whcih was affixed to the Complaint 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

Mar. 15, 1993 Appearance of Kathleen R. Nelson for Defendant Elizabeth Stewart Brown, filed.

Mar. 15, 1993 Answer to Complaint in Divorce, filed.

Mar. 31, 1993 MOTION TO APPOINT MEDIATOR and ORDER, filed. ORDER: And, Now, March 31, 1993, the court appoints John Fuller, Child Custody Mediator. By the Court:
Gordon R. Miller, P.J.
Apr. 6, 1993 copy to M. A. Kirkpatrick, K. Nelson, J. Fuller

Apr 22, 1993 ORDER filed. ANS NOW, April 21, 1993, after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Tara Brown, Barbara Brown and James BRown 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 Tara Brown, Barbara Brown and James Brown shall be shared by their parents, subject to the following conditions:

A. *The father shall be entitled to visit and take the children into his custody Mondays and Tuesdays from 4:00 p.m. until 8:00 a.m. the following morning and from Friday at 3:30 p.m. until Sunday at 10:00 p.m. Otherwise, the children shall be in the mother's custody. *(Effective April 26, 1993)

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 p.m. and in the custody of the father 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 an exclusive period of two (2) weeks. Each parent shall give the other parent at least thirty (30) days notice of the dates of the two (2) week Summer visit.

D.Transportation of the children on weekends, holidays and Summer visits shall be equally divided between the parties with the parent receiving custody providing transportation unless the parties agree otherwise.

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 harmful 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. Mother shall not permit a man not related by blood or marriage in her home when the children are in her custody. Neither parent shall consume alcohol or use illegal drugs when the children are in their custody.

I. The minor child, Tara Brown, shall complete her first year of school at Saegertown Elementary School.

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 will be divided equally by the parties. The Prothonotary of Crawford County is hereby directed to refund one-half (½) of the deposit paid in advance by the Plaintiff, less the cost of the custody order. Anthony J. Vardaro, J.
May 3, 1993 copy to M. A. Kirkpatrick, K. Nelson, J. Fuller, Plf. & Dft.

Apr. 29, 1993 ORDER filed. AND NOW, April 28, 1993, paragraph II, H of the Order of April 21, 1993 is amended to read as follows:

H. Mother shall not permit a man not related by blood or marriage in her home, after 9:00 p.m., when the children are in her custody. Neither parent shall consume alcohol or use illegal drugs when the children are in their custody. Gordon R. Miller, J.
May 3, 1993 copy to M.A. Kirkpatrick, K. Nelson, J. Fuller, Plf. & Dft.

Aug. 12, 1993 Petition For Review Of Custody Order By Mediator and ORDER filed. AND NOW, come this 12 day of August, 1993, this matter is hereby referred to John Fuller, Esquire, Child Custody mediator, for further mediation.

BY THE COURT:
Anthony J. Vardaro, J.
Aug. 23, 1993 Copy of Order to Attys. M.A.Kirkpatrick,Kathleen Nelson and John Fuller.

Continued on Pg. 90A

1993

Aug. 17, 1993, Plaintiff's Response to defendant's Petition for Review of Custody Order by Mediation, filed.

Sept. 15, 1993 ORDER filed. AND NOW, September 10, 1993, after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

1. The Order of April 21, 1993, shall remainin full force and effect until modified by agreement of the parties or subsequent Order of Court.
2. The parties have agreed to seek professional help from Kathy Berkey and are, therefore, directed to do so.
3. Tara Brown will attend West End Elementary School and her father will take her to that school Tuesday and Wednesday mornings until this Order has been superseded by subsequent Order or Agreement of the parties.
4. Costs of the mediation conference is to be paid by Crawford County. The Prothonotary is directed to return the deposit paid by the defendant, less the costs of this Order.

Anthony J. Vardaro, J.

Sept. 22, 1993 copy to M.A. Kirkpatrick, K. Nelson, J. Fuller, Plf. & Dft.

May 10, 1994, Petition for Special Relief and Order filed. ORDER: AND NOW, this 9 day of May 1994, upon consideration of the atta ched Petition for Special relief, hearing is hereby set for the 25 day of May 1994 at 2:30 p.m. in C. R. No. 1, in Crawford County Courthouse, Meadville, Pa.

BY THE COURT,
Gordon r. Miller, J.

May 10, 1994, copy to Atty. Kirkpatrick and faxed to Nelson.

May 23, 1994 Motion to Reschedule Hearing and ORDER filed. And, Now, May 20, 1994, the matter scheduled for hearing on May 25, 1994 at 2:30 p.m.is rescheduled for June 23, 1994 at 3:30 p.m. o'clock in courtroom number 1 or 2 of the Crawford County Courthouse in Meadville, Pennsylvania.

By/For the Court:
Gordon R. Miller, J.

5-23-94 Faxed to Attys. Nelson& Fuller. Copy to Atty. Kirkpatrick

June 9, 1994 PETITION FOR REVIEW OF CUSTODY ORDER BY MEDIATOR and ORDER, filed. AND NOW, this 9 day of June, 1994, upon consideratin of the herein Petition, this matter is again referred to John Fuller, Custody Mediator, for the purpose of reviewing the Order heretofore entered and addressing the requests of the Petitioner set forth herein.

BY THE COURT:
Anthony J. Vardaro, J.

June 9, 1994 faxed to Fuller & Kirkpatrick, given to Nelson

June 27, 1994 ORDER filed. AND NOW, June 23, 1994, this matter is before the Court on Defendant's Petition for Special Relief regarding a narrow issue concerning a check which was issued by Allstate Insurance Company as a result of an automobile accident involving plaintiff as the driver of a marital vehicle.

At the time of hearing, the parties agree to the entry of the following Order:

The check issued by Allstate Insurance Company, dated May 30, 1994 in the amount of $763.38, made payable to Peter D. Brown and Elizabeth Brown, shall be endorsed forthwith by both parties and shall be deposited into an escrow account in the name of the plaintiff's counsel Mary Ann Kirkpatrick, Esquire, and shall not be disbursed at any time unless both parties agree in writing or there is further Order of Court.

BY THE COURT,
Anthony J. Vardaro, J.

June 27, 1994 copies dist. to Kirkpatrick & Nelson
June 30,1994 copy Faxed to Fuller

July 7, 1994 Motion To Vacate Order Appointing Mediator and For Refund of Deposit and Order, filed. AND NOW, this 7 day of July, 1994, this Court's Order of June 9, 1994, referring the custody matter to John Fuller, Esquire, is hereby vacated.

The Prothonotary is directed to refund the deposit paid by the Defendant, in the amount of $150.00, forthwith, less any amount that may be due Mediator or for costs.

BY TEH COURT:
Anthony J. Vardaro, J.

July 8, 1994 Faxed Kirkpatrick & Nelson. July 14, 1994 Faxed Fuller.

Nov. 18, 1994 Affidavit of Consent of Defendant filed.

February 17, 1995, Affidavit filed. I have been advised that counseling is available and that I may have the right to request that the court require the parties to participate in counseling.

I verify that this statement is 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.

Peter Darrell Brown, Plaintiff

Feb. 17, 1995 Affidavit of Consent of plaintiff filed.

Feb. 22, 1995 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

March 8, 1995 And, Now, March 7, 1995, it is ordered and decreed that PETER DERRELL BROWN, plaintiff, and ELIZABETH STEWART BROWN, 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.

It is further ordered:

Equitable Distribution:

Husband shall be the sole owner of his 401(k) plan and Wife shall waive any interest she may have therein.

Wife shall be the sole owner of the $763.38 escrow fund arising from the proceeds received by them by the Allstate Insurance Co.

Each party shall be the sole owner of all personal property not otherwise disposed of in this order which is now in his or her own possession.

Husband shall be solely liable to pay the two Sears charge accounts which are in his name and wife shall be solely responsible to pay the Sears charge account which is in her name, her student loan and her Bancohio/Fashion Bug account.

By the Court:
Anthony J. Vardaro, J.

June 28, 1996 Petition to Modify Custody, Notice and Order to Appear and Order and Notice filed. You, Peter D. Brwon, have been sued in Court to obtain custody of Tara Brown, barbara Brown and James Brown.

You are ORDERED to appear in person at such time and place as will be determined by the Mediator Kathleen Nelson for a mediation conference.

Anthony J. Vardaro, J.

6-28-96 FAXED Kirkpatrick, Nelson & Irwin

CONTINUED ON PAGE 90-B

90 B

1993

90.

PETER DERRELL BROWN,
PLAINTIFF
VS.
ELIZABETH STEWART BROWN
a/k/a ELIZABETH HARRIAU
DEFENDANT

CONTINUED FROM PAGE 90 A
OF RECORD
OF RECORD

A. D. 1993 - 90

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July 10, 1996 ORDER filed. AND NOW, this 9 day of July, 1996, Kathleen R. Nelson, Esq. shall be permitted to withdraw as Child Custody Mediator. John fuller, Esq., is hereby appointed as Mediator.
BY THE COURT:
Anthony J. Vardaro, J.
7-10-96 FAXED Irwin, Kirkpatrick, Nelson & Fuller

July18, 1996, Answer and Counterclaim filed.

Aug 23, 1996 Certificate of completion of the Seminar for Separating Parents for ELIZABETH STEWART BROWN HARRIAU, filed.

Aug 23, 1996 Certificate of completion of the Seminar for Separating Parents for PETER BROWN, filed.

Aug. 27, 1996 ORDER filed. AND NOW, August 23, 1996 after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Tara Brown, Barbara Brown and James Brown shall be shared between the mother and the father, the defendant and plaintiff 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 Tara Brown, Barbara Brown and James Brown shall be with their father, beginning August 26, 1996, subject to the following conditions:

A. (FOR REMAINDER OF ORDER, PLEASE SEE FILE FOLDER)

Anthony J. Vardaro, J.

1993

Halliday & Halliday
Michael Halliday

91.

DOUGLAS M. DAVISON

vs.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

Filed January 28, 1993
@ 3:52 PM

Tax & entry Pd 3-6-94 50.50
User's Fee paid Pd 3-6-94 5.00

PETITION FOR REVIEW OF ORDER OF THE DEPARTMENT OF TRANSPORTATION SUSPENDING OPERATING PRIVILEGES

Jan. 28, 1993 Order filed. AND NOW, this 21 day of January, 1993, upon consideration of the Petition of Douglas M. Davison for review of orders of the Department of Transportation suspending Petitioner's operating privilege, a hearing de novo is granted to determine whether the action of the Department of Transportation in suspending the Petitioner's operating privilege should be set aside.

Hearing on the above matter is fixed for the 29 day of April, 1993, at 1:30 o'clock p.m., in courtroom No. 1 or 2 of the Crawford County Courthouse, Meadville, Pennsylvania.

In the alternative, should Your Honorable Court decide that the Petition for Review is not timely filed, that your Honorable Court will permit Petitioner to file a Petition for Review nunc pro tunc for the reasons enumerated inthe within Petition

The Petitioner is directed forthwith to notify the Department of Transportation of the appeal and the hearing date.

BY THE COURT:
Gordon R. Miller, J

Feb. 1, 1993 Copy of order to Atty. Halliday

May 18, 1993 Withdrawal of Appeal and Order, filed. ORDER: AND NOW, this 17th day of May, 1993, upon consideration of the within Petition for Withdrawal of Appeal, IT IS HEREBY ORDERED that the Appeal of Petitioner, Douglas M. Davison, be withdrawn. Petitioners counsel shall comply with the Local Rules and serve a copy of this petition and order on The Department of Transportation. sec. leg. sec. reg.

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

ras

May 25, 1993 copy to M. Halliday

1993

Barbara J. Walton	PHYLLIS DEARBORN	COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION 2 copies atty.
92.	vs.	May 12, 1993 Affidavit of Service filed. And Now, May 11, 1993, comes Barbara J.Walton,Esq., being duly sworn according to law, deposes and sets forth as follows: 1. That she is a competent adult. 2. That on information furnished her, she served a certified copy of the Complaint in Divorce in the above-matter upon Thomas Dearborn, on January 29, 1993, at her office located at 310-312 Chestnut Street, Meadville, PA 16335. By: Barbara J.Walton, Esquire
	THOMAS DEARBORN	
	Filed January 29, 1993 @ 9:56 AM	
	Tax & entry paid 50.50 User's Fee paid 10.00 1 Add'l Count paid 15.00 State paid 10.00 Pro.Co. pd 5/12/93 9.00	May 12, 1993 Affidavit of Consent by Thomas Dearborn, Defendant, filed. May 12, 1993 Affidavit of Consent by Phyllis Dearborn, Plaintiff, filed. May 12, 1993 Affidavits of Service, Praecipe to Review, Property Settlement Agreement, Stipulationand Decree filed. May 12, 1993 Upon praecipe of Barbara J.Walton, Esquire, for Review Under Section 3301 (c) of the Divorce Code this case moved to Court.

DIVORCE DECREE FILED

May 19, 1993 DECREE AND ORDER filed. AND NOW, this 18 day of May, 1993, the grounds for the above case having been approved and the Affidavits of Consent having been filed by both parties, the Court, by virtue of the authority vested in it by law, decrees that PHYLLIS DEARBORN and THOMAS DEARBORN are hereby divorced from the bonds of matrimony, and all the duty, rights, and claims accorded to either of the said parties at any time heretofore and pursuacne of said marraige 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. Section 1 et seq., "the Divorce Code" that the terms, provisions and conditions of a certain Property Settlement Agreement between the parties dated Jan. 29, 1993, and attached to this Decree and Order as Exhibit "A" is hereby incorporated herein at length.

1. The Plaintiff and Defendant have reached an agreement as to the claim for Equitable Distribution, Count II of the Divorce Complaint. The parties have settled this issue pursuant to paragraph II of the Property Settlement Agreement and said agreement is incorporated herein.

Said Agreement shall not merge with but shall survive this Decree and Order.

By the Court:
Anthony J. Vardaro, J.

1993

Barbara J. Walton

93.

ALYCE J. WILLIAMS

vs.

EDWARD H. WILLIAMS, III

Filed January 29, 1993
@ 9:56 AM

Tax & entry paid	50.50
User's Fee paid	15.00
@ Add'l Counts paid	30.00
State paid	10.00
Pro Co pd	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION and CUSTODY
2 copies atty.

Feb. 8, 1993 AFFIDAVIT OF SERVICE, filed. And Now, Feb. 5, 1993, 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 Alyce Williams, 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, P 899 097 839; postmarked Feb. 3, 1993, to the last known address of the Defendant, Edward H. Williams III, 780 N. Morgan St, Meadville Pa 1 6335.

3. That the Defendant, Edward H. Williams, III, on Feb. 4, 1993, personally signed the return receipt card which was affixed to the Complaint in the above-matter and which is attached hereto.

4. Service of the Complaint agaisnt Defendant is therefore effected in accordance with Pa. R.C.P.

May 19, 1993 Property Settlement and Consent Custody Agreement, filed.

May 19, 1993 Affidavit of Consent of Plaintff, filed.

May 19, 1993 Affidavit of Consent of Defendant, filed.

May 19, 1993 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

June 4, 1993 Amended Affidavit of Service filed.

DIVORCE DECREE FILED

June 10, 1993 DECREE AND ORDER. AND NOW, this 9 day of June, 1993, the grounds for the above case having been approved and the Affidavits of Consent having been filed by both parties, the Court, by virtue of the authority vested in it by alw, decrees that ALYCE WILLIAMS and EDWARD H. WILLIAMS, III are hereby divorced from the bonds of matrimony, and all the duty, rights, and claims accorded to either of the said paraties 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 26-1930, 23 P.S. Section 1 et seq., "the Divorce Code" that the terms, provisions and conditions of a certain property settlement and consent custody agreement between the parties dated May 16, 1993, and attached to this Decree and Order as Exhibit "A" are hereby incorporated herein at length, and the parties are ordered to comply with it.

1. By stipulation of the parties; the marital property on North Morgan St., shall be deeded over to Wife. The Wife shall assume any and all mortgage payments thereon and will hold Husband harmless.

2. Each party will etain the vehicle he or she has been driving and the titles will be signed over to the appropriate owner.

3. The parteis have divided their personal belongings equitably.

4. There is a minor child of the marriage, Reagan Williams, and primary physical custody of the minor child will be with the Mother. The Father shall have liberal visitation, which shall be arranged between the parties.

Said Agreement shall not merge with but shall survive this Decree and Order.

By the Court:
Anthony J. Vardaro, J.

1993

Shafer, Swick,
Bailey, Irwin & Stack
Robert S. Bailey

94.

GELVIN, JACKSON & STARR, INC.

vs.

MARK CARROLL, Individually,
DAVID CARROLL, Individually,
and MARK CARROLL and DAVID
CARROLL, a corporation
t/d/b/a CARROLL"S NURSERY

Filed January 29, 1993
@ 1:45 PM

Tax & entry paid	15.00
Plff on Orig.	88.16
Sheriff's Costs	50.00
Pro Co pd 3-10-93	9.00
~~Pro Co. paid 1/11/96~~	~~9.00~~
Sat paid 1/23/96	5.00

In Error

WRIT OF REVIVAL

OF

A.D. 1988 - 79

Writ of Revival indexed against the defendants in favor of the plaintiff, in the sum of One Thousand Eight Hundred Seven and 87/100 Dollars with interest and cost of suit.

Debt -----$1,807.87
C-114-44-184
Int. from 10/18/89
Barbara H. King, Pro

Isshed Sheriff

Feb. 9, 1993 SHERIFF'S RETURN, filed. SERVED Mark Carroll personally on Feb. 4, 1993 at 10:36 AM by handing a copy of the Writ of Revival to him at Carroll's Nursery, South Franklin St., RD 4, Cochranton, Crawford County, Pa.

SERVED David Carroll on Feb. 4, 1993 at 10:35 AM by handing a copy of the Writ of Revival to Mark Carroll, Adult in Charge at Carroll's Nursery, South Franklin St., RD 4, Cochranton, Crawford County, Pa.

SERVED Carroll's Nursery on Feb. 4, 1993 at 10:37 AM by handing a copy of the Writ of Revival to Mark Carroll, Adult in Charge at the business, South Franklin St., RD 4, Cochranton, Crawford County, Pa.

So answers,

Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

And Now, March 10, 1993 at 3:49 p.m. Upon praecipe of Plaintiff attorney judgment is hereby entered in favor of the plaintiff and against the devendant for the sum of One Thousand Eight Hundred Sevent and 87/100 plus interest and cost of suit for failure to file an Answer.

Entered 3-10-93
C - 44, 114

Debt: $1,807.87 Plus interest & costs
JUDGMENT
Barbara H. King, Pro.

EX 1995-89

In Error

Jan. 10, 1996 AND now, Jan. 10, 1996, at 1:56 P.M., upon praecipe for Judgment by Admission, judgment is hereby entered against First National Bank of Pennsylvania, Garnishee, in the amount of $2,564.51. Said amount represents principal of judgment $1,807.86; interest of 10/18/89 to 1/8/96 of $458.48 and court costs.

F-184

Debt $2,564.51
JUDGMENT
Barbara H. King, Pro.

Jan. 19, 1996 Upon praecipe of plaintiff attorney, judgment against the defendants is hereby satisfied of record. (see paper filed)

1993

Mazzotta, McCague
& Associates, PC.
Donald S. Mazzotta
J. Michael McCague

95.

INTEGRA BANK NORTH

vs.

RALPH T. LINDSEY
LYNN J. LINDSEY

Filed February 1, 1993
@ 11:46 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	41.00
Pro Co Pd 3/23/93	9.00
Pro.Co. pd 3/24/94	5.00

COMPLAINT IN CIVIL ACTION
2 copies Sheriff

Feb. 18, 1993 Sheriff's Return filed. SERVED Ralph T. Lindsey personally on February 11, 1993 at 1:35 PM by handing a copy of t the Complanit to him at his residence, Millstream Apartments #38, 594 North Street, Meadville, Crawford County, PA
SERVED Lynn J. Lindsey personally on February 10, 1993 at 8:57 AM by handing a copy of theComplaint to her at the residence, R.D. #3, Box 419, Cole Road, Meadville, Crawford County, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

And Now, March 23, 1993, at 11:03 a.m. upon praecipe of plaintiff attorneys, with affidavit of non military service and certification ofmailing of notice of intent to take default judgment attached, Judgment is hereby entered in favor of the plaintiff and against the defendant with int. at rate of 6.000 from date of judgment plus costs of suit.
Judgment entered
3/23/93
L - 143, 103

Debt --$4,615.29
Int. of 6.000 from date of judgment
JUDGMENT
Barbara H. King,
Prothonotary

Mar. 25, 1993, notice of entry of judgment mailed to plaintiff and defendant.

July 13, 1993 Certificate of Service filed. I hereby certify that on the 9th day of June, 1993, Answers to Interrogatories by the Defendant, Lynn J. Lindsey, were served on councel for the Plaintiff to the following address: J.Michael McCaque, Esquire
26th Floor, One Mellon Bank Center
Pittsburgh,PA 15219
Emil M. Spadafore, Jr., Esq.

Mar. 24, 1994 Upon Praecipe of William T.Molczan, Esquire, Attorney for Plaintiff, the judgment on this matter is marked satisfied of record.

96

1993

Elderkin, Martin,
Kelly & Messina
Kenneth G. Vasil

96.

Bernadette M. DeVore
for dft. Albert Tucci

SEARS, ROEBUCK and COMPANY

vs.

ALBERT E. TUCCI and JANET M. TUCCI, his wife

Filed February 1, 1993
@ 12:00 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	24.00
Sheriff's Costs	31.00
Pro Co. pd 7-25-96	9.00
Pro Co pd 9-5-96	6.00

2 Cc P

COMPLAINT IN CIVIL ACTION
2 copies Sheriff

Feb. 17,1993 SHERIFF'S RETURN, filed. NOT FOUND as to Defendant Albert E. Tucci. He has moved from RD 1, Venango, Crawford County, Pa, to PO Box 10551, Erie Pa 16514.
NOT FOUND as to Janet M. Tucci. She has moved from address of RD 1, Venango, Crawford County, Pa., and her current address is unknown.
So answers, Robert M. Stevens, Sheriff

June 14,1996, Complaint Reinstated.

June 19, 1996 SHERIFF'S RETURN: SERVED Albert E. Tucci personally on June 19, 1996 at 9:10 AM by handing a copy of the Complaint to him in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, Crawford County, PA.
So answers, Diane M. Sparks, Deputy
Robert M. Stevens, Sheriff

July 3, 1996, Answer and New Matter Pursuant to Pa. R.C.P. 1030 filed/

July 23, 1996 Upon Praecipe of plaintiff,attorney Judgment entered against Defendant Albert E. Tucci, only, in the amount of $4,665.80 plus interest at the rate of 1.25% per month from December, 1992, and costs of the action.

Sept 3, 1996 Upon praecipe of plaintiff attorney the above captioned action is satisfied as to judgment, debt, interest and costs as to Defendant Albert E. Tucci, and also discontinued as to Janet M. Tucci.
9-5-96 sent certificate

1993

R.Christopher Brode

97.

Barbara Walton

MARSHA GAYLA PERO

vs.

ANTHONY JOSEPH DUPONT

Filed February 1, 1993
@ 3:21 PM

Tax & entry	50.50
User's Fee	5.00
Sheriff's Costs	25.00
Pro Co	9.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

3 Copies Sheriff; 1 copy plaintiff

Order:

And now, this 1 day of February , 1993 , 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 Plaintiff shall have temporary phisical custody ofthe minor chidlren pending further order of Court
3. This Order may be enforced without a warrant 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 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 Liability for payment or 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 8, 1993 , at 3:30 P.M 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 COURT,
Anthony J. Vardaro, J

Feb. 5, 1993 Sheriff's Return filed. SERVED Anthony Joseph DePont personally on February 1, 1993 at 3:50 PM by handing him a copy of the Protection from Abuse to him at his residence, 986½ Grove Street, Meadville, Crawford County, PA
so answers,

Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Feb. 19, 1993 ORDER filed. AND NOW, Feb. 8, 1993, this matter is before the Court on Plaintiff's request for relief under the Protection From Aubse Act.

The parties appear with counsel and have reached an agreement with the Order to be entered without admission of the allegations of Plaintiff's Petitionby the Defendant.

Accordingly, we enter the following Order:

1. The Defendant shall not assault, abuse, harass or threaten on Plaintiff or any minor child named in the petition.
2. Neither party shall go to the other party's residence at any time. If for some reason the parties would reach an agreement whereby one would go to the residence of the other, they are cautioned that this is a violation of this Order, and that they can both be held in contempt for such violation. If they should reach an agreement or they wish to go to the other party's residence, they must petition the Cfourt for a modification fo this Order before doing so.
3. Both parties agree that they shall not make any contact by telephone with the other party with the sole exception that the Defendant can call the plaintiff's residence on any Saturday morning if he is not gotin to exercise his Saturday afternoon visitation with the minor children and at that time no party shall threaten or harass the other party during such conversation.
4. The parties may contact one another by mail at any time so long as the mail does not contain any threatening or harassing contents.
5. The Defendant shall not go to the Plaintiff's place of employment if she obtains employment nor shall he go to any school or other training institution at which she receives training or classes.
6. Pending further Order of Court, in this action or any other action that may be appropriate the Plaintiff shall have sphysical custody of the minor children with the Defendant to have visitation with both Diamond M. DuPont and Jennifer L. Pero each Saturday from Noon to 5:00 p.m.

When such visitations occur, the Plaintiff/Mother shall supply the necessary clothing and items for the visit for the children which items shall be returned to the Plaintiff after the visit has ended.

All visitation and return of custody shall occur by peaceful exchange by both sides with such exchange to occur at the McDonald's Restaurant on Park Avenue in Meadville.

If the Defendant shall be more than one-half (1/2) hour late at any time for a visitation, the visit shall be deemed waived.

7. The Defendant shall pay costs in this matter to the Prothonotary on the first floor of the Courthouse by 4:30 p.m. at the close of business within ninety (90) days from this date. The costs total $89.50.
8. This Order shall remain in full force and effect through Feb. 7, 1994.

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

Feb. 19, 1993 copies given to Co. Control, MCPD, Brode & Walton

1993

Withdrawn
~~Barbara J. Walton~~

Shafer, Swick, Bailey,
Irwin & Stack
James R.Irwin
98.

Peters, Lindsay,
Lewis & Hatheway
Brian J. Lindsay

SANDRALEE SNYDER

vs.

TIMOTHY M. SNYDER

Filed February 1, 1993
@ 3:38 PM

Tax & entry paid	50.50
User's Fee paid	15.00
2 Add'l Counts paid	30.00
State paid	10.00
Pro Co pd 5-4-93	9.00
Pro Co Pd 9-94	9.00
William Pineo, Mediator	202.00

5-23-94
Ree from Deft Ned Dep 150.00
4-30-94 Pd Deft Brg Medley Ck#8414 40.00
9-13-94 Comm Pd Ck# 8549 202.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION and CUSTODY
2 copies atty.

Feb. 8, 1993 AFFIDAVIT OF SERVICE, filed. And Now, FFeb. 8, 1993, 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 Sandralee Snyder, 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, P 899 097 892; postmarked Feb. 3, 1993, to the last known address of the Defendant, Timothy M. Snyder, RD 1, Clarks Mills Pa 16114.

3. That the Defendant, Timothy M. Snyder, on Feb. 4, 1993, personally signed the return receipt card which was affixed to the Complaint in the above-matter and which is attached hereto.

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

May 4, 1993 Affidavit of Consent of Plaintiff, filed.

May 4, 1993 Affidavit of Consent of Defendant, filed.

May 4, 1993 Upon praecipe of Plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

May 11, 1993 AND NOW, this 11th day of May, 1993, the grounds for the above case having been approved and the Affidavits of Consent having been filed by both parties, the Court, by virtue of the authority vested in it by law, decrees that Sandralee Snyder and Timothy M. Snyder are hereby divorced 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. Section 1 et seq.,"the Divorce Code" that the terms, provisions and conditions of a certain property settlement and consent custody agreement between the parteis dated May 3, 1993 and attached to this Decree and Order as Exhibit "A" is hereby incorporated herein at length. Said Agreement shall not merge with but shall survive this Decree and Order.

By the Court:
Gordon R. Miller, J.

May 17, 1994 Appearance of Peters, Lindsay, Lewis & Hatheway by Brian J. Lindsay for Defendant filed.

May 20, 1994 Motion to Appoint Mediator and ORDER filed. AND NOW, this 18th day of May, 1994, upon consideration of the Defendant's Motion, said Motion is granted. Custody Mediator Wm. Pineo is hereby appointed Mediator to hold a conference to determine the best interest of the subject minor child.

BY THE COURT:
Gordon R. Miller, J.

5-23-94 Faxed to Pineo, Lindsay & Walton

june 29, 1994 TEMPORARY ORDER, filed. AND NOW, this 28 day of June, 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. The parties shall share legal and physical custody of the subject minor children, Johnallen and Tiffany.

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 children. Health care, school personnel, and other care providers are hereby authorized to release to either party any and all confidential information ehich they may have regarding the subject minor children.

3 a. The mother shall have primary physical custody of the subject minor children from 6:30 p.m. of the 10th day previous to the opening of school for the fall session until 6:30 p.m. of the 5th day after the close of the school session for the following summer vacation. The father shall have primary physical custody from 6:30 p.m. of the 5th day following the close of school for the summer vacation until 6:30 p.m. of the 10th day previous to the reopening of school for the fall session.

The party not having physical custody under the preceding schedule shall have visitation and temporary physical custody on the first three full week ends per month from 6:30 p.m. Friday until 6:30 p.m. on Sunday. A full weekend is defined in which Saturday and Sunday ocur within the same month.

During the father's summertime period of physical custody, the mother shall also have the right to a seven day period of temporary physical custody and visitation if she wishes to take the children on a vacation trip. The seven day period may be taken at any time during the summer, provided that the mother gives the father twenty days notice of the period she wishes to select.

b. The subject minor 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.

$. Holiday visitation shall be arranged as follows:

a. Christmas: In even numbered years, the father shall have temporary physical custody and visitation from 6:30 p.m. of December 23 through 6:30 p.m. of January 1. In odd numbered years, the father shall have temporary physical custody and visitation from 6:30 p.m. of December 26 through 6:30 p.m. of January 1.

b. Thanksgiving: There shall be two Thanksgiving holiday visitation periods, the first beginning at 6:30 p.m. of the Wednesday preceding Thanksgiving and ending at 6:30 p.m. of the following Friday, and the second beginning at 6:30 jp.m. of the Friday following Thanksgiving and ending at 6:30 p.m. of the Monday following Thanksgiving. In even numbered years, the mother shall have the first period, the father, the second, and the parties shall thereafter alternate.

Continued on Page 98A

1993 TERM

Sandralee Snyder
vs.
Timothy M. Snyder

CONTINUED FROM PAGE 98
of Record
A. D. 1993 - 98

****

c. Easter: There shall be two Easter visitation periods, the first beginning at 6:30 p.m. of Good Friday and ending at 6:30 p.m. of Holy Saturday, and the second beginning at 6:30 p.m. of Holy Saturday and ending at 6:30 p.m. of Easter Sunday. In even numbered years, the father shall have the first period, the mother, the second, and the parties shall thereafter alternate.

d. The children shall spend Father's Day with their father from 6:30 p.m. of the preceding Saturday until 6:30 p.m. of Father's Day, and Mother's Day with their mother during the same hours.

e. The provisions of this paragaraph shall take precedence over the other provisions of this order relating to the custodial or visitation periods.

5. 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.

6. 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.

7. 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 ormodification. 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.

8. The parties shall split responsibility for transportation with the party receiving the children in the exercise of his or her rights picking up the child at the home of the other. As an alternative, the parties may designate a pickup and receiving point approximately halfway between their homes or may make other arrangements for a fair sharfing of the responsibility for transportation. Any person transportign the child shall make sure that the seat blets or other restraints are used in accordance with the laws of Pennsylvania.

9. 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.

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 fo the subject minor children. 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 the same room as the child, in a closed automobile in which the child is being transported, or in the bedroom of the child.

12. Costs and fees of this Mediation, which are fixed at $202.00, are divided equally between the parties with a share of each being assessed to him or her as costs in this case.

13. The deposit required for teh appointment of the Custody Mediator was made by the father. The deposit shall first be applied agaisnt the father's share of costs and the remainder, if any, shall be remitted to him. The mother shall pay her share of costs and fees to the Prothonotary of Crawford County within thirty (30) days of the date of this Order.

sl4. 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.

July 6, 1994 faxed copy to Pineo, Lindsay & Walton, mailed copy to Plf. & Dft.

Aug. 29, 1994 UponPraecipe of Barbara J. Walton, Esquire, her appearance for Plaintiff, Sandralee Snyder, is hereby withdrawn.

Appearance of Shafer, Swick, Bailey, Irwin & Stack by James R. Irwin, Esquire for Plaintiff Sandralee Snyder, filed.

98

-6-

1993 **TERM**

1993

Northwestern Legal Services
Gerald Sullivan

99.

Thomas, Truax, spadafore & Walker
Gregory A. Keenan

CINDY MYERS

vs.

RODNEY MYERS, SR.

Filed February 1, 1993
@ 4:31 PM

Indigent Filing
John Fuller, Mediator 200.00
Pro Co 9.00

COMPLAINT FOR CUSTODY
1 copy atty.

ORDER:

You, Rodney Myers, Sr., Defendant, have been sued in Court to obtain custody of the minor children, Rodney Myers, Jr., and Kevin Myers.

You are ordered to aoppear inp erson at the time and place selected by John Fuller, Esq., 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 Department 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 certified 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:

Court Administrator
Crawford County Courthouse
Meadville, Pennsylvania
(814) 336-1151, ext. 298
BY THE COURT,
Anthony J. Vardaro, J

Feb. 1, 1993 Praecipe for Plaintiff To Proceed In forma Pauperis filed.

Feb. 8, 1993, Affidavit of Service filed. I hereby certify that a copy of the Compaint for Custody in the above case, was served upon dft. by Cert. U.S. Mail on Feb. 2, 1993. A return receipt signed by the dft. is attached. Gerald Sullivan, Esq.

Mar. 10, 1993 Appearance of Thomas, Truax, Spadafore & Walker by Gregory A. Keenan for Defendant filed.

Mar. 19, 1993 ORDER filed. AND NOW, March 15, 1993 after mediation conference before John Fuller, Esq., IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Rodney Myers, Jr. and Kevin Myers 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 Rodney Myers, Jr. and Kevin Myers shall be with their Father, until June 1, 1993, subject to the following:

A. The Mother shall be entitled to visit and take the children into her custody every weekend from 5:30 p.m. on Friday to 5:30 p.m. on Sunday, beginning March 12, 1993.

III. Physical custody of Rodney Myers, Jr. and Kevin Myers shall be with their Mother, beginning June 1, 1993, subject to the following conditions.

A. The Father shall be entitled to visit or take the children into his custody every weekend from 5:30 p.m. on Friday to 5:30 p.m. on Sunday, beginning June 4, 1993.

IV. 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 p.m. and in the custody of the Father on the aforesaid holidays from 1:00 p.m. until 7:00 p.m.

V. A. Transportation of the children on weekends and holidays shall be provided by the Father

B. Neither Mother or 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.

C. Neither Mother or 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 the children and both parents agree to furnish the other with a current telephone number.

VI. 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. This order is entered without prejudice to the right of either party to request a furthur mediation conference at any time after Aug. 1, 1993.

VII. Cost of the mediation conference shall be paid by Crawford County.

Gordon R. Miller, P.J.

Mar. 22, 1993 copy to G. Sullivan, G. Keenan, Plf. & Dft & J. Fuller

Apr. 14, 1993 Motion for HearingDe Novo and Order, filed. ORDER: AND NOW, this 13th day of April, 1993, upon presentation and consideration of the within Motion, a hearing is scheduled in this matter for the 2nd day of June, 1993, at 10:30 a.m. in the Court of Common Pleas of Crawford County, Pennsylvania.

This Motion and Order shall be served upon defendant's attorney, Gregory Keenan, Esq., by regular U.S. mail.

BY THE COURT,
Anthony J. Vardaro, J.

Apr. 19, 1993 copy to G. Sullivan & G. Keenan

May 10, 1993 Motion To Dismiss and Order, filed. ORDER: AND NOW, this 7th day of May, 1993, upon presentation and consideration of plaintiff's Motion to withdrawn her petition for a Hearing De Novo, such Motion is granted. The plaintiff's Motion for a Hearing De Novo is withdrawn and the De Novo custody hearing in this case scheduled to take place on June 2, 1993 is hereby canceled.

The custody order dated March 15, 1993 shall remain in full force and effect.

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

May 13, 1993 copy to G. Sullivan, G. Keenan, J. Fuller

1993

Barbara J. Walton
~~Kathleen R. Nelson~~ withdrawn

100.

Mary Ann Kirkpatrick

NITA B. LOUTSENHISER

vs.

JACK L. LOUTSENHISER

Filed February 2, 1993
@ 10:31 AM

Tax & entry paid	50.50 ✓
User's Fee paid	15.00
2 Add'l Counts paid	30.00 ✓
State paid	10.00
Pro.Co.pd 5/24/94	9.00 ✓

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
ALIMONY PENDENTE LITE, COUNSEL FEES AND COSTS
1 copy atty.

Feb. 11, 1993 Appearance of Mary Ann Kirkpatrick in behalf of Defendant Jack L. Loutsenhiser, filed.

Feb. 16, 1993 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 a true and correct copy of the Complaint in Divorce and Notice to defend were sent by certified mail to the Defendant, Jack L. Loutsenhiser on Feb. 4, 1993.
3. The certified mail was sent to Jack L. Loutsenhiser at RD 9, Box 44, Meadville, Pa. 16335. The sender's receipt is attached hereto.
4. That the Defendant received said certified mail on Feb. 8, 1993. Said Return Receipt Card P 360 670 127 is attached hereto, signed by Jack L. Loutsenhiser and made a part hereof.

Sep. 13, 1993 Motion to Withdraw Appearance and ORDER Filed. AND NOW, Motion to Withdraw Appearance is hereby granted in the above captioned case.

Anthony J. Vardaro, J.

9-20-93 Copy of Order to Attys. Nelson,Kirkpatrick

Sep.,14, 1993 Appearance of Barbara J. Walton,Esquire for Nita B.Loutzenhiser, Plaintiff, filed.

May 20,1994 Affidavit of Consent of Defendant, filed.

May 24, 1994 Affidavit of Consent by Nita B. Loutzenhiser, Plaintiff, filed.

May 24, 1994 Upon Praecipe of Barbara J. Walton,Esquire, Attorney for Plaintiff, to transmit record, case moved to Court.

DIVORCE DECREE FILED

June 3, 1994 And, Now, June 2, 1994, it is ordered and decreed that NITA B. LOUTZENHISER, plaintiff, and JACK L. LOUTZENHISER, 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.

EQUITABLE DISTRIBUTION:

Husband shall be the sole owner of the parties' home located at RD #9, Box 44, Meadville, PA. Wife shall execute a quit-claim deed conveying her interest in said property to Husband. Within thirty (30) days of the date of this Decree Husband shall pay to Wife the sum of $20,000.00 which payment shall be made in exchange for the deed described herein above.

Husband shall become the sole owner of the parties' pick-up truck and Wife shall be the sole owner of their Chrysler automobile. Each party shall keep the household goods now in his and her own possession.

Husband's pension benefits due under the Meadville Police Pension Fund shall be divided between the parties so that the Plaintiff shall receive 40$ and the Defendant 60% of the marital portion of Defendant's pension. The parties agree to cooperate with each other in signing all necessary documents to permit the entry of a Qualified Domestic Relations Order to effect the division of this asset.

Husband shall be the sole owner of his IRA's and Wife of her IRA's.

There are no unpaid marital debts except the balances due on the home mortgage, the home equiy loan and the truck all of which shall be paid by Husband. Husband shall indemnify Wife and hold her harmelss thereon

Alimony pendente lite, fees and costs:

Neither party shall be required to make any payment to or on behalf of the other for alimony pendente lite, counsel fees and costs.

By the Court:
Gordon R. Miller, J.

May 2, 1995 Petition for Special Relief and Order filed. AND NOW, this 1st day of May, 1995, upon consideration of the enclosed Petition for Special Relief, it is hereby entered ordering and directing the Defendant, jack B. Loutzenhiser, Plaintiff, to show cause, if any he has, why said Petition for Special Relief should not be granted. The said Rule to Show Cause is returnable for hearing and/or argument onthe 6th day of June, 1995, at 11:00 o'clock a.m. in Courtroom Number 1, inthe Crawford County courthouse, Meadville, Pennsylvania.

By the Court:
Gordon R. Miller, J

May 2, 1995 Faxed Kirkpatrick given Walton

Jun. 14, 1995 Motion to Reschedule Hearing and ORDER filed. And,Now, June 14, 1995,hearing scheduled for June 6, 1995,at 11:00 o'clock a.m. in courtroom 1 or 2 of the Crawford County Court of Common Pleas is rescheduled for August 18, 1995,at 1:30 o'clock p.m.

By the Court:
Anthony J.Vardaro,J.

6-14-95 Faxed Kirkpatrick & Walton

July 21, 1995 Motion to Cancel Hearing and Order filed. AND NOW, July 20, 1995, the hearing scheduled for August 18, 1995 is hereby cancelled.

By the court,
Gordon R. Miller, J

July 21, 1995 Faxed Kirkpatrick, given Walton

Aug 1, 1995 Motion For Modification filed.

Aug. 1, 1995 Order filed. AND NOW, August 1, 1995, upon motion of the parties it is hereby ordered and decreed that the Divorce Decree entered June 2, 1994, is modified so that the paragraph requiring the equitable distribution of husband's pension is deleted and said pensionis not to be dived but rather all of the pension is to remain the property of the Defendant

By theCourt,
Anthony J. Vardaro, J
8/1/95 Faxed Walton &
Kirkpatrick

1993

Phillips and Galanter,
Donald L. Phillips

101.

GELVIN, JACKSON &
STARR, INC.

vs.

JOHN M. HOMAN i/and t/a
SUNRISE FOOD MART and A.H.A.
ENTERPRISE, INC. t/a SUNRISE
FOOD MART, jointly and
severally

Field February 2, 1993
@ 1:21 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	56.40
Pro Co pd 4-12-93	9.00
Pro Co pd 2-24-94	5.00

COMPLAINT IN CIVIL ACTION
2 copies Sheriff

Mar. 4, 1993 Sheriff's Return filed. SERVED the within Notice to Defend - Complaint on 18FEB93 at 12:35 P.M., upon A.H.A. Enterprise, Inc at place of vistiation @ 213 12th St., Franklin, PA 16323 by handing to John M. Homan, in person a true and correct copy thereof and made known to him the contents therein.
Go answer, Gene Price, Sheriff
I hereby deputize the Sheriff of Venango County, Pennsyvlania to serve the wtihin Complaint according to law.
So answers Robert M. Stevens, Sheriff

And Now, April 12, 1993 at 2:28 p.m. upon praecipe of plaintiff attorneey judgment is hereby entered in favor of the plaintiff and against the defendants for want of an answer and the same is liquidated at the sum of One Thousnad, Five Hundred Five Dollars and 70/100. Amount due includes interest at .06% from 1-16-91.
Entered 4-12-93 Debt: $1,505.70 (includes Interest @
A - 186 .06% from 1-16-91)
H - 92 JUDGMENT
S - 183 Barbara H. King, Pro.
Apr. 14, 1993 Notice of entry of Judgment sent to Defendants.

Feb. 22, 1994 Upon praecipe of Plaintiff's attorney the above referenced case at the above number and term is mark settled and discontinued of record.

102

1993

Gerald Sullivan

102.

JUDY NICE

vs.

EUGENE WHITESELL

Filed February 2, 1993
@ 2:05 PM

Tax & entry	Pd 4-5-93	50.50 ✓
User's Fee	Pd 4-5-93	5.00
Sheriff's Costs		30.00

4-5-93 Received from Deft Sheriff's office 30.00

4-5-93 Pd Sheriff Ck#A7462 30.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff; 1 copy Plaintiff

ORDER:

And now, this 2 day of February , 1993 , 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 go to the residence ofthe 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 order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment or 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 the February 8, 1993 , at 3:30 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,
Anthony J. Vardaro, J

Feb. 5, 1993 Sheriff's Return filed. SERVED Eugene Whitesell personally on February 4, 1993 at 9:35 AM by handing him a copy of the Protection from Aubse at his place of employment, Phoenix Wrecking, Old Avtex Building, Dunham Road, Meadville, Crawford County, PA.
So answers,
Dale A. Collins, Deputy Sheriff
Robert M. stevens, Sheriff

Feb. 12, 1993 ORDER filed. AND NOW, Feb. 8, 1993 the parties appeared in Court, the Plaintiff with counsel and the Defendant without counsel. The Defendant was advised as to the nature of these proceedings and he understood them. The parties have reached a settlement without the Defendant admitting that he did the things that are alleged in the complaint. Based upon the settlement, it is ORDERED as follows:

1. The Defendant shallnot assault, abuse, harass, or threaten the Plaintiff or any of her children.
2. The Defendant will not go to the Plaintiff's residence unless the Plaintiff has expressly invited him. If she does expressly invite him and then orders him to leave, he shall leave as soon as possible thereafter and not return again until he is expressly invited.
3. This order may be enforced without a warrant of arrest by any law enforcement officer having reasonable grounds to believe it has been violated.
4. A copy of this order shall be delivered by the Prothonotary to the Meadville Police Dept. and to County Control.
5. This order shall remain in full force and effect for one year from this date; that is, until Feb. 7, 1994 unless modified or terminated by further order of Court.
6. The Defendant shall pay court costs in the amount of $85.50 to the Prothonotary on the first floor of the courthouse by March 8, 1993.
7. The Defend ant is reminded that this is a court order and violation of this order may be punishable by a fine of up to $1,000 and a jail sentence of up to six months.

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

Feb. 18, 1993 copy to G. Sullivan, Dft. Feb. 13, 1993 copies given to Sullivan, Co. Ctrl & MPD

1993

Klett, Kieber, Rooney
& Schorling, PC
Robert P. Simons
W. Gregory Rhodes

103.

3-12-93
Received Bond
for $3000.00 from
atty for Plff
in Bond drawer #3
1-12-94 Bond Marked
atty Rhodes per Order

TELMARK, INC.

vs.

HOWARD D. FOLTZ and ALLEN N. FOSTER, individually and as partners t/d/b/a F + N LOGGING

Field February 2, 1993
@ 3:04 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	67.00
Sheriff's Costs	35.00
Pro.Co.pd 4/30/93	6.00

COMPLAINT IN REPLEVIN
2 copies Sheriff

Feb. 12,1993 Motion For Writ of Seizure, filed.

Feb. 12, 1993 AND NOw, Feb. 12, 1993, the Court hereby sets the 5th day of March, 1993, at 1:30 p.m. in Court Room No. 1 before Gordon R. Miller, Judge, as the time and place for hearing on the Motion for Writ of Seizure filed on behalf of the Plainitff.

A copy of this Order is to be given to all counsel and to all interested parties.

FOR THE COURT
Ann A. Walker, Crt. Adm.

Feb. 19, 1993 copy to R. Simons, W. G. Rhodes & Dft.

Feb. 19, 1993 Certificate of Service, filed. I, W. GREGORY RHODES, hereby certify that on this 18th day of February, 1993, I served copies of the following documents on Defendants in the above-captioned action:

Motion for Writ of Seizure and Complaint in Replevin filed by Telmark on or about Feb. 12, 1993;

Order of Court dated Feb. 12, 1993, setting a hearing date and time for presentation of the Motion for Writ of seizure.

Said documents were served on Defendants by depositing true copies thereof in the United States Mail, postage prepaid.

Mar. 5, 1993 SHERIFF'S RETURN filed. SERVED Howard D. Foltz on Feb. 10, 1993 at 2:05 PM by handing a copy of the Complaint in Replevin to Cindy Wakefield, Adult in Charge at the residence, RD 4, Box 118A, Titusville, Crawford County, Pa.

NOT FOUND AS TO Defendant Allen N. Foster, as per Return of Not Found from Venango County Sheriff's Office. Defendant is unknown at Pleasantville Post Office.

So answers,

Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

March 5, 1993 Notice of Hearing For Seizure of Property filed.

Mar. 10, 1993 Argument on Motion for Writ of Seizure and Order filed. AND NOW, March 5, 1993, at the time fixed for hearing on the Plaintiff's Motion for Writ of Seizure, the Court is not satisfied that service has been properly made so as to permit the issuance of a Writ of Seizure Upon Notice and Hearing under Pa., R. C.P. 1075.1, since there is no REturn of Service, other than a Certificate of Service filed by counsel that notice of hearing was sent on February 18, 1993 to the defendants at their last known addresses by first class mail. We do not believe that is the kind of service envisioned by Pa. R.C.P. 1075.1, especially Sub-Section d.

The Court has proceeded under Pa. R.C.P. 1075.2; that is, the ex parte issuance of a Writ of Seizure Before Judgment. The Court is satisfied of the probable validity of the plaintiff's claimed possession under a defaulted equipment lease purchase agreement; and that there is probable cause to believe that the value of the property may be adversely affected by the continued possession in the defendants and/or that the property will continue in a state of concealment.

THEREFORE,it is ORDEREDas follows:

1. A Writ of Seizure is hereby issued and directed to the Sheriff of Crawford County to seize a Timberjack (208D) Log Skidder, SErial No. 900954. If the property is found in the possession of any person or entity other than the defendants named in this action, the Sheriff is directed to add such other person or persons or entity as a defendant and notify them, they or it, that he, they or them have been added as a defendant and are required to defend this action. This Order shall serve as a wRit of Seizure with the same force and effect as though theWRit had been issued by the Prothonotary of Crawford County and directed to the Sheriff of Crawford County.

2. In accordance with Pa, R.C. P. 1075.2 (c), the Court hereby schedules a hearing after the property has been seized. Said hearing shall be held on FRiday, March 19, 1993, at 3:00 o'clock P.M. inCourtroom No. 1 of theCrawford County Courthouse.

3. This Order shall constitute a Notice of Hearing under Pa, R.C.P. 1353 and shall be served on the defendants and any other persons in possession of the log skidder. The defendants and any party in possession of the log skidder are hereby notified that:

A) Plaintiff has commenced an action of replevin and has filed a Motion for Seizure of the log skidder described in the original Complaint. A copy of the Complaint and Motion is attached to this Notice;

B) There will be a hearing on this Motion and the WRit of Seizure, to be held in Courtroom No. 1 of the Crawford County Courthouse on March 19, 1993, at 3:00 o'clock P.M.

C) You may appear in person or by a lawyer at the time and place set forth or file written objections setting forth your reasons why the poperty should not be seized and the seizure dissolved.

D) Your failure to appear at the hearing may result in the seizure becoming permanent before a final decision is made in this case.

2. The plaintiff shall file a bond in the amount of$3,000.00, alleged to be double the value of the property averred in the Complaint, naming the Commonwealth as obligee, conditioned that if the plaintiff fails to maintainits right to possession of the property, it shall pay to the party entitled thereto, the value of the property and all legal costs, fees and damages sustained by reason of the issuance of this WRit of Seizure.

3. Until the bond is filed, the WRit of Seizure shall not be served by the Sheriff. When a proper Writ of Seizure is filed, the Prothonotary shall notify the Sheriff of the happening of that event and the Sheriff may proceed to serve the WRit of SEizure upon instructions to be received by the Sheriff from the plaintiff.

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

Mar. 12, 1993 Copy of Order to Attys. Simons & Rhodes

Mar. 12, 1993 **BOND** FILED IN Amount of $3,000.00 with Fidelity & Deposit Co. as Surety filed.

Mar. 23, 1993, Motion for Continuance and Order filed. ORDER OF COURT: AND NOW, upon consideration of the within motion for Continuance, it is hereby ORDERED, JUDGED AND DECREED tha Plaintiff's Motion is granted and the hearing on Plaintiff's Motion for Writ of Seizure is continued until April 8, 1993 at 9:15 a.m. in C. R. No. 1.
BY THE COURT, Gordon R. Miller J.

Mar. 25, 1993, copies of order to Attys. Simons and Rhodes and dft.

(Continued on Margin)

Record Continued..

Apr. 7, 1993, Motion for Continuance and Order filed. ORDER OF COURT: AND NOW, upon consideration of the within motion for continuance, it is hereby ORDERED, JUDGED AND DECREED that Plaintiff's Motion is granted and the hearing on plaintiff's Motion for Writ of Seizure is continued indefinetly and to be rescheduled on motion of either party. A true copy of this order shall be served on defendants by the plaintiff.
Apr. 7, 1993
BY ORDER OF THE COURT,
Gordon R. Miller, J.
Apr. 13, 1993, copies of order to Atty. W. G. Rhodes and dfts. Foltz and Foster.

Continued on page 499

1993

104.

DORIS A. BROWN

vs.

KIRK D. SUTTON, SR.

Filed February 2, 1993
@ 3:35 PM

Tax & entry Pd 2-24-93 50.50 ✓
User's Fee Pd 2-24-93 5.00
sheriffs costs 36.59
Pmt to Pd 2-24-93 ✓

2-24-93
Received from
deft 36.59
Sheriffs Cost

2-24-93 Pd Sheriff
Ck# 7360 36.59

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT
3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 2nd day of February , 19 93 , 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 plaintiff shall have temporary exclusive possession ofthe residence they share together and execlusive temporary physical custody of the minor children both pending 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 or 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 the February 10, 1993 , at3:30 p.m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant ... etain 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,
Anthony J. Vardaro, J

Feb. 5, 1993, Sheriffs return filed. Served kirk d. Sutton Sr. personally on Feb. 2, 1993 at 4:25 p.m. by handing a copy of the Protection from Abuse to him at the residence, R. D. #1, Box 276, Townville, crawford County, Pa.
So answers, Dale A. Collins, Dep. sheriff
Robert M. Stevens, sheriff

Feb. 19, 1993 Order filed. AND NOW, February 10, 1993, this matter is before the Court with respect to Plaintiff's petitionfor relief under the Protection FromAubse Act. The Plaintiff appears with counsel and the Defendant appears without counsel but indicates he wishes to proceed without connsel.

Accordingly, the following Order is entered with admission of the allegations of the Petition by the Defendant.

1. The Defendant shall not assault, abuse, harass or threatenthe Plaintiff at any time.
2. The Defendant shall not go to Plaintiff's residence which was the residence previously shared by the parties. She shallhave exclusive possessiono f that residence during the term of this Order. The Defendant is cautioned that should he be invited back to that residence that he should not go to the residence without seeking a modification of this Order insofar as it shall be presumed that he is in violation of this Order if he is at that residence whether or not he is invited back to that residence that he should not go to the residence without seeking a modification ofthis Order insofar as it shall be presumed that he is in violation of this Order if he is at that residence whether or not he is invited to the same.
3. Pending further Order of Court, the Plaintiff shallhave exclusive custody of the minor children.
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 Plaintiff resides and to County Control.
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 Defendant shall pay costs in this matter in the amount of $101.09 to the Office of the Prothonotary of Crawford County on the first floor of the Courthouse no later than 4:30 p.m. on February 17, 1993.
8. This Order shall remain in full force and effect through February 9, 1994.

BY ORDER OF THE COURT,
Anthony J. Vardaro,

Feb. 19, 1993 Copies given to Sullivan, Co. Control, deft and PSP

1993

George R. Gray
Joseph W. Tinko

105.

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

pro se

8-11-94 Rec from Plf Masters Fees 500.00

4-24-95 paid James L McCleery $50.00 Ck 9120

4-24-95 paid Gary G. Fabian, Master $422.50 Ck 9121

4-24-95 paid James R. Irwin $27.50 Ck 9122

GARY LYNN DERBY

vs.

SANDRA LEE DERBY

Filed February 3, 1993
@ 10:16 AM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count paid	15.00
State paid	10.00
Add'l Counts paid	30.00
User's Fee paid	10.00
Gary Fabian, Master Pro Co pd 1-16-98	9.00

COMPLAINT IN DIVORCE & EQUITABLE DISTRIBUTION OF PROPERTY
1 copy (atty)

Mar. 3, 1993 Answer and Coutnerclaim filed. (Counsel Fees, Expert Fees, costs and Expenses, Child Custody, Alimony, Alimony Pendente Lite)

June 22, 1993 Affidavit of Service filed. BEFORE ME, a Notary Public of the Commonwealth of Pennsylvania on this 22 day of June, A.D. 1993, comes Joseph W. Tinko, Esquire, the undersigned affiant who, after being duly sworn according to law, deposes and says as follows:
The pursuant to Pa.R.C.P. No. 405, the Complaint in the above-captioned case for Divorce under 3301(c) or 3301(d) of the Divorce Code of Pennsylvania was served on the defendant, Sandra Lee Derby, by United States certified mail, on February 4, 1993 at Lot 40, 1680 Conneaut Lake Road, Meadville, Pennsylvania 16335, as evidenced by the return receipt, signed by the defendant, Sandra Lee Derby, which return receipt is attached hereto as Exhibit "A" and incorporated herein by this reference as if fully set forth. Joseph W. Tinko

Dec. 3, 1993 Affidavit of Consent of Plaintiff, filed.

June 27, 1994 Plaintiff's Pre-Trial Statement, filed.

June 27, 1994 CERTIFICATE OF SERVICE, filed. I, the undersigned, hereby certify that on the 27th day of June, 1994, I served a true and correct copy of the foregoing documents entitled (i) INVENTORY OF GARY LYNN DERBY and (ii) PLAINTIFF'S INCOME AND EXPENSE STATEMENT on all of the following parties or the following counsel of record for same by United States First Class Mail, postage prepaid, or by personal delivery, pursuant to the Pennsylvania Rules of Civil Procedure: Joseph W. Tinko, Esq.

June 27, 1994 Plaintiff's Income and Expense Statement, filed.

June 27, 1994 Inventory of Gary Lynn Derby, filed.

June 30, 1994 Motion For Appointment of Master

July 18, 1994 ORDER filed. AND NOW, July 18, 1994, the Court having before it a motion for appointment of master, we decline to appoint a master insofar as the form is incomplete with respect to the requirement set forth in the Local Rules on Exhibit L1920.74.
BY THE COURT:
Anthony J. Vardaro, J.
July 19, 1994 Copy of Order Faxed to Attys. Tinko and Irwin.

Aug. 3, 1994 Affidavit Under Section 3301 (d) of The Divorce Code, filed.

Aug. 11, 1994 Motion For Appointment of Master in Divorce and Order filed. AND NOW, this 10 day of August, 1994, upon review of the above captioned case and upon presentation and consideration of the foregoing Motion for Appointment of Master, IT IS HEREBY ORDERED, ADJUDGED AND DECREED AS FOLLOWS:
1. Gary Fabian, Esquire, is hereby appointed Master with respect to the following claims: (a) Divorce; (b) Equitable Distribution of Prperty; (c) Counsel Fees; (d) Expert Fees; (e) Costs and Expenses; (f) Child Custody; (g) Alimony; and (h) Alimony Pendente Lite.
2. Planitiff is required to deposit the sum of 500 with the Prothonotary within 30 days of the date hereof for application towards Master's fees.
3. Defendant is required to d eposit the sum of 500 with the Prothonotary within 30 days of the date hereof for application towards Master's fees.
4. Both parties shall comply with Pa. R.C.P. No. 1920.31(a)(1), Pa.R.C.P. No. 1920.33(a), Pa. R.C.P. No. 1920.33(b) and Pa.R.C.P. No. 1920.46 within thirty (30) days of the date hereof, unless one (1) or more of the said rules are inapplicable to this case or unless compliance with the same has been completed already.
BY THE COURT,
Anthony J. Vardaro , J

Aug. 11, 1994 Faxed Tinko, Irwin & Fabian

Sep. 19, 1994 Defendant's Income & Expense filed.

Sep. 19, 1994 Defendant's Inventory filed.

Nov. 17, 1994 Plaintiff's Response to Petition to Proceed as Indigent Party, filed.

Nov. 18, 1994 Petition to Proceed as Indigent Party and ORDER filed. AND NOW, this 18th day of November, 1994 after consideration of the foregoing petition of Sandra Derby, alleging indigency, Petitioner is hereby granted permission to proceed as an indigent without the payment of costs, withthis Court reserving, however, the right to allocate costs to either party at the entry of a final order. The defendant shall advise the court of any change in her financial condition.
BY THE COURT:
Gordon R. Miller, J.
11-18-94 Faxed to Attys. Irwin & Tinko

Apr. 17, 1995, Petition of Atty. Tinko to withdraw as Counsel for the Plaintiff filed.

Apr. 17, 1995, Memorandum of Pre-Hearing Conference filed.

Apr. 17, 1995, Notice of Master's Hearing filed.

Continued to Page 508

1993

Fuller, Kinnunen,
Petruso, Gamble,
Fabian & Hall
Gary A. Fabian

106.

Kathleen R. Nelson

THOMAS L. ARCHACKI

vs.

SHERRY M. ARCHACKI

Filed February 4, 1993
@ 11:37 am

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count pd.	15.00
State paid	10.00
Pro Co pd 8-23-93	9.00
Pro Pd 10/21/97	5.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
1 copy (atty0

Feb. 18, 1993 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 February 5, 1993 he had deposited in the United States Mail by certified mail, return receipt requested, Certified Mail No. P 260 509 885 as evidenced by Certified Mail Receipt No.P 260 509 885 attached hereto and made a part hereof, a true and correct copy of a Complaint in Divorce addressed to Sherry M. Archacki said Complaint naming Sherry M. Archacki as the defendant in the above-captioned matter.

4. Service was obtained upon the defendant, Sherry M. Archacki on February 9, 1993, as evidenced by Return Receipt for CErtified Mail No. P 260 509 885 attached hereto and made a part hereof, said receipt being signed by Sherry M.Archacki.

FURTHER, DEPONENT SAYETH NOT.

Gary A. Fabian

Feb. 26, 1993 Appearance of Kathleen R. Nelson for Defendant filed.

Mar. 23, 1993, STIPULATION between parties filed.

May 10, 1993 Affidavit of Consent of Plaintiff, filed.

May 13, 1993 Affidavit of Consent of Defendant filed.

Aug. 23, 1993 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Sept. 1, 1993 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 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 Marital Settlement Agreemetn executed by the parties, the effective date of said agreement being Aug. 10, 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. Time Share Condominium. Plaintiff Husband and Defendant Wife shall divide equally between themselves the net proceeds of the sale of the interest in the "time share" arrangement in the Lehigh Resort Club III Condominium Association, Inc. Net proceeds of the sale shall be determined by deducting from the sales price all reasonable, necessary, normal and customary expenses of sale, which such expenses shall include, but not be limited to, the $400.00 advance to the agency attempting to sell the said time share interest.

Further, before distribution of net proceeds between the parties, Plaintiff Husband shall be entitled to a full accounting for all monies paid by him with regard to the said time share interest from the date of separation on Aug. 8, 1992, until the date of any such sale. All such monies paid by Plaintiff Husband with regard to the time share interest shall be fully repaid to him prior to the division of net proceeds betwen the parties. Plaintiff Husband, until the time of said sale, shall pay all regular $78.00 per month payments, taxes, assessments and charges of any nature related to the said time share interest.

Such sums to be reimbursed in full to Plaintiff Husband shall include, but not be limited to the following:

(i) Monthly payments in the amount of $78.00 per month from Sept., 1992, to date of sale, and

(ii) 1993 tax and maintenance fee of $249.13.

B. Cash Payment. Plaintiff Husband shall pay to Defendant Wife teh sum of Two Hundred Fifty ($250.00) Dollars in one lump sum by cash or certified check not later than ten days after the entry of a final decree in divorce by the Court of Common Pleas of Crawford Co., PA., which sum represents paymetn to Defendant Wife of a share of an income tax refund received by Plaintiff Husband in 1993 for the tax year 1992.

C. Vehicles.

(i) Plaintiff Husband shall retain the 1986 Chevy 4 x 4 Pick-Up truck, and the same is hereby awarded to Plaintiff Husband.

(ii) Defendant Wife shall retain the 1986 Ford Tiempo and the same is hereby awarded to Defendant Wife.

D. Life Insurance.

Plaintiff Husband is awarded the policy of life insurance of which he is the named owner and the named insured with the American General Life Insurance Company in the face amount of $50,000.00.

E. Pension/Profit Sharing Plan.

Plaintiff Husband is hereby awarded his pension/profit sharing plan, the entitlement to which arises through his place of employment with the DeVore Construction Company.

F. Personal Injury Cause of Action.

Defendant Wife is hereby awarded all right, title and interest in and to any monies received, whether by settlement or by verdict, which are in any way related to the cause of action arising on behalf of Defendant Wife as a result of a motor vehicle accident which occurred in the City of Meadville, Crawford Co., State of Pa., during the year 1991 in which she was a passenger in an automobile driven by one Carmen Miller which collided with another motor vehicle at nor near the Burger King Restaurant.

RECORD CONTINUED ON PAGE 106 (a).....

THOMAS L. ARCHACKI

VS.

SHERRY M. ARCHACKI

RECORD CONTINUED FROM PAGE 106

OF

AD 1993 - 106

****

G. Pets.
Plaintiff Husband shall retain the two domestic pet cats, and Plaintiff Husband is hereby awarded the same. At such time in the future as Defendant Wife is permitted to have a domestic cat wherever she should reside, and Defendant Wife does in fact obtain at her expense a domestic cat to utilize as a pet, Plaintiff Husband will at such time pay the reasonable cost of de-clawing and neutering one such domestic cat at a cost not to exceed $85.00.

H. Further, the division of all other marital property and non-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 Aug. 10, 1993.

4. A copy of the Marital Settlement Agreement of the parties, which said Agrement was effective Aug. 10, 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.

This order shall be effective a of the 30th day of August, 1993.

BY THE COURT

Gordon R. Miller, J.

Oct. 21, 1997 NOtice of Election to Retake Maiden Name filed. To Be Known as:

SHERRY MARIE FOSTER

1993

William R. Moyer 107	IN RE: CONDEMNATION BY THE COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF TRANSPORTATION OF RIGHT OF WAY FOR STATE ROUTE 0077, SECTION B01, in THE TOWNSHIP OF SPARTA Filed February 4, 1993 @ 12:02 PM Tax & entry paid 50.50 ✓ User's Fee paid 5.00	DECLARATION OF TAKING 3 copies atty. Mar 9, 1993 PROOF OF SERVICE filed. Mar. 9, 1993 Memorandum to Prothonotary filed.

1993

~~--Mollica, Murray~~
~~--& Hogue--~~
~~--Cathy Ann Chromulak~~
Hayt, Hayt & Landau
Ellen J. Feinber, Esq

108.

HOUSEHOLD FINANCE CONSUMER DISCOUNT COMPANY

vs.

JOAN S. SEMAN

Filed February 4, 1993
@ 2:37 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sfheriff's Costs	30.00
Pro.Co. pd 2/23/94	9.00

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

Feb. 17, 1993 SHERIFF'S RETURN, filed. SERVED Joan S. Seman on Feb. 10, 1993 at 10:35 AM by handing a copy of the Complaint to Louis Galentine, Adult in Charge at the residence, Routel, 1, Box 145, Conneautville, Crawford County, Pa.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

And Now,Feb. 23, 1994 at 12:57 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 with the requiste period of time and the same is liquidated at the sum of Six Thousand Four Hundred Forty-One and 96/100 Dollars, plus interest and cost of suit.

S-92
Entered 2-28-94
Atty. Chromulak

Debt $6,441.96
Int. Included
Judgment
Barbara H. King
Prothonotary

Jan. 29, 1997 Praecipe to Enter Appearance by Hayt, Hayt, & Landau by Ellen J. Feinberg, Esquire, for Plaintiff filed.

Jan. 29, 1997 Praecipe to Withdraw Appearance by Mollica, Murray & Hogue by Steven M. Nolan, Esq., filed.

1993

Kuhn & Kuhn
Daniel J. Kuhn,

109.

KIMBERLY A. BAUMGARTNER

vs.

ROBERT W. BAUMGARTNER

Filed February 4, 1993
@ 3:19 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Pd 7/6/93	9.00
Pro Co pd 8-5-93	5.00

COMPLAINT IN DIVORCE
1 copy atty.

JUly 7, 1993, Acceptance of Service filed. I, Robert W. Baumgartner, dft. hereby certify that I received a true and attested copy of the notice to defendand and Claim Rights, Complaint under Sect. 3301(c) of the Divorce Code and Notice of Counseling as filed by the plaintiff, Kimberly A. Baumgartner, at above number.
Date: 2/27/93 Robert W. Baumgartner

July 7, 1993, Affidavit of Consent of plaintiff filed.

July 7, 1993, Affidavit of Consent of defendant filed.

July 7, 1993, Upon praecipe of plaintiff attorney, to transmit the record, this case moved to court.

DIVORCE DECREE FILED

July 27, 1993 AND NOW, this 12th day of July, 1993, it is ORDERED and DECREED that KIMBERLY A. BAUMGARTNER, Plaintiff, and ROBERT W. BAUMGARTNER, Defendant, are divorced from the bonds of matrimony.

Gordon R. Miller, J.

Aug 5, 1993 Notice of Election to Resume Prior Name, filed. Kimberly A. Baumgartner to be known as Kimberly A. Zillman, filed.

110

1993

Watts & Pepicelli
Theodore H. Watts

110.

PENNCREST SCHOOL DISTRICT

vs.

VOEGLE COMPANY, INC. and
HOMESTEAD INSURANCE COMPANY

Filed February 4, 1993
@ 3:32 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's costs	78.00

WRIT OF SUMMONS
Issued Sheriff

April 13, 1993 Sheriff's Return filed. SERVED the within Summons on Feb. 17th, 1993, at 2:45 PM, upon Michele Bajk (Para Legal) at 2 hudson Place, Hoboken, NJ., Homestead Insurance Co. (#305, Sheriff, Hudson County, NJ.)

SERVED the within Summons on 2/22, 1993, at 11:50 A.M. upon Voegle Co., Inc., at 200 Bridge St., Pgh, PA 15223 by handing to Chris Voegle, Secretary, a true and correct copy thereof and made known to her the contents therein.

Sheriff, Allegheny County, PA.

SERVED Voegle Company, Inc. by deputizing the Sheriff of Allegheny County, PA., as per his Affidavit of Service attached. Served on Feb. 22, 1993.

SERVED Homestead Insurance Co., by deputizing the Sheriff of Hudson County, New Jersey, as per his Affidavit of Service attached. Served on Feb. 17, 1993..

So answers,

Robert M. Stevens, Sheriff

1993

Ferguson & Spataro
Douglas W. Ferguson

111.

IN RE: PRIVATE SALE OF LAND IN BOROUGH OF LINESVILLE, a parcel located at 319 Franklin Street, Linesville, Pennsylvania, Crawford County Assessment No. 3017-021-70001

Filed February 5, 1993
@ 9:09 AM

Tax & entry paid 50.50
User's Fee paid 5.00

OBJECTIONS TO PRIVATE SALE OF LAND AND PROPERTY.
2 copies atty.

Order:

AND NOW, this 5th day of February, 1993, upon presentation and consideration of the within Objections to the Private Sale of land and Property by the Crawford County Tax Claim Bureau, a rule is granted upon the Treasurer of Crawford County and upon Clarence E. Summers and Sharon A. Summers, his wife of RD #2 Box 279, Cochranton, Pennsylvania 16314 to show cause if any they should have why the tax sale of the property assessed to Miss Annie Snyder in the sum of $400.00 should not be set aside.

This rule is returnable for hearing on the 26th day of March, 1993, at 1:00 o'clock p.m. in the Crawford County Courthouse in court Room #1 or 2. It is further Order and decreed that if such objections to the Sale are granted, all parties appearing at such times shall be prepared to bid on the aforesaid property in an immediate auction to be conducted by Frederic Wagner, Tax Claim Director, with the aforesaid property to sell for not less than the sum to be set by the Court pursuant to 72 P.S. 5960.613 (a).

A true and correct copy of this Order shall be served upon the Treasurer of Crawford County, Pennsylvania by regular mail and upon the proposed purchaser of the private tax sale, Clarance E. Summers and Sharon A. Summers, his wife by certified mail to the address of RD #2, Box 279, Cochranton, Pennsylvania 16314.

BY THE COURT,
Gordon R. Miller, J

Feb. 17, 1993 Affidavit of Service filed. Douglas W. Ferguson, being duly sworn according to law proposes and says that pursuant tothe Court's Order of February 5, 1993, he served Clarence E. Sommers and Sharon A. Sommers, his wife, by certified mail numbers P147 761 141 and P147 761 142 upon the said ClarenceE. Sommers and Sharon A. Sommers, his wife. A certified copy of the Plaintiff's Petition to set aside the proposed private sale was served upon Clarence E. Sommers and Sharon A. Sommers, his wife, on February 11, 1993 as to Sharon A. Somers and February 13, 1993 with regard to Clarence E. Sommers as will more fully appear by the return receipt cards that are attached to this Affidavit of Service. And further you Deponent sayeth not.

Douglas W. Ferguson

Mar. 29, 1993 ORDER filed. AND NOW, March 26, 1993, after an informal hearing where proper notice was given to all interested parties, the Court disapproves the proposed private sale of the land in question to Clarence E. Summers and Sharon A. Summers for $400.00, finding that David Pachuk is willing to pay that amount and more.

Pursuant to 72 P.S. 5860.613(a), the Court hereby fixes a price of $523.60 below which the property shall not be sold. It is further ORDERED that the Director of the Crawford County Tax Claim Bureau shall conduct an auction-style bid forthwith among the parties to the proceedings, that is Clarence E. Summers and Sharon A. Summers and David Pachuk.

The purchase price shall be paid in full no later than 4:30 p.m. this date.

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

Mar. 29, 1993 copies given to Summers, Ferguson & Treasurer

112

1993

Thomas, Truax Spadafore & Walker Emil M. Spadafore, Jr	MARINE BANK	COMPLAINT IN MORTGAGE FORECLOSURE 2 copies Sheriff
112.	vs.	Mar. 31, 1993 Sheriff's Return filed. Now, March 2, 1993, at 5:45 o'clock P.M., served the within Notice and Complaint in Mortgage Foreclosure upon Alex Simkovich and Patricia J. Simkovich his wife at residence, R.D. #1, Ligonier, Westmoreland County, Pennsylvania by handing to Alex Simkovich personally and as husband of Patricia J. Simkovich, and as person in charge at the time of service two (2) certified copies of the original Notice and Complaint and made known to him the contents thereof. So answers, Gary Uhrim, Sheriff SERVED Defendants Alex Simkovich and Patricia J. Simkovich by deputizing the Sheriff of Westmoreland County, PA, at per his Affidavit of Service attached. Served on March 2, 1993 at 5:45 PM at R.D. #1, Ligonier, PA So answers, Robert M. Stevens, Sheriff
	ALEX SIMKOVICH an PATRICIA J. SIMKOVICH, his wife	
	Filed February 5, 1993 @ 11:26 AM	
	Tax & entry paid 50.50 ✓ User's Fee paid 5.00 Sheriff's Costs 69.00	

1993

Thomas, Truax,
Spadafore & Walker
Emil M. Spadafore, Jr.

113.

MARINE BANK

vs.

ALEX SIMKOVICH and PATRICIA J. SIMKOVICH, his wife

Filed February 5, 1993
@ 11:26 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	69.00

COMPLAINT IN MORTGAGE FORECLOSURE
2 copies Sheriff

Mar. 31, 1993 Sheriff's Return filed. Now, March 2, 1993, at 5:45 o'clock p.m. served the within Notice and Complaint in Mortgage Foreclosure upon Alex Simkovich and Patricia J. Simkovich his wife at residence, R.D. #1, Ligonier, Westmoreland County, Pennsylvania by handing to Alex Simkovich personally and as husband of Patricia J. Simkovich, ans a person in charge at the time of service two (2) certified copies of the original Notice and Complaint and made known to him the contents thereof.
So answers, Gary Uhrin, Sheriff
SERVED Defendants Alex Simkovich and Patricia J. Simkovich by deputizing the Sheriff of Westmoreland County, PA, as per his Affidavit of Service attached. Served on March 2, 1993 at 5"45 PM at R.D. #1, Ligonier, PA.
So answers, Robert M. Stevens, Sheriff

1993

Jorden & White
Harry Faber White, II

114

RICHARD L. LONGO

vs.

JUANITA CUSTARD

Filed February 5, 1993
@ 11:39 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	26.00

WRIT OF SUMMONS
Issued Sheriff

Feb. 17, 1993 SHERIFF'S RETURN, filed. NOT FOUND AS TO Defendant Juanita Custard. There is no such address as 887 Grant St, Meadville, Crawford County, Pa.
So answers, Robert M. Stevens, Sheriff

Mar. 18, 1993 Writ Reissued.

Mar. 24, 1993 Writ Reissued.

Apr. 26, 1993 Writ Reissued.

Jan. 13, 1994 Writ Return filed. Returned to Prothontoary unserved on January 13, 1994. No service instructions or fee r received after Summons was reissued on April 27, 1993.
So answers, Robert M. Stevens, Sheriff

1993

Kathleen R. Nelson

115.

JULIA E. BRITT

vs.

WILLIAM BRITT

Filed February 5, 1993
@ 11:56 AM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro.Co. pd 5/21/93	9.00
Pro.Co.pd 6/8/93	5.00

COMPLAINT IN DIVORCE
1 copy atty.

Feb. 18, 1993 Acceptance of Service filed. AND NOW, this 17th day of February, 1993, comes William Britt, Defendant in the above captioned matter and acknowleges that he received the Complaint in Divorce and NOt ice to Defend in the above captioned matter by personally picking up same at the office of Attorney Kathleen R. Nelson, East Side Knolls, Rt. 18, Conneaut Lake, Pensnylvania, at 4:50 p.m. onFebruary 17, 1993.
Feb. 17, 1993 William Britt

May 20, 1993 Affidavit of Consent by William Britt, Defendant, filed.

May 21, 1993 Affidavit of Consent by Julia E.Britt, Plaintiff, filed.

May 21, 1993 Upon praecipe of Plaintiff Attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

June 3, 1993 AND NOW, June 1, 1993, it is hereby ordered and decreed that JULIA E. BRITT, Plaintiff, and WILLIAM BRITT, 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.

June 8, 1993 Notice of Election to Retake Prior Name filed, to be known as JULIA E. LUTY.

Kathleen R. Nelson

116.

TAMMY S. FLEMING

vs.

JAMES ERIC FLEMING

filed February 5, 1993
@ 1:11 PM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count pd	15.00
State paid	10.00
ProCo pd 5-25-93	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTIRBUION
1 copy atty.

Mar. 1, 1993 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 ofher knowledge, information and belief:

1. That the Affiant is theAttorney forthe Plaintiff in the above-captioned action.
2. That a true and correct copy oftheComplaint in Divorce and Notice were sent by registered mail to the Defendant, James Eric Fleming, onFebruary 11, 1993.
3. The registered mail was sent to james Eric Fleming, at R.D. #2, Route 18, Conneautville, PA 16406. The sender's receipt is attached hereto.
4. That the Defendant received said registered mail on Febraury 16, 1993. Said Return Receipt card P. 360-670-115 is attached hereto, signed by James E. Fleming and made a part hereof.

Kathleen R. Nelson

May 25, 1993 Affidavit of Consent of Defendant, filed.

May 25, 1993 Affidavit of Consent of Plaintiff, filed.

May 25, 1993 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

June 3, 1993 STIPULATION and DECREE, AND NOW, this 1st day of June, 1993, upon presentation and consideration of the foregoing Stipulation, the Court Orders and Decrees as follows:

I. DIVORCE:

Upon consideration of the pleadings and the Affidavits filed in the above captioned case, this court hereby grants an absolute divorce from the bond of matrimony to the above-named parties upon the grounds that the marriage is irretrievably broken and ninety days have elapsed from the date of filing of the Complaint and an Affidavit has been filed by each of the parteis, evidencing that each consents to the divorce, pursuant to Section 3301 (c) of the Divorce Code.

II. REAL PROPERTY:

The parties are owners as Tenants by the Entireties of residential real estate situate in Summerhill Township, Crawford Co., PA., with said property being the marital residence. Simultaneously with the execution of this Agreement, husband shall deliver to wife, or wife's attorney, a Quit-claim deed conveying to wife, all of right, title, claim, and interest in the residential premises, with said deed being in recordable form. From the date of the execution of this Agreement, wife shall be slely responsible for all past, present, and future costs, expenses, or liabilities attributable to or resulting from the ownership of the residential premises, including, but not limited to, the balance due to the First National Bank of PA. and representing the mortgage obligation owed by the parties, all real estate taxes, gas, electric, and telephone service, homeowners insurance, major and minor repairs, and routine maintenance, and wife shall keep husband and his heirs, executors, administrators, and assigns, indemnified and held harmelss from all liability, costs, or expense which are incurred in connection with the said maintenance, costs, and expenses, all resulting from wife's onwership interest in teh residential premises.

III. PERSONAL PROPERTY:

Husband and Wife hereby acknowledge that they have heretofore divided the marital personal property between themselves in a manner acceptable to both, with said property including all household goods, personal items, bank accounts, and vehicles.

IV. CONSIDERATION:

In consideration therefore and in full settlement of the claims and liabilities of each party hereto, husband shall pay unto wife the sum of Four Thousand Nine Hundred Fifty ($4,950.00) Dollars, with said payment evidenced by a Promissory note to be executed simultaneously with this Agreement and which shall be in recordable form.

V. ALIMONY AND ALIMONY PENDENTE LITE:

Both parties acknowkedge that each has property which is sufficient to meet the reasonable needs of each, therefore, each waives any claim for alimony and alimony pendente lite pursuant to the PA. Divorce Code.

By the Court
Gordon R. Miller, j.

1993

117.

APPRAISAL & COUNSELING SERVICE

vs.

DORIS/DAVID LONGO

Filed February 5, 1993
@ 1:15 PM

Tax & entry paid 50.25
User's Fee paid 5.00

APPEAL OF DEFENDANTS FROM DECISION OF DISTRICT JUSTICE HUBERT E. VOGAN

Feb. 5, 1993 Rule entered upon Plaintiff to file a Complaint Issued.

Feb. 5, 1993 Proof of Service filed.

118

1993

Phillips & Galanter, Donald L. Phillips	GELVIN, JACKSON & STARR, INC	COMPLAINT IN CIVIL ACTION 3 copies Sheriff
118	vs.	Feb. 26, 1993 Sheriff's Return filed. SERVED the within Complaint on February 22, 1993, at 1520 hrs., upon Mark E. Kujan ita Jan Construction aka Jan Buildingers at 1944 West 21st Street, Erie County, Erie, Pennsyvlania by handing to Brad Kujan a true and correct copy thereof and made known to him the contents therein. So answers, Robert M. Nichals, Sheriff John Loomis, Deput Sheriff I hereby deputize the Sheriff of Erie County, Pennsyvlania to serve the within complaint according to law. So answers Robert M. Stevens, Sheriff
	MARK EDWARD KUJAN a/k/a MARK E. KUJAN and BRAD KUJAN i/ and as partners t/a JAN CONSTRUCTION a/k/a JAN BUILDERS	Mar. 25, 1993, upon praecipe of plaintiff attorney, the above captioned case is marked settled and discontinued of record.
	Filed February 5, 1993 @ 1:36 PM	
	Tax & entry paid 50.50 User's Fee paid 5.00 Sheriff'sCosts 75.00 Pro Co Pd 3/25/93 5.00	

1993

Barbara J. Walton

119.

TERESA PETRUSO

vs.

JAMES PETRUSO

Filed February 5, 1993
@ 1:53 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 6-4, 1993	9.00

COMPLAINT IN DIVORCE,
2 copies atty.

FEb. 19, 1993 Affidavit of Service filed. And Now, Feb. 12, 1993, 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 Teresa Petruso, 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, P 899 097 893; postmarked Feb. 8, 1993, to the last known address of the Defendant, James Petruso, PO Box 341, Conneaut Lake, PA 16314.
3. That the Defendant, James Petruso, on Feb. 10, 1993, personally signed the return receipt card which as affixed to the Complaint in the above-matter and hwich is attached hereto.
4. Service of the Complaint against Defendant is therefore effected in accordance with PA. Rules of Civil Procedure.

Lisa M. Sherretts
Legal Assistant

June 4, 1993 Affidavit of Consent of Defendant, filed.

June 4, 1993 Affidavit of Consent of Plaintiff, filed.

June 4, 1993 Upon praecipe of plaintiff attorney to transmit records, case moved to Court.

June 23, 1993 Amended Affidavit of Service filed. And Now, June 21, 1993, comes Lisa M. Sherretts and states the following:

1. That she is the legal assistant of Attorney for Teresa Petruso, 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, P899 097 893; to the last known address of the Defendant, James Petruso, PO Box341, Conneaut Lake, PA 16316.
3. That the Defendant, James Petruso, on Feb. 10, 1993, personally signed the return receipt card which was affixed to the Complaint in the above-matter, a copy of which is attached hereto. The original is already on file.
4. Service of the Complaint against Defendant is therefore effected in accordance with Pa. Rules of Civil Procedure.

I verify that the statements made in this Affidavit of Service are true and correct to the best of my knowledge and information. 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.

Lisa M. Sherretts, Legal Assistant

DIVORCE DECREE FILED

June 23, 1993 AND NOW, June 21, 1993, it is hereby ordered and decreed that TERESA PETRUSO, Plaintiff, and JAMES PETRUSO, 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.

120

1993

Mazzotta, McCague
& Associates, P.C.
J. Michael McCague
Donald S. Mazzotta

120

INTEGRA CARD SERVICES

vs.

RICK P. BANNISTER

Filed February 5, 1993
@ 2:03 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	29.00
Pro Co pd 4-1-93	9.00

COMPLAINT IN CIVIL ACTION.
1 copy Sheriff

Feb. 17, 1993 SHERIFF'S RETURN, filed. SERVED Rick P. Bannister personally on Feb. 8, 1993 at 3:15 PM by handing a copy of the Complaint to him at 197 South Main St, Cambridge Springs, Crawford County, Pa.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. stevens, Sheriff

And Now, April 1, 1993 at 1:05 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 at the sum of Five hundred seventy-four and 23/100 Dollars. With interest accruing on TOTAL of $574.23 at the rate of 6.000% from the date of Judgment together with costs of suit.
Entered 4-1-93 Debt: $574.23 with interest
B - 143 JUDGMENT
Barbara H. King, Pro.
Apr. 6, 1993 notice of entry of judgment sent to Dft.

1993

Roeder & Rothschild
Tamera Ochs Rothschild

121.

TERESA M. POSKER

vs.

DANIEL R. POSKER

Filed February 5, 1993
@ 2:18 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 5/26/93	9.00

COMPLAINT IN DIVORCE
1 copy atty.

Feb. 22, 1993, Certificate of Service and Affidavit of Return of Service filed. On. Feb. 8, 1993, I mailed a cert. copy of a Div. Complaint inthe above matter by Cert. Mail No. P. 236 793 122 Ret. Rec. Req. Rest. Del. postage prepaid to defendant addressed as follows: daniel R. Posker
8 Colfax St.
North East, Pa. 16428
Defendant signed a retm rec. upon delivery Feb. 18, 9993. The receipts are attached hereto and marked as Exhibit A.
I make this statement pursuant to 18 Pa. C.S. Sect. 4904.
Date: Feb. 19, 1993 Tamera Ochs Rothschild Esq.

May 26, 1993, Affidavit of Consent of plaintiff filed.

May 26, 1993, Affidavit of Consent of defendant filed.

May 26, 1993, Upon praecipe of plaintiff attorney, for to transmit the record, this case moved to court.

DIVORCE DECREE FILED

June 3, 1993 AND NOW, June 2, 1993, it is hereby ordered and decreed that TERESA M. POSKER, Plaintiff, and DANIEL R. POSKER, 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.

1993

Mary Ann Kirkpatrick

122.

AMY KENNEDY GRIFFIN

vs.

BURKE BRENDAN GRIFFIN

Filed February 8, 1993
@ 9:29 AM

Tax & entry paid	50.50
User's Fee paid	15.00
2 Add'l Counts paid	30.00
State paid	10.00
Pro.Co. pd 6/8/93	9.00

COMPLAINT IN DIVORCE, ALIMONY, CHILD SUPPORT, ALIMONY PENDENTE LITE, REASONABLE COUNSEL FEES, COSTS and EXPENSES, CUSTODY
1 copy atty.

Feb. 18, 1993 Affidavit of Service filed. And Now, February 1993, 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 Amy Kennedy Griffin, 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, P 899 085 293; postmarked February 9, 1993, to the last known address of the Defendant, Burke Brendon Griffin, Box 70, Linesville PA 16424.
3. That the Defendant, Burke Brendon Griffin, on February 13, 1993, personally signed the return receipt card which was affixed to the Complaint in the above-matter and which is attached hereto.
4. Service of the Complaint against defendants is therefore effected in accordance with Pennsylvania Rules of Civil Procedure.
Constance L. Deitman

June 3, 1993, Affidavit of Consent of plaintiff filed.

June 3, 1993, Affidavit of Consent of defendant filed.

June 8, 1993 Upon Praecipe of Mary Ann Kirkpatrick, Esquire, for Review Under Section 3301 (c) of Divorce Code, this case moved to Court.

July 14, 1993 Motion To Withdraw Counts and ORDER filed. And, Now, July 14, 1993, the within motion is allowed.

By the Court:
Anthony J. Vardaro, Judge

July 15, 1993 Copy of Order to Atty. M. A. Kirkpatrick.

-DIVORCE DECREE FILED

July 14, 1993 AND NOW, July 14, 1993, it is hereby ordered and decreed that AMY KENNEDY GRIFFIN, Plaintiff, and BURKE BRENDON GRIFFIN, 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.

1993

Edgar M. Snyder & Associates, P.A.
Cynthia M. Danel

123.

Marsh, Spaeder, Baur, Spaeder & Schaaf
W. Patrick Delaney
for Defendants

BEVERLY L. KERR and DAVID KERR

vs.

DANIEL H. JUMP and NORTHWEST R.E.C. ASSN. INC. t/d/b/a NORTHWESTERN RURAL ELECTRIC COOPERATIVE and R.E.A. ELECTRIC

Filed February 8, 1993
@ 11:44 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	44.00

JURY TRIAL DEMANDED

COMPLAINT IN CIVIL ACTION
2 copies Sheriff

Feb. 22, 1993 SHERIFF'S RETURN filed. SERVED Daniel H. Jump on Feb. 17, 1993 at 1:45 PM by handing a copy of the Complaint to Brenda Jump, his Wife, at their residence, RD 3, Box 127, Cambridge Springs, Crawford County, Pa.
SERVED Northwest Rural Electric Cooperative on Feb. 12, 1993 at 1:34 PM by handing a copy of the Complaint to Dan Galambieski, Human Relations Manager, at the business, RD1, Rt 86, Cambridge Springs, Pa.
So answers, Edgar D. Householder, Chief Deputy
Robert M. Stevens, Sheriff

Feb. 25, 1993 Appearance of Marsh, Spaeder, Baur, Spaeder & Schaaf by W. Patrick Delaney for Defendants, filed.

Mar. 31, 1993 Answer and New Matter to Plaintiffs' Complaint, filed.

Apr. 12, 1993 Plaintiffs' Reply to Defendants' New Matter.

May 12, 1993 Notice of Serving Interrogatories (Second Set) filed.

May 12, 1993 Interrogatories to Plaintiffs (Second Set) filed on behalf of Defendants.

Jan. 26, 1994 Completion of Discovery, filed.

Apr. 8, 1994 Certificate of Readiness filed.

ON JUNE,1994 TRIAL LIST

Jun. 9, 1994 PRE-TRIAL ORDER, filed.
6-9-94 Copies dist. by Court.

Jun. 15, 1994 Defendants' Motion in Limine and Brief Re: Damages, filed.

Jun. 20, 1994 Defendants' Proposed Points for Charge, filed.

June 20, 1994 Plaintiffs' Proposed Additional Voir Dire Questions on behalf of plaintiffs filed.

June 21, 1994 Videotape Deposition of John F.Steele, M.D., filed.

June 21, 1994 Videtape Deposition of Jack K. Vandervort, D.C., filed.

AND NOW, June 22, 1994 at 13:30 P.M. jury selected and sworn June 20, 1994 at 11:19 A.M. as follows:

1. Jeffrey Kephart
2. Shella Malutich
3. Richard Hill
4. Barbara Payne
5. Robert Martin
6. Wallace Kerr
7. Sheila Grinnell
8. Janell Dudenhoeffer
9. Terry Groger
10. Dave Wasson
11. Lisa Beers
12. Susan Henry

Alternates:
Kathleen Roae
Eric Fosburg

twelve good and lawful persons who upon their solemn oaths which they have taken and at least 10 of them say: SPECIAL VERDICT FORM

Question #1: Do you find that the Defendants DANIEL H. JUMP and NORTHWEST R.E.C. ASSN., INC. t/d/b/a NORTHWESTERN RURAL ELECTRIC CO-OP were negligent:
Yes Yes No _____

If you answer Question #1 "No", the Plaintiffs cannnot recover and you should not answer any further questions and should return to the courtroom.

Question #2: Was the negligence of the Defendants DANIEL H. JUMP and NORTHWEST R.E.C. ASSN.,INC. t/d/b/a NORTHWESTERN RURAL ELECTRIC CO-OP a substantial factor in bringing about harm to the Plaintiff, BEVERLY L. KERR?
Yes _____ No No

If you answer Question #2 "No", the Plaintiffs cannot recover and you should not answer any further questions and should return to the courtroom.

Signed
Robert T. Martin, Foreperson

June 22, 1994 Exhibits, filed. ONTOPOF AISLEA

Thomas, Truax,
Spadafore & Walker
R. Charles Thomas

124.

MARQUETTE SAVINGS
ASSOCIATION

vs.

DAVID E. CORNER and LORA
M. SOCHOR, nee LORA M.
CORNER

Filed February 8, 1993
@ 11:50 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	62.50
Pro Co Pd 4/8/93	9.00

COMPLAINT IN MORTGAGE FORECLOSURE
2 copies Sheriff

Apr. 5, 1993 SHERIFF'S RETURN, filed. SERVED David E. Corner by deputizing the Sheriff of Erie Countuy Pa. as per his Affidavit of Service attached. Served on March 1, 1993 at his place of employment, 8300 West Ridge Rd., Girard, Pa.

SERVED Lora M. Sochor personally on Feb. 10, 1993 at 1:25 PM by handing a copy of the Complaint in Mortgage Foreclosure to her at her residence, 1101 South Cottage St., Meadville, Crawford County, Pa.

So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

SHERIFF"S RETURN - I hereby deputize the Sheriff of Erie County, Pa. to serve the within Complaint according to law. The Defendants alleged address is 3856 Rt. 215, East Springfield, Pa. or his place of employment: Pleasnat Ridge Manor, 8300 W. Ridge Rd., Girard, Pa. Robert M. Stevens, Sheriff, Cr. Co.

SERVED the within Complaint on March 1, 1993, at 1225 hrs. upon David E. Corner at his place of employment, 8300 West Ridge Rd., Erie County, Girard, Pa. by handing to David E. Corner a true and correct copy thereof and made known to him the contents therein.
Robert N. Michel, Sheriff Erie Co

And Now, April 8, 1993, at 12:37 p.m., upon praecipe of plaintiff attorney,for default judgment and assessment of damages, Judgment is hereby entered in favor of the plaintiff and against the defendants for failure to answer; damages assessed in the amt. of Fourteen Thousand thirty Six and 66/100 dollars plus int. frm 12/15/92 thru Apr 1, 1993 of $571.27 and atty. collection fee of $730.40, the total real debt Fifteen Thousand Three Hundred Thirty Eight and 33/100 Dollars.

Judgment entered 4/8/93
C - 44, 104
S - 104

Debt --------$ $15,338.33

JUDGMENT
Barbara H. King,
Prothonotary

EXECUTION 1993 - 28

1993

John S. Kookogey

125.

CLEAR LAKE LUMBER, INC.

vs.

MELVIN LANDERS and BELVA LANDERS, his wife, ARDIS HUTCHISON and MARK HUTCHISON, their heirs, personal representatives and assigns

Filed February 8, 1993
@ 1:30 PM

Tax & entry paid 50.50
User's Fee paid 5.00
Pro CoiPd 5/28/93 9.00

COMPLAINT IN ACTION TO QUIET TITLE

Feb. 11, 1993 Affidavit, Motion For Leave To Service By Publication and Order filed. AND NOW, Feb. 10, 1993, on motion of John S. Kookogey, Attorney for Plaintiffs in the above-captioned matter, leave is hereby granted to serve MELVIN LANDERS and BELVA LANDERS, his wife, ARDIS HUTCHISON and MARK HUTCHISON, and their respective heirs, personal representataives, and assigns, generally, Defendants 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 in the Crawford County Legal Journal one (1) time and requiring the said Defendants to plead within twenty (20) days from last date of publication thereof.

PER CURIAM,
Anthony J. Vardaro, J

Feb. 16, 1993 Copy of order mailed to Atty. Kookogey

Apr. 30, 1993 Affidavit, Motion for Judgment and and Order filed. AND NOW, this 30 day of April, 1993, upon presentation of the foregoing motion and due consideration thereof, it it hereby ORDERED AND DECREED that the Defendants, Landers and Belva Landers his wife, Ardis Hutchison and Mark Hutchison, 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 forthinthe Complaint in this case, of, in or any way attacking 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, Melvin Landers and Belva Landers, his wife, Ardis Hutchison and Mark Hutchison and their heirs, personal representatives, and assigns, take such action as is herein directed within thirty (30) days after the entry of this judgment. It if further Ordered and Decreed that if no Petition to open this judgment or set aside this Decree is presented by the defendants, Melvin Landers and Belva Landers, his wife, Ardis Hutchison and Mark Hutchison, and their heirs, personal representataives, and assigns, within thirty (30) days form 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,
Anthony J. Vardaro, J

May 4, 1993 Copy of order to Atty. Kookogey

And Now, May 28, 1993, at 3:34 p.m. upon praecipe of plaintiff attorney, FINAL JUDGMENTis is hereby entered in this case, in favor ofthe plaintiff and against the defendants, pursuant to the foregoing Order of court.

L - 113, 23
H - 15, 115
Judg. entered - 5/28/93

FINAL JUDGMENT
Barbara H. King,
Prothonotary

1993

126.

DONALD FOLTZ and PATRICIA FOLTZ, his wife, t/a A. SHREVE & SON

vs.

LARRY FOSBURG

Filed February 8, 1993
@ 1:31 PM

Tax & entry paid 9.00 ✓
Pltf. on orig. 118.50

AGREEMENT TO REVIVE

OF

A.D. 1993 - 126

The undersigned hereby agrees that the judgment entered on Feb. 26, 1988 be revived; indexed by Prothonotary in favor of plaintiff and against the defendant in the sum of Two Thousand Seven Hundred Eighty-six and 83/100 Dollars plus interest from September 5, 1980 and cost of suit.

Debt -----$2,786.83
dated ---- Jan. 22, 1993
F-104 Judgment

Barbara H. King
Prothonotary

1993

Evans, Portnoy & Quinn

Herbert B.Cohen
Irving Portnoy
~~Mark Milsop~~ withdrawn

~~Marsh, Spaeder, Baur,~~
~~Spaeder & Schaaf~~
~~John C. Brydon~~

127.

Fuller, Kinnunen,
Petruso, Gamble,
Fabian & Hall
Gary A. Fabian
Yasuhiro Okuma

Marianne C. Minich
for Deborah Bearce,
Add'l Dft.

withdrawn
~~John G. Eidemuller, Jr.~~
for Comm. of Pa.,
Dept. of Trans, Ad. Deft.

Thomas, Truax, Spadafore
& Walker
Emil M. Spadaore, Jr.
for dft. Biebel, Adm.
of Est. of R. E. Peterson

Culbertson, Weiss,
Schetroma & Schug, PC
E. Max Weiss
for Deborah Bearce

William A. Dopierala
Dep Atty Gen.
for Comm. of Pa.

CATHY M. SLAYTON and
DAVID M. SLAYTON

vs.

RICHARD T. BIEBEL,
Administrator of the
Estate of RUTH E. PETERSON
and YASUHIRO OKUMA
vs.
Deborah Bearce, Add'l Dft.
Comm of Pa. Dept of Trans Add'l Deft.
Filed February 9, 1993
@ 11:36 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	50.00
Sheriff's Costs	150.00
Sheriffs costs	28.00
sheriff costs	30.00

COMPLAINT IN CIVIL ACTION
2 copies Sheriff

Mar. 30, 1993 SHERIFF'S RETURN, filed. NOT FOUND as to Defendant Richard T. Biebel as per an Affidavit of Not Served returned from Erie County Sheriff's Office's Office, not found at address of 8491 Union Amity Rd., Union City, Pa. Affidavit attached.
NOT FOUND as to Defendant Yasuhiro Okuma. Defendant moved from address of 237 South Main St., Apt. 20, Cambridge Springs, Crawford County, Pa. approximately one year ago, forwarding expired.
So answers, Robert M. Stevens, Sheriff

Mar. 31, 1993 Complaint Reissued.

Apr. 19, 1993 Appearance of Fuller, Kinunen, Petruso, Gamble, Fabian & Hall by Gary A. Fabian for Yasuhiro Okuma filed.

May 12, 1993 Praecipe for Writ of Summons issued against Commonwealth of PA., Dept. of Transporation as additional Defendant filed.

May 14, 1993 SHERIFF'S RETURN filed. I hereby deputize the Sheriff of Eire County, Pa. to serve the within Complaint according to law. The Defendants alleged address is 8491 Union Amity Rd., Union City, Pa. 16438 and 14516 Depot St., MillVillage, Pa. 16427.
Robert M. Stevens, Sheriff Cr. Co.
AFFIDAVIT OF SERVICE: SERVED the within Complaint on April 26, 1993 at 1830 hrs. upon Richard T. Biebel at 8491 Union Amity Rd., Erie Co, Union City, Pa. 16438 by handing to Marlene Biebel, his wife a true and correct copy thereof and made known to her ther contents therein. Robert N. Michel Sheriff Erie Co.
ALSO SERVED: the within Complaint on April 14, 1993, at 1358 hrs. upon Yasuhiro Okuma at Hendricks Hall, Edinboro University Edinboro, Pa., Erie County by handing to Yasuhiro Okuma a true and correct copy thereof and made known to him the contents therein.
Geraldine Taylor, Dep. Sheriff Erie County

May 21, 1993 Complaint to Join Additional Defendant filed.

May 21, 1993 Answer, New Matter and New Matter Pursuant to Pa.R.C.P. 2252(d), filed.

May 24, 1993 Answer filed.

June 1, 1993, Sheriffs Return filed. (Writ Returned) SERVED the Pa. Dept. of Trans. on May 21, 1993 at 10:27 a.m. by handing a copy of the Summons to Lynette Resinger, Clerk and Adult in Charge at the business Mercer Pike, Meadville, Crawford County, Pa.
So answers, Dale A. collings, Dep. sheriff
Robert M. Stevens, Sheriff

June 3, 1993, Sheriffs Return filed. SERVED Deborah Bearce personally on June 2, 1993 at 2:15 P.M. by handing a copy fo the complaint to Join Additional Defendant to her in the sheriff's Office, third, Floor, Crawford County Courthouse, Meadville, Pa.
So answers, Carole Stefanucci, Dep. Sheriff
Robert M. Stevens, sheriff

June 17, 1993 Appearance of Marianne C.Minich for Deborah Bearce additional defendant, filed.

June 17, 1993 Answer to Complaint to Join Additional Defendant, filed.

July 6, 1993, Plaintiffs' Reply to New Matter of Defendant Okuma, filed.

Aug 3, 1993 Praecipe For Rule To File Complaint, filed. (issued atty)

Aug. 3, 1993 Appearance of John G. Eidemueller, Jr. for Additional Defendant Commonwealth of Pennsylvania, Dept. of Transportation.

Aug. 6, 1993, Reply to New Matter (Defendant Biebel's Reply to Defendant Okumas New Matter Pursuant to Pa. R.C.P. 2252(d) filed.

Aug. 27, 1993 Complaint to Join the Additional Defendant Commonwealth of Pa. Dept. of Transportation, filed.
Aug. 27, 1993 (1 copy Atty)

Sept. 9, 1993 CERTIFICATE OF SERVICE, filed. I certify that a true and correct copy of the Complaint to Join Additional Defendant was served by United States first-class mail, postage prepaid, upon the following counsel: John C. Brydon, Esq.; Gary A. Fabian, Esq and Marianne C. Mnich, Esq. Emil M. Spadafore, Jr., Esq.

Oct 6, 1993 Notice of service of Interrogatories to be answered by the defendant, Yasuhiro Okuma, filed.

Oct 6, 1993 Notice of service of Interrogatories to be answered by the defendant, Richard t. Biebel, filed.

Oct. 8, 1993 Notice of Service of Request For Production of Documents and Interrogatories Directed to Plaintiffs and Request for Production of Documents Directed to All defendants, filed.

Oct. 8, 1993 Answer and New Matter, filed.

Oct. 12, 1993 Reply to New Matter Under Pa.R.C.P. 2252(d), filed.

Oct. 14, 1993 Reply Of Plaintiffs To New Matter Of Additional Defendnat, Commonwealth of Pennsylvania, Department of Transportation.

Continued on Pg. 458

1993

128.

G. KIM LAVDERD

vs.

KEVIN WYTCHERLEY

Filed February 9, 1993
@ 1:24 PM

2-18-93 Pd Sheriff $-25.00 ck #7352

Tax & entry Pd 2-18-93 50.50 ✓
User's Fee Pd 2-18-93 5.00
Sheriff's Cost 25.00
Pro Co Pd 2-18-93 9.00 ✓
Pro Co Pd 2-18-93 5.00 ✓

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 9 day of February , 19 93 , 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 Plaintiff shall have temporary exclusive possession ofthe joint residence at 365.Willow St. and temporary exclusive custody of the minor child in this petition pending 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 or 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 the Feburary 16, 1993 , at 3:30 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,
Anthony J. Vardaro, J

Feb. 18, 1993 ORDER filed. AND NOW, Feb. 16, 1993, at the time fixed for hearing in this matter, the Plaintiff appeared with counsel. The Defendant appeared without counsel. He was advised as to the nataure of the proceedings and he said he understood them. The parties have agreed to a settlement of this matter, but the Defendant does not admit that he engaged in the allegations of abuse set forth in the petition. Based upon their agreement, it is ORDERED as follows:

1. The Defendant shall not assault , abuse, harass or threaten the Plaintiff or the minor child Brittany.
2. The Plaintiff shall move out of the joint residence no later than noon on Feb. 21, 1993. Thereafter, the Defendant may have sole use and possession of that premises.
3. The Defendant will not go to the Plaintiff's place of residence, place of employment of place of schooling or training. In fact, he shall not go within one hundred (100) yards of those places.
4. Primary physical custody of the parties' daughter Brittany is awarded to the Plaintiff. The Defend ant shall have the right to visit and take his daughter into his custody every Wednesday and Saturday between the hours of 6:00 a.m. to 3:00 p.m. commencing with Wednesday, Feb. 17, 1993. He shall not remove the child from the jurisdiction of this Court.

The Defendant shall not contact the Plaintiff by telephone except that he may call her between 6:00 p.m. and 8:00 p.m. each Monday to discuss their respective work schedules and to discuss whether or not his visitations must take place during different hours on Wednesdays and Saturdays. He shall contact the Plaintiff at her phone number. She shall give the Defendant her current phone number. Any time her phone number changes, she shall give the new number to the Defendant within 48 hours after the change.

At the moment, the Defendant may call the Plaintiff at 333-9576. If he leaves a phone message, the Plaintiff ashall call him back as soon as she finds out tht he called.

The Defendant shall have the right to visit his child whether or not he calls. The Plaintiff shall deliver the child to the Defendant's residence at 365 Willow St, Meadville, Pa. by 6:00 a.m. on the day of a scheduled visitation period. If the Defendant is not present, the Plaintiff shall wait at least 20 minutes. If the Defendant does not appear within that period of time the Plaintiff may assume that that visitation is canceled and take the child with her. In the event of a can cellation, there shall be no other time substituted therefore unless the parties both agree. The Plaintiff shall also be required to pick the child up no later than 3:00 p.m. on a visitation day.

In the event that the Plaintiff cannot pick the child up by 3:00 p.m., she may send Edward Steele in her place provided she has given the Defendant advance notice of that change and the Defendant shall turn the child over to Edward steele.

The Defendant may contact the Plaintiff on other occasions by telephone if said contact is absolutely necessary and if the subject of the call is in the interest of the child. This shall be used rarely and only in the case of an emergency.

There is no limitation on the number of times the Plaintiff may call the Defendant, but she shall not do so in a harassing manner.

The Plaintiff's obligation to provide transportation to and from the visitations shall last only so long as the Defendant continues to reside at his present residence.

The child shall be delivered with a full complement of clothing, diapers and other personal items, all of which shall be returned in good condition to the Plaintiff when the visitation has concluded.

CONTINUED ON PAGE 128A

1993

G. KIM LAVDERO
VS.
KEVIN WYTCHERLEY

CONTINUED FROM PAGE 128
of Record
A. D. 1993 - 128

****

5. TheeDefendantshall pay $137.00 to the Meadville Medical Center for a bill incurred by the Plaintiff no later than 5:00 p.m., Feb. 17, 1993.

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

7. A copy of this Order shall be delivered to the Meadville City Police Department and to County Control by the Prothonotary. A copyufor the Plaintiff shall be delivered to Mr. Brode and the Defendant's copy should be mailed to him at his address at 365 Willow St.

8. This Order shall remain in full force and effect for one year from this date, that is until Feb. 15, 1994, unless modified or terminated by further Order of Court.

9. The Defendant shall pay court costs in the amount of $89.50 no later than March 15, 1993.

10. 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 6 months.

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

Feb. 19, 1993 copy to C. Borde, Dft., Co. Ctrl., MPD

Feb. 12, 1993 SHERIFF'S RETURN filed. SERVED Kevin Wytcherley personally on Feb. 9, 1993 at 1:50 PM at his temporary place of custody in the Crawford County Jail, 360 Center St, Meadville, Crawford County, Pa.
So answers,
Edgar D. Householder, Chief Deputy
Robert M. Stevens, Sheriff

Feb. 22, 1993 Motion to Vacate Protection From Abuse Order and Order, filed. ORDER: AND NOW, this 19th day of February, 1993 upon receipt and review of the plaintiff's motion to vacate and terminate the Protection from Abuse Order of February 16, 1993, said motion is granted and the Protection from Abuse Order is hereby vacated and terminated.

A true and correct copy of this Order shall be delivered by the Prothonotary to Plaintiff's local police agency and to County Control.

Any provisions of the Protection from Abuse Order of February 16, 1993 assessing court costs shall remain in full force and effect without change or modification and the party or parties against whom costs were assessed shall remain obligated to pay the costs.

BY ORDER OF COURT
Anthony J. Vardaro, J.

Feb. 23, 1993 copytto County Control, MPD, Plf.

128
-6-

1993

1993

Halliday & Halliday
Michael Halliday

129.

ERIC L. ST. JOHN

vs.

MARSHA M. ST. JOHN

Filed February 9, 1993
@ 2:43 PM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count pd	15.00
State paid	10.00

COMPLAINT IN DIVORCE, CHILD CUSTODY
2 copies atty.

Mar. 29, 1993 Affidavit of Service, filed. On this, the 9th day of March, 1993, before me, the undersigned officer, personally appeared MICHAEL HALLIDAY, ESQUIRE, who being duly sworn according to law, deposes and states as follows:

1. That he is an attorney authorized to practice law in the Commonwealth of Pennsylvania, with offices at 111 On the Park, Cambridge Springs, Pennsylvania, 16403.

2. That a Complaint in Divorce was filed in the Prothonotary's Office on Feb. 9, 1993.

3. That on Feb. 22, 1993, he did forward to the Defendant Marsha St. John, a certified copy of the Complaint in Divorce as filed on behalf of the Plaintiff in the above-captioned action.

4. That said pleadings were forwarded to the Defendant by certified United States Mail, postage pre-paid, return receipt requested, addressed to Marsha St. John, 17 South Main St., Union City, Pa 16438.,

5. That attached hereto is the return receipt as executed by the Defendant, Marsha St. John, showing delivery to have been made on Feb. 23, 1993.

Mar. 12, 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 3/29/93 . 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: March 12, 1998

Mar 12, 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)

1993

Halliday & Halliday
Michael Halliday

130

JOSEPH KOUNOVSKY

vs.

SHARON C. KOUNOVSKY

Filed February 9, 1993
@ 2:43 PM

Tax & entry paid	50.50
User's Fee paid	15.00
2 Add'l Counts pd	30.00
State paid	10.00
Pro Co pd 6-1-93	9.00
Pro Co pd 7-19-93	5.00

COMPLAINT IN DIVORCE, CHILD CUSTODY
and EQUITABLE DISTRIBUTION
2 copies atty.

June 1, 1993 Affidavit of Consent of Defendant, filed.

June 1, 1993 Affidavit of Consent of Plaintiff, filed.

June 1, 1993 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

June 2, 1993 AFFIDAVIT OF SERVICE, filed. I, MICHAEL HALLIDAY, Esquire, being duly sworn according to law, depose and state that the following facts are true and correct to the best of my knowledge, inflormation and belief:

1. That I am an attorney authorized to practice law in the Commonwealth of Pennsylvanai, with offices at 111 Church Street, Cambridge Springs, Pa. 16134, and 273 Main St., Greenville, Pa. 16125.

2. That on Feb. 22, 1993, I did forward to Sharon C. Kounovsky, a certified copy of the Complaint in Divorce filed at the above number and term.

3. That said documents were forwarded to Sharon C. Kounovsky, addressed to 434 Park Ave., Meadville, Pa. 16335, by certified United States Mail, restricted delivery, postage paid, return receipt requested.

5. That attached to this Affidavit is the original return receipt as executed by the Defendant, Sharon C. Kounovsky, and showing service to have been made on Feg. 24, 1993.

6. That service of the above-mentioned Complaint in Divorce has been effected by certified mail.

DIVORCE DECREE FILED

June 14, 1993 ORDER, ANDNOW this 14th day of June, 1993 upon consideration of the attached Praecipe, it is hereby ORDERED AND DECREED as follows: (a) That JOSEPH KOUNOVSKY and SHARON C. KOUNOVSKY be divorced and separated from nuptial ties and the bonds of matrimony heretofore contracted between them, said divorce having been sought and granted on the basis of Section 3301(c) of the Divorce Code.

The parties have entered into and executed a Marital Settlement Agreement as to the issues of the Custody and Visitation as well as Marital Distribution and the Agreement shall forma part of this Order.

BY THE COURT:
Gordon R. Miller, Judge

July 19, 1993 Notice of Election To Retake Maiden Name, filed. Sharon C. Kounovsky TO BE KNOWN AS: Sharon C. Condon.

1993

Mary Ann Kirkpatrick

131.

C Barton Jones

$150.00 deposited by Plaintiff for mediator

3-22-93 Pd Pltf/Bd of Med dep (Refund) Ck#1416 #40.00

4-13-93 Received from dept mediation 35.00

4-16-93 Pd CC Com. Med Fee Ck#7482 $136.00

5-14-93 Rec. Dept med Fee 50.00 Partial Payment

6-14-93 Rec from Dept med Fee 16.00 Bal. Payment

6-28-93 Pd CC Com Med Fee Ck#7634 66.00

WILLIAM H. McNEISH, JR.

vs.

BARBARA L. McNEISH SLOAN

Filed February 9, 1993
@ 3:50 PM

Tax & entry paid 50.50 ✓
User's Fee paid 5.00
William Pineo, Mediator 202.00
Pro Co Pd Ck#7463 4-16-93 9.00 ✓

COMPLAINT FOR CUSTODY
1 copy (atty); 1 copy (mediator)

ORDER:

You, Barbara L. McNeish Sloan, have been sued in Court to obtain custody of Lacey McNeish born November 10, 1985.
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 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) 336-1151, ext. 298

Date: 2-4-93

Anthony J. Vardaro, J

Feb. 16, 1993 Affifdavit of Service filed. And Now, February 12, 1993, comes Constance L. Deitman being duly sworn according to lawy,d eposes and sets forth as follows:
1. That she is the legal secretary of Attorney for William H. McNeish, Jr., Plaintiff in the above-captioned mattter.
2. That on information furnished her bythe Plantiff she caused a certified copy of the Complaint in Custody to be forwarded by Certified Mail, P 899 085 295; postmarked February 10, 1993, to the last known address of the defendant, Barbara L. McNeish Sloan, 143 Colins Rd., Jamestown, PA 16134
3. That the Defendant, Barbara L. McNeish Sloan, on February 11, 1993, personally signed the return receipt card which was affixed to the Complaint in the above-matter and whcih is attached hereto.
4. Service oftheComplaint against Defendant is therefore effected in accordance with Pennsylvania Rules of Civil Procedure.

Constance L. Deitman

Feb. 23, 1993, Answer to Custody Complaint filed.

Mar. 19, 1993 TEMPORARY ORDER filed. AND NOW, THIS 17th day of March, 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. The parties shall share legal and physical custody of the subject minor child, Lacey Dawn McNeish.

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.

3a. The mother shall have primary physical custody of Lacey.

b. The father shall have visitation with Lacey on alternate weekends, beginning with the weekend of March 5, from Friday at 6:00 p.m. through Sunday at 6:00 p.m. Although Lacey's sister, Tara, is not a subject to these proceedings, this provision is made in contemplation of the mother's having visitation with Tara on the alternate weekends, so that the children can be together on weekends.

c. During the children's vacation from shcool in the summer, the parties are to work out, by May 15 of each year, the summertime custodial and visitation periods for both children so that there will be a reasonably even split of time spent with each of the parents.

d. The parent not having physical custody at any given time shall have the right to telephone the child 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: The father shall have visitation and temporary physical custody each Christmas from 4:00 p.m. Christmas Eve until noon of Christmas Day.

b. Thanksgiving: There shall be two Thanksgiving holiday visitation periods, the first beginning at 4:00 p.m. of the Wednesday preceding Thanksgiving and ending at 2:00 p.m. Thanksgiving Day and the second beginning at 2:00 p.m. Thanksgiving Day and ending at 8:00 p.m. Thanksgiving Day. For Thanksgiving, 1993, the father shall have the first period, and the mother, the second, and the parties shall thereafter alternate. Again, it is anticipated that the parties will arrange things so that the children can be together on Thanksgiving.

c. Easter: The father shall have visitation and temporary physical custody each Easter from Holy Saturday at 6:00 p.m. through Easter Sunday at 6:00 p.m.

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, 1993, 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. 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 seekign cancellation or modifications 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.

CONTINUED ON PAGE 503

1993

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

132

~~Joseph F. Kulwicki, III~~
Withdrawn

TRACY FIELD

vs.

FRED FIELD, II

Filed February 9, 1993
@ 4:08 PM

Tax & entry paid	50.50
User's Fee paid	15.00
2 Add'l Counts pd	30.00
STate paid	10.00
Pro Co pd 9/14/93	9.00

COMPLAINT IN DIVORCE, EQUITABLE PROPERTY DETERMINATION and DISTRIBUTION, COUNSEL FEES, EXPERT FEES, COSTS and EXPENSES
2 copies atty.

Feb. 16, 1993 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 February 12, 1993 by accepting delivery on that date as evidenced by the attached signed return receipt.
James R. Irwin

June 11, 1993, Affidavit of Consent of plaintiff filed.

Sept. 3, 1992 Affidavit of Consent of Defendant, filed.

Sept. 14, 1993 Upon praecipe of Plaintiff Attorney To Transmit Record, this case moved to court.

DIVORCE DECREE FILED

Sept. 28, 1993 AND NOW, this 27 day of September, 1993, it is ordered and decreed that TRACY FIELD, Plaintiff, and FRED FIELD,II, Defendant, are divorced from the bonds of matrimony.

It is further ordered that the parties' Separation and Property Settlement Agreement dated June 11, 1993, is incorporated herein and made a part hereof and shall be fully enforceable under the provisions of the Divorce code.

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

Sept. 24, 1993 Withdrawal of Joseph F. Kulwicki, III for Defendant and Order, filed. ORDER: AND NOW, this 24th day of September, 1993, this motion is granted. BY THE COURT,
Oct. 1, 1993 copy to Kulwicki Gordon R. Miller, P.J.

Mar. 25, 1996 Certificate of Completion of Seminar by Fred Field, Defendant, filed.

Apr. 10, 1996 Certificate of Completion of Seminar by Tracy Field, Plaintiff filed.

1993

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

133.

MARQUETTE SAVINGS
ASSOCIATION

vs.

HECTOR R. JIMENEZ and
CINDY M. JIMENEZ, his wife

filed Febraury 9, 1993
@ 4:08 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	36.00
Pro Co pd 3-10-93	9.00
ProPd 5/29/97	5.00

COMPLAINT IN MORTGAGE FORECLOSURE
2 copies Sheriff

Feb. 18, 1993 Sheriff's Return filed. SERVED Hector R. KImenez on February 16, 1993 at 4:15 PM by handing a copy of the Complaint in Mortgage Foreclosure to Cindy M. Jimenez, his wife and Authorized Agent, inthe Sheriff's Office, Crawford County Courthosue, Meadville, PA. Signed Acceptance of Service attached. SERVED Cindy M. Jimenez personally on February 16, 1993 at 4:14 PM by handing a copy of the Complaint in Mortgage Foreclosure to her in the Sheriff's Office, Crawford County Courthouse, Meadville PA.
so answers, Edgar D. Householder, Chief Deputy
Robert M. Stevens, Sheriff

And Now, March 10, 1993 at 3:51 P.M., upon praecipe of Plaintiff attorney judgment is hereby entered in the above captioned matter in favor of the Plaintiff and agaisnt the Defendants in the sum of Ten Thousand Four Hundred Twenty Nine and 72/100 with costs plus interest from 2/4/93 at the rate of 10.5% for failure to file and answer.
Entered 3-10-93
J - 32, 82

Debt: $10,429.72 plus costs and interest from 2-4-93
JUDGMENT
Barbara H. King, Pro.

EX 1993 - 16

May 27, 1997, Upon praecipe of plaintiff attorney, the above captioned matter is marked settled and discontinued on the record.

1993

Mason & Mason
M. Dan Mason

134.

R. Christopher Brode

JAMES E. LUCE et al

vs.

SHARON BOARDMAN et al

Filed February 10, 1993
@ 10:13 AM

Indigent Filing

3-12-43 Received from deft. Rent dep $165.00

3-26-93 Pd Plff Ck# 7437 165.00

NON-JURY TRIAL

APPEAL OF DEFENDANT FROM DECISION OF
DISTRICT JUSTICE WAYNE E. HANSON

Feb. 10, 1993 Rules entered upon the Plaintiff to file a Complaint Issued.

Feb. 10, 1993 Praecipe of Defendant To Proceed In Forma Pauperis filed.

Feb. 11, 1993 Proof of Service filed.

Feb. 12, 1993, Motion for Appellant/Appellee to make payment to the Office of Prothonotary and Order filed.
ORDER: AND NOW, Feb. 12, 1993, after review of the foregoing Motion, the court orders that the appellant Sharon Boardman pay all future Payments due and owing the Appellee in the amount of $165.00 per month, to be paid on or before the fifteenth of every month, to the office of the Prothonotary of Crawfird County located in the Crawford County located inthe Crawford County Courthouse, Meadville, Pa. until further order of court. This shall take effect immediately and shall apply to the Feb. 15th payment.
Gordon R. Miller, J.
Feb. 18, 1993, copies of order to plff. (mail) and R. Brode.

Mar. 1, 1993 Complaint in Ejectment filed.

Mar. 25, 1993 Motion for Payment/Rental Payments to be made directly to Appellee and Order, filed. ORDER: AND NOW, this 25th day of March, 1993, after review of the foregoing Motion, the Court orders that the Appellant/Defendant pay all future payments due and owing the Appellee in the amount of $165.00 per month, to be paid on or before the fifteenth (15th) day of every month directly to the Appellee/Plaintiff, until further Order of Court, and the Court further orders the Prothonotary to release the March, 1993 payment of $165.00 to Appellee/Plaintiff.
BY THE COURT
Gordon R. Miller, P.J.
Mar. 29, 1993 copy to D. Mason & C. Brode

Apr. 20, 1993 Answer, New Matter and CounterClaim filed. (2 copies Atty.)

July 19, 1993 Plaintiffs' Preliminary Objections to Defendants' Counterclaim filed. (1 copyAtty.)

Aug. 6, 1993, Amended Answer New Matter and Counterclaim filed.

Oct. 28, 1993, Plaintiffs' Answer to Defendants New Matter and Counterclaim filed.
1 copy (atty)

Jan. 27, 1994 Certificate of Readiness filed.

ON TRIAL LIST FOR APRIL, 1994

Apr. 25, 1994 ORDER filed. AND NOW, this 22nd day of April, 1994, non-jury trials are hereby scheduled in the following cases on the dates and at the times set forth below:

#on April '94 Civil Trial List	Caption (Abbrvd.) & Docket Number	Non-Jury Trial Date and Time; Courtroom
#13	James E. Luce and Jaleen S. Luce v. Sharon Gallagher Boardman and William Boardman AD 1993-134	June 28, 1994 (½ - 1 day) 9:15 a.m. #1, 2, or 3.

BY THE COURT
Gordon R. Miller, P. J.
4/25/94 Copies mailed by Ct. Administrator.

Jun. 28, 1994 ORDER filed. AND NOW, June 28, 1994, at the time set for a non-jury trial in the above-captioned matter,the parties indicate that they believe they have reached a resolution with respect to this matter and that they require some time to put that agreement into writing.
ACCORDINGLY, by agreement of all parties, this matter is cotinued generally, tobe reset only upon motion of counsel for either party.
In the event that this matter is settled, someone should discontinue it of record so that it does not appear on the next Trial list.
BY THE COURT,
Anthony J. Vardaro,Judge
6-28-94 Copies dist.to Mason & Brode

Dec. 29, 1994 Motion to Discontinue and ORDER filed. AND NOW, this 28 day of December, 1994,upon consideration of the attached Motion to Discontinue,the Court so orders paragraphs 1 through 16 of the stated Motion.
BY THE COURT,
Anthony J. Vardaro, J.
12-29-94 Faxed to Attys.Brode & Dan Mason

1993

Mason & Mason
Joan D. Mason

135.

CHARLES INGRAM, JR.

vs.

DARLA A. INGRAM

Filed February 10, 1993
@ 11:23 AM

Tax & entry paid	50.50
User's Fee paid	5.00
STate paid	10.00
Pro.Co.pd 3/15/94	9.00

COMPLAINT IN DIVORCE
3 copies atty.

Feb. 26, 1993 Affidavit of Service filed. I, Joan D. Mason, Esquire, attorney for the Plaintiff in the above entitled case, and being duly sworn according to law, depose and say that I did onFebruary 12, 1993 mail to the above Defendant, Darla A. Ingram, by certified mail return receipt requested, deliver to addressee only, a Complaint in the above divorce action, Said ntoice was received on February 19, 1993, as indicated by the return receipt card which was returned to the office ofthe Plaintiff's attorney and is attached hereto. Joan D. Mason

June 2, 1993 Affidavit of Consent of Plaintiff, filed.

Oct. 12, 1993 Affidavit of Consent of Defendant, filed.

Mar. 15, 1994 Upon Praecipe of Joan D. Mason, Esquire, Attorney for Plaintiff to transmit record, Case moved to Court.

DIVORCE DECREE FILED

March 18, 1994 AND NOW, March 17, 1994, it is hereby ordered and decreed that CHARLES INGRAM, JR., Plaintiff, and DARLA A. INGRAM, 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.

1993

Roeder & Rothschild
Tamera Ochs Rothschild

136

JAMIE J. WAGNER

vs.

ROBERT L. BLAIR

Filed February 10, 1993
@ 11:55 AM

Indigent Filing

CUSTODY COMPLAINT
1 copy atty; 1 copy med.

ORDER:

You, Robert L. Blair have been sued in Court to obtain custody of Matthew R. Wagner.

You are ORDERED to appear in person at such time and place as will be determined by the Mediator Bruce Smith 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 O NE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Court Aministrator
Courthouse
Meadville, PA 16335
(814) 336-1151, ext 298

Date: February 2, 1993

Anthony J. Vardaro,

Feb. 10, 1993 Affidavit of Plaintiff's Financial Condition filed.

Feb. 10, 1993 Order filed. AND NOW, February 9, 1993, after consideration of the affidavit filed by the Plaintiff in this matter, she is permitted to proceed in forma pauperis with the understanding that she shallhave a continuing obligation to inform the Court of any improvement in her financial circumstances that may enable her to pay attorney's fees and ultimately the Court may make a determination with respect to the same.

BY THE COURT,
Anthony J. VArdaro, J

Feb. 11, 1993 Copy of order to Atty. Rothschild

IMPORTANT NOTICE AND COURT ORDER

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 2/10/1993 . 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 from you in writing on or before Oct. 23, 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.

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 Oct. 23, 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 where you 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: Sept. 22, 1998

Nov. 5, 1998 ORDER filed. AND NOW, this 30th day of Oct., 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 by publication of a "Notice of Intent To Terminate Cases" printed in the Crawford County Legal Journal on Oct. 14, 1998, and no objection thereto having been received by the Court from either party in the cases listed below, all and each of the 84 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 1901l.

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

1993

Shafer, Swick, Bailey
Irwin & Stack
Robert S. Bailey

137.

Northwestern Legal
Services
Gerald Sullivan

MEADVILLE REDI MIX
CONCRETE

vs.

CHARLES HANSHEW

Filed February 10, 1993
@ 2:03 PM

Indigent Filing

Arb paid 4/22/93 15.00 ✓

Pro.Co. pd 7/14/93 5.00

APPEAL OF DEFENDANT FROM DECISION OF
DISTRICT JUSTICE WILLIAM D. CHISHOLM

Feb. 10, 1993 Rule entered upon the Plaintiff to file a Complaint Issued.

Feb. 10, 1993 Praecipe of Defendant To Proceed In Forma Pauperis filed.

Feb. 10, 1993 Proof of Service filed.

Mar. 2, 1993 Complaint in Assumpsit filed.
One Copy Certified to Atty.

Mar. 15, 1993 Verification to Complaint in Assumpsit, filed.

Mar. 30, 1993 Answer and New Matter, filed.

Apr. 13, 1993 Plaintiff's Reply To Defendant's New Matter filed.

April 20, 1993, upon praecipe of plaintiff attorney for appointment of arbitrators, the following arbitrators are appointed:

Max Weiss, Ch.
Robert Felton
Barbara Walton

May 3, 1993 Arbitrators take qualifying oath.

May 18, 1993 Notice of Hearing Before Board of Arbitrators, filed.

July 14, 1993 Upon Praecipe of Robert S. Bailey, Esquire, Attorney for Plaintiff, the above case discontinued, without prejudice, as to all defendants.

1993

Peters, Lindsay,
Lewis & Gagliotti
Brian J. Lindsay

138.

ROBERTA JO MATTERN

vs.

DOUGLAS JAMES MATTERN

Filed February 10, 1993
@ 3:30 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 3/19/93	15.00
User's Fee paid	5.00
Pro.Co. pd 8/26/93	9.00

COMPLAINT IN DIVORCE
3 copies (atty)

Feb. 19, 1993 Affidavit of Service filed. I, Brian J. Lindsay Equire, after being duly sworn according to law, do hereby certify that I am the attorney of record for the above named Plaintiff, and that as such I am authorized to make this verification; that I did on the 15th day of February, 1993, send to the above named Defendant, by Certified Mail, Return Receipt Requested, a true and correct copy of the Divorce Complaint filed at the above term and number; and that I did on the 17th day of Febraury, 1993, receive a duly executedc return receipt dated February 16, 1993.
Brian J. Lindsay

Mar. 19, 1993 Answer and Counterclaim filed. (Custody)

April 1, 1993 CERTIFICATE OF SERVICE, filed. Gregory A. Keenan, Esquire, hereby certifies that a true and correct copy of the Answer And Counterclaim was served upon Brian J. Lindsay, Esquire, Attorney for Plaintiff, at 311 Walnut St, Meadville, Pa. 16335, by first class mail, postage prepaid.

July 6, 1993 Affidavit of Consent by Roberta Jo Mattern, Plaintiff, filed.

Aug. 12, 1993, Affidavit of Consent of defendant filed.

Aug. 20, 1993 ORDER OF COURT filed. AND NOW, this 20 day of August, 1993, upon agreement of the parties and their respective counsel, IT IS HEREBY ORDERED AND DECREED, as follows:

1. The legal custody of the parties' minor children Jacob mattern and Nathan Mattern, shall be shared between the Mother and Father, that is each shall be entitled to full access to school records, medicl records, and other important records and each shall be entitled to participate fully in decisions affecting the health, education and religious instruction of said children.

2. That the primary physical custody of the minor children shall be with their mother, Roberta Jo Matters, subject to the visitation schedule hereinafter set forth:

a. Father shall have primary physical custody of the minor children every other weekend. Said weekend visits shall commence on Saturday at 8:00 a.m. and end on Sunday at 8:00 p.m. Father's visitation shall also include every Tuesday night from 6:00 p.m. until 9:00 p.m.

b. Father shall also be entitled to primary physical custody of the said minor children for a period of three (3) non-consecutive two (2) week periods to iccur each and every summer beteen the dates of June 5th and August 20th with said weeks beginning on a Sunday, with Mother to be given notice of Father's selection of the three (3) non-consecutive periods twenty (20) days in advance of June 5th of each year.

c. During said two (2) week period Mother shall be entitled to reasonable telephone contact and every Wednesday visitation from 9:00 a.m. until 9:00 p.m.

3. Each parent shall notify the other of any illness or emergency involving the aforesaid minor children at the earliest possible time.

4. The parties shall do everything in the power of each to foster a loving attitude between the minor childen and both of their parents, and shall teach the minor children tolove and to respect each of his parents to the fullest extent.

5. Neither parent shall say nor do anything in an attempt to alienate or to turn the children against the other parent, but on the contrary shall do everything in the power of each to create a favorable and loving attitude on the part of the children toward the other parent and that parent's family members.

6. The parties shall equally divide responsibility for transportation with the party receiving the children to provide the transportation.

7. Each parent shall confer with the other on all matters of importance relating to the children's health, maintenance and education with a vew toward obtaining and following a harmonious policy in the children's best interests, and shall keep the other parent informed of the progress of the children's education and social adjustments.

8. In the event of any serious illness of the children at any time, the party then having custody of the said children shall immediately communicate with the other party by telephone or by any other means, informing the other party of the nature of the illness. During such illness, each parent shall have the right to visit the child(ren) as often as he or she desires, consistent with the proper medical care of said child(ren). The word "illness" as used, is intended to mean any disability which confines the child(ren) to bed under the direction of a licenses physician for a period in excess of forty-eight (48) hours.

9. Neither parent shall expose the children to any situation or person which might adversely affect the health, welfare or well-being of the children, and shall not take the children to any place of business which is not appropriate for the children.

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

Aug. 20, 1993 Copy of Order to Atty. Lindsay; Aug. 24, 1993 Copy mailed to Dft.

Aug. 26, 1993 Upon Praecipe of BrianJ. Lindsay,Esquire,Attorney for Plaintiff to transmit record, case moved to Court.

DIVORCE DECREE FILED

Sept. 1, 1993 AND NOW, Aug. 30, 1993, it is ordered and decreed that ROBERTA J. MATTERN, plaintiff, and DOUGLAS JAMES MATTERN, 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.

1993

Joseph F. Kulwicki

139.

CYNTHIA A. WALLACE

vs.

GARY I. WALLACE

Filed February 11, 1993
@ 9:57 AM

COMPLAINT IN DIVORCE
1 copy atty.

Mar. 3, 1993 Certificate Of Service filed. Kelly Munshower, being duly sworn according to law, deposes and says that she is an employed by Joseph F. Kulwicki, Eq., attorney for the plaintiff, and as such on February 16, 1993, she placed a certified copy of the above Divroce Complaint inthe U.S. mail, addressed to the defendant, addressed as follows: Gary I. Wallace, 270 Walker Drive, Meadville, Pa 16335
Said divorce complaint was mailed certified mail, restricted deliery, being certified mail item number P 724 954 500. The signature card for said certified mail item was returned to the office of Joseph F. Kulwicki, Esq., bearing the signature ofthe defendant as having received same on Marchl , 1993. Said signature card is attached hereto and made a part hereof.
FURTHER DEPONENT SAITH NOT. Kelly Munshower

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 5-21-93	9.00
Pro Co paid	5.00

May 21, 1993 Affidavit of Consent of Plaintiff, filed.

May 21, 1993 Affidavit of Consent of Defendant, filed.

May 21, 1993 Upon praecipe of plaintiff attorney to transmit reocrds, case moved to Court.

DIVORCE DECREE FILED

June 3, 1993 AND NOW, June 1, 1993, it is ordered and decreed that CYNTHIA WALLACE, plaintiff, and GARY I. WALLACE, 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.

July 30, 1993 Notice of Intention To Resume Maiden Name filed. Cynthia L. Wallace
TO BE KNOWN AS: Cynthia L. BAll

1993

Mason & Mason
Joan D. Mason

140.

CECIL RAMPLEY and MARGARET RAMPLEY, his wife

vs.

JAMES K. FURRY, JR. and DEBORAH A. FURRY, his wife

Filed February 11, 1993
@ 10:43 AM

Tax & etnry paid	50.50
Use'rs Fee paid	5.00
Sheriff's Costs	34.00

COMPLAINT IN ACTION OF MORTGAGE FORECLOSURE
1 copy Sheriff

Feb. 11, 1993 Affidavit of Non-Military Service of Defendants filed.

Feb. 22, 1993 SHERIFF'S RETURN filed. SERVED James K. Furry, Jr. personally on Feb. 17, 1993 at 1:04 PM by handing a copy of the Complaint in Mortgage Foreclosure to him at his residence, RD 2, Box 139, Guys Mills, Crawford County, Pa.

SERVED Deborah A. Furry on Feb. 17, 1993 at 1:05 PM by handing a copy of the Complaint in Mortgage Foreclosure to James Furry, her Husband, at their residence, RD 2, Box 139, Guys Mills, Crawford County, Pa. So answers, Edgar D. Householder, Chief Deputy
Robert M. Stevens, Sheriff

1993

Thomas E. Crenney
& Associates
Thomas E. Crenney
John L. Kwasneski

141.

Egler, Garrett & Egler
Frederick N. Egler
Paula A. Koczan
for Dft. W. Morris, M.D.

John M. Quinn Jr.
Quinn, Buseck, Leemhuis,
Toohey & Kroto, Inc.

MAURA KEGG, a minor, by and through her parents and natural guardians, WILLIAM KEGG and KORENE KEGG

vs.

WILLIAM MORRIS, M.D. an individual, and MEADVILLE MEDICAL CENTER

Filed February 11, 1993
@ 2:21 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	36.00
Pro.Co. -pd 11/1/95	6.00

COMPLAINT IN CIVIL ACTION
2 copies atty.

Feb. 24, 1993 SHERIFF'S RETURN filed. SERVED William Morris, M.D., on Feb. 22, 1993 at 9:54 AM by handing a copy of the Complaint to Judy Limber, Receptionist at his business, 961 South Main Street, Meadville, Crawford County, Pa.

SERVED The Meadville Medical Center on Feb. 26, 1993 at 3:50 PM by handing a copy of the Complaint to Nancy Blystone, Administrative Assistant at the Meadville Medical Center, 751 Liberty St., Meadville, Crawford County, Pa.

So answers. Edgar D. Householder, Chief Deputy
Robert M. Stevens, Sheriff

Mar. 12, 1993 Appearance of Egler, Garrett & Egler by Frederick N. Egler, Esq. and Paul A. Koxzan, Esq. for Defendant William Morris, M.D., filed.

April 5, 1993, Answer of Defendant Meadville Medical Center filed.

Apr. 8, 1993, Plaintiff's Reply to New Matter of Defendant Meadville Medical Center, filed.

May 3, 1993 Answer and New Matter To Plantiff's complaint filed.

June 1, 1993, Plaintiffs Reply to New Matter of Defendant William Morris, M.D., filed.

June 14, 1993, Notice of Servcie of REquest for production of Documents filed.

June 14, 1993, Notice of Service of Interrogatories filed.

Oct. 18, 1994 Cetificate of Readiness, filed.

ON TRIAL LIST FOR FEBRUARY 1995

Oct. 28, 1994 Motion To Compel Answers to Plaintiff's Second Set of Interrogatories Directed to William Morris, M.D. filed.

Oct. 28, 1994 Motion To Compel Answers to Interrogatories Directed to Meadville Medical Center filed.

Oct. 28, 1994 Motion To Compel Deposition of William Morris, M.D. filed.

Oct. 28, 1994 Reply To Plaintiffs' Motion To Compel The Deposition of William Morris, M.D, filed.

Oct. 28, 1994 Reply To Plaintiffs' Motion To Compel Answers to Plaintiffs' Second Set of Interrogatories on behalf of Willialm Morris, M.D., filed.

Oct. 28, 1994 Answer and New Matter of Meadville Medical Center to Motion To Compel Answers To Interrogatories, filed.

Oct. 31, 1994 Joint Motion to Strike the Certificate of Readiness on behalf of Defendants, filed.

Oct. 31, 1994 ORDER filed. AND NOW, October 28, 1994 the Plaintiff's counsel presents in motion court three motions, i.e., a motion to compel answers to Plaintiff's second set of interrogatories directed to William Morris, M.D.; a motion to compel answers to interrogatories directed to the Meadville Medical Center; and a motion to compel deposition of William Morris, M.D.

It appears that we also have replies filed on behalf of the Defendants with respect to these motions and that it will require more lengthy argument and discussion than we are able to provide in motion court.

Accordingly, the Court Administrator and/or the Prothonotary are directed to list this matter for the next available argument list which will be November 28, 1994. They shall provide to counsel a time designated on that date for argument and counsel shall follow the local rules with respect to any briefs that need be filed in this matter.

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

Oct. 31, 1994 Copies mailed Counsel of record.

ON NOVEMBER 1994 ARGUMENT LIST

Oct. 31, 1994 ORDER filed. AND NOW, Oct. 28, 1994 at motion court, counsel for the Defendants file a joint motion to strike the certificate of readiness filed on behalf of the Plaintiff.

It appearing that the Crawford County Local Rules have not been complied with and that further discovery may be ongoing, the certificate of readiness is stricken without prejudice to the Plaintiff to follow the appropriate procedure under the local Rules when counsel for the Plaintiff believes it is again appropriate to move this case to the trial list.

At this time, counsel for the Plaintiff intends to provide expert reports with respect to liability within the next week to two weeks and thereafter further expert reports.

At this time, it si ORDERED and DIRECTED that the Defendant shall supply any expert reports and responses to reports received from the Plaintiff within 90 days of the receipt of those reports in order that this case may be moving toward a resolution at trial.

This order is without prejudice to the Defendants to request an extension of that time if it becomes appropriate due to them being unable to receive timely reports from their experts.

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

Oct. 31, 1994 Copies of Order mailed Counsel of record.

Record Continued on Page 481

Shapiro & Kreisman
Carolee Berasi

142.

EMPBANQUE CAPITAL CORP.

vs.

THOMAS L. BEISH
SHELLY L. BEISH

Filed February 11, 1993
@ 2:30 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	31.00
Pro Co pd 3-30-93	9.00

COMPLAINT IN MORTGAGE FORECLOSURE
1 copy Sheriff

Feb. 24, 1993 SHERIFF'S RETURN filed. SERVED Thomas L. Beish personally on Feb. 22, 1993 at 9:23 AM by handing a copy of the Complaint in Mortgage Foreclosure to him at the residence, 201 Wadsworth Ave., Meadville, Crawford County, Pa.

SERVED Shelly L. Beish on Feb. 22, 1993 at 9:24 AM by handing a copy of the Complaint in Mortgage Foreclosure to Thomas L. Beish, her Husband, at their residence, 201 Wadsworth Ave., Meadville, Crawford County, Pa.

So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

And now, Mar. 30, 1993 at 3:10 p.m. upon praecipe of plaintiff's attorney judgment is hereby entered for Twenty-eight thousand two hundred sixty one and 81/100 Dollars, in favor of the Plaintiff and against the Defendant(s) for failure to file an answer to Plaintiff's Complaint within 20 days from service thereof and assess Plaintiff's damages as follows and calculated as stated in the Complaint:

Prinicipal of Mortage debt due and unpaid	23,151.73
Title Search and Bringdown	200.00
Interest at 10.5% from Jan. 1, 1992 through Mar. 22, 1993 (add 6.66 after Mar 22, 1993 each day)	2,963.76
Late Charges: 5@ $11.81 from Feb. 1992 through June, 1992	59.05
9@$11.81 from July, 1992 through March, 1993 (on the 16th of each month) add $12.68 after March 22, 1993	114.12
Late Charges Accrued Prior to Default	111.83
Escrow Deficit	373.73
Property Inspections 13 @ $10.00	130.00
Attorneys Fees (anticipated and actual to 5% of principal)	1,157.59
TOTAL AMOUNT DUE	$28,261.81

Entered 3-30-93
B - 156, 166

Debt: 28,261.81
JUDGMENT
Barbara H. King, Pro.

EX 1993 - 26

July 26, 1993 Verification of Service by Certified Mail and Regular Mail Pursuant to Court Order of Notice of Sale, filed.

1993

Mary Ann Kirkpatrick

143.

Bettie J. Peterson-Muth

6-24-94 Rec'd from Atty Masters $600.00

7-11-94 Rec'd from Pltf Masters $150.00

MARGARET A. HEMLER CERVONE

vs.

JAMES NICHLOS CERVONE

Filed February 11, 1993
@ 3:42 PM

Tax & entry paid	50.50
User's Fee paid	20.00
3 Add'l Counts pd	45.00
State paid	10.00
Pro Co pd 10-27-94	9.00

COMPLAINT IN DIVORCE, ALIMONY, CHILD SUPPORT, ALIMONY PENDENTE LITE, REASONABLE CONSEL FEES, COSTS and EXPENSES, EQUITABLE DISTRIBUTION, CUSTODY
1 copy atty.

Feb. 16, 1993 Inventory of Plaintiff filed.

Feb. 26, 1993 Affidavit of Service filed. And Now, February 23, 1993, comes Cosntance L. Deitman being duly sworn according to law, deposes and sets forth as follows:
1. That she is the legal secretary of Attorney for Margaret A. Hemler Cervone, Plaintiff in the above-captioned matter.
2. That on information furnished her by the Plaintiff, she caused a certified copy of theComplaint in Divorce to be forwarded by Certified Mail, P 899 085 761; postmarked February 12, 1993, to the last known address to the Defendant, James Nichlos Cervone R.D.#5, Box 88, Meadville, PA 16335.
3. That theDefendant, James Nichlos Cervone, onFebruary 15, 1993 personally signed the return receipt card whcihw as affixed to the Complaint in the above matter and which is attached hereto.
4. Service of theComplaint against Defendant is therefor effected in accordance with Pennsylvania Rules of Civil Procedure.
Constance L. Deitman

Mar. 25, 1993 Motion to Set Hearing for Alimony Pendente Lite, Counsel Fees, Costs and Expenses and Order, filed. ORDER: And, Now March 23, 1993, hearing on PLaintiff's request for alimony pendente lite, counsel fees, costs and expenses is scheduled for April 8, 1993, at 10:00 a.m. in courtroom number 1 or 2 of the Crawford County Courthouse at Meadville, Pa.
FOR THE COURT:
Ann A. Walker
Mar 29, 1993 copy to M.A. Kirkpatrick & Dft.

Apr. 6, 1993, Affidavit of Service filed. And Now, Apr. ---1993, comes Constance L. Deitman being duly sworn according to alw, deposes and sets forth as follows:
1. That she is the legal sec. of Atty. for plaintiff in above matter.
2. that on information furnished her by the pl ff, she caused a copy of Order to Set Hearing to be forwarded by Mail, to address of dft.
3. That dft. personally signed card on Apr. 1, 1993, attached hereto.
Constance L. Deitman.

April 14, 1993 Motion to Continue and ORDER filed. And Now, April 14, 1993, motion to continue is granted.
By/For the Court:
Anthony J. Vardaro, J.
April 19, 1993 Copy of Order to ATty. M. A. Kirkpatrick.

July 1, 1993 Affidavit of Consent of Plaintiff filed.

July 19, 1993 Petiton for Special Relief, Alimony Pendente Lite, Court Costs, Counsel Fees and Appraisal Fees and Order filed. ORDER: And Now, July 16, 1993, hearing on Plaintiff's Petition for Special Relief, Alimony Pendente Lite, Court costs, Counsel Fees and Appraisal Fees is scheduled for August 4, 1993, at 9:15 A.M. in court room number 1 or 2 of the Crawford County Courthouse in Meadville, Pa.
FOR THE COURT:
Ann A. Walker, Crt. Adm.
July 21, 1993 copy to M.A. Kirkpatrick & Dft.

Aug. 2, 1993 Motion To Reschedule Hearing and Order filed. And Now, August 2, 1993, the hearing previously set for August 4, 1993, at 9:15 am. is rescheduled for August 16, 1993, at 11:00 a.m. o'clock in courtroom number 1 or 2 of the Crawford County courthouse in Meadville, Pennsylvania
For The Court:
Ann A. Walker, J

Aug. 3, 1993 Copies of order to Atty. Kirkpatrick

Aug. 17, 1993 ORDER filed. AND NOW, August 16, 1993, at the time scheduled for hearing on the Plaintiff's Petition for Special Relief and otehr matters, the Defendant has not appeared and Bettie Peterson-Muth, who is reputedly representing the Defendant, although no appearance has been entered on his behalf, has not appeared and there being no evidence of record that the motion to reschedule the hearing was served on either of them, this hearing is continued to Sept 2, 1993 at 1:30 o'clock p.m. in a Courtroom to be assigned. A copy of this Order shall be served by Plaintiff's counsel on Defendant's reputed counsel and served upon the Defendant personally by certified mail, return-receipt requested.
BY ORDER OF THE COURT,
Robert L. Walker, S. J.
Aug. 17, 1993 Copies distributed to Attys. M.A. Kirkpatrick (2 Cert.) and Bettie Peterson Muth.

Aug. 19, 1993 Appearance of Bettie J. Petterson-Muth for Defendant filed.

Aug. 25, 1993 Proof of Service filed. And, Now,August 25, 1993, I ccertify that I served a copy of the Order scheduling hearing in the above matter on James N.Cervone and Betti Peterson-Muth,Esq., both by certified mail, return receipt requested.
The return receipt cards which were affixed to the above named document in the above named matter are attached hereto.
Mary Ann Kirkpatrick.Esquire, Atty. for Plaintiff

Sept. 2, 1993 Petition for Special Relief, Alimony Pendente LIte, Court Costs, Counsel Fees and Appraisal Fees and ORDER filed. AND NOW,August 31, 1993, hearing onDefendnat's Petition for Special Relief, Alimony Pendente Lite, Court Costs, Counsel Fees and Appraisal Fees is scheduled for September 2, 1993, at 1:30 p.m.o'clock in Court room 1 or 2 of the Crawford County Courthouse in Meadville,Pennsylvania.
For the Court:
9-2-93 Copies to Attys. Kirkpatrick & Muth
Ann A. Walker, Court Administrator

RECORD CONTINUED ON PAGE 452 .....

144

1993

144.

Elizabeth A. Malc

LESLIE C. SMITH

vs.

KAREN SMITH

Filed February 11, 1993
@ 4:04 PM

Tax & entry Pd 2-23-93 50.50 ✓
User's Fee 2-23-93 5.00
Sheriff Costs 38.00
Pro Co pd 2-23-93 9.00 ✓

2-23-93
Received
from deft
Sheriff's costs
38.00

2-23-93
Pd Sheriff
Ck # 7356
@ 38.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 11th day of February , 19 93 , 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:

none

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 or 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 the February 19, 1993 at 3:30 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,
Gordon R. Miller, J

Feb. 26, 1993 Order filed. AND NOW, February 19, 1993, at the time fixed for hearing in this matter, the plaintiff appeared without counsel. The defendant appeared with counsel. The parties agree that the following Order could be entered without admission by the defendant as to the truth or accurace of any of the contents of the petition:

1. The defendant shall not assault, abuse or threaten the plaintiff.
2. The defendant shall not reside at the plaintiff's residence. She shall be given reasonable periods of time to go the plaintiff's residence to remove items that she is legally entitled to remove. Hopefull, that will be at a time that is mutually acceptable to both parties. The plaintiff shall not destroy, damage or dispose of any of the defendant's personal belongings before she picks them up.
3. This Order shall remain in full force and effect for one (1) year from this date; that is, until February 18, 1993, unless modified or terminated by further Order of Court.
4. This Order may be enforced without a Warrant of Arrest by any law enforcement officer having reasonable ground to believe that is has been violated.
5. A copy of this Order shall be delivered to the Pennsylvania State Police, Meadville Barracks, and a copy to County Control. A copy shall also be sent by the Prothonotary to the plaintiff at R.D.#1,Box 166,Bieder Road, Cambridge Springs, Pennsylvania 16403.
6. The plaintiff shall pay the court costs of $102.50 forthwith. The defendant is unemployed does not have current income and the plaintiff has agreed to pay the costs.
7. 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.

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

Feb. 26, 1993 Copies given or mailed to Co. Control, Pa. S.P.D., Atty. Malc & Plft.

1993

pro se

145

ROGER E. JIMMO, JR.

vs.

REBECCA J. JIMMO

Filed February 12, 1993
@ 10:30 AM

Tax & entry	50.50
User's Fee	5.00

PETITION TO PROCEED IN FORMA PAUPERIS
PURSUANT TO Pa. R.C.P. 240

Order:

AND NOW, February, 12, 1993, 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 circumstance 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,
Gorodn R. Miller, J

Mar. 25, 1993, Complaint in Divorce filed.
2 copies (plff)

1993

146.

DALE E. WEST

vs.

NANCY ANN WEST

Filed February 12, 1993
@ 1:29 PM

Tax & entry paid 10.50 ✓
User's Fee paid 5.00

PETITION FOR EMERGENCY ENFORCEMENT OF INDIANA CUSTODY DECREE

Feb. 12, 1993 State Of Indiana Vigo Superior Court 1992 Term Order filed. Comes now the respondent, in person and by counsel Christopher Newton. The petitioner, having been duly notified of such hearing, now fails to appear, having been duly notified. Witnesses are sworn and evidence is heard. Court, having heard evidence and being duly advised in the premises, now finds there has been a substantial change of circumstances which would render the present order unreasonble and therefore, the natural father, Dale E. West, is granted custody of the minor child, Matthew B. West. That Nancy Ann West is ordered to immediately surrender the minor child to the respondent, Dale e. West, and the local police department is authorize to assist the respondent in obtaining custody of the minor child.

Court now continued the matter of visitationuntil a later time. Court now terminates support payments which shall become due hereafter by the respondent herein.

That all other terms of the decree heretofor entered shall remain in full force and effect.

SO ORDERED this 29th day of June, 1992.

Michael H. Eldred, J

Feb. 12, 1993 Order filed. AND NOW, February 12, 1993 upon receipt and review of the within petition for emergency enforcement of an Indiana cusotdy decree it is ordered as hereinafter provided. This Court msut recognize and enforce a proper decree of a court of another jurisdiction (23 Pa.C.S.A. 5354, 5356); the standard method in Pennsylvania for the enforcement of a custody decree is a civil contempt action, not immediate arrest or apprehension (Pa. R.C.P. 1915.12); but this Court does have the power to grant special or extraordinary relief under appropriate circumstances (Pa.R.C.P. 1915.13). Therefore we intend that this matter proceed as a civil contempt matter assuring however the attendance of all parties.

Therefore it is ordered as follows:

1. The Court will treat the plaintiff's petition for emergency enforcement as a petition for civil contempt (Pa.R.C.P. 1915.12). A rule to show cause is hereby entered and directed to the defendant to show cause, if any she has, why she should not be held in contempt and why the Indiana order should not be enforced immediately. Said rule is returnable for hearing and/or argument for Thursday, February 18, 1993 at 1:30 o'clock p.m. in Courtroom No. 1 of the Crawford County Courthouse. Petitioner shall prepare the notice and order to appear that is contained in Pa. R.C.P. 1915.12 and serve that upon the defendant with a true and correct copy of the plaintiff's petition in this case.

2. In order to make certain that both parties attend the hearing and that the defendant does not remove the child form the jurisdiction of this Court, a bench warrant is hereby issued commending the Sheriff to pick and attach the defendant, not for the purpose of incarcertaion, but to bring her before this Court his this date for a hearing to determine the appropriate steps this Court must take to assure the attendance of both the plaintiff and the defendant. The plaintiff and his counsel shall be immediately available to appear before the Court ehn the defendant appears before the Court. If the Sheriff cannot pick up the defendant and bring her to the Court his date,the Sheriff shall do so on Tuesday, February 16, 1993, the next day following this date that the Court is regularly open for business.

3. A true and correct copy of this order shall be served upon the Defendant at the time she is picked up.

BY ORDER OF COURT,
Gordon R. Miller,

J Feb. 12, 1993 Copy put in Lindsay's box.

Feb. 17, 1993 Motion To Continue and Order filed. AND NOW, this 17 day of February, 1993, this Court hereby continues the hearing set for Thursday, February 18, 1993, at 1:30 p.m., generally without prejudice to either party to request a new hearing date and the warrant issued in this case remains outstanding until further order of court. The Plaintiff shall make certain that the defendant will be served with a copy of any order resetting the hearing.

Gordon R. Miller, j

Feb. 24, 1993 Copy of order to Atty. Lindsay

1993

William J. Gregg

147

~~Peter E. Blystone~~ Withdrawn

JAMES A. EULIANO and JOANN EULIANO, his wife and THOMAS JONES

vs.

JOHN P. SUROVIEC

Filed February 12, 1993 @ 1:07 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	50.00
Pro Co Pd 6/15/93	9.00

COMPLAINT IN EJECTMENT
1 copy atty.

Mar. 25, 1993, Complaint reinstated.

May 4, 1993 SHERIFF'S RETURN, filed. NOT FOUND as to Defendant John P. Suroviec. Attempted service by deputizing the Sheriff of Erie County, Pa. Erie County returned service of "Not Found" with an address of RD 2, Box 124AA, Saegertown, Pa. Attempted service at that address, however, he was not found.
So answers, Robert M. Stevens, Sheriff

May 5, 1993 Complaint reinstated.

May 17, 1993 AFFIDAVIT OF SERVICE filed. Ronald Lees, 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 an adult individual, over the age of eighteen (18) years, and a citizen of the United States of America.

2. That he served a true and correct copy of the Complaint in Ejectment upon John P. Suroviec by hand delivering same to him at Mama Mia's Pizzaria at 5154 Peach St., Erie, Pa. at 6:05 p.m.

May 26, 1993, Affidavit of Service filed. Ronald Lees, being duly sworn according to law, deposes and says that the following facts in support of it are true and correct.

1. That the affiant is an adult individual, over the age of 18 years, and a citizen of the USA.

2. That he served a true and correct copy of the Complaint in Ejectment upon John P.,Suroviec by hand delivering same to him at Mama Mia's Pizzaria at 5144 Peach St. Erie, Pa. on May 13, 1993, at 6:05 p.m.

Further affiant saith not. Ronald Lees.

June 15, 1993, Affidavit of Service of Default Notice filed.

And Now, June 15, 1993, at 1:07 p.m. upon praecipe of plaintiff attorney, with default notice attached, Judgment is hereby entered in favor of plaintiff and against the defendant for failure to answer; damages assessed in the amount of Five Thousand Seven Hundred Ninety Three and 07/100 Dollars, with interest from date of judgment, costs of suit.
Judgment entered
6/15/93
S - 94

Debt -------$5,793.07
Int. from date of Judg.
JUDGMENT
Barbara H. King,
Prothonotary

And Now, Aug. 16, 1993, upon praeceip of plaintiff attorney, Corrected Default Judgment is hereby entered in favor of plaintiff and against the defendant for failure to answer;damages assessed in the amount offFive Thousand Seven Hundred Ninety Three and 07/100 Dollars, with interest from date of judgment, costs of suit and possession of the real property described in the complaint.
Judgment entered - 8/16/93
S - 94

Possession of Property
Debt -----$5,793.07
Int. from date of Judg.
JUDGMENT
Barbara H. King,
Prothonotary

Nov. 17, 1993 Petition To Proceed In Forma Pauperis Pursuant To Pa.R.C.P. 240 and Order, filed. AND NOW, this 17th day of November, 1993, upon consideration of the foregoing Petition filed by the defendant in this actionpursuant ot Pa.R.C.P. No. 240, defendant is granted leave to proceed in forma pauperis at this time. The defendant is directed to inform the Prothonotary's office or the Court of any improvement in his financial circumstances that would permit him to pay the costs incurred by him in this action and shall be responsible for doing so upon an improvement of financial condition. We reserve the right ot assess costs in this case at a later date.
Gordon R. Miller, P.J.
Nov. 19, 1993 copy to W. Gregg & P Blystone

Nov. 17, 1993 Defendant's Petiton To Strike Off Default Judgment and Order, filed. AND NOW, this 17th day fo November, 1993, upon consideration of the defendant's John P. Suroviec's Petition to Strike Off Default Judgment, a rule is hereby granted on the plaintiffs to show cause why the judgment should not be stricken from the record.

Argument/hearing is set for the 7th day of December 1993 at 1:30 p.m. o'clock in Court Room No. 1 or 2.
BY THE COURT,
Gordon R. Miller, P.J.
Nov. 19, 1993 copy to W. Gregg & P. Blystone

Dec. 8, 1993 ORDER filed. AND NOW, this 7 day of December, 1993, upon stipulation of counsel for the parties, William J. Gregg, Esquire, and Peter E. Blystone for the Defendant, it is hereby SORDERED that the Default Judgment entered agaisnt Defendant on June 15, 1993, and amended on Aaugust 16, 1993, be stricken from the record and Defendant is permitted to file his Answer to Plaintiffs' Complaint within twenty (20) days afater entry of this Order.
BY THE COURT:
Anthony J. Vardaro, J.
Dec. 14, 1993 copy to W. Gregg & P. Blystone

Dec. 21, 1993 Answer To Complaint and New Matter filed.

Continued to Page 509

1993

148.

KELLI JAYNE BENEDICT

vs.

MARK ALLEN BENEDICT

Filed February 12, 1993
@ 3:28 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 11-12-93	9.00

COMPLAINT IN DIVORCE,
1 copy pltf.

July 16, 1993 WAIVER, ACCEPTANCE OF SERVICE AND ENTRY OF GENERAL APPEARANCE, filed. Comes now the Defendant, Mark Allen Benedict, who is the Defendant in the above captioned cause of action, who acknowledges receipt of a copy of the NOTICE TO DEFEND AND CLAIM RIGHTS and the Complaint in Divorce and cuse of action, and admits the allegations in said Complaint in Divorce, anc consents to a final Decree in this matter without further notice to the Defendant and waives all notice of disposition of this case. The Defendant hereby acknowledges that he has been advised of his right to counsel in this matter and knowingly and intelligently waives the same. Furthermore, Defendant hereby accepts and agrees with all the provisions and arrangements requested in the complaint in the above-captioned cause. Mark A. Benedict

Nov. 12, 1993 Upon praecipe of Plaintiff to transmit records, case moved. to Court.

Dec. 14, 1993 Memorandum filed. This matter is before us on Plaintiff's praecipe to transmit record requesting a 201(c) [3301 (c)] divorce wtihthe parties proceeding pro se.

On February 20, 1993, the Defendant signed a waiver, acceptance of service and entry of general appearance whereby he indicates that he consents to the entry of a final decree without further notice to him.

Apparently based on that document, the Plaintiff has praeciped without the affidavit of consent required under Section 3301(c) and pursuant to Pa. R.C.P. 1920.42(a)(1) being filed.

The filing of those affidavits of consent is still required and we cannot grant the divorce under Section 3301(c) until that has been done.

Accordingly, we will return this matter to the Prothonotary until action consistent with this Memorandum has been taken at which itme the parties may again file a praecipe to transmit record with respect to this matter.

A copy of this Memorandum shall be sent by regular mail by the Prothonotary to both the Plaintiff and the Defendant.

BY THE COURT,
Anthony J. Vardaro, J

Dec. 14, 1993 Copies dist. to pltf & dft.

Jan. 30, 1995 Affidavit of Consent by Kelli J. Benedict, Plaintiff, filed.

Jan. 30, 1995 Affidavit of Consent by Mark A.Benedict, Defendant, filed.

Jan.30, 1995 Upon Praecipe of Kelli Jayne Benedict, Plaintiff to transmit record, case moved to court.

Feb. 1, 1995 **DIVORCE DECREE FILED.**

AND NOW, February 1, 1995, it is hereby ordered and decreed that Kelli Jayne Benedict Plaintiff, and Mark Allen Benedict, 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 hasnot yet been entered.

BY THE COURT,
Anthony J. Vardaro, J

1993

John S. Kookogey

149.

LARRY R. UPTON and FRANK J. PALONCY, JR., co-partners, d/b/a UPTON LUMBER COMPANY, GEORGE K. LAY and MARY B. LAY his wife, WILLIAM A. LAY and CAROLYN LAY, his wife, EDITH R. LAWSON, MARGARET LAY DOPYERA and JOHN DOPYERA, her husband, HAZEL YOUNG and EMMIT YOUNG, her husband

vs.

J. B. MOORE, C.R. MOORE, E. J. WADE and ARRIET WADE, his wife, GARLAND GAS & OIL CO., MOORE & WADE LUMBER CO., EDWIN THOMPSON CULLM, L. B. KENNEDY, WILLIAM B. MOORE, JOAN MOORE GREEN, CHARELS MOORE AND JOHN MOORE, sons of JOHN B. MOORE, MYRON T. COFFMAN, MYRON T. COFFMAN, JR. JOE WADE COFFMAN, CYNTHIA M. COFFMAN, MEDORA M. MOORE, MARIAN E. PETERSON, CHARLES W. MOORE, ELLA L. SERVOSE, JESSIE M. HARRIS and ROBERT B. MOORE, their heris, personal representatives, successors and assigns

Filed February 12, 1993
@ 4:44 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Pro.Co. pd 5/10/93	9.00

COMPLAINT IN ACTION TO QUIET TITLE

Feb. 19, 1993 Affidavit, Motion For Leave To Serve By Publication and Order filed. AND NOW, February 18, 1993, on motion of John S. Kookogey, Attorney for Plaintiffs in the above-captioned matter, leave is hereby granted to serve J. B MOORE, C. R. MOORE, E. J. WADE and ARRIET WADE, his wife, GARLAND GAS & OIL CO., MOORE & WADE LUMBER CO., EDWIN THOMPSON, CULLUM L. B. KENNEDY, WILLIAM B. MOORE, JOAN MOORE GREEN, CHARLES MOORE and JOHN MOORE, sons of John B. Moore, MYRON T. COFFMAN, MYRON T. COFFMAN, JR., DOE WADE COFFMAN, CYNTHIA M. COFFMAN, MEDORA M. MOORE, MARIAN E. PETERSON, CHARLES W. MOORE, ELLA L. SERVOSE, JESSIE M. HARRIS, and ROBERT B. MOORE, and their respective heirs, personal representatives, successors and assigns, generally, Defendants in said Action, by publication of a notice of the facts set forth in the Complaint in the Titusville Herald/ and Crawford County Legal Journal 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,
Anthony J. Vardaro

Mar. 1, 1993 Copy of order mailed to Atty. Kookogey

Apr. 8, 1993 Motion For Judgment, Affidavit and Order filed. AND NOW, this 6th day of April, 1993,upon presentation of the foregoing motion an due consideration thereof, it is hereby ORDERED and DECREED that the Defendants, J. B. Moore, C. R. Moore, E. J. Wade and Harriet Wade, his wife, Garland Gas & Oil Co., Moore & Wade Lumber Co., Edwin Thompson Cullim, L. B. Kennedy, William B. Moore, Joan MooreGreeg, Charles Moore and JOhn Moore, sons of John B. Moore, Myron T. Coffman, Myron T. Coffman, Jr., Joe Wade Coffman, Cynthia M. Coffman, Medora M. Moore, Marian E. Peterson, Charles W. Moore, Ella L. Servose, Jessie M. Harris and Robert B. Moore, and their heirs, personal representatives, successors and assigns, are forever barred from asserting any right, title, lien or interest inconsistent with the cliam of the Plaintiffs, as set forth in the Complaint in this case, of, in or any way attacking the title of the Plaintiffs in said property, or from issueing or continuing any action attacking the same, and from encumbering, mortgaging or conveying the same or any part thereof, unless the Defendants, J. B. Moore, C. R. Moore, E. J. Wade and Harriet Wade, his wife, Garland Gas & Oil Co., Moore & Wade Lumber Co., Edwin Thompson Cullim L. B. Kennedy, William B. Moore, Joan Moore Green, Charles Moore and John Moore, sons of John B. Moore, Myron T. Coffman, Myron T. Coffman, Jr., Joe Wade Coffman, Cynthia M. Coffman, Medora M. Moore, Marian E. Peterson, Charles W. Moore, Ella L. Servose, Jessie M. Harris and Robert B. Moore and their heirs, personal representatives, successors and assigns, take such actionas is herein directed within thirty (30) days after the entry of this judgment. It if further ORDERED AND DECREED that if no Petition to open this judgment or set aside this Decree is presented by the Defendants, J. B. Moore, C. R. Moore, E. J. Wade and Harriet Wade, his wife, Garland Gas & Oil Co., Moore & Wade Lumber Co., Edwin Thomason Cullum L. B. Kennedy, William B. Moore, Joan Moore Green, Charles Moore and John Moore, sons of JOhn B. Moore, Myron T. Coffman, Myron T. Coffman, Jr., Joe Wade Coffman, Cynthia M. Coffman, Medora M. Moore, Marian E. Peterson, Charles W. Moore, Ella L. Servose, Jessie M. Harris and Robert B. Moore, and their heirs, personal presentatives, successors and assign, within thirty (30) days form and after the entry of this Decree, the same shall be final. If such actionis not taken within said thirty day period, the Prothonotary, on praecipe of the Plaintiffs, shall enter final judgment.
M-259,34; W-222-98;G-184; M-184; C-51; K-103; M-174-94-259 PER CURIAM,
C-112-112-32; M-114; P-209; M-34; S-54; H-226; M-254 Gordon R. Miller, J

Apr. 14, 1993 Copy of order to Atty. Kookogey

And Now, May 10, 1993 at 9:04 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.
M-259,34; W-222,98;G-184: M-184:C-51; K-103; M-174,94,259; FINAL JUDGMENT
C-112,112,32; M-114; P-209: M-34; S-54;H-226; M-254 Barbara H. King
Prothonotary

Harrington, Schweers, Dattilo & McClelland
Dennis C. Hsarrington

150.

Quinn, Buseck, Leemhuis Toohey & Kroto, Inc.
John M. Quinn, Jr.
for Meadville Medical Center, Mary Reed and Flo Vogt

SAMUEL J. CHISHOLM and MARY CHISHOLM, his wife

vs.

MEADVILLE MEDICAL CENTER, a corporation, MARY REED, an individual and FLO VOGT, an individual

Filed February 12, 1993
@ 4:48 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	50.00
Pro Co pd 6-23-93	9.00

WRIT OF SUMMONS
Issued Sheriff

Feb. 12, 1993 Notice Of Depositions of Mary Reed and Flo Vogt filed.

Mar. 30, 1993 SHERIFF'S RETURN filed. SERVED Meadville Medical Center on Feb. 22, 1993 at 9:10 AM by handing a copy of the Summons and Notice of Depositions to Nancy Blystone, Administrative Assistant at Meadville Medical Center, 751 Liberty St., Meadville, Crawford County, Pa.

SERVED Mary Reed personally on Feb. 22, 1993 at 9:13 AM by handing a copy of the Summons and Notice of Deposition to her at the Meadville Medical Center, 751 Liberty St., Meadville, Crawford County, Pa.

SERVED Flo Vogt on March 8, 1993 at 1:16 PM by handing a copy of the Summons and Notice of Depositions to Paul Vogt, her husband, at their residence, RD 4, Box 310, Erie St. Ext., Saegertown, Crawford County, Pa.

So answers,

Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

May 19, 1993 Appearance of Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc. by John M. Quinn, Jr. for Meadville Medical Center, Mary Reed and Flo Vogt, filed.

May 19, 1993 Praecipe for Rule to File Complaint, filed.

June 23, 1993 And now, upon praecipe of defendants attorney judgmetn of Non Pros is hereby entered against the named Plaintiffs for their failure to file a written Complaint or otherwise plead in accordance with a Rule to file complaint issued in connection with the above matter.

C - 111, 151

JUDGMENT OF NON PROS
Barbara H. King, Pro.

1993

151.

REDEVELOPMENT AUTHORITY OF THE CITY OF MEADVILLE

vs.

Madeline Brown

AGREEMENT TO REVIVE

OF

DSB 1988 - 151

The undersigned hereby agreed that the judgment entered on May 10, 1988 be revived; indexed by Prothonotary in favor of plaintiff and against the defendant in the sum of Eight Hundred and no/100 Dollars plus interest and cost of suit.

Debt ----- $800.00
Date ----
B-209

Judgment
Barbara H. King
Prothonotary

Filed February 16, 1993
@ 11:10 AM

Tax & entry paid 9.00
Pltf. on orig. 9.50

1993

152.

REDEVELOPMENT AUTHORITY OF
THE CITY OF MEADVILLE

vs.

REGINA A. PUDE

AGREEMENT TO REVIVE

of

The undersigned hereby agrees that the judgment entered on Feb. 25, 1988 be revived; indexed by Prothonotary in favor of plaintiff and against the defendant in the sum of Four Thousand and no/100 plus costs of suit.

Debt -----$4,000.00
date - - -
P-146 Judgment
Barbara H. King
Prothonotary

Filed February 16, 1992
@ 11:10 AM

Tax & entry paid 9.00 ✓
Pltf. on orig. 9.50
Sat. Pd. 11/12/99 7.50 ✓

Nov. 12, 1999 This Judgment
Lien Satisfied.
(see Paper filed)

1993

153

REDEVELOPMENT AUTHORITY OF
THE CITY OF MEADVILLE

vs.

Mary a. gutshall

Filed February 16, 1993
@ 11:10 AM

Tax & entry paid	9.00
Pltf. on orig.	9.50

AGREEMENT TO REVIVE
OF
DSB 1988 - 153

The undersigned hereby agreed that the judgment entered on
Mar. 17, 1988 be revived; indexed by Prothonotary in favor of
plaintiff and against the defendant in the sum of Two Thousand Two Hundred Sixty and no/100 Dollars plus costs of suit.

Debt.-----$2,260.00
dated --
G-115 Judgment
Barbara H. KIng
Prothonotary

154.

REDEVELOPMENT AUTHORITY
OF THE CITY OF MEADVILLE

vs.

ROBERT M. BAYER

Filed February 16, 1993
@ 11:10 AM

AGREEMENT TO REVIVE

OF

DSB 1988 - 261

The undersigned hereby agrees that the judgment entered on May 10, 1988 be revived; indexed by Prothonotary in favor of plaintiff and against the defendant in the sum of Fourteen Thousand and no/100 Dollars plus cost of suit.

Debt -----$14,000.00
Dated: ---
B-144 Judgment
Barbara H. King
Prothonotary

Tax & entry paid	9.00
Pltf on orig.	29.50
Pro. Co. pd 12/1/94	$5.00
Pro. Co. pd 2/17/95	$5.00

Dec. 1, 1994 Writing filed wherein Plaintiff suboardinates the lien of the above stated judgment in favor of a certain mortgage given by Robert M. Bayer,Jr., to Integra Bank/North dated November 30, 1994 in the sum of $88,000.00 recorded in Crawford County Records in Record Book 254 at Page 335, on 12-1-94. This Suboardination of Lien of Judgment to affect the lien and collection of said judgment out of the following described property: Certain piece or parcel of land situate in the Fifth Ward of the City of Meadville. For More complete description, see Subordination of Lien of Judgment, filed.

Feb. 17, 1995 Writing filed wherein Plaintiff postpones the lien of the above stated judgment in favor of a certain mortgage given by the said Robert M. Bayer, Jr., to Integra Bank/North, dated February 17, 1995 in the sum of $104,400.00. This Subordination of Lien to affect the lien and collection of said judgment out of the following described property: Certain piece or parcel of land situate in the Fifth Ward of the City of Meadville. For more complete description see Suboardiation of Lien of Judgment, filed.

1993

155.

REDEVELOPMENT AUTHORITY OF
THE CITY OF MEADVILLE

vs.

RICHARD CAPPELLINO
CATHERINE CAPPELLINO

Filed February 16, 1993
@ 11:10 AM

Tax & entry paid 9.00 ✓
Pltf. on orig. 9.50

AGREEMENT TO REVIVE

OF

DSB 1988 - 185

The undersigned hereby agrees that the judgment entered on Mar. 31, 1988 be revived; indexed by Prothonotary in favor of planitiff and against the defendant in the sum of Seven Thousand and no/100 Dollars plus cost of suit.

Debt-------$7,000.00
dated --
C-141-31

Barbara H. King
Judgment
Prothonotary

Feb. 11, 1998 Renewal
To: AD 1998-165

1993

156.

REDEVELOPMENT AUTHORITY OF
THE CITY OF MEADVILLE

vs.

JOHN PARISE

Filed February 16, 1993
@ 11:10 AM

Tax & entry paid	9.00 ✓
Pltf. on orig.	14.50
Pro Co. pd 10/4/93	5.00 ✓
Pro Co. pd 4/21/94	5.00 ✓
Pro.Co. pd 8/12/94	5.00 ✓
Pro.Co. pd. 11/17/94	$5.00

AGREEMENT TO REVIVE

OF

DSB 1988 - 39

The undersigned hereby agrees that the judgment entered on Jan. 21, 1988 be revived; indexed by Prothonotary in favor of plaintiff and against the defendant in the sum of One Thousand Nine Hundred and no.100 plus cost of suit.

Debt-----$1,900.00
dated --
P-94 Judgment
Barbara H. King
Prothonotary

Oct. 4, 1993, Writing filed wherein plaintiff releases from the lien of the above entitled judgment the following property, to-wit: ALL those certain pieces or parcels of land situate in the Borough of Cambridge Springs, Crawford Co., PA. (for more complete description, see paper filed).

April 21, 1994, Writing filed wherein plaintiff postpones the lien of the above stated judgment in favor of certain mortgage given by the said John J. Parise & Jane M. Parise, to PNC Bank, National Association, dated March ____, 1994, in the sum of Twenty nine thousand and 00/100 Dollars. This postponement to affect the lien and collection of said judgment out of the following described property: Craw. Co. Record Book _____ at Page _____.

Aug. 12, 1994 Writing filed wherein plaintiff subordinate in lien, priority and distribution to a certain mortgage upon 508 Main Street, Saegertown, PA 16433 dat ed July ____, 1994, in the amount of $6,000.00 given by John J. Parise and Jane M. Parise to PNC Bank, National Association. This postponement to affect the lien and collection of said judgment out of the following described property. (For more Complete Description, See Subordination of Judgments filed)

Nov. 17, 1994 This Lien Satisfied
(see paper filed)

1993

Peters, Lindsay,
Lewis & Gagliotti
Brian J. Lindsay

157.

RENEE CHRISTINE STEVENSON

vs.

RANDALL CHARLES STEVENSON, SR

Filed fEbruary 16, 1993
@ 2:24 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 3-19-93	9.00
Pro.Co.pd 4/20/93	5.00

COMPLAINT IN DIVORCE,
2 copies atty.

Feb. 16, 1993 Plaintiff's Affidavit Under Section 3301(d) of the Divorce Code filed.

Mar. 15, 1993 Notice of Intention to Request Entry of Divorce Decree filed. Defendant's Counter-Affidavit Under Section 3301 (d) of the Divorce Code filed.

Mar. 15, 1993 Acceptance of Service filed. I, the above named Defendant, hereby accept service of the Complaint in the above action.
Date: 2-18-93 Randall Charles Stevenson

Mar. 15, 1993 Acceptance of Plaintiff's Affidavit and Defendant's Counter-Affidavit filed. I, the above named Defendant, hereby state that on the 18th day of February, 1993, I received a copy of Plaintiff's affidavit of separation for at least two (2) years and that I have received a blank counter-affidavit which I have filled out to indicate that I do not oppose the entry of a divorce decree and I do not wish to make any claims for economic relief.
Date: 2-18-93 Randall Charles Stevenson

Mar. 19, 1993 Acceptance of Service, filed. I, the above named Defendant hereby accept service of the Notice of Intention to Request Entry of Divorce Decree in the above action.

Mar. 19, 1993 Upon praecipe of Plaintiff attorney to transmit record, case moved. to Court.

Marchh25, 1993 - FINAL DIVORCE DECREE filed.

AND NOW, March 24, 1993, it is ordered and decreed that Renee' Christine Stevenson, plaintiff and Randall Charles Stevenson, defendant, are divorced from the bonds of matrimon y.

TheeCourt retains jurisdiction of anyt claims raised by the parties to this action for which a final order has not yet been entered and which has not yet been withdrawn by the party making the claim.

BY THE COURT,
Gordon R. Miller,
Judge

Apr. 20, 1993 Notice of Election to Retake Maiden Name of Renee Christine Slater, to be known as RENEE CHRISTINE SLATER, filed. (4 copies Atty.)

1993

158.

REDEVELOPMENT AUTHORITY OF
THE CITY OF MEADVILLE

vs.

RICHARD W. BREWTON
MARY BREWTON

Filed February 16, 1993
@ 11:09 AM

Tax & entry paid 9.00 ✓
Pltf on orig. 14.50

AGREEMENT TO REVIVE

OF

DSB 1988 - 50

The undersigned hereby agrees that the judgment entered on Feb. 1, 1988 be revived; indexed by Prothonotary in favor of plaintiff and against the defendant in the sum of Seven Thousand and no/100 plus cost of suit.

Debt ------$7,000.00
Dated: --
B-144-144

Judgment
Barbara H. King
Prothonotary

Feb 11, 1998 Reviral
To: AD 1998. 171.

1993

159.

REDEVELOPMENT AUTHORITY OF
THE CITY OF MEADVILLE

vs.

JOSEPH M. PARLAK
BARBARA A. BEABES PARLAK
EMMY PAPAIONOU (deceased)

Filed February 16, 1993
@ 11:09 AM

Tax & entry paid 9.00 ✓
Pltf. on orig. 19.50

AGREEMENT TO REVIVE

OF

DSB 1986 - 797

The undersigned hereby agrees that the judgment entered on Nov Nov. 18, 1986 be revived; indexed by Prothonotary in favor of plaintiff and against the defendant in the sum of Six Thousand One Hundred and 50/100 and cost of suit.

Debt ----- $6,109.50
dated -----Feb. 7, 1993
P-94-24-53 Judgment

Barbara H. King
Prothonotary

Feb 11, 1998 Revival
To: AD 1998-172

160

1993

160.

REDEVELOPMENT AUTHORITY OF
THE CITY OF MEADVILLE

vs.

VICTOR KRESS
KAREN KRESS

Filed February 16, 1993
@ 11:09 AM

AGREEMENT TO REVIVE

OF

DSB 1988 - 300

The undersigned hereby agrees that the judgment entered on May 25, 1988 be revived; indexed by Prothonotary in favor of plaintiff and against the defendant in the sum of Five Thousand Nine Hundred Ninety-four and 50/100 plus cost of suit.

Debt ------ $5,994.50
Dated --
K-164-104 Judgment
Barbara H. King
Prothonotary

Tax & entry paid 9.00 ✓
Pltf on orig. 9.50
Pro Co Pd 12/9/99 7.50 ✓

FOR FURTHER DOCKET ENTRIES SEE COMPUTER 1993 30160 AD 1993 160

1993

161.

REDEVELOPMENT AUTHORITY OF
THE CITY OF MEADVILLE

vs.

LARRY A. PALMIERO
PATRICIA PALMIERO

Filed February 16, 1993
@ 11:09 AM

Tax & entry paid 9.00
Pltf. on orig. 9.50

AGREEMENT TO REVIVE

OF

DSB 1988 = 299

The undersigned hereby agrees that the judgment entered on May 25, 1988 be revived; indexed by Prothonotary in favor of planitiff and against the defendant in the sum of Two Thousand Sixty and no/100 Dollars and cost of suit.

Debt-----$2,060.00
dated --
P-101-131 Judgment
Barbara H. King
Prothonotary

Feb 11, 1998 Removal To:
AD 1998-168

1993

162.

REDEVELOPMENT AUTHORITY OF
THE CITY OF MEADVILLE

vs.

RANDOLPH J. DETZEL
TERESA A. DETZEL

Filed February 16, 1993
@ 11:09 AM

Tax & entry paid	9.00
Pltf. on orig.	9.50
Pro Co pd/ 9/19/97	5.00

AGREEMENT TO REVIVE

OF

DSB 1988 - 1

The undersigned hereby agrees that the judgment entered on Jan. 4, 1988 be revived; indexed by Prothonotary in favor of plaintiff and against the defendant in the sum of Six Thousand Six Hundred Seventy-four and no/100 plus cost of suit.

Debt ---- $6,674.00
Dated --
D-145-165 Judgment
Barbara H. King
Prothonotary

Sept. 18, 1997 Writing filed wherein Plaintiff postpones the lien of the above stated judgment in favor of a certain mortgage dated Sept. 12, 1997, given by above-named Defendant's to Northwest Saving Bank for the sum of Twenty-two Thousand and 00/100

Revived & AD 1998 - 526

163.

REDEVELOPMENT AUTHORITY OF
THE CITY OF MEADVILLE

vs.

MERLE FEDDERS

Filed February 16, 1993
@ 11:09 AM

Tax & entry paid	9.00
Pltf. on orig.	14.50
Pro.Co. pd 8/1/95	5.00

AGREEMENT TO REVIVE

OF

DSB 1988 - 297

The undersigned hereby agrees that the judgment entered on May 25, 1988 be revived; indexed by Prothonotary in favor of plaintiff and against the defendant in the sum of Fourteen Thousand and no/100 Dollars and cost of suit.

Debt -----$14,000.00
dated --
F-114

Judgment
Barbara H. King
Prothonotary

Jul. 31, 1995 Writing filed wherein plaintiff Subordinates the lien of the above stated judgment in favor of a certain mortgage given by the said Merle A. Fedders to Marquette Savings Association, dated June 26, 1995 and record June 26, 1995 in Record Book 271 Page 469. This Subordination to affect the lien and collection of said judgment out of the property described in Record Book 271, Page 469.
(See Subordination of Judgment Filed.)

Feb. 11, 1998 Renewal To:
AD 1998-170

1993

164.

REDEVELOPMENT AUTHORITY OF
THE CITY OF MEADVILLE

vs.

EMMPY PAPIOANOU (deceased)
DELBERT PETERS
PEARL PETERS

Filed February 16, 1993
@ 11;09 AM

Tax & entry paid 9.00 ✓
Pltf. on orig. 14.50
Pro. Co. pd. 7-2495 5.00

AGREEMENT TO REVIVE

OF

DSB 1987 - 511

The undersigned hereby agree that the judgment entered on Aug. 26, 1987 be revived; indexed by Prothonotary in favor of plaintiff and against the defendant in the sum of Fourteen Thousand and no/100 Dollars and cost of suit.

Debt -----$14,000.00
dated --
P-53-45-135 Judgment
Barbara H. King
Prothonotary

July 24, 1995 This Lien Satisfied (see paper filed)

165.

RENEE C. STEVENSON SLATER

vs.

GREGORY A. SLATER

Filed February 16, 1993
@ 2:25 PM

Tax & entry	50.50
User's Fee	5.00
Sheriff's Costs	25.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

Order:

And now, this 16th day of February , 1993 , upon review of the petition of Plaintiff, the Court enters the following Tempor ary 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 plaintiff in any way nor go to her house & place of work.
3. This Order may be enforced without a warrant 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 or 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 24, 1993 , at 3:30 p.m.
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 COURT,

Gordon R. Miller, J

Feb. 17, 1993 Sheriff's Return filed. SERVED Gregory A. Slater personally on February 16, 1993 at 3:36 PM at his residence, 1370 Penna. Avenue, Meadville, Crwaford County, PA. 16335. so answers,

Edgar D. Householder, Deputy Sheriff
Robert M. Stevens, Sheriff

Mar. 4, 1993 ORDER filed. AND NOW, Feb. 24, 1993, after a formal hearing in this case, the Court DISMISSES the petition. The Court finds that the Defendant did hit the Plaintiff but apparently all this took place during an argumetn and physical confrontation between both of the parties and the Court does not believe it is appropriate to enter a Protection From Abuse Order under those circumstances.

Costs shall be paid by Crawford County.

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

Mar. 5, 1993 copies given to Plf, Dft, Co Cont. & MCRD

1993

Peters, Lindsay,
Lewis & Gagliotti
Brian J. Lindsay

166.

KELLY LYNN HOOD

vs.

GARY CARL HOOD

Filed February 16, 1993
@ 2:36 PM

Tax & entry paid	50.50
User's Fee paid	15.00
2 Add'l Counts paid	30.00
State paid	10.00
Pro Co pd 6-1-93	9.00

COMPLAINT IN DIVORCE, ALIMONY PENDENTE LITE and PERMANENT ALIMONY, EQUITABLE DISTRIBUTION
1 copy atty.

Feb. 23, 1993, Affidavit of Service filed. I, Brian J. Lindsay Esq. after being duly sworn according to law, do hereby certify that I am the atty. of record for plaintiff, and that as suc h I am authorized to make this verification; that I did on the 17 day of Feb. 1993, send to defendant by Cert. mail, Ret.Rec. Req. a true and correct copy of Div. Complaint filed at above no. and that I did on the 23 dayof Feb. 1993, receive a duly executed ret. rec. dated Feb. 19, 1993.
Brian J. Lindsay, Esq.

May 26, 1993, Affidavit of consent of plaintiff filed.

May 26, 1993, Affidavit of Consent of defendant filed.

June 1, 1993 Upon praecipe of Plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

June 11, 1993 CONSENT DECREE, AND NOW, this 11 day of June, 1993, upon presentation and consideration of the foregoing Stipulation, this Court hereby directs that:

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 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 paraties evidencing that each of the parties consents to the divorce, pursuant to S201(c) of the Divorce Code of Pennsylvania.

2. Permanent Alimony

Defendant shall pay to the Plaintiff $100.00 a month beginning on the fifth (5th) day of the month following the month in which this Order is entered and continuing thereafter monthly until all twenty-eight (28) installments have been made. There shall be no award of Temporary Alimony.

3. Equitable Property Determination and Distribution

The plaintiff shall have sole and exclusive possession of any and all furnishings, appliances and personalty currently in her possession and defendant shall have sole and exclusive possession of any and all furnishings, appliances and personalty currently in his possession.

Defendant shall assume and be responsible for all liabilities connected with or arising from the following marital obligations and shall hold Plaintiff harmless therefrom and shall indemnify Plaintiff from any liability connected to these obligations which are listed as follows:

a. The Green Leaf Motor Vehicle financing loan for the Oldsmobile Cutlass Supreme.
b. Visa Gold Card issued by the First Deposit Bank.
c. City Bank Master Card.
d. Radio Shack.

The parties further agree that the Oldsmobile Cutlass Supreme shall become the full and exclusive property of Kelly Hood to the exclusion of Gary Carl Hood and further agree that Kelly Hood shall maintain the Cutlass and shall provide insurance coverage for that vehicle. The parties further agree that the title to the Cutlass Supreme shall be transferred to Kelly Hood whenever it becoems practicable to do so and which the parties recognize might be only after Green Leaf Credit Union has been paid in full.

Within ten (10) days of the date of this Decree, Gary Hood, shall execute a deed transferring his title and interest in the 5.7 acre parcel situate in Clarion County, PA.

BY THE COURT:
Anthony J. Vardaro, J.

1993

167.

PATRICIA A. HAZEN

vs.

ROBERT M. HAZEN

Filed February 16, 1993
@ 2:40 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co. pd 5-24-93	9.00

COMPLAINT IN DIVORCE
no copies

Mar. 1, 1993 Affidavit of Service filed. (Waiver, Acceptance of Service and entry of General appearance) Comes now the Defendant, Robert M. Hazen, who is the Defendant in the above captioned cause of action, who acknowledges receipt of a copy of the NOTICE TO DEFEND AND CLAIM RIGHTS and the Complaint in Divorce and cause of action, and admits the allegations in said Complaint in Divorce, and consents to a final Decree in this matter without further notice to the Defendant and waives all notice of disposition of this case. The Defendant hereby acknowledges that he has been advised of his right to counsel in this matter and knowingly and intelligently waives the same. Further more, defendant hereby accepts and agrees with all the provisions and arrangements requested inthe complaint in the above-captioned cause.

Robert M. Hazen

May 24, 1993 Affidavit of Consent of Plaintiff filed.

May 24, 1993 Affidavit of Consent of Defendant filed.

May 24, 1993 Upon Praecipe of plaintiff attorney for Review Under Section 201(c) of Divorce Code, this case moved to Court.

DIVORCE DECREE FILED

June 3, 1993 AND NOW, June 2, 1993, it is hereby ordered and decreed that PATRICIA A. HAZEN, Plaintiff, and ROBERT M. HAZEN, 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.

1993

168

REDEVELOPMENT AUTHORITY OF
THE CITY OF MEADVILLE

vs.

ROBERT Lloyd

Filed February 16, 1993
@ 11:09 AM

Tax & entry paid 9.00 ✓
Pltf. of orig. 9.50

AGREEMENT TO REVIVE

OF

DSB 1988 - 2

The undersigned hereby agrees that the judgment entered on Jan. 4, 1988 be revived; indexed by Prothonotary in favor of plaintiff and against the defendant in the sum of Six Hundred Forty-five and no/100 Dollars and cost of suit.

Debt ----$645.00
Dated --
L-141 Judgment
Barbara H. King
Prothonotary

Feb. 11, 1998 Renewal
To: AD 1998. 167

1993

David R. Gordon

169.

BERKHEIMER ASSOCIATES, Agent for Conneaut Area School District

vs.

OPGAKCO, INC. t/a CONNEAUT LAKE PARK

Filed February 16, 1993
@ 3:16 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	27.00
Pro.Co. pd 8/2/93	5.00
Cert pd 8-6-93	1.00

COMPLAINT IN CIVIL ACTION
3 copies Sheriff

Feb. 26, 1993 Sheriff's Return filed. SERVED Opgakco, Inc. t/a Conneaut Lake Park on February 24, 1993 at 3:10 PM by handing a copy of the Complaint to Charles Flynn, President, at Conneaut Lake Park, R.D. #4, Box 283, Conneaut Lake, Crawford County, PA
So answers
Dale A.Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Aug. 2, 1993 Upon Praecipe of Plaintiff's Attorney, David R. Gordon, Esquire, the above case Settled, Discontinued and Ended, upon Payment of Prothonotary's Costs only, filed.

1993

Joseph C. Barnhart

170

KAREN M. KELLEY

vs.

JAMES R. KELLEY

Filed February 16, 1993
@ 3:18 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00

COMPLAINT IN DIVORCE

Mar. 12, 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 2/16/93 . 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: March 12, 1998 Anthony J. Vardaro, J
Mar. 12, 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)

1993

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

171

~~Kathleen R. Nelson~~ Withdrawn

Peters, Lindsay, Lewis & Hatheway
Brian J. Lindsay

12-20-94 Rec'd from Plff non refundable Masters Fees 250.00

CHARLOTTE K. STARKEY

vs.

HOWARD E. STARKEY

Filed February 16, 1993
@ 3:30 PM

Tax & entry paid	50.50
User's Fee paid	20.00
3 Add'l Counts paid	45.00
State paid	10.00
Pro.Co. Pd 5/24/95	9.00

COMPLAINT IN DIVORCE, EQUITABLE PROPERTY DETERMINATION and DISTRIBUTION, COUNSEL FEES, EXPERT FEES, COSTS AND EXPENSES, ALIMONY PENDENTE LITE
2 copies Atty.

Feb. 24, 1993, Appearance of Kathleen R. Nelson, attorney for defendant filed.

Mar. 23, 1993, 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 the Complaint in Divorce certified by the Prothonotary of Crawford County, Pa. on the above named dft. by cert. mail, addressee only, ret. rec. req., dated Feb. 17, 1993. The dft. acknowledged service on Feb. 19, 1993, by accepting delivery on that date as evidenced by the attached signed ret. receipt. James R. Irwin ESq

Aug. 17, 1993 Affidavit of Consent of Plaintiff, filed.

Apr. 5, 1994 Inventory of Charlotte K. Starkey filed.

Apr. 5, 1994 Plaintiff's Affidavit Under Section 3301(d) of the Divorce Code Filed.

Apr. 13, 1994 Request For Hearing and Order, filed. AND NOW, this 12 day of April, 1994 upon presentation and consideration of the foregoing Request for Hearing a hearing is scheduled with the Court of Common Pleas of Crawfsord County, Pennsylvania, on the 26th day of May, 1994 at 2:30 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. 15, 1994 J. Irwin & K. Nelson

May 27, 1994 Income and Expense Statement of Howard E. Starkey, Defendant, filed.

May 27, 1994 Domestic Relations Budget INformation filed.

May 27, 1994 ORDER filed. AND NOW, May 26, 1994, at an informal hearing on the Plaintiff's Petition for counsel fees, experts' fees, costs and expenses, the parties agree to some aspects of this Order and did not agree to other aspects, and accordingly, it is ORDERED as follows:

1. Based on the agreement of the parties, the attorneys shall arrange to have the real estate appraised by Vic Kress and the tangible personal property appraised by Sherman Allen within a reasonable period of time. Before having those appraisals one or both of the attorneys may ask for a firm commitment as to the fee before the work is done so that the parties understand what it will cost to do this work. The Defendant is ORDERED and DIRECTED to pay t hose fees when the service are rendered and the bills are presented. If this matter is not settled otherwise then the Master or the Court will take into account the payments made by the Defendant on these matters at the time equitable distribution is decreed.

2. The Defendant shall pay the sum of $500.00 to James R.Irwin on account of the Plaintiff's attorney fees, which said sum shall be paid no later than June 15, 1994. This is not a final resolution of counsel fees, but simply recognizes that one party now has more assets available than the other and the work has to be done. The Master or the Court can take this into account at the time of final Decree is entered if the parties do not otherwise settle their differences.

3. We make no Order with respect to Master's fees at this point, but will address that matter if praecipe for appointment of Master is filed.

The local form provides for information with respect to income and assets and the Court will consider the allocation of the Master's fees deposits when the praecipe is filed.

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

5-27-94 Copy to Attys.Irwin & Nelson

Sept. 6, 1994 Plaintiff's Income & Expense, filed.

Dec. 20, 1994 Motion To Appoint Master In Divorce and Order filed. AND NOW, December 21, 1994, DAVID PICKENS, Esquire is appointed Master in respect to the following claims: Divorce, Alimony, Alimony Pendente Lite, Equitable Distribution, Counsel Fees, Costs & Expenses.

Deposit required: Plaintiff $250 Defendant $0

If not filed already, the parties are ordered to file their pretrial statements within thirty (30) days form this date. The defendant is ordered to file his inocme and expense statement w/ Inventory within 30 days of this order.

PER CURIAM:
Anthony J. Vardaro, J

Dec. 22, 1994 Faxed Irwin, Nelson & Pickens

Jan. 6, 1995 Notice of Scheduled Pre-Hearing Conference on Thursday, Feb. 9, 1995 at 2:00 p.m., filed.

Jan. 17, 1995 Income and Expense Statement of Howard E. Starkey, Defendant, filed.

Jan. 17, 1995 Inventory of Howard E.Starkey, Defendnt, filed.

Feb. 8, 1995 Pre-Trial Statement, filed.

Feb. 16, 1995 Summary of Pre-Hearing Conference filed.

Mar. 17, 1995 Notice of Scheduled Master Hearing, filed.

Mar. 23, 1995 Affidavit of Consent of Defendant filed.

Mar. 24, 1995 Appearance of Peters, Lindsay, Lewis & Hatheway by Brian L. Lindsay for Defendant filed.

Mar. 29, 1995 Proof of Service of Notice to Produce filed.

Continued to Page 479

1993

Culbertson, Weiss, Schetroma & Schug, PC
Kemp C. Scales

172

GARY N. NOYER and PATRICIA M. NOYER, his wife

vs.

ANNA BAYUS, EVA BAJUS and PETRO BAJUS, her husband, their unknown heirs, devisees assigns and all persons claiming any right, title or interest

Filed February 16, 1993
@ 4:06 PM

COMPLAINT IN ACTION TO QUIET TITLE
1 copy atty.

Mar. 24, 1993 Motion For Service Pursuant To Special Order of Court and Order filed. And Now, this 22nd day of March, 1993, upon consideration ofthe Motion filed by counsel for the Plaintiffs, and in reliance upon the Affidavit concerning the status of the Defendant Anna Bayus, her heirs and assigns, filed by counsel for the Plaintiffs, it is hereby ordered that the Plaintiffs shall obtain Service of the Complaint to Quiet Title filed in the above captioned action against the Defendant Anna Bayus, her heirs and assigns, generally, by single publication of the Legal Notice attached to said Motion in the Meadville Tribune, and the Crawford County Legal Journal, notifying the Defendant Anna Bayus, her heir and assigns generally, to respond to the Complaint to Quiet Title within twenty (20) days from the date of said publication, or be forever varred from asserting any right, title, interest, claim or demand whatsoeverin, to or against that certainfract of land described in said Complaint. The notice should set forth the title defect. Gordon R. Miller, J

Mar. 26, 1993 Copy of order to Atty. Scales

Tax & entry paid	50.50
User's fee paid	5.00
Pro Co paid	9.00

June 3, 1993 Motion For Default Judgment, Affidavit of Service, and Order, filed. ORDER: And Now, this 1st day of June, 1993, upon motion of the Plaintiffs and after having determined that no appearance has been entered on the record on behalf of the Defendant Anna Bayus, her heirs or assigns, or anyone on her behalf, it is hereby ordered and decreed, as follows:

1. This Order applies to the following described premises, being the same premises described in the Complaint in this action:

All that certain piece or parcel of land situate in the Cussewago Twp. Crawford Co., Pa., being further identified by Crawford County Property Tax Assessment Map No. 2201-13-1, said piece or parcel of land being more particularly described on Ex. A attached hereto.

2. Plaintiffs are the owners of the following premises, and being described in fee simple absolute, free and clear of all claims of the Defendant Anna Bayus, her heirs and assigns generally, by virtue of the open, notorious, continuous and adverse possession of the subject premises for a period of time in excess of twenty-one (21) years.

3. Defendant Anna Bayus, her heirs and assigns generally, are forever barred from asserting any right, lien, title or interest in the subject premises inconsistent with the interest or claim of the Plaintiffs as set forth in their Complaint, and from impeaching, denying, litigating or in any way attacking Plaintiffs' title thereto.

4. The fee simple title of Plaintiffs herein to the subject premises is confirmed, ordered and decreed, unless Defendant Anna Bayus, her heirs or assigns, or any one or some of them, file Exceptions to this Order within thirty (30) days from the filing hereof to the Prothonotary of this Court.

5. As the whereabouts of the Defendant Anna Bayus and her heirs and assigns is unknown , no notice of the filing of this Order is required to be given to the Defendant Anna Bayus or to any other person.

6. If no action is taken by Defendant Anna Bayus, her heirs or assigns generally, or any one or some of them, within the said thirty-day period of time, this Order shall become absolute and final, upon Praecipe of Plaintiffs.

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

Entered June 3, 1993
B - 16, 56, 136
June 10, 1993 copy to K. Scales

And Now, July 2, 1993 @ 3:57PM 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.

B-16-56-136

FINAL JUDGMENT
Barbara H. King
Prothonotary

1993

Thomas, Truax,
Spadafore & Walker
Emil M. Spadafore, jr.

173

MARINE BANK

vs.

WILLIAM J. GRANDIN, MARTHA P. GRANDIN, HIS WIFE, and THE UNTIED STATES OF AMERICA DISTRICT DIRECTOR OF INTERNAL REVENUE

Filed February 17, 1993
@ 10:08 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's costs	71.00
Pro Co. pd 4-29-93	9.00
Pro Co pd. 5/26/93	9.00

COMPLAINT IN MORTGAGE FORECLOSURE
3 copies Sheriff

Mar. 31, 1993 ANSWER OF DEFENDANT UNITED STATE OF AMERICA, filed.

April 13, 1993 Sheriff's Return filed. SERVED the within Complaint on 3-4-93, at 11:08 AM, upon U.S. Atty. at US Attorney Office, 633 US Post Office 7 Courthouse, Pgh, PA 15219 by handing to Janet Newell, Secretary, a true and correct copy thereof and made known to her the contents therein.

SERVED William J. Grandin on March 1, 1993 at 1:30 PM by handing a copy of the Complaint in Mortgage Foreclosure to Martha P. Grandin, his Wife, at their residence, RD # 5, Box 383, Titusville, Crawford Co., PA.

SERVED Martha P. Grandin personally on March 1, 1993 at 1:29 PM by handing a copy of the Complaint in Mortgage Foreclosure to her at the residence, RD# 5, Box 383, Titusville, Crawford Co., PA.

SERVED the United States of America, District Director of Internal Revenue, by deputizing the Sheriff of Allegheny Co., PA., as per his Affidavit of Service attached. Served on March 4, 1993.

So answers,

Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

April 29, 1993 CONSENT JUDGMENT filed. AND NOW, to wit, this 27th day of April, 1993, it appearing that counel 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 defendant(s) William J. Grandin and Martha P. Grandin.

It is further ORDERED, ADJUDGED and DECREED that defendant, United States of Ameica, shall be notified by plaintiff of the date, time and place scheduled for any sheriff's sale of the real property of the aforesaid defendant(s); 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 construed as entry of a 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 defendant(s) in the within proceeding.

U-183

BY THE COURT:
Anthony J. Vardaro, J.

May 4, 1993 Copy of Order to Attys. Emil Spadafore and Michael Colville.

And now, May 26, 1993, upon praecipe of plaintiff attorney, Judgment is hereby entered in favor of plaintiff and against the defendants William J. grandin and Martha P. Grandin, his wife, in the amount of Fifty Two Thousand Seven Hundred Seventy Eight and 70/100 Dollars, together with int. at rate of 10.72 per say on and after Jan. 16, 1993.

Judgment entered on
5/26/93
G - 174, 114

Debt ---- $52,778.70
Int. at rate of 10.72 per day on and after 1/16/93
JUDGMENT
Barbara H. King,
Prothonotary

EX1993-61

1993

Bruce Rosen witdrew
~~Robert J. Felton~~

174.

R. Christopher Brode

Wayne Hundertmark

$150.00 deposited by plaintiff for mediation. Paid Plff. $ 11.48 refund from mediation deposit 4-1-93 CK 7453

4-16-93 Pd CC Com Med Fee Ch# 7482 129.00

1-12-95 Recd from Plff Med dep. 150.00

2-23-95 Pd Plff Refund #8938 16.00

3-21-95 Pd Co Refund 125.00 Med. fee 9037

DAVID A. CAUVEL

vs.

CHRISTINE R. CAUVEL

Filed February 17, 1993
@ 10:48 AM

Tax & entry paid	50.50 ✓
User's Fee paid	5.00
Bruce Smith, Master	172.69
Pro Co Pd 4-16-93 7483	9.00 ✓
William Pineo, Mediator	
John Spataro, Mediator	250.00
Pro Co Pd 3-21-95 #9036	9.00 ✓

COMPLAINT FOR SHARED CUSTODY
1 copy atty; 1 copy med.

ORDER:

You, Christine Cauvel, have been sued in Court to obtain custody of Krystal M., Heather Nicole, and Beth Ann Cauvel.

You are ORDERED to appear in person at such time and place as will be determined by the Mediator Bruce Smith 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 You 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 Gelt Legal Help.

Court Administrator
Courthosue
Meadville, PA 16335
(814) 336-1151, ext. 298

Date: 2/16/93 Anthony J. Vardaro, J

Feb. 17, 1993 ORDER filed. AND NOW, this 1st day of March, 1993, upon presentation of the foregoing Complaint for 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. Gordon R. Miller, P.J.
Mar. 8, 1993 copy to B. Smith

Mar. 31, 1993 TEMPORARY ORDER OF COURT filed. AND NOW, this 31st day of March, 1993, after Mediation and upon recommendation of the Child Custody Mediator, it is hereby ordered and decreed that:

1. The natural parents of Krystal M. Cauvel, age ten, born March 9, 1983, and twins, Heather N. Cauvel and Beth A. Cauvel, age eight, born January 3, 1985, shall share legal custody ofthe said minor children. Said joint legal custody being shared 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 also entitle both parents to equal input with regard to the educational and religious upbringing of the children, as well as to any elective surgery.

2. Primary physical custody of the children shall also be shared using a schedule with the children being in each parent's home in keeping with the parents' work schedules. Periods of custody for the father will be stated with the understanding that all other periods of time not mentioned will be periods of time when the children are in the mother's custody. This is not meant to indicate which parent has primary physical custody because the recommendation is that j oint physical custody is intended. Physical custody for the plaintiff father, David A. Cauvel, shall be as follows:

a. Beginning with the first week when he works from 8:00 a.m., Monday, through 10:00 p.m., Thursday, he shall, during summertime when the children are not in school, have custody of the children from 5:00 p.m., prevailing time, Thursday, through 8:00 a.m., prevailing time, Monday. During the school year, when the plaintiff father is working the Monday-through-Thursday schedule, he shall have the children from Friday after school (approximately 3:00 p.m., prevailing time) until 8:30 p.m., prevailing time, Sunday. The other other typical work week for the father is 8:00 a.m., Monday, through 9:00 p.m., Tuedsay, and 8:00 a.m., Friday, through 11:00 p.m. Saturday. When he is working that schedule during the school year, he shall have the children Wednesday after school, until 8:00 a.m., prevailing time, Friday, when they are dropped off at school. When the father is working that schedule during the summer, he shall have the children from 5:00 p.m., prevailing time, Tuesday, until 8:00 a.m., prevailing time, Friday.

b. Beginning with the monthe of June 1993, the father shall have the opportunity to have the children in h is exclusive custody for two consecutive or non-consecutive weeks sometime during the months of June, July, or August. If the weeks are to be consecutive, the father shall give the mother a notice of thirty days of the two weeks prior to receiving the children. If the two weeks are non-consecutive, the father shall give the mother a notice of ten days.

c. Holiday visitation 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 children shall spend Mother's Day with the mother and Father's Day with the father from 8:00 a,m. prevailing time, through 8:00 p.m., prevailing time. All other holidays, meaning Easter Day, Memorial Day, 4th of July, Labor Day, and Thanksgiving Day, shall be alternated between the parents, with those days beginning at 8:00 a.m., prevailing time, and ending at 8:00 p.m., prevailing time. During odd-numbered years, the mother shall have the children on Easter, 4th of July, and Thanksgiving, and the father shall have the children on Memorial Day and Labor Day. During even-numbered years, the visitation shall be reversed. With regard to Christmas, during odd-numbered years, the children shall be with the mother from December 24 at 4:00 p.m., prevailing time, through noon, prevailing time, on Christmas Day, and shall be with the father from noon, prevailing time, Christmas Day, through 4:00 p.m., prevailing time, on December 26. In even-numbered years, this visitation shall be reversed.

d. The father shall pick u p and return the children to the mother's residence.

3. The parent having custody of the children at anytime shall notify the other parent as soon as possible in the event of injury to or illness of the children requiring medical treatment.

4. Neither parent shall take the children into any enviroment which might be commonly thought of as detrimental to their development or to the development of their character or which would be commonly thought of as dangerous to their physical person.

5. The parents are encouraged to discuss arrangements for physical custody of the children; and, if the parties mutually agree to alternative arrangements to accommodate their and/or the children's schedules, they may adjust the physical custody arrangements accordingly and are encourage to do so by mutual consent and agreement.

CONTINUED ON PAGE 174A

DAVID A. CAUVEL
VS.
CHRISTINE R. CAUVEL

CONTINUED FROM PAGE 174
of Record
A. D. 1993 - 174

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6. The parents, grandparents, and any adult coming into regular contact with the children shall teach the children involved in this case to develop and express that natural love and respect due a parent or a grandparent from his or her child or grandchild. No adult coming into regular contact with the children will do or say anything to blacken the character of either parent in the eyes of the children. Anytime either parent is present and discipline of the children seems appropriate, the parent, rather than a grandparent or friend of the parent, will administer the discipline.

7. Neither of the parents nor any other adult in the company of hte parent having primary custody of the children shall drink more than two ounces of alcohol in any twenty-four hour period when the children are in his or her primary physical custody.

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 children or in the event that the best interest of the children 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 any of the children resides in the Court's jurisdiction and for at least six months from the date of thisTemporary Order.

10. The fee for Child Custody Mediation shall be paid 75% by the plaintiff father and 25% by the defendant mother. If there is any amount in excess of the father's share of costs of Mediation held by the Prothonotary under Local Rules, that amount shall be refunded to him.

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.

Apr. 6, 1993 copy to R. Felton, C. Brode, B. Smith, Plf. & Dft.

Jan. 12, 1995 NOTICE AND ORDER TO APPEAR filed. You, CHRISTINE R. CAUVEL, have been sued in Court to obtain custody of Krystal M. Cauvel, Heather N. Cauvel, and Beth A. Cauvel.

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 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 BEFLOW TOFIND OUT WHERE YOU CAN GET LEGAL HELP.

Court Administrator, Courthouse
Meadville,PA 16335 (814) 336-1151, ext. 298
Date: 1/9/95 Gordon R.Miller, J.
1-12-95 Faxed to Attys.Brode, Felton & Pineo, Mailed Atty.Rosen.

Feb. 22, 1995 TEMPORARY ORDER, filed. NOW, this 22 day of February, 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 children, Krystal M. Cauvel, age 11, born on March 9, 1983; Heather M. Cauvel, age 10, born on January 3, 1985; and Beth A. Cauvel, age 10, born on January 3,1985.

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 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 continue to have primary physical care and custody of the children, subject to the following visitation and paratial visitation rights of the mother:

Commencing Friday, February 17, 1995, the mother shall have the right to take her daughter Krystal M. Cauvel into her care and custody every other Friday beginning at 5:00 p.m. and continuing until 5:00 p.m. the following Saturday.

Commencing on Saturday, February 18, 1995, the mother shall have the right to take her children Heather N. Cauvel and Beth A. Cauvel, into her care and custody every other Saturday afternoon beginning at 1:00 p.m. and continuing until 5:00 p.m.

4) Whenever any of the children are in teh mother's care and custody, she shall be with the children at all times. Under no circumstances shall the mother allow her boyfriend, Charles Bell, to discipline the children in any way, whether verbally or physically. All discipline, if needed, will come from the mother alone.

5) The subject minor 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 monitored by the parent having physical custody.

6) The parties, through their counsel, have advised the court appointed child custody mediator that they intend to request a de novo hearing before the court. In the event either party requests a de novo hearing, then based upon a review of the report of the child custody mediator, the court hereby orders that the parties and the children make themselves available to appear before _____ for examination and evaluation concerning custody. The cost for said examination and report shall be paid by the father, with the understanding that the court may later apportion payment of the professional fees between the parties following a hearing. The above named professional psyschologist/psychiatrist shall provide a copy of his or her reprot to counsel and the court within ten (10) days of the examination of the parties and the aforementioned children.

7) The parties shall share responsibility for transportation with the party eceiving the children in the exercise of his or her rights picking up the children at the home of the other. Any person transporting the children shall make sure that the seat belts or other restraints are used in accordance with the laws of Pennsylvania.

8) 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.

9) Neither party shall do or say anything to blacken the character of the other in the children's estimation. The father is specifically ordered to cooperate with and accommodate the mother with respect to the visitation hereby awarded. Each party shall treat the other in a polite and respectful manner when in the children's presence and each party shall instaruct his or her relatives and friends to do likewise and also not to disparage to the other party in the children's estimation.

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 children. 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 children are being transported or in the bedroom of the children.

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.

CONTINUED ON PAGE 174B

David A. Cauvel
vs.
Christine R. Cauvel

CONTINUED FROM PAGE 174A
of Record
A. D. 1993 - 174

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12) Either party may request a review of this order upon any material change in circumstances.

13) The Mediation costs which are fixed at $250.00 ($50.00/hr. x 5 hrs.) are to be divided equally between the parties, with the mother's share to be paid by Crawford County by reason of the fact that the mother has on previous occasions required the assistance of legal services for her representation and also in light of the fact that the mother is currently unemployed. The father shall pay the entirety of the $9.00 Court Order filing fee. Accordingly, the deposit required for the appointment of the custody mediator which was made by the father shall be applied first to the father's share of costs ($125.00) and then to the $9.00 Court Order filing fee, with the Prothonotary to refund the sum of $16.00 to the father. The balance of teh mediation costs ($125.00) to be paid by the County as aforesaid.

14) Either party may move the Court for a hearing de novo within ten (10) days from the date hereof. If neither party so mvoes, this Order shall be considered permanent unless and until any material change in circumstances should occur.

BY THE COURT, Anthony J. Vardaro, J.

Mar. 3, 1995 Faxed to Felton, Brode, Hundertmark, Pineo & Spataro, sent to Rosen, Plf. & Dft.

Mar. 15, 1995 Motion For De Novo Hearing and Order, filed. AND NOW, thsi 15 day of March, 1995, upon request of Defendant in the above-captioned matter, a de novo hearing is hereby scheduled for the 2nd day of Juen,1995, at 9:15 o'clock a.m. in Courtroom No. 1 or 2 of the Crawford County Court House, Meadville, PA.

BY THE COURT,
Gordon R. Miller, PJ.

Mar 16, 1995 Faxed Hundertmark, Brode, Spataro, mailed Felton

Apr. 20, 1995 Motion To Withdraw as Counsel and order filed. And now, April 21, 1995 granted.

Anthony J. Vardaro

Apr. 24, 1995 Faxed Felton, Spataro Brode & Hundertmark

Jun. 8, 1995 Motion for Continuance and ORDER OF COURT filed. AND NOW, this 7 day of June, 1995, it is hereby ORDERED AND DECREED that hearing in this matter scheduled for June 2, 1995 at 9:00 a.m. is continued as the case is settled.

Anthony J.Vardaro,Judge

6-8-95 Faxed Rosen, Hundertmark & Brode

July 17, 1995 Stipulation and Order of Court filed. NOW, this 14th day of July, 1995, pursuant to STIPULATION Of parties hereto, it is ORDERED AND DECREED as follows:

1. The parties shall share the physical and legal custody of the parties' minor children, to-wit: Krystal M. Cauvel, born 3/9/83; Heather M. Cauvel, born 1/3/85; andBeth A. Cauvel, born 1/3/85
2. Plaintiff shall have the primary custody of said children
3. Defendant shall exercise partial custody of said chidlren as follows:

a. During the school year, every other weekend from 8:00 p.m. on Friday evenings until 6:00 p.m. on Sunday evenings, except during any month in which the children are in Defendant's cust;ody for an extended period of time, then Defendant will have the chidlren on the first weekend of that month.

b. In the event that weather prevents Defendant from her parital custody weekend, then Defendant shall be entitled to have the children the following weekend anda new every other weekend rotation shall begin.

c. Defendant shall have the childrenin her custody during every other Thanksgiving holiday while the children are off form school with the Plaintiff having the chidlren for Thanksgiving 1995.

d. During the Christman holiay when the children are off from school, Defendant shallhave the children for seven days, to include Christmas Day every other year; Defendant shall be entitled to Christmas Day 1995.

e. For the entire spring break in February.

f. During the Easter break from school, one year to commence onthe first day of children's Easter vacation from school and the next year to commence the day following Easter for the remainder of the vacation from school with the Plaintiff having Easter Day 1996.

g. During the summer months commencing one week after the beginning of the children's summer vacation from school and ending one week prior to the children's return to school; the Plaintiff shall be entitled to have the children in his custody for periods not to exceed forty-eight (48) hours during the summer months provided he is in the Venango/Crawford counties area and not to exceed three times.

h. Defendant shall notify Plaintiff at least seventy-two hours in advance if she does not intend to exercise any periods of aprtial custody herein provided.

Gordon R. Miller, J

July 18, 1995 Faxed Hundertmark & Rosen

1993

MacDonald, Illig,
Jones & Britton
Richard J. Parks

Dorothy E. Voelker

175.

INTEGRA NATIONAL BANK/NORTH
successor by merger to
Pennbank

vs.

SCOTT L. GIBSON d/b/a
GIBSON RACING ENTERPRISES

Filed February 17, 1993
@ 11:54 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	25.00
Pro Co pd 3-29-93	9.00
Pro Co pd 2/4/99	5.00

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

Feb. 24, 1993 SHERIFF'S RETURN, filed. SERVED Scott L. Gibson, d/b/a Gibson Racing Enterprises, personally on Feb. 22, 1993, at the Crawford County Courthoue, Courtroom #1, Second Floor, Crawford County, Pa. He was served at 10:00 AM.
So answers, Edgar D. Householder, Chief Deputy
Robert M. Stevens, Sheriff

And Now, Mar. 29, 1993 at 1:34 p.m., upon praecipe of Plaintiff attorney judgment is entered by default against the above named defendant, Scott L. Gibson d/b/a Gibson Racing Enterprises, for failure to file an answer in the above-captioned matter in the amount claimed in the Complaint of $2,018.76 plus costs with interest thereon on the upaid principal balance at the rate of 10.00% per annum from Feb. 2, 1993.
Entered 3-29-93 Debt: 2,018.76 plus interest
G - 153, 183 JUDGMENT
Barbara H. King, Pro.

Jan 22, 1999 Praecipe to Enter Appearance and Satisfy Judgment filed. Please enter the appearance of the undersigned and SATISFY THE JUDGMEnt entered at the above-captioned term and number.
National City Bank of PA
Dorothy E. Voelker Atty for Plaintiff

1993

Barbara J. Walton

176.

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

ALICE GILLIGAN

vs.

RICHARD J. GILLIGAN

Filed February 17, 1993
@ 4:03 PM

Tax & entry paid	50.50 ✓
User's Fee paid	15.00
2 Add'l Counts pd	30.00 ✓
State paid	10.00
Pro Co Pd 8-7-95	5.00 ✓

COMPLAINT IN DIVORCE, PERMANENT ALIMONY,
EQUITABLE DISTRIBUTION
1 copy atty.

Mar. 2, 1993 Affidavit of Service filed. And Now, February 26, 1993, comes Lisa M. Sherretts being duly sworn according to law, deposes and sets fortha s follows:

1. That she is the legal assistant of Attorney for Alice Gilligan, Plantiff in the above-captioned matter.
2. That on information furnished her by the Plaintiff, she cause a certified copy of the Complaint in Divorce to be forwarded by Certified Mail, P 899 097 894; postmarked February 17, 1993, to the last known address of the defendant, Richard J. Gillian, 1900 Beckdale Lane, Ocala, Florida, 34472.
3. That the Defendant, Richard J. Gilligan, on february 24, 1993, personally signed the return receipt card which was affixed to the Complaint 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.

Lisa M. Sherretts

Apr. 20, 1993 Appearance of Shafer, Swick,Bailey, Irwin & Stack by James R. Irwin for Defendant filed.

July 18, 1995 Petition to Withdraw Complaint in Divorce and ORDER filed. And Now, this 17th day of July, 1995, upon presentation of the Petition to Withdraw Complaint in Divorce, it is hereby ordered that this action is settled and discontinued of record upon payment of all costs.

By the Court:
Gordon R. Miller, J.

July 18, 1995 Order FAXED Attys. Irwin, given Walton.

1993

Thomas, Truax,
Spadafore & Walker
Emil Spadafore, jr.

177.

William Kuhar

COMMONWEALTH OF PENNSYLVANIA

vs.

DAVID BRUCE BRADICK

Filed February 18, 1993
@ 10:45 AM

Tax & Entry paid 50.50
User's Fee paid 5.00

APPEAL FROM SUSPENSION OF OPERATING PRIVILEGES

ORDER:

AND NOW, this 18th day of February, 1993, upon presentation and consideration of the within Petitioner for Appeal from Suspension, a heanig onthe appeal shall be held on the 12th day of August, 1993 at 9:15 o'clock a.m. at the Crawford County Courthouse, Meadville, Pennsylvania in Courtroom 1 or 2 or soon thereafter as the attention ofthe court may be had.

The Petitioner's operating provileges are hereby reinstated pending a final decision on the appeal after the hearing. A copy of the within Petition and Order shall be served onthe Department of Transportation, Bureau of Driver Licensing, Citation Processing Division, Room 302, Transporation Safety Building, Harrisburg, Pennsylvania 17120 by certified mail, return receipt requested at least 30 days prior to the aforesaid hearing date.

BY THE COURT:
Gordon R. Miller, J

Aug 10, 1993 Motion for Continuance and Order, filed. ORDER: And Now, August 10, 1993, the hearing heretofore set for August 12, 1993 at 9:15 a.m. is reset for October 7, 1993 at 8:45 a.m.

FOR THE COURT,
Ann A. Walker, Crt. Adm.

Copy to E. Spadafore & W. Kuhar

Nov. 4, 1993 Stipulation and Order, filed. AND NOW, to-wit: this 4 day of November , 1993, upon agareementof the parties, the above-captioned matter is remanded to the Department of Transportation for the purpose of updating the defendant's driving record to show that the defendant has responded to Citation No. 965262, which charged the defendant with a violation of 75 Pa.C.S. Section 1786(f) on November 22, 1991, and rescinding the appealed indefinite suspension of his motor vehicle operating privilege that had beenimposed due to his failure to respond to that citation.

By The Court,
Anthony J. Vardaro, J.

Nov. 9, 1993 copy to E. Spadafore & W. Kuhar

1993

Watts & Pepicelli
Alan L. Pepicelli

178.

Brandt, Liotta,
Stuttler & White
D. Shawn White

JOHN R. WARNER

vs.

CHARLES C. HOUGH

Filed February 18, 1993
@ 1:15 PM

Tax & entry paid	50.25
User's Fee paid	5.00
Pro Co pd 7-26-93	5.00

APPEAL OF DEFENDANT FROM DECISION OF
DISTRICT JUSTICE WILLIAM D. CHISHOLM

Feb. 18, 1993 Rule entered upon Plaintiff to file a Complaint Issued.

Mar. 1, 1993 Motion to Quash Appeal From Judgment of District Justice and Order filed. On this 1st day of March, 1993 upon consideration of the within Motion, a rule to show cause is hereby issued and directed to Defendant to show cause why said motion should not be granted. Returnable for hearing and argument for 1:00 pm April 8, 1993

BY THE COURT,
Gordon r. Miller, J

Mar. 5, 1993 Copy of order to Atty. Pepicelli

Apr. 8, 1993, Motion for Continuance and Order of court filed. ORDER OF COURT: AND NOW, this 8th day of April 1993, upon Defendants Motion for Continuance, same is granted generally, to be rescheduled on motion of either party.

For the Court
Ann A. Walker, Ct. Adm.

Apr. 13, 1993, copies of order to Attys. Pepicelli and D. Shawn White.

July 21, 1993 Upon praecipe of plaintiff attorney the above captioned case is marked settled and discontinued of record.

1993

Thomas, Truax,
Spadafore & Walker
Gregory A. Keenan

179.

EARL THOMPSON

vs.

RACHELLE THOMPSON

Filed February 19, 1993
@ 11:50 AM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00

COMPLAINT IN DIVORCE
1 copy atty.

Feb. 25, 1993 Affidavit of Service of Complaint in Divorce, filed. GREGORY A. KEENAN, Esq., being duly sworn according to law, deposes and says that on Feb. 22, 1993, he sent a true and correct copy of a Complaint in Divorce, properly endorsed with the Notice To Defend, filed in the above action, to the Defendant, Rachelle Thompson, at Defendant's last known address of PO Box 334, 125 Pearl St., Springboro, Pa. 16435, by Certified Mail NO. P899 092 578 postage prepaid, return receipt requested, restricted delivery to addressee only, and that attached hereto is a duly executed return receipt card showing date of delivery as Feb. 24, 1993.

Oct. 4, 1996 Motion to Withdraw Appearance and ORDER filed. AND NOW, this 4 day of October, 1996, upon consideration of the Motion of Gregory A. Keenan, Esquire to withdraw his appearance on behalf of Plaintiff in the above captioned matter, leave to withdraw is hereby granted.

By the Court:
Anthony J. Vardaro, J.

10-4-96 FAXED Keenan.

1993

Hayt, Hayt & Landau
arthur lashin

180.

FORD MOTOR CREDIT COMPANY

vs.

LEROY VANDERHOFF and
BRENDA K. VANDERHOFF

Filed February 19, 1993
@ 2:35 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	42.00
Pro Co pd 4-1-93	9.00
Pro Co Pd 5-24-93	9.00

COMPLAINT IN CIVIL ACTION
2 copies Sheriff

Feb. 26, 1993 Sheriff's Return filed. SERVED Leroy Vanderhoff on February 25, 1993 at 11:16 AM by handing a copy of the Complaint to Brenda Vanderhoff, his Wife, at their residence, R.D.#2, Box 1821, Spartansburg, Crawford County, PA.

SERVED Brenda K.Vanderhoff personally on February 25, 1993 at 11:15 AM by handing a copy of the Complaint to her at her residence, R.D.#2,Box 1821, Spartansburg, Crawford County, PA.

So answers, Dale A. Collins, Deputy Sheriff
Robert M.Stevens, Sheriff

And now, April 1, 1993 at 1:18 p.m.upon praecipe of plaintiff's attorney judgment is hereby entered in favor of the plaintiff and against the defendants for want of an answer and the same is liquidated at the sum of Five thousand, two hundred fifteen dollars and 93/100 interest included in debtt.

Entered 4-1-93 Debt: $5,215.93 (interest included)
V = 23, 103. JUDGMENT
Barbara H. King, Pro.

May 24, 1993 Upon Praecipe of plaintiff attorney judgment entered in favor of plaintiff and against the Garnishee, Integra Bank/North in the amount of $152.45 admitted in the Answer to Interrogatories to be in the Garnishee's possession, subject to the right claimed by said Garnishee to the value of $0.00.

Arthur Lashing, Esq.

181.

3-1-93 Received from deft Sheriffs Costs 10.00
3-1-93 Pd Sheriff Cht# 7369 10.00

PAULA M. BOWMAN

vs.

WILLIAM E. BOWMAN

Filed February 22, 1993
@ 10:18 AM

Tax & entry Pd 3-1-93 50.50
User's Fee 3-1-93 5.00
Sheriff's Costs 10.00
Pro Co Pd 3-1-93 5.00
Sheriff's Costs 10.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

Order:

And now, this 22 day of February , 1993 , 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:

-NONE-

3. This Order may be enforced without a warrant 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 or 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 2, 1993 , at 3:30 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 COURT,
Gordon R. Miller, J

Feb. 22, 1993 SHERIFF'S RETURN filed. SERVED William E. Bowman personally on Feb. 22, 1993 at 12:15 PM by handing a copy of the Protection From Abuse to him at his residence, RD 3, Box 378, Conneaut Lake, Crawford County, Pa.
So answers, Melissa Bailey
Robert M. Stevens, Sheriff

Mar. 4, 1993 Motion to Vacate Protection from Abuse Order and Order filed. AND NOW, this 2nd March, 1993 upon receipt and review of the plaintiff's motion to vacate and terminate the Protection from Abuse Order of February 22, 1993, said motion is granted and the Protection from Abuse Order is hereby vacated and terminated.

A true and correct copy of this Order shall be delivered by the Prothonotary to Pa. State Police and to County Control.

Any provisions of the Protection from Abuse Order of FEbruary 22, 1993 assessing court costs shall remain in full force and effect without change or modification and the party or parties against whom costs were assessed shall remain obligated to pay the costs.

BY ORDER OF COURT
Gordon R. Miller, J.

Mar. 4, 1993 Copy of Order to Defendant, Pa. State Police & County Control

1993

Apple & Apple James S. Alter 182.	STILES MACHINERY, INC. vs. HOMERWOOD, INC. Filed February 22, 1993 @ 11:51 AM Tax & entry paid 50.50 User's Fee paid 5.00 Sheriff's Costs 37.00 Pro Pd 4/16/93 9.00	COMPLAINT IN CIVIL ACTION 1 copy Sheriff Mar. 5, 1993 SHERIFF'S RETURN filed. SERVED Homerwood, Inc. on March 1, 1993 at 1:51 PM by handing a copy of the Complaint to Barbara Ives, Secretary at the business, 1062 Industrial Drive, Titusville, Crawford County, Pa. So answers, Dale A. Collins, Deputy Sheriff Robert M. Stevens, Sheriff And Now, April 16, 1993 at 1:29 p.m. upon praecipe of plaintiff attorney, with attached default notice, Judgment is hereby entered in favor of the plaintiff and against the defendant for want of an answer; in the sum of Four Thousand One Hundred Eighty Seven and 51/100 Dollars. (includes int. from aug. 21, 1992 to Mar. 21, 1993 of $397.51) Judgment entered - 4/16/93 H - 182 DEBT --- $4,187.51 JUDGMENT Barbara H. King, Prothonotary April 21, 1993, notice of entry of judg. mailed to dft.

1993

183.

MADELINE MARIE KEITH

vs.

LESTER CHARLES KEITH

Filed February 22, 1993
@ 1:26 PM

Sheriffs costs paid by defendant $25.00 - 2/23/93.

Pd Sheriff Ch#7356 2-23-93 25.00

Tax & entry pd.2/23/93	50.50
User's Fee pd.2/23/93	5.00
Sheriff's pd 2/23/93	25.00
Discontinu. pd 2/23/93	5.00
Sheriff's Costs	25.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

Order:

And now, this 22 day of February , 1993 , 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: Defendant shall not go to Plaintiff's residence nor contact her in any way. Possession of RD 2 No. Creek Rd. is awarded to Plaintiff

3. This Order may be enforced without a warrant 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 or 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 2, 1993 , at 3:30 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 COURT,
Gordon R. Miller, J

Feb. 24, 1993 Motion to Vacate Protection from Abuse Order and Order, filed. ORDER: AND NOW this 24th day of February, 1993 upon receipt and review of the plaintiff's motion to vacate and terminate the Protection from Abuse Order of February 22, 1993, said motion is granted and the Protection from Abuse Order is hereby vacated and terminated.

A true and correct copy of this Order shall be delivered by the Prothonotary to the police agency serving Plaintiff and to County Control.

Any provisions of the Protection from Abuse Order of February 22, 1993 assessing court costs shall remain in full force and effect without change or modification and the party or parties against whom costs were assessed shall remain obligated to pay the costs.

BY ORDER OF COURT
Anthony J. Vardaro, J.

Feb. 25, 1993 copy to County Control and Pa. State Police (Mdvl.)

Feb. 24, 1993 SHERIFF'S RETURN filed. Protection From Abuse returned to Prothonotary's Office on 2-24-93. Attempted service, however, Plaintiff called off the Protection from Abuse. So answers, Robert M. Stevnes, Sheriff

1993

Thomas, Truax,
Spadafore & Walker
Emil M. Spadafore, Jr

184.

LYNNE J. LINDSEY

vs.

STACEY PETERMAN

Filed February 22, 1993
@ 1:37 PM

WRIT OF SUMMONS
Issued Sheriff

Mar. 5, 1993 SHERIFF'S RETURN filed. SERVED Stacey Peterman personally on Feb. 26, 1993 at 9:50 AM by handing a copy of the Summons to her at RD 2, Box B 5, Country Place Apts., South St., Springboro, Crawford County, Pa.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Jan. 24, 1994 Upon Praecipe of Plaintiff Attorney the above captioned case marked settled and discontinued of record.

Tax & entry paid	50.50 ✓
User's Fee paid	5.00
Sheriff's Costs	35.00
DISC & CERT.	6.00
Pro Co.pd. 1/24/94	6.00

1993

Fuller, Kinnunen,
Petruso, Gamble,
Fabian & Hall
Ann Hansen Gamble

185.

$150.00 deposit by Plaintiff for mediation

10-15-93 Pd plff med dep refund Ck#7856 $150.00 (to Gamble)

TRACY SINGLETARY

vs.

BERNICE KLINGLER

Filed February 22, 1993
@ 3:29 PM

Tax & entry paid 50.50 ✓
User's Fee paid 5.00

COMPLAINT FOR CUSTODY
1 copy med; 1 copy atty.

Feb. 22, 1993 Notice and Order To Appear filed. You, Bernice Klingler, have been sued in Court to obtain custody of Megan Singletary.

You are ORDERED to appear in person at such time and place as will be determined by the Memdiator Bruce Smith, Esq., for a mediation conference.

If you fail to appear as provided by this Order, anOrder 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) 336-1151, ext. 298

Date: 2-19-93 Anthony J. Vardaro, J

Feb. 23, 1993 Copy to Atty's Gamble and Smith

Mar. 2, 1993 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 February 24, 1993, she snet a certified copy of the Complaint for Custody and Appointment of Custody Mediator to the Defendant by certified mail, restricted delivery, postage prepaid, receipt requested, to Brnice Klingler RD 1, Townville, Pennsylvania 16360, the defendant's last known address. The said receipt being attached hereto.

Ann Hansen Gamble

June 21, 1993 ORDER FOR CUSTODY, filed. AND NOW, this 18 day of June, 1993, the parties hereto having stipulated and agreed, it is hereby ordered and decreed as follows:

1. The custody of the child, Meagan Singletary, date of birth, May 2, 1985, is and shall be joint and shared legal and physical custody.

2. The primary physical custody of the child shall remain with the mother, Bernice Klinger, defendant herein, with the father being entitled to periods of physical custody as outlined hereafter.

3. The father shall have the right to have the child in his physical custody from 2:00 to 4:00 on Sunday afternoons at the home of his parents for four consecutive Sunday afternoons beginning the Sunday after the stipulation is signed by the mother. For the next three weekends, the child shall spend the day at the home of the father from 9:00 a.m. until 5:00 p.m. on the following three Saturdays. On the following Saturday which is the eighth week end following the signing of the stipulations by the mother, the child shall remain in the custody of the mother. On the ninth weekend and alternate weekends thereafter the child shall be in the custody of the father from Saturday at 9:00 a.m., until Sunday at 5:00 p.m. In lieu of alternate weekend visitations in the months of July and August, the father may elect any two weeks in June and any two weeks in July. To have the child in his physical custody he shall make his choice known to the mother on or before June 1st of each year. Alternate weekends shall resume in the month of September and shall continue through the month of June.

If the mother wishes to remain with the child for the first four visits she is welcome to do so.

4. Holiday visitation shall supersede all other visitation. The holidays of Memorial Day and Labor Day shall be with the mother for the year 1993 and all odd numbered years thereafter and with the father in the year 1994 and all even numbered years thereafter.

The holiday of Fourth of July shall be with the father in 1993 and in odd numbered years thereafter and with the mother in 1994 and even numbered years thereafter.

The father shall h ave the right to take the child into his physical custody for celebrating Thanksgiving at the close of school on the Wednesday before Thanksgiving until 2:00 p.m. on Thanksgiving Day. This shall not effect the normal weekend rotation.

For the holiday of Christmas the father shall have the child from Christmas Day at 1:00 p.m. until December 27th at 5:00 p.m.

For the holiday of Easter in 1994 and thereafter the party who has the right to the weekend with the child shall have that weekend until noon on Sunday at which time the other parent shall have the right to have the child in his or her custody until 7:00 p.m.

5. With the exception of the introductory period, transportation shall be equally divided between the parties with the party seeking the physical custody of the child providing trnasportation. For the first four weeks of visitation the mother shall provide the transportation to and from the house of the father's parents where the visit is to take place.

6. Neither of the parties hereto shall blacken or impeach the character of the other parent and each shall encourage the child to the love and respect for the other parent which the child is entitled to have.

7. Neither shall subject the child to any circumstances or environment which may adversely effect her safety and well being.

8. The parties may make whatever other or different arrangemetns they may find mutually convenient.

Anthony J. Vardaro, J.

June 21, 1993 gave copies to Gamble & Muth

Oct. 13, 1993 Petition for Return of Deposit and ORDER filed. AND NOW, this 11th day of October, 1993, the prothonotary is directed to return to the plaintiff, the deposit made by him of $150.00.

Gordon R. Miller, J

10-22-93 Copy of Order to Atty. Gamble & Defendant

1993

Barrett & Dratler
Bruce A. Barrett

186.

GLEN M. POST

vs.

AMY J. FISCHER

Filed February 22, 1993
@ 3:30 PM

Tax & entry paid 50.50 ✓
User's Fee paid 5.00

2-22-93 Received from Pltf Med. dep 150.00

4-30-93 Pd Pltf Refund Med. Dep Ck#7516 150.00

COMPLAINT FOR CUSTODY
1 copy med.; 1 copy atty.

ORDER:
You, Amy J. Fischer, Defendant, have been sued in Court to obtain custody and/or visitation of the minor child Christopher R. Hinkle.
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 of Custody and/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) 336-1151, Ext. 298
Date: 2-19-93 BY THE COURT:
Anthony J. Vardaro, J

Mar. 8, 1993 Affidavit of Service filed. Bruce A. barrett, Esquire, being duly sworn, 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 thetPlaintiffin the above captionedactionmail to the Defendant on February 24, 1993.
2. That a true and correct copy of a Complaint for Custody was sent by restricted/certified mail to the Defendant on February 24 1993.
3. The restricted/certified mail was sent to the Defendant at R.D. #4, Box 193, Titusivlle, PA 16354.
4. The Defendant received said restricted/certified mail on March 2, 1993. Said reciept bard number 147 766 797 is attached hereto and signed by the Defendant, Amy J. Fischer
Bruce A. Barrett

Apr. 30, 1993 Motion For Refund of Advanced Custody Mediator's Fees and Order filed. And now, April 30, 1993 The above Motion allowed. Anthony J. Vardaro, J
May 4, 1993 Copies of order to Atty. Barrett

IMPORTANT NOTICE AND COURT ORDER

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 3/8/1993 . 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 from you in writing on or before Oct. 23, 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.

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 Oct. 23, 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 where you 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: Sept. 22, 1998

Record Continued on Page 514.

1993

Mary Ann Kirkpatrick

187.

Harry F. White,II

CINDY LOU KIMES RENICK

vs.

STEPHEN EARL RENICK

filed. February 23, 1993
@ 10:12 AM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count pd	15.00
State paid	10.00
Pro.Co. pd 6/8/93	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
1 copy atty.

Mar. 15, 1993 Acceptance of Service filed. I Accept service of the Divorce Complaint on behalf of Stephen Earl Renick and certify that I am authorized to do so.
Date: March 8, 1993 Harry Faber White II, Esq.

June 2, 1993, Affidavit of consent of defendant filed

June 3, 1993, Affidavit of Consent of plaintiff filed.

June 8, 1993 Upon Praecipe of Mary Ann Kirkpatrick,Esquire for Review Under Section 3301 (c) of the Divorce Code, this case moved to Court.

DIVORCE DECREE FILED

June 22, 1993 AND NOW, June 17, 1993, it is hereby ordered and decreed that CINDY LOU KIMES RENICK, Plaintiff, and STEPHEN EARL RENICK, 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.

1993

John S. Kookogey

188.

APRIL M. PETTIT

vs.

TODD K. PETTIT

Filed February 23, 1993
@ 10:12 AM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00

COMPLAINT IN DIVORCE UNDER SECTION 201C
1 copy atty.

Mar. 12, 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 2/23/93 . 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,
Anthony J. Vardaro, J

Date: March 12, 1998

Mar. 12, 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)

1993

pro se

189.

John P. Gagliotti
Peters, Lindsay
Lewis and Gagliotti

KENNETH OSBORN

vs.

SIMON MILLER & SONS

Filed February 23, 1993
@ 10:31 am

Indigent Filing

Sheriff's Costs	43.66
Sheriff's Costs	38.00
Sheriffs Costs	203.00

JURY TRIAL DEMANDED

COMPLAINT IN TRESPASS FOR EQUITY AND REPLEVIN
1 copy Sheriff

Feb. 23, 1993 In Forma Pauperis Affidavit filed.

Feb. 23, 1993, ORDER filed. AND NOW, Feb. 22, 1993, it is ordered as follows:
1. The plaintiff, who did not come close to complying with Pa. R.C.P. 240, is, nonetheless granted leave of court to proceed informa pauperis. He is under a continuing obligation to inform the court of any improvement in his financial circumstances which would permit him to pay the costs incurred herein.
2. the Sheriff of Crawford County is ordered and directed to serve a true and correct copy of the complaint upon the defendant by deputizing the Sheriff of Mercer County and serving them at R. d. #1, Box 191, Hadley, Mercer County, Pa.

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

Feb. 24, 1993, copies giv.en to Sheriff of Craw. Co. and plff Osborn.

Mar. 31, 1993 Sheriff's Return filed. SERVED the within Notice Complaint on March 15, 1993, at 10:30 AM, upon Simon Miller & Sons at R.D. #1, Hadley Pennsylvania by handing to Dutch Miller adult in charge a true and correct copy thereof and made known to him the contents therein.
So answers, William H. Romine, Jr. Sheriff
David J. DeVenney, Deputy Sheriff
I hereby deputize the Sheriff of Mercer County, Pennsylvania to serve the within Complaint according to law.
So answers Robert M. Stevens, Sheriff

Apr. 6, 1993, Preliminary Objections to Plaintiff's Complaint filed.

Apr. 15, 1993, UPon praecipe of defendant attorney, the above cse listed for argument.

ON ARGUMENT LIST FOR MAY 1993

May 17, 1993 ORDER filed. AND NOW, May 13, 1993 it is ordered as follows:
1. The defendant's demurrer to a replevin claim or count is granted.
2. The defendant's demurrer to any claim for equity relief and an injuction is grnted.
3. The defendant'd motion for more specific pleading is granted and the plaintiff shall file an amended complaint within thirty (30) days of this date, and serve a copy upon counsel for the defendant, so as to make more specific allegations as to (a) the exact name, and description of the defendant(s), and (b) set forth as specifically as possible the date or dates upon which the alleged misconduct took place.

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

May 18, 1993 copies distributed to Osborn & Gagliotti

June 17, 1993 Motion For Continuance/Extension and Order, filed. ORDER: AND NOW, on this day, June 15, 1993, upon consideration of the attached Motion for continuance/extension of time to file amended complaint, and upon motion of the Plaintiff, KENNETH OSBORN, Pro Se, it is hereby ORDRED AND DECREED that an extension of 30 days from this date is granted to the Plaintiff, by the expiration of which he must comply with the Order of this court in this matter giving him directions to file an amended complaint, dated 13 May 1993.

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

June 23, 1993 copy to J. Gagliotti & Plf.

July 15, 1993, Amended Complaint (and Joinder) filed.

Oct. 4, 1993, Notice of Intent to Take Default filed.

Oct. 27, 1993, 1:21 P.M., AND NOW upon Praecipe of Plaintiff, with Notice of Intention to file default judgment attached, judgement is hereby entered in favor of Plaintiff and against Defendant for failure to file an answer and damages are assessed as follows: In the amount of $200.00 per month compensation for storage of said animals on the "Osborn property"; Compensatory damages in the amount of $2000.00 for damages and devaluation of Plaintiff's property and land: and punative damages to be determined at trial, against the individually named defendants for their malicious and intentional negligence, plus 10% interest, and defendants be required to pay all other costs's incurred in this case.

M-151,21,214,143
Judgment entered 10/27/93

Debt $2,000.00
Judgment
Barbara H. King, Pro.

May 23, 1994 Petition For Supplementary Relief In Aid of Execution filed.

Sept. 6, 1994 Order filed. AND NOW, September 6, 1994, the defendant's petition for supplementary relief in aid of execution that was filed on May 23, 1994, but not recieved by the Court until August 29, 1994 is denied as it is premature since the planitiff has not obtained a judgment to execute one.
The plaintiff is a pro se litigant who is required to follow the rules of civil procedure and the Crawford County Civil Rules like nay other litigant. He filed a complaint against Simon Miller and sons on February 23, 1993. We sustained the defendants' preliminary objections on May 13, 1993. We did not dismiss the action. Instead we gave the plaintiff leave to file an amended complaint especially to properly name and identify the defendants he was suing.
The planitiff filed an amended complaint on July 15, 1993. He named Simon Miller, Brian Miller, Kenneth Miller, Kevin Miller and Rose Monsour. He apparently never served the amended complaint on the defendants. That would be a prerequisite because they are not named in the original complaint and were not served.
Even if the planitiff did serve the defendants they were not required to respond since the amended complaint did not contain a notice to defend. For these reasons he cannot take default judgment although he filed a praecipe for the entry of a default judgment on October 27, 1993.

See inter alia Pa. R.C.P. 400 et seq., 1026, and 1037(b).
BY THE COURT,
Gordon R. Miller, J
Sept. 6, 1994 copies to Osborn & Gagliotti

RECORD CONTINUED ON ON PAGE 485.....

pro se

190.

KENNETH OSBORN

vs.

ROSE MONSOUR

Filed February 23, 1993
@ 10:31 am

Indigent Filing

Sheriff's Costs 35.50

BREACH OF CONTRACT COMPLAINT
1 copy Sheriff

Feb. 23, 1993, ORDER filed. AND NOW, Feb. 22, 1993, it is ordered as follows:

1. The plaintiff, who did not come close to complying with Pa. R.C.P. 240, is, nonetheless, granted leave of court to proceed informa pauperis. He is under a continuing obligation to inform the court of any improvement in his financial circumstances which would permit him to pay the costs incurred herein.

2. The Sheriff of Crawford County is ordered and directed to serve a true and correct copy of the complaint upon the defendant by deputizing the Sheriff of Mercer County and ser ving her at R. D.#1, Box 191, Stoneboro, Mercer County Pa. or at the home of her parents, Mr. and Mrs. James Monsour, R. D. #1, Stoneboro, Mercer County, Pa.

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

Feb. 24, 1993 copies of order to Sheriff and plff. Osborn.

Mar. 31, 1993 Sheriff's Return filed. SERVED the within Notice, Complaint on March 19, 1993, at 11:55 am, upon Rose MOnsour at 9 Mercer County Courthouse, Mercer, PA by handing to Rose Monsour personally a true and correct copy thereof and made known to her the contents therein.

So answers — William H. Romine, Jr. Sheriff
David J. DeVenney, Deputy Sheriff

I hereby deputize the Sheriff of Mercer County, Pennsylvania to serve the within Complaint according to law.

So answers, — Robert M. Stevens, Sheriff

Apr. 26, 1993, Notice of Intent to Take Default filed.

May 7, 1993 Motion For Order of Court Directing Sheriff's Department to Make Service Upon Defendant in The Above Captioned Case Matter, filed.

May 7, 1993 ORDER filed. The Prothonotary has delivered to the Court a motion filed by the plaintiff seeking an order directing the Sheriff to serve the defendant with a notice of intention to take default judgment pursuant to Pa.R.C.P. 237.1.

The plaintiff's request is refused for two reasons. It is not necessary that the plaintiff be able to show that the defendant actually received the notice (although that is preferred) for the rules simply require that the notice be sent and that the praecipe for entry of a default judgment contin a certification that a written notice of intention to file the praecipe was mailed or delivered to the defendant after default occurred and at least ten days prior to the date of the filing of the praecipe for default judgment. If the plaintiff desires proof of mailing and wishes to submit that along with his certification he may obtain from the post office, post office form 3817, certificate of mailing, which will show the date, the name of the sender and the addressee. Since Sheriff's service is not required this Court will not spend public funds to serve the plaintiff's purposes.

Furthermore, the notice is not entirely accurate. The local rules of court have designated the following office for persons may telephone to find out where they may get help: Court Administrator, Courthouse, Meadville, Pa. 16335, 814/336-1151, ext. 298.

That is the office that must be designated and set forth on the notice of intent to enter a default judgment. In addition the Court expects the plaintiff to fully comply with Rule 237.1 and use the exact language required by that rule.

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

May 12, 1993 copy to Plaintiff

And Now, June 23, 1993 @ 10:23 a.m., upon praecipe of Plaintiff to enter the default of defendant Rose Monsour for failure to plead or otherwise defend as provided by the Pa Rules of Civil Procedure, as appears from the attached affidavit of Kenneth Osborn, Plaintiff in this matter. For Four thousand six hundred dollars and oo/100 cents, plus interest at the rate of 10% and cost.

Entered 6-23-93
M - 143

Debt: $4,600 plus interest at 10% and cost
JUDGMENT
Barbara H. King, pro.

EX1993-66

Nov. 3, 1997 Revival To:
AD 1997-1103

1993

Dennis G. Kuftic

191.

ANGEL M. KOPTA

vs.

JOHN KOPTA

Filed February 23, 1993
@ 11:35 AM

Tax & entry paid	50.50
User's Fee paid	15.00
2 Add'l Counts pd	30.00
State paid	10.00
1 count paid 2/14/94	15.00
state paid 2/14/94	5.00
Pro Co pd 3-10-94	9.00
Pro Co Pd 10-12-95	9.00

Kathleen Nelson, Mediator

7-31-95 Rec'd from Plff $150.00 Mediation
9-19-95 Pd plff med Refund #9467 62.38
10-12-95 Pd Co #9512 78.62

COMPLAINT IN DIVORCE, ALIMONY, MARITAL PROPERTY, ALIMONY PENDENTE LITE, COUNSEL FEES AND EXPENSES
3 copies Atty.

Mar. 3, 1993 Acceptance of Service filed. I, John Kopta, the Defendant in the above-catpioned matter, hereby certify that on the 27th day of February, 1993, I was duly served a true and attested copy of the Complaint in Divorce filed at the above term and number. John Kopta

Feb. 14, 1994, Amended Complaint in Divorce filed. (adding count of custody)

Feb. 14, 1994, Affidavit of Consent of plaintiff filed.

Feb. 14, 1994, Affidavit of Consent of defendant filed.

Mar. 7, 1994 Upon Praecipe of Plaintiff's attorney to transmit records, case moved to Court.

Mar. 15, 1994 ORDER FILED. This 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:

Economic and other issues or counts have been raised in the pleadings or by petition which are not being disposed of by stipulation, withdrawal or hearing. To grant a divorce decree without a resolution of those other issues would be tantamount to an improper bifurcation.

Other: Amended Complaint served on Defendant's counsel, however, there is no counsel of record for Defendant.

Either party may file a praecipe to refer the matter back to the Court when the record is in such state that the parties are entitled to a final decree.

BY THE COURT:
Anthony J.Vardaro, J.

3-17-94 Copy of Order to Attys. Kuftic & Deft.

March 21, 1994 Certificate of Service filed. I, Dennis G. Kuftic, Esq., hereby certify that on the 11th day of February, 1994, I served a copy of the Amended Complaint in Divorce on the Defendant at his then place of residence at RD # 3 Box 130, Union City, PA 16438, by first class United States Mail, postage prepaid, which was the residence of the Defendant at the time of the filling of the original action and his residence at the time the Amended Complaint in Divorce was filed, pursuant to Pa. R.C.P. 440.

Dennis G. Kuftic, Esq.

March 25, 1994 Motion To Withdraw Counts II, III and IV of The Original Complaint In Divorce, filed.

Mar. 28, 1994 Upon praecipe of Plaintiff's attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

April 6, 1994 AND NOW, April 4 1994, it is hereby ordered and decreed that ANGEL M. KOPTA, Plaintiff, and JOHN KOPTA, 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.

Jul. 31, 1995 Petition for Custody and NOTICE AND ORDER TO APPEAR filed.

You, JOHN KOPTA, have been sued in Court to obtain custody of Jonathan Kopta and Joshua Kopta.

You are ordered to appear in person at such time and place as will be determined by the Mediator, Kathleen Nelson, 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 FINDOUT WHERE YOU CAN GET LEGAL HELP.
c/o Court Administrator, Courthouse
Meadville,PA 16335
(814) 336-1151,ext.298
Date: July 26, 1995 Gordon R. Miller, J.
8-1-95 Copies given Kuftic, Faxed Nelson, 8-2-95 Mailed copy to Deft.

Aug. 3, 1995 Certificate of Service filed. The undersigned hereby certified that he served a true and correct copy of the Petition for Custody filed at the above term and number on the Defendant, John Kopta, at his last-known address at R D #1 Box 303, Ripley, NY 14736, on August 2, 1995, by first class mail. Dennis G. Kuftic

Sep.18, 1995 TEMPORARY ORDER filed. AND NOW, September 15, 1995, 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, Jonathan F. Kopta and Joshua R. Kopta 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 Jonathan F. and Joshua R. Kopta shall be with their Mother, subject to the following conditions:

Continued to Page 467

1993

Gerald Sullivan

192.

SEVERA F. WEDEKIND

vs.

PAUL D. WEDEKIND

Filed February 23, 1993
@ 12:04 PM

Tax & entry	50.50
User's Fee	5.00
Sheriff's Costs	37.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 23 day of February , 1993 , 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 Plaintiff shall have exclusive possession ofthe marital home and sole physical custody ofthe mino children pending 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 or 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 the March 4, 1993 , at 3:30 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,
Anthony J. Vardaro, J

Feb. 26, 1993 Sheriff's Return filed. SERVED Paul D. Wedekind personally on February 23,1993 at 5:32 PM by handing him a copy of the Protection from Abuse at 704 Jones Street, Titusville, Crawford County, PA. Titusville City Police Department accompanied him to the residence to get personal belongings.

So answers,

Lt. Wellman, Titusville City PD
Robert M.Stevens, Sheriff

March 8, 1993 ORDER filed. AND NOW, March 4,1993, this matter is set for hearing with respect to the Plaintiff's petition for relief under the Protection From Abuse Act.

The Plaintiff's attorney appears and indicates that insofar as there has been severe snow today the Plaintiff has just called him indicating she has driven off the road and she is in a ditch.

Additionally, the Defendant does not appear and from the record it appears that he may never have been served.

Accordingly, upon oral motion of the attorney for the Plaintiff this matter is continued until March 15, 1993 at 3:30 P.M. with the temporary abuse order of Feb. 23, 1993 continued in full force and effect through the time of that hearing.

BY THE COURT:
Anthony J. Vardaro, J.

March 8, 1993 Copies of Order given to Atty. Sullivan; copy mailed to defendant.

Mar. 22, 1993 ORDER filed. AND NOW, March 15, 1993 this matter is before the Court on Plaintiff's petition for relief under the Protection from Abuse Act.

The Plaintiff appears with counsel and the Defendant appears without counsel, but agrees to proceed with the entry of an order without admission on his part of the allegations of the petition.

The Plaintiff objects to an order being entered without admission but the Court believes that doing so will serve the purpose of the act and if documentation is needed beyond the fact that this order has been entered, there are other ways to proceed.

Accordingly, the Court enters the following ORDER:

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any minor children named in the petition, nor shall he procure others to do so on his behalf.

2. The Plaintiff shall have exclusive possession of the marital home during the term of this order and the Defendant shall not go to the marital home at any time other than as set forth in this order.

3. The Plaintiff shall likewise have sole physical custody fo the minor children pending any further order of Court in any proceedign filed by the parties with respect to custody.

4. The Defendant shall not go to any school at which the children are enrolled unless and until he shall have an order allowing him to do so in this action or in any appropriate custody action.

5. The Defendant may go to the marital residence to obtain personal belongins, including computer equipment and books, so long as the Titusville City Police accompany him when he does so. He may only enter the residence with the Titusville City Police if his wife is present and may not enter the residence in her absence and may not come to the residence as indicated above, without the Titusville City Police with him.

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

CONTINUED ON PAGE 192 A

SEVERA F. WEDEKIND
VS.
PAUL D. WEDEKIND

CONTINUED FROM PAGE 192
of Record
A. D. 1993 - 192

7. A copy of this order shall be delivered to the police department in the jurisdiction where the Plaintiff resides and to County Control.

8. 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 and a jail sentence of up to six (6) months.

9. The Defendant is warned that even if he should be invited to the marital residence that he should not go to the marital residence without this order being modified insofar as it shall be presumed that he is in violation of this order if he goes to the marital residence unless be does so with the Titusville City Police for a purpose of removing personal effects as specifically set forth in this order.

10. In light of the financial condition of the parties, the County shall pay costs.

11. This order shall be in effect through March 14, 1994.

12. If there shall be any medical costs due because of injuries sustained by the Plaintiff or the minor children as a result of the allegations with respect to this petition, they shall be paid by the Defendant, the Cfourt's understanding being that the parties have a medical card with the Dept. of Public Welfare that should pay those bills, but that there is the potential for the Department seeking reimbursement.

13. The prothonotary is DIRECTED to send a copy of this order to the Defendant at his address on Main Street in the Borough of Hydetown by regular first class mail.

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

Mar. 22, 1993 copies given to Co. Contrl, Titusville CPD, Sullivan & Dft.

Dec. 21, 1993, Petition to Modify Abuse Order and order filed. ORDER: AND NOW, this 20 day of Dec. 1993, in consideration of the attached petition of the parties hereto, the court modifies the Protection From Abuse order dated Mar. 15, 1993. Accordingly, the order of a March 15, 1993 shall remain in full force and effect except that it is modifed as follows:

1. The defendant may return to the marital residence. Paragraphs 2, 5, and 9 of the Mar. 15, 1993 are therefore no longer in effect.

BY THE COURT,
Anthony J. Vardaro, J.

Dec. 22, 1993, copies of order to county control, Titusville Police, Sullivan and dft.

1993

1993

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

193.

WICKES LUMBER COMPANY

vs.

PAUL W. SMITH and MELANIE ANN SMITH, husband and wife

Filed February 23, 1993
@ 3:11 pM

COMPLAINT IN CIVIL ACTION
3 copies Sheriff

Mar 11, 1993 SHERIFF'S RETURN filed. SERVED Paul W. Smith on March 2, 1993 at 2:31 PM by handing a copy of the Complaint to Melanie A. Smith, his Wife, at their residence, RD 1, Bertram Drive, Saegertown, Crawford County, Pa.

SERVED Melanie Ann Smith personally on March 2, 1993 at 2:31 PM by handing her a copy of the Complaint at her residence, RD1, Bertram Dr., Saegertown, Crawford County, Pa.

So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

April 27, 1993 Upon Praecipe of plaintiff attorney the above captioned matter marked settled and discontinued.

Tax & entry paid	50.50 ✓
User's Fee paid	5.00
Sheriff's Costs	31.00
Pro. Co. pd 4-27-93	5.00 ✓

1993

Ferguson & Spataro
Douglas W. Ferguson

194.

MARCEL R. MALLORY

vs.

SANDRA L. MALLORY

Filed February 24, 1993
@ 9:14 AM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro.Co. pd 6/11/93	9.00

COMPLAINT IN DIVORCE
2 copies atty.

Mar 5, 1993 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 Feb. 25, 1993. The Defendant acknowledged service on Feb. 26, 1993, by accepting delivery on that date as evidenced by the attached signed return receipt. Douglas W. Ferguson

June 11, 1993 Affidavit of Consent by Marcel R. Mallory, Plaintiff, filed.

June 11, 1993 Affidavit of Consent by Sandra L. Mallory, Defendant, filed.

June 11, 1993 Upon praecipe of Douglas W. Ferguson, Esquire, Plaintiff Attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

June 17, 1993 AND NOW, June 15, 1993, it is hereby ordered and decreed that MARCEL R. MALLORY, Plaintiff, and SANDRA L. MALLORY, 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.

1993

Fuller, Kinnunen,
Petruso, Gamble,
Fabian & Hall
Gary A. Fabian

195.

R.Charles Thomas

$150.00 mediation fee deposited by plaintiff

4-5-93 Pd Pltf Refund Med Disp. Ck# 7463 65-ab

4-27-93 Pay Co Com Med Fees Ck# 7482

STEVEN E. COON

vs.

CHRISTINE ROZELLE

Filed February 24, 1993
@ 9:32 AM

Tax & entry paid	50.50 ✓
User's Fee paid	5.00
William Pineo, Mediator	152.00
Pro Co Pro Se Pd 4-27-93 #7463	9.00 ✓

COMPLAINT FOR CUSTODY
1 copy atty.

ORDER:

You, Christine Rozelle, have been sued in court to obtain custody of Joshua J. Coon.

You are ORDERED to appear in person at such time and place as will be determined by the Mediator William Pineo, 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 ONE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GOT O 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

Date: February 24, 1993

BY THE COURT,
Gordon R. Miller, J

Mar. 3, 1993 Affidavit of Service filed. Gary A. Fabian, being duly sworn according to law, deposes and says that:

1. He is an attorney authorized to practive law within the Commonwealth of Pennylsvania.
2. He is attorney for the plaintiff in the above-captioned matter
3. On February 24, 1993, he had deposited in the United States Mail by certified mail, return receipt requested, Certified Mail No. P 899 098 443 as evidenced by Certified Mail Receipt No. P 899 098 443 attached hereto and made a part hereof, a true and correct copy of a Complaint in Custody and Order of Court addressed to Christine Rozelle said Complaint naming Christine Rozelle as the defendant in the above-cationed matter.
4. Service was obtained upon the defendant, Chrstine Rozelle, on February 25, 1993, as evidenced by Return Receipt for Certified Mail NO. P 899 098 443 attached hereto and made a part hereof, said receipt being signed by Christine Rozelle.

FURTHER, DEPONENT SAIETH NOT. Gary A. Fabian

Apr. 5, 1993 TEMPORARY ORDER, filed. AND NOW, this 5th day of April, 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. The parties shall share legal and physical custody of the subject minor child, Joshua J. Coon.

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.

3a. The mother shallhave primary physical custody of the subject minor child. The father shall have temporary physical custody and visitation on the following two week schedule:

Beginning with the first Monday after the date of this order, the father whall have visitation and temporary physical custody on Monday, Tuesday, and Wednesday, from 4:30 p.m. to 7:30 p.m. On the following Friday, he shall have temporary physical custody and visitation from Friday at 4:30 p.m. until 7:30 p.m. of the following Sunday. The following week, he shall have visitation and temporary physical custody on Tuesday and Thursday from 4:30 p.m. to 7:30 p.m. The cycle will then repeat.

b. The parent not having physical custody shall have the right to telephone the subject minor child at reasonable times and for reasonable lengths of time andsuch conversations will not be unreasonably monitored by the parent having physical custody. Each of the parties shall keep the other supplied with a current telephone number at which the child can be reached. If the party has a telephone, that party shall supply his or her own telephone number. If the party has no phone, then the party will supply a number at which he or she can be reached.

4. Holiday visitation shall be arranged as follows:

a. Christmas: There shall be two Christmas visitation periods, the first Christmas Eve at 5:00 p.m. and ending Christmas Day at 11:00 a.m. and the second beginning Christmas Day at 11:00 a.m and ending on December 26 at 11:00 a.m. For Christmas 1993, the father shall have the first period and the mother, the second, and the parties shall thereafter alternate.

b. Thanksgiving: There shall be two Thanksgiving holiday visitation periods, the first beginning on Thanksgiving Day at 9:00 a.m. and ending at 3:00 p.m. and the second beginning on Thanksgiving Day at 3:00 p.m. and ending Thanksgiving Day at 7:30 p.m. The mother shall always have the first period and the father, the second.

c. Easter: There shall be two Easter holiday visitation periods, the first beginning on Easter Day at 9:00 a.m. and ending at 3:00 p.m. and the second beginning on Easter Day at 3:00 p.m. and ending Easter Day at 7:30 p.m. The mother shall always have the first period and the father, the second.

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 child may watch the fireworks. The father shall have visitation on Memorial Day, 1993, and the parties shall thereafter alternate the holiday periods.

e. The child shall spend Father's Day with his father from 9:00 a.m. to 7:30 p.m., and Mother's Day with his mother, during the same hours.

f. The party not having physical custody shall also have the rightof visitation and temporary physical custody from 5:00 p.m. to 8:00 p.m. on the child's birthday.

CONTINUED ON PAGE 504

196

1993

Sue M. Evans

196.

JOSEPH D. FRONTUTO

vs.

KATHRYN MOORE

Filed February 24, 1993
@ 2:03 PM

Tax & entry paid 10.50 ✓
User's Fee paid 5.00

CERTIFIED COPY OF CHAUTAUQUA COUNTY
CUSTODY ORDER

Order:

The Petitioner herein having filed a custody petition executed on December 16, 1991 with an Order to Show Cause and a modified petition executed December 23, 1991; and Respondent having filed a cross-petition for custody executed December 20, 1991; and the matter having been before the court on motion calendar on December 23, 1991 and again on January 6, 1992 at which time oral arguments by Sue M. Evans, Esq. for the Petitioner and David M. Civilette, Esq. for the Respondent, were heard; and a Writ of Habeas Corpus having been executed by the Honorable Lynn L. Hartley on January 6, 1992 and served upon the Respondent and thereafter the child having been surrendered to Petitioner on January 9, 1992 and counsel for Respondent having written to Chautauqua County Family Court on behalf of Respondente withdrawing her Answer and Cross-Petition; NOW therefore, on motion of Sue M. Evans, attorney for Petitioner, it is hereby ORDERED that custody of Stacey Violet Frontuto shall be awarded to her natural father, Joseph D. Frontuto.

Enter
Lynn L. Hartley

1993

197.

CAROL A. BONNELL

vs.

DALE L. BONNELL

Filed February 24, 1993
@ 2:42 PM

Tax & entry Pd 3-11-93 50.50
User's Fee Pd 3-11-93 5.00
Sheriff's Costs 42.51
Prothe Pd 3-11-93 5.00

3-11-93 Received Sheriff's cert 42.51
Pd Sheriff 3-11-93
Ch # 7396 42.51

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

Order:

And now, this 24th day of February , 1993 , 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: Defendant'shall move out. Plaintiff shall have sole possessionof the house. Defendant shall not contact p plaintiff in any way.

3. This Order may be enforced without a warrant 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 or 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 4, 1993 , at 3:30 PM 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 COURT,

Gordon R. Miller, J

Mar 4, 1993 SHERIFF'S RETURN filed. SERVED Dale L. Bonnell personally on Mar. 4, 1993 at 9:55 am by handing a copy of the Protection from Abuse to him at the Sheriff's Office, Third Floor, Crawfor dCounty Courthouse, Meadville, Pa.
So answers, Diane Severo, Deputy Sheriff
Robert M. Stevens, Sheriff

Mar. 5, 1993 Motion For Continuance and Order filed. And Now, March 5, 1993 This motion is g granted. Plaintiff has already been notified by phone. Gordon R. Miller, J
Mar. 10, 1993 copies of order to plaintiff and defendant filed.

Mar. 12, 1993 Motion to Vacate Protection From Abuse Order and Order filed. ORDER: AND NOW, this 11th day of March, 1993 upon receipt and review of the plaintiff's motion to vacate and terminate the Protection from Abuse Order of Feb. 24, 1993, said motion is granted and the Protection from Abuse Order is hereby vacated and terminated.
A true and correct copy of this Order shall be delivered by the Prothonotary to Pa. State Police and to County Control.
Any provisions of the Protection from Abuse Order of Feb. 24, 1993 assessign court costs shall remain in full force and effect without change or modification and the party or parties against whom costs were assessed shall remain obligated to pay the costs. BY ORDER OF COURT
Gordon R. Miller, P.J.

Mar. 16, 1993 copy to PSP, Co. Ctrl., Plf. & Dft.

1993

Mary Ann Kirkpatrick

198.

ROGER L. GILDEA

vs.

SANDRA HYLAND GILDEA

Filed February 24, 1993
@ 3:31 PM

Tax & entry paid 50.50 ✓
User's Fee paid 5.00

Bruce L. Smith, Mediator 240.72
Pro Co Pd 9-18-96 9.00
William Pineo, Mediator $152.00

$150.00 deposited by plaintiff for mediation
5-13-93 Recieved from Plff med fee 90.00

5-20-93 Pd Comm. Med Fees Ck#7559 240.72

8-24-95 Ref from Plff med fee 150.00

9-11-96 Ref from dft med fee 76.00

9-11-96 Pd Plff Refund #10322 65.00

9-18-96 Pd Co #10441 52.00

COMPLAINT FOR CUSTODY
1 copy (atty.)

ORDER:

You, Sandra Hyland Gildea, have been sued in Court to obtain shared legal and physical custody of Jennifer Gildea and Brian Gildea.

You are ORDERED to appear in person at such time and place as will be determined by the Mediator Bruce Smith 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
Courthouse
Meadville, PA 16335
(814) 336-1151, ext. 298

Date: 2/24/93

Anthony J. Vardaro, J

Mar. 4, 1993 AFFIDAVIT OF SERVICE, filed. And Now, March 2, 1993, 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 Roger L. Gildea, Plaintiff in the above-captioned matter.

2. That on information furnished her by the Plaintiff, she caused a certified copy of the Complaint in Custody to be forwarded by Certified Mail, P 100 621 277; postmarked Feb. 25, 1993, to the last known address of the Defendant, Sandra Hyland Gildea, RD 8, Box 540, Meadville Pa 16335.

3. That the Defendant, Sandra Hyland Gildea, on Feb. 26, 1993, personally signed the return receipt card which was affixed to the Complaint in the above-matter and which is attached hereto.

4. Service of the Complaint against Defendant is therefore effected in accordance with Pa. R.C.P.

May 4, 1993 TEMPORARY ORDER OF COURT, filed. AND NOW, this 3rd day of May, 1993, after Mediation and upon recommendation of the Child Custody Mediator, it is hereby ordered and decreed that:

1. The natural parents of Jennifer Gildea, age seven, Born Oct. 25, 1985, and Brian Gildea, age six, born Feb. 21, 1987, the parties to this action, shall share legal custody of the said minor children. Said joint legal custody being shared 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 also entitle both parents to equal input with regard to the educational and religious upbringing of the children, as well as to any elective surgery. At the time of Mediation, there appeared to be disagreement regarding the religious upbringing of the children, and the parents are encourage to discuss this matter for how ever long as it may be fruitful and productive. However, each parent shall be able, when the children are with them, to expose the children to the parent's religious beliefs by way of conversation or attendance at some religious facility.

2. Primary physical custody of the children shall remain with the defendant natural mother, Sandra Hyland Gildea. Regular visitation and temporary physical custody of the children shall be granted to the plaintiff father, Roger L. Gildea. Physical custody for the plaintiff father shall be as follow:

a. The children shall visit in the home of the natural father on alternate weekends from 5:30 p.m., prevailing time, Friday, through 7:00 p.m., prevailing time, Sunday, during the school year. The return time shall be extended to 9:00p.m., prevailing time, on Sunday during the summer months when the children are not in school. The parties are currently working on an alternate weekend time; and, if they cannot determine when the alternate weekends begin, they shall begin the first full weekend after the date of this Order.

b. The father shall also have the right to take the children into his temporary physical custody on Monday and Thursday of each week from 5:15 p.m. to 7:00 p.m., prevailing time. These hours shall be extended from 5:15 p.m. to 9:00 p.m., prevailing time, during the summer.

c. The father shall also be entitled to have the children for two one-week periods during the year upon a written notice of thirty (30) days to the mother for the purpose of taking vacations with the children. These weeks may be consecutive or non-consecutive as the father may choose, and he shall make every effort to see that the children are not taken out of school for extended periods of time and certainly not for two weeks during the school year.

b. Holiday visitation 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 children shall spend Mother's Day with the mother and Father's Day with father from 8:00 a.m. through 8:00 p.m., prevailing time. The parents shall alternate Thanksgiving Day, with the father having the children in odd-numbered years from 10:00 a.m. through 9:00 p.m., prevailing time, and the mother having the children the same hours during even-numbered years. The parents shall also alternate Easter Day with the children, with the father having the children in odd-numbered years from 10:00 a.m. through 9:00 p.m., prevailing time, and the mother having the children the same hours during even-numbered years. The children shall be in the temporary physical custody of the father on New Year's Day from 2:00 p.m. through 9:00 p.m., prevailing time. The father shall also have the children on Christmas Eve from 5:00 p.m. through 11:00 p.m., prevailing time. The father shall have the children on Christmas Day from 6:00 p.m. through 9:00 p.m., prevailing time. With regard to the family reunions of the parents, it is noted that the Gildea family reunion typically occurs in July and sometimes runs from Friday through Sunday. Upon a written notice of fifteen (15) days by the father to the mother, the father shall have thr right to take the children into his temporary custody from 5:00 p.m., prevailing time, Friday, through 7:00 p.m., prevailing time, Sunday, for the purpose of attending the Gildea family reunion.

CONTINUED ON PAGE 198A

ROGER L. GILDEA
VS.
SANDRA HYLAND GILDEA

CONTINUED FROM PAGE 198
of Record
A. D. 1993 - 198

****

The Hyland family also has a reunion; and, upon a written notice of fifteen (15) days by the mother to the father, she may set aside a Friday through Sunday time the same length as indicated above, if necessary, to attend the Hyland family reunion. The reunion shall take priority over other vacation schedules. If the Hyland reunion does not require a full weekend but rather only one day, then only one day, from 8:00 a.m. through 9:00 p.m., prevailing time, shall be set aside for the mother. The father shall have the children in even-numbered years from 9:00 a.m. through 9:00 p.m., prevailing time, for Memorial Day and Labor Day and during the same time periods on the 4th of July in odd-numbered years. The mother shall have the same hours of custody in the opposite years. The parents are encouraged to honor the children's activity schedules and see that they get to those activities in which they normally participate, even when it will interfere to some extent with the custody of one of the parents. This is mentioned only by way of encouragement, and the parents shall use their own judgment regarding the children's activities during the times when the children are in their possession.

d. The father shall pick up and return the children to the mother's residence. Anytime the father is more than one (1) hour late for a scheduled transfer of custody, that transfer and resulting partial custody shall be considered waived until the next day at the same time, unless satisfactory arrangements for late pick-up have previously been made with the mother.

3. The parent having custody of the children at anytime shall notify the other parent as soon as possible in the event of injury to or illness of one of the children requiring medical treatment.

4. Neither parent shall take the children into any environment which might be commonly thought of as detrimental to their development or to the development of their characters or which would be commonly thought of as dangerous to their physical persons.

5. The parents are encouraged to discuss arrangements for physical custody of the children; and, if the parties mutually agree to alternative arrangements to accommodate their and/or the children's schedules, 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 any grandparent or adult coming into regular contact with the children shall teach the children involved in this case to develop and express that natural love and respect due a parent from his or her children. None of the adults coming into regular contact with the children will do or say anything to blacken the character of either parent or any grandparent in the eyes of the children.

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 children or in the event that the best interest of the children would be served by further Mediation. For the purposes of this paragraph, if either parent intends to move from Crawford County, he or she shall give the other parent a written notice of thirty (30) days of the said intention to relocate during which time the parent may or may not request further Mediation.

8. The Court of Common Pleas of Crawford County, Pennsylvania, shall retain jurisdiction of this matter so long as either of the parents or one of the children resides in the Court's jurisdiction and for at least six months from the date of this Temporary Order.

9. The fee for Child Custody Mediation shall be paid by the father. If any amount in excess of the father's deposit with the Crawford County Prothonotary at the time of filing the Complaint exists, it shall be refunded to the father by the Prothonotary.

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, P.J.

May 7, 1993 copy to M.A. Kirkpatrick, M.T. Lucas, B. Smith, Plf. & Dft.

Aug. 28, 1995 Petition to Modify/Clarify Custody and ORDER filed. And, Now, August 28, 1995, this matter is referred to William Pineo, Esq., child custody mediator. Pending mediation the children shall remain enrolled in West End Elementary School.

BY THE Court:
Anthony J.Vardaro, J.

8-30-95 Faxed Pineo, Kirkpatrick, mailed Deft. (4 copies Atty.)

Aug. 29, 1995 Proof of Service filed. I certify that I served the Petition to Modify/Clarify Custody on the Defendant, Sandra Hyland Gildea Dailey, by personal service on August 28, 1995.

Mary Ann Kirkpatrick, Esq.

Nov. 2, 1995 TEMPORARY ORDER filed. AND NOW, this 31 day of October, 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 presently effective Orders in the above-referenced matter shall remain in effect until further order of this Court.

2. The parties are to explore the schools whichare reasonablyavailable to their childrenand shal report to the Mediator by December 20, 1995,upon whether they are able to agree to a choice of schools and what that choice is.

3. 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 him or her as costs in this case.

4. The deposit required for the appointment of the Custody Mediator was made by the father. The deposit shallfirst be applied againsst the father's share of costs and the remainder, if any, shall be remitted to him. The mother shall pay her share of costs and fees to the Prothonotary of Crawford County within thirty(30) days of the date of this Order. The Prothonotary shall deduct $9.00 for entry of an order from Plaintiff's deposit.

5. 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 shallbe considered permanent.

By the Court,
Anthony J.Vardaro, J.

11-2-95 Faxed Attys. Pineo & Kirkpatrick. 11-6-95 copy to Deft. w/bill

198
-6-

1993

1993

Barrett & Dratler
Bruce A. Barrett

199.

KEICA LYNN KLINGENSMITH

vs.

BRIAN ERIC KLINGENSMITH

Filed February 25, 1993
@ 9:20 AM

COMPLAINT IN DIVORCE
1 copy atty.

Mar. 2, 1993 Affidavit of Service filed. Bruce A. Barrett, Esquire, being duly sworn, deeposes and says that the following facts in support of his Affidavit of Service are true and coreect to the best of his knowledge, informationand 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 under Section 3301(c) of the Divorce Code was sent by restricted/certified mail to the Defendant onFebruary 26, 1993.
3. The restricted/certified mail was sent to the Defendant at R.D. #2, Box 765, Conneaut Lake, PA 16316.
4. The Defendant, received said restricted/certified mail on February 27, 1993. Said receipt card number 147 766 767 is attached hereto and signed by the Defendant, Brian eric Klingin-smith.
Bruce A. Barrett

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro.Co.pd 6/23/93	9.00
Pro Co Pd. 5/7/96	5.00

Jun. 23, 1993 Affidavit of Consent by Keica Lynn Klinginsmith, Plaintiff, filed.

Jun. 23, 1993 Affidavit of Consent by BrianEric Klinginsmith, Defendant,filed.

Jun. 23, 1993 Upon Praecipe of Bruce A.Barrett, Esquire, Attorney for Plaintiff to transmit record, case moved to Court.

July 12, 1993 ORDER filed. AND NOW, July 9, 1993, this matter has been reviewed by the Court pursuant to a praecipe to transmit the record for divorce. It has come to the attention of the Court that the defendant was declared to be an incompetent (now incapaci-tated person) by Order entered July 15, 1992 in the Orphans Court division at 1992-87. The Rules of Civil Procedure establishing a procedure where parties are incompetent apply equally as well to divorce actions (Pa.R.C.P. 1920.1(b)). The rules governing incompetent parties require that an incompetent as a defendant shall be represented by a guardian and the guardian shall supervise and control the conduct of the action on behalf of the incompetent (Pa.R.C.P. 2053(b).

Therefore, the Court will not now grant this divorce until further proceedigns take place. In accordance with Pa.R.C.P. 2056(b) the plaintiff shall forthwith give notice, by certified mail or in such other manner as will assure personal service, followed by the filing of a proof of service of the pendency of this action to Frederick Brian Klingensmith, guardian of Brian Erie Klingensmith, an incapacitated person. Said guardian shall review this matter and shall supervise and control the conduct of the action on behalf of the defendant. If the guardian believes that this divorce is in the best interest of the defendant, said guardian shall also sign an affidavit of consent as guardian of the defendant. If and when that occurs the plaintiff may file another praecipe to refer the matter to the Court for the entry of a decree.

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

July 14, 1993 copy to B. Barrett

July 19, 1993 Affidavit of Consetn of Brian Eric Klinginsmith By Frederick Brian Klinginsmith, Guardian, filed.

July 20, 1993 AFFIDAVIT OF SERVICE filed. I Bruce A. Barrett, Esquire, being duly sworn, deposes and says tht the following facts in support of her Affidavit of Service are true and correct to the best of her knowledge, information and belief.
1. The affiant is the Attorney for the Plaintiff in the above captioned action.
2. A copy of the Divorce Complaint was sent by restricted,, certified mail to the Defendant in the above captioned matter.
3. The restricted, certified mail was sent to RD 2, Box 765, Conneaut Lake, Pa. 16316, July 15, 1993. The Sender's receipt is attached hereto.
4. The Defendant received said restricted, certified mail on July 16, 1993. Said receipt card number 147 766 777 is attached hereto.
5. The return receipt card was returned after signature to the office of Bruce A. Barrett, Esq., 965 South Main Street, Meadville, Pa. 16335 on July 19, 1993.

July 20, 1993 Upon praecipe of Plaintiff attorney to transmit records, case moved to Court.

DIVORCE DECREE FILED

July 26, 1993 AND NOW, July 26, 1993, it is ordered and decreed that KEICA LYNN KLINGINSMITH, plaintiff, and BRIAN ERIC KLINGINSMITH, 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.

May 2, 1996, Notice of Election to Resume Former Name filed.
TO BE KNOWN AS: KEICA LYNN BURGER.

1993

Thomas, Truax,
Spadafore & Walker
Gregory A. Keenan

200.

TRACY J. BEAGLE

vs.

BERNARD D. BEAGLE, JR.

Filed February 25, 1993
@ 9:45 AM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 6-18-93	9.00
Pro Co pd 7-14-93	5.00

~~Certification pd to 2 pp 22~~

COMPLAINT UNDER SECTION 3301(c) OF THE DIVORCE CODE
1 copy atty.

Apr 5, 1993 AFFIDAVIT OF SERVICE OF COMPLAINT IN DIVORCE, filed. Gregory A. Keenan, Esq., being duly sworn according to law, deposes and says that on Feb. 25, 1993, he sent a true and correct copy of a Complaint in Divorce, properly endorsed with the Notice To Defend, filed in the above action, to the Defendant, Bernard D. Beagle, Jr., at Defendant's last known address of R.D. 2, Box 246, Conneautville, Pa. 16406, by Certified Mail No. P 100 620 573 postage prepaid, return receipt requested, restricted delivery and that attached heretois a duly executed return receipt card showing date of delivery as March 1, 1993.

June 18, 1993 Affidavit of Consent of Defendant, filed.

June 18, 1993 Affidavit of Consent of Plaintiff, filed.

June 18, 1993 Upon praecipe of plaintiff attorney to transmit records, case moved to Court.

DIVORCE DECREE FILED

June 30, 1993 AND NOW, June 25, 1993, it is Ordered and Decreed that TRACY J. BEAGLE, Plaintiff, and BERNARD D. BEAGLE, JR., Defendant, are Divorced from the bonds of matrimony.

By the Court:
Gordon R. Miller, J.

July 14, 1993 NOTICE OF ELECTION TO RETAKE MAIDEN NAME, filed. Tracy Jean Beagle to be known as Tracy Jean Walker.

1993

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

201

STARLITE DIVERSIFIED, INC.

vs.

GENEVA RUBBER COMPANY

Filed February 25, 1993
@ 9:45 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Pro.Co. pd 5/11/93	9.00
Exempl. & Triple Seal	13.50

pd 8-17-93

COMPLAINT IN CIVIL ACTION
2 copies (atty)

And Now, May 11, 1993 at 4:17 P.M. upon praecipe of plaintiff's attorney, with notice of Int ention 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 same is liquidated at the sum of Six thousand five hundred thirty-one and 20/100 dollars plus interest in the amount of 1½% per month from September 15, 1992 plus attorneys fees and costs.

G-183
Entered May 11, 1993
Abstract to Atty.Irwin

Debt $6,531.20
Interest from Sept. 15,1992 of 1½% per Month

Judgment
Barbara H. King
Prothonotary

Thomas, Truax,
Spadafore & Walker
William L. Walker

202.

Quinn, Buseck, Le
Leemhuis, Toohey &
Kroto, Inc.
Michael S. Jan Janin
David S. Rzepecki

ROBERT T. KINCAID and
ROBERT R. KINCAID

vs.

PATRICIA A. REYNOLDS

Filed February 25, 1993
@ 3:36 PM

Tax & entry paid	50.50
Use's Fee paid	5.00
Sheriff's Costs	27.00
Pro.Co. pd 1/6/94	5.00

COMPLAINT IN MORTGAGE FORECLOSURE
1 copy Sheriff

Mar 11, 1993 SHERIFF'S RETURN, filed. SERVED Patricia Reynolds personally on March 4, 1993 at 2:03 PM by handing a copy of the Complaint to her at the Ski-Tow Motel, RD 4, Box 18, Route 618, Conneaut Lake, Crawford County, Pa.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Mar 12, 1993 Answer to Complaint in Mortgage Foreclosure and New Matter, filed.

Apr. 8, 1993, Reply to New Matter filed.

Apr. 19, 1993 Notice of Deposition of Patricia A.Reynolds, filed.

Jun. 16, 1993 Plaintiff's Motion for Summary Judgment filed.

Jun. 16, 1993 Upon praecipe of William L. Walker, ESquire, the above captioned matter is placed on the next available Argument List.

On July, 1993 Argument list

July 14, 1993 Deposition of PATRICIA A. REYNOLDS, filed.

July 28, 1993 ORDER filed. AND NOW, July 27, 1993, the Court f finds that there is no genuine issue of the material fact and that the plaintiffs are entitled to summary judgment. Accordingly summary judgment is entered in favor of the plaintiffs, Robert T. Kincaid and Robert R. Kincaid and against the defendant, Patricia A. Reynolds in the amount of $70,822.28, as set forth in paragraph 8 of the plaintiffs' complaint, together with interest at the rate of 10% per annum from February 15, 1993. BY ORDER OF COURT
Gordon R. Miller, P.J.
July 28, 1993 copies dist. to Walker & Rzepecki

Jan.6, 1994 Upon Praecipe of Robert T. Kincaid and Robert R.Kincaid, Plaitniffs and William L. Walker,Esquire, Attorney for Plaintiffs, the above-captioned action is marked satisfied of record.

1993

Mary Ann Kirkpatrick

203.

DALE EDWARD LIPPPERT

vs.

KARLA JEAN DAVIS LIPPERT

Field February 26, 1993
@ 12:01 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro.Co. pd 6/11/93	9.00

COMPLAINT IN DIVORCE,
1 copy (atty)

Feb. 26, 1993 Plaintiff's Affidavit Under Section 3301(d) of the Divorce Code filed.

Mar 4, 1993 AFFIDAVIT OF SERVICE filed. And Now, March 2, 1993 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 Dale Edward Lippert, 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, P 100 621 275; postmarked Feb. 26, 1993, to the last known address of the Defendant, Karla Jean Davis Lippert, Box 77, Cambridge Springs, Pa. 16403.

3. That the Defend ant, Karla Jean Davis Lippert, on Feb. 27, 1993, personally signed the return receipt card which was affixed to the Complaint in the above-matter and which is attached hereto.

4. Service of the Complaint against Defendant is therefore effected in accordance with Pal R.C.P..

June 3, 1993, Affidavit of Consent of defendant filed.

June 8, 1993 Affidavit of Consent by Dale Edward Lippert,Plaintiff, filed.

June 11, 1993 UponPraecipe of Plaintiff Attorney, Mary Ann Kirkpatrick, Esquire,for Review under Section 3301 (c) of the Divorce Code, case moved to Court.

DIVORCE DECREE FILED

June 22, 1993 AND NOW, June 17, 1993, it is hereby ordered and decreed that DALE EDWARD LIPPERT, Plaintiff, and KARLA JEAN DAVIS LIPPERT, 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, P.J.

1993

Fuller, Kinnunen,
Petruso, Gamble,
Fabian& Hall
Ann Hansen Gamble

204.

KAREN E. HALSTED

vs.

JOHN E. HALSTED, SR.

Filed February 26, 1993
@ 1:58 PM

Tax & entry paid	50.50 ✓
User's Fee paid	5.00
State paid	10.00
Pro.Co. pd 4/29/93	9.00 ✓

COMPLAINT IN DIVORCE
1 copy (atty)

Feb. 26, 1993 Affidavit Under Section 3301(d) Of the Divorce Code of Plaintiff filed.

Mar. 10, 1993 Acceptance of Service filed. AND NOW, this 4 day of March, 1993, I hereby accept service of a copy of a Complaint in Divorce and a copy of the Plaintiff's Affidavit Under Section 3301(d) of the Divorce Code, in regard to the abaove captioned matter as proper service thereof.

John E. Halsted, Sr.

Apr. 29, 1993 Defendant's Counter-Affidavit Under Section 3301 (d) of the Divorce Code filed.

April 29, 1993 Notice of Intention to Request Entry of Divorce Decree filed.

Apr. 29, 1993 Upon Praecipe of Plaintiff Attorney, Ann Hansen Gamble, Esquire 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

May 7, 1993 AND NOW, May 5, 1993, it is hereby ordered and decreed that KAREN E. HALSTED, Plaintiff, and JOHN E. HALSTED, 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.

1993

Barbara H. Walton

205.

JOSEPH E. RHOADES

vs.

SALLY L. RHOADES

Filed February 26, 1993
@ 3:11 PM

Tax & entr paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro.Co. pd 6/16/92	9.00

COMPLAINT IN DIVORCE
2 copy atty.

Mar 10, 1993 Affidavit of Service, filed. And now, March 10, 1993, comes Lisa M. Sherretts being duly sworn according to law, deposes and sets forth as follows:

1. That she is the legal assistant of Attorney for Joseph E. Rhoades, 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, P 899 097 845; postmarked Feb. 26, 1993, to the last known address of the Defendant, Joseph Rhoades, W1721 Riverside St., Spokane, WA 99204.

3. That the Defendant, Joseph Rhoades, on March 4, 1993, personally signed the return receipt card which was affixed to the Complaint in the above-matter and which is attached hereto.

4. Service of the Complaint agaisnt Defendant is therefore effected in accordance with Pa. R.C.P.

Jun. 9, 1993 Affidavit of Consent by Sally Louise Rhoades, Deft. Filed.

Jun. 9, 1993 Affidavit of Consent by Joseph E. Rhoades, Plaintiff, filed.

Jun. 16, 1993 Amended Affidavit of Service filed. And Now, June 15, 1993, comes Lisa M. Sherretts and states the following:

1. That she is the legal assistant of Attorney for Joseph E. Rhoades, 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, P 899 097 845; postmarked February 26, 1993, to the last known address of the Defendant Sally L. Rhoades, W1721 Riverside St., Spokane, WA 99204.

3. That the Defendant, Sally Rhoades, on March 4, 1993, personally signed the return receipt card which was affixed to the Complaint in the above-matter and a copy of which is attached hereto, original previously filed with the Court.

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

I verify that the statements made in this Affidavit are true and correct to the best of my knowledge and information. 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.

Lise M. Sherretts, Legal Assistant

Jun. 16, 1993 Upon Praecipe of Barbara J. Walton, Esquire, for Review under Section 3301 (c) of the Divorce Code to transmit record, case moved to Court.

DIVORCE DECREE FILED

June 30, 1993 AND NOW, June 23, 1993, it is ordered and decreed that JOSEPH E. RHOADES, plaintiff, and SALLY L. RHOADES, 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.

C. Barton Jones

206.

William J. Gregg

February 26, 1993
$300.00 Bond
Posted by Defendant

4-30-93 Refunded Bond
to Pltfs Ck # 7515 300.00

ROBERT L. ANTHONY and
DIANE E. ANTHONY

vs.

JOHN O. HERMAN and
DARLENE A. HERMAN

Filed February 26, 1993
@ 3:18 PM

Tax & entry apid	50.25
User's Fee paid	5.00
Pro Co Pd 4/21/93	9.00

APPEAL OF DEFENDANT FROM DECISION OF
DISTRICT JUSTICE WAYNE E. HANSON

Feb. 26, 1993 Rule entered upon plaintiff to file a complaint issued.

Mar. 3, 1993 Proof of Service filed.

Mar. 12, 1993 Complaint filed.

Mar 12, 1993 Certificate of Service by Mail filed. I, C.BARTON JONES, Esq., do hereby certify that I have, this 11th day of March 1993, sent a true and correct copy of the within Complaint in Two Counts, upon Defendants by placing in Regular U.S. Mail to their Attorney William J. Gregg, Esq., as

And Now, April 21, 1993, at 11:12 a.m. upon praecipe of plaintiff attorney, Judgment is hereby entered in favor of plaintiffs and against the defendants for failure to file an answer.
Judgment entered
on 4/21/93
H - 94, 44 JUDGMENT
Barbara H. King,
Prothonotary

Apr. 28, 1993, notice of judgment to Atty. gregg,

Ex. 1993-30

Apr. 30, 1993 Petition To Release Monies and Order filed. AND NOW, this 29 day of April, 1993, and a mtoion having been made for paying out the $300.00 rental monies of the Defendants in the matter, and it appearing that a Default Judgment has been entered against Defendantin the matter. IT IS HEREBY ORDERED that the Prothonotary of Crawford County, Pennsylvania, make payment of the Funds of $300.00 to Plaintiffs.

BY THE COURT,
Anthony J. Vardaro,

J May 5, 1993 Copies of order to Atty's Jones & Gregg

1993

207

David P. Truax

Pettiion For Involuntary

Treatment

of

EDWARD J. BUZONAS

Filed February 26, 1993
@ 4:12 PM

APPLICATION FOR EXTENDED INVOLUNTARY TREATMENT
Mental Health Procedures Act of 1976
(Section 303)

March 3, 1993 Certification for Extended Treatment filed.
The Court finds that the patient is severely mentally disabled and in need of treatment. Accordingly, the court orders that: Edward J. Buzonas receive inpatient treatment at Grove St. (MMHC) as a severely mentally disabled person pursuant to the provisions of Section 303 of the Mental Health Procedures Act of 1976 for a period of Twenty (20) days.
The patient was represented by David P. Truax, Attorney.
For the Court
John D. Petruso, MHRO

March 10, 1993 Copy of Order to Atty. David Truax, MMHC.

Mar. 22, 1993 Petition for Involuntary Treatment filed.

Mar. 29, 1993 Report of Mental Health Review Officer and Order, filed. ORDER: And now, March 26, 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 Edward J. Buzonas be committed to Warren State Hospital for treatment for a period not to exceed 90 days. BY THE COURT,
Gordon R. Miller, P.J.
Mar. 30, 1993 copy to D. Truax, MH/MR, WSH

Apr. 5, 1993 Exceptions to Mental Health REview Officer's Recommendations and Order Filed. AND NOW, this 2nd day of April, 1993, upon consideration of the foregoing Exceptions to Mental Health Review Officer's Recommendations a hearing is set for the 6th day of April 1993, at 1:00 o'clock p.m. FOR THE COURT,
Ann A.Walker, Court Administrator
Apr. 5, 1993 Copy of Order to Atty. Truax, MH/MR and WSH and Atty.Barrett.

Apr. 7, 1993 Order filed. AND NOW, April 6, 1993 after hearing on the exception to the Mental Health Review Officer's recommendation, the Court is satisfied that the evidence shows and therefore the Court finds as a fact that Edward J. Buzonas, because of mental illness or disability has a lessened capacity to exercise self-control, jdugment and discretion in the conduct of his affairs and social relations as well as to care for his own personal needs and poses a clear and present danger to himself.
Accordingly, the Order of March 26, 1993 shall remainin full force and effect and Mr. Buzonas' exceptions are dismissed. BY ORDER OF THE COURT,
Gordon R. Miller, J

Apr. 6, 1993 Copies to MH/MR and Warren State Hospital. Apr. 13, 1993 Copies to Atty's Barret and Truax

July 12, 1993 Report of Mental Health Review Officer and Order, filed. ORDER: AND NOW, this 8th of July, 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 Respondent be committed to the Warren State Hospital for treatment for a period not to exceed 180 days from June 23, 1993. BY THE COURT,
Gordon R. Miller, P.J.
July 13, 1993 copy to D. Truax, T. Africa, WSH, MH/MR

July 12, 1993 Petition For Involuntary Treatment, filed.

Nov 23, 1998 Application For Extended Involuntary Treatmetn. Mental Health Procedures Act of 1976 (Section 303), filed.

SEE COMPUTER FOR ENTRIES AS OF JANUARY 3, 20000.

1993

Mary Ann Kirkpatrick

208.

Fuller, Kinnunen,
Petruso, Gamble, Fabian
& Hall
Ann HansenGamble

DOROTHY RUTH BRINKLEY SNYDER

VS.

RONALD KENNETH SNYDER, SR.

Filed March 1, 1993
@ 9:29 AM

Tax & entry paid	50.50
User's Fee paid	10.00
1 add'l Count paid	15.00
State paid	10.00
Pro.Co. pd 12/28/93	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
1 copy (atty)

Mar. 18, 1993 Affidavit of Service, filed. And Now, March ____, 1993, 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 Dorothy Ruth Brinkley Snyder, 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, P 100 621 272; postmarked March 5, 1993, to the last known address of the Defendant, Ronald Kenneth Snyder, Sr., 506 W. Walnut St., Titusville, Pa. 16354.

3. That the Defendant, Ronald Kenneth Snyder, Sr., on March 11, 1993, personally signed the return receipt card which was affixed to the Complaint in the above-matter and which is attached hereto.

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

Apr. 19, 1993 Appearance of Fuller, Kinnunen, Petruso, Gamble Fabian & Hall by Ann Hansen Gamble for Defendant filed.

July 1, 1993 Affidavit of Consent of Plaintiff filed.

July 2, 1993 Affidavit of Consent of Defendant, filed.

Dec. 28, 1993 Upon Praecipe of Attorney for Plaintiff, Mary Ann Kirkpatrick, Esquire to transmit record, case moved to Court.

Jan. 4, 1994 STIPULATION ORDER AND DECREE filed. AND NOW, this 30 day of December, 1993, this court hereby approves the agreement attached hereto, and orders that the said agreement be filed with this order and decree in the above captioned action and further orders and decrees as follows:

1. That all provisions, covenants, and agreements of the said agreement shall have the same force and effect as if incorporated in and set forth at length in this order and decree.

2. The continuing jurisdiction of the plaintiff, Dorothy Ruth Brinkley Snyder, and the defendant, Ronald Kenneth Snyder, Sr., and of the matters and subjects of this order and decree is retained by this court.

3. In accordance with the terms and conditions of said agreement and notwithstanding the approval, adoption, confirmation, and incorporation of the same by and in this decree, the said marriage settment agreement shall nto be merged herein but shall survive and be binding upon the parties.

4. The said marriage settlement agreement shall not be modified or amended except as provided therein.

5. This decree constitutes the final order as to the matters set forth in this agreement and the court retains jurisdiction of the parties and the subject matter for the purposes of enforcement only.

BY THE COURT:
Anthony J. Vardaro, J.

DIVORCE DECREE FILED

Jan. 4, 1994 AND NOW, December 30, 1993, it is hereby ordered and decreed that DOROTHY RUTH BRINKLEY SNYDER, Plaintiff, and RONALD KENNETH SNYDER, SR., 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.

1993

209.

SHARI LYNN MORSE

vs.

NATHANIEL EUGENE MORSE

Filed March 1, 1993
@ 11:41 AM

Indigent Filing

COMPLAINT IN DIVORCE

Mar. 1, 1993 PetitionTo Proceed In Forma Pauperis Pursuant To Pa. R.C.P. 240 and Order filed. AND NOW, Feb. 19, 1993, upon consideraiton 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 and Pa. R.C.P. 1920.62, the plaintiff is granted leave to proceed in forma pauperis at this time. The plantiff is directed to inform the Prothonotary's Office or the Court of any imporvement in his/her financial circumstance that would permit him/her to pay the costs incurred in this action and shall be responsible for doing so upon an imporvement of financial condition.

BY THE COURT
Anthony J. Vardaro, J

Mar. 2, 1993 Affidavit of Non-Military Service field.

April 13, 1993

Apr. 13, 1993 Affidavit of Service, filed.

Apr. 27, 1993 Affidavit and Motion For Order To Commence and Prosecute Proceedings in Forma Pauperis filed.

June 10, 1993, Affidavit of Consent of plaintiff filed

Jan. 31, 1995 Amended Complaint, filed.

Jan.31, 1995 Counter-Affidavit Under Sec. 3301 (d) of the Divorce Code,filed.

Jan. 31, 1995 Affidavit of Services filed. I Shari Morse certify that I sent the Defendant, Nathaniel Morse copies of my petition for divorce in my own writing on 1-31-95, by certified mail. Proof of Service attached.
1/31/95

Shari L. Morse

Oct. 4, 1995 Notice of Intention to Request Entry of Divorce Decree filed.

Feb 14, 1997 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

Feb 27, 1997 ORDER: AND NOW, Feb 26, 1997, this 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 since the filing of a Notice of Intention to Request Entry of Divorce Decree on Oct 4, 1995, at which time the plaintiff appeared to be requesting a 3301(d) divorce, the defendant has not filed an Affidavit of Consent to a 3301(c) divorce and the plaintiff must once again give notice of her intention to request entry of a divorce decree pursuant to Pa.R.Civ.P. 1920.42(d)(1)(2) or waivers of such notice must be filed pursuant to Pa.R.Civ.P. 1920.42(e).

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.

Anthony J. Vardaro, J.

Feb 27, 1997 mailed Plf.

1993

210.

THE FIRST NATIONAL BANK OF PENNSYLVANIA now by merger MARINE BANK

vs.

SHARRON E. DILEY
JAMES J. DILEY

Filed March 1, 1993
@ 2:02 PM

Pro King paid	9.00
plff on orig.	14.50
Pro Co pd 2-5-98	5.00

AGREEMENT TO REVIVE

of

DSB 1988 - 353

The undersigned hereby agrees that the judgment entered on June 22, 1988 be revived; indexed by Prothonotary in favor of plaintiff and against the defendants in the sum of Ten Thousand Six Hundred five and no/100 dollars.

Debt ----$10,605.00
dated ----March 1, 1993
D-151-91 JUDGMENT
Barbara H. King
Prothonotary

Mar. 3, 1993 Notice of entry of revival of jdugment mailed to dfts.

Feb 5, 1998 This Judgment satisfied (see paper filed).

211.

3-9-93
Received from deft
Sheriff's Costs 25.00
3-9-93 Pd Sheriff
Ch# 7387 25.00

EMMALINE Y. EDWARDS

vs.

CLIFFORD L. EDWARDS

Filed March 1, 1993
@ 2:15 PM

Tax & entry Pd 3-9-93 50.50
User's Fee Pd 3-9-93 5.00

25.00

Sheriff
Proc Pd 3-9-93 5.00
Sheriff's

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

Order:

And now, this 1 day of March , 19 93, 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 Plaintiff shall have exclusive possessio of 539 Terrace St., and sole custody of the minor child pending further order of court.
3. This Order may be enforced without a warrant 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 or 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 9, 1993 , at 3:30 p.m.
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 COURT,
Anthony J. Vardaro, J

Mar. 9, 1993 SHERIFF'S RETURN filed. SERVED Clifford L. Edwards personally on March 3, 1993 at 12:15 PM at Chancery Lane, Meadville, Crawford County, Pa. 16335
So answers, Glenn Peterson, Meadville police Dept.
Robert M. Stevens, Sheriff

Mar 12, 1993 Motion to Vacate Protection From Abuse Order and Order filed. ORDER: AND NOW, this 10th day of March, 1993 upon receipt and review of the plaintiff's motion to vacate and terminate the Protection from Abuse Order of March 1, 1993, said motion is granted and the Protection from Abuse Order is hereby vacated and terminated.

A true and correct copy of this Order shall be delivered by the Prothonotary to Meadville Police Dept. and to County Control.

Any provisions of the Protection from Abuse Order of March 1, 1993 assessing court costs shall remain in full force and effect without change or modification and the party or parties against whom costs were assessed shall remain obligated to pay the costs.

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

Mr. 15, 1993 copy to Co Control, MCPD & Plf. & Dft.

212.

THE FIRST NATIONAL BANK OF PENNSYVLANIA now by MERGER MARINE BANK

VS.

KATHLEEN L. SMITH

Filed March 1, 1993
@ 2:21 PM

Pro King paid 9.00✓
Plff on orig 14.50

AGREEMENT TO REVIVE

OF

DSB 1988 - 351

The undersigned hereby agrees that the judgment entered on June 22, 1988 be revived; indexed by Prothonotary in favor of plaintiff and against the defendant in the sum of Ten Thousand Six Hundred Five and no//100 Dolalrs

Debt------$10,605.00
dated----- March 1, 1993
S-200 Judgment
Barbara H. King
Prothonotary

Mar. 3, 1993 notice of entry of revival of judgment mailed to dft.

Jun. 26, 1995 This Judgment Satisfied. (See paper filed at DSB 1988-351.)

1993

213

THE FIRST NATIONAL BANK OF PENNSYLVANIA now by merger MARINE BANK

vs.

ONEIDA ELECTRONIC MANUFACTURING, INC.

Filed March 1, 1993
@ 2:21 PM

Pro King paid 9.00
Plff on orig 14.50

AGREEMENT TO REVIVE

of

DSB 1988 - 353

The undersigned hereby agrees that the judgment entered June 22, 1988 be revived; indexed by Prothonotary in favor of plaintiff and against the defendant in the sum of Ten Thousand Six Hundred Five and no/100 Dollars

Debt -----$10,605.00
dated-----March 1, 1993
O-183 Judgment
Barbara H. King
Prothonotary

Mar. 3, 1993 notice of entry of revival of judgment mailed to dft.

Jul. 13, 1995 This Judgment Satisfied. (See paper filed at DSB 1988-352).

1993

214.

THE FIRST NATIONAL BANK OF PENNSYLVANIA now by merger MARINE BANK

vs.

ONEIDA ELECTRONIC MANUFACTURING, INC.

Filed March 1, 1993
@ 2:21 PM

Pro King paid 9.00
Plff on orig. 14.50

AGREEMENT TO REVIVE

of

DSB 1988 - 354

The undersigned hereby agrees that the judgment entered on June 22, 1988 be revived; indexed by Prothonotary in favor of plaintiff and against the defendantin the sum of Ten Thousand Six Hundred Five and no/100 Dollars

Debt------$10,605.00
dated ----- March 1, 1993
O--183 Judgment
Barbara H. King
Prothonotary

Mar. 3, 1993 notice of entry of revival of judgment mailed to dft.

Jan. 4, 1996 This Judgment Satisfied. (See paper filed) at

1993

215.

JAMES FUCCI

vs.

GUS LABRUZZO

Filed March 1, 1993
@ 3:11 PM

WRIT OF REVIVAL

of

DSB 1988 - 674

Writ of Revival indexed against the defendants in favor of the plaintiff, inthe sum of Two Thousand Nine Hundred Thirty-five and 05/100 Dollars and cost of suit.

Debt -----$2,935.05
L-74 Judgment
Barbara H. King
Prothonotary

Issued Sheriff

Jan. 13, 1994 Writ Return filed. Returned to Prothonotary unserved on January 13, 1994. No instructions or service fee received by Sheriff.

So answers, Robert M. Stevens, Sheriff

Tax & entry paid 15.00✓
Plff on orig. 9.25

1993

Mason & Mason
Joan D. Mason

216.

Edward J. Hatheway

HELEN A. ADAMS

vs.

DONALD J. ADAMS a/k/a
DONALD J. ADAMS, JR.

Filed March 2, 1993
@ 12:34 PM

Tax & entry paid	50.50
User's Fee paid	15.00
2 Add'l Counts paid	30.00
State paid	10.00

COMPLAINT IN DIVORCE, CUSTODY,
EQUITABLE DISTRIBUTION
3 copies atty.

Apr. 22, 1993, Affidavit of Service filed. I, Joan Mason, Esq atty. for plff in above case and being duly sworn, depose and say that I did on Mar. 24, 1993 mail to the above dft. Donald J. Adams a/k/a Donald J. Adams, Jr. by cert. mail ret. rec. req. del. to addressee only, a Complaint in above action. Said notice was received on Mar. 25, 1993 as indicated by the ret. rec. card which was returned to the office ofthe plaintiff attorney and is attached hereto. Joan D. Mason Esq.

Oct. 24, 1993 PETITION FOR SPECIAL RELIEF filed.

Nov. 24, 1993 ORDER filed. AND NOW, Nov. 24, 1993, the for the Plaintiff is in Motion Corut with a Petition for Special Relief which she originally presented to the Court on Nov. 23, 1993. She has now given telephone notice to the Defendant that this petition would be presented and he calls and talks to a member of the Judge's staff indicating his position with regard to this matter.

At this point, we are going to set hearing with regard to the Plaintiff's Petition for Special Relief for Dec. 7, 1993 at 2:30 P.M. in Courtroom No. 1 or 2 at the Crawford Co. Courthouse and, pending further order of court, no party shall sell, transfer, dispose of, destroy, dissipate or in any manner cause any marital asset to leave their possession or to become lessened in value including, but not limited to, a 1977 Chevrolet truck and any savings deposited in a savings plan at the Defendant s place of employment.

Additionally, the Defendant shall not change the beneficiary of a life insurance policy apparently in the amount of $100,000 which was obtained through his employment.

Furthermore, pending further order of court, no party shall drive the 1977 Chevrolet truck nor permit any other person to drive the same unless it is properly insured.

BY THE COURT:
Anthony J. Vardaro, J.

Nov. 24, 1993 Copies distributed by Court.

Dec. 7, 1993 Appearance of Edward j. Hatheway for Defendant filed.

Dec. 10, 1993 ORDER filed. AND NOW, December 7, 1993, after an informal hearing on the Plaintiff's Petition for Special Relief, it is ORDERED as follows:

1. The defendant shall deliver or make available to the plaintiff the 1977 Chevy Truck in the same condition in which it exists at this moment. That time for transfer shalll be arranged by the attorneys and can atake place no later than Friday, December 10, 1993. The defendant shall deliver any and all keys,license plates, registration documents and owner's cards that he has in his possession or that he has under his control to the plaintiff so that the plaintiff will be able to oplerate and use said vehicle lawfully. In the event that any registrations have expsired or application for registration become due before the final divorce,, boath paraties shall sign the necessary papers to make the registration current and cooperate with each other with respect to that matter.

It appears that the truck was subject to an installment loan arrangemetn through the defendant's employer and that there may have been very few installmetn payments left until the defendant recently refinanced the loan to acquire more loanproceeds to purchase other items. The defendant represents that at that time the monthly payments remained about the same but the maturity of the loan was extended for some period of time. Since that loanapparently is secured by this truck, the defendant shall well and truly pay all monthly payments on said loan until further Order of Court or until the parties sign an agreement to the contrary. He shall make certain that the payments are made on a timely basis so that the title to the truck is not jeopardized and so that the entity making the loan does not repossess or attempt to repossess said truck.

2. Within 30 days from this date, the defendant shall sign an authorization, giving any bank, savings and loan, and employer credit unions or savings plans, or other similar institutions where he ahs had accounts or certificates of deposit or money market accounts during the years 1991, 1992 and 1993 and deliver the authorization shall permit the plaintiff or her attorney to obtain a record, at the plaintiff's expense, of all deposits and additions to the accounts and any withdrawals or deductions from the accounts so that the plaintiff will have a full and complete itemization of all activity in said account or accounts for the years provided above. The purpose of this shall be to determine whether the plaintiff will seek additional special relief and also for discovery purposes with respect to equitable distribution of marital property. This is in lieu of an accounting that the defendant shall give to the plaintiff. We are giving the plaintiff the opportunity to obtain that information on her own through an appropriately worded worthy and executed authorization that one of the attorneys shall draw within the time provided above. At the same time the defendant gives the authorization to the plaintiff or her counsel, he shall submit a statement setting forth the names and addresses of each account or institutiion or employer where each account existed, which said statement shall be under oath in affidavit form. He shall deliver any records he has showing any activity in said accounts for the years areferred to above, which said records shall include but not be limited to bank statements, deposit slips, canceled checks, checkbooks or savings account registers or stubs. Those documents shall be given to counsel for the plaintiff, who shall, within 20 days after the delivery fo the same, review them and return the originals to the defendant or his counsel.

3. The defendant shall also provide an authorization to the plaintiff or her attorney to contact any his insurance carrier that has issued or provided life insurance insuring the life fo the defendant for the years 1991, 1992 and 1993 so that theplaintiff may determine whether or not any such plicies were in existence during that period of time, the named beneficiaries, the death benefit and any other relevant entails which might be appropriate to special relief or to equitable distaribution of marital property or both. Said authorization shall be executed and delivered within 15 days from this date. The purpose of this provision is to permit the plaintiff to go directly to any insurance carriers providing life insurance on the life of the defendant to find out any relevant details.

4. Until further Order of Court, or written agreement signed by both parties, the defendant

Continued on Pg. 216A

Helen A. Adams
vs.
Donald J. Adams, a/k/a
Donald J. Adams, Jr.

CONTINUED FROM PAGE 216
of Record
A. D. 1993 - 216

****

Shall maintain on any current life insurance policies the plaintiff as sole beneficiary. FURTHERMORE, he shall sign a waiver which shall be delivered to any insurance company presently providing life insurance benefits to him, ehich said waiver shall be a waiver of the right to change beneficiary. The defendant shall furnish appropriate evidence to the plaintiff that he has delivered said waiver of the right to change beneficiary to the insurance carrier and that the insurance carrier acknowledged receipt of the same and will go along with the same.

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

Dec. 10, 1993 copies dist to Mason & Hatheway

Mar. 12, 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 12/10/93. 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: March 12, 1998 Anthony J. Vardaro, J
Mar 12, 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)

1993

1993

Roeder & Rothschild
Tamera Ochs Rothschild

217.

FRANCIS P. JOHNSON and
HELEN T. JOHNSON, his wife

vs.

CENTERVILLE CASTINGS, INC.

Filed March 2, 1993
@ 1:19 PM

Tax & entry paid 15.00
Plff on orig. 9.50

WRIT OF REVIVAL

OF

DSB 1988 - 155

Writ of REvival indexed against the defendants in favor of the plantiff, in the sum of One Hundred Thirty-Nine Thousand Three Hundred Sixty and 40/100 Dollars plus interest and cost of suit.

Debt ------$139,360.40
C-183

Judgment
Barbara H. King
Prothonotary

Issued Atty.

Mar. 11, 1993 Acceptance Of Service filed. I, Francis P. Johnson, President of Centercille Castings, Inc., Defendant in the above-captioned matter, hereby accept service of the Writ of Revival. Francis P. Johnson

Revived to AD1988-255

218

1993

Roeder & Rothschild
Tamera Ochs Rothschild

218.

FRANCIS P. JOHNSON

vs.

CENTERVILLE CASTINGS, INC.

Filed March 2, 1993
@ 1:19 PM

Tax & entry paid 15.00
Pltff on orig. 9.50

WRIT OF REVIVAL

OF

DSB 1988 - 156

Writ of Revival indexed against the defendant in favor of the plaintiff in the sum of Sixty-one Thousand Six Hundred Thirty-seven and 26/100 Dollars with interest and cost of suit.
Debt -----$61,637.26
C-183
Barbara H. King, Pro

Issued Atty.

Mar. 11, 1993 Acceptance of Service of Writ of Revival, filed.

Revived & AD1988-254

1993

Roeder & Rothschild
Tamera Ochs Rothschild

219.

FRANCIS P. JOHNSON

vs.

CENTERVILLE CASTINGS, INC.

Filed March 2, 1993
@ 1:19 PM

Tax & entry paid 15.00
Plff on orig. 9.50

WRIT OF REVIVAL
Of
DSB 1988 - 157

Writ of Revival indexed against the defendant in favor of the planitiff, in the sum of Twenty-seven Thousand Eight Hundred Nineteen and 59/100 Dollars plus interest and cost.
Debt -------$27,819.59
C-183
Barbara H. King, Pro

Issued Atty.

Mar. 11, 1993 Acceptance of Service of Writ of Revival, filed.

Revived to AD1998-252

1993

Roeder & Rothschild
Tamera Ochs Rothschild

220.

FRANCIS P. JOHNSON

vs.

CENTERVILLE CASTINGS, INC.

Filed March 2, 1993
@ 1:20 PM

Tax & entry paid 15.00 ✓
Plff on orig. 9.50

WRIT OF REVIVAL

OF

DSB 1988 - 158

Writ of revival indexed against the defendants in favor of the plaintiff, inthe sum of Thirty-three Thousand Four Hundred Thirty-five and 62/100 dollars plus interest and costs.

Debt------$33,435.62
C-183
Barbara H. King, Pro

Issued Atty.

Mar. 11, 1993 Acceptance of Service of Writ of Revival, filed.

Revived to AD1998-253

1993

Roeder & Rothschild
Tamera Ochs Rothschild

221.

FRANCIS P. JOHNSON

vs.

CENTERVILLE CASTINGS, INC.

Filed March 2, 1993
@ 1:2;0 PM

Tax & entry paid 15.00
Plff on orig. 9.50

WRIT OF REVIVAL

of

DSB 1988 - 159

Writ of Revival indexed against the defendant in favor of the plaintiff, inthe sum of Sixteen Thousand Seventy-six and 99/100 Dollars plus interest and costs.

Debt------$16,076.99
C-183
Barbara H. King, Pro

Issued Sheriff

Mar. 11, 1993 AcceptanceofService of Writtof Revival, filed.

Revived to AD1998-251

1993

Roeder & Rothschild Tamera Ochs Rothschild 222.	FRANCIS P. JOHNSON vs. CENTERVILLE CASTINGS, ING. Field March 2, 1993 @ 1:20 PM Tax & entry paid 15.00✓ Plff on orig. 9.50	WRIT OF REVIVAL of DSB 1988 - 160 Writ of Revival indexed against the defendant in favor of the plaintiff, in the sum of Thirteen Thousand Five Hundred Twenty-four and 25/100 Dollars plus istnerest and cost Debt------$13,524.25 C-183 Barbara H. King, Pro Issued Atty. Mar. 11, 1993 Acceptance of Service of Writ of Revival, filed.

1993

Roeder & Rothschild
Tamera Ochs Rothschild

223.

FRANCIS P. JOHNSON

vs.

CENTERVILLE CASTINGS, INC.

FILED March 2, 1993
@ 1:20 PM

Tax & entry paid 15.00 ✓
Plff on orig. 9.50

WRIT OF REVIVAL
of
DSB 1988 - 161

Writ of Revival indexed against the defendant in favor of the plaintiff, in the sum of Twenty Thousand One Hundred Sixty onw and 37/100 Dollars plus interest and costs.
Debt-------$20,161.37
C-183
Barbara H. King, Pro

Issued Atty.

Mar. 11, 1993 Acceptance of Service of Writ of Revival, filed.

Refiled to AD1998-250

1993

Northwestern Legal Serv.
R.Christopher Brode

224.

3-15-93 Recieved from dft Sheriff's Costs 25.00

3-15-93 Paid Sheriff Ck# 7407 25.00

DESIREE A. ALLEN

vs.

RONALD L. ALLEN

Filed March 2, 1993
@ 3:25 PM

Tax & entry Pd 3-15-93 50.50
User's Fee Pd 3-15-93 5.00
Sheriff's Costs 25.00
Prothy Pd 3-15-93 9.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 2 day of March , 19 93 , 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 contact the plaintiff by telephone nor shall he follow her pending 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 or 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 the March 9, 1993 , at 3:30 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,
Anthony J. Vardaro, J

Mar. 4, 1993 Sheriff's Return filed. SERVED Ronald L. Allen personally on February3, 1993 at 2:50 PM by handing a copy of the Protectionfrom Abuse to himat his residence, R.D.#2, Box 386, Meadville, Crawford County, PA.

So answers,

Dale A. Collins, Deputy Sheriff
Robert M.Stevens, Sheriff

Mar. 12, 1993 Hearing Under Protecton From ABuse Act and Order filed. AND NOW, March 9, 1993, the parties appeared in court, the plaintiff with her lawyer, and the defendant pro se. The defendant was advised as to the nature of these proceedings and he understood them. The parties agreed to a settlement of this action without the defendant admitting that he engaged in the conduct set forth in the petition.

Accordingly, based on their agreement, it is ORDERED as follows:

1. The defendant shall not assault, abuse, harass or threaten the plaintiff.
2. Possession of the marital residence is awarded to the defendant.
3. The defendant shall not go to the plaintiff's residence, place of work, school or other facility where she may be undergoing further education or training. He will not contact her by telephone. He does have a right to contact her through non-threatening writings and mailings.
4. The plaintiff incurred medical expenses in an effort to treat her for the injuries she allegedly sustained in the manner set forth in the petition. The defendant shall pay all uninsured and unreimbursed medical bills and hospital bills arising out of those incidents. It appears that the total is $672.00. One or both of the parties shall submit these bills to an appropriate insurance company for payment, but to the extent these bills are not paid, the defendnt shall pay them in a timely manner.
5. The parties have agreed to the following division of some of their property. Since this is not a divorce case, this division is subject to an equitable distribution Order entered in a divorce case by a court of competent jurisdiction and could well be changed by such an Order.
   A) The following property shall be delivered to the plaintiff. She may pick up some or all of these items on March 10, 1993, at 3:30 o'clock p.m.:
   Her Single bed.
   A small dresser.
   Her personal belongings, consisting of clothing and purely personal articles.
   Two coffee tables.
   One table lamp.
   Radio.
   Rocking chair.
   Upholstered chair in the living room.
   List of all of the credit cards with their names and addresses.
6. The defendant shall sign over the title to the 1986 Chevy Blazer and complete any other paperwork necessary to transfer title of that vehicle to the plaintiff within ten (10) days from this date.
7. When the parties receive any refunds from federal and state income taxes for the year 1992, they shall be split equally between the parties. The party receiving the check shall within forty-eight hours after receipt, contact the other and make arrangements to split the tax refund checks on a 50-50 basis.
8. The parties appear to have a joint bank account that recently had a $690.00 balance in it. The defendant has already given $90.00 of that to the plaintiff. He shall give the plaintiff an additional $255.00 by March 10, 1993, and thereafter,their bank account shall be the property of the defendant.

Continued to page 224 A

1993

DESIREE A. ALLEN
vs.
RONALD L. ALLEN

Continued of record from page 224

A. D. 1993 - 224

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9. Neither party will destroy, sell or give away any property belonging to the other or any other marital property untill they have settled their differences amicable or until a decree of equitable distribution is entered.

10. This Order may be enforced without a Warrant of Arrest by any law enforcement officer having reasonable ground to believe it has been violated.

11. A copy of this Order shall be delivered to the Meadville City Police Department and to County Control.

12. This Order shall remain in full force and effect for one (1) year; that is,until March 8, 1994, unless modified or terminated by further Order of this Court.

13. The defendant shall pay court costs in the amount of $89.50 to the Prothonotary no later than Friday, March 12, 1993.

14. 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.

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

Mar. 15, 1993 Copies given to Atty.Brode, Deft., MP.D. & Co. Control.

Mar. 31, 1993 Motion to Amend or Modify a Protection From Abuse Order and Order filed. AND NOW, this 31st day of March, 1993, upon receipt and review of the within motion to amend the Protection from Abuse Order of March 9, 1993, the amendment(s) and modification (s) set forth in said motion are hereby approved and made a Court Order.

A true and correct copy of this Order shall be delivered by the Prothonotary to Pa.State Police and to County Control.

Any paragraphs of the original Order assessing costs on either party shall remain in full force and effect without change or modification.

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

Mar. 31, 1993 Copy of Order to Atty.Brode, Deft., Pa. State Police and County Control.

Jan.13, 1994 Complaint for Indirect Criminal Contempt for Violation of Protection From Abuse Order filed.

Jan. 13, 1994 Re: Complaint for Indirect Criminal Contempt for Violation of Protection From Abuse Order. Notice of Assignment of Hearing date filed.

Jan.13, 1994: Hearing in the above captioned matter has been scheduled for January 21, 1994, at 3:30 P.M. in Courtroom 1.

FOR THE COURT,
Ann A. Walker, Court Administrator

1-13-94 Copies dist. by Ct. Adm. 1-14-94 Copy to Atty.Brode.

Jan. 24, 1994 ORDER filed. AND NOW, January 21, 1994 this matter is before the Court on an indirect criminal contempt complaint, where the Plaintiff alleges that her husband grabbed her on the chin and pushed her, causing her to go to the police and seek help. She now wants this matter dropped. Furthermore, she no longer wants a protection from abuse order.

The Court does not have to accept the Plaintiff's position on this because contempt, if it occurred, is a matter between the Defendant and the Court, and the Court has a right to seek vindication after court order in a contempt proceeding regardless of the position of the complainant.

In this case, the alleged touching may not have been terribly severe, although it may have been a violation of a court order, and furthermore, the Defendant has pled guilty to one or more summary offenses and paid fines and costs as a result of this event. Even though we have a right to punish him again, we decline to so so under the facts of this case.

Accordingly, the indirect criminal contempt compllaint is DISMISSED and the protection from abuse order entered March 9, 1993 is hereby VACATED.

The Prothonotary shall submit a true and correct copy of this order to the Meadville City Police Department, the Pennsylvania State Police at Murray Road, and to County Control.

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

Jan. 25, 1994 copies dist to Co Control, MCPD, Pa. SPD, Brode & Dft.

1993

225.	VICKI L. FLANAGAN ET AL vs. KURT RYHAL, et al Filed March 3, 1993 . @ 9"05 am Tax & entry paid 50.25 User's Fee paid 5.00	APPEAL OF PLAINTIFF FROM DECISION OF DISTRICT JUSTICE HUBERT E. VOGAN Mar. 4, 1993 Proof of Service of Notice of Appeal and Rule to File Complaint filed.

1993

Evan, Portnoy & Quinn
Irving M. Portnoy
Mark E. Milsop

226.

Quinn,Buseck,Leemhuis, Toohey & Kroto, Inc.
John M. Quinn, Jr.
for Meadville Medical Center and Kenneth W. Laird

~~J. Douglas Murphy for Spero E. Moutsos, MD~~ withdrawn

Grogan,Graffam, McGinley & Lucchino,PC
Korry Alden Greene, for Robert Concilus, M.D.

Marsh,Spaeder,Baur, Spaeder & Schaaf
Francis J.Klemensic? for Deft. Ruth Ann Moutsos

RAYMOND L. BUTTERFIELD and JOYCE BUTTERFIELD, his wife

vs.

MEADVILLE MEDICAL CENTER, a Pennsylvania corporation, SPERO E. MOUTSOS, KENNETH W. LAIRD, and ROBERT CONCILUS,
Ruth A .MOUTSOS, Executrix of the Estate of Spero E. Moutsos,M.D.,
Filed March 3, 1993
@ 1;31 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	50.00
Pro Co pd 13-31-96	6.00
Pro Co pd 12-31-96	6.00

WRIT OF SUMMONS
Issued Sheriff

SHERIFF'S RETURN filed. SERVED Meadville Medical Center on March 4, 1993 at 1:08 PM by handing a copy of the Summons to Judy Smock, Administrative Assistant at Meadville Medical Center, 751 Liberty St., Meadville, Crawford County, Pa.
SERVED Spero E. Moutsos on March 4, 1993 at 12:55 PM by handing a copy of the Summons to Ruth Moutsos, his wife, at their residence, 370 Chestnut St, Meadville, Crawford County, Pa.
SERVED Kenneth W. Laird personally on March 4, 1993 at 1:10 PM by handing a copy of the Summons to him at his place of employment, Meadville Medical Center, Emergency Room, 751 Liberty St., Meadville, Crawford County, Pa.
SERVED Robert Concilus on March 4, 1993 at 1:35 PM by handing a copy of the Summons to Virginia Hunter, Secretary, at h is place of business, the Pain Clinic, 1034 Grove St, Meadville, Crawford County, Pa.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Mar. 17, 1993 Appearance of Quinn,Buseck,Leemhuis, Toohey & Kroto, Inc.by John M.Quinn, Jr., Esq. for Meadville Medical Center and Kenneth W. Laird, Defendnats, filed.

Mar. 17, 1993 Praecipe for Rule to File Complaint filed. (Issued Atty.)

Mar. 24, 1993, Appearance of J. Douglas Murphy, of Law Offices of J. douglas Murphy, attorney for defendant Spero E. Moutsos, M.D., filed.

Mar. 24, 1993 Appearance of Grogan, Graffam, McGinley & Lucchino, P.C. by Korry Alden Greene, Esquire for Robert Concilus, M.D., Defendant.

Mar. 24, 1993 Praecipe for Rule to File a Complaint issued. (Issued Atty.)

Mar. 24, 1993 Praecipe for Rule to File Complaint issued. (Issued Atty.)

Mar. 31, 1993 Complaint in Civil Action, filed.

Apr. 12, 1993 Preliminary Objections to Plaintiffs' Complaint, filed.

Apr. 12, 1993 Praecipe for Argument, filed.

ON ARGUMENT LIST FOR MAY 1993

Apr. 16, 1993, P reliminary Objections to Plaintiffs' Complaint filed on behalf of dfts. Meadville Medican Center and Kenneth W. Laird, M.D., filed.

Apr. 19, 1993 Preliminary Objections of Robert Concilus, M.D. filed.

Apr. 19, 1993 Praecipe for Argument, filed.

July 12, 1993 Notice of Service of Interrogatories, filed.

Oct. 21, 1993, MEMORANDUM AND ORDER filed. ORDER: AND NOW, Oct. 21, 1993, the defendants' demurrer is denied, however, the plaintiffs shall, consistent with our Memorandum, be required to re-plead in a manner consistent with our Memorandum and we specifically note that in doing so Subparagraphs 24(a), (b), (c), (f), (h), (i), (j), (u), (v), (ll), (pp) and (zz) shall be re-pled consistent with the Memorandum or they will be stricken from the plaintiffs' re-pled complaint.
The Plaintiffs must file the new complaint within 20 days of the date of this order.
The Defendants' demurrer with respect to punitive damages is denied.
BY THE COURT,
Anthony J. VArdaro, J.
Oct. 22, 1993, copies dist. to Attys. Portnoy, Quinn, Murphy and Greene.

Nov. 12, 1993 Plaintiffs' Amended Complaint inCivil Action, filed.

Nov. 30, 1993, Preliminary Objections to Plaintiffs' amended Complaint filed on behalf of defendant Spero e. Moutsos, M.D., filed.

1-24-94 Brief (Plf) filed

Nov. 30, 1993, Upon praecipe of defendant Moutsos' attorney, above preliminary objections placed on next argument list.

4-6-94 Brief (Dft-Moutsos) filed.

ON ARGUMENT LIST FOR JANUARY 1994

Dec. 1, 1993, Preliminary Objections to Plaintiffs Amended Complaint filed.

Dec. 1, 1993, UPon praecipe of attorneys for defendants, Mead. Med. center and Kenneth W. Laird, above preliminary objections placed on next argument list.

Dec. 17, 1993, Upon praecipe of defendant Meadville Medical Center, Preliminary Objections to Plaintiffs Amended Complaint placed on next argument list.

Jan. 24, 1994 Substitution of Successor Pursuant to Pennsylvania Rule of Civil Procedure Number 2352, filed.

Jan. 24, 1994 Plaintiff's Motion For Leave To File A Second Amended Complaint, filed.

Continued to Page 226 A

Raymond L. Butterfiled and
Joyce Butterfiled
vs
Meadville Medical Center,
Ruth A. Moutsos, Executrix of
Estate of Spero E. Moutsos,, M.D.
Kenneth W. Laird,M.D.& Robert Concilus,M.D.

Continued from Page 226
of Record
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Jan. 27, 1994 Statement of Substitution of Party, filed.

Jan. 27, 1994 Motion to Compel Discovery and for Attorneys' fees, filed.

Jan. 27, 1994 Motion to Amend Caption, filed.

Feb. 9, 1994, MEMORANDUM AND ORDER filed. ORDER: AND NOW, JAN. 31, 1994, it is ordered that hereifafter JOyce Butterfield, Adm. of the Est. of Raymond L. Butterfield, shall be substituted as plaintiff for Raymond L. Butterfield and Ruth A. Moutsos, Ex. of the Est. of Spero E. Moutsos, M.D., shall be substituted for Spero E. Moutsos, M.D. as a defendatn is this action.

The plaintiffs shall respond to all outstanding discovery from all defendants within 30 dayf of the date of this order.

The plaintiff will be permitted to file a second amended complaint at a time to be designated by the court which complaint may include a survivor's action. With respect to whether or not the complaint may include a wrongful death action, this court will make a ruling inthe future and the parties shall have 15 days from the date of this order to file briefs with respect to that issue.2

The parties have also this day argued other objections that they had with respect to the amended complaint and proposed second amended complaint and we will likewise rule on those objections to provide guidance to the plaintiffs in filing their second amended complaint.

Insofar as there will be a second amended complaint forthcoming, no party shall be required to respond further to the amended complaint.

BY THE COURT,
Anthony Vardaro, J.

Feb. 10, 1994, copies dist. to counsel of record.

Mar. 15, 1994 Motion for Sanctions and Attorneys' Fees filed.

Mar. 15, 1994 Upon Praecipe of J.Douglas Murphy, Esquire, Joel M. Snavely, Esquire and John M.Quinn, Jr., Esquire, the above captioned matter is placed on the next available Argument list.

ON APRIL, 1994 ARGUMENT LIST

Mar. 23, 1994 Notice of Service of Answers To Interrogatories and Responses To Requests for Production of Documents Directed to Plaintiffs filed.

Apr. 6, 1994 Second Motion to Compel and For Attorneys' Fees filed.

Apr. 7, 1994 Motion to Have Second Motion to Compel and For Attorneys' Fees placed on the April 1994 Argument List and ORDER filed. AND NOW, this 6 day of April, 1994, defendant Ruth Ann Moutsos, Executrix of the Estate of Spero E. Moutsos, M.D.'s, Second Motion to Compel and For Attorneys' Fees is placed on theApril 1994 Argument List. Argument on this Motion will be held in conjunction with argument on defendant Ruth Ann Moutsos,Executrix of the Estate of Spero E. Moutsos, M.D.'s Motion for Sanctions and Attorneys' Fees, which is scheduled to be argued on April 25, 1994, at 1:15 P.M.

Anthony J. Vardaro, J.

4-13-94 Copy of Order to Attys. Murphy, Snavely,Portnoy, Milsop, Quinn, Jr. & Greene.

Apr. 22, 1994 Memorandum and Order filed. ORDER. AND NOW, April 2, 1994, in follow-up to our order of January 31, 1994, the Plaintiff will be permitted to file a second amended complaint which may include a survivor's action but not a wrongful death action so long as the same is filed within 15 days of the date of this order.

With respect to the various Defendants' preliminary objections to the amended complaint, Paragraph 24 (u) is stricken; "otherwise" in Paragraph 24 (v) is stricken and the portions of Paragraph 24 (ll) and (pp) which we have identified in the accompanying Memorandum are likewise stricken.

The motion of Defendants Meadville Medical Center and Laird to strike Paragraphs 24 (a), (b) and (c) is denied.

In filing their second amended complaint, the Plaintiff shall not be permitted to replead the sub-paragraphs or portions thereof we have stricken.

BY THE COURT:
Anghony J. Vardaro, J.

4-22-94 Copies dist. by Court.

May 5, 1994, Second Amended Complaint in Civil action filed.

May 23, 1994 Answer and New Matter of Defendant Ruth Ann Moutsos, Executris of the Estate of Spero E. Moutsos, M.D. filed.

May 31, 1994, Answer and New Matterto the Second amended Complaint and New Matter Pursuant to Pa. R.C.P. 2252(d) filed.

June 3, 1994 Answer,New Matter and Counterclaim filed on Behalf of Defendant, Meadville Medical Center and Kenneth W. Laird, M. D. filed.

Jun. 3, 1994 Defendant Moutsos' Reply to New Matter, filed.

Jun.6, 1994 Plaintiff's Reply to New Matter filed by Defendant Robert Concilus, filed.

Jun. 6, 1994 Plaintiff's Reply to New Matter filed by Defendant Ruth Ann Moutsos, Executrix of t he Estate of Spero E. Moutsos, M.D. filed.

Jun. 9, 1994 Motion to Compel Answers to Interrogatories and Request for Production of Documents filed on behalf Defendants, Meadville Medical Center and Kenneth W. Laird, M.D., filed.

Jun. 9, 1994 Upon Praecipe of Kathryn J. Kisak, Esquire, Attorneys for Defendants, Meadville Medical Center and Kenneth W. Laird, M. D. the above captioned matter of Motion to Compel Answers to Interrogatories and Request for Production of Documents of Defendants' Meadville Medical Center and Kenneth W. Laird, M.D., is placed on the next available ARgument List.

ON JULY, 1994 ARGUMENT LIST

Jun. 9, 1994 Reply to Dr. Concilus' New Matter filed on Behalf Defendants, Meadville Medical Center and Kenneth W. Laird, M. D., filed.

Continued to Page 226 B

Joyce Butterfield

vs.

Meadville Medical Center, ET AL

RECORD CONTINUED FROM PAGE 226 A

OF

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June 27, 1994 MEMORANDUM and ORDER filed. AND NOW, June 23, 1994, with respect to the joint motion of Defendants Moutsos and Meadville Medical Center for sanctions and attorneys' fees, said motion for attorneys' fees is granted. Defendants are directed to submit, within 30 days of the date of this order, an itemized bill including any reasonable costs and reasonable attorneys' fees incurred in pursuing the initial motion to compel and the motion for sanctions and attorneys' fees. (We note that Defendants will not be entitled to recover costs indirectly associated with the initial presentation of the motion to compel as travel and court time was already legitimately expended in furtherance of Defendants' preliminary objections which were argued before the court time was already legitimately expended in furtherance of Defendants' preliminary objections which were argued before the court at the same time.) Said itemized bill will be accompanied by a certificate of service to Plaintiff's counsel. Within ten days of the receipt of said itemization, Plaintiff's counsel will be entitled to submit to this court in writing any objections to the itemization.

With respect to Defendant Mousos' second motion to compel and for attorneys' fees, Defendant's motion to compel is in part granted and Plaintiff is directed to answer within 30 days from the date of this order Paragraphs 10, 11, and 73. With respect to Paragraphs 49, 721, 72 and 74-79, Defendant's motion to compel is denied.

With respect to Defendant Mousos' second motion for attorneys' fees said motion is denied.

BY THE COURT:
Anthony J. Vardaro, J.

June 27, 1994 Copies of Order distributed to Attys. Portnoy, Greene, Quinn and Murphy.

June 27, 1994 Plaintiff's Reply To New Matter Filed by Defendants Meadville Medical Center and Kenneth W. Laird, filed.

July 7, 1994 Plaintiff's Preliminary Objections to Counterclaim of Defendant Meadville Medical Center, filed.

July 14, 1994 Notice of Service of Discovery filed.

July 14, 1994 Certificate of Service of Itemized bills for Attorneys' fee and reasonable costs filed.

Jul. 19, 1994 Motion to Have Third Motion to Compel Discovery and for Attorneys' Fees Placed on the July 1994 Argument list and ORDER filed. AND NOW, this 19 day of July 1994, defendant Ruth Ann Moutsos, Executrix of the Estate of Spero E. Moutsos, M.D.'s Third Motion to Compel Discovery and for Attorneys' Fees is placed on the July 1994 Argument List. Argument on this Motion will be held in conjunction with argument on defendant Meadville Medical Center's and defendant Kenneth W. Laird, M.D.'s Motion to Compel Answers to Int errogatories and Request for Production of Documents, which is scheduled to be argued on July 25, 1994 at 1:30 P.M.

Anthony J. Vardaro, J.

7-19-94 Faxed to Attys.Portnoy, Quinn, Murphy & Greene

Jul. 18, 1994 Third Motion to Compel Discovery and For Attorneys' Fees, filed.

Jul. 25, 1994 Plaintiff's Objections to Itemization of Attorneys' Fees of Counsel for Defendants Moutsos, Meadville Medical and Laird,filed.

July 29, 1994 Upon praecipe of plaintiff attorney, this case placed on next argument List.

ON AUGUST 1994 ARGUMENT LIST

August 1, 1994 Notice of Service of Discovery on behalf of Robert Concilus, M.D., filed.

Aug. 4, 1994 Motion to Continue Argument Date and ORDER OF COURT filed. AND NOW, to wit, this 25 day of July, 1994, upon consent of all counsel, it is hereby ORDERED, ADJUDGED and DECREED that oral argument as to Defendants' Motions to Compel and for Attorneys' Fees shall be rescheduled to the August Argument List.

BY THE COURT:
Anthony J. Vardaro, J.

8-4-94 Faxed to all Counsel

Aug. 17, 1994 Notice of Service of Supplemental Answers to Interrogatories, filed.

Aug. 18, 1994 Defendants' Objection to Plaintiff's Motion to Continue Argument, filed.

Aug. 22, 1994 Notice of Presentationof Motion to Continue Argument Dat e Pursuant to Rule L206, filed.

Aug. 22, 1994 Motion to Continue Oral Argument Date and ORDER OF COURT filed. AND NOW, to wit, this 22 day of August, 1994, upon consideration of Plaintiff's Motion to Continue Oral Argument Date, it is hereby ORDERED, ADJUDGED and DECREED that oral argument continued until September, 1994 Argument list. No further continuances on behalf of Plaintiffs with respect to the argument even if Defendants agree unless ordered by Court.

8-23-94 Copies dist. to Attys. Portnoy, Green, Quinn & Murphy

BY THE COURT:
Anthony J. Vardaro, J.

ON SEPTEMBER, 1994 ARGUMENT LIST

Oct. 3, 1994 Plaintiff's Supplemental Answers to Answers to Interrogatories, filed.

Oct. 3, 1994 Answers to Interrogatories to Plaintiffs (First Set), filed.

Oct. 3, 1994 Answers to Interrogatories and Request for Production of Documents to Plaitniffs, filed.

Oct. 3, 1994 Answers to Interrogatories, filed.

Oct.3, 1994 Interrogatories to Plaintiffs (Second Set) and Answers thereto, filed.

Nov. 9, 1994 Notice of Serving Responses to Requests for Production of Documents Directed to Defendant Moutsos,filed.

Nov. 9, 1994 Notice of Serving Answers to Interrogatories Directed to Defendant Moutsos,filed.

Nov. 28, 1994 Notice of Service of Answers to Interrogatories to Defendant, Meadville Medical Center, filed.

Nov.28, 1994 Notice of Service of Answers to Interrogatories to Defendant,Kenneth W.Laird, M. D., filed.

Nov.28, 1994 Notice of Service of Responses to Request for Production of Documents Directed to Defendant Meadville Medical Center,filed.

Nov.28,1994 Notice of Service of Responses to Request for Production of Documents Directed to Defendant, Kenneth W. Laird, M.D., filed.

Continued to Page 226 C

Feb. 1, 1995 Memorandum and Order, filed. ORDER: AND NOW, February 1, 1995, upon consideration of the various matters we have indicated in our Memorandum, it is ordered and directed as follows:

1. With respect to the third motion to compel discovery and for attorney's fees filed on behalf of Defendant Moutsos, the Plaintiff is ordered and directed to answer Interrogataory No. 1 within 30 days of the date of this order. Plaintiff shall not be required to answr Interrogatories Nos. 2 through 8 and we will award no attorney's fees.

2. With respect to the motin to compel answers to interrogatories and requests for production of documents filed by Defendants Medical Center and Laird, the Plaintiff is ordered and directed to answer Interrogatoreies Nos. 7, 12, 13 and 14 within 30 days of the dte of this order and Plaintiff shall not be required to answer Interrogatories Nos. 30(a) and 21.

3. With respect to the Plaintiff's preliminary objection to the counterclaim of Defendant Medical Center, all objections are overruled except that the third motion to strike and, in the alternative, motion for more specific pleading is sustained with leave granted to the Defendant Medical Center to file a more specific pleading consistent with our Memorandum within 20 days of the date of this order.

4. With respect to the award of attorney's fees pursuant to our June 23, 1994 order, the Plaintiff is directed to pay attorney's fees tot he attorneys for Defendant Medical Center and Defendant Laird in the total amount of $275 and to the attorneys for Defendant Moutsos in the amount of $450 all within 30 days of the date of this order.

After due and complete consideration of this matter, we find such attorney's fees to be reasonable fees incurred in pursuing the initial motion to compel and the motion for sanctions and attorney's fees as set forth in our order of June 23, 1994.

BY THE COURT:
Anthony J. Vardaro, J.

2-1-95 copies dist to all counsel of record.

FEb. 16, 1995 Notice of Service of Discovery, filed.

Feb. 21, 1995 Notice of Service of Supplemental Answers To Interrogatories on behalf of plaintiff, filed.

Feb. 23, 1995 Plaintiff's Motion To Compel Answers To Interrogatories and Responses To Requests for Production of Documents Directed To Defendant Moutsos and for The Award of Attorneys' Fees on behalf of plaintiffs, filed.

Feb. 23, 1995 Plaintiff's Motion To Compel Answers To Interrogatories and Responses To Requests For Production of Documents Directed to Defendants Meadville Medical Center and Laird and For The Award of Attorneys' Fees on behalf of plaintiff, filed.

Feb. 23, 1995 Upon praecipe of Marke E. Milsop, Esq., attorney for plaintiff, this case placed on next Argument List.

ON MARCH 1995 ARGUMENT LIST

Feb. 22, 1995 Amended Counterclaim, filed.

Mar. 13, 1995 Plaintiffs' Preliminary Objections to Amended Counterclaim of Defendant Meadville Medical Center, filed.

Mar. 13, 1995 Notice of Service of Interrogatories to Plaintiff (Third Set), filed.

Mar. 14, 1995 Notice of Service of Supplemental Answers to Interrogatories, filed.

Mar. 17, 1995 Plaintiffs' Motion to Compel Answers to Interrogatories and Response to Requests for Production ofDocuments Directed to Defendant Concilus, filed.

March 17, 1995 Upon praecipe of Mark E. Milsop, Esquire, the above captioned matter is placed on the next available Argument List.

ON APRIL, 1995 ARGUMENT LIST

Mar. 20, 1995 Notice of Service of Supplemental Answers and Responses to Interrogatories and Requests for Production of Documents filed.

Apr. 17, 1995 Notice of Service of (1) Answers to the Third Set of Interrogatories Directed to Plaintiff from Defendant Moutsos filed.

Apr. 19, 1995 ORDER filed. AND NOW, April 19, 1995,after oral argument and consideration of the Plaintiff's motion to compel answers to interrogatories and responses to requests for production of documents directed to Defendants Moutsos, Meadville Medical Center and Laird and for the award of attorney's fees,it is ordered and directed as follows:

1. If he has not already done so, counsel for the Plaintiff may appear at the Meadville Medical Center at a time agreeable with counsel for the Meadville Medical Center sometime within the next 14 days to completely review the Meadville Medical Center records with respect to Raymond L.Butterfield and the Defendant Meadville Medical Center shall provide photocopies to the Plaintiff's attorney of any records he wishes to have photocopied. Those photocopies shallbe at Plaintiff's expense and the fee charged for the same by the Defendant Meadville Medical Center shall be reasonable.

2. If he hasnot already done so, Plaintiff's counsel may appear at the offices of thelate Spero E.Moutsos, M.D., or such other place as Moutsos' counsel reviewing all lmedical records with regard to Raymond L. Butterfield. Counsel for the Plaitniff may have photocopies of any of those records he wishes withthe photocopies to be supplied by Defendant Moutsos at a reasonable fee at the Plaintiff's expense.

2. Any further verifications made with filings by any party shall be a verification of a person authorized to represent the party supplying the information which has been verified or,if a verification of counsel is supplied, a verification of such party as indicated shall follow within 10 days.

In all other respects, Plaintiff's motions have been considered and they are denied including the request for attorney's fees.

BY THE COURT:
Anthony J. Vardaro, J.

4-19-95 Copies Circulated by Ct.

Apr. 24, 1995, ORDER filed. AND NOW, Apr. 19, 1995, it appearing to the court that this matter is not progressing through the system in a satisfactory manner insofar as this case has not gone beyond the interrogatory stage although it carries a 1993 case number and has been before the court numerous times, we now schedule a conference in frontof the court to be attended by counsel for all parties. This conference is cheduoled for May 25, 1995 at 10:00 a.m. in C. R. No. 2 Crawford County courthouse, before the undersigned.

As a result of that conference, it is the court's intention to set forth a specific schedule for this case to progress further through the system. Counsel should be prepared toaddress specifically what further discovery they will be pursuing and a time frame that they feel will be necessary to accomplish that discovery. Additionally, counsel shall be prepared to discuss the current status of the pleadings and when it can be expected that pleadings will be closed in this matter.

Each party may, but is not required to, submit a written statement with regard tothese matters or any matter that party deems relevant for the court to consider at this conference.

BY THE COURT,
AnthonyJ. Vardaro, J.

4/24/95 circulated to attys. by ct. sec.

Cont. on Pg. 226D

May 30, 1995 ORDER filed. AND NOW, May 25, 1995, the Court having met informally with counsel for all parties and discussed various matters to bring this litigationto trial within a reasonable period of time, this order is entered to set forth that schedule.

In doing so, we order and direct that it will not be necessary for any party to comply with Crawford County Local Rule L302 with regard to completion of discovery and filing a certificate of readiness. It will, however, be necessary for the parties to comply with the other applicable Local Rules of Court including, but not limited to, Rule L212A regarding pre-trial narratives and pre-trial conferences.

Pre-Deposition Discovery Matters

We currently have before us one discovery matter remaining with respect to the request for production served upon Defendant Concilus by the Plaintiff. We will attempt to rule on that issue as soon as possible.

Otherwise, the only remaining pre-deposition interrogatories or requests for production that are to be filed will be filed within the next 10 days. With respect to the Plaintiff, those filings will be directed to Dr. Laird with respect to any lawsuits in which he has been involved outside of Crawford County pertaining to actual situations either the same as or similar to those alleged in this case and with respect to Defendant Moutsos such filing will be similar in nature if counsel for the Plaintiff determines that the believes such information is relevant and admissible in this case. If those are served upon Moutsos and his counsel objects, we reserve the right to decide that issue as well as any future pre-deposition discovery issues disputed between the parties on submission of briefs by the parties without oral argument.

The only other pre-deposition discovery to be served by the Plaintiff will beupon Meadville Medical Center in the nature of interrogatories and/or requests for production concerning certain policy and procedures and with respect to whether the bill for services to the decedent Butterfield in this cse was ever written off by the Meadville Medical Center. That also will be done within the next 10 days.

With respect to the Defendants, Defendant Concilus has no other pre-deposition discovery planned but does await production of Plaintiff's expert reports which issue will be addressed later in this order.

Defendants Meadville Medical Center and Laird anticipate no further pre-deposition discovery and counsel for Defendant Moutsos indicates that he will be presenting two or three questions eithin the next 10 days to the plaintiff with regard to whether Joyce Butterfield spoke with the Pennsylvania State Police.

Other than what we have therefore indicated, no further pre-deposition discovery may take place without further ordr of court.

The parties will cooperate and schedule depositions as follows:

1. The Defendants will take the Plaintiff's deposition no sooner than July 1, 1995 but no later than August 15, 1995. Counsel for the Plaintiff will, within 10 days from the date of this order, provide counsel for each Defendant with four dates within that time frame in which the Plaintiff, Joyce Butterfield, is available for that deposition.

2. The Plaintiff will on one day take the depositions of David Gusic, Ruth Moutsos, Chelryl Scott and a second emergency room nurse at the Meadville Medical Center if she can be identified. Those depositions will likewise be scheduled no sooner than July 1, 1995 and no later than August 15, 1995. Counsel for Defendant Moutsos will be responsible within 10 days from the date of this order to supply to each other counsel four dates within that time frame that Mr. Gusic and Mrs. Moutsos are availabel for such deposition and counsel for Meadville Medical Center shall within 10 days from the date of this order likewise provide all other counsel with four dates within the above time frame that Cheryl Scott and the second emergency room nurse, if she is identified, are available for their depositions to be taken.

3. No sooner than July 1, 1995 and no later than September 15, 1995, the Plaintiff will take the deposition of Defendant Laird and Defendant Concilus with both to be taken on the same day if possible. Within 10 days of the date of this order, counsel for Defendant Laird and counsel for Defendant Concilus will advise all of the other parties of four dates that each of those Defendants will be available to have their deposition taken within the above time frame.

4. Finally, the Plaintiff will determine no later than August 15, 1995 whether she wishes to take the depostition of a Meadville Medical Center corporate representative and, if so, shall promptly notify counsel for the Meadville Medical Center who shall within five days thereafter supply all other counsel with four dates tht representative will be available to have a deposition taken on or prior to September 15, 1995.

All counsel shall cooperate in scheduling all such depositions as promptly as possible with the time frame that we have indicated and they may not be scheduledoutside that time frame without further order of court.

Each party shall then, on or before October 15, 1995, serve any other discovery in the nature of interrogatories,requests for production, requests for admission and notices of further deposition upon any other party as a result of matters that have arisen because of the information received during the taking of depositions.

If further depositions are necessary, the parties shall cooperate in scheduling the same promptly and, unless there is furthe order of court, all discovery of any nature shall then be completed by December 31, 1995.

Additionally, the Plaintiff shall have all expert reports available and shall supply the same to the Defendants' counsel no later than December 31, 1995. Defendants shall then have all expert reports available and supply those to Plaintiff's counsel and other defense counsel no later than March 1, 1996.

The Court Administrator is directed to list this matter for trial during the April 1996 civil term of court and, as we have indicated, no certificate of readiness will be needed to do so.

We note in entering this order that there iscurrently a more recent related litigation involving a claim by the Meadville Medical Center against Joyce Butterfield individually at A.D. No. 1995-265. We have not dealt with that case in this conference but, since it does not appear to involve complicated issues, it is our hope that it will proceed through the system and be ready for trial without our intervention. It may be appropriate to consolidate that case with the current case and we will entertain such a motion if it arises during the course of the litigation.

BY THE COURT:
Anthony J. Vardaro, J.

May 30, 1995 copies dist by Court

May 30, 1995 Notice of Service of Interrogatories to Plaintiff (Fourth Set), filed.

Jun. 6, 1995 Notice of Service of Discovery, filed.

Jun. 21,1995 Certificate of Service of Notice of Depositions of David Gusic, Ruth Moutsos, Cheryl Soctt, R.N. and Cindy Good, R.N., filed.

July 14, 1995, Notice of Service of Discovery filed. (Answers to Plaintiffs Second Set of Interrogatories Directed to Defendant)

Jul. 20, 1995Certificate of Service of Notice of Deposition of Robert R.Concilus,M. D., filed.

Jul. 27, 1995 Notice of Service of Notices of Depositions of Cheryl Scott, Cindy Good and Dr. Kenneth W. Laird, filed.

Jul. 31, 1995 ORDER filed. AND NOW, July 31, 1995, upon consideration of the Plaintiff's preliminary objection to the Defendants' counterclaim and motion to compel answers to interrogatories and responses to requests for production of documents, it is ordered and directed as follows:

1. The Plaitniff's motion to compel answers to interrogatories and responses to requests for production of documents is denied except that,within 20 days, Defendant Concilus shall provide to the Plaintiff any information he has relative to any lawsuits filed against him outside of Crawford County with respect to allegations similar to those in this lawsuit or, if there are no such lawsuits,he shall indicate that there are none and Defendant Concilus shall provide within 20 days any billing for his fees or it shall be presumed that his fees were charged as part of the hospital fees and, if counssel for the Plaintiff is not satisfied that he has all of the medical records

Continued to Page 226 E

in the possession of Defendant Concilus, counsel for the Plaintiff may appear at the office of the Defendant Concilus at a time agreeable with counsel for Concilus sometime within the next 14 days to complete review of the records of Defendant Concilus with respect to Raymond L.Butterfield and Defendant Concilus shall provide photocopies to the Plaintiff's attorney of any records he wishes to have photocopied. Those photocopies shall be at Plaintiff's expense and the fee charged for the same by Defendant Concilus shall be reasonable.

2. We grant the Plaintiff's request to strike the addition of Joyce Butterfield individually to the counterclaim as being in violation of Pa. R.C.P. 1033 and we deny the Plaintiff's preliminary objection in the nature of a motion for a more specific pleading.

3. Finally,we decline to award attorney's fees or impose any other sanction.

BY THE COURT:
Anthony J.Vardaro,J.

7-31-95 Copies dist. to all counsel.

Aug. 16, 1995, Amended Complaint filed.

Jan. 15, 1996 Memorandum and Order filed. ORDER. AND NOW, January 12,1996,after consideration of all of the motions indicated in the accompanying Memorandum, it is Ordered and Directed that the deposition of Carolyn Follera shall be taken by the plaintiff sometime on or before January 31, 1996.

The plaintiff is directed to forthwith supply the expert's report from any expert retained by the plaintiff without prejudice to the palitniff to supplement that report in a timely manner in the future.

The Court Administrator is directed to schedule this matter for further argument with regard to what sanctions would be appropriate for the plaintiff's failure to provided the expert report in a timely manner with that argument to be scheduled at the time set for February 1996 civil arguments.

The parties are not required to file briefs with respect to that argument, but they may file anything they deem appropriate and the Court will consider anything filed and will also consider how promptly an expert report is now supplied bythe plaintiff pursuant to this Order.

Unless there is further order of court,to the contrary either before or after we consider what sanctions to impose upon the plaintiff, the defendants shall not be reuired to supply copies of their expert reports to the plaitniff until sixty (60) days afterthey receive a copy of all expert reports from the plaintiff.

It is our intention that the fact this may result in the plaintiff receiving the defendants expert reports close to the time of trial is the initial sanction we will impose for plaintiff missing the December 31, 1995,deadline and we will defer decision on what other sanction or sanctions to impose until the February 1996 argument.

BY THE COURT:
Anthony J. Vardaro, J.

1-15-96 Dist. to all counsel, copy to Ct.Adm.

Jan. 15,1996 Motion to Compel Deposition of Carolyn Follera and to Extend Deadline Within Which to Serve Expert Reports filed.

Jan. 15, 1996 Motion to Preclude Plaintiff from Presenting Expert Testimony at Trial, filed.

Jan. 15, 1996 Motion to Preclude Plaintiff fronm Presenting Expert Testimony at Trial, filed.

Jan 18, 1996 Notice of Service of Notice of Deposition of Carolyn Follera, filed.

Jan. 29, 1996 Notice of Service of Plaintiff's Expert Reports filed.

Feb. 26, 1996 Plaintiff's Reply to Defendants' Motions to Preclude Plaintiff from Presenting Expert Testimony at Trial, filed.

Mar. 8, 1996 Appearance of Marsh, Spaeder, Baur, Spaeder & Schaaf by Francis J.Klemensic Esquire for Defendant, Ruth Ann Moutsos, Executrix of the Estate of Spero E.Moutsos,M. D., filed.

March 11, 1996 Motion For Continuance and ORDER filed. AND NOW, to-wit, this 8 day of March, 1996, it is hereby ORDERED, ADJUDGED AND DECREED that Defendant's Motion for Continuance is hereby granted, continuing this case to the October, 1996 Civil Court Term.

BY THE COURT:
Anthony J. Vardaro, J.

March 11, 1996 Order mailed to Atty. Klemensic; FAXED Attys. Quinn, Greene.

March 18, 1996 Withdrawal of Joel M. Snavely, Esq., on behalf of defendant Ruth Ann Moutsos, Executrix of the Estate of Spero E. Moutsos, M.D., filed.

Apr. 22, 1996 Memorandum and Order filed. ORDER. AND NOW, April 19, 1996 upon consideration of each defendant's Motion to Preclude Plaintiff from Presenting Expert Tesstimony at Trial, the Court refuses to impose that sanction, but Herbert B. Cohen, Esq. or Daniel Chunko, Esq. who are current attorneys for the plaintiff, shall pay to Korry Alden Green, Esq., John M.Quinn, Jr., Esq., and Irving Olds Murphy,Esq. each the sum of $150.00 as partial reimbursement for counsel fees as a result of efforts of defense counsel due to plaintiff's failure to comply with the Court's Order of May 25, 1995.

These payments shall be made within 30 days of the date of this Order and they shall be made by counsel and not by the plaintiff estate and counsel may not seek reimbursement from plaintiff estate for those payments.

BY THE COURT:
Anthony J.Vardaro, J.

4-22-96 Distributed all counsel of record

July 30, 1996 Praecipe for Argument filed.

July 30, 1996 Statement of Facts Pursuant to Local Rule L1035A filed.

July 30, 1996 Motion for Summary Judgment filed.

July 30, 1996 Brief in Support of Motion for Summary Judgment filed.

July 30, 1996 Exhibits Pursuant to Local Rule L210a(4) filed.

Aug. 16, 1996, Assignment of ARgument Date filed. Argument set for Wed. Sept. 4, 1996 at 1:00 p.m. in C. R. No. 2, Crawford County Courthouse, Meadville, Pa. FOR THE COURT, Ann A. Walker, Ct. Adm.
Dist. 8/15/96 by court.

Sept. 24, 1996 Opinion and Order filed. AND NOW, September 23, 1996, the motion for summary judgment of Defendant Robert Concilus is granted and the Defendant Robert Concilus is dismissed from this case with prejudice.

BY THE COURT,
Anthony J. Vardaro, J

Sep. 24, 1996 mailed Portnoy, Quinn, Klemensic & Greene

Cont. on Pg. 226 F

226
F

1993 TERM

BUTTERFIELD VS. MEADVILLE MEDICAL CENTER AD 1993 - 226 CONT FROM PG 226 E

Dec 27, 1996 Upon praecipe of Irving M. Portnoy, Esquire the above-captioned matter is settled and discontinued of record.

Dec 20, 1996 Petition To Settle and Discontinue Civil Action and Order: AND NOW, to-wit, this 20 day of December, 1996, it is hereby ORDERED, ADJUDGED, and DECREED that the settlement of the above-captioned case be and hereby is approved for payment of the sum of Two Hundred Thirty-Seven Thousand Five Hundred ($237,500.00) Daollars and for discontinuance of the counterclaim asserted by Defendant Meadville Medical Center. It is further ORDERED, ADJUDGED, and DECREED that settlement proceeds in the sum fo Two Hundred Thirty-Seven Thousand Five Hundred ($237,500.00) Dollars shall be distributed by counsel for the Plaintiff as follows:

1. To the law firm of Evans, Portnoy & Quinn, as its attorneys' fee in accodance with the Power of Attorney signed by the Petitioner herein..... $95,000.00

2. To the law firm of Evans, Portnoy & Quinn, in reimbursement for costs of invetigation, accumulation of medical records, reproduction of records and documents, deposition transcripts, the procurement of experts' reports, et cetera $18,372.72

3. To the Estate of Raymond L. Butterfield, deceased, as Survival Action damages $5,000.00

4. To Joyce Butterfield, in her individual capacity as a Plaintiff in this matter, for loss of her decedent's society, companionship, and consortium $119,127.28

Anthony J. Vardaro, J.

Dec 20, 1996 Faxed Counsel

1993

227.

Thomas, Truax,
Spadafore & Walker
David P. Truax

COMMONWEALTH OF
PENNSYLVANIA

vs.

CHARLES H. D. GILBERT

Filed March 3, 1993
@

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	18.00

PETITION FOR APPEAL FROM ORDER OF DEPARTMENT OF TRANSPORTATION SUSPENDING DRIVER"S LICENSE
2 copies certified atty.

ORDER"

AND NOW, March 5, 1993, upon consideration of the foregoing Petition and upon Motion of David P. Truax, Esquire, attorney for Petitioner, a hearing is hereby scheduled to determine whether the Order of the Department of Transportation in suspending the operating privileges of the Petitioner should be set aside of modified.

The above matter is set for hearing on the 8th day of July, 1993, at 9:00 am. at the Courthouse at Crawford County, Pennsylvania in courtroom No. 1 or 2.

A true and correct copy of the within Petition and Order shall be served upon the Department of Transportation, Bureau of Driver Licensing, Room 103, Transportation and Safety Building, Harrisburg, Pennsylvania, 17120 by Certified Mail, Return Receipt Requested at least sixty (60) days prior to the aforesaid hearing date.

DATE: March 5, 1993

By the Court:
Gordon R. Miller, J

Apr. 8, 1993, Motion for withdrawal of Petition for Appeal From Order of Dept. of Trans. Suspending Driver's License and Order filed. ORDER: AND NOW this 8 day of April 1993, the above motion is allowed and a certified ocpy of the within Motion and order shall be forthwith served upon the Dept. of Trans by Certified mail.

By the Court,
Gordon R. MIller, J.

2 copies (atty)

Jan. 26, 1994 SHERIFF'S RETURN, filed. SERVED Frank J. Schiller personally on January 25, 1994 at 10:00 AM by handing him a copy of the Order in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, Pa.

So answers,

Carole Stefanucci, Deputy Sheriff
Robert M. Stevens, Sheriff

1993

Northwestern Legal Services, Inc
R. Christopher Brode

228.

Halliday & Halliday
Richard E. Crosby

5-18-93 Received Dept. Med Fee 7439

MARSHA ST. JOHN

vs.

ERIC ST. JOHN

Filed March 3, 1993
@ 3:35 PM

Indigent Filing

Bruce Smith, Mediator

COMPLAINT FOR PRIMARY PHYSICAL CUSTODY
1 copy (atty)

Order:

You, Eric St. John, Defendant, have been sued in Court to obtain custody of the minor child, Eric T. St. John.
You are ordered to appear in person at the time and place selected by Bruce Smith, 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 Department is directed to serve a certified copy of this Complanit and Order upon the defendant. In the alternataive, this Petition and Order may be served by any competent adult or by certified 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:

Court Administrator
Crawford County Courthouse
Meadville, Pennsylvania
(814) 336-1151, ext. 298

BY THE COURT,
Gordon R. Miller, J

Mar. 4, 1993 Copy of order to Atty. Smith

Mar. 3, 1993 Praecipe of Plaintiff to Proceed In Forma Pauperis filed.

Mar. 22, 1993 Proof of Service filed. I, hereby certify that a copy of the foregoing Order and Custody Petition was served upon Defednant's attorney, Michael Halliday, Esq., at 111 Church Street, Cambridge Springs, PA 16403, by U.S. Certified Mail, Return Receipt REquested, on March 8, 1993.
R. Christopher Brode

Apr. 15, 1993 Temporary Order of Court filed. AND NOW, this 15 day of April, 1993, after Mediation and upon recommendation of the Child Custody Mediator, it is hereby ordered and decreed that:

1. The natural parents of Eric T. St. John, not yet one year of age, born October 25, 1992, 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, shool 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 any elective surgery.
2. Preimary physical custody of the child shall be shared,but with the actual time spent with each parent conceivably favoring the mother on a straight hourly basis calculation. The time that the child shall be in the fat her's custody will be detailed; at all other times, the child shall be in the custody of the mother. Physical custody for the defendant father shall be as follows:
   a. The child, Eric T. St.John, shall be available to spend time in the home of the natural father in all weeks of each month, except the third week of each month, from Thursday at 10:00 a.m. prevailing time, through Sunday at 7:00 p.m., prevailing time. During the third full week of each month, the child shall be in the mot her's home for the entire week, including the weekend. During the months which have a portion of a fifth weekend (counting a weekend from Thursday through Sunday), the child shall spend that portion of Thursday through Sunday (as above) as a fifth weekend with the father.
   b. Beginning with t he month of June, 1993, the father shall have the opportunity to take the child into his full-time physical custody during the first two weeks of June, July, and August. The mother shall not have visitation during those weeks. During the other times of June, July, and August, the child shall be with the mother, and the father shall not have visitation.
   c. Holiday visitation 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 through 8:00 p.m., prevailing time. The holidays of Thanksgiving and Christmas of each year shall be shared with the father having an opportunity to have the child from 2:00 p.m. through 8:00 p.m., prevailing time. The holidays of New Year's, Easter, Memorial Day, the 4th of July, Labor Day, and the child's birthday shall be alternated between the parents. During even -numbered years, New Year's Day, Memorial Day, and the child's birthday, shall be spent with the father, from 8:00 a.m. through 4:00 p.m., prevailing time, and the other three holidays shall be spent with the mother during the same hours. This shall be reversed in odd-numbered years.
   d. The father shall pick up and return the child to 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 not occur until the following day at the same time. It will be satisfactory for an adult member of the father's home to pick up and deliver the child.
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 agreement.

Continued to Page 507

1993

Shafer, Swick, Bailey
Irwin & Stack
Charles J. Swick
Jeffrey K. Millin

Theodore H.Watts for
Albright Tool & Manufact.
229.

Fuller,Kinnunen,Petruso,
Gamble, Fabian & Hall
John D.Petruso

TODD DEVORE and CHRIS DEVORE his wife, JAMES COUSINS, THELMA COUSINS, ROBERT STEINER, CIMBERLIE KAWINSKI, CHARLES W. ZIMMER and WANADA G. ZIMMER, his wife, WILLIAM McGOWAN and MAZINE McGOWAN, his wife, DAVID R. WALTON and VALERIE WALTON, his wife, and TOM JONES

ALBRIGHT TOOL and Manufacturing, Inc., Intervenors

vs.

ZONING HEARING BOARD, BOROUGH OF BLOOMING VALLEY

Filed March 3, 1993
@ 3:55 PM

Tax & entry paid	50.50
User's Fee paid	5.00

NOTICE OF APPEAL FROM ZONING HEARING BOARD

Mar. 3, 1993 Writ issued to Richard Crum, R.D. #3, Box 148 Meadville, PA 16335

Mar. 18, 1993 Notice of Intervention of Borough of Blooming Valley filed.

June 16, 1993 Record of Proceedings Before Zoning Hearing Board of Borough of Blooming Valley on Application of Albright Tool & Manufacturing, Inc. filed.

June 24, 1993 Supplemental Record of Proceedings filed.

Sept. 28, 1993 Testimony from Zoning Appeal Hearing filed.

Sept. 28, 1993 Upon praecipe of Plaintiff Attorney the above matter is placed on the next available argument list.

ON 1993 NOVEMBER ARGUMENT LIST

Oct. 29, 1993 Petition to Intervene Pursuant to PA.R.C.P. 2328 and ORDER OF Court filed. On this 28th day of October, 1993, it is hereby ordered that a hearing on the petition to Intervene submitted by Albright Tool and Manufacturing Inc., is scheduled for Nov. 9, 1993 at 1:00 P.M. inCourtroom 1, 2, of the Crawford County Courthouse.

For the Court
Ann A. Walker, Court Administrator

11-4-93 Copy of Order to Attys.Swick, Millin & Petruso.

Nov.9, 1993 Reply to Petition to Intervene, filed.

Nov.12, 1993 ORDER filed. AND NOW, November 9, 1993, at an argument held on a Petition to Intervene pursuant to Pa.R.C.P.2328 filed by Albright Tool and Manufacturing, Inc. at which time all parties including the Zoning Hearing Board were represented by counsel and in which case no party through counsel asked for ahearing under Pa.R.C.P. 2329, the Court finds that Albright Tool and Manufacturing, Inc. is a party that could have joined as an original party in this action or could have been joined earlier, and that Albright Tool and Manufacturing, Inc. has an adequate interest in this litigation including possibly a legally enforceable interest depending upon the outcome, as well as being bound by a judgment in the action and having a right to take an appeal from an adverse decision. Although the Petition to Intervene is late, there is no prejudice to any other party for the argument that was previously set by the Court Administrator will not occur and continue forward. Furthermore, the Petitioner avers there were ongoing negotiations and settlement making the Petitioner believe that it need not intervene pending those discussions, although we do not find as a fact that the Petitioner was misled by the Appellant's into thinking they could file the Petition to Intervene, but rather the Petitioner assumed the discussions were such that the Petition to Intervene need not be filed earlier. Furthermore, the Petitioner alleges and believes that the appeal would have been filed at a prior number in which the Petitioner had appeared as an appellant of a previous adverse decision of the Zoning Hearing Board.

Accordingly, it is ORDERED as follows:

Albright Tool and Manufacturing, Inc. is hereby granted leave of court to intervene in this matter. The name of Albright Tool and Manufacturing, Inc. shallbe added to the caption from this date forward and identified as the Intervenor.

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

Nov. 12, 1993 Copies dist. to Attys. of record.

Mar. 1, 1994, MEMORANDUM AND ORDER filed. ORDER: AND NOW, Mar. 1, 1994, the appeal is dismissed and the decision of the Blooming Valley Zoning Hearing board is affirmed so that the Intervenor, Albright Tool and Manufacturing, Inc., shall be permitted to operate a tool and die shop pursuant to the conditions set forth in the decision fothe Blooming Valley Borough Zoning Hearing Board dated Feb. 23, 1993.

We order and direct the Zoning Hearing Board to make recommended amendments to the Borough of Blooming valley for the purpose of curing the defects in the challenged ordinance as required by 53 P.S. § 10916.1(c)(5).

BY THE COURT,
Anthony J. Vardaro, J.

Mar. 1, 1994, copies of order dist. to Swick, Millin, Shaddinger, Watts and Petruso.

1993

Robert J. Felton

230.

Rosen, Rosen & Bloom
Bruce T. Rosen

SUSAN M. McGARVIE

vs.

GEORGE P. McGARVIE

Filed March 4, 1993
@ 9:31 AM

Tax & entry paid 50.50
User's Fee paid 10.00
State paid 10.00
1 add'l count paid 15.00
Pro.Co. pd 8/4/95 9.00

COMPLAINT UNDER SECTION 3301(c) OF THE DIVORCE CODE
1 copy atty.
(Equitable Distribution)

Mar. 15, 1993 Appearance of Rosen, Rosen & Bloom by Bruce T. Rosen for Defendant George P. McGarvie, filed.

June 22, 1993 Affidavit of Service filed. I, Robert J. Felton, Esquire, attroney at Law, 144 West Spring Street, Titusville, Pennsyvlania, do hereby certify that, in my capacity as attorney for Plaintiff in the above-captioned matter, served a certified copy of the Divorce Complaint in this matter onMarch 5, 1993, by sending Defendant the same ny certified mail no. P 066 497 369, return receipt requested. A complaint was mailed to the defendant on Thursday, March 4, 1993, as reflected in the receipt for mailing and the return receipt attached hereto.

Robert J. Felton

July 21, 1995 Affidavit of Consent of Plaintiff filed.

July 21, 1995 Affidavit of Consent of Defendant filed.

Aug. 1, 1995 Upon Praecipe of Bruce T.Rosen, Esquire, Attorney for Defendant to transmit record, Case moved to Court.

DIVORCE DECREE FILED

Aug. 14, 1995 AND NOW, this 8 day of August, 1995, after review of the above captioned case, and upon consideration of the pleadings and other documents filed therein, it is ORDERED, ADJUDGED AND DECREED that:

1. The Plaintiff, SUSAN M. MCGARVIE, and the Defendant, GEORGE P. MCGARVIE, are hereby divorced from the bonds of matrimony because their marriage is irreetrievably broken.
2. The parties are submitting to the Court herewith their MARITAL AGREEMENT voluntarily entered into under date of June 19, 1995, and a copy of said Agreement is attached hereto.
3. The said Agreement be, and the same is hereby approved, adopted, confirmed and made a part of this Decree with the same force and effect as though fully set forth herein.
4. In accordance with the terms of said Agreement and notwithstanding the approval, adoption, confirmation and incorporation of the same by and in this Decree, the said Agreement shall not be merged herein, but shall survive and be binding upon the parties.
5. The said Agreement shall not be modified or amended except as provided therein.
6. This Decree constitutes a final order as to all matters and claims pending in this action, and the Court retains jurisdiction of the parties and the subject matter for purposes of enforcement only.
7. Each party shall pay his or her own costs.

By the Court,
P. Richard Thomas, S. J.

May 17, 1996 Qualified Domestic Relations Order filed. The following Order is hereby approved:

1. This Order shall apply to the Pension Plan for BGHE of the Cytemp Specialty Steel Division of Cyclops Corporation (the "Plan") and shall be directed to the Armco, Inc. Benefit Plans Administrative Committee, One Oxford Centre, 15th Flow, 301 Grant Street, Pittsburgh, PA, 15219, as the Plan Administrator of the Plan.
2. The Plan Participant covered by this Order is George P. McGarvie, of R.D. #1, Box 188A, Centerville, PA, 16404, born March 16, 1953, having Social Security Number [redacted].
3. The Alternate Payee covered by this Order is Susan M. McGarvie, of R.D.#3, Box 16, Titusville, PA, 16354, born November 19, 1955, having Social Security Number [redacted].
4. This Order shall apply to twenty-five (25%) percent of the Participant's accrued pension benefit in the Plan as determined of September 1, 1992, (the "Alternate Payee Benefit") payable in the form set forth in Section (6) of this Order. The balance of the Participant's accrued benefit as of such date shall remain the sole property of the Participant and shall not be subject to this Order (the "Participant's Benefit").
5. The Alternate Payee Benefit shall be paid to the Alternate Payee beginning as of the date of which the Participant retires and begins to receive a monthly pension benefit under the Plan.
6. The Alternate Payee benefit shall be payable to the Alternate Payee in the form of either a Pre-Retirement Survivor Annuity under Section 3.15 of the Plan or in the form of an Automatic 50% Spouse Option under Section 3.16 of teh Plan, whichever is applicable, in the following amounts:

A. If the Participant dies before the first payment of the Alternate Payee Benefit as provided in Section 5 of this Order, the Alternate Payee Benefit shall be paid in the form of a 50% Qualified Survivor Annuity as provided under the Pre-Retirement Survivor Annuity coverage of Section 3.15 of the Plan. (please see file for more details).

SO ORDERED this 14th day of May, 1996.

BY THE COURT:
Gordon R. Miller

Feb. 10, 1997 Amendment to Qualified Domestic Relations Order filed. The following Order is hereby approved:

1. The Qualified Domestic Relations Order dated May 14, 1996 is hereby amended as follows:
4. This Order shall apply a portion of the Participant's accrued pension benefit in the Plan as determined by the formula:

No. of Mos. of Continuors Service as of 9/1/92
No of Mos. of Continuous Service as of 11/27/93 x 25% x Final Accrued Benefit

(the Alternate Payee Benefit") payable in the form set forth in Section 6 of the May 14, 1996 Order. The balance of the Participant's accrued benefit as of such date shall remain the sole property of the Participant and shall not be subject to this Order (the Participant's Benefit").

2. In all other respects, Order of Court dated May 14, 1996 is hereby ratified and affirmed.

SO ORDERED this 7th day of February, 1997.
BY THE COURT:
Anthony J. Vardaro

2-10-97 MAILED Rosen

1993

Wayne H. Hundertmark
robert J. Felton

231.

$150.00 deposited by Plaintiff for mediator

JAMES A. SEELEY

vs.

BETSY ANN SEELEY

Filed March 4, 1993
@ 11:01 am

Tax & entry paid	50.50
User's Fee paid	5.00
Pro.Co. pd 5/10/93	5.00

COMPLAINT FOR SHARED CUSTODY
1 copy atty.; 1 copy mediator

Order:

You, Betsy Ann Seeley, have been sued in Court to obtain custody of Brooke N. Seeley.

You are ORDERED to appear in person at such time and place as will be determined by the Mediator Bruce Smith for a mediation conferrence.

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 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) 336-1151, ext. 298

Date: March 5, 1993. Gordon R. Miller, J

AND NOW, this 5th day of March, 1993, upon presentation of the foregoing Complaint for Custody, the parties hereto and their respective consel are Ordered to appear before Bruce Smith, the Child Custody mediator, wh 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.

Gordon R. Miller, J

May 10, 1993 Appearance ofWayne H.Hundertmark, Esquire for James A. Seeley, Plaintiff, filed.

May 10, 1993 Upon praecipe of Plaintiff Attorney, Wayne H. Hundertmakr, Esquire, because of incorrect jurisdiction, the above action which was filed on March 10, 1993 is marked discontinued of record.

1993

Joseph F. Kulwicki

232.

PATRICIA J. PRATT

vs.

MICHAEL H. PRATT

Filed March 4, 1993
@ 11:12 am

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
2 claims Pd 3-17-94	30.00
state 3-17-94	10.00
Pro Co pd 6-22-94	9.00

COMPLAINT IN DIVORCE
2 copies atty.

July 9, 1993, Petition for Related Claims and Order filed. RULE TO SHOW CAUSE: AND NOW, this 20 day of May 1993, upon presentation and consideration of the within Petition, a Rule is hereby granted upon the respondent, Michael H. Pratt, to show cause, if any he has, why the prayer of your Petitioner should not be granted.

RULE RETURNABLE on the 10th day of Aug. 1993, at 11:00 a.n. in C. R. No. 1 or 2 of the Crawford County Courthouse.

BY THE COURT,
Gordon R. Miller, J.

July 12, 1993, copy of order to ATTY. Kulwicki.

Aug. 10, 1993 Motion to Continue Hearing and ORDER filed. AND NOW, Aug. 10, 1993 Hearing on Petiton for Alimony P.L., Atty. fees & costs continued genrally at request of counsel for both parties.

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

Aug. 12, 1993 Copy of Order to Atty.Kulwicki.

Sept. 24, 1993 Motion To Reschedule Request For Related Claims and Order field. AND NOW, September 24, 1993 the hearing is set for November 3, 1993 at 9:30 am Copy of this order shall be served on counsel forthwith.

BY THE COURT,
Gordon R. Miller, J

Oct. 1, 1993 copy of order to Atty. Kulwicki

Nov.3, 1993 Motion to Continue Rescheduled Hearing and ORDER filed. AND NOW, November 3, 1993 continued generally to be reset upon motion of either party.

BY THE COURT
Anthony J. Vardaro, J

11-3-93 Copy of Order to Atty.Kulwicki & Deft.

Dec. 15, 1993, Motion to Reschedule Hearing and Order filed. ORDER: AND NOW, Dec. 15, 1993, hearing is set for Jan. 25, 1994, at 3:30 p.m. in Ct. Rm. 1 or 2.

BY THE COURT,
Anthony J. Vardaro, J.

Dec. 22, 1993, copies to Jos. Kulwicki

Jan. 11, 1994 Motion To Continue Hearing and Order, filed. ORDER: AND NOW, January, 10, 1994, the hearing heretofor set for January 25, 1994 is continued generally, to be reset on Motion of either party.

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

Jan. 13, 1994 copy to J. Kulwicki & Dft.

Apr. 8, 1994 Affidavit of Consent of Plaintiff filed.

April 18, 1994 Motion To Withdraw Petition For Related Claims and ORDER filed. AND NOW, this 18 day of April, 1994, Motion is granted.

BY THE COURT,
Gordon R. Miller, J.

April 19, 1994 Copy of Order to Atty. Joseph Kulwicki.

June 22, 1994 Affidavit of Consent of Defendant, filed.

June 22, 1994 Upon praecipe of Plaintiff's attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

June 30, 1994,AND NOW,June 30, 1994, it is ORDERED and DECREED that PATRICIA J. PRATT, plaintiff, and MICHAEL H. PRATT, 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.

Gordon R. Miller, J.

1993

Pro Se

233.

Rothman Gordon Foreman
& Groudine P.C.
Vito S. Bochicchio

LESLIE TAR

vs.

EDNA EBBERT

Filed March 4, 1993
@ 1:46 PM

Tax & entry paid 50.25
User's Fee paid 5.00
arb paid 10/28/93 15.00

APPEAL OF PLAINTIFF FROM DECISION OF
DISTRICT JUSTICE WILLIAM D. CHISHOLM

Mar. 5, 1993 Proof of Service of Notice of Appeal and Rule to File Complaint filed.

Mar 9, 1993 Complaint filed. (1 copy Plf.)

Mar. 31, 1993, Appearance of Vito S. Bochicchio, of Rothman Gordon Foreman and Groudine, P.C., for defendant Edna Ebbert filed.

Mar. 31, 1993, Answer and New Matter of Edna Ebbert filed.

Apr. 1, 1993 Plaintiff's Answers to New Matters Brought Forth in Defendant's Answer Submission, filed.

May 7, 1993 Praecipe for Hearing filed.

Sept. 24, 1993 ORDER filed. AND NOW, Sept. 24, 1993, the Court, having received and considered a motion to strike filed by the defendant in the case of Leslie Tar, M.D. v. Edna Ebbert at 1993-233 and having asked the court Administrator to deliver other cases involving this plaintiff which are on the upcoming civil trial list, hereby strieks these cases above captioned from the october Civil Trial List because all of these cases come within the jurisdictional limits of compulsory arbitration under 42 Pa. C.S.A. 7361, Pa. R.C.P. 1001(b) (1) and Rule L1301 of the Crawford County Rules of Civil Procedure.

These cases shall be stricken from the October Trial List and shall not be tried at that term.

Arbitration shall not automatically occur as a result of this order. Any party desiring to have these matters heard by arbitration shall file a praecipe for reference to arbitration in accordance with the Rules. Thereafter the case shall proceed in accordance with the rules governing compulsory arbitration.

An original copy of this order shall be filed in each of these four cases.

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

Oct. 4, 1993 Copy mailed to Plf. and Atty. Vito Bochicchio.

Oct. 28, 1993, UPon praecipe of plaintiff, for reference to the arbitrators, the following arbitrators are appointed:

Peter Blystone, Ch.
~~John Spataro~~ John Gagliotti
Paul Allen

Dec. 3, 1993 Arbitrators take qualifying oath.

Jan. 31, 1994 Decision of Arbitrators filed in which they find in favor of the defendant and against the Plaintiff.

T-104 DECISION OF ARBITRATORS

Jan. 31, 1994 Copies dist. to Pltf. and Atty. Bochicchio

1993

Thomas Spadfore Walker
& Keenan, LLP
John E. Nagurney
Swanson, Bevevino,
& Millin, PC
Timothy R. Bevevino

234.

FIRST DEPSOIT NATIONAL
BANK

vs.

GERALD L. ENNIS and
JUDY A. ENNIS

Filed March 4, 1993
@ 3:21 PM

Tax & entry paid	50.50
User's fee paid	5.00
Sheriff's Costs	31.00
Pro.Co. pd 4/20/93	9.00
Pro Co pd 1-16-98	5.00

COMPLAINT IN CIVIL ACTION
2 copies Sheriff

March 30, 1993 SHERIFF'S RETURN, filed. SERVED Gerald L. Ennis on March 8, 1993 at 1:28 PM by handing a copy of the Complaint to Jim Brzez inski, Adult in Charge at the residence, Route 1, Box 497, Saegertown, Crawford County, Pa.

SERVED Judy A. Ennis on March 8, 1993 at 1:30 PM by handing a copy of hte Complaint to Jim Brzezinski, Adult in Charge at the residence, Route 1, Box 497, Saegertown, Crawford County, Pa.

So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

And Now, Apr. 20, 1993 at 2:57 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 defendants for failure to file an Answer and the damages are assessed at the sum of Seven thousand five hundred forty-four and 89/100 Dollars, includes interest and cost of suit.

E-73;E-93:
Entered 4-20-93
Atty. Bevevino
4/27/93 Notice to Atty.

Debt	$7,544.89
Interest included	292.14
Attys.fees included	1,208.00

Judgment
Barbara H. King
Prothonotary

EXECUTION 1993 - 29

Dec 22, 1997 Upon praecipe of plaintiff attorney the above Judgment is satisfied of record.

1993

Withdrawn
~~Mary Ann Kirkpatrick~~

235.

Barbara Walton

JODY DAVISON ADAMS

vs.

CRAIG DUANE ADAMS

Filed March 5, 1993
@ 10:20 am

Tax & entry Pd 4-28-93 50.50 ✓
User's Fee Pd 4-28-93 5.00

Sheriff's Costs 37.00
Pro Co Pd 4-28-93 9.00 ✓

#2693
Received Sheriff's Costs
37.00
4-28-93 Pd Sheriff
Ck#7512 37.00

4-28-93
(Refunded 4.85
Overpayment to deft
Ck#7511

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

Order:

And now, this 5th day of March , 19 93, 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:

NONE

3. This Order may be enforced without a warrant 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 or 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 15, 1993 , at 3:30 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 COURT,
Gordon R. Miller, J

Mar. 11, 1993 Sheriff's Return filed. SERVED Craig Duane Adams personally on March 8, 1993 at 9:27 AM by handing a copy of the Protecton from ABuse to him at 144 West Spring Street, Titusville, Crawford County, PA.
So answers,

Dale A. Collins,Deputy Sheriff
Robert M. Stevens, Sheriff

Mar. 16, 1993 ORDER filed. AND NOW, March 15, 1993 this matter is before the Court on Plaintiff's petition for relief under the Protection from Abuse Act.

Both parties are represented by counsel and there is an agreement between the parties without admission of the allegations of the petition on the part of the Defendant.

Accordingly, we enter 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. This order may be enforced without a warrant of arrest by any law enforcement officer having reasonable grounds to believe it has been violated.
3. A copy of this order shall be delivered to the police department in the jurisdiction where the Plaintiff resides and to County Control.
4. The Defendant is reminded that this is an order of Court and violation of this order may be pnishable by a fine of up to $1,000 and a j ail sentence of up to six months.
5. The Defendant shall pay costs in this matter in the amount of $150 within 45 days of the date of this hearing. Those costs shall be paid to the Prothonotary of Crawford County on the first floor of the Crawford County Courthouse.
6. This order shall remain in full force and effect through March 14, 1994 by the Court.

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

Mar. 16, 1993 Copies given to Co. Ctrl., PSPD, Walton & Kirkpatrick

Dec. 22, 1993 Motion for Leave to Withdraw Appearance and ORDER filed. And, Now, December 22, 1993, the motion for withdrawal of appearance is granted.

By the Court:
Anthony J. Vardaro, J.

1-4-94 Copy of Order to Attys. Kirkpatrick & Walton

Northwest Legal Services
R.Christopher Brode

236.

ROSE M. WHITMAN

VS.

JOSEPH M. WHITMAN

Filed March 5, 1993
@ 10:46 am

3-12-93 Received Sheriff's cost 25.00

3-15-93 Paid Sheriff Ck#738 25.00

Tax & entry Pd 3-12-93 50.50
User's Fee Pd 3-12-93 5.00
Sheriff's Costs 25.00
Pro Co Pd 3-12-93 5.00
Pro Co Pd 3-12-93 9.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 5th day of March , 19 93 , 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: Defendant shall not live at 838 N. Cottage until further Court order. Defendant shall not go to that address and shall not contact Plaintiff or 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 or 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 the March 11, 1993 , at 3:30 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,
Gordon R. Miller, J

SHERIFF'S RETURN filed. SERVED Joseph M. Whitman personally on March 5, 1993 at 11:15 AM by handing a copy of the Protection From Abuse to him at his temporary place of custody in the Crawford County Jail, 360 Center St, Meadville, Crawford County, Pa.
So answers,
Dale A. Collins, Deputy Sheriff
Edgar D. Householder, Chief Deputy
Robert M. Stevens, Sheriff

Mar. 12, 1993 Hearing on Petition Under Protection from Abuse Act and Order Filed.
AND NOW, March 11, 1993 this matter is before the Court on Plaitiff's petition for relief under the Protection fromAbuse Act.

The Plaintiff appears without counsel but indicates that he is willing to go forward particularly since the parties have reached an agreement without admission of the allegations of the petition on his part.

Accordingly, the following ORDER is entered:

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

2. The Defendnat shall not go within 100 yards of the Plaitiff's current residence or any residence that she shall have during the term of this order, except for the purpose of visiting the parties' children at Plaintiff's residence from 9:00 a.m. until 12:00 noon each SAturday, beginning with the first Saturday after he is no longer incarcerated.

3. The Defendant shall not go the Plaintiff's place of employment or any place of employment that she may have during the term of this order.

4. The Defendant shall not go within 100 yards of the First District School on foot at any time nor shall he go within 100 yards of the First District School in his automobile or any automobile other than in the normal course of transportation, in which case he shall not at any time stop on the street within 100 yards of that school other than for a traffic signal.

5. The Defendant shall not telephone the Plaintiff's residence at any time during the term of this order.

6. The Defendant may contact the Plaintiff by United States Mail so long as the mail is not threatening or harassing in any manner.

7. The Defendant will pay the costs of any damages to 838 North Cottage Street to the landlord Douglas Ferguson within 60 days from the day that a bill is presented to him for that damage or within such extended period of time as he may arrange with Mr. Ferguson, it being the Court's intention that the landlord be satisfied so as not to in any manner jeopardize the place of residence for the Plaintiff or the minor children.

8. The Defendant shall pay court costs in this matter in the amount of $89.50 to the Prothonotary of Crawford County on the first floor of the Courthouse within 90 days of the date of this order.

9. Upon his release from incarceration, upon 48 hours' written notice to the Plaintiff, the Defendant may go to the Plaintiff's home for the purpose of obtaining his personal belongings including clothes, tools, personal jewelry, and books.

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

11. A copy of this order shall be delivered to the police department in the jurisdiction where the Plaintiff resides and to County Control.

Continued to Page 236 A

1993

ROSE M. WHITMAN
vs.
JOSEPH M.WHITMAN

Continued from Page 236
of record
A.D. 1993 - 236

****

12. 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 and a jail sentence of up to six months.

13. This order shall remain in full force and effect through March 10, 1994.

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

Mar. 15, 1993 Copies of Order given to Atty. Brode, Deft. Co.Control & MCPD.

Mar. 19, 1993 Motion to Vacate Protection From Abuse Order and Order filed. ORDER: AND NOW, this 15th day of March, 1993 upon receipt and review of the plaintiff's motion to vacate and terminate the Protection from Abuse Order of March 5, 1993, said motion is granted and the Protection from Abuse Order is hereby vacated and terminated.

A true and correct copy of this Order shall be delivered by the Prothonotary to Joseph Whitman and to County Control.

Any provisions of the Protection from Abuse Order of March 5, 1993 assessing court costs shall remain in full force and effect without change or modification and the party or parties against whom costs were assessed shall remain obligated to pay the costs. BY ORDER OF COURT,
Gordon R. Miller, P.J.

Mar. 22, 1993 copy to Dft., Co. Ctrol & B. Chisholm & C..Brode

1993

Barbara J. Walton

237

MATTHEW DUROVEY

vs.

CHERRIL DUROVEY

Filed March 5, 1993
@ 1:37 PM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count paid	15.00
State paid	10.00
Pro Co. pd 10/13/93	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
1 copy atty.

Mar. 10, 1993 Affidavit of Service, filed. And Now, March 10, 1993, comes Lisa M. Sherretts being duly sworn according to law, deposes and sets forth as follows:

1. That she is the legal assistant of Attorney for Matthew Durovey, 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, P 899 097 865; postmarked March 5, 1993, to the last known address of the Defendant, Cherril Durovey, Doral Estates, Conneaut Lake, PA 16316.
3. That the Defendant, Cherril Durovey, on March 6, 1993, personally signed the return receipt card which was affixed to the Complaint in the above-matter and which is attached hereto.
4. Service of the Complaint against Defendant is therefore effected in accordance with Pa. R.C.P.

June 21, 1993 Affidavit of Consent of Plaintiff filed.

Aug 4, 1993 Property Settlement Agreement, filed.

Aug. 18, 1993 Amended Affidavit of Service filed. And Now, this 18th day of August, 1993, comes Lisa M.Sherretts, and states as follows:

1. That she is the legal assistant of Attorney for Matthew Durovey, Plaintiff in the above-captioned matter.
2. That on information furnished her by the Plaintiff, she caused a certified copy of the Complaint inDivorce to be forwarded by certified mail, P 899 097 865; postmarked March 5, 1993, to the last known address of the Defendant,Cherril Durovey, Doral Estates, Conneaut Lake,PA 16316.
3. That the Defendant, Cherril Durovey,onMarch 6, 1993,personally signed the return receipt card which was affixed to the Complaint in the above-captioned matter and a copy of whichis on file at the Courthouse.
4. Service of theComplaint against the Defendant is therefore effected in accordance with Pennsylvania Rules of Civil Procedure.

I verify that the statements made in this Affidavit are true and correct to the best of my knowledge and information. 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.

Lisa M. Sherretts,Legal Assistant

Oct. 8, 1993 Affidavit of Consent of Defendant, filed.

Oct. 13, 1993 Upon Praecipe of plaintiff attorney for Review Under Section 201(c) of Divorce Code, this case moved to court.

DIVORCE DECREE FILED

Oct. 25, 1993 FINAL ORDER OF COURT. And now, this 21 day of October, 1993, 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. The bonds of marriage between plaintiff, Matthew Durovey, and defendant, Cherryll Durovey, are dissolved because the marriage is irretrievably broken. Plaintiff and Defendant are divorce from the bonds of matrimony.

AND IT IS FURTHER ORDERED, ADJUDGED, AND DECREED, that the terms, provisions and conditions of the PROPERTY SETTLEMENT AGREEMENT beteen the parties herein, dated July 29, 1993 is incorporate in this decree and order by reference as fully as though the same were set forth herein, at length.

1. Property Settlement Agreement between the parties herein, was executed voluntarily after full disclosure and is for the best interest of the parties and the paraties are order to comply with it.
2. This Honorable Court shall retain jurisdiction of this matter.
3. Plaintiff and Defendant have reached an agreement as to the equitable distribution of property and debt as follows:
   a. Husband and Wife have divided all personal property between themselves.
   b. Husband shall pay the Marine Midland Bank and Calvery Baptist School bills and hold wife harmless.
   c. Wife shall assume the responsibility for any remaining balance on the Western Trails Camping debt.

By the Court:
Anthony J. Vardaro, J.

1993

Thomas, Truax,
Spadafore & Walker
~~Gregory A. Keenan~~ withdrawn

238.

Jorden and White
Harry Faber White, II

LYNNETTE A. SHELATZ

vs.

JAMES L. HORTON

Filed March 8, 1993
@ 8:50 am

COMPLAINT FOR CUSTODY
1 copy atty.

Mar. 24, 1993 Affidavit of Service of Complaint For Custody filed. Gregory A. Keenan, Esquire, being duly sworn according to law, deposes and says that on March 15, 1993, he sent a true and correct copy of a Complaint for Custody, properly endorsed with a Notice to Defend, filed in the above action, to the Defendant, James L. Horton, at Defendant's last known address of 129 Kearney Ave., Cambridge Spring, PA 16403, by Certified Mail No. P 100 620 571, postage prepaid, return receipt requested, Restricted Delivery, and that attached hereto is a duly executed return receipt card showing date of delivery as March 16, 1993.

Gregory A. Keenan

Aug 12, 1997 Certificate of completion of the Seminar for Separating Parents for James Horton, filed.

Tax & entry paid 50.50 ✓
User's Fee paid 5.00
John Spataro, Mediator 9.00
Pdo Co Pd 10-7-98

8-6-97 Dft paid $200.00 mediation fee

2-20-98-Pd Co 200.00
#11702 - med fee
8-28-98 - Refund from Dft med. fees 200.00
10-7-98 Refund Dft 125.00
10-7-98 Pd Co. 66.00
11-10-98 Refd pltf 49.00
med fee
11-23-98 Pd Co 49.00

Aug 6, 1997 Defendant's Request for Appointment of a Mediator and Orders: You, Lynette Shelatz, have been sued in Cour to (obtain) (modify) custody, partial custody or visitation of the child(ren): Samantha Marie Horton.

You are ORDERED to appear in person at such time and place as will be determined by the Mediator John Spataro, 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.

Aug 7, 1997 Gordon R. Miller, P.J.
Aug 11, 1997 Faxed Keenan, Spataro & White

ORDER: AND NOW, this 7th day of August, 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 L1930. Applications for the seminar may be obtained at the Center for Family Services, Inc. at 996 S. Main Street, Meadville, Pa 16335; the Prothonotary at the Crawford County Courthouse; or the Court Administrataor at the Crawford County Courthouse.

Gordon R. Miller, P.J.
Aug 11, 1997 Faxed Keenan, Spataro & White

Sept. 26, 1997 Order filed. AND NOW, September 25, 1997, the Court has received and reviewed a recommended order from the custody mediator in this case.

We will not sign the order because there is no evidence that the plaintiff has attended the Seminar for Separating Parents.

The Court will review this matter on motion or petition of either party once the plaintiff has satisfied that requirement.

If the defendant desires further relief he may file a petition for contempt.

BY THE COURT
Gordon R. Miller, P.J.
9-26-97 DISTRIBUTED Keenan & White

Oct. 14, 1997 Certification of Completion of Seminar for Separating Parents of Lynnette A. Tripoli filed.

Dec 8, 1997 Petition for Entry of Custody Order, filed.

Dec 8, 1997 ORDER: AND NOW, this 5 day of December, 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) The parties shall share legal and physical custody of the subject minor child, Samantha Marie Horton, born on Nov 14, 1992.

2) The parties shall share with each other any and all information which each may have regarding the health, education, and major events int helife of the subject minro 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) Thje parties shall share physical custody of the child as follows: (see paper filed)

4) through 12) (see paper filed)

13) Costs and fees of this Mediation, which are fixed at $240.00 ($60.00/hr X 4.0 hrs.) and the $9.00 Court Order filing fee are to be paid as follows:

a) The father has paid the $200.00 for the appointment of the child custody mediator. The entirety of said amount shall be applied to the costs and fees of this mediation.

b) The mother shall, within thirty (30) days of the date of this Order pay to the Prothonotary the sum of $49.00, representing her share of the fees and costs of this case.

c) It is noted that the reason that the fees and costs have not been equally divided is because the fther's income is signigicantly greater than that of the mothers.

14) (see paper filed) Anthony J. Vardaro, J.
Dec 8, 1997 Faxed Spataro, Keenan & White
Dec 18, 1997 Sent Plf & Dft

Feb 20, 1998 Withdrawal of Appearance of Thomas, Spadafore, WAlker & Keenan by Gregory A. Keenan, Esq., on behalf of Plaintiff and **ORDER:** And Now, upon consideration of the Motion of Gregory A. Keenan, Wsquire, to withdraw his appearance on behalf of the Plaintiff, said leave to withdraw is hereby granted.
Date: 2/6/98 Anthony J. Vardaro, J.
Feb 23, 1998 Faxed Keenan & White
Mar 12, 1998 Faxed Spataro

CONTINUED ON PAGE 238-A

238-A

1993

S29052

Lynette A. Shelatz (now Tripoli) — continued from page 238
vs — of record
James L. Horton — AD 1993 - 238

****

Augsut 28, 1998 PETTIION TO MODIFY CUSTODY AND NOTICE AND ORDER TO APPEAR FILED. You, Lynette A. Shelatz have been sued in Court for custody of Samantha Marie Horton.
You are Ordered to appear in person on ____1998, at o'clock___m. at the Crawford county Cuorthouse, 903 Diamond Park, Meadville, PA third Floor as 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 attached hereto
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
Telephone No: (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.

September 14, 1998 Motion to Substitute Mediators and Order filed. And now, this 11 day of September 1998, upon consideration of the within Motion, Kathleen R. Nelson, Esq. is hereby appointed the mediator in this case replacing John F. Spataro, Esq. who has a conflict of interest.

By the Court
Gordon R. Miller, J.

9/14/98 Faxed Spataro, Nelson & white

September 21, 1998 Pettion to Proceed in Forma Pauperis Pursuant to PA. R.C.P. 240 and Order filed. And Now, August 11, 1998 the Plaintiff's Petition to proceed in forma pauperies is DENIED.

By the Court
Anthony J. Vardaro, J.

October 1, 1998 Temporary Order filed. And now, Sept. 30, 1998 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 child, Samantha Marie Horton, 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 child held by a third paraty including, but not limited to school records and medical records and each paretn shall have equal input regarding important decisions affecting the child such as education , religious instruction and medical treatment.
2. Primary physical kcustoyd of Samantha Marie Horton, shall be with her Father, subject to the follwoing conditions:
a. The MOther shall be entitled to have temporary physical custody of the child every weekend with the exception of the scond weekend each month from Friday at 5 pm thorugh Sudnay at 5 pm For teh purposes of this Order, the first weekend of a month shall be defined a scontaining a Fr iday and a Sunday in the same month.
b. Houlidays:
i. Thanksgiving - There shall be two Thanksgving holiday visitation periods the first beginning at the close of school on the Wednesday preceding Thanksgiving at 6 pm and ending on teh Saturday following Thanksgiving at noon and the second beginning on the Saturday following Thanksgiving at noon and ending On the Monday following Thanksgiving at 6 pm. In 1998 and even years the Father shall have the first visistation period and the Mother the second and the parents shall thereafter alternate.
ii. Christmas - There shall be two Christmas holiday visitation periods, the first beginning on Christmas Eve Day at 5 pm and the second beginning on Christmas Day at 5 pm and ending on December 26, at 5 pm. In 1998 and even years the mother shall have the first visitation period and the Father the second and the parents shall thereafter alternate.
iii. Easter -There shall be two Easter holiday visitation periods, the first beginning on Good Fraidy at 9 AM and ending Holy Saturday at 6 pm and the second beginning on Holy Saturday at 6 pm and ending on Easter Sunday at 6 pm In 1999 and oldd years, the Father shall have the first visitation period and the Mother the second and the parents shall thereafter alternate.
iv. Memorial Day and Labor Day the holidays of Memorial Day and Labor Day shall be observed between the hours Of 9 am and 8 pm. In odd years the Mother shall have custody of the child on Memorial Day and the Father shall have custody of the child on Labor Day and the parents shall thereafter alternate these holidays.
v. Independence Day - The Independence Day holiday shall be observed betweeen the hours of 9 am on July 4 and 8 am on July 5th. In odd years, the child shall be in the custody of her Father and in even years the child shall be in the custody of here Mother.
vi. Summer: Beginning with the summer of 1999 the Mother shall be entitled to take the child into her custody beginning seven days after schoool has dismissed for the year until three days prior to the commencement of the next school year. Father shall be entitled to have temporary physical custody of the child for one weekend each during the months of June, July and Augsut each year. Father shall be entitled to have the child in his custody for one week during Mother's summer custodial period. In addition, Father shall give Mother fourteen days advance notice of the weekends and full week he wishes to select for his summer visitation periods.
vii. The child shall be in the custody of her Father on Father's Day and in the custody of her Mother on Mother's Day between the hours of 9 AM and 7 PM.
3. Transportation. The proper child restraints, I.e. car seat and or seat belts shall be worn at all times during the transporting of the child for said visits.
4. Neither paretn shall expose the child to any person or situtation that may be harmful to the health, safety or well being of the child.
5.Neither paretn shall say or do anything in an attempt to turn the child against the other parent, nor shall either parent permit others to do so, but rather each parent shall do everything in their power to promote a favorable and loving attitude on the part of the child toward both parents.
6. Each paretn shall inform the other parent immediately of any serious illness or injury regarding the child and both parents shall furnish the other with a current address and telephone number. If the child sustains a minor injury or illness it is sufficient that the parent notify the other aprent of same when there is an exchange of custody of the child.
7. Neither parent shall use illegal drugs or be under the influence of alcohol at any time when that parent has the care and custody of the subject minor children.
8. The parents are encouraged to make additional or alternative arrangements regarding physical custody of the child and may modify the herein custody arrangements if such modificaitons 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 cost of the mediation conference shall be divided equally between the parents. The deposit paid in advance by the Fahter shall first be applied to his share of the costs and the remainder refunded to him, less the cost of the Court's Order.
10. This Order isa tmeporary 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

10/2/98 Faxed Nelson & White Mailed Pltf.

Continued to 238-B

238-B

October 28, 2003 - See Computer for further entries.

1993

Phillips & Galanter, PC
Donald L. Phillips

239.

Prose

MOTORISTS INSURANCE COMPANIES

vs.

LARRY P. GOSNELL

Filed March8, 1993
@ 11:55 am

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	25.00
Pro Co pd 10-20-93	15.00
Pro Co. pd 6-17-94	9.00
Pro.Co.pd 9/14/94	5.00

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

Mar. 31, 1993 SHERIFF'S RETURN filed. SERVED Larry P. Gosnell personally on March 24, 1993 at 8:30 AM by handing him a copy of the Complaint in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, Pa.
So answers, Carole Stefanucci, Deptuy Sheriff
Robert M. Stevens, Sheriff

Apr. 12, 1993 Defendnat's Answer, filed. 2 copies Dft.

Oct. 20, 1993 Upon praecipe of plaintiff's attorney to appoint Arbitrators, the following Arbitrators have been appointed.
Mary Ann Kirkpatrick, Chr.
Christopher Youngs
Curtis Blystone

Nov. 8, 1993, Arbitrators take the qualifying oath.

May 6, 1994, Decision of the Arbitrators filed in which they find for the plaintiff in the amount of $1,168 with interest thereon at the legal rate from August 23, 1992.
G - 107
Decision entered

DECISION OF ARBITRATORS
Barbara H. King,
Prothonotary

May 6, 1994, copy given to defendant Gosnell and copy faxed to atty. Murphy.

June 17, 1994 Upon praecipe of plaintiff attorney, judgment on the arbitration award in the above entitled case against LARRY P. GOSNELL in the amount of $1,168.00, plus interest from Aug. 23, 1992 in the amount of $127.01 for a total judgment amount of $1,295.01, and plus the costs of this suit, filed.

JUDGMENT
G-278
Barbara H. King, Pro.
6-23-94 Notice of judgment mailed defendant.

Sep.14, 1994 Upon Praecipe of Stephanie A. Murphy, ESquire, Attorney for Plaintiff the above captioned judgment is marked satisfied of record.

1993

Phillips & Galanter
Donald L. Phillips

240.

Dailey, Restifo & Dailey
Edward J. Niebauer

GELVIN, JACKSON & STARR, INC.

vs.

THOMAS J. SKURKA a/k/a TOM SKURKA i/and t/a WESTERN AUTOMOTIVE

Filed March 8, 1993
@ 11:55 am

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	43.50
Pro Pd. 11/29/93	5.00

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

Mar. 30, 1993 SHERIFF'S RETURN filed. I hereby deputize the Sheriff of Erie County, Pa. to serve the within Complaint according to law. The defendants alleged address is 1726 Parade St. (18th & Parade) Erie, Pa. 16503 Robert M. Stevens, Sheriff, Cr. Co.

AFFIDAVIT OF SERVICE-- SERVED the within Complaint on March 19th, 1993, at 1327 hrs upon Thomas Skurka t/a Western Automotive at 1726 Parade St, Erie County, Erie, Pa. by handing to Mike Skurka, Brother and Person in Charge a true and correct copy thereof and made known to him the contents therein. Robert N. Michel, Sheriff
Erie County

Apr. 28, 1993 Answer filed.

Nov. 29, 1993, UPon praecipe of plaintiff attorney, this case is marked settled and discontinued of record.

1993

C. Barton Jones

241.

Jack E. Grayer

DONALD J. DUFFOLA and
DONNA DUFFOLA

vs.

STEPHEN C. PROPER and
KAREN L. PROPER

Filed March 8, 1993
@ 1:17 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	31.00

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

Mar. 11, 1993 SHERIFF'S RETURN filed. SERVED Stephen C.Proper on March 10, 1993 at 9:31 AM by handing a copy of the Complaint to Karen Proper, his wife, at their residence, Baiera Trailer Park, Lot 10, Saegertown, Crawford County, Pa.

SERVED Karen L. Proper personally on March 10, 1993 at 9:30AM by handing a copy of the Complaint to her at the residence, Baiera Trailer Park, Lot 10, Saegertown, Crawford County, Pa.

So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Mar. 29, 1993 Appearance of Jack E. Grayer for Defendants, filed.

Mar. 29, 1993 Answer to Complaint, filed.

242

1993

R. Christopher Brode

242.

4-21-94 Payment made 20th - 11-3-94 marked notice

DEBBIE and KEITH JONES

vs.

CAROL LESLIE LEHMAN, JR.

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

1 copy Plaintiff
3 copies Sheriff

ORDER:

And now, this 8 day of March , 1993 , 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:

Filed March 8, 1993
@ 1:16 PM

Tax & entry	50.50
User's Fee	5.00
Sheriff's Costs	30.00
Pro Co	9.00

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 or 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 the March 18, 1993 , at3:30 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,
Anthony J. Vardaro, J

SHERIFF'S RETURN filed. SERVED Carl Leslie Lehman, Jr. personally on March 11, 1993 at 9:14 AM at his place of incarceration, Crawford County Jail, 360 Center St, Meadville, Pa.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Mar. 22, 1993 ORDER filed. AND NOW, March 19, 1993, the matter is before the Court on a petition for relief under the Protection From Abuse Act.

The Plaintiff appears with counsel and the Defendant appears without counsel, but indicates he wishes to proceed without counsel insofar as the parties have reached an agreed Order.

Accordingly, by agreement of the parties, we enter 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. The Defendant shall not be permitted to go to Plaintiff's residence nor within one hundred (100) yards of the Plaintiff's residence at RD 3, Box 80, Linesville, Pa., except as herein after provided.

3. Additionally, the Defendant shall not go to or within one hundred (100) yards of the residence of Mark Lapham at RD 2, Box 92, Linesville.

4. Also, the Defendant shall not go within one hundred (100) yards of the school to which the children in the petition go, specifically, Alice Schaefer Elementary School.

5. Sometime within two (2) weeks of the date of this Order the Defendant shall be permitted to go to the home of Elton Stevens, which is across the driveway from the Plaintiff's home and within one hundred (100) yards of the Plaintiff's home, provided he provides twenty-four (24) hours notice to the Plaintiff of his intention to do so and for the sole prupose of retrieving two (2) dictionaries and a 350 turbo transmission.

6. Other than as set forth in this Order, the Defendant should not go to the residence of the Plaintiff or within one hundred (100) yards of that residence even if he is invited to do so insofar as this Order prohibits him from doing so and if the parties would agree at some point that he shall be permitted back on that residence, it is necessary that this Order be modified or else he shall be deemed in violation of this Order regardless of whether he is invited or not.

7. The Defendant shall not contact the Plaintiff by telephone or by mail with the exception that he may telephone to make arrangements to move his property from the Elton Stevens residence as indicated above.

8. This Order may be enforced without a warrant of arrest by any law enforcement officer havign reasonable grounds to believe it has been violated.

9. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.

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 of up to six (6) months.

11. The Defendant shall pay court costs in the amount of $94.50 within sixty (60) days of the date of this order. They shall be paid to the Office of the Prothonotary of Crawford County on the first floor of the Crawford County Courthouse.

12. This Order shall remain in full force and effect through March 17, 1994.

13. The telephone contact necessary for the Defendant to retrieve his personal belongings as indicated above shall be made to Betty Jones.

14. With respect to reference to children contained in the petition as herein above set forth, the term children shall include Keith Jones, II, Jessica Jones, Zachary Jones, Ashley Jones, Regis Morris, Mark and Michael Lapham and Monique Lapham and Ryan Lapham.

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

Mar 22, 1993 copies of order given to Co Control, PSP, Brode & Dft.

1993

Peters, Lindsay,
Lewis & Gagliotti
Brian J. Lindsay

243.

JUDY A. SMITH

vs.

GEORGE W. SMITH

Filed March 8, 1993
@ 1:35 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00

COMPLAINT IN DIVORCE
2 copies atty.

Jun.7, 1994 Acceptance of Servcie filed.I, George W. Smith, the above named Defendant, hereby accept service of theComplaint in the above action.
Date: 6-4-94 George W.Smith

Jun.7, 1994 Affidavit of Consent by George W. Smith,Defendant, filed.

June 8, 1994 Affidavit of Consent of plaintiff, filed.

Mar. 12, 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 6/8/94 . 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: March 12, 1998 Anthony J. Vardaro, J
Mar. 12, 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)

Shapiro & Kreisman
Carolee Berasi

244.

REPUPBLIC CAPTIAL BANK, F. S.B., formerly known as REPUBLIC CAPITAL BANK, S.S.B.

vs.

LEROY M. KARNS and ROSE M. KARNS

Filed March 8, 1993
@ 1:50 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	28.00
Sheriff's Costs	27.00
Pro Co pd 7-1-93	9.00

COMPLAINT IN MORTGAGE FORECLOSURE
2 copies Sheriff

Apr. 20, 1993 Complaint in Mortgage Foreclosure reinstated.

Apr. 21, 1993 Sheriff's Return filed. SERVED Rose M. Karns personally on March 12, 1993 at 3:55 PM by handing her a copy of the Complaint in Mortgage Foreclosure in the Sheriff's Office, Thrid floor, Crawford County Courthouse, Meadville, PA. NOT FOUND as to Defenant Leroy M. Karns. He is an over-the-road truck driver and we were unable to serve the Complaint in Mortgage Foreclosure at his residence.
So answers, Edgar D. Householder, Chief Deputy
Robert M. Stevens, Sheriff

May 12, 1993 SHERIFF'S RETURN, filed. SERVED Leroy J. Karns personally on April 29, 1993 at 10:05 AM by handing him a copy of the Complaint in Mortgage Foreclosure at his residence, 1347 Doral Estates, Conneaut Lake, Crawford County, Pa.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

And Now, July 1, 1993 @ 2:40 p.m., upon praecipe of plaintiff's attorney judgment is entered for Sixty thousand eight hundred fifty-five dollars and 79/100 in favor of the Plaintiff and against the Defendant(s) for failure to file an answer to Plaintiff's Complaint within 20 days from service thereof and assess Plaintiff's damages as follows and calculated as stated in the Complaint:

Principal of mortgage debt due and unpaid	$50,607.90
Title Search and Bringdown	200.00
Interest at 10.5% from June 1, 1992 through June 28, 1993 (Each day add $14.56 after June 28, 1993)	5,721.67
Late charges: 12 @ $18.74 from July 1, 1992 through June 28, 1993 (On the 16th of each month add $18,74 after June 28, 1993)	224.88
Escrow Deficit	807.88
Itemized Anticipated/Real Monthly Expenditures	511.46
Install Deadbold & Knob Lock	
Winterize Property	
Property inspections 8 @ $9.95	79.60
Attorneys Fees (anticipated and actual to 5% of principal	2,530.40
TOTAL AMOUNT DUE	$60,855.79

Entered July 1, 1993 Debt: 60,855.79
K - 104, 144 JUDGMENT
Barbara H. King, Pro.

Ex. 1993 - 56

July 26, 1993 Verification of Service by Certified Mail of Notice of Sale, filed.

Barbara J. Walton

245.

Thomas, Truax,
Spadafore,Walker
& Keenan
R.Charles Thomas

KIMBERLY PAYNE

vs.

MICHAEL ROPELEWSKI

Filed March 8, 1993
@ 3:53 PM

5-14-93
Received from Pltf
Med deposit 150.00

6-14-93 Pd pltf
Bal med dep. Ck# 7603
66.00

6-28-93 Pd CC Com
med fee Ck# 7634 75.00

6-16-95
Refd from Dept
Med. Deposit 150.00

COMPLAINT FOR CUSTODY
2 copy (atty).

Mar. 10, 1993 Emergency Petition to Return Custody of Child To The Plaintiff/Mother and Order, filed. ORDER: AND NOW, this 10th day of March, 1993, upon reviewing the Emergency Petition of the Plaintiff it is hereby ORDERED:

1. The Plaintiff/Mother be entitled to take the minor child, Ashley Lynn into her custody immediately until such time as a mediation hearing can be held. Since counsel represented that the child has been in Plaintiff's custody since birth.

2. The child shall not be removed from Crawford County until a custody hearing is held.

3. The Plaintiff shall not withdraw or discontinue the custody action without the written consent of the Defendant prior to a custody hearing. Gordon R. Miller, P.J.

Mar. 10, 1993 (copy cert atty)

Tax & entry paid	50.50
User's Fee paid	5.00
Pro Co 6-28-93 Ck # 7635	9.00
John Fuller, Mediator	150.00

Apr. 16, 1993 Petition to Modify Temporary Order and Order filed. AND NOW, April 16, 1993, the attorney for the Plaintiff is in Motion Court with respect to this custody action which was filed in March 1993. On March 10,1993, the Honorable Gordon R. Miller entered a temporary order returning custody to the Plaintiff since it was alleged by Plaintiff's counsel that the child had been in Plaintiff's custody since birth.

Apparently, the Plaintiff now alleges that she has never been able to serve anything on the Defendant who apparently is in Arizona with the child.

She seeks a clarification of the order of March 10, 1993 in an effort to enforce the same and we will do so at this time.

The order of March 10, 1993 entered at this number and term is therefore modified to state as follows:

1. The Plaintiff mother is awarded temporary custody of the minor child, Ashley Lynn,until such time as a mediation conference can be held. Said conference shall be set without delay. This ex parte order is entered since counsel for the Plaintiff has represented to the Court that as of March 10, 1993 the child had been in the Plaintiff's custody since birth.

2.The child shall not be removed from Crawford County by any party until a mediation conference is held and if the child is currently outside of Crawford County she shall be returned forthwith to Crawford County pending the mediation hearing.

3.During the period of time until a mediation conference can be held, the Defendant shall be entitled to reasonable visitation with the child so long as he does not remove her from Crawford County.

4. The Plaintiff shall not withdraw or discontinue this custody action without the written consent of the Defendant prior to a mediation conference.

BY THE COURT:
Anthony J. Vardaro, J.

Apr. 16, 1993 Copy of Order to Atty. Walton.

May 18, 1993 Motion to Set Hearing on Custody and Notice filed. You, MICHAEL REPELEWSKI, have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take prompt action. These proceedings may affect your child custody and/or visitation rights.

You are ORDERED to appear for a hearing before John Fuller, Child Custody Mediator, at such time and place as he shall designate.

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, J.

May 25, 1993 Copy of Order to Attys. Walton, Fuller & Defendant.

May 24, 1993 Custody Complaint reinstated.

June 7, 1993 Affidavit of Service filed. And Now, this 4th June, 1993, comes Lisa M.Sherretts, and states the following:

1. That she is the legal assistance of Attorney for Kimberly Payment,Plaintiff in the above-captioned matter.

2. That on information furnished her by the Plaintiff, she caused a certified copy of the custody Complaint and the Notice of Mediation to be forwarded by Certified mail, P 899 097 860; to the last known address of the Defendant, Michael Ropelewski, 237 Liberty St., Girard, PA 16417.

3. That the Defendant, MIchael Ropelewski, on May 27, 1993,personally signed the return receipt card which was affixed to the Complaint in the above-matter and which is attached hereto.

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

Lisa M. Sherretts, Legal Assistant

June 11, 1993 ORDER filed. AND NOW, June 11, 1993 after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Ashley Lynn Ropelewski 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, medicalf 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 Ashley Lynn Ropelewaski shall be with her Mother, subject to the following conditions:

A. Beginning June 16, 1993, the father shall be entitled to visit the child at the home of the mother, every Wednesday, from 6:00 p.m. to 9:00 p.m. Either the mother or maternal grandmother shall be present during such visits, although not in the same room.

B. This order is entered without prejudice to the right of either party to request a further mediation conference at any time after Sept. 16, 1993.

Continued on Page 453

1993

Peters, Lindsay,
Lewis & Gagliotti
Donald E. Lewis

246.

CHARLES LON McCULLOUGH

vs.

COMMONWEALTH OF PA,
Dept. of Trans.

NOTICE OF APPEAL
1 copy Atty.

ORDER:

AND NOW, this 5th day of March, 1993, upon Motion by the Appellant, a hearing is set on said appeal for the 9th day of June, 1993, at 11:00 o'clock am, in Courtroom No. 1 or 2 of the Crawford County Courthouse, Meadville, Pennsylvania.
Further, notice of said Appeal and of this Order of Court are to be given forthwith by Appellant's attorney to the appropriate representatives of the Appellee by forwarding a true and correct copy of same to the Appellee b First Class, U.S. Mail, postage prepaid.
Finally, said Appeal shall act as a supersedeas to Appellee's suspension of Appellant's operating privileges.

BY THE COURT:
Gordon R. Miller,

Filed March8, 1993
@ 4:08 PM

Tax & entry paid 50.50
User's Fee paid 5.00

Mar. 31, 1993 Motion to Quash Appeal and Order of Court filed. AND NOW, to -wit: this 31st day of March, 1993, upon consideration of the foregoing Motion,it is hereby ORDERED that a Rule be issued against the appellant, Charles Lon McCullough, 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 at the time of the de novo hearing on this appeal, which is scheduled for the 9th day of June, 1993 at 11:00 a.m. in Courtroom No. 1 or 2 of the Crawford County Courthouse.

BY THE COURT:
Gordon R. Miller, J.

Apr. 5, 1993 Copy of Order to Atty. Lewis & Dept. of Trans.

June 11, 1993 AND NOW, June 9, 1993, The department's motion to quash the appeal is DENIED. The Court believes there has been a breakdown in the Court system that has worked to the disadvantage of the Appellant when the notice of appeal and motion for hearing were filed with the Court Administrator's office on February 17 and for some unexplained reason remained there without any further action until March 5, 1993 when this Judge entered an order setting a date for hearing.

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

June 18, 1993 Copies dist to Lewis and Kuhar.

June 16, 1993 Memorandum and Order, filed. ORDER: AND NOW, June 15, 1993, for the reasons set forth in the foregoing memorandum this appeal is sustained and the suspension of the appellant's operating privileges by the Department of Transportation, Bureau of Licensing, is reversed.

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

JUne 16, 1993 copies mailed to Kuhar & given to Lewis

e

1993

William J. Gregg	IN RE: PRIVATE SALE OF LAND IN LINESVILLE BOROUGH, CRAWFORD COUNTY, PENNSYLVANIA	PETITION TO DISAPPROVE SALE 1 copy atty.
247.		
	Filed. March 9, 1993 @ 8:45 AM	
	Tax & entry paid 50.50 User's Fee paid 5.00	

1993

Louis P. Vitti & Assoc., PC
Louis P Vitti

248.

David W. Pickens
for Townsends

MIchael C. Colville
for USA

COMMONWEALTH OF PENNSYLVANIA STATE EMPLOYES" RETIREMENT FUND, Assignee of HOUSING MORTGAGE CORPORATION

vs.

BRIAN P. TOWNSEND and MARGARET E. TOWNSEND, and STEVEN D. TURK, and EDWARD J. BORSUK, JR.
and THE UNITED STATES OF AMERICA

Filed march 9, 1993
@ 1:48 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	43.00
Pro Co Pd 4/7/93	9.00
Sheriff's Costs	29.00
sheriffs costs	$20.00
Pro co pd 7-16-93	9.00

COMPLAINT IN MORTGAGE FORECLOSURE
4 copies Sheriff

Mar. 11, 1993 SHERIFF'S RETURN filed. SERVED Brian P. Townsend personally on March 10, 1993 at 2:20 PM by handing a copy of the Complaint in Mortgage Foreclosure to him in the Sheriff's Office, Crawford County Courthouse, Meadville, Pa.

SERVED Margaret E. Townsend on March 10, 1993 at 2:21 PM by handing a copy of the Complaint in Martgage Foreclosure to Brian Townsend, her Authorized Agent, in the Sheriff's Office, Crawford County Courthouse, Meadville, Pa. Signed Acceptance of Service attached.

NOT FOUND as to Defendants Steven D. Turk and Edward J. Borsuk, Jr. They do not live at 204 Beach Ave., Cambridge Springs, Crawford County, Pa. and their address is unknown.

So answers,
Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

And Now, April 7, 1993, upon praecipe of plaintiff attorney, with military affidavit attached, Judgment in default of an answer is hereby entered in favor of plaintiff and against the defendants Brian P. Townsend and Margaret E. Townsend ONLY, said judgment to be in amount of Twenty Seven Thousand Four Hundred Eighty Two and 00/100 Dollars, together with costs and interest.

Judgment entered
4/7/93
T -23, 113

Debt ----$27,482.00

JUDGMENT
Barbara H. King,
Prothonotary

Apr. 7, 1993, notice of entry of judgment mailed to each dft.

Apr. 19, 1993 Petition for Service Pursuant to Rule 430 and the Pennsylvania Rules of Civil Procedure 400, Et Seq. and Order of Court filed. AND NOW, this 19 day of April, 1993, it appearing to the Court that the Sheriff has been frustrated in service of process, it is Ordered, Adjudged and Decreed that service of the Complaint and all subsequent documents upon all Defendants be accomplished by ordinary mail by Plaintiff and by posting the property by the Sheriff in order to effect compliance with Rule 400, et seq. andRule 3129.1, et seq.

BY THE COURT:
Anthony J. Vardaro, J.

Apr. 22, 1993 Copy of Order to Atty.Vitti.

Apr. 29, 1993 Amended Complaint filed.

May 7, 1993 CERTIFICATE OF MAILING, filed. I, Louis P. Vitti, do hereby certify that service of the Complaint was accomplished by ordinary mail on the Defendant(s), Brian P. Townsend, Margaret E. Townsend, Steven D. Turk and Edward J. Borsuk, Jr., on May 4, 1993, as per the Order of Court dated April 19, 1993.

May 20, 1993 Sheriff's Return filed. POSTED the property of Brian P. Townsend and Margaret E. Townsend located at 204 Beach Avenue, Cambridge Springs, Crawford County, PA, with a copy of the Court Order, Complaint and Amended Complaint on May 13, 1993 at 2:13 PM.

so answers,
Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

May 25, 1993 Answer to Amended Complaint, filed.

June 15, 1993, Sheriffs REturn filed. I hereby deputize the sheriff of Allegheny County, Pa. to serve the within Complaint and Amended Complaint according to law.

SERVED the within Complaint and Amended Complaint on May 20, 1993 at 10:00 a.m upon USA at 633 US Post Office and Courthouse, Pgh Pa. 15219, by handing to Kelli Landish, Sec. a true and correct copy thereof and made know the contents therein.
Eugene L. Coon, Sheriff, Allegheny County

July 7, 1993, CONSENT JUDGMENT filed. AND NOW, to wit this 7 day of July 1993, 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 plaintiff and against the defendant United STates of America for foreclosure of the mortgage of plaintiff in the within cause and for sale of the mortgaged property of dfts. Brian P. Townsend and Margaret E. Townsend.

It is FURTHER ORDERED, ADJUDGED AND DECREED that defendant USA shall be notified by plainitff of the date, time and place scheduled for any sheriffs sale of the real property of the aforesaid defendants; that the USA shall be entitled to payment from the proceeds of the sheriffs sale to the extent its proper priority would entitle it to the same; and that the USA 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 construed as entryof a 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.

BY THE COURT,
Anthony J. Vardaro, J.

July 9, 1993, copies of order to Attys. Vitti, Michael C. Colville,& D. Pickens.

7/7/ 93 Judgment Entered
U - 183

JUDGMENT
Barbara H. King,
Prothonota ry

Continued on Page 248A.

1993

Commonwealth of Pennsylvania
State Employes' Retirement
Fund, Assignee of Housing
Mortgage Corporation
vs.
Brian P. Townsend et al

Record continued from page 248

of record

A.D. 1993 - 248

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Sept. 23, 1993 Motion For Summary Judgment filed.

Sept. 23, 1993 Affidavit In Support of Motion For Summary Judgment filed.

Sept. 23, 1993 Upon praecipe of Plaintiff Attorney the above matter is placed on the next available argument list.

ON 1993 OCTOBER ARGUMENT LIST

Oct. 25, 1993, Notice of filing for Protection Under Bankruptcy Act under Chapter 13, of Defendants Brian P. Townsend and Margaret E. Townsend, filed.

248
B

1993

1993

Quinn, Buseck,
Leemhuis, Toohey &
Kroto, Inc.
Lawrence C. Bollar

249

THE FIRST NATIONAL BANK OF PENNSYLVANIA, now by merger MARINE BANK

VS.

DONALD W. HAGER

Filed March 9, 1993
@ 2:07 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's costs	32.00
Pro Co Pd 7/15/93	9.00

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

March 16, 1993 Sheriff's Return filed. SERVED Donald W. Hager personally on March 12, 1993 at 1:12 PM at 295 Randolph St., Meadville, Crawford Co., PA.
So answers,

Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

And NOw, July 15, 1993 at 11:37 a.m., upon praecipe of plaintiff attorney, with default notice attached, Judgment is hereby entered in favor of plaintiff and against the defendant in the sum of Eight Thousand Five Hundred Fifty Two and 77/100 Dollars, plus int. from Mar. 10, 1993 and costs.
Judg. entered
7/15/93
H - 44

Debt ----$8,552.77
Int. from Mar. 10, 1993
JUDGMENT
Barbara H. King
Prothonotary

July 16, 1993, notice of entry of judg. mailed to dft.

Revived AD1997-586

1993

Peters, Lindsay,
Lewis, & Gagliotti
John P. Gagliotti

250.

JEFF HUYA

vs.

TONYA
~~TANYA~~ HUYA

filed March 9, 1993
@ 3:12 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro.Co. pd 9/30/93	9.00
Pro Co Pd 10/27/93	5.00

COMPLAINT IN DIVORCE
2 copies Plaintiff

Mar 12, 1993 AFFIDAVIT OF SERVICE filed. I, John P. Gagliotti, Esq., after being duly sworn according to law, do hereby certify that I am the attorney of record for the above named Plaintiff, and that as such I am authorized to make this verification; that I did on the 9th day of March, 1993, send to the above named Defendant, by Certified Mail, Return Receipt Requested, a true and correct copy of the divorce complaint filed at the above term and number; and that I did on the 11th day of March, 1993, receive a duly executed return receipt dated March 10th, 1993.

Aug. 2, 1993, Motion to Amend Caption and Order filed.
ORDER: AND NOW, this 5 day of Aug. 1993, the within Motion is granted and it is hereby ordered that the captioned of the within case be amended so defendants name is spelled as Tonya Huya.

BY THE COURT,
Anthony J. vardaro, J.

Aug. 11, 1993, copy of order to Atty. Gagliotti.

Aug. 17, 1993, Affidavit of Consent of defendant filed.

Aug. 17, 1993, Affidavit of Consent of plaintiff filed.

Sep. 30, 1993 Upon Praecipe of John P.Gagliotti,ESquire, Attorney for Plaintiff to transmit record, case moved to court.

DIVORCE DECREE FILED

Oct. 8, 1993 AND NOW, Oct. 8, 1993, it is ordered and decreed that JEFF HUYA, plaintiff, and TONYA HUYA, 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.

Oct. 27, 1993, NOTICE OF ELECTION TO RETAKE MAIDEN NAME FILED.
TO BE KNOWN AS: TONYA M. SLAUGHTER

1993

Pepicelli, Youngs
& Youngs, PC
Andrew S. Bacallao

251.

CAROLYN A. PORTER

vs.

TRACY PORTER

Filed March 9, 1993
@ 3:42 PM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count paid	15.00
State paid	10.00
Pro Co pd 10-4-93	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
3 copies atty.

Mar. 22, 1993 Proof of Service filed. I hereby certify that a copy of Complaint in Divorce was served upon the Defendant, Tracy Porter, by mailing the same to him at 870 State Street, Apt. 1, Conneaut Lake PA 16316, by Certified Mail, Addressee only, Return Receipt requested, Number P 228 802 927. Said Complaint was received on March 19, 1993, signed receipt attached hereto as Exhibit "A".
Date: March 22, 1993 By Andrew S. Bacallao, Esquire

Sept 7, 1993 Affidavit of Consent of Defendant filed.

Sept. 10, 1993 Affidavit of Consent of Plaintiff, filed

Oct. 4, 1993 Stipulation filed.

Oct. 4, 1993 Upon praecipe of plaintiff's attoreney to transmit records, case moved to Court.

DIVORCE DECREE FILED

Oct. 12, 1993 CONSENT DECREE filed. AND NOW, this 11 day of October, 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 paraties, 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 of consent has been filed by each of the parties consents to the divorce pursuant to 3301(c) of the PA. Divorce code.

2. TANGIBLE PERSONAL PROPERTY:

a) Defendant hereby transfers to the Plaintiff, all right, title and interest he may otherwise have in the tangible personal property now currently in the possession of the Plaintiff.

b) Plaintiff hereby transfers to the Defendant, all right, title and interest she may otherwise have in the tangible personal property now in the possession of the Defendant.

c) Plaintiff and Defendant shall keep as her or his sole property, free and clear of any interest of the other party, all of th funds on deposit held by the Plaintiff or Defendant in any bank or depository or safety deposit box and standing in his or her name as of the signing of the Stipulation.

3. DEBTS:

Plaintiff hereby agrees to pay to Defendant, the sum of Five Hundred ($500.00) Dollars in full and complete discharge of all obligations of any nature whatsoever for the Plaintiff other than as provided for by the terms of this Decree, and Defendant agrees to indemnify and hold harmless the Plaintiff from any all all claims or demands made against jointly held debts against them by reason of debts or obligations heretofore incurred by both parties.

4. RETIREMENT AND PENSION BENEFITS:

Defendant shall retain all rights, title and interest held in the pension and employment benefits currently held through his employer, Acutec, and the Plaintiff will execute all necessary documentation to dispose of her interest in these accounts in a timely fashion.

5. VEHICLES:

a) Plaintiff shall retain the 1986 Ford F-150, VIN 2FTEF15N2GCB33831, vehicle which was purchased subsequent to the date of separation.

6. ALIMONY; ATTORNEYS FEES:

In light of the property distribution as stated in this Decree, no payment will be required of the Defendant towards alimony, alimony pendente lite or Plaintiff's counsel fees, costs or expenses.

7. MISCELLANEOUS FUNDS:

The parties hereto held a checking account at Integra Bank at the time of separation, which had an approximate balacne of $100.00. Said funds have been utilized by the Defendant, and Plaintiff makes no claims to the same.

8. LIFE INSURANCE:

Each party has disclosed to the other full information on all life insurance policies insuring his or her life. Each party shall become and remain the sole owner of all policies insuring his or her life and shall have all rights to receive dividends, designate beneficiaries and any other rights and shall have full responsibility for payment of all premiums.

9. MISCELLANEOUS RIGHTS AND CLAIMS:

Except as set forth above, neither party shall make any claim to any property acquired by the other party hereto before they were married, or after they separated, and neither shall make any further claim to any other asset of the other party hereto, except as set forth in this Decree.

10. WAIVER OF FILING OF DOCUMENTS:

Neither party hereto shall require the other party hereto file an inventory, and appraiseme 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.

11. 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.

12. DECREE NOT TO BE CONSTRUED AGAINST DRAFTING PARTY:

This Decree is the product of extended negotiation between the parties. No provision herein shall be construed against or in favor of either party by reason of the identity of the scrivener.

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

1993

252.

Rosenberg, Kirshner PA
Miles A. Kirshner

Rosenberg, Kirshner P.A.
Miles A. Kirshner
for Am. Mfgs Mut Ins Co

LESLIE TAR, M.D.

vs.

KEMPER INSURANCE COMPANY
and AMERICAN MANUFACTURERS
MUTUAL INSURANCE COMPANY

Filed March 9, 1993
@ 3:50 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Pro.Co. pd 1/17/95	$6.00

COMPLAINT IN CIVIL ACTION
1 copy pltf.

Mar. 22, 1993 Amended Complaint filed.

Mar. 22, 1993, Appearance of Rosenberg, Kirshner, P.A. by Miles A. Kirshner, atty. for defendant filed.

Mar. 29, 1993 Appearance of Rosenbert, Kirshner P.A. by Miles A. Kirshner for American Manufacturers Mutual Ins. Co., filed.

Mar. 29, 1993 Preliminary Objections, filed.

Mar. 29, 1993 Praecipe for Argument, filed.

ON ARGUMENT LIST FOR MAY 1993

June 1, 1993, Supplement to Preliminary Objections filed.

June 1, 1993, Upon praecipe of defendant attorney, Defendants preliminary objections for the June 1st Argt. List withdrawn; and argument continued on said Preliminary Objections to the June 28, 1993 Argt. List.

ON ARGUMENT LIST FOR JUNE 1993

Aug. 6, 1993, MEMORANDUM AND ORDER filed. ORDER: AND NOW, Aug. 5, 1993, the defendants' preliminary objections are denied for the reasons set forth in the attached memorandum except that the defendants' demurrer as to damages is granted. Damages will be limited to $10,000 plus costs and interest. BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

Aug. 6, 1993, Copies mailed to Tar and Kushner.

Sept. 24, 1993 Defendants' Answer and New Matter filed.

Oct. 5, 1993 Answers To New Matters filed.

Oct. 12, 1993 Notion of Deposition of Leslie Tar, M.D. filed.

Dec. 28, 1993 Verification of Service of Response to Request For Admissions, filed.

Feb. 9, 1994, Motion For Leave to Amend and Order filed. And Now, Feb. 9, 1994 the defendants motion is granted and it shall have 20 days in which to file an amended answer and new matter to add the entire contract of insured.
Gordon R. Miller, J.

Feb. 11, 1994, copies of order to Atty. Kirshner and L. Tar.

Feb. 9, 1994, Plaintiffs MOtion to Determine Sufficiency of Defendant's ANSWERS TO Plaintiffs Request for Admissions and Order filed. ORDER: AND NOW, Feb. 9 1994, upon receipt and consideration of Plaintiff's Motion to DetermineSufficiency of Answers to Request for Admissions it is hereby ordered that the said matter shall be listed for argument in accordance with local rules. BY ORDER OF THE COURT,
Gordon R. Miller, J.

Feb. 9, 1994, copies of order to Atty. Kirshner and L. Tar.

Mar. 1,1994 Amended New Matter filed.

Apr. 13, 1994 Praecipe For Argument List, filed.

ON ARGUMENT LIST FOR April 1994

Apr. 13, 1994 Motion For Judgment on the Pleadings, filed.

June 7, 1994 Motion To Withdraw Motion For Judgment On The Pleadings and Order, filed. AND NOW, to-wit, this 6th day of June, 1994, it is hereby ORDRED, ADJUDGED and DECREED that the Defendants' Motion to Withdraw their Motion for Judgment on the Pleadings is granted without prejudice. BY THE COURT:
Gordon R. Miller, P.J.

June 14, 1994 mailed copy to M. Kirshner & Plf.

Jan. 17, 1995 Upon Praecipe of Leslie Tar, M.D., Plaintiff, the above-reference action is settled, discontinued and ended on payment of your costs only.

1993

Mary Ann Kirkpatrick

253.

KEVIN RAYE MILLLER

vs.

TWILA JEAN COBLENTZ MILLER

Filed March 10, 1993
@ 9:13 AM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 8-6-93	9.00

COMPLAINT IN DIVORCE
1 copy atty.

Mar. 30, 1993 AFFIDAVIT OF SERVICE filed. And Now, March 22, 1993, 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 Kevin Raye Miller, Plaintiff in the above -captioned matter.

2. That on information furnished her by the Plaintiff, she caused a certified copy fo the Complaint in Divorce to be forwarded by Certified Mail, P 100 621 273; postmarked March 16, 1993, to the last known address of the Defendant, Twila Jean Coblentz Miller, RD 1, Box 250, Townville Pa 16360.

3. That the Defendant, Twila Jean Coblentz Miller, on March 20, 1993, personally signed the return receipt card which was affixed to the Complaint in the above-matter and which is attached hereto.

4. Service of the Complaint against Defendant is therefore effected in accordance with Pa. R.C.P.

July 28, 1993 Affidavit of Consent of Plaintiff, filed.

July 28, 1993 Affidavit of Consent of Defendant, filed.

Aug. 3, 1993 Upon praecipe of Plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Aug. 12, 1993 AND NOW, Aug. 10, 1993, it is hereby ordered and decreed that KEVIN RAYE MILLER, Plaintiff, and TWILA JEAN COBLENTZ MILLER, 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.

1993

Pepicelli, Youngs
& Youngs PC
Andrew S. Bacallao

254.

KAY MARIE KISER

vs.

RICK G. KISER

Filed March 10, 1993
@ 3:43 PM

Tax & entry paid	50.50
User's Fee paid	15.00
2 Add'l Counts paid	30.00
State paid	10.00
Pro paid 9/8/93	9.00

COMPLAINT IN DIVORCE, CHILD CUSTODY,
EQUITABLE DISTRIBUTION
3 copies atty.

Mar. 16, 1993 Proof of Service, filed. I hereby certify that a copy of Complaint in Divorce was served upon the Defendant, Rick G. Kiser, by mailing the same to him at RD 2, Saegertown, Pa. 16433, by Certified Mail, Addressee Only, Return Receipt Requested, Number p 228 802 926. Complaint was received on Mar. 11, 1993, signed receipt attached hereto as Ex."A". Andrew S. Bacallao

Aug. 24, 1993, Affidavit of Consent of defendant filed.

Aug.24, 1993 Affidavit of Consent of Kay Marie Kiser, Plaintiff, filed.

Sept. 8 1993, Upon praecipe of plaintiff attorney, to transmit the record, this case moved to court.

DIVORCE DECREE FILED

Sept. 17, 1993 STIPULATION AND DECREE filed. AND NOW, this 15th day of September, 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 absoltue 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 of consent has been filed by each of the parties, evidencing that each of the parties consents to the divorce pursuatn to 3301(c) of the Pa. Divorce code.

2. REAL ESTATE:

Defendant has transferred to the Plaintiff, all of his right, title and interest in the jointly owend real estate at RD # 2 Saegertown, PA. which was originally purchased by both parties on teh 29th day of Dec., 1980 and recorded in Crawford Co. Deed Book 534, Page 614. Plaintiff agrees to pay the sum of $5,000.00 in consideration for the transfer of Defendant's interest in the real estate and shall pay all taxes subsequent to the date of this Decree for said property. Plaintiff shall also be responsible for all homeowner's insurance covering said property. All other financial responsibilities regarding said property, shall be the responsibility of teh Plaintiff. Documents to transfer said property shall be prepared by the Plaintiff's attorney, and preparation fee for the Deed and filing costs for the same, shall be paid for by the Plaintiff.

3. VEHICLES:

Plaintiff has transferred her interest in the 1978 Chevroelt truck vehicle to the Defendant, such that the same shall be his alone without any further claim from the Plaintiff. Defendant has transferred his interest in the 1986 Chevrolet Cavalier vehicle to the Plaintiff, such that the same shall be hers alone without any further claim from the Defendant.

4. HOUSEHOLD CONTENTS; TANGIBLE PERSONAL PROPERTY:

a) Defendant hereby transfers to the Plaintiff, all right, title and interest he may otherwise have in the household goods, appliances, contents, equipment and all other personal property located upon the premises referred to above in Paragraph 2.

b) Defendant shall retain all items of personal property which he retained and took with him at the time of the parties separation. Plaintiff hereby transfers to the Defendant all right, title and interest she may otherwise have in the property currently in the possession of the Defendant.

5. EMPLOYMENT AND PENSION BENEFITS:

Plaintiff shall retain all right, title and interest in the pension and employment benefits currently held in her name through the Crawford Co. Care Center. Defendant consents to the retention of these benefits by teh Plaintiff, and hereby relinquishes all right, title and interest held in the past or at present concerning Plaintiff's pension. It is understood that the Defendant does not have any employment and/or pension benefits, and thus there are no benefits to be distributed. Defendant will execute all required documents to divest any possible interest in Plaintiff's pension and employment benefits.

6. LIFE INSURANCE:

Each party has disclosed to the other full information on all life insurance policies insuring his or her life. Each party shall become and remain the sole owner of all policies insuring his or her life and shall have all rights to receive dividends, designate beneficiaries and any other rights and shall have full responsibility for payment of all premiums.

7. MISCELLANEOUS FUNDS:

The parties hereto held a checking account at Integra Bank at the time of separation, which the parties agree that any amounts existing at the time of separation were divided in an acceptable manner to both parties, and neither party makes a claim against the other for these amounts.

8. SHARED CUSTODY:

The parties shall share jointly the custodial responsibilities for the minor children of the marriage, presently in the care of the Plaintiff. This specifically addresses the minor children Robert, born 1/16/79, Andrea born 6/23/81, and Nena, born 5/18/83. "Custodial responsibility" shall include, without limitation, major decisions concerning education, medical care, and spiritual upbringing. The parties hereby expressly agree and state that, although it is possible to dissolve the marital relationship between the parties, it is not possible nor desirable to dissolve the parental relationship between the parties either as to the minor children, individually, or as to themselves. Therefore, the parties expressly state and agree that they wish to continue to be jointly, as well as severally, responsible for the custody and upbringing of their children.

RECORD CONTINUED ON PAGE 254 a.....

KAY MARIE KISER

VS.

RICK G. KISER

RECORD CONTINEUD FROM PAGE 254

OF

AD 1993 - 254

The parties hereby designate the Plaintiff to be the primary residential custodian and it is understood between the parties that the Defendant shall rgularly visit the minor children of the parties and that such visitation shall be unlimited and reasonable. It is expressly understood and stated by the parties that it is in the best interest of the minor children to continue and maintain a loving and warm relationship with both natural parents and to that end, both parties pledge themselves to providing continuous access to themselves for their children in order to continue and maintain the relationship with each party and the minor children.

9. MISCELLANEOUS RIGHTS AND CLAIMS:

Except as set forth above, neither party shall make any claim to any property acquired by the other party hereto before they were married, or after they separated, and neither shall make any further claim to any other asset of the other party hereto, except as set forth in this Decree.

10. WAIVER OF FILING OF DOCUMENTS:

Neither party hereto shall require the other party hereto to file an inventory and appraisement or to update income and expense statements prior to entry of this Decree as each party is satisfied with the knowledge he or she now has.

11. DECREE NOT TO BE CONSTRUED AGAINST DRAFTING PARTY:

This Decree is the product of extended negotiation between the parties. No provision herein shall be construed against or in favor of either party by reason of the identity of the scrivener.

BY THE COURT,
Gordon R. Miller, J.

1993

James R. Steadman

255.

LARRY A. CULLERS

vs.

ZENAIDA T. CULLERS

Filed March 11, 1993
@ 2:24 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro.Co. pd 3/2/94	9.00

COMPLAINT IN DIVORCE
2 copies atty.

Mfay 18, 1993 Complaint Reinstated, filed.

May 27, 1993, Complaint Reinstated.

June 17, 1993 Proof of Service filed. AND NOW, to-wit, this 15th day of June, 1993, comes JAMES R. STEADMAN, ESQUIRE, who being duly sworn according to law does depose and say that he did send the Defendant, Zenaida T. Cullers, a copy ofthe Divorce Complaint heretofore filed in the above captioned matter, by Certified Mail, Return Receipt Requested, under Article number P808919440, and that the said Defendant did receive the copy of the Complaint sent by the undersigned on June 11, 1993, as evidence of which a copy of the returned card for Article P808919440, signed Zenida T. Cullers and dated June 11, 1993, is annexed hereto and made a part hereof.

And Further your deponent saith naught.

James R. Steadman

Sep. 30, 1993 Affidavit of Consent by Larry A.Cullers,Plaintiff, filed.

Feb. 15, 1994, Affidavit of Consent of defendant filed.

Mar. 2, 1994 Upon Praecipe of James R. Steadman, Esquire,Atty. for Plaintiff to transmit record, case moved to Court.

DIVORCE DECREE FILED

March 9, 1994 AND NOW, this 8th day of March 1994, IT IS ORDERED AND DECREED that LARRY A. CULLERS, Plaintiff, and ZENAIDA T. CULLERS, Defendant, are divorced from the bonds of matrimony.

The court rtains 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.

1993

Barbara J. Walton

256.

CHERYL PETERSON

vs.

DUANE PETERSON

Filed March 11, 1993
@ 4:16 PM

Tax & entry paid	50.50
User's Fee paid	15.00
2 Add'l counts paid	30.00
State paid	10.00
William Pineo, mediator	52.00
Pro Co 3-22-94 Pd #8180	9.00
Pro.Co.pd 3/21/94	9.00

12-15-93 Rec from Plff $150 a medy.
2-1-94 Pd Plff Bal med dep ck#8056 115a-
3-22-94 Pd Ck #8179 $26

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
CUSTODY
2 copies atty.

Mar. 24, 1993, Affidavit of service filed. and Now, Mar. 24, 1993, comes Lisa M. Sherretts being duly sworn according to law, deposes and sets forth:

1. That she is the legal assistant of Atty. for plaintiff.

2. that on information furnished her by plaintiff, she causes a cert. copy of Complaint in Divorce to be forwarded by cert. mail, P 899 097 867; to the last known address of the dft. 8207 Brookwood Drive, Erie, Pa. 16509.

3. that the defendant on Mar. 20, 1993, personally signed the return rec. card which was affixed to the complaint in the above matter and which is attached hereto.

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

Lisa Sherretts.

Dec. 15, 1993, Motion to Appoint custody Mediator and Order filed. You Duane Peterson, have been sued in court to obtain custody of Larry and Duane Peterson.

YOu are ordered to appear in person at such time and place as will be determined by the mediator WM. PINEO for a 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.

Until the time of the above hearing, minor child shall remain in custody of father with reasonable visitation to mother in order to maintain the status quo.

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.

Ct. Adm. Craw. County Courthouse, Meadville, Pa. 16335 814 333-1151 ext. 298.

Date: 12/15/93

BY THE COURT,
Anthony J. Vardaro, J.

1 copy (atty) 1 copy (mediator)

Dec. 21, 1993 Amended Notice and Order to Appear filed.YOU, DUANE PETERSON, have been sued in Court to obtain custody of LARRY AND DUANE PETRSON.

You are ORDERED to appear in person at such time and place as will be determined by the Mediator Wm. Pineo for a mediaton conference.

If you fail to appear as provided by this Order, an Order for custody,partial custody or visitation may be entred against you or the Court may issue a warrant for your arrest.

Until the time of the aobe hearing,minor child shall remain in custody of mother with reasonable visitation to father in order to maintain the status quo.

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 an get legal help.

Ct. Adm., Craw. County Courthouse, Meadville,PA 16335 (814) 336-1151 ext. 298

Date: 12/20/93

BY THE COURT:
Anthony J. Vardaro, J.

1-4-94 Copy of Order to Atty. Walton & Deft. (1 copy Atty. 1 copy Med.) 1-4-94 Copy to Atty.Pineo

Dec. 28, 1993 Affidavit of Service, filed. And Now, December 27, 1993, comes Barbara J. Walton, and avers as follows:

1. A true and correct copy of the Motion to Appoint A Custody Mediator was mailed to the Defend ant via Certified Mail, return receipt on December 18, 1993.

2. That the Defendant signed the return card on December 21, 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. P845923449) 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. Section 4904, relating to unsworn falsification to authorities.

Jan.. 21, 1994 Praecipe to Withdraw Grounds, filed.

Jan. 26, 1994 Affidavit of Consent of Plaintiff, filed.

Jan. 31, 1994 TEMPORARY ORDER, filed. AND NOW, this 27th day of January, 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. Custody of the subject minor children, Larry and Duane Peterson, is awarded to their mother.

2. The mediator notes for the court that the father did not appear at the mediation and that there are certain allegations pending as a result of an investigation by Children & Youths Services. Pending the disposal of those allegations, the father may have visitation with the children provided that he applies to Children & Youths Services for visitation to be supervised by that agency.

3. When the allegations have been disposed of, either party may request a review of this order.

4. Costs and fees of this Mediation, which are fixed at $52.00, are divided equally between the parties with a share of each being assessed to him or her as costs in this case.

5. The deposit required for the appointment of the Custody Mediator was made by the mother. The deposit shall first be applied against the mother's share of costs and the remainder, if any, shall be remitted to her. The father's share of costs will be paid by Crawford County. The mediator notes for the court that the father is unemployed and has no income, but refuses to seek assistance.

6. 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,
Gordon R. Miller, P.J.

Feb. 2, 1994 copy to W. Pineo, B. Walton, Plf. & Dft.

Continued on Page 256A

1993 TERM

Cheryl Peterson
vs.
Duane Peterson

CONTINUED FROM PAGE 256
of Record
A. D. 1993 - 256

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Feb. 8, 1994 Affidavit of Service, filed. And Now, February 7,1994, comes Barbara J. Walton, and avers as follows:
1. A true and correct copy of the Plaintiff's 3301(d) Affidavit of Consent was mailed to the Defendant via Certified Mail, return receipt on february 2, 1994.
2. That the Defendant signed the return card on February 5, 1994 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. P845923458) 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. Section 4904, relating to unsworn falsification to authorities.

Mar. 4, 1994 Affidavit of Service, filed. And Now, March 4, 1994, comes Barbara J. Walton, and avers as follows:
1. A true and correct copy of the Notice of Intention to Request Entry of Divorce Decree under Section 3301 (d) was mailed to the Defendant via Certified Mail, return receipt on February 25, 1994.
2. That the Defendant signed the return card on March 1, 1994 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. P8457188121) 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. Section 4904, relating to unsworn falsification to authorities.

Mar. 21, 1994 Notice of Intention to Request Entry of Divorce Decree under Section 3301 (d) filed.

Mar. 21, 1994 UponPraecipe of Barbara J. Walton, Esquire, Attorney for Plaintiff, to transmit record, Case moved to Court.

Mar. 24, 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.
*- This refers specifically to the affidavit of service filed on 3/24/93. See Pa. R.C.P. 76 for definition of "affidavit".

X Economic and other issues or counts have been raised in the pleadings or by petition which are not being disposed of by stipulation, withdrawal or hearing. Withdrawal of such counts must be done by Court order not praecipe. To grant a divorce decree without a resolution of those other issues would be tantamount to an improper bifurcation.

X Other: The notice of intention to request entry of divorce decree indicated that the Plaintiff could request the entry of a final decree anytime on or after January 31, 1994 but the notice was apparently not mailed until February 25, 1994 and the first day to request a divorce decree to be entered would have been 20 days after that date. Therefore the notice of intention to request entry of a divorce decree must be sent again since the Defendant could have been led to believe that it was already too late to file a counter-affidavit when he received the notice of intention to request entry of divorce decree.

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.

BY THE COURT:
Anthony J.Vardaro, J.

3-25-94 Copy of Order to Atty. Walton & Deft.

Mar. 30, 1994 Amended Affidavit of Service filed. And Now, March 30, 1994, comes Barbara J. Walton, and avers as follows:
1. A true and correct copy of the Complaint for Divorce was mailed to the Defendant via Certified Mail, return receipt on March 15, 1993.
2. That the Defendant signed the return card on March 20, 1994 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. P899097867) attached herto 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.
Dated: 3-30-94
Barbara J. Walton

Apr.7, 1994 Petition to Withdraw Grounds for Divorce and ORDER filed. And Now, upon presentation of the Petition for Withdrawal of Grounds for Divorce, it is hereby Ordered that the request for Equitable Distribution be withdrawn from the Plaintiff's Complaint in Divorce.
BY THE COURT:
Anthony J.Vardaro,J.

4-12-94 Copy of Order to Atty. Walton & Deft.

May 10, 1994, Affidavit of Service of Amended Notice of Intention to Request Entry of Divorce Decree filed.

Mlkay 20,1994 Upon praecipe of Plaintiff's attorney to transmit records, case moved to Court.

DIVORCE DECREE FILED

May 27, 1994 AND NOW, May 25, 1994, it is hereby ordered and decreed that CHERYL PETERSON, Plaintiff, and DUANE PETERSON, 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.

256
-6-

1993 **TERM**

1993

Bukac & Toomey
Terry Toomey

257.

William A. Kuhar, Jr.

LIAM SHEPHERD PATTY

vs.

DEPARTMENT OF TRANSPORTATION
Bureau of Driver Licensing

Filed March 11, 1993
@ 4:19 PM

Tax & entry paid 50.50
User's Fee paid 5.00

NOTICE OF APPEAL
(Driver's License Suspension)

Mae. 12, 1993 Motion To Set Hearing On Behicle Code Appeal and Order filed. AND NOW, this 11th day of March, 1993, upon Motion of the Appellant to schedule a Hearing on the merits of his Appeal, a Hearing is hereby scheduled for July 8, 1993 at 10:00 o'clock a.m. in Courtroom One or Courtroom Two of the Crawford County Courthosue, Meadville, Pennsylvania. The Appellant shall forthwith make required service of the Notice of Appeal, Motion for Hearing and Order scheduling this Hearing.

FOR THE COURT:
Ann A. Walker, J

Mar. 15, 1993 Copy of order to Atty. Toomey

Apr. 22, 1993, Motion to Quash Appeal and order of court filed. ORDER OF COURT: AND NOW, to-wit, this 21 day of April, 1993, upon consideration fo the foregoing Motion, it is hereby ORDERED that a rule be issued against the appellant, Liam Shepherd Patty, to show cause, if any, why he should not be required to choose which one ofthe four separate operating privilege suspension revocation orders that he seeks to challenge by this single appeal he wishes this court to consider the merits and why, following the amking of that choice, the appeal, in sofar as it relates to the otherethree operating priv ilege suspension/revocation orders that appellant seeks to challenge, should not be quashed because they are three of four separate operating privilege suspension/revocation orders that he improperly seeks to challenge by this single appeal.

Said rule is returnable at the time of the de novo hearing on this appeal, which is scheduled for Thurs. July 8, 1993, at 10:00 a.m. in C. R. No. 1 or 2 of the Crawford County Courthouse Meadville, Pa.

BY THE COURT,
Anthony J. VArdaro, J.

Apr. 28, 1993, copies of order to T. Toomey & Atty. Kuhar.

July 9, 1993 Exhibits filed.

July 13, 1993 ORDER filed. AND NOW, July 8, 1993 this matter is before the Court on one appeal from four, or one appeal including two suspensions by the Department and two separate revocations, for a total of four notices received by the appellant from the Department of Transportation.

The Department has filed a Motion to Quash the sppeal based on the fact that it is improper to appeal more than one notice, whether it be suspension or revocation notice in one appeal, and cites case law that may lead to that conclusion.

However, we are going to decide this case on the merits and without making a decision or issuing an opinion concerning the Department's position. We will refuse to Quash the appeal, but having reviewed the merits of this case, the appeal with respect to all four notices which is contained in the one appeal at this number in term is dismissed, the Court havign found that the Department of Transportation was correct with respect to each of the four separate notices, two being for suspencion and two being for revocation.

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

July 13, 1993 copies dist. to Atty's Toomey & Kuhar

1993

Horgan & Blandino
Roger D. Horgan

258.

Marsh, Spaeder, Baur,
Spaeder & Schaaf
Francis J. Klemensic

HENRY STUTZMAN and MARY STUTZMAN, his wife

vs.

GEORGE ZAMIAS and MEADVILLE MALL

Filed March 12, 1993
@ 2:41 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	60.50
Pro Co pd 1-11-94	6.00

COMPLAINT IN CIVIL ACTION
2 copies Sheriff

Apr. 1, 1993 Appearance of Marsh, Spaeder, Baur, Spaeder & Schaaf by Francis J. Klemensic for Defendants, George Zamias and Meadville Mall, filed.

May 6, 1993 SHERIFF'S RETURN, filed. SERVED George Zamias by deputizing the Sheriff of Cambria County, Pa. as per his Affidavit of Service attached. Served on March 18, 1993 at 2:30 PM at 300 Market St., Johnston, Pa.

SERVED The Meadville Mall on March 16, 1993 at 11:43 AM by handing a copy of the Complaint to Dru Handy, Promotional Director at the Meadville Mall, 1125 Conneaut Lake Road, Meadville, Crawford County, Pa. So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

I hereby deputize the Sheriff of Cambria County, Pennsylvania to serve the within Complaint according to law. The defendants alleged address is 300 Market St, Johnstown, Pa. 15901
Robert M. Stevens, Sheriff Cr. Co.

SERVED the within Complaint on March 18, 1993, at 2:30 P.M. upon George Zamias at 300 Market St, Johnstown, Cambria County, Pa. by handing to Martin Nadorlik, attorney a true and correct copy thereof and made known to him the contents therein.
Jay Roberts, Sheriff Cambria Co.

May 7, 1993 Defendant's Answer and New Matter, filed.

May 24, 1993 Notice of Service of Interrogatories, filed.

May 24, 1993 Reply to New Matter, filed.

June 15, 1993, Notice AS to Completion of Discovery filed.

June 17, 1993 Notice Of Serving Interrogatories To Plaintiffs filed.

July 30, 1993 Notice of Service of Answers to Plaintiffs' First Set of Interrogatories Directed to Defendants filed.

Jan. 5, 1994 Upon praecipe of Plaintiff's attorney the above-captioned case is marked settled and discontinued of record.

1993

259.

IN RE: NOMINATION PETITION OF DAN TEED, AS CANDIDATE FOR VERNON TOWNSHIP SUPERVISOR, CRWAFORD COUNTY, PA.

Filed March 12, 1993
@ 2:43 PM

Tax & entry paid 50.50
User's Fee paid 5.00

OBJECTION TO AND PETITION TO SET ASIDE NOMINATION PETITION OF DAN TEED
1 copy petitioner

Order:

AND NOW, this 12th day of March, 1993, upon presentation and consideration of a petition filed in this matter setting forth objections to a filing of a nomination petition or objections to the nomination petition and praying that said petition be set aside a hearing is hereby set to hear said objecitons.

Said hearing is hereby set for the 19th day of March, 1993 at 9: 9:30 o'clock a.m., in Courtroom No. 2 of the Crwaford County Courthouse.

The petitioner is ordered and directed to serve a true and correct copy of the petition and this order upon the candidate named in the nomination petition, Dan Teed, no later than March 16, 1993. Service shall be by personal service, by the Sheriff, Constable, or competent adult who is not a party to this action by handing a true and correct copy to the candidate or to an adult member of the family where the candidate resides; or by certified mail, return receipt requested, delivery restricte to addressee only. The petitioner shall file an appropirate return or proof of service prior to the hearing.

In addition, the petitioner shall serve a true and correct copy of this order upon the Crawford County Board of Elections forthwith.

The Court has set this hearing even though the objection petition is not properly verified and does not indicate that a copy of the petition was served within the appropriate period upon the Crawford County Board of Elections all as required.

BY ORDER OF COURT,
Gordon R. Miller, J

Mar. 12, 1993 2 copies (cert.) mailed Mrs. Heil

Mar. 12, 1993 Certificate of Service filed. I, Rose Heil, hereby certify that a true and correct copy of within objections to and petition to set aside nomination petition of Dan Teed, hs been served upon Diane Mershbaker, the officer or board with whom the subject nomination petition was filed, by personal delivery Rose Heilon March 12, 1993, at 3 pm.
Rose Heil

March 17, 1993 Motion for Continuance and ORDER filed. AND NOW, this 17th day of March, 1993, upon presentation and consideration of the within Motion, the hearing on this matter is continued to the 22nd day of March, 1993 at 1:00 o'clock p.m. The petitioner, Dan Teed shall notify the petitioner Rose Heil forthwith.

BY THE COURT,
Gordon R. Miller, J.

March 17, 1993 Certified copy given to Mr. Teed; copy given to Election Board.

Mar. 17, 1993 Certificate Of Service filed. I, Rosie Heil, hereby certify that a true and correct copy of within objections to and petition to set aside the nomination petition of Dan Tee has been served upon Dan Teed, by personal delivery on 16 March, 1993 at 5:30 pm by Richard Friedberg.
Rosie Heil

Mar. 24, 1993 Memorandum and Order, filed. ORDER: AND NOW, March 24, 1993, the petition of Rosie Heil requesting the Court to set aside the nominating petition of Daniel J. Teed is denied and the Crawford County Board of Elections is directed to include the name of Daniel J. Teed as a candidate for the Republican party nomination for Vernon Township supervisor.

The Prothonotary is directed to furnish a copy of this Memorandum and Order to the Petitioner and to the Respondent by certified mail, return receipt requested, and to the Crawford County Board of Elections by personal service.

The Petitioner shall pay the record costs of this proceeding.

BY THE COURT:
Anthony J. Vardaro, J.

Mar. 24, 1993 copies cert. mailed to Heil & Teed 7 given to Voter Reg.

Thomas, Truax,
Spadafore & Walker
Emil M. Spadafore, Jr.

260.

MARINE BANK

vs.

BRUCE E. REAGLE and CRYSTAL REAGLE, his wife

Filed March 12, 1993
@ 3:17 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	38.00
Pro Co Pd 5/26/93	9.00

COMPLAINT IN MORTGAGE FORECLOSURE
2 copies Sheriff

Apr. 16, 1993 Sheriff's Return filed. SERVED Bruce E. Reagle on April 5, 1993 at 3:38 PM by handing a copy of the Complaint in Mortgage Foreclosure to Mary Ann Reagle, his Mother, at the residence on Peters Road in Saegertown, Crawford County, PA.
SERVED Crystal A. Reagle personally on March 25, 1993 at 12:10 PM by handing her a copy of the Complaint in Mortgage Foreclosure to her inthe Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

And Now, May 26, 1993, at 3:11 p.m., upon praecipe of plaintiff attorney, Judgment is hereby entered in favor ofthe plaintiff and against the defendants in the amount of Twenty Two Thousand One Hundred Twenty Nine and 87/100 Dollars together with int. at rate of 6.72 dollars per day on and after Mar. 16, 1993.
Judgment entered
5/26/93

R - 21, 31

Debt ----$22,129.87
Int. onand after 3/16/93 of 6.72 per day
JUDGMENT
Barbara H. King,
Prothonotary

1993

Thomas, Truax,
Spadafore & Walker
Emil M. Spadafore, Jr.

261.

MARINE BANKE

vs.

THOMAS E. CRYTZER and
JUDY A. CRYTZER, his wife

Filed March 12, 1993
@ 3:24 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's costs	31.00
Pro Co. pd 3/8/94	9.00

COMPLAINT IN MORTGAGE FORECLOSURE
2 copies Sheriff

Mar. 31, 1993 Sheriff's Return filed. SERVED Thomas E. Crytzer on March 23, 1993 at 2:00 p.m. by handing a copy of the Complaint in Mortgage Foreclosure to Judy A. Crytzer, his wife, at their residence, R.D. #8, Box 366, Meadville, Crawford County PA.
SERVED Judy A. Crytzer personally on March 23, 1993 at 2:01 PM by handing a copy of the Complaint in Mortgage Foreclosure to her at her residence, RD #8, Box 366, Meadville, Crawford County, PA
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Apr. 12, 1993 Preliminary Objections To Plaintiff's Complaint filed.

Dec. 21, 1993 Motion To Amend Complaint and Order filed. AND NOW, this 20 day of December, 1993, upon consideration of the foregoing Motion, leave is hereby granted to file the Amended Complaint as attached hereto.
BY THE COURT:
Anthony J. Vardaro, J

Dec. 29, 1993 Copies of order to Atty's Spadafore and Pickens

Jan. 10, 1994 Amended Complaint In Mortgage Foreclosure, filed.

Jan. 24, 1994 Affidavit of Service filed. Anne G. Mathews, being duly sworn, deposes and says that on the 14th day of January, 1994, she delivered a copy of the Amended Complaint in Mortgage Foreclosure in Attorney David W. Pickens mailbox at the Crawford County Prothonotary's Office.

Ann G. Mathews, Paralegal

And Now, Mar. 8, 1994 @ 3:02 PM upon praecipe of plaintiff's attorney, jdugment 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 Seventeen Thousand Six Hundred Forty-Six and 43/100 plus interst and cost of suit.
C-164-94
judgment entered 3/8/94

Debt $17,646.43
Int. from November 19, 1993
Judgment
Barbara H. King
Prothonotary

EX 1994 - 16

262.

MARCEY JO SMITH

vs.

MR. GORDON SHERMAN

Filed March 12, 1993
@ 3:27 PM

Tax & entry paid 50.50 ✓
User's Fee paid 5.00

CHALLENGE TO NOMINATION PETITION
1 copy Petitioner

Order;

AND NOW, this 12th day of March, 1993, upon presentation and consideration of a petition filed in this matter setting forth objections to a filing of a nomination petition or objections to the nomination petition and praying that said petition be set aside a hearing is hereby set to hear said objections. Said hearing is hereby set for the 19th day of March, 1993 at 9:30 o'clock a.m. in Courtroom No. 1 of the Crawford County Courthouse.

The petitioner is ordered and dicrected to serve a true and correct copy of the petition and this order upon the candidate named in the nomination petition, Gordon Sherman, no later than March 16, 1993. Service shall be by personal service, by the Sheriff, Constable, or competent adult who is not a party to this action by handing a true and correct copy to the candidate; or to an adult member of the family where the candidate resides; or by certified mail, return receipt requested, delivery restricted to addressee only. The petitioner shall file an appropriate return or proof of service prior to the hearing.

In addition, the petitioner shall serve a true and correct copy of this order upon the Crawford County Board of Elections forthwith.

The Court has set this hearing even though the objection petition is not properly verified and does not indiate that a copy of the petition was served within the appropriate period upon the Crawford County Board of Elections all as required.

BY ORDER OF COURT,
Gordon R. Miller,

Mar. 12, 1993 2 copies (cert.) mailed Pltf.

March 16, 1993 Return of Service by Marcy Jo Smith filed.

March 16, 1993 Return of Service by Sgt.Ralph A. Benedict filed.

Mar. 24, 1993 Memorandum and Order, filed. ORDER: AND NOW, March 24, 1993, the challenge to nomination petition of Marcey Jo Smith requesting the Court to set aside the nominating petition of Mr. Gordon Sherman is denied and the Crawford County Board of Elections is directed to include the name of Gordon Sherman as a candidate for the Republican nomination for Cambridge Springs Borough Council in the May 1993 primary election.

The Prothonotary shall furnish a copy of this Memorandum and Order to the Petitioner and Respondent by certified mail, return receipt requested, and to the Crawford County Board of Elections by personal service.

The Petitioner shall pay the record costs of this proceeding.

BY THE COURT:
Anthony J. Vardaro, J.

Mar. 24, 1993 copies of order mailed by certified mail to Smith & Sherman & given to Voter Reg.

1993

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

263.

PENNWEST FARM CREDIT, ACA

vs.

DENNIS P. MERRITT
Linda Lane

Filed March 12, 1993
@ 3:33 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	35.00
Pro.Co. pd 4/29/93	9.00
Sheriff's Costs	32.00

COMPLAINT IN EJECTMENT
2 copies Sheriff

Mar. 25, 1993, Upon praecipe of plaintiff attorney, the name of Linda Lane added as the name of person found in possession as a party pursuant to Rule 410(b)(2); indexed as defendant.

Mar. 30, 1993 SHERIFF'S RETURN filed. SERVED Dennis P. Merritt personally on March 22, 1993 at 2:19 PM by handing him a copy of the Complaint in Ejectment in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, Pa.

SERVED Linda Lane, Defendant's girl-friend who is also in possession of the property, on March 22, 1993 at 2:20 PM by handing a copy of the Complaint in Ejectment to Dennis Merritt, her Authorized Agent, in the Sheriff's Office Third Floor, Crawford County Courthouse, Meadville, Pa. Signed Acceptance of Service attached.

So answers, Carole Stefanucci, Deputy Sheriff
Robert M. Stevens, Sheriff

And Now, Apr. 29, 1993 at 3:43 P.M. upon praecipe of Plaintiff's Attorney, Louis J.Stack, Esquire, judgment is hereby entered in favor of the Plaintiff and against the Defendants for possession of the premises for failure to file an answer within twenty days of service of the complaint.

M-44; L-103: Judgment
Entered on Apr.29, 1993 Barbara H. King, Prothonotary

EXECUTION 1993 - 32

May 25, 1993 SERVED Dennis P. Merritt personally on May 18, 1993 at 1:55 PM by handing him a copy of the Writ of Possession in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, Pa. Mr. Merritt was given one week from that date to vacate the residence.

So answers, Carole Stefanucci, Deputy Sheriff
Robert M. Stevens, Sheriff

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

264.

Jorden and White
Harry Faber White II

PENNWEST FARM CREDIT, ACA

vs.

JOSEPH E. POLCHLOPEK and SUZANNE POLCHLOPEK, his wife

Filed March 12, 1993
@ 3:41 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	75.00

COMPLAINT IN MORTGAGE FORECLOSURE.
3 copies Sheriff

Mar. 30, 1993 SHERIFF'S RETURN, filed. SERVED Joseph E. Polchlopek by deputizing the Sheriff of Erie County, Pa. as per his Affidavit of Service attached. Served on March 19, 1993 at 2821 New St., Erie, Pa.

SERVED Suzanne Polchlopek by deputizing the Sheriff of Erie County, Pa, as per his Affidavit of Service attached. Served on March 19, 1993 at 2821 New St., Erie, Pa.

POSTED the property of Joseph and Suzanne Polchlopek located on Allen Rd, Township Rt. 761, along Cambridge Rockdale Line, Cambridge Springs, Pa.

So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

SHERIFF's RETURN (ERIE) - I hereby deputizethe Sheriff of Erie County, Pa. to serve the within Complaint according to law. The defendants alleged address is 2821 New St., Erie, Pa. 16504
Robert M. Stevens, Sheriff, Cr. Co.

AFFIDAVIT OF SERVICE - SERVED the within Complaint on March 19, 1993, at 1345 hrs. upon Susanne Polchlopek and Joseph E. Polchlopek at 2821 New St., Erie County, Erie, Pa. by handing to Joseph E. Polchlopek, a true and correct copy thereof and made known to him the contents therein.
Robert N. Michel, Sheriff, Erie Co.

Apr. 22, 1993, Answer, New Matter and counterclaim filed.

Apr. 29, 1993 Reply To New Matter and Answer To Counterclaim filed.

May 14, 1993 Defendant's Answer to Plaintiff's New Matter to Counterclaim filed.

Dec.8, 1993 Praecipe to Withdraw Petition to Enforce Settlement Agreement, filed.

Dec. 10, 1993 Petition To Enforce Settlement Agreement In Mortgage Foreclosure Action.

Dec. 10, 1993 Joint Motion For Consent Judgment, filed.

Dec. 10, 1993 ORDER filed. AND NOW this 9 day of December, 1993 upon consideration of the Joint Motion for Consent Judgment, it is hereby ordered as follows:

1. Judgment in Mortgage Foreclosure is hereby entered in favor of the Plaintiff and agaisnt the Defendants in the sum of $94,514.18 plus interest thereon from January 26, 1993 at 10.75% per annum and costs of suit.

2. The Defendants' counterclaim against the Plaintiff is hereby settled and discontinued with prejudice.
By the Court:
Anthony J. Vardaro, J.

Dec. 21, 1993 copy to L. Stack & H. White

EX 1995-66

1993

Barbara J. Walton

265.

$150.00 mediation fee deposited by Plaintiff

6-7-93 Pd Pltf Refund med fee by. Ck # 7588 150.00

IDA M. JOHNSTON

vs.

RODNEY W. GREEN

Filed March 12, 1993
@ 4:09 PM

Tax & etnry paid 50.50
User's Fee paid 5.00
John Fuller, mediator

COMPLAINT IN CUSTODY

Order:

You Rodney W. Green, have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take prompt action. These proceedings may affect your child custody and/or visitation rights.

You are Ordered to appear for a hearing before John Fuller, Child Custody Mediator, at such time and place as he shall designate.

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 shoulkd 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
Diamond Square
Meadville, PA 16335
(814) 336-1151, ext. 298

3-12-93

By the Court:
Gordon R. Miller,

J Mar. 24, 1993, Affidavit of Servcie filed. And Now Mar. 24, 1993, comes Lisa M. Sherrets being duly sworn according to law, deposes and sets forth as follows:

1. That she is the legal assistant of Atty. for Ida Johnston, plff in the above matter.
2. That on information furnished her by the plaintiff, she caused a cert. copy of the Complaint in Custody to be forwarded by cert. mail, P899 097 903; to the last known address of the dft., 484 Spencer Road, Clendenin, WV, 25045.
3. That the dft on Mar. 22, 1993 personally signed the return receipt card which was affixed to the Complaint in the above matter and which is attached hereto.
4. Service of the complaint against dft is therefore effected in accordance with Pa. Rules of Civil Procedure. Lisa M. Sherretts.

APR. 7, 1993, Amended notice and order filed. 2 copies (atty.
AMENDED NOTICE AND ORDER: You, Rodney W. Green, have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take prompt action. These proceedings may affect your child custody and /or visitation rights.

You are ORDERED to appear for a hearing before JOHN FULLER, ESQ. child Custody mediator, scheduled for April 28, 1993 at 10:00 a.m. Crawford County Courthouse, located in Meadville, Pa.

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.

Until suc h time as the mediation may be held, plaintiff, shall have temporary custody of the child, Jeremy Scott Green to maintain the status quo.

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 getllegal help.

Court Adm., Crawford County Courthouse, Diamond Sq., Meadville, Pa. 16335 - 814 336-1151 ext. 298.

By the court,
Gordon R. Miller, J.

Apr. 12, 1993, copies to B. Walton and JOhn Fuller.

Apr. 19, 1993 Affidavit of Service of Rodney W. Green, Defendant filed.

June 4, 1993 Consent Custody Order, filed. AND NOW, this 4 day of June, 1993 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 child, JEREMY SCOTT GREEN, with the Plaintiff/Mother Ida M. J ohnston ather home in Crawford County, Pa.
2. Defendant/Father, Rodney W. Green will have visitation with the minor child during vacation periods from school as the parties agree.
3. Defendant/Father agrees to carry medical insurance on the minor child until he reaches the age of 18 or until such time as he completes high school.
4. 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.
5. 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. Neither party will allow others to say or do anything in an attempt to turn the child agaisnt the other parent or his or her present spouse.
6. 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.
7. Both parents agree to inform the other immediately of any illness or injury regarding the child and both parents agree to furnish the other witha current telephone number.
8. The parties to this action agree that this Honorable Court retain jurisdiction of this matter.

By the Court:
Anthony J. Vardaro, J.

June 14, 1993 copy to B. Walton

June 4, 1993 Motion For Refund of Mediation Deposit and Order, filed. ORDER: And Now, June 4, 1993, Motion allowed. The Prothonotary is ordered to return to Plaintiff her unsed Mediator's Deposit.

By the Court:
Anthony J. Vardaro, J.

June 14, 1993 copy to B. Walton

1993

Kathleen R. Nelson

266.

JOHN R. CREAMER

vs.

MARIA L. CREAMER

Filed March 15, 1993
@ 11:32 AM

Tax & entry paid	50.50 ✓
User's Fee paid	5.00
State paid	10.00

COMPLAINT IN DIVORCE
1 copy atty.

Mar. 15, 1993 Plaintiff's Affidavit Under Section 3301(d) of the Divorce Code, filed.

Mar. 29, 1993 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 that 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, Maria Creamer, on March 16, 1993.

3. The registered mail was sent to Maria Creamer at 1710 Center Street, Arabi, Louisiana 70035. The sender's receipt is attached hereto.

4. That the Defendant received said registered mail on March 19, 1993. Said Return Receipt card P 848 678 429 is attached hereto, signed by Maria Creamer and made a part hereof.

Apr. 26, 1993, Affidavit of Service of Notice Of Intention and Defendant's Counter Affidavit filed.

May 3, 1993 Defendant's Counter-Affidavit Under Section 3301(d) of the Divorce Code filed.

June 30, 1993 Motion For Hearing on Claim Contained In Defendant's 3301(d) Counter-Affidavit and Order filed. AND NOW, this 30 day of June, 1993, upon Motion of counsel for the Plaintiff, hearing is hereby set for the 20th day of July, 1993, at 1:30 o'clock p.m. in Courtroom 2. A copy of this Order shall be served upon the defendant in accordance with the Rules of Civil Procedure.

P. Richard Thomas, S.J.

July 6, 1993 Copy of order to Atty. Nelson

July 16, 1993 Motion for Continuance and Order filed. ORDER: AND NOW, this 15th day of July, 1993, the hearing previously scheduled for july 20, 1993, has been scheduled to the 3rd day of August, 1993, at 2:30 P.M. A copy of this Order shall be serve upon the Defendant Maria L. Creamer, at 1710 Center Street, Arabi, Louisiana 70035.

FOR THE COURT,
Ann A. Walker, Crt. Adm.

July 19, 1993 copy to K. Nelson & Dft.

July 29, 1993 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 a true and correct copy of the Hearing Notice and Order wre sent by certified mail to the Defendant, Maria L. Creamer, on JUly 20, 1993.

4. That the Defendant received said certified mail on July 23, 1993. Said Return Receipt card P 238 202 331 is attached hereto, signed by Maria L. Creamer, and made a part hereof.

August 17, 1993 ORDER filed. AND NOW, August 3, 1993, we conduct a hearing with regard to the Plaintiff's motion for hearing on claim contained in Defendant's 3301(d) counter-affidavit. The attorney for the Plaintiff indicates that she has served the Defendant with notice of this hearing and she fails to appear.

The Defendant has taken no action in this divorce proceeding other than to file a counter-affidavit indicating that she wishes to claim economic relief attaching a copy of a purported agreement between her and the Plaintiff with regard to economic relief.

In light of these circumstances, we will enter a divorce decree and maintain jurisdiction over any outstanding issues.

BY THE COURT:
Anthony J. Vardaro, J.

Aug. 18, 1993 Copy of Order to Atty. Kathleen Nelson.

DIVORCE DECREE FILED

August 17, 1993, AND NOW, August 13, 1993, it is hereby ordered and decreed that JOHN L. CREAMER, Plaintiff, and MARIA L. CREAMER, 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.

Aug. 27, 1993 Motion to Amend Caption and DECREE filed. AND NOW, August 26,1993, it is ordered and decreed that John R. Creamer, plaintiff, and Maria L. Creamer, 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.

Aug. 30,1993 Copy of Decree to Atty. Nelson

1993

Jack L. Cherkin, P.C.
Dominic D. Salvatori

267.

CHAD THURBER, a minor, by and through ROGER THURBER, and ELEANOR THURBER, as parents and natural guardians of CHAD THURBER, a minor

vs.

JEFFREY JOHN CALVIN

Filed March 15, 1993
@ 11:54 AM

Tax & entry paid 50.50
User's Fee paid 5.00

PETITION FOR COURT APPROVAL OF COMPROMISE, SETTLEMENT AND DISTRIBUTION OF A MINOR'S CLAIM.

Order:

AND NOW, to-wit, this 12th day of March, 1993, upon consideration of the foregoing Petition for Court Approval of Compromise Settlement and distribution of a Minor's Claim, it is hereby Ordered, Adjudged and Decreed, that the settlement of Chad Thurber's claim in the sum of Two Thousand ($2,000) Dolalrs be an is hereby Approved, and distribution is to be made as follows:

1. Jack L. Cherkin, Esquire, P.C.:
   Counsel Fees 650.00
2. Jack L. Cherkin, Esquire, PC:
   Costs 50.00
3. Chad Thurber
   Proceeds of Settlement 1,300.00

Said sum is to be invested for the minor Petitioner, in a Savings Account, with said account to be opened solely in the name of minor, Chas Thurber, at the highest prevailing rate of interest on the date of deposit, said funds not be be withdrawn, or otherwise distributed prior to the minor Petitioner's seighteenth birthday, without further Order of Court. Jack L. Cherkin, Esquire, PC shall file with the Court within thirty (30) days of this Court's Order, Proof of Deposit.

BY THE COURT
Gordon R. Miller, J

Mar. 15, 1993 copy given to Atty. Wm. Gregg

Apr. 29, 1993 Proof of Investment of Proceeds of Settlement and Distribution of a Minor's Claim filed.

1993

Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc.
Paul F. Burroughs

268.

IN THE MATTER OF PETITION OF ROBERT T. HALL FOR CANDIDATE FOR CONNEAUT SCHOOL BOARD

(Appellant - David Schaef)

Filed March 16, 1993
@ 9:55 AM

Tax & entry paid	50.50
User's paid	5.00
Sheriff's Costs	30.00
Pro Co pd 4/1/93	30.00
User's Fee paid	5.00

CHALLENGE TO NOMINATING PETITION FOR DIRECTOR OF CONNEAUT SCHOOL DISTRICT
6 copies Atty.

ORDER:

AND NOW, this 16th day of March, 1993, upon presentation and consideration of a petition filed in this matter setting forth objections to a filing on a nomination petition or objections to the nomination petition and praying that said petition be set aside a hearing is hereby set to hear said objections.

Said hearing is hereby set for the 19th day of March, 1993 at 9:00 o'clock p.m. in courtroom No. 2 of the Crawford County Courthouse.

The petitioner is ordered and directed to serve a true and correct copy of the petition and this order upon the candidate named in the nomination petitition, Robert T. Hall, no later than March 17, 1993. Service shall be by personal service, by the Sheriff, Constable, or competent adult who is not a party to this action by handing a true and correct copy to the candidate; or to an adult member of the family where the candidate resides; or by certified mail, return receipt requested, delivery restricted to addressee only. The petitioner shall file an appropriate return or proof of service prior to the hearing.

In addition, the petitioner shall serve a true and correct copy of this order upon the Crawford County Board of Elections forthwith.

BY ORDER OF COURT,
Gordon R. Miller,

10 copies atty.

Mar 17, 1993 Affidavit of Service, filed. Before me, a Notary Public in and for said County and Commonwealth, came Arthur D. Martinucci, Esq., who deposes and states that on the 16th day of March, 1993, he did serve upon Deanne Merchbaker, Clerk of the Crawford County Board of Elections, a copy of the Challenge to Nominating Petition for Director of Conneaut School District and that said service was accomplished at approximately 10:00 a.m. and that attached hereto as Exhibit "A" is a receipt executed by the Clerk indicating receipt of the petition

Further, deponent saith not. Arthur D. Martinucci

Mar. 17, 1993 REASSIGNMENT OF HEARING DATE, filed. March 16, 1993: Hearing in the above captioned matter heretofore set for March 19, 1993 at 9:00 a.m., is hereby reset for March 18, 1993, at 11:30 a.m., in Courtroom 1 or 2.

FOR THE COURT,
Ann A. Walker, Crt. Adm.

Mar. 24, 1993 MEMORANDUM AND ORDER, filed. ORDER: AND NOW, March 24, 1993, the petition of David Schaef requesting the Court to set aside the nominating petitions of Robert T. Hall is denied and the Crawford County Board of Elections is directed to include the name of Robert T. Hall as a candidate for both the Republican and Democratic nominations for school director in the Conneaut School District, Region I.

The Prothonotary is directed to furnish a copy of this Memorandum and Order to the attorney for the Petitioner and to the Respondent at his Crawford County address both by certified mail, return receipt requested, and to the Crawford County Board of Elections by personal service.

The Petitioner shall pay the record costs of this proceeding.

BY THE COURT:
Anthony J. Vardaro, J.

Mar. 24, 1993 Copies of order mailed by Certified Mail to Hall & Burraoughs & given to Voter Reg.

Mar. 29, 1993 Affidavit of Service, filed. Before me, a notary public, in and for said County and Commonwealth, came Paul F. Burroughs, Esq., who deposes and states that on the 23rd day of March, 1993, he did deposit into the United States mail, postage prepaid, Certified Article No. P 066 906 492 indicating restricted delivery to addressee only and that he did receive the return of receipt card, attached hereto as Exhibit "A", stating service upon Robert T. Hall on the 24th day of March, 1993, with the card indicating the signature of Robert T. Hall.

Mar. 30, 1993 SHERIFF'S RETURN, filed. NOT FOUND as to Robert T. Hall. No one appears to be at home, there appears to be no marks in the snow, residence untouched.
So answers, Robert M. Stevens, Sheriff

Mar. 31, 1993 Notice Of Appeal of David Schaef to the Commonwealth Court of Pennsylvania from the Order entered March 24, 1993 filed.

Apr. 2, 1993 Exhibits filed.

Apr. 8, 1993, Amended Affidavit of Service of the Above Notice of Appeal filed.

Apr. 16, 1993 Affidavit of Service of Notice Of Appeal filed.

Apr. 16, 1993 Notice Of Docketing Appeal Docket No.: 0775 C.D. 1993 filed.

Apr. 19, 1993 Transcript of Proceedings Hearing on Challenge To Nomination Petition filed.

Apr. 22, 1993, ORDER filed. NOW, Apr. 20, 1993, it is hereby ordered as follows:

1. The above appeal shall be submitted on briefs, without oral argument unless otherwise ordered.
2. Appellant's briefs (15 copies) shall be filed and served on or before Apr. 23, 1993 by 4:00 p.m. Appellee's briefs (15 copies) shall be filed and served on or before Apr. 27, 1993 by 4:00 p.m. The briefs shall be filed in the chief clerk's office in Harrisburg.
3. Appellant is hereby excused from filing a reproduced record in this matter.
4. the porthonotary ofthe Court of common Pleas of Crawford County shall certify the record to this court on or before Apr. 27, 1993.
5. In addition to mailing a copy of this order to counsel of record, the chief clerk shall mail a copy to Judge Anthony J. vardaro ofthe Court of Common Pleas of Crawford County and also to the prothonotary of said court.

CERTIFIED FROM RECORD OF COMMONWEALTH COURT OF PA.

Continued to Page 268 A

1993

Quinn,Buseck,Leemhuis, Toohey & Kroto, Inc. Paul F.Burroughs	In the Matter of Petition of ROBERT T. HALL for Candidate forConneaut School Board (Appellant - David Schaef)	Continued from Page 268 of Record A.D. 1993 - 268

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May 10, 1993 Memorandum and Order filed. AND NOW, May 5, 1993, the order of the Court of Common Pleas of Crawford County in the above-captioned matter is reversed.

IT IS FURTHER ORDERED that the name of Robert T.Hall be stricken from the ballot of the May 18, 1993 election.

Madaline Palladino, Judge

July 8, 1993, Certificate of Contents of Remanded REcord and Notice of Remand Under Pa. Rule of Appellate Procedure 2571 and 2572(e) filed.

OPINT

July 8, 1993, OPINION AND ORDER certified from the commonwealth court of Pa. filed. ORDER: AND NOW, May 5, 1993 the order of the court of Common Pleas of Crawford County in the above matter is reversed.

It is Further ordered that the name of Robert T. Hall be stricken from the ballot of the May 18, 1993 election.

Madaline Palladino, Judge

July 9, 1993, copy to Diane Merchbaker, Registrars Office, Courthouse.

1993

Thomas, Truax,
Spadafore, & Walker
Gregory A. Keenan

269.

MELODY LEHMAN

vs.

WILLIAM H. START

Filed March 16, 1993
@ 1:20 PM

Tax & entry paid 50.50
User's Fee paid 5.00

COMPLAINT FOR CUSTODY
1 copy atty.

May 3, 1993 Acceptance of Service filed. I, William H. Start accept service ofthe Complaint forCustody, properly endorsed with the Notice To Defend, and certify that I am authorized to do so.
Date: 4/26/93 William H. Start

May 11, 1993 Petition for Entry of Agreement and Consent Custody Order filed. AND NOW, this 11th day of May, 1993, the Court Orders as follows:

Melody Lehman and William H.Start, the parties in the above captioned action, have agreed upon the matters set forth below and agree that the Court of Common Pleas of Crawford County, Pennsylvania shall enter an Or der in accordance withthe terms of thisConsent Custody Order without the necessity of their being present in Court. They represent that each is aware of their right to confer with independent legal counsel for review of this matter, prior to entry into agreement, Stipulation and Court Order.

1. The parties, Melody Lehman (Mother) andWilliam H. Start (Father), are the natural parents of the minor child, Hope Marie Start, born August 20, 1988.

2. The parties agree that they will share legal custody of the aforesaid minor child, and that primary physical custody of the minor child shall be with her father, subject to partial custody accorded to Mother as follows:

A. Mother shall have the right of partial custody of the minor child every weekend commencing on Friday at 5:00 p.m. and continuing through Sunday at 6:00 p.m.

B. The parties agree tht they shall altenrate holidays with the minor child with said holidays consisting of Easter, Thanksgiving, Christmas, Halloween and the child's birthday. The parties agree that Mother shall have the Easter holiday of 1993 with the minor child and that they will alternate the afdorementioned holidays as described. Any other holidays not specifically enumerated above will be resolved by the mutual agreement of the parties. In addition to the foregoing, Mother shall have partial custody of the minor child on Mother's Day andFather on Father's Day.

C. The parties agree that during summer vacation, such period being defined as that in which students are not required to be in school as per the Crawford CentralSchool District schedule, Mother shall have partial custody of the minor child for six (6) consecutive weeks of the summer. During the summer months, it is contemplated that Mother will allow Father to have custody of the minor child during the weekends of Mother's six week period. It is further contemplated between the parties that Mother shall have partial custody of theminor child on weekends of Father's summer vacation period.

D. During all phases of custody and/or partial custody, the parties shall equally share all transporation responsibilities with one party being responsible for picking up the minor child at the onset of any period of custody or partial custody and the other returning the minor child at the expirationof any such period.

E. Each party will be entitled to maintain reasonable telephone contact with the minor child during the periods that said child is in the custody of the other party.

3. Should it be necessary for either party to cancel or modify the custody or partial custody periods set out in this Order or as previously arranged,the prty 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 cancellation or modification should 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 alternate arrangements.

4. Each party shall teach the minor child to give to the other party that love, respect and obedience which is due a parent from his or her children.

5. 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.

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

7. Neither party shall do or say anything to blacken the character of the other in the child's estimation. Each party shall treat thé 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.

8. 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 nor permit others to do so in a closed automobile inwhich t he child is being transported or in the bedroom of the child.

9. The parties are free to make additional or alternative arrangements respecting the custodial periods and are strongly encouraged to do so if that would be proper and convenient. Said arrangements shall be by mutual consent only, inthe absence of which this Consent Order shall govern.

By the Court:
Gordon R. Miller, J.

May 13, 1993 Copy of Order to Atty. Keenan and Defendant.

1993

270

IN RE: CHALLENGE OF CANDIDATE"S NOMINATION PETITION, SPRING PRIMARY OF JAY C. ACKLIN

Filed March 16, 1993
@ 2:09 PM

Tax & entry paid 50.50
User's Fee paid 5.00

PETITION FOR CHALLENGE OF CANDIDATE'S NOMINATION PETITION
no copies

Mar. 16, 1993 Order filed. AND NOW, this 16th day of March, 1993, upon presentation and consideration of a petition filed in this matter setting forth objections to a filing of a nomination petition or objections to the nomination petition and praying that said petition be set aside a hearing is hereby set to hear said objections.

Said hearing is hereby set for the 19th day of March, 1993 at 9:30 o'clock p.m. in courtroom No. 1 of the Crawford County Courthosue.

The peittioner is ordered and directed to serve a true and correct copy of the péittion and this order upon the candidate named in the nomination petition, Jay C. Acklin, no later than March 17, 1993. Service shall be by personal service,by the Sheriff, Constable, or competent adult who is not a party to this action by handing a true and correct copy to the candidate; or to an adult member of the maily where the candidate resides; or by certified mail, return receipt requested, delivery restricted to addressee only. The petitioner shall file an appropriate return or proof of service prior to the hearing.

In addition, the petitioner shall serve a true and correct copy of this order upon the CrawfordCounty Board of Elections forthwith.

BY ORDER OF COURT,
Gordon R. Miller, J

2 copies Petitionerr

Mar. 24, 1993 Memorandum and Order, filed. ORDER: AND NOW, March 24, 1993, the petition of Joseph M. Parlak requesting the Court to set aside the nomination petition of Jay C. Acklin is denied and the Crawford County Board of Elections is directed to include the name of Jay C. Acklin as a candidate for the Borough Council of Cambridge Springs so long as Jay C. Acklin has filed or does file within five days of the date of this Order an amended statement of financial interests both with the Borough of Cambridge Springs and the Crawford County Board of Elections indicating the date which he verifies the information contained in the statement of financial interests to be true and correct information.

The Prothonotary shall furnish a copy of this Memorandum and Order to the Petitioner and Respondent by certified mail, return receipt requested, and to the Crawford County Board of Elections by personal service.

The Petitioner shall pay the record costs of this proceeding.

BY THE COURT:
Anthony J. Vardaro, J.

Mar. 24, 1993 copies of order mailed by certified mail to Parlak & Acklin & given to Voter Reg.

1993

Barbara J. Walton

271.

DANIEL LOWROS

vs.

THERESA BURCHETT

Filed March 16, 1993
@ 2:44 PM

Tax & entry paid 50.50
User's Fee paid 5.00

COMPLAINT FOR CUSTODY
2 copies atty.

Apr. 5, 1993, affidavit of Service filed. And Now, April 5, 1993, comes Lisa m. Sherrets being duly sworn according to law, deposes and sets forth as follows:
1. that she is the legal asst. of Atty. for Daniel Lowros, plff. in above matter.
2. That on infomation furnished her by plff. she caused a cert. copy of Complaint in Divorce to be forwarded by Cert. Mail P899 097 864; to the last known address of dft. 127 W. Central Ave. titusville, Pa. 16354.
3. That the dft. on Mar. 30, 1993, personally signed the ret. rec. card which is affixed tot he complaint and attached.
4. Service of Complaint against defendant is therefore effected in accordance with Pa. rules of civil Procedure.
LIsa m. sherretts.

Apr. 8, 1993 Stipulation and Consent To Entry of Custody Order and Order filed. And now, this 7 day of April, 1993, 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 ofthe parties' minor child, ALAINA LOWROS, shall be withthe Mother, THESESA BURCHETT, at her home, 127 W. Central Ave., Titusville, PA 16354.
2. Secondary custody is to be with the Fther, Daniel Lowros, at his home, at R.D. 1, Lot 7A, Titusville, PA 16354.
3. The Father shallhave the right of visitation and temporary physical custody of Alaina Lowros. Said visitation shall takeary place Wednesday and Friday afternoons from 5:30 pm till 8:00 p.m. and also on Sunday, afternoon from noon till 8 p.m.
3a. The parties agree to share holidays and will make every effort to see that the other parents has holiday visitation.
4. The subject minor child 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.
5. The party receiving custody of the child will be responsible for the transportation.
6. Should it be necessary for either party to cancel or modify the vistiations as set out in this Order or as previously arranged, the party seeking cancellation of modification shall notify the other party as soon as he or she knows of the necessity which impels the cancllation of 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 visits or to make alternative arrangements.
7. Each party shall teach said childrentogive to the other par ty that love and respect which is due a parent form his or her 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 ofthe 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 relataives and friends to do likewise and also not to disparage the other party in the child's estimation.
10. Neither party shall remove the child from the State of Pennsylvania without theother party's written permission.
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 parties to this action agree that this Honorable Court retain jurisdiction of this matter.

By the Court,
Anthony J. Vardaro, J

Apr. 14, 1993 Copy of order to Atty. Walton

272.

IN RE: NOMINATING PETITION OF CECIL L. STEVENSON, as Candidate for the Republican Nomination of Greenwood Township Supervisor

Filed March 16, 1993
@ 3:40 PM

Tax & entry paid 50.50
User's fee paid 5.00

OBJECTIONS TO AND PETITION TO SET ASIDE THE NOMINATING PETITION OF CECIL L. STEVENSON
2 copies petitioner

Mar. 16, 1993 Order filed. AND NOW, this 16th day of March 1993, upon presentation and consideration of a petition filed in this matter setting forth objections to a filing of a nomination petition or objections to the nomination petition and praying that said petition be set aside a hearing is hereby set to hear said objections.

Said hearing is hereby set for the 18th day of March, 1993 at 1:00 o'clock p.m. in courtroom No. 1 of the Crawford County courthosue.

The petitioner is ordered and directed to serve a true and correct copy of the petition and this order upon the candidate named in the nomination petition, Cecil L. Stevenson, no later than 12:00 noon March 17, 1993. Service shall be by personal service, by the Sheriff, Constable, or Competent adult who is not a part to this action by handing a true an dcorrect copy to the candidate; or to an adult member of the family where the candidate resides; or by certified mail, return receipt requested, delivery restricted to addressee only. The petitioner shall file an appropriate return or proof of service of service prior to the hearing.

In addition, the petitioner shall serve a true and correct copy of this order upon the Crwaford County Board of Elections forthwith.

BY ORDER OF COURT,
Gordon R. Miller, J

2 copies petitioner

Mar 17, 1993 Affidavit of Service, filed. I, Richard Friedberg, hereby certify that a true and correct copy of within objections to and petition to set aside the nomination petition of Cecil L. Stevenson, has been served upon Cecil L. Stevenson, by personal delivery on 16 March, 1993 at 4:40 p.m.

Mar. 23, 1993, MEMORANDUM AND ORDER filed. 1 copy - Board of Elections
1 copy - Friedberg

ORDER: AND NOW, March 23, 1993, after hearing the objections of Richard Friedberg to the nominating petition of Cecil L. Stevenson the petition to set aside the nominating petition of Cecil L. Stevenson is dismissed. The Prothonotary of Crawford County shall deliver a true and correct copy of this memorandum and order to the Crawford County Election Board.

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

1993

273.

REBECCA FULLER

vs.

VICTOR N. FULLER

Filed March 17, 1993
@ 8:51 AM

Tax & entry	50.50
User's Fee	5.00
Sheriff's Costs-3	25.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

Order:

And now, this 17 day of March , 1993 , 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 go to Plaintiff's residence nor shall he follow her at any time.
3. This Order may be enforced without a warrant 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 or 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 24, 1993.
, at 10
a. 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 COURT,
Anthony J. Vardaro, J

Mar. 18, 1993 SHERIFF'S RETURN filed. SERVED Victor R. Fuller personally on March 18, 1993 at 9:11 am at Sheriff's Office, Crawford County Courthouse, Meadville, Pa 16335
So answers, Dale A. Collins, Sheriff
Robert M. Stevens, Sheriff

Mar. 26, 1993 Order filed. AND NOW, March 24, 1993 this matter is before the Court on a petition for protection from abuse under the appropriate act filed by the Plaintiff.
The parties appear with counsel and the Court hears testimony which is essentially testimony fro the Plaintiff.
After having heard the same, the Court is not convinced that a protection from abuse order would be appropriate and therefore we refuse to grant such an order and the temporary order of March 17, 1993 is forthwith rescinded.
The County shall pay record costs.

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

Mar. 26, 1993 copies of order given to Co. Control, MCPD, Walton and Youngs

Apr. 2, 1993, Transcript of Proceedings taken At Time of Hearing filed.

274

1993

Peters, Lindsay,
Lewis & Gagliotti
Brian J. Lindsay

274.

3-17-93 $150.00
dep. by Pltf.

SHIRLEY GILL-MATELOCK

vs.

LYNN SHERRED

Filed March 17, 1993
@ 9:40 AM

Tax & entry paid 50.50 ✓
User's Fee paid 5.00

PETITION FOR CUSTODY/SPECIAL RELIEF
4 copies atty.

ORDER:

You, Lynn Sherred, Defendant, have been sued in court to obtain custody, partial lcustody or visitation of the child: David Brian Gill.

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, aprtial 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
814/336-1151, ext. 298

BY THE COURT,
Gordon R. Miller, J

Now March 17, 1993 the request for special relief is denied.
Gordon R. Miller, J

Mar. 23, 1993, Affidavit of Servcie filed. I, Brian J. Lindsay Esq. after being duly sworn according to law, do hereby certify that I am the atty. of record for the plff, and that as su ch I am authorized to make this verification; that I did on the 18 day of March 1993 send to the above named defendant, by cert. mail, ret. rec. req. a true and correct copy of Petition for Custody filed at above number; and that I did on the 22 day of Mar., 1993 receive a duly executed ret. rec. dated Mar. 19, 1993. Brian J. Lindsay, Esq.

May 27, 1993 Stipulation and Consent Custody Order filed. AND NOW, this 20th day of May, 1993, upon stipulation of the parties to this action, the following order is hereby entered:

1. Legal custody of the subject minor child, David Brian Gill, shall be with his mother, the Defendant herein. Mother shall have the right to obtain any and all information 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 are hereby authorized to release to the mother any and all confidential information which they may have regarding the subject minor child.
2. Physical custody of the child shall be with his grandmother, Plaintiff herein. Grandmother shall share with mothr any and all information regarding the health, education and major events in the life of the subject minor child that she is made aware of and grandmother shall contact mother immediately in the event there is an emergency situation involving the minor child.
3. Mother shall be responsible for making all medical appointments for the minor child, and shall see that the child is transported to and from said appointments.
4. In the event that the mother discontinues her current living arrangement with Larry Sherred, physical custody of the minor child shall be returned to mother immediately upon her separation rom Mr. Sherred. In any event, David shall be permitted to return to his mother's household at any timme he so desires.
5. Visitation between the mother and the minor child shall take place at any and all such times as shall be agreeable between mother and son.
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 child.

Bu the Court,
Gordon R. Miller, J

June 2, 1993 Copies of order to Atty's Lindsay and Nelson

Ferguson & Spataro
John F. Spataro

275.

CHESTER L. ALWARD and SHERRY L. ALWARD, his wife

vs.

DANIEL WALDOW, a/k/a DANIEL WALDO, JOHN SHOPART and JENNIE SHOPART, his wife; MORRIS LEWIS and JENNIE LEWIS, his wife; and MARY LEWIS, their heirs, executors, administrators and successors in interest

Filed March 17, 1993
@ 2:47 PM

Tax & entry Pd3-22-93 50.50
User's Fee Pd3-22-93 5.00
Pro Co. pd 6/15/93 9.00

COMPLAINT IN ACTION TO QUIET TITLE

Mar. 22, 1993 Motion for Publication and Order, filed. ORDER: AND NOW, this 19th day of March, 1993, upon consideration of the foregoing Motion, the Plaintiffs are granted leave to make service of the complaint on the Defendants, by publication once in the Crawford County Legal Journal and once in a newspaper of general circulation in the County of Crawford. Defendants shall answer said complaint within twenty days of the latest publication. Plaintiffs shall serve the aforesaid complaint in compliance with Pa. R.C.P. 1009(f). Gordon R. Miller, P.J. Mar. 31, 1993 copy in box for J. Spataro

May 14, 1993 Affidavit filed. JOHN F. SPATARO, Esq., being duly sworn according to law, deposes and says that he is Attorney for the Plaintiffs and makes this affidavit on behalf of the Plaintiffs, being authorized to do so; that a Complaint in action to quiet title, endorsed with notice to defend within twenty (20) days from service thereof was served on the Defendants in accordance with the Order of this Court dated March 19, 1993, and that Defendants have not filed an Answer thereto, although the time in which to do so has expired. Attached hereto and made a part hereof re the true and correct proof of publication notices as obtained from the Meadville Tribune and the Crawford County Legal Journal.

John F. Spataro, Esq.

May 14, 1993 MOTION FOR JUDGMENT and ORDER filed. AND NOW, this 14th day of May, 1993, 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 Plaintiffs, hereby orders that, the Defendants be forever barred from asserting any right, lien, title, ro interest inconsistent with the interestor claims of the Plaintiffs in the premises of the Plaintiffs, more particularly described as follwos:

ALL that certain piece or parcel of land situate in Cussewago Township, Crawford Co., PA., bounded and described as follows, to-wit:

BEGINNING at a point in the center line of Legislative Route 20058, said point of beginning being the northwest corner of the land herein conveyed; thence South 81° 39' 10" East a distance of two thousand six hundred and fifty-four and ninety-nine one-hundredths (2,654.99) feet along lands of D. Michael Davis and John M. McElhenny to an iron pin; thence South 8° 18' 30" West a distance of two hundred forty-two and no one hundredths (242.00) feet along land now of Edgar Ruby to an iron pin; thence North 81° 54' 20" West a distance of one thousand eight hundred ninety-seven and eighty-six one hundredths (1,897.86) feet along what is identified below as Parcel #2 to an iron pin; thence South 9° 05' 30" West a distance of three hundred eleven and fifty one hundredths (311.50) feet along the westerly side of Parcel #2 to an iron pin set in the center line of Township Route 811; thence North 81° 21' 30" West a distance of seven hundred and fifty-six and thirty-seven one hundredths (756.37) feet along the center line of Township Route 811 to a point in the center line of Legislative Route 20058; thence 8° 40' East a distance of five hundred and fifty-eight and no one hundredths (558.00) feet along the center line of Legislative Route 20058 to a point in the center line of the aforesaid road, said point being being the point or place of beginning. Containing 20.4666 acres of land and being in conformity with a survey undertaken by Henry B. Knapp, Professional Engineer and Land Surveyor.

PARCEL #2:

ALSO, all that cerain piece or parcel of land situate in Cussewago Township, Crawford Co., PA., bounded and described as follows, to-wit:

Beginning at a point in the center line of Township Route 811, said point of beginning being the southeast corner of the land herein conveyed; thence North 81° 51' 30" West a distance of seven hundred thirty-three and fifty one hundredths (733.50) feet to a point along the center line of Township Route 811; thence North 81 21' 30" West a distance of one thousand one hundred sixty-eight and sixty-three one hundredths (1,168.63) feet, also being the center line of Township Route 811 to an iron pin set in the center line of the aforesaid Township Route 811; thence North 9° 05' 30" East a distance of three hundred eleven and fifty one hundredths (311.50) feet along what has been described above as Parcel #1, to an iron pin; thence South 81° 54' 20" East a distance of one thousand eight hundred and ninety-seven and eighty-six one hundredths (1,897.86) feet along Parcel #1 to an iron pin; thence South 8 18' 30" West a distance of three hundred and twenty-three and twenty-five one hundredths (323.25) feet along land now of Edgar Ruby to an iron pin set within the center line of Township Route 811, said point being the point or place of beginning. Containing 13.9284 acres of land and being in conformity with a survey conducted by Henry B. Knapp, Professional Engineer and Land Surveyor.

Both parcels being and intended to be all of the property conveyed to Hazel C. Cole and her husband, Ned Cole, by Deed of John Pardee and Ida Pardee, husband and wife, dated Sept. 26, 1944 and recorded Sept. 26, 1944 in Crawford Co. Deed Boo k 320, page 70.

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 Plaintiffs before this order becoems final. If such action is not taken within the thirty (30) day period, the Prothonotary on praecipe of the Plaintiffs, shall enter final judgment.

Gordon R. Miller, J.

May 19, 1993 Copy of Order to Atty. John Spataro.

June 15, 1993 Upon Praecipe of plaintiffs attorney final judgment entered in favor of the Plaintiffs and against the Defendants in accordance with Judge Gordon R. Miller's Order of May 14, 1993.

1993

Dennis G. Kuftic

276.

William E. Hager, III
J. F. Marshall

DAVID ST. JOHN

vs.

ROBERT RUHL and JEFF A. ACKER

Filed March 17, 1993
@ 3:07 PM

Tax & entry paid	50.25
User's Fee paid	5.00
Pro Co pd 7-29-93	15.00
Pro Co. pd 2/18/94	9.00

APPEAL OF DEFENDANTS FROM DECISION OF
DISTRICT JUSTICE ROBERT J. LEONHART

Mar. 17, 1993 Rule entered upon Plaintiff to file a complaint issued.

Mar. 25, 1993, Proof of Service filed.

Apr. 12, 1993 Complaint filed. 2 copies (Plf)

June 17, 1993 Answer, New Matter and Counterclaims filed.

July 6, 1993, Plaintiff's Reply to Defendant's New Matter filed.

July 29, 1993 Consent to Arbitration, filed.

July 29, 1993 Upon praecipe of plaintiff attorney to appoint Arbitrators, the following Arbitrators have been appointed.

Ann H. Gamble, Chairrman
F. C. Kiebort
Alan Pepicelli

Aug. 31, 1993 Arbitrators take qualifying oath.

Dec. 8, 1993 Notice Of Hearing Before Board of Arbitrators filed.

Jan. 12, 1994 Decision of Arbitrators, filed. And now, the 12th day of January, 1994, we the undersigned Arbitrataors 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 David St. John and against defendants Robert Ruhl and Jeff A. Acker in the amount of $1485.00 together with costs, and interest from date of Judgment on the claim, and against defendants Robert Ruhl and Jeff A. Acker on the counter claims and in favor of plaintiff David St.John on the counter claims.

Ann Hansen Gamble, Chr.
F. C. Kiebort
Christopher d. Ferry

Jan. 12, 1994 copies dist to Kuftic & Hager

Feb. 18, 1994, 1:23 P.M., AND NOW upon Praecipe of Plaintiff Attorney, judgment is hereby entered in favor of the Plaintiff, David St. John and against Defendants, Robert Ruhl and Jeff A. Acker in the amount of One Thousand four hundred eighty-five and 00/100 Dollars, plus costs and interest.

R-141,A-94
Judgment entered -
2/18/94.

Debt $1,485.00
Judgment
Barbara H. King, Pro.

EX1994-13

1993

Donna L. Duffy
Michael D. Buchwach

277.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL RESOURCES

vs.

FRANK J. SCHILLER and
CAROL J. SCHILLER

Filed March 18, 1993
@ 10:13 am

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's costs	18.00

MOTION FOR ORDER ALLOWING ACCESS TO PROPERTY

Order:

Upon consideration of the Motion of Access file dby the Commonwealth of Pennsylvania, Department of Environmental Resources ("Department"), it is hereby ORDERED that the Respondents Frank J. Schiller andCarol J. Schiller, provide the Department, its employees and authorized representatives, and others under agreement with the Department, access to, including entry upon, their approximately 147 acre property near the interesection of Route 77 and Route 408 in Richmond Township, Crawford County, Pennsylvania.

The actions authorized to be undertaken by the Department include: (1) removal of hazardous substances in drums, tanks and other containers; (2) removal of waster and contaminated soil, provided, however, that the Department takes care of preserve the peaceful use and enjoyment of the property by the Respondents and return any areas of removed soil to as close to the original condition as possible; (3) sampling the surface water, sediments, ground water, soil and waste, provided, however, that the Department takes care not to contaminat the remaining soil and water table by actions which might disturb the same. The Respondents must provide the Department access for a reasonable period of time, not to exceed two years fromthis date to complete its further investigation and response actions pursuant to the Pennsylvania Hazardous Sites Cleanup Act, the Act of October 18, 1988, P.L. 756, No. 108, 35 P.S. Sections 6020.101-6020.1305.

The Department and its authorized representatives are not to interfere with the continued operation of the farm on said property. The Department and its authorized representatives are not to disturb Respondent, Carol J. Schiller, who is disabled. Special care shall be taken into consideration as the Respondents continue to reside at the property and are entitled to peaceful use of said property. The Department is to conduct its investigatio with minimal disruption to the Respondents. Every effort shall be made to enter onto the property as far from the home as practicable.

This Court makes no findings of fact with respect to the motion presented. Respondents through counsel have consented to this order.

BY THE COURT,
Gordon R. Miller, J

Date: March 17, 1993
1 copy petitioner

Jan 5, 1994 Motion for Contempt and Order filed: Upon consideration of the Motion for Contempt filed by the Commonwealth of Pennsylvania, Department of Environmental Resources ("Department"), it is hereby ORDERED that Frank J. Schiller immediately comply with this Court's order, dated March 17, 1993 and provide the Department and its authorized representatives, including, but not limited to, Ebasco Environmental, access to and entry upon his approximately 147 acre property in Richmond Township, Crawford County, Pennsylvania (the "Schiller Site") to complete the further investigation at the Site pursuant to the Pennsylvania Hazardous Sites Cleanup Act, 35 P.S. §§6020.101-6020.1305.

In addition to complying with all the conditions stated in this court's order dated March 17, 1993, Mr Schiller is not to interfere with the Department and its authorized representatives as they conduct the further investigations at the Schiller Site, and he is to direct all questions and comments concerning site activities to the Department.

The Sheriff of Crawford County, Pennsylvania is hereby autorized to serve this Order upon Mr. Schiller, and is authorized to take any and all action necessary to enforce this Order to ensure that the Department and its authorized agents have continued and unimpeded access to the entry upon the Schiller Site.

This Court shall retain jurisdiction over the parties and the subject matter of this case for the purpose of enforcing this Order and enforcing the Order dated March 17, 1993. This Order is entered exparte since the respondent was advised that it would be considered by the Court and he did not appear in person or through counsel.

Date January 3, 1994 BY THE COURT,

Gordon R. Miller, J.

Jan 11, 1994 Copies of order to Attys. Duffy and Buchwach, Defendant and Sheriff.

Jan. 25, 1994 Sheriff's Return filed. SERVED Frank J. Schiller personally on Jan. 21, 1994 at 2:45 PM by handing a copy of the Motion for Contempt to him in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, PA.

So answers,

Robert M. STevens, Sheriff

Feb. 7, 1994 Petition for Contempt and Rule to Show Cause and RUEL TO SHOW CAUSE,filed. AND NOW, this 7th day of February, 1994, upon consideration of the Petition for Contempt by the Commonwealth of Pennsylvania, Department of Enninronmental Resources ("Department"), A Rule is hereby granted upon Respondent Frank J.Schiller to show cause, if any, why judgment should not be entered finding him in contempt of this Court's Orders, dated January 3, 1994 and March 17, 1993, directing Respondent to pay $5,000.00 in civil penalty for violating this Court's Orders, and placing Respondent under arrest until he grants the Department and its authorized representatives (including all necessary equipment) access to and entry upon his property in Richmond Township, Crawford County, Pennsylvania to complete the further investigation of the property pursuant to the Pennsylvania Hazardous Sites Cleanup Act.

The Respondent is hereby directed to file an answer to the Department's Petition for Contempt and serve such answer upon the Department at least threeddays before the Rule REturnable date Identified below.

Continued to Page 487

278

1993

Kathleen R. Nelson

278.

SHERRI NIES

vs.

CHARLES E. NIES

Filed March 18, 1993
@ 10:26 AM

Tax & entry paid 50.50 ✓
User's Fee paid 5.00
Pltf Co Pd 12-29-93 7984 9.00 —

5-27-93 Received from Pltf Med Cards dep. 150.00
10-24-93 pd Pltf per Med Dep 14.00 Ck # 7860 (Nelson)

COMPLAINT FOR CUSTODY
1 copy atty.

June 2, 1993 Motion For Appointment Of Custody Mediator and Order filed. AND NOW, this 1 day of June, 1993, William Pineo, Esq., is hereby appointed Child Custody Mediator in the above-captioned matter. Anthony J. Vardaro, J
June 7, 1993 Copies of order to Atty's Nelson and Pineo

Oct. 15, 1993 Stipulation and Consent Custody Order, filed. ORDER: AND NOW, this 14th day of October, 1993, upon stipulation of the parties to this action, the followisng order is hereby entered:

1. The parties shall share legal custody of the subject minor children, Jessica Meagan Nies and Tyler Jacob Nies. The parties shall share with each other any and all information 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 paarty, any and all confidential informatin which they may have regarding the subject minor children.

2. Primary physical custody of Jessica Meagan Nies shall be with her Father/Defendant herein, and primary physical custody of Tyler Jacob Niew shall be with his Mother/Plaintiff herein.

3. Father shall have the right of visitation with Tyler Jacob Nies every other weekend from 6:00 P.M. Friday through 6:00 P.M. Sunday, beginning with the weekend of June 18, 1993. Mother shall have the rigaht of visitation with Jessica Meagan Nies every other week end from 9:00 A.M. Saturday through 6:00 P.M. Sunday beginning JUen 12, 1993. It is the intention of the parties that the children spend all week ends together in the custody of one of the parents. The parties shall alternate the holidays of July 4, Labor Day, thanksgiving, Christmas, and Easter with the Father having the July 4 holiday for 1993.

4. Father shall be entitled to take Tyler Jacob Nies into his custody for three one-week periods each summer, with one week being taken by Father in each of the months of June, July, and August. Father shall give the Mother thirty days notice of his intentions regardign each of the summer visitation periods with his son. The parties have made no provisions for Mother's summertime visitation with Jessica and the parties agaree that they will cooperate fully in arriving at a summertime visitation schedule between Mother and Jessica that is agreeable to all parties involved. To the extent that it is reasonable and practical to do so such periods shall be shceduled so that the children are together with the same parent during such periods.

5. The parties shall share responsibility for transportation of the children during visistations with each party driving to a point approximately midway between their respective residences, preferably via U.S. Route 322 connecting Oil City and Meadville, Pennsylvania in order to exchange the children.

6. Each party shall teach the children to give to the other party that love and respect whidh is due a parent from his of her children. Furthermore, 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.

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, or eithre of them.

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 absents of which this Order shall govern.

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

Oct. 22, 1993 copy to K. Nelson & Dft. & Plf.

Oct. 29, 1993 Motion for Return of Custody Mediation Deposit and ORDER filed. AND NOW, this 29 day of October, 1993, the Prothonotary of Crawford County is ordered to refund to Sherri Nies, Plaintiff in the above captioned custody action, the sum of $150.00 for unused mediation fees, less $9 for a Court Order.

BY THE COURT:
Anthony J. Vardaro, J.

11-5-93 Copy of Order to Atty. Nelson.

12-14-05: See computer for further docket entries

1993

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

279.

MELLON BANK, N.A.D successor to NORTHWEST PENNSYLVANIA BANK & TRUST, CO.

vs.

THEODORE E. McCAIN and NANCY E. McCAIN, his wife

Filed March 18, 1993
@ 1:53 PM

Tax & entry paid	50.50
Users's fee paid	5.00
Sheriff's Costs	31.00

COMPLAINT IN MORTGAGE FORECLOSURE
2 copies (Sheriff)

Mar. 31, 1993 Sheriff's Return filed. SERVED Theodore E. McCain on March 23, 1993 at 1:30 PM by handing a copy of the Complaint in Mortgage Foreclosure to Nancy E. McCain, his Wife, at their residence, R.D. #3, Ryan Road, Meadville, Crawford County PA.
SERVED Nancy E. McCain personally on March 23, 1993 at 1:31 PM by handing a copy of the Complaint in Mortgage Foreclosure to her at the residence, R.D. #3, Ryan Road, Meadville, Crawford County, PA.
So answers,

Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

1993

Schroeck & Associates
~~Mark O. Prenatt~~ withdrawn
George M. Schroeck
David L. Hunter, Jr.

280.

withdrawn
~~J.Douglas Murphy~~

Joel M. Snavely

Gaca Matis & Baum
Alan S. Baum

LOIS L. MUNSON and GERALD W. MUNSON, JR. her husband

vs.

DR. JOHN H. BAILEY, III

Filed March 18, 1993
@ 2:03 PM

Tax & entry paid	50.50
User's fee paid	5.00
Sheriff's Costs	28.00

JURY TRIAL DEMANDED

WRIT OF SUMMONS
Issued Sheriff

Mar. 31, 1993 Sheriff's Return filed. SERVED Dr. John H. Bailey, III, personally on March 24, 1993 at 3:38 PM by handing him a copy of the Summonss at the Sheriff's Office, Third Floor Crawford County Courthouse, Meadville, PA.
So ansewrs, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Apr. 22, 1993, Appearance of J. Douglas Murphy of Law offices of J. Douglas Murphy, attorneys for defendant filed.

Apr. 22, 1993, Upon pracipe of defendant attorney, Rule to File Complaint is hereby issued upon the plaintiff. Issued (atty)

May 14, 1993 Complaint filed.

May 19, 1993 PROOF OF SERVICE, filed. I hereby certify that on the 13th day of May, 1993, I served a copy of the Complaint in the above-captioned matter on counsel for Defendant by First Class Mail, addressed as indicated, which service satisfies the requirements of Pa.R.C.P. 440, George M. Schroeck.

June 1, 1993, Preliminary Objections to Plaintiffs Complaint filed.

June 1, 1993, Upon praecipe of defendant attorney, above preliminary objections placed on June argument list.

ON ARGUMENT LIST FOR JUNE 1993

June 3, 1993, Affidavit of Plaintiff Lois L. Munson filed.
July 26, 1993 Motion to Dismiss Objections of Defendant Dr. John H.Bailey, III, filed.
July 26, 1993 Upon praecipe of George M.Schroeck, Esquire, the above captioned matter is placed on the next available Argument List.

ON ARGUMENT LIST FOR AUGUST, 1993

Sept. 9, 1993 Motion to Compel Discovery and Order, filed. ORDER: AND NOW, September 3, 1993, in consideration of the foregoing motion to compel discovery, hearing/argument of the same is hereby set for September 10, 1993, at 11:00 o'clock a.m. in Courtroom 2 of the Crawford County Courthouse, which time has already been scheduled for argument of plaintiffs' motion(s) regarding discovery matters.
FOR THE COURT,
Ann A. Walker, Crt. Adm.

Copies sent by Crt. Adm.

Oct. 22, 1993, ORDER - RE: DEFENDANT'S MOTION TO COMPEL - filed. AND NOW, Oct. 21, 1993 upon consideration ofthe foregoing motion, the plaintiffs' shall respond to the Defendants interrogatories and requests for production within 30 days of the date of this order if they have not already done so.
BY THE COURT:
Anthony J. Vardaro, J.
Oct. 22, 1993, copies dist. by court.

Oct. 22, 1993, MEMORANDUM AND ORDER - RE: PLAINTIFF'S MOTION TO DISMISS DEFENDANT'S OBJECTIONS TO INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS filed. AND NOW, oct. 21, 1993 upon consideration of plaintiffs' motion to dismiss Defendant's Objections to Interrogatories and Requests for Production of Documents, it is ordered that said motion is granted and the defendant shall answer Plaintiffs interrogatories and request for production of documents within 30 days of the date of this order with the exception that Defendant's objections are sustained to Interrogatories 50 and 51 and REquest for Production 1 and therefore the same need not be answered.
BY THE COURT,
Anthony J. Vardaro, J.
Oct. 22, 1993, copies dist. by court.

Oct. 22, 1993, MEMORANDUM AND ORDER - RE: DEFENDANT'S PRELIMINARY OBJECTIONS - filed. ORDER: AND NOW, Oct. 21, 1993, after due consideration, Defendant's preliminary objections are dismissed except that, if they have not already done so, the plaintiffs shall supply within 20 days fo the date of this order a verification of the averments of the complaint to replace the one signed by their attorney on May 12, 1993.
BY THE COURT,
Anthony J. Vardaro, J.
Oct. 22, 1993, copies dist. by court.

1-3-94 Def's Brief filed
1-14-94 Pltf's Brief filed

Nov. 8, 1993 SUPPLEMENTAL ORDER, filed. AND NOW, November 5, 1993, this supplemental order is filed to clarify our order of October 21, 1993 regardaing the Defendant's preliminary objections.

To the extent that Defendant Bailey argues that the motion for more specific pleading is to be treated as an alternative to his demurrer, we find that the Plaintiffs have made sufficient specific allegations to place the Defendant on notice of the acts and omissions which the Plaintiffs claim constitute his negligence, Braun v. Weaver, et al., 68 York L.R. 13, 15 (1954), and to enable to him to prepare a defense. Philadelphia Co. Intermidiate Unit No. 26 v. Commonwealth Department of Education, 60 Pa. Commw. 546, 432 A.2d 1121 (1981).

To the extent that the Defendant intended to object to the specificity of certain paragaraphs or subparagraphs of the Plaintiffs' complaint, he has failed to specify which portions of the Plaintiffs' complaint he believes are not specific enough pursuant to Pa. R.C.P. 1028(b) and Foster v. Peat Marwich Main and Company, 138 Pa. Commw. 147, 587 A.2d 382 (1991).

We note that our order of October 21, 1993 has already dismissed the Defendant's preliminary objections in their entirety. However, in light of the fact that apparently the Defendant had some confusion in that aregard due to the fact that we didn't otherwise address his motion for a more specific pleading, the Defendant is afforded 20 days from the date of this order to answer the Plaintiffs' complaint. BY ORDER OF COURT: Anthony J. Vardaro, J. 11-8-93 Copies dist by Court.

Continued on Page 280A

Nov. 30, 1993, Answer, New Matter and Counterclaim of Defendant filed.

Dec. 20, 1993, Preliminary Objections of plaintiffs filed.

Jan. 3, 1994 Upon Praecipe of J. Douglas Murphy, Esquire & Joel M. Snavely, Esquire, the above captioned matter of Preliminary Objectons to defendant JohnH.Bailey's, III,D.O. Amended Answer and New Matter is placed on the next available Argument List.

ON FEBRUARY, 1994 ARGUMENT LIST

Mar. 24, 1994 Order filed. AND NOW, March 24, 1994, after consideration of the Plaintiffs' preliminary objections in the nature of a motion to strike with regard to the Defendant's answer, new matter and counterclaim and after hearing oral argument and recognizing that this pleading is governed by Pa. R.C.P. 1030 and 1031, we enter the following Order:
1. Paragraphs 32 and 33 of the Defendant's new matter and counterclami are striken in that they do not provide any material facts which are more than mere denials of the averments of the Plaintiffs' complaint and they do not provide an affirmative defense. We have already specifically ruled with respect to the Defendant's preliminary objections to the Plaintiffs' complaint that the complaintdoes set forth a cause of action for which relief can be granted and, accordingly, we refused to sustain the Defendant's demurrer with respect to the complaint.
2. Paragraphs 46 and 47 of the Defendant's new matter and counterclaim are stricken insofar as they simply allege facts which have already been pled in Paragraph 21 of the Defendant's answer to the Plaintiffs' complaint.
3. Finally, Paragraphs 50, 51, 52 and 53 are stricken, hewever, the Defendant shall be permitted within 20 days of the date of this order to re-plead Paragraphs 51 and 52 together with 54 [which was not objected to] as a separate counterclaim pursuant to 42 Pa. C.S. 2503(9) which is permissible pursuant to Pa. R.C.P. 1031.
Paragraph 50 is stricken because it contains extraneous facts insofar as we know of no requirement that a plantiff obtain nor read office records of the doctor prior to filing a medical malpractice complaint and Paragraph 53 is stricken pursuant to Pa. R.C.P. 1028(2) as containing purely scandalous matter. With respect to Paragraph 53, our ruling would be without prejudice to the Defendant to present such specific evidence at the time of trial subject to any appropriate objections of the Plaintiffs and rresulting rulings of the court.
BY THE COURT:

Mar. 28, 1994 Copies mailed to Atty's Schroeck, Murphy & Snavely

Apr. 14, 1994 Amended Answer, New Matter and Counterclaim filed.

May 12, 1994, Plaintiffs Reply to New Matter and Answer to Counterclaim filed.

Apr. 5, 1995 Notice of Serving of Interrogatories Directed to Defendant Dr. John H. Bailey, III (Second Set) filed.

Dec. 18, 1995 Notice of Intention To Present Motion filed.

Dec. 18, 1995 Motion To Compel Answers To Interrogatories (Second Set) filed.

Dec. 18, 1995 Consent Order filed. AND NOW, this 15 day of December, 1995, upon consideration of the Plaintiff's Motion to Compel Answers to Interrogatories (Second Set), directed to Defendant, and upon consent of the parties, it is hereby ORDERED that the Motion is granted and the Defendant shall file said Answers within thirty (30) days of the date of this Order.
Anthony J. Vardaro, J
Dec. 18, 1995 Faxed Snavely, Prenatt & Murphey

Apr. 17, 1996 Appearance of Gaca Matis & Baum by Alan S. Baum, Esquire Attorneys for Dr.John H.Bailey, III, Defendant, filed.

Apr. 17, 1997 Withdrawal of Appearance of Irving O.Murphy, Esquire for Defendant, John H.Bailey, III, filed.

Aug. 8, 1997 Withdrawal of Appearance by Mark O. Prenatt, Esq., for Lois L. Munson and Gerald W. Munson, Jr., Plaintiffs, filed.

Aug. 8, 1997 Praecipe for Appearance by David L. Hunter, Jr., Esq., for Lois L. Munson and Gerald W. Munson, Jr., filed.

Aug. 21, 1997 Notice of Serving Plaintiffs' Interrogatories Addressed to Dft. John H. Bailey, III, filed.

January 16, 1998 CERTIFICATE OF READINESS FILED.

March 26, 1998 Withdrawal of Appearance of George M. Schroeck on behalf of plaintiffs, filed.

May 15, 1998 ORDER FILED. AND NOW, May 15, 1998 it is ordered as follwos:
1. All pretrial narratives shall be filed no later than 4:30 on Monday June 22, 1998 if they have not allready been filed.
2. A pretrial conference shall be held on Friday June 26, 1998 at 2 o'clock PM in Courtroom 1.
3. Jury selection shall take place on Monday July 6, 1998.
4. The trial shall begin on Monday July 20, 1998 at 9 o'clock AM in Ctroom No. 1. The Court has set aside three days to try this case based on the representations made by counsel. This trial shall be concluded by July 22, 1998.
5. A juror questionnaire shall not be used in this case.
BY THE COURT
GORDON R. MILLER, P.J.
5/18/98 FAXED HUNTERS & BAUM

May 22, 1998 ORDER RESETTING PRETRIAL CONFERENCE TIME FILED. AND NOW, May 22, 1998 having been directed by the court to reset the above pretrial conference from 2 PM on June 26, 1998 due to a conflict in the Court schedule, the same is hereby reset for 3:15PM June 26,1998 in Ct Room 1 Crawford County Courthouse
FOR THE COURT
ANN A. WALKER, CT. ADMIN.
5/22/98 FAXED HUNTER & BAUM

May 22, 1998 MOTION TO AMEND SCHEDULING ORDER AND ORDER FILED. AND NOW, THIS 19 day of May, 1998, paragraph 4 of this Court's Order of May 15, 1998 is amended to read as follows:
4. The trial shall begin on Friday July 17, 1998 at 9 AM unless a courtroom is unavailable at the time to begin trial. In that event trial shall begin on Monday July 20, 1998 at 9 AM in courtroom number 1. The Court has set aside three days to try this case based on representations made by counsel. The trial shall be concluded no later than July 22, 1998.
The remaining aspects of the Order of May 15, 1998 shall remain in full force and effect.
BY THE COURT
GORDON R. MILLER, J.
5/22/98 FAXED HUNTER & BAUM

continued on page 280-B

LOIS L. MUNSON & GERALD W. MUNSON vs DR. JOHN H. BAILEY, III
CONTINUED FROM PAGE 280-A
of record
AD 1993 - 280

****

July 1, 1998 PRE TRIAL ORDER FILED (SIGNED BY GORDON R. MILLER.
6/98 FAXED BY COURT

July 9, 1998 Defendant's Proposed Jury Interrogatories filed.

July 9, 1998, Motion in Limine filed.

July 9, 1998 Defendant's Suggested Points for Charge filed.

July10, 1998 ORDER filed. And Now, July 6, 1998 with regard tot he parties' challenges for cause, a challange for cause toJuror No. 15, Thomas Billingham, is granted; the challenge to Juror No. 15, Robert Wachob, Jr. is granted; the challenge to Juror No. 21, Tonia McGarvie, is granted; the challenge to Juror No. 13, George Canfield, is denied; and, the challenge to Juror No. 18, Sandra Fulton, is granted.

BY THE COURT,
Anthony J. Vardaro J.

7/10/98 mailed to Hunger and Baum.

July 15, 1998 NOTICE OF SERVICE OF NOTICE OF VIDEOTAPE DEPOSITION OF MARC LIPPMAN, MD F.A.C.A FILED

July 17, 1998 DEFENDANT'S SUPPLEMENTAL POINTS FOR CHARGE FILED

July 17, 1998 SUPPLEMENTAL JURY INTERROGATORIES FILED (DEFT)

July 20, 1998 NOTICE OF SERIVCE OF SECOND AMENDED NOTICE OF VIDEOTAPE DEPOSITION OF MARC E. LIPPMAN, M.D. F.A.C.A. ON BEHALF OF DEFENDANT FILED.I, the undersigned hereby certify that I served a true and correct copy of the foregoing Second Amended Notice of Videotape Deposition of Marc E. Lippman, M.D.,F.A.C.A. upon all counsel of record by United States, First-class mail, postage prepaid, this 15th day of July 1998.

David L. Hunter, Esq.
821 State St.
Erie, PA 16501-1316

Gaca Matis Baum & Rizza
Alan S. Baum

July 21, 1998 ORDER FILED AND NOW, July 20, 1998 the Defendant's first Motion in Limine is granted. The Plaintiff's may not recover for any negligence that occurred or allegedly occurred prior to August of 1990. There is no basis upon which the Plaintiff's should be able to argue and prove negligence before August of 1990 because that was not pleaded.
However, evidence that the Defendant did or did not make certain recommendaitons in 1985 may be used not for the purpose of showing negligence at that time or from that time to August of 1990 but may be used with respect to allegations of negligence from August of 1990 forward.

BY ORDER OF THE COURT
GORDON R. Miller, PJ

Dist Baum & Hunter

July 22, 1998 Video Deposition of Marc E. Lippman Filed.

JULY 22, 1998 PLAINTIFF'S PROPOSED POINTS FOR CHARGE AND MOTION FOR DIRECTED VERDICT FILED.

July 22, 1998 QUESTION FILED.

July 22, 1998 EXHIBITS FILED.

AND NOW JULY 22, 1998 at 9:46PM jury selected July 6, 1998 and sworn July 20, 1998 at 1:30 PMas follows:

1. JanetWright	7. Linda Stanley	ALTERNATED:
2. Daina Matt	8. Paul Fry	13. Emerson Inserra
3. Gerald Wheeler	9. Arthur Fish	14. Robert Merchant
4. Barbara Comp	10. Elsie Baker	
5. Todd Croll	11. Thomas Herman	
6. Joan Carpenter	12. Leo Braden	

tweleve good and lawful persons who upon their solemn oaths which they have taken and at least 10 of them say:
We the jurors empanelled in the above entitled case Come back with the following VERDICT:
Question 1: Do you find that the Defendant Dr. Bailey was negligent? Yes
Question 2: Was the defendant Dr. Bailey's Negligence a substantial factor in increasing the risk of harm to Mrs. Munson? Yes
Question 3: Was Lois Munson contributorily negligent? Yes
If you answered Question 3 "Yes" was Lois Munson's contributory negligence a substantial factor in bringing about her harm? Yes Question 4:
Taking the combined negligence that was a substantial factor in bringing about the plaintiff's harm as 100 percent, what percentage of that causal negligence was attributable to Dr. Bailey and what percentage was attributable to Mrs. Monson? Question 5:

Percentage of causal negligence attributable to Dr. Bailey	51%
Percentage of causal negligence attributable to Mrs. Munson.	49%
Total	100%

Question 6: State the amount of damages, if any, sustained by Mrs. Munson, without regard to and without reduction by the percentage of causal negligence, if any that you have attributed to her.
$64 thousand
Question 7: State the amount of Gerald Munson's total damages, if any, for loss of Lois Munson's services to him and loss of her companionship, without regard to and without reduction by the percentage of causal negligence if any that you have attributed to Lois Munson
$ -0-
Verdict Entered Janet Wright, Foreperson
July 22, 1998 9:00 PM VERDICT
B - 91 BARBARA H. KING, PROTHONOTARY

July 22, 1998 EXHIBITS FILED.

July 23, 1998 ORDER FILED. AND NOW, it is ordered as follows:
1. The order we entered earlier this date granting the Motion in Limine is hereby vacated.
2. The Plaintiff's oral motion is granted to amend their complaint to read as follows:
The Defendant was negligent in not following through on the standard he set in that he did not perform annual breast examines and order mammograms every three years starting in 1985 and that was a continuing act.
3. Since Dr. Arseneau did not state in either his letter of Dec. 18, 1997 or June 20, 1998 that the Defendant was negligent in the examination and treatment of another lump which the wife, Plaintiff, had complained about to him in Nov. of 1985, Dr Arseneau cannot testify to that effect now and to that extent the Motion in Limine is granted.

BY ORDER OF THE COURT
GORDON R. MILLER, PJ

Dist to Attys by Court

(Continued on 280 C)

280-C

1993

S29052

Lois L. Munson and Gerald W. Munson, Jr.

vs.

Dr. John H. Bailey, III

Record continued from page 280 B

of

AD 1993 - 280

Aug. 18, 1998 Motion for Delay Damages and order filed. ORDER: AND NOW July 31, 1998 a rule to show cause is hereby entered and directed to dft. to show cause if any he has why delay damages in the amt. of $12,747.55 should not be awarded in this case.

Said rule is returnable for hearing and/or argt. for the 9 day of Oct. 1998 at 3:30 p.m. in C. R. No. 1 of county courthouse. BY THE COURT,

Gordon R. Miller, PJ

8/18/98 faxed to Hunter, and Baum

August 19, 1998 MOTION TO MOLD THE VERDICT FILED.

Augsut 27, 1998 Order filed. And now, Auguts 25, 1998 a rule to show cause is issued and directed to the plaintiffs to show cause if any they have, why the Motion to Mold the Verdict should not be granted. Said rule is returnable for argument on the 9th day of October 1998 at 3:30PM o'clock in Courtroom No. 1.

By the Court
Gordon R. Miller, PJ

8/27/98 Faxed D. Hunter & A. Baum

October 6, 1998 Order Filed. And Now, to-wit, this 30th day of September 1998, the Jury impaneled in the above-entitled case finds for the plaintiff Lois L. Munson and against the Defendant Dr. John H. Bailey, III in the sum of Thirty Two Thousand Six Hundred Forty ($32,640.00) Dollars; and against the plaintiff, Gerald W. Munson, Jr. and for the defendant Dr. John H. Bailey III as molded by the Court.
It is further Ordered and Decreed pursuant to Rule 238 Pennsylvania Rules of Civil Procedure that delay damages are awarded to the plaintiff, Lois L. Munson, in the amount of $12,747.55.

By the Court
Gordon R. Miller, J.

Consented to:
Gaca Matis Baum & Rizza
By Alan S. Baum, Esq.
Attorneys fro Dr John H. Bailey III
Defendant
10/6/98 Faxed Baum & Hunter

David L. Hunter Esq.
Atty for Lois L. Munson, Pltf.

October 9, 1998 12:01PM Praecipe to Enter Judgment. Upon Praecipe of Alan S. Baum, Esq. attorney for Defendant Dr. John H. Bailey III Judgment is entered against the Plaintiff Gerald W. Munson, Jr. only and in favor of Defendant.

Debt _____

"M-73"
Entered on October 9, 1998

Judgment
Barbara H. King, Prothonotary

5-24-02. See computer for further entries.

1993

Elizabeth A. Malc

281.

James R. Irwin

KIMBERLY LORRAINE LEWIS

vs.

ERIC PAUL LEWIS

Filed March 18, 1993
@ 2:47 PM

Tax & entry Paid 3-25-93 50.50
User's fee Pd 3-25-93 5.00
Sheriff's Costs 29.00
Pro Pd 3-25-93 9.00

3-25-93 Received from Dept. Sheriff Pleas 29.00

3-25-93 PA Sheriff Ch# 7431 29.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT
3 copies Sheriff
1 copy plaintiff

Order:

And now, this 18 day of March , 19 93, 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 planitiff shall have exclusive possession of the marital home pending further order of court as well as sole custody of the minor childrend pending further order of court. Defendant shall not go to marital home nor to plantiff's place of work

3. This Order may be enforced without a warrant 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 or 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 25, 1993 , at 9 a.m. 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 COURT,
Anthony J. Vardaro, J

Mar. 22, 1993 Sheriff's Return filed. SERVED Eric Paul Lewis personally on March 19, 1993 at 1:20 PM at his place of employment, Lord Corporation, Cambridge Springs, Crawford County, PA.
So answers,
Dale A. Collins,Deputy Sheriff
Robert M. Stevens, Sheriff

Mar. 25, 1993 ORDER filed. AND NOW, March 25, 1993, the parties appear in Court with Counsel and agree to a settlement of this matter. The Defendant does not admit that he committed the acts set forth in the petition. Based upon the agreemetn of the parties, it is ordered as follows:

1. Neither party shall assault, abuse, harass, or threaten the other or the minor children.
2. The Plaintiff shall have exclusive possession of the marital residence.
3. The Plaintiff shall have primary physical custody of the minor children. The Defendant shall have the right to visit his children by going to the marital residence every Monday, Tuesday, Wednesday and Thursday between the hours of 5:00 p.m. and 9:00 p.m. to visit with his children. The Plaintiff will be working during those periods of time and therefore absent from the home. The Defendant will be visiting his children and taking care of them in the Plaintiff's absence.

During those visitations, the Defendant shall not destroy or remove any litems in the marital residence. An intermediary by the name of Marie Gray shall be present at the home when the Defendant appears to exercise his visitation rights and will be present in the home at the time the Plaintiff returns from work. The Defendant shall call Marie Gray to tell her he is coming., whereupon she shall go to the marital residence and be with the children until the Defendant arrives. The Plaintiff will have already left the marital residence. At the end of the visitation period, the Plaintiff shall call Marie Gray to tell Ms. Gray that the Plaintiff is returning home. Ms. Gray shall go to the home to care for the children. The Defendant shall then leave and Ms. Gray shall remain until the Plaintiff arrives at home after work.

4. This order shall remain in full force and effect for a period of six months from this date unless modified, terminated or extended by further order of Court.
5. This order may be enforced without a warrant of arrest by any law enforcement officer having reasonable grounds to believe it has been violated.
6. The Prothonotary shall deliver a copy of this order to the Pennsylvania State Police and to County Control.
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 up to six months.
8. The Plaintiff shall not do anything to encourage or cause the Defendant to violate this order.
9. The Defendant shall pay record court costs in the amount of $93.50 this date.
10. In the event that Marie Gray is not available, then on intermediary may be selected by the parties provided there is mutual agreement as to who the intermediary will be.

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

Mar. 25, 1993 copies given to Malc, Irwin, Co. Ctrl & Pa. State Police

1993

Thomas, Truax,
Spadafore & Walker
Gregory A. Keenan

282.

ANDREA DULANEY

vs.

DONALD DULANEY

Filed March 19, 1993
@ 10:23 am

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro.Co. Pd 6/22/93	9.00
Pro Co pd 7-14-93	5.00

COMPLAINT IN DIVORCE
2 copies atty.

Apr. 1, 1993, Affidavit of Service filed. Gregory A. Keenan, Esq. being duly sworn according to law, deposes and says that on Mar. 22, 1993, he sent a true and correct copy of Complaint in Divorce, with Notice to Defend, filed in above action to the dft. at defendant's last known address, of P.O. Box 5082, Conneaut Lake, Pa. 16316 by Cert. Mail No. P. 100 620 577, postage prepaid, ret. rec. req. rest. del. and that attached hereto is a duly executed ret. rec. card showing date of delivery as Mar. 23, 1993.
Gregory A. Keenan, Esq.

Jun. 22, 1993 Affidavit of Consent by Donald Dulaney,Defendant, filed.

Jun. 22, 1993 Affidavit of Consent by Andrea Dulaney, Plaintiff, filed.

Jun. 22, 1993 Upon Praecipe of Gregory A.Keenan,Esquire, Attorney for Plaintiff, for Review under Section 3301 (c) of the Divorce Code, this case moved to Court.

DIVORCE DECREE FILED

June 30, 1993 AND NOW, June 25, 1993, it is Ordered and Decreed that ANDREA DULANEY, Plaintiff, and DONALD DULANEY, Defendant, are Divorced from the bonds of matrimony.

By the Court:
Gordon R. Miller, J.

July 14, 1993 Notice of Election to Retake Maiden Name, filed. Andrea Dulaney to be known as Andrea Andrews.

1993

C. Barton Jones

283.

NANCY LYNN DECKER

vs.

DANIEL D. DECKER

March 19, 1993
@ 1:53 pM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Sheriff's Costs	45.00

COMPLAINT IN DIVORCE
no copies

Mar. 19, 1993 Counter-Affidavit Under Section 3301(d) of Divorce Code filed.

Mar. 12, 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 3/19/93 . 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: March 12, 1998 Anthony J. Vardaro, J
Mar. 12, 1998 copies mailed by Court Administrator's Office

April 15, 1998 MOTION TO ALLOW CASE TO CONTINUE AND PROPOSED ORDER FILED.

April 15, 1998 ORDER FILED. AND NOW, this day of April 14, 1998 for good cause shown, the above captioned case is hereby removed form the current dismissal list for inactivity, and shall remain pending further pending further incidence.

ANTHONY J. VARDARO, JUDGE

4/15/98 FAXED C.B.JONES

May 1, 1998 PRAECIPE TO REINSTATE CASE FILED.

May 29, 1998 SHERIFF'S RETURN FILED. NOT FOUND as to Defendant Daniel D. Decker. Attempted service by deputizing the Sheriff of Cuyahoga Co, OH. Made four attempts, received no response at 1400 Crestline Ave, Apt 199, Cleveland, OH 44109.
So answers

Robert M. Stevens, Sheriff

September 17, 2001, for all future docket entries see the computer.

1993

Joseph W. Tinko

284.

Wayne T. Hundertmark

$150.00 deposited by planitiff for mediation

5-20-93 Pd CC Com Ck# 7559 med fee 141.00

KENNETH L. SCHNEIDER, JR.

vs.

CHRISTINA M. SCHNEIDER

Filed March 19, 1993
@ 3:07 PM

Tax & entry paid	50.50	✓
User's fee paid	5.00	
Bruce Smith, mediator		
Pro Lo Pd 5:20-93 ck# 7560	9.00	✓

COMPLAINT IN CUSTODY

1 copy (atty)
1 copy (mediator)

NOTICE AND ORDER TO APPEAR:

You, Christina M. S chneider, dft. have been sued in court to obtain custody of Nichole D. Schneider and Daniel K. Schneider.

You are ordered to appear in person at suc h time and place as will be determined by BRUCE SMITH, 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.

Date: March 22, 1993 BY THE COURT,
Gordon R. Miller, J.

Mar. 29, 1993 Affidavit of Service filed. BEFORE ME, a Notary Public of the Commonwealth of Pennsylvania, on this 29th day of March, A.D. 1993, comes Joseph W. Tinko, Esquire, the undersigned affiant who, after being duly sworn (affirmed) according to law, deposes and says as follows:

That the Complaint for Custody in the above-captioned case was served on the defendant, Christina M.Schneider on March 24, 1993 at 22980 Kunz Road, Pleasantville, Venango County, Pennsylvania,16341, by United States Certified Mail postage prepaid as evidenced by the return receipt signed by the defendant, Christina M.Schneider, which is attached hereto as Exhibit "A" and incorporated herein by this reference as if fully set forth.

Date: March 29, 1993 Joseph W. Tinko, Esquire

April 5, 1993, Appearance of Wayne H. Hundertmark, attorney for defendant filed.

April 22, 1993 TemporaryOrder of Court. AND NOW, this 19 day ofApril, 1993, after Mediation and upon recommendation of the Child Custody Mediator, it is hereby order and decreed that:

1. The natural parents of Nicole Schneider, age eight, born May 4, 1984, and Daniel Schneider, age two, born September 5, 1990, the parties to this action, shall share legal custody of the said minor children. Said joint legal custody being shared shall entitle both of the parents to equal access to any records relating to the children held by a third party, including, but not limted to school and medical records, and shall also entitle both parents to equal input with regard to the educational and religious upbringing of the children, as well as to any elective surgery. The parent receiving a report card for either child shall immediately photocopy that report card and get a copy to the other parent within three days.

2. Primary physical custody of the children shall remain with the natural mother, Christina M. Schneider. Regular visitation and temporary physical custody of the children shall be granted to the plaintiff fther, Kenneth L.Schneider, Jr. Temporary physical custody for the plaintiff father shall be as follows:

a.The plaintiff father shall have the right to pick up,visit with, and have temporary physical custody of the children every Wednesday on a year-around basis between 5:00 and 7:00 p.m., prevailing time.

b.The plaintiff father shall have the right to pick up and have the children in his temporary physical custody on the first, thrid, and fourth weekends of each month. Those weekends shall begin onFriday at 6:00 p.m., prevailing time, and end on Sunday at 7:00 p.m., prevailing time.

c.The father shall have the right to take the children into his temporary physical custody for two uninterrupted weeks in June, July, and August, and he shall give a notice of fifteen (15) days of those weeks to the defendant mother prior to taking the children into his custody.

c.On Thanksgiving Day each year, the father shall have temporary physical custody of the children from 3:00 p.m., prevailing time, through Sunday at 7:00 p.m., prevailing time. With reagard to Christmas Day each year, the plaintiff father shall have the right to take the children into his temporary physical custody at 1:00 p.m., prevailing time, until 1:00 p.m. onDecember 27. During even-numbered years, the father shall have the children on the holidays of New Year's, Memorial Day, and Labor Day. In even-numbered years, he shall have the children on Easter Day and the 4th of July. These holidays shall be from 8:00 a.m. through 8:00 p.m., prevailing time.

e. The father shall pick up and return the children to 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 following day, unless satisfactory arrangements by way of telephone or otherwise have been made with the mother for a later pick up.

3. The parent having custody of the children at anytime shall notify the other parent as soon as possible in the event of injury to or illness of either child requring medical treatment.

4.Neither parent shall take the children into any environment which might be commonly thought of as detrimental to their development or to the development of their characters or which would be commonly thought of as dangerous to their physical persons.

5. The parents are encouraged to discuss arrangments for physical custody of the children; and, if the parties mutually agree to alternative arrangements to accommodate their and/or the children s schedules, they may adjust the physical custody arrangements accordingly and are encouraged to do so by mutal consent and agreement.

6. Each of the parents, grandparents, and any other adult coming into regular contact with the children shall teach the children involved in this case to develop and express that natural love and respect due a prent from his or her children. None of the adults coming into regular contact with the children will do or say anything to blacken the character of either parent, any grandparent, or any friend of the parents in the eyes of the children.

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 children or in the event that that the best interest of one of the children would be served by further Mediation.

8. The Court of Common Pleas of Crawford County, Pennsylvania, shall retain jurisdiction of this matter so long as either of the parents or either child resides in the Court's jurisdiction and for at least six months from the date of thisTemporary Order.

Continued to Page 284 A

1993

Kenneth L.Schneider, Jr.
vs.
Christina M.Schneider

Continued from Page 284
of Record
A.D. 1993 - 284

****

9. The fee for Child Custody Mediation shall be paid 67% by the plaintiff father and 33% by the defendant mother. Any amount inexcess of the plaintiff father's share of the cost of Mediation held by the Prothonotary of Crawford County under Local Rules shall be refunded to him.

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:
Anthony J.Vardaro, Judge

Apr. 29, 1993 Copy of Order to Attys. Tinko, Hundertmark and Smith.

1993

Blystone & Blystone
Curtis E. Blystone

285.

JANICE SCHOFIELD DOERR, JOHN EDWARD DOERR and JAMES W. SCHOFIELD

vs.

WILLIAM WAYNE KARASTURY

Filed March 19, 1993
@ 3:39 PM

Tax & entry paid	50.50
User's fee paid	5.00
Proco Pd 5-20-93 Ch# 7560	9.00

3-19-93 Received from Plf. Med. deposit 150.00

5-20-93 Pd CC Comm med. Fees Ch# 7559 125.00

6-2-93 Received from deft mediation fee 125.00

6-23-93 Received from Pltf med fee 59.00 + 116.00 from deposit

6-28-93 Pd CC Comm med Fees Ch# 7634 200.00

7-9-93 Received from dft. med Fee $75.00

8-17-93 Pd CC Com, med fees Ch# 7729 75.00

COMPLAINT FOR PARTIAL CUSTODY AND/OR VISITATION
1 copy atty.

Mar. 19, 1993 Motion for Appointment of Custody Mediator and Order filed. AND NOW, this 18th day of March, 1993, upon presentation of the foregoing Motion, John Fuller, Esq. is hereby appointed custody mediator in the above captioned action.

BY THE COURT,
Gordon R. Miller, J

Mar. 19, 1993 Copies to atty. Blystone & Fuller

Mar. 26, 1993 Affidavit of Service filed.

1. The undersigned, Curtis E. Blystone, is attorney for plaintiffs Janice Schofield Doerr, John Edward Doerr and James W. Schofield in the above captioned civil action.

2. On March 22, 1993, affiant mailed a true and correct copy of the Complaint, endorsed with Notice and Order to Appear, to defendant William Wayne Karastury, P.O. Box 427, Conneaut Lake, Pennsylvania, 16316, by certified mail, restricted for delivery to the defendant only, posted at the Meadville, pennsylvania, United States Post Office, Article No. P 147 764 312, as indicated by the attached receipt for certified mail.

3. The aforesaid certified mail article was delivered to defendant William Wayne Karastury onMarch 24, 1993 as indicated by the attached receipt for certified mail.

I verify that the statements 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.

Dated: March 26, 1993 Curtis El Blystone

Apr. 8, 1993 Motion For Physical and Mental Examination and Special Relief filed.

Apr. 8, 1993 Order filed. AND NOW, April 7, 1993, we have before the Court a motion for physical and mental examination and for special relief with respect to this custody action.

The Motion is presented in Chambers ex parte by the attorney for Plaintiffs although he has notified Kathleen Nelson, Esquire, of his intention to present the same insofar as she may be representing the Defendant at this time.

With respect to the motion for physical and mental examination, it is our understanding tha this matter is scheduled for mediation before John Fuller, Esquire, apparently for April 14, 1993 and that portion of the motion is referred to the child custody mediator pursuant to our Local Rules ofCourt for him to determine whether such examination is necessary without prejudice to the Plaintiffs to raise that issue in a later part of this proceedings if it goes beyond mediation.

With respect to the motion for special relief requesting some periods of temporary or partial custody with the minor child, we will set a hearing for Thursday, April 8, 1993 at 3:30 P.M. in courtroom No. 2 of the Crawford County Courthouse before the undersigned.

The Plaintiffs shall either serve notice of this motion and a copy of this order setting this hearing upon the Defendant personally prior to the time ofthe hearing or else if he is in fact represented by Kathleen Nelson, Esquire, her acceptance of service on his behalf of such document shall be satisfactory. In any event, it is the Court's intention that prior to conducting this hearing with respect to the request for special relief that the Defendant be notified in some manner either personally or through counsel.

The sole purpose of that special hearing on April 8, 1993 shall be to determine whether the Plaintiffs shall be granted special relief in the form of temporary or partiall custody with respect to the minor child.

So that it is absolutely clear with respect to our intention concerning the motion for physical and mental examination, that issue is to be considered by the child custody mediator and he may exercise his discretion with regard to that issue concerning the mediation conference to be held before hime.

BY THE COURT,
Anthony J. Vardaro, J

Apr. 8, 1993 Copies distributed by judges secretary

Apr. 12, 1993 Order filed. AND NOW,April 8, 1993, counsel for the plaintiffs and counsel for the defendant come before the Court with an agreement concerning a period of temporary or partial custody for the plaintiffs with respect to the minor child.

It is agreed by the parties, and therefore so ordered, that the plaintiffs may begin a period of temporary custody with the minor child at 1:30 p.m. this day by picking the child up at the home of the defendant. That period of temporary custody shall continue through Saturday, April 10, 1993, at 5:00 p.m., at which time, the plaintiffs shall return the child to the home of the defendant.

It is further agreed, and therefore ordered, that the defendant will provide information to the plaintiffs in a timely manner with respect to a baptism to occur with respect to the child on Easter Sunday. Such information shall be all that is reasonable and necessary for the plaintiffs to attend and then be permitted to attend such baptism.

In the envent that a temporary Order is not entered concerning future periods of temporary custody or partial cusotdy with respect to the plaintiffs after mediation on April 14, 1993 in a timely manner, this Order is without prejudice to either party to request further hearing with respect to possible Orders concerning such periods of temporary or partial custody.

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

Apr. 12, 1993 Copies circulated by Court.

RECORD CONTINUED ON PAGE 497.....

286

1993

Ferguson & Spataro
John F. Spataro,

286.

ROBERT MOSIER

vs.

CAROL McCAUGHTRY

Filed March 19, 1993
@ 3:58 PM

Tax & entry paid	15.00
Pltf. on orig.	9.50
Sheriff Costs	46.00

WRIT OF REVIVAL

of

DSB 1988 - 145

Writ of Revival indexed against the defendant in favor of the plaintiff, in the sum of Three Thousand and 00/100 Dollars plus interest and cost.

Debt ------- $3,000.00
Interest ----March 14, 1988
M-35
Barbara H. King, Pro

Issued Sheriff

May 20, 1993 Writ Return filed. Personally appeared before me; Jerry Hanlon a deputy for Eugene L. Coon, Sheriff of Allegheny County, Pennsyvlania, who being duly sworn according to law deposed and says that on the 23 day of April 1993 at 8:00 a.m. he did not serve Defendant Carol McCaughtry addres 132 Linnview Pgh. Allegheny County, Pennsyvlania with a true and attested copy of the within by handing the same to and leaving with and made known the contents thereof. No service made because attempts no answer

Jerry E. Hanslon, Deputy

NOT FOUND as to Defendant Carol McCaughtry. Attempted service by deputizing the Sheriff of Allegheny County, PA. Attempted service at 132 Linn View, Pittsburgh, PA, but had no answer. Affidavit attached.

So answers, Robert M. Stevens, Sheriff

1993

John S. Kookogey

287.

STEPHANIE J. CHRISTY

vs.

KEVIN S. CHRISTY

Filed March 22, 1993
@ 1:14 PM

Tax & entry paid	50.50
Users' fee paid	5.00
State paid	10.00
Pro.Co. pd 1/24/94	9.00

COMPLAINT IN DIVORCE
1 copy atty.

Jan.24, 1994 Affidavit of Service filed. Personally appeared before me, a Notary Public, in and for said State and County at Titusville, Pennsylvania, Richard E.Lydick, a duly qualified Constable in and for the State of Pennsylvania, who, being duly sworn according to law, deposes and says that he served a true and attested copy of the Complaint in Divorce (the same having been certified by Barbara H. King, Prothonotary, as such) on Kevin S. Christy, the Defendant, personally at 11:40 A.M. on March 26, 1993, at his place of residence, Hydetown,Pennsylvania, by reading the same to him and making known the contents of same and leaving a true and attested copy with him.
March 26, 1993 Richard E. Lydick

Jan.24, 1994 Affidavit of Consent by Stephanie J.Christy, Plaintiff, filed.

Jan. 24, 1994 Affidavit of Consent by Kevin S. Christy, Defendant, filed.

Jan. 24, 1994 Upon Praecipe of John S. Kookogey, Esquire, Attorney for plaintiff to trsmsmit record. Case moved to Court.

DIVORCE DECREE FILED

Jan. 28, 1994 AND NOW, January 27, 1994, it is ordered and decreed that STEPHANIE J.CHRISTY, plaintiff, and KEVIN S. CHRISTY, 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.

1993

Robert P. Cocco

288.

Agresti & Agresti
Kevin J. Kingston

JOANNE MCCLELLAN

vs.

EDWARD ALMAZON

Filed. March 22, 1993
@ 1:37 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	29.00
Pro Pd. 11/5/93	5.00

COMPLAINT - CIVIL ACTION
1 copy atty.
1 copy Sheriff

Mar. 31, 1993 Sheriff's Return filed. SERVED Edward Almazon on March 25, 1993 at 11:32 AM by handing a copy of the Complaint to Gail Almazon, his Wife, at their residence, R.D. #2, Box 215, Edinboro, Crawford County, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Apr 12, 1993 Defendant's Preliminary Objections, filed.
1 copy atty.

Apr. 16, 1993, First Amended Complaint filed.

July 23, 1993 Defendant's Answer to Plaintiff's Amended Complaint filed.

Nov. 5, 1993, UPon praecipe of plaintiff attorney, the above captioned case is hereby settled, discontinued and ended of record.

1993

Cusick, Madden,
Joyce & McKay
P. Raymond Bartholomew

289.

C. Barton Jones

L. A. LORENO REAL ESTATE

vs.

DONALD J. SHINE and MAUREEN SHINE

Filed March 22, 1993
@ 2:37 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Pro Co pd 3/22/93	9.00
Sheriff's Costs	44.00
Pro.Co. pd 6/29/93	5.00

WRIT OF SUMMONS
Issued Sheriff

And Now, March 22, 1993 @ 2:37 PM upon praecipe of plaintiff attorney, this action is indexed against the defendant in the judgment index as a lis pendens.
S- 43 and 113 LIS PENDENS
entered-3/22/93 Barbara H. King,
Prothonotary

April 14, 1993 Sheriff's Return filed. SERVED Donald J. Shine personally on March 31, 1993 at 3:00 PM by handing a copy of the Summons to him at his place of employment at 121 West County Line Road, Jamestown, Crawford County, PA.
SERVED Maureen Shine on March 31, 1993 at 2:59 PM by handing a copy of the Summons to Donald J. Shine, her husband, at his place of business, 121 West County Line Road, Jamestown, Crawford County, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M.Stevens, Sheriff

Apr. 21, 1993, UPon praecipe of counsel for defendants, Rule entered upon plaintiff to file Complaint issued.
Issued (atty)

Apr. 27, 1993, notice of Deposition of Maureen Shine filed.

Apr. 27, 1993, Notice of Deposition of Donald J. Shine filed.

Jun. 29, 1993 Upon Praecipe of P.Raymond Bartholomew, ESquire, Attorney for Plaintiff, claim in the above-captioned matter having been satisfactorily resolved, the above-captioned matter settled and discontinued, with prejudice, filed.

1993

290.

R. Christopher Brode

CHRISTINE D. TOMEI

vs.

YEKATERINA KHARCHEVA

Filed March 22, 1993
@ 4:15 PM

Indigent Filing
Pro Co pd 5-10-93 15.00

APPEAL OF DEFENDANT FROM DECISIONS OF
DISTRICT JUSTICE WILLIAM D. CHISHOLM

Mar. 22, 1993 Rule entered upon the Plaintiff to file a complaint issued.

Mar. 22, 1993 Upon praecipe Of Defendant To Proceed In Forma Pauperis filed.

Mar. 24, 1993, Proof of Service filed.

Mar. 30, 1993 Complaint filed. 1 copy Plf.

April 20,1993 Answer and New Matter and Counter Claim filed. (2 copys Atty.)

Apr. 26, 1993 Proof of Service of Answer, New Matter and Counter Claim filed.

May 10, 1993 Answer of Christine D. Tomei, Plaintiff, filed.

May 10, 1993 Upon praecipe of Plaintiff to appoint Arbitrators, the following Arbitrators are appointed.
Andrew Bacallao, Chr.
Paul Allen
William Gregg

June 7, 1993 Arbitrators Take Qualifying Aoth.

July 13, 1993 Notice of Hearing Before Board of Arbitrators, filed.

July 28, 1993 Motion For Continuance of Arbitration and Order, filed. ORDER: AND NOW, this 28 day of July, 1993, upon consideration of the Defendant's Motion for Continuance, it is hereby ordered that the Arbitration presently scheduled for August 2, 1993 at 9:00 a.m. is not continued.
BY THE COURT,
Anthony J. Vardaro, J.

July 30, 1993 copy to C. Brode

Aug. 3, 1993 DECISION OF ARBITRATORS filed. And Now, the 2nd day of August, 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 Defendant by the vote of 2-1, awarding no monetary relief for Plaintiffs alleged damages. Concerning the first, second and third counter-claims filed on behalf of the Defendant, the Arbitrators find in favor of the Plaintiff by a vote of 3-0.
Andrew Bacallao, Chairman
Paul Allen
William Gregg

Aug. 3, 1993 copies dist. to Plaintiff & Brode

1993

Culbertson, Weiss,
Schetroma and Schug
David L. Hotchkiss

291.

NANCY LEE MARSHALL

vs.

CARPET BARN, INC.

Filed March 23, 1993
@ 8:38 AM

Tax & entry paid	50.25
User's fee paid	5.00
Pro. Paid 6/21/93	5.00

JURY TRIAL DEMANDED

APPEAL OF DEFENDANT FROM DECISION OF
DISTRICT JUSTICE WILLIAM CHISHOM

Mar. 23, 1993 Rule entered upon the Plaintiff to file a Complaint issued.

Mar. 24, 1993 Proof of Service of Notice of Appeal and Rule to File Complaint filed.

April 13, 1993 Complaint filed.

June 14, 1993, Upon praecipe of plaintiff attorney, for settlement and discontinuance, this case marked settled and discontinued of record.

1993

Mary Ann Kirkpatrick

292.

Douglas W.Ferguson

KAREN SUE FOX LIPPS

vs.

NORMAN WAYNE LIPPS, JR.

Filed March 23, 1993
@ 11:35 AM

Tax & entry paid	50.50
User's Fee paid	20.00
3 Add'l Counts pd	45.00
STate paid	10.00
Pro. Co. pd 2/17/95	$9.00

10-26-94 Pd by deft masters deposit 250.00
2-14-95 Rec'd from deft Ofkep. Setting fee 45.00
2-4-95 Pd Ct Rep #8469 to Weller 30.00
Bal 15.00

COMPLAINT IN DIVORCE, ALIMONY, CHILD SUPPORT, ALIMONY PENDENTE LITE, REASONABLE COUNSEL FEES, COSTS AND EXPENSES, EQUITABLE DISTRIBUTION, and CUSTODY
2 copies atty.

Apr. 7, 1993, Affidavit of Service filed. And now, Apr. 6, 1993 comes Constance L. deitman being duly sworn according to law, deposes and sets forth as follows:

1. That she is the legal sec. of Atty. for Karen Sue fox LIpps, plff in above matter.

2. That on information furnished her by the plff, she caused a cert. copy of the Complaint in Divorce to be forwarded by Cert. Mail P 100 621 269; postmarked Mar. 29, 1993, to the last known address of dft. R. D. #2, Box 490 Conneaut Lake, Pa. 16316.

3. That the defendant on Apr. 2, 1993 personally signed the re. rec. card which was affixed to the complaint in above matter and attached hereto.

4. Service of the compalint is therefore effected in accordance with Pa. rules of Civil Procedure.

Constance L. Deitman.

May 5, 1994, Affidavit of Consent of plaintiff filed.

May 12, 1994, Affidavit of Consent of defendant filed.

Sept. 26, 1994, Income and expense Statement of defendant filed.

Sept. 26, 1994, Inventory and Appraisement of Norman Lipps, Jr. filed.

Oct. 26, 1994 Motion For Appointment of Master in Divorce and Order filed. AND NOW, October 27, 1994, David Pickens, Esquire is hereby appointed Master in respect to the following claims: alimony, distribution of property, counsel fees, costs and expenses.
Deposit required: By Plaintiff $ By Defendant $250.00
If not filed already the parties are ordered to file their pre-trial statements within thirty (30) days from this date. Also Plaintiff shall file income and expense statement and inventory within 30 days.

Per Curiam,
Anthony J. Vardaro, J

Oct. 27, 1994 Faxed Kirkpatrick, given Ferguson & Pickens

Nov. 17, 1994 Notice of Scheduled Pre-Hearing Conference, filed.

Nov. 22, 1994 Plaintiff's Income and Expense Statement filed.

Nov. 22, 1994 Plaintiff's Inventory of Karen Sue Fox Lipps filed.

Nov.30, 1994 Defendant Norman Wayne Lipps, Jr.'s Pretrial Narrative Statement filed.

Dec. 2, 1994 Summary of Pre-Hearing Conference, filed.

Dec. 9, 1994 Amended Complaint filed.

Feb. 7, 1995 Notice of Filing Master's Report, filed.

Feb. 7, 1995 Master's Report and Recommendation, filed.

Feb. 16, 1995 Notice of Filing Amended Proposed Final Decree, filed.

Feb. 17, 1995 UponPraecipe of Douglas W.Ferguson,Esquire,Attorney for Defendant, to transmit record, Case moved to Court..

Feb. 24, 1995 Affidavit of plaintiff filed.

DIVORCE DECREE FILED

March 1, 1995 AND NOW, March 1, 1995, it is Ordered, adjudged and decreed as follows:

1. The parties hereto are divorced from the bonds of matrimony.
2. Wife shall receive or retain the following items from the list of marital property:
   Vacant Lane (parcel of real estate more fully described by the deed at Crawford County Deed Book 522, page 938)
   Wife's personal property (except as described in #5, below)
   Alliance Fund
   AT&T stock (or possibly Baby Bell stock, after splitting)
   Travelers Annuity
   Husband's Amcast pension (husband's entire current interest)
   Husband's 401(k) Plan (from Advanced Cast)
3. Husband shall receive the following items from the list of marital property:
   Husband's personal property
   House (as more fully described in Crawford Co. Deed Book 549, page 799)
4. Husband shall pay wife the sum of $11,264.96. He will pay $1,000 upon entry of the divorce decree and the remaining $10,264.96 within 30 days of entry of the divorce decree.
5. X. Husband shall be entitled to a certain old record player, player piano rolls, high school memorabilia, tools and other items located in a closet in Wife's residence, which property has been identified to the satisfaction of the parties and will be transferred upon entry of the divorce decree.

RECORD CONTINUED ON PAGE 292 (a).....

6. Husband shall assume responsibility for the Sears, Wicks and Huntingdon Bank debts and shall hold wife harmless for the same.

7. Starting in tax year 1994, the parties will alternte claiming their son, Stephen, as an exemption. Husband will claim him as an exemption in the even numbered years (starting with 1994) and wife will claim him as an exemption in the odd numbered years. The party entitled to claim the exemption shall be able to do so only if all child support obligations, including obligations for uninsured medical expenses, due in that calendar year are current.

8. Husband shall prepare Qualified Domestic Relations Orders or such other documents as are necessary for transfer and payment of wife's interest in the Advanced Cast 401(k) and AMCAST pension.

9. The parties will execute any and all documents necessary to effectuate this agreement.

10. The parties will be solely responsible for their own attorney fees and costs.

11. All claims for alimony, alimony pendente lite, counsel fees, costs and expenses raised in the record are dismissed.

12. Husband shall pay $30.00 to the prothonotary for payment of the reporter's sitting fee. No decree shall be released until such time as this fee is paid. Prothonotary is directed to pay over the $30.00 to the reporter as soon as received by mailing it to Lorraine Dallas, 820 Ravine St., Meadville, PA 16335.

BY THE COURT:
Anthony J. Vardaro, J.

Sept. 25, 1996 Petition For Contempt and Order filed. And Now, September 25, 1996, hearing on Plaintiff's Petition for Contempt is schedule for Thurs., October 31, 1996, at 11:15 o'clock a.m. in courtroom 1 or 2 of the Crawford County Court of Common Pleas in Meadville, PA.

For the Court,
Ann A. Walker, C.A.

9-25-96 Faxed Kirkpatrick & Ferguson

Oct. 16, 1996, Motion to Reschedule Hearing and order filed. ORDER: AND NOW, Oct. 16, 1996, hearing in above matter scheduled for Oct. 31, 1996 at 11:15 a.m. is rescheduled for Mon. Dec. 2, 1996 at 2 P.M. in C. R. No 1 or 2 of court-house, Meadvile, Pa. For the court,

Ann Walker, Ct. Adm.

10/16/96 faxed to Ferguson and Kirkpatrick.

Dec. 2, 1996 Motion and ORDER filed. And, Now, December 2, 1996, the hearing on Plaintiff's Petition for Contempt is continued generally to be rescheduled at the request of either party.

By/For the Court,
Anthony J. Vardaro, J.

Dec. 2, 1996 Order FAXED Attys. Kirkpatrick and Ferguson.

Dec.4, 1996 Qualified Domestic Relations Order 401K Plan filed. (SEE PAPERS FILED).

BY THE COURT,
Gordon R. Miller, J.

Dec. 4, 1996 Qualified Domestic Relations Order Pension Fund, filed. (SEE PAPERS FILED).

BY THE COURT,
Gordon R. Miller, J.

1993

Thomas, Truax,
Spadafore, Walker and
Keenan
R. Charles Thomas
~~Devine & Kuffic~~
~~David R. Devine~~
(withdrawn)

293

Shafer, swick, Bailey
Irwin, sTack & Millin
James R. Irwin

KIMBERLY LORRAINE LEWIS

vs.

ERIC PAUL LEWIS

filed March 23, 1993
@ 2:20 PM

Tax & entry paid	50.50
User's Fee paid	15.00
2 Add'l Counts pd	30.00
State paid	10.00
Master Dep Pd 9-14-95	250.00
Pro Co pd 2-8-96	9.00

7-19-96 Rec'd from dept
Master fee $241.00
by check made out to
Ct Reg. Dallas. Forwarded
Same to her on 7-19-96

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION OF MARITAL PROPERTY, TEMPORARY ALIMONY, ALIMONY PENDENTE LITE, COUNSEL FEES AND EXPENSES.
5 copies atty.

June 25, 1993 Acceptance of Service filed. I accept service of the Divorce Complaint filed on March 23, 1993 on behalf of Eric Paul Lewis and certify that I am authorized to do so. James Irwin

Oct. 20, 1994 Inventory and Appraisement of plaintiff filed.

Jan. 11, 1995 Motion To Compel Filing of Inventory & Appraisement and Order, filed. AND NOW, to-wit this 11th dya of January 1995, it is hereby ORDERED, ADJUDGED, and DECREED that Respondent shall file his Inventory no later than February 1, 1995.
Gordon R. Miller, P.J.
Jan. 11, 1995 Faxed Malc

Sept. 6, 1995, Defendant's Income and Expense Statement filed.

Sept. 6, 1995, Inventory of Eric P. Lewis filed.

Sep. 8, 1995 Notice to the Defendant, Plaintiff's Affidavit Under Section 3301 (d) of the Divorce Code, filed.

Sept. 14, 1995 Motion To Appoint Master and ORDER APPOINTING MASTER filed. AND NOW, Sept. 14,1995, DAVID W. pickens, Esq., is appointed Master in respect to the following claims: All claims raised by pleadings or petitions to date.

Deposit required: Plaintiff $_____ Defendant $_____

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

Sept. 19, 1995 Order FAXED Attys. Irwin, Pickens, Devine.

Sep 25, 1995 Notice of Scheduled Pre-Hearing Conference, filed.

Oct 3, 1995 Appearance of Thomas, Truax, Spadafore, Walker and Keenan by R.Charles Thomas on behalf of Plaintiff, filed.

Oct. 9, 1995, Petition to withdraw REpresentation and order filed. ORDER: AND NOW, to-wit this 9 day of Oct. 1995, it is hereby ORDERED ADJUDGED AND DECREED that David R. Devine ESq. and Elizabeth A. Malc be permitted to withdraw their appearance from this action.
Gordon R. Miller, J.
10/9/95 faxed to Irwin, given Malc.

Oct. 20, 1995, Summary of Pre-Trial Conference filed.

Nov. 3, 1995, Notice of Scheduled Master's Hearing filed.

Jan. 3, 1996 Plaintiff's Pre-Trial Narrative filed.

Jan. 3, 1996 Income and Expense Statement filed.

Jan. 8, 1996 Affidavit of Consent by Eric P. Lewis, Defendant, filed.

Jan. 11, 1996 Affidavit of Consent by Kimberly L. Lewis, Plaintiff, filed.

Jan 18, 1996 Notice of Filing Master's Report, filed.

Jan 18, 1996 Master's Report and Recommendation, filed.

Jan. 26, 1996 Waiver of Notice of Intention to Request Entry of a Divorce Decree Under Section 3301(C) of the Divorce Code by Kimerly L.Lewis, Plaintiff, filed.

Feb 6, 1996 Waiver of Notice of Intention to Request Entry of a Divorce Decree Under Section 3301(C) of the Divorce Code, filed.

Feb 6, 1996 Upon praecipe of Defendant attorney to transmit record, case moved to Court.

Feb. 13, 1996, FINAL DIVORCE DECREE FILED.

AND NOW, Feb. 12, 1996, it is ordered, adjudged and decreed as follows:
1 The parties hereto are divorced from the bonds of matrimony.
2. The parties property and debt will be distributed in accordance with the terms, conditions, and provisions of the attached transcription of their settlement agreement and the same is incorporated herein as if set forth in full.
3. Wife waives any claims she may have for alimony, further alimony pendente lite, counsel fees, costs and expenses not provided for in the settlement agreement.
4. The parties will execute any and all documents necessaryto effectuate this agreement in accordance with the attached settlement of agreement.
5. The reporter has submitted a bill for taking down the notes of testimony and transcribing the settlement agreement in the amountof $241.00 and the prothonotary isdirected to pay the same forthwith to Lorraine Dallas, 820 Ravine St. Meadville, Pa. 16335.
6. The master's fee is covered byt he deposit previously paid by Husband. Husband is directed to pay the reporter's fee of $241.00 tothe prothonotary, forthwith. All money remaining withthe Prothonotary for this case shall be paid over to Crawford County.
BY THE COURT:
Anthony J. Vardaro, J.

Thomas, Truax,
spadafore & Walker
Gregory A. Keenan

294.

Peters, Lindsay,
Lewis & Gagliotti
John P. Gagliotti

KEVIN FLANAGAN and VICKI FLANAGAN

vs.

KURT RYHAL and JENNIFER THOMPSON

Filed March 23, 1993
@ 2:20 PM

Tax & entry paid	50.50 ✓
User's Fee paid	5.00
Sheriff's Costs	36.00
Pro Co pd 8-23-93	15.00 ✓
Pro.Co. pd 4/5/94	5.00

1-3-94 Received from deft. appeal from arbitration $220.00
1-3-94 - Pd Comm. on #8002 220.00

COMPLAINT IN CIVIL ACTION
2 copies atty.

Apr. 15, 1993 Sheriff's Return filed. SERVED KurtRyhal on April 1, 1993 at 4:11 PM by handing a copyof theComplaint to Jennifer Thompson Ryhal, his Authorized Agent, inthe Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, PA. Signed Acceptance of Service attached.

SERVED Jennifer ThompsonRyhal personally on April 1, 1993 at 4:10 PM by handing a copy of the Complaint to her in theSheriff's Office, Third Floor,Crawford County Courthouse, Meadville, PA.

So answers, Edgar D. Householder, Chief Deputy
Robert M.Stevens, Sheriff

Apr. 26, 1993 Certificate of Service filed. Gregory A. Keenan, Esquire, hereby certifies that a true and correct copy of the Default Notice was served upon each of the Defendants, Kurt Ryhal, at R.D.#9, Box 509-H, Meadville, PA 16335, and Jennifer Thompson, at R.D.#9, Box 509-H, Meadville, PA 16335, by first class mail,postage prepaid on the 22nd day of April,1993.

Apr. 30, 1993 Answer filed.

May 6, 1993 Upon Praecipe of John P.Gagliotti, Esquire to attach Defendant's verification to the Answers which were filed April 30, 1993, in the above captioned matter, filed.

Aug. 19, 1993, Upon Praecipe of Plaintiffs attorney, the following list of Arbitrators are hereby appointed:

Robert S. Bailey
Joseph Kulwicki
Curtis Blystone
Douglas Ferguson
Kemp Scales
William Pineo
Karen Johnson

Aug. 19, 1993 Upon praecipe of plaintiffs attorney to appoint Arbitrators, the following Arbitrators have been appointed. Robert S. Bailey, Chr.
Kemp Scales
Ksren Johnson

Sept 7, 1993 Arbitrators take Qualifying Oath.

Nov. 9, 1993 Notice Pursuant to Pa. R.C.P. 1305 filed.

Nov. 12, 1993 Certificate of Service filed. I hereby certify that a true and correct copy of the Notice Pursuant to Pa. R.C.P.1305 filed in regard the above-captioned case was served on John P. Gagliotti,Esquire, Attorney for Defendants, by delivery to his Courthouse mailbox, on the 10th day of November, 1993.

Gregory A. Keenan, Esquire

DECISION OF ARBITRATORS, FILED. AND NOW, the 2nd day of December, 1993, we the undersigned Arbitrataors 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 both defendants for compensatory damages of $1908.00, and in favor or Plaintiffs and against Defendant Kurt Ryhal only for punitive damages of $1500, costs to be paid by defendants. Robert S. Bailey
Kemp Scales
Karen Johnson

Dec. 3, 1993 copy to G. Keenan & J. Gagliotti

Jan. 3, 1994 Notice Of Appeal From Award Of Board of Arbitrators filed. (JURY TRIAL)

Apr. 5, 1994 UponPraecipe of Gregory A. Keenan, Esquire, Attorney for Plaintiff, the above captioned case marked settled and discontinued of record.

1993

Fuller, Kinnunen,
Petruso, Gamble,
Fabian & Hall
Gary A. Fabian

295.

Mary Ann Kirkpatrick

PATRICIA A. WANKER

vs.

CHARLES J. WANKER, JR.

Filed March 23, 1993
@ 4:16 PM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count pd	15.00
State paid	10.00
Pro Co pd 2/16/94	15.00
User's Fee paid	5.00
Pro Co pd 5-21-96	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
1 copy atty.

Mar. 29, 1993 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 March 25, 1993, he had deposited in the United States Mail by certified mail, return receipt requested, Certified Mail No. P 260 509 888 as evidenced by Certified Mail Receipt No. P 260 509 888 attached hereto and made a part hereof, a true and correct copy of a Complaint in Divorce addressed to Charles J. Wanker, Jr., said Complaint naming Charles J. Wanker, Jr., as the defendant in the above-captioned matter.

4. Service was obtained upon the defendant, Charles J. Wanker, Jr., on March 26, 1993, as evidenced by Return Receipt for Certified Mail No. P 260 509 888 attached hereto and made a part hereof, said receipt being signed by Charles J. Wanker, Jr.

Jan. 25, 1994 Petition For Counsel Fees, Appraisal Fees and Order for Appraisal and Order filed. And, Now, January 24, 1994, hearing is scheduled on Defendant's Petition for Counsel Fees, Appraisal Fees and Order for Appraisal for February 3, 1994 at 11:00 o'clock a.m. in courtroom 1 or 2 of the Crawford County Courthouse in Meadville, Pennsylvania.

For the Court:
Ann A. Walker, C.A.

Jan. 25, 1994 Copies to Atty's. Fabian and Kirkpatrick

Feb. 2, 1994 Motion For Continuance and Order, filed. ORDER: AND NOW, this 2 day of February 1994, upon the foegoing Motion of Plaintiff, the hearing previously scheduled for February 3, 1994, at 11:00 a.m. is hereby continued and rescheduled for the 28 day of April, 1994, at 1:30 o'clock p.m. in Courtroom No. 1 or 2, the Courthouse, Meadville, Pennsylvania.

BY THE COURT
Anthony J. Vardaro, J.

Feb. 4, 1994 copy to G. Fabian & M. A. Kirkpatrick

Feb. 16, 1994 Petition For Additional Claims filed. (Alimony Pendente lite, Alimony, reasonable counsel fees, costs and expenses)

Feb. 17, 1994 Petition For Special Relief and Order, filed. ORDER: And Now, February 16, 1994, hearing on Defendant's Petition for Special Relief is scheduled for April 28, 1994, at 1:30 p.m. in rooml or 2 of the Crawford County Courthouse in Meadville, Pennsylvania.

By the Court:
Anthony J. Vardaro, J.

Feb. 22, 1994 copy to M.A. Kirkpatrick & G. Fabian

Feb. 23, 1994 Motion to Set Hearing For Alimony Pendente Lite, Counsel Fees, Costs and Expenses and Order filed. ORDER: And, Now, February 23, 1994, hearing on Defendant's request for alimony pendente lite, counsel fees, costs and expenses is scheduled for April 28, 1994, at 1:30 p.m. o'clock in courtroom number 1 or 2 of the Crawford County Courthouse at Meadville, Pa.

By/for the Court:
Anthony J. Vardaro, J.

Feb. 25, 1994 copy to G. Fabian & M.A. Kirkpatrick

Mar. 9, 1994 Affidavit of Consent of Defendant filed.

Mar. 14,1994 Stipulation for Sale of Livestock and Order, filed. AND NOW, this 14 day of March, 1994, in consideration of the attached Stipulation, it is hereby ordered that:

1. All of the livestock presently located at the former marital residence of the parties shall be sold at auction as soon as the same can practicaably be arranged.

2. Deducted from the sale price shall be all of the normal and customary fees and expenses reasonably associated with the transportation and sale of the said livestock, and the net proceeds of the sale shall be deposited into a interest bearing savings account with any commercial bank to be held in escrow until such time as a final order in equitable distribution is entered in this matter or a final settlement shall occur between the parties, whichever shall first occur.

3. Mary Ann Kirkpatrick and Gary A. Fabian, Esq., shall act as escrow agents and shall hold the savings passbook pending final distribution of the net proceeds of said sale.

4. This Order is made without prejudice to either party with regard to the final allocation of the net proceeds between the parties which such final allocation shall either be made by written agreement between the parties, or in the event the parties cannot so agaree, then such final allocation shall be made pursuant to further Order of Court.

BY THE COURT
Anthony J. Vardaro, J.

Mar. 16, 1994 copy to G. Fabian & M.A. Kirkpatrick

April 22, 1994 Affidavit of Consent of plaintiff filed.

May 2, 1994 ORDER filed. AND NOW, April 28,1994 the parties appeared in court with counsel and entered into an agreement that fully disposes of the Defendant's petition for counsel fees, apparaisal fees, and order for appraisal filed January 25, 1994 and the Defendant's petition for special relief filed February 17, 1994. Based upon the agreement of the parties, it is ORDERED as follows:

CONTINUED ON PAGE 461

1993

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

296.

Devine & Kuftic
David R. Devine

DARRYL B. WORDEN

vs.

ELIZABETH A. WORDEN

Filed March 24, 1993
@ 9:34 AM

Tax & entry paid	50.50
User's Fee paid	5.00
state paid	10.00
Pro Co Pd. 7/5/95	9.00

COMPLAINT IN DIVORCE
2 copies atty.

Mar. 31, 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 24, 1993. The Defendant acknowledged service on March 29, 1993 by accepting delivery on that date as evidenced by the attached signed return receipt.

Aug. 9, 1993, Affidavit of Consent of plaintiff filed.

Jan. 21, 1994 Notice Of Service Of Interrogatories filed.

June 28, 1995, Affidavit of Consent of defendant filed.

June 28, 1995, Upon praecipe of plaintiff attorney to transmit the record, this case moved to court.

DIVORCE DECREE FILED

July 11, 1995 AND NOW, this 10th day of July, 1995, it is ordered and decreed that DARRYL B. WORDEN, Plaintiff, and ELIZABETH A. WORDEN, Defendant, are divorced from the bonds of matrimony

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

1993

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

297.

LINDA K. ARMSTRONG

vs.

TERRY V. ARMSTRONG

Filed March 24, 1993
@ 9:34 AM

Tax & entry paid	50.50
User's Fee paid	5.00
STate paid	10.00
Pro Co paid 7/15/93	9.00

COMPLAINT IN DIVORCE
2 copies atty.

Mar. 30, 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 Prothontary of Crawford County, Pennsylvania on the above named Defendant by certified mail, addressee only, return receipt requested, dated March 24, 1993. The defendant acknowledged service on March 27, 1993 by accepting delivery on that date as evidenced by the attached signed return receipt.

July 12, 1993 Affidavit of Consent of Defendant, filed.

July 15, 1993, Affidavit of Consent of plaintiff filed.

JUly 15, 1993, Upon praecipe of plaintiff attorney, to transmit the record, this case moved to court.

DIVORCE DECREE FILED

July 23, 1993 AND NOW, July 21, 1993, it is hereby ordered and decreed that LINDA K. ARMSTRONG, Plaintiff, and TERRY V. ARMSTRONG, 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.

1993

Withdrawn
Zanita A. Zacks-Gabriel

Nochols, Krill & Taggart
William Taggart

298.

Michael Halliday

Gerald Sullivan

~~Barbara Walton~~ Withdrawn

5-4-98 Received from Pltf Med dep. 150.00

6-11-93 Pd Pltf Bal. Med Dep Ck# 1599 141.00

6-23-95 Rec from Pltf on med fee 150.00

7-25-95 med Refund to Pltf #9342 28.49.

9-21-95 Pd Co #9462 112.51

MATTHEW R. BAUGHMANN

vs.

LINDA BAUGHMANN

Filed March 24, 1993
@ 9:52 AM

Sheriff's Costs	29.00 ✓
Tax & entry paid	50.50 ✓
User's Fee paid	5.00
John Fuller, Mediator	150.00
Pro Co Pd 6-28-93 Ck# 7635	9.00
Sheriff's Costs	29.00
John Fuller, Mediator	225.04
Pro Co Pd 9-21-95	9.00
John Fuller, Mediator	305.04
Pro Co	9.00

COMPLAINT FOR DETERMINATION OF CUSTODY
1 copy atty.

Mar. 24, 1993 Petititon For Special Relief Pending Mediation Conferance filed.

Mar. 30, 1993 ORDER filed. AND NOW, March 24, 1993 the parties appear in Motion Court both represented by counsel with respect to a custody proceeding tht is being filed this mornign in the Prothonotary's Office.

It appears that the child is currently in the physical custody of the Plaintiff/father, and both parties would like some sort of a temporary arrangement pending a mediation conference and any further litigation with respect to this matter.

Accordingly, by agreement of the parties, we enter the following ORDER, which shall remain in full force and effect pending a mediation conference to be scheduled in this matter.

1. The legal custody of Matthew Donald Baughmann shall be joint and shared between the parties to this action.

2. Primary physical custody of the minor child shall be with the father except that temporary physical custody shall be with mother each day from 1:00 p.m. to 5:00 p.m. beginning this day. The parties may arrange for such additional temporary custody with mother as they may agree upon from time to time pending the mediation conference.

3. Neither party shall remove the child from Erie or Crawford County at any time pending the mediation conference without further order of court.

4. The mother shall provide all transportation for visits at this time and if the father has transportation available at some point, they shall arrange for some sharing of transportation with respect to the temporary custody periods given to the mother by this order.

5. Neither party shall take the minor son to any establishment primarily for the purpose of serving alcoholic beverages nor shall either party be under the influence of alcohol while transporting the child at any time. Additionally, the Plaintiff shall not permit his mother to allow the child to go with her to any bar or to be in her vehicle while she is under the influence of alcoholic beverages.

6. In entering this order, it is our intention that we only resolve this matter in a temporary manner and no mediator or alternate trier of fact should believe that we are indicating what we believe should be the ultimate disposition with respect to this matter.

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

Mar. 30, 1993 copies mailed to Taggart & Halliday
Mar. 31, 1993 two copies of Order taken by Plaintiff

Apr. 6, 1993, Appearance of Zanita A. Zacks-Gabriel, attorney for plaintiff, filed.

May 4, 1993 Petition For Appointment Of Mediator and Orders, filed. ORDER: AND NOW, to-wit, this 3rd day of May, 1993, it is hereby ORDERED, ADJUDGED and DECREED that a Mediation Conference in the above-captioned matter is hereby scheduled for such time and place as the Custody Mediator, John Fuller, Esq., shall determine. Gordon R. Miller, P.J.

ORDER: You, LINDA BAUGHMANN, Defendant have sued in Court to obtain custody of MATTHEW DONALD BAUGHMANN.

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.

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:
Date: May 3, 1993 Gordon R. Miller, P.J.
May 7, 1993 copy to W. Taggart, M. Halliday, J. Fuller, Z. Zacks-Gabriel

May 14, 1993 Appearance of Gerald Sullivan (Northwestern Legal Services) for Defendant Linda Baughmann, filed.

June 4, 1993 Appearance of Barbara Walton for Defendant Linda Baughmann, filed.

June 10, 1993 ORDER filed. AND NOW, June 7, 1993 after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Matthew Baughman 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 Matthew Baughman shall be with his father, subject to the following conditions:

A. The mother shall b eentitled to visit and take the child into her custody every day from 1:00 p.m. to 5:00 p.m.

B. Holidays shall be defined as Christmas, Easter, and Thanksgiving. Custody of the child shall be shared on the aforesaid holidays and in the absence of an agreement to the contrary, the child 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 7:00 p.m.

C. Transportation of the child on weekends and holidays shall be provided by the father.

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, and specifically shall not take the child to an establishment where alcohol is served.

Continued on Page 298A

MATTHEW R. BAUGHMANN
VS.
LINDA BAUGHMANN

CONTINUED FROM PAGE 298
of Record
A. D. 1993 - 298

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F. Both parents agree to inform the other immediately of any illness or injury regarding the child and both parents agree to furnish the other witha current telephone number.

G. Neither party shall remove the child from the confines of Crawford County-Erie County, without further Order of the Court or, in the alternative, an agreement, signed by both parents.

H. Neither parent shall consume alcohol or illegal drugs, nor be under the influence thereof, when the child is in their custody.

I. Mother shall take such medication as is required for her Bipolar Condition and recommended by her doctor. Mother shall not consume alcohol at any time unless specifically authorized by her treating physician.

III. This order is a temporary order **but shall b**ecome 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. The Prothonotary of Crawford County is hereby directed to refund the deposit paid in advance by the Plaintiff, less the cost of the custody order.

Anthony J. Vardaro, J.

June 11, 1993 copy to Z. Zacks-Gabriel, W. Taggert, M. Halliday, G. Sullivan, B. Walton, J. Fuller, Plf. & Dft.

June 21, 1993 Reassignment of Hearing date filed. AND NOW, June 21, 1993: Hearing in the above captioned matter heretofore set for June 29, 1993 at 1:30 P.M,, is hereby reset for July 19, 1993, at 11:00 A.M., in Courtroom 2.

FOR THE COURT,
Ann A. Walker, Court Administrator

June 21, 1993 Copies mailed to Attys. Zacks-Gabriel, Taggart, Halliday and dist. to Attys. Sullivan, Walton & Fuller.

~~June 15, 1993, Petition for Counseling Pursuant to Section 3302 of the Divorce Code and Rule filed.~~
RULE: ~~AND NOW, this 10th day of June 1993, upon the foregoing Petition for Counseling, a rule is issued directed against the Plff/dft. to show cause, if any there be, why the within divorce proceedings should not be continued and counseling sessions ordered for a period of 90 days.~~

~~RULE RETURNABLE, the 29 day of June 1993 at 1:30 p.m. in Courtroom 1, 2, or 3 of theCrawford County Courthouse, located in Meadville, Pa.~~

~~BY THE COURT:~~
~~Anthony J. Vardaro~~, J.

A.O. 1993-299

~~June 21, 1993, copies of order to Attys. Zacks-Gabriel, Taggart, Halliday, Sullivan, Walton and Fuller.~~

June 28, 1993 Exceptions and Request for Custody de novo Hearing and Order, field. ORDER: AND NOW, to-wit, this 25th day of June, 1993, it is hereby ORDERED, that trial on the Custody matter shall be set for July 22, 1993, at 9:30 a.m. in Courtroom 2,

Gordon R. Miller, P.J.

June 29, 1993 copy sent to Zacks-Gabriel
July 2, 1993 copy to Taggart, Fuller, Halliday, Sullivan & Walton

June 29, 1993 Notice of Service of Motion to Gerald Sullivan, filed.

June 29, 1993 Notice of Service of Motion to Barbara J. Walton, filed.

~~June 28, 1993 Motion to Reschedule Hearing Date on Defendant's Petition for Counseling and Order, filed. ORDER: AND NOW, to-wit, this 25th day of June, 1993, it is hereby ORDERED, ADJUDGED and DECREED that Hearing on Defendant's Petition for Counseling presently set for July 19, 1993 at 11:00 a.m. in Court Room 2 be and hereby is RESCHEDULED for July 22, 1993, at 9:30 a.m. in Courtroom 2.~~

~~Gordon R. Miller, P.J.~~

A.O. 1993-299

~~June 29, 1993 copy mailed to Zacks-Gabriel~~
~~July 2, 1993 copy to W. Taggart, J. Fuller, M. Halliday, G. Sullivan, B. Walton~~

July 15, 1993, Motion to Continue and order filed. ORDER: AND NOW, this 15 day of July 1993, upon consideration of defendants Motion to Continue said request for continuance is hereby granted and this matter is reset for hearing on the 17 day of Aug. 1993 at9:15 a.m.
1 copy (atty)

FOR THE COURT,
Ann Walker, Ct. Adm.

July 16, 1993, copies to Attys. Taggart, Fuller, Halliday and Walton.

Aug. 4, 1993 Motion To Dismiss Petition For special Relief and ORDER filed. And Now, this 4 day of August, 1993, Motion is allowed. Defendant's Petition for Counseling is Dismissed.

By the Court:
Anthony J. Vardaro, J.

Aug. 6, 1993 Copy of Order to Attys. Zanita Zacks-Gabriel, Barbara Walton and John Fuller.

Aug. 9, 1993 Petition to Withdraw as Counsel and ORDER filed. AND NOW, to-wit, this 9th day of August, 1993, it is hereby ORDERED, ADJUDGED aND DECREED that Zanita A. Zacks-Gabriel, Esquire, be permitted to withdraw as counsel for Plaintiff Matthew R. Baughman in the above-captioned action. Counsel shall serve a copy of this order on the Plaintiff forthwith. (1 copy Atty.)

Gordon R. Miller, J.

Aug. 11, 1993 Copy of Order to Attys. Zacks-GAbriel, Taggart, Halliday,Sullivan & Walton.

Aug.16, 1993, Motion to Continue and Order filed. ORDER OF COURT: AND NOW, Aug. 16, 1993, this matter is continued generally to be set on motion of either party.

Anthony J. Vardaro, J.

Aug. 23, 1993, copies of order to Attys. Taggart, Fuller, Halliday and Walton, Sullivan.

~~Sept. 1, 1993 Affidavit of Consent of Plaintiff filed.~~ A.O. 1993-299

~~Sept. 1, 1993 Affidavit of Consent of Defendant, filed.~~ A.O. 1993-299

~~Sept. 1, 1993 Property Settlement Agreement, filed.~~ A.O. 1993-299

Apr. 27, 1994 Motion To Remove Child from Crawford County and Order filed. And now, April 27, 1994 motion granted.

Gordon R. Miller, J

Apr. 27, 1994 Copies of order to Pltf. and Atty. Walton

June 17, 1994 Request for Special Relief of defendant filed.

June 17, 1994 Petition To Proceed In Forma Pauperis and ORDER filed. AND NOW, June 17, 1994, upon consideration of the petition filed by the Defendant in this action, and supported by an affidavit attached thereto, all being pursuant to Pa. R.C.P. 240, the defendant is granted leave to proceed in forma pauperis at this time.

The defendant is directed to inform the Prothonotary's office or the Court of any improvement in her financial circumstance that would permit 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:
Gordon R. Miller, J.

Record Continued on Page 298-b-

1993

June 17, 1994 NOTICE AND ORDER TO APPEAR filed. You, Matthew R. Baughman, have been sued in Corut to obtain custody of Matthew Baughman.

You are ORDERED to appear in persin 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.

You should take this paper to your lawyer at once, if you 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) 336-1151, ext. 298

Gordon R. Miller,
President Judge

June 17, 1994

June 17, 1994 ORDER filed. AND NOW, June 17, 1994 the Defendant appeared pro se in motions Court and handed the judge an unverified letter together with a copy of a court order of June 7, 1993 and a copy of a handwritten page that appears to be an agreement signed by the parties on Jan. 18, 1994. She claims that the writing of Jan. 8, 1994 contains an agreement that she would have custody of Matthew Baughman during the summer; however, that is not a part of the court order. She is incorrect in believing that the portion of the order permitting the parties to take the children out of state by agreement automatically incorporates the agreement of Jan. 18, 1994 into the order. It does not.

She claims that the Plaintiff is in contempt of court, but she does not file a proper contempt petition. We will treat her unverified letter as a petition to modify custody since she has come from California, and since it reasonably sets forth what she desires. She is cautioned that in the future, she must fully and completely comply with the Rules of Court, including the Crawford County Civil Rules, in proceeding on these matters.

Accordingly, it is ORDERED as follows:

The Prothonotary shall accept and file these writings and pleadings in this case and the letter will constitute a petition to modify custody.

The Defendant is permitted to proceed in forma pauperis, signed simultaneously herewith, in response to a petition to proceed in forma pauperis.

This matter is referred to John Fuller, Esq., Custody Mediator, in accordance with the rules regarding modification of custody and Mr. Fuller shall hold a hearing as soon as he is able to hold a hearing to determine whether custody should be modified.

The Prothonotary shall deliver to the Sheriff of Crawford Co. a true and correct copy of all the papers the Defendant filed this date together with a notice and order to appear. The Sheriff shall serve those papers on teh Plaintiff at RD 3, Box 8A, Cambridge springs, PA. 1643.

The Defendant shall notify John Fuller, Esq., of 373Center St., Meadville, PA (telephone 724-1480) to tell him her address where she can be contacted when notice is sent of the date, time and place of the custody hearing.

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

June 23, 1994 Copy of Order FAXED to Atty. Fuller.

~~June 17, 1994 Motion To Withdraw Affidavit of Consent to Divorce and Order, filed. AND NOW, lthis 16 day of June, 1994, upon presentation of the Motion for Withdrawal of Affidavit of Consent to Divorce, motion is hereby granted.~~

~~By the Court:~~
~~Anthony J. Vardaro, J.~~

~~June 17, 1994 dist to Walton & Plf. June 24, 1994 Faxed to Fuller, Sullivan & Halliday. Sent to Taggart~~

Jun. 27, 1994 ORDER filed. AND NOW, June 27, 1994 after medation conference before John Fuller,Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Matthew Donald Baughman 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 Matthew Donald Baughman shall be with his mother and father, subject to the following conditions:

A. On agreement of the parties the mother shall be entitled to take the child into her custody for a period of one year dating from June 23, 1994. The mother may take the child to t he mother's home in California.

B. The parties shall confer from time to time between the date of this Order and June 23, 1995 in an attempt to determine what custody arrangement would be in the best interest of the child and in the event the parties cannot agree, either party may request a further mediation conference.

C. Transportation costs of the child to and from California after June 23, 1995 shall be shared equally between the parties.

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 agree to furnish the other with a current telephone number.

G. On agreement of the parties it is agreed that jurisdiction and venue on this case shall remain in Crawford County, Pennsylvania, provided, however, that if mother is required to return toCrawford County in 1995 for a mediation conference or custody hearing, father shall pay mother's transportation costs.

H. At any time father is in California, he shall be entitled to visit the child and take the child into his custody for a period not to exceed four (4) hours per day.

III. This order is a temporary order but shall become a permanent order unless exceptions thereto are filed by either party within ten (10) days of the date hereof.

IV. Cost of the mediation conference willbe divided with father paying one-half (½) thereof and Crawford County paying one-half (½) thereof.

Anthony J. Vardaro, Judge

6-30-94 Copy to Pltf & Deft. Faxed toAttys. Fuller, Sullivan. Mailed to Attys. Halliday & Taggart

July 15, 1994 SHERIFF'S RETURN, filed. SERVED Matthew R. Baughman personally on July 6, 1994 at 3:31 PM by handing a copy of the Notice and Order to Appear and Court Order at his place of residence, RD 3, Box 8A, Cambridge Springs, Crawford County, Pa. So answers,

Scott D. Young, Deputy Sheriff
Robert M. Stevens, Sheriff

Jul. 15, 1994 ORDER filed. AND NOW, July 14, 1994 Paragraph IV of the Order of June 27, 1994, is amended to provide as follows:

IV. Costs of the mediation conference shall be paid by Crawford County.

Gordon R. Miller, Judge

7-15-94 Faxed to Atty. Fuller.

Record Continued on Page 298c

May 31, 1995, Letter concerning custody from defendant filed.

May 31, 1995, ORDER filed. AND NOW May 26, 1995, after having received and reviewed a letter dated May 19, 1995 from the defendant, Linda Baughman asking for another mediation conference it is ordered as follows:

1. Said letter shall be filed of record and shall constitute a request for mediation even though it is not in proper form.

2. The court will not now refer the matter toa mediator unless Linda Baughman complies with Crawford County Rule L1915.3(c) which requires that she pay a deposit of $150 as payment of the custody mediator fees and costs or file a petition to proceed informa pauperis in accordance with Rule 240 of the Pa. Rules of Civil Procedure.

3. A copy of this oroder shall be sent to Mx. Baughman at the address given on the letter, towit: 18935 Vierra Canyon Road, Prunedate Ca. 93907.

by the court,
Gordon R. Miller, P.J.

5/31/95 copies dist to Fuller and dft.

Jun. 13, 1995 Petition to Proceed in Forma Pauperis Pursuant to Pa. R.C.P. 240 and ORDER filed. ORDER. And Now,June 13,1995 upon consideration of this petition it is denied.

By the Court,
Anthony J. Vardaro, J.

6-19-95 Copies dist.to Fuller, Plft. & Deft.

June 28, 1995, ORDER filed. AND NOW, June 27, 1995, the $150 mediation fee having been paid in this matter as per Order of Judge Miller dated May 26, 1995, this matter is referred to John Fuller, custody Mediator for further hearing.

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

6/28/95 faxed to Atty. Fuller.

Jul 25, 1995 ORDER filed. AND NOW, July 25, 1995 after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Matthew Donald Baughman shall be shared between the mother and the father, the plaintiff and defendant herein

II. Physical custody of Matthew Donald Baughman shall be temporarily with his father, Matthew R. Baughman, subject to the following conditions:

A. The mother shall be entitled to visit and take the child into her custody whenever the mother is in Crawford County, for periods not exceeding eight (8) hours,not exceeding three (3) times a week and,provided she give father at least twenty-four (24) hours notice of any such intended visit.

B. The child shall meet privately with the child custody mediator, John Fuller, at 10:00 o'clock a.m. on August 18, 1995 to discuss custody matters. The child shall go to the second floor of the Courthouse in front of the Judges Chambes and a room will be selected.

C. After the meeting with the child on August 18, 1995, a further order will be entered.

III. This order is a temporary order but exceptions thereto may be filed within twenty (20) days of the date hereof.

IV. Cost of the mediation conference will be divided as follows: One-half (½) Plaintiff and one-half (½) Crawford County. 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.

Gordon R. Miller, P.J.

July 26,1995 Faxed to Fuller & Sullivan. Sent to Plf. & Dft.

~~Sept 6, 1995 Marriage Settlement Agreement, filed.~~ In error. See A.D. 1993-299

Sept~~. 6, 1995 Affidavit of Consent of Defendant, filed.~~ In error. See A.D. 1993-299

October 2, 1995, ORDER FILED. AND NOW, October 2, 1995 after mediation conference before John Fuller, Esquire, and upon agreement of the parties, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Matthew Donald Baughman shall be shared between the father and the mother, 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 religous instruction of the subject child.

II. Physical custody of Matthew Donald Baughman 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 every other weekend from 5:30 o'clock p.m. on Friday to 7:00 p.m. on Sunday, beginning September 29, 1995

B. The father shall be entitled to visit and take the child into his custody every Wednesday and Thursday from 5:30 o'clock to 8:30 o'clock p.m.

C. Holidays shall be defined as Christmas, Easter, Thanksgiving and the child's birthday. Custody of the child shall be shared on the aforesaid holidays and in the absence of an agreement to the contrary, the child shall be in the custody of the mother on the aforesaid holidays until 1:00 o'clock p.m. until 8:00 o'clock p.m.

D. Tranansportation of the child on weekday visits, weekends and holidaysshall be shared by the parties, equally, with the parent receiving custody providng transportaion.

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 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.

H. Neither parent shall remove the child from the Commonwealth of Pennsylvania without (1) a Court order authorizing such removal, or (2) the written consent of the other parent.

I. The parents have agreed to have a custody evaluation by Kathy S. Berkey and, therefore, are ordered to promptly make arrangements for and cooperatie in securing such evaluation and shall equally share the cost of same.

III. This order is a temporary order but shall become a permanent order unless exceptions thereto are filed by either party within twenty (20) days of the date hereof; however, this order is entered without prejudice to the right of either party to request a further mediation conference after securing a custody evaluation as herein above provided.

IV. Cost of the mediation conference shall be paid by Crawford County. The prothonotary of Crawford County is hereby directed to refund the deposit if any paid in advance by the plaintiff.

Anthony J. Vardaro, J.

CONTINUED ON PAGE 298-D

298
-d-

1993

298.

MATTHEW R. BAUGHMAN
VS.
LINDA BAUGHMAN

CONTINUED FROM PAGE 298-C
of RECORD
A. D. 1993 - 298

****

~~Nov. 17, 1995 Acceptance of Service filed.~~ Mistake

To The Prothonotary:

I ~~accept service~~ of the Complaint in Divorce ~~on this 25 day~~ of March, 1993.

~~Linda Baughman~~, Defendant

Dec. 14, 1995 Petition to Proceed In Forma Pauperis Pursuant to Pa. R.C.P. 240 and ORDER filed. AND NOW,December 13, 1995, upon consideration of thepetition filed by the Defendant in this action, and supported by an affidavit attached thereto, all being pursuant to Pa. R.C.P.240, the Defendant is granted leave to leave to proceed in forma pauperis at this time.

The Defendant is directed to inform the Prothonotary's office or the Court of any improvement in his/her financial circumstance that would permit him/her to pay the costs incurred in this action and shall be responsible for doing so upon an improvment of financial condition.

BY THE COURT:
Anthony J. Vardaro,J.

12-14-95 1 copy Deft., 1 copy Sheriff, & 1 copy Med.
12-18-95 Copy mailed to Plft & Deft.

Dec. 14, 1995 Petition for Modification of a existing Custody Order and NOTICE AND ORDER TO APPEAR filed. YOU, Matthew Baughman, have been sued in Court to obtain custody of Matthew D. Baughman.

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, and 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) 336-1151,ext.298
Date: 12/13/95 Anthony J. Vardaro,J.
12-18-95 Copy to Pltf, Deft. & Atty. Fuller.

Dec.d 14, 1995 ORDER filed. AND NOW, this 13 day of December, 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 plaintiff 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 uponthe 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 ORDER OF COURT
Anthony J. Vardaro, J.

12-18-95 Copy to Plft, Deft.& Atty.Fuller

Dec 29, 1995 ORDER filed. AND NOW, December 28, 1995 after mediation confeence before John Fuller, Esquire, and upon agreement of the parties, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Matthew Donald Baughman shall be shared between the father and the mother, 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 Matthew Donald Baughman shall be with his mother,subject to the following conditions:

A. The mother shall be entitled to take the child to reside with her in California at any time on, or after, January 1, 1996. Custody of the child shall be with the father until January 1, 1996.

B. Beginning with th year 1996, father shall be entitled to have the child in his custody for a ten (10) day period at Christmas. Costs of transporting the child to and from California shall be paid from the transportation fund on deposit in Mellon Bank.

C. Beginning with the Summer of 1996, the child shall be in the custody of the father for a period of approximately three (3) months, beginning two (2) days after school is over in California, until two (2) days before school begins in the fall.

D. Transportation of the child on holidays and Summer visits shall be paid from the transportation fund in Mellon Bank.

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 well being.

G. Both parents agree to inform the other immediately of any illness sor injury regarding the child and both parents agaree to furnish the other with a current telephone number.

H. At any time father may be in California he may have custody of the child for a period not to exceed thirty-six (36) hours, provided he gives mother at least twenty (20) days notice of the visit. At any time mother is in Pennsylvania she may have custody of the child for a period not to exceed thirty-six (36) hours, provided she give father at least twenty (20) days notice of the visit.

III. This order is a temporary order but shall become a permanent order unless exceptions thereto are filed by either party within twenty (20) days of the date hereof.

IV. Cost of the mediation conference will be paid by Crawford County. Anthony J. Vardaro, J.

Dec 29, 1995 Faxed Fuller
Jan. 2, 1996 sent Berkey, Plf. & Dft.

Dec. 29, 1995 Sheriff's Return filed. SERVED Matthew Baughman personally on December 28, 1995 at 10:35 AM by handing a copy of the Notice and Order to Appear to him in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, PA.

So answers,

Barbara J. Reagle, Deputy
Robert M. Stevens, Sheriff

February 10, 2003- See Computer for further entries.

1993

Nichols, Krill & Taggart
William Taggart

299.

MATTHEW R. BAUGHMANN

vs.

LINDA BAUGHMANN

Filed March24, 1993 @ 9:52 AM
@ 9:52 AM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count pd	15.00
State paid	10.00
Pro Co pd 11-30-95	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
1 copy atty.

Nov 17, 1995 Acceptance of Service, filed. I accept service of the Complaint in Divorce on this 25 day of March, 1995.
Date: Nov 14, 1995 Linda Baughman, Defendant

Nov 28, 1995 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

Dec. 7, 1995 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:
4. X Economic and other issues or counts have been raised in the pleadings or by petition which are not being disposed of by stipulation, withdrawl or hearing. To grant a divorce decree without a resolution of those other issues would be tantamount to an improper bifurcation.
5. X The parties are asking that an agreement be incorporated into the decree yet:
a. X There is no written indication of record that both parties agree to the incorporation of the agreement into the decree.
6. X Properly completed 3301(c) consents have not been filed of record. Pa. R.C.P. 1920.42.
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. BY THE COURT:
Anthony J. Vardaro, J.
12-7-95 Given Walton, mailed Taggart.

June 15, 1993, Petition for counseling Pursuant to Section 3302 of the Divorce Code and Rule filed. RULE: AND NOW, this 10th day of June 1993,upon the foregoing Petition for Counseling a rule is issued directed against the Plff/dft. to show cause,if any there be, why the within divorce proceedings should not be continued and counseling sessions ordered for a period of 90 days.
RULE RETURNABLE, the 29 day of June 1993 at 1:30 p.m. in Courtroom 1, 2 or 3 of the Crawford County Courthouse located in Meadville,PA. BY THE COURT:
Anthony J. Vardaro, J.
June 21, 1993 copies of order to Attys. Zacks-Gabriel, Taggart,. Halliday,Sullivan, Walton & Fuller.

June 28, 1993 Motion to Reschedule Hearing Date on Defendant's Petiton for Counseling and Order, filed. ORDER: AND NOW, to -wit, this 25th day of June, 1993 it is hereby ORDERED, ADJUDGED and DECREED that Hearing on Defendant's Petition for Counseling presently sset for July 19, 1993 at 11:00 a.m. in Court Room 2 be and hereby is RESCHEDULED for July22, 1993, at 9:30 a.m. in Courtroom 2. Gordon R. Miller, P.J.
June 22, 1993 copy mailed to Zacks-Gabriel
July 2, 1993 copy to W. Taggart, J.Fuller, M. Halliday, G. Sullivan & B. Walton

Sep. 1, 1993 Affidavit of Consent of Plaintiff filed.

Sep. 1, 1993 Affidavit of Consent of Defendant, filed.

Sep. 1, 1993 Property Settlement Agreement, filed.

June 17, 1994 Motion to withdraw Affidavit of Consent to Divorce and Order,filed. AND NOW, this 16 day of June, 1994, upon presentation of the Motion for Withdrawal of Affidavit of Consent to Divorce, motion is hereby granted. By the Court:
Anthony J.Vardaro,J.
June 17, 1994 dist.to Walton & Plf. June 24, 1994 Faxed to Fulelr, Sullivan & Halliday. Sent to Taggart

Sept. 6, 1995 Marriage Settlement Agreement, filed.

Sept. 6, 1995 Affidavit of Consent of Defendant, filed.

Dec. 14, 1995 Amended Praecipe to Transmit the Record under Section 3301(c) of Divorce code, filed.

DIVORCE DECREE FILED

Dec. 19, 1995 AND NOW, this 19 day of December, 1995, 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:
The bonds of marriage between Plaintiff, MATTHEW R. BAUGHMAN, and Defendant, LINDA BAUGHMAN, are dissolved because the marriage is irretrievably broken. Plaintiff and Defendant are divorced from the bonds of matrimony.
AND IT IS FURTHER ORDERED, ADJUDGED, AND DECREED, that the terms, provisions and conditions of the Marriage Settlement Agreement between the parties herein dated Sept. 6, 1995, shall be incorporated in this decree and order by reference a fully a though the same were set forth herein, at length and are incorporated herein and the parties are directed to comply with said agreement. This agreement shall not merge with, but shall survive this decree and order.
This Honorable Court shall retain 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.

1993

Halliday & Halliday, PC
Richard E. Crosby

300

JAMES J. DALE

vs/

DEBRA DURRANT a/k/a
DEBRA DALE

Filed March 24, 1993
@ 9:52 AM

Tax & entry paid	50.50
User's Fee paid	5.00
STate paid	10.00
sheriffs costs	30.00
Pro.Co.pd 10/7/93	9.00

COMPLAINT IN DIVORCE
1 copy (atty)

June 17, 1993 Complaint Reinstated.

July 8, 1993, Sheriffs Return filed. SERVED Debra Durrant personally on July 2, 1993, at 3:30 p.m. by handing a copy ofthe Compalint in Divorce to her at her residence R. D. #1, Box 104, Conneautville, Crawford County, Pa.
So answers, Scott D. Young, Dep. Sheriff
Dale A. Collins, CH. Dep. Sheriff
Robert M. Stevens, Sheriff

Oct.7, 1993 Affidavit of Consent by Debra Durrant, also known as Debra Dale, Defendant, filed.

Oct.7, 1993 Affidavit of Consent by James J. Dale, Plaintiff, filed.

Oct. 7, 1993 Upon Praecipe of Plaintiff Attorney, Michael Halliday, Esquire, to transmit record, case moved to Court.

DIVORCE DECREE FILED

Oct. 21, 1993 AND NOW, October 18, 1993, it is hereby ordered and decreed that JAMES L. DALE, plaintiff, and DEBRA DURRANT a/k/a DEBRA DALE, 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.

Thomas, Truax,
Spadafore & Walker
R. Charles Thomas

301.

ROBERT C. BOYD and THERESA L. BOYD, his wife

vs.

PAUL R. LITWILER, WAYNE BAGGOTT and JOYCE WEHRER

Filed March 24, 1993
@ 10:11 AM

Tax & entry paid 50.50
User's Fee paid 5.00
Sheriffs Costs 42.00
Pmt to Pd Oct 5, 1993 90.00

COMPLAINT IN EJECTMENT AND/OR TO QUIET TITLE
3 copies Sheriff

Apr. 12, 1993 ORDER, filed. AND NOW, April 7, 1993, this matter is before the Court on a request by the plaintiffs for a preliminary injunction for a couple of purposes with respect tothe defendants in this matter.

The defendants do not appear, but were served by the Sheriff of Crawford County on April 5, 1993, two days prior to this hearing. The attorney for the plaintiffs indicates that he has not had any contact from the defendants nor has he had any contact from the attorney on their behalf since they were served.

ACCORDINGLY, we enter the following Order:

The defendants Paul L. Litwiler, Wayne Baggott and Joyce Wehrer are hereby preliminarily enjoined from a) cutting and/or removing any growing trees upon the property which is the subject of this action; and b) the defendants Baggott and Wehrer are enjoined from paying any money to the defendant Litwiler with respect to rents or monies on account of the occupancy of the property subject to this action by them, and in l ieu thereof, they are directed to pay any and all future rents and/or monies related to their occupancy of the subject premises to the Prothonotary of the Court of Common Pleas of Crawford County, with such funds to be held pending final disposition of this matter and further Order of Court.

This Order is without prejudice to the defendants individually or together to request further hearing to dissolve this injunction if they deem that appropriate. BY OR DER OF THE COURT,
Anthony J. Vardaro, J.
Apr. 12, 1993 copies of order to RCT, Litwiler, Baggatt & Wehrer

Apr. 16, 1993 Sheriff's Return filed. SERVED Paul R. Litwiler personally on April 5, 1993 at 1:00 PM by handing a copy of the Complaint in Ejectment and/or to Quiet Title to him at his residence, Old Mercer Pike, Meadville, Crawford County, PA.
SERVED Wayne Baggott personally on April 5, 1993 at 9:35 AM by handing him a copy of the Complaint in Ejectment and/or to Quiet Title in the Sheriff's Office, Third Floor, Crawford County Courthous Meadville, PA.
SERVED Joyce Wehrer on April 5, 1993 at 9:36 AM by handing a copy of the Complaint in Ejectment and/or to Quiet Title to Wayne Baggott, her Authorized Agent in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, PA. Signed Acceptance of Service attached.
So answers, Carole Stefanucci, Deputy Sheriff
Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Aug. 27, 1993 Affidavit filed.

Aug. 27, 1993 Motion For Judgment and Order filed. ORDER: AND NOW, this 26 day of August, 1993, upon presentation of the foregoing Motion and due consideration thereof, the Court finds:

1. That the Defendants were served with the Complaint in this action on April 4th, 1993 and that none of the Defendants have entered an Appearance or filed an Answer to the Plaintiffs' Complaint; the Court further finds that on August 4th, 1993 Notice of praceipe for entry of a default judgment was given to the Defendants pursuant to Pennsylvania Rule of Civil Procedure 237.1 and that the Defendants have not entered an Appearance or filed an Answer to the Plaintiffs' Complaint.

NOW, THEREFORE, this 26 day of August, 1993 upon application of R. Charles Thomas, Esquire, Attorney for the Plaintiffs, IT IS HEREBY ORDERED AND ADJUDGED that Plaintiffs recover of the Defendants the possession of the real estate designated in the Complaint and described as follows:

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

On the East beginning at a point in the center of U.S. Route 19 where it intersects Township Road 411 and extending in a southerly direction along U.S. Route 19 200 feet to a point, said point beging the northeast corner of the property formerly of E.G. Crapser, now of Hawk, and also being the southeast corner of the property herein conveyed; thence extending westerly along the land formerly owned by the said E.G. Crapser, now Hawk, 742 feet, more or less, this line forming the South boundary; thence in a northwesterly direction 185 feet, more or less, along line of Robert C. Boyd and Theresa L. Boyd, his wife, to a point in the southerly line of Route 411; thence 742 feet, more of less, along Township Route 411 in an irregular line to the point of beginning, Route 411 forming the north boundary. Said parcel of land contains 3-1/3 acres more or less.

And that the Prothonotary shall issue a Writ of Possession therefor thirty (30) days after the filing and entry of this judgment and pursuant to Praecipe for Writ of Possession filed by the Plaintiffs.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED as follows:

1. That the Plaintiffs own in fee simple absolute and are entitled to the quiet and peaceful possession of all that certain piece or parcel of land situate in Union Township, Crawford County, Pennsylvania, which property is more specifically vounded and described as follows, to-wit:

On the East beginning at a point in the center of U.S. Route 19 where it intersects Township Road 411 and ectending in a southerly direction along U.S. Route 19 200 feet to a point, said point being the northeast corner of the property formerly of E.G. Crapser, now of Hawk, and also being the southeast corner of the property herein conveyed: then extending westerly along the land formerly owned by the said E.G. Crapser, now Hawk, 742 feet, more or less, this line forming the South boundary; thence in a northwesterly direction 185 feet, more or less, along line of Robert C. Boyd and Theresa L. Boyd, his wife, to a point in the southerly line of Route 411, thence 742 feet, more or less, long Township Route 411 in an irregular line to the point of beginning, Route 411 forming the north boundary. Said parcel of land contains 3-1/3 acres more or less.

That the Plaintiffs' title to said property is hereby forever quieted against any and all claims

CONTINUED ON PAGE 455

1993

Thomas, Truax,
Spadafore & Walker
Gregory A. Keenan

302.

SUSAN A. BARCO

vs/

PATRICK J. BARCO

Filed March 24, 1993
@ 2:47 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro.Co. pd 8/2/93	9.00

COMPLAINT IN DIVORCE
2 copies atty.

Apr 5, 1993 AFFIDAVIT OF SERVICE, filed. Gregory A. Keenan, Esq. being duly sworn according to law, deposes and says that on March 25, 1993, he sent a true and correct copy of a Complaint in Divorce, properly endorsed with the Notice to Defend, filed in the above action, to the Defendant, Patrick J. Barco, at Defendant's last known address of 1179 Water St., Meadville, Pa. 16335, by Certified Mail No. P 100 620 575 postage prepaid, return receipt requested, restricted delivery and that attached hereto is a duly executed return receipt card showing date of delivery as April 1, 1993.

Aug. 2, 1993 Affidavit of Consent by Patrick J.Barco, Defendant, filed.

Aug. 2, 1993 Affidavit of Consent by Susan A.Barco, Plaintiff, filed.

Aug. 2, 1993 Upon Praecipe of Plaintiff's Attorney, Gregory A. Keenan, Esquire, to transmit record, case moved to Court.

DIVORCE DECREE FILED

August 6, 1993 AND NOW, August 5, 1993, it is Ordered and Decreed that SUSAN A. BARCO, Plaintiff, and PATRICK J. BARCO, Defendant, are Divorced from the bonds of matrimony.

By the Court:
Gordon R. Miller, J.

303.

6-7-93
Received from Parties
Sheriff's Costs 25.00
6-7-93 Pd Sheriff
Ck# 7589 25.00

LUANNE G. PATTERSON

vs.

PETER J. McINTYRE, JR.
R. D. #1, Box 25C
Conneaut ville, Pa. 16406

Filed March 24, 1993
@ 3:17 PM

Tax & entry	Rec 6-7-93	~~50.50~~ 25.25
User's fee	Pd 6-7-93	5.00
	Tot Paid 6-7-93	.50
Sheriff's Costs		25.00
	Prov Co Pd 6-7-93	9.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT
3 copies Sheriff
1 copy Plaintiff

Order:

And now, this 24 day of March , 1993 , 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 Plaintiff shall have exclusive possession of 1086 East St., Meadville, PA 16335. until further order of Court the Defendant shall not telephone the plaintiff at homr or at work.

3. This Order may be enforced without a warrant 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 or 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 31, 1993 , at 11 am 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 COURT,
Anthony J. Vardaro, J

Mar. 25, 1993 Protection from Abuse. Sheriff's Return filed. SERVED Peter J. McIntyre personally on March 24, 1993 at 3:32 PM by handing copy of Protection From Abuse to his at his place of incarceration, Crawford County Jail, 360 Center Street, Meadville, PA.

So answers,
Dale A. Collins, Deputy Sheriff
Robert M.Stevens, Sheriff

Apr. 2, 1993, ORDER filed. AND NOW, March 31, 1993, at the time set for hearing on plaintiff's Petition for Relieffunder the Protection From Abuse Act, the parties appear without counsel.

They indicate that they are not back together but they are attempting to work thingsout and the plaintiff asks to withdraw this petition.

We will consider that an oral motion on her part to doso, and the petition iswithdrawn and of no further force or e ffect.

The parties AGREE that court costs in the amount of $89.50 will be paid in full to the Prothonotary by arrangement between the parties and through periodic payments so that in no event the costs are still upaid at the expiration of sixty (50) days from the date of this Order.

The aprties are advised that su ch costs shall be paid to the Prothonotary's Office on the first floor of the Crawford County courthouse.

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

Apr. 2, 1993, copies to county Control and Mead. City Police Dept.
Apr. 8, 1993, copies to plff and dft.

304.

PETITION FOR EXTENDED
INVOLUNTARY TREATMENT
OF
EDWARD GINGERICH

Filed March 25, 1993
@ 9:22 AM

APPLICATION FOR EXTENDED INVOLUNTARY TREATMENT
Mental Health Procedures Act of 1976
(Section 303)

Order:

The court finds that the patient is severly mentally disabled and in need of treatment. Accordingly, the cort orders that: Edward Ginerich recive: in patient treatment which is the least rstrictive treatment setting appropriate for the patient at Warren State Hosp. Forensic Unit as a severely mentally disabled person pursuant to the provisions of Section 303 of the Mental Health Procedures Act of 1976 for a period of twenty days.
The patient was represented by Maureen Flynn, Warren, PA

For the Court,
G. B. Fraser
MHRO

April 23, 1993 Petition For Involuntary Treatment Via The Criminal Justice System filed.

April 23, 1993 Report of Mental Health Review Officer, Recommendation and ORDER filed. AND NOW, this 20th day of April, 1993, upon consideration of the Petition filed at the above number and term, and other relevant matter, and after a reveiw of the Report of the Mental Health Review Officer, is is hereby ORDERED and DECREED that the Respondent be committed to the Warren State Hospital in Warren, PA., for treatment for a period not to exceed 90 days from April 12,1993.

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

April 29, 1993 Copy of Order to Atty. Thomas Africa, WSH,MH/MR.

305.

CARMEL CHRISTY BYNUM

vs.

TERRY BYNUM, SR.

Filed March 25, 1993
@ 11:46 AM

Indigent Filing

COMPLAINT IN DIVORCE/PETITION TO PROCEED INFORMA PAUPERIS
2 copies Pltf.

Order:

AND NOW, March 25, 1993, 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. 1920.62 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 her financial circumstances that would permit 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

Apr. 13, 1993 Enclosed please find the original Return REceipt in regard to the Divorce Petition copy which I mailed to my husband recently. As he is incarcerated, the signature is that of the mail-room clerk as the facility in Arkansas where Terry Bynum, Sr., is being house as is the custom.

If Mr. Bynum forwards the Affidavit of Consent to me, rest assured that I shall forward same to you immediately. If not, I trust that on or approximately June 23, 1993, said Divorce Action will become final. If anything further is required of me, please do not hesitate to contact me.

Thank you for your assistance in the matter.

Sincerely,
Carmel Christy Bynum
OB 1864
451 Fullerton Avenue
Cambridge Springs, PA 16403-1238

July 22, 1993 Affidavit of Consent of Plaintiff, filed.

July 22, 1993 Upon praecipe of Plaintiff to transmit records, case moved to Court.

July 28, 1994 Order filed. AND NOW, July 27, 1994, having received no further filing after our letter to the Plaintiff of August 4, 1993, we decline to grant the divorce in this matter because a 3301(c) affidavit has not been filed bythe Defendant and thismatter is returned to the Prothonotary.

Either party may praecipe this matter for review once again whenthe record is in order.

BY THE COURT,
Anthony J. Vardaro ,J

July 29, 1994 Copies mailed Pltf. & Deft.

Mar. 12, 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 7/28/94 . 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: March 12, 1998 Anthony J. Vardaro, J
Mar 12, 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)

1993

Phillips & Galanter
Donald L. Phillips

306.

GELVIN, JACKSON & STARR, INC

vs.

SUPERIOR BRONZE CORPORATION

Filed March 25, 1993
@ 1:30 PM

Tax & entry paid	50.50 ✓
User's Fee paid	5.00
Sheriff's Costs	43.50
Pro Co pd 5/17/93	5.00

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

Apr. 16, 1993 Affidavit of Service filed. SERVED THE within Complaint on April 5, 1993, at 1055 Hrs., upon Superior Bronze Corporation at 1901 Poplar Street, Erie County, Erie, Pennsylvania 16502 by handing to Dave Stadler, President a true and correct copy thereof and made known to him the contents therein.
So answers Robert N. Michel, Sheriff
Jeffrey S. Guild, Deputy Sheriff

I hereby deputize the Sheriff of Erie County, Pennsylvania to serve the within Complaint according to law.
So answers, Robert M. Stevens, Sheriff

May 17, 1993 Upon Praecipe of Plaimtiff Attorney the above-captioned case is marked settled and discontinued of record.

1993

Pepicelli, Youngs & Youngs, PC
Christopher J. Youngs

Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc.
Natalie Dwyer Haller

307

Ferguson & Spataro
Douglas Ferguson for dfts Hon-Wing and Cecilia Wong (Chi)

J

Culbertson, Weiss, Schetroma & Schug, PC
E. Max Weiss

Marsh, Spaeder, Baur, Spaeder & Schaaf
W.Patrick Delaney
for Keith T.Fairlie & Ronald R. worthington, dfts

Emil M. Spadafore, Jr.
for Defendant

RANDALL SCOTT YERKEY and TRACY L. IRWIN-YERKEY, his wife

vs.

HON-WING, CECILIA J. CHI, RONALD ROY WORTHINGTON, KEITH T. FAIRLIE, MARTIN RUSSELL CLEVER, BARBARA J. CLEVER and FRANK D. SHUGARTS

Filed March 25, 1993
@ 1:38 PM

Tax & entry paid	50.50
User's fee paid	5.00
Sheriff's Costs	40.00
Sheriff's Costs	30.00
Pro.Co,. Pd 2/23/96	6.00

COMPLAINT IN CIVIL ACTION
~~no copies~~
2 copies Sheriff

Apr. 20, 1993 Sheriff's Return filed. SERVED Martin Russell Clever on March 31, 1993 at 10:40 AM by handing a copy of the Complaint to Terry Morehead, Adult in Charge at the residence, 1129 South Main Street, Meadville, Crawford County, PA.
NOT FOUND as to Defendant, Barbara J.Clever. She has moved from 1129 South Main Street, Meadville, Crawford County, PA, her forwarding address is unknown.
So answers, Dale A. Collins, Deputy Sheriff
Robert M.STevens, Sheriff

Apr. 26, 1993, Appearance of Ferguson and Spataro, by Douglas W. Ferguson, attorneys for defendants Hon-Wing Wong and Cecilia J. Wong, filed.

Apr. 27, 1993 Appearance of Culbertson, Weiss, Schetroma & Schug by E. Max Weiss for Frank D. Shugarts filed.

May 13, 1993 Answer, New Matter and Counterclaim filed.

May 13, 1993 Certificate Of Mailing of defendants' Answer, New Matter and Counterclaim upon E. Max Weiss filed.

May 13, 1993 Certificate Of Mailing of defendants' Answer, New Matter and Counterclaim upon Patricia J. Kennedy filed.

May 13, 1993 Certificate Of Mailing of Defendants' Answer New Matter and Counterclaim upon Emil M. Spadafore, Jr. filed.

May 17, 1993 Complaint Reinstated.

May 24, 1993 Answer Containing New Matter Pursuant to Rule 2252 (d), filed.

May 28, 1993, Affidavit of Service by Mail Pursuant to Pa. R.C.P. 404 filed.
I, Patricia J. Kennedy, esq. being duly sworn according to law, depose and say that I am the atty. for the plffs. and that on Apr. 12, 1993, I received the unclaimed Complaint which I attempted to serve upon dft. Keith T. Fairlie by cert. mail. Thereafter, on Apr. 16, 1993, I served upon Keith T. Fairlie, the complaint n above action by ordinary mail, addressed to Keith T. Fairlie Dubois Rd. Barton, N. Y. 13734, his last known address.
As of the date filing this affidavit said mail has not been returned to my office. I attach hereto as Exhibit A, the U., S. Postal Ser. Cert. of Mailing as proof of service.
Patricia J. Kennedy, Esq.

June 2, 1993 Answer, New Matter and Cross-claim filed.

June 3, 1993 Appearance of Pepicelli, Youngs and Youngs PC by Christopher J. Youngs for Randall Scott Yerkey and Tracy L. Irwin-Yerkey, filed.

June 17, 1993 Sheriff's Return filed. SERVED Barbara J. Clever personally on June 10, 1993 at 11:41 AM by handing a copy of the Complaint to her at her place of employment, Griffin Motors Park Avenue, Meadville, Crawford County, PA
Sos answers,
Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

June 22, 1993 Affidavit of Service By Mail Pursuant To Pa.R.C.P. 404 filed. I, Patricia J. Kennedy, Esquire, being duly sworn according to law, depose and say that I am the attorney for the Plaintiffs, Randall Scott Yerkey and Tracy L. Irwin-Yerkey, his wife, and that on April 26, 1993, I received the uncalimed Complaint which I attempted to serve upon Defendant, Ronald Roy Worthington by certified mail. Thereafter, onMay 21, 1993 I served upon Ronald Roy Worthington a reinstated Complaint in the above-referenced action by ordinary mail, addressed to Ronald Roy Worthington, P.O. box 253, Towanda, New York 18848, his last known mailing address.
As of the date of filing this Affidavit, said mail has not been returned to my office. I attach hereto as Exhibit A the U.S. Postal Service Certificate of Mailing as proof of service.
Patricia J. Kennedy

June 28, 1993 Plaintiff's Answer to Defendant Cecilia J. Chi's Counterclaim, filed.

July 7, 1993, Reply to New Matter filed on Behalf of Martin Russell Clever and Barbara J. Clever, filed.

July 7, 1993, Plaintiffs' Reply to New Matter of Hon-Wing Wong and Cecilia J. Chi filed.

July 7, 1993, Reply to New Matter of Defendant Frank D. Shugarts, filed.

July 7, 1993, Reply of Frank D. Shugarts to New Matter pursuant to Rule 2252(d) of Randall Scott Yerkey filed.

July 14, 1993 Appearance of Marsh, Spaeder, Baur, Spaeder & Schaaf by W.Patrick Delaney, Esquire for Defendant, KEITH T. FAIRLIE, filed.

July 26, 1993 Defendant, Keith T. Fairlie's Answer and New Matter To Plaintiffs' Complaint filed.
**********(see page 493)

Aug. 6, 1993, Plaintiffs' Reply to New Matter of Defendant Keith t. Fairlie, filed.

Aug. 10, 1993 Defendants Cecilia J.Chi's and HonWing Wong's Reply to Plaintiff's Randall Scott Yerkey's New Matter filed.

Record Continued on Pg. 493

1993

Peters, Lindsay,
Lewis & Gagliotti
Brian J. Lindsay

308.

ROBERT WAYNE WRIGHT

vs.

RONALD HART d/b/a HART"S MACHINERY

Filed March 25, 1993
@ 3:07 PM

Tax & entry paid	50.50
User's Fee paid	5.00
sheriffs costs	37.00

COMPLAINT IN CIVIL ACTION
3 copies atty.

Mar. 26, 1993 Notice Of Hearing for Seizure or Property, Motion for Writ of Seizure and Order filed. You are hereby notified that:
1. Plaintiff has commenced an action of replevin and has filed a motion for seizure of the property described in the complanit. A copy of the complaint and motion is attached to this notice.
2. There will be a hearing on this mtoion on the 7 day of April, 1993, at 9 AM, in Courtroom 1 or 2 of the Crawford County Courthouse, Meadville, Pennsyvlania.
3. You may appear in person or by a lawyer at the time and place set forth or file written objections setting forth your reasons why the property should not be seized;
4. Your failure to appear at the hearing may result in the seizure of the property claimed by plaintiff before a final decision in this case.
3 copies plaintiff
Anthony J. Vardaro, J

Apr. 8, 1993 Order filed. AND NOW, April 7, 1993, this replevin act. action is before the Court on Plaintiff's Motion for Writ of Seizure, pursuant to Pennsylvania Rule of Civil Procedure 1075.1.

Although there is not currently any Sheriff's Affidavit with regard to service, the attorney for the plaintiff indicates that service has been made upon the defendant, apparently on or about the same day as this mtoion was filed on March 26, 1993, and the attorney for the plaintiff indicates that he spoke to a secretary in the office of the defendant on April 6, 1993, and that the defendant's office was clearly aware of this hearing.

ACCORDINGLY, pursuant to the Pennsylvania Rules of Civil Procedure, the Prothonotary is DIRECTED to issue a Writ of Seizure with respect to an IH-560 International Tractor, which is currently in possession of Hart's Machinery at R.D. #2, Route 285, Cochranton or at some other possible location.

The Writ shall be effective once bond is posted in the amount of $2400 pursuant to Pennsylvania Rule of Civil Procedure 1075.3, with said bond to be posted with security approved by the Prothonotary, and the same shall name the Commonwealth as obligee.

Additionally, the bond shall be conditioned that if the plaintiff fails to maintain hir right to possession of the property indicated, he shall pay to the defendant the value of the property and all legal costs, fees and damages sustained by reason of the issuance ofthis Writ.

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

Apr. 8, 1993 Copies to atty. Lindsay and mailed to defendants

Apr. 8,1993 Bond filed. Bond in the amount of $2400.00 with Ohio Farmers Insurance Company as surety, approved and filed.

April 13, 1993 Sheriff's Return filed. SERVED Ron Hart personally on March 30, 1993 at 3:39 PM by handing him a copy of the Complaint and Motion for Writ of Seizure and Notice of Hearing for Seizure of Property, at his residence, RD # 2, Route 285, Cochranton, Crawford Co., Pa.
So answers,

Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Apr. 22, 1993, Sheriffs Return filed. SERVED Ronald Hart, d/b/a Hart's Machinery personally on Apr. 12, 1993, at 1:30 p.m. at his place of business. R. D. #2, Rt. 285, Cochranton, Crawford County, Pa. The 560 Int. Tractor received by Plaintiff on 4/15/93 at 3:30 p.m.
So answers,
Dale A. collins, Dep. Sheriff
Robert M. Stevens, Sheriff

1993

Peters, Lindsay,
Lewis & Gagliotti
Brian J. Lindsay

309.

Joan Mason

R. Christopher Brode

Thomas, Truax, Spadafore,
& Walker
R. Charles Thomas

6-10-93 Received from Plf
Med. Request 150.00
9-9-93 Pd Plf Bal. Med Dep
Ch# 7767 $27.50
9-22-93 Pd Pro Co Ch# 7794
Mediation 113.50
1-11-94 Rec for complete
med file 150.00
6-9-94 Pd Pro Co Ch#8355 $150.00
12-9-96 Rec'd from Plf
Mediation fee in full
125.00
12-10-96 Pd Plf #10412
overpayment refund 4.90
12-10-96 Pd Dallas
10411 120.10

KEVIN DOUGLAS RASZMAN

vs.

CYNTHIA A. RASZMAN

Filed March25, 1993
@ 3:28 PM

Tax & entry paid	50.50
User's Fee paid	15.00
2 Add'l Counts pd	30.00
State apid	10.00
William Pineo, Mediator	227.00
Pro Co Pd 9-22-93 Ch#7795	9.00
William Pineo Mediator	302.00
Pro Co Pd 12-1-96	9.00
Sheriff's Costs	29.00
1 Add'l Count pd6-10-96	15.00
State pd 6-10-96	5.00
Pro Co pd 11-14-96	9.00

COMPLAINT IN DIVORCE, CUSTODY/VISITATION,
EQUITABLE DISTRIBUTION
3 copies atty.

Apr. 12, 1993 AFFIDAVIT OF SERVICE, filed. I,Brian J. Lindsay, Esq., after being duly sworn according to law, do hereby certify that I am the attorney of record for the above named Plaintiff, and that as such I am authorized to make this verification; that I did on the 29th day of March, 1993, send to the above named Defendant, by Certified Mail, Return Receipt Requested, a true and correct copy of the Divorce Complaint filed at the above term and number; and that I did on the 8th day of April, 1993, receive a duly executed return receipt dated April 7, 1993.

Brian J. Lindsay

June 10, 1993 Motion to Appoint Mediator and Order filed: You, Cynthia A. Raszman, Defendant, have been sued in court to obtain custody, partial custody or visitation of the children; Jennifer Lynn Raszman and Jushua Thomas Raszman.

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 of 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
814/336-1151, Ext 298

3 copies Atty
1 copy Mediator

BY THE COURT,
Anthony J. Vardaro, J.

June 28, 1993 Affidavit of Service filed. I, Brian J. Lindsay, Esquire, after being duly sworn according to law, do hereby certify that I am the attorney of record for the above named Plaintiff, and that as such I am authorized to make this verification; that I did on the 11th day of June, 1993, send to the above named Defendant, by Certified Mail Return Receipt Requested, a true and correct copy of the Motion to Appoint Mediator filed at the above term and number; and that I did on the 11th day of June, 1993, send to the above named Defendant, by Certified Mail, Return Receipt Requested, a true and correct copy of the Motion to Appoint Mediator filed at the above term and number; and that I did on the 25th day of June, 1993, receive a duly executed return receipt.

Brian J. Lindsay

Sept. 7, 1993 TEMPORARY ORDER, filed. AND NOW, this 7 day of September, 1993, after Mediation in the above referenced mater 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, Joshua Thomas Raszman, is hereby awarded to his 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.

3a. The father will have visitation and temporary physical custody each weekend, except for the first full weekend of each month, from Friday at 6:00 p.m. through Sunday at 6:00 p.m. In addition, the father shall have the right to designate a two week period to be taken each summer during the father's vacation from work. He shall notify the mother one month in advance of the period he wishes to select.

b. The subject minor child 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: Joshua will spend each Christmas with his mother from Christmas Eve at 6:00 p.m. through Christmas Day at 6:00 p.m.

b. Thanksgiving: The father shall have visitation and temporary physical custody each Thanksgiving from 4:00 p.m. of the Wednesday preceding Thanksgiving through 6:00 p.m. Thanksgiving Day and from 6:00 p.m. of the Sunday following Thanksgiving through 6:00 p.m. of the Monday following Thanksgiving so that he can go hunting with Joshua on the opening day of altlered deer season.

d. The other holidays to be observed are Easter, 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 Independance 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 and temporary physical custody for Labor Day 1993, and the parties shall thereafter alaternate the holiday periods.

e. The child shall spend Father's Day with his father from 9:00 a.m. to 7:00 p.m., and Mother's Day with his 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. 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 modificatiion. Said modificatiions 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 alsternative 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.

CONTINUED ON PAGE 456

1993

Pepicelli, Youngs
& Youngs, PC
Christopher J. Youngs

310.

ROBERT R. PIKE

vs.

BRIDGET E. PIKE

Filed March 25, 1993
@ 3:29 PM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count pd	15.00
STate paid	10.00
Pro.Co.pd 7/1/93	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
2 copies atty.

Mar. 30, 1993 Certificate of Service, filed. I certify that the Complaint in divorce filed in the above-captioned action was mailed to the Defendant, Bridget E. Pike, PO Box 41, Saegertown, Pa. 16433, by Certified Mail No. P 899 090 118, Restricted Delivery/Addressee Only on March 25, 1993 and was received by Defendant on March 27, 1993 as evidenced by Certified Mail Receipt and Domestic Return REceipt, attached hereto as Exhibit A. Christopher J. Youngs.

Jul. 1, 1993 Affidavit of Consent of Robert R.Pike, Plaintiff, filed.

Jul. 1, 1993 Affidavit of Consent of Bridget E. Pike, Defendant, filed.

Jul. 1, 1993 Upon Praecipe of Christopher J. Youngs, Esquire, Attorney for Plaintiff, for Review Under §3301(c) of the Divorce Code this case moved to Court.

DIVORCE DECREE FILED

July 7, 1993 DECREE IN DIVORCE filed. AND NOW, this 7th day of July, 1993, the Court orders and decrees as follows:

I. DIVORCE:

1. Upon consideration of the pleadings and affidavits filed in the above-captioned case, this Court hereby grants an absolute divorce from th 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 of consent has been filed by each of the parties, evidencing that each of the parties consents to the divorce pursuant to 3301(c) of the Pa. Divorce code.

II. EQUITABLE DISTRIBUTION OF PROPERTY:

2. Plaintiff, Robert R. Pike, shall receive the marital residence and real estate located at RD # 4, Box 591, Conneaut Lake, Crawford Co., PA. no later than five (5) days after the entry of this Decree, the parties shall execute a deed transferring all of Defendant Bridget E. Pike's right, title and interest in and to said property to the Plaintiff. Said deed shall be by Special Warranty. Plaintiff shall be responsible for all costs of real estate title transfer.

3. Plaintiff shall be solely responsible for and shall defend, indemnify and hold harmless Defendant against all manner of expenses arising out of or in connection with the residential real estate, including, without limitation, real estate taxes, insurance and mortage debt.

4. Defendant shall be the owner of the parties' 1989 Chevrolet Cavalier automobile. Within five (5) days of entry of this Decree, the parties shall execute all documents necessary t transfer title in said vehicle to Defendant. Defendant shall be responsible for all costs of title transfer.

5. Defendant shall solely responsible for and shall defend,indemnify and hold harmelss Plaintiff against all costs or expenses arising out of or in connection with said Chevrolet Cavalier, including without limitation, loan payments, insurance, repairs and maintenance.

6. The parties have agreed that Plaintiff shall pay Defendant One Thousand Five Hundred ($1,500.00) Dollars in full satisfaction of Defendant's share of the equity in the aforesaid marital aresidence and real estate. Defendant acknowledges that she has already received One Thousand Three Hundred ($1,300.00) Dollars from Plaintiff. Plaintiff shall pay Defendant the remaining Two Hundred ($200.00) Dollars no later than Aug. 1, 1993.

7. With regard to all personal property not specifically mentioned elsewhere in this Decree, each party shall retain as his or her sole and separate property al personal property presently in his or her possession, custody and control.

8. Plaintiff Robert R. Pike acknowledges that the legal effect of the provisions of this Decree and his Stipulation thereto have been fully explained to him by his counsel, Christopher J. Youngs, Esq. Plaintiff further acknowledges that he fully understands the facts and has been fully informed as to his legal rights and obligations. Plaintiff acknowledges and accepts that this Decree and his Stipulation thereto are, in the circumstances, fair and equitable and that he has entered into the Stipulation freely and voluntarily and not as the result of any duress or undue influence.

9. Defendant Bridget E. Pike acknowledges and declares that she has had a full and fair opportunity to obtain independent legal advice from counsel of her selection and that she has declined to have an attorney represent her with respect to any aspect of this litigation. Defendant further acknowledges that Christopher J. Youngs, Esq., has furnished her with absolutely no legal advice or representation and that Atty. Youngs, is counsel for Robert R. Pike, only, in this litigation. Defendant further acknowledges and declares that it is her express, voluntary and knowing decision not to avail herself of her right to counsel and that she chooses instead to represent herself with respect to the preparation, understanding and execution of this Decree and Stipulation.

10. In the event any documentation not specifically described herein shall be reasonably required to accomplish the provisions of this Decree, then within five (5) days of request, each party shall execute any written instruments or other documents as may be reasonably necessary or desirable for the proper implementation of this Decree.

BY THE COURT,
Anthony J. Vardaro, J.

1993

Joseph W. Tinko

311.

Edwin Allen Young

ROBERT RAY FRITZ and
SUE ELLEN FRITZ, husband
and wife

vs.

QUALITY MARKETS, INC.

Filed March 25, 1993
@ 3: 46 PM

Tax & entry paid	50.50
Users' Fee paid	5.00
Sheriff's Costs	28.00

WRIT OF SUMMONS
Issued Sheriff

Apr. 2, 1993, Motion for Protective Order and Order filed. ORDER OF COURT: AND NOW, this 2 day of April 1993, upon presentation and consideration of the foregoing Motion for Protective Order of the plffs, it is hereby ordered, adjudged and decrees, asfollows, to-wit:

1. the said Motion is granted;

2. At the sole and exclusivec expense of the defendant, the defendant shall:

a. immediately direct Eric Kehs of A.I.A.C. (American International Adjusting Company of P.O. Box 3021, Blue Bell, Pa., 19422, 1-800-242-2733) and/or any other agent of the dft. now in possession, custody or control ofthe subject tooth to immediately cause the subject tooth to be placed in a sealed and tamper proof protective container; and

3. Within ten (10) days of this date the parties shall:

a. mutually agree upon an independent third person who shall retain possession, custody or control fothe said container and tooth subject to further terms and cnditions of discovery as mutually agreeable to the parties or as ordered by this court, and thereafter seek this court's approval for the subsequent transfer of the said container and tooth to the said independent third person.

BY THE COURT,
Gordon R. Miller, J.

1 copy (atty)

Apr. 12, 1993 SHERIFF'S RETURN, filed. SERVED Quality Markets, Inc. on March 30, 1993 at 2:40 PM by handing a copy of the Summons to John Hamilton, Co-Manager at Quality Markets, Inc., on North St., Meadville, Crawford County, Pa.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

July 20, 1993 Certificate of Service filed. I, the undersigned, hereby certify that on the 2nd day of April, 1993, I served a true and correct copy of an Order of Court on the following party or the following counsel of record for same by United State First Class Mail, pursuant to the Pennsyvlania Rules of Cviil Procedure: Quality Markets,Inc., c/o Eric Kehs, A.EI.A.C., P.O. box 3021, Blue Bell, PA 19422 Joseph W. Tinko

Aug. 11, 1993 Appearance of Edwin Allen Young for defendants, filed.

1993

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

312.

MARQUETTE SAVINGS
ASSOCIATION

vs.

WILLIAM C. MINETTI and
JUDI E. MINETTI, his wife

Filed March 25, 1993
@ 4:00 p.m.

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's costs	31.00
Pro Co pd 5-25-93	9.00

COMPLAINT IN MORTGAGE FORECLOSURE
2 copies Sheriff

April 13, 1993 Sheriff's Return filed. SERVED William C. Minetti on March 30, 1993 at 3:04 PM by handing a copy of the Complaint in Mortgage Foreclosure to Judi E. Minetti, his wife, at their residence, 374 Park Ave., Meadville, Crawford County, PA.

SERVED Judy E. Minetti personally on March 30, 1993 at 3:05 PM by handing her a copy of the Complaint in Mortgage Foreclosure at the residence, 374 Park Ave., Meadville, Crawford Co., PA.

So answers,

Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

And Now, May 25, 1993 at 4:15 p.m., upon praecipe of plaintiff attorney judgment is entered in favor of the Plaintiff and against the Defendants for failure to file an answer within twenty (20) days of the service of the Complaint and assess at the sum of Twenty-Three Thousand Nine Hundred Sixty-Three and 11/100.

Entered May 25, 1993 Debt: $23,963.11 (
M - 93, 173 JUDGMENT
Barbara H. King, Prothonotary

EX 1993 - 43

Jan. 7, 1994 Affidavit of Service of Notice of Sale on behalf of Plaintiff, filed.

FOR FUTURE ENTRIES AS OF FEBRUARY 7, 2001 SEE COMPUTER

1993

Dennis V. Williams

313

David W. Pickens

RAY F. PIETRAS and LAUREL L. PIETRAS, his wife

vs.

MERTON OSBORNE

Filed March 25, 1993
@ 4:07 PM

Tax & entry paid 50.50
User's Fee paid 5.00

PETITION TO TRANSFER TO CRAWFORD COUNTY
CERTIFIED COPIES FROM ERIE COUNTY 1110-1993

Order:

AND NOW, to-wit, this 22nd day of March, 1993, upon consideration of the foregoing Motion, and based upon statements of consel and the attached exhibit from attorney David W. Pickens it is hereby Ordered and Decreed that the wtihin matter shall be transferred to the Court of Common Pleas of Erie County.

Michael T. Loyce, J

DOCKET ENTRIES FROM ERIE COUNTY:

Feb. 4, 1993 Complaint filed.

Feb. 4, 1993 Motion For Service of Complaint and Order filed.

Feb. 24 1993 Affidavit of Service filed.

Mar. 3, 1993 Preliminary Objections to Plaintiff's Complaint filed.

CRAWFORD COUNTY DOCKET ENTRIES:

Mar. 25, 1993 Complaint filed.

April 16, 1992, Answer, New Matter and Counterclaim filed.

June 8, 1993 Answer to New Matter and Counter-claim filed.

July 7, 1993, Answer to counter-Claim filed by Plaintiff, and New Matter filed.

July 9, 1993 Answer to New Matter, filed.

1993

Northwestern Legal Services
Gerald Sullivan

314.

ANTHONY MOSS

vs.

ANGELA SCHWAB

Filed March 25, 1993
@ 4:10 PM

Indigent Filing

William Pineo, Mediator

COMPLAINT FOR CUSTODY
2 copies atty.

ORDER:

You, Angela Schwab, Defendant, have been sued in Court to obtain cusotdy of them inor child, Lauren Katherine.
You are ordered to appear in person at the time and place selected by William Pineo, Esq., 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 Department is directed to serve a certified copy of this Complaint and Order upon the defendant. In the alternative, this Peittion and Order may be served by any competent adult or by certified 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 FROTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP:
Court Administrator
Crawford County Courthouse
Meadville, Pennsylvania
(814) 336-1151, ext. 298.

BY THE COURT,
Gordon R. Miller, J

Mar. 25, 1993 Praecipe Of Plaintiff To Proceed In Forma Pauperis filed.

May 10, 1993 Motion to Discontinue and Order, filed. ORDER: AND NOW, this 7th day of May, 1993, upon presentation and consideration of Plaintiff's Motion to Discontinue, such Motion is granted and Plaintiff's complaint in the above-mentioned case is dismissed. The Prothonotary shall deliver a copy of this Order to the Mediator.

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

May 13, 1993 copy to G. Sullivan, W. Pineo

1993

pro se

315.

Culbertson,Weiss,Schetroma and Schug
Alan R,Shaddinger

Quinn, Buseck, Leemhuis, Toohey & Kroto, INc.
Kathryn J. Kisak In Error
for Walter Hoke

JAMES H. ANDERS

vs.

MICHAEL JORDAN, West Mead Township Code Enforcement Officer

Filed March 26, 1993
@ 9:29

Tax & entry paid	50.50	✓
User's Fee paid	5.00	
Sheriff's Costs	25.00	✓
Pro Co pd 1-19-94	30.00	
User's Fee pd 1-19-94	5.00	

JURY TRIAL DEMANDED

✓ COMPLAINT IN CIVIL ACTION
2 copies Plaintiff

✓ Apr. 12, 1993 SHERIFF'S RETURN, filed. SERVED Michael Jordan on March 30, 1993 at 2:48 PM by handing a copy of the Complaint to Judy Mona, his Secretary, at West Mead Township Building, Meadville, Pa.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

✓ Apr.14, 1993 Motion to Amend Complaint to Include a Count in Mandamus and Order filed. AND NOW this 14 day of Apri 1993 it is hereby ordered that Plaintiff be allowed to amend his Complaint to include a count in mandamus within 20 days from the date. The Defendant shall have 20 days from the date of the same is filed to file a responsive pleading to that Amended Complaint.
By the Court:
Anthony J.Vardaro, J.
Apr. 16, 1993 Copy of Order to Anders & Jordan, Atty.Shaddinger

✓ Apr. 15, 1993 Proof of Service: I certify that I am serving the Amended Complaint upon Mr. Alan Shaddinger, Esq. Culbertson, Weiss, Schetroma, Schug, 911 Diamond Park, Meadville Pa. by hand delivery this 15th day ofApril 1993.
James H. Anders

✓ Apr. 15, 1993 Amended Complaint filed. 1 copy Pltf.

✓ May 5, 1993 Appearance of Culbertson, Weiss, Schetroma and Schug, P.C. by Alan R. Shaddinger, Esquire for Michael Jordan, Defendant, filed.

✓ May 5, 1993 Preliminary Objections of Defendant Michael Jordan, Code Enforcement Officer, West Mead Township to Plaintiff's Amended Complaint, filed.

✓ May 6, 1993 Praecipe for Trial and Certificate of Readiness filed. 2 copies Plaintiff

ON OCTOBER, 1993 TRIAL LIST

✓ May 11, 1993 Demand for Jury Trial, filed.

✓ May 18, 1993 Praecipe for Argument Defendant's Prelimary Obts., filed.

ON ARGUMENT LIST FOR JUNE 1993

✓ May 19, 1993 Motion to Strike Certificate of Readiness, filed.

✓ May 19, 1993 ORDER filed. AND NOW, May 19, 1993, defendant's motion to strike certificate of readiness is granted and the certificate of readiness is stricken and the case shall be stricken from the trial list as having been placed thereon prematurely. BY ORDER OF COURT
Gordon R. Miller, P.J.
May 27, 1993 copy to A. Shaddinger & Plf.

✓ May 28, 1993, Request for Inspection for COBA filed.

✓ **Aug. 11, 1993 Stipulation filed.**

✓ Sept. 17, 1993 Motion to Consider Stipulation of Parties in Conjunction with Pending Preliminary Objections of Defendant and ORDER filed.And Now, this 13 day of August, 1993, upon consideration of the within Motion, it is hereby ordered that the Motion is granted and that the Stipulation of the parties shall be made a part of the record for consideration of the Court in determining the Preliminary Objections of Defendant.
By The Court:
Anthony J. Vardaro, J.
Sept. 23, 1993 Copy of Order to Atty. A. Shaddinger, Kathryn Kisak; copy mailed to Plf.

✓ Sept. 17, 1993 MEMORANDUM AND ORDER filed. AND NOW, Sept. 16, 1993, the Defendant's preliminary objection alleging insufficient specificity pursuant to Pa. R.C.P. 1028(a)(3) is sustained The Plaintiff is granted leave to file a second amended complaint within 20 days of the date of this order.
BY THE COURT:
Anthony J. Vardaro, J.
Sept. 17, 1993 Copies of Order distributed to Plf. and Atty. A. Shaddinger; mailed to Atty. K. Kisak.

✓ Oct. 4, 1993 Amended Complaint filed.

✓ Oct. 25, 1993, Preliminary Objections of Defendant Michael Jordan, Code Enforcement Officer, West Mead Township to Pl aintiff's Second Amended Complaint filed.

✓ Oct. 25, 1993, Certificate of Service of above preliminary objections filed.

✓ Oct. 27, 1993, Upon praecipe of defendant attorney, Preliminary Objections of Defendant Michael Jordan, to Plaintiffs Second amended Complaint placed on next argument list.

ON ARGUMENT LIST FOR NOVEMBER 1993

✓ Dec. 21, 1993 MEMORANDUM AND ORDER FILED. AND NOW,December 20, 1993, Defendant's preliminary objections in the nature of a demurrer are sustained and Plaintiff's "amended complaint" filed on October 4, 1993 is dismissed with prejudice.
BY THE COURT:
Anthony J.Vardaro, J.
12-22-93 Copies dist. to Pltf & Atty.Shaddinger

✓ Jan. 19, 1994 Notice of Appeal filed.
✓ **Feb! 10, 1994, Notice of Appeal Docketing at No. 0198 C.D. 1994, Commonwealth Court, filed.**

Continued on Page #63

316.

JAMES HENRY ANDERS

vs.

DAVID LEE POWERS

Walter Hoke, Meadville Policeman, and Howard Yerusalim, Sec. Pa. Dept./ of Transportation

Filed March 26, 1993
@ 11:21 AM

Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc.
Kathryn J. Kisak
for David Lee Powers
& for Walter Hoke

William A. Kuhar, Jr.
for Howard Yerusalim,
Sec. Pa. Dept. of Trans.

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	25.00
Sheriff's Costs	25.00
Sheriff's Costs	37.50

COMPLAINT IN CIVIL ACTION
2 copies plaintiff

Apr. 12, 1993 MOTION TO AMEND THE COMPLAINT TO INCLUDE THE IM - POUNDMENT OF PLAINTIFF'S VEHICLE AND SEIZURE OF HIS REGISTRATION CARD BY PATROLMAN WALTER HOKE and ORDER, filed. ORDER: AND NOW this 12 day of April 1993 it is hereby ordered that Plaintiff be allowed to amend his Complaint to include the actions of seizure of his vehicle registration card and vehicle. Plaintiff shall file his amended complaint iwthin 10 days from this date and shall serve a true copy on all defendants in accordnace with Rules of Civil Procedure.
By the Court:
Gordon R. Miller, P.J.

Apr. 14, 1993 copy to Anders

Apr. 12, 1993 SHERIFF'S RETURN, filed. SERVED David Lee Powers personally on March 31, 1993 at 3:11 PM by handing a copy of the Complaint to him in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, Pa.
So answers, Carole Stefanucci, Deputy Sheriff
Robert M. Stevens, Sheriff

Apr. 16, 1993 Amended Complaint filed. 2 copies Plft.

April 19, 1993 Appearance of Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc. by Kathryn J. Kisak, Esquire for David Lee Powers, filed.

Apr. 19, 1993 Upon Praecipe of Attorney Kisak the above captioned matter is placed on the next available Argument list.

ON MAY 1993 ARGUMENT LIST

Apr. 20, 1993 Defendant's Officer Powers, Preliminary Objections to Plaintiff's Complaint filed.

Apr. 20, 1993 Defendant's Officer Powers, Preliminary Objections to Plaintiff's Complaint filed.

Apr. 20, 1993 Upon Praecipe of Attorney Kisak the above captioned matter for Defendant's Officer Powers, Preliminary Objections to Plaintiff's Complaint, is placed on the next available Argument list.

ON MAY, 1993 ARGUMENT LIST

Apr. 23, 1993, Amended Complaint for Officer Powers filed. 2 copies (plff)

apr. 23, 1993 Sheriff's Return filed. SERVED Walter Hoke personally on April 21, 1993 at 12:35 PM by handing him a copy of the Amended Complaint in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Apr. 28, 1993 Appearance of Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc. by Kathryn J. Kisak, Esquire for Walter Hoke, Defendant filed.

May 10, 1993 Amended Complaint Against Howard Yerusalim, Secretary, Pennsylvania Department of Transportation filed. (2 copies - Plff.)

May 7,1993 Officer Hoke''s Preliminary Objections to Plaintiff's Complaint, filed.

May 7, 1993 Praecipe for Argument List, filed.

ON ARGUMENT LIST FOR JUNE 1993

May 13, 1993 ORDER filed. This case is stricken from the Argument List because the plaintiff filed an amended complaint within twenty (20) days after the preliminary objections were filed and therefore the preliminary objections of Officer David Lee Powers to the original complaint are now moot Pa.R.C.P. 1028(c)(2). BY ORDER OF COURT
Date: May 10, 1993 Gordon R. Miller, P.J.
May 18, 1993 copy to K. Kisak & Plf.

May 14, 1993 Officer Powers' Preliminary Objections to Plaintiff's Amended Complaint, filed.

May 14, 1993 Praecipe of Argument List, filed.

ON ARGUMENT LIST FOR JUNE 1993

May 26, 1993 Sheriff's REturn filed. AND NOW: May 18, 1993, at 2:05 pm served the within notice & Complaint upon Howard Yersalem, Sec'y 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 notic & complaint and making known to her the contents thereof at Trans. & Safety Bldg., Harrisburg dauphin county, Penna.
So answers, William H. Livingston, Sheriff
David P. Miller, Deputy Sheriff
SERVED Howard Yerusalim by deputizing the Sheriff of Dauphin County, PA, as per his Affidavit of Service attached. Served on May 18, 1993 at Transportation and Safety Building, Harrisburg, Dauphin county, PA.
So answers, Robert NM. Stevens, Sheriff

June 14, 1993, Preliminary objections of defendant Howard Yerusalim, Sec. of the Pa. Dept. of Transportation, filed.

Jun. 16, 1993 Motion to Strike from June 28th Argument List and ORDER filed. AND NOW this 16 day of June 1993 Plaintiff's MOtion to strike Preliminary Objections from Argument list is denied.
By the Court:
Anthony J.Vardaro, J.
June 21, 1993 Copy of Order to Attys.Kisak & Kuhar, Jr.

Continued on Page 454

317.

HELEN A. ADAMS

vs.

DONALD J. ADAMS a/k/a
DONALD J. ADAMS, JR.

Filed March 26, 1993.
@ 1:38 PM.

Tax & entry	50.50
User's Fee	5.00
Sheriff's Costs	25.00
Pro Co	9.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT
3 copies Sheriff
1 copy plaintiff

Order:

And now, this 26th day of March , 1993 , 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: Defendant shall not contact Plaintiff in any manner. Defendant shall not go to Plaintiff's home or place of work. Temporary custody of the children is awarded to plaintiff.

3. This Order may be enforced without a warrant 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 or 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 2, 1993 , at 1:00 p.m.
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 COURT,
Gordon R. Miller, J

Mar. 30, 1993 SHERIFF'S RETURN filed. SERVED Donald J. Adams, Jr. personally on March 29, 1993 at 8:58 AM by handing a copy of the Protection from Abuse to him at his place of employment at Saeger Carbide, Saegertown, Crawford County, Ps.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Apr. 8, 1993 ORDER filed. AND NOW, April 2, 1993, this matter is before the Court on Plaintiff's Petition for Relief under the Protection From Abuse Act.

The Plaintiff appears with counsel and the Defendant appears without counsel, but indicates that he wishes to proceed without an attorney and the parties agree to an Order without admission of the allegations of the Petition on the part of the Defendant.

Accordingly, the following Order is entered:

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

2. The Plaintiff shall have exclusive possession of what was the marital residence and which now is apparently a rental property in the Plaintiff's name alone and the Defendant shall not go to that residence except in a manner set forth in this Order at any time even if he is invited.

If the parties should reconcile and the Defendant is invited to the marital residence, he should seek a modification of this Order insofar as it shall be presumed that if he is at the residence other than as set forth in this Order, he is in violation of this Order.

3. The Defendant shall not go to the Plaintiff's place of employment nor shall be telephone the Plaintiff at her place of employment or at her home except for the sole purpose of discussing matters related to the children and in such phone calls the Defendant shall not attempt to discuss other issues with regard to the marital matters of the parties nor with regard to reconciliation.

No telephone call may be made to the Plaintiff after 9:00 p.m. at any time with the sole exception being if the children shall be with the Defendant and there shall be an emergency, then the Defendant may call the Plaintiff with respect to such emergency.

4. Pending any further Order of Court in this action or in any related action, the Plaintiff shall have primary physical custody of the children named in the petition with the Defendant to have temporary custody Saturday from Noon through Sunday at 6:00 p.m. on every weekend except the last full weekend of each month, with a full week end defined as one where there is a Saturday and sunday both on such weekend.

Additionally, the Defendant shall have temporary custody of the children from 4:00 p.m. through 7:00 p.m. each Wednesday night.

In exercising such temporary custody, the Defendant shall provide transportation and during the exchanges he shall partk his car in front of the Plaintiff's residence and the Plaintiff will bring the children to the car. During such exchanges, the contact including verbal contact between the parties shall be minimum with only pleasantries being exchanged and there shall be no effort to discuss marital matters nor possible reconciliation.

If it is necessary for a visitation for a period of temporary custody to be canceled at any time, the party requiring or requesting that the same be canceled shall notify the other party at least twenty-four (24) hours in advance.

With respect to holiday visitation, again pending any further Order of Court at this number and term or any other related case, the Defendant shall have temporary custody of the children from 9:00 a.m. to 3:00 p.m. on Easter Sunday, Memorial Day, Independence Day, Labor Day, and Thanksgiving.

Additionally, the Defendant shall have Christmas visitation from Noon through 9:00 p.m. on Christmas Day of each year.

CONTINUED ON PAGE 505

1993

Salaman, Salaman,
& Cherwony, PC
Drew Salaman
Robert E. Cherwony

318.

BRADFORD PIPE, INC.

vs.

GUY GARIEPY

Filed March 26, 1993
@ 3:06 PM

Tax & entry paid	50.50 ✓
User's Fee paid	5.00
Sheriff's Costs	35.00

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

May 6, 1993 SHERIFF'S RETURN, filed. NOT FOUND AS TO Defendant Guy Gariepy. Not at address of 516 North Second St., Titusville, Pa. Last known address is 940 East Spruce Street, Titusville, Pa. He was released from Venango County Jail on March 5, 1993, whereabouts unknown.
So answers, Robert M. Stevens, Sheriff

1993

Mazzotta, McCague
& Associates, P.C.
J. Michael McCague
Donald S. Mazzotta

319.

NORTH SIDE DEPOSIT BANK

vs.

WILLIAM McCARTNEY

Filed March 29, 1993
@ 1:14 PM

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

Apr. 20, 1993 Sheriff's Return filed. Served William McCartney on April 2, 1993 at 1:42 PM by handing a copy of the Complaint to Sharon McCartney, Adult inCharge at the residence, Star Route, Box 470, Meadville, Crawford County, PA.
So answers, Dale A. Collins,Deputy Sheriff
Robert M. Stevens, Sheriff

July 20, 1993 And Now, upon praecipe of plaintiff's attorney judgment is hereby entered in favor of the plaintiff and agaisnt the defendant for failure to file an Answer, and the same is liauidated at the sum of Five Thousand Eight Hundred Sixty-three and 49/100, including interest from 5-7-92 through 7-20-93 and costs of suit. Interest to accru on the total balance at the rate of 13.65% from date of Judgment.
Entered 7-20-93 Debt: $5,863.49 plus interest & costs
M - 174 JUDGMENT
Barbara H. King, pro.

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	25.00
Pro Co pd 7-20-93	9.00

1993

Louis P. Vitti &
Assoc., P.C.
Louis P. Vitti

320.

CORESTATES BANK, N.A.,
Trustee for PENNSYLVANIA
HOUSING FINANCE AGENCY,
Assignee of LIBERTY MORTGAGE
CORPORATION

vs.

JOHN C. WALKER and VERONICA
L. WALKER, husband and wife

Filed March 30, 1993
@ 1:09 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	31.00
Sheriff's Costs	26.00
Pro Co. pd 5/21/93	9.00

COMPLAINT IN MORTGAGE FORECLOSURE
2 copies atty.

Apr. 16, 1993 Sheriff's Return filed. NOT FOUND as to Defendants John C. Walker and Veronica L. Walker. According to the mailman, they moved from the address of 1030 South Morgan Street, Meadville, PA, approximately six weeks ago. He believes they moved to Pittsburgh, PA. So answers, Robert M. Stevens, Sheriff

Apr. 26, 1993, Complaint Reinstated.

May 13, 1993 SHERIFF'S RETURN filed. I hereby deputize the Sheriff of Beaver County, Pa. to serve the within Complaint according to law. The defendants alleged address is 1626 4th Ave. Beaver Falls, Pa. 15010. Robert M. Stevens, Sheriff, Cr. Co.
AFFIDAVIT OF SERVICE: SERVED the within Complaint on April 28, 1993, at 4:00 p.m. upon John C. Walker and Veronica L. Walker at 1626 4th Ave., Beaver Falls, Pa. 15010 by handing to Veronica Walker a true and correct copy thereof and made known to her the contents therein. Frank Poligaro, Jr. Sheriff Beaver Co.

May 21, 1993 , 2:23 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 said Judgment be in the amount of Forty Six Thousand One Hundred Three Dollars and Sixty One Cents ($46,103.61), together with interest and costs.

Debt $46,103.61
Judgment
Barbara H. King, Pro.

W-91,161
Judgment entered 5/21/93
5-28-93 Notice of entry to Defendants mailed.

EXECUTION NO. 1993 - 40

1993

Edgar M. Snyder &
Associates, P.A.
Cynthia M. Danel

321

DOUGLAS K. COULTER

vs.

DEBRA A. CORNELL

Filed March 30, 1993
@ 2:23 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	25.00
Pro.Co. pd 9/21/93	6.00

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

Apr. 21, 1993 Sheriff's Return filed. SERVED Debra A. Cornell personally on April 6, 1993 at 12:10 PM by handing her a copy of the Complaint at the Sheriff's Office. Third Floor, Crawford County Courthouse, Meadville, Crawford County, PA.
So answers, Carole Stefanucci, Deputy Sheriff
Robert M. Stevens, Sheriff

May 5, 1993 Defendant's Answer and New Matter, filed.

May 7, 1993 Plaintiff's Reply To New Matter filed

Sep. 21, 1993 Upon Praecipe of Plaintiff Attorney, Cynthia M. Danel, Esquire, the above case marked settled and discontinued of record.

1993

Fuller, Kinnunen,
Petruso, Gamble
Fabian & Hall
Gary A. Fabian

322.

JEAN H. KIRK

vs.

GORDON R. KIRK

Filed March 30, 1993
@ 2:37 PM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count pd	15.00
State paid	10.00
Sheriff's Costs	25.00
Pro Co pd 7-20-93	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
1 copy atty.

Apr. 12, 1993 SHERIFF'S RETURN, filed. SERVED Gordon R. Kirk personally on April 12, 1993 at 12:55 PM at the Sheriff's Office, Crawford County Courthouse, Meadville, Pa.
So answers, Carole Stefanucci, Deputy Sheriff
Robert M. Stevnes, Sheriff

July 9, 1993 Affidavit of Consent of Gordon R.Kirk, Defendant, filed.

July 13, 1993 Affidavit of Consent by Jean H.Kirk, Plaintiff, filed.

July 20, 1993 Upon praecipe of Plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

July 27, 1993 DECREE. 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 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 and non-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 May 26, 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.

(i) Former Marital Domicile. The former marital residence, being real estate located in Glen Ridge, New Jersey, being more commonly described as 127 Linden Ave., has been sold by Plaintiff Wife and Defendant Husband and proceeds of sale have been distributed between the parties to their mutual satisfaction, and each party shall be entitled to retain those sums previously distributed to each party, and the same are hereby awarded to each party.

(ii) Post Separation Real Estate. Plaintiff Wife is the owner of certain real estate located in East Windsor, New Jersey, being more commonly described as 53 Covington Drive, which said real estate is post-separation property being a town house property which was purchased by Plaintiff Wife after the date of separation of the parties. The said premises are hereby awarded to Plaintiff Wife.

Plaintiff Wife is the owner of certain residential real estate located in the Second Ward, City of Meadville, PA 16335, being more commonly known as 203 Linda Lane, Meadville, PA., which said residential real estate is post-separation property having been acquired by Plaintiff Wife after the date of separation of the parties. Said premises are hereby awarded to Plaintiff Wife.

B. Pension. Plaintiff Wife has a pension provided to her through employment with Diagnostic Medical Imaging, Inc. of Meadville, PA. Plaintiff Wife's pension is post-separation property, the same having been acquired by the Wife after the date of separation of the parties. The same is hereby awarded to Plaintiff Wife.

C. Further, the division of all other marital property and non-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 26, 1993.

3. A copy of the Marital Settlement Agreement of the parties, which said Agreement was effective May 26, 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.

This order shall be effective as of the 26th day of July, 1993.

BY THE COURT
Gordon R. Miller, J.

July 28, 1993 Marital Settlement Agreement filed.

1993

Fuller, Kinnunen,
Petruso, Gamble,
Fabian & Hall
Gary A. Fabian

323.

James R. Irwin

MARK E. HOCKENBERRY

vs.

LISA J. HOCKENBERRY

Filed March 30, 1993
@ 2:37 PM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count pd	15.00
State paid	10.00
Pro Co pd 8-31-93	9.00
Pro Co pd 9/16/93	5.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
1 copy atty.

Apr. 6, 1993, Affidavot of Service filed. Gary A. Fabian, being duly sworn according to law, deposes and says that;

1. He is an atty. authorized to practicea law within the Com. of Pa.

2. He is the atty. for the plff in above matter.

3. On Mar. 30, 1993, he had deposited inthe US Mail by cert. mail, ret. rec.req. Cert. Mail No. P 260 509 889 as evidenced by cert. mail receipt attached hereto and made a part hereof, a true and correct copy of Complaint in Divorce addressed to dft. in above matter.

4. Service was obtained upon the dft. on Apr.1, 1993 as evidenced by Ret. REc. for Cert. Mail No. P 260 509 889 attached hereto and made a part hereof.

Further deponent sayeth not. Gary A. Fabian Esq

May 12, 1993 Appearance of James R. Irwin, Attorney for Defendant filed.

Aug. 16, 1993, Affidavit of Consent of plaintiff filed.

Aug. 20, 1993 Affidavit of Consent of Lisa J. Hockenberry, Defendant, filed.

Aug 31, 1993 Upon praecipe of plaintiff attorney to transmit records, case moved to Court.

DIVORCE DECREE FILED

September 3, 1993 DECREE:

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 and non-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 Aug. 20, 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 Property:

(i) Former Marital Residence. The former marital residence, being real estate located in Hayfield Township, Crawford Co., PA., and being more paraticularly described in a deed dated Nov. 5, 1991, and recorded in Crawford Co. Record Book 137, Page 264, is titled in the name of Plaintiff Husband and was acquired by Plaintiff Husband prior to the marriage of the parties, and the same is hereby awarded to Plaintiff Husband.

(ii) Other Real Property. There is certain real estate located in Elk Township, Warren Co. PA, which said property is commonly known as a "camp" and is titled in the name of Plaintiff Husband and Jeffrey B. Mowris, and Plaintiff Husband is the owner of a one-half interest therein prior to the date of the marriage of the parties, and the same is hereby awarded to Plaintiff Husband.

B. Vehicles.

(i) Plaintiff Husband shall retain the 1985 Chevrolet 4 x 4 Pick-Up truck, and the same is hereby awarded to Plaintiff Husband.

(ii) Defendant Wife shall retain any interest she may have in a 1987 Plymouth Sundance which is titled in the name of Defendant Wife's mother, and any interest Defendant Wife may have in the same is hereby awarded to Defendant Wife.

C. Individual Retirement Account. Plaintiff Husband has an individual retirement account through Global Insurance Agency. Plaintiff Husband shall retain the same, and the same is hereby awarded to Plaintiff Husband.

D. Business Interest.

Plaintiff Husband is the sole owner of a taxidermy business located at RD # 8, Box 272, Meadville, PA 16335, which said business is known as Ridge Road Taxidermy and the same is hereby awarded to Plaintiff Husband.

E. Further, the division of all other marital property and non-marital property, and the payment of all debts of the parties shall be made in accordane with the terms of the Marital Settlement Agreement, which said Agreement was effective Aug. 20, 1993.

3. A copy of the Marital Settlement Agreement of the parties, which said Agreement was effective Aug. 20, 1993, which sets out in further detail the agreement of the parties concerning the matters herein, shall be filed with this decree int he Prothonotary's Office at the above-number.

This order shall be effective as of the 2nd day of Sept., 1993.

BY THE COURT,
Gordon R. Miller, J.

Sept. 16, 1993 Notice Of Election To Retake Maiden Name filed. Lisa J. Hockenberry TO BE KNOWN AS: Lisa J. Zirkle

Robert L. Trohn
Lane, Trohn, Clarke, Bertrand, Vreeland & Jacobsen, P.A.
(dft. attys ?)

324.

JOHN W. ROBERTS, A MINOR ETC., ET AL.

vs.

THOMAS J. ABRUNZO, M.D., ET AL

Filed Mar. 31, 1993
@ 10:34 a.m.

Tax & entry paid $50.50
state paid 5.00

LETTER RAGATORY FROM THE SIXTH JUDICIAL CIRCUIT COURT IN AND FOR PINELLAS COUNTY, FLORIDA, DATED MARCH 26, 1993- Case No. 89-002355015

(4 copies of order-attys)

ORDER OF COURT:

AND NOW, this 30th day of March 1993, pursuant to 42 Pa. C.S.A. 5324, IT IS HEREBY ORDERED that the Prothonotary, shall issue subpoenas duces tecum for the following to appear for deposition in the matter of John Roberts, Etc., et al vs. Thomas J. Abrunzo, M.D. et al. at Cross Creek Resort, Pa. 8, Titusville, Crawford County, Pa. on Tuesday April 13, 1993, at the time designated below:

Robert Morris, Principal
Early Childhood Learning Ctr.
330 E. Spruce St.
Titusville, Pa. 16354 9:00 a.m.

Rebecca Slater Milliron
Special Education Coordinator
c/o Saegertown Elementary
420 North St.
Guys Mills, Pa. 16327 10:30 a.m.

Tammy McCrary
Early Childhood Learning Ctr.
330 E. Spruce St.
Titusville, Pa. 16354 9:30 a.m.

Betty White
c/o Maplewood Jr./Sr. High
R. d. #1
Saegertown, Pa. 16433 11:30 a.m.

in accord with the attached Letter Rogatory from the Honorable Philip A. Federico, Judge of the Sixth Judicial Circuit in and for Pinellas County, Florida. Said subpoena is to be served by the Sheriff of Crawford County. All costs and fees shall be paid by defendant, Thomas J. Abrunzo, M.D., in Care of Robert L. Trohn, esquire, of Lane, Trohn, clarke, Bertrand, Vreeland & Jacobsen, P.A., 202 East Walnut Street, Post Office Box 3, Lakeland, Florida 33802-0003.

BY THE COURT,
Gordon R. Miller, Judge

Dickey, McCamey, & Chilcote, PC
Stephen M. Houghton
Anthony J. Rash
Jennifer, M. Kirschler

325.

Mark E. Mioduszewski
Knox, McLaughlin, Gornall, & Sennett PC

Kim R. Bobrowsky
Cipriani & Werner
for dft. Rhomac Const.Co

Cipriani & Werner
Gerard J. Cipriani
Kim R. Bobrowsky
for Dfts. Gary McClimans & Mark Rhoades t/d/b/a Rhomac Const. Co.

MacDonald, Illig, Jones & Britton
Roger H. Taft
for Add'l dft. French's Inc.

Culbertson, Weiss, Schetroma & Schug
E. Max Weiss
Robert C. Frost

Withdrawn ~~Simmer Kunz Prof. Corp. Gaca,Matis & Hamilton~~
Mark R. Hamilton for
Dfts. Gary McClimans & Mark Rhoades t/d/b/a Rhomac Const. Co.

ASSOCIATED CONTRACTORS OF CONNEAUT LAKE, INC., A CORPORATION

vs.

KEBERT CONSTRUCTION COMPANY, A CORPORATION; AND GARY McCLIMANS AND MARK RHOADES, PARTNERS TRADING AND DOING BUSINESS AS RHOMAC CONSTRUCTION COMPANY, A PARTNERSHIP
Tru-Weld Grating, Inc., Additional Defendant
French's Inc. and add'l
True-Weld Grating, Inc. dfts
Robert C.Frost,Add'l Deft.
Filed Mar. 31, 1993
@ 11:37 a.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	31.00
Sheriff's costs	25.00
Sheriff costs	30.00
Pro.Co. pd 3/1/94	30.00
State pd 3-1-94	5.00
ProCo pd 6-30-97	6.00

COMPLAINT IN A CIVIL ACTION

2 copies (sheriff)
1 copy (atty)

(JURY TRIAL DEMANDED)

April 16, 1993, Appearance of Mark E. Mioduszewski, of Knox, McLaughlin, Gornall and Sennett PC, attorneys for defendant Kebert Construction Company, filed.

Apr. 20, 1993 Sheriff's Return filed. SERVED Kebert Construction onApril 5, 1993 at 1:12 PM by handing a copy of the Complaint to Bertha Hopkins, Bookkeeper at Kebert Construction, located on Route 322, Cochranton Road, Meadville, Crawford County, PA.
SERVED Gary McClimans, d/b/a Rhomac Construction Company on April 5, 1993 at 1:25 PM by handing a copy of the Complaint to Barbara McClimans, his wife, at their residence, 575 Randolph Street, Meadville, Crawford County, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens,Sheriff

Apr. 21, 1993 Preliminary Objections filed.

May 10, 1993 Upon Praecipe of Defendant attorney for RHOMAC Construction Co., Chester A. Dudzinski, Esq., case placed on Argument list.

ON JUNE 1993 ARGUMENT LIST

May 11, 1993 Preliminary Objections of The Defendant, Kebert Construction Company, filed.

May 28, 1993, Upon praecipe of attorney for defendant Kebert Construction Company for argument of preliminary objections, said objections listed for argument.

Jun. 18, 1993 Answer to Defendant, Kebert Construction Company's Preliminary Objections, filed.

June 18, 1993 Answer to Defendant, Rhomac Construction Company's Preliminary Objections, filed.

June 18, 1993 Appearance of Cipriani & Werner by Gerard J. Cipriani and Kim R. Bobrowsky for Dfts. Gary McClimans & Mark Rhoades t/d/b/a Rhomac Const. Co., filed.

June 18, 1993 Praecipe for Writ to Join Additional Defendant, Tru-Weld Grating, Inc., filed.

July 1, 1993 Writ Return filed. SERVED Additional Defendant, Tru-Weld Grating, on June 25, 1993, at 10:50 AM by handing a copy of the Writ to Join Additional Defendant to Larry Palmero, Production Manager at the business, Erie Street, Saegertown, Crawford County, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

July 20, 1993 Supplemental Answer To Defendants' Preliminary Objections filed.

Sept. 13, 1993 Memorandum and Order filed. AND NOW, September 13, 1993, preliminary objections to the Plaintiff's complaint filed by Kebert Construction Company and Gary McClimans and Mark Rhoades, partners trading as Rhomac Construction Company, are denied. Said Defendants may file appropriate resonsive pleadings within 20 days.
BY THE COURT:
P. Richard Thomas, S.J.

Sept. 14, 1993 Copies dist. to Houghton, Rash, Mioduszewski, Bobrowsky and Cipriani

Oct. 15, 1993 Praecipe to Join Writ For Additional Defendants, filed. (issued Sheriff)

Oct. 22, 1993, Writ Returned. SERVED Robert C. Frost on Oct. 19, 1993 at 9:51 a.m. by handing a copy of the Writ to Roberta Frost, his wife, at their residence, Richmond Lane, Conneaut Lake, Crawford County Pa.
So answers, Scott D. Young, Dep. Sheriff
Dale A. Collins, CH. Dep. Sheriff
Robert M. Stevens, Sheriff

Oct. 28, 1993, Answer and New Matter filed on behalf of Gary McClimans, and Mark Rhoades, partners, and t/d/b/a Rhomac Construction, defendants, filed.

Oct. 28, 1993, Complaint to Join Additional Defendant Tru-Weld grating, Inc. filed.

Nov. 15, 1993 Preliminary Objections To Complaint To Join Additional Defendant filed.

Nov. 15, 1993 Upon praecipe of Atty. Merchant the Above Preliminary Objections are placed on the next available argument list.

ON 1993 DECEMBER ARGUMENT LIST.

Nov. 17, 1993 Certificate of Service of Writ to Join Additiional Defendants, filed.

Dec. 6, 1993 Reply Of Defendant, Kebert, To New Matter Of Defendant, Rhomac, filed.

Dec. 6, 1993 Answer And New Matter, filed.

Dec. 21, 1993, Appearance of Roger H. taft, of Macdonald, Illig, Jones & Britton, attorneys for additional defendant French's Inc. filed.

Jan. 18, 1994 Reply To New Matter of Defendant, Kebert Construction Company filed.

Jan. 18, 1994 Reply To New Matter of Defendant, Rhomac Construction filed.

Continued on Page 489

1993

McBride & McBride PC
Milford L. McBride III

326.

TRI-COUNTY INDUSTRIES, INC.

vs.

J.A.S. MARKETS, INC., d/b/a
MEADVILLE COUNTY MARKET

Filed Mar. 31, 1993
@ 11:46 a.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	28.00
Sheriff's Costs	28.00
Pro Co pd 8-4-93	9.00

COMPLAINT

1 copy (sheriff)

Apr. 16, 1993 Sheriff's Return filed. NOT SERVED as to Defendant J.A.S. Markets, Inc. d/b/a Meadville County Markets. J.A.S. Markets, Inc. is located in Pittsburgh and is no longer the owner of County Market and County Market would not accept service.
So answers,
Robert M. Stevens,
Sheriff

June 8, 1993 Complaint Reinstated.

June 8, 1993 Amended Complaint filed.

June 22, 1993 Sheriff's Return filed. SERVED Eric Adham, d/b/a Meadville County Market, on June 15, 1993 at 11:50 AM by handing a copy of the Complaint to Eric Adham personally at Meadville County Market, 600 Terrace Street, Meadville, Crawford County, PA.
so answers,
Dale A. Collins, Deputy
Robert M. Stevens,
Sheriff

And now, August 4, 1993 at 11:55 a.m., upon praecipe of Plaintiff's attorney judgment is hereby entered in favor of the plaintiff and against the defendants for want of an answer and the same is liquidated at the sum of Four Thousand Two Hundred Twenty-four and 00/100.
Entered 8-4-93 Debt: $4,224.00
A - 52, 152 JUDGMENT
M - 181 Barbara H. King, Prothonotary

1993

Ferguson & Spataro
JOhn F. Spataro

327.

R.Charles Thomas

MASON G. DEETER

vs.

PATRICIA L. DEETER

Filed Mar.31, 1993
@ 2:36 p.m.

Tax & entry paid	$50.50
state paid	5.00
state paid 4/1/93	10.00
State pd 9-27-93	5.00
Pro Co pd 9-24-93	15.00
marital appt pd 3-24-95	250.00

Master - David W. Pickens

Pro.Co. pd 7/5/95 9.00

COMPLAINT IN DIVORCE

1 copy (atty)

Sept. 24, 1993 Amendment To Divorce filed. (Equitable Distribution)

Mar. 2, 1995, Affidavit Under Section 3301(d) of the Divorce code filed.

Mar. 2, 1995, Inventory and Appraisement of Mason G. Deeter filed.

Mar. 28, 1995 Mtoion For Appointment of Master in Divorce and Order filed. AND NOW, March 24, 1995, David Pickens, Esquire is hereby appointed Master in respect to the following claims: Divorce and Equitable Distribution.
Deposit required: By Plaintiff $250.00 By Defendant
If not filed already the parties are ordered to file their pre-trial statements within thirty (30) days form this date.

Per Curiam,
Gordon R. Miller, J

Mar. 28, 1995 Faxed Pickens, Spataro & Thomas

Apr. 17, 1995, Notice of Scheduled PreHearing Conference filed.

May 1, 1995 Summary Of Pre-Hearing Conference filed.

May 22, 1995 Petition For Special Relief and ORDER filed. AND NOW, this 22 day of May, 1995, upon consideration of the foregoing Petition for Special Relief it is hereby ordered and decreed that a hearing be held on the 26th day of May, 1995 at 3:00 p.m. in Court Room #1, Crawford Co. Courthouse, Meadville, PA.

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

May 22, 1995 Order FAXED Atty. Spataro.

June 2, 1995 Motion For Continuance on behalf of Defendants, filed.

June 2, 1995 Motion For Continuance on behalf of Mason G.Deeter, and Order, filed. AND NOW, this 31st day of May, 1995, upon consideration of the within Motion, the hearing scheduled for May 26,1995 at 3:00 p.m. in connection with the Protection from Abuse Petition and Petition for Special Relief is continued. The hearing is rescheduled for the 5th day of Juen 1995 at 9:15 o'clock a.m., in Courtroom No. 1 or 2, Crawford County Courthouse, Meadville, Pennsylvania.
Pending hearing, the parties shall maintain the status quo and none of the parties shal dispose of or in any way damage or destroy any marital or nonmarital property in their possession, nor shall any party enter upon property in thepossession of the other without prior approval of this Court.

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

June 5, 1995 Given Thomas, Spataro, Pickens

Jun. 9, 1995 ORDER filed. AND NOW, June 9, 1995,the hearing heretofore scheduled for June 5, 1995 at 9:15 a.m. is hereby reset for June 26, 1995 at 2:00 P.M., in Courtroom No. 1, before the Honorable Gordon R. Miller, President Judge, Crawford County Courthouse, Meadville,PA.

FOR THE COURT,
Ann A.Walker,Court Administrator

6-9-95 Faxed Spataro & Thomas. 6-15-94 Copy to Pickens.

Jun. 26, 1995 Affidavit of Consent by Patricia L.Deeter, Defendant, filed.

Jun. 26, 1995 Upon Praecipe of John F.Spataro, Esquire, Attorney for Plaintiff to transmit record, Case moved to Court.

July 13, 1995 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:
A proper return or proof of service has not been filed for the original complaint or the amendment to divorce complaint.
Properly completed 3301(c) consents have not been filed of record. Pa. R.C.P. 1920.42 Plaintiff has not filed a 3301(c) cosnent.
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.

July 12, 1995

BY THE COURT,
Anthony J. Vardaro, J.

July 13, 1995 faxed Spataro & Thomas

Jul 24, 1995 CERTIFICATE OF SERVICE, filed. I, JOHN F. SPATARO, ESQ., do hereby certify that I served a true and correct copy of the Amended Divorce Complaint filed with and certified by the Prothonotary of Crawford County upon R. CHARLES THOMAS, ESQ., Attorney of record for the Defendant in the above captioned matter, on September 23, 1993, by regular mail, postage prepaid.

Jul 24, 1995 Affidavit of Consent of Plaintiff, filed.

Aug. 23, 1995, Acceptance of service on Behalf of defendant filed. I acknowledge acceptance of service of the complaint on behalf of may client, Patricia L Deeter, who I have represented throughout these proceedings. Servcie of the complaint was made within thrity (30) days of the filing of the complaint. R/.C. Thomas, Esq.

Aug. 23, 1995, Upon praecipe of plaintiff attorney, to transmit the record, this case is resubmitted to the court.

RECORD CONTINUED ON PAGE 465.....

328

1993

Fuller, Kinnunen,
Petruso, Gamble,
Fabian & Hall
JOhn D. Petruso

328.

DARLENE E. HOUK

vs.

NORMAN HOUK

Filed Mar. 31, 1993
@ 3:42 p.m.

Tax & entry paid major state	$50.50
state paid	5.00
state paid	10.00
Pro.Co. pd 7/2/93	9.00

COMPLAINT IN DIVORCE

1 copy (atty)

Apr. 2, 1993, Acceptance of Service of Complaint filed. And Now, this 31, day of March 1993, 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. Norman Houk.

Jul. 2, 1993 Affidavit of Consent by Darlene E.Houk, Plaintiff, filed.

July 2, 1993 Affidavit of Consent by Norman Houk, Defendant, filed.

July 2, 1993 Upon Praecipe of John D.Petruso, Esquire, Attorney for Darlene E.Houk, Plaintiff, for Review under §3301 (c) of the Divorce Code, this case moved to Court.

DIVORCE DECREE FILED

July 14, 1993 AND NOW, July 13, 1993, it is hereby ordered and decreed that DARLENE E. HOUK, Plaintiff, and NORMAN HOUK, 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.

1993

~~1992~~

328a

328A

Redevelopment Authority of
the City of Meadville

vs.

Robert C. Abbott
Loretta M. Abbott

Filed March 31, 1993 @ 3:14 P.M.

Entry Paid	9.00
Plft on Original	9.50
Pro Co. Pd. 3/20/95	$5.00
Pro.Co. pd 2/26/96	5.00
Pro pd 10/2/97	5.00
Satisfaction Pd 7/24/98	5.00

AGREEMENT TO REVIVE
OF DSB 1988-181

The undersigned hereby agree that the judgment entered on March 31, 1988 to DSB 1988-181 be revived and the lien continued and authorize the prothonotary to enter and index a judgment of revival in the amount of $10,692.-- plus costs.

Dated March 13, 1993
Debt $10,692.00

A-145, 105 BJUDGMENT
Barbara H. King, Prothonotary

March 13, 1995 Writing filed wherein lien of said judgment shall be subordinate and junior in priority to the lien of the mortgage executed and delivered on March 9, 1995 by Robert C. Abbott and Loretta M. Abbott, as Mortgagor to F.N.B. Consumer Discount Co. as the Mortgagee in the principal amount of $15,217.42. This Subordination Agreement to affect the lien and collection of said judgment out of the following described property: Craw. Co. Record Book_____ at Page _____.

Feb. 21, 1996 Writing filed wherein lien of said judgment shall be subordinate and junior in priority to the lien of the mortgage executed and delivered on February 1996 by Robert C.Abbott and Loretta M.Abbott, as Mortgagor to F.N.B. Consumer Discount Company as the mortgagee in the principal amount of $17,667.26. This Subordination Agreement to affect the lien and collection of said judgment out of the following described property: All that certain property situated in the City of Meadville,Ward 5, , being more fully described in deed dated 05/17/79 and recorded 05/18/79, in Deed Volume 523 and page 252.

Aug. 26, 1997 Writing filed wherein the lien of the above judgment shall be subordinate to the lien of mortgage dated Aug. 19, 1997 to F,N,B, Cons. Disc. Co. in amt. of $19,949.02 recorded 355/118. (see paper filed for complete information)

July 13, 1998 PRAECIPE AND POWER OF ATTORNEY FOR SATISFACTION AND/OR TERMINATION FILED. UPON PRAECIPE OF Stephen R. Hall the above-captioned Judgment is marked Satisfaction of the Judgment, with interest and costs, in the within matter is ackonwledged.

328b

1993
~~1982~~

Joseph E. Altomare

329.
Quinn,Buseck,Leemhuis,
Toohey & Kroto, Inc.
Kenneth W. Wargo

~~Clark,Paul, Hoover & Mallard~~
~~David C. Hagaman~~

Ford & Harrison
Robert E. Rigrish
David C. Hagaman
for dfts.-co-counsel

MICHAEL McCANDLESS, BENJAMIN REYNOLDS, BRADLEY PEARSON, BRIAN PATTERSON, JERRY SNYDER AND JOHN E. BULKLEY

vs.

TRANS PENN WAX CORPORATION, ASTOR WAX CORPORATION AND ASSOCIATED BRITISH INDUSTRIES CORPORATION

Filed Apr. 1, 1993
@ 9:00 a.m.

Tax & entry paid	$50.50
state paid	5.00
sheriffs costs	39.00
Pro.Co. Pd 3/7/96	5.00

COMPLAINT

2 copies (atty)

A JURY OF 12 IS DEMANDED

Apr. 22, 1993, Sheriffs Return filed. SERVED Trans Penn Wax Corp. on Apr. 13, 1993 at 10:20 am. by handing a copy of the complaint to Kirk D. Frost, Adult in charge at the business, 1100 E. Main St. Titusville, Crawford County Pa.

SERVED Astor Wax Corp. on Apr. 13, 1993 at 10:21 a.m. by handing a copy of the complaint to Kirk D. Frost, Adult in charge of business, 1100 E. Main St. Titusville, Pa.

So answers, Dale A. Collins, Dep. Sheriff
Robert M. Stevens, Sheriff

May 6, 1993 Notice of Removal, filed.

Oct. 15, 1993 ORDER filed. AND NOW, this 7th day of October, 1993 Plaintiffs' Motion for leave to withdraw Counts I(C), II(C), III(C),IV(C),V(C), and VI(C) of the Complaint is granted, and the same are hereby stricken therefrom.

It is further ordered that this case be, and is hereby remanded to the Court of Common Pleas of Crawford County, Pennsylvania.

BY THE COURT:
Maurice B. Cohill, Jr.President Judge

10-22-93 Copy of Order to Atty. Altomare,Wargo & Hagaman

Feb. 14, 1994, Notice to Complete Discovery filed.

Feb. 23, 1994 Motion to Compel Discovery Responses filed.

Feb.23, 1994 ORDER filed. AND NOW, this 23 day of February,. 1994, Plaintiff's Motion to Compel Response to Discovery by Defendant Trans Penn Wax Corporation is set down for legal argument the 8th day of April, 1994 at 1:30 o'clock p.m. in Court Room 1 or 2 of the Crawford County Courthouse, Meadville, Pennsylvania.

Anthony J.Vardaro, J.

2-8-94 Copy of Order to Attys.Altomare,Wargo & Hagaman

Mar. 17, 1994 Answer and New Matter of Trans Penn Wax Corporation and Astor Was Corporation to FirstAmended Complaint filed.

Apr. 13, 1994 Motion for Continuance of Hearing on Motion to Compel Discovery Responses, filed.

Apr. 13, 1994 Response to Motion to Compel Discovery Responses, filed.

Apr. 13, 1994 ORDER FILED. AND NOW, April 11, 1994, Argument heretofore set for April 8, 1994 in the above case for is hereby reset for May 13, 1994 at 2:30 P.M. in Courtroom No. 1 or 2, Crawford County Courthouse, Meadville, PA.

FOR THE COURT,
Ann A. Walker, Ct. Adminstrator

4/12/94 Copies dist. by Ct. Adm. to Attys. Altomare, Wargo & Rigrish

May 18, 1994 Protective Order filed. To expedite the flow of discovery material and protect material entitled to be kept confidential, it is, pursuant to the court's authority under Rule 4012 of the PA. Rules of Civil Procedure, and with the consent of the parties, ORDERED:

1. Non-disclosure of Stamped Confidential Documents.

(a) Except with the prior written consent of the party or other person originally designating a document or copy of a document to be stamped as a confidential document, or as hereinafter provided under this order, no stamped confidential document may be disclosed to any person.

For purposes of this Order, "stamped confidential document" means any document, or copy of a document produced for inspection, which bears the legend (or which shall otherwise have had the legend recorded upon it in a way that brings that brings its attention to a reasonable examiner) "CONFIDENTIAL" to signify that it contains information believed to be subject to protection under Rule 4012(a)(9). For purposes of this order, the term "document" means all written, recorded, or graphic material, whether produced or created by a party or another person, whether produced pursuant to Rule 4009, subpoena, by agreement, or otherwise. Interrogatory answers, respones to requests for admission, deposition transcripts and exhxibits, pleadings, motions, affidavits, and briefs that quote, summarize, or contain materials entitled to protection may be accorded status as a stamped confidential document, but, to the extent feasible, shall be prepared in such a manner that the conficential information is bound separately from that not entitled to protection.

(b) No party concedes that any document designated by another as confidential does in fact contain trade secrets, proprietary or confidential information, or has been properly designated as confidential. If a party believes that a documemt has been improperly designated as confidential, that party shall give notice to the party designating the document and the parties shall attempt to resolve the challenge informally. If the parties cannot resolve the dispute the party challenging the designation may move the court for relief from this order for the particular documents challenged.

2. Permissible Disclosures. Notwithstanding paragraph 1, stamped confidential documents may be disclosed to counsel for the parties in this action who are actively engaged in the conduct of this litigation. Stamped confidential documents may also be disclosed to the following:

(a) the partners, associates, secretaries, paralegal assistants, and employees of such an attorney to the extent reasonably necessary to render professional services in this litigation; and to court officials involved in this litigation (including court reporters).

(b) to persons noticed for depositions or designated in good faith as trial witnesses to the extent reasonably necessary in preparing to testify, including any expert witnesses; and to experts retained for the purpose of assisting counsel in this litigation; provided, however, that in all such cases the individual to whom disclosure is to be made has signed and filed with the court a confidentiality agreement that substantively conforms with the example attached to this order. In executing the confidentiality agreement, the signator consents to the exercise of personal jurisdiction by this court and acknowledges that unauthorized disclosures of stamped confidential documents may be sanctioned as a contempt of court. Notwithstanding the foregoing, before disclosing a stamped confidential document to any person who is a competitor (or agent or employee of a competitor) of the party that so designated the document,

RECORD CONTINUED ON PAGE 506.....

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

330.

$150.00 deposited by plff. atty.

5-11-93 Pd Plff Bal. Med Dep. Ch# 7530 87.50

5-27-93 Pd Ccclerk Ch# 7559 Med. Fees 113.50

ANTHONY DeCRAPIO

vs.

MICHELLE LUIKART

Filed Apr. 2, 1993
@ 8:57 a.m.

Tax & entry paid	$50.50
state paid	5.00
William Pineo, mediator	
Sheriff's Costs	25.00

Pro Co Pd Chk 7565 5-27-93 90c

EMERGENCY PETITION FOR CUSTODY (UCCJA)

1 copy (Atty)
1 copy (mediator)

ORDER:

AND NOW, this 2nd day of April, 1993, 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 L1915.26A et. seq. of the Court of Common pleas of Crawford County, Pa.

It is further ordered and decreed that pending final determination by the court, the aforesaid minor hcildren shall not be removed from the jurisdiction of the court by either party hereunder, under possible punishment of contempt of court.

BY THE COURT,
Gordon R. Miller, J.

1 copy (atty) 1 copy (mediator)

Apr. 8, 1993, Affidavit of Service filed. I, Shawn Ashbaugh, an adult individual do hereby verify that I personally served a true and correct copy of the Emergency Petition for Custody upon the defendant above named, at her residence at: R. D. #3, Park Ave. Ext., Meadville, on the 3 day of April 1993 at 11:30 a.m.
Dated: 4/8/93 Shawn Ashbaugh.

Apr. 12, 1993 SHEIRIFF'S RETURN, filed. NOT FOUND as to Defendant Michelle Luikart. Attempted service at RD 3, Park Avenue Extension, Meadville, Crawford County, Pa. however, she was not at the residence. So answers, Robert M. Stevens, Sheriff.

May 10, 1993 TEMPORARY ORDER filed. AND NOW, this 7th day of May, 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. The parties shall share legal and physical cusody of the subject minor child, Bryson Logan DeCrapio.

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 mother shall have primary physical custody of the subject minor child. The father shall have temporary physical custody and visitation every weekend, except for the last full weekend of each month, from Friday at 5:00 p.m. through Sunday at 5;00 p.m.

4. Holiday visitation shall be arranged as follows:

a. Christmas: There shall be two Christmas holiday visitation periods, the first beginning on Christmas Eve at noon and ending Christmas Day at 10:00 a.m. and the second beginning Christmas Day at 10:00 a.m. and ending Christmas Day at 5:00 p.m. for Christmas, 1993, the mother shall have the first period, and the father, the second, and the paraties shall thereafter alternate.

b. Thanksgiving: There shall be two Thanksgiving visitation periods, the first beginning on Thansgiving Day at 9:00 a.m. 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 5:00 p.m. For Thanksgiving, 1993, the father shall have the first period, and the mother, the second, and the parties shall thereafter alternated.

c. Easter: There shall be two Easter visitation periods, the first beginning on Holy Saturday at 5:00 p.m. and ending Easter Sunday at 1:00 p.m., and the second beginning Easter Sunday at 1:00 p.m. and ending Easter Sunday at 5:00 p.m. For Easter, 1994, the father shall have the first period, and the mother, the second, and the parties shall thereafter alternate.

d. The other major holidays will be 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 child may watch the fireworks. The father shall visitation and temporary physical custody for Memorial Day, 1993, and the parties shall thereafter alternate.

e. The child shall spend Father's Day with his father from 9:00 a.m to 7:00 p.m, and Mother's Day with his mother, during the same hours.

f. The provisions of this paragraph shall take precedence over the other provisions of this order relating to 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 cancellatoin or modification. Said modifications or cancellations shall nto be proposed except for good reasons. Should a cancellation or modification be necessary, the paraties 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 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 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 she 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 teh 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 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.

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 they would be proper and convenient. Said arrangemetns shall be by mutual consent only, in the absence of which this Order shall govern.

RECORD CONTINUED ON PAGE 330 (a).....

ANTHONY DECRAPIO
vs.
MICHELLE LUIKART

RECORD CONTINUED FROM PAGE 330
OF
AD 1993 - 330

****

12. It is understood that th eliving arrangemetns of the parties are not presently settled because of their youth, and therefore the parties may request further mediation at any time if there is to be a substantial change in the living circumstances of either or any other change in the situation.

13. If either party intends to move from Crawford Co., Pa., the party choosing to make said move shall notify the other, thirty (30) days in advance of said move and shall file a petition for modification of custody. Ther esidence of the subject minor child shall not be changed from Crawford Co., PA., without further order of this court.

14. Costs and fees of this Mediation which are fixed at $227.00, are divided equally between the parties, The share of the mother shall be paid by Crawford Co., the mediator having informed the court that the mother is indigent and is receiving public assistance.

15. The deposit required for the appointment of the custody mediator was made by the father. The deposit shall first be applied against the father's shre of costs and the remainder shall be remitted to him.

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,
Gordon R. Miller, J.

May 12, 1993 Copy of Order given to Atty. Irwin; Copy to Atty. Pineo, copy mailed to Dft.

June 7, 1996 Petition for Special Relief and Rule to Show Cause filed. AND NOW, this 7th day of June, 1996, upon presentation and consideration of the foregoing Petition for Special Relief, a Rule is entered upon the Respondent to show cause, if any she has, why the prayer of the Petitioner should not be granted.

THIS RULE IS RETURNABLE ON Wednesday, June 12, 1996 in Courtroom No. 3 of the Crawford County Courthouse, Meadville, Pennsylvania at 10:00 o'clock A.M.

FOR THE COURT,
Ann A. Walker, Ct. Admin.

6-7-96 DISTRIBUTED DeVore. FAXED Irwin.

June 14, 1996 Motion for Entry of Consent Order and to Withdraw Request for Hearing and ORDER filed.

CONSENT ORDER. This Order is entered pursuant to a Petition for Special Relief filed by Father alleging Mother's intent to violate the Court's Order of May 7, 1996, for the weekend of June 21, 1996.

AND NOW, June 14, 1996, upon consideration of the foregoing Stipulation of the parties and their counsel, IT IS HEREBY ORDERED AND DECREED, that:

1. Father is to have physical custody of the subject minor child on the weekend of June 21, 1996, pursuant to the Court's Order of May 7, 1993, in order that the child may be in attendance at and participate in Father's wedding.

2. Mother shall produce the subject minor child to the Father at his regularly scheduled visitation time, as directed by the Court's Order of May 7, 1993.

3. Neither party shall remove the subject minor child from the State of Pennsylvania on the weekend of June 21, 1996.

4. In the event that Mother should violate this Consent Order in any manner, she will be responsible for the payment of any attorney's fees and costs incurred on Father's behalf for the preparation and presentation of the Petition for Special Relief dated June 4, 1996, this Consent Order, and any subsequent Petition for Contempt that would arise out of her violation of this Consent Order, as well as any special damages incurred by Father due to any such violation.

BY THE OCURT:
Anthony J. Vardaro, J.

6-14-96 FAXED DeVore & Keenan

ORDER: AND NOW, June 14, 1996, upon presentation and consideration of the foregoing Motion, and presentation and consideration of the subject Stipulation and Consent Order, said Consent Order having been entered by the Court, Counsel's Request to Withdraw Hearing is granted.

BY THE COURT:
Anthony J. Vardaro,J.

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 Roberta DeCrapio filed.

1993

Fuller, Kinnunen, Petruso, Gamble, Fabian & Hall
Victor J. Kinnunen

331.

Culbertson,Weiss, Schetroma and Schug,
E. Max Weiss

Thomas J.McClain
for the City of Titusville

DONNA L. NICHOLS

vs.

TITUSVILLE HOUSING AUTHORITY

vs.

THE CITY OF TITUSVILLE

Filed April 2, 1993
@ 2:35 PM

Tax & entry paid	50.50
Users' Fee paid	5.00
Sheriff'sCosts	37.00
Sheriff Costs	37.00
Pro.Co. pd 6/29/95	7.00

COMPLAINT IN CIVIL ACTION
1 copy Sheriff, 1 copy atty.

Apr. 16, 1993 Sheriff's Return filed. SERVED Titusville Housing Authority on April 5, 1993 at 10:10 AM by handing a copy of the Complaint to Billie L. Brown, Executive Director, at Titusville Housing Authority, Central Towers, 217 East Central Avenue, Titusville, Crwaford County, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Apr.19, 1993 Appearance of Culbertson, Weiss, Schetroma and Schug, P. C. by E. Max Weiss, Esquire for Titusville Housing Authority, Defendant.

Aug. 6, 1993, Answer and New Matter of Titusville Housing Authority to Plaintiff's complaint filed. 1 copy (atty)

Aug. 12, 1993 Petition for Leave to Join Additional Defendant and Order, filed. ORDER: And Now, this 10 day of August, 1993, upon presentation of the within Petition, the Titusville Housing Authority is granted leave to join the City of Titusville as an Additional Defendant nunc pro tunc without prejudice to the right of the City of Titusville to ahallenge the validity of the joinder. The Joinder Complaint shall be filed within ten days of the date of this Order. This petition is granted because the Court believes that reading the Petition as a whole indicates that Petitioner intended paragraph 4 to indicate "the facts suggest a cause of action the City of Titusville . . " By The Court:
Anthony J. Vardaro, J.
Aug 19, 1993 copy to M. Weiss & V. Kinnunen

Aug. 23, 1993 Complaint of Original Defendant, Titusville Housing Authority, Against Additiona Defendant, filed. (1 copy Atty)

Aug. 27, 1993 SHERIFF'S RETURN, filed. SERVED The City of Titusville on August 25, 1993 at 2:40 PM by handing a copy of the Complaint to Join Additional Defendant to Carolyn Ford, City Manager, at 107 North Franklin Street, Titusville, Crawford County, Pa.
So answers, Scott D. Young, Deputy Sheriff
Robert M. Stevens, Sheriff

Aug. 30, 1993 ORDER filed. AND NOW, August 23, 1993, the attorney for the Titusville Housing Authority appears in chambers and indicates that he is prepared to file his joinder complaint with respect to the City of Titusville but notes that the 10 days in which to do so by our order of August 10, 1993 expired on August 20, 1993. He also notes that a copy of our order was not distributed by the Prothonotary's Office until August 19, 1993 and the attorney for Defendant Titusville Housing Authority was not in his office on Friday, August 20, 1993.
The Titusville Housing Authority is therefore granted leave to file his joinder complaint joining the City of Titusville as an Additional Defendant nunc pro tunc so long as the same is filed this day. BY THE COURT:
Anthony J. Vardaro, J.
Aug. 30, 1993 copies dist to Kinnunen & Weiss

Sep. 21, 1993 Appearance of Thomas J. McClain, Esquire for The City of Titusville, Defendant, filed.

Sep. 28, 1993 Preliminary Objections on behalf of additional defendant, The City of Titusville, filed.

Sep. 28, 1993 Upon Praecipe of Thomas J. McClain, ESquire, Attorney for the City of Titusville, the above captioned matter is place on the next available Argument List.

ON NOVEMBER, 1993 ARGUMENT LIST

Oct. 14, 1993 Original Defendant's Preliminary Objections to Additional Defendant's Preliminary Objections filed.

Oct. 18, 1993 Amendments to Original Defendant's Preliminary Objections to Additional Defendant's Preliminary Objections filed.

Oct. 22, 1993, Upon praecipe of attorneys for dft. Titusville Housing Authority,Defendants Preliminary objections to Additional Dfts Preliminary Objections to Add. Dfts. Preliminary Objections listed on next argument list.

Dec. 21, 1993 ORDER filed. AND NOW,December 20,1993,the preliminary objections of the Additional Defendant with respect tothe complaint to join filed on behalf of the original Defendant are dismissed and the Additional Defendant is afforded 20 days from the date of this order to file a responsive pleading.
In light of this ruling,the original Defendant's preliminary objections as well as the amendments to original Defendant's preliminary objections to Additional Defendant's preliminary objections become moot and are therefore dismissed.
BY THE COURT:
Anthony J.Vardaro,J.
12-21-93 Copies dist. to Kinnunen,Weiss & McClain

Jan. 12, 1994 Answer and New Matter and New Matter Under 2252(d) To Original Defendant's Complaint To Join Additional Defendant filed.

Feb. 4, 1994, Reply of Titusville Housing Authority to New Matter and New Matter Cross-Claim of Additional Defendant City of Titusville, filed.

Record Continued on Pg. 510

Mary Ann Kirkpatrick

332.

VERA GAIL BARTON LOBDELL

vs.

LARRY WENDELL LOBDELL

Filed April 2, 1993
@ 3:00 p.m.

Tax & entry paid	50.50 ✓
User's fee paid	15.00
2 Add'l Counts pd	30.00 ✓
State paid	10.00
Pro. Co. pd 7/16/93	9.00 ✓

COMPLAINT IN DIVORCE, ALIMONY, EQUITABLE DISTRIBUTION
1 copy atty.

Apr. 27, 1993 Acceptance of Service filed. I accept service ofthe Divorce Complaint.
Date: 4/0Ø93 Larry Wendell Lobdell

July 1, 1993 Defendant's Counter-Affidavit Under Section 3301(d) of the Divorce Code filed.

July 14, 1993 Plaintiff's Affidavit Under Section 3301(d) of the Divorce Code, filed.

July 16, 1993 Upon Praecipe of Mary Ann Kirkpatrick, Esquire, Attorney for Plaintiff, to transmit record, case moved to Court.

DIVORCE DECREE FILED

July 23, 1993 And, Now, July 21, 1993, it is ordered and decreed that VERA GAIL BARTON LOBDELL, plaintiff and LARRY WENDELL LOBDELL, 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.

Real Estate: Wife shall be the sole owner of the parties' Crawford Co. Real Estate which includes the parcel received from the Estate of Elwood Heaster by deed dated Dec. 1, 1973, the parcel received from Betty P. Andre, et al, by deed dated June 21, 1985, the parcel received from Iyla L. Reynolds by deed dated Aug. 17, 1992 and the parcel conveyed by Norman L. Jennings by deed dated Dec. 1, 1973.

Husband shall continue to pay the real estate taxes and homeowner's insurance on these parcels so long as they shall continue to be owned by Wife. The conveyance of these parcels to Wife shall be free and clear of all liens other than the PNC Bank line of credit.

PNC Bank Line of Credit: The parties maintain a "line of credit" account with PNC Bank. Husband and Wife shall continue to (borrow on) said line of credit only by written authorization of both of them. Husband shall be solely liable to make all payments on said account.

Life Insurance: Husband's life is currently insured in the amount of $100,000.00 death benefits with Equitable Insurance Company, Wife is the named beneficiary. Husband shall keep said policy paid in full and shall maintain Vera Gail Barton Lobdell as beneficiary so long as Husband and Wife shall both live.

Automobiles: Each party shall keep the automobile now in his and her own posession. Wife shall have the right to trade in the car which is her possession and purchase a new car of her choice to be paid for by Husband using the above mentioned line of credit.

Other Assets: Wife shall be the sole owner of the IRA retirement fund with Equitable/Pittsburgh/Marine Bank.

Wife shall be the sole owner of all personal property now in her possession and Husband shall be the sole owner of all personal property now in his possession.

Husband shall retain and be the sole owner of all assets not otherwise distributed herein.

Alimony: Husband shall pay to Wife the sum of $1,500.00 per month as alimony to terminate in the event of the death of Husband or of Wife.

By the Court:
Gordon R. Miller, J.

1993

333.

APPLICATION FOR EXTENDED INVOLUNTARY TREATMENT

of

SHELLY WINGER

Filed April 5, 1993
@ 9:36 AM

PETITION FOR EXTENDED INVOLUNTARY TREATMENT
Mental Health Procedures Act of 1976
(Section 303)

Apr. 7, 1993 Certification for Extended Treatment filed.
April 7,1993 Copy of Order toAttys. Barrett, Petruso, MMC & MH/MR

May 27, 1994 Petition For Involuntary Treatment filed.

June 3, 1994 Report of Mental Health Review Officer, Recommendation and ORDER filed. And now, June 3, 1994, upon consideration of the petition field 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 Shelly Winger be committed to Warren State Hospital for treatment for a period not to exceed 90 days. This order shall take effect on June 7, 1994.

BY THE COURT,
Gordon R. Miller, J.

June 6, 1994 Copy of Order to Atty. B. Barrett, MH/MR, WSH.

Aug. 31, 1994 Mental Health Procedures Act of 1976 (Sections 304 and 305), filed.

Sep. 23, 1994 Report of Mental Health Review Officer and ORDER filed. AND NOW, this 22nd day of September, 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 Shelly J. Winger be committed to the Warren State Hospital for treatment for a period not to exceed 180 days from September 20, 1994.

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

9-28-94 Copy of Order to Atty. Barret, MH/MR, Atty. Africa & WSH

Oct. 13, 1994 Transfer of Involuntarily Committed Persons From Inpatient to Outpatient Status Mental Health Procedures Act of 1976, filed.

1993

334.

DONALD J. LOWERY

vs.

CHERYL ANN LOWERY

Filed April 5, 1993
@ 10:32 AM

Tax & entry	50.50
User's Fee	5.00
Sheriff's Costs	25.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT
3 copies Sheriff
1 copy plaintiff

ORDER:

And now, this 5 day of April , 19 93 , 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 plaintiff shall have exclusive possession of themarital home at 530 Smith St. and exclusive physical custody of the three children all pending 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 or 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 the April 12, 1993 , at 9 a.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,
Anthony J. Vardaro, J

April 7, 1993 MOTION TO VACATE PROTECTION FROM ABUSE ORDER and ORDER filed. AND NOW, this 7 day of April, 1993 upon receipt and review of the plaintiff's motion to vacate and terminate the Protection from abuse Order of April 5, 1993, said motion is granted and the Protection from Abuse Order is hereby vacated and terminated.

A true and correct copy of this Order shall be delivered by the Prothonotary to Cheryl Ann Lowery and to County Control.

County shall pay costs.

BY ORDER OF COURT
Anthony J. Vardaro, J.

April 7, 1993 Copy given to Co. Control, Defendant at Jail and copy mailed to Plaintiff.

Apr. 5, 1993 SHERIFF'S RETURN, filed. SERVED Cheryl Ann Lowery personally on April 5, 1993 at 10:45 AM by handing a copy of the Protection from Abuse to her temporary place of custody in the Crawford CountybJail, 360 Center St., Meadville, Crawford County, Pa.
So answers, Edgar D. Householder, Chief Deputy
Robert M. Stevens, Sheriff

1993

335.

Thomas Africa

PETITION FOR INVOLUNTARY TREATMENT OF:

DEANNA RIORDAN

Filed April 5, 1993
@ 10:36 am

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

May 17, 1993 REPORT OF MENTAL HEALTH REVIEW OFFICER and ORDER, field. ORDER: And now, May 14, 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 Deanna Riordan be committed to Warren State Hospital (adolecent unti) for treatment for a period not to exceed 180 days.
This order shall take effect on May 14, 1993.
BY THE COURT,
Gordon R. Miller, P.J.
May 20, 1993 copy to T. Africa, WSH, MH/MR

Feb 20, 1997 Mental Helath Procedures Act of 1976 (Sections 304 and 305).

March 3, 1997 REPORT OF MENTAL HEALTH REVIEW OFFICER and ORDER filed. And now, March 3, 1997, 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 Dianna Riordan be committed to Warren State Hospital for treatment for a period not to exceed 90 days.
This order shall take effect on March 3, 1997.
BY THE COURT,
Gordon R. Miller, J.
March 3, 1997 Copy to MH/MR, WSH, Atty. M. Dan Mason.

June 30, 1997 Mental Health Procedures Act of 1976 (Section 303) and Certification by The Court For Extended Involuntary Emergency Treatment - Section 303, filed.

Oct 8, 1997 Mental Health Procedures Act of 1976 (Sections 304 and 305).

***

Jan. 20, 1998 Mental Health Procedures Act of 1976 (Sections 304 and 305) filed.

***

Jan. 16, 1998 Application For Extended Involuntary Treatment Mental Health Procedures Act of 1976 (Section 303) filed.

Jan 22, 1998 Report of Mental Health Review Office and Order: And now, **January 22, 1998,** 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 **Deanna Riordan** be committed to **Warren State Hospital** for treatment for a period not to exceed **90** days.
This order shall take effect on **January 27, 1998.** Gordon R. Miller, P.J.
Jan 26, 1998 Dist. to Africa & WSH

Apr 22, 1998 Mental Health Procedures Act of 1987 (Sections 304 and 305), filed.

Apr 22, 1998 Report of Mental Health Review Officer and Order: AND NOW, this 22 day of April, 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 Deanna M. Riordan be committed to the Warren State Hospital for a treatment period not to exceed 180 days from April 14, 1998. Anthony J. Vardaro, J.
May 21, 1998 sent copy to WSH given MH/MR

Nov 9, 1998 Application For Extended Involuntary Treatment; Mental Health Procedures Act of 1976 (Section 303), filed.

-FOR-FUTURE-ENTRIES-AS-OF-APRIL-16,-2002--SEE-COMPUTER.

1993

Randall T. Hetrick 336.	NANCY MELLON vs. KENNETH G. MELLON Filed April 5, 1993 @ 11:21 AM Tax & entry paid 50.50 User's Fee paid 5.00 State paid 10.00 Pro Co pd 9-29-93 9.00	COMPLAINT IN DIVORCE July 9, 1993 Affidavit of Consetn of Defendant, filed. Sept 29, 1993 Copies of return receipt filed. Sept. 29, 1993 Affidavit of Consent of Plaintiff, filed. Sept. 29, 1993 Upon praecipe of plaintiff attorney to transmit records, case moved to Court. DIVORCE DECREE FILED Oct. 8, 1993, it is ordered and decreed that NANCY MELLON, plaintiff, and KENNETH G. MELLON, 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.

1993

Shapiro and Kreisman
Carolee Berasi
Kristina G. Murtha

337.

INTEGRA BANK/PITTSBURGH
successor to LANDMARK
SAVINGS ASSOCIATION

vs.

PAUL E. LOCKE and ALBERTA
M. LOCKE

Filed April 5, 1993
@ 11:40 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	33.00
Sheriff's costs	31.00
Pro.Co. pd 12/20/93	9.00
Pro Co pd 3-23-98	5.00

COMPLAINT IN MORTGAGE FORECLOSURE
2 copies Sheriff

Sept. 7, 1993 SHERIFF'S RETURN, filed. NOT FOUND as to Defendants Paul E. Locke and Alberta M. Locke. Several attempts were made to their residence at RD 2, Box 107A, Saegertown, Crawford County, Pa. where no one was ever home.
So answers, Robert M. Stevens, Sheriff

Oct. 6, 1993 Motion For Service Pursuant To Special Order and Order filed. AND NOW, this 6th day of October, 1993, upon consideration of Plaintiff's Motion and Affidavit of Good Faith Investigation attached hereto, it is hereby ORDERED that service of the Complaint in Mortgage Foreclosure, Notice of Sale, and all subsequent pleadings on Defendants, Paul E. Locke and Alberta M. Locke shall be complete when Plaintiff or its consel or agent has mailed true and correct copies of the Complaint in Mortgage Foreclosure, Notice of Sale, and all subsequent pleadings by certified mail and regular mail to the last known address as set forthin said Motion and Affidavit, that is, RR #2, Box 107A, Saegertown, PA 16433 and the Sheriff has posted a copy of the Complaint in Mortgage Foreclosure, Notice of Sale, or subsequent pleading on the most public part of the property located at: RD 2 Saegertown, PA 16433, which is the subject of this action in Mortgage Foreclosure.

BY THE COURT:
Gordon R. Miller, J
Oct. 11, 1993 Copies of order to Carolee Berasi

Nov. 15, 1993 Complaint Reinstated.

Nov. 23, 1993 Sheriff's Return filed. POSTED the property of Paul E. Locke and Alberta M. Locke with two copies of the Complaint in Mortgage Foreclosure at their residence RD # 2, Box 107 A, Saegertown, Crawford Co., PA., on November 18, 1993 at 9:30 AM and 9:31 AM, respectively.
So answers,

Scott D. Young, Deputy Sheriff
Robert M. Stevens, Sheriff

Nov. 24, 1993 Affidavit of Service filed. I, Dana M. Cotten, the undersigned, being duly sworn according to law, hereby depose and say that on the 22nd day of Novemer, 1993, pursuatn to the attached Order of Court, attached as Exhibit "A", I served a true and correct copy of the Complaint in Mortgage Foreclosure in the above captioned matter to the Defendant(s) by certified and regular mail, to the last known address of the Defendant(s) as listed below:
Paul E. Locke and Alberta M. Locke at R.R. #2, 107A, Saegertown, PA 16433

By: Dana M. Cotten, Legal Ass't Assistant

And Now, Dec. 20, 1993 at 2:19 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 assess Plaintiff's damages at the sum of Forty-One thousand Nine hundred forty-one and 84/100 dollars.

Principal of mortgage debt	$34,599.36
Title Search & Bringdown	200.00
Interest at 9.75% from 7/1/92 through 12/15/93 (Each day, add $9.24 after 12/15/93)	4,924.92
Late charges 9@ $15.18 from 4/01/93 through 12/15/93 (On the 16th of each month add $15.18)	308.82
Escrow Advances (from Complaint)	178.77
Attorneys fees (anticipated and actual to 5% of principal)	1,729.97
Total Amount Due	$41,941.84

L-136;16;

Entered 12-20-93
Atty. Berasi

Judgment
Barbara H. King, Prothonotary

EXECUTION 1993 - 110

Mar 13, 1998 Upon praecipe of plaintiff attorney the record in this matter is marked SATISFIED without prejudice to the plaintff.

1993

Terry Toomey

338.

Marsh,Spaeder,Baur,
Spaeder & Schaaf
John B. Fessler

DEBBIE JO CIONGOLI

vs.

SEARS, ROEBUCK & COMPANY

Filed April 5, 1993
@ 2:03 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	83.00

WRIT OF SUMMONS
Issued Sheriff

Apr. 21, 1993 Writ Reissued.

May 10, 1993 Sheriff's Return Filed. SERVED Sears Roebuck and Company by deputizing the Sheriff of Philadelphia County, PA, as per his Affidavit of Service attached. Served on April 29, 1993, at 1635 Market Street, Philadelphia, PA.
So answers, Robert M. Stevens, Sheriff

Sep. 30, 1993 Appearance of Marsh,Spaeder, Baur, Spaeder & Schaaf by John B. Fessler, Esquire for Sears Roebuck & Company, Defendant, filed.

Sep. 30, 1993 Praecipe for Rule to File Complaint issued. (Atty.)

Oct. 25, 1993, Civil Complaint filed. 1 copy (atty)

Oct. 25, 1993, Service of the foregoing Rule accepted by TerryToomey, atty. for plaintiff, filed.

Feb. 23, 1994 Praecipe for Argument List, filed.

ON MARCH 1994 ARGUMENT LIST

Feb 23, 1994 Preliminary Objections, filed.

Mar. 7, 1994 Notice of Serving Interrogatories, filed.

Mar. 29, 1994 ORDER filed. AND NOW, March 28, 1994, the Defendnat's preliminary objections challenging venue are hereby granted. Venue shall lie in Erie County, Pennsylvania, not Crawford County, Pennsylvania.

The Prothonotary shall transfer this case to the Prothonotary of Erie County and transfer all pleadings, motions, Orders and all other parts of the record to the Prothonotary of Erie County where the case shall be numbered,docketed and proceed from that point ont.

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

3-31-94 Copies to Attys. Toomey & Fessler

1993

Thomas, Truax,
Spadafore & Walker
Gregory A. Keenan

339.

Barbara J. Walton

RONALD KIGHTLINGER

vs.

KATHLEEN KIGHTLINGER

Filed April 5, 1993
@ 2:51 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
2 Add'l cts. pd 2/22/95	30.00
User's fee pd 2/22/95	10.00
Pro Co pd 6-22-95	9.00
Pro Paid 7/14/95	5.00

COMPLAINT IN DIVORCE
1 copy atty.

Apr. 13, 1993 Affidavit of Service of Complaint In Divorce filed. Gregory A. Keenan, Esquire, being duly sworn according to law, deposes and says that on April 6, 1993, he sent a true and correct copy of a Complaint In Divorce, properly endorsed with the Notice To Defend, filed in the above action, to the Defendant, Kathleen Kightlinger, at Defendant's last known address of Apartment 123, Forest Green, Meadville, Pennsylvania, 16335, by Certified Mail No. P 100 620 574 postage prepaid, return receipt requested, restricted deliery and that attached hereto is a duly executed return receipt card showing date of deliery as April 7, 1993.

Gregory A. Keenan

Feb. 22, 1995 Affidavit of Consent by Kathleen Kightlinger, Defendant, filed.

Feb. 22, 1995 Petition for Additional Remedies, filed.

Mar. 1, 1995, Inventory of Kathleen Kightlinger filed.

Jun. 15, 1995 Affidavit of Consent by Ronald Kightlinger, Plaintiff, filed.

June 20, 1995 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

June 28, 1995 AND NOW, this 26th day of June, 1995, 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. The bonds of marriage between Plaintiff, RONALD KIGHTLINGER, and Defendant, KATHLEEN KIGHTLINGER, are dissolved because the marriage is irretrievably broken. Plaintiff and Defendant are divorced from the bonds of matrimony.

AND IT IS FURTHER ORDERED, ADJUDGED, AND DECREED, that the terms, provisions and conditions of the Marriage Settlement Agreement between the parties herein dated June 14, 1995, shall be incorporated in this decree and order by reference as fully as though the same were set forth herein, at length, including the following:

1. The Husband shall become the sole and exclusive owner of the residential real estate situate in The Second Ward of the City of Meadville, Crawford Co., PA. The parties agree to sign Quit Claim Deed transferring any right or interest the Wife may at this time or in the future have to this property.

The Husband shall pay to the Wife the sum of $9,000.00 as payment of any interest Wife may have in the marital home. Husband agrees to indemnify and hold wife harmless for any debts he may at this time or in the future have that are associated with the home.

2. Husband shall become the exclusive ownr of a 1989 Van and agrees to indemnify and hold wife harmless for any debts he may at this time or in the future have with this vehicle.

3. The parties agree that all personal property has been divided.

4. Both parties waive any and all rights to any pension or retirement benefits of the other party.

5. The paraties waive all rights to make any claim for alimony or spousal support at this time or in the future.

6. All other provisions of the Marriage Settlement Agreement dated June 14, 1995 are incorporated herein and the parties are directed to comply with said agreement. This agreement shall nto merge with, but shall survive this decree and order.

7. This Honorable Court shall retain jurisdiction over this matter.

By the Court:
Gordon R. Miller, J.

July 14, 1995, NOTICE OF ELECTION TO RETAKE PRIOR NAME filed. To Be Known As:

KATHLEEN BALL

Pepicelli, Youngs
& Youngs, PC
Lisa Pepicelli Youngs

340.

DOLLAR SAVINGS ASSOCIATION

vs.

JAMES G. BARTHOLOMEW and
MARY L. BARTHOLOMEW

Filed April 5, 1993
@ 4:02 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	36.00
Pro Co pd 5-5-93	9.00
Pro.Co. pd 10/14/93	5.00

COMPLAINT IN MORTGAGE FORECLOSURE
3 copies atty.

Apr. 21, 1993 Sheriff's Return filed. SERVED James G. Bartholomew on April 12, 1993 at 3:06 PM by handing a copy of the Complaint in Mortgage Foreclosure to Mary L. Bartholomew, his Wife, at their residence, Shermansville Road, Conneautville, Crawford County, PA.
SERVED Mary L. Bartholomew personally on April 12, 1993 at 3:07 PM by handing a copy of the Complaint in Mortgage Foreclosure to her at Shermansville Road, Conneautville, Crawford County, PA.
So answers,

Dale A. Collins, Deputy
Robert M. Stevens,
Sheriff

May 5, 1993 Affidavit of Non-Military Service of Defendants, filed.

And Now, May 5, 1993 at 9:38 a.m., upon praecipe of plaintiff's attorney judgment is hereby entered against the Defendants for failure to file an Answer to the Plaintiff's Complaint. Judgment is entered in the following amount: Twenty-Six Thousand, Three Hundred, Thirty-Six Dollars and Ninety-Seven cents, plus costs.
Entered May 5, 1993 Debt: $26,336.97 plus costs
B - 94, 114 JUDGMENT
Barbara H. King, Pro.

Ex. 1993 - 34

Oct. 14, 1993 Upon Praecipe of Christopher J. Youngs, Esquire, Attorney for Plaintiff, the above judgment in this action is satisfied of record. This satisfaction shall in no way affect the lien upon which the Judgment was entered.

1993

Withdrawn
~~Mary Ann Kirkpatrick~~

341.

Barbara J. Walton

JODY LYNN DAVISON ADAMS

vs.

CRAIG DUANE ADAMS

Filed April 6, 1993
@ 9:22 AM

Tax & entry paid	50.50
User's Fee paid	20.00
3 Add'l Counts pd	45.00
State paid	10.00
Pro Co 11-17-93	9.00

COMPLAINT IN DIVORCE, ALIMONY, CHILD SUPPORT, ALIMONY PENDENTE LITE, REASONABLE COUNSEL FEES, COSTS AND EXPENSES EQUITABLE DISTRIBUTION, CUSTODY
1 copy atty.

Apr. 14, 1993 Affidavit of Service filed. And Now, April _____, 993, 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 Jody Lynn Davison Adams, Plaintiff in the above-captioned matter.

2. That on information furnished her by the Plaintiff, she caused a certified copy of theComplaint in Divorce to be forwarded by certified Mail,P 899 085 298; postmarked April 6, 1993, to the last known address of the Defendant Craig Duane Adams, 113 W.Spruce St.,Titusville, PA 16354.

3. That the Defendant, Craig Duane Adams, on April 9, 1993, personally signed the return receipt card which was affixed to the Complaint in the above-matter and which is attached hereto.

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

Apri 12, 1993 Constance L.Deitman

Nov. 17, 1993 Final Divorce Decree Agreement, filed.

Nov. 17, 1993 Affidavit of Consent of Plaintiff, filed.

Nov. 17, 1993 Affidavit of Consent of Defendant, filed.

Nov. 17, 1993 Upon praecipe of Defendant's attorney to transmit record, case moved to Court.

Dec. 3, 1993 Memorandum, filed. (copies dist by Court)

Dec. 22, 1993 Motion for Leave to Withdraw Appearance and ORDER filed. And,Now, December 22, 1993, the motion for withdrawal of appearance is granted.

By the Court:
Anthony J. Vardaro, J.

1-4-94 Copy of Order to Attys. Kirkpatrick & Walton

Jan. 18, 1994 Addendum To Divorce Decree Agreement, filed.

Jan. 18, 1994 Upon praecipe of Defendant's attorney to transmit records, case moved to Court.

DIVORCE DECREE FILED

Jan. 26, 1994 AND NOW, this 24th day of January, 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:

1. The bonds of marriage between Plaintiff, JODY LYNN ADAMS, and defendant, CRAIG DUANE ADAMS, are dissolved because the marriage is irretrievably broken. Plaintiff and Defendant are divorced from the bonds of matrimony.

AND IT IS FURTHER ORDERED, ADJUDGED, AND DECREED, that the terms, provisions and conditions of the Divorce Decree Agreement between the parties herein, dated Nov. 15, 1993 and the Addendum, dated Jan. 13, 1994, shall be incorporated in this decree and order by reference as fully as though the same were set forth herein, at length.

1. Plaintiff and Defendant have reached an agreement as to the equitable distribution of property and debt as provided in the Divorce Decree Agreement, and the Addendum thereto.

2. Legal custody of the 3 minor children, SHAWN, CHASE, AND AARON ADAMS shall be shared between the parties. Primary physical custody of SHAWN shall be with the father and primary physical custody of CHASE AND AARON shall be with teh mother, with partial custody and visitation as provided in the Divorce Decree Agreement.

3. This Honorable Court shall retain jurisdiction of this matter.

BY THE COURT:
Gordon R. Miller, J.

342

1993

Phillips & Galanter, PC
Donald L. Phillips

342.

GELVIN, JACKSON & STARR, INC

vs.

CHS, INC. t/a MUGGS a/k/a MUGGS RESTAURANT a/k/a MUGGS LOUNGE & FAMILY DINING ROOMS

Filed April 6, 1993
@ 2:28 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	43.50
Pro Co pd	9.00
EXempt. pd 6/9/93	10.00

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

Apr. 23, 1993 Sheriff's Return filed. SERVED the within complaint on April 13, 1993, at 1603 hrs., upon CHS, Inc., t/a Muggs aka Muggs Restaurant aka Muggs Lounge & Family Dinin Rooms at 8038 Peach Street, Erie County, Erie, Pennsylvania by handing to J. Knablein, Assistant Operating Manager a true and correct copy thereof and made known to her the contents therein.
So answers, Robert N. Michel, Sheriff
John Loomis, Deputy

I hereby deputize the Sheriff of Erie County, Pennsylvania to serve the within Complaint according to law.
So answers Robert M. Stevens, Sheriff

May 19, 1993 at 11:58 a.m.: And Now, upon praecipe of plaintiff's attorney judgment is hereby entered in favor of the plaintiff and against the defendants in default of an answer sec. leg in the sum of Two thousand four hundred forty-two and 22/100, including int at .06% from 1-17-91.

Judgment entered 5-19-93
C - 186
M - 186

Debt: $2,442.22 interest at .06% from 1-17-91 included
JUDGMENT
Barbara H. King, Prothonotary

1993

Quinn, Buseck,
Leemhuis, Toohey
& Kroto, Inc.
Lawrence C. Bolla

343.

NATIONAL FUEL GAS
DISTRIBUTION CORPORATION

vs.

TIMOTHY G. GREEN

Filed April 6, 1993
@ 2:55 PM

Tax & entry paid	15.00
Pltf. on orig.	102.24
sheriffs costs	40.00
Pro Co pd. 5/28/93	9.00

WRIT OF REVIVAL OF JUDGMENT

OF

AD 1989 - 484

Debt-----$2,077.56
Dated--- April 5, 1993
G-164 ---- Revival of Judgment

Barbara H. King, Pro
Issued Sheriff

Revival indexed in favor of plaintiff and against the defendant in the sum of Two Thousand Seventy-seven and 56/100 dollars plus cost.

Apr. 22, 1993, Sheriffs Return filed. (Writ Returned) SERVED Timothy G. Green on Apr. 13, 1993 at 10;44 a.m. by handing a copy of the Writ of Revival to Francis Green Adult in charge of residence, 321 N. Brown st. Titusville, Pa. Crawford County.
So answers, Edgar D. Householder, Ch. Dep.
Robert M. Stevens, Sheriff

And Now, May 28, 1993, at 11:43 a.m., upon praecipe of plaintiff attorney, with default notice attached, Judgment per Writ of Revival is hereby entered against the defendants in the amount of Two Thousand Seventy Seven and 56/100 Dollars plus int. from May 30, 1989 and costs of action.
Judgment entered
5/28/93
G - 164

Debt ---$2,077.56
Int from May 30, 1993
JUDGMENT
Barbara H. King,
Prothonotary

June 3, 1993, notice of entry of judg. mailed to dft.

1993

Culbertson, Weiss, Schetroma & Schug, PC
David L. Hotchkiss

344.

BEATRICE M. SHERRY, single
JOSEPH A. SHERRY and STEVEN J. SHERRY

vs.

BEATRICE M. SHERRY, single
JOSEPH A. SHERRY and STEVEN J. SHERRY

Filed April 6, 1993
@ 3:05 PM

Tax & entry paid 50.50
User's Fee paid 5.00

COMPLAINT IN CIVIL ACTION
AMICABLE ACTION IN REFORMATION

Apr. 6, 1993 Acceptance of Service filed. I accept service of the Complaint in the above-captioned action
4/6/93 Steven J. Sherry

Apr. 6, 1993 Acceptance of Service filed. I accept service of the Complaint in the above-captioned action.
4/6/93 Joseph A. Sherry

Apr. 6, 1993 Acceptance of Service filed. I accept service of the Complaint in the above-captioned action.
4/6/93 Beatrice M. Sherry

Apr. 23, 1993 Motion for Reformation of Deeds and Order filed. AND NOW, this 23 day of April 1993, upon consideration of plaintiff's and defendants' amicable action to reform certain deeds and the agreement attached thereto, it is hereby Ordered as follows:

1. that the deed dated December 30, 1991, and recorded at Crawford County Record Book 141, at page 609, andthe deed dated January 8, 1992, and recorded at Crawford County Record Book 142, at page 140, be and are hereby reformed as at the time of the original deeds to substitute for the descriptions therein contained the follwoing description:

ALL that certain piece or parcel of land situate inthe Fourth Ward, Meadville, Crawford County Pennsylvania, bounded and described as follows, to-wit:

On the North by South Street; onthe Eat by Mulberry Alley; on the South by land now or formerly of Belfiore; and on the West by Water Street; and having a frontage of Fifty (50) feet onthe East side of Water and extending Eastwardly therefrom at a uniform width of Fity (50) feet for a distance of One hundred Fifty (150) feet. Having erercted thereon a cement block building now being used as a car wash.

2. that plaintiff and defendant Beatrice M. Sherry shall execute and deliver to plaintiffs and defendants Joseph A. Sherry and Steven J. Sherry a corrective deed confirming this reformation, and confirming the conveyance to them of an undivided four-fifths interest in the property referred toin the within actionas the "car-wash parcel";

3. that defendants Joseph A. sherry and Steven J. Sherry shall execute and deliver to plaintiff and defendant Beatrice M. Sherry a corrective deed confirming this reformation, and confirming her continuing ownership oft he property described in the deed recorded in Crawford County Deed Book 544, at page 4, and referred to in the within action as the "residence parcels"

4. that the Recorder of Deeds enter a notation on the 1991 and 1992 deeds recorded at Crawford County Record Book 141, at page 609, and at Crawford County Record Book 142, at page 140, noting this decree of reformation and the recordation of the corrective deeds; and

5. that this reformation be effective as of the date of the original deeds.

Anthony J. Vardaro, J

Apr. 28, 1993 Copy of order to Atty. Hotchkiss

1993

Quinn, Buseck,
Leemhuis, Toohey &
Kroto, Inc.
Lawrence C. Bolla

345.

MARINE BANK

vs.

SANDRA SUE CHINN

Filed April 6, 1993
@ 3:09 PM

Tax & entry paid	15.00 ✓
Pltf. on orig.	84.65
Sheriff's Costs	32.00
Pro. Co. pd 5/13/93	9.00

WRIT OF REVIVAL OF JUDGMENT

OF

A.D. 1989 - 118

Debt-----$8,115.35
Dated---April 5, 1993
C-153 Revival of Judgment

Issued Sheriff — Barbara H. King, Pro

Revival indexed in favor of the plaintiff and against the defendant in the sum of Eight Thousand One Hundred Fifteen and 35/100 dollars plus cost.

Apr. 23, 1993 Sheriff's (Writ) Return filed. NOT FOUND as to Defendant Sandra Sue Chinn. She has moved from address given of R.D. #1, Box 317, Townville, Crawford County, PA, approximately two years ago and her forwarding address has expired at the post office.
So answers, — Robert M. Stevens, Sheriff

And Now, May 13, 1993 at 11:43 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 per Writ of Revival and the same is liquidated at the sum of Eight Thousand One Hundred Fifteen and 35/100 Dollars, plus interest from February 9, 1989, and the costs of this action, plus fees of $1,623.00

C-153
Entered on May 13, 1993
Atty. Bolla

Debt	$8,115.35
Int.from Feb.9,1989	
Costs	
Fees	1,623.00

Barbara H. King
Prothonotary

Revised to AD 1997-58

Cusick, Madden,
Joyce & McKay
James E. Douglas

346.

Knox,McLaughlin,
Gornall & Sennett, PC
Mark E. Mioduszewski
Kebert Construction Co

Gorr, Moser, Dell &
Loughney
Arthur R. Gorr
for United States
Fidelity & Guaranty Co.

Warren D. Ferry
for dft. Aegis Security
Ins. Co.

Meyer, Darragh, Buckler,
Bebenek & Eck
Scott A. Millhouse

BRUCE A. TIMBLIN

vs.

KEBERT CONSTRUCTION COMPANY: UNITED STATES FIDELITY AND GUARANTY COMPANY: AGWAY INSURANCE COMPANY and AEGIS SECURITY INSURANCE COMPANY

Filed April 7, 1993
@ 9:03 AM

Tax & entry paid	50.50
User's Fee paid	5.00
sheriffs costs	101.25
Pro.Co. pd 9/30/93	5.00
Pro.Co. pd 1/25/94	5.00
Pro.Co. pd 2/18/94	1.00

JURY TRIAL DEMANDED

WRIT OF SUMMONS
Issued Sheriff

Apr. 23, 1993, Plaintiff's Motion for Leave to Take Oral Deposition and Order filed. ORDER AND NOW, this 25th day of April 1993, Plaintiff's Motion for Leave to Take Oral Deposition is granted, and it is hereby ordered and decreed that plaintiff may take the oral deposition of Kebert Construction Company, R. d. # 6, Meadville, Pa. 16335, on April 30, 1993 as set forth in Plaintiffs Notice of Deposition, or at such other time as the parties may agree. Anthony J. Vardaro, Judge

Apr. 28, 1993, copy of order to Atty. Douglas

May 3, 1993 Appearance of Knox, McLaughlin, Gornall & Sennett, PC by Mark E. Mioduszewski for Kebert Contrusction Co filed.

May 5, 1993 Appearance of Gorr, Moser, Dell & Loughney by Arthur R. Gorr for United States Fidelity and Guaranty Company, filed.

June 3, 1993, Sheriffs Return filed. (Writ Returned)
I hereby deputize the Sheriff of Allegheny County, Pa. to serve the within Summons, REquest and Notice according to law.
SERVED the within Summons, Request and notice on 4/27/93 at 10:37 a.m. upon US Fidelity and Guaranty Co. by handing to Kim McGee a true and correct copy thereof and made known to her the contents therein. Eugene A. Coon, Sheriff
Allegheny County, Pa.

And Now, Apr. 20, 1993, at 11:05 a.m. served the within summons, request and notice upon Aegis Security Insurance by personally handing to Sharon Simpson, Recpt. and person in charge at time of service, a true attested copy of originals and making known to her the contents thereof at 2589 Interstate Drive, Harrisburg, Dauphin County, Pa.
So answers, William H. Livingston,
Sheriff of Dauphin County, Pa.
by: Patrick J. Horner, Dep. Sheriff

SERVED Kebert Construction Company on Apr. 15, 1993, at 9:15 a.m. by handing a copy of the Summons, REq. for Documents and notice of deposition to Nancy Maxwell, Sec. at the business, R. D. #6 Meadville, Pa.

SERVED United States Fidelity and Guaranty Co. by deputizing the Sheriff of Allegheny County Pa. as per his affidavit of Ser. attached. Served on Apr. 27, 1993 at One Mellon Bank Center, 500 Grant St. Pgh, Pa.

SERVED Agway Ins. Co. by cert. amil at their last known address of 5794 Widewater Parkway, P.O. Box 4851, DeWitt, NY 13214. Served on Apr. 19, 1993. Signed ret. rec. is attached.

SERVED Aegis Security Ins. Co. by deputizing the Sheriff of Dauphin County, Pa. as per his affidavit of Service attached. Served on Apr. 20, 1993 at 2589 Interstate Drive, Harrisburg, Pa.
So answers Dale A. Collins, Dep. Sheriff
Robert M. stevens, Sheriff

June 4, 1993 Praecipe for Rule to File Complaint, filed.

June 14, 1993, Petition to Compel ARbitration and Rule to Show CAuse filed.
RULE TO SHOW CAUSE: AND NOW, this 14 day of June 1993, upon consideration of the within Petition to Compel Arbitration, a Rule isgranted on the Respondents to show cause why Petitioner's underinsurance claim should not be submitted to arbitration. Rule returnable upon motion of any party.
BY THE COURT,
Anthony J. vArdaro, J.

June 21, 1993, copies of order to Attys. Douglas, Miodus zewski and Gorr.

June 15, 1993, Appearance of warren D. Ferry, attorney for defendant Aegis Security Ins. Co., filed.

July 2, 1993 Answer and New Matter of Defendant United States Fidelity and Guaranty Company to Plaintiff's Petition to Compel Arbitration, filed.

July 16, 1993, Petitioner's Reply to New Matter of Defendant United States Fidelity and Guaranty Company, filed.

July 16, 1993, Certificate of Service of above Petitioner's Reply, filed.

July 19, 1993 Appearance of Meyer, Darragh, Buckler, Bebenek & Eck by Scott A. Milhouse for Defendant Agway Insurance Company, filed.

Aug. 2, 1993 Answer and New Matter Of Defendant Aegis Security Insurance Company filed.

Aug. 3, 1993 Plaintiff's Reply to New Matter of Defendant Aegis Security Insurance Co., filed.

Aug. 3, 1993 Certificate of Service of Reply to New Matter of Defendant Aegis Security Insurance Company, filed.

Aug. 3, 1993 RULE filed. AND NOW, August 2, 1993, upon motionof the Plaintiff to compel, arbitration, a Rule is entered upon the Defendants to show cause, if any they have, why said motion should not be granted.
This Rule is returnable for argument at the next available argument list.
BY THE COURT:
Anthony J. Vardaro, J.
8-5-93 Copy to Attys. Douglas, Mioduszewski, Gorr, Ferry & Millhouse

Aug.3, 1993 Motion by James E.Douglas,ESquire, Attorney for Plaintiff to schedule a Rule Returnable on Plaintiff's Motion to Compel Arbitration filed.

Sept. 15, 1993 Answer and New Matter To Plaintiff's Petition To Compel Arbitration filed.

Continued on Page 457

1993

pro se

347.

Gary D. Bax

LESLIE TAR

vs.

MUTUAL BENEFIT

Filed April 7, 1993
@ 11:42 AM

12-20-93 Supplemental Brief of dft filed.

Tax & entry paid 50.25
User's Fee paid 5.00
Pro Co Pd 3/3/94 6.00

APPEAL OF DEFENDANT FROM DECISION OF DISTRICT JUSTICE WILLIAM D. CHISHOLM

Apr. 7, 1993 Rule entered upon the plaintiff to file a complaint issued.

Apr. 14, 1993 Proof of Service of Notice of Appeal and Rule to File Complaint filed.

Apr. 16, 1993, Complaint filed. 1 copy (plff)

May 3, 1993 Amended Pleadings filed.

May 17, 1993 Defendant Mutual Benefit Insurance Company's Preliminary Objections to Plaintiff's Amended Complaint, filed.

May 17, 1993 Praecipe for Argument List.

ON ARGUMENT LIST FOR JUEN 1993

May 21, 1993 Amended Pleadings filed.

June 11, 1993 ORDER filed. AND NOW, June 8, 1993, the Court has reviewed this file at the request of the Court Administrator who was preparing the Argument List for June 1993. An argument is not necessary or appropriate on the defendant's preliminary objections because the plaintiff filed a second amended complaint within twenty (20) days after the preliminary objections were filed. Said filing by the plaintiff makes the defendant's preliminary objections moot (Pa.R.C.P.1028 (c)(1).'

Therefore the defendant's preliminary objectons of May 17,1993 are moot.

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

June 15, 1993 Copies to Atty.Bax & Tar

June 9, 1993 Answer And New Matter To Plaintiff's Amended Pleadings filed.

June 21, 1993 Plaintiff's Answers To New Matters Brought Forth By the Defendant filed.

Nov. 19, 1993, Defendants Petition to Compel Statement and Rule to Show Cause filed.
RULE: AND NOW, this 19 day of Nov. 1993, upon consideration of the foregoing Petition to Compel Settlement of Defendant Mutual Benefit Ins. Co., a Rule is granted upon plaintiff to show cause why settlement agreement of the parties should not be enforced by this court., This Rule is returnable the 15 day of D ec. 1993, in Rm. 1 or 2 of the Crawford County courthouse, at 1:30 p.m.
All discovery in this action is hereby stayed pending resolution of this Motion.
Anthony J. Vardaro, J.
Nov. 30, 1993, copies to plff. and Atty. Bax.

Nov. 19, 1993, Motion for Protective Order and order filed. RULE: AND NOW, this 19 day of Nov. 1993, upon consideration of the foregoing Motion for Protective Order of Defendant Mutual Benefit Ins. Co., a Rule is granted upon the plaintiff to show cause why the deposition of Clydene Grove should not be stayed and/or limited by this court. This rule is returnable the 15 dayof Dec. 1993 in Rm. 1 or 2 of the Crawford Countycourthouse at 1:30 p.m.
All discovery in this action is hereby stayed pending the resolution of this motion and the Petition to Compel Settlement filed by Dft. Mutual Benefit Ins. Co.
Anthony J. Vardaro, J.
Nov. 30, 1993, copies to plff and Atty. Bax.

Feb. 14, 1994, Exhibits filed. (with papers)

Feb. 14, 1994 MEMORANDUM AND ORDER filed. AND NOW, Feb. 14, 1994, the defendant's petition to compel settlement settlement is granted and the attorney for the defendant shall within ten days of the date of this order prepare and forward to the plaintiff a full and final general release in the same form as that offered as defendant's exhibit "2" at the time of the evidentiary hearing except that it sahll indicate $2,592.39 as the amount and shall further indicate that, with respect tothe P.R.O. having prospective effect, the date from which it shall have prospective effect shall be sept. 3, 1993.
At the same time the "Full and Final General Release" is sent tothe plaintiff, counsel for the defendant shall send a prepared praecipe to mark this action settled and discontinued of record for signature by the plaintiff.
The plaintiff shall execute the "Full and Final General release" and the praecipe to mark this action settled and discontinued of record and retrun the same to the attorney for the defendant within 20 days.
Thereafter, the attorney for the defendant upon receipt of the executed "Full and Final General Release" and praecipe to mark this action settled and discontinued shall forward within ten days payment in the amount of $2,592.39 to the plaintiff.
Upon sending such payment, the atty. for dft. may file the praecipe with the Prothonotary so that this matter may be marked settled and discontinued of record with the same to be filed at defendant's expense.
Otherwise, all parties shall be responsible for such court costs as they have previously paid.
The defendant's motion for protective order is not decided as being moot.
BY THE COURT,
AnthonyJ. Vardaro, Judge
FEb. 14, 1994, copies to Dr. Tar and atty. Bax.

Mar. 3, 1994, Upon praecipe of plaintiff, the above captioned matter is hereby marked settled, discontinued, and ended of record.

1993

Bettie J. Peterson-Muth

348.

Thomas, Truax, Spadafore and Walker
Gregory A. Keenan

KIMBERLY M. HAWN

vs.

BRIAN T. HAWN

Filed April 7, 1993
@ 12:55 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro.Co.pd 9/2/93	9.00
Pro Co Pd 12-3-93	5.00

COMPLAINT IN DIVORCE
1 copy atty.

May 20, 1993 Appearance of Gregory A. Keenan, Esquire for Defendant filed.

July 22, 1993 Affidavit of Consent of Plaintiff filed.

Sept. 1, 1993 Affidavit of Consent of Defendant, filed.

Sep. 2, 1993 Affidavit of Service by Mail filed. Bettie J. Peterson-Muth, ESquire, being duly sworn according to law, deposes and says that she is the attorney for the plaintiff, Kimberly M.Hawn, and that she did mail a true and correct copyof the Complaint in Divorce filed in the above matter, by certified mail, return receipt requested, restricted delivery, to the defendant,Brian T. Hawn, on April 20, 1993, at his last known address, 540½ Beers Avenue, Meadville, PA 16335. The signed receipt is attached hereto as Exhibit "A".

Sept. 1, 1993

Bettie J. Peterson-Muth, Esquire
Attorney for Plaintiff

Sep. 2, 1993 Upon Praecipe of Bettie J.Peterson-Muth,ESquire, Attorney for Plaintiff to transmit record, case moved to Court.

DIVORCE DECREE FILED

Sept. 14, 1993 AND NOW, Sept. 8, 1993, it isordered and decreed that KIMBERLY M. HAUN, plaintiff, and BRIAN T. HAUN, 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.

Oct. 18, 1993 Motion to Amend Divorce Decree filed.

Oct. 18, 1993 Re: Motion to Amend Divorce Decree and ORDER filed. And Now, October 15, 1993, counsel for the Plaintiff moves the Court to amend a divorce decree dated September 8, 1993 to correct a typographical error in the spelling of the last name of both parties. It appears that in the original decree entered September 8, 1993 spelling of the parties' last name was incorrect although the last name was correctly spelled in the captionof the case.

Accordingly, we grant the request to correct the typographical error and we hereby direct the Prothonotary of Crawford County to enter the following divorce decree:

AMENDED DIVORCE DECREE

AND NOW, October 15, 1993, it is ordered and decreed that Kimberly M. Hawn, Plaintiff, and Brian T. Hawn, Defendant, are divorced from t he bonds of matrimony with this decree to be effective nunc pro tunc September 8, 1993.

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:
P.Richard Thomas, S.J.

10-26-93 Copy of Order to Attys. Peterson-Muth & Keenan.

Dec. 3, 1993 Notice Of Election To Retake Maiden Name and Order, filed. KIMBERLY M. HAWN to be known as KIMBERLY M. BUZZA.

1993

Mary Ann Kirkpatrick

349.

JAMES WILLIAM RAPPA

vs.

CYNTHIA ROSE NOVOTNY RAPPA

Filed April 7, 1993
@ 2:44 PM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count paid	15.00
State paid	10.00
Pro Co pd 8/23/95	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
1 copy atty.

Apr. 14, 1993 Acceptance of Service, I accept service of the Divorce Complaint, filed.
Date: 4-12-93 Cynthia Rose Novotny Rappa

Aug. 12, 1993 Affidavit of Consent of Plaintiff filed.

May 10, 1995 Amended Divorce Complaint filed.

May 10, 1995 Motion for Leave to File Amended Divorce Complaint and ORDER filed. And Now, May 10, 1995, Motion granted and Plaintiff may file the Amended Complaint in Divorce.
By the Court:
Gordon R.Miller, J.
5-10-95 Copy dist. to Kirkpatrick

May 22, 1995 Affidvit of Service filed. And Now, May 19, 1995, comes Constance L. Deitman being duly sworn according to law, deposes and sets forth as follows:

1. That she is the legal secretary of Atty. for James William Rappa, Plaintiff in the above-captioned matter.

2. That on information furnished by the Plaintiff, she caused a certified copy of the Amended Complaint in Divorce to be forwarded by Certified Mail, Z 070 388 345; postmarked May 16, 1995, to the last known address of the Defendant, Cynthia Rose Novotny Rappa, RD # 1, Griffith Rd., Cambridge Spgs., PA 16403.

3. That the Defendant, Cynthia Rose Novotny Rappa, on May 18, 1995, personally signed the return receipt card which was affixed to the Amended Complaint in the above-matter and which is attached hereto.

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

Constance L. Deitman

June 27, 1995, Plaintiffs Affidavit Under Section 3301(d) of the Divorce Code filed.

Jul. 25, 1995 Affidavit of Service filed. And Now,July 25, 1995,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 James William Rappa, Plaintiff in the above-captioned matter.

2. That on information furnished her by the Plaintiff, she caused copies of the Notice of Intention to Request Entry of a Divorce Decree, Plaintiff's Affidavit of Consent to Divorce 3301 (d) and the Counter Affidavit to be forwarded by Certified Mail, Z 410 911 214; postmarked July 20, 1995, to the last known address of the Defendant, Cynthia Rose Novotny Rappa, R.D.#1, Griffith Rd., Cambridge Springs, PA 16403.

3. That the Defendant, Cynthia Rose Novotny Rappa, on July 24, 1995,personally signed the return receipt card which was affixed to the documents in the above-matter and which is attached hereto.

4. Service of the Notice of Intention to Request Entry of a Divorce Decree, Plaintiff's Affidavit of Consent to Divorce 3301(d) and the Counter Affidavit against Defendant is therefore effected in accordance with Pennsylvania Rules of Civil Procedure.

July 25, 1995 Constance L. Deitman

Aug. 17, 1995, UPon praecipe of plaintiff attorney, to transmit the record, with notice of intention to request entry of a divorce cecree attached, this case moved to court.

DIVORCE DECREE FILED

Aug. 24, 1995 AND NOW, August 23, 1995, it is ordered and decreed that JAMES WILLIAM RAPPA, plaintiff, and CYNTHIA ROSE NOVOTNY RAPPA, 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.

1993

Thomas,Truax, Spadafore & Walker
Emil M.Spadafore,Jr.

350.

William J.Gregg

GEORGE R. DAVIS

vs.

BOROUGH OF LINESVILLE

Filed April 7, 1993
@ 4:14 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Pro Co Pd 6/2/93	5.00

Apr. 7, 1993 Appeal under Local Agency Law 2Pa. C.S.A. Section 752 and Order filed. AND NOW, this 13th day ofApril, 1993, the hearing on this matter is hereby set for the 3rd day of June, 1993,, at 1:30 o'clock P.M. in Courtroom No. 1 or 2 of the Crawford County Courthouse. BY THE COURT:
Anthony J.Vardaro, J.
April 15, 1993 Copy of Order to Atty. Spadafdore & Atty. Gregg

June 2, 1993, Upon praecipe of plaintiff attorney, the above captioned matter is hereby marked settled and discontinued of record.

1993

C. Barton Jones

351.

EDGAR J. TIMOTHY and
RENATE ELISABETH TIMOTHY

vs.

RICHARD L. CHAPIN

Filed April 8,1993
@ 11:09 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	67.68
Pro co pd 7/6/93	9.00

COMPLAINT IN MORTGAGE FORECLOSURE

apr. 8, 1993 Affidavit of Service By Mail filed. I, C. Barton Jones, Esquire, being duly sworn according to law, deposes and says that he is the attorney for Plaintiffs EDGAR J. TIMOTHY and RENATE ELISABETH TIMOTHY, and that he did mail a true and correct copy of the "Act 6" Notice of Intention to Foreclose, and Emergency Mortgage Assistance Act of 1983 Notice, by Certificate of Mailing, and Certified Mail, Return Receipt Requested, to the Defendant, RICHARD L. CHAPIN, on Janaury 23, 1993, at his last known address, R.D. 1, Box 194, Espyville, PA 16424, with service being made onJanuary 28, 1993. The signed receipt is attached as Exhibit "A".
Date: April 7, 1993 C. Barton Jones

Jun. 10, 1993 Default Notice filed.

June 18, 1993 SHERIFF'S RETURN, filed. SERVED Richard L. Chapin on April 15, 1993 at 5:40 PM by handing copy of Complaint to Robert Patrel, adult in charge of the residence at RD 1, Box 194, Espyville Crawford County, Pa. 16424
So answers, Edgar D. Householder, Chief Deputy
Robert M. Stevens, Sheriff

And Now, July 6, 1993 at 1:32 p.m., upon praecipe of plaintiff attorney, and with default notice and service attached, Default Judgment is hereby entered in favor of the plaintiff and against the defendant.
Judgment entered
7/6/93
C - 43

DEFAULT JUDGMENT
Barbara H. King
Prothonotary

July 26, 1993 at 1:33 p.m., And now, upon praecipe of plaintiff's attorney judgment is hereby entered in favor of the plaintiff and against the defendant in the amount of Twelve Thousand One hundred twenty-two dollars and 74/100, including interest and Attorney's fees.
Entered 7-26-93
C - 143

Debt: $12, 122.74 including interest and Attorney's Fees
JUDGMENT
Barbara H. King, Pro.

Ex. 1993 - 65

352.

MARGERY LINTZ

vs.

LARRY R. LINTZ, SR.

Filed April 8, 1993
@ 11:55 AM

Tax & entry Pd 4-16-93 50.50 ✓
User's Fee Pd 4-16-93 5.00
Sheriff's Costs 25.00
Pro Pd 4-16-93 9cc ✓

4-16-93 Received from deft Sheriff costs $25.00

4-16-93 Pd Sheriff @ Att 748425

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Atty.

ORDER:

And now, this 8th day of April , 1993 , 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: Defendant shall move out. Possessionofthe residence is awarded to plaintiff. Custody of the children is awarded to plaintiff. He shall not contact 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 or 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 the April 16, 1993 , atl:30 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,
Gordon R. Miller, J

Apr. 14, 1993 Sheriff's Return filed. SERVED Larry R. LItz, Sr. Personally on April 12, 1993 at 10:26 AM by handing him a copy of the Protection from Abuse in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, PA.
So answers,
Carole Stefanucci, Deputy Sheriff
Robert M.Stevens, Sheriff

Apr. 16, 1993 Order filed. AND NOW, April 16, 1993 this matter is before the Court on Plaintiff's petition for relief under the Protection Fro Abuse Act.
The Plaintiff appears with counsel and the Defendant appears without counsel but indicates that he wishes to proceed without counsel, particularly insofar as the parties have agreed to an order in this matter without admission of the allegations of the Plaintiff's petition by the defendant.
Accordingly, we enter the following order:
1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any minor child named in the petition.
2. The Plaintiff shall have exclusive possession of the marital home and the Defendant shall not go to that residence at any time. Additionally, the Defendant shall not go to the Plaintiff's place of employment which is currently the Ponderosa Restaurant onRoute 322 but this restriction shall apply no matter where the Plaintiff is employed.
3. The Defendant may write to the Plaintiff so long as such letters are not threatening or harassing and in the case of an emergency, he may have his employer call the Plaintiff.
4. The Defendant is cautioned that he should not go to the residence of the Plaintiff or to her place of employment even if he is invited there by her insofar as it shall be presumed he is in violation of this order if he does sos. If the parties' situation changes such that both wish to have the defendant go to the marital residence and/or to Plaintiff's place of employment, then they should seek a modification of this order.
5. It is the intention of the parties that they get together to make arrangements to make sure that all bills that they owe are paid and they are going to seek the mediation of one Ralph Rudy. The parties agree to meet with Mr. Rudy on April 26, 1993 and possibly on May 1 or May 2, 1993. The Plaintiff shall contact the Defendant's employer to disclose the location and time of such meeting or meetings.
6. Pending further order of Court or agreement of the parties, the Defendant agrees to keep medical insurance intact for the family through his employer and the Plaintiff agrees to keep dental insurance intact for the family through her employer.
7. The Plaintiff shall have physical custody of both children pending further orde rof Court tin this or any appropriate action that may be filed. The minor child Larry shall call the Defendant throughout the week each week and arrange for visitation at least one or two times a week with his father.
At this time, Joshua does not wish to visit with the Defendant and will not be required to do so until there is further order of Court or an agreement of the parties.
8. This order may be enforced without a warrant of arrest by any law enforcement officer having reasonable grounds to believe it has been violated.
9. A copy of this order shall be delivered to the Police Department in the jurisdiction where the Plaintiff resides and to county Control.
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 and a jail sentence of up to six months.
11. The Defendant shall pay court costs in the amount of $89.50 this date to the Office of the Prothonotary on the first floor of the Crawford County Courthouse.
12. This order shall remain in full force and effect through April 15, 1994.

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

Apr. 16, 1993 Copies dist. to Atty. Brode, Defendant, Plaintiff, Co. Control and Police Dept.

Continued on Page 352A

1993

MARGERY LINTZ
VS.
LARRY R. LINTZ, SR.

CONTINUED FROM PAGE 352
of Record
A. D. 1993 - 352

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May 4, 1993 Motion to Amend or Modify a Protection from Abuse Order and Order, filed. ORDER: AND NOW, this 27 day of April, 1993, upon receipt and review of the within motion to amend the Protection from Abuse Order of April 16, 1993 the amendment(s) and modification(s) set forth in said motion are hereby approved and made a Court Order.

A true and correct copy of this Order shall be delivered by the Prothonotary to Pa. State Police and to County Control.

Any paragraphs of the original Order assessing costs on either party shall remain in full force and effect without change or modification.

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

May 7, 1993 copy to Pa. State Police and County Control

Nov. 30, 1993 Motion to Amend or Modify a Protection From Abuse Order and ORDER filed. AND NOW, this 29th day of November, 1993, upon receipt and review of the within motion to amend the Protection from Abuse Order of April16, 1993, the amendment (s) and modification (s) set forth in said motion are hereby approved and made a Court Order.

A true and correct copy of this Order shall be delivered by the Prothonotary to Pa. State Police and to County Control

Any paragraphs of the original Order assessing costs on either party shall remain in full force and effect without change or modification.

BY ORDER OF COURT
Gordon R. Miller, J.

11-30-93 Copy Faxed to PSPD. 12-6-93 Copy of Order to Co. Control & Pltf.

353
-6-

1993

Thomas, Truax,
Spadafore & Walker
R. Charles Thomas

353.

Richard A. Peterson
Peterson and Gula

SANDRA K. HECKMAN

vs.

ROBERT D. HECKMAN, JR.

Filed April 8, 1993
@ 12:37 PM

Tax & entry paid	50.50
User's Fee paid	20.00
3 Add'l Counts paid	45.00
STate paid	10.00
Pro Co pd 10-7-96	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION, ALIMONY PENDENTE LITE, COUNSEL FEES & COSTS, CUSTODY
1 copy atty.

Mar. 27, 1995 Motion To Amend Complaint In Divorce and Order filed. And now, March 27, 1995 upon presentation and consideration of the within Motion, the Plaintiff is authorized to amend her Complaint in Divorce so that the same shall beomce a 3301(d) divorce.
BY THE Court,
Gordon R. Miller, J

Mar. 27, 1995 Faxed Thomas

Mar. 29, 1995 Amended Complaint in Divorce filed.

Apr. 17, 1995, Defendant's Counter-Affidavit Under SEction 3301(d) of the Divorce Code filed.

Apr. 17, 1995, Appearance of Peterson & Gula, by Richard A. Peterson, for defendant, filed.

June 26, 1995 Inventory and Appraisement of Sandra K. Heckman, filed.

June 26, 1995 Income and Expense Statement of Sandra K. Heckman, filed.

Jan 26, 1996 Income and Expense Statement of Robert D. Heckman, Jr., filed.

Jan 26, 1996 Inventory and Appraisement of Robert D. Heckman, filed.

Jan 26, 1996 Appearance of Peterson & Gula by Richard A. Peterson, Esquire, on behalf of Defendant, filed.

Oct 2, 1996 Affidavit of Service: R. CHARLES THOMAS, Esquire, being duly sworn according to law, deposes and says that on April 8, 1993 he mailed a true and correct copy of the Complaint in Divorce filed in the above captioned action to the Defendant, Robert D. Heckman, Jr., by Certified Mail, Restricted Delivery, Return Receipt Requested, at his last known address of R.D.#1, Box 1007, Hadley, Pa. 16130, Return Receipt No P 899 093 346, that attached hereto is the return receipt card showing date of delivery as April 10, 1993.

Oct 2, 1996 Affidavit of Consent of Defendant, filed.

Oct 2, 1996 Affidavit of Consent of Plaintiff, filed.

Oct 2, 1996 Waiver of Notice of Intention to Request Entry of Divorce Decree Under Section 3301(c) of the Divorce Code, filed. (Plaintiff)

Oct 2, 1996 Waiver of Notice of Intention to Request Entry of Divorce Decree Under Section 3301(c) of the Divorce Code, filed. (Defendant)

Upon Oct 2, 1996 Upon praecipe of plaintiff's attorney, transmit record, case moved to Court.

Oct 2, 1996 Waiver of Notice of Intention to Request Entry ofa Divorce Decree Under Section 3301(c) of the Divorce Code, filed.

Oct. 8, 1996 Motion to Withdraw Count IV from Divorce Complaint and Order filed. AND NOW, this 8 day of October, 1996, upon presentation and consideration of the within Motion, it is ordered and directed that counsel for the Plaintiff is hereby authorized and directed to withdraw Count IV (Custody) of the Divorce Complaint in this case, all by reason of the fact that them atter of the custody of the aforesaid minor children subject to that count has been resolved by proceedings in the Court of Common Pleas of Mercer County, Pennsylvania.
BY THE COURT,
Anthony J. Vardaro, J

10-8-96 Faxed R. Peterson & R. C. Thomas

DIVORCE DECREE FILED

Oct. 10, 1996 FINAL DECREE. AND NOW, this 10 day of October, 1996 it is ordered and decreed that SANDRA K. HECKMAN, Plaintiff, and ROBERT D. HECKMAN, JR., Defendant, are divorced from the bonds of matrimony. (SEE PAPERS FILED).
BY THE COURT,

Anthony J. Vardaro, J.
Oct. 10, 1996 Decree FAXED Attys. Peterson and Thomas.

1993

Quinn, Buseck,
Leemhuis, Toohey
& Kroto, Inc.
Lawrence C. Bolla

354.

Watts and Pepicelli PC
Christopher D. Ferry

MARINE BANK

vs.

THEODORE E. FITCH

Filed April 8, 1993
@ 1:34 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	25.00
Pro Co pd 7-20-93	15.00
Pro Co pd. 2/18/94	9.00

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

Apr. 23, 1993 Sheriff's Return filed. SERVED Theodore E. Fitch personally on April 16, 1993, at 9:58 AM by handing a copy of the Complaint to him at his residence, 665½, apartment A, Highland Avenue, Meadville, Crawford County, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

May 24, 1993 Appearance of Watts and Pepicelli PC by Christopher D. Ferry for Theodore E. Fitch, filed.

May 24, 1993 Answer and New Matter, filed. 1 copy (atty)

May 27, 1993, Certificate of Service of Entry of Appearance filed.

July 20, 1993 Upon praecipe of plaintiff attorney to appoint Arbitrators, the following Arbitrators are appointed.
Charles Swick, Chairman
William Peters
David Pickens

July 20, 1993 Answer To New Matter filed.

Oct. 7, 1993 Arbitrators take qualifying oath.

And now, the 4th day of Jan., 1994, 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 against Defendant for Count I for $2073.36, plus $414.67 Attorney fees & for Plaintiff against Defendant for Count II in the amount of $2079.36 plus $415.87 attorney fees, plus costs; and interest on both Counts in amount of $186.84 total interest.
Charles Swick, Chairman
William Peters
David Pickens

1-10-94 Copy of Decision to Attys. Bolla & Ferry.

Feb. 18, 1994, 1:24 P.M., AND NOW upon Praecipe of plaintiff attorney, judgment is hereby entered in favor of the Plaintiff, Marine Bank, and against the Defendant, Theodore E. Fitch, in the amount of Four thousand one hundred fifty-two and 72/100, plus fees of $830.54, plus interest thereon until paid in full, plus the costs incurred.
Date: Feb. 16, 1994

Debt $4,152.72
Judgment
Barbara H. King, Pro.

F-165
Judgment entered -
2/18/94

Feb. 23, 1994 Notice of entry of judgment mailed defendant.

1993

Jorden & White
Harry F. white, II

355.

IN RE: PROPOSED TAX CLAIM BUREAU SALE OF PROPERTY SITUATE AT 539 GRANT STREET, SAEGERTOWN, PA, currently assessed to James S. Kane and Sharon A. Kane

Filed April 8, 1993
@ 2:42 PM

Tax & entry paid 50.50 ✓
User's Fee paid 5.00

OBJECTION TO TAX SALE
1 copy Sheriff

Order:

AND NOW,this 6th day of April, 1993, upon consideration of the foregoing Objection, a rule is hereby entered on the Tax Claim Bureau of Crawford County as to why the property should not be sold for a sum in excess of the proposed $,000.00.

Said rule is returnable for the 28th day of April, 1993, in courtoom 1 of the Crawford County Courthouse at 3:30 PM o'clock The objector's attorney, Harry Faber White, II, shall serve notice of this Petition on the Tax Claim Bureau, the proposed buyer, Robert Bayer and any other parties in interest.

Anthony J. Vardaro, J

May 4, 1993 ORDER filed. AND NOW, April 29, 1993, the hearing in this case is continued and rescheduled in order that it be held after the time for filing objections expires.

The hearing shall be held on May 21, 1993 at 9:00 a.m. in Courtroom No. 1 or 2 of the Crawford County Courthouse.

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

May 7, 1993 copy to H. White, F. Wagner

May 26, 1993 Order filed. AND NOW, May 21, 1993, at the time fixed for hearing on two objections to a sale by the Crawford County Tax Claim Bureau of property currently assessed to James S. Kane at 539 Grant Street, Saegertown, Pennsylvania, Robert Bayer, for $3,000, the Director of the Tax Claim Bureau appeared with the County Solicitor, John F. Spataro, Esquire; Christopher Ferry, Esquire, appeared for Arthur L. Sorger, the petitioner at 1993-493; Harry F. White, Esquire, appeared for Tamra McClinton, the petitioner at 1993-355; and William L. Walker, Esquire, appeared for Robert M. Bayer, the proposed purchaser, from the Tax Claim Bureau at a private sale.

Christopher D. Ferry, Esquire, Attorney for Arthur L. Sorger, indicated to the Court that his client does not wish to proceed and will not be making a bid for this property,, and therefore, the petition at 1993 - 439 is DISMISSED.

There are no objections to procedure, notices, et cetera.

Tamra McClinton is willing to pay the same amount that Robert M. Bayer is willing to pay, and therefore, the proposed sale to Robert M. Bayer is DISAPPROVED.

The Court hereby sets the price of $3,183.36 as the minimum price below which the property shall not be sold.

It is ORDERED and DIRECTED that the Director ofthe Tax Claim Bureau shall conduct a public auction of the property immediately following this hearing, beginning the bidding at $3,183.36, and permitting Robert M. Bayer an dTamra McClinton the opportunity to bid to purchase the property from the Tax Claim Bureau. The successful bidder shall pay the bid proice in cash by 2:00 o'clock p.m. this date to the Director of the Tax Claim Bureau.

The property currently assessed to James S. Kane at 539 Grant Street, Saegertown, Pennsylvania, shall be sold and conveyed to the successful bidder by the Crawford County Tax Claim Bureau or County Treasurer.

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

May 26, 1993 Copies to all counsel & Treasurer

356.

Jorden & White
William T. Jorden

TERRY MARIE FEDORKA

vs.

DANIEL D. FEDORKA

Filed April 8, 1993
@ 3:34 PM

Tax & entry	4-28-93	50.50 ✓
User's Fee	4-28-93	5.00
Sheriff's Costs		34.00
Pro Copy	4-28-93	5.00 ✓

4-28-93
Received from dept Sheriff's Costs

4-28-93 Pd Sheriff Cash Chk # 7509 34.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy plaintiff

ORDER:

And now, this 7th day of April , 1993 , 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:

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 or 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 the April 14, 1993 , 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,
Gordon R. Miller, J

Apr. 14, 1993 Sheriff's REturn filed. NOT SERVED as to Defendant Daniel D.Fedorka. However, Defendant did contact this office and was informed over the telephone of the Protection from Abuse but no other information was given concerning the date of the court hearing.

SERVED Daniel D.Fedorka personally on April 14, 1993 at 11:47 AM when he personally appeared in the Sheriff's Office, Crawford County Courthouse, Meadville, PA.

So Answers,
Carole Stefanucci, Deputy Sheriff
Robert M.Stevens, Sheriff

Apr.15, 1993 Motion to Continue Protection From Abuse Hearing and Order filed. AND NOW, upon consideration of the foregoing Motion for Continuance, the hearing in the above captioned matter is continued until the 22nd day of April, 1993, for Courtroom 1 or 2 at 1:00 o'clock p.m. The Temporary order shall remain in effect.

Gordon R. Miller, J.

Apr. 20, 1993 Copy of order to Plft. & Atty. Jorden

Apr. 23, 1993 Order Filed. AND NOW, April 22, 1993, at the time fixed for the continued hearing in this case, the plaintiff appeared, but the defendant did not. HIs attorney appeared and indicated that he was not aware of the hearing.

This matter is CONTINUED until 1:00 o'clock p.m. onApril 28, 1993, in Courtroom No. 1 of the Crawford County Courthouse. The Temporary Order entered April 7, 1993 remains in full force and effect.

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

Apr. 23, 1993 Copy of Order toAtty. Jorden and Mrs. Fedorka.

Apr. 28, 1993 Motion to Vacate Protecton from Abuse Order and Order filed. AND NOW, this 28 day April, 1993 upon receipt and review of the plaintiff's motion to vacate and terminate the Protection from Abuse Order of PL, said motion is granted and the Protection from ABuse Order is hereby vacated and terminated.

A true and correct copy of this Order shall be delivered by the Prothonotary to x and to County Control.

Costs paid by parties.

BY ORDER OF COURT
P. Richard Thomas, J.

Apr. 30, 1993 Copy to Plft. andCounty Control, Copy to Atty. Jorden.

1993

Bukac & Toomey
James Bukac

357.

EUGENE OLEAR, individually and EUGENE OLEAR, as Trustee Ad Litem for and on behalf of the heirs and ESTATE OF ANNA OLEAR, Deceased, and EUGENE OLEAR, Administrator ofor the Estate of ANNA OLEAR deceased.

vs.

LISA LYNN MILLER

Filed April 8, 1993
@ 4:08 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's costs	28.00

WRIT OF SUMMONS
Issued Sheriff

April 28, 1993 Writ Return filed. SERVED Lisa Lynn Miller on April 26, 1993 at 10:25 AM by handing a copy of the Summons to John M. Miller, her Authorized Agent and Husband, in the Sheriff's Office, Third Floor, Crawford Co. Courthouse, Meadville, PA. Signed Acceptance of Service attached.
So answers,

Carole Stefanucci, Deputy Sheriff
Robert M. Stevens, Sheriff

358

1993

Bettie J. Peterson-Muth

358.

R. Christopher Brode

4-12-93 Paid deposited in the amount of $825.00

4/12/93 April Rent paid $350.00

5-22-95 paid Corner Eaton, Shilling & Hirschmann $1175.30 Ck 260

CORNER, EATON, SHILLING & HIRSCH

vs.

DIANE ANTHONY and ROBERT ANTHONY

Filed April 12, 1993 @ 9:29 AM

Indigent Filing

Pro Co Pd 4-22-95 gcr

Pro.Co. Pd 5/31/95 5.00

APPEAL OF DEFENDANT FROM DECISIONS OF DISTRICT JUSTICE HUBERT E. VOGAN

April 12, 1993 Rule entered upon plaintiffs to file a complaint issued.

Apr. 12, 1993 Upon praecipe of Plaintiff of Plaintiff To Proceed In Forma Pauperis filed.

Apr. 12, 1993 Petition for REduction of Bond and Order filed AND NOW, this 12th day of April 1993, upon considerationof the Defendant/Appellant's Petition for Waiver of Bond, it is hereby Ordered and Decreed that the Defendant/Appellant shall post a bond inthe amount of $825.30 and $350.00 for April rent to satisfy the appeal as Supersedeas. Further, the defendant/Appellant is permitted to pay all future rental payments on or before the fifth of each month as they beocme due, in the amount of $350.00 per month to be paid to the Office of the Prothonotary of Crawford County and be placed in a Court escrow account by the Prothonotary pending resolution of this action. This is without prejudice to Plaintiffs right to object once the notice of appeal is filed and served.

Gordon R. Miller, J

Apr. 13, 1993 Copy oforder to Atty. Brode

Apr.13, 1993 Proof of Service of Notice of Appeal and Rule to File Complaint filed

May 3, 1993 Complaint filed.

Nov. 1, 1993, complaint reinstated.

Nov. 16, 1993 Affidavit of Service filed. Bettie J. Peterson-Muth, Esquire, being duly sworn according to law, deposes and says that she is sthe attorney for the plaintiffs, Corner, Eaton, Shilling and Hirsch, and that she did place a true and correct copy of the Complaint filed in the above matter in the box in the Prothonotary's Office of Attorney Christopher Brode, counsel for the Defendants. In addition, Attorney Muth informed Christopher Brode, Esquire, that she intended to do so by telephone the same date, November 16, 1993.

Bettie J. Peterson-Muth

And Now, March 22, 1995, upon praecipe of plaintiffs attorney judgment has been entered agaisnt the defendants for their failure to plead to the complaint int his action within the required time. Damages are assessed in the amount of One Thousand Five Hundred Sixty-nine and 30/100 plus interest from Februaryl, 1993, plus costs.

Entered 3-22-95 Debt: $1,569.30 plus interest and Costs

A - 43, 143 JUDGMENT

Barbara H. King, Pro.

May 22, 1995 Motion To Release Escrowed Funds and ORDER filed. AND NOW, this 22 day of May, 1995, upon consideration of the foregoing Motion, the Prothonotary is hereby directed to turn over and pay to the Plaintiffs the sum of One Thousand One Hundred Seventy-five and 30/100 Dollars ($1,175.30) representing the amount held in excrow by the Prothonotary in connection with the above-captioned proceeding.

BY THE COURT:
Anthony J. Vardaro, J.

May 22, 1995 Order FAXED Attys. Walker and Brode.

May 31, 1995 This JUdgment Satisfied. (See paper filed.)

1993

Shafer, Swick, Bailey
Irwin & Stack
Robert S. Bailey

359.

John R. Seltzer
3015 Wilmington Rd.
New Castle, PA 16105

TROJAN, INC., doing business as DIC TOOL and HYTRON ELECTRIC PRODUCTS

vs.

MAHONING BUILDERS, INC.

Filed April 12, 1993
@ 1:52 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Pro Co pd 6/18/93	15.00
Pro.Co. pd 10/18/93	5.00

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

Apr. 27, 1993 Sheriff's Return filed. SERVED the within Comlaint on april 15, 1993 at 3:25 PM upon Mahoning Builders, Inc. at 114 W. Clayton St., New Castle, Penna. by handing to Ernie Grauso, President a true and correct copy thereof and made known to him the contents therein.
So answers Donald T. Beck, Deputy Sheriff
Robert L. Clark, Sheriff
I hereby deputize the Sheriff of Lawrence County, Pennsylvania to serve the within Complaint according to law.
so answers, Robert M. Stevens, Sheriff

May 10, 1993 Answer and New Matterffiled.

May 27, 1993 Reply to Defendant's New Matter filed.

May 27, 1993 Certificate of Mailing of Plaintiff's Reply to Defendant's New Matter filed.

June 18, 1993 Upon praecipe of Plaintiff Attorney for a board of Arbitrators the follows are hereby appointed:
Russell Schetroma, Chairman
John Spataro
David Truax

July 28, 1993 Arbitrators take qualifying oath.

Oct. 18, 1993 Upon Praecipe of Robert S. Bailey, Esquire, Attorney for Plaintiff, the above captioned matter is settled and discontinued with prejudice, filed.

360

1993

~~C. Barton Jones~~ withdrawn
Karen S. Johnson

360.

ARNOLD N. PALMER, DOROTHY PALMER

vs.

MARTHA E. BUSH

Filed April 12, 1993
@ 3:07 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	40.00
Sheriff's Costs	30.00
Pro.Co.pd 3/28/94	9.00

COMPLAINT IN MORTGAGE FORECLOSURE
1 copy Sheriff

Apr. 27, 1993 Sheriff's Return filed. SERVED Martha E. Bush onApril 20, 1993 at 11:55 AM by handing a copy of the Complaint in Mortgage Foreclosure to John Lago, Adult in Charge at the residence, Airport Road, Linesville, Crawford county, PA.
so answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Feb. 23, 1994 Withdrawl of appearance of C. Barton Jones for Plaintiffs, filed.

Feb. 23, 1994 Appearance of Karen S. Johnson for Plaintiffs, filed.

Feb. 28, 1994 Complaint reinstated.

Mar. 22, 1994 Sheriff's Return filed. SERVED Daniel Bush personally on March 10, 1994 at 2:45 PM by handing him a copy of the Complaint in Mortgage Foreclosure at the place of the mortgaged property, 1201 Water Street, Conneautville, Crawford County, PA. Daniel Bush is the current tenant in possession of the residence.
So answers, Scott D. Young, Deputy Sheriff
Robert M. Stevens, Sheriff

And Now, Mar. 28, 1994 at 3:00 P.M. upon praecipe of Plaintiff's attorney, judgment is hereby entered in favor of Plaintiff and against the defendant for want of an answer and the damages are assessed at the sum of Six Thousand Nine Hundred Sixty-four and 08/100 Dollars.

Debt	$6,964.08
Int. from 4/1/93 to 3/28/94 (Included in above) at $1.97 per day	
Judgment	

Barbara H. King
Prothonotary

B-116;
Entered on 3-28-94
Atty. Johnson

EX1994-23

Nov. 2, 1994 Affidavit of Service filed. And Now, November 1, 1994, comes Karen S. Johnson, Esquire and avers as follows:
1. A true and correct copy ofthe Praecipe for Entry of Default Judgment was mailed to the Defendant via Certified Mail, return receipt on March 17, 1994.
2. That the Defendant signed the return card on March 30, 1994, 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. P845718822) attached hereto as Exhibit "A".
I VERIFY that the statements made int his 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
Karen S. Johnson

361.

Thomas, Truax, Spadafore, and Walker
David P. Truax

COMMONWEALTH OF PENNSYLVANIA

vs.

JOSEPH CANCILLA, II

Filed April 12, 1993
@ 3:53 PM

Tax & entry pd 4-19-93 50.50
User's Fee pd 4-19-93 5.00

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

LICENSE SUSPENSION APPEAL

2 COPIES (atty)

ORDER: AND NOW, Apr. 12, 1993, upon consideration of the goregoing petition and upon Motion fo David P. Truax, esq. atty. for petitioner, a hearing is hereby scheduled to determine whether the Depart. of transportation in suspending the operating privileges of the Petitioner should be set aside.

The above matter is set for hearing on the 8th dayof July, 1993 at 9:00 ams. at the Courthouse at Crawford County, Pa. in C. R. No. 1 or 2.

Petitioner's operating privileges are hereby reinstated in accordance with law pending a final decision of the above appeal

A true and correct copy of the within Petition and Order shall be served upon the Dept. of Trans., Bur. of Driver Licensing, Rm., 103, Trans. and Safety Bldg., Harrisburg, Pa. 17120, by cert. mail, ret. rec. req. at least sixty (60) days prior to the aforesaid hearing date. BY THE COURT,
Anthony J. Vardaro, J.

July 12, 1993 ORDER filed. AND NOW, July 8, 1993, after hearing and due consideration of this matter, the Defendant's appeal from the order of the Dept. of Transportation suspending Defendant's driver's license is dismissed and the action of the Department in suspending said license is affirmed.

BY THE COURT:
Anthony J. Vardaro, J.

July 12, 1993 Copies of Order to Attys. Kuhar and Truax.

362.

KAREN L. CHESS

vs.

MICHAEL S. GEMBLE

Filed April 13, 1993
@ 8:58 AM

Tax & entry	50.50
User's Fee	5.00
Sheriff's Costs	27.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 13th day of April , 1993 , 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:

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 or 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 the April 21, 1993 , at 3:30 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,
Gordon R. Miller, J

Apr. 14, 1993 Sheriff's Return filed. SERVED Michael S. Gemble personally on April 13, 1993 at 1:36 PM by handing him a copy of the Protection from Abuse at his residence, 315 High Street, Conneaut Lake, Crawford County, PA.
So answers,

Dale A.Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

1993

Gerald Sullivan
Legal Servcies

363.

MICHELE L. SWANSON

vs.

CARLO S. BELLES

Filed April 13, 1993
@ 11:00 AM

Tax & entry Pd.7/7/93 50.50
User's Fee Pd. 7/7/93 5.00

Sheriff's Costs Pd. 25.00
Pro Co. Pd. 7/7/93 9.00

7-7-93 Received from dft Sheriff Davis 25.00
7-7-93 Pd Sheriff 25.00 Ch# 7655

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

Order:

And now, this 12th day of April , 19 93, 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: Defendant shall not contact Plaintiff in any way in person or by phone. He shall not go to her place of residence or work.

3. This Order may be enforced without a warrant 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 or 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 21, 1993 , at 3:30 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 COURT,
Gordon R. Miller, J

Apr. 14, 1993 Sheriff's Return filed. SERVED Carolo S.Belles personally on April 13, 1993 at 12:58 PM by handing him a copy of the Protection from Abuse at his residence, 1047 Hemlock Street,Meadville, Crawford County, PA.
So answers,
Dale A.Collins, Deputy Sheriff
Robert M.Stevens, Sheriff

Apr. 23, 1993, ORDER filed. AND NOW, Apr. 21, 1993 this matter is before the court on Plaintiffs Petition for Relief Under the protection from Abuse act.

The plaintiff appears with counsel and the dft. appears without counsel, but indicates that he wishes to proceed without counsel.

The parties agree to the following Order, without admission of the allegations of the plaintiffs petition on the part of the dft;

1. The defendant shall not assault, threaten to assault, harass or in any way threaten the plaintiff, nor shall he procure anyone else to do so at any time.

2. The defendant shall not contact the plaintiff nor shall he contact her family at any time or any place, including anyo place of employment of the plff. at Springs Manor or any other suc h place.

3. The defendant shall not go to the plaintiff's residence and, in fact, shall not go upon the Forest Green Apts. property during the term of this order.

4. The dft. is cautioned that if he should be invited to the residence of the plff, that he should not go to that residence without a modification of this Order insofar as it shall be presumed that he is in violation of this order if she is at the plaintiff's residence even if he has been invited.

5. 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.

6. A copy of this order shall be delivered to the police Depts. in the jurisdiction where the plff. resides and to Countycontrol, and additionally, to the Cambridge Springs Borough Police.

7. The dft. 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 and a jail sentence of up to 6 months.

8. In light of the fact that the dft. will have summer employment, he is given until July 31, 1993 to pay court costs inthe amount of $89.50, all to be paid by that date to the Office of Prothonotary, on the 1st Floor of the Courthouse.

9. He may pay such installments towards that amount as he wishes prior to the date, or he may pay the full amount prior to that date, but in no event, shall he have any balance as of that date.

10. This order shall remain in full force and effect through Apr. 20, 1994.

BY THE COURT,
Anthony Vardaro, J.

Apr. 23, 1993, copies mailed or given to CSPD, MCPD, dft. County control and Sullivan.

1993

Edgar Snyder &
Associates, P.C.
Todd Berkey

364.

Culbertson, Weiss,
Schetroma and Schug
E. Max Weiss

WILLIAM C. COULTER

vs.

DREW ERIC PETERSON

Filed April 13, 1993
@ 11:48 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Pro.Co. pd 3/15/94	6.00

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

Apr. 23, 1993 Sheriff's Return filed. SERVED Drew Eric Peterson personally on April 19, 1993 at 11:03 AM by handing a copy of the Complaint to himat his residence, R.D. #2, Box 202B, Cochranton, Crawford County, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

May 12, 1993 Appearance of Culbertson, Weiss, Schetroma and Schug, P.C. by E. Max Weiss, Attorney for Defendant filed.

June 7, 1993 Answer and New Matter of Defendant Drew Eric Peterson to Plaintiff's Complaint filed.

June 11, 1993, Plaintiff's Reply to Defendants New Matter filed.

July 28, 1993 Certificate of Service of Answers to Plaintiff's Interrogatories and Responses to Plaintiff's Request for Production of documents filed.

Aug. 12, 1993 Petition of Defendant Peterson for Change of Venue and Order filed. ORDER: And Now, this 10 day of August, 1993, upon presentation of the within Petition, it is hereby ordered that the above-captioned case be transferred from Crawford County to Venango County. The Prothonotary shall forward to the Prothonotary of Venango County certified copies of the docket entries, process, pleadings and other papers filed in the action. The costs and fees of the Petition for transfer and the removal of the record shall be paid by the Plaintiff and taxable as costs.
By The Court:
Anthony J. Vardaro, J.

Aug. 24, 1993 copy to T. Berkey & M. Weiss

Mar. 15, 1994 Upon Praecipe of Todd Berkey, Esquire, Attorney for Plaintiff, the above-captioned matter is settled and discontinued of record.

1993

Joseph F. Kulwicki

365.

SHARON A. LOZE

vs.

JOHN J. LOZE

Filed April 13, 1993
@ 1:19 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co paid 4-18-93	9.00

COMPLAINT IN DIVORCE
1 copy atty.

Apr. 21, 1993, Affidavit of Service filed. Kelly Munshower being duly sworn according to law deposes and says on April 14, 1993 she placed a cert. copy of above Divorce Decree in the U.S. mail addressed as follows: Mr. John J. Loze, Box 302 Wing Rd. Conneautv ille, Pa. 16406

Said divorce complaint was mailed cert. mail, being cert. No. P 724 954 501. the signature card for said cert. mail item was returned to the office of Jos. F. kulwicki, as having received same on Apr. 19, 1993. Said signature card is attac hed hereto and a part hereof. Further deponent saith not.

Kelly Munshower.

Dec. 13, 1993 Affidavit of Consent by John J. Loze, Defendant filed.

Dec. 13, 1993 Affidavit of Consent by Sharon A. Loze, Plaintiff filed.

Apr. 18, 1994 Upon praecipe of Plaintiff's attorney to transmit records, case moved to Court.

DIVORCE DECREE FILED

April 21, 1994 AND NOW, April 21, 1994, it is hereby ordered and decreed that SHARON A.LOZE, Plaintiff, and JOHN J.LOZE, 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.

1993

Peters, Lindsay,
Lewis & Gagliotti
Brian J. Lindsay

366.

Thomas, Truax,
Spadafore and Walker
R. Charles Thomas

ROSEANN M. GEER

vs.

MARY M. SPAULDING

Filed April 13, 1993
@ 1:43 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	30.00

COMPLAINT IN CIVIL ACTION
2 copies atty.

June 29, 1993 Complaint reinstated.

July 16, 1993 SHERIFF'S RETURN filed. SERVED Mary M. Spaulding personally on July 12, 1993.at 2:01 PM by handing a copy of the Complaint to her in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, Pa.
So answers, Diane Brittain, Deputy Sheriff
Robert M. Stevens, Sheriff

July 28, 1993 Appearance of Thomas, Truax, Spadafore and Walker by R. Charles Thomas for Defendant.

Sep. 22, 1993 Notice of Default Judgment filed.

Sep.22, 1993 Verification of Service filed. I, Brian J. Lindsay, Esquire, do hereby verify that I did serve by first class U.S.Mail a copy of the NOtice of Default filed at the above term and number on the above-named Defendant, Mary M. Spaudling, at her place and residence at 217 Park Avenue, Meadville, PA 1633, and a copy was presented to her attorney,R. Charles Thomas, Esquire, whose address is 296 Chestnut Street, Meadville, PA 16335, on the 22nd day of September, 1993.
September 21, 1993 Brian J. Lindsay, Esquire

Oct. 1, 1993 Answer to Plaintiff's Complaint, filed.
(1 copy atty)

Dec. 23, 1993 Notice of Service of Interrogatories filed.

June 6, 1994 Motion for Sanctions on behalf of Plaintiff filed.

June 6, 1994 Upon Praecipe of plaintiff attorney, this case placed on next Argument List.

ON JULY 1994 ARGUMENT LIST

1993

Terry Toomey

367.

Pro Se

GINA ABBONDANZA

vs.

JOHN DEANGIO

Filed April 13, 1993
@ 3:08 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 7-19-93	9.00

COMPLAINT IN DIVORCE
1 copy atty.

Apr. 15, 1993 Entry of Appearance Pro Se and Acceptance of Service filed. I, JOHN DeANGIO, the Defendant names in the above-captioned Divorce Action do hereby enter my appearance pro se. further, I do hereby accept service of the Plaintiff's Complaint in Divorce on the date set forth below.
April 14, '93 John S. DeAngio

July 19, 1993 Affidavit of Consent of Plaintiff, filed.

July 19, 1993 Affidavit of Consent of Defendant, filed.

July 19, 1993 Upon praecipe of Plaintiff attorney to transmit records, case moved to Court.

DIVORCE DECREE FILED

July 23, 1993 AND NOW, July 21, 1993, it is hereby ordered and decreed that GINA ABBONDANZA, Plaintiff, and JOHN S. DEANGIO, 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.

1993

Brian J. Lindsay
William J. Gregg

368.

Thomas, Trua x, Spadafore, Walker
R. Charles Thomas

CLARENCE P. HORNER

vs.

ELAINE C. HORNER

Filed April 13, 1993
@ 3:54 PM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count paid	15.00
State paid	10.00
Pro Co pd 2-12-97	9.00

517-95 Red from Pltf master Bkt. 400.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
1 copy (atty)

Apr. 26, 1993, Affidavit of Service filed. William G. Gregg, Esq. being duly sworn according to law, deposes and says that the following facts in support of affidavit of servcie are true and correct to the best of his knowledge, info and belief.

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

2. That a true and correct copy fo the Complaint in Div. was sent by reg. mail to the dft. on Apr. 15, 1993.

3. The reg. mail was sent to dft. at R. D. #2, Box 268, Conneatville, Pa. 16406. the sender's receipt is attached hereto.

4. that the dft. received said reg. mail on Apr. 17, 1993. Said ret. rec. card P 238 202 289 is attached hereto, signed by dft and made a part hereof. Wm. J. gregg.

May 21, 1993 Notice To The Defendant filed.

June 11, 1993, Answer and Counterclaim filed.

July 11, 1994, Affidavit of Consent of plaintiff filed.

July 11, 1994 Inventory and Appraisement of plaintiff filed.

July 11, 1994, Income and expense statement of Clarence P. Horner filed.

Jul. 20, 1994 Motion for Appointment of Master in Divorce, filed.

Jul.20, 1994 ORDER filed. AND NOW, July 20, 1994, after review of the plaintiff's motion for appointment of a Master said motion is denied because the plaintiff did not file the correct form of motion. The correct form appears in Crawford County Rule of Civil Procedure L1920.74.

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

7-21-94 Copies dist.to Gregg & Thomas

Aug. 2, 1994 Motion for Appointment of Master in Divorce and ORDR APPOINTING MASTER filed. AND NOW, August 1, 1994, Mary Ann Kirkpatrick, Esquire is appointed Master in respect to the following claims: Divorce, Alimony, Alimony Pendente Lite, costs, expenses and equitable distribution..
Deposit required: By Plaintiff $400 By Defendant $400
If not filed already the parties are ordered to file their pretrail statements within thirty (30) days from this date.

Per Curiam,
Gordon R. Miller, Judge

8-2-94 Faxed to Attys.Kirkpatrick & Thomas, given to Atty. Gregg.

Feb 14, 1996 Appearance of Brian J. Lindsay, Esquire on behalf of the above named Plaintiff.

March 8, 1996 Appearance of Peters, Lindsay, Lewis 7 Hatheway by Brian J. Lindsay, Esq., on behalf of plaintiff, filed.

Feb. 3, 1997 Affidavit of Consent by Defendant filed.

Feb. 3, 1997 Waiver of Notice of Intention to Request Entry of a Divorce Decree Under Section 3301(c) of the Divorce Code by Defendant filed.

Feb 12, 1997 Agreement, filed.

Feb 12, 1997 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Feb. 19, 1997 - 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 3301(c) of the Divorce Code of PA. (SEE PAPERS FILED). Date of Decree: 19 Feb.1997.

BY THE COURT:
Anthony J. Vardaro, J.

Apr 11, 1997 Master's Invoice For Professional Services, filed.

Apr 8, 1997 Motion to Refund Master's Deposit and Order: AND NOW, this 24th day of March, 1997, it is hereby Ordered and Decreed that the Plaintiff's and the Defendant's deposits paid to the Prothonotary for Master's fees be refunded to each of the parties, less any costs.

The Prothonotary shall forward a copy of this Order of the Master appointed in this case, Mary Ann Kirkpatrick, who shall submit an invoice for her services to the Prothonotary and to the Plaintiff within the next twenty (20) days.

If no objections are filed to the accounting of the Master in this case within ten (10) days of the Prothonotary's receipt thereof, then the prothonotary is hereby Ordered and irected to refund the Master's fee deposits less any proportionate paymetns due and owing to the Master.

Gordon R. Miller, P.J.

Apr 8, 1997 Faxed Thomas, Lindsay & Kirkpatarick
Apr 17, 1997 Faxed Gregg

CONTINUED ON PAGE 498

1993

David W. Pickens

369.

Knox, McLaughlin Gornall & Sennett PC
Timothy M Sennett
for dft. Ind. Parts Inc.

JOHN ENGELOTTI, d/b/a ANGELOTTI CARTAGE

vs.

GEORGE SHIMEK, JR., individually and t/a/d/b/a GENERAL DIESEL AND INDUSTRIAL PARTS DEPOT, INC.

Filed April 13, 1993
@ 4:04 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	33.00
Pro.Co. pd. 10/12/94	$6.00
Pro Co Pd. 10/27/94	$1.00

COMPLAINT IN CIVIL ACTION
1 copy Sheriff
1 copy (atty)

Apr. 27, 1993 Sheriff's Return filed. SERVED George Shimek, Jr., Individually and d/b/a General Diesel and Industrial Parts Depot, Inc., personally onApril 20, 1993 at 10:30 AM by handing him a copy of the Complaint at his place of business, R.D. #3, Rundeltown Road, Box 291, Conneautville, Crawford County, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

May 27, 1993 Defendant's Preliminary Objections, Motion To Strike and Motion For More Specific Pleading filed.

May 27, 1993 Upon Praecipe of Defendant Attorney, this case placed on next Argument List.

ON JUNE 1993 ARGUMENT LIST

June 2, 1993 Affidavit of Service filed. I, David W. Pickens am an attorney duly authorized to practice law in the Commonwealth of Pennsylvania, andon April 14, 1993, I sent a copy of the Notice to Defend and Complaint filed at the above number, properly endorsed, to Industrial Parts Depot, Incorporated, 23231 S. Normandy Avenue, Torrence, California 90501, last known address, by certified mail No. P147-762-693, and that on April 23, 1993, I received a return receipt for said certified mail signed by Dairtis and dated April 20, 1993, a copy of which is attached hereto.
I verify that the statements made in this Affidavit are true and correct. I understand that falsestatements herein are made subject to the penalties of 18 Pa. C.S. 4904, relating to unsworn falsification to authorities.
Date: May 21, 1993
David W. Pickens

June 14, 1993, Appearance of Knox McLaughlin Gornall and Sennett PC by Timothy M. Sennett attorneys for one of the defendants Industrial Parts Depot, Inc. filed.

June 29, 1993 ORDER filed. AND NOW, June 28, 1993, the matter is before the Court on Preliminary Objections addressing Paragraph 62 of the Plaintiff's Complaint in general and subparagraph C in particular. Subparagraph C contains a general allegation that Defendant Shimek failed to exercise due care, judgment and skill in installing the parts.
A history of the case related by counsel seemingly indicates that on two (2) separate occasions Shimek did extensive repair work on the vehicle in question. The Plaintiff contends that in spite of these two (2) repair jobs the motor again malfunctioned and in 1992 Beckwith Company allegedly had to repair former repair jobs done by Shimek.
Counsel for Defendant Shimek argues that more precise pleading is necessary so they may be advised what work Shimek did had to subsequently be repaired or replaced by Beckwith.
Counsel for the Plaintiff argues that since Shimek did all of the repair work they are in the best position to evaluate whether the Beckwith repairs were related or unrelated to the work that Shimek did in their two (2) repair jobs. While the Court recongnizes that this involves pleading specific details, the Court believes that a more precise rewording of Paragraph 62(c) is appropriate in order to advise Defendant Shimek and his counsel of the specifics they intend to prove at the time of trial were incorrectly or negligently done by Shimek that required replacement or repair of the Shimek work by Beckwith.
The Court is presented a copy of the Beckwith repair bill, which is very general in nature, but the Cour tbelieves that further inquiry from Beckwith and a checking of the Beckwith records would result in counsel for the Plaintiff possessing the necessary information to make a more specific pleading to Paragraph 62(c) that generally enlightens Shimek as to what repairs they did Beckwith had to re-repair or replace.
The Court DIRECTS counsel for the Plaintiff to file an Amended Paragraph 62(c) in accord with the Court's observations within thirty (30) days of this date.
The Court notes that apparently through oversight of counsel, Exhibits reported as attached in the Plaintiff's Complaint do not appear in the official records, and both counsel agree that Plaintiff will belatedly file the necessary Exhibits with the file in this case.
BY ORDER OF THE COURT,
P. Richard Thomas, S.J.
June 29, 1993 copies distributed to Pickens & Sennett

June 30, 1993 Answer and New Matter filed.

2-15-94 Left Brief

July 16, 1993, Reply to Answer and New Matter filed.

July 16, 1993, Amended Complaint filed.

Aug 4, 1993 Answer and New Matter to Plaintiff's Amended Complaint, filed.

Aug. 4, 1993 Answer and New Matter to Plaintiff's Amended Complaint, filed.

Aug. 23, 1993, Reply to Answer and New Matter to Plaintiffs Amended Complaint of Dft. George Shimek, Jr. Ind., and t/a d/b/a General Diesel, filed.

Aug. 23, 1993, Reply to Answer and New Matter to Plaintiffs Amended Complaint of Dft. Industrial Parts Depot, Inc. filed.

Oct. 26, 1993, Notice of Service to Plaintiff's Answers to Defendant's First Set of Interrogatories and request for production, filed.

Continued to Page 491

370

1993

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

370

ROBERT J. WOLFGANG

vs.

MARY C. WOLFGANG

Filed April 13, 1993
@ 4:20 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro. Co pd 9-27-93	9.00

COMPLAINT IN DIVORCE
2 copies atty.

Apr. 22, 1993, Affidavit of Servcie filed. I, James R. Irwin, 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 the Complaint in Div. certified by Prothonotary on the above defendant by cert. mail, addressee only, ret. rec. req. dated Apr. 14, 1993. The dft. acknowledged service on Apr. 20, 1993 by accepting delivery as evide3nced by attached signed return.
James R. Irwin Esq.,

Aug 4, 1993 AFFIDAVIT OF CONSENT OF PLAINTIFF, FILED.

Aug. 4, 1993 Defendant Clever's Reply to Defendant Shugarts New Matter Pursuant to Pa. R.C.P. 2252(d), filed.

Aug 4, 1993 Defendant Clever's Reply to Defendant Fairlies New Matter Pursuant to Pa.R.C.P. 2252(d), filed.

Aug 4, 1993 Defendant Clever's Reply to Plaintiff's New Matter Pursuant to Rule 2252(d), filed.

Sept. 27, 1993 Affidavit of Consent of Defendant, filed.

Sept. Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

oct. 5, 1993 AND NOW, October 5, 1993, it is ordered and decreed that ROBERT J. WOLFGANG, plaintiff, and MARY C. WOLFGANG, 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.

1993

Peters, Lindsay,
Lewis & Gagliotti
Brian J. Lindsay

371.

GERALD SZYMANSKI

vs.

JERENE SZYMANSKI

Filed April 14, 1993
@ 2:00 p.m.

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co Pd 6/2/93	9.00

COMPLAINT IN DIVORCE
3 copies atty.

April 14, 1993 Plaintiff's Affidavit Under Section 3301(d) of the Divorce Code filed.

May 13, 1993 ACCEPTANCE OF SERVICE, filed. I, the above named Defendant, hereby accept service of the Complaint in the above action. Jerene Syzmanski
action. Jerene Syzmanski

May 13, 1993 NOTICE OF INTENTION TO REQUEST ENTRY OF DIVORCE DECREE and DEFENDANT'S COUNTER-AFFIDAVIT UNDER SECTION 3301(d) OF THE DIVORCE CODE, filed.

May 13, 1993 Acceptance of Plaintiff's Affidavit and Defendant's Counter-Affidavit, filed.

June 2, 1993, Upon praecipe of p laintiff attorney with notice of intention to request entry of divorce decree attached, this case moved to court.

DIVORCE DECREE FILED

June 10, 1993 AND NOW, June 8, 1993, it is hereby ordered and decreed that GERALD SYZMANSKI, Plaintiff, and JERENE SYZMANSKI, 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.

MacDonald, Illig,
Jones & Britton
Richard J. Parks

372.

INTEGRA NATIONAL BANK/NORTH
successor by merger to
PENNBANK

vs.

RUSSELL L. MORRIS

Filed April 14, 1993
@ 2:00 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	50.00
Pro Pd 5/26/93	9.00

COMPLAINT IN CIVIL ACTION
1 copy (Sheriff)

May 13, 1993 SHERIFF'S RETURN filed. SERVED Russell L. Morris personally on April 29, 1993 at 2:40 PM by handing him a copy of the Complaint in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville,Pa.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

And Now, May 26, 1993 at 11:32 a.m. upon praecipe of plaintiff attorney, with affidavit of military service attached, Judgment is hereby entered in favor of plaintiff and against the defendant for failure to answer; damages in the amount of Twenty Eight Thousand Three Hundred Eighty six and 91/100 Dollars plus int. at rate of $5.88 per day from 4/1/93, monthly date chgs. beginning Apr. 93 of $10.74 plus costs of suit.
Judgment entered
5/26/93
M - 252

Debt --- $28,386.91
Int. rate of $5.88 per day from 4/1/93
and late chgs.
JUDGMENT
Barbara H. King, Prothonotary

June 1, 1993, Notic eof entry of judgment mailed defendant

EX 1993-45

1993

Elderkin, Martin,
Kelly & Messina
Kenneth G. Vasil

373.

SEARS, ROEBUCK & COMPANY

vs.

WILLIAM M. SEMAN, JR. and
JOAN SEMAN, his wife

Filed April 14, 1993
@ 2:00 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's costs	36.00
Pro co pd 6/2/93	9.00

COMPLAINT IN CIVIL ACTION
2 copies Sheriff

April 28, 1993 Sheriff's Return filed. SERVED Joan Seman personally on April 20, 1993 at 11:15 AM by handing a copy of the Complaint to her at her residence, RD # 1, Box 147, Conneautville, Crawford Co., PA.

NOT FOUND as to Defendant William M. Seman, Jr. Mr. Seman passed away in 1982.

So answers,

Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

And Now, June 2, 1993, at 11:32 a.m. upon praecipe of plaintiff attorney, with default notice attached, Judgment is hereby entered in favor of the plaintiff and against the one defendant ONLY in the amount of Seven Thousand three Hundred Three and 16/100 Dollars plus int. at rate of 1.50% from Mar. 1993 and costs of action.,

Judgment entered
6/2/93
S - 92

DEBT $7,303.16
Int. from Mar. '93 at rate of 1.50% per mo.
Barbara H. King
Prothonotary

374.

LESSIE MAE CATHEY

vs.

MARLON LAFAYETTE DANIELS

Filed April 15, 1993
@ 9:12 AM

Tax & entry	50.50
User's Fee	5.00
Sheriff's Costs	36.50

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy plaintiff

ORDER:

And now, this 15th day of April , 19 93 , 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: Defendant shall not contact Plaintiff or the childrenin any way. He shall not go to Plaintiff's residence. Custody of the Children 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 or 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 the April 22, 1993 , at 9:00 amm., 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,
Gordon R. Miller, J

Apr. 23, 1993, ORDER filed. AND NOW, Apr. 22, 1993, at the time fixed for hearing in this matter, the plff appeared, but thedft. did not. the dft. was served in Mercer County two days ago on Apr. 20, 1993. He is currently an inmate at the Mercer Regional Correctional Facility and scheduled for release on Jan. 24, 1994.

This matter shall be continued until the 1st day fo Feb. 1994, at 1:00 p.m. in C. R. No. 1 of the Courthouse. If the dft. is released and desires an earlier hearing he shall file a motion with the court in accordance with local Motions Practive and the Local Rules.

A true and correct copy fo this order shall be mailed by the Prothonotary to the defendant at the Mercer Regional Correctional Facility. In the meangime, the Temporary ABuse Order of Apr. 15, 1993 shall remain in full force and effect until said hearing.

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

Apr. 23, 1993, copies sent to plff, dft. and countycontrol and MCPD.

May 3, 1993 Sheriff's Return filed. SERVED Marlon Lafayette Daniels by deputizing the Sheriff of Mercer County, PA, as per his Affidavit of Service attached. Served on April 20, 1993 at 1:24 PM at STate correctional Facility, Mercer, PA.

So answers, Robert M. Stevens, Sheriff

Feb. 3, 1994, ORDER filed. AND NOW, Feb. 1, 1994, at the time fixed for hearing in this matter the defendant did not appear because he apparently is still incarcerated at the Mercer State Correctional Institution. It appears that he will not be released within the next few months.

Therefore, it appears that the plaintiff is protected from further abuse, if the defendant did in fact abuse her.

The temporary order of April 15, 1993 shall remain in full force and effect until April 12, 1994, at which time it shall automatically expire by operation o f law.

The Prothonotary shall send a true and correct copy of this order to the plaintiff at her address on the petition as well as to thedft. in care of the State Correctional Institution at Mercer, Pa. Copies shall also be furnished to County Controland the Meadville, city Police Dept.

Cost shall be paid by Crawford County.

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

Feb. 3, 1994, copies dist. to Co. control. MCPD, plff and dft.

Joseph W. Tinko

375.

Watts & Pepicelli PC
Alan L. Pepicelli

LINDSAY WAID, a Minor, by STACEY WAID, her Mother and Natural Guardian, and STACEY WAID, Individually

vs.

MARY PRESTON, Individually, and t/a/d/b/a SHOALWATER KENNEL: and GARNETT PERSINGER Individually and t/a/d/b/a EBBTIDE KENNELS

Filed April 15, 1993
@ 9:52 AM

Tax & entry paid 50.50
User's Fee paid 5.00
Pro.Co. pd 7/6/93 6.00

WRIT OF SUMMONS

Apr. 16, 1993 Acceptance of Service/Entry of Appearance of Watts and Pepicelli PC by Allen L.Pepicelli, Esquire for Mary Preston, Individually, and t/a/d/b/a/ Shoalwater Kennel; and Garnett Persinger,Individually, and t/a/d/b/a Ebbtide Kennels, defendants, filed.

Apr. 21, 1993 Affidavit of Service filed. BEFORE ME, a Notary Public of the Commonwealth of Pennsylvania, on this 21st day of april, A.D. 1993, comes Joseph W. Tinko, Esquire, the undersigned affiant who, after being duly sworn (affirmed) according to law, deposes and says as follows:
That he served process of the Writ of Summons on Defendants' counsel of record, Alan L. Pepicelli by personal delivery on April 16, 1993, pursuant to Pa.R.C.P. No. 402(a)(2)(i).
Date:april 21, 1993 Joseph W. Tinko

June 2, 1993 Petition to Settle Minor's Claim and Order, filed ORDER: AND NOW, this 22nd day of June, 1993, 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 Lindsey Waid, a minor, by Stacey Waid, her Guardian, and Stacey Waid, individually, Plaintiffs, for the amount of medical expenses incurred to date in the aggragate amount of $1,093.75,be approved.
It is further ordered that the said Stacey Waid, as Parent and Natural Guardian of Lindsey Waid, a minor, execute the necessary Release with the Defendants upon payment of the sum as aforesaid, and the Defendants are relieved of any and all further liability to Plaintiffs without obligation to look as to the paymetn of the proceeds; Defendants to pay costs of suit. BY THE COURT,
Gordon R. Miller,PJ.
June 30, 1992 copy to J. tinko & A. Pepicelli

June 2, 1993 Consent to Settlement, filed.

July 6, 1993 Upon Praecipe of Joseph W. Tinko, Esquire,Attorney for Plaintiff, the above captioned litigation is marked settled and discontinued as to the defendants with prejudice to the plaintiffs, filed.

1993

pro se

KAREN HOWELL, CRNP
LESLIE TAR, M.D.

376.

vs.

Ann Hansen Gamble

VIRGINIA A. PROPER

Filed April 15, 1993
@ 2:48 PM

Tax & entry paid	50.25
User's Fee paid	5.00
Arb paid 10/28/93	15.00

APPEAL OF PLAINTIFF FROM DECISION
OF DISTRICT JUSTICE WILLIAM D. CHISHOLM

April 16, 1993, Proof of Service filed.

April 16, 1993, Complaint filed. 2 copies (atty)

May 5, 1993 Affidavit of Mailing of Answer to the Plaintiff and Co-plaintiff filed.

May 6, 1993 Answer to Complaint, filed.

May 6, 1993 Plaintiff's Answers to New Matters Brought Forth in Defendant's Answer Submission, filed.

May 21, 1993 Certificate of Readiness, filed.

ON TRIAL LIST FOR OCTOBER 1993

Sept. 24, 1993 Motion To Strike filed.

Sept. 24, 1993 ORDER filed. AND NOW, Sept: 24, 1993, the Court, having received and considered a motion to strike filed by the defendant in the case of Leslie Tar, M.D. v. Edna Ebbert at 1993-233 and having asked the Corut Administrator to deliver other cases involving this plaintiff which are on the upcoming civil trial list, hereby strikes these cases above captioned from the October Civil Trial List because all of these cases come within the jurisdictional limits of compulsory arbitration under 42 Pa. C.S.A. 7361, PA. R.C.P. 1001(b) (1) and Rule L1301 of the Crawford County Rules of Civil Procedure.

These cases shall be stricken from the October Trial List and shall not be tried at that term.

Arbitration shall not automatically occur as a result of this order. Any party desiring to have these matters heard by arbitration shall file a praecipe for reference to arbitration in accordance with the Rules. Thereafter the case shall proceed in accordance with the rules governing compulsory arbitration.

An original copy of this order shall be filed in each of these four cases.

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

Oct. 4, 1993 Copy of Order to Attys. A. Gamble, Leslie Tar, Karen Howell.

Oct. 28, 1993, Upon praecipe of plaintiff, for reference to the arbitrators, the following arbitrators are appointed: ~~Robert J. Fenton~~, Ch. Christopher Ferry, Ch.
Barbara Walton
Thomas D. Watson

Jan. 4, 1994 Arbitrators take qualifying oath.

Feb. 1, 1994 Notice of Arbitration Hearing filed.

Mar. 29, 1994 Decision of Arbitrators filed in which they find for the Defendant on the Plaintiffs' complaint and for the Planitiffs on the defendant's counterclaim
T-104; H-101; P-164 DECISIONOF ARBITRATORS
Mar. 31, 1994 Copies dist. to Tar, Gamble & Deft.

1993

Culbertson, Weiss, Schetroma & Schug, PC Glenn A. W. Thompson	BILL BRAGG, d/b/a BILL BREAGG & ASSOCIATES	COMPLAINT IN CIVIL ACTION 1 copy Sheriff
377.	vs.	April 27, 1993 Upon Praecipe of plaintiff attorney the above-captioned case marked discontinued of record.
	R. & S. MEATS, INC.	July 8, 1993, Sheriffs Return filed. Attempted service by Cert. Mail at the last known address of 700 East 107th St. Chicago, Ill. 60628 on Apr. 16, 1993. On June 22, 1993, our office inquired with teh Post Office as to whether the letter was received or returned as we have not received the ret. rec. card. No information known. So answers, Robert M. Stevens, Sheriff
	Filed April 15, 1993 @ 4:18 PM	
	Tax & entry paid 50.50 User's Fee paid 5.00 Pro Co. pd 4-27-93 6.00 sheriffs costs 23.00	

1993

Culbertson, Weiss, Schetroma & Schug, PC
Glenn A. W. Thompson

378.

GERALD KARNS and MARY ANN KARNS

vs.

LAWRENCE W. STARR

Filed April 15, 1993
@ 4:18 PM

Tax & entry paid	50.50
User's Fee paid	5.00
sheriffs costs	27.00
Pro Co pd 5-13-93	9.00
Pro Co pd 7-7-93	5.00

COMPLAINT IN ACTION OF MORTGAGE FORECLOSURE
1 copy Sheriff

Apr. 22, 1993, Sheriffs Return filed. SERVED Lawrence W. Starr personally on Apr. 19, 1993 at 11:25 a.m. by handing him a copy of the Complaint in Action of Mortgage Foreclosure at his residence R. D. #4, Box 121A, Cochranton, Crawford County Pa.
So answers, dale A. collins, Dep. Sheriff
Robert M. Stevens, Sheriff

And Now, May 13, 1993 at 4:08 P.M., upon praecipe of plaintiff's attorney judgement is hereby entered in favor of the plaintiff and against the defendant for failure to enter an Appearance or file an Answer within twenty days of service of the Complaint;damages to be determined, sec leg.
Filed May 13, 1993 JUDGMENT
S - 105 Barbara H. King,Pro.

July 1, 1993 Upon praecipe of Plaintiff Attorney the above matter is marked settled and discontinued of record.

1993

Mary Ann Kirkpatrick

379.

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

SALLY JO DeARMENT MARSH

VS.

ERIC PAUL MARSH

Filed April 16, 1993
@ 10:07 AM

Tax & entry paid	80.50
User's Fee paid	15.00
2 Add'l Counts paid	30.00
State paid	10.00
Pro paid 7/10/96	9.00
Pro Co 12-18-97	5.00

COMPLAINT IN DIVORCE, ALIMONY, ALIMONY PENDENTE LITE,
REASONABLE COUNSEL FEES, COSTS and EXPENSES
EQUITABLE DISTRIBUTION
1 copy atty.

Apr. 27, 1993 Affidavit of Service filed. And Now, April 27, 1993, 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 Sally Jo DeArment Marsh, Plaintiff inthe above-captioned matter.
2. That on information furnished here by the Plaintiff, she caused a certified copy of theComplaint in Divorce to be forwarded by Certified Mail, P 899 085 299; postmarked April 19, 1993, to the last known address of the Defendant, Eric Paul Marsh, c/o Gildea, Shady Dr., R.D. #1 Box 667, Conneaut Lake, PA.
3. That the Defendant, Eric Paul Marsh, onapril 21, 1993, personally signed the return receipt card whcih was affixed to the Complaint inthe above-matter and which is attached hereto.
4. Service ofthe Complaint against Defendant is therefore effected in accordance with Pennsylvania Rules of Civil Procedure.
Constance L. Deitman

July 2, 1993 Appearance of Shafer, Swick, Bailey, Irwin & Stack by James R. Irwin, Esquire for Eric P. Marsh, defendant, filed.

July 16, 1993 Inventory filed.

July 16, 1993 Affidavit of Consent of Plaintiff, filed.

Aug. 24, 1993 Affidavit of Consent of Defendant filed.

JUly 11, 1994, plaintiffs affidavit as to availibility of counseling filed.

Jan. 12, 1995 Plaintiff'sAffidavit Under Section 3301(d) of the Divorce Code filed.

Apr. 11, 1996 Motion to Withdraw Appearance and ORDER filed. AND NOW, this 10 day of April, 1996, upon presentation and consideration of the within Motion, Defendant's counsel, James R.Irwin, Esquire, is hereby authorized to withdraw his appearance on behalf of the Defendant in the above captioned case.
Anthony J. Vardaro, J.

4-11-96 FAxed Kirkpatrick & Irwin

May 1, 1996, Memorandum of Agreement as to Divorce, Equitable Distribution, Alimony, Alimony Pendente Lite, Counsel Fees and Court costs filed.

May 28, 1996 Waiver of Notice Of IntentionTo Request Entry of a Divorce Decree Under Section 3301(c) of the Divorce Code of Plaintiff filed.

May 28, 1996 Affidavit of Consent To Divorce 3301(c) of Defendant filed.

June 21, 1996 Waiver of Notice of Intention to Request Entry of a Divorce Decree Under Section 3301(c) of the Divorce Code by Defendant filed.

July 1, 1996, Upon praecipe of plaintiff attorney, for review, this case moved to court.

DIVORCE DECREE FILED

July 12, 1996 AND, NOW, July 11, 1996, it is ordered and decreed that SALLY JO DEARMENT MARSH, Plaintiff and ERIC PAUL MARSH, 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.
It is further ordered that the attached Memorandum of Agreement be incorporated herein and made a part hereof and be fully enforceable under the Divorce Code.
By the Court:
Gordon R. Miller, J.

Dec 12, 1997 NOTICE OF ELECTION TO RETAKE AMIDEN NAME: **Sally Jo DeArment Marsh** TO BE KNOWN AS: **Sally Jo DeArment.**

1993

Peters, Lindsay,
Lewis & Gagliotti
Brian J. Lindsay

380.

HELEN MARIE PARKER

vs.

STEPHEN MARK PARKER

Filed April 16, 1993
@ 10:25 AM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co. pd 8/19/93	9.00

COMPLAINT IN DIVORCE
2 copies atty.

Apr. 20, 1993 Affidavit of Service filed. I, Brian J. Lindsay, Esquire, after being duly sworn according to law, do hereby certify that I am the atttorney of record for the above named Plaintiff, and that I did on the 16th day of Apri, 1993, send to the above named Defendant, by Certified Mail, Return Receipt Requested, a true and correct copy of the Divorce Complaint filed at the above term and number; and that I did on the 19th day of Apri,1993, receive a duly executed return receipt undated.
April 20, 1993 Brian J. Lindsay, Attorney for Plaintiff

July 19, 1993 Affidavit of Consent of Plaintiff, filed.

Aug. 9, 1993, Affidavit of Consent of Defendant filed.

Aug. 19, 1993 Upon praecipe of plaintiff attorney for Review under Section 3301(c) of Divorce Code, this case is moved to Court.

DIVORCE.DECREE FILED

Aug. 26, 1993 AND NOW, August 24, 1993, it is ordered and decreed that HELEN MARIE PARKER, plaintiff, and STEPHEN MARK PARKER, defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the parties to this action fo 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.

1993

Peters, Lindsay,
Lewis & Gagliotti
Brian J. Lindsay

381.

JAMES DANIEL SUTTON

vs.

MICHELLE DAWN SUTTON

Filed April 16, 1993
@ 10:25 AM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 12-8-93	9.00

COMPLAINT IN DIVORCE
2 copies atty.

Apr. 29, 1993 Acceptance of Service filed. I, the above named Defendant, hereby accept service of the Complaint in the above action.
Date: April 26, 1993 Michelle D. Sutton

Nov. 10, 1993 Affidavit of Consent by Michelle Dawn Sutton, Defendant, filed.

Dec. 6, 1993 Affidavit of Consent of Plaintiff, filed.

Dec. 8, 1993 Upon praecipe of Plaintiff's attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Dec. 21, 1993 AND NOW, December 17, 1993, it is hereby ordered and decreed that JAMES DANIEL SUTTON, Plaintiff, and MICHELLE DAWN SUTTON, 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.

1993

Watts & Pepicelli
Alan L. Pepicelli

382.

CATHY J. BOWES, Administratrix of the Estate of GARY K. BOWES, a/k/a GARY KEITH BOWES, Deceased

vs.

JEFFREY M. KIEHLMEIER

Filed April 16, 1993
@ 4:11 PM

Tax & entry paid 50.50 ✓
User's Fee paid 5.00
Pro Co Pd 667/93 6.00

PETITION FOR CHANGE OF VENUE PURSUANT TO PA. R.C.O. RULE 1006(d)

ORDER:
AND NOW, this 13 day of April, 1993, upon consideration of the within Petition for Change of Venue, it is hereby ordered and directed that this action be transferred to the Court of Common Pleas of Crawford County, Pennsyvlania, pursuant to Pa. R.C.P. Rule 1006(d)

BY THE COURT,
Signature Illegible

BUTLER COUNTY ENTRIES:

Apr. 1, 1991 Complaint filed.

Apr. 29, 1991 Complaint Reinstated.

May 28, 1991 Appearance filed.

Apr. 15, 1991 Sheriff's Return filed.

May 22, 1993 Sheriff's Return filed.

June 20, 1991 Answer and New Matter to Complaint in Civil Action filed.

July 11, 1991 Reply To New Matter Of Defendant filed.

CRAWFORD COUNTY ENTRIES:

Apr. 19, 1993 Petition for Settlement of Wrongful Death/Survival Claims and Order filed. AND NOW, this 19 day of April, 1993, upon consideration of the within Petition for Settlement of Wrongful Death and Survival Claims in the above-captioned case, this Court approves the within settlement of $50,000.00, with allocation of settlement proceeds to be as follows:
a. $49,999.00 to your Petitioner under the Wrongful Death Action to be distributed as follows:
i. To Watts and Pepicelli PC, as attorney's fees, tobe paid from the Wrongful Death Action proceeds: $12,500.00
ii. To Watts and Pepicelli PC, as reimbursement for costs advanced to date: 78.50
iii. To Petitioner, Cathy J. Bowes, under the Wrongful Death Action, to be distributed in accordance with the provisions of the Pennsylvania Wrongful Death Act, 42 Pa. C.S. 2102(3): $37,420.50, as follows:
A. One-half of the balance to Cathy J. Bowes, as surviving spouse, in accordance with 20 Pa. C.S. 2102(3): $18,710.24
B. Twenty-five percent (25%) of the residual balance to Daniel J. Bowes, minor son, in accordance with 20 Pa. R.C. 2103(1) (subject to the provisions regarding payment as are hereinafter more fully set forth) $9,355.13
C. Twenty-five percent (25%) of the residual balance to Matthew R. Bowes, minor son, in accordance with 20 Pa. C.S. 2103(1) (subject to the provisions regarding payment as are hereinafter more fully set forth) $9,355.13
b. $1.00 to the Estate of Gary K. Bowes, Deceased, under the Survival Action.
And upon payment of said sums and record costs of suit, Petitioner, Cathy J. Bowes, is authorized to execute a Release in appropriate form in favor of said parties to be released and/or their insurance carriers.
Proof of Deposit for each of the above-referenced minor children, Daniel J. Bowes, and Matthew R. Bowes, shall be file dno later than May 19, 1993.
Provided, however, that the within Order is entered, and the within settlement approved without prejudice to Petitioner to pursue any additional underinsured motorist claims against appropriate parties.
2 copies atty.

BY THE COURT,
Anthony J. Vardaro,

May 13, 1993 Affidavit/Proof of Deposit (Daniel J. Bowes), filed.

May 13, 1993 Affidavit/Proof of Deposit (Matthew R. Bowes), filed.

June 2, 1993, Upon praecipe of plaintiff attorney, the above captioned case is hereby settled and discontinued of record.

1993

James Bukac 383.	HAROLD E. GRAVES vs. JOHN DEERE INDUSTRIAL EQUIPMENT CO., BERNARD MATTESON, Individually and T?D?B?A MATTESON EQUIPMENT COMPANY	WRIT OF SUMMONS Issued Sheriff May 17, 1993 Writ Reissued. Jan. 18, 1994 Writ Return filed. Returned to Prothonotary unserved on January 13, 1994. No instructions or service fee received by Sheriff. So answers, Robert M. Stevens, Sheriff

Filed April 16, 1993
@ 4:21 PM

Tax & entry paid	50.50
User's Fee paid	5.00

384.

DONALD J. LOWERY

vs.

CHERYL ANN LOWERY

Filed April 19, 1993
@ 10:59 AM

Tax & entry	50.50
User's Fee	5.00
sheriffs costs	25.00
Pro Co	9.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy plaintiff

ORDER:

And now, this 19 day of April , 19 93 , 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 Plaintiff shall have exclusive possession of the marital home at 530 Smith St. and exclusive physical custody of the three children all pending 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 or 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 the April 26, 1993 , at 11 a.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,
Anthony J. Vardaro, J

Apr. 20, 1993, Sheriffs Return filed. SERVED Cheryl Ann Lowery personally on Apr. 19, 1993 at 11:40 a.m. by handing a copy of the Protection from Abuse toher at her temporary place of custody in the Crawford County Jail, 360 Center Street, Meadville, Crawford County Pa.
so answers, Robert M. Stevens, sheriff

Apr. 27, 1993 Order filed. AND NOW, April 26, 1993, the parties appeared in Court without counsel, for the hearing in this case. The defendant indicated that she did not known about the hearing until about two hours before hand and did not have an opportunity to contact an attorney.

Accordingly, this matter is continued until Thursday May, 6, 1993 at 3:30 o'clock p.m. on the Courtroom No. 1 or 2 of the Crawford County Courthouse.

In the meantime, the temporary order entered April 19, 1993 remains in full force and effect without change or modification.

The Prothonotary shall deliver a true and correct copy of this Order to:

1. Plaintiff at the address set forth in the complaint.
2. Defendant in the Crawford County Jail.
3. County Control.
4. Meadville City Police

BY ORDER OF COURT,
Gordon R. Miller,

Apr. 27, 1993 Copies distributed to Pltf. Deft. Co.Control and MCPD

May 7, 1993 ORDER filed. AND NOW, May 6, 1993 this matter is before the Court for a hearing with respect to the Plaintiff's Protection from Abuse Petition.

Both parties appear without counsel and the Plaintiff advises the Court that he wishes to withdraw this petition insofar as there is no longer a threat.

We note in open court that the Plaintiff has previously filed for protection under this act and thereafter withdrew the first petition. He is advised that the Court would frown on an effort on his part to file a third petition based on the incidents that have been alleged to have occurred in April of 1993.

It appears that the Defendant is currently incarcerated and the Plaintiff is on public assistance, and accordingly we will waive costs in this matter.

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

May 10, 1993 copies distributed to Plf, Dft, MCPD & Co Control

1993

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

385.

VERONICA MAY WACHOB

vs.

ROBERT EUGENE WACHOB, JR.

Filed April 19, 1993
@ 3:13 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 9-2-93	9.00
Pro.Co. pd 8/29/94	5.00

COMPLAINT IN DIVORCE
2 copies atty.

Apr. 22, 1993, Affidavit of Servcie filed. I, James R. Irwin, being duly sworn according to law, depose and say that I am the atty. of record, and as suc h say that I served a true and correct copy of the Complaint in Divorce certified byythe Prothonotary on the above named defendant by cert. mail, addressee only, ret. rec. req. dated April 20, 1993. The dft. acknowledged service on Apr. 21, 1993 by accepting delivery on that date as evidenced by the attached signed return rec.
James R. Irwin Esq.

Aug. 31, 1993 Affidavit of Consent of Plaintiff, filed.

Sept. 2, 1993 Affidavit of Consent of Defendant, filed.

Sept. 2, 1993 Upon praecipe of plaintiff's attorney to transmit records, case moved to Court.

DIVORCE DECREE FILED

Sept. 9, 1993 AND NOW, Sept. 7, 1993, it is hereby ordered and decreed that VERONICA MAY WACHOB, Plaintiff, and ROBERT EUGENE WACHOB,JR., 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.

Aug. 29, 1994 Notice of Election to Retake Maiden Name of Veronica M. Wachob to be known as VERONICA M. ANTHONY, filed.

1993

Routman, Moore, Goldstone & Valentino
Joseph Paul Valentino

386.

Patrick J. O'Malia

FRANCIS J. FORNELLI

vs.

JOANN L. FORNELLI

Filed April 19, 1993
@ 3:19 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 8-11-93	9.00

COMPLAINT IN DIVORCE
2 copies atty.

May 20, 1993 Appearance of Patrick J. O'Malia, Esquire for Defendant filed.

June 9, 1993 Answer To Complaint In Divorce and Counterclaim for Relief Under the Divorce Code of 1980, as Amended filed.

Aug 11, 1993 Notice of Intention to Request Entry of Divorce Decree, filed.

Aug. 11, 1993 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

Sept. 3, 1993 MEMORANDUM filed.
9-3-93 copies distributed by Court.

Oct. 8, 1993 Certificate of Service of Motion for Bifurcation and Rule to Show Cause filed.

Oct. 8, 1993 CERTIFICATION OF SERVICE, filed. I, Joseph Paul Valentino, Esquire, do hereby certify that I did serve a certified copy of the Complaitn in Divorce and Plaintiff's Affidavit as filed at the above-captioned term and number upon the Defendant by certified mail, restricted delivery, return receipt requested on May 14, 1993. Service was made on the Defendant as evidenced by the return card signed by the Defendant attached hereto, marked Exhibit "A" and made a part hereof.

Oct. 19, 1993 Petition For Bifurcation and RULE TO SHOW CAUSE filed. AND NOW, this 18th day of Oct., 1993, upon consideration of the foregoing Petition for Bifurcation filed by Joseph Paul Valentino, Esquire, it is hereby ORDERED AND DECREED that a Rule shall issue upon the Defendant, Joann L. Fornelli, to show cause, if any she has, why the requested relief shall nto be granted.

Said Rule returnable the 4th day fo November, 1993, at 9:15 o'clock, a.m., in Courtroom No. 2 or 3, Crawford County Courthouse, Meadville, PA., at which time a hearing thereon will be held.

BY THE COURT:
Gordon R. Miller, J.

Oct.27, 1993 copy of Order to Attys. Joseph Valentino and Patrick O'Malia.

Oct. 22, 1993 Notice of Service of INt errogatories Directed to the Plaintiff, filed.

Oct. 27, 1993 Certificate of Servcie filed. I, Joseph Paul Valentino, Esquire, counsel of record for the Plaintiff, do hereby certify that I forwarded an original and two copies of Plaintiff's First Set of INt errogatories to Defendnat by First Clas, United States Mail, postage prepaid, to counsel for the Defendant at the following address:
Dated: Oct. 26, 1993 Joseph Paul Valentino, Esquire

Nov. 5, 1993 Upon praecipe of plaintiff attorney for review under Section 3301(d) of the Divorce Code, this case moved to Court.

Nov. 5, 1993 ORDER filed. AND NOW, Nov. 4, 1993, this matter is before the Court on the Plaintiff's petition to bifurcate the divorce from the remainder of the proceedings.

At the time set for hearing, the Plaintiff and his counsel appear but the Defendant and cousnel do not appear.

Plaintiff's counsel represents on the record that he has spoken with defense counsel and there is no objection to the bifurcation and the immediate granting of the 3301(d) divorce.

We therefore do not believe it necessary to conduct a full hearing as contemplated by Wolk v. Wolk, 318 Pa. Suepr. 311, 464 A.2d 1359 (1983) and the Plaintiff's petition for bifurcation is granted.

The attorney for the plaintiff presents a praecipe to transmit record with respect to the 3301(d) divorce and everything being in order we will therefore grant the divorce this day and retain jurisdiction over any of the remaining claims.

BY THE COURT:
Anthony J. Vardaro, J.

Nov. 5, 1993 Copy of order mailed to Attys. Joseph Valentino and Patrick O'Malia.

DIVORCE DECREE FILED

Nov. 5, 1993 AND NOW, November 4, 1993, the Court having hearing this case and having fully considered and proceeded to determine the same as to law and justice appertain, do Sentence and Decree that FRANCIS J. FORNELLI and JOANN L. FORNELLI be divorced and separated from the nuptial ties and bonds of matrimony heretofore contracted between them, the said FRANCIS J. FORNELLI, the Plaintiff, and the said JOANN L. FORNELLI, Defendant: And that thereupon all and every, the duties, rights and claims accruing to either the said Plaintiff or the said Defendant at any time heretofore in pursuance of said marraige, shall cease and determine, and the said Plaintiff and Defendant shall severally be at liberty to marry again in like manner as if they have never been married.

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.

Apr. 19, 1994 Notice of Service of Defendant's Responses to Plaintiff's Interrogatories Directed to the Defendant, filed.

Continued to Page 386 A

1993 TERM

Francis J. Fornelli
vs.
Joann L. Fornelli

Continued from Page 386
of Record
AD 1993 - 386

****

Apr. 20, 1994 Not ice of Service of Plaintiff's Responses to Defendant's Interrogatories Directed to the Plaintiff, filed.

1993

387.

John S. Kookogey

DONALD L. RUSSELL

vs.

WINTERS AUTO SERVICE

Filed April 19, 1993
@ 3:23 PM

Tax & entry paid	50.25
User's Fee paid	5.00
Pro Pd 6/1/93	9.00

APPEAL OF DEFENDANT FROM DECISION OF DISTRICT JUSTICE RONALD A. COLE, SR.

Apr. 19, 1993 Rule entered upon Plaintiff to file a complaint issued.

Apr. 21, 1993 Proof of Service filed.

And Now, June 1, 1993 at 1:04 p.m., upon praecipe of defendants attorney, Judgment of Non Pros is hereby entered against the named plaintiff for failure to file a Complaint within twenty days after being ruled so to so.
Judgment entered
6/1/93
R - 41

JUDGMENT OF NON PROS
Barbara H. King,
Prothonotary

1993

Barbara J. Walton

388.

David Devine withdrew

CELIA CHAMBERLAIN

vs.

JOHN CHAMBERLAIN

Filed April 19, 1993
@ 3:57 PM

Tax & entry paid	50.50
User's Fee paid	15.00
2 Add'l Counts paid	30.00
State paid	10.00
Pro Co. pd. 10/2/95	7.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION and CUSTODY
1 copy atty.

Apr. 30, 1993 Affidavit of Service filed. And Now, April 30, 1993, comes Lisa M.Sherretts being duly sworn according to law, deposes and sets forth as follows:

1. That she is the legal assistant of Attorney for Celia Chamberlain, Plaintiff in the above-captioned matter.
2. That on information furnished her by the Plaintiff,she caused a certified copy of theComplaint in Divorce to be forwarded by Certified Mail, P899097859; to the last known address of the Defendant, John Chamberlain, R.D.#2, Route 98, Edinboro, PA 16412.
3. That the Defendant, JohnChamberlain, on April 23, 1993, personally signed the return receipt card which was affixed to the Complaint in the above-matter and which is attached hereto.
4. Service of theComplaint against Defendant is therefore effected in accordance with Pennsylvania Rules of Civil Procedure.

Lisa M.Sherretts, Legal Assistant

Aug. 23, 1993 Petition for Special Relief and ORDER filed. And Now, this 20th day of August, 1993, motion allowed. Hearing on Plaitniff's Petition for Special Relief is set for August 30, 1993, at 11:00 A.M. o'clock in courtroom 1 or 2 of the Crawford County Courthouse, located in Meadville,Pennsylvania.

For the Court:
Ann A. Walker

Aug. 26, 1993 Copy of Order to Atty. Walton & Deft.

Sept. 7, 1993 Praecipe for Cancellation of Hearing and Order, filed. ORDER: AND NOW, September 7, 1993, the above motion is granted and the Petition for Special Relief is continued generally to be reset upon motion of either party.

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

Sept. 9, 1993 copy to B. Walton

Dec. 29, 1993 Notice of Service Of Interrogatories filed.

Jan. 13, 1995 Motion for Leave to Withdraw Appearance of David R.Devine,Esquire, counsel of record for Defendant filed. AND NOW, this 13 day of January, 1995, the motion for withdrawal of appearance is granted.

By the Court:
Anthony J.Vardaro, J.

1-13-95 Faxed to Attys. Devine & Walton

June 30, 1995, Affidavit of Consent of plaintiff filed.

Aug. 24, 1995, Affidavit of Consent of defendant filed.

Sept. 21, 1995 Upon praecipe of plaintiff attorney for Review Under Section 3301(c) of Divorce code, this case moved to Court.

Marriage Settlement Agreement Filed

D I V O C E D D E C R E E F FI L E D

Oct. 9, 1995 AND NOW, October 5, 1995, it is ordered and decreed that Celia Chamberlain, plaintiff and John Chamerlin, 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 21, 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.

1993

389.

RONALD LEE BOOZER

vs.

TERRIE LYNN BOOZER

Filed April 20, 1993
@ 11:30 AM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count paid	15.00
State paid	10.00
Pro Co pd 7-22-93	9.00

COMPLAINT IN DIVORCE, CHILD CUSTODY AND SUPPORT
no copies

Apr. 20, 1993 Acceptance of Service filed. I accept service of the Complaint in Divorce under Section 201c of the Divorce Code. Terrie L. Boozer
4-20-93

July 22, 1993 Affidavit of Consent of Plaintiff, filed.

July 22, 1993 Affidavit of Consent of Defendant, field.

July 22, 1993 Upon praecipe of Plaintiff to transmit record, case moved to Court.

DIVORCE DECREE FILED

July 27, 1993 AND NOW, this 27 day of July, 1993, the Court having reviewed this case finds that the marriage betwen the Plaintiff and Defendant is irretrievably broken and it is DECREED that the Plaintiff, RONALD LEE BOOZER, is divorced from the bonds of matrimony cotnracted between HIMSELF and the Defendant, TERRIE LYNN BOOZER.

IT IS FURTHER ORDERED that the custody, visitation, control, care and support of the children of this marriage be as follows: Custody of Jason and Jessica will remain with the Defendant. Visitation will be the same as arranged between plaintiff and defendant. For Support refer to case number DR9107677, monthly support of $86.68.

IT IS FURTHER ORDERED that the Court hereby 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.

Date 7/27/93

1993

Paul E. Allen

390.

KENNETH R. WANZER

vs.

STACY K. WANZER

Filed April 20, 1993
@ 3:24 PM

COMPLAINT IN DIVORCE
2 copies atty.

June 16, 1993 Acceptance of Service, filed. I, the undersigned Defendant in the above captioned action, hereby accept service of the Complaint in Divorce. Stacy K. Wanzer

July 23, 1993 Affidavit of Consent of Plaintiff, filed.

July 23, 1993 Affidavit of Consent of Defendant, filed.

July 23, 1993 Upon praecipe of plaintiff's attorney to transmit records, case moved to Court.

DIVORCE DECREE FILED

August 4, 1993 AND NOW, August 3, 1993, it is hereby ordered and decreed that KENNETH R. WANZER, Plaintiff, and STACY K. WANZER 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.

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 7-23-93	9.00

1993

Joseph E. Altomare

391.

~~Marsh, Spaeder, Baur, Spaeder & Schaaf~~
~~Thomas M. Lent~~ withdrawn

Knox McLaughlin Gornall & Sennett, P.C.
John M. McLaughlin

NORMAN H. HICKS and SUSAN J. HICKS

vs.

BERNARD C. PROY, M.D.

Filed April 20, 1993
@ 3:56 PM

Tax & entry paid	50.50 ✓
User's Fee paid	5.00
Sheriff's Costs	60.50

WRIT OF SUMMONS
Issued Sheriff

May 13,1993 SHERIFF'S RETURN filed. I hereby deputize the Sheriff of Erie County, Pennsylvania to serve the within Summons accordign to law. The defendants alleged address is 315 York St, Corry, Pa. 16407. Robert M. Stevens, Sheriff Cr. Co.
AFFIDAVIT OF SERVICE: SERVED the within Complaint on April 28, 1993, at 1130 hrs., upon Bernard C. Proy, M.D. at 315 York St, Erie Co, Corry, Pa. 16407 by handing to Marge Matteson, Office Manager a true and correct copy thereof and made known to her the contents therein. Robert N. Michel, Sheriff Erie Co

May 19, 1993 Praecipe for Rule to File Complaint, filed.

May 19, 1993 Appearance of Marsh, Spaeder, Baur, Spaeder & Schaaf by Thomas M. Lent on behalf of the Defendant, filed.

June 1, 1993 Notice of Service of rule to File Complaint, filed.

June 9, 1993 Complaint filed.

June 18, 1993 Preliminary Objection filed.

June 18, 1993 Upon praecipe of Defendant Attorney the above Preliminary Objections are hereby placed on the next available Argument List.

1993 JULY ARGUMENT LIST

July 28, 1993 MEMORANDUM AND ORDER, filed. ORDER: AND NOW, July 27, 1993, for the reasons stated in the foregoing memorandum it is ordered as follows:
1. Proper venue in this case does not lie in Crawford County but instead lies in Erie County, Pennsylvania and therefore pursuant to Pa.R.C.P. 1006(e) this action is not dismissed but is transferred to the Court of Common Pleas of Erie County, Pennsylvania. The Prohtonotary shall trasmit the entire record to the Prothonotary of Erie County, Pennsylvania. The costs and fees for transfer and removal of the record shall be paid by the plaintiffs.
2. The defendant's preliminary objections in the nature of motions to strike or motions for more specific pleading are denied except as to paragraphs 12(g) and 12(i) of the plaintiffs' complaint are stricken and the plaintiffs are granted 45 days from this date to file, if they wish, a more specific pleading to m ore specifically set forth the allegations of negligence originally intended to be encompassed in subparagraphs 12(g) and 12(i). BY ORDER OF COURT
Gordon R. Millr, P.J.
July 7, 29, 1993 copies dist. to Altomare, Lent & Klemensic

Aug. 11, 1993 Appearance of Knox McLaughlin Gornall & Sennett, P.C. by John M. McLaughlin for defendant, filed.

Aug. 13, 1993, Upon praecipe of Marsh, Spaeder, Baur, Spaeder & Schaaf, by Thomas M. Lent, appearance withdrawn.

1993

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

392.

GEORGE WASKO

vs.

SANDRA J. WASKO

Filed April 21, 1993
@ 11:09 AM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count paid	15.00
State paid	10.00
Pro Co pd 7-27-93	9.00

COMPLAINT IN DIVORCE, EQUITABLE PROPERTY DETERMINATION AND DISTRIBUTION.
1 copy atty.

Apr. 21, 1993 Service Verification filed. I, the undersigned, being duly sworn according to law, deposes and says that the following facts in support of this Affidavit of Service are true and correct to the best ofmy 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 on April 21, 1993, at approximately 11;05 a.m., I 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 Shafer, Swick, Bailey, Irwin& Stack, located at 360 Chestnut Street, Meadville, PA 16335.

James R. Irwin

July 27, 1993 Affidavit of Consent of Defendant, filed.

July 27, 1993 Affidavit of Consent of Plaintiff, filed.

July 27, 1993 Upon praecipe of plaintiff attorney to transmit records, case moved to Court.

DIVORCE DECREE FILED

Aug. 3, 1993 AND NOW, this 2 day of August, 1993, it is ordered and decreed that GEORGE WASKO, Plaintiff, and SANDRA J. WASKO, Defendant, are divorced from the bonds of matrimony.

It is further ordered that the parties' Separation and Property Settlement Agreement dated April 21, 1993, is incorporated herein and made a part hereof and shall be fully enforceable under the provisions of the Divorce Code.

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

1993

Phillips & Galanter PC
Donald L. Phillips

393.

GELVIN, JACKSON & STARR, INC.

vs.

JOHN AMOROSO and CYNTHIA AMOROSO a/k/a CINDY AMOROSO i/and as partners t/a POP INS MAID SERVICE & CARPET CLEANING a/k/a POP-INS MAID SERVICE a/k/a POP-INS MAID/CARPET CLEANING

Filed April 21, 1993
@ 3:26 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	30.00
Pro Co. pd.9/15/93	15.00
Pro Co pd 1-18-94	9.00
Pro Co. pd 1/27/94	10.00
Exemp. of Record	
Pro.Co.pd 4/19/94	5.00

COMPLAINT IN CIVIL ACTION

May 13, 1993 Response filed.

May 14, 1993 SHERIFF'S RETURN filed. I hereby deputize the Sheriff of Venango County, Pa. to serve the within Complaint according to law. The defendants alleged address is RD1, Box 2466, Emlenton, Pa. 16373. Robert M. Stevens, Sheriff, Cr. Co.
AFFIDAVIT OF SERVICE: SERVED the within Notice to Defend-Complaint etal on 27APR93, at 2:45 PM upon John Amoroso, Cynthia Amoroso et al and Pop-Ins Maid Service & Carpet, at RD 1 Box 2466, Emlenton, Pa. by handing to Cindy Amoroso a true and correct copy thereof and made known to her the contents therein.
Gene Price Sheriff Venango County

Sept. 15, 1993 Upon Praecipe of plaintiff attorney for Reference to Arbitrators, the following are hereby appointed.

Joseph Barnhart, Chairman
Richard Roeder
Joseph Tinko

Oct. 6, 1993 Arbitrators take qualifying oath.

Nov. 9, 1993 Notice of Arbitrator's Hearing, filed.

Dec. 6, 1993 Decision of Arbitrators: And now, the 6th day of Dec. , 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 amount of$601.70. DECISION OF ARBITRATORS
12-7-93 Copies mailed to Phillips & Amoroso
A-92; A-32; Barbara H. King
P-186; Prothonotary

Jan. 18, 1994 PRAECIPE FOR JUDGMENT ON ARBITRATION AWARD, filed. Enter Judgment on the arbitration award in the above entitled case against the Defendants in the amount of $601.70, plus interest from October 6, 1993 in the amount of $9.73 for a total judgment amount of Six Hundred Eleven and 43/100, and plus the costs of this suit.
Entered 1-18-94
A - 32, 92
P - 186

Debt: $611.43 plus costs
JUDGMENT
Barbara H. King, Pro.

EX1994-12

Apr.19, 1994 Upon Praecipe of Donald L.Phillips, Esquire, Attorney for Plaintiff, the above referenced case as to all parties at the above number and term are marked satisfied of record.

1993

Peters, Lindsay,
Lewis & Gagliotti
Donald Lewis

394.

JASON MARK OAKES

vs.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

Filed April 21, 1993
@ 4:00 pm

Tax & entry paid 50.50
User's Fee paid 5.00

NOTICE OF APPEAL NUNC PRO TUNC
1 copy Atty

May 4, 1993 ORDER filed. AND NOW, this 3rd day of May, 1993, upon presentation of the foregoing motion, a hearing date has been set to hear the merits for Appellant's Appeal Nunc Pro tunc of his vehicle registration/operating privileges.

The hearing is scheduled for the 8th day of July, 1993, at 1:00 p.m., in Courtroom 1 or 2 at the Crawford County Courthouse, Meadville, Pennsylvania. Gordon R. Miller.

May 5, 1993 copy to D. Lewis & Commonwealth

June 28, 1993 Motion to Continue and Order, filed. ORDER: AND NOW, June 28, 1993, upon presentation and consideration of the foregoing Motion to Continue, the hearing heretofore set for July 8, 1993 at 1:00 p.m. is hereby reset for August 12, 1993 at 11:30 a.m. in Courtroom 1 or 2.

FOR THE COURT:
Ann A. Walker, Crt. Adm.

July 2, 1993 copy to Kuhar & Lewis

July 12, 1993 Motion To Quash Appeal and ORDER OF COURT filed. AND NOW, to-wit: this 11th day of July, 1993, upon consideration of the foregoing Motion, it is hereby ORDERED that a Rule be issued against the appellant, Jason Mark Oakes, 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 at the time of the de novo hearing on this appeal, which is now scheduled for the 12th day of August, 1993 at 11:30 a.m. in Courtroom No. 1 or 2 of the Crawford County Courthouse.

BY THE COURT:
Gordon R. Miller, J.

July 12, 1993 One copy to Atty. Kuhar; July 14, 1993 Copy to Atty. Lewis.

Aug. 17, 1993 ORDER filed. AND NOW, Aug. 12, 1993, at the time set for appeal from suspensions and revocations in this case involving three separate Vehicle Code offenses, apparently arising out of one incident, the first issue for resolution is whether the appeal was timely filed. The notices were mailed March 16, 1993 and the appeal was filed on April 21, 1993.

Brief testimony is taken on this issue and the nineteen year-old defendant testifies that he believes he got the notices ad seriatim, perhaps as long as a couple of months apart, but at some unspecified date, he took all three notices to this attorney's office, but in response to another question, he cannot recall whether he made one visit or a series of visits to the attorney's offcie to deliver the appropriate suspension notices.

The appellant agrees that the letters were addressed to his correct mailing address and believes that he took the letters to Attorney Lewis within 30 days of when he received them, but cannot give with any specificity the dates he made the visits to the attorney's office.

Under a series of Appellate Court decisions, we do nto find the facts related at this time authorize this Court to entertain this appeal on a nunc pro tunc basis.

We are cited Commonwelath v. Karff, 529, A.2d. 76, and other appropriate cases by counsel for the Commonwealth, and cannot find from a study of Karff and other cases, that we have any authority under the facts adduced to entertain an appeal nunc pro tunc.

ACCORDINGLY, we enter the following Order:

ORDER

AND NOW, August 12, 1993, on Motion to Quash the Appeal filed by counsel for the Commonwealth said Motion is GRANTED and the appeal is quashed as not being timely filed, thus depriving the Court of jurisdiction to hear the same. We reject the appellant's argument that the appeal should be heard nunc pro tunc under the sworn testimony heard this dated.

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

Aug. 18, 1993 Copies distributed to Attys. Kuhar and Lewis.

1993

395.

KATHRYN ELAYNE NEVILLE

vs.

RICHARD LEE NEVILLE

Filed April 22, 1993
@ 10:15 AM

5-12-93
Received Sheriff's Cost from deft 25.00

5-13-93 Pd Sheriff Ck # 7541 25.00

Tax & entry Pd 5-12-93 50.50
User's Fee Pd 5-12-93 5.00
Sheriff's Costs 25.00
Pro co Pd 5-12-93 9.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy atty.

Order:

And now, this 22 day of April , 1993 , 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 Plaintiff shall have exclusive possession of the marital home at 45 Scarlet Drive until further order of Court and physical custody ofthe minor chidlren until further order of court not withstanding a custody order entered at another number and

3. This Order may be enforced without a warrant 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 or 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 28, 1993 , at 11 a.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 COURT,
Anthony J. Vardaro, J

**term. The Plaintiff may pick up the children from Kathlyn Bennett who is a baby sitter anytime after 2 pm. this day.

Apr. 23, 1993 Sheriff's Return filed. SERVED Richard Lee Neville personally on April 22, 1993 at 4:25 PM by handing him a copy of the Protection from Abuse in the Sheriff's Office, Third Floor Crawford County Courthouse, Meadville, PA.
So answers,
Dale A. Collins, Deputy Sheriff
Robert M.Stevens, Sheriff

Apr. 30, 1993 Order filed. AND NOW, April 28, 1993, these abuse and emergency relief actions are before the Court for disposition. With regard to the abuse matter, the defendant husband agrees that an Order should be entered and he will not contest the allegations ofthe petition.

ACCORDINGLY, the defendant is restrained from threatening or assaulting his wife in any fashion. This portion of the Order shall remain in effect for a period of one year and if the plaintiff wife in the abuse action contends that the Order has been violated, she may file an appropriate affidavit swearing to said facts and request an arrest warrant form a District Justice of the Peace in order to apprehend the defendant, after which time, the Court will schedule an immediate heaingon the alleged violation of the abuse Order.

In regard to the Temporary Custody Order issued by Judge Anthony J. Vardaro on April 22, 1993, as part of the Temporary Aubse Order, the same is hereby rescinded.

On the cviil side of the divorce action, the issue before the Court is the Motion for Emergency Relief and Exclusive Possession of the marital home located at R.D. #1, Box 240, Meadville, Pennsylvania. It appears that on or about April 21, 1993, the mother, without prior arrangements, moved back into the home accompanied by her personal possessions and considerable firniture. Apparently, this unannounced move triggered the allegations of the abuse petition. The husband moved out of the marital residence where the parties had previously lived until their separation of July of 1992/

The Motion for Emergency Relief and the Request to Return Exclusive Possession of the Marital Residence to the Husband is granted under the following conditions:

1. The wife, who is the plaintiff in the divorce action, may remain in the residence until Monday at Noon, May 3, 1993, when she will vacate the residence and surrender custody of the two minor children to the husband, who will appear at the residence to pick up the child and deliver them into the cusotdy of the usual babysitter.

2. The wife doviously needs time to remove the articles of furniture, clothing and personal possession brought into the home upon her sudden arrival on April 21, 1993, and accordingly, she is given two weeks from May 3, 1993 to make arrangements to remove those items which she returned to the home on April 21, 1993. She must give her hsuband 48 hours notice of when she, and others, if needed, will arrive to remove her belongings. In the removal of her belongings, the Court emphasizes that she may remove only what she brought onApril 21, 1993, and is not to remove any other items, particularly those items that were already in the home pertinent to the care ofthe children and their respective toys.

3. There is no dispute about keys for the premises, and each pa rty may retain their respective keys for admission to the premises.

4. Commencing May 4, 1993, the respective custody and visitation schedule set forth inthe Court's Order dated April 5, 1993, will become again effective.

5. The plaintiff wife advises the Court that at this time at least on a temporary basis, she will be residing with her parents in Saxton, Pennsylvania. The Court urges the parties, acting through their counsel, to apptempt to make such modifications of the Custody Order entered April 5, 1993 as may be necessary to accord the mother of the children appropriate vistiation times with her children, with the Court noting that the distance factor was not in existence at the time the April 5, 1993 Order was entered.

In the abuse action, the defendant shall be responsible for the payment of any medical bills incurred that are not covered by his medical plan.

Each party in both cases will be required to pay their own counsel fees.

The defendant is required to pay costs in the abuse case. No decision is made on costs in the civil action at 1992-444

BY THE COURT,
P. Richard Thomas, S.J.
Apr. 30, 1993 Copies dist. to Irwin, Kirkpatrick, Co Control & MCPD

1993

~~Culbertson, Weiss, Schotroma & Schug, PC~~
~~John B. Brautigam~~
(withdrawn)

396.

James R. Irwin

$150.00 mediation fee deposited by plaintiff

7-19-93 Pd Pltf Bal Med. Dep. Ch# 7479 68.74

8-6-93 Received from deft Med Fee 72.25

8-17-93 Pd Co Com Med Fee Ch#7729 72.26

8-17-93 Pd Co Com. Med Fee Ch# 7729 72.25

8-11-95 Rec'd from deft med fee 150.00

141.00

10-24-95 Rec'd from Plff. med. fee $ 75.00

12-15-95 Pd 609625 216.00

2-4-97 Rec'd from Plff & deft master fees 164.35

2-4-97 Pd L. Dallas Atty Fee 64.35

5-7-97 Rec'd from Plff med dep 200.00

191.00

7-7-97 Rec'd $ 49.00 from ~~Plff~~ Pft.

3-11-98 Pd Co. #111756 49.00

ANTHONY J. KUCNICK

vs.

TAMMIE J. KUCNICK

Filed April 22, 1993
@ 11:07 AM

Pro Co Pd 3-18-97	5.00
Pro. Pd 10/30/96	5.00
Masters Fee Pd 4-18-96	250.00
Tax & entry paid	50.50
User's Fee paid	15.00
2 Add'l Counts paid	30.00
State paid	10.00
Bruce Smith, Mediator	144.51
Pro Co Pd 8-17-93 Ch#7730	9.00
Pro Co. John Spataro, Mediator	240.00

12/15/95 Pro Co Pd 9.00
Pro Cs 9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION, CUSTODY
1 copy atty.

Order: You, Tammie J. Kucnick, Defendant, have been sued in Court to obtain custody of the children, Nathan Jack Kucnick and Dustin Scott Kucnick.

You are ordered to appear in person before Custody Mediator Bruce Smtih, at such time and place as the Mediator may specify.

If you fial to appear as provided by this Order, an Order for Custody maybe 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 Adminstrator
Courthouse
Meadville, Pennsylvania 16335
Telephone No.: 814-336-1151, ext. 298

BY THE COURT,
Anthony J. Vardaro,

Date: 4/21/93

Apr. 28, 1993 Affidavit of Service filed. AND NOW, April 28, 1993, comes John B.Brautigam, Esquire, who being duly sworn according to law, deposes and sets forth as follows:

1. That he is the Attorney for Anthony J. Kucnick,Plaintiff in the above-captioned matter.

2. That on information furnished to him by the Plaintiff,he caused a certified copy of the Complaint in Divorce to be forwarded by Certified Mail No. P 401441599., postmarked April 26, 1993, to the last known address of theDefendant, Tammie J. Kucnick, at 93A E.HighSt.,Union City,PA 16438.

3. That theDefendant, Tammie J.Kucnick, on April 26, 1993, personally signed the return receipt card which was affixed to theComplaint 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 Pennsyvlania Rules of Civil Procedure.

April 28, 1993 John B. Brautigam, Esquire

May 11, 1993 Petition for Exclusive Possession of the Marital Residence and Order filed. And Now, this 11 day of May, 1993, after presentation of the Petition for Exclusive Possession, a rule is issued upon the Respondent to show cause, if any she has, why said relief should not be granted.

Hearing is scheduled for the 3rd day of June, 1993, at 4 o'clock p.m. inCourtroom No. 1 or 2 of the Crawford County Courthouse at Meadville, Pennsylvania.

By The Court:
Gordon R. Miller, J.

May 13, 1993 Copy of Order to Atty.Brautigam.

May 14, 1993 CERTIFICATE OF SERVICE filed. The undersigned hereby certifies that a copy of the Court's May 11, 1993 Order was served by first class mail upon Defendant Tammie J. Jucnick on May 14, 1993. John B. Brautigam

June 4, 1993 Motion for Withdrawal of Petition for Exclusive Possession of the Marital Residence and Order, filed ORDER: And Now, this 4 day of June, 1993, upon consideration of Plaintff/Petitioner's Motion for Withdrawal of Petition for Exclusive Possession of Marital Residence, this Court'sMay 11, 1993 Order setting a hearing on said matter for June 3, 1993, at 4:00 P.M., is vacated and said hearing is cancelled.

By the Court:
Anthony J. Vardaro, J.

June 14, 1993 copy to J. Brautigam

July 16, 1993 TEMPORARY ORDER OF COURT, filed. AND NOW, this 14th day of July, 1993, after Mediation and upon recommendation of the Child Custody Mediator, it is hereby ordered and decreed that:

1. The natural parents of Nathan Jack Kucnick, age five, born October 27, 1987, and Dustin Scott Kucnick, age four, born February 19, 1989, the parties to this action, shall share legal custody of the said minor children. Said joint legal custody being shared shall entitle both of the paents 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 also entitle both parents to equal input with regard to the educational and religious upbringing of the children, as well as to any elective surgery.

2. Primary physical custody of the children shall remain with the natural mother, Tammie J. Kucnick. Regular visitation and temporary custody of the children shall be granted to the plaintiff father, Anthony J. Kucnick. Physical custody for the plaintiff father shall be as follows:

a. The children shall visit in the home of the natural father on the first, second, and foruth weekends of each month, beginning immediately, from 6:00 p.m., prevailing local time, Friday, through 7:00 p.m., prevailing time, Sunday. The father shall also have the opportunity to take the children into his temporary physical custody every Wednesday evening between th hours of 5:30 and 7:30 p.m., prevailing time.

b. Beginning with the month of August, 1993, the father shall have the opportunity to take the children into his temporary physical custody during the first two full weeks of Juen, July and August. In 1993, only the month of August shall be available for the father to have the children for this time.

c. Holiday visitation 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 children shall spend Mother's Day with the mother and Father's Day with the father from 8:00 a.m. through 8:00 p.m., prevailing time. All other holidays shall be shared by the parents. Those shared holidays shall include Easter, Memorial Day, 4th of July, Labor Day, Thanksgiving, and Christmas Day each year. On those holidays, the children shall be with the mother until 2:00 p.m., prevailing time, and shall be with the father from 2:00 p.m. until 9:00 p.m., prevailing time. In the event that any of these holidays falls on a weekend when the father would have

CONTINUED ON PAGE 396A

ANTHONY J. KUCNICK
VS.
TAMMIE J. KUCNICK

CONTINUED FROM PAGE 396
of Record
A. D. 1993 - 396

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temporary custody of the child, the mother shall have the children from 2:00 p.m. until 9:00 p.m., prevailing time. Additionally, the mother shall provide the father with one full week of visitation with the children in his temporary physical custody during the Christmas recess from school each year.

c. The parent receiving the children shall pick up the children at the other parent's residence. Any time the father is more than thirty minutes late for his scheduled transfer of custody, that transfer and resulting visitation shall be waived, and shall not occur until the next day, unless satisfactory arrangements have been previously made with the mother by telephone or otherwise.

3. When the father has temporary physical custody of the children, he shall not permit either of the children to play or be unattended with any of their counsins (children of his brother). If necessary, the two children shall be left in the custody and control of the natural Kucnick grandparents while the father does the milking for the terminal ill grandfather. Under no circumstances shall the children be ou of sight of an adult while their Kucnick counsins are nearby.

4. The parent having custody of the children at anytime shall notify the other parent as soon as possible in the event of injury to or illness of the children requiring medical treatment.

5. Neither parent shall take the children into any enviroment which might be commonly thought of as detrimental to their development or to the development of their character or which would be commonly thought of as dangerous to their physical persons.

6. The parents are encouraged to discuss arrangements for physical custody of the children; and, if the parties mutually agree to alternative arrangements to accommodate their and/or the children's schedules, they may adjust the ... physical custody arrangements accordingly and are encouraged to do so by mutual consent and agreement.

7. Each of the parents, any grandparent, and any adult coming into regular contact with the children shall teach the children involved in this case to develop and express that natural love and respect due a parent from his of her child. None of the adults coming into regular contact with the children will do or say anything to blcken the character of either parent in the eyes of the children.

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 children or in the event that the best interest of the children 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 one of the children resides in the Cort'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 defendant mother. Any amount in excess of the father's one-half of the cost of Mediation held by the Prothonotary under Local Rules shall be refunded to him.

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.

July 19, 1993 copies dist to Smith & Brautigam
July 20, 1993 copy to Irwin, Plf. & Dft.

Jul. 18, 1994 Affidavit of Consent by Tammie J. Kucnick, Defendant, filed.

Oct. 12, 1994 Petition for Special Relief and ORDER filed. AND NOW, this 12 day of October, 1994, upon consideration of the Petitioner's Petition for Special Relief, a hearing is scheduled with the Court of Common Pleas of Crawford County Pennsylvania, on the 18th day of October, 1994 at 1:30 o'clock p.m. in Courtroom No. 1 or 2 of the Crawford County Courthouse, Meadville, Pennsylvania.

BY THE COURT:
Anthony J.Vardaro, J.

10-12-94 Faxed to Irwin. 10-13-94 Faxed Copy to Atty. Brautigam.

Oct. 20, 1994 ORDER filed. AND NOW, Oct. 18, 1994, at a hearing set on the Defendant's Petition for Special Relief with respect to a pickup truck, the parties agreed to a resolution of this matter; and based upon said agreement, it is ORDERED as follows:

1. The plaintiff shall deliver any keys that he has for a 1992 Nissan pickup truck (truck) to the defendant no later than 7 o'clock p.m. on October 20, 1994.

2. The parties shall work together to make a good-faith effort to sell said truck for at least the amount of the indebtedness as soon as possible. If either party obtains a purchaser who is willing and able to pay more than the outstanding payoff on the loan, both parties shall agree to a sale to that person and shall execute all documents necessary to sell and transfer that vehicle.

3. If the vehicle is sold in the manner set forth above, the proceeds shall first be used to pay the loan company or bank on all indebtedness secured by the truck. The balance, if there is any, shall be used to pay any expenses of advertising or costs directly related to the sale of the truck such as notary fees, attorney's fees, et cetera. In the event that there is any balance from the proceeds of the sale after the deduction of legitimate and resultant expenses, the balance shall be submitted between the parties on a fifty-fifty basis.

4. If after a reasonable period of time the parties are agreeable to sell said vehicle for the amount of indebtedness the Court suggests, but does not order, that they work together to sell the vehicle to the highest bidder for the highest possible price to unlead it and make appropraite arrangements for the payment of the loan balance between themselves. That is a suggest and not a direction.

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

Oct. 21, 1994 Copies distributed to Atty.s Brautigam and Irwin.

Aug. 11,1995 Petiion to Modify Custody and NOTICE AND ORDER TO APPEAR filed. You,Anthony J. Kucnick,have been sued in Court to obtain custody of Nathan J.& Dustin S. Kucnick.

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.

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 Administraor, Courthouse, Meadvile, PA 16335
Phone (814) 336-1151ext.298

Date: 8/11/95
Anthony J.Vardaro, J.
8-11-95 Faxed Spataro, Brautigam & Irwin

Aug. 23, 1995, Motion for Leave ofCourt to Withdraw Appearance and Order filed. ORDER: AND NOW, athis 23 day of Aug. 1995, upon consideration of the Motion for Leave to Withdraw as counsel, Culbertson, Weiss, schetroma and Schug PC by John B. Brautigam, esq. is hereby granted leave to withdraw as counsel for plaintiff, Anthony J. Kucnick, in the above matter.

BY THE COURT,
Gordon R. Miller, J.

8/23/95 faxed to Brautigam and Irwin.

CONTINUED ON Page 396 -B-

ANTHONY J. KUCNICK
VS.
TAMMIE J. KUCNICK

CONTINUED FROM PAGE 396-A
of RECORD
A.D. 1993-396A

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Oct. 10, 1995 TEMPORARY ORDER FILED. AND NOW, this 9 day of October, 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 provisions of this court's order of July 14, 1993 are modified as follows:

a. The father's first, second and fourth weekend visits with the children shall begin at 6:00 p.m., prevailing local time, on Friday through to 6:00 p.m. prevailing time on Sunday.

b. The provisions of paragraph 2(b) of the previous court order are deleted in their entirety and in its place are the following provisions:

Father shall have the right to take the children into his care and custody for a period of two continuous weeks in the month of June, commencing on the day following the start of the summer school vacation perion and concluding two weeks thereafter. Additionally, the father shall have the right to take the children into his care and custody from July 15 at 6:00 p.m. until August 15 at 6:00 p.m. During the July 15 to August 15 period of father's custody, the mother shall have the right to take the children into her care and custody on the last full weekend in the month of July commencing at 6:00 p.m. on Friday and concluding at 6:00 p.m. on Sunday.

2)All the remaining terms and provisions in this Court's Order of July 14, 1993 shall continue in full force and effect, including but not limited to the provisions appearing in paragraph number 6 of the Order wherein it is stated that the parties are encouraged to discuss arrangements for physical custody of the children; and, if the parties mutually agree to alternative arrangements to accommodate their or the children's schedules, they may adjust the physical custody arrangements accordingly and are encouraged to do so by mutual consent and agreement.

3) Costs and fees of this Mediation, which are fixed at $216.00 ($60.00/hr. x 3.6 hrs.) and the $9.00 Court Order filing fee are divided equally between the parties with a share of each being assessed to him or her as costs in this case.

4) The deposit required for the appointment of the Custody Mediator was made by the mother. The deposit shall be applied against the entire costs and fees connected with the mediation. Accordingly, the father is directed to pay the sum of $37.50 to the mother within thirt (30) days of the date of this Order and the father is directed to pay [illegible] of $37.50 to the Prothonotary of Crawford County the sum of $75.00 within thiry (30) days of the date of this Order.

5) Either party may move the Court for a hearing de novo within ten (10) days from the date hereof. If neither party so moves, this Order shall be considered permanent. BY THE COURT,
Anthony J. Vardaro, J.

Faxed 10-11-95 Spataro, Kirkpatrick, & Irwin

April 16, 1996 Inventory of Tammie J. Kucnick filed.

Apr. 18, 1996 Motion to Appoint Master In Divorce and ORDER APPOINTING MASTER filed. AND NOW, April 22, 1996, DAVID W. PICKENS, Esquire, is appointed Master in respect to the following claims:
Divorce, Equitable Distribution
Deposit required: Plaintiff $------ Defendant $ 250
If not filed already, the parties are ordered to file their pretrial statements within thirty (30) days fromthis date.
The Plaintiff shall file his inventory within 30 days.

PER CURIAM:
Anthony J. Vardaro, Judge

4-22-96 Faxed Irwin, Kirkpatrick & Pickens

April 26, 1996, Notice of Scheduled Pre-Hearing Conference filed.

June 7, 1996, Master's Pre-Hearing Conference Summary filed.

June 21, 1996 Affidavit of Consent by Plaintiff filed.

Aug. 5, 1996 Notice of Scheduled Master's Hearing filed.

Notice of Time Change for Master's Hearing filed. YOU ARE HEREBY NOTIFIED that the undersigned Master has scheduled a hearing in the above captioned case for **Thursday, September 5 at 10:30 o'clock, a.m.** and Friday September 6, 1996 at 9:30 o'clock, a.m. in the **Green Room of the Crawford County Courthouse,** Meadville, Pennsylvania.
David W. Pickens, Esq.
Master

Sept. 27, 1996 Waivers of Intention to praecipe divorce file on behalf of both parties filed.

Sept. 27, 1996 Master's Report and Recommendation filed.

Sept. 27, 1996 Master's Hearing filed.

Sept. 27, 1996 Notice of Filing Master's Report filed.

Oct. 18, 1996, Upon praecipe of plaintiff attorney, with notice of intention attached, for review, this case moved to court.

DIVORCE DECREE FILED

Nov. 1, 1996 AND NOW, October 31, 1996, it is Ordered, adjudged and decreed as follows:

1. The parties hereto are divorced from the bonds of matrimony. Master's fee is covered by the deposit previously paid by Husband. Husband is directed to pay $32.18 and Wife is directed to pay $32.17, as their respective shares of the Reporter's fee of $64.35, to the Prothonotary, forthwith. Prothonotary is directed to pay the reporter's fee of $64.35, once received, to Lorraine Dallas, 820 Ravine St., Meadville, PA 16335. A certified copy of this decree may be provided to either party only after payment of all costs due hereunder, including master's fees, reporter's fees and fees otherwise due the Prothonotary. (SEE PAPERS FILED)

BY THE COURT:
Gordon R. Miller, J.

Mar 14,1997 Notice of Election to Retake Maiden Name: **Tammie J. Kucnick** TO BE KNOWN AS: **Tammie J. Smith,**

Continued Pg. 396-C

19 93

396	ANTHONY J. KUCNICK VS. TAMMIE J. KUCNICK	CONTINUED FROM PAGE 396-B OF RECORD A. D. 1993 - 396

May 7, 1997 Petition to Modify Custody and Order filed. And, Now, May 9, 1997 , the above custody matter is referred to John F. Spataro, Child Custody Mediator, for further mediation.

By the Court,
Gordon R. Miller, J.
5-12-97 FAXED Spataro, Kidrpatrick & Irwin

june 6, 1997 ORDER: AND NOW, this 5 day of Juen, 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) The parties shall share legal and physical custody of the subject minor children. Nathan Jack Kucnick, born on Oct 27, 1987 and dustin Scott kucnick, born on Feb 19, 1989.

3) The mother shall retain primary physical custody of the children, subject to the partial custody rights of the father as follows:

a. Except for the months of June, July and August, which are dealt with elsewhere in this Order, the father shall have the right to take the clhidlren into his care and custody on the first, second and fourth weekends of each month, with a weekend being defined as a period including a Friday and a Sunday, with said periods of partial custody to begin a 6:00 p.m. on Friday and contineu until 7:00 p.m. on Sunday. The father shall no longer have the right to take the children into his care and custody on Wednesday evenings.

13) Costs and fees of this Mediation, which are fixed at $240.00 ($60.00/hr. x 4 hrs.) and the $9.00 Court Order filing fee are divided equally between the parties as follows:

a) The father has paid the $200.00 deposit for the appointment of a child custody mediator. The entirety of said amount shall be applied toward the costs and fees of this case.

b) The mother shall, within thirty (30) days of the date of this Order pay to the father sum of $75.50 reimbursing him for the mother's share of the costs of this proceeding. The mother shall also within thirty (30) days of the date of thsi Order pay to the Prothonotary the sum of $49.00 replresenting her share of the costs of the mediation.

Anthony J. Vardaro, J.

June 9, 1997 Faxed Spataro, Kirkpatrick & Irwin
June 13, 1997 sent Plf. & Dft

396
-D-

1993

Thomas, Truax,
spadafore & Walker
Gregory A. Keenan

397.

William Y. Franks

VICKY WEBBER

vs.

NICHOLAS EHLY

Filed April 22, 1993
@ 11:07 AM

Tax & entry paid 50.50
User's Fee paid 5.00

COMPLAINT FOR CUSTODY
2 copies atty.

June 2, 1993, Acceptance of Service filed. I, William Y. Franks, Esq. accept servcie of the Complaint for Custody properly endorsed with the Order of Court on behalf of the defendant Nicholas Ehly, and certify that I am authorized to do so.
Date: May 17, 1993 William Y. Franks, Esq

July 28, 1993 Petition For Entry Of Agreement and Consent Custody Order, filed. ORDER: AND NOW, this 27th day of July, 1993, the Court Orders as follows:

Vicki Webber and Nicholas Ehly, the parties in the above-captioned action, have agreed upon the matters set forth below and agree that the Court of Common Pleas of Crawford County, Pa. whall enter an Order in accordance with the terms of this Consent Custody Order without the necessity of their being present in court. They have waived any further notice of the proceedings in connection with the entry of said order and each has received an advance copy of this Consent Custody Order. They represent thzt each is aware of their right to confer with independent legal counsel for review of this matter, prior to entry into agreement, stipulation and Court order.

1. The parties, Vicki Webber (mother) and Nicholas Ehly (father), are the natural parents of the minor child, Vashay I. Webber, age 3.

2. The parties agree that primary physical custody of the minor child shall be with her mother.

3. The parties agree that the father shall have visitation and/or partial custody of the minor child as follows:

A) Whereas the father has never met the minor child and is currently in the military and stationed in Illinois, the parties agree that father shall be able to initiate visitation with the minor child in the home of the mother at time and dates as agreed upon by the parties. Father agrees to give two (2) weeks notice to mother of father's intentions to exercise visitation with the minor child. The parties contemplate that father will strive to visit with the minor child approximately three (3) to four (4) times per year.

B) Once the minor child becomes acquainted to and familiar with the father, the parties agree that the father will be permitted visitation with the minor child outside of the mother's home for purposes of taking the minor child to the zoo, park or other day excursions of that nature. These daily excursions shall not entail overnight visitation and will be limited to six (6) consecutive hours in duration. Father shall not be permitted to leave Crawford County with minor child on any of the aforesaid visitations occuring outside of the mother's home.

The parties further acknowledge that no present number of visitations with the minor child in the mother's home can automatically equate a degree of comfort and familiarity between the father and the minor child such as to establish when it would be appropriate and in the best of the minor child to bisit with the father outside of the mother's home. Therefore, the parties agree that visitation by the father with the minor child outside of the mother's home shall not occur until mother and father mutually agree that the requisite familiarity between father and the minor child has been established. The parties therefore agree to exercise reasonable discretion in reaching this determination.

C) After the minor child has reached the age of nine years old and provided that father has substantially exercised his visitation rights and opportunities as outlined above, the parties agree that father shall be entitled to a two week period of visitation with the minor child during the summer following said child's ninth birthday. Additionally, father shall be entitled to spend said two week period with the child in Illinois or any other location where father may be residing in the continental United States.

D) When the minor child has reached the age of twelve years old, the parties agree that father will be entitled to three weeks of summer visitation with the m inor child and that father would be entitled to an additional week each year until a miximum of five weeks of visitation is achieved.

E) Father will be entitled (during all phases of visitation as outlined above) reasonable telephone contact with, as well as the ability to correspond and send gifts to the minor child.

4. Each party shall teach the minor child to give to the other party that love and respect which is due a parent from his or her children.

5. Father agrees that he shall not use or be under the influence of illegal drugs or alcohol and will not expose the minor child to others who may be under the influence of illegal drugs or alcohol at any time when he has the care and custody of the minor child.

6. The parties are cautioned that recent medical research has indicated that tobacco smoke is injurious to the health of growning children. Therefore, neither party shall smoke tobacco nor permit others to do so in a closed automobile in which the child is being transported or in the bedroom of the child.

7. Mother and father agree to provide each other with current phone numbers and addresses as to where they are residing so that contact between the parties may be readily made in the event of an emergency.

8. Any person transporting the m inor child shall make sure that seat belts or other restraints are used in accordance with the law of Pennsylvania or any other state through which the child is being transported.

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 apolite and respectful manner when in the child's presence and each party shall instruct his or her relatives to do likewise and also not to disparage the other party in the child's estimation. Father agrees that under no circumstances will he employ physical punishment as a means of disciplining the minor child and will not allow others to employ physical punishment.

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 consent order shall govern.

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

July 29, 1993 copy to G Keenan, W Franks, Plf. & Dft.

1993

Clarence D. Neish
Deputy Attorney
General

398.

COMMONWEALTH OF PENNSYLVANIA

vs.

1956 CHEVROLET PICKUP
VIN #3A56B023052

Filed April 22, 1993
@ 11:08 AM

Tax & entry Pd 5-11-93 50.50
User's Fee Pd 5-11-93 5.00

STIPULATION TO FORFEITURE OF VEHICLE
1 copy atty.

Order:

AND NOW, this 19 day of April, 1993, upon agreement of the parties hereto and consideration of the foregoing stipulation, it is ORDERED and DECREED as follows:

1. All claims of right, title or interest of James R. Russell, Sr., or any other claimant in the 1956 Chevrolet Pickup, VIN #3A56B023052 defendant/property are hereby declared to be terminated, revoked and rendered null and void. The 1956 Chevrolet Pickup, VIN #3A56B023052 is hereby condemned and forfeited to the Commonwealth of Pennsylvania, Office of Attorney General, Bureau of Narcotics Investigation and Drug Control pursuant to the Judicial Code, Chapter 68, Controlled Substances Forfeitures, Sections 6801-6802, 42 Pa.C.S.A. 6801 et seq.

The registration heretofore issued by the Commonwealth of Pennsylvania for said vehicle is hereby declared to be terminated and revoked and the Department of Transportation is directed to reissue said registrationof the name of the Department of General Services for official use, sale or disposition by the Office of Attorney General, Bureau of Nacrcotics Investigation and Drug Control.

BY THE COURT,
Anthony J. Vardaro,

1993

399.

JANICE M. WENZEL

vs.

EDWARD C. WENZEL

Filed April 22, 1993
@ 1:43 PM

Tax & entry Pd. 10/25/95 50.50
User's Fee Pd. 5.00
Sheriff's costs Pd. 66.50
Pro Co. Pd. 9.00

10-25-95 Paid Sheriff #66.50 Ck # 9535

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

Order:

And now, this 22nd day of April , 1993 , 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: Defendant shall not go to the residence of the plaintiff. He shall not visit his children nor take them into his custody. Custody of the children is awarded to Plaintiff
3. This Order may be enforced without a warrant 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 or 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 28, 1993 , at 2:00 p.m. 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 COURT,
Gordon R. Miller, J

April 27, 1993 Sheriff's Return Filed. SERVED the within Notice to Defend/Petition for Relief Under Protection from Abuse Act/Temporary Abuse Order at 10:20 P.M., upon Edward C.Wenzel at RD # 5, Box 105, New Castle, PA by handing to him, personally a true and correct copy thereof and made known to him the contents therein.

Robert L. Clark, Sheriff
Lawrence County

Carl B. Nord, Deputy Sheriff

April 30, 1993 ORDER filed. AND NOW, April 28, 1993, at the time set for this abuse hearing the Prothonotary presents a Sheriff's return showing that the abuse petition was served upon the Defendant April 23, 1993 at RD # 5, New Castle, PA. The Court is also advised by the Plaintiff/Wife that the Defendant/Husband told her over the telephone on April 26, 1993, that he did not intend to appear for this abuse hearing involving his alleged assault upon oldest child Brian.

Since the Defendant did not appear, the matter is heard informally and the Court accepts the version of the incident that occurred in an automobile on April 11, 1993 and is advised by the mother that both children are afraid of their father.

Apparently there is a divorce action pending beteen the parents, but the mother advises that it is the father's position that a bifurcation divorce should be granted and then the property division resolved by separate hearings. The Wife disagrees with this solution for the divorce action.

Accordingly, from the testimony heard, this Court concludes that there was some type of unprovoked assault made upon the 13 year old child and that the child is fearful a repeat of said performance might take place to one or both of the children.

Accordingly, we sustain teh allegations in the petition alleging an assault upon oldest child Brian E. WEnzel and the Court hereby beliees that it is in the best interest of both children to terminate visitations with the father until such time as a Court can hear testimony and make a decision regarding custody or visitation of both children as it relates to the father.

Accordingly, custody of the two minor children is officially awarded to the mother, Janice M. Wenzel, and no further visitations with the father must be accorded by the mother. The father may not come tot he residence of the mother to visit the mother of the children.

The Defendant/Father is advised that if he wishes ongoing continued visitations or custody of either or both of his children, it will be necessary to file a custody action and request a full Court hearing on the custody and visitation issue.

The Defendant shall not threaten, annoy, harass or assault the children in any fashion and any police officer having reasonable grounds to believe that the provisions of this Order regarding abuse of minor child Brian or minor child Bradley have occurred, may apprehend the Defendant without warrant, lodge him in the County Jail and advise the Court to schedule an immediate contempt hearing.

The Prothonotary presents the Court with a bill for service and Sheriff costs totalling $131.00, and the Court DIRECTS that the Defendant pay the costs in this case within fifteen (15) days of the date of this Order.

The duration of this abuse order shall be for a period of one (1) year.

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

April 30, 1993 Copies sent to Atty. Sullivan, Co. Control, May 5, 1993 - copy miled to Dft, MPD.

400

1993

Hayt, Hayt & Landau Arthur Lashin	FORD MOTOR CREDIT COMPANY	COMPLAINT IN CIVIL ACTION 2 copies Sheriff 1 copy Atty.
400.	vs.	May 6, 1993 SHERIFF'S RETURN, filed. SERVED Richard M. Burdick on April 26, 1993 at 2:08 PM by handing a copy of the Complaint to Cheryl A. Burdick, Adult in Charge at the residence, Rd 1, Box 42AA, Townville, Crawford County, Pa. SERVED Cheryl A. Burdick personally on April 26, 1993 at a2:09 PM by handing her a copy of the Complaint at her residence, RD1, Box 42AA, Townville, Crawford County, Pa. So answers, Dale A. Collins, Deputy Sheriff Robert M. Stevens, Sheriff
	RICHARD M. BURDICK and CHERYL A. BURDICK	And Now June 1, 1993, at 11:52 a.m. upon praecipe of plaintiff attorney, with default notices attached, Judgmen tis hereby entered in favor of plaintiff and against the defendants for failure to answer; damages assessed in the amount of Six Thousand Three Hundred Fifty Three and 18/100 Dollars.
	Filed April 22, 1993 @ 2:01 PM	
	Tax & entry paid 50.50 ✓ User's Fee paid 5.00 Sheriff's Costs 35.00 Pro Co Pd 6/1/93 9.00 ✓	Judgment entered 6/1/93 B - 144, 34
		Debt ---$6,353.18 Includes int. of $392.17 & atty fees-$1,058.86 JUDGMENT Barbara H. King, Prothonotary June 7, 1993, notices of entry of judgment mailed to plff and dft.

1993

Akman & Assocaites, PC
Lloyd E. Wilson, II

401.

TAMI L. WILLIAMS

vs.

JEFFREY D. WILLIAMS

Filed April 22, 1993
@ 2:01 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 1-28-94	9.00

COMPLAINT IN DIVORCE

May 12, 1993 Certificate of Service filed. I hereby certify that a true and correct photocopy of the foregoing Complaint was served on Jeffrey Williams on the 26th day of April, 1993, by mailing said photocopy to him via first class mail, postage prepaid, at the address listed below:

Jeffrey Williams
Footes Trailer Court Lot #8
Titusville, PA 16354

Lloyd E. Wilson, Esquire

Jan. 28, 1994 Affidavit of Consent of Defendant, filed.

Jan. 28, 1994 Affidavit of Consent of Plaintiff, filed.

Jan. 28, 1994 Affidavit of Non-Military Service, filed.

Jan. 28, 1994 Upon praecipe of Plaintiff's attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

February 7, 1994 AND NOW, February 3, 1994, it is ordered and decreed that TAMI L. WILLIAMS, plaintiff, and JEFFREY D. WILLIAMS, 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.

402

1993

Akman & Associates, pc
Lloyd E. Wilson, II

402.

Robert J. Felton

CAROLYN A. ROSS

vs.

ERNEST D. ROSS, SR.

Filed April 22, 1993
@ 2:01 PM

Tax & entry paid	50.50 ✓
User's Fee	15.00
2 Add'l Counts paid	30.00 ✓
State paid	10.00

COMPLAINT IN DIVORCE, DIVISION OF MARITAL PROPERTY, ALIMONY
no copies

June 17, 1993 Appearance of Robert J. Felton for Defendant filed.

Jan. 18, 1994 Certificate of Service filed.

Mar. 12, 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 1/18/94 . 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,
Anthony J. Vardaro, J

Date: March 12, 1998
Mar. 12, 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)

1993

Jack L. Cherkin, P.C.
Dominic D. Salvatori

403.

Cusick, Madden, Joyce and McKay
Donald R. McKay, Esq.
for Jeffrey John Calvin

ELEANOR B. THURBER and
ROGER THURBER, her husband

vs.

JEFFREY JOHN CALVIN and
DANIEL J. WALSH

Filed April 22, 1993
@ 2:01 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Pro Co pd 12-9-93	6.00

WRIT OF SUMMONS
issued Sheriff

May 20, 1993 Sheriff's Return filed. SERVED Jeffrey John Calvin personally on May 5, 1993 at 1:00 PM by handing him a copy of the Summons, in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, PA.

SERVED Daniel J. Walsh by deputizing the Sheriff of Mercer County, PA., as per his Affidavit of Service attached. Served on May 5, 1993 at 4;05 pm, at 33 Werner Road, Greenville, PA 16125.

So answers,

Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

(See papers filed for Mercer Co. Sheriff's Dept. Service).

June 3, 1993, Appearance of Cusick Madden, Joyce and McKay by Donald R. McKay, , attorneys for one of the defendants, Joffrey John Calvin filed.

Jun. 25, 1993 Uopn Praecipe of the Defendant's Attorney, Donald R.McKay, Esquire, Rule entered upon Plaintiff to file Complaint issued.

July 22, 1993 AcceptanceofcService of Rule, filed.

Dec. 9, 1993 Upon praecipe of plaintiff's attorney mark the above case settled and discontinued of record.

404

1993

Fuller, Kinnunen,
Petruso, Gamble,
Fabian & Hall
Gary A. Fabian

404.

SHARON L. HORNSTEIN

vs.

KATHLEEN M. BRADLEY

Filed April 22, 1993
@ 2:23 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	30.00
Pro Co. pd 5/21/93	9.00

COMPLAINT IN MORTGAGE FORECLOSURE
1 copy Atty.

May 12, 1993 SHERIFF'S RETURN, filed. SERVED Kathleen M. Bradley personally on April 29, 1993 at 10:20 AM by handing her a copy of the Complaint in Mortgage Foreclosure at her residence, 307 Jefferson St., Conneautville, Crawford County, Pa. 16406.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

May 21, 1993, 12:01 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:

Unpaid principal balance	$17,646.92
Interest to 04/22/93	1,363.40
Delinquent real property taxes for the tax year 1992	864.87
Attorney's fees of five (5%) per cent of the entire indebtedness	993.76
REAL DEBT	$20,868.95

B-104
Judgement entered 5/21/93

Debt $ 20,868.95
Interest to 4/22/93
Judgment
Barbara H. King, Pro.

5/28/93 Notice of judgment mailed defendant.

EX1993-46

1993

R. Christopher Brode	DAVID W. DOOLEY	APPEAL OF PLAINTIFF FROM DECISION OF DISTRICT JUSTICE WILLIAM DI. CHISHOLM
405.	vs.	Apr. 22, 1993 Praecipe of Plaintiff To Proceed In Forma Pauperis filed. Apr. 23, 1993, Proof of Service filed.
	EDNA MCCLINTON	
	Filed April 22, 1993 @ 2:59 PM	
	Indigent Filing	

1993

Joseph F. Kulwicki

406.

HAZEL TOMCZAK

vs.

GORDON BROTHERS

Filed April 23, 1993
@ 9:25 AM

Tax & entry paid	50.50 ✓
User's Fee paid	5.00
Sheriff's Costs	25.00
Pro.Co. pd 7/30/93	6.00 ✓

WRIT OF SUMMONS
issued Sheriff

May 10, 1993 Sheriff's Return filed. SERVED Gordon Brothers on April 28, 1993 at 2:20 PM by handing a copy of theSummons to Colleen Horner, Bookkeeper at the business, 1830 Conneaut Lake Road, Meadville, Crawford County, PA.

So answers, Dale A.Collins, Deputy Sheriff
Robert M.Stevens, Sheriff

July 30, 1993 Upon Praecipe of Plaintiff Attorney, Joseph F. Kulwicki, Esquire, the above captioned case settled and discontinued of record.

1993

William J. Gregg 407. ~~Paul E. Allen~~ withdrawn	GORDON WATT, a/k/a F. GORDON WATT vs. A. LUTHER WATT Filed April 23, 1993 @ 1:56 PM Tax & entry paid 50.50 User's Fee paid 5.00 Sheriff's Costs 27.00	COMPLAINT IN CIVIL ACTION 1 copy (atty) May 13, 1993 SHERIFF'S RETURN filed. Served A. Luther Watt personally on April 28, 1993, at 2:43 PM by handing a copy of the Complaint to him at the Summit Township Building, Harmonsburg, Crawford County, Pa. So answers, Dale A. Collins, Deputy Sheriff Robert M. Stevens, Sheriff May 18, 1993 Appearance of Paul E.Allen, Esquire for A.Luther Watt, Defendant, filed. Aug. 17, 1993, Defendant's Preliminary Objections filed. 1 copy (atty) Dec 6, 1995 Motion For leave For Withdrawal of Counsel and Order, filed. AND NOW, December 6, 1995 the foregoing Motion for Leave for Withdrawal of Counsel (Paul E. Allen, Esy.) is granted. BY THE COURT, Anthony J. Vardaro, J. Dec 7,1995 Faxed Allen & Gregg

1993

408.

IN THE MATTER OF THE DESTRUCTION OF STENOGRAPHIC NOTES

Filed April 23, 1993
@ 11:32 AM

IN THE MATTER OF THE DESTRUCTION OF STENOGRAPHIC NOTES FOR THE YEAR UP TO AND INCLUDING 1984

Apr. 23, 1993 Order filed. AND NOW, April 22, 1993, the court Reporters are hereby permitted to destroy stenographic notes up to, and including, the years through 1984.

Not included in this Order are notes relating to homicide and felony cases such as notes of plea colloquies, sentencing matters, jury slection, trial, post trial and other hearings. These exceptions do not include matters that have already been transcribed as of this date.

BY ORDER OF COURT,
Gordon R. Miller, J

1993

Kathleen R. Nelson

409

MICHAEL J. DILLE

vs.

HOLLIE R. DILLE

Filed april 26, 1993
@ 1:17 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 9-10-93	9.00

COMPLAINT IN DIVORCE
1 copy atty.

May 10, 1993 Affidavit of Service filed. KATHLEEN R. NELSON, ESQUIRE, being duly sworn 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 a true and correct copy of the Complaint in Divorce and Notice were sent by registered mail to the Defendant, Hollie R. Dille, on May 3, 1993.

3. That the Defendant received said registered mail on May 4, 1993. Said Return Receipt card P238-202-290 is attached hereto, signed by Hollie Dille and made a part hereof.

Kathleen R. Nelson

Sept. 1, 1993 Affidavit of Consent of Plaintiff, filed.

Sept. 1, 1993 Affidavit of Consent of Defendant, filed.

Sept. 7, 1993 Motion For Withdrawl Of Count In Divorce and Order filed. ORDER: AND NOW, this 7 day of September, 1993, the above Motion is granted. Anthony J. Vardaro, J.
Sept. 9, 1993 copy to K. Nelson

Sept. 10, 1993 Upon praecipe of plantiff attorney to transmit records, case moved to Court.

DIVORCE DECREE FILED

Sept. 24, 1993 AND NOW, September 21, 1993, it is ordered and decreed that MICHAEL J. DILLE, plaintiff, and HOLLIE R. DILLE, 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.

410

1993

410.

Wayne H. Hundertmark

STAN PROCESS

vs.

BILLY SEE and TAMMY SEE

Filed april 26, 1993
@ 2:31 PM

Tax & entry paid 50.25
User's Fee paid 5.00
Pro Co Pd 6/2/93 #5.00

APPEAL OF DEFENDANT FROM DECISION OF
DISTRICT JUSTICE ROBERT J. LEONHART

Apr. 26, 1993 Rule entered upon Plaintiff to file a Complaint Issued.

Apr. 29, 1993 Proof of Service filed.

June 2, 1993, UPon praecipe of defendant attorney, Appeal from Dist. Justice Judgment is hereby discontinued of record.

1993

Blystone & Blystone
Curtis E. Blystone

411.

CAMERON D. WRIGHT, t/d/b/a CONNEAUTVILLE FARMERS EXCHANGE

vs.

JAMES R. ZAKOSTELECKY and REBECCA ZAKOSTELECKY

Filed April 27, 1993
@ 9:39 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	36.00
Pro co pd 6-3-93	9.00
Pro.Co.pd 5/23/94	5.00

COMPLAINT IN CIVIL ACTION
2 copies atty.

May 12, 1993 SHIERIFF'S RETURN, filed. SERVED James R. Zakostelecky personally on April 29, 1993 at 10:25 AM by handing a copy of the Complaint to him at his residence, RD 2, Box 84, Conneautville, Crawford County, Pa.

SERVED Rebecca Zakostelecky on April 29, 1993 at 10:24 AM by handing a copy of the Complaint to James Zakostelecky, her Husband, at their residence, RD 2, Box 84, Conneautville, Crawford County, Pa. So answers, Dale A. Collins, Deputy Sheriff
Robert M. stevens, Sheriff

June 3, 1993 And now, upon praecipe of plaintiff's attorney judgment is hereby entered in favor of the plaintiff and against the defendant, for failure of the defendants to file an Answer within twenty days of the date of service of the Complaint and assess damages as follows: $16,156.97, together with interestt thereon from March 31, 1993 through June 3, 1993 at the legal rate of six percent (6%) per annum, that is, interest for sixty-four days at the rate of $2,656 per diem which totals $169.98. Accordingly, assess total damages in the amount of Sixteen Thousand three hundred twenty-six Dollars and 95/100, plus cost of suit.
Entered June 3, 1993 Debt: $16,326.95
Z - 95, 145 JUDGMENT
Barbara H. King, Pro.

May 23, 1994 Upon Praecipe of Curtis E.Blystone, Esquire, Attorney for Plaintiff, the above judgment has been paid in full, including debt, interest and costs, and the same is satisfied of record.

412

1993

Bettie Peterson-Muth

412.

Bystone & Blystone
Curtis E. Blystone

7/20/93 $150.00
deposited by defendant
10-20-93 Pd pltf/deft
Prof. Med Reform 57.76
Ch# 7864

10-26-93 Pd Co Med Fee
Ch# 7874 83.24

11-10-93 Recd 83.24
from Plt.
12-29-93 Pd Co.
Ch# 7983 83.24

SHARON J. ALEXANDER

vs.

DOUGLAS J. ALEXANDER

Filed April 27, 1993
@ 12:45 PM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Counts paid	15.00
State paid	10.00
Pro Co Pd 10-26-93 Ch#7875	9.00
Bruce L. Smith, Mediator	166.48
Pro Co	9.00
Pro.Co. pd 11/3/93	9.00

COMPLAINT IN DIVORCE, CUSTODY
1 copy atty.

May 26, 1993, Acceptance of Service filed. I hereby accept service of the Complaint in Divorce. Douglas J. Alexander.

July 20, 1993 Petition For Additional Remedies and Order filed. You, Sharon J. Alexander, have been sued in Court to obtain custody of Douglas J. Alexander, Jr., Joshua J. Alexander, and Gregory J. Alexander.

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 inthis 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 TELELPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Court Administrator
Courthouse
Meadville, PA 16335
(814) 724-1441, Ext. 298

Date: July 16, 1993

BY THE COURT,
Gordon R. Miller, J

July 22, 1993 Copies of order to Atty's Muth, Blystone and Smith

July 22, 1993 CERTIFICATE OF SERVICE, filed. I,hereby certify that a true and correct copy of Defendant/Petitioner's, Petition for Additional Remedies was served upon counsel of record by First Class United States Mail, postage prepaid on July 22, 1993.

Curtis E. Blystone

Oct. 5, 1993 Affidavit of Consent of Plaintiff, filed.

Oct. 20, 1993 TEMPORARY ORDER OF COURT, filed. AND NOW, this 19 day of October, 1993, after Mediation and upon recommendation of the Child Custody Mediator, it is hereby ordered and decreed that:

1. The natural parents of Douglas, J. Alexander, Jr., age five, born April 24, 1998, Joshua J. Alexander, age four, born April 21, 1989, and Gregory J. Alexander, born May 24, 1992, the parties to this action, shall share legal custody of the said minor children. Said joint legal custody being shared shall entitle both of the parents to equal access to any records relating to the c children 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 the educational and religious upbringing of the children, as well as to any elective surgery. It is envisioned that the mother will take the children to all non-emergency medical appointments because she provides the insurance coverage for the children through her place of employment.

2. Primary physical custody of the children shall be shifted from the mother to the father. Regular visitation and temporary custody of the children shall be granted to the mother. Physical custody for the mother shall be as follows:

a. The children shall be available on any week-day evenign up to three days per week upon a notice of twenty-four hours by telephone or direct notice to the father to spend the time between 6:30-9:00 p.m., prevailing local time, with the mother. The mother shall pickup and return the children during these evening week-day visits. The children shall also spend weekends between the time of 10:00 a.m., prevailing local time, on Saturday through 7:00 p.m., prevailing local time, on Sunday with the mother, except when she is working on that given weekend. The mother shall supply a list of weekends which she will be working to the father at least one month in advance. During the weekend visitations, transportation shall be provided by the receiving parent.

b. Holiday visitation 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 children shall spend four hours each Thanksgiving Day with the mother, the hours to be arrived at by agreement of the parents. The children shall spend Christmas Eve Day, December 24, from 12:00 noon until 10:30 p.m., prevailing local time, with the mother. The children shall spend four hours with the mother on New Year's Day, the said four hours to be agreed upon by the parties. The children shall spend Easter Sunday with the mother under the regular visitation schedule, which times shall be the normal times of 10:00 a.m., prevailing local time, Saturday, through 7:30 p.m., prevailing local time, Sunday, except that the father shall have the children on Sunday between 9:00 a.m. and 2:00 p.m., prevailing local time, for the purpose of taking them to church. The father shall also have the chidlren on Father' s Day from 9:00 a.m., prevailing local time, and shall retain them pursuant to the schedule described in subparagraph a. above. All other holidays will be subject to the regular visitation provisions of subparagraph a. above.

3. The parent having custody of the children at anytime shall notify theother parent as soon as possible in the event of injury to or illness of any of the children requiring medical treatment.

4. Neither parent shall take the children into any environment which might be commonly thought of as detrimental to their development or to the development of therir character or which would be commonly thought of as dangerous to their physical persons.

5. The parents are encouraged to discuss arrangements for physical custody of the children; and, if the parties mutually agree to alternative arrangements to accommodate their and/or the children's schedules, 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 any grandparent or adult coming into regular contact with the children shall be instructed to teach the children involved in this case to develop and express that natural love and respect due a parent from his or h er children. None of the adults coming into regular contact with the children will do or say anything to blacken the character of either in the eyes of the children.

CONTINUED ON PAGE 412A

1993

Sharon J. Alexander
vs.
Douglas J. Alexander

CONTINUED FROM PAGE 412
of Record
A. D. 1993 - 412

&. This Order shall not prejudice the right of either party to request further Mediation if there are changed circumstancesin the lives of the parties or the children or in the event that the best interests of the children would be served by further Mediation. Additionally, it was agreed at the time of Mediation, and it is made part of this Order, that either party may request further Mediation on or after June 1, 1994, without showing changed circumstances or without prejudicing the rights of either parent because the parents agreed, pursuant to Mediation, to the recommendations contained in this order. Specifically, the mother shall not be plrejudiced in her efforts to cooperate for the benefit of the children by giving up primary physical custody as part of this Mediation and order.

8. There is currently existing a Protection from Abuse Act Order requiring the father to not come into contact with the mother, which Order will expires by its terms on November 19, 1993. However, the Order dated May 19, 1993, entered at A. D. No. 1993-456 shall, as a result of this Order, be suspended and terminated.

9. The Court of Common Pleas of Crawford County, Pennsylvania, shal retain jurisdiction of th is matter so long as either of the parents or one of the children 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 petitioner father and 50% by the the respondent mother. Any amount in excess of the father's one-half share of the cost of Mediation held by the Prothonotary under Local Rules shall be refunded to him.

11. This Order shall be a Temporary Order, but shall become a permanent Order unless exceptions are filed by either party within ten days from the date of this Temporary Order.

BY THE COURT,
Anthony J. Vardaro, J.

Oct. 27, 1993 copy to C. Blystone, B. Muth-Peterson, B. Smith, Plf. & Dft.

Oct. 29, 1993 Affidavit of Consent by Douglas J. Alexander, Defendant, filed.

Nov. 3, 1993 Upon Praecipe of Bettie J. Peterson-Muth, Esquire, Attorney for Plaintiff, to transmit record, case moved to Court.

Nov. 12, 1993 Motion Withdrawing Claim for Equitable Distribution of Marital Property filed.

Nov. 12, 1993 ORDER filed. AND NOW, this 10 day of November, 1993, upon presentation and consideration of defendant Douglas J. Alexander's Motion Withdrawing Claim for Equitable Distribution of Marital Property, it is hereby ORDERED that defendant's claim for equitable distribution of marital property shall be, and hereby is, deemed withdrawn.

BY THE COURT,
Anthony J. Vardaro, Judge

Nov. 15, 1993 Copy of Order to Attys. C. Blystone and Betty Muth.

DIVORCE DECREE FILED

Nov. 12, 1993 AND NOW, November 10, 1993, it is hereby ordered and decreed that SHARON J. ALEXANDER, plaintiff, and DOUGLAS J. ALEXANDER, 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:

Anthony J Vardaro, J.

May 6, 1994 Stipulation to Entry of Custody Order and ORDER filed. AND NOW, this 4th day of May, 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:

1. Legal and physical custody of the parties' three (3) minor children shall be shared between the mother, Sharon J. Alexander and the father, Douglas J. Alexander.

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 aut horized to release to either party any and all confidential information which they may have regarding the subject minor children.

3. The natural mother shall have primary physical custody of the aforementioned minor children commencing June 15, 1994. The natural father shall have temporary custody of the children from 10:00 a.m.Saturday until Sunday at 3:00 p.m. on those weekends that the mother is required to work. Further, the natural father may take the children in his custody any other weekend he chooses,provided that he notifies the mother by the 3rd day of each month of which weekend he wishes to exercise said visitations.

4. In addition to the times mentioned inParagraph 3 above, the natural father may take the children into his custody a maximum of three (3) nights each week between the hours of 6:00 and 8:30 p.m. Father shall notify the mother 24 hours in advance of his desire to exercise these visitations.

5. Summer vacation: Each party shall have an uninterrupted one (1) week summer vacation period with the minor children The natural mother shall notify the fat her by March 15th of each year as to which week she will be taking the children on a summer vacation. LIkewise,the father shall notify the mother thirty (30) days in advance of which week he will be exercising summer vacation with the children. The parties agree for the summer of 1994 Father has designated May 26th through May 30th, and Mother has desingated August 1st through 7th.

6. The parties shall attempt to agree to holiday visitations. In the event no agreement can be reached, the following schedule shall be followed:

A. The natural mother shall have custody of the children during the holidays of Easter, Christmas Eve, New Year's Day, Mother's Day,Memorial Day and the evening before Thanksgiving Day.

B. The natural father shall have custody of the children during the holidays of: Christmas Day, New Year's Eve, Father's Day, Fourth of July, Labor Day and Thanksgiving Day.

The parties shall agree on the hours of visitation for the abovementioned holidays.

7. 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 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 alternate visits or to make alternate arrangements.

8. The parties shall split responsibility for transportation with the party receiving the children in the exercise of his or rights picking up the children at the home of the other.

9. 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.

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 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 is being transported or in the bedroom of the children.

11. Each parent shall immediately notify the other of any illness or injury of the children when in their care.

Continued to Page 412 B

4/2

-b-

1993

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.

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 it were to be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which, this order shall govern.

BY THE COURT:
Gordon R. Miller, J.

5-11-94 Faxed copy of Order to Attys. Peterson-Muth, Blystone, Smith & Irwin.

May 27, 1998 Certificate of completion of the Seminar for Separating Parents for Douglas J. Alexander, filed.

1993

Fuller, Kinnunen,
Petruso, Gamble,
Fabian & Hall
Stephen E. Hall

413.

STEVEN H. WILCOX

vs.

SANDRA L. WILCOX

Filed April 27, 1993
@ 1:36 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro. Co. pd 10/25/93	9.00

COMPLAINT IN DIVORCE
no copies

Oct. 25, 1993 Acceptance of Service filed. I Accept service of the Complaint in this matter.
Date: 5 May 19933 Sandra L. Wilcox

Oct. 25, 1993 Affidavit of Consent by Sandra L. Wilcox, Defendant, filed.

Oct. 25, 1993 Affidavit of Consent by Steven H. Wilcox, Plaintiff, filed.

Oct. 25, 1993 Upon praecipe of SStephen E.Hall, Esquire, Attorney for Plaintiff, to transmit record, case moved to Court.

DIVORCE DECREE FILED

Nov. 10, 1993 AND NOW, November 8, 1993, it is hereby ordered and decreed that STEVEN H. WILCOX, Plaintiff, and SANDRA L. WILCOX, 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.

414

1993

Barbara J. Walton

414.

DALE L. BONNELL

vs.

CAROL A. BONNELL

Filed April 27, 1993
@ 4:19 PM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count pd	15.00
State paid	10.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
2 copies atty.

May 10, 1993 Affidavit of Service filed. And Now, May 5, 1993, comes Lisa M. Sherretts being duly sworn according to law, deposes and sets forth as follows:

1. That she is the legal assistant of Attorney for Dale L. Bonnell, 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, P 899 097 870; to the last known address of the Defendant, Carol A. Bonnell, RD # 1, Venango, PA 16440.

3. That the Defendant, Carol A. Bonnell, on April 29, 1993, personally signed the return receipt card which was affixed to the Complaint in the above-matter and which is attached hereto.

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

Lisa M. Sherretts, Legal Ass't.

Aug. 3, 1993 property settlement Agreement and Stipulation, filed.

Aug. 9, 1993, affidavit of Consent of plaintiff filed.

Aug. 9, 1993, Affidavit of Consent of defendant filed.

Mar. 12, 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 8/9/93 . 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: March 12, 1998

Mar 12, 1998 Copies mailed by Court Administrator's Office

1993

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

415.

Thomas, Truax,
Spadafore &Walker
Gregory A.Keenan

John P.Gagliotti

ORVILLE SWECKER

vs.

RONDA SWECKER

Filed April 28, 1993
@ 11:58 AM

Tax & entry paid	50.50
User's Fee paid	5.00
sTate paid	10.00
Pro Co pd 4-20-95	9.00
2 Add'l cts. pd 11-28-95	30.00
User's Fees pd 11-28-95	10.00
Pro.Co.Pd. 9-23-96	5.00

COMPLAINT IN DIVORCE
2 copies atty.

June 10, 1993 Complaint reinstated.

June 11, 1993, Affidavit of Service filed. I, James R. Irwin, Esq. being duly sworn according to law, depose and say that I served a true and correct copy of complaint certified by Prothonotary on the above named dft. by personal service on the 11 day of June 1993 in Courtroom No. 2 of the Craw. Co. Courthouse.
James R. Irwin Esq.

Dec. 2, 1993 Affidavit of Consent of Plaintiff, filed

Dec. 29, 1993 Motion To Withdraw Appearance and Order filed. AND NOW, this 29 day of December, 1993, upon consideration of Counsel's Mtoion to Withdraw Appearance, said Motion is granted. Gregory A. Keenan, Esquire shall be withdrawn as counsel for Defendant. By the court:
Anthony J. Vardaro, J

Jan. 7, 1994 Copies of order to Atty's Irwin and Keenan

Mar. 17, 1995 Plaintiff's Affidavit Under Section 3301(d) of the Divorce code, filed.

Apr. 6, 1995 Defendant's Counter-Affidavit Under Section 3301(d) of the Divorce Code filed.

Apr 10,1995 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 Notice of Intention to Request Entry of Divorce Decree, and a Counter-Affidavit under Section 3301(d) of the Divorce Code on the above named Defendant by certified mail, addressee only, return receipt requested, dated March 17, 1995. The Defendant acknowledged service on April 1, 1995 by accepting delivery on that date as evidenced by the attached signed return receipt.

Apr 10, 1995 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

Apr. 26, 1995 ORDER filed. This divorce matter has beenreferred 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 As to a 3301(d) divorce:
x Other: The Court cannot grant this divorce because the Defendant has signed a counter-affidavit under Section 3301(d) of the Divorce Code indicating tht she wishes to claimeconomic relief which may include alimony, division of property, lawyer's fees or expenses or other important rights.
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.
BY THE COURT:
Anthony J.Vardaro, J.
4-26-95 Copies dist. Irwin& Keenan

Oct. 25, 1995 Petition for Granting of Divorce filed.

Oct. 25, 1995 ORDER filed. AND NOW, this 25 day of October, 1995, the Defendant, Ronda Swecker, is hereby ruled to file any matter that may be joined with an action for divorce under the Divorce Code within thirty (30) days of this order or forever be barred from raising same.
BY THE COURT:
Anthony J. Vardaro, J.

Nov. 27, 1995 Counterclaim in Divorce under Divorce Code filed.

July 30, 1996 Affidavit of Consent of Defendant filed.

July 30, 1996 Waiver of Notice Of Intention To Request Entry of A divorce decree Under Section 3301(c) of the Divorce Code of Defendant filed.

Jul 31, 1996 Affidavit of Consent of Plaintiff, filed.

Jul 31, 1996 Affidavit of Consent of Defendant, filed.

Jul 31, 1996 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

Aug. 5, 1996 Motion to Withdraw Claims on behalf of Defendant and ORDER filed. AND OW, August 2, 1996, upon consideration of the foregoing Motion to Withdraw Claims, IT IS HEREBY ORDERED AND DECREED that the withdrawal of all economic claims is hereby granted.
BY ORDER THE COURT,
Anthony J. Vardaro, J.
8-5-96 FAXED Irwin & Gagliotti

DIVORCE DECREE FILED

Aug. 13, 1996 AND NOW, this 12 day of August, 1996, it is ordered and decreed that ORVILLE SWECKER, Plaintiff, and RONDA SWECKER, Defendant, are divorced from the bonds of matrimony.
BY ORDER OF THE COURT
Anthony J. Vardaro, J.

Sept. 17, 1996 Notice of Intention to Resume Prior Name from Ronda Swecker to be known as: **Ronda Jordan** filed.

1993

Blaufeld & Schiller
Barbara E. Holmes

416.

EDWARD D. POLOSKEY

vs.

STEVEN MCCULLOUGH

Filed April 28, 1993
@ 11:58 AM

Tax & entry paid	50.50 ✓
User's Fee paid	5.00
Sheriff's Costs	46.20

WRIT OF SUMMONS
IIssuedSAtty'ff

May 18, 1993 Praecipe to Re-Issue a Writ, filed.

June 17, 1993 Writ Return filed. SERVED Steven McCullough by deputizing the Sheriff of Mercer County, PA, as per his Affidavit of Service attached. Served on June 4, 1993 at 2:35 PM at 1816 Rutledge Road, Transfer, PA..
So answers, Robert M. Stevens, Sheriff

1993

Phillips & Galanter, PC
Donald L. Phillips

417.

Dennis Kuftic

GELVIN, JACKSON & STARR, INC.

vs.

ERIE DIESEL & TRUCK SERVICES INC., a/k/a ERIE DIESEL & TRUCK SERVICE, INC.

Filed April 28, 1993
@ 11:58 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Pro.Co. pd 11/10/93	15.00
Pro Co pd 2-9-95	5.00

JURY TRIAL DEMANDED

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

May 26, 1993 Affidavit of Service filed. SERVED the within Complaint on May 20, 1993, at 1330 hrs., upon Erie Diesel & Truck Services, d/b/a Erie Diesel & Truck Service, Inc. at 1504 West 12th Street, Erie County, Erie, Pennsylvania by handing to Gary Michalchik, Adult in Charge. a true and correct copy thereof and made known to him the contents therein.
So answers, Robert M. Michel, Sheriff
John Loomis, Deputy Sheriff
I hereby deputize the Sheriff of Erie County, Pennsylvania to serve the within Complaint according to law.
So answers, Robert M. Stevens, Sheriff

June 18, 1993 Answer to Complaint, filed.

Nov. 10, 1993 Upon praecipe of Donald L.Phillips, Esquire, Attorney for Plaintiff for appointment of Arbitrators, the following Arbitrators are appointed.

~~Gary Fabian~~, Chairman George Gray
Bruce Smith
Emil Spadafore

Apr. 20, 1994 Arbitrators take Qualifying Oath.

Dec.20, 1994 Notice of Arbitration Hearing Date filed.

Jan. 26, 1995 Praecipe to Vacate Board of Arbitrators, filed.
Jan. 27, 1995 Faxed to Kuftic, Gray, Smith, Spadafore

Feb. 6, 1995 Upon praecipe of plaintiff's attorney the above-captioned case is marked settled and discontinued of record.

1993

418.

RENEE" COGAR

vs.

DALLAS C. COGAR

Filed April 29, 1993
@ 3:29 PM

Indigent Filing

COMPLAINT IN DIVORCE
2 copies Plft.

Apr. 29, 1993 Petition To Proceed In Forma Pauperis in a Divorce Action Pursuant To Pa.R.C.P. 1920.62 and Order filed. AND NOW, April 28, 1993, upon consideraion 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. 1920.62 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 imporvement of his/her financial condition.

BY THE COURT:
Anthony J. Vardaro, J

May 3, 1993 Copies of order to Pltf.

Aug. 12, 1993 Affidavit of Consent of plaintiff filed.

Sept. 23, 1993 Affidavit of Consent of defendant filed.

Nov. 15, 1993 Upon praecipe of Plaintiff to transmit records, case moved to Court.

DIVORCE DECREE FILED

Nov. 22, 1993 AND NOW, November 22, 1993, it is hereby ordered and decreed that RENEE COGAR, Plaintiff, and DALLAS COGAR, 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.

1993

Elderkin, Martin,
Kelly & Messina
Kenneth G. Vasil

419.

SEARS, ROEBUCK AND COMPANY

vs.

HAROLD A. HIGBY and NANCY HIGBY, his wife

Filed April 29, 1993
@ 3:46 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	43.00
Pro pd 5/27/93	9.00
Pro Co pd 4-21-97	6.00

COMPLAINT IN CIVIL ACTION
2 copies Atty.

May 14, 1993 SHERIFF'S RETURN, filed. SERVED Harold A. Higby personally on May 5, 1993 at 10:45 AM by handing him a copy of the Complaint at his place of residence, Higby Canadohta Campgrounds, RD 2, Box 2498, Union City, Crawford County,Pa.

SERVED Nancy Higby on May 5, 1993 at 10:46 AM by handing a copy of the Complaint to Harold A. Higby, her Husband, at their residence, Higby Canadohta Lake Campground, RD 2, Box 2498, Union City, Crawford County, Pa.

So answers, Dale A. Collins, Deputy Sheriff
Robert M. stevens, Sheriff

And Now May 27, 1993 at 11:31 a.m. with the consent of the defendants, Judgment is hereby entered in favor of plaintiff and against the defendants in the amount of Eight Thousand Ninety One and 07/100 Dollars plus interest and costs of action.

Judgment entered
5/27/93
H - 86, 126

Debt ---$8,091.07
Int. from Mar. 1993 at rate of 1.05% per mo.
JUDGMENT
Barbara H. King,
Prothonotary

Apr 8, 1997 Upon praecipe of plaintiff attorney, for value received, please satisfy the debt, judgment, interest and costs in the above matter.

420

1993

Thomas, Truax,
spadafore & Walker
William E. Walker

vs. 420

ANDOVER BANK

vs.

KEVIN R. DILLEY and PAMELA A. DILLEY, his wife

Filed April 29, 1993
@ 3:46 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	49.80
Pro Co Pd 6-9- 93	9.00

COMPLAINT IN MORTGAGE FORECLOSURE
2 copies Sheriff

May 20, 1993 Sheriff's Return filed. SERVED the wtihin Complaint onll May, 1993, at 9:15 AM, upon Kevin R. Dilley at Shop and Save, Meat Dept., Franklin, PA 16323 by handing to Kevin R. Dilley, in person a true and correct copy thereof and made known to him the contents therein
so answers, Gene Price, sheriff
SERVED Kevin R. Dilley by deputizing the Sheriff of Venango County PA, as per his Affidavit of Service attached. Served on May 11, 1993 at Shop and Save, Meat Dept., Franklin, PA
SERVED PAMELA A. Dilley by Certified Mail at her last known address, c/o Larry Bates, 7709 Route 193, Williamsfield, OH 44093. Served on May 10, 1993. Signed return receipt is attached.
So answers, Robert M. Stevens, Sheriff

AND NOW, June 9, 1993 @ 3:02 p.m. Upon praecipe of Plaintiff's attorney, judgment is hereby entered in favor of the Plaintiff and against the defendants in the amount of Twenty-four Thousand Nine Hundred Seventy-seven and 60/100 Dollars together with interest at the rate of 10% per annum on and after March 31, 1993, plus costs.
D-101, 131

Debt: $24,977.60 + Int & Costs
JUDGMENT
Barbara H. King
Prothonotary

EX 1993-47

1993

Watts & Pepicelli
Christopher D. Ferryy

421.

GEORGE S. LAWRENCE

vs.

DENISE K. LAWRENCE

Filed April 29, 1993
@ 3:46 PM

Tax & entry paid	50.50
User's Fee paid	5.00
STate paid	10.00
Pro Co pd 9-1-93	9.00

COMPLAINT IN DIVORCE
1 copy atty.

May 18, 1993 CERTIFICATE OF SERVICE, filed. Christopher D. Ferry, Esquire, hereby certifies that he is the Attorney for the Plaintiff in the within action and that a Complaint in Divorce was sent to the Defendant, Denise K. Lawrence, DYNATEX, 17197 North Laurel, Park Drive, Suite 100, LIvona, MI 48152, by certified mail, return receipt requested, addressee only, on May 11, 1993 and was received on May 13, 1993. The receipt for certified mail and the return receipt are attached hereto as Exhibit "A".

Sept. 1, 1993 Affidavit of Consent of Defendant, filed.

Sept. 1, 1993 Affidavit of Consent of Plaintiff, filed.

Sept. 1, 1993 Upon praecipe of plaintiff's attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Sept. 9, 1993 AND NOW, Spet. 7, 1993, it is hereby ordered and decreed that GEORGE S. LAWRENCE, Plaintiff, and DENISE K. LAWRENCE, 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.

422

1993

422.

ANNUAL FINANCIAL REPORT OF
THE COUNTY OF CRAWFORD

1992

Filed april 30, 1993
@ 10:11 Am

ANNUAL FINANCIAL REPORT OF THE COUNTY OF CRAWFORD
OF THE AUDITORS OF CRAWFORD COUNTY FOR THE YEAR
ENDING DECEMBER 31, 1992

1993

Richard D.Goldberg

423.

J. Douglas Murphy
for Dft. C.A. Young, M.D.

Knox, McLaughlin,
fornall & Sennett, PC
James T. Marnen
U.S.C.I., Subsidiary
of C.R.Bard, Inc.

THARON SUMMERILL, EXECUTOR OF THE ESTATE OF CONSTANCE A. SUMMERILL, DECEASED

vs.

U.S.C.A., Subsidiary of C.R. BARD, INC.: MEADVILLE MEDICAL CENTER, C.A. YOUNG, M.D., A.B.C. CORPORATION AND X.Y.Z. CORPORATION

Filed April 30, 1993
@ 11:15 AM

Tax & entry paid	50.50 ✓
User's Fee paid	5.00
Sheriff's Costs	45.00 ✓
Pro Co. pd 8/4/93	6.00 ✓

COMPLAINT IN CIVIL ACTION
6 copies Pltf.

June 8, 1993 Complaint reinstated. (Copy Sheriff)

June 16, 1993 Appearance of J. Douglas Murphy for C.A. Young, M. D., filed.

June 25, 1993 SHERIFF'S RETURN, filed. SERVED U.S.C.I., Subsidiary of C.R. Bard, Inc. by Certified Mail at their last known address of Concord Rd., Billerica, MA 01821, on June 17, 1993. Signed Return Receipt is attached.

SERVED The Meadville Medical Center on June 14, 1993 at 9:10 AM by handing a copy of the Complaint to Nancy Blystone, Administrative Assistant at Meadville Medical Center, Liberty St., Meadville, Crawford County, Pa.

SERVED C.A. Young, M. D., personally on June 14, 1993 at 9:20 AM by handing a copy of the Complaint to him at the Meadville Medical Center, First Floor X-Ray Dept., Liberty St., Meadville, Crawford County, Pa.

So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

June 29, 1993 Preliminary Objection of Defendant U.S.C.I. filed.

June 29, 1993 Certificate of Service of Rule upon Plaintiff to File a Complaint filed.

June 29, 1993 Appearance of Knox, McLaughlin, Gornall & Sennett, P.C. by James T. Marnen for defendant U.S.C.I., subsidiary of C.R. Bard, Inc. filed.

August 4, 1993 Upon praecipe of plaintiff attorney, the above captioned case marked discontinued.

1993

424.

CHERYL TRYPUS

vs.

ERIC TRYPUS

Filed April 30, 1993
@ 1:25 PM

Tax & entry pd. 6/7/93 50.50
User's Fee pd. 6/7/93 5.00

Sheriff's Costs pd. 6/7/93 27.00
Pro. Pd. 6/7/93 9.00

6-7-93 Received from Deft. Sheriffs Costs 27.00

6-7-93 Pd Sheriff Ck# 7590 27.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 30 day of April , 19 93 , 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 Plaintiff shall have custody of the minor child pending further hearing in this matter. The defendant or his parent's shall provide custody to the Plaintiff in front of the Sheriff or his d eputy. This shall be temporary exclusive custody.

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 or 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 the May 6, 1993 , at 11:30 a.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,
Anthony J. Vardaro, J

May 3, 1993 Sheriff's Return filed. SERVED Eric Trypus personally on May 3, 1993 at 8:50 AM at Sheriff's Office, Crawford County Courthouse, Meadville, PA 16335. The Plaintiff has custody of the minor child.

So answers, Robert M.Stevens, Sheriff

May 7, 1993 ORDER filed. AND NOW, May 6, 1993, at the time fixed for hearing in this matter, the plaintiff appeared without counsel and asked for a continuance to obtain counsel. The defendant appeared with counsel and was willing to agree to a continuance, but insisted that Jessica be in the defendant's custody temporarily until custody is decided either in this action or a custody action. FURTHERMORE, the defendant agreed to the entry of an Abuse Order without admission of any wrongdoing or liability and without admitting the allegations contained in the Petition. The plaintiff, upon hearing this, agreed to proceed without counsel, provided an Abuse Order is entered to protect her and the children and provided that she has an opportunity to see Jessica until there is a final hearing on custody and visitation. The Court advised the plaintiff that the issues of continuance and temporary custody were not connected as foar as the Court was concerned and she understood that.

THEREFORE, based upon the agreement of the parties, it is ORDERED as follows:

1. The defendant shall not assault, abuse, harass or threaten the plaintiff or any of the minor children named int he Petition.

2. The defendant shall not go to the plaintiff's residence for any purpose. He may contact her in writing or by telephone to discuss mutual domestic relations matters and child custody/ visitation matters, provided that he is not abusive or threatening in any way.

3. The plaintiff and the defendant shall share joint legal custody of Jessica, but the main primary custodian of Jessica shall be the defendant until further Order of Court. Jessica shall reside with the defendant, but the plaintiff shall have the right to visit and take Jessica into her custody Monday through Friday of each week, and Saturday if the defendant works on Sasturday between the hours of 8:00 p.m. and 5:00 p.m. For these visitations, the defendant shall deliver Jessica to the home of his parents before 8:00 a.m. The plaintiff shall go to the defendant's parents' home to Jessica up at 8:00 a.m. If she does not arrive by 9:00 a.m., the grandparents may assume that that visitation has been canceled and no other time shall be substituted therefor. At the end of the visitation day, the plaintiff shall return Jessica to the paternal grandparents by 5:00 p.m.

These provisions with respect to custody and visitation constitute a Court Order and shall remain in full force and effect until a court of competent jurisdiction in a custody action makes any changes. Once an Order is entered in a custody action, this Order with respect to custody and visitation shall become null and void and have no effect. The Court understands that one or both of the parties will be instituting a custody action in a separate proceedings within the next several days and that the case will proceed to mediation in the normal course. The entry of this Order with respect to custody and visitation is without prejudice and is not binding on the Mediator or the Court in the future. We have not entered this Order after a full hearing and Findings of Fact and Conclusions of Law, but rather have entered this Order simply on the agreement of the parties and it shall have no binding affect on future Custody Orders.

Continued on Page 424A

CHERYL TRYPUS
VS.
ERIC TRYPUS

CONTINUED FROM PAGE 424
of Record
A. D. 1993 - 424

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4. This Order may be enforced without a Warrant of Arrest by any law enforcement officer having reasonable ground to believe it has been violated.

5. A copy of this Order shall be delivered by the Prothonotary to the Pennsylvania State Police and to County Control.

6. This Order shall remain in full force and effect for one year from this date, that is, until May 5, 1994, unless modified or terminated by further Order of Court.

7. The defendant shall pay record court costs in the amount of $91.50 no later than June 7, 1993, by making payment directly to the Prothonotary of Crawford County.

8. The defendant is reminded that th is is an Order of Court and violation of this Order may be punishable by a fine of up to $1,000 and a jail sentence of up to six months.

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

May 7, 1993 copies distributed to Plf, Tinko, Co Control, PASP

424
-6-

1993

1993

Shafer,Swick,Bailey,
Irwin & Stack
James R.Irwin
~~Barbara J. Walton~~

425.

withdrawn
~~Mary Ann Kirkpatrick~~
David DeVine

KIMBERLY BOYLAN

vs.

MICHAEL BOYLAN

Filed. April 30, 1993
@ 1:58 PM

Tax & entry paid	50.50
User's Fee paid	20.00
3 Add'l Counts paid	45.00
State paid	10.00
William Pineo, Mediator	9.00
Pro Co Pd 12-24-93	
William Pineo, Mediator	202.00
Pro Co	9.00
David Pickens, Master	

10-19-93 Received from Med Dep(Pltf) 150.00

12-24-93 Pd Co Ck#7983 10.00

12-24-93 Pd Pltf(Mary) Ck# 7986 40.00

1-23-94 Rec from dft med fee 10.00

3-22-94 Pd Co 3-22-94 #8179 10.00

7-26-94 Rec from dft. Master's Fees 500.00

10-13-94 Rec from Pltf Master's Fee 250.00

3-17-95 Rec'd from Pickens Fee from Master 371.40

4-18-95 Rec'd from Dft Master 284.00

~~Bal 1405.40~~

5-8-95 Pd Dallas Ck Reg #9169 635.40

5-8-95 Pd Master #9170 32.50

Bal 1237.50

COMPLAINT IN DIVORCE, CHILD SUPPORT, ALIMONY PENDENTE LITE, REASONABLE COUNSEL FEES, COSTS AND EXPENSES, PERMANENT ALIMONY, EQUITABLE DISTRIBUTION, CUSTODY
2 copies atty.

May 5, 1993 ACCEPTANCE OF SERVICE, filed. I accept service of the Divorce Complaint on behalf of Michael Boylan and certify that I am authorized to do so. Mary Ann Kirkpatrick

May 19, 1993 Answer and New Matter and Counter-Claim, filed. 1 copy (atty)

May 19, 1993 Inventory filed.

May 21, 1993 Proof of Service of Defendant's Answer with New Matter and Counter-Claim, filed.

May 26, 1993, Answer to New Matter Complaint for Divorce filed.

June 21, 1993 Amended Answer to New Matter and Complaint for Divorce, filed.

June 21, 1993 Proof of Service, filed. I certify that I served a certified copy of Defendant's Amended Answer to New Matter and Complaint for Divorce on Mary Ann Kirkpatrick, Esq., attorney of record for Defendant, by placing it in box in the Prothonotary's Office in the Crawford County Courthouse on June 21, 1993. Barbara J. Walton

July 1, 1993 Income and Expense Statement of Michael Boylan filed.

JUly 7, 1993, Addendum to Inventory of Defendant filed.

Sep. 29, 1993 Affidavit of Consent by Kimberly Maxine Green Boylan, Plaintiff, filed.

Oct. 19, 1993 Appearance of Shafer, Swick, Bailey, Irwin& Stack by James R. Irwin,ESquire for Kimberly Boyland, Plaintiff, filed.

Oct. 20, 1993 Affidavit of Consent of Defendant filed.

Oct. 26, 1993 Motion To Appoint Mediator and Order, filed. AND NOW, this 25 day of October, 1993 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 Mediataor as Required by Rule L1915.26A et. seq. of the Court of Common Pleas of Crawford County, Pennsylvania, it is further ordred and decreed that pending final determination by the Court, the 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:
Anthony J. Vardaro, J.

Nov. 5, 1993 copy to J. Irwin, B. Walton, M.A. Kirkpatrick, W. Pineo

Dec. 23, 1993 TEMPORARY ORDER, filed. AND NOW, this 23rd day of December, 1993, after Mediation in the above referenced matter and upon the recommendatiions 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, Tanya, Brandon and Bradley Boylan.

2. The parties shall share with each other any and all information which each may have regardisng the health, education, and 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.

3a. The mother shall have physical custody of Brandon and Bradley for two one-week periods each month; the first beginning at 5:00 p.m. of the first Friday of each month and ending one week thereafter; and the second beginning on the third Friday of each month at 5:00 p.m. and ending one week thereafter. The father shall have physical custody of Brandon and Bradley the remainder of the time. The father shall have physical custody of Tanya and the mother shall have temporary physical custody and visitation two days each week to be arranged with due regard to Tanya's schedule of school activities. If the paraties cannot arrange a time, then the weekly visitation periods shall begin on Sunday at 2:00 p.m. and end on Tuesday at 6:00 p.m.

b. The subject minor 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: There shall be three Christmas visitation periods. The first shall begin on Christmas Eve at 8:00 a.m. and ending Christmas Eve at 8:00 p.m.; the second shall begin Christmas Eve at 8:00 p.m. and end Christmas Day at noon; and the third shall begin Christmas Day at noon and end Christmas Day at 8:00 p.m. For Christmas, 1993, the father shall have the first and third periods and the mother shall have the second period. For Christmas, 1994, the mother shall have the first and third periods and the father shall have the second period, and the parties shall thereafter alternate in that fashion.

b. Thanksgiving: There shall be two Thanksgiving visitation periods. The first shall begin on Thanksgiving Day at 8:00 a.m. and end Thanksgiving Day at 2:00 p.m., and the second shall begin Thanksgiving Day at 2:00 p.m. and end Thanksgiving Day at 8:00 p.m. For Thanksgiving, 1994, the mother shall have the first period, and the father shall have the second, and the parties shall thereafter alternate.

c. Easter: There shall be two Easter visitation periods. The first shall begin at 8:00 a.m. of Easter Sunday and end at 2:00 p.m. of Easter Sunday, and the second shall begin at 2:00 p.m. of Easter Sunday and end at 8:00 p.m. Easter Sunday. For Easter, 1994, the father shall have the first period, and the mother shall have the second, and the parties shall thereafter alternate.

d. The other holidays to be observed are Memorial Day, Independence Day, and Labor Day.

Continued on Pg. 460

1993

Shapiro & Kreisman
Carolee Berasi

426.

AMERICA"S LENDING NETWORK, INC.

vs.

PAUL D. WILLETT, SR.
JUDITH C. WILLETT

Filed April 30, 1993
@ 1:58 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	31.00
Pro Co pd 7-1-93	9.00

COMPLAINT IN MORTGAGE FORECLOSURE
2 copies Sheriff

May 14, 1993 SHERIFF'S RETURN filed. SERVED Paul D. Willett, Sr. on May 13, 1993 at 3:51 PM by handing a copy of the Complaint in Mortgage Foreclosure to Judith C. Willett, his Authorized Agent, in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, Pa. Signed Acceptance of Service attached.
SERVED Judith C. Willett personally on May 13, 1993 at 3:50 PM by handing a copy of the Complaint in Mortgage Foreclosure to her in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville,Pa.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

And Now, July 1, 1993 @ 2:21 p.m. upon praecipe of plaintiff's attorney judgment is entered for Forty-six thousand six hundred thirty-five dollars and 22/100 in favor of the Plaintiff and against the Defendant(s) for failure to file an answer to Plaintiff's Complaint within 20 days from service thereof and assess Plaintiff's damages as follows and calculated as stated in the Complaint:

Principal of mortage debt due and unpaid	$38,723.99
Title Search and Bringdown	200.00
Interest at 9.5% from March 1, 1992 through June 28, 1993 (Each day, add $10.00 after June 28, 1993)	4,886.56
Late charges: 15 @ $16.52 from April 1, 1992 through June 30, 1993 (On the 16th of each month add $16.52 after June 28, 1993)	247.80
Escrow Deficit	577.58
itemized Property Maintenance	63.10
Attorneys Fees (anticipated and actual to 5% of principal)	1,936.19
TOTAL AMOUNT DUE	$46,635.22

Entered 7-1-93
W - 91, 131

Debt: 46,635.22
JUDGMENT
Barbara H. King, Pro.

Ex. 1993 - 55

1993

Blystone & Blystone
Curtis E. Blystone

427.

Gregory L. Heidt
Bernadette DeVore

WILLIAM A. WINKLER

vs.

KELLY L. WINKLER

Filed April 30, 1993
@ 2:26 PM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count pd	15.00
State paid	10.00
Pro Co pd 8-20-96	15.00
User's fee pd 8-20-96	5.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION OF PROPERTY
1 copy atty.

May 4, 1993 Affidavit of Service filed.
1. The undersigned, Curtis E. Blystone, is attorney for William A. Winkler, plaintiff in the above captioned civil action.
2. On April 30, 1993, affiant mailed a true and correct copy of the Complaint, endorsed with Notice to Defend and Claim Rights, to the defendant, Kelly L. Winkler, by certified mail, restricted for delivery to the addressee, posted at the Meadville, Pennsylvania, United States Post Office, and bearing Article No. P 147 764 313 as indicated by the attached receipt for certified mail.
3. The aforesaid certified mail article was delivered to the defendant, Kelly L. Winkler,on May 3, 1993 as indicated by the attached return receipt.
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.
Dated; May 4, 1993 Curtis E. Blystone, ESquire
for Plaintiff

May 18, 1993 Appearance of Gregory L. Heidt, Esquire for Kelly L. Winkler, Defendant, filed.

Aug. 12, 1996 Appearance filed. AND NOW, this 12th day of August, 1996, enter my appearance on behalf of the above named defendant. Respectfully submitted,
Bernadette M. DeVore, Esq.

Aug. 20, 1996, Upon praecipe of dft. counsel, Verification for Answer and Counterclaim filed.

Aug. 20, 1996, Acceptance of Service of Answer and Counterclaim by Curtis Blystone, plff. atty.

Aug. 22, 1996 ORDER filed. AND NOW, August 21, 1996, we have before us a Motion for Entry of a Temporary Order which is consented to by both parties and addresses various issues including:
1. Exclusive possession of the marital residence.
2. The use of certain automobiles.
3. Custody and temporary physical custody of the minor children.
There are several reasons why we cannot sign this Order. First of all, while the custody issue is properly before the Court, we will not sign a consent order until the parties have completed the mandatory Seminar for Separating Parents.
Additionally, with respect to the other issues, while equitable distribution has been raised, there is no petition for special relief before the court that would allow a temporary order to be entered. To enter an order addressing equitable distribution issues otherwise would be tantamount to bifurcating those issues from the divorce.
BY THE COURT:
Anthony J. Vardaro, J.
8-22-96 DISTRIBUTED DeVore & Blystone

Aug. 22, 1996 Motion for entry of Temporary Order filed.

Aug. 19, 1996 Answer and Counterclaim and Order and Notice filed. AND NOW, this 23 day of August, 1996, a complaint in divorce being filed herewith which avers that there are children of the marriage under the age of 18 years it is ORDERED and DECREED that the parties 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 Services, Inc. 213 Center Street, Meadville, Pennsylvania-16335; the Office of the Prothonotary in the Crawford County Courthouse; or the Court Administrator's Office in the Crawford County Courthouse.
BY THE COURT:
Anthony J. Vardaro, J.
NOTICE AND ORDER TO APPEAR: You, William A. Winkler, Plaintiff, have been sued in court to obtain custody, partial custody of visitation of the child: Brandon Paul Winkler.
BY THE COURT:
Anthony J. Vardaro, J.
8-26-96 FAXED Devore & Blystone

Sept 13, 1996 Certificate of completion of the Seminar for Separating Parents for KELLY L. WINKLER, filed.

Sept 26, 1996 Certificate of completion of the Seminar for Separating Parents for WILLIAM A. WINKLER, filed.

For Future entries see Computer Docketentries

1993

Northwestern Legal Services
R. Christopher Brode

428.

CAROL NAHLINGER

vs.

HILDA EBERHARDT and LARRY D. BALL

Filed April 30, 1993
@ 2:29 PM

Indigent Filing
Forma Pauperis

John Fuller, Mediator	150.00
Pro Co.	9.00

HABEAS CORPUS CUSTODY AND SPECIAL RELIEF

Order:

You, Hilda Eberhardt, Defendant have been sued in Court to obtain custody of the minor child, Charles L. Ball.
John Fuller, Esq. is appointed child custody mediator and you shall appear in front of him for mediation conference when he so designates.
If you fail to appear as provided by this order, an Orde 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 Department is directed to serve a certified copy of this Complaint and Order upon the defendant. In the alternative, this Petition andOrder may be served by any competent adult or by certified mail.
Plaintiff is allowed to proceed without payment of Court costs reserving to the Court the right to impose costs.
No pa rty may remove the minor child, Charles L. Ball, form the Commonwealth of Pa. without further order of Court pending mediation.
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, Pennsyvlania
(814) 336-1151, ext. 298

BY THE COURT,
Anthony J. Vardaro, J

May 5, 1993 Praecipe to Proceed in Forma Pauperis, filed.

May 13, 1993 PROOF OF SERVICE filed. I hereby certify that a copy of the foregoing Order and Custody Petition was served upon Defendant, Hilda Eberhardt at 1202 Water St., Conneautville, Pa. 16406, by Certified Mail, Return Receipt Requested on May 12, 1993. R. Christopher Brode

Jun. 15, 1993 ORDER filed. AND NOW, June 11, 1993 after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:
I. Legal custody of Charles L.Ball shall be with the child's mother, Carol Nahlinger.
II. Physical custody of Charles L. Ball shall be with his mother, subject to the following conditions:
A. The paternal grandmother,Hilda Eberhart, shall be entitled to visit and take the child into her custody the first, third and fourth weekends of each month from 6:00 o'clock p.m.on Friday to 6:00 o'clock p.m. onSunday, beginning June 18, 1993. The first,third and fourth weekends shall be deemed to be those weekends when the first third and fourth Fridays of each month fall.
B. Holidays shall be defined as Christmas, Easter, and Thaksgiving. Custody of the child shall be shared on the aforesaid holidays and in the absence of an agreement to the contrary, the child 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 paternal grandmother on the aforesaid holidays from 1:00 o'clock p.m. until 6:00 o'clock p.m.
C. Transportation of th child on weekends and holidays shall be provided by the paternal grandmother.
D. Neither mother nor paternal grandmother shall say or do anything in an attempt to turn the child against the other party, 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 mother, father and paternal grandmother.
E. Neither mother nor paternal grandmother shall expose the child to any person or situation which may be harmful to the child's health or well being.
F. Both parties agree to inform t he other immediately of any illness or injury regarding the child and both parents agree to furnish the other with a current telephone number.
G. Children and Youth Services is directed to visit the mother within fifteen (15) days of the date hereof to ascertain that the child is safe and to offer the mother any available programs designed to help her with parenting.
H. This order is entered without prejudice to the right of any party to request a further conference anyting after September 15, 1993.
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.
Anthony J.Vardaro, J.
June 22, 1993 Copy of Order to Atty. Brode, Eberhardt, Atty. Fuller & C&Y

July 6, 1993 ORDER filed. AND NOW, July 6, 1993, the following provision is added to the Order dated June 11, 1993.
V. The paternal grandmother, Hilda Eberhart, shall not remove the child from Crawford County Pennsylvania, unless authorized to do so by further Order of Court. Anthony J. Vardaro, J.
July 9, 1993 copy to C. Brode, J. Fuller & H. Eberhart & C&Y

Dec. 8, 1993 Order filed. AND NOW, December 6, 1993 the above matter is referred to John Fuller, Esquire, for the purpose of scheduling and holding a child custody mediation conference.
Anthony J. Vardaro, J

Dec. 15, 1993 Copies of order to Brode, CYS and Fuller

Continued on Page 428A

1993 TERM

	Carol Nahlinger vs. Hilda Eberhart and Larry D. Ball	CONTINUED FROM PAGE 428 of Record A. d. 1993 - 428

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Mar. 11, 1994 ORDER filed. AND NOW, March 10, 1994 after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED that the prior Order entered on June 11, 1993 in the above captioned case shall remain in full force and effect.

This order is a temporary order but shall become a permanent order unless exceptions thereto are filed within ten (10) days of the date hereof.

Cost of the mediation conference shall be paid by Crawford County. Anthony J. Vardaro, J.

Mar. 21, 1994 copy to C. Brode J. Fuller, H. Eberhart, L. Ball & N. Wolfe (No Address)

428
-b-

1993 TERM

1993

429.

Bruce A. Barrett

APPLICATION FOR EXTENDED
INVOLUNTARY TREATMENT

of

LINDA L. SHAFFER

Filed May 3, 1993
@ 10:27 am

APPLICATION FOR EXTENDED INVOLUNTARY TREATMENT
Mental Health Procedures Act of 1976
(Section 303)

May 6, 1993 Certification by the Court for Extended Involuntary Emergency Treatment - Section 303 Filed.

Feb. 12, 1996 Mental Health Procedures Act of 1976 (Sections 304 and 305) filed.

Report of Mental Health Review Officer and Order, filed. Alnd now, February 16, 1996, 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 **Linda L. Shaffer** be committed to **Warren State Hospital** for treatment for a period not to exceed **90** days.

This order shall take effect on **February 22, 1996.**
Feb. 21, 1996 copy to Barrett, MH/MR, WSH

1993

Northwester Leg. Servs.
Gerald Sullivan

430.

JANICE C. KOZLOWSKY

vs.

JOE P. SWISHER

Filed May 3, 1993
@ 12:03 PM

Tax & entry	50.50
User's Fee	5.00
Sheriff's Costs	47.20
Pro Co	9.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this day of , 19 , 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: Defendant shall not contact Plaintiff in any way. He shall not go to her residence or 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 or 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 the May 11, 1993 , at 1:00 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,
Gordon R. Miller, J

May 10, 1993 Sheriff's Return filed. SERVED Joe P.Swisher by deputizing the Sheriff of Centre County, PA. As per telephone call from Center County Sheriff's Office,Joe P.Swisher was served personally on May 6, 1993 at 11:20 AM by their Deputy Tim Waite. No Affidavit of Service has been received yet but will be forthcoming.
So answers, Robert M.Stevens, Sheriff

May 13, 1993 SHERIFF'S RETURN filed. I hereby deputize the Sheriff of Centre County, Pa. to serve the within Protection From Abuse according to law. The defendants alleged address is c/o employment: Holiday Inn-1450 S. Atherton st. State College, Pa. Residence: 250 First Ave., Lemont, Pa. (Lower Apt.) Robert M. Stevens, Sheriff Cr. Co.
AFFIDAVIT OF SERVICE: SERVED the within Protection From Abuse on May 6th, 1993, at 11:20 AM, upon Joe Swisher at Holiday Inn, 1450 S. Atherton st., State College, Pa. by handing to Joe Swisher a true and correct copy thereof and made known to Joe Swisher the contents therein.
Denny Nau, Sheriff Centre County

May 17, 1993 ORDER filed. AND NOW, May 11, 1993, at the time fixed for hearing in this matter, the plaintiff appeared with counsel. The defendant did not appear, although it appears that he was properly served with process in this case.
The Court is satisfied that the plaintiff has proven by the fair weight and preponderance that the defendant engaged in physical abuse as that is prohibited by th is Act, and accordingly, enters the following Order:
1. The defendant shall not abuse, assault, harass or threaten the plaintiff in any manner.
2. The defendant shall not contact the plaintiff in any manner. He shall not go to her residence or place of work. He shall not contact her by telephone or in writing.
3. A true and correct copy of this Order shall be mailed to the defendant at his residence or place of work by Certified Mail, Return Receipt Requested, Delivery Restricted to Addressee Only. That shall be done by plaintiff's counsel. Plaintiff's counsel shall then file an appropriate Proof of Service with the Prothonotary.
4. This Order may b eenforced 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 Pennsylvania State Police in Meadville and to County Control by the Prothonotary.
6. This Order shall remain in full force and effect for one (1) year until modified or terminated by further Order of Court. In the event that the plaintiff invites the defendant to violate this Order to have contact with her, the defendant should resist because that would amount ot contempt of court. If the parties wish to change the terms of this Order, they must file an appropriate motion or petition with the Court followign Motions and Petitions Practice in the Court of Common Pleas of Crawford County.
7. The defendant shall pay the record costs in this case in the amount of $111.70 by making the payment to the Prothonotary of Crawford County no later than June 11, 1993. If he fails to pay the costs by that time, he may, after further proceedings, be held in contempt of court. The Prothonotary shall monitor the payment of this amount.
8. 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 and a jail sentence of up to six (6) months.

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

May 21, 1993 copy to G. Sullivan & Dft. Also State Police & Co. Control

Continued on Page 430A

1993

	Janice C. Kozlowskyy vs. Joe Swisher	CONTINUED FROM PAGE 430 of Record A. D. 1993 - 430
June 4, 1993 Affidavit of Service filed. I hereby certify that a copy of the May 11, 1993 Order in the above case was sent to the defendant by U.S. certified mail on May 18, 1993. Return receipts signed by the defendant are attached. Gerald Sullivan		

430
-6-

1993

1993

Rodgers, Perfilio,
Heiman & Sewinsky, PC
Herman M. Rodgers

431.

GEORGE L. BALL

vs.

DEBRA A. CORNELL

Filed May 3, 1993
@ 1:15 PM

Tax & entry paid 50.50
User's Fee paid 5.00

COMPLAINT IN CIVIL ACTION
no copies

May 20, 1993 Defendant's Answer and New Matter filed.

July 1, 1993 Reply To New Matter filed.

1993

Pepicelli, Youngs
& Youngs
Christopher J. Youngs

432.

$150.00 deposited by
Plaintiff for mediation
6-7-93 Pd Plf Meddip
Refund Ck# 7587
141.00

DONNA J. MOOK

vs.

LEON W. MOOK

Filed May 3, 1993
@ 3:14 PM

Tax & entry paid	50.50
User's Fee paid	5.00
John Fuller, Mediator	150.00
Pro Co Pd 6-28-93 Ck 7635	9.00

COMPLAINT FOR CUSTODY
3 copies atty; 1 copy mediator

Order:
You, Leon W. Mook, Defendant, have been sued in Court to obtain custody of the child: Charles Michael Mook
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.
Court Administrator
Crawford County Courthouse
Meadville, PA 16335
Telephone: (814) 336-1151 Ext. 298

BY THE COURT,
Gordon R. Miller, J

Date: May 3, 1993

May 10, 1993 PROOF OF SERVICE, filed. I hereby certify that a copy of Complaint For Custody was served upon the Defendant, Leon W. Mook, by mailing the same tohim at 10780½ Etter Road, Waterford, Pa. 16441, by Certified Mail, Addressee Only, Return Receipt Requested, Number P 899 090 081. Complaint was received on May 5, 1993, signed receipt attached hereto as Exhibit "A".
Christopher J. Youngs.

June 3, 1993 ORDER filed. AND NOW, June 2, 1993 after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of CHARLES MICHAEL MOOK 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 CHARLES MICHAEL MOOK 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 every other weekend from 6:00 p.m. on Friday to 6:00 p.m. on Sunday, beginning June 4, 1993.

B. Holidays shall be defined as Christmas, Christmas vacation and New Year's Day. Custody of the child shall be shared on the Christmas and New Years's holiday and in the absence of an agreement to the contrary, the child shall be in the custody of the mother on Christmas Day until 4:00 p.m. and in the custody of the father on the aforesaid holidays from 4:00 p.m. on Christmas Day until 4:00 p.m. on New Year's Day.

C. Beginning with the Summer of 1993, the child shall be in the custody of the father 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. If the child wishes, the child can spend the weekend in the middle of the two (2) week period with his mother.

D. Transportation of the child on weekends, holidays and Summer visits shall be provided by the father.

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 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. Mother shall also give father at least thirty (30) days notice of her annual summer vacation, beginning in 1994.

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 haerof.

IV. Cost of the mediation conference shall be paid by Crawford County. The Prothonotary of Crawford County is hereby directed to refund the deposit paid in advance by the Plaintiff, less the cost of the custody order.

Anthony J. Vardaro, J.

June 11, 1993 copy to C. Youngs, Plf. & Dft.

1993

Gerald Sullivan

433.

IDA LINDSTROM

vs.

DALE LINDSTROM

Filed May 3, 1993
@ 3:43 PM

Tax & entry	50.50
User's Fee	5.00
Sheriff's Costs	25.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

Order:

And now, this 3 day of May , 1993 , 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 Plaintiff shall have temporary execlusive possession of the marital home and temporary exclusive custody of the minor children pending further order of court.

3. This Order may be enforced without a warrant 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 or 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 May 11, 1993 , at 1 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 COURT,
Anthony J. Vardaro, J

May 4, 1993 Sheriff's Return filed. SERVED Dale Lindstrom personally on May 3, 1993 at 4:35 PM by handing a copy of the Protection from Abuse at the Meadville Mental Health Center, Meadville Medical Center, 1034 Grove Street, Meadville, Crawford County,PA.
So answers, Robert M.Stevens, Sheriff

May 17, 1993 ORDER filed. AND NOW, May 11, 1993, at the time fixed for this hearing, the plaintiff appeared with counsel. The defendant appeared without counsel, was advised as to the nature of the proceedings and he understood it. The parties have reached a settlement of this case. The defendant is willing to have this Order entered, but he does not admit that he engaged in the conduct set forth in the petition.

Based upon the agreement of the parties, 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. The defendant shall not go to the plaintiff's residence or place of work.

3. Custody of the four minor children is awarded to the plaintiff temporarily, with the parties agreeing from time to time on reasonable periods of time when the defendant may see and visit his children. These provisions on custody and visitation shall last for the duration of this Order or until an Order is entered ina custody or visitation action by a court of competent jurisdiction.

4. This Order may be enforced without a Warrant of Arrest by any law enforcement officer having reasonable ground to believe it has been violated.

5. A copy of this Order shall be delivered to the Pa. State P olice and to County Control by the Prothonotary.

6. This Order shall remain in full force and effect for a period of one (1) year from this date until modified or terminated by further Order of Court.

7. Since the defendant is not working and the plaintiff has a limited income, costs shall be paid by Crawford County.

8. Tahe 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 and a jail sentence of up to six (6) months.

9. The parties are avised that the plaintiff should not invite the defendant to violate this Order. If she wants him to come to her place of work or place of residence, the defendant should not go until this Order has been amended by a further Court Order. If the parties wish to amend or modify this Order, they shall file an appropriate motion or stipulation with the Court in keeping with the Crawford County Rules of Civil Procedure Regarding Motions and Petitions.

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

May 17, 1993 copies sent to Co. Control, PSP, Sullivan
May 24, 1993 copy sent to Dft.

1993

Thomas Spadafore Walker
& Keenan, LLp
John e. Nagurney

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

434.

BANK ONE, YOUNGSTOWN, N.A.

vs.

GERALD L. ENNIS, and JUDY A. ENNIS, his wife

Filed May 3, 1993
@ 4:14 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	31.00
Pro Co pd 10-11-93	9.00
Pro Co pd 1-16-98	5.00

COMPLAINT IN CIVIL ACTION
3 copies Sheriff

May 14, 1993 SHERIFF'S RETURN filed. SERVED Gerald L. Ennis personally on May 13, 1993 at 3:12 PM by handing him a copy of the Complaint in the Sheriff's Office, Third Floor, Crawford County, Courthouse, Meadville, Pa.

SERVED Judy A. Ennis on May 13, 1993 at 3:10 PM by handing a copy of the Complaint to Gerald L. Ennis, her Husband and Authorized Agent, in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, Pa. Signed Acceptance of Service attached.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Oct. 11, 1993 And Now, upon praecipe of plaintiff's attorney judgment is hereby entered agaisnt the above named defendants in the sum of Eight Thousand Seven Hundred One Dollar and 31/100, plus interest from February 26, 1993 at the rate of 11.5% and costs of suit for failure to file an Answer.
Entered 10-11-93 Debt: $8,701.31 plus interest and costs
E - 73, 93 JUDGMENT
Barbara H. King, Pro.
Oct. 19, 1993 Notice of entry of Judgment sent to Dfts.

Dec 22, 1997 Upon praecipe of plaintiff attorney the above Judgment is satisfied of record.

1993

Northwestern Legal Services
R.Christopher Brode

435.

CHERYL MAURI

vs.

DOUGLAS MAURI

Filed May 4, 1993
@ 9:03 AM

6-23-93 Received from Deft Sheriff's Costs 25.00

Pd Sheriff 6-24-93 Ck# 7628 25.00

Tax & entry Pd 6-23-93 50.50
User's Fee Pd 6-23-93 5.00
Sheriff's Costs 25.00
Pro Co Pd 6-23-93 9.00
Pro Co pd 7-6-93 5.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

Order:

And now, this 4th day of May , 19 93, 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: Defendant shall not contact plaintiff in any way. Sole possession of the marital residence is awarded to plaintiff custody of the childrenis awarded to plaintiff.
3. This Order may be enforced without a warrant 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 remainin full force and effect until modified or terminated by further order of this Court. Liability fo payment or fees and costs will be determined by final court order.
7. The Defendant is remianded 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 May 12, 1993, at 8:45 A.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 COURT,
Gordon R. Miller, J

May 4, 1993 SHERIFF'S RETURN, filed. SERVED Douglas Mauri personally on 4, 1993 at 9:25 AM by handing him a copy of the Protection from Abuse at his temporary place of custody in the Crawford CountyJail, 360 Center St., Meadvill, Crawford County, Pa.
So answers, Robert M. Stevens, Sheriff

May 13, 1993 Motion for Continuance of Protection from Abuse Hearing and Order filed. AND NOW, this 12th day of May, 1993,upon consideration of the attached motion,the Court grants the request to continue the scheduled hearing to the 18th day of May, at 9:00 A.M. In addition,the temporary order previously entered will remain ineffect pending further order of the court. Plaintiffs counsel shall notify Defendant of this change forthwith.

Gordon R. Miller, J.

May 17, 1993 Copy of Order to Atty.Brode.

May 19, 1993 ORDER filed. AND NOW, May 18, 1993, this matter is before the Court on a Petition for Relief Under the Protection From Abuse Act filed by the plaintiff.

The plaintiff appears with counsel and the defendant appears without counsel and indicates that he has been unable to obtain counsel and ""guesses" that he wishes to go forward without counsel, particularly in light of the fact that the parties have reached an agreement with respect to this matter.

ACCORDINGLY, we enter the following Order:

1. The defendant shall not assault, abuse, harass or threaten the plaintiff, nor shall he do so to Timothy Hershelman, Jennifer Hershelman or Sarah Mauri.
2. This Order may be enforced without a Warrant of Arrest by any law enforcement officer having reasonable grounds to believe it has been violated.
3. A copy of this Order shall be delivered to the Police Departments in the jurisdiction where the plaintiff resides and to County Control.
4. The plaintiff currently resides at 677 Washington Street in the City of Meadville.
5. 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 and a j ail sentence of up to six (6) months.
6. The defendant shall pay court costs in this matter in the amount of $89.50 within 90 days of this date. Those costs shall be paid to the Prothonotary on the First Floor of the Crawford County Courthouse in Meadville, Pennsylvania.
7. This Order shall remain in full force and effect for a period of one (1) year from this date, or May 17, 1994.

BY THE COURT,
Anthony J. Vardaro, J.

May 19, 1993 copies distributed to Sullivan, Co. Control, MCPD & Dft.

July 6, 1993 MOTION TO VACATE PROTECTION FROM ABUSE ORDER and ORDER, filed. ORDER: AND NOW, this 6 day of July, 1993 upon receipt and review of the plaintiff's motion to vacate and terminate the Protection from Abuse Order of May 18, 1993, said motion is granted and the Protection from Abuse Order is hereby vacated and terminated.

A true and correct copy of this Order shall be delivered by the Prothonotary to Douglas Mauri and to County Control.

Any provisions of the Protection from Abuse Order of May 18, 1993 assessing court costs shall remain in full force and effect without change or modification and the party or parties against whom costs were assessed shall remain obligated to pay the costs.

BY ORDER OF COURT
Anthony J. Vardaro, J.

July 9, 1993 copy to County Control, Mdvl. Pol. Dept. D. Mauri

1993

436.

BETTY LOU MEALEY

vs.

JERRY LEE MEALEY

Filed May 4, 1993
@ 11:48 AM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro.Co. pd 1/11/94	9.00
Pro Co. pd 10/19/94	5.00

COMPLAINT IN DIVORCE,
2 copies Plft.

Jan. 11, 1994 Certificate of Service filed. I hereby certify that a true and correct copyof the attached Complaint in Divorce was mailed by certified mail to: Jerry Lee Mealey
4226 Lot 10
Sandy Lake,PA 16145

Jan. 11, 1994 Affidavit of Non-Military Service, filed.

Jan. 11, 1994 Affidavit of Consent by BettyLou Mealey, Plaintiff, filed.

Jan. 11, 1994 Affidavit of Consent by Jerry Lee Mealey, Defendant, filed.

Jan. 11,1994 Acceptance of SErvice filed. I accept service of the Complaint in Divorce under Section 201C of the Divorce Code.
Date 8-12-93 Jerry L. Mealey

Jan. 11, 1994 Upon Praecipe of Betty Lou Mealey, Plaintiff, to transmit record, case moved to Court.

DIVORCE DECREE FILED

Jan. 17, 1994 AND NOW, January 17, 1994, it is ordered and decreed that BETTY LOU MEALEY, plaintiff, and JERRY LEE MEALEY, 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 roder has not yet been entered adn which has not been withdrawn by the party making the claim.

BY THE COURT,
Gordon R. Miller, J.

Oct. 19, 1994 Notice of Election To Retake Maiden Name filed, to be known as Betty Lou Eakin.

1993

Barbara J. Walton

437.

GORDON E. KEARNS

vs.

LINDA RAE KEARNS

Filed May 4, 1993
@ 3:17 PM

Tax & entry paid	50.50
User's Fee paid	15.00
2 Add'l counts pd	30.00
State paid	10.00
Pro Co Pd 10-18-93	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION, CUSTODY
2 copies atty.

May 10, 1993 Affidavit of service filed. AND NOW, May 10, 1993, comes Lisa M. Sherretts being duly sworn according to law, deposes and sets forth as follows:

1. That she is the legal assistant of Attorney for Gordon Kearns 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, P 899 097 868; postmarked May 5, 1993, to the last known address of the Defendant, Linda Rae Kearns, P.O. Box 191, Conneaut Lake, PA 16316.
3. That the Defendant, Linda Rae Kearns, on May 6, 1993, person ally signed the return receipt card which was affixed to the Complaint in the above-matter and which is attached hereto.
4. Service ofthe Complaint against Defendant is therefore effecte in accordance with Pennsylvania Rules of Civil Procedure.

Lisa M. Sherretts

Oct. 11, 1993 Property Settlement and Consent Custody Agreement filed.

Oct. 14, 1993 Affidavit of Consent of Defendant filed.

Oct. 18, 1993 Upon praecipe of plaintiff's attorney to transmit record, case moved to Court.

Nov. 1, 1993 Affidavit of Consent of Plaintiff, filed.

DIVORCE DECREE FILED

Nov. 12, 1993 FINAL ORDER OF COURT, And Now, this 12th day of November, 1993, 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. The bonds of marriage between plaintiff, Gordon E. Kearns, and defendant, Linda Rae Kearns, are dissolved because the marriage is irretrievably broken. Plaintiff and Defendant are divorced from the bonds of matrimony.

AND IT IS FURTHER ORDERED, ADJUDGED, AND DECREED, that the terms, provisions and conditions of the PROPERTY SETTLEMENT AGREEMENT between the parties herein, dated oct. 11, 1993 incorporated in this decree and order by reference as fully as though the same were set forth herein, at length.

1. The Property Settlement Agreement between the parties herein, was executed voluntarily after full disclosure and is for the best interest of the parties. The parties are ordered to comply with it..
2. This Honorable Court shall retain jurisdiction of this matter.
3. Plaintiff and Defendant have reached an agreement as to the equitable distribution of property and debt as follows:
   a. Husband and Wife have divided all personal property between themselves.
   b. The wife shall retain the marital home and assume all responsibilities for the morrgage or any future mortgage lien. The husband shall sign a Quit Claim deed transfering title to the wife.
4. Legal custody of the 3 minor children, Ryan, Tiffany, and Robert Kearns shall be shared between the parties. Primary physical custody fo the children shall be with the mother, with partial custody and visitation with the father as provided in the Property Settlement and Consult Custody Agreement.

By the Court:
Gordon R. Miller, J.

1993

Ferguson & Spataro
Douglas W. Ferguson

438.

ELIZABETH J. ALLEN, now by marriage, ELIZABETH J. LANG

vs.

RONALD O"CONNER and WILLIAM C. HEISEY, III and DIANA M. HEISEY, his wife

Filed May 5, 1993
@ 8:34 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	37.00
	9.00

Pro Co Pd 6-7-93

COMPLAINT IN ACTION OF MORTGAGE FORECLOSURE
4 copies atty.

May 25, 1993 SERVED Ronald O'Connor personally on May 14, 1993 at 1:50 PM by handing a copy of the Complaint in Mortgage Foreclosure to him in the Sheriff's Office, Crawford County Courthouse, Meadville, Pa.

SERVED William C. Heisey, III, on May 14, 1993 at 1:51 PM by handing a copy of the Complaint in Mortgage Foreclosure to Ronald O'Connor, his Authorized Agent, in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, Pa. Signed Acceptance of Service attached.

SERVED Diana M. Heisey on May 14, 1993 at 1:52 PM by handing a copy of the Complaint in Mortgage Foreclosure to Ronald O'Connor, her Authorized Agent, in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, Pa. Signed Acceptance of Service attached. So answers, Carole Stefanucci, Dep. Sheriff
Robert M. Stevens, Sheriff

June 7, 1993, 4:07 p.m., AND NOW upon Praecipe of Plaintiff attorney,, with copy of Notice of Intention to file default judgement 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	$75,677.75
Interest at 9% per annum from Sept. 4, 1992 to June 4, 1993	4,469.63
Reasonable attorneys fees of 5% of mortgage debt per mortgage note	3,982.00
Total debt and attorneys fees together with interest on principal debt at rate of 9% per annum from June 4, 1993	
	$88,599.00

O-143,H-176,46
Judgment entered June 7, 1993

Debt $88,599.00
Interest from 6/4/93
Judgment
Barbara H. King, Pro.

6-15-93 Notice of entry of judgment mailed defendants.

EXECUTION NO. 1993 - 49

1993

Watts & Pepicelli
Christopher D. Ferry

439.

JOY A. WILLIAMS

vs.

BRIAN S. WILLIAMS

Filed May 5, 1993
@ 3:53 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 9-1-93	9.00

COMPLAINT IN DIVORCE
1 copy atty.

May 11, 1993 Certificate of Service filed. Christopher D.Ferry, Esquire, hereby certifies tht he is the attorney for thePlaintiff in the within action and that a Complaint in Divorce was sent to the Defendant, Brian S. Williams, RD#1,Carlton,PA 16311, by certified mail, return receipt requested, addressee only, on May 5, 1993 and was received on May 6, 1993. The receipt for certified mail and the return receipt are attached hereto as Exhibit "A".
By Christopher D. Ferry, Esquire

Sept. 1, 1993 Affidavit of Consent of Plaintiff, filed.

Sept. 1, 1993 Affidavit of Consent of Defendant, filed.

Sept. 1, 1993 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Sept. 9, 1993 AND NOW, Sept. 7, 1993, it is ordered and decreed that JOY A. WILLIAMS, plaintiff, and BRIAN S. WILLIAMS, 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.

Bruce A. Barrett

440.

DONALD MCCLOSKEY

vs.

BERNARD R. WAGNER
WAGNERCREST FARMS

Filed April 5, 1993
@ 4:02 PM

Tax & entry paid	50.25
User's Fee paid	5.00
Pro.Co. pd 11/3/93	15.00

JURY TRIAL DEMANDED

APPEAL OF DEFENDANT FROM DECISION OF
DISTRICT JUSTICE WILLIAM CHISHOLM

Apr. 5, 1993 Rule entered upon the Plaintiff to file a Complaint issued.

May 7, 1993 Proof of Service of Notice ofAppeal and Rule to File Complaint filed.

May 25, 1993 Complaint filed.

June 4, 1993 AFFIDAVIT OF SERVICE, filed. I. Bruce A. Barrett, being duly sworn, deposes and says that the following facts in support of this Affidavit of Service are true and correct to the best of my knowledge, information and belief.

1. The Affiant is the Defendant in the above captioned action.
2. A true and correct copy of the Complaint with an attached Notice to Defend and Claim Rights was sent by certified, restricted mail to the Defendant.
3. The certified mail was sent to said Defendant at RD 6, Meadville, Pa. 16335, on or about May 26, 1993. The sender's receipt is attached hereto.
4. The Defendant received said certified mail on May 28, 1993. Said receipt card number 147 766 774 is attached hereto and signed by the Defendant.
5. The return receipt card signed by the Defendant was returned after signature to the office of Bruce A. Barrett, 965 South Main St.,Meadville, Pa. 16335.

June 22, 1993 Answers and Counterclaim, filed. (1 copy dft.)

July 8, 1993, Reply to Counterclaim filed.

July 9, 1993 Certificate of Readiness, filed.

ON TRIAL LIST FOR OCTOBER 1993

Sept. 28, 1993 Order filed. AND NOW, September 27, 1993, at the call of the civil jury list counsel for the Planitiff and the Defendant, pro se, agree that this matter should be referred to arbitration and, therefore, it is ORDERED as follows:
1. This case is stricken from this trial list.
2. The matter should be referred to a Board of Arbitrators. One of the parties shall file a praecipe within twenty (20) days from this date and the Rules, including Local Rules, should be followed with respect to the arbitration proceeding.

BY ORDER OF THE COURT,
Gordon R. Miller,

Sept. 28, 1993 Copies dist. to Deft and Barrett

Nov. 3, 1993 Upon praecipe of Plaintiff Attorney for appointment of Arbitrators, the following Arbitrators are appointed.

James Irwin, Ch
James Irwin ~~Robert Felton~~, Chairman ~~Alan Pepicelli~~
Nancy Sennett
~~M. Kathryn Karn~~
~~Mark Prather~~ Ann Gamble

Jan. 4, 1994 Arbitrators take qualifying oath.

Jan. 18, 1994 Notice of Arbitration Hearing filed.

Feb. 14, 1994, UPon praecipe of ch. of Arb. Board, Alan L. Pepicelli, withdrawn because of conflict of interest.

Mar. 2, 1994, Upon letter from M. Kathryn Karn, withdrawn because of conflict, and Mark Prather substituted in her place.

4-14-94 Copy of Appointment of Arbitrators to Atty. Barrett & Deft.

May 18, 1994 Notice of Arbitrator's Hearing, filed.

May 18, 1994 Decesion of Arbitrators, filed. And now, the 18 day of May,1994, 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 on the Complaint in the amount of $1150. and record costs and agaisnt the Defendant on the Counterclaim.

James R. Irwin, Chairman
John Brautigam
Ann Gamble

May 18, 1994 faxed copy to Barrett mailed To Wagner

June 1, 1994 Notice of Appealing Arbitrators Hearing on behalf of the Defendant filed.

Oct. 28, 1994 Motion to Strike and ORDER OF COURT filed. And now, October 27, 1994 Upon consideration of the foregoing motion, a hearing on the same is scheduled for the 9th day of November, 1994, at 1:30 o'clock p.m. in Courtroom 1, 2 or 3.

Anthony J. Vardaro, J.

Oct. 31, 1994 Order FAXED Atty. Barrett; mailed to defts.

Nov.10, 1994 ORDER filed. AND NOW, November 9, 1994 after a brief argument on the Plaintiff's motiontostrikethejury trial demand, said motion is DENIED, as it appears to the Court that the Defendant made a timely and appropriate request for a jury trial and that simply by referring the matter back to arbitration when the case was already on the civil trial list does not amount to a waiver of rights to a jury trial. There is nothing in the record that indicates the Defendants waived their right to a jury trial and in fact to the contrary, they have properly

Continued to Page 440 A

440
A

1993 TERM

Donald McCloskey
vs
Bernard R.Wagner,
Wagnercrest Farms

Continued from Page 440
of Record
AD 1993 - 440

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demanded a jury trial intwo places; first when they filed their answer and secondly when they took their appeal from an adverse arbitration decision.

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

11-10-94 Faxed to Barrett, mailed B.Wagner & Wagnercrest Farms

440
B

1993 TERM

Northwestern Legal Services
R.Christopher Brode

441.

BARBARA J. LONG

vs.

MARK D. LONG, SR.

Filed May 6, 1993
@ 11:22 AM

Tax & entry	50.50
User's fee	5.00
Sheriff's Costs	25.00
Pro Co	9.00

6-4-93 Rec. Nominal Bond from Mark D. Long, Sr. (In Files)

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT
3 copies Sheriff
1 copy Plaintiff

Order:

And now, this 6th day of May , 1993 , 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: Defendant shall not contact Plaintiff in any way. Defendant shall not go to Plaintiffs residence. Temporary custody ofthe children is awarded to Plaintiff
3. This Order may be enforced without a warrant 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 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 Liability for payment or 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 May 13, 1993 , at8:45 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 COURT,
Gordon R. Miller, J

May 6, 1993 SHERIFF'S RETURN, filed. SERVED Mark D. Long, Sr. personally on May 6, 1993 at 1:50 PM by handing him a copy of the Protection from Abuse at his residence, 721 Park Ave., Meadville, Crawford County, Pa.
So answers, Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

May 13, 1993 Motion for Continuance of Protection from Abuse Hearing and Order filed. AND NOW, this 12th day of May, 1993, upon consideration of the attached motion, theCourt grants the request to continue the hearing to the 18th day of May, at 1:00 p.m. In Addition, the temporary order previously entered will remain in effect pending further order of the court. Plaintiffs counsel shall notify defendant of this change forthwith.
Gordon R. Miller, J.
May 17, 1993 Copy of Order to Atty.Brode.

May 20, 1993 ORDER filed. AND NOW, May 18, 1993 this matter is before the Court on Plaintiff's petition for relief under the Protection from Abuse Act. The Plaintiffs appear with counsel and the Defendant appears without counsel and indicates that he wishes to proceed without counsel.

Initially it appears that the parties have reached an agreement but when the terms of that agreement as proposed by the Plaintiff are disclosed in open court, the Defendant indicates that he does not wish to enter into an agreement and wishes to proceed to a hearing. As we are prepared to proceed to a hearing, the Defendant indicates that he does wish to enter into an agreement and after extensive discussion with him, it appears that fhe is agreeable as is the Plaintiff to the following terms and conditions and they are SO ORDERED.

1. This order is entered without admission on the part of the defendant with respect to the allegations of the petition.
2. The defendant shall not assault, abuse, harass, or threaten the Plaintiff or any minor children named in the petition.
3. The Defendant shall have no contact whatsoever with the Plaintiff nor shall he go to the marital home at 797 Grove St., Meadville. The Defendant is cautioned even if he is invited to the marital home by the Plaintiff, he should not go to that residence without further order of court insofar as it shall be presumed that he is in violation of this order if he is at the residence of the Plaintiff during the term of this order.
4. The Plaintiff shall have temporary physical custody of the three minor children without prejudice to either party to file an appropriate custody.
5. The Defendant's family may pick up certain tools and belongings of the Defendant from the Plaintiff's residence at a time to be arranged by a member of the Defendant's family calling the Plaintiff or if it has not been arranged by May 27th, 1993 on that date. Those items include the Defendant's machinist tools and a weight set, and at athe time those items are taken by the Defendant's family, the Defendant's family shall give to the Plaintiff the Defendant's key to the marital residence.
6. This order may be enforced without a warrant of arrest by any law enforcement officer having reasonable grounds to believe it has been violated.
7. A copy of this order shall be delivered to the police department in the jurisdiction where the Plaintiff resides and to County Control. The Plaintiff resides at 797 Grove St., in the City of Meadville.
8. A copy of this order shall also be mailed to the Defendant at 721½ Park Ave., Meadville.
9. 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 and a jail sentence of up to six months.
10. The Defendant shall pay costs in this matter to the Prothonotary of Crawford County on the first floor of the Crawford County Courthouse by 4:30 p.m. on June 1, 1993.
11. This order shall remain in full force and effect through May 17, 1994.

BY ORDEROF THE COURT, Anthony J. Vardaro, J.
May 20, 1993 copies distributed to Co. Control, MCPD, Dft, & Sullivan

Continued on Page 451

442

1993

442.

SHELLY M. SCHLEY

vs.

MICHAEL L. BLOOM, SR.

Filed May 6, 1993
@ 11:22 AM

5-12-93 Received from Dept Sheriff's office

5-12-93 Pd Sheriff Ck#7540 30.00

Tax & entry Pd 5-12-93 50.50
User's Fee Pd 5-12-93 5.00
Sheriff's Costs Pd 5-12-93 30.00
Pro Co Pd 5-12-93 5.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT
3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 6th day of May , 19 93 , 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: Defendant shall not contact Plaintiff in any way. Defendant shall not go to Plaintiff's residence. Csutody of the chidlren 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 or 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 the May 14, 1993 , at 8:45 a.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,
Gordon R. Miller, J

May 10, 1993 Sheriff's Return filed. SERVED Michael L.Bloom, Sr. personally on May 7, 1993 at 9:30 AM by handing him a copy of the Protection from Abuse to him at his place of employment, Chipsco Tool, Liberty Street Extension, Meadville, Crawford County, PA.
So answers,
James Withers, Constable
Robert M.Stevens, Sheriff

May 14, 1993 Motion to Vacate Protection From Abuse Order and Order filed. ORDER: AND NOW, this 13th day of May, 1993 upon receipt and review of the plaintiff's Motion to vacate and terminate the Protection from Abuse Order of May 6, 1993, said motion is granted and the Protection from Abuse Order is hereby vacated and terminated.

A true and correct copy of this Order shall be delivered by the Prothonotary to Michael L. Bloom, Sr. and to County Control.

Any provisions of the Protection from Abuse Order of May 6, 1993 assessing court costs shall remain in full force and effect without change or modification and the party or parties against whom costs were assessed shall remain obligated to pay the costs.

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

May 19, 1993 copy to Co. Control, Plf. & Dft.

1993

Gerald Sullivan

443.

RONDA L. BRINK

vs.

DENNIS O. BRINKI SR.

Filed May 6, 1993
@ 1:28 PM

Tax & entry pd 5-17-93 50.50
User's Fee pd 5-17-93 5.00
Sheriff's Costs 37.00
Pro Co Pd 5-17-93 9.00
Pro Co Pd 5-17-93 5.00

5-17-93 Received from Dltf Sheriff's Costs 37.00
5-17-93 Pd Sheriff Chk # 7547 37.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

Order:

And now, this 6th day of May , 1993 , 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: Defendant shall not contact to Plaintiff or the children in any way. Custody of the children is awarded to Plaintiff.

3. This Order may be enforced without a warrant 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 or 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 May 17, 1993 , at 1:00 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 COURT,
Gorodn R. Miller, J

** 9. The Sheriff shall compiscate all guns & firearms defendants owns which are at his sisters house (Rose Mary Winton)

May 10, 1993 Sheriff's Return filed. SERVED Dennis O.Brink, Sr. on May 6, 1993, at approximately 8:56 PM by the Corry Pennsylvania State Police Officers Gustafson and Fronk, at the residence, R.D.#1, Box 283, Windfaul Road, Titusville, Crawford County, PA. On May 7, 1993, Sheriff Stevens and Constable Wit hers obtained the guns that were located at the Rose Mary Winton residence, 415 West Walnut Street, Titusville, PA.

So answers, Robert M.Stevens,Sheriff

May 19, 1993 MOTION TO VACATE PROTECTION FROM ABUSE ORDER and ORDER, filed. ORDER: AND NOW, this 18th dayt of May, 1993 upon receipt and review of the plaintiff's motion to vacate and terminate the Protection from Abuse Order is hereby vacated and terminated.

A true and correct copy of this Order shall be delivered by the Prothonotary to Dennis Brink, Sr. and to County Control.

Any provisions of the Protection from Abuse Order of May 7, 1993 assessign court costs shall remain in full force and effect without change or modification and the party or parties against whom costs were assessed shall remain obligated to pay the costs. BY ORDER OF COURT
Gordon R. Miller, P.J.

May 24, 1993 copy to G. Sullivan, County Control, Dft.

1993

Anne m. McArdle

444.

Culbertson,Weiss,
Schetroma & Schug
E.Max Weiss

EDWARD SCOTT BRADY and
LINDA BRADY, husband and
wife

vs.

PENN TRAFFIC COMPANY, a
corporation

Filed May 6, 1993
@ 1:27 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	49.50
Pro Co. pd 5/10/94	6.00

COMPLAINT IN CIVIL ACTION
1 copy atty.
1 copy Sheriff

June 30, 1993 SHERIFF'S RETURN filed. I hereby deputize the Sheriff of Cambria County, Pennsylvania to serve the within Complaint according to law. The Defendants alleged address is 3191 Washington St., Johnstown, Pa. 15901. Robert M. Stevens, Sheriff of Cr. Co.
AFFIDAVIT OF SERVICE: SERVED the within Complaint in Civil Action on May 24, 1993, at 2:30 p.m., upon Penn Traffic Co. at 3191 Washtinton St., Johnstown, Cambria County, Pa. by handing to Barb Dunkin, a receiptionist a true and correct copy thereof and made known to her the contents therein.
Jay Robert
Sheriff, Cambria Co.

Aug. 4, 1993 Appearance of Culbertson, Weiss, Schetroma and Schug by E.Max Weiss, Esquire for Penn Traffice Company, defendant, filed.

Aug. 11, 1993 Answer and New Matter of Penn Traffice Company, filed.

Sept. 23, 1993 Notice of Taking Depositions on Oral Examination of Edward Brady filed.

Oct. 4, 1993, Reply to New Matter for Scott Brady filed.

Oct. 4, 1993, Notice of Deposition Duces Tecum of Gary Bovaird filed.

Jan. 7, 1994 Notice of Service of Defendant's Responses to Plaintiffs' Request for Production of Documents, filed.

May 4, 1994 Upon praecipe of plaintiffs attorney, the above case is marked settled and discontinued of record.

1993

Cusick, Madden,
Joyce & McKay
James E. Douglas

445.

JOHN J. LIPPERT

vs.

ADVANCED CAST PRODUCTS, INC.

Filed May 6, 1993
@ 1:27 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	28.00

WRIT OF SUMMONS
Issued Sheriff

May 19, 1993 Plaintiff's Motion for Leave to Take Oral Depositions and Order filed AND NOW, this 19 day of May, 1993, Plaintiff's Motiom for Leave to Take Oral Deposition is grated and IT IS HEREBY ORDERED AND DECREED that Plaintiff may take the oral deposition od Defendant, Advanced Cast Products, Inc., on May 25, 1993, as set forth in Plaintiff's Notice of Deposition or at such other time as the parties may agree.

BY THE COURT,
Anthony J. Vardaro, J

May 20, 1993 Copies of order to Atty's Douglas & Shafer

May 20, 1993 Writ Return filed. SERVED Advanced Cast Products, Inc., on May 14, 1993 at 11:07 Am by handing a copy of the Summons to Roxie Fucci, Receptionist and Adult in charge at the business, Mill Street, Box 417, Meadville, Crawford County, PA. so answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

June 17, 1993 Notice of Deposition of Advanced Cast Products, Inc. filed.

June 23, 1993 Motion to Amend Pleading filed.

June 23, 1993 Order filed. AND NOW, June 23, 1993, upon the Plaintiff's motion to amend pleading which is presented in Motion Court and which Plaintiff's counsel indicates is not apposed by the Defendant, said motion is granted and, pursuant to 42 Pa. C.S.A. 5103(c), the Plaintiff is permitted to amend his pleadings in this actionto reflect that the same is an equity action and upon doing so the Prothonotary is directed to transfer the same t the equity side of the court and to assignthis case an equity term and number.

BY THE COURT,
Anthony J. Vardaro, J

June 23, 1993 Copies amield to Atty. Douglas

1993

446.

TONI SAYLES

vs.

ADRIAN HOLLAND

Filed May 6, 1993
@ 2:34 PM

Tax & entry	pd. 6/4/93	50.50
User's Fee	pd. 6/4/93	5.00
Sheriff's Costs	pd. 6/4/93	25.00
Pro	pd. 6/4/93	9.00

6-4-93 Received from dept Sheriffs Cash 25.00

6-7-93 Pd Sheriff Ck#7584 25.00

fine

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 6 day of May , 19 93 , 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:

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 or 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 the May 17, 1993 , at8:45 a.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,
Anthony J. Vardaro, J

May 10, 1993 Sheriff's Return filed. SERVED Adrian Holland personally on May 6, 1993 at 2:50 PM by handing a copy of the Protection fromAbuse to him at his temporary place of kcustody in the Crawford County Jail, 360 Centr Street, Meadville, Crawford County, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

May 17, 1993 ORDER filed. AND NOW, May 17, 1993 this matter is before the Court on Plaintiff's petition for relief under the Protection from Abuse Act.

Both parties appear, with the Plaintiff represented by counsel and the Defendant unrepresented. The Defendant indicates that he wishes to proceed without counsel and the parties have reached an agreement with respect to this matter without admission of the allegation of the petition on the part of the Defendant.

Accordingly, we enter the following ORDER:

1. The Defendant shall not assault, harass, or threaten the Plaintiff at any time or any place.
2. The parties indicate that they are attempting to reconcile and may be cohabiting again in the near future. During the term of this order, if they should cohabit, the terms and conditions of this order shall nonetheless remain in full force and effect and at no time shall the Defendant assault, abuse, harass or threaten the Plaintiff even if they are residing together by agreement.
3. This order may be enforced without a warrant of arrest by any law enforcement officer having reasonable grounds to believe it has been violated.
4. A copy of this order shall be delivered to the Police Dept. in the jurisdiction where the Plaintiff resides and to County Control. The Plaintiff currently resides at 508 East Elm St. in the City of Titusville.
5. 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 and a jal sentence of up to six months.
6. The Defendant shall pay costs in this matter in the amount of $89.50 by 4:30 p.m. on June 4, 1993 in the office of the Prothonotary on the first floor of the Crawford Co. Courthouse.
7. This order shall remain in full force and effect through May 16, 1994.

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

May 17, 1993 Copy given to Atty. Sullivan and Co. Control; May 21, 1993, copy mailed to Titusville PD and Defendant.

1993

447.

DAVID DALE WAXMAN

vs.

CYNTHIA SUE WAXMAN

Filed May 7, 1993
@ 9:39 AM

Tax & entry paid	10.50
User's Fee paid	5.00
Pro Co pd	5.00

CERTIFIED COPY OF DIVORCE DECREE FROM CIRCUIT COURT OF THE JUDICAL CIRCUIT OF THE STATE OF FLORIDA, IN AND FOR HILLSBOROUGH COUNTY

May 7, 1993 Final Judgment of Dissolution of Marriage filed.

May 7, 1993 Notice of Election To Retake Maiden Name filed. Cynthia Sue Waxman TO BE KNOWN AS Cynthia Sue Radicella

1993

Barber & Associates
John J. Barber

448.

Harry N. Sydor
Ivan P. Horner

Thomas, Truax,
Spadafore & Walker
R. Charles Thomas
For William J. Gregg

B. DOUGLAS PARKS

vs.

WILLIAM J. GREGG,
Administrator of the Estate
of JAMES LEO MORTENSEN and
IVAN P. HORNER

Filed May 7, 1993
@ 10:05 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	38.00

COMPLAINT IN CIVIL ACTION
3 copies Atty.

May 20, 1993 Sheriff's Return filed. SERVED Attorney William J. gregg on May 12, 1993 at 2:03 PM by handing a copy ofthe Complaint to Laura Vangorder, Secretary and Adult in Charge, at East Side Knolls, Route 18, Conneaut Lake, Crawford County, PA.
SERVED Ivan P. Horner on May 18, 1993 at 11:35 AM by handing a copy of the Complaint to Ivan J. Horner, his Father, in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, PA. Signed Acceptance of Service attached.
So answers, Dale A. Collins, Deputy Sheriff
Diane Brittain, Deputy Sheriff
Robert M. Stevens, Sheriff

July 23, 1993 Answer and New Matter filed.

Sept. 1, 1993 Appearance of Thomas, Truax, Spadafore and Walker by R. Charles Thomas on behalf of William J. Gregg, Administrator of the Estate of James Leo Mortensen, filed.

Sept. 22, 1993 Reply to New Matter of Defendant Ivan P. Horner, filed.

Oct. 8, 1993 Reply to Defendant Horner's New Matter, filed.

Oct. 8, 1993 Answr of Defendant Mortensen Estate, filed.

Oct. 22, 1993, Reply of Plaintiff B. Douglas Parks to New Matter raised by Defendant Mortensen estate, filed.

Nov. 8, 1993 Reply to Defendant, Gregg's New Matter filed.

Mar. 23, 1994 Affidavit of Service of Plaintiff's First Set of Interrogatories and Request for Production of Documents filed.

Jan. 10, 1996 Notice of Intent To Complete Discovery filed.

Jan. 11, 1996 Notice Of Deposition of Ivan P. Horner filed.

Mar. 8, 1996 Deposition of Ivan P.Horner, filed.

1993

	R & D EXCAVATING & CONSTRUCTION	APPEAL OF DEFENDANT FROM DECISION OF DISTRICT JUSTICE GEORGE W. HERZBERGER, III
449.	vs.	May 7, 1993 Rule entered upon the the Plaintiffs to file a Complaint.
Harry Faber White, II	DENNY and CARLA BRADSHAW	May 10, 1993 Proof of Service filed
	Filed May 7, 1993 @ 11:00 AM	June 8, 1993 Complaint In Civil Action filed.
	Tax & entry paid 50.25 User's Fee paid 5.00	

1993

Sikov and Love, P.A.
Seymour a. Sikov

Cauley & Conflenit
David J. Lozier

450.

Culbertson, Weiss,
Schetroma & Schug PC
~~e. Max Weiss~~ Withdrawn
for James H. Edwards, dft.

George Kachulis for
James H. Edwards, Deft.

EDWARD L. SMITH

vs.

RICHARD RODGERS and JAMES H. EDWARDS

Filed May 7, 1993
@ 12:17 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's costs	58.00
Sheriff's Costs	53.50
Pro Co pd 6-15-95	6.00

JURY TRIAL DEMANDED

COMPLAINT IN CIVIL ACTION
2 copies Sheriff

June 22, 1993 Complaint Reinstated.

June 24, 1993 Sheriff's Return filed. SERVED Richard Rodgers personally on May 24, 1993 at 12:15 PM by handing a copy of the Complaint to him at his residence, Route 8, Centerville, Crawford County, PA.
NOT FOUND as to Defendant James H. Edwards. The current address we found is 5½ Wattsburg Street, Union City, Erie County, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

July 22, 1993 SHERIFF'S RETURN, filed. I hereby deputize the Sheriff of Erie County, Pennsylvania to serve the within Complaint according to law. The defendants alleged address is 5½ Wattsburg Street, Union City, Pa. Robert M. Stevens, Sheriff Cr. County affidavit of service: SERVED the within Complaint on July 12, 1993, at 1012 hrs., upon James Edwards at Erie County Sheriff's Department, 140 West 6th Street, Erie County, Erie, Pennsylvania by handing to James Edwards a true and correct copy thereof and made known to him the contents therein. Robert N. MIchel Sheriff, Erie Co.

Aug. 9, 1993, Appearance of culbertson, Weiss, s chetroma, and Schug, P.C. by E. Max weiss, attorneys for one of the defendants, James H. Edwards, filed.

Aug. 19, 1993 Appearance of Culbertson, Weiss, Schetroma, By E. Max Weiss, Esquire for Defendant, James H. Edwards filed.

Nov. 24, 1993, Answer and New Matter of Defendant Edwards to PLaintiff's Complaint filed, 1 copy (atty)

Dec. 20, 1993, Reply to New Matter filed.

Feb. 18, 1994 Answers Directed to Defendant James Edwards, filed.

Jan. 19, 1995 Withdrawal of Appearance of E. Max Weiss, Esquire and Appearance of George Kachulis, Esquire for James H. Edwards, Defendant, filed.

Jan. 19, 1995 Appearance of Dickie, McCamey & Chilcote by George P. Kachulis,Esquire for Defendant, James H. Edwards, filed.

June 15, 1995 Upon praecipe of plaintiff attorney the above-captioned action is settled and discontinued of record.

1993

BARBARA J. LONG
VS.
MARK D. LONG, SR.

CONTINUED FROM PAGE 441
of Record
A. D. 1993 - 441

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June 4, 1993 ORDER filed. AND NOW, June 4, 1993, there is currently pending a complaint for indirect criminal contempt for violation of a protection from abuse order filed by the Plaintiff in this matter.

The Defendant is being held on bond set at $10,000 and the Plaintiff now appears in chambers and advises the Court that the allegations of the petition apparently are not true.

In light of that fact, we will now reduce the Defendat's bond in this matter to $1.00 nominal with the Sheriff or one of his deputies as surety with the conditions that he continue to abide by the provisions of the protection from abuse order entered by this Court on May 18, 1993 and on the additional condition that he appear for a hearing regarding the complaint for indirect criminal contempt chich we now schedule for Monday, June 14, 1993 at 3:30 p.m. in Courtroom No. 1 or 2 at the Crawford County Courthouse. Prior to the date of that hearing, if the Plaintiff shall file a motion to withdraw her complaint for indirect criminal contempt for violation of a protection from abuse order that hearing may be discontinued so long as the Plaintiff pays any Court costs which have been accrued as a result ofthe filing of the complaint for indirect criminal contempt. Otherwise, it will be necessary for the parties to appear at that hearing.

The Defendant should appear at the June 14, 1993 hearing unless he has received anf order in writing from the Court indicating that hearing has been cancelled.

BY THE COURT:
Anthony J. Vardaro, J.

June 4, 1993 gave copy to Dft., Co Control, Plf, Atty Sullivan, City Police

June 15, 1993 ORDER filed. AND NOW, June 14, 1993 at the time fixed for hearing in this matter, the Plaintiff appeared without counsel but she agreed to go ahead with the hearing in the absence of her attorney because her attorney advised her to do so.

The Defendant appeared without counsel. Neither party is well versed in the law and really didn't understand the nature of this proceeding. The Plaintiff does have the burden of proof. Her only in-court witness to the alleged events was her five year old son who was sworn by the Court and who began to testify, but he did not appreciate the duty that the oath required. It appears that he could not form answers to questions and did not know what happened if he tole a lie. The Court therefore finds that he is not a competent witness and dismisses the contempt complaint.

We caution the Defendant that he maynot violate any court orders and if he does, he is reminded that he may be held in contempt of Court and punished by a fine up to $1,000 and a jail sentence of up to 6 months.

Costs shall be paid by the County.

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

June 15, 1993 Copies distributed to Co. Control, MCPD, Deft. and Plf.

Nov. 16, 1993 Notice of Hearing of Contempt, filed. ORDERED to appear for hearing on: Date: 11/19 Time 3:30 Place, Ct. Rm. 2, filed.

Nov. 30, 1993, ORDER filed. AND NOW,Nov. 19, 1993, this matter is before the court on an indirect criminal contempt request made by the plff. with respect to a Protection from Abuse order entered on May 18, 1993. by the undersigned.

At the time set for this hearing we advise the plaintiff that the dft. appeared in Motion Court this morning asking for a continuance of this case so that he could obtain counsel. We denied that request because the dft. had not contacted the plaintiff or plaintiff's counsel to advise them of his motion and therefore, the parties are here before us at this time, both without counsel.

The defendant advises us that he will have an appointment with Atty. B. Lindsay on Dec. 1, 1993, and accordingly, we are inclined to continue this matter and advised plaintiff of that.

The plaintiff after some discussion, indicates that she simply wants the defendant to leave her alone and that there is no hope of reconciliation and therefore, in speaking to the defendant, he seems to now understand that and the plaintiff therefore wishes to withdraw this request to hold the defendant in criminal contempt.

Accordingly, we allow her to do so with the county to apy any costs and the dft. is strongly cautioned that he should continue to abide by the terms and conditions of the May 18, 1993 order of this court and he should nto contact the plaintiff nor procure anyone else to do so on his behalf or he shall risk being in violation of this order.

The Prothonotary shall send a copy of this order toCountyControl and to the Mead. City Police dept. as well as a copy by reg. mail to the dft. at 755 North Main St. and tothe plaintiff at 797 Grove St. Both in the City of Meadville.

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

Nov. 30, 1993, copies dist. to Mead. Police Dept., County Control, plff and dft.

MARGARET A. HEMLER CERVONE

VS.

JAMES NICHLOS CERVONE

RECORD CONTINUED FROM PAGE 143

OF

AD 1993 - 143

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Sept. 8, 1993 ORDER filed. AND NOW, Sept. 2, 1993, this Order is entered relative to cross-petitions for Alimony Pendente Lite, Counsel Fees, Costs, Expenses and Special Release.

1. The real property of the parties shall be appraised by Mr. Ernest Tessmer, and the parties shall make the property available for inspection in relation to such appraisal promptly.

2. The personal property of the parties, including any personal property that has been removed from the premises by the plaintiff, shall be appraised by Bruce Nicolls, and each party shall make such property available for inspection and appraisal, whether or not thre is an agreement between the parties as to the specific items of personal property are marital property or ar individual property.

3. The appraisal fees shall be paid promptly in equal share by the parties at this time, and the Court reserves the right to allocate appraisal fees at the time a final divorce is granted, or refer that matter to a Master if deemed appropriate. The costs and expenses of such appraisal shall be paid promptly int he following manner: $500 to be paid by the defendant out of a $500 income tax refund which he agrees he has received and is willing to contribute, and if that amount is not sufficient, then the balance to be paid equally by the parties.

4. Insofar has other economic matters are concerned, the following Order is entered based upon the assumptions as to income as follows:

The wife's net incoem is approximately $1,020 per month, out of which she pays support for the one child who remains in the custody of the defendant in the amoutn of $175 per month, plus some minimal amount relating to arrearages.

The husband's income is approximately $1376 from his trade as a carpenter through the Carpenter's Union Hiring Hall, and the approximate amoutn of Unemployment Compensation averaging over the years $600 per month, and in addition, the amount paid by his wife for child supprot.

The wife shares expenses with her current companion and in addition to the one minor child at home, the husband contributes to some degree to the support of two adult children who are attending college and will be in their third or junior year this scholastic year. Some portion of the college expenses is borne indirectly by the wife because she is employed at Allegheny College and that institution assists in some portion, exact figures for which have not been presented, of the college expenses.

The husband occupeis the marital domicle, which pending the appraisal to be made would appear to have an approximate value of $85,000, with encumbrances somewhere in the vicinity of $60,000 to $65,000, leaving a net equity probably ine xcess fo $20,000.

5. Based upon the foregoing assumptions regarding value, no award of counsel fees or alimony pendente will be made by either party to the other at the present time, with the understanding that the Court will consider counsel fees as being reserved for further Order at an appropriate, the Alimony Pendente Lite requests are denied at this time, without prejudice on the part of either party to re-apply after six (6) months of that date.

6. The defendant shall promptly make all mortgage payments due PNC Corporation as the same become due, beginning Sept. 1, 1993, and in addition to the current payments, shall make at least one complete payment of arrearages each two months so that the total paymetns made will equal three monthly payments withine each two (2) months from this date until the mortage is current, at which time, no further payments on arrearages will be required.

7. Each of the parties shall furnish to the other all necessary information for evaluation of their respective pension plans, such information to be furnished on or before Oct. 4, 1993.

8. Each of the paraties shall file a formal statement of income and expenses on or before Oct. 4, 1993, with the papers in this divorce action.

9. The defendant shall file an inventory within 60 days of this date.

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

Sept. 8, 1993 Copies of Order distributed to Attys. Mary Ann Kirkpatrick and Bettie Peterson-Muth.

Sept. 24, 1993 Inventory of Defendant, filed.

Sept. 24, 1993 Income and Expense Statement of Defendant filed.

Oct. 15, 1993 Income and Expense Statement of Margaret Hemler Cervone, Plaintiff filed.

April 26, 1994 Notice to the Defendant filed.

April 26, 1994 Affidavit of plaintiff, filed.

May 18, 1994 Motion for Appointment of Master in Divorce and ORDER filed. AND NOW, May 17, 1994 Motion denied as the motion is not complete. It does not conform to local rule L1920.74.

Gordon R. Miller

5-19-94 Faxed copy to Muth. 5-24-94 Copy to Atty.Kirkpatrick

June 1, 1994 Motion for Appointment of Master in Divorce and Order Appointing Master filed. And Now, May 31, 1994, David Pickens, Esq., is appointed master in respect to the following claims: Divorce, Alimony, Equitable Distribution, Counsel Fees, Costs and Expenses.

Deposit required: By Plaintiff $150.00; By Defendant $600.00.

If not filed already the parties are ordered to file their pretrial statements within thirty (30) days from this date.

By the Court:
Gordon R. Miller, J.

June 1, 1994, Copies Faxed to Attys. Muth and Pickens; copy given to Atty. Kirkpatrick.

June 1, 1994 Affidavit of knowledge of counseling availability, filed.

Oct. 4, 1994, Affidavit of Service of Notice to Produce delivered to office of Atty. Bettie Muth, Esq. filed.

Oct. 14,1994 Notice of Scheduled Master Hearing filed.

Oct. 14,1994 Summary of Pre-HearingConference Held on September 6, 1994 at 10:00 A.M.,filed.

Oct.14,1994 Certificate of Service of Notice of Filing Master's Report and Recommendation filed.

Oct. 14, 1994 Master's Report and Recommendation,filed.

Oct. 25, 1994 Upon praecipe of Plaintiff's attorney to transmit record, case is moved to Court.

RECORD CONTINUED ON PAGE 452 (a).....

1993 ~~TERM~~

MARGARET A. HEMLER CERVONE

VS.

JAMES NICHOLS CERVONE

RECORD CONTINUED FROM PAGE 452

OF

AD 1993 - 143

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DIVORCE DECREE FILED

Oct. 31, 1994 AND NOW, October 31, 1994, it is ordered, adjudged and decreed as follows:

1. The parties hereto are divorced from the bonds of matrimony.
2. Wife shall retain:
   The personal property already in her possession, except as otherwise provided herein
   50% of the value of husband's Carpenter Union pension valued as of oct. 14, 1994
   Wife's TIAA-CREF pension
   Jewelry
   Box of glassware
   Daulton dishes
   The St. Brigid's cemetery plot closest to her parent's cemetery plot
3. Husband shall pay Wife $20,000.00, on or before April 14, 1995. By the same date, husband shall ensure wife is no longer liable on any debt secured by the marital residence, by refinancing or otherwise.
4. Upon completion of the terms of paragraph 3, Wife shall execute any and all documents necessary to convey to Husband her interest in the marital residence. All costs associated with the recording of documents will be born by Husband.
5. Husband shall retain:
marital residence
   The personal property already in his possession, except as otherwise provided herein
   50% of the value of husband's Carpenter Union pension valued as of Oct. 14, 1994
   Horse trailer
   Set of Drums
   Punch bowl
   Soup Tureen
   The St. Brigid's cemetery plot closest to his parent's cemetery plot
6. Counsel for wife shall prepare and obtain approval of a Qualified Domestic Relations Order carrying out the terms of this decree.
7. From the deposits paid into the court, the prothonotary shall pay the Master's fee of $136.50 to David W. Pickens, Esq., $117.00 to the County, and $45.00 to Lorraine Dallas (820 Ravine St., Meadville, PA 16335), the reporter for this matter. The remainder of any deposit shall be returned to the parties, with $0.75 to wife and $450.75 to husband, through their attorneys.
8. Each party shall be solely responsible for his or her counsel fees, costs and expenses.
9. All claims for alimony and alimony pendente lite raised in the record are dismissed.

BY THE COURT:
Gordon R. Miller, J.

May 8, 1995 Qualified Domestic Relations Order filed. AND NOW, to-wit, this 5th day of May, 1995, it appearing to the Court that:

1. The parties hereto were former husband and wife having been divorced on October 31, 1994, by this Court at the above number.
2. James Nichlos Cervone, social security number 191-32-0836, hereinafter referred to as "Participant", is a participant in the Carpenters' Pension Fund of Western Pennsylvania.
3. Margaret A. Hemler Cervone, social security number 172-38-3033, hereinafter referred to as "Alternate Payee", has raised claims for, inter alia, equitable distribution of marital property pursuant to the Pennsylvania Divorce Code, 23 Pa. Con. Stat. Ann. 3502, et. seq.
4. The Participant's current and last known mailing address is R.D. #5, Box 88, Meadville, Pennsylvania 16335.
5. The Alternate Payee's current and last known mailing address is 507 Limber Road, Meadville, Pennsylvania 16335.
6. The Participant's date of birth is June 20, 1942.
7. The Alternate Payee's date of birth is March 2, 1948.
8. This Order shall apply to the Carpenter's Pension Fund of Western Pennsylvania (the "Plan"), and to any successor or transferee plan.
9. The Participant's interest inthe Plan is subject to assignment and distribution by this Court pursuant to the Pennsylvania Divorce Code, 23. Pa. Cons. Stat. Ann. 3502, et seq.
10. The determination of the Participant's regular monthly pension benefit to be paid under the Plan is based on several factors which include (2) accrued service credits (b) employer contributions, and (c) percentage factors specificized inthe Plan.
11. On October 31, 1994, the total employer contributions paid to the Plan on the Participant's behalf were $37,370.36.

WHEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED AS FOLLOWS:

12. The Alternate Payee is hereby awarded a portion of the Participant's nonforfeitable accrued benefits which may become payable under the terms of the Plan. The portion awarded to the Alternate Payee shall be based on:
   a. 50% of the employer contributions paid to the Plan on the Participant's behalf as of October 31, 1994;
   b. the number of service credits accured and to be accrued by the Participant as of the earliest to occur of the following:
      i. the Participant's separation from service.
      ii. the Participant's death; or
      iii. the date of which the Alternate Payee begins receiving benefits; and
   c. the percentage factors specified inthe Plan as of the earliest to occur of the triggering events specified in subparagraph (b)(1) through (3) above.
13. The Participants is hereby awarded the balance of any and all nonforfeitable benefits accrued or to be accrued by Participant under the terms of the Plan.
14. The Alternate Payee shall have the right to elect to receive benefit payments after the earliest to occur of (a) the first date for payment to an alternate Payee allowed under the terms of the Plan, if any, (b) after the Participant reaches the earliest retirement age under the Plan as provided in Internal Revenue Code Section 414(p)(4), or (c) the earliest date on which the Participant receives benefits.
15. The Alternate Payee shall have the same rights with regard to his/her portion of the benefits described above as are available to the Participant with regard to his/her accrued benefits. These rights include, but are not limited to, the right to designate a beneficiary of retirement benefits if the benefit payment form option selected provides for any residual death payment and the right to elect from then existing retirement dates and payments options, excluding, however, a benefit payable as a joint and survivor annuity with respect to the Alternate Payee and any subsequent spouse. In no event shall the Alternate Payee have greater rights than those which are available to the Participant.
16. The benefits awarded to the Alternate Payee pursuant to paragraph 12 about shall be paid to the Alternate Payee over a period of time determined withr eference to his/her lifetime. Any benefits payable to the Alternate Payee pursuant to paragraph 12, above, shall be subject to actuarial adjustments as might be necessary to account for early commencement of benefits and/or for the Alternate Payee's age, sex and benefit form selected. The benefits payable under the Plan shall not be of a type or form of benefit or provide for any option not otherwise provided under the Plan. Nothing herein requires the payment of benefits not vested at the time benefits are to be paid to the Alternate Payee. Nothing herein requires thePlan to provide increased benefits determined on the basis of actuarial equivalant values.
17. This Order doe snot require the payment of benefits to the Alternate Payee which are required to be paid to another alternate payee under another order previously determined to be a Qualified Relations Order.
18. If the Plan terminates with an unfunded liability and the Pension Benefit Guaranty Corporation (PBGC) makes benefit payments in connection with such Plan, and if the amount of the total benefit payments to be made to both the Participant and the Alternate Payee are thus decreased, the Participant's benefit payments and the Alternate Payee's benefit payments each will be decreased respectively on a pro rata basis in an amount equal to (i) the total reduction, multiplied by (ii) the benefit payment each was to receive, respectively, before the termination over the total benefit payments due to both of them under the Plan's provisions before the termination.

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(b)

TERM

Cervone vs. Cervone A.D. 1993 - 143 Divorce

19. Each party shall promptly notify the Administration of the Plan at 495 Mansfield Avenue, First Floor, Pittsburgh, Pennsylvania 15205-4350 of any future change in his/her address.

20. The parties shall promptly submit this Orderto the Administrator of the Plan for determination of its status as a Qualified Domestic Relations Order.

21. This Order reflects the agreement of the parties as to the assignment or attachment of the Participant's benefits.

IT IS INTENDED that this order shall qualify as a Qualified Domestic Relations Order under the Retirment Equity Act of 1984. The court retains jurisdiction to amend this order as might be necessary to establish or maintain its status as a Qualified Domestic Relations Order under the Retirement Equity Act of 1984.

BY THE COURT:
Gordon R. Miller, J

March 25, 1999 Motion for Leave to Withdraw Appearance and Order filed. And Now, March 23, 1999 the Motion for leave to Withdraw Appearance is granted.

By the Court
Gordon R. Miller, J.

3/26/99 Faxed Kirkpatrick & Muth

1993

KIMBERLY PAYNE
VS.
MICHAEL ROPELEWSKI

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C. 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.

D. 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.

E. 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 will be equally divided between the parties. The Prothonotary of Crawford County is hereby directed to refund one-half of the deposit paid in advance by the Plaintiff, less the cost of the custody order.

Anthony J. Vardaro,J.

June 22, 1993 copy to B. Walton, J. Fuller, Plf. & Dft.

Jun. 16, 1995 Motion for Further Mediation and ORDER filed. AND NOW, this 16 day of June, 1995, upon presentation and consideration of the within Motion this matter is returned to the Mediator,John Fuller, Esquire, for further mediation for thepurpose of reviewing the Order heretofore entered on June 11, 1993, but only after the Defendant has first paid $75 for his share of June 11, 1993 Mediation Costs.

BY THE COURT,
Anthony J. Vardaro,J.

6-19-95 Faxed, Fuller, Thomas & Walton

JAMES HENRY ANDERS
VS.
DAVID LEE POWERS, WALTER HOKE, MEADVILLE POLICEMAN, and HOWARD YERUSALIM, SEC. PA. DEPT. OF TRANSPORTATION

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June 24, 1993 Memorandum and Order filed. ORDER: AND NOW, June 24, 1993, upon consideration of the Plaintiff's motion for sanctions against Attorney Kisak which also includes a motion to continue argumetn set for Juen 28, 1993 with respect to preliminary objections by Defendants Powers and Hoke, said Motion for sanctions is denied.

However, argument with respect to the preliminary objections of Defendants Powers and Hoke is continued to be placed on the July 1993 argument list by the Court Administrator. If either the Plaintiff or Defendant Yerusalim shall praecipe to have Yerusalim's preliminary objections placed on the July 1993 argumetn list by July 2, 1993, they shall be argued at that time but, if no party does so, there shall be no further continuance of the argumetn with respect to the preliminary objections of Powers and Hoke unless agreed upon by all parties.

BY THE COURT:
Anthony J. Vardaro, J.

June 24, 1993 copies distributed by Court.

June 24, 1993 Motion For Sanctions Against Attorney Kisak, filed.

June 29, 1993 Upon praecipe of Plaintiff the above matter is placed on the next available argument list.

1993 JULY ARGUMENT LIST

June 28, 1993 Defendant's Officers Hoke and Powers, Motion In Opposition To Plaintiff's Motion To Strike Defendant's Preliminary Objections from the June 28th Argument List filed.

June 28, 1993 Response To Plaintiff's Motion For Sanctions filed.

July 26, 1993 Ten Instances Defendant Secretary had Notice of Stay,filed.

July 29, 1993 Ten Instances Defendant Secretary Had Notice of Stay, filed. (1 copy Plf.)

Sept. 10, 1993, MEMORANDUM AND ORDER filed. ORDER: AND NOW, Sept. 8, 1993, it is ordered as follows:

1. The demurrers filed by David Lee Powers, walter Hoke and Howard Yerusalim are granted, the plaintiff's amended complaints filed Apr. 16, 1993, (against Hoke) April 23, 1993 (against Powers) and May 10, 1993, (against Yerusalim) are hereby stricken. The action is not dismissed, however, and the plaintiff is given twenty (20) days from this date to file an amended complaint against one, more or all of the defendants if he is able to do so.
2. The motion to strike filed by Howard Yerusalim is denied.
3. The motion for more specific complaint filed by Howard Yerusalim as to damages is granted and the plaintiff shall have the right to file an amended complaint as provided for in paragraph 1 of this order.

BY ORDER OF THE COURT,
Gordon R. Miller, J.
Sept 10, 1993, copies dist. to Kisak, Kuhar and to Anders.

Sep. 28, 1993 Amended Complaint Relating to 42 USC 1983 filed. (1 copy Plft)

Sep. 29, 1993 NOtice to Plead filed.

Oct. 19, 1993 Officers Hoke and Powers' Preliminary Objections To Plaintiff's Amended Complaint Relating To 42 U.S.C. 1983 filed.

Oct. 19, 1993 Appearance of Ernest D. Preate, Jr. by Robert S. Englesberg for Howard Yerusalim, Secretary, Pennsylvania Department of Transportation, filed.

Oct. 19, 1993 Preliminary Objections filed on behalf of Howard Yerusalim filed.

Nov. 3, 1993 Upon Praecipe of Attorney Kisak, the Defendants' Preliminary Objections to Plaintiff's Amended Complaint filed on October 19, 1993 is placed on the next available Argument List.

ON DECEMBER, 1993 ARGUMENT LIST

Nov. 16, 1993 Upon Praecipe of Robert S. Englesberg, Deputy Attorney General for Howard Yerusalim, Secretary, Pennsylvania Department of Transportion, the above matter is placed on the next available argument list.

ON DECEMBER, 1993 ARGUMENT LIST

Jan. 27, 1994 MEMORANDUM AND ORDER, filed. ORDER. AND NOW, January 26, 1994, it is ordered as follows:

1. The preliminary objections of Howard Yerusalim, Secretary, Pennsylvania Department of Transportation in the nature of a demurrer are granted and the plaintiff's complaint against Howard Yerusalim, Secretary, Pennsylvania Deaprtment of Transportation is hereby dismissed.
2. The preliminary objections of David Lee Powers in the nature of a demurrer are granted and the plaintiff's complaint against David Lee Powers is hereby dismissed.
3. The preliminary objections of Walter Hoke in the nature of a demurrer are granted but the plaintiff's complaint against Walter Hoke is not dismissed. The plaintiff is given one final opportunity to amend his complaint to state a proper cause of action under 42 U.S.C. 1983. Said amended complaint shall be filed within twenty (20) days from this date and appropriately served on counsel for Walter Hoke.

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

1-27-94 Copies dist. to Anders,Kisak & Englesberg

Feb. 22, 1994 Certificate of Service of Notice of Praecipe for Entry of Default Judgment, filed.

Mar. 11, 1994 Petiton for Judgment of Non Pros and ORDER GRANTING PETITION FOR JUDGMNET OF NON PROS filed. AND NOW, this 11th day of March,1994, upon consideration of Defendant Hoke's Petition for Judgment of Non Pros, it hereby ORDERED that Defendant's Petition is granted and the judgment of non pros be entered against Plaintiff, James H. Anders, in the above-captioned matter.

BY THE COURT:
Gordon R. Miller.

A-93;
3-16-94 Copy of Order to Attys. Kisak & Englesberg & Anders

Judgment of Non Pros
Barbara H. King
Prothonotary

Mar. 11, 1994 Certification of Notice filed. I certify that on March 8, 1994,pursuant to Pa. R.C.P. 440, I gave notice to all counsel of record and unrepresented parties, by first class United States mail,of my intention to present the within Petition for Judgment of Non Pros to this Honorable Court on March 11, 1994 at 8:45 a.m.

ROBERT C. BOYD and THERESA L. BOYD, his wife
vs.
PAUL R. LITWILER, WAYNE BAGGOTT and JOYCE WEHRER

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or demands of the Defend ants, Paul R. Litwiler, Wayne Baggott and Joyce Wehrer, and any person claiming under them to any estate, right, title, lien or interest in said real property; that the Defendants, Paul R. Litwiler, Wayne Baggott and Joyce Wehrer, and any person claiming under them are permanently enjoined and restrained from asserting any claim or interest in or to said property or any part thereof unless the Defendants, their heirs and assigns, take such action as is herein directed within thirty (30) days after the entry of this judgment.

IT IS FURTHER ORDERED AND DECREED that if no petition to open this judgmetn 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 the same shall be final. If such action is not taken within said thirty day period, the Prothonotary shall enter judgment.

BY THE COURT,
Anthony J. Vardaro, J.

B - 175
L - 135
W - 94
Aug. 27, 1993 (1 copy Atty)

And Now, Oct. 5, 1993, at 3:34 p.m., UPon praecipe of plaintiff attorney, FINAL JUDGMENT is hereby entered against the defendants, Paul R. Litwiler, Wayne baggott and Joyce Wehrer in favor of Robert C. Boyd and Theresa L. Boyd, his wife, pursuant to the Order of court entered in this case on Aug. 26, 1993, a copy of which is attached to praecipe.

Dated: Oct. 5, 1993

FINAL JUDGMENT
Barbara H. King,
Prothonotary

Judgment entered - 10/5/93
L - 135
B - 175
W - 94

EXECUTION 1993 - 92

KEVIN DOUGLAS RASZMAN
VS.
CYNTHIA A. RASZMAN

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&. 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 of growing children. Therefore, neither party shall smoke tobacco or permit others to do so in a closed authomobile 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 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 isntruct 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 shall not communicate with each other through Joshua. Any discussion which they may be required to have regarding Joshua should be made out of his presence and should be conducted in a civil and polite manner.

12. Neither party shall entertain their sexual partners while Joshua is in their care and custody, between the hours of 9:00 p.m. and 8:00 a.m. Neither party shall expose Joshua to improper displays of affection with their sexual partners at any time.

13. The mediator informs the court that Children and Youth Services of Crawford County is starting a program intended to deal with domestic violence. If and when such a program becomes available, each of the parties is directed to participate in it.

14. Each party shall discuss Joshua's health with Joshua's physicians and shall do everything reasonably possible to cooperate in any treatment which Joshua may need.

15. 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.

16. Either party may request a review of this Order two years from date hereof to make any adjustments.

17. Costs and fees of this Mediation, which are fixed at $227.00, are divided equally between the parties with a share of each being assessed to him or her as costs in this case. The mediator having been informed that the mother is indigent, her share of costs are assessed to Crawford County.

18. The deposit required for the appointment of the custody mediator was made by the father. The deposit shall first be applied against the father's share of costs and the remainder shall be remitted to him.

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

By the Court,
Anthony J. Vardaro, J.

Sept. 14, 1993 copy to W. Pineo, B. Lindsay, J. Mason, Pf. & Dft.

Jan. 11, 1994 Petition For Modification of Custody Order and ORDER filed. AND NOW, this 13th day of Jan., 1994 upon consideration of the within Petition, it is hereby ordered that child custody mediator William Pineo, Esquire shall be appointed mediator and hold a conference to determine the best interest of the minor child.

BY THE COURT:
Gordon R. Miller, J.

Jan. 17, 1994 Copy of Order to Attys. W. Pineo, B. Lindsay, J. Mason.

Mar. 29, 1994 TEMPORARY ORDER, filed. AND NOW, this 28th day of March, 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. The order of September 7, 1993, is amended so that Paragraph 12 thereof reads as follows:

"12. Neither party shall allow persons of the opplosite sex to whom he or she is not related by blood or marriage to reside in his or her household. Neither party shall entertain their sexual partners while Joshua or Jennifer is in his or her care and custody between the hours of 9:00 p.m. and 8:00 a.m. Neither party shall expose either Joshua or Jennifer to improper displays of affection with their sexual partners at any time. Each party shall endeavor to conduct himself or herself in such a way as to present an example to their children of proper moral behavior."

2. In all other respects, the order of September 7, 1993, is reaffiremed and ratified.

3. Costs and fees of this Mediation, which are fixed at #302.00, are divided equally between the parties. The mediataor notes for the court that the mother qualified for the services of Northwestern Legal Services, Inc., and therefore her share shall be paid by Crawford County.

4. The deposit required for the appointment of the Custody Mediator was made by the father. The deposit shall first be applied against the father's share of costs and the remainder, if any, shall be remitted to him. If there is a deficiency, the father shall pay it within thirty (30) days of this date.

5. 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,
Gordon R. Miller, P.J.

Apr. 5, 1994 copy to W. Pineo, B. Lindsay, R.C. Brode, Plf. & Dft.

Apr. 22, 1994 Appearance of Thomas,Truax, Spadafore and Walker by R. Charles Thomas, Esquire for Cynthia A. Raszman, Defendant, filed.

MaY 10, 1994 Petition for Contempt of Court andRule to Show Cause filed. AND NOW, this 9 day of May, 1993,upon presentation and considerationof the foregoing petition, a Rule is entered upon the Respondent to show cause, if any he has, why the prayer of t he Petitioner request for the imposition of sanctions for contempt should not be granted. You are further ordered to bring the minor children over the age of 5 years, failure to appear or to bring the children as ordered may impact upon yourprimary custody, partial custody, or visitation rights additional a warrant may be issued for your arrest.

THIS RULE IS RETURNABLE on the 18th day of May,1994, at 1:30 o'clock p.M. in Courtroom No.1 or 2 or 3 of the Crawford County Court House, Meadville, Pennsylvania.

BY THE COURT
Gordon R. Miller, J.

5-12-94 Copy faxed to Atty. Lindsay & Pineo. Copy dist. to Atty,Brode

May 10, 1994 Petition forSpecial Relief and ORDER filed. AND NOW, this 9 day of May, 1994, upon presentation and consideration of the within Petition, it is Ordered and Decreed that the subject minor child in the above captioned case shall reside with Petitioner pending further Order of Court.

BY THE COURT:
Gordon R. Miller, J.

5-10-94 Copy faxed to Lindsay. 5-12-94 Copy faxed to Pineo. Copy dist.to Brode

May 18, 1994 PETITION TO MODIFY filed. AND NOW, this 18 day of May, 1994, upon presentation and consideration of the within Petition, said Petition shall be heard at the same time the Petition for Contempt hearing is scheduled, so all matters can be resolved. *

BY THE COURT: Gordon R. Miller, J.

* Unless the hearing Judge believes this to be inappropriate given the time originally scheduled by the Court Administrator.

May 18, 1994 Copy Faxed to Attys. Lindsay, Pineo; copy given to Atty. Chris Brode.

Continued on page 456A

Kevin D. Raszman

vs.

Cynthia A. Raszman

Record continued from page 309

of record

A.D. 1993 - 309

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May 23, 1994 Order filed. AND NOW, May 18, 1994, this matter is before the Court on various petitions to modify the Custody Court Order and to hold the father in contempt for assuming custody of the child contrary to the Custody Court Order in this divorce action.

The Court handles the matter informally with the permission of both parties and counsel for the mother.

We are faced with a 14-year-old- defiant, uncontrollable child who is in severe discipline problems with the school, probably will not pass the eighth grade and currently is on a school suspension, which carries him through or near the termination of the school year. The juvenile was admitted and evaluated at the Saint Vincent Psychiatric Unit and the Court has reviewed their evaluation and diagnosis, dated on or about January 13, 1994. The Court is also presented with a school file, noting grades and discipline problems at the school and directs that copies of these reports be made part of the record in this case and also will be used in the hereinafter-made referral.

The juvenile is temporarily adjudicated a dependent child, placed under jurisdiction of the Juvenile Court on the following terms and conditions:

1. The father will arrange to return the child to the care and custody of the mother, together with all his clothing and other belongings in his possession within the next 24 hours at a time mutually agreed upon by both parents.

2. The child shall b eunder the supervision and control of the mother and must comply with her wishes regarding his hours, his companions and his activities.

3. If the suspension from school terminates before the end of the school term, he will return to school and present no discipline problems to the school.

4. He will cooperate in being interviewed by the hereinafter-named agencies or individuals and will fatherfully comply with the hours set by his mother and all other conditions.

5. The father is accorded temporary visits with the child and hemay pick the child up every Saturday at Noon and have him in his care, control an dcustodyuntil 6:00 p.m. Sunday, when he shall return him to the care and custody of the mother.

6. The juvenile is ORDERED and DIRECTED to take the present medication prescribed by Dr. Mennis Borczon. It appears that Dr. Borczon is working in cooperation with Dr. Gregory Richards at the Crawford County Mental Health Center.

7. this matter is referred to Children and Youth Services of Crawford County, with copies fo school and mental health records attached, to make further investigation of each parent's home and be prepared to make a recommendation to the Court after consultation with Dr. Richards or Dr. Borczon regarding further placement of this child either out of the home or with either parent.

8. The juvenile shall completely and cooperatively follow the instructions of both parents while he is in their custody and comply with their wishes regarding his conduct, habits and hours while away form the home. The Court directs that ocpies ofthe aforesaid school reports and Saint Vincent Health Center reports be part of the record in t his case and copies thereof will immediately be forwarded along with a copy of this Order to Crawford County Children and Youth Services and Dr. Gregory Richards. A report and recommendation from the aforesaid individual and agency shall be made to this Court and this Court sets a further hearing in this matter for July 14, 1994 at 9:00 a.m.

9. The court requests by that date, an evaluation and report from Children and Youth Services and a recommendation for placement inside or outside either parent's home.

10. copies of this Order, the school report, the Saint Vincent Health Center reports and psychological evaluation and summary reports will be sent by the Court sent by Children and Yought Services to Attorney J. Christopher Brode and to the father, Kevin D. Raszman, at 572 Randolph Street, Apartment B-1, Meadville, Pennsylvania and to the principal of the Meadville Area Junior High School.

11. The Court reserves the right to ultimately certify the custody count of this divorce action to the Juvenile Court Division of the Common Pleas court of Crawford County.

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

May 23, 1994 Copies dist. by Court.

Jul. 12, 1994 ORDER filed. Re: Continuation of Hearing. AND NOW, July 8, 1994, the undersigned noting that a further hearing on the custody issue of Joshua T. Raszman was scheduled for July 14, 1994 at 9:00 A.M. and that a Juvenile Court hearing involving serious charges against the juvenile child is scheduled for July 18, 1994 before Judge Anthony VArdaro, this Court hereby generally continues the custody hearing scheduled for July 14, 1994 until after a decision is made by Judge Vardaro in the juvenile case. Af ter disposition of the juvenile case, either parent may petition the undersigned Court to set a date for completion of the hearing in the custody issue.

BY THE COURT:
P. Richard Thomas, S. J.

7-12-94 Copies dist. by court

Jan. 13, 1995 Motion and Order filed. AND NOW, January 13, 1995 the Court will treat this matter as a Petition for Special Relief and set hearing for January 26, 1995 at 4 p.m. in Ct. Rm. 2 at Crawford County Court House. The Plaintiff shall serve notice of the hearing on the Defendant.

Anthony J. Vardaro, J.

Jan. 13, 1995 Faxed Brode, Lindsay, J. Mason & RCT

Continued on page 456 B

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B

_____TERM

Kevin D. Raszman
vs.
Cynthia A. Raszman

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of record
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Jan. 27, 1995 Order filed. AND NOW, January 26, 1995, the parties appeared in Court on the Plaintiff's Motion to allow a Real Estate Appraisal of the Marital Property at 551 Beers Avenue. The Court grants said motion, and accordingly, it is ORDERED as follows:

1. The plantiff has selected Vicki Gillette, SRA, to appraise the property for equitable distribution purposes. Vicki Gillette shall contact the Defendant and then arrange a mutually satisfactory time when Vicki Gillette may go to the prperty at 551 Beers Avenue, Meadville, Pennsylvania, for the purpose of making an appraisal. That appraisal shall be done within the next 30 days and the defendant shall accommodate Miss Gillette.
2. The initial cost of the appraisal that is being performed at the plaintiff's request shall be paid forthwith by the plaintiff, but a division of the fee may be made by a Master or Court when ultimate distribution is made.
3. This Order is entered simply to get Vicki Gillette paid and to get the appraisal done with the ultimate division of the fees to be divided later.

BY THE COURT,
Gordon R. Miller, J

Jan. 27, 1995 Copies mailed to Pltf and deft.

Apr. 19, 1995 ORDER filed. AND NOW,April 17, 1995,the Defendant appears in Motion Court without a written motion but with a copy of an order entered by Judge Miller on January 26, 1995 requiring the Plaintiff to pay the costs of an appraisal fee for an appraisal which has apparently been done since that time.

Essentially,theDefendant is asking that we hold the Plaintiff in contempt for his failure to pay that bill.

We will schedule this matter for hearing for May 24, 1995, at 9:15 A.M. inCourtroom No. 1 or 2, Crawford County Courthouse.

At least 15 days prior to the date of that hearing,the Defendant shall file a written petition to hold the Plaintiff in contempt for his failure to pay the items she has indicated and the petition shall clearly explain why the Defendant is asking that the Plaintiff be held in contempt. It shall be properly verified according to the rules of court.

The Defendant will then serve a copy of that petition upon the Plaintiff by regular mail with the same tobe postmarked at least 10 days prior to the date of the hearing and she shall file a proof of service.

In the event the Defendant does not comply with this order,there will be no hearing held or, in the event the Plaintiff pays the bill in question, the parties should notify the Court that has occurred and this hearing will be cancelled.

BY THE COURT:
Anthony J. Vardaro, J.

4-19-95 Pltf & Deft. 4-20-95 Faxed Brode,Lindsay, J.Mason & R.C.Thomas

May 12, 1995 Motion for Contempt of Court for Non-Payment, filed.

May 26, 1995 ORDER filed. AND NOW, May 24, 1995 the Defendant appears and the record indicates that she has attempted to comply with out order of April 17,1995. Essentially, she wishes for the Court to hold the Defendant in contempt for failing to pay the costs of an appraisal that was done,which costs were to be paid by the Plaintiff pursuant to Judge Miller's order of January 26, 1995.

Our order of April 17, 1995 required the Defendant to file a verified petition as to why she wanted the Plaintiff to be held in contempt and she has done so.

Our Order also required that she serve the petition upon the Plaintiff by regular mail with the same to be postmarked at least 10 days prior to the date of the hearing, and to then file a proof of service. She served the same upon the Plaintiff by certified mailand no return has been received by her as of this date, and therefore we do not know whether the Plaintiff has received what she served upon him. The Defendant notes correctly that the Prothonotary provided a copy of the April 17th, 1955 order to the Plaintiff but that order indicated there would be no hearing if the Defendant did not comply with our office of April 17, 1995.

The Defendant also indicates that she is not sure if the Plaintiff is still at the address that he previously resided at.

Under these circumstances, we do not believe that we can hold the absent Plaintiff in contempt even if the Defendant does satisfy us this day that he has not paid the appraisal costs.

Accordingly, this matter will be continued until June 16, 1995 at 8:45 a.m. in Courtroom No.2 before the undersigned.

The Defendant shall serve personally through a Constable, Sheriff, or Sheriff's Deputy onor before June 9, 1995 a copy of our order of April 17, 1995 as well as a copy of the petition she filed on May 12, 1995 and a copy of this order.

Prior to the June 17, 1995 hearing, she shall file proof of service or she shall bring to that hearing proof signed by the Constable, Sheriff, or Sheriff's deputy that personal service was made upon the Plaintiff as required by this order.

The Defendant shall be responsible for determining whether such personal service shall be made by a Constable or by the Sheriff or his deputies, and she shall be responsible for the costs of that service, without prejudice to theCourt to assess those costs ultimately to the Plaintiff if the Court deems it appropriate.

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

5-26-95 Copies mailed Pltf. & Deft. 5-30-95 Copies to Attys. Brode, Lindsay,J.Mason &R.C. Thomas

June 8, 1995 SHERIFF'S RETURN, filed. SERVED Kevin D. Raszman personally on June 8, 1995 at 3:05 PM by handing Court Orders and Motion for Contempt to him at his place of employment, Meadville Medical Center, Liberty St., Meadville, Crawford County, PA 16335 So answrs, Scott D. Young, Deputy Sheriff
Robert M. Stevens, Sheriff

RECORD CONTINUED ON PAGE 456 (C).....

KEVIN D. RASZMAN

VS.

CYNTHIA A. RASZMAN

RECORD CONTINUED FROM PAGE 456 (B)

OF

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June 16, 1995 AND NOW, June 16, 1995, at the time set for hearing in this matter, the Plaintiff appears and indicates that he has had the money saved on two occasions but had other emergencies that he had to spend the money on and therefore has not paid the appraiser in this case.

Judge Miller entered an order on Jan. 26, 1995 requiring that that be done in a prompt manner and based on the Plaintiff's net monthly income of $1,080, we find that he is in contempt of that order.

He is sentenced to undergo imprisonment in the Crawford Co. Jail for a period of up to 6 months. He may purge himself of contempt prior to entering the Crawford Co. Jail if he pays the $300 in full and produces a receipt indicating that he has done so to the Prothonotary of Crawford Co. no later than 4:30 p.m. on Jun3 21, 1995 which is a Wednesday. If he fails to do so, he shall report to the Crawford Co. Jail at 9:00 a.m. June 22, 1995 to begin service of this sentence for contempt. Once he has been incarcerated, he may purge himself of contempt at any time by paying the $300; and he shall be released immediately from the Crawford County Jail.

Once he is in the Crawford Co. Jail whenever there is space in the Work Release Section, he is granted work release privileges.

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

June 16, 1995 Copies sent to Jail, Work Release; given Pltf., mailed Deft.

June 16, 1995 ADDITIONAL ORDER filed. AND NOW, June 16, 1995, we have just conducted a hearing in which we have found the Plaintiff to be in contempt of court for failure to pay an appraisal fee ordered by Judge Miller in a Jan. 26, 1995 order.

At the time of the hearing, we neglected to require the Plaintiff to pay any court costs and/or Sheriff's costs that were incurred by the Defendant in filing this petition for contempt.

To our knowledge, the only costs incurred were $29 in Sheriff's costs but the Plaintiff shall be responsible for paying not only those costs but any others that were incurred if they were incurred.

The Prothonotary of Crawford Co. is directed to provide a copy of this order in person to the Defendant if he comes in prior to 4:30 p.m. June 21, 1995 with a receipt that he has paid the appraisal fee and, once the Plaintiff receives a copy of this order, he shall have ten days from that date to pay those Sheriff's costs to the Sheriff of Crawford County and, if those costs have previously been paid by the Defendant, the Sheriff of Crawford Co. shall reimburse the Defendant.

If the Plaintiff does not appear at the Prothonotary's office by June 21, 1995 at 4:30 P.M. and is therefore incarcerated as of June 22, 1995 at 9:00 A.M. a copy of this order shall be provided to him by the jail staff and the Defendant may not be released as he will not have purged himself of contempt until he pays the Sheriff's costs and any costs in addition to the original appraisal fee.

BY THE COURT:
Anthony J. Vardaro, J.

June 16, 1995 Sent copies to Jail, Sheriff; copy given Pltf., mailed Deft.

June 30, 1995, Motion for Contempt of Court for Non-payment on behalf of defendant, filed.

June 30, 1995, ORDER: AND NOW, June 30, 1995 the defendant appears in Motions Court and files a handwrittenmotion asking that the plff. be held in contempt of court for failure to pay the $29 that was apparently ordered by Judge Vardaro on June 16, 1995.

Even though the motion is not in proper form or contain all of the necessary allegations, the court will accept the motion as a Petition for Contempt and hereby ORDERS as follows:

1. A hearing on said Petition is hereby set for 4 P.M. on Wed. July 26, 1995, in C. R. No. 2 of the Crawford County Courthouse.

2. The defendant shall arrange to have a true and correct copy of her motion and this order served upon the plff. and an appropriate Return of Service made prior to the hearing.

3. The plaintiff is advised that is he is held in contempt of court, he may be punsihed by a fine, imprison ment, or both.

by the court,
Gordon R. Miller, P.J.

7/7/95 copies mailed to plff. and dft.

Jan. 26, 1996 Motion by Plaintiff to grant a Decree in Divorce and ORDER filed. And,January 26, 1996, this motion is denied.
Anthony J.Vardaro, J.
1-26-96 Faxed Lindsay, Mason, Brode &Thomas, mailed Plltf.

Feb. 7, 1996 Affidavit Under Section 3301 (d) of the Divorce Code of Keven D.Raszman, Plaintiff, filed.

Feb. 7, 1996 Inventory of Kevin Douglas Raszman, filed.

Feb 21, 1996 Petition To Proceed In Forma Pauperis Pursuant to Pa. R.C.P. 240 and Order, filed. AND NOW, February 21, 1996, 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 financial circumstance that would permit him to pay the costs incurred in this action and shall be responsible for doing so upon an improvement of financial condition. The Master or the Court have the right to order the Plaintiff or Defendant to pay costs at a later date since Plaintiff earned $22,000 in 1995 and has the ability to work once his current medicial condition improves.
Feb. 21, 1996 Faxed Brode, Lindsay,Thomas, J. Mason, mailed Plf.
Feb. 27, 1996 Faxed Pineo

Feb.22, 1996 Petition for Master Hearing by Kevin Douglas Raszman,and ORDER APPOINTING MASTER filed. AND NOW,February 21, 1996, Dalvid Pickens, Esquire is appointed Master in respect to the following claims:

Divorce and Equitable Distribution

If not filed already the parties are ordered to file their prehearing statements within twenty (20) days from this date.

The parties willbe required to pay costs in the final order entered on this case.

Per Curiam,
Gordon R.Miller, Judge

2-22--96 Faxed Lindsay,Mason, Brode, Thomas, Picken, mailed pltf.

Continued to Page 456 D

Mar. 1, 1996 NOtice of Scheduled Pre-Hearing conference, filed.

April 25, 1996, Defendant's Pretrial Narrative Statement filed.

April 25, 1996, Inventory and Appraisement of Cynthia Anne Raszman filed.

April 25, 1996, Summary of Pre-Hearing Conference filed.

April 26, 1996, Notice of Scheduled Master's Hearing filed.

May 16, 1996 Plaintiff's/Defendant's Pretrial Narrative Statement filed.

May 16,1996 Amended Inventory Form filed.
May 16, 1996 Notice of Reinstatement of Workers Compensation by Plaintiff filed.

May 31, 1996 Notice of Scheduled Master's filed.

TO : KEVIN D. RASZMAN
PLAINTIFF
551 BEERS AVE.
MEADVILLE, PA 16335

Joan D. Mason, Esq.
Attorney for Defendant
623 N. Main Street
Meadville, PA 16335
Fax: 724-2652

YOU ARE HEREBY NOTIFIED that the undersigned Master has re-scheduled a hearing in the above captioned case for **Thursday, August 29, 1996 and Friday, August 30, 1996 at 9:30 o'clock, a.m.** in the **Orange room on the third floor of the Crawford County Courthouse, Meadville, Pennsylvania.**

David W. Pickens, Esq.
Master

May 30, 1996 Motion and ORDER filed. And Now, May 30, 1996 Motion accepted.

David W. Pickens, Esq.
Master

5-30-96 FAXED Mason

May 31, 1996 Petition for Additional Remedies and Order, filed. AND NOW, this 29 day of May, 1996, upon consideration of the attached Petition for Additional Remedies, hearing is set for the 18 day of July, 1996, at 9:15 A.M., in Courtroom # 1 or 2, Crawford County Courthouse, Meadville, Pennsylvania.

Anthony J. Vardaro, J.

May 31, 1996 Dist J. Mason
June 10, 1996 Faxed Lindsay & Pineo

June 10, 1996 Affidavit of Service under Section 3301 (d) of the Divorce Code on behalf of Plaintiff filed.

June 12, 1996, Petition for Contempt for Rule to Show Cause and Rule filed. RULE TO SHOW CAUSE: AND NOW, this 12 day of June 1996 upon presentation and consideration of the foregoing petition, a rule is entered upon the respondent to show cause, if any shw has, why the prayer of the petitioner request for the imposition of sanctions for contempt should not be granted.

This rule is returnable on the 11 day of July 1996, at 1:30 p.m. in C. R. No. 1 or 2 of Courthouse, Meadville, Pa.

BY THE COURT,
Gordon R. Miller, J.

6/12/96 faxed to Thomas, Brode, J. Mason and Lindsay.

June 17, 1996 ORDER filed. AND NOW, June 12, 1996, the plaintiff's motion asking the Court to require the defendant to sign an authorization and consent is denied. We will not permit the plaintiff to contact the workers compensation carrier directly.

However, we generally believe that some of the facts surrounding the workers compensation claim may be discoverable as being relevant to equitable distribution of marital property, alimony pendente lite, permanent alimony, and counsel fees. We do not now direct defendant or her counsel to disclose any of that information unless they want to. If the plaintiff approaches the Court for further discovery along these lines we will take a serious look at it.

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

6-17-96 Brode, Lindsay. MAILED Pltf. DISTRIBUTED Mason & Thomas.

June 17, 1996 Motion for Relief on behalf of Plaintiff filed.

July 16, 1996 Order filed. AND NOW, July 11, 1996, the Plaintiff's Petition for contempt is dismissed as the Court does nothave jurisdiction. The parties signed a motion on May 30, 1996 that the Master accepted withdrawing Count 2, Custody/visitation from this divorce action. Once that was done, the Court believes that it not longer has jurisdiction over this matter even though the Plaintiff's allegationis that the violations occurred before the matter was withdrawn. Count 2 entitled Custody/Visitiation is removed form this susit by the agreement of the parties as evidenced by the motion dated May 30, 1996.

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

July 19, 1996 mailed to Pltf. & Dft.

July 19, 1996 ORDER filed. AND NOW, July 18, 1996, this matter comes before the Court on the Defendant's petition for Alimony Pendente Lite, counsel fees, and court costs. APL, Counsel fees and costs are denied without prejuice to the Defendant. (SEE PAPERS FILED).

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

July 19, 1996 Order Distributed Attys. Mason; July 23, 1996 Order mailed Plff.

Sept. 6, 1996 Notice of Filing Master's Report filed.

Sept. 6, 1996 Master's Report and Recommendation filed.

Sept. 6, 1996 Master's Hearing transcript filed.

Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

Nov. 26, 1996 Order filed. AND NOW, November 25, 1996, this matter has been referred to the Court for final decree. It appears that the case is in order for a final decree but there remains $9.00 in outstanding costs on a custody matter. The Court will not enter a decree untilthose costs are paid. Whenthose cases are paid the Prothonotary shall return this file to the Court for further action.

BY THE COURT,
Gordon R. Miller, J

11-26-96 distributed Mason mailed Pltf.

DIVORCE DECREE FILED

Dec. 10, 1996 AND NOW, December 6, 1996, it is Ordered, adjudged and decreed as follows:
The parties hereto are divorced from the bonds of matrimony.
(SEE PAPERS FILED).

BY THE COURT:
Gordon R. Miller, J.

1993

Bruce A. Timblin
vs.
Kebert Construction Co.; United States Fidelity & Guaranty; Agway Insurance Co; and Aegis Security Insurance Company

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Sept. 20, 1993 Notice of Service of Defendant's First Set of Interrogatories and Request for Production of Documents Directed to the Plaintiff, filed.

Sep. 30, 1993 Stipulation for Discontinuance of Action as to KEBERT CONSTRUCTION COMPANY, only.

Nov. 18, 1993 Amended Answer and New Matter on behalf of United States Fidelity and Guaranty Co. filed.

Dec. 3, 1993 ORDER filed. AND NOW, November 30, 1993, at the time for argument on the Rule to Show Cause why the Plaintiff's motion to compel arbitration should not be granted, it came to the attention of the Court that the undersigned judge when practicing law was involved in some aspect of the accident which gives rise to this suit and may have drawn a release that the Plaintiff signed in a separate lawsuit or separate cause of action. It further appears that a former partner of the sitting Judge in Crawford County, Anthony J. Vardaro, may have been involved in this action or some other action involving the same underlying accident. Accordingly, the undersigned Judge will not hear this case. The argument in this case is hereby continued and shall be held on January 31, 1994 at a time to be scheduled by the Court Administrator.

The Court Administrator shall make application to the Supreme Court of Pennsylvania for the appointment of an out-of-county Judge or a senior judge to hear this argument.

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

12-6-93 Copies dist. to Attys. Douglas, Gorr, Millhouse, Ferry. 12-10-93 Copy of Order mailed to Atty. Mioduszewski.

Nov. 30, 1993 Petitioner's Reply To Amended New Matter Of Respondent United States Fidelity And Guaranty Company, filed. (3 copies Atty.)

Dec. 15, 1993 Amended New Matter Of Defendant Aegis Security Insurance Company filed.

Dec. 22, 1993 Assignment of Argument Date, filed. Dec. 20, 1993, argument in the above matter is hereby set for January 31, 1994, at 10:00 A.M., in Courtroom 3, before the Honorable P. Richard Thomas, Senior Judge.

FOR THE COURT,
Ann A. Walker

Copies mailed by Cvt. Adm.
~~Jan. 3, 1994 copy~~ to J. Douglas, A. Gorr, S. Millhouse, W. Ferry

Jan. 25, 1994 UponPraecipe of James E. Douglas, Esquire, Attorney for Plaintiff,the above case marked settled and discontinued of record.

Cathy M. & David M. Slayton
vs.
Richard t. Biebel,
Administrator of the Estate
of Ruth E. Peterson and
Yasuhiro Okuma

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Nov. 18, 1993 Reply Of The Estate Of Ruth E. Peterson To New Matter, filed.

Nov. 23, 1993 Certificate of Service filed. I certify that a true and correct copy of the Complaint was served upon John G. Eidemueller, Jr., Deputy Attorney General, Commonwealth of Pennsylvania, Office of Attorney General, Torts Litigation Unit, 4th Floor, Manor Complex, 564 Forbes Avenue, Pittsburgh, PA 15219, by United States first-class mail, postage prepaid.

Emil S. Spadafore

May 2, 1994 Certificate of Service of Interrogatories, filed.

Aug. 9, 1994 Certificate of Service of Interrogatories and Request for Production filed.

Sept. 12, 1994 Certificate of Service of a true and correct copy of the Response, filed.

Oct. 27, 1994 Motion for Sanctions and COURT ORDER,filed. AND NOW, this 26 day of October, 1994,upon presentation of the attached Motion, a Rule is hereby entered upon the Commonwealth of Pennsylvania, Deputy Attorney General, John G.Eidenmueller,Jr. to show cause, if any he may have,why the relief requested in the attached Motion should not be granted.
This Rule is returnable for a hearing on the 23rd day of November,1994, at 10:00 o'clock A.M., in Court Room 1, 2 or 3 of the Crawford County Courthouse.

BY THE COURT:
Anthony J.Vardaro,J.

10-28-94 Faxed to Attys.Spadafore,Fabian,Eidemueller,Jr. & Minich. 11-1-94 Copy to Atty. Brydon.

Nov. 21, 1994 Notice of Service of Answers to Biebel's Interrogatories filed.

Nov. 23, 1994 Answers To Richard T. Biebel's Interrogatories filed.

Jan. 10, 1995 Certificate of Service of Interrogatories and Request for Production filed.

March 24, 1995 Motion For Sanctions and ORDER filed. AND NOW, this 24 day of March, 1995, upon presentation of the attached Motion a Rule is hereby entered upon Plaintiffs to show cause, if any they have, why the relief requested in the attached Motion should not be granted.
Set for hearing and/or Argument on next Argument List (April 1995).

BY THE COURT:
Anthony J. Vardaro, J.

March 24, 1995 Order FAXED Attys. Spadafore, Fabian,Minich, Milsop; given to Eidemueller, Jr.

Apr. 19, 1995 Plaintiffs' Reply and New Matter to Defendant Biebel's Motion for Sanctions, filed.

Apr. 21, 1995 Praecipe of John C.Brydon, Esquire to withdraw his appearance on behalf of the plaintiffs and Attorney Irving Portnoy (as primary counsel) and Attorney Mark Milsop (as secordary counsel) for plaintiffs, filed.

Apr. 21,1995 Certificate of Service, filed.

Apr. 24, 1995, Appearance of evans, Portnoy and Quinn, by Irving M. Portnoy and Mark E. Milsop, attorneys for plaintiffs filed.

Apr. 28, 1995 Motion to Withdraw Motion for Sanctions and ORDER filed. AND NOW, this 27 day of April, 1995, upon consideration of the Defendant Biebel's Motion to Withdraw Motion for Sanctions said Motion is hereby granted.

BY THE COURT:
Anthony J.Vardaro, J.

4-28-95 Faxed to Attys.Spadafore & Milsop

Sep. 28, 1995 Notice of Service of Plaintiffs' First Set of Interrogatories and First Request for Production of Documents Directed to Additional Defendant Commonwealth of Pennsylvania Department of Transportation, filed.

Jan 17, 1996 Entry of Appearance, filed. Please substitute Herbert B. Cohen, Esquire for Mark E. Milsop, Esquire, in the within matter. (Evans, Portnoy & Quinn)'

Jan 18, 1996 Motin to Compel Answers to Interrogatories and Request for Production of Documetns Directed to Additonal Defendant Commonwealth of Pennsylvania Department of Transportation and Order of January 17, 1996, filed.
Jan 18, 1996 Faxed Cohen, Eidemueller,Spadafore, Fabian, Minich

Feb 23, 1996 Notice of Service of Answers to Plaintiffs' First Set of Request for Production of Documents and Interrogatories, filed.

Feb. 26, 1996 Original verification To Answers To Plaintiffs' First Set of Interrogatories filed.

July 3, 1996, NOtice of Service of Defendant Yasuhiro Okuma's First Set of Interrogatories and First Request for Production of Documents Directed to Plaintiffs filed.

Jan. 31, 1997 A Motion to Compel Answers to Interrogatories and Request for Production of Documents Directed to Plaintiffs Cathy M. Slayton and David M. Slayton and Order filed. AND NOW, TO-WIT, this 31st day of January, 1997, upon consideration of original Defendant, Yasuhiro Okuma's Motion to Compel Answers to Interrogatories and to Request for Production of Documents, and the argument of counsel, it is hereby ORDERED, ADJUDGED AND DECREED that Plaintiffs shall serve full and complete Answers to Interrogatories and Produce the subject documents at the Offices of Counsel Counsel for original Defendant, Yasuhiro Okuma, within 30 days from the date of this order, or suffer such sanctions as this Court may deem proper.

BY THE COURT
Gordon R. Miller, J.

1-31-97 FAXED Portnoy, Minich, Erdemuller, Spadafore

Mar 12, 1997 Appearance of Culbertson, Weiss, Schetroma and Schug, P.C. by E. Max Weiss, Esquire, on behalf of Additional Defendant, Deborah Bearce, filed.

FEb. 9, 1998 NOTICE OF OBJECTION TO INTENT TO SERVE SUBPOENAS PURSUANT TO PENNSYLVANIA RULE OF CIVIL PROCEDURE 4009.21 FILED.

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1993

Leslie Tar

vs.

Phyllis Riggs

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Arbitration shall not automatically occur as a result of this order. Any party desiring to have these matters heard by arbitration shall file a praecipe for reference to arbitration in accordance with the Rules. Thereafter the case shall proceed in accordance with the rules governing compulsory arbitration.

An original copy of this order shall be filed in each of these four cases.

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

Oct. 4, 1993 Copy of Order to Atty. Theodore Kukunas and copy mailed to Plf.

Kimberly Boylan
vs.
Michael Boylan

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There shall be two visitation periods on each of said holiday. The first period shall begin at 8:00 a.m. and end at 2:00 p.m., and the second period shall begin at 2:00 p.m. and end at 8:00 p.m. For Memorial Day, the mother shall have the first period and the father shall have the second; for Independence Day, the father shall have the first period, and the mother shall have the second;p for Labor Day, the mother shall have the first period and the father shall have the second; and the parties shall thereafter alternate the periods such that the party having the morning period on a particular holiday for one year shall have the afternoonperiod on the same holiday for the second year.

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. e.

f. The provisions of this paragraph shall take precedence over the other provisions of this order relating to the custodial or visitation periods.

5. Each of the parties shall have the right to designate a period each summer to begin on a Friday at 5:00 p.m. and end on the second Sunday thereafter at 5:00 p.m. in which said party will have physical custody of the subject minor children and no visitation need be accorded the other party. Each of the parties shall take his or her designation by May 15 of each year.

6. 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 shal 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.

7. The parties shall split responsibility for transportation with the party receiving the children in the exercise fo his or her rights picking up the children at the home of the other. Any person transporting the children shall make sure that athe seat belts or other restraints are used in accordance with the laws of Pennsylvania.

8. 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.

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 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. 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. 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. Costs and fees of this Mediation, which are fixed at $202.00, are divided equally between the parties with a share of each being assessed to him or her as costs in this case.

13. The deposit required for the appointment of the Custody Mediator was made by the mother. The deposit shall first be applied against the mother's share of costs and the remainder, if any, shall be remitted to her. The father shall pay his share of costs and fees to the Prothonotary of Crawford County within thirty (30) days of the date of this Order.

14. Either party may move the Court for a hearing de novo within ten (10) days from date hereof. If neither party so mvoes, this Order shall be considered permanent.

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

Jan. 7, 1994 copy to W. Pineo, J. Irwin, M.A. Kirkpatrick, Plf. & Dft.

Mar. 31, 1994 Request For Hearing and Order, filed. AND NOW, this 30th day of March, 1994 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 6th day of May, 1994 at 10:00 o'clock A.M. in Courtroom No. 1 or 2 of the Crawford County Courthouse, Meadville, Pennsylvania.

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

Apr. 6, 1994 copy to J. Irwin, B. Walton, M.A. Kirkpatrick, W. Pineo

Apr. 27, 1994 Motion For Leave To Withdraw Appearance and Order filed. And Now,April 27, 1994, the motion for withdrawal of Appearance is granted.

BY THE COURT,
Anthony J. Vardaro, J

Apr. 29, 1994 Copies of order to Atty's Irwin, Kirkpatrick, Walton and Pineo

Apr. 28, 1994 Plaintiff's inventory, filed.

Apr. 28, 1994 Plaintiff's Income and Espense, filed.

May 6, 1994 ORDER filed. AND NOW, May 6, 1994, this matter is before the Court on the issues of alimony pendente lite for the student wife, attorney fees for the plaintiff and a partial payment of any advances required on the appointment of a Master.

The Court receives financial statements and input from both parties, and after informal discussion and input from counsel and the parties the Court enters the following Order:

The plaintiff is awarded alimony pendente lite in the amount of$300 per month,starting with the month of May, 1994, to be paid on or before the 15th of each and every month.

The Court awards partial counsel fees to the plaintiff in the amount of $300, with $150 to be paid by May 15, 1994; and the balance of the $300 to be paid by June 15, 1994.

With regard to unknownupcoming Master fee advances, the Court directs that the defendant pay the plaintiff the sum of $200 on or before May 20, 1994, with the plaintiff being required to reserve this amount as part of her obligation toward the initial payment of Master fees and will be required to move from the appointment of a Master on or before May 25, 1994.

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

5-6-94 Mailed Irwin & Devine.

May 13, 1994 Motion to Appoint Master and ORDER APPOINTING MASTER, filed. AND NOW, May 12, 1994, David Pickens, Esquire is appointed Master in respect to the following claims:

Alimony, Alimony Pendente Lite, Equitable Distribution, Fees, Costs and Expenses.

Deposit required: Plaintiff $250 Defendant $500

If not filed already, the parties are ordered to file their pretrial statements within (30) days from this date.

PER CURIAM:
Gordon R. Miller, Judge

5-13-94 Faxed copy to Attys. Irwin & DeVine

Oct. 10, 1994 Motion for Sanctions and ORDER filed. AND NOW, to-wit,this 10 day of October,1994, it is hereby ORDERED, ADJUDGED and DECREED that Respondent/Plaintiff pay her share of the Master's deposit ($250.00) no later than October 25,1994.

Anthony J.Vardaro, J.

10-10-94 Faxed to Atty. Irwin,given Malc.

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1993 TERM

Kimberly Boylan
vs
Michael E.Boylan

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Oct. 21, 1994 Notice of Scheduled Pre-Hearing Conference filed.

Nov. 17, 1994 Summary of Pre-Hearing Conference Held on November 4, 1994 at 2:00 P.M. filed.

Dec. 2, 1994 Notice of Scheduled Master Hearing, filed.

Feb. 3, 1995 Notice of Filing Master's Report filed.

Feb. 3, 1995 Master's Hearing, held before David W.Pickens,Esq., on the 15th day of December, 1994, filed.

Feb. 13, 1995 Exceptions to Master's Report filed.

Mar. 3, 1995 Petition for Contempt and NOTICE AND ORDER TO APPEAR filed. Legal proceedings have been brought against you alleging you have willfully disobeyed an order of court.

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 the 27 day of March, 1995 at 11:00 o'clock A.M. in Courtroom No. 1, 2 or 3 of the Crawford County Courthouse.

IF YOU DO NOT APPEAR IN PERSON, THE COURT MAY ISSUE A WARRANT FOR YOUR ARREST.

If the court finds that you have willfully failed to comply with its order, 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.

Court Administrator
Courthouse, Meadville, PA 16335
(814) 336-1151 ext. 298
Date: 3/3/95

Anthony J.Vardaro, J.

3-13-95 Faxed copy to Attys. Irwin & Devine

Mar. 3, 1995 ORDER filed. AND NOW, this 3 day of March, 1995, it is hereby ORDERED, ADJUDGED AND DECREED that a Rule to Show Cause is hereby entered upon Defendant, Michael Boylan, to show cause why he should not be held in contempt of Court.

Said Rule is returnable on the 27th day of March, 1995, in Courtroom No 1, 2 or 3 of the Crawford County Courthouse, Meadville, Pennsylvania at 11:00 o'clock A.M.

BY THE COURT:
Anthony J.Vardaro,J.

3-3-95 Faxed to Attys. Irwin & Devine

Mar. 29, 1995 Petition for Bifurcation and RULE TO SHOW CAUSE WHY BIFURCATION SHOULD NOT BE GRANTED, filed. AND NOW, this 29 day of March, 1995, upon consideration of the within Petition and upon Motion of DAVID R. DEVINE,Attorney for Petitioner, a rule is entered upon Respondent to show cause why the request for bifurcation should not be granted.

Rule is returnable for hearing and argument is scheduled for 22nd day of May, 1995, at 11:00 a.m. in Court Room 1 or 2 at the Crawford County Court House.

BY THE COURT:
P. Richard Thomas,J.

3-28-95 Faxed Attys.Devine & Irwin

Apr. 24, 1995, Notice of Servcie of Defendants Interrogatories Directed to Plaintiff Karla M Bedow filed.

Apr. 24, 1995, Upon praecipe of plaintiff attorney, to transmit the record, this case moved to court.

Apr. 26, 1995 Motion to Discontinue Hearing and ORDER filed. AND NOW, this 26 day of April, 1995, upon consideration of the attached Motion,the Bifurcation Hearing scheduled for May22, 1995,at 11:00 a.m. is discontinued.

Anthony J.Vardaro, J.

4-26-95 Faxed to Atty.Devine. 5-2-95 Faxed to Atty. Irwin.

DIVORCE DECREE FILED

May 8, 1995 STIPULATION and FINAL DECREE. AND NOW, this 4 day of May, 1995, it is Ordered and Decreed that KIMBERLY BOYLAN, Plaintiff and MICHAEL BOYLAN, Defendant, are divorced from the bonds of matrimony.

IT IS FURTHER ORDERED AND DECREED AS FOLLOWS:

EQUITABLE DISTRIBUTION

A. Wife shall receive the following:
   1. All Household furnishings in her possession
   2. IRA at Wadell & Reed
   3. Mellon Bank Money Market Account in the approximate amount of $1,000.00
   4. 1988 Plymouth Voyager
   5. Integra Bank Checking and Savings Accounts in Wife's name
   6. 100% of the separation date value of Diversified Tool 401(k) Plan, pursuant to a Qualified Domestic Relations Order
   7. $32,000 cash from Husband

B. Husband shall receive the following:
   1. All household furnishings in his possession
   2. IRA with Fidelity
   3. 1992 Chevy
   4. Marital residence
   5. 50 acres vacant land

C. Husband shall assume liability on the mortgage to Marquette Savings Bank and to his parents for the loan for the Chevy, and hold wife harmless with respect to the same.

D. Attorney for Wife shall prepare the documents necessary to accomplish transfer of the Wife's portion of the Diversifeid 401(k) Plan within thirty (30) days of this Decree.

E. Within thirty (30) days from the date of this Decree, the parties shall sign all the necessary documents to transfer the title to real estate and motor vehicles and any other documents necessary of ownership of assets as provided for hereunder.

F. Husband shall pay the sum of $400.00 per month commencing the first month following the entry of a final divorce decree until November 1996. Alimony shall cease upon the remarriage of Wife or her co-habitation with another as defined by the Divorce Code, or the death of the Husband, or the death of the Wife. Alimony shall be due the first of each month and payment shall be received no later than the 15th of each month.

G. Husband shall pay Wife's attorney the sum of $500.00 within thirty (30) days of the date of this Decree.

H. From the deposits paid into the Court, the Prothonotary shall pay the Reporter's fee of $635.40 forthwith to Lorraine Dallas, 820 Ravine St., Meadville, PA 16335.

Record Continued on Page 460 (B)

1993 TERM

KIMBERLY BOYLAN

VS.

MICHAEL BOYLAN

RECORD CONTINUED FROM PAGE 460 (B)

OF

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I. From the deposits paid into the Court, the Prothonotary shall pay a Master's fee of $32.50 to David W.Pickens,Esq.
J. The parties shall pay costs in the amount of $655.40: Husband shall pay $284.00 and Wife shall pay $371.40 before a divorce decree will be delivered to them.

BY THE COURT:
Anthony J. Vardaro, J.

Master's Exhibits Returned to Prothonotary's Office for Storage in old docket file Cabinet

May 7, 1996 Petition To Modify Custody and Order filed. You, Michael Boylan, have been sued in Court to obtain custody of Tanya, Brandon and Bradley Boyland.

You are ORDERED to appear in person at such time and place as will be determined by the Mediator William Pineo, 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 agians tyou 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
Phone: (814) 336-1151 ext. 298
Date: May 6, 1996

Gordon R. Miller, J

AND NOW, this 6th day of May ,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,
Gordon R. Miller, J

May 7, 1996 Faxed, Irwin & Kirkpatrick distributed Pineo

May 8, 1996 Motion for Leave to Withdraw Appearance filed.

May 8, 1996 ORDER filed. AND NOW, this 8th day of May, 1996, the motion for withdrawal of appearance is granted.
BY THE COURT
Gordon R. Miller, J.

FAXED 5-9-96 Irwin, Walton, Male & Devine.

Sept. 2, 1997 Petition for Contempt and NOTICE AND ORDER TO APPEAR filed. Legal proceedings have been brought against you alleging that you have willfully disobeyed an Order of the Court.

If you wish to defend against the claims 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 the 2nd day of September, 1997 at 3:00 PM in Courtroom No. 3 of the Crawford Co. Courthouse. (SEE PAPERS FILED).

BY THE COURT:
Anthony J. Vardaro, J.

Sept. 2, 1997 Order FAXED Attys. Kuftic and Irwin.

Sept. 17, 1997 Order filed. AND NOW, BY ORDER OF THE COURT, September 2nd, 1997, the matters before the Court on a contempt petition, which the Court interprets to be a requested change of school attendance for minor child Bradley, age thirteen, the request is that he change from the Cambridge Springs school system to the Edinboro school system which, of necessity, means a residence with his mother, but corresponding visits on weekends and other appropriate times with the father, who resides in Cambridge Springs.

The father is opposed to said move, implying that the move is generated indirectly by the mother unduly influencing the child. This Court cannot find any undue influence upon the child. This Court cannot find any undue influence upon the child, but conjectures that the change in schools may not be what the juvenile anticipates, and he may change his mind again in the future, depending on a number of factors.

Under all of the circumstances. we believe we should honor the request of child and mother that the child attend, for the upcoming school year, the Edinboro school system, (General McLane).

Accordingly, the Order heretoafter entered, on or about December 23rd, 1993, modified by a verbal agreement of the parents, is amended to deny the petition of the father to hold the mother in contempt.

We hereby direct the child be permitted to attend the General McLane School District, but continue to have ongoing visits for meaningful periods of time with the father.

SO ORDERED, P. Richard Thomas, S.J.
9-18-97 DISTRIBUTED Kuftic & Irwin

Continued Page 460c

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KIMBERLY BOYLAN
VS.
MICHAEL BOYLAN

CONTINUED FROM PAGE 460-B
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Aug. 29, 1997 Petition to have Respondent Held in Contempt for Violating Custody Order and Notice and Order to Appear filed. Legal proceedings have been brought against you alleging that you have willfully disobeyed an Order of the Court.

If you wish to defend against the claims 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 the 2 day of September, 1997, at 3 o'clock p.m. in Courtroom no. 3 of the Crawford County courthouse.

IF YOU DO NOT APPEAR IN PERSON, THE COURT MAY ISSUE A WARRANT FOR YOU ARREST.

If the Court finds that you have willfully failed to comply with its Order, 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:

COURT ADMINISTRATOR
COURTHOUSE
MEADVILLE, PA 16335
(814)336-1151, ext. 298

BY THE COURT:
Anthony J. Vardaro, J.
9-2-97 FAXED Kuftic & Irwin

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-D-

1993

Patricia A. Wanker
vs.
Charles J. Wanker, Jr.

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1. The Plaintiff shall pay the Defendant $250 to apply on the Defendant's attorney's fees no later than May 12, 1994 by making payment directly to Mary Ann Kirkpatrick, Esq., Attorney for the Defendant.

2. Bruce Nicolls apparently did an appraisal of personal property. Mr. Nicolls' bill for that appraisal shall be split equally between the parties and shall be paid by both parties to Mr. Nicolls on a timely basis. That appraisal apparently was done for the Defendant, and therefore, it does not bind the Plaintiff simply because she is paying for one half of it. She has the right to seek another appraisal of her own, which she shall pay for on her own, unless the Defendant is ordered to paaticipate in that by further order of Court.

3. The parties own real estate and rental real estate which shall be appraised by an appraiser to be selected by them no later than May 12, 1994. The parties shall equally split the cost of that appraisal or appraisals of the real estate and they will be bound for valuation purpose to those appraisals.

4. The Plaintiff shall continue to operate the rental business and rental properties in the normal, usual and customary manner in which they have been managed in the past. She shall pay the Defendant $200 out of the rental account each month for a period of six months. The first paymetn shall be made on or before May 1, 1994 and each subsequent payment shall be made on or before the first day of each subsequent month. Furthermore, the Plaintiff may take $100 out of the rental account for herself by check for six months. The first payment shall be made on or before May 1, 1994 and each subsequent payment or withdrawal by the Plaintiff shall occur on or after the first day of each subsequent month. This is not a final distaribution or division of any rental income or rental account.

A final determination of all of these matters shall be made by a master or Court at a later date, as this is simply an interim order to cover matters presently at issue.

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

May 2, 1994 copies dist to Kirkpatrick & Fabian

Feb. 24, 1995 Proof of Service filed.

Jul. 6, 1995 Stipulation for Delivery of Escrow and Transfer of Motor vehicle titles and ORDER filed. AND NOW,this 3rd day of July, 1995, in consideration of the attached Stipulation, it is hereby ordered that:

1. All proceeds of the sale of livestock presently held in an escrow account at Northwest Savings Bank, together with any interest or accumulations thereon, shall be delivered by the escrow agents Mary Ann Kirkpatrick, Esq., and Gary A.Fabian,Esq., in the following manner to-wit: one half to the Plaintiff and one half to the Defendant, forthwith.

2. The Plaintiff shall execute the title to the Ford 150 F Series Truck which is presently in the possession of the Defendnt so that henceforth, the title to said motor vehicle shall be solely in the name of the Defendant, and the Defendant shall execute the title to the 1987 Ford Thunderbird presently in the possession, of the Plaintiff,so that henceforth the title to said motor vehicle shall shall be solely in the name of the Plaintiff.

3. This Order is made without prejudice to either party with regard to the final allocation of the said assets between the parties which such allocation shall either be made by written agreement between the parties, or in the event the parties cannot so agree, then such final allocation shall be made pursuant to order of Court.

BY THE COURT
Gordon R. Miller, J.

7-6-95 Faxed to Attys.Fabian & Kirkpatrick

May 16, 1996 Upon praecipe of defendant attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

May 22, 1996 And, Now, May 22, 1996, it is ordered and decreed that PATRICIA A. WANKER, Plaintiff and CHARLES J. WANKER, JR., 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.

It is further ordered that the attached Memorandum of Agreement be incorporated herein and made a part hereof and be fully enforceable under the Divorce Code.

By the Court;
Anthony J. Vardaro, J.

DAVID HAREGSIN

VS.

LEORA HAREGSIN a/k/a JANE HAREGSIN

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1. That the necessary Affidavits of Consent to divorce under 3301(c) of the Divorce Coe having been filed, the bonds of matrimony that heretofore existed between the Plaintiff and Defendant are severed and the parties are divorced.

2. The Master's Recommendations concerning equitable distribution are adopted in full.

3. The Plaintiff is entitled to 49% of the marital property, and the Defendant is entitled to 51% of the marital property as outlined in the Master's Recommendations and Report.

4. Each party shall retain the property designated to be in his or her possession.

5. The Escrow Account held at Northwest Savings Bank shall be closed and the parties shall receive the recommended portions as set forth by the Master in this case, within ten (10) days of this Order if not already done so.

6. Plaintiff shall hereby pay to Defendant the amount of $186.91 per month for permanent alimony. This amount shall be sent to Defendant on or before the fifth (5th) day of each month. If Plaintiff fails to make this required payment, Defendant may file the necessary contempt proceedings for failure to comply with this Order. The Court shall retain jurisdiction for any contempt or modifiable action in this case regarding alimony.

7. In light of the property disbribution as stated in this decree, each party waives all rights he or she may have under the PA. Divorce Code as amended thereto concerning the payment of counsel fees.

8. All Master's fees, stenographic fees, costs and expenses shall be paid equally by the Plaintiff and Defendant.

BY THE COURT,
Anthony J. Vardaro, J.

1993

James H. Anders

vs.

Michael JOrdan, Code Enforcement Officer, West Mead Township

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Aug. 11, 1994, MEMORANDUM OPINION BY SENIOR JUDGE DELLA PORTA AND ORDER certified from the Commonwealth Court of Pennsylvania filed. ORDER: AND NOW, this 9 day of August 1994, the order ofthe Court of Common Pleas of Crawford County in the above captioned matter is reversed and the case is remanded for further proceedings.
Jurisdiction relinquished. Armand Della Parta, Sen. Judge, Commonwealth Court of Pa.

Aug. 15, 1994, ORDER filed. AND NOW, Aug. 12, 1994, our order of Dec. 20, 1993 having been reversed and this matter remanded by the Commonwealth Court, the dft. is directed to file responsive pleading to the plaintiff's second amended complaint within 20 days of the date of this order.
BY THE COURT,
Anthony J. Vardaro, J.
Aug. 15, 1994, copies to Anders and Shaddinger.

Sep. 9, 1994 Defendant's Answer to Plaintiff's Second Amended Complaint, filed.

Oct. 13, 1994 Certificate of Contents of Remanded Record and Notice of Remand Under Pennsylvania Rules of Appellate Procedure 2571 and 2572(e) filed.

Oct. 13, 1994 Memorandum Opinion by Senior Judge Della Porta and ORDER filed. ORDER. AND NOW, this 9th day of August, 1994, the order of the Court of Common Pleas of Crawford County inthe above-captioned matter is reversed and the case is remanded for further proceedings.
Jurisdiction relinquished.
Armand Della Porta, Senior Judge
10-19-94 Copy to Atty.Shaddinger & Plft.

Oct. 18, 1994 Motion For An Amendment To Complaint To Show Motivation, filed.

Oct. 18, 1994 Memorandum and Order, filed. AND NOW, October 18,1994, upon consideration of the Plaintiff's motion for an amendment to complaint to show motivation which we take to be a contested motion requesting leave to amend pursuant to Pa. R.C.P. 1033, the Court Administrator is directed to schedule this matter for argument on the next available argument list.
The parties shall file briefs in accordance with the Local Rules of Court. BY THE COURT:
Anthony J. Vardaro, J.
Oct. 18, 1994 copy given Walker & Shaddinger & mailed Anders

Nov. 28, 1994 ORDER filed. AND NOW, November 28, 1994 this matter is before the Court on a motion for an amended complaitn to show motivation filed by the pro se Plaintiff on October 18, 1994.
At the time of oral argument, the parties agree that the Plaintiff may amend his complaint of October 4, 1993 to include the allegations contained in the motion for an amendment to complaint to show motivation.
It will not be necessary for the Plaintiff to file a new amended complaint and the parties agree that his complaint as now amended, which is essentially the third amendment, shall include the allegations set forth in the complaint of October 4, 1993 as well as any new allegations contained in the motion for an amendment to complaint to show motivation filed on October 18, 1994.
The Defendant is granted 20 days from this date to answer the new allegations contained in the motion for an amendment to omplaint to show motivation andotherwise the Defendant with respect to the previous complaint filed on October 4, 1993 may stand on his answers to that complaint.
This order is without prejudice to the Defendant to file new matter requireing a response by the Plaintiff, and we note that the Plaintiff also shall be required to file a response to the new matter previously filed on behalf of the Defendants in response to the October 4, 1993 complaint if he so chooses, it being the Court's intention not in any way to dismiss the new matter previously raised. BY ORDER OF THE COURT,
Anthony J. Vardaro, J.
Nov. 28, 1994 copies dist to Anders & Shaddinger

Darlene Wachowiak
vs.
Robert H. Wachowiak

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Aug 30, 1995 Motion to Appoint Master in Divorce and Order, filed. AND NOW, August 30, 1995, DAVID W. PICKENS, Esquire is appointed Master in respect to the following claims: Divorce, Alimony, Alimony pendente lite, Eq. distribution of property, counsel fees and costs. Deposit required: Plaintiff $-0- Defendant $250.

If not filed already, the parties are ordered to file their pretrial statements within thirty (30) days from this date.

The Plaintiff shall file an inventory and income and expense statement within 30 days.

PER CURIAM:
Anthony J. Vardaro, J.

Aug 30, 1995 Faxed Irwin, Karn & Pickens

Sept. 1, 1995, Notice of Scheduled Pre-Hearing conference filed.

Oct 2, 1995 Motion for Hearing on Plaintiff's Request for Costs, Counsel Fees and Expenses and Order filed: AND NOW, this 29th day of September, 1995, upon consideration of the foregoing Motion, the Court hereby schedules the 6th day of November, 1995 at 1:30 p.m. in Court Room 3 of the Crawford County Court House as the date and time for a hearing on the aforesaid Motion for counsel fees, costs and expenses.

It is further ordered that each party shall provide to counsel for the other party, within 21 days of the date of this Order, copies of his/her 1993 and 1994 tax returns with all attachments, schedules and W-2 forms, and also pay stubs for the 1995 year. *

*order changed per telephone authorization from both counsel AAW

BY THE COURT
Gordon R. Miller, J

10-2-95 Karn and Irwin Faxed

Oct. 20, 1995 Notice of Scheduled Master's Hearing, filed.

Oct. 20, 1995 Summary of Pre-Hearing Conference, filed.

Nov. 6, 1995, Motion to Continue Hearing and order filed. ORDER: AND NOW, this 3rd day of Nov. 1995 the court hereby grants Plaintiffs motion to continue hearing and orders the following:

1. The hearing scheduled for Nov. 6, 1995 at 1:30 p.m. pursuant to the motion for hearing on Plaintiffs Request for costs, counsel fees and expenses is continued generally to be rescheduled at the request ofeither palintiff or dft. and

2. Upon finalization fo the parties' divorce issues, plaintiff shall notify the court to discontinue the hearing.

BY THE COURT,
Gordon.r. Miller, J.

11/9/95 faxed to Irwin, Karn, Pickens

Jan. 4, 1996 Marriage Settlement Agreement filed.

Jan. 4, 1996 Upon Praecipe of M.Kathryn Karn, Esquire, Attorney for Plaintiff to transmit record, Case Moved to Court.

Jan. 11, 1996 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 Prothontoary. A final decree will not be entered at this time because:

5. a. __x__ There is no written indication of record that both parties agree to the incorporation of the agreement into the decree.

8. __x__ Pursuant to Pa. R.C.P. 1920.42(d) no notice of intention to request entry of a divorce decree under §3301(c) as required effective January 1,1996, has been filed and there has not been a waiver of that notice pursuant to Pa.R.C.P. 1920.42 (e).

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.

BY THE COURT:
Anthony J.Vardaro, J.

1-12-96 Faxed Karn & Irwin

Jan 22, 1996 Waiver of Notice of Intention to Request Entry of a Divorce Decree Under Section 3301(c) of the Divorce Code, filed.

Jan 22, 1996 Stipulation to Incorporate, Not Merge, Marriage Settlement Agreement Into Divorce Decree, filed.

Jan 22, 1996 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Jan. 29, 1996 AND NOW, this 26 day of January, 1996, it is hereby ORDERED, ADJUDGED AND DECREED that the plaintiff, Darlene G. Wachowiak, and the defendant, ROBERT H. WACHOWIAK, are divorced from the bonds of matrimony.

The Court retains jurisdiction over any claims raised by the parties to this action for which a final order has not yet been entered. All duties, rights and claims of the parties in regard to each other as a result of their marriage hereby are terminated, except for those duties, rights and claims specifically enumerated in a Marriage Settlement Agreement executed by the parties and dated Dec. 20, 1995, the terms of which hereby are incorporated by reference as if fully set forth herein.

BY THE COURT,
Anthony J. Vardaro, J.

Feb. 6, 1996 Notice of Election to Retake Maiden Name of Darlene G. Wachowiak, to be known as Darlene G. Gilmore, filed.

1993

MASON G. DEETER

VS.

PATRICIA A. DEETER

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DIVORCE DECREE FILED

Aug. 31, 1995 AND NOW, August 29, 1995, it is ordered and decreed that MASON G. DEETER, plaintiff and PATRICIA A. DEETER, 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 June 26, 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
Anthony J. Vardaro, J.

1993

1993

Angel M.Kopta
vs
John Kopta

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a. The Father shall be permitted to visit and take the children into his temporary physical custody every other weekend from Thursday at 7:30 p.m. through Sunday at 6:00 p.m.

b. Beginning withthe summer of 1996, the Father shall be entitled to take the children into his custody for up to one week during each month of June,July andAugust. Father shall give Mother fourteen days notice of those weeks he wishes to select for his summer visitation.

c. Holiday visitations shall be arranged as follows:

i. Thanksgiving: The children shall be in the custody of their Mother during the Thanksgiving holiday each year.

ii. Christmas: The Father shall be entitled to take the children into his custody fromDecember 25th at 11:00 a.m. through December 27th at 6:00 p.m. each year.

iii. Easter: Father shall be permitted to take the children into his custody each Easter from 11:00 a.m. until 6:00 p.m.

iv. The Memoral Day and Labor Day weekends shall begin on the Friday preceding the holiday at 4:00 p.m. and end on the holiday itself at 9:00 p.m. The children shall be inthecustody of the Father during the Labor Day weekend, 1995, and in odd yearss thereafter, and in the custody of the MOther during even years thereafter. The children shall be in the custody of the Mother during the Memorial Day weekend, 1996,and in even years thereafter, and in the custody of the FAther during odd years thereafter.

v. Independence Day: The Father shall have the children on Independence Day, 1996, and even years thereafter from 8:00 a.m. until 11:00 p.m. The Mother shall have custody of the children on Independence Day in odd years during the same hours.

vi. The children shall spend Mother's Day with their mother from 9:00 a.m. until 6:00 p.m. andFther's Day with their father during the same hours.

3. Transportation - Father has agreed to provide all transportation required during weekend, holiday and summer visits. The parties agree that Father's sister, Victoria Boria, shall do the actual transporting of the children on Father's behalf. Should Ms. Boria wish to discontinue transporting the children at any time, Father shall be permitted to pick up and drop off the children at the Mother's residence. There shall be no verbal or physical altercations between the parents or any parties transporting the children during the custodial exchanges.

4. Neither parent shall use illegal drugs or alcohol at any time when that parent has the care and custody of the subject minor 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 parent shall do everything in their power to promote a favorable and loving attitude on the part of the children towards both parents.

6. 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.

7. Each parent shall inform the other parent immediately of any illness or injury regarding the children and both parents shall furnish the other with a current address and telephone number. The parents shall not telephone each other for the purpose of harassment, but shall only discuss the children.

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 said modifications are by mutual consent only; otherwise, the provisions contained herein shall govern.

9. 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 refunded to her, less the cost of the court order.

10. This Order is a Temporary Order but shall become a Permanent Order unless exceptions thereto are filed by either parent within 10 days of the date hereof.

Gordon R.Miller,J.

9-26-95 Copy to Atty. Kuftic, Atty.Nelson & Deft.

1993

Cathy M. Slayton and
David M. Slayton
vs.
Richard T. Biebel, et al
vs.
Commonwealth of Pennsylvania
Deptartment of Transportation;
Deborah Bearce

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Feb 17, 1998 Motion Concerning Objections to Subpoena and Order: AND NOW, this 13th day of Februay, 1998, upon consideration of the forgoing Motion an argument shall be held on the 23rd day of March, 1998 at 1:00 P.M. in Court Room No 1 or 2 of the Crawford County Courthouse to determine whethr or not the Defendant, Richard T. Biebel, as Administratrix of the Estate of Ruth E. Peterson, may serve the subpoenas which he has indicated he wishes to serve upon various medical providers of the Plaintiff.
Anthony J. Vardaro, J.
Feb 18, 1998 Faxed counsel

Feb 19, 1998 **Withdrawal** of appearance of **John G. Eidemueller, Sr.** Deputy Attorney General and **Appearnace** of **William A. Dopierala,** Deputy Attorney General, as counsel of record on behalf of the **Commonwealth of Pennsylvania, Deparatment of Transportation.**

May 7, 1998 NOTICE OF SERVICE OF ANSWER TO PLAINTIFFS'SECOND SET OF INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS DIRECTED TO ADDITIONAL DEFENDANT COMMONWEALTH OF PA. DEPT OF TRANSPORTATION FILED.

May 7, 1998 NOTICE OF SERVICE OF ANSWERS TO PLAINTIFFS' THIRD SET OF INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS DIRECTED TO ADDITIONAL DEENDANT COMM. OF PA DEPT. OF TRANSPORTATION FILED.

June 16, 1998 MEMORANDUM AND ORDER filed. AND NOW, June 12, 1998, consistent with the foregoing Memorandum, counsel for the defendant, Richard T. Biebel, as administratrix of the Estate of Ruth E. Peterson, may serve each subpoena he wishes to serve upon medical providers so long as the records requested by each such subpoena are required to be forwarded directly to counsel for the plaintiffs.

Counsel for the plaintiffs shall promptly review all such subpoenaed records and documents and forward to counsel for defendant Biebel all records which plaintiffs' counsel deems to be those relevant to this proceeding, along with a brief description of the records not provided and an explanation as to why those records were not provided.

Furthermore, plaintiffs' counsel shall forward to counsel for Biebel, an affidavit providing that the records produced and those expressly withheld compromised the whole of the subpoenaed records and documents.

Thereafter, if there are any unresolved disputes regarding the discovery of the subpoenaed records and documents, counsel for defendant Biebel may file an appropriate motion with the court asking that there be an in camera inspection regarding any records that may be in dispute so that the court may determine of there is anything that is further discoverable.

BY THE COURT,
Anthony J. Vardaro, J.
June 16, 1998 Distributed to all counsel.

June 23, 1997 MOTION TO COMPEL DISCOVERY AND ORDER FILED. And Now, this 23rd day of December, 1998 upon consideration of the foregoing motion, Cathy M. Slayton is hereby directed to appear at the office of william L. Walker located at 296 Chestnut St, meadville, PA at 1 o'clock on Tuesday Feb. 2, 1999 to give deposition testimony in the above-captioned action.

By the Court
Gordon R. Miller, J
12/23/98 Faxed Walker, Fabian, Weiss, Portnoy & Dopurala

AS OF MARCH 2, 2000, ANY FILINGS INVOLVING THIS CASE MAY BE FOUND ON THE COMPUTER.

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Charlotte K. Starkey
vs
Howard E.Starkey

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Mar. 27, 1995 Motion for Withdrawal of Appearance of Kathleen R.Nelson, Attorney of Record for Defendant, Howard E. Starkey, and ORDER filed. AND NOW, this 28th day of March,1995, Motion granted.

BY THE COURT:
Gordon R.Miller, J.

3-30-95 Faxed Attys.Irwin, Lindsay, Nelson & Pickens

Apr. 10, 1995 Master's Report and Recommendation filed.

Apr. 10, 1995 Notice of Filing Master's Report filed.

May 24, 1995 Upon Praecipe of James R.Irwin,Esquire,Attorney for Plaintiff to transmit record, Case moved to Court.

May 26, 1995 FINAL DECREE FILED.

AND NOW, May 25, 1995, it is Ordered, adjudged and decreed as follows:

1. The parties hereto are divorced fromthe bonds of matrimony.
2. Wife shall receive or retain the following items fromthe list of marital property:
   $31,000 from the proceeds of sale of the marital residence
   Wife's personal property, as currently in her possession
   $550 per month of the monthly payment form the Bakery and Confectionery Union pension
3. Husband shall receive the following items fromthe list of marital property:
   Husband's personal property, as currently in his possession.
   All that portion of Husband's pension not distributed to Wife
   The cemetery lots
4. The parties agree that they will each make theother the beneficiary of their interest in the Bakery and Confectionery Union pension until 10 years following the date upon which payments under the pension began. After that date, either party is free to name any beneficiary they choose to name.
5. Wife waives any claim she may have for alimony, alimony pendente lite, additional counsel fees, costs and expenses and the same are denied.
6. Husband shall prepare an appropirate Order and/or such other documents as are necessary to effectuate transfer to and payment of wife's interest in Husband's Bakery and Confectionery Union pension.
7. The parties agree to share the costs of the divorce. This means that each will be responsible for one half of the $250 Master's deposit and $35.00 Recorder's Fee. To effectuate this, Husband shall pay the $35 reproters fee to Lorraine Dallas, 820 Ravine Street, Meadville, PA 16335, and shall pay $107.50 to counsel for Wife, forthwith.
8. The parties will execute any and all documents necessary to effectuate this agreement.
9. All claims raised in the pleadings which are not specifically dealt with hereinare deemed denied.

BY THE COURT,
Gordon R. Miller, J

Sept. 5, 1995, Petition for Contempt and Order filed.
ORDER: AND NOW, this 1 dayof Sept. 1995, it is hereby ORDERED, ADJUDGED AND DECREED that a Rule to Show Cause is hereby entered upon Defendant, Howard E. Starkey, to show cause why he should not be held in contempt of court.

Said rule is returnable for hearing, argument on the 27 day of Oct. 1995, in C. R. No. 1 or 2 or 3 of the Crawford Countycourthouse, Meadville Pa. at 9:15 a.m.

BY THE COURT
Anthony J. Vardaro, J.

9/5/95 faxed to Irwin and Lindsay

Oct. 20, 1995 Qualified Domestic Relations Order filed. AND NOW, this 20th day of October, 1995, this court hereby enters the following as Qualified Domestic Relations Order pursuant to the Divorce Decree entered by this Court on May 25, 1995.
Whereas the parties to this action, HOWARD E. STARKEY, CHARLOTTE K. STARKEY, were divorced by Order of this court dated, May 25, 1995, and

WHEREAS Howard E. Starkey (hereinafter "Participant") is a participany in the Bakery and Confectionery Union and Industry International Pension Fund ("the plan"), an employee Retirement Income Security Act of 1974 (ERISA), 29 U.S.C. Section 1001 et seq.; and

WHEREAS the parties have agreed or this Court has determined that it is just and appropriat for this Court to enter an order awarding a portion of the Participant's accrued or future accrued benefit under the Plan to Charlott K. Starkey (hereinafter "Alternative Payee");

NOW THEREFORE it is AWARDED, ADJUDGED, and DECREED, as follows:

1. This Order is intended to be a Qualified Domestic Relations Order pursuant to Section 206 (d) of ERISA, 29 U.S.C. Section 1056 (d), and is issued by this Court pursuant to Pennsylvania Divorce Code, 23 P.S. Section 3301 et seq.,

2. Participant's name and last know address is
   Howard E. Starkey
   196 Mchale Avenue
   P.O. Box 1006
   Linesville, PA 16424
   Participants social security number is [redacted] and his date of birth is July 26, 1923.

3. Alternate Payee's name and last know address is Charlotte K. Starkey, R.D. #2, Box 224, Meadville, PA 16335. Alternate Payee's social security number is [redacted] and her date of birth is September 23, 1926. Alternate payee is instructed to keep the Plan advised of any change of current mailing address or name by sending written notice, with references to Pension No. M-30705., to Pension Fund Manager, Bakery & Confectionery Union and Industry International Pension Fund, 10401 Connecticut Avenue, Kensington, Maryland 20895-3960.

4. Alternate Payee is hereby awarded a portion of Participant's accrued benefit or future accrued benefit under the Plan and the Plan is directed to pay that portion directly to the Alternate Payee under the terms as set forth in this Order. Alternate Payee's separate and independent portion in the Plan is created as of May 25, 1995.

5. Alternate Payee's portion is to be calculated as follows:
$550.00 monthly of Participant's accrued benefit in the plan as of May 25, 1995.

6. Benefit payments to the Alternate Payee shall begin on the date of the next monthly pension payment to participate following the date of the Crawford County Common Pleas signature

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CHARLOTTE K. STARKEY,
Plaintiff

VS.

HOWARD E. STARKEY,
Defendant

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on this Qualified Domestic Relations Order.

7. The alternate Payee's shall be paid in the form of a life annuity, measured by the life of the Participant.

8. In the event Alternate Payee predeceases the Participant, the share awarded the Alternate Payee pursuant to Paragraph 5 of this Order shall revert to the participant. Participant's benefits are being paid under a ten-year option. If Participant dies prior to the completion of payments under that option, that portion of Participant's benefit remaining payable to him under this Order shall be paid to the Alternate Payee until the ten-year option is exhausted.

9. This Order is not intended, and is not to be interpreted to require the Plan to provide any type or form of benefit; or any option, not otherwise provided under the Plan; to require the Plan to provide increased benefits (determined on the basis of actual value); or to require the payment of benefits to the Alternate Payee which are required to be paid to another alternate payee under another order previously determined to be a Qualified Domestic Relations Order.

10. Payment of benefits to the Alternate Payee is to be governed by all rules of the Plan, except for those requiring that all intended recipients of benefits submit a pension application, on a form provided on request by the Fund Office, at least tow months prior to the desired commencement date for the benefits. The terms and rules governing the Plan shall prevail in the event of any conflict between this Order and the Plan.

11. This Order, after entry and execution by all Parties shall be submitted to the Administrator of the Plan, who shall determine whether the Order constitutes a Qualified Domestic Relations Order for purposes of the Plan. If the Plan Administrator concludes that the Order is qualified, then he shall affix his signature to the Order and the Plan shall honor the Order, in accordance with Section 206 (d) of ERISA, 29 U.S.C. Section 1056 (d). The Plan Administrator shall be entitled to rely on this order in payment of benefits to the Alternate Payee and shall be held harmless for any action by the Participant or by any other party arising from the payment of benefits to the Alternate Payee.

12. Upon receipt of a fully-executed copy of this Order, the Plan Administrator shall promptly notify the Participant and the Alternate payee of: (i) the receipt of this order by the Administrator, (ii) the Plan's procedure of determining the qualified status of domestic relations orders; and (iii)within a reasonable period of time after receipt of the Order, determine whether this Order is a Qualified Domestic Relations Order and notify the Participant and the Alternate Payee of his decision.

13. By affixing their signatures hereto, the Participant and Alternate Payee; and their respective Counsel, signify their agreement with the division of benefits set forth herein and specifically agree to waive any claim against the Plan Administrator relating to payment of benefits so long as payment is made in compliance with the terms of this Order.

14. It is expressly understood by and between all parties that benefits will be payable to the Alternate Payee pursuant to this Order only if Participant in entitles to a pension from the Plan. Should Participant accrue insufficient pension credit or insufficient vesting service to be eligible for a pension from the Plan, then this Order requires no payment to be made to the Alternate Payee by the Plan.

15. The Court retains jurisdiction over this Order to amend same, in order to establish or maintain its qualification as a Qualified Domestic Relations Order.

Participant: Howard E. Starkey
Brian J. Lindsay
Counsel For Participant

Charlotte K. Starkey, Alternate Payee
James R. Irwin
Counsel for Alternate Payee

BY THE COURT Gordon R. Miller, J.
Oct 25, 1995 Faxed Irwin & Lindsay

Nov. 2, 1995 ORDER filed. AND NOW, October 27, 1995, the matter is before the Court on a contempt hearing for noncompliance with a support obligationand a qualified Domestic Relations Order obligation incurred in the divorce of the parties.

It appears that the Defendant was required to make arrangements for the sum of $550 per month to be deducted from his pension account by a monthly basis and paid to his former wife as part of the divorce decree.

The Defendant has failed to take the necessary steps to effectuate payment from the pension plan but his counsel advises he now has done so or is prepared to do so forthwith.

The Plaintiff is seeking $550 support for the monthof September. She has received a check for the October payment personally from the Defendant in the amount of $550. Additionally,the Plaintiff petitions to recover the sum of $107.50 Master's Fees and court costs paid by her for which the Defendant should have reimbursed her. Additionally,the Plaintiff seeks counsel fees in the amount $150 for requesting the Court proceedings to enforce previous court orders.

The Defendant fails to appear and the Court is given no valid reason for his failure to appear by his counsel. We enter the following order:

1. The Defendant will take immediate steps to effectuate the qualified Domestic Relations Order with his pension carrier to the end that it will become effective and payments will commence being received by the Plaintiff for the month of December 1995 and continuing thereafter until the obligation is fulfilled.

2. The Defendant is directed to make the unpaid September payment in the amount of $550 plus $107.50 as part of the Master's Fee plus counsel fees in the amount of $150 all totalling $807.50 on or before November 10, 1995. In the aforesaid calculations, the Court did not include a payment to the Plaintiff for the month of November and the Defendant is also directed to make the November payment on or before November 10, 1995 thus making the total amount due $1357.50. The Court is additionally advised that there is due and owing by the Defendant a sum of $35 due to Laoraine Dallas Independent Court Reporter as a sitting fee and if the same has not already been paid by the Defendant the same will be paid directly to Lorainne Dallas by November 10, 1995.

The Court postpones any decision on the contempt allegation but the Defendant is advised that unless there is strick compliance withthe aforesaid order, it will consider imposing appropriate sanctions and penalties if it finds the Defendant wilfully and deliberately failed to comply with this court order before contempt.

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

11-2-95 Faxed Attys. Irwin & Lindsay

✓ Dec. 29, 1994 Certificate of Readiness on behalf of Plaintiff filed.

✓ Jan. 12, 1995 Motion to Strike The Certificate of Readienss and Motion For Sanctions filed.

✓ Jan. 12, 1995 ORDER Re: Motion to Strike Certificate of Readiness and Motion for Sanctions filed. AND NOW, January 11, 1995, after consideration of the motion of the Defendant William Morris, M.D., to strike the certificate of readiness and motion for sanctions, it is ordered and directed that the certificate of readiness is stricken and this matter is removed from the February 1995 civil trial list without prejudice to the Plaintiffs to comply with the local rules so that this case may be placed on the April 1995 civil trial list.

The Court declines to impose sanctions against the Plaintiffs.

BY THE COURT,
Anthony J. Vardaro, J.

Jan. 13, 1995 Copies of Order distributed to Attys. Koczan, Crenney and Quinn.

✓ Jan. 27, 1995 Notice of completion of discovery pursuant to Rule L302A2(a), filed.

✓ Jan. 31, 1995 Reply to Plaintiffs' Motion to Compel the Deposition of William Morris, M. D., filed.

✓ Jan. 31, 1995 Reply to Plaintiffs' Motion to Compel Answers to Plaintiff's Second Set of Interogatories, filed.

✓ Jan. 31, 1995 MEMORANDUM AND ORDER filed. ORDER. AND NOW, January 30, 1995, the Plaintiffs' motion to compel answsers to Interrogatories Nos.8 through 13 directed to Meadville Medical Center is denied except that the Medical Center shall answer Interrogatory No. 10 only to the extent that the information reported or recorded was other than by Peer Review within 20 days of the date of this order.

With respect to the Plaintiffs' motion to compel answers to the Plaintiffs' second set of interrogatories directed toWilliam Morris, M.D. and specifically Interrogatory No. 1, William Morris, M. D. is ordered and directed to answer that interrogatory within 20 days of the date of this order.

Finally, with respect to the Plaintiffs' motion to compel the deposition of William Morris, M. D., the Plaintiffs' request to required Defendant Morris to give his opinion of a hospital rule which prohibited him from ordering an operating room and anesthesiologist is denied but Defendant Morris shall answer the questions with respect to whether he testified under oath incident to an ongoing criminal investigation in which he was involved and whether he had been charged witha crime incident to the investigation. Defendant Morris shall appear at a deposition for that purpose to be scheduled by the Plaintiffs reasonably taking into account the schedule of Defendant Morris.

The request for the identification of Defendant Morris' family doctor was waived at oralargument and is therefore not before us.

We deny the Plaintiff's request for all costs of the reconvened deposition be paid by Defendant Morris.

BY THE COURT:
Anthony J. Vardaro, J.

1-31-95 Copies of order mailed to Crenney,Quinn & Koczan

✓ Apr. 10, 1995 Certificate of Readiness filed.

✓ May 17, 1995, Motion of Defendatn Meadville Medical Center to Compel Neuropsychological Evaluation filed.

✓ May 17, 1995, Upon praecipe of atty. for dfts. Meadville Medical Center, above motion placed on next argument list.

ON ARGUMENT LIST FOR JUNE 1995

✓ June 26, 1995 Motion To Compel or to Obtain Scheduling Order and Date Certain for Trial, filed.

✓ June 26, 1995 ORDER filed. NOW, to-wit, this 26 day fo June, 1995, IT IS HEREBY ORDERED, ADJUDGED, and DECREED that the Plaintiffs shall produce Maura Kegg for a visual examination and a hearing examination on a date and time to be mutually agreed by and between the parties and for a neuropsychological examination on another day at a time to be mutually agareed to by the parties. Such examination shall take place in Pittsburgh, PA and shall be scheduled within 30 days from this date. The Court finds good cause shown pursuant to Ruel 401D. Anthony J. Vardaro, J.
June 26, 1995 Faxed Kazan, Quinn & Crenney

✓ June 30, 1995, ORDER filed. AND NOW, June 26, 1995, this matter is before the court upon the plaintiff's motion to compel or to obtain scheduling order and date certain for trial. This case has been around the court system for a period of time and at one point was on the trial list, but we instructed it be taken off due to the fact that it had not properly been placed on the list.

It appears that unless there are unforseen circumstances at this time that all counsel agree that this case can be on a schedule for trial during the Oct. 1995 term of civil court and that it will be necessary to have a date certain due to th number of medical experts that will be testifying.

Based on all of that information, we will sc hedule this matter for trial to begin on Oct. 9, 1995 at 9:00 a.m. and to continue for a period of both weeks of the civil trial term. This is done without the necessityof any further action on the part of counsel to place this matter on the trial list; insofar as the court believes that due to the expected length of this case, it should be removed from the normal procedures to list it for trial.

We have also advised counsel that in scheduling their medical experts we would be inclined to hold court into the evening for three days of each week so they may consider that when scheduling their medical experts and hopefully work out an appropriate time schedule between them utilizing the evenings so that this case may be tried during the two-week period if at all possibel.

All parties are directed tocomplete all discovery and exchange all expert reports no later than Sept. 15, 1995 unless there is further order of court upon motion or petition of any party.

The court Administrator is directed tos chedule this matter for a pretrial conference without further motion from any party for sometime on Sept. 26, 1995 for a period of at least 2 hrs. The cT. Adm. shall schedule the same and give notice to the parties no later than July 14, 1995.

The court notes that with regard to the pretrial conference the Crawford County Local Rules of Court shall still be followed with respect to pretrial narratives.

by order of the Court,
6/30/95 dist. to Quinn, Kocyan and Crenney.

✓ Jul. 20, 1995 ORDER filed. AND NOW, July 19, 1995, the Court Administrator having been directed by the Court to schedule a pretrail conference on the above captioned case for sometime on September 26, 1995, said pretrial conference is set for for 10:00 A.M. on said date in Courtroom No. 2 or in the Judge's Chambers, before the Honorable Anthony J.Vardaro, Crawford County Courthouse, Meadville, Pennsylvania.

FOR THE COURT,
Ann A.Walker, Ct.Administrator

7-20-95 Copies dist. by Ct.

✓ Sep. 29, 1995 Meadville Medical Center's Motion to Bifurcate filed.

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Sep. 29, 1995 Motion for Bifurcation, filed.

Sep. 29, 1995 Pre-Trial Order filed. (See papers in file) BY THE COURT: Anthony J.Vardaro, J.

Sep. 29, 1995Meadville Medical Center's Motion in Limine. Re: Testimony of Plaintiffs' Nursing Expert filed.

Sep. 29, 1995 Motion in Limine to Preclude Parents' Independent Claims, filed.

Sep. 29, 1995 Motion in Limine to Preclude Mention of Meadville Medical Center's Investigation of Dr. Morris, filed.

Sep. 29, 1995 Motion in Limine To Limit Expert Testimony filed.

Sept. 29, 1995 Motion in Limine to Preclude Introduction of Evidence filed.

Oct.4, 1995 ORDER filed. AND NOW, October 4, 1995, after due consideration of the Defendants' motion to bifurcate for trial and due consideration of oral argument with respect to the same, said motions are denied.

BY THE COURT:
Anthony J.Vardaro, J.

10-4-95 Copies dist. by Ct.

Oct. 9, 1995 Plaintiff's Response to Motion toPreclude Mention of Meadville Medical Center's Invetigation of Wiliam Morris, M.D., filed.

Oct. 9,1995 Plaintiff's Motion in Limine to Preclude Testimony of Cheryl Scott Ranson,Ph.D. Regarding Collateral Sources, filed

Oct. 6, 1995n Plaintiff's Motion in Limine with Regard to the Activities of William Morris,M.D.During Trial, filed.

Oct. 6, 1995 Plaintiff's Motion in Limine to Preclude Testimony of Bernadine E. Bagniszewski, RNC, filed.

Oct. 6,1995 Plaintiff's Motion in Limine to Preclude Testimony of Timothy Downing, M. D., filed.

Oct. 10, 1995 Plaintiff's Reply Memorandum REgarding the Issue of Testimony of Cheryl Scott Ranson, Ph.D. Concerning Mention of Colla Sources, filed.

Nov. 1, 1995 Upon Praecipe of Thomas E. Crenney, Esquire, Attorney for Plaintiff's the above captioned matter is marked settled and discontinued of record.

Oct. 9, 1995 ORDER. Plaintiffs' Motion in Limine to Preclude Testimony of Timothy Downing,M.D. filed. AND NOW, October 9, 1995, the Plaintiffs' motion in limine to preclude testimony of Timothy Downing,M.D. is granted to the extent that Dr.Downing, as an attending pediatrician, may testify as to what he did in that capacity but may not render medical opinions as to negligence or causation.

BY THE COURT:
Anthony J.Vardaro, J.

10-9-95 Copies dist. by Judge's Secretary

Oct. 9, 1995 ORDER. Defendant Meadville Medical Center's Motion inLimine Regarding Testimony of Plaintiffs] Nursing Expert filed. AND NOW, October 9, 1995, the Plaintiffs and the Defendant Meadville Medical Center having resolved this matter, all parties agree that this issue is now moot since there will be no nursing experts called by the Plaintiffs.

This order shall be time stamped by the Prothonotary and provided back to the Court without docketing the specific contents of the order until after the remaining portion of this case has been tried to a conclusion before the jury.

BY THE COURT:
Anthony J.Vardaro, J.

10-9-95 Copies circulated by Judge's Secretary

Oct. 9, 1995 ORDER. Plaintiffs' Motion in Limine with Regard to the Activities of William Morris, M.D.During Trial filed. AND NOW, October 9, 1995, the Plaintiffs' motion in limine withregard to the activities of William Morris, M.D. during trial is granted to the extent that neither Dr.Morris nor any other witness may have a beeper in the courtroom

If it is necessary for Dr.Morris or any other witness to leave the courtroom, they shall do so in an orderly manner and not draw undue attention to themselves.

For the benefit of counsel, any attorney, party or medical witness who may have a message or messages left for them may have any party call the Judges Chambers and a message will be sent in to a Tipstaff who will place it on appropriate counsel's desk.

BY THE COURT:
Anthony J.Vardaro,J.

10-9-95 Copies circulated by Judge's Secretary

Oct. 9, 1995 ORDER. Motion in Limine to Preclude Parent's Independent Claims filed. AND NOW,October 9, 1995, Defendant Meadville Medical Center's motion in limine to preclude parents' independent claims which is an issue that was also raised by both Defendants in new matter is conceded by the Plaitnffs and is therefore granted.

Therefore, any testimony as to medical or other expenses will indicate those begin with the child is age 18.

BY THE COURT:
Anthony J. Vardaro,J.

10-9-95 Copies circulated by Judge's Secretary

Oct. 9, 1995 ORDER. Motion in Limine to Limit Expert Testimony, filed. AND NOW, October 9, 1995, the motion of theDefendant William Morris, M.D. tolimit expert testimony is dednied although the Court, once this matter proceeds, may choose to limit testimony if we find that the testimony from either side is becoming to repetitive.

WE note that the parties have also attempted toresolve this issue between themselves and they are encouraged to continue todo this so that the jury will only have to hear the number of witnesses that are really necessary to making a fair decision in this case.

BY THE COURT:
Anthony J. Vardaro,J.

10-9-95 Copies circulated by Judge's Secretary

Oct.9,1995 ORDER. Proper Measure of Economic Damages filed. ANDNOW, October 9, 1995, the parties agree that there will not be a problem with any expert attempting to discount the present value of future damages which whould be contrary to Kaczkowski v. Bolubasz, 421 A.2d 1027 (1980) and it is to ordered.

BY THE COURT:
Anthony J.Vardaro, J.

10-9-95 Copies circulated by Judge's Secretary

Oct.10, 1995 ORDER OF COURT filed. AND NOW,this 10 day of October, 1995,upon consideration of plaintiff's Motion in Limine to Preclude Testimony of Cheryl Scott Ranson, Ph. D. regarding Collateral Sources,itis hereby ORDERED that defendant William Morris,M.D.is precluded from introducing any evidence of or commenting on the availability of any government or other services or insurance coverage available toMaura Kegg on the basis of her disabilities.

BY THE COURT:
Anthony J.Vardaro, J.

Continued to Page 483

Oct. 11, 1995 ORDER filed. AND NOW, October 9, 1995, the Defendant Meadville Medical Center's petition for leave to amend answer is granted and they have filed an amended answer and new matter.

It is ordered and directed that the Prothonotary enter uponthe docket that on this date the Defendant Meadville MedicalCenter's petition for leave to amend answer was granted by the order attached thereto and also enter uponthe docket that amended answer and new matter was filed on this date by Defendant Meadville Medical Center and immediately thereafter petiton for leave to amend answer and the amended answer and an attachment thereto shall be sealed by the Prothonotary and may not be opened until further order of court.

BY THE COURT:
Anthony J.Vardaro, J.

Oct. 27, 1995 Petition for Leave to Settle a Minor's Claims and ORDER OF COURT filed.
(Oct. 11, 1995 Petition for Leave to amend Answer & Oct. 27, 1995 Petiton for Leave to Settle a Minor's Claim) in a sealed envelope and in the safe.

AND NOW, October 9, 1995 at 1:39 p.m. jury selected and sworn October 10, 1995 at 9:14 a.m. as follows:

1. Linda Bookamer
2. Sandra Steele
3. Jean L.Ridgway
4. Stanley Sowry
5. Sharon Wood
6. Charles Shaw
7. Sandra H.Eddy
8. Carl Brenot
9. Lawrence J.Astroskin
10. Susan Wheeler
11. Melanie E.Himes
12. Lori Hollabaugh
13. [illegible]

twelve good and lawful persons who upon their solemn oaths which they have taken.
Verdict resolved Oct. 12, 1995.

Oct. 13, 1995Exhibits filed

Dec. 19, 1995 Proof of Deposit of Settlement Funds filed.

Jan. 23, 1996 Pettiion For Special Relief and Disbursement of Money filed. (Judge Vardaro has document)

Jan. 23, 1996 ORDER filed. AND NOW, Jan. 19, 1996, the Court Administrator having been orally directed by the Court to set a hearing on the plaintiff's Petition for Special Relief and Disbursement of Money, the same is hereby set for Feb. 8, 1996 at 11:00 A.M. in Courtroom #2 of the Crawford Co. Courthouse.

FOR THE COURT,
Ann A. Walker, Court Administrator

Jan. 24, 1996 Order FAXED Attys. Crenney, Egler, Koszan, Quinn.

Jan. 29, 1996 ORDER filed. AND NOW, January 29, 1996, upon consideration of theplaintiff's Petition for Special Relief and Disbursement of Money, it is Ordered and Directed that a hearing shall be scheduled for February 8, 1996, at 11:00 o'clock A.M., in Courtroom No.2, before the undersigned.

One or both of the plaintiff-parents shall appear at that hearing.

BY THE COURT:
Anthony J.Vardaro,J.

1-30-96 Faxed Crenney,Egler & Quinn

Feb 9, 1996 Order: AND NOW, February 8, 1996, we have sealed the Proof Of Deposit of Settlement Funds filed on December 19, 1995 and the Petition For Special Relief and Disbursement of Money file don January 23, 1996, this day, and neither may be opened without further order of court.
Feb. 9 1996 Faxed Quinn, mailed Egler & Crenney

Feb.14,1996 ORDER filed. AND NOW, February 8, 1996 after consideration of the plaintiff's petition for special relief and disbursement of money, and after an informalhearing withregard tothe same, it is ORDERED and DIRECTED that funds may be released from certain accounts in PNC Bankj, which the Court will specifically set forth later in this order, in an amount not to exceed $46,550 for the purpose of making home improvements outlined in the petition.

Prior to that disbursement being made, it is ORDERED and DIRECTED that the Plaintiffs contact another contractor with similar credentials tothat attached to the petition for the purpose of obtaining another estimate and in the event that estimate is less than $46,500, the Plaintiffs shall constract with that contractor unless there is further order of Court. Likewise, in the event whichever contractor is utilized determines that the improvements will exceed $46,550, the Plaintiffs may petition the Court to exceed that amount, and we will determine whether that can be done without hearing, or whether hearing will be necessary to consider that.

It is further ORDERED and DIRECTED that ther Plaintiff Korene Kegg be paid $1,000 per month if and only if she resigns her position at Chatham College and provided the care to Maura Kegg described and proposed in 12 throughl5 of the petition. that amount is tobe paid toKorene Kegg on the lst of each month beginning on April 1, 1996 and thereafter until further order of Court.

The amounts to be paid, both for the renovations and for the payments to Mrs. Kegg for her care of Maura shallbe arranged the Plaintffs with PNC Bank, withthe same to be paid from one or more of the following Certificates of Deposit Numbers at PNC Bank: 31800020154, 31300020366, 31000020309, and 31400020506.

PNC Bank is specifically authorized and directed to make those disbursements as required by this Order of Court without further Order of Court upon presentation of a certified copy of this order.

Counsel for the Plaintiffs shall bring a petition before this Court for the purpose of reviewing this matter onor about April 1,1997 and thereafter,as the Court may direct after that review in April of 1997.

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

2-15-96 Crenney, Egler,Quinn (Backup)

Mar. 29, 1996 ORDER filed. AND NOW, March 29, 1996, upon consideration of the attached letter and enclosures, it is Ordered and Directed that the plaintiff's may enter into a contract with M. J.Stein Renovation, Inc., for the purpose of renovating their home for the benefit of Maura Kegg. Said contract to be in the amount of $48,380.

BY THE COURT:
Anthony J. Vardaro,J.

4-1-96 Crenney,Egler, Quinn by mail

July 25, 1996 Order filed. AND NOW, July 24, 1996, upon consideration of the correspondence of July 11, 1996, received from the office of Thomas E. Crenney, Esq., and the two enclosures attached thereto, they are attached this Order, it is Ordered and Directed that the Plaintiffs Willaim Kegg and Korene Kegg may proceed as outlined in their letter of June 11, 1996 to Mr. Crenney.

BY THE COURT:
Anthony J. Vardaro, J

7-25-96 mailed Crenney, Koczan & Quinn

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MAURA KEGG, a minor by and through her parents and natural guardians, WILLIAM and KARENE KEGG
VS.
WILLIAM MORRIS, M.D., and individual and Meadville Medical Center

CONTINUED FROM PAGE 483

OF RECORD

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Aug. 30, 1996 ORDER filed. AND NOW, August 30, 1996, upon consideration of a request as outlined in the attached letter of August 12, 1996 to Plaintiff's counsel, it is ordered and directed that Plaintiff parents may withdraw the sum of $28,722.00 from Bell Federal Savings and Loan Association Certificate of Deposit No. 0577273046 and deposit said funds to PNC Bank checking account no. 1010773394 so that those funds may be used as outlined in the letter of August 12, 1996.

BY THE COURT:
Anthony J. Vardaro, J.

8-30-96 FAXED All Counsel

Jan. 31, 1997 Proof of Deposit of Settlement Funds and ORDER filed. AND NOW, January 31, 1997, we have sealed the Proof of Deposit Settlement Funds filed on January 31, 1997, this day, said document shall not be opened without further order of court.

BY THE COURT:
Anthony J. Vardaro, J.

1-31-97 FAXED Crenney, Egler & Quinn

June 23, Petition for Special Relief and Disbursement of Funds by Plaintiffs filed.

Sept. 5, 1997 Petition for Special Relief and Disbursement of Funds Pursuant to Pa. R.C.P. 2039 and Order of court filed. ORDER OF COURT: AND NOW, this 5 day of Sept. 1997 upon consderation of the foregoing Petition for Special Relief and Disbursement of Funds, the court finds that the requested disbursements are for the benefit of Maura Kegg and transfer the sum of $12,979.00 from Parkvale Savings Acct. No. 10-4074096 to PNC Checking Acct. No. 1010773394 is APPROVED.

by the court,
Anthony J. Vardaro, J.

9/8/97 mailed to crenney.

April 23, 1998 PETITION FOR SPECIAL RELIEF AND DISBURSEMENT OF FUNDS PURSUANT TO PA R.C.P. 2039 filed.

April 28, 1998 ORDER OF COURT FILED. AND NOW, THIS 24 day of April 1998 upon consideration of the foregoing petition of Special Relief and Disbursement of Funds Pursuant to Pa. R.C.P. 2039 the Court finds taht the requested disbursements are for the benefit of Maura Kegg and transfer of the sum of $19104.00 from national City Bank Certificate of Deposit No. 2560046319 to PNC Checking Account Number 1010773394 per disbursement of the sums set forth in Paragraphs 4 and 7 of the foregoing Petition is APPROVED. ANY Amount not used for the purposes indicated in the Petition shall be redeposited in an account for the benefit of Maura Kegg.

BY THE COURT
ANTHONY J. VARDARO

Jan. 21, 1999 Petition For Special Relief and Disbursement of Funds Pursuant to Pa. R.C.P. 2039 and ORDER OF COURT filed. AND NOW, this 20 day of January, 1999, upon consideration of the foregoing Petition for Special Relief and Disbursement of Funds Pursuant to Pa. R.C.P. 2039, the Court finds that the requested disbursements are for the benefit of Maura Kegg and a transfer of the sum of $9,627.00, as set forth in paragraphs 4 through 9, inclusive, of the foregoing Petition, from PNC Bank Certificate of Deposit #000031300073052 to PNC Checking Acct No. 1010773394 is APPROVED.

BY THE COURT:
Anthony J. Vardaro, J.

Jan. 21, 1999 MAILED Atty. Crenny.

June 2, 1999 Petition for Special Relief and Disbursement of Fudns Pursuant to PA.R.C.P. 2039 and Order of Court filed. And Now, this 28 day of May 1999 upon consideration of the foregoing Petition for Special Relief and Disbursement of Funds Pursuant to Pa.R.C.P. 2039 the Court finds that the requested disbursements are for the benefit of Maura Kegg and a transfer of the sum of $15,492.00 as set forth in paragraph 3 through 7 from inclusive, of the foregoing Petition from the Pittsburgh Home Savings Bank Certificate of Deposit #1010773394 to PNC Regular Checking Account No. 1010773394 is APPROVED.

By the Court
Anthony J. Vardaro, J.

6/2/99 Dist. Morrow

Sept. 27, 1999 Petition For Special Relief and Disbursement of Funds Pursuant To Pa. R.C.P. 2039 filed.

Sept. 28, 1999 Order of Court filed. AND NOW, this 28 day of September, 1999, upon consideration of the foregoing Petition and following a Hearing on the same it is hereby ordered the judge and decreed as follows:

1. The request for disbursement in the amount of $12,041.00 dollars as setforth in paragraph 4 of the Peittion is approved. William and Korene Kegg are permitted withdrawal said sum from the Certificate of Deposit number 077274030 at Bell Federal Savings.
2. The request to replenish the stipend account for Korene Kegg as setforth in Paragraph 5 of the Petition is approved. William and Korene Kegg are granted permission to withdraw the sum of $15,000.00 from each of the following Certifiecate of Deposit Accounts; a. Great American Federal Number 0048962; b. Dollar Bank Number 30113; c. Eureka Federal Number 26-0687; d. Three Rivers Bank Number 921000000309
3. The request for Leave to Withdraw Funds for the proposed renovations to 817 Greenfield Avenue as setfroth in Paragraph 6 of the Peittion are approved. William and Korene Kegg are permitted to withdrawal the sum of $35,043.00 dollars from the Allegheny Valley Bank Certificate of Deposit account number 41482.
4. The request for payoff of the presettlement vehicle expense as setforth in paragraph 7 of the Petition is approved. William and Korene Kegg are authorized to withdraw the sum of $12,480.00 from the bell Federal Savings Certificate of Deposit 077274030.
5. The request for disbursement of funds for the purchase of 815 Greenfield Avenue is approved. William and Korene Kegg are authorized to convert the Parkvale Savings Certificate of Deposit number 104074096 to a Money Market checking account and to withdraw the sum of $69,500.00 from the Parkvale Savings Certificate of Deposit number 104074096 for payment of the purchase and estimated closing costs on said home.
6. It is further ordered that the property shall be held in Trust from Maura Kegg and that William and Korene Kegg shall maintain an accurate accounting of all rental income and expiese for said property. All income derived formthe rental of said property shall be deopsoited into an interest bearing account in the name of Maura Kegg.
7. Following a Hearingon the matter the Court finds that the above disbursements are fair and reasonable and are in the best interest of Maura Kegg.
8. Any funds, which are not required fo the above expenditures, shall be maintained in account in the anme of Maura Kegg
9. William and Korene Kegg shall file Court an accounting detailing the disbursement of all funds authorized aobve on or before April 1, 2000.

BY THE COURT:
Anthony J. Vardaro,J

9/28/99 Distributed to Crenney

July 26, 200 ANY FILINGS INVOLVING THIS CASEMAY NOW BE FOUND ON THE COMPUTER

1993

Kenneth Osborn

vs.

Simon Miller & Sons

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OF

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Oct. 4, 1994 ORDER filed. AND NOW October 3, 1994, upon receipt and review of the plaintiff's Motion for Order of Court Directing Sheriff to Make Service Upon Defendants it is ordered as follows:

1. Even though the plaintiff has not filed a praecipe to reinstate the amended complaint we nonetheless order and direct the Prothonotary to reinstate the amended complaint and deliver the same to the Sheriff of Crawford County for service.
2. The Sheriff of Crawford County is ordered and directed to serve a true and correct copy of the amended complaint upon all defendants.
3. The plaintiff has the obligation of furnishing last known addresses of each defendant to the Sheriff so that the Sheriff may make service. The Sheriff shall attempt service without additional instructions from the plaintiff if he is able to do so. If he is not able to do so he should indicate the same to the plaintiff and the plaintiff shall furnish said addresses.

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

Oct. 5, 1994 Copies mailed Pltf; given Sheriff and Atty. Gagliotti.

Oct. 4, 1994 Motion For Order of Court Directing Sheriff To Make Service Upon Defendants In The Above Captioned Cause of Action There To:, filed.

Nov. 14, 1994 SHERIFF'S RETURN, filed. SERVED Simon Miller, Kevin Miller, Brian Miller and Kenneth Miller by deputizing the Sheriff of Mercer County, PA, as per his Affidavit of Service attached. All Defendants were served on NOvember 1, 1994 at 11:00 AM by handing copy to one Andrea Whitmore, Adult in Charge at the residence, Miller Farm, R.D.#1, Hadley, PA. So answers, Robert M. Stevens, Sheriff

Nov. 14, 1994 Praecipe to Reinstate the Amended Amended Complaint,filed.

Dec. 6, 1994 Answer filed.

Jan. 24, 1995 Notice of Intent to Take Default, filed.

Feb.20, 1996 Upon Praecipe of Plaintiff for appointment of Arbitrators, The following Arbitrators are appointed.
~~Marc Weiss~~, Chairman· Christopher Youngs
~~Mark Stevens~~- Tamera Ochs Rothschild
John Swick

Mar. 15, 1996 Arbitrators take qualifying oath. (3-15-96 Faxed Weiss,Gagliotti, mailed Pltf.)

Jan. 24, 1997 Notice of Arbitrators' Hearing filed.

Feb 21, 1997 Motion for Continuance and Order: AND NOW, February 20, 1997, Denied. The request shall be made to Chairman of Board of Arbitrators. If denied the Plaintiff can petition the Court to be returned for this hering.
Anthony J. Vardaro, J.
Feb 24, 1997 Faxed Gagliotti & Mailed Osborn

Mar 4, 1997 Decision of Arbitrators: And now, the 4th day of March, 1997, we the undersigned Arbitrators chosen in this case, after having been duly sworn and having heard the evidence and allegations of the parties find that the Plaintiff failed to appear, his Motion to Continue having been denied by the Court on February 20, 1997. Accordingly, we find agaisnt the Plaintiff and in favor of all Defendants, who appeared through their counsel.
Christopher Youngs, Chr.
Tamera Ochs Rothschild
John C. Swick
Mar 4, 1997 Mailed Osborn & Faxed Gagliotti

Mar 14, 1997 Notice of Appeal, filed.

Mar 27, 1997 Motion for Reconsideration, filed.

Mar 27, 1997 Motion for Reconsideration, filed.

Mar 27, 1997 ORDER: AND NOW, March 27, 1997, the plaintiff's motion for reconsideration received by the Prothonotary on March 24, 1997 filed with the Chairman of the Board of Arbitrators and received by the Prothonotary on March 24, 1997 is denied.
Gordon R. Miller, P.J.
Mar 31, 1997 Dist Gagliotti & Faced C. Youngs & Mailed Plf.

Oct 24, 1997 Praecipe for Trial List, filed.

ON TRIAL LIST FOR February 1998

Jan. 23, 1998 PETITION FOR TRANSPORTATION TO TRIAL HEARINGS FILED.

Jan. 23, 1998 ORDER FILED. AND NOW, Jan. 23, 1998 upon receipt and review of the palintiff's motion for transportation it is ordered as follows:

1. The Sheriff shall pick the plaintiff up at SCI Somerset at the Sheriff's convenience and transport him to the Crawford County Jail prior to the commencement of jury trials in February.
2. The Warden of SCI Somerset shall release the plaintiff to the custody of the Sheriff of Crawford County for this purpose.
3. When these proceedings are completed the Sheriff of Crawford County Shall return the plaintiff to SCI Somerset.
4. Once the plaintiff is delivered to the Crawford county Jail the Sheriff shall notify the Court Administrator and the Court Administrator shall schedule a pretrial conference before the undersigned Judge.
5. This case is scheduled for a jury trial in Feb. 1998.
6. Since the plaintiff filed a motion for transportation we assume he is ready for trial and we will not entertain a motion for continuance from the plaintiff on the grounds that he is not prepared to try this case. If he seeks transportation at public expense he must be ready for trial.

BY THE COURT
GORDON R. MILLER, P.J.
1/23/98 DISTRIBUTED GAGLIOTTI, CT. ADM. OSBORN & SHERIFF

Jan. 27, 1998 MOTION FOR PRE CONFERENCE AND ORDER FILED. AND NOW, JAN. 23, 1998 A Pretrial Conference will be scheduled once the plaintiff arrives in Crawford County.

Gordon R. Miller, J.

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KENNETH OSBORN
vs
SIMON MILLER, ETAL

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Jan. 30, 1998 MOTION TO STRIKE CERTIFICATE OF READINESS OR MOTION TO CONTINUE ON BEHALF OF DEFENDANTS AND ORDER FILED. AND NOW, this 30th day of January 1998, upon the Defendants' Motion to Strike the Certificate of Readiness and/or Continue to October, 1998 Term of Civil Court, the Court finds that service was not properly given to Defendant's Counsel and therefore the motion is hereby granted, and the Certificate of Readiness is hereby Striken from the record. Plaintiff shall file a new certificate of readiness with service upon John Gagliotti Esq., at 211 Chestnut St., Meadville, PA 16335.

Upon a proper filing and service of the Certificate of Readiness, this matter will be listed for the October, 1998 Civil Term of Court.

BY THE COURT
Gordon R. Miller, J.

1/30/98 FAXED GAGLIOTTI AND MAILED OSBORN

Feb. 4, 1998 MEMORANDUM FILED. AND NOW, Feb. 2, 1998, the Plaintiff mailed three original subpoenas to the Court. The Court does not serve subpoenas.

The Prothonotary shall return the subpoenas to the plaintiff. This case is not on the Feb. trial list by reason of a motion filed by counsel for the defendant to the effect that the case was improperly listed for February.

Therefore there is no need to serve subpoenas for February.

In the future the plaintiff is advised that he must follow the applicable laws and rules with respect to obtaining and serving subpoenas.

BY THE COURT
Gordon R. Miller, PJ

2/4/98 MAILED PLTF.

June 23, 1998 Certificate of Readiness filed.

ON TRIAL LIST FOR OCTOBER 1998

September 3, 1998 Praecipe to place the case at issue filed.

Septmber 8, 1998 Certificate of Readiness filed.

September 23, 1998 Service of Subpoena's Filed.

September 23, 1998 Motion for Transportation filed.

September 23, 1998 Order filed. And Now, September 21, 1998 the Plaintiff's Motion for transportaion to attend this civil jury trial is granted and it is ordered as follows;
1. The Sheriff of Crawford County shall pick the Plaintiff up from SCI Mercer and deliver him to the Crawford County Jail in time for the Plaintiff to appear at the Call of the Civil Trial List which shall be held on Monday, Sept. 28, 1998 at 9 AM in Courtroom No. 1.
2. The Superintendent of SCI Mercer shall release the Plaintiff ot the Sheriff of Crawford County for this purpose.
3. The Plaintiff shall remain in the Crawford Counkty Jail until this matter is disposed of and then he shall be returned by teh Sheriff of Crawford county to SCI Mercer.

By the Court
Gordon R. Miller, PJ

9/23/98 Fax Gagliotti / mailed osborn 9/29 Cert Copy to Sheriff

October 8, 1998 Pre Trial Order Filed. And Now, October 7, 1998 after a pre-trial conference the Court enters the following order:
1. The parties are ready for trial. The trial should take place during the second week of trials and is expected to begin on October 21, 1998. Jury selection may occur at 9 am on October 12, 1998 or 9 AM on October 19, 1998 depending upon the number of cases the Corut has to try. It is anticipated this case will take one day to try.
2. Description of the case.
The Plaitniff calims that he owned improved real estate off County LIne and Miller Road in Crawford County, PA. He alleges that he was incarcerated since 1986 and has not return to the property since that time. From 1985 to 1991 Rose Monsour was a resident on that property. Between 1988 and 1991 the Defendants took hogs upon the Plaintiff's Property without the Plaintiff's permission. Said hogs damaged the proprty as a result of which the Plaintiff claims damages for:
A. Clean up
B. Rent
The Defendants denies all of the Plaintiff's allegations. They claim that they did not put hogs on the Plaintiff's property and therefore could not owe him rent or the cost of clean up. They claim that this law suit is fabricated.
3. Factual issues.
The Factual issues center around whether of not the Defendants actually did place thier hogs on the Plaintiff's property and if so, whther said hogs did damage and the cost of clean up, and the fair rental value of lthe property if the hogs were on the Plaintff's property.
4. Ability of Plaintiff to prove his case. The plaintiff is incarcerated at SCI Mercer. He is representing himself and may have difficulity proving his case. At teh pretrial conference we outlined how a civil jury trial goes. The Plaintiff is familiar with that because hewas a pro se litigant in a case before and in a jury trial before the undersigned Judge a few
years ago.
We advised the Plaitniff that he carries the initial burden of proof and had to prove, among other things, that one or more of the Defendants actually placed their hogs on his property; that the placement of the hogs on the property was done without the Plaintiff's permission; that the hogs caused specific damages and that as a requlr of the damages the hogs cuased the Plaintiff sufffered specific dollar losses.
None of this occurred in the presence of the Plaintiff so he must rely upon others. We fear that he will not be able to prove his case. he has subpoenaed seven witnesses. We have been through these kinds of things before with this Plaintiff and it may vry well turn oth that these witnesses know nothing about this case and cannot help the Palintiff in the least.
The Court scheduled for Monday October 12, 1998 is extremely complicated. If we are able to do so we will have an in camera hearing where allof these witnesses who are subpoenaed for October 12th will appear and testify under oath as to what they klnow aobut this cause of action. We intend to permit the Plaintiff to examine the witnessess and counsel for the Defendants to cross examine the witnesses. In the event that the witnesses have absolutely nothing to add to this case we will quash the subpoenas and excuse them fro m their responsibility to appear at trial.
It may well tubrn out that the Plaintiff cannot prove hiscase at all we will try to determine that at the in camera hearing so as to avoid jury selection and a trial that would then most assuredly result in an involuntary nonsuit.
5. All of the Defenants are ordered and directed to appear at the time of trial. They need not appear on October 12, 1998 although they have a right to do so since they are parties to this action. The Plaintiff may call one or more of the Defendants in his ase in chief as for cross examination We will not expect the Plaintiff to issue a subpoena to assure the presence of the Defendants. They are ordered and directed to appear at trial and remain until released by the court.
6. Identity fo the Defendants. The Defe ndants are Simon Miller, Brian Miller, Kenneth Miller and Kevin Miller.
7. The plaintiff calims the following damages: Rent; Cost of clean up; He has abandoned his claim for loss in the value of the Real property.
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Kenneth Osbord
vs
Simon Miller et al

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8. The Plaintiff's case in chief: a. Wittnesses
The Plaintiff intends to call one or more of the Defendants as a witness and one or more of the follwoing persons: James Stritzinger ; Rose Monsour; Misty Pizer; Stacie Osborn; Deborah Sell; Kim Copeland; Jeannette Thompson
b. Bills: None
c. Exhibits. The plaintiff intends to use some photographs He shall show those photographs to counsel for the defendants prior to the time the Plaintiff makes his opening statement.
9. Defendants' case in chief:
a. Wittnesses. One or more of the Defendants may testify.
b. Exhibits. None
10. Each party shall be entitled to four preemptory challenges.

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

10/8/98 Faxed Osborn @ jail and Gagliotti

Sept. 23, 1998 Order filed. AND NOW, September 18, 1998 the Plaintiff's mtoion for order of the Court directing the Sheriff to make service of the subpoenas upon witnesses is granted and the Sheriff shall serve the following persons: James Stritzinger, Rose Monsour, Misty Pizer, Stacie Osborn, Deborah Sell, Kim Copeland, Jeannette Thompson

BY THE COURT,
Gordon R. Miller, J

9/23/98 Faxed Gagliotti, Sheriff, dist. Walker & Osborn

October 14, 1998 Order Filed. And now, October 12, 1998 Bill Taylor who is currently housed at the Crawford County Jail is subpoenaed to testify on behalf of the Plantiff in this case. He shall be brought to the Coruthouse at 9:15 on Monday, October 19, 1998 to find out what he knows.

By order Of the Court
Gordon R. Miller, P.J.

Faxed Jail, Sheriff, Pltf & Gagliotti

Oct. 20, 1998 Sheriff's Return filed. Served Misty Pizer, personally on Sept. 29, 1998 at 3:25 PM at 12932 Gordon Rd., Conneaut Lake, PA.
Served Kim Copeland, personally on Sept. 28, 1998 at 8:25 AM in the Sheriff's Office.
Served Mr. James Stritzinger, personally on Sept. 28, 1998 at 1:26 PM in the Sheriff's Office.
Served Stacie Osborn, personally on Sept. 28, 1998 at 2:12 PM in the Sheriff's Office.
Served Jeannette Thompson, eprsonally on Sept. 29, 1998 at 2:38 PM in the Sheriff's Office.
Served Deborah Sell, by deputizing the Sheriff of Mercer County, per the affidavit of service attached, this was served on Oct. 9, 1998 at 1125 hours, at the Sheriff's Office, 205 S. Erie St., Mercer, PA.
Served Rose Monsour, personally on Sept. 28, 1998 at 9:36 in the Sheriff's Office.
So answers,

Diane Brittain, Deputy
Dale A. Collins, Deputy
Barbara J. Reagle, Deputy
Robert M. Stevens, Sheriff

October 23, 1998 Order Filed. And Now, October 22, 1998 at the close of the Plaintiff's case, the Defendant has made a Demurrer which we treat as a Motion for Compulsory Nonsuit. Said motion is granted and Compulsory Nonsuit is entered in favor of the Defendant Brian Miller and against the Plaintiff, Kenneth Osborne.
The jury will now be dismissed.

By order of the Court
Gordon R. Miller, P.J.

10/23/98 Dist. Pltf & Gagliotti

October 23, 1998 Order filed. And Now, October 22, 1998 at teh start fo the jury trial in this case the Plaintiff seeks to withdraw Kenneth Miller, Kevin Miller and Simon Miller as Defendants. We treat this as a Voluntary Nonsuit under Rule 230 and accordingly the Voluntary Nonsuit is granted as to Kevin Miller, Kenneth Miller, and Simon Miller in their favor and against the Plaintiff.

ByOrder of the Court
Gordon R. Miller, P.J.

10/23/98 Dist. Pltf & Gagliotti

July 13, 1999 Motion for Complaint for Offense of unsworn falsification to authorities and ORDER filed. AND NOW, to wit, this 15th day of July, 1999, the enclosed Motion for: complaint for offense committed is hereby denied. There is no such thing as a complaint for offense committed.

By the Court:
Gordon R. Miller, J.

July 16, 1999 FAXED Atty. Gagliotti; mailed Osborn.

(SEE COMPUTER OR PAPERS FILED FOR MORE INFORMATION)

1993

Commonwealth of Pennsylvania
Department of Environmental
Resources
vs.
Frank J. Schiller and
Carol J. Schiller

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RULE RETURNABLE, the 23rd day of February, 1994 at 2:30 o'clock pm.

BY THE COURT:
Gordon R. Miller, J.

2-7-94 Copy mailed to: Donna L. Duffy, Esq. & Defts.

Feb. 16, 1994 Answer filed.

Feb. 28, 1994 ORDER filed. AND NOW,February 23, 1994, the Or der of January 3, 1994 is hereby vacated, because it appears that the Court entered the Order erroneously believing that the Defendant knew the motion for contempt was being presented at the time it was presented and failed to appear. That apparently is an error. Apparently the Defendant did appear in another Courtroom and was told by another Judge that there would be a hearing before the Order would be entered. Counsel for the DER agrees with much of this and generally agrees that the Order of January 3, 1994 may now be vacated.

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

3-2-94 Copy of Order mailed to Atty. Duffy and Deft.

Mar. 10, 1994 Memorandum and Order filed. AND NOW, March 7, 1994, for the reasons set forth in the attached memorandum it is ordered as follows:

1. The plaintiff's petition for contempt is denied and the rule to show cause dissolved.
2. The defendant, Frank J. Schiller, shall fully and completely comply with this Court's order of March 17, 1993 and provide the plaintiff and its authorized agents, includilng, but not limited to, EBASCO Environmental, access to and entryupon his Richard Township, Crawford County, Pennsylvania property consisting of approximately 147 acres.
3. The Order of March 17, 1993 is extended for six months beyond the two year period originally set forth to give the plaintiff a reasonable additional period of time because it acceded to the defendant's direction to vacate the premises

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

Mar. 10, 1994 Copies dist. by court & Pro

Aug. 17, 1998 PER CURIAM MEMORANDUM OPINION AND ORDER Certified fromt he court of commonwealth filed. ORDER: And Now, this 13 day of Aug. 1998 the Com. of Pa. Dept. of Environmental Protection's motion to quash the appeal of Frank J. Sc hiller is granted.

1993

1993

Associated Contractors of Conneaut Lake, Inc. a Corp.

vs.

Kebert construction Co., et al

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Feb. 3, 1994, ORDER: RE: RHOMAC CONSTRUCTION COMPLAINT TO JOIN TRU-WELD GRATING, INC. AS ADDITIONAL DEFENDANT AND TRU-WELD GRATING, INC. PRELIMINARYOBJECTION TO SAID JOINDER filed. AND NOW, feb. 3, 1994, after consideration of briefs and arguments, the preliminary objection in the nature of a demurrer filed by Tru-Weld Grating, Inc. is sustained and the complaint by Rhomac Construction Co. to join Tru-Weld grating, Inc. as an additional defendant is dismissed.

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

Feb. 3, 1994, copies dist. to all counsel.

Feb. 8, 1994 Praecipe for Rule to File Complaint Against Additional Defendant French's Inc., filed.(3 copies Atty.)

Feb. 22, 1994 Rule to file Complaint against additional defendant French's Inc., and Acceptance of Service of foregoing Rule dated 2/14/94, filed.

Mar. 1,1994 Notice of Appeal, Request for Transcript and Proof of Service to Superior Court of Pennsylvania filed on behalf of Gary McClimans and Mark Rhoades, partners and d/b/a Rhomac Construction Company, a partnership, defendants,filed.

Mar. 10, 1994 Superior Court of Pennsylvania Official Docket Docket #00331PGH94 filed.

Mar. 10, 1994 Petition and Motion To Amend Order of Court filed.

Mar. 10, 1994 Motion For Reconsideration filed.

Mar. 10, 1994 Memorandum and Order filed. AND NOW, March 9, 1994, we deny Rhomac Construction Company's petition and motion to amend our February 3, 1994 order in this case and we deny the request to allow an appeal of said order in the interest of justice or to speed the ultimate outcome of the case.
We observe that jthe general appeal filed form our February 3, 1994 order is not an appealable order at this stage of the proceedings.

BY THE COURT,
P. Richard Thomas, J

Mar. 10, 1994 Copies mailed out by Judge's Secretary

Mar. 24, 1994 Praecipe for Discontinuance filed. APPEAL DISCONTINUED. Certification from theCRecord filed.

Apr. 5, 1994 Complaint filed.

June 2, 1994 Preliminary Objections Of Additional Defendant French's, Inc. To Complaint To Join Additional Defendants filed.

Jun.7, 1994 Amended Complaint to Join Additional Defendants, filed.

June 16, 1994 Answer and New Matter of Additional Defendant French's Inc. to Amended Complaint to Join Additional Defendant filed.

July 22, 1994 Appearance of Culbertson, Weiss, Schetroma & Schug by E. Max Weiss for Robert C. Frost filed.

July 26, 1994 Answer and New Matter of Robert C. Frost to Kebert Construction Company's Joinder Complaint filed.

Aug. 5, 1994 Reply and Cross-Claim to the New Matter of Additional Defendant French's Inc., filed.

Aug.8, 1994 Frenchs' Inc. Reply to New Matter, filed.

Aug. 8, 1994 Frenchs' Inc. Reply to New Matter, filed.

Aug. 10, 1994 Notice of Service of Answers to Interrogatories of French's, Inc., filed.

Aug. 15, 1994 Reply to New Matter of Additional Defendant, Raobert C. Frost, filed.

Aug. 15, 1994 Reply to New Matter of Additonal Defendant French's Inc., filed.

Aug. 17, 1994, Appearance of Dickie, McCamey & Chilcote, PC by Jennifer M. Kirschler, attorneys for plaintiff Assoc. Contractors fo Conneaut Lake, Inc. filed.

Aug. 25, 1994 Rhomac Defendants" Reply to Cross-Claim of Additional Defendant Frost and Cross-Claims against additional Defendant Frost, filed.

May 16, 1995 Appearance of Gaca, Matis & Hamilton by Mark R. Hamilton, Esq., on behalf of Gary McClimans and Mark Rhoades, partners and t/d/b/a Rhomac Construction Co., filed.

Nov. 16, 1995 Notice of Completion of Discovery filed.

Jan. 2, 1996 Notice of Withdrawal of Gaca, Mathis & Hamilton on behalf of the defendants, Gary McCliams and Mark Rhoades partners and t/d/b/a Rhomac Construction Compnay and Substitution of Counsel of MARK R. HAMILTON, Esquire and ZIMMER KUNZ PROFESSIONAL CORPORATION for Defendants, Gary McClimans and Mark Rhoades,partners and t/d/b/a Rhomac Construction Company, filed.

Feb. 15, 1996 Notice of Service of Request for Admissions and Interrogatories, filed.

June 24, 1997 Upon praecipe of Plaintiff Attorney the above captioned case is marked settled and Discontinued of record.

1993

1993

John Engelotti, d/b/as
Angelotti Cartage, Plaintiff
vs.
George Shimek, Jr.Indidvidually,
and t/a, d/b/a General Diesel
and Industrial Parts Depot,
Inc., Defendants

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Feb. 15, 1994 Upon Praecipe of Timothy M. Sennett, Esquire, Attorney for Defendants, the above captioned matter is placed on the next available Argument List.

ON MARCH, 1994 ARGUMENT LIST

Feb. 15, 1994 Motion for Summary Judgment filed.

May 19, 1994 Memorandum and Order filed. AND NOW, May 13, 1994, after argument and consideration and for the reasons set forth in the attached Memorandum, the motion for partial summary judgment of Defendant George Shimek, Jr., Individually, and t/a, d/b/a/ General Diesel and the motion for summary judgment of Defendant Industrial Parts Depot, Inc. are denied.

BY THE COURT:
Anthony J. Vardaro, J.

5-19-94 Copies dist. by Court

Oct. 12, 1994 Upon Praecipe of David W.Pickens,Esquire, Attorney for Plaintiff the above action settled and discontinued of record.

Randall Scott Yerkey al
vs.
Hon-Wing, Cecilia J. Chi, etal

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Feb. 22, 1994 Plaintiffs' Notice of Service of Interrogatories and Request for Production of Documents to Defendant Ronald roy Worthington (Second Set), filed.

Feb. 22, 1994 Plaintiffs Notice of Service of Interrogatories and Request for Production of Documents to Defendant Keith T. Fairlie (Second Set), filed.

Feb. 22, 1994 Plaintiffs' Notice of Service of Interrogatories and Request for Production of Documents to Defendant Frnak D. Hugarts (Second Set), filed.

Feb. 22, 1994 Plaintiffgs' Notice of Service of Interrogatories and Request for Production of Documents to Defendants Hon-Wing wong and Cecelia J. Chi (second set), filed.

Feb. 22, 1994 Plaintiffs' Notice of Service of Interrogatories and Request for Production of Documents to Defendnats Martin Russell Clever and Barbara J. Clever (Second Set), filed.

Feb. 22, 1994 Certificate of Mailing filed. Douglas W. Ferguson, Esq., attorney for Hon-Wing Wong and Cecilia J. Chi, Defendants, herein, certifies that he served a true and correct copy of Defendant Wong's and Defendant Chi's Answer to Plaintiffs' Amended Complaint, New Matter and Counterclaim upon the person(s) and in the manner(s) indicated below:

addressed as follows:

W. Patrick Delaney, Esq.
MacDonald, Illig, Jones & Britton
100 State St., Suite 700
Erie, PA 16507-1498
(Fairlie and Worthington)

Christopher J. Youngs, Esq.
Pepicelli, Youngs & Youngs, P.C.
363 Chestnut St.
Meadville, PA 16335
(Yerkey - Defendant)

Patricia J. Kennedy, Esq.
Natalie Dwyer, Halelr, Esq.
Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc.
2222 W. Grandview Blvd.
Erie, PA 16506-4508
(Yerkey - Plaintiff)

John B. Brautigam, Esq.
E. Max Weiss, Esq.
Culbertson, Weiss, Schetroma & Schug
911 Diamond Square
Meadville, PA 16335
(Shugarts)

Emil M. Spadafore, Jr., Esq.
Thomas, Truax, Spadafore, Vardaro & Walker
296 Chestnut St.
Meadville, PA 16335
(Clevers)

Douglas W. Ferguson, Esq., (Atty. for Dfts.)
Date: Feb. 22, 1994

Mar.7, 1994 Plaintiffs' Reply to New Matter of Hon-Wing Wong and Cecelia J. Chi, filed.

Mar. 10, 1994 Certificate of Service of Defendant Shugart's Answer to Plaintiff's Interrogatories filed.

Mar. 10, 1994 Plaintiffs' Answer To Defendant Cecilia J. Chi's Counterclaim filed.

Mar. 15, 1994 Reply of Defendant Shugarts to New Matter of Randall Scott Yerkey, filed.

March 16, 1994 Certificate of Service of Responses to Request for Production of Documents (Second Set) filed.

Mar. 21, 1994 Reply To Plaintiff's new Matter filed.

Apr. 14, 1994 Certificate ofService filed. I certify that a true and correct copy of Defendant Clever's Answer to Plaintiff's Interrogatories and Request for Production (2nd Set) was served upon Patricia J.Kennedy, Esquire, 2222 West Grandview Blvd., Erie, PA 16506, by Unit ed States first-class mail, postage prepaid.
Dat e: 4/11/94 Emil M. Spadafore, Jr., Esquire

Jan. 6, 1995 Notice to Complete Discovery filed.

Feb. 20, 1996 Upon Praecipe of Natalie Dwyer Haller, Esquire, Attorney for Plaintiff, the within suit is settled, Discontinued,Ended and costs paid, filed.

1993

Randall Scott Yerkey al

vs.

Hon-Wing, Cecilia J. Chi, et al

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Aug. 4, 1993, Defendant Clever's Reply to Dft. Shugarts New Matter pursuant to Pa. R.C.P. 2252(d) filed.

Aug. 4, 1993, Defendant Clever's Reply to Defendant Fairlies New Matter pursuant to Pa. R.C. P. 2252(d) filed.

Aug. 4, 1993, Defendant Clever's Reply to Plaintiff's New Matter Pursuant to Rule 2252(d) filed.

Aug. 20, 1993 Reply of Defendant Shugarts to New Matter Pursuant to Pa.R.C.P. 2252(d) of Defendant Fairlie,filed.

Aug. 30, 1993 Notice of Service Of Interrogataories and Requests for Production of Documents propounded to the Defendant Keith T. Fairlie filed.

Aug. 30, 1993 Notice of Service of Interrogatories and Requests for Production ofDocuments propounded to the Defendant, Frank D. Shugarts filed.

Aug. 30, 1993 Notice of Service of Interrogatories and Requests for Production of Documents propounded to the Defendants, Martin Russell Clever and Barbara J. Clever filed.

Aug. 30, 1993 Notice of Service of Interrogatoaries and Requests for Produciton of Documents propounded to the Defendant, Ronald Roy Worthington filed.

Aug. 30, 1993 Notice of Service of Interrogatories and Requests for Production of Documents propounded to the Defendant, Hon-Wing Wong and Cecilia J. Chi filed.

Sept. 9, 1993 CERTIFICATE OF SERVICE of Interrogatories, filed.

Sept. 16, 1993 Certificate of Service of Answers to Interrogatories and Request for Productionof Documents to Defendant, Frank D. Shugarts (First Set) filed.

Oct. 7, 1993 Certificate of Mailing of Plaintiffs' Interrogatories and Requests for Production of Documents to Defendants, Hon-Wing Wong and Cecilia J. Chi and Randall Scott Yerkey and Tracy L. Irwin-Yerkey filed.

Oct. 27, 1993, Certificate of Service of Answer to Plaintiff's Interrogatories filed.

Dec. 13, 1993 Amended Complaint filed. (8 copies Atty.)

Dec.13, 1993 Motion to Amend Complaint and ORDER filed.AND NOW, to-wit, this 13th day of December, 1993, upon consideration of Plaintiffs' Motion to Amend theComplaint, it is hereby ORDERED, ADJUDGED and DECREED that said Motion is GRANTED.

BY THE COURT
Gordon R. Miller, J.

12-21-93 Order to Attys.Haller, Kennedy, Christopher Youngs, FErguson, Weiss & Delaney.

Dec. 29, 1993 Answer, New Matter and New Matter Cross-claim to Plaintiffs' Amended Complaint filed.

Jan. 10, 1994 Reply to New Matter filed.

Jan. 10, 1994 Answer and New Matter to Plaintiff's Amended Complaint, filed.

Jan. 11, 1994 Answer and New Matter of Keith T. Fairlie, filed.

Jan. 18, 1994 Notice Of Request For Production of Documents filed.

Jan. 18, 1994 Notice of Request for Production of Documents filed.

Jan. 18, 1994 Notice of Request for Production of Documents filed.

Jan. 18, 1994 Reply of Defendant Frank D. Shugarts to the New Matter Pursuant to Pennsylvania Rule of Civil Procedure 2252(d) of Keith T. Fairlie filed.

Jan. 18, 1994 Notice of Request for Production of Documents filed.

Jan. 24, 1994 Certificate of Service of Reply to New Matter, filed.

Jan. 24, 1994 Reply to New Matter of Defendant Frank D. Shugarts, filed.

Jan. 24, 1994 Reply to New Matter of Keith T. Fairlie, filed.

Jan. 28, 1994 Reply to New Matter of Martin Russell Clever and Barbara J.Clever, filed.

Jan.28, 1994 Notice of Service of Answers to Interrogatories, filed.

Feb. 8, 1994 Affidavit of Service of Amended Complaint filed.I, Patricia J.Kennedy,Esq., being duly sworn according to law, deposes and says that I am the attorney for the Plaintiffs, Randall Scott Yerkey and Tracy L.Irwin-Yerkey, his wife, and that on December 13, 1993, I Mailed the Plaintiffs' Amended Complaint upon Defendant,Ronald R.Worthington, by certified mail, return receipt requested at his last know mailing address, P.O.Box 253, T owanda,New York 18848. Attached hereto is the receipt card indicating that Mr.Worthington received this complaint on December 22, 1993.
Feb.7, 1994

By Patricia J. Kennedy, Esquire

Feb. 10, 1994 Certificate of Service of Answers to Request for Production, filed.

FEb. 11, 1994, appearance of W. Patrick Delaney, of MacDonald, Illig, Jones and Britton, attorneys for defendant Ronald RoyWorthington, dft. filed.

Feb. 17, 1994 Certificate of Mailing Defendant's Wong's & Chi's Answer to Plaintiffs' Amended Complaint, new Matter and Counterclaim filed.

Feb. 17, 1994 Defendants Hon-Wing Wong and Cecilia J. Chi, now by marriage, Cecilia J. Wong Answer To Plaintiffs' Amended Complaint, New Matter and Counterclaim filed.

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William D. Harkness
vs.
Michele L. Harkness

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26 Oct. 21, 1993 Request For Hearing, filed.

27 Oct. 21, 1993 Assignment of Hearing Date, filed. AND NOW, Oct. 11, 1993: The Court Administrator having been directed by the Court to set a de novo custody hearing in the above matter, hereby sets a hearing for November 4, 1993, at 9:15 A.M., in Courtaroom 1.

FOR THE COURT,
Ann A. Walker, Crt. Adm.

Oct. 21, 1993 copy mailed to Plf. and copy to B. Walton

28 Oct. 15, 1993 Assignment of Hearing Date for November 4, 1993 at 9:15 AM in Courtroom 1 filed.

29 Oct. 25, 1993, ORDER filed. AND NOW, Oct. 25, 1993, a de novo custody hearing having been scheduled before the court on Nov. 4, 1993, at the request of the plaintiff, the court assumes that the plaintiff desires to be present and therefore the court, sua sponte, orders as follows:

1. William D. Harkness, a prisoner at the State Correctional Institution at Bellefonte shall be released to the custody of Sheriff of Crawford County, Pa. or his deputy or other appropriate agent, on or before Nov. 1, 1993 for the purpose of his transport to and attendance as a witness in the custody trial in this case. Said prisoner shall be returned to the custody ofthe Warden at the State Correctional Institution at Bellefonte a the conclusion of his testimony.

2. The Sheriff shall keep a record of all costs and submit a bill to the Court Admininstrator for payment out of the court's budget. A copy of the bill shall be p laced of record and the court reserves the right to tax said costs to the unsuccessful party.

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

Oct. 25, 1993, copies dist. by Court.

30 Nov. 12, 1993 Motion for postponement of hearing, filed.

31 Nov. 12, 1993 ORDER filed. AND NOW, November 12, 1993, while the Court Administrator was attempting to adjust the Court schedule so that the de novo custody hearing in this case could be held within the next thirty (30) days the plaintiff wrote a letter to the Court stating, among other things, "I would like this case postponed or just set aside and I will follow up with it at a later date . . . ."

This Court intends to dispose of this custody matter and hold a hearing de novo unless the plaintiff withdraws his request for hearing de novo in which case the temporary order previously entered shall become a final order.

In order to determine the plaintiff's intentions and desires it is hereby ordered as follows:

The Court will hold a hearing at 4:00 o'clock p.m. on Tuesday, November 16, 1993 in Courtroom No. 1 of the Crawford County Courthouse to determine the plaintiff's intentions. The Sheriff of Crawford County shall deliver the plaintiff to the courtroom and counsel for the defendant shall also be present. The defendantmay be present if she desires.

If the matter is not terminated at that point the Court shall announce the date for the hearing de novo.

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

Nov. 12, 1993 copies dist. by Court.

32 Nov. 17, 1993 ORDER filed. AND NOW, November 16, 1993,the Plaintiff appeared in open court and onthe record indicating that he desire to withdraw his request for hearing de novo and, therefore,the temporary Order of October 4, 1993 now becomes a final custody Order in this case.

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

11-17-93 Copies dist. to Pineo, Harkness & Walton.

33 Dec. 13, 1993 ORDER filed. AND NOW, December 10,1993, these proceedings having been finalized with the entry of a divorce decree the Sheriff of Crawford County shall return William D. Harkness to SCI at Bellefonte at the Sheriff's convenience.

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

Dec. 20, 1993 copy to Sheriff

34 Dec21, 1993 Order filed: And now, December 21, 1993, Upon receipt and review of the following matters filed by the plaintiff; a letter alleging official oppression, notice of appeal, verified statement to proceed informa pauperis, praecipe for opinion in support of order and order for transcript it is ordered as follows:

1. The plaintiff's request to proceed informa pauperis on this appeal is granted.

2. The Court Reporters shall prepare an original and one copy of the transcript of all the proceedings. The original transcript shall be filed with the Prothonotary and on copy shall be sent to the plaintiff. These transcripts shall be prepared in the time required by the Pennsylvania Rules of Appellate Procedure. The cost of the transcripts shall be paid from the Court's budget since the defendant is permitted to proceed informa pauperis.

3. The court will take no action on, nor respond to, the plaintiff's two page letter claiming official oppression.

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

12-22, 1993 copies of order distributed to Harkenss, Ct. Reporters and Barbara Walton.

35 December 21, 1993 Plaintiff's Appeal to Superior Court filed.

36 Jan. 3, 1994 Notice of Superior Court Docketing, Docket #02024PGH93, filed.

37 Jan. 5, 1994 Transcript of Colloquy Taken At Time Of Hearing Tuesday, November 16, 1993 filed.

38 Jan. 24, 1994 Transcript of Proceeding at Time of Scheduled Custody Hearing filed.

39 Feb. 10, 1994, Motion to file Appeal Nunc Pro Tunc and Order filed. ORDER: AND NOW, Feb. 9, 1994 the plaintiffs motion for leave to file an appeal nun pro tunc. is hereby denied.

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

Feb. 11, 1994, copy to Wm Harkness and B. Walton.

40 Feb. 24, 1994 Notice of Appeal docketed in Superior Court, filed.

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1993

William D.Harkness
vs.
Michele L. Harkness

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41 Mar. 2, 1994 ORDER filed. AND NOW, March 1, 1994, it is ordered as follows:

1. The plaintiff's "praecipe for opinionin support of order Pa.R.A.AP. 1925(b)" is hereby denied for it appears that the plaintiff's appeal to the Superior Court was quashed on January 20, 1994 (No. 2024 Pittsburgh 1993) and therefore this Court is under no coligation to file an opinionin support of an order. Furthermore, under Pa.R.A.P. 1925 the reasons for the order readily appear of record for the plaintiff was in open court and withdrew his request for hearing de novo and therefore the temporary custody order of October 4, 1993 became a final custody order. That took place on November 16, 1993.

2. We note of record that the plaintiff's request for transcripts has alsready been satisfied because transcripts of the colloquy taken at the time of the November 16, 1993 hearing as well as a transcript of the proceedign at the time of the schedule custody hearing have both been prepared by the Court Reporters and are in existaence

3. The plaintiffs request to proceed informa pauperis is not necessary because our Order of December 21, 1993 specifically gave the plaintiff the right to proceed informa pauperis on an appeal to the Superior Court. BY ORDER OF COURT
Gordon R. Miller, P.J.

Mar. 2, 1994 copy mailed Plaintiff
Mar.7, 1994 copoy to B. Walton, R.C. Thomas, W. Pineo

41A March 2, 1994 Verified Statement to Proceed Informa Pauperis filed.

42 March 11, 1994 Appeal to Superior Court filed.

43 March 21, 1994 Notice of Appeal Docketing Superior Corut Docket No. Assigned 004717PGH94 filed.

Jun. 29, 1994 Brief For Appellant and Repfoduced Record in Support Thereof, filed.

Nov. 3, 1994 Certificate of Contents of Remanded Record and Notice of Remand under Pennsylvania Rules of Appellate Procedure 2571 and 2572 filed.

Nov. 3, 1994 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:
Eleana R.Valecho, Deputy Prothonotary

Dated: September 23, 1994
11-4-94 Copy to Pltf & Atty.Walton

1993

PAULA L. MAY VS. FREDERICK F. MAY, JR. AND MELISSA ANN FISHER

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Nov. 5, 1998, ORDER filed. AND NOW, this 30th day of Oct., 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 by publication of a "Notice of Intent To Terminate Cases" printed in the Crawford County Legal Journal on Oct. 14, 1998, and no objection thereto having been received by the Court from either party in the cases listed below, all and each of the 84 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 19011.

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

1993

1993

William D. Harkness

vs.

Michele L. Harkness

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17 Apr. 27, 1993 Motion For physical Examination and Medical Records Pursuant PA.R.CIV.P. 1915.8 filed.

18 Apr. 27, 1993 Order filed. AND NOW, April 26, 1993, upon receipt and review of the planitiff's Motion for Physical Examination and medical Records, said motionis denied without prejudice to either party, the mediator or the Court to seek or direct physician and mental examination of persons in this case. At this point since the motion is not supported by proper factual allegations and since the Court believes that the mediator who first hears this case should consider physical and mental examination the Court will not now make such an order until the mediation conference takes places.

BY ORDER OF COURT,
Gorodn R. Miller, J

Apr. 29, 1993 copies of order to Pltf., Atty's Thomas & Pineo

19 Apr. 30, 1993 Petition For Special Relief filed.

20 May 28, 1993 Order filed. AND NOW, May 27, 1993 upon receipt and review of the defendant's petition for special relief wherein he requests that R. Charles Thomas, Esquire be disqualified from representing the plaintiff a rule to show cause is hereby issued and directed to the plaintiff to show cause, if any she has, why the prayer of the petition should not be granted. Said rule is returnable for hearing and/or argument on June 4, 1993 at 8:45 o'clock a.m. in Courtroom No. 1 Crawford County Courthouse.

BY ORDER OF COURT,
Gordon R. Miller, J

May 28, 1993 copies givento RCT & Harkness

21 June 8, 1993 Order filed. AND NOW, June 4, 1993, at a he aring on the record to dispose of the Petition for Special Relief file dby William D. Harkness in one or both of these cases, it appears to the Court an associate of R. Charles Thomas, Esquire, David P. Truax, Esquire, represented William D. Harkness on criminal charges where he was ultimately convicted that involved an incident where he was operating a motor vehicle and his wife Michele L. Harkness, and his daughter were passengers. It was out of that incident that Mr. Truax represented Mr. Harkness in criminal charges and tha tincident will form part of the basis Mrs. Harkness intends to use in support of her claims to these cases with respect to divorce and custody.

We have concluded that Mr. Truax did represent William D. Harkness in a matter that is substantially related to these matters, and under Rule 1.9 of the Rules of Professional conduct, Mr. Truax could not represent Michele L. Harkness in these cases and therefore, under Rule 1.10(a) of the Rules of Professional conduct, his associate or employer, R. Charles Thomas, Esquire, cannot represent Michele L. Harkness in these cases.

Mr. Thomas takes the position that he never discussed this case with Mr. Truax and he is willing to resign his representation of Mrs. Harkness if the Court believes the rules of Professional Conduct require that.

Accordingly, R. Charles Thomas, Esquire, shall withdraw his appearance and withdraw from his representation of Michele L. Harkness in these cases. Michele L. Harknless is given a reasonable period of time to hire substitute counsel and to failiarize new counsel with these cases. She should have at least thirty (30) days to obtain counsel, and allow counsel to be familiar enough with these cases to begin an appropriate representation of her.

The Custody Mediation scheduled for this date is hereby c ontinued generally to be rescheduled by the Mediator sua sponte or on motion or request of either party.

BY ORDER OF THE COURT,
Gordon R. Miller,

June 8, 1993 Copies dist. to Pineo, Harkness & Thomas

IN ERROR ~~July 16, 1993, Petition for Special Relief filed.~~

~~July 16, 1993, ORDER filed. AND NOW, July 14, 1993, after review and consideration of the within petition for special relief, said petition is denied. The court will not provide a copy of the trans cript to the defendant. He may obtain a copy from the court reporters, if he so desires, after he makes appropriate arrangements to pay them.~~

IN ERROR

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

~~July 19, 1993, copies dist. to Pineo, Harkness and Thomas.~~

22 JUly 20, 1993 Motion For Hearing, filed.

23 July 20, 1993 Order filed. AND NOW, July 19, 1993, after review of the plaintiff's motion for hearing the custody mediator is directed to hold a custody mediation conference within seventy-five (75) days from this date.

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

JUly 22, 1993 copy to Pineo, Walton, Plf. & Dft.

24 July 20, 1993 Appearance of Barbara J. Walton for Defendant filed.

25 Oct 5, 1993 TEMPORARY ORDER, filed. AND NOW, this 4th day of October, 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. Custody of the subject minor child, Gabriele Marie Harkness, is hereby awarded to the mother, Michele L. Harkness.

2. No visitation is accorded to the father at this time. Should the father be admitted to furlough by the state correctional authorities, then further mediation may be had in order to review the matter and see what visitation might be appropriate under the circumstances at that time.

3. Costs and fees of this Mediation, which are fixed at $152.00, are divided equally between the parties witha share of each being assessed to him or her as costs in this case. The mediataor notes for the Court the father has been granted leave to proceed in forma pauperis and so his share of costs shall be paid by Crawford County. The mother shall pay her share of costs and fees to the Prothonotary of Crawford County within thirty (30) days of the date of this order.

4. 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, P.J.

Oct. 11, 1993 copy to W. Pineo, B. Walton R.C. Thomas, Plf. & Dft.

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1993

JANICE SCHOFIELD DOERR,
JOHN EDWARD DOERR AND JAMES W. SCHOFIELD

VS.

WILLIAM WAYNE KARASTURY

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April 22, 1993 ORDER filed. AND NOW, April 16, 1993 after mediation conference before John Fuller, Esq., IT IS ORDERED AND DECREED AS FOLLOWS, TO WIT:

I. Legal custody of Amber Karastury shall be with her Father, William W. Karastury.

II. Primary physical custody of Amber Karastury shall be with her Father, William W. Karastury

III. Pending a further mediation conference or further Order of Court, it is ordered and decreed as follows:

1. The child, Amber Karastury, shall be seen and evaluated by Kathryn Anderson, Ph.D. (at least one appointment will be with Father and the child and one appointment with the child and Mr. and Mrs. Doerr). Dr. Anderson shall also interview and evaluate such other persons as she deems appropriate so as to make recommendations to the Court as to a visitation schedule and to what extent the child should be in the physical custody of the grandparents, Janice Schofield Doerr and John Edward Doerr, and/or the great grandfather, James W. Schofield. A copy of the report shall be furnished to the custody mediator and counsel for the parties.

2. Upon receipt of a report by Dr. Anderson a further mediation conference will be scheduled in the event the parties cannot resolve the matter by consent order.

3. Pending receipt of the report by Dr. Anderson and until further Order of Court, the grandparents, Janice Schofield Doerr and John Edward Doerr, shall have the following partial custody rights:

A. The grandparents, Mr. and Mrs. Doerr, shall be entitled to visit and take the child, Amber Karastury, into their custody every other weekend, beginning April 24, 1993, from Saturday morning at 10:00 a.m. to Sunday evening at 6:00 p.m. The grandparents shall furnish all transportation in connection with these visits.

B. Costs of the mediation conference shall be equally divided with the grandparents paying half (½) thereof and the Father paying half (½).

C. Costs of the evaluation by Dr. Anderson shall be paid by Mr. and Mrs. Doerr in accordance with their offer to pay the same.

Anthony J. Vardaro, Judge

April 29, 1993 Copy of Order to Attys. Curtis Blystone, Kathleen Nelson, John Fuller; copy mailed to Plfs. and Deft.

June 9, 1993 ORDER filed. AND NOW, June 4, 1993 after mediation conference before John Fuller, Esq. and consultations with Dr. Kathryn A. Anderson, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Amber Karastury shall be with her father; William W. Karastury.

II. Physical custody of Amber Karastury shall be with her father, William W. Karastury, subject to the following conditions:

A. The grandparents, Mr. and Mrs. John Edward Doerr, shall be entitled to visit and take the child, Amber Karastury, into their custody every other week beginning June 3, 1993, from Thursday at 1:00 o'clock p.m. to Sunday evening at 6:00 o'clock p.m.

B. In the absence of an agreement to the contrary the grandparetns, Mr. and Mrs. John Edward Doerr, shall be entitled (but not obligated), to visit and take the child into their custody on Mother's Day from 1:00 o'clock p.m. to 7:00 o'clock p.m. and on Christmas Day from 1:00 o'clock p.m. to 7:00 o'clock p.m. The grandparents shall notify the father of their intentions at least seven (7) days prior to such holidays.

C. Transportation of the child on weekends and holidays shall be provided by the grandparents.

D. Neither father nor grandparents shall say or do anything in an attempt to turn the child against the other party, 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 father and grandparents.

E. E. No party shall expose the child to any person or situation which may be harmful to the child's health or well being.

F. All parties agree to inform the other immediately of any illness or injury regarding the child and all parties agree to furnish the other with a current telephone number.

G. All parties will cooperate in seeing that the child has a consistent routine with a consistent bedtime.

III. This order is a temporary order but shall become a permanent order unless exceptions thereto are filedby either party within thirty (30) days of the date hereof.

IV. Cost of the mediation conference shall be equally divided with the grandparents paying one-half(½) thereof and the father paying one-half (½) thereof.

Anthony J. Vardaro, Judge

June 18, 1993 Copy of Order to Attys. C. Blystone, K. Nelson, J. Fuller., Copy mailed to Plfs., Dft.

June 9, 1993, ORDER filed. AND NOW, June 9, 1993 after mediation conference before John Fuller, Esq. and consultations with Dr. Kathryn A. Anderson, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Amber Karastury shall be with her father, William W. Karastury.

II. Physical custody of Amber Karastury shall be with her father, William W. Karastury, subject to the following conditions:

A. The grandparents, Mr. and Mrs. John Edward Doerr, shall be entitled to visit and take the child, Amber Karastury, into their custody every other week beginning June 3, 1993, from Thursday at 1:00 o'clock p.m. to Sunday evening at 6:00 o'clock p.m.

B. Holidays shall be defined as Christmas and Mother's Day. Holiday visitation by the grandparetns shall be that visitation which may be agreed to by the father and maternal grandparents.

C. Transportation of the child on weekends and holidays shall be provided by the grandparents.

E. No party shall expose the child to any person or situation which may be harmful to the child's health or well being.

F. All parties agree to inform the other immediately of any illness or injury regarding the child and all parties agree to furnish the other with a current telephone number.

G. All parties will cooperate in seeing that the child has a consistent routine with a consistent bedtime.

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 grandparents paying one-half (½) thereof and the father paying one-half (½) thereof.

Anthony J. Vardaro, Judge

June 18, 1993 Copy of Order to Attys. C. Blystone, K. Nelson, J. Fuller., copy mailed to Plfs., Dft.

1993

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Clarence B. Horner
vs
Elaine C. Horner

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October 14, 1998 Petition for Civil Contempt and Imposition of Sanctions and Order filed. And now, this 13 day of October 1998 upon presentation and consideration of the within Petition, a Rule is granted kupon the Plaintiff to show cause is any he has why he should not be adjudicated in contempt of the Order heretofore entered by this Court and sanctions imposed upon him as set forth in the Petition.
Returnable for hearing and/or argument on the 5th day of November, 1998 at 10:15 o'clock AM in Courtroom No. 3 of the Crawford County Court house, meadville, Pa.
A copy of this Petition shall be served upon the Plaintiff by Certified mail, return receipt requested, and upon his counsel Brian J. Lindsay Esq. by regular mail.
The Plaitniff is warned that if he does not appear at the time and place of the scheduled hearing that the hearing may proceed in his absence and sanctions imposed upon him pursuant to the reqeust of the Defendant.

By the Court
Anthony J. Vardaro, J.

10/14/98 Faxed Lindsay & Thomas

November 5, 1998 Order filed. And Now, November 5, 1998 at the time set for civil contempt in this case, Court counsel and the parties meet in informal discussion and it appears that through joint cooperatiaon the matter of inclusion of the wife in the husband's pension plan and ESOP plan has been generally resolved, but it will take some time for the husband's employer, Channellock, to receive the paperwork accomplishing the request of the wife to be included in the husband's retirement and ESOP plan.
Accordingly, by agreement of counsel, this case is continued for a period of 60 days, after which, etiher counsel may petition theis court for further hearing to have the matter resolved by Court decision.
The Court directs that the sum of $150 in attorney fees be paid by Clarence B. Horner to counsel for his wife on or before December 1, 1998.

By Order of the Court
P. Richard Thomas, SJ

11/5/98 Dist. Lindsay & Thomas

June 17, 2005 - See Computer for further entries

1993

Telmark, Inc.

vs.

Howard D. Foltz and Allen N. Foster, et al

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Apr. 21, 1993 Sheriff's Return filed. NOT SERVED as per Defendant Howard D. Foltz. Attempted Service onMarch 17, 1993, however, Defendant was not at home. His daughter stated the log skidder was inthe woods. Attorney Rhodes contacted this office and indicated that an agreement had been reached and to return the Writ of Seizure.
So answers,

Robert M. Stevens, Sheriff

Apr. 30, 1993 Upon Praecipe of Plaintiff Attorneys, Robert P. Simons, Esquire and W.Gregory Rhodes, Esquire, by W. Gregory Rhodes, Esquire, the above captioned action settled and discontinued of record.

Jan. 11, 1994 Motion for REturn of Replevin Bond and ORDER OFCOURT filed. AND NOW, upon consideration of the within Motion for REturn of ReplevinBond, it is hereby ORDERED, JUDGED and DECREED t hat Plaintiff's Motion is granted and the Prothonotary of Crawford Court is hereby instructed to return to Plaintiff the replevin bond of $3,000.00 previous posed by Plaintiff in this case.
BY THE COURT:
Gordon R. Miller, J.
January 7, 1994
Jan. 13, 1994 Copy of Order to Attys. Simons & Rhodes

William D. Harkness

vs.

Michele L. Harkness

Record continue from page 3

of record

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13 Apr. 15, 1993 Writ of Habeas Corpus Ad Testificandum filed.

14 Apr. 15, 1993 Order filed. AND NOW, April 15, 1993, we have before us a request by the Plaintiff for a writ of habeas corpus ad testificandum.

The Plaintiff desires to have such writ issued so that he may appear at a custody mediationset on June 4, 1993 at 10:00 a.m.

The Plaintiff filed a similar request previously and it was rejected as indicated in our Memorandum and Order filed at t his number and term on February 8, 1993.

For the same reasons, we reject the Plaintiff's current request and it is therefore denied.

However, in doing so, we note that the June 4, 1993 date for hearing was sent because the Plaintiff is scheduled to be before this Court on another matter and, as a courtesy to the Plaintiff so that he may appear in person at the mediation rather than through a telephone conference, we advised the child custody mediator that the Plaintiff would be in Crawford County for the other matter that day and, as a further courtesy, the child custody mediator set this matter for mediation on that day.

BY THE COURT:
Anthony J. Vardaro,

Apr. 15, 1993 Copies dist. by Court.

15 Apr. 15, 1993 Petition For The Appointment Of Counsel In A Civil Action Pursuant Local Rule L240 filed.

16 Apr. 15, 1993 Order filed. AND NOW, April 15, 1993, we have before us a petition for appointment of counsel in a civil action pursuant to Local Rule L240 which has been filed by the Plaintiff.

We have reviewed the same and it is our current understanding of the law that we are only required to appoint consel in paternity actions and actions involving involuntary termination of parental rights. This is a custody action and therefore we do not believe it is appropriate to appoint counsel.

Therefore, Plaintiff's request is denied.

BY THE COURT
Anthony J. Vardaro,

April 15, 1993 Copies dist. by Court.

~~Apr. 15, 1993 Order filed. AND NOW, April 14, 1993, the Defendant's motion dated April 10, 1993 asking for reconsideration of an order dated March 26, 1993 and a petition for special relief under Pa.R.C.P. 1920.43 are denied. This Court did not enter an order on March 26, 1993. If by chance the Defendant is advised that the Court will not reconsider any orders it has already entered regardless of the date they were entered.~~

~~Mar. 2, 1994 Verified Statement to Proceed in Forma Pauperis, filed.~~

~~Mar. 2, 1994 ORDER filed. AND NOW, March 1, 1994, it is ordered as follows:~~

~~1. The plaintiff's "praecipe for opinion in support of ordr Pa.R.A.P. 1925(b)" is hereby denied for it appears that the plaintiff's appeal to the Superior Court was quashed on January 20, 1994 (No. 2024 Pittsburgh 1993) and therefore this Court is under no obligation to file an opinion in support of an order. Furthermore, under Pa.R.A.P. 1925 the reasons for the order readily appear of record for the plaintiff was in open court and withdrew his request for hearing de novo and therefore the temporary custody order of October 4, 1993 became a final custody order. That took placer on November 16, 1993.~~

~~2. We note of record that teh plaintiff's request for transcripts has already been satisfied because transcripts of the colloquy taken at the time of the November 16, 1993 hearing as well as a transcript of the proceeding at the time of the schedule custody hearing have both been prepared by the Court Reporters and are in existence.~~

~~3. The plaintiffs request to proceed informa pauperis is not necessary because our Order of December 21, 1993 spe;cifically gave the plaintiff the right to proced informa pauperis on an appeal to the Superior Court.~~ BY ORDER OF COURT
~~Gordon R. Miller, P.J.~~

~~Mar. 2, 1994 copy mailed Plaintiff~~
~~Mar. 7, 1994 copy to B. Walton, R.C. Thomas, W.Pineo~~

Continued on page 496

KIMBERLY A. RITCHEY
VS.
WILLIAM J. HOOVER, JR.

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7. This order may be enforced without a warrant by any law enforcement officer having reasonable grounds to believe it has been violated.

8. A copy of this order shall be delivered by the Prothonotary by mail to the Franklin City Police Dept., Franklin, Pa. and to Crawford County Control.

9. This order shall remain infull force and effect until Jan. 25, 1994 unless modified or terminated by further order of this court.

10. Since the Defendant has been unemployed for several months and owes considerable costs and fines on unrelated criminal proceedings, the costs of $90.50 are waived and shall be paid by Crawford County.

11. The Defendant is reminded thatthisissan order of Court and violation of this order may be punishable by a fine up to $1,000 and a jail sentence up to six months.

12. Should the parties reconcile and resume living together, they shall, before that happens, file an appropriate motion with this Court asking for a modification of the abuse order or a termination of the order. The Defendant is advised that even if the Plaintiff invites him to her home or invites him to resume cohabitation, he should resist until this order is changed by a judge. Even if she invites him to live with her, he would be in contempt of Court until this order is changed.

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

Jan. 28, 1993 copies mailed to FCPD, Dft., & Brode (in box for Co Control)

Feb. 24, 1993 Motion to Amend or Modify A Protection From Abuse Order and Order filed.. AND NOW, this 24 day of February, 1993, upon receipt and review of the within motion to amend the Protection from Abuse Order of January 26, 1993, the amendment (s) and modification (s) set forth in said motion are hereby approved and made a Court Order.

A true and correct copy of this Order shall be delivered by the Prothonotary to the Police Agency serving Plaintiff and to County Control.

Any paragraphs of the original Order assessing costs on either party shall remain in full force and effect without change or modification.

BY ORDER OF COURT
Anthony J.Vardaro, J.

Mar. 4, 1993 Copy of Order to Franklin City Police Dept., & County Control & Atty.Brode & Deft.

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1993

JENNIFER L. VANBUREN
vs.
GARY J. VANBUREN

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LL. The parties are free to m ake 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. Costs and fees of this Mediation, which are fixed at $102.00 are divided equally between the parties witha share of each being assessed to him or her as costs in this case. Payment shall be made.to the Prothonotary of Crawford County.

13. The deposit required for the appointment of the custody mediator was made by the m other. The deposit shall first be appiied against the mother's share of costs and the remainder shall be remitted to her.

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

By the Court,
Anthony J. Vardaro, J.

Feb. 26, 1993 copy to W. Pineo, G. Fabian, J. Irwin, Plf. & Dft.

Nov. 1, 1994 Petition to Modify Custody and NOTICE AND ORDER TO APPEAR filed. YOU, GARY J. VAN BUREN, have been sued in Court to obtain shared custody of Isaac VanBuren.

You are ORDERED to appear in person at such time and place as will be determined by the Mediator Wm. Pineo for a mediationconference.

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.

Until the time of the above hearing neither party shall remove the children from the Commonwealth of Pennsylvania. The minor children shall also remain in the primary physical custody of the mother with visitation by the father as mutually agreed upon by the parties.

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

Court Administrator
Crawford County Courthouse
Meadville,PA 16335
(814)336-1151 ext. 298
BY THE COURT:
Anthony J. Vardaro, J.

11-2-94 Faxed to Attys. Irwin, given to Walton & Pineo

Nov. 9, 1994 Affidavit of Service filed. And Now,November 8, 1994, comes Barbara J. Walton, and avers as follows:

1. A true and correct copy of the Petition to Modify Custody was mailed to the Defendant via Certified Mail, return receipt on November 4, 1994.

2. That the Defendant signed the return card on November 5, 1994 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. Z070383637) 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.

Barbara J. Walton, Esquire

Dec. 20, 1994 TEMPORARY ORDER filed. AND NOW, this 16 day of December, 1994,after Mediation in the above referenced matter and uponthe recommendations of the Child CustodyMediator,

IT IS HEREBY ORDERED AND DECREED THAT:

1. No changes made to the Order of February 16,1993 and said Order is affirmed in all respects.

2. Costs and fees of this Mediation, which are fixed at $177.00, are divided equally between the parties with a share of each being assessed to him or her as costs in this case.

3. The deposit required for the appointment of the Custody Mediator was made by the mother. The deposit shall first be applied against the mother's share of costs and the remainder, if any, shall be remitted to her. The father shall pay his share of costs and fees tothe Prothonotary of Crawford County within thirty (30) days of the date of this Order.

4. Either party may move theCourt 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.

1-3-95 Copy to Attys. Irwin, Walton & Pineo.

As of June 11, 2001 any future entries involving this case can be found on the computer

WILLIAM H. McNEISH, JR.
VS.
BARBARA L. McNEISH SLOAN

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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 children.

8. Neither party shall use illegal drugs or be under the influence of alcohol at any time when said party has the cre 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. Should either party intend to move out of the jurisdiction, he or she shall give the other party 30 days notice of the move.

11. 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.

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. Costs and fees of this Mediation, which are fixed at $202.00, 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. The deposit required for the appointment of the custody mediator was made by the father. The deposit shall first be applied against the father's share of costs and the remainder shall be remitted to him.

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

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

Mar. 23, 1993 copy to W. Pineo, M.A. Kirkpatrick, C. B. Jones, Plf. & Dft.

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1993

STEVEN E. COON
vs.
CHRISTINE ROZELLE

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g. There shall be a provision for Trick-or-Treat Day from 4:30 p.m. to 7:30 p.m. The mother shall have the right to take her child trick-or-treating for 1993, and the parties shall thereafter alternate the Trick-or-Treat Day period.

h. 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 cancellatioin 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 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 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 beign 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 ina 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.

11. The parties are free to make additional or alternative arrangements respectign 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. Costs and fees of th is Mediation, which are fixed at $152.00, are divided equally between in parties with a share of each being assessed to him or her as costs in this case.

13. The deposit required for the appointment of the custody mediator was made by the father. The deposit shall first be applied against the father's share of costs and the remainder shall be remitted to him. The mediator notes for the court that the mother is receiving public assistance and therefore her share shall be paid by 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 permanetn.

By the Court,
Anthony J Vardaro, J.

Apr 8, 1993 copy to W. Pineo, G. Fabian, C. Brode, Plf. & Dft.

May 3, 1993 Motion For De Novo Hearing and Order filed. AND NOW, May 3, 1993 a de novo hearing is scheduled for the 3rd day of June, 1993 at 9:30 o'clock a.m. in Court Room No. 1, 2 or 3 of the crawford county Court House, Meadville, Pennsylvania.

FOR THE COURT,
Ann A. Walker, C.A.

May 6, 1993 Copies of order to Atty's Pineo, Fabian, Brode & Thomas

June 2, 1993, REASSIGNMENT OF HEARING DATE filed. AND NOW, June 2, 1993, hearing in the above matter heretofore set for June 3, 1993 at 9:30 a.m. is hereby reset for June 29, 1993 at 9:15 a.m. in C. R 1, 2 or 3.

FOR THE COURT, Ann A. Walker, Ct. Adm.

June 2, 1993, copies dist. to Attys. fabian and Thomas.

Jul. 1, 1993 ORDER filed. AND NOW, June 29, 1993, after hearing DeNovo, the Temporary Order as recommended by the Custody mediator on April 5th, 1993 and adopted by the Court as a Temporary Order, it is hereby adopted by this Court as a permanent order between the parties.

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

7-6-93 Copies to Attys. Fabian, Thomas & Pineo, & Brode.

HELEN A. ADAMS
VS.
DONALD J. ADMAS a/k/a
DONALD J. ANDAMS, JR.

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%. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable grounds 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.

Copies of this Order shall be provided by the Prothonotary to the Cambridge Springs Borough Police and to the Pennsylvania State Police as well as County Control, without prejudice to the Plaintiff to provide copies to other police agencies that may be appropriate if she should move from the jurisdiction of the Cambridge Springs Borough.

7. 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.

8. The Defendant shall pay court costs in the amount of $89.50 to the Office of the Prothonotary of Crawford County on the first floor of the Crawford County Courthosue within sixty (60) days of the date of this Order.

He may pay such court costs in installments if he wishes so long as the total is paid within the sixty (60) day time frame.

9. This Order shall remain in full force and effect through April 1, 1994.

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

Apr. 12, 1993 copies mailed to CSBP & PaSP & given to Mason & Co. Control.
Apr. 14, 1993 copy to Dft.

MICHAEL MCCANDLESS, et al

VS.

TRANS PENN WAX CORP.,et al

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the party wishing to make such disclosure shall give at least ten days' advance notice in writing to the counsel of the party designating such information as confidential, stating the names and addresses of the person(s) to whom the disclosure will be made, identifying with particularity the documents to be disclosed, and stating the purposes of such disclosure. If, within the ten day period, a motion is filed objecting to the proposed disclosure, disclosure is not permissible until the court has denied such motion.

(c) The parties to this litigation, including the plaintiffs and those employees or agents of the defendants to whom defendants or their counsel believe disclosure is necessary. Such parties and employees are subject to this order regardless of whether, s prospective witnesses, they have executed and filed the confidentiality agreements required by 2(b) of this order.

(d) Any person indicated on the face of the document as the author, addressee, or copy recipient thereof.

(e) Disclosure to any person other than those described in the proceeding subparagraphs (a) through (d) may not be made unless the party seeking to disclose the document(s) has given at least ten days' advance notice in writing to the counsel of the party designating such information as confidential, stating the names and addresses of the person(s) to whom the disclosure will be made, identifying with particularity the documents to be disclosed, and stating the purposes of such disclosure. If, within the ten day period, a motion is filed objecting to the proposed disclosure, disclosure is not permissible until the court has denied such motion. This provision includes but is not limited to defendants' present and former employees, if not identified as a witness under 2(b) or designated pursuant to 2(c), their agents and attorneys. If the court denies the motion objecting to disclosure, disclosure will be made subject to execution of the confidentiality agreement described at 2(b).

(f) If any person to whom disclosure is sought under the preceding subparagraphs declines to execute the confidentiality agreement, disclosrue of stamped confidential documents may not be made to that person absent the agreement of party designating the document as confidential or order of this court.

3. Confidential Information in Depositions.

(a) A deponent may during the deposition be shown, and examined about, stamped confidential documents if the deponent has prior knowledge of the document(s) or if the provisions of 2(b) are complied with. Deponents shall not retain or copy portions of the transcript of their depositions that contain confidential information not provided by them or the entities they represent unless they execute the confidentiality agreement prescribed in 2(b). A deponent who is nto a party or a representative of a party shall be furnished a copy of this order before being examined about, or asked to produce, potentially confidential documents. If the deponent without prior knowledge of the stamped confidential document declines to execute the confidentiality agreement described in 2(b), stamped confidential documents may not be disclosed to that deponent unless and until the parties agree to the disclosure or the party seeking disclosure moves for and obtains an order directing disclosure.

(b) Parties (and deponents) may, within 15 days after receiving a deposition, designate pages of the transcript (and exhibits thereto) as confidential. Confidential information with the deposition transcript may be designated by underlining the portions of the pages that are confidential and marking such pages with the following legend: "Confidential — Subject to protection pursuant to Court Order." Until expriation of the 15 day period, the entire deposition will be treated as subject to protection against disclosure under this order. If no party or deponent timely designates confidential information in a deposition, then none of the transcript or its exhibits will be treated as confidential; if a timely designation is made, the confidential portions and exhibits shall be confidential under the terms of this order, separate from the portions and exhibits not so marked.

4. Confidential Information at Trial. Subject to the rules of evidence and any final pretrial order identifying trial exhibits, stamped confidential documents and other confidential information may be offered in advance at trial or any court hearing.

5. Subpoena by Other Courts or Agencies. If another court or an administrative agency subpoenas, requests, or orders production of stamped confidential documents which a party has obtained under the terms of this order, such a party shall promptly notify the party or other person who designated the document as confidential of the pendency of such subpoena, request or order. Such notice must be given a sufficient time in advance of the time set for production of the stamped confidential documents to afford the party which designated the document(s) as confidential reasonable time to oppose their disclosure.

6. Filing. Stamped confidential documents need not be filed with the Clerk except when required in connection with motions or other matter pending before the court.

7. Prohibited Copying. If a document contains information so sensitive that it should not be copied by anyone, it shall bear the additional legend "Copying prohibited." Application for relief from this restriction against copying may be made to the court, with notice to counsel so designating the document.

8. Use. Persons obtaining access to stamped confidential documents under this order shall use the information only for preparation and trial of this litigation (including appeals and retrials), and shall not use such information for any other purpose, whether business, governmental or commercial.

9. Non-Termination. The provisions of this order shall not terminate at the conclusion of this action. Any documents or copeis thereof obtained in discovery that are subject to this order will either be returned to the producing party at the conclusion of this litigation or, if retained by the receiving party, will remain subject to this order and shall be maintained by the receiving party's counsel under the terms and conditions of this order.

10. Modification Permitted. Nothing in this order shall prevent any party or other person from seeking modification of this order or from objecting to discovery that it believes to be otherwise improper.

11. Responsibility of Attorneys. The attorneys of record are responsible for employing reasonable measures to control, consistent with this order, duplication of, access to, and distribution of copies of stamped confidential documents. Parties shall nto duplicate any stamped confidential document except working copies and for filing with the court in this action.

ENTERED this 17th day of May, 1994.

Gordon R. Miller, J.

May 19, 1994 Copies Faxed to Attys. Altomare & Quinn Firm; May 24, 1994 Copy mailed to Atty. Robert Rigrish.

Dec. 30, 1994 Motion for Summary Judgment on behalf of defendants filed.

Dec. 30, 1994 Memorandum In Support of Motion for Summary Judgment, with Supporting Exhibits filed.

Dec. 39, 1994 Index of Exhibits In Support of Motion for Summary Judgment, filed.
Dec. 30, 1994 Upon praecipe of defendants attorney this case placed on next Argument List.

ON JANUARY 1995 ARGUMENT LIST

Jan. 13, 1995 Opposition to Motion to Strike From Argument Calendar filed.

Jan. 24, 1995, Motion to Strike From Argument List filed.

Jan. 24, 1995, Motion to Strike Preliminary Objections filed.

Jan. 24, 1994 Preliminary Objections to Defendants' Motion for Summary Judgment and Motion for Stay filed.

Jan. 24, 1995, MEMORANDUM AND ORDER filed. ORDER: AND NOW, Jan. 23, 1995 in light of the fact that the defendants have filed in the US Court of Appeals for the Third Circuit a petition for writ of mandamus to the U S Dist. Court for the Western District of Pa. which may result in this case being returned to the United States District Court, all proceedings in this matter are stayed pending an order from the US Court of Appeals for the Third Circuit with regard to the defendants aforesaid petition.

In the event that after such order this matter is not returned to the US District Court, upon such order our stay is automatically lifted and this case may proceed. In that event, any party may file a praecipe to list the defendants' pending motion for summary judgment for argument at the next available argument court.

The court administrator is directed to forthwith remove from the argument list the Jan. 30, 1995 scheduled argument before Judge Miller with respect to the defendants' motion for summary judgment.

BY THE COURT, Anthony Vardaro, Judge

Jan. 24, 1995, copies to ct. adm., Altomare, Quinn and Rigrish.

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Michael McCandless, et al
vs.
Trans Penn Wax Corp. etal

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Mar. 30, 1995, Upon praecipe of atty. for plaintiff, the Motion for Summary Judgment filed by dfts. set for argument on the next argument list.

ON ARGUMENT LIST FOR MAY 1995

May 26, 1995 Motion For Continuance and Order, filed. AND NOW, this 25th day of May, 1995, oral argumetn on the matter of Defendants' Motion for Summary Judgment is hereby continued until the next available argumetn date, and the Prothonotary is hereby directed to schedule same in accordance herewith. BY THE COURT:
Gordon R. Miller, P.J.

May 26, 1995 Altomare & Wargo, mailed Regrish

Sept 8, 1995 Memorandum and Order filed: AND NOW, September 6, 1995, the defendant's motion for summary judgment is granted. 1. Granted as to plaintiff's claim for intentional infliction of emotional distress. Counts I(D), II(D), III(D), IV(D), and VI(D)are dismissed.
2. Denied in all other respects.

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

9-8-95 Copies distributed all counsel.

Sept. 12, 1995, Notice to Complete Discovery filed.

Dec. 1, 1995 Certificate of Readiness filed.

ON FEBRUARY, 1996 TRIAL LIST

Jan.23, 1996 Motion for Continuance and ORDER filed. ORDER. Defendants' Motion for Continuance is Granted and the trial in this case is continued to the April civil trial term.
Dated: January 23, 1996 Anthony J.Vardaro, J.
1-23-96 Faxed Altomare, Mailed Regrish & Quinn.

ON APRIL, 1996 TRIAL LIST

Mar. 5, 1996 Upon Praecipe of Plaintiffs Attorney, pursuant to Rule 229 of the Pennsylvania Rules of Civil Procedure, this action, as to all defendants, with prejudice, is terminated. The parties will bear their own costs.

Papers to Prothonotary Filed Code B

506 B

1991

1993

MARSHA ST. JOHN
vs.
ERIC ST.JOHN

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6. Each of the paretns, any grandparent, and any adult coming into regular contact with the child shall teach the child involved in this case to develop and express 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 or any grandparent in the eyes of the child.

7. Neither parent having custody of the child at anytime shall drink more than two ounces of alcohol in any twenty-four hour period.

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 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 on behalf 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:
Anthony J.Vardaro, Judge

Apr. 22, 1993 Copies of Order to Attys. Brode, Crosby, Smith

Apr. 26, 1993, Exceptions and Order filed. ORDER: AND NOW, this 23 day of April 1993 upon consideration of the exceptions filed by defendant the within custody visitation hearing sahll be held de novo on the 2 day of July 1993 in the Courthouse of Crawford County, Pa. at 9:15 a.m.

For the court,
Ann Walker, Ct. Adm.

Apr. 29, 1993, copies of order to Attys. Crosby, Brode, and B. Smith.

June 25, 1993 ORDER filed. AND NOW, June 24, 1993, the Court having been advised that the parties have reconciled and are living together in the same household, the de novo custody hearing heretofore scheduled for July 2, 1993 at 9:15 A.M. in Courtroom Number 1 before Senior Judge P. Richard Thomas is hereby continued generally.

FOR THE COURT,
Ann A. Walker, Crt. Adm.

June 25, 1993 copies distributed by Court

AS OF MAY 16, 2000 - ANY FILINGS INVOLVING THIS CASE MAY NOW BE FOUND ON THE COMPUTER

Gary Lyn Derby
vs
Sandra Lee Derby

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Apr. 20, 1995 ORDER filed. AND NOW, April 17,1995 this matter is before the Court in Motion Court upon the Plaintiff's counsel's petition to withdraw as counsel for the Plaintiff.

The Plaintiff apparently has left the area as was reported to the Court at the time of a recent support hearing. It is unknown exactly where he is, although Defendant's counsel at the time of the support hearing indicated that the Plaintiff had told his daughter that he was going to Florida.

In any event, his counsel has been unable to contact him and seeks to withdraw in this divorce proceeding.

Defendant's counsel is present in motion court as is the court appointed master inthis divorce action.

After review of this matter where counsel and the master are present,it is hereby ordered and directed that the attorney for the Plaintiff is granted leave to withdraw his representation on behalf of the Plaintiff.

The Master shall provide a bill for James McCleery, Court Reporter, which is purported to be in the amount of $45 incurred as a result of initial master's hearings, and the Prothonotary shall without further order of court issue a check to the Master payable to James McCleery for that amount from the deposit currently made with respect to the master's hearing in this matter.

The Master shall submit a bill to the court within ten days for his services; and once we enter another order for the payment of his services any remaining amount due or any remaining amount in the master's deposit with the prothonotary shall be issued to James Irwin,Esquire counsel for the Defendant for him to apply toward a pension appraisal and/or personal property appraisal done by Sherman Allen at his discretion. He shall obviously keep a record that so that if the Plaintiff appears at some pint or counsel appears on his behalf that canbe appropriately allocated if need be in the future.

David Pickens, Esquire is appointed Master for any further proceedings in this matter without the requirement of the $250 deposit, insofar as, the initial deposit was made and due to the unique circumstances in this matter, we note that the current Master was agreeable to his replacement under these circumstances and in fact suggested that it might be appropriate.

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

4-24-95 Copies dist. Tinko, Irwin & Fabian

Apr. 24, 1995, ORDER filed. AND NOW, Apr. 21, 1995 in follow-up to our order of April 17, 1995, it is ordered and directed that the Prothonotary may disburse the sum of $50 for the payment of the James I McCleery bill rather than $45 with that check to be given to the Master, Gary A/. Fabian Esq. and the Prothonotary is also directed to disburse a check to the order ofthe Master in the amount of $422.50 for Master's fees based on his billing presented to the court for 6.5 hrs.

The remaining $27.50 may be disbursed to James R. Irwin, Esq. to be applied in the manner set forth in our order of Apr. 17, 1995.

by the court,
Anthony J. Vardaro, J.

4/24/95 faxed to Tinko, dist. fabian and Irwin.

Jan 12, 1998 Appearance filed by Sandra Lee Derby, for and on behalf of herself and enters her appearance, pro se, and states that she is not interested in using legal counsel and hereby discharges her former attorney in this matter.

Jan 12, 1998 Affidavit of Consent of Defendant, filed.

Jan 12, 1998 Waiver of Notice ofIntention to Request Entry of Divorce Decree Under Section 3301(c) of the Divorce Code for Plaintiff, filed.

Jan 12, 1998 Waiver of Notice of Intention to Request Entry of Divorce Decree Under Section 3301(c) of the Divorce Code for Defendant, filed.

Jan 13, 1998 Motion to Withdraw Count II of Divorce Complaint filed.

Jan 13, 1998 Motion to Withdraw Answer to Count II of Divorce Complaint and Count I, Count II and Count III of Counterclaim to the Divorce Complaint, filed.

Jan 15, 1998 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

January 27, 1998 AND NOW, January 26, 1998, it is hereby ordered and decreed that GARY L. DERBY, Plaintiff, and SANDRA L. DERBY, 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.

1993 TERM

	James A. Euliano and Joann Euliano, his wife, and Thomas Jones, Plaintiffs v. John P.Suroviec, Defendant	Continued from Page 147 of Record AD 1993 - 147

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Jan. 31, 1994 Petition of Defendant's Counsel for Leave to Withdraw and ORDER filed. AND NOW, this 31st day of January, 1994, upon consideration of the foregoing Petition for Leave to Withdraw Appearance, it is hereby ORDERD and DECREED that the Petition is granted and the petitioner, Peter E.Blystone, Esq. and/or the firm of Blystone and Blystone, are hereby permitted to withdraw his and/or their appearance of record for the defendant in the matter.

A copy of this Order shall be filed in the action of John P.Suroviec,plaintiff, versus James A. Euliano, Joann Euliano and Thomas JOnes,defendants, at No. AD 1992-1189 which arises from and is based upon the same transaction or series of transactions as this action.

BY THE COURT,
Gordon R. Miller, JUDGE

2-2-94 Copy of Order to Attys. Gregg & Blystone

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1993 TERM

Donna L. Nichols

vs.

Titusville Housing Authority,
dft.

The City of Titusville,
addl dft.

Record continued from page 331

of

AD 1993 - 331

May 26, 1994, Notice of Servcie of Interrogatories directed to Plaintiff filed.

May 26, 1994, Notice of Service of Interrogatories directed to defendant filed.

Aug. 11, 1994 Certificate of Service of Answers to Interrogatories filed.

Jun. 26, 1995 Upon Praecipe of Victor J. Kinnunen, Esquire, Attorney for Plaintiff, this action settled, discontinued, and ended upon payment of costs only filed.

1993 TERM

Lynn S. Ellis and George A. Ellis, her husband
vs
Michael G. Necas, M.D.

Continued from Page 65 of Record
AD 1993 - 65

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Sep. 20, 1994 ORDER filed. AND NOW, September 16, 1994, Argument on Defendant's Motion for Limine is hereby set for September 28, 1994 at 10:00 A.M., in Courtroom No. 1, Crawford County Courthouse, Meadville, PA, before the Honorable Gordon R. Miller, with a settlement conference to follow immediately thereafter.

FOR THE COURT;
Ann A. Walker, Ct. Administrator

9-20-94 Copies mailed by Ct. Admin.

Sep. 29, 1994 Notice of Taking Videotaped Deposition for Purposes of Use at Trial, filed.

Sept. 26, 1994, Reply to Defendant's Motion in Limine filed.

Nov. 7, 1994 Upon Praecipe of Philip B. Friedman, Esquire, Attorney for Plaintiff, the above case marked settled and discontinued of record.

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1993 TERM

1993 TERM

Bessie McCrory
vs
Edward E. Luckock and
Barbara M.Luckock,.
individually, and t/d/b/a
Luckock's Shur Save

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of Record

AD 1993 - 27

questions to the jury panel after the Court has completed its questions and, if there is any objection to voir dire questions at the time of trial, we will rule on the same.

7.**Peremptory challenges.** The Plaintiff shall have four peremptory challenges and Defendants shall have four peremptory challenges total. The parties agree that there shall be one alternate so that 21 jurors will be called and the last juror remaining after the peremptory challenges shall be the alternate.

8. **Points for charge.** Counsel shall submit requested points for charge as soon as possible but no later than the close of presentation of all evidence. Prior to oral argument by the parties, the Court will rule on requested points for charge so that the parties will know what the Court intends to tell the jury.

9. **Proposed verdict slip.** Any counsel desiring to submit a proposed verdict slip shall do so prior to the commencement of final arguments.

A final pre-trial conference willbe held on the morning of October 10, 1994 as soon as theCourt's attention may be had but prior to commencement of jury selection.

BY THE COURT:
Anthony J. Vardaro, J.

10-4-94 Copies Faxed by Court

Oct.11, 1994 Deposition of Paul A. Liefeld, M.D.,filed.

Oct. 11, 1994 Deposition of Curtis H.Laub, M.D., filed.

Oct. 12, 1994 VERDICT. AND NOW, Oct.12, 1994 at 4:20 P.M. jury selected and sworn at 11:46 A.M. on Oct. 10, 1994 as follows:

1. Debra Smith
2. Louis Williams
3. Mary Lou Barnes
4. Delores C.Miller
5. Sarah H.Brown
6. Peter Steinbuhler
7. Kathy Pattison
8. Clara M.Swoger
9. George D.Greig
10. Richard W.Taylor
11. Nancy Kunick
12. Joyce Kerr

twelve good and lawful persons who upon their solemn oaths which they have taken and least 10 of them say(Court directs verdict: AND NOW,we the jury,impaneled in the above action after the Jury's deliberations, answer the Court's questions as follows:

Question 1:
Do you find that the Defendants were negligent?
Yes _____ No X

If you answer Question 1 "No", Bessie McCrory cannot recover and you should not answer any further questions and should return to the courtroom.
Date verdict reached: 10/12/94 Time; 3:20 P.M.

Oct. 13, 1994 Exhibits filed.

Oct. 12,1994 ORDER filed. AND NOW, October 11, 1994 at the close of the testimony presented by the Plaintiff,the Defendant moves for compulsory nonsuit and said motion is DENIED.

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

10-13-94 Copies dist.to Thomas & White

Nov. 1, 1994 Upon Praecipe of Defendants attorney judgement is entered on the Verdict rendered by the Jury on Oct. 12, 1994, filed.

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1993 TERM

GLEN M. POST VS. AMY J. FISCHER RECORD CONTINUED FROM PAGE 186 of AD 1993 - 186

Nov. 5, 1998, ORDER filed. AND NOW, this 30th day of Oct., 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 by publication of a "Notice of Intent To Terminate Cases" printed in the Crawford County Legal Journal on Oct. 14, 1998, and no objection thereto having been received by the Court from either party in the cases listed below, all and each of the 84 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 19011.

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