CRAWFORD COUNTY

APPEARANCE DOCKET

BOOK 292
Vol. 2

MAY 1992

PIRRELLO ENTEPRISES INC.
Scanned June 2017

1992

451

IN RE: MISCELLANEOUS DOCKET

Filed May 7, 1992
@ 2:40 PM

ORDER OF PRESIDENT JUDGE GORDON R. MILLER CONCERNING SECURITY SAFETY AND RELATED INTERESTS AND CONCERNS OF THE COURT OF COMMON PLEAS OF CRAWFORD COUNTY, PENNSYLVANIA

ORDER:

AND NOW, This 6th day of May, 1992, upon consideration of the security, safety and related interests and concerns of the Court of Common Pleas of Crawford County, Pennsylvania, the Court finds and orders as follows:

WHEREAS, the security of litigants, witnesses, attorneys, and Court and County staff is a vital concern during times when Court business is being conducted; and

WHEREAS, the safety and security of those persons must be protected; and

WHEREAS, the efficient operation of a dignified court system is a vital concern and should be fostered, promoted, protected and guarded; and

WHEREAS, Court personnel and others having officers on the second floor of the Courthouse, or staff regularly doing business on the second floor of the Courthouse, must be permitted to per form their work efficiently and peacefully with as little interruption, confusion and congestion as possible; and

WHEREAS, given the size of the halls on the second floor of the Crawford County Courthouse there are times when space is limited and congestion results, all of which cause a serious inconvenience to elected officials, court and county employees, litigants, witnesses, families, and attorneys; and

WHEREAS, the use of camera lights when video taping makes it difficult, if not impossible, for individuals approaching those lights to see beyond them, causes a distraction and preoccupation; and causes undue and unnecessary security risks; and

WHEREAS, the presence of television and other cameras and the conducting of interviews of the hallways and corridors of the second floor interferes with the security and safety of persons involved with the operation and work of the Court, detracts from the dignity and sanctity of courtroom and court affairs; creates unnecessary congestion, confusion and districtio and compromies and ablity of per sons who work on the secnd floor of the courthouse to do their work efficiently; and

WHEREAS, the presence of television and other cameras and the conductng of interviews on the second floor of the courthouse significantly contributes to the likelihood of verbal and ph ysical confrontation; and

WHEREAS, adequate space to photograph and interview persons exists on other floors of the courthouse, including courthouse lobbies; and

WHEREAS, television cameras, bright lights and interviews have been excluded from the U.S. District Courthouse for the Western District of Pennsylvania since 1968.

THEREFORE, it is hereby ordered and decreed as follows:

1. There shall be no loitering or congregaring in the hallways and corridors of the second floor of the Crawford County Courthouse except as reasonably required by participants in court proceedings.

2. There shall be no television or other cameras or recording equipment, either visual or audio, present or in use on the second floor of the Crawford County Courthouse or corridors, except as reasonably required and permitted for ceremonial proceedings such as the swearing in or public officials which may be conducted in the courtroom.

BY THE COURT,
GORDON R. MILLER,
PRESIDENT JUDGE

2

1992

Thomas, Truax,
Spadafore & Walker
R. Charles Thomas

452

DEBORAH BAKER WILLS

vs.

TIMOTHY J. WILLS

Filed May 7, 1992
@ 4:15 PM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count paid	5.00
State paid	10.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
1 copy (atty)

August 14, 1992 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 8/14/92 . We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonably delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.

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

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

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

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

By the Court,
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)

1992

William J. Gregg

453

HOWARD J. FAUNCE

vs.

ESTATE OF AMY FAUNCE, her heirs and assigns, ESTATE OF JAMES FAUNCE, his heirs and assigns, ESTATE OF CYNTHIA REYNOLDS her heirs and assigns, ESTATE OF ALICE KASTER, her heirs and assigns, ESTATE OF BENJAMIN KASTER his heirs and assigns, ESTATE OF DOROTHY REYNOLDS, her heirs and assigns, and ESTATE OF CLINTON REYNOLDS, his heirs and assigns

Filed May 8, 1992
@ 2:13 Pm

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	245.36
Pro.Co. pd 8/31/92	9.00

COMPLAINT IN ACTION TO QUIET TITLE

May 19, 1992 MOTION FOR SERVICE BY PUBLICATION FILED.

May 19, 1992 ORDER FOR SERVICE BY PUBLICATION FILED. AND NOW, May 15, 1992, upon consideration of the foregoing Motion, the Sheriff of Crawford County is ORDERED and DIRECTED to make service of the Complaint on the Defendants, the Estate of Amy Faunce, the Estate of James Faunce, the Estate of Cynthia Reynolds, the Estate of Alice Kaster, the Estate of Benjamin Kaster, the Estate of Dorothy Reynolds, the EstaTE OF ClintonReynolds, their heirs and assigns, by publication once in The Meadville Tribune newspaper, a newspaper of general circulation in Crawford County, Pennsylvania and in the Crawford County LegalJournal.

Gordon R. Miller, J.

May 19, 1992 copy of Order to William J. Gregg, Esq.

July 16, 1992 Sheriff's Return Filed. SERVED by publication once only on Wednesday, June 17, 1992, in the Crawford County Legal Journal as per Proof of Publication attached.

SERVED by publication once only on Wednesday, June 17, 1992, in the Meadville Tribune as per Proof of Publication attached.

So answers, Robert M. Stevens, Sheriff

July 29, 1992 Motion for Judgment and FINAL DECREE filed. AND NOW, July 27, 1992, upon presentation of the foregoing motion, and after due consideration thereof, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Defendants, the Estate of Amy Faunce, Estate of James Faunce, Estate of Cynthia Reynolds, Estate of Alice Kaster, Estate of Benjamin Kaster, Estate of Dorothy Reynolds, and Estate of Clinton Reynolds, their heirs and assigns, are forever barred from asserting any right, title, lien or interest in the land described in Paragraph No. 3 of the Complaint in the above entitled case inconsistent with the interest of the Plaintiffs as set forth in the Complaint, provided, however, that this Decree shall become final only if the Defendants fail to take any action as is herein directed within thirty (30) days from the date of this Decree; IT IS FURTHER ORDERED AND DIRECTED that if no petition to open this judgment or to set aside this Order and Decree is presented by the Defendants, or no action of ejectment is commenced by them, or any one of them, within thirty (30) days from and after the entry of this Order, the same shall become final, and if no such action is taken within said thirty (30) day period, the Prothonotary on Praecipe of the Plaintiff shall enter final judgment.

Gordon R. Miller, J.

Aug. 5, 1992 Copy of Order to Atty. Wm. Gregg.

Aug. 31, 1992 And Now, Aug. 31, 1992 at 10:36 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.

F-13; F-93; R-33; K-15; K-25;
R-43; R-33;

FINAL JUDGMENT
Barbara H. King
Prothonotary

4

1992

Kathleen R. Nelson

454

Pepicelli,Youngs & Youngs
Christopher J. Youngs

Received from deft Sheriff's Costs 6-12-92 225.00

Paid Sheriff's Clerk 6-12-92 25.00

MADELEINE SVIDUNOVICH

vs.

NICHOLAS E. SVIDUNOVICH

Filed May 11, 1992
@ 10:37 am

Tax & entry Pd 6-12-92 50.50
User's Fee Pd 6-12-92 5.00

Sheriff's Costs 6-12-92 25.00
Pro Co Pd 6-12-92 90

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 11 day of May, 1992, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions:

3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for May 19, 1992, at 3:30 P.M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Robert L. Walker, J

May 14, 1992 SHERIFF's RETURN FILED. SERVED NIcholas E. Svidunovich personally on May 12, 1992 at 3:05 PM by handing him a copy of the Protecton from ABuse in the Sheriff's Office, Crawford County Courthouse, Meadville, PA.
So answers,

Carole Stefanucci, Deputy Sheriff
Robert M. Stevens, Sheriff

May 26, 1992 ORDER FILED. AND NOW, May 19, 1992 after hearing on the Plaintiff's petition for relief under the Protection from Abuse Act, in which both parties testify, the Court is convinced that there has been abuse within the meaning of the act and accordingly, enters the following order:

1. The Defendant shall not assault, abuse, harass, or threaten the Plaintiff named in this petition in any manner.
2. The Defendant shall not go to the residence of the Plaintiff at any time and he is cautioned that if he is invited to the residence of the Plaintiff, he should still not go to that residence without further Order of Court insofar as it shall be presumed by the police agency that his presence at the Plaintiff's residence is not invited and he shall be in contempt of this order unless there is a further order of Court allowing him to go to that residence.
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 Department in the jurisdiction where the Plaintiff resides,and to County Control.
5. The Defendant is reminded that this is an order of Court, and violation of this order may be punishable by a fine of up to $1,000 and a jail sentence of up to six months.
6. The Court is not conveinced that the Defendant will abuse his minor children and it appears that he has not had visitation with them for a period of time. Apparently there will be a contempt proceeding or other custody action to resolve that matter on a permanent basis and the Court notes that the Court has not conducted an extensive hearing into the allegations surrounding the custody problems.

However, in light of the Court's determination and pursuant to the procedure allowable in the Proitection From Abuse Act, temporary physical custody of the minor children is awarded to the Plaintiff pending further order of Court inthis proceeding or in another proceeding, but the Defendant shall have visitation with both minor children every other Sunday from 1:00 p.m.until 6:00 p.m. beginning on May 24, 1992.

Visitations shall be conducted by theDefendant's wife picking up the minor children at the Plaintiff's home at 1:00 p.m. and returning them to the same location at 7:00 p.m. on the day of visitation. At no time shall the Defendant be present in the car or in any manner when the children are either picked up or returned to the Plaintiff's home.

The Defendant shall notify the Plaintiff by having his wife telephone her residence if he does not intend to exercise a visitation and that notice must be given to the Plaintiff by noon on the day before the scheduled visitation. If the Defendant fails to do so, he shall forfeit not only his visitation that he was entitled to for that weekend, but he shall also forfeit the next visitation, it being the Court's intention that he make every effort to notify the Plaintiff if he does not intend to exercise his visitation privileges.

In entering this order, the Court notes that it shall not be in effect beyond further order of Court in the custody proceeding and it is not intended in any manner to be guidance for the custody mediator or Court determining the allegations with respect to the custody matter,but is only intended to allow some visitation for the Defendant to calm down what the Court sees as a very volatile situation.

8. The Defendant shall pay court costs in this matter in the amount of $89.50 on or before June 30, 1992. The same shall be paid to the Prothonotary of Crawford County on the first floor of the Courthouse in Meadville, Pennsylvania by the close of business at 4:30 p.m. that day.

Continued of Record to Page 501.

1992

455

LYNDA BICKEL

vs.

BRUCE E. BICKEL, SR.

Filed May 11, 1992
@ 10:53 AM

Tax & entry paid 50.25
User's Fee paid 5.00

NOTICE OF APPEAL OF DEFENDANT FROM DISTRICT JUSTICE RONALD A. COLE, SR

May 11, 1992 Rule entered upon Plaintiff to File Complaint Issued.

May 13, 1992 PROOF OF SERVICE OF NOTICE OF APPEAL AND RULE TO FILE COMPLAINT FILED.

May 29, 1992 Complaint filed.

June 18, 1992 Answer of Defendant, filed.

1992

William J. Gregg

456

VIVIAN E. WILEY

vs.

GARY A. WILEY

Filed May 11, 1992
@ 11:09 am

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Pd 6/18/96	9.00

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

May 26, 1992 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 theAffiant is the Attorney for the Plaintiff in the above-captioned action.

2. That a true and correct copy of the Complaint in Divorce and Notice were sent by registered mail to the Defendant, Gary A. Wiley, on May 15, 1992.

3. The registered mail was sent to Gary A. Wiley at R.D.#2, Box 38, Springboro, PA 16435. The sender's receipt is attached hereto.

4. That the Defendant received said registered mail on May 16, 1992. Said Return REceipt card P 848 678 419 is attached hereto, signed by Gary A. Wiley and make a part hereof.

Kathleen R.Nelson, Esq. Atty.for Plaintiff

Oct. 27, 1995 Affidavit of Consent of Defendant filed.

Nov. 15, 1995 Affidavit of Consent by Plaintiff filed.

June 14, 1996, Plaintiffs Waiver of Notice filed.

June 14, 1996, Defendants Waiver of Notice filed.

June 14, 1996, Upon praecipe of atty. Kathleen R. Nelson, this case moved to court.

DIVORCE DECREE FILED

June 19, 1996 AND NOW, June 19, 1996, it is ordered and decreed that the Plaintiff and Defendant named herein, 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.

1992

Marsh, Spaeder, Baur,
Spaeder & Schaaf
Eugene C. Sundberg, Jr

457

KING'S OF NEW CASTLE, INC.

vs.

SIRHAN GLEEN SMITH, DARREN FRAZIER, DESMOND LIGON and JOHN H. WATKINS

Filed May 11, 1992
@ 11:48 am

Tax & entry paid	50.50
User's fee paid	5.00
Pro.Co. pd 1/29/93	9.00
Pro Co pd. 4/26/93	9.00

COMPLAINT -- CIVIL ACTION
1 copy (atty)

May 20, 1992 Affidavit of Service of Civil Action Complaint filed. before me, the undersigned notary public for the said Count and Commonwealth, personally appeared EUGENE C. SUNDBERG, JR., who first being duly sworn according to law, deposes and states that he has served a true and correct copy of the Civil Action Complaint filed at the above term and number on defendant, Desmond Legon. Said service was effected by certified mail, as is evidenced by attached certified card and receipt number P 073 735 108 showing service on said defendant on the 16th day of May, 1992.
I hereby certify that the facts contained herein are true and correct to the best of my knowledge, information and belief.
Eugene C. Sundberg

May 20, 1992 Affidavit of Service of Civil Action Complaint filed. Before me, the undersigned notary public for the said County and Commonwealth, personally appeared EUGENE C. SUNDBERG, JR., who first beng duly sworn according to law deposes and states that he has served a true and correct copy of the Civil Action Complaint filed at the above term and number on defendant, Sirhan Gleen Smith. Said service was effected by certified mail, as is evidenced by the attached certified card and receipt number P 830 994 764 showing service on said defendnatonthe 16th day of May, 1992.
I hereby certify that the facts contained herein are true and correct to the best of my knowledge, information and belief.
Eugen C. Sundberg

June 10, 1992 AFFIDATIT OF SERVICE, filed. Neel Hatfield, being sworn according to law, deposes and says that she is a competent adult over 18 years of age; that she served a copy of the complaint in this action upon the defendant adult over 18 years of age; that she served a copy of the complaint in this action upon the defendant, John H. Watkins, by personally handing him a true and correct copy of the above-captioned complaint and informing him of its contents at the Lebanon Correctional Institution on June 3, 1992, at 9:45 a.m.

Oct. 1, 1992 Affidavit of Service filed. I, Eugene C. Sundberg, Jr., attorney for the above plaintif, herby ceritfy that I have served a true copy of the Civil Complaint filed at the above term and number on the defendant, Darren Frazier, at his personal residence located at 1416 East 84th Street, Cleveland, Ohio 44103.
Further service was effectuated by mail, return receipt No. P-073-735-084, attached hereto and made a part hereof, on the 15th day of June, 1992. Eugene C. Sundberg, Jr.

Oct. 1, 1992 Affidavit of Service filed. I, Eugene C. Sundberg, Jr., attorney for the above plaintiff, hereby certify that I have served a true copy of the Civil Complaint filed at the above term andnumber on Gabriel Hampton, Jr., at his personal residence located at 2885 Hampton Road, Cleveland, Ohio 44116.
Further, service was effectuated by mail, return receipt No. P-795-298-789, attached hereto and made a part hereof, on the 2nd day of September, 1992. Eugene C. Sundberg, Jr.

Oct 8, 1992 Default Notice, filed

Oct 8, 1992 Default Notice, filed.

Oct 8, 1992 Default Notice, filed.

Oct 8, 1992 Default Notice, filed.

Oct. 15, 1992 Affidavit of Service filed.

Oct. 20, 1992 Proof of Affidavit of Service filed.

And Now, Jan. 29, 1993 upon Praecipe of Plaintiff's attorney, judgment is hereby entered in favor of the plaintiff and against the defendants, Sirhan Glenn Smith, Desmond LeJon and John H. Watkins, for want of an answer and the same is liquidated at the sum of Twenty Seven Thousand Six Hundred Fifteen and 69/100 Dollars with interest thereon from May 11, 1992, at the rate of 6% per annum, plus costs of suit.

S-216;L-43, W-95;
Entered Feb. 2, 1993
Atty. Sundberg, Jr.

Debt $27,615.69
Int. from May 11, 1992 at 6%
Judgment
Barbara H. King
Prothonotary

And Now, April 26, 1993, Upon praecipe of plaintiff attorney, Judgment is hereby entered in favor of the plaintiff and against the defendant for want of an answer, against the defendant DARREN FRASZIER, ONLY in the sum of Twenty Seven Thousand Six Hundred Fifteen and 69/100 Dollars with interest thereon from May 11, 1992 at rate of 6% per annum plus costs of suit.
Judgment entered
4/26/93
F - 44

Debt - $27,615.69
Int. from May 11, 1992 at 6%
JUDGMENT
Barbara H. King, Prothonotary

8

1992

Emil M. Spadafore

458

STATE FARM INSURANCE COMPANY

vs.

TROY MICHAEL PROPER and
PHILLIP ~~ANTHONY WAYNE~~ WAYNE ANTHONY

Filed May 11, 1992
@ 2:52 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	59.00
Pro Co. pd 8/13/92	9.00
Pro Co pd 11-4-92	9.00
Pro Co Pd (Cert) 12-14-92	4.00

COMPLAINT - CIVIL ACTION
2 copies (atty)

May 15, 1992 Affidavit of Service, filed. Margaret McClusky, being duly sworn according to law, deposes and says that she is the paralegal to Emil M. Spadafore, Jr., Esq., Attorney for Plaintiff in this action, and certifies that on May 15, 1992, she personally hand delivered to the person in charge of the Crawford County Jail to deliver it to Troy Michael Proper a true and correct copy of the Amended Complaint in this matter.

May 15, 1992 Amended Complaint, filed.
2 copies (sheriff) 1 copy (atty)

May 27, 1992 AFFIDAVIT OF SERIVE AND SHERIFF'S RETURN FILED. SERVED the within NOTICE & AMENDED COMPLAINT on May 20, 1992 at 11:14 A.M. upon Phillip Wayne Anthony at R.D.#3, Box 343 E, Titusville, PA 16354 by handing to Linda Murphy (Mother) adult incharge a true and correct copy thereof and made known to her the contents therein.
Edward T. Zakutney, Deputy Sheriff Venango Co.
SERVED Troy MIchael Proper personally on May 12, 1992 at 10:35 AM by handing to him a copy of theComplaint at his temporary place of custody intheCrawfordCounty Jail, 360 CenterStreet,Meadville, Crawford County, PA.

SERVED Phillip Wayne Anthony by deputizing the Sheriff of Venango County, PA, as per his Affidavit of Service attached. Served on May 20, 1992.
So answers, Robert M. Stevens,Sheriff

August 13, 1992, 11:31 a.m., AND NOW,upon Praecipe of Plaintiff attorney,with Certificate Of Service of Notice of Intention to file default judgment attached, judgment is hereby entered in favor of Plaintiff and against Defendants.

P-164,A-210 Judgment
Judgment entered 8/13/92 Barbara H. King, Pro.

And Now, Nov. 4, 1992 at 2:14 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 Eight thousand nenety six dollars and eighty eight cents plus costs.
Filed Nov. 4, 1992 Debt. $8,096.88
A - 210 JUDGMENT
P - 164 Barbara H. King, Prothonotary

1992

pro se

459

SHIRLEY M. JERGE

vs.

MATTHEW J. JERGE

Filed May 11, 1992
@ 3:27 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co	9.00

COMPLAINT IN DIVORCE
1 copy (atty)

July 27, 1992 Verificaton of Service filed. I, Shirley M. Jerge, Plaintiff in the above-captioned action, verify that I did mail a certified copy of the Notice to Defend and Claim Rights and Complaint in Divorce to the Defendant at 3630 Oakwood Street, Erie, Pennsylvania 160501 on May 12, 1992, by United States First Class Mail, postage prepaid, and also by Unites States Certified Mail, #P899087463; I make this verification with notice that willful false statements made herein are subject to the penalties of perjury under Section 4904 of the Pensylvania Crime code, relating to unsworn falsification to authorities.

Shirley M.Jerge

Sept. 9, 1992 Affidavit of Consent of Plaintiff, filed.

Sept. 9, 1992 Affidavit of Consent of Defendant, filed.

Sept. 9, 1992 Upon praecipe of Plaintiff to transmit record, case moved to Court.

DIVORCE DECREE FILED

Sept. 18, 1992 AND NOW, September 17, 1992, it is hereby ordered and decreed that **SHIRLEY M. JERGE**, Plaintiff, and **MATTHEW J. JERGE**, 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.

10

1992

460

Joseph W. Tinko

MARIE LYBARGER

vs.

THERESA HUBATCHEK

Filed May 12, 1992
@ 9:54 AM

Tax & entry paid	50.25
User's Fee paid	5.00
Pro Co pd 5-14-93	6.00

APPEAL OF DEFENDANT FROM DECISION
OF DISTRICT JUSTICE ROBERT LEONHART

May 12, 1992 Rule entered upon plaintiff to file complaint Issued.

May 12, 1992 PROOF OF SERVICE OF NOTICE OF APPEAL AND RULE TO FILE COMPLAINT FILED.

May 14, 1993 Upon praecipe of Plaintiff attorney the above captioned matter is settled and discontinued of record.

1992

Joseph F. Kulwicki

461

LEE LYBARGER

vs.

THERESA HUBATCHEK

Filed May 12, 1992
@ 9:54 AM

Tax & entry paid	50.25
User's Fee paid	5.00
Pro Co pd 5-14-93	6.00

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

May 12, 1992 Rule entered upon Plaintiff to file a complaint issued.

May 12, 1992 PROOF OF SERVICE OF NOTICE OF APPEAL AND RULE TO FILE COMPLAINT FILED.

May 14, 1993 Upon praecipe of Defendant attorney the above captioned matter is marked settled and discontinued of record.

12

1992

David L. Hancock

~~Daniel J. Kuhn~~ withdrawn

462

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

VICTORINE L. CHELTON

vs.

RICKY D. CHELTON

Filed May 12, 1992
@ 11:38 AM

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

COMPLAINT IN DIVORCE
1 copy (atty)

May 28, 1992 Affidavit of Mailing filed. I, Daniel J. Kuhn, Esq., Attorney for Plaintiff, after being duly sworn according to law, hereby state that I mailed by Certified Mail No. 824 413 818, Return Receipt requested, a true and correct copy of the Complaint in this Action, Notice to Defend and Claim Rights and Notice of Counseling to the Defendant, at R.D.#2, Box 131, Centerville, PA 16404, and that the Defendant did receive the same on May 21, 1992, as evidenced by the signed receipt attached hereto as Exhibit "A".

June 23, 1992 Notice of Daniel J. Kuhn, Esquire as counsel for Victorine L. Shelton, Plaintiff to Withdraw, filed.

June 23, 1992 Appearance of David L. Hancock, Esquire for Victorine L. Chelton, Plaintiff, filed.

July 2, 1992 Petition To Prevent Dissipation of Marital Assets and RULE filed. AND NOW, this 29 day of June, 1992, upon consideration of the within Petition to Prevent Dissipation of Marital Assets, a Rule is hereby entered against respondent, Ricky D. Chelton, to show cause why the relief requested should not be granted.

Both Plaintiff and Defendnt shall maintain status quo with regards their marital property, pending further Hearing and Order of this Court.

RULE RETURNABLE with hearing thereon the 5th day of August, 1992, at 9:00 a.m. in Courtroom 1 or 2 of the Crawford County Courthouse, Meadville, PA.

By The Court:
Anthony J. Vardaro, J.

July 9, 1992 Copy of Order mailed to Atty. David Hancock, copy mailed to defendant.

July 14, 1992 Reassignment of Hearing Date filed. July 13, 1992:Hearing in the above captioned matter heretofore set for August 5, 1992, is hereby reset for August 19, 1992, at 1:30 P.M. in Courtroom 1 or 2.

FOR THE COURT,
Imogene Yetman, Court Administrator

July 14, 1992 Copy to: David L. Hancock, Esq.Plft. & Deft.

July 17, 1992 Appearance of Shafer, Swick, Bailey, Irwin & Stack By James Irwin,attorney for defendant filed.

August 4, 1992 Certificate of Service filed. The undersigned hereby certifies that on the 13th day of July, a copy of Notice to Withdraw, Praecipe for Appearance and Petition to Prevent Dissipation of Marital Assets and Rule was sent by first class, United States Mail, postage prepaid to: Ricky D. Chelton, RD #2 Box 131, Centerville,PA 16404, James Irwin, Esq., 360 Chestntu ST., Meadville, PA 16335.

David L. Hancock, Esq.

Aug. 6, 1992 Motion for Continuance and ORDER filed. AND NOW, this 5th day of Aug. 1992 upon presentation and consideration of the within Motion this hearing is rescheduled for the 4th day of Sept., 1992 at 3:00 p.m. in Courtroom No. 1 or 2 of the Crawford Co. Courthouse.

FOR THE COURT:
Imogene Yetman, Ct. Adm.

Aug. 11, 1992 Copy of Order to Attys. David Hancock and James Irwin.

Sept. 8, 1992 Motion for Continuance and Order Filed. AND NOW, this 4th day of September, 1992, upon presentation and consideration of the within Motion this hearing is continued pending settlement.

FOR THE COURT:
Imogene Yetman, Civil Administrator

Sept. 8, 1992 Copy of the Order mailed to Atty. Hancock and put in Box for Atty. Irwin.

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 9/8/92 . We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonable delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.

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

I If you object to the case being dismissed, you must put your objections in writing and follow Crawford County Civil Local Rule L206, LJA 1901E and LJA1901F, explaining why there has been a delay in your case and why it is not unreasonable. These written objections must be filed in the Prothonotary's Office on or before April 24, 1998. You must also give or send a copy of any objections you file to the other party or his or her attorney, and certify that you have done so when you file your objections with the Prothonotary.

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

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

By the Court,
Anthony J. Vardaro, J

Date: March 12, 1998

Mar 12, 1998 Copies mailed by Court Administrator's Office

May 6, 1998 Order filed. This case terminated as of 5/4/98

1992

Culbertson, Weiss
Schetroma & Schug
John B. Brautigam

463

DAVID C. PEELMAN

vs.

MICHELLE DAWN PEELMAN

Filed May 12, 1992
@ 3:29 PM

Tax & entr paid	50.50
User's Fee paid	5.00
STate paid	10.00
Pro Co. pd 8-27-92	9.00

COMPLAINT IN DIVORCE
1 copy (atty)

May 12, 1992 Acceptance of Service of Michelle Dawn Peelman, filed.

Aug. 19, 1992 Affidavit of Consent by David C. Peelman, Plaintiff, filed.

Aug. 26, 1992, Affidavit of Consent of defendant filed.

Aug. 27, 1992 Upon praecipe of plaintiff attorney for Review under Section 3301(c) of Divorce Code this case moved to Court.

DIVORCE DECREE FILED

Sept. 2, 1992 AND NOW, September 2, 1992, it is ordered and decreed that **DAVID C. PEELMAN**, and **MICHELLE DAWN PEELMAN**, Defendant, are divorced from the bonds of matrimony.

By the Court:
Gordon R. Miller, J.

14

1992

464

KATRINA SMITH

vs.

JEFFREY SMITH

Filed May 13, 1992
@ 9:54 AM

Tax & entry	50.50
user's Fee	5.00
Sheriff's Costs	25.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 13 day of May, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Defendant shall not contact Plaintiff in anyway. Possession of 715 Park Avenue, Meadville is given to Plaintiff. Custody of Jennifer is given to 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 of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for May 26, 1992, at 3:30 P. M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

May 13, 1992 SHERIFF's RETURN FILED. SERVED Jeffrey Smith personally on May 13, 1992 at 1:05PM by handing a copy of the Protection From ABuse to him at his residence, 715 Park AVenue, Meadville, Crawford, County, PA.

So answers,

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

May 28, 1992 ORDER FILED. AND NOW, May 26, 1992 this matter is scheduled for hearing before the Court on Plaintiff's petition for relief under the Protection From Abuse Act.

The parties appear together and advise the Court they have reconciled and the Plaintiff wishes to withdraw her request under the Act.

Accordingly, the temporary order of May 13, 1992 is terminated and this action is likewise dismissed without prejudice to the Plaintiff to file a similar action at another time if the facts warrant the same.

The Court explores the possiblility of the parties to pay costs in this matter and it appears that they are of limited income and accordingly, the County shall pay costs with respect to this action.

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

May 28, 1992 Copy of the Order to: Plaintiff and Defendant and County Control

1992

Brian J. Lindsay

465

THOMAS M. EAKIN, CHRISTINA EAKIN, and ALVIN EAKIN

vs.

LUCILLE A. GLANCY

Filed May 13, 1992
@ 1:46 PM

Tax & entry paid 50.50
User's Fee paid 5.00
Bruce SMith mediator

COMPLAINT FOR CUSTODY
2 copies (plff)

ORDER:

AND NOW, May 13, 1992, Thomas Matthew Eakin appeared in Motion's Court pro se and filed the attached petition. Even though the petition is not in proper form so as to constitute a complaint for custody or visitation under Pa. R.C.P. 1915.15 the Court orders the same file das a complaint, subject to ultimate objections by the defendant.

It is further ordered as follows:

1. Bruce Smith, Esquire is hereby appointed custody mediator to proceed, give notice, hold a custody mediation conference and make recommendations, all in accordance with customary local custody practice.

2. The petitioner shall attach an appropriate notice to the complaint and arrange for immediate service ofthe complaint and this order upon the defendant in a manner required by the service rules.

3. Pending further order of Court the child, thomas James Allen Eakin, shall not be removed by either party from Crawford County, pennsylvania where he now resides.

4. Thomas Matthew Eakin is required to pay the initial court costs and made the initial deposit for the appointment of a mediator unless he is excused by order of Court upon the filing of an appropriate and proper petitioner to proceed informa pauperis.

BY ORDER OF COURT,
Gordon R. Miller, J

Sept 22, 1998 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 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 objectioins 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.

Date: Sept 22, 1998 Anthony J. Vardaro, J.

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.

1992

15
A

Jury

Moran, Morehouse & Bruno
James J. Bruno

465A

Shafer, Swick, Bailey, Irwin & Stack
James R. Irwin
Jeffrey K. Millin

MADDALENE A. ROAE and JONATHAN ROAE, a minor child, by and through his natural parent and guardian, MADDALENA A. ROAE

vs.

ROSALIE A. WELCHECK and DORIS LUCE

Filed May 14, 1992
@ 8:57 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Pro Co pd. 2/24/94	6.00

WRIT OF SUMMONS
Issued (atty)

Aug 17, 1992 AFFIDAVIT OF SERVICE filed. Before me, a Notary Public in and for said County and State, personally appeared aJames J. Bruno, Esq., being duly sworn according to law, deposes and says that on Aug. 4, 1992, he served a copy of a Writ of Summons in the above-captioned case on the Defendant, Doris Luce, at 12620 Route 88, RD 2, Garetteville, Ohio 44231 and upon Defendant, Rosalie A. Welcheck, at 12620 Route 88, RD 2, Garetteville, Ohio 44231 on Aug. 10, 1992, by certified mail, return receipt requested, restricted delivery, article numbers 276-634-816 and 276-634-817, respectively.

Mar. 5, 1993 Appearance of Shafer, Swick, Bailey, Irwin & Stack by James R. Irwin and Jeffrey K. Millin for Defendant filed.

March 5, 1993 Upon Praecipe of Attorneys for defendants, Rule entered upon Plaintiffs to file Complaint issued.

Mar. 25, 1993 Certificate of Service filed. I, James J.Bruno, Esquire, certify that I have caused a true and correct copy of the Plaintiffs' Complaint to be served upon both Defendants, by having a true and attested copy of said Complaint delivered to the court-house box of their attorneys of record, SHAFER, SWICK, BAILEY, IRWIN, & STACK, on March 25, 1993.

James J.Bruno, Esquire

Mar. 25, 1993, Civil Complaint filed. 2 copies (atty)

Apr. 21, 1993 Answer and New Matter filed.

May 5, 1993 Reply to New Matter filed.

July 29, 1993 Notice of Deposition of Rosalie Welcheck filed.

Nov. 1, 1993 Notice of Intent to Complete Discovery, filed.

Feb. 22, 1994 Upon praecipe of Plaintiffs attorney, the above-captioned matter marked settled and discontinued of record.

15
B

1992

1992

Peters, Lindsay,
Lewis & Gagliotti
William F. Peters

466

WILLIAM R. GEHRT

vs.

SHARON P. GEHRT

Filed May 14, 1992
@ 3:58 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro. Co. pd 9/8/92	9.00
Pro Co pd 9/25/92	5.00

COMPLAINT IN DIVORCE
1 copy (atty)

May 15, 1992 Acceptance of Service filed. I, the above named Defendnat, hereby accept service of the Complaint in the above action.
Date: 5/14/92 Sharon P. Gehrt

Sept. 8, 1992 Affidavit of Consent of William R. Gehrt, Plaintiff filed.

Sept. 8, 1992 Affidavit of Consent of Sharon P.Gehrt, Defendant, filed.

Sept. 8, 1992 Upon Praecipe of Plaintiff's Attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Sept. 18, 1992 AND NOW, Sept. 17, 1992, it is hereby ordered and decreed that **WILLIAM R. GEHRT**, Plaintiff, and **SHARON P. GEHRT**, Defendant, are divorced from the bonds of matrimony.

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

BY THE COURT:
Anthony J. Vardaro, J.

Sept. 25, 1992 Notice Of Election To Retake Maiden Name filed. Sharon P Gehrt TO BE KNO:WN AS Sharon L. Pratt

1992

Watts & Pepicelli
Alan L. Pepicelli

467

ANTOINETTE K. FRY and
RANDY L. FRY, her husband

vs.

TIMOTHY P. SIMPSON and
PAMELA SIMPSON, his wife

Filed May 14, 1992
@ 4:17 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	42.00
Sheriff's Costs	50.00
Pro Co pd 3-1-93	6.00

WRIT OF SUMMONS
Issued (Sheriff)

June 10, 1992 Sheriff's Return filed. SERVED Pamela Simpson personally on May 27, 1992 at 9:04 AM by handing to her a copy of the Summons in the Sheriff's Office, Crawford County Courthouse, Meadville, PA.
NOT FOUND as to Defendant Timothy P. Simpson. He no longer resides at R.D. #2, Box 89, Springboro, Crawford County, PA. Address is unknown.
So answers, Diane Severo, Deputy Sheriff
Robert M. Stevens, Sheriff

June 15, 1992 Writ Reissued.
July 10, 1992 Affidavit of Service Filed. SERVED the within Summons on July 2, 1992, at 1315 hrs., upon Timothy P. Simpson at 7475 West Sterretania Road, Erie County, Erie, Pennsylvania by handing to Timothy P. Simpson a true and correct copy thereof and made known to him the contents therein.
Robert N.Michel, Sheriff Erie County
William Parker, 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.

Mar. 1, 1993 Upon praecipe of Plaintiff attorney the above-captioned case is settled and discontinued of record.

18

1992

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

468
Paul J. Carney, Jr.

DONALD BRUCE ALLEN

vs.

CYNTHIA M. ALLEN

Filed May 15, 1992
@ 9:06 AM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count paid	15.00
State paid	10.00

John B. Brautigam, Master
Add'l Count Pd 9-28-92 15.00
User's Fee Pd 9-28-92 5.00
Pro Co. pd. 4/20/94 9.00

Recieved from Plaintiff 9-22-92 masters deposit 600.00

10-20-93 Pd master Ck# 7863 187.44

Balance found 412.56

5-11-94 Pd Master Ck # 8289 $211.50

7-26-94 Pd Plff Ck#8458 201.06

COMPLAINT IN DIVORCE, EQUITABLE PROPERTY
DETERMINATION AND DISTRIBUTION
1 copy (atty)

July 17, 1992 Acceptance of Service filed.I, Cynthia M. Allen, Defendant in this action, hereby accept personal service of the Complaint In Divorce, on the 15 day of May, 1992, at the law office of James R. Irwin, Esq., located at 360 Chestnut street, Meadville, Pennsylvania 16335. Cynthia M. Allen

Aug. 17, 1992 Affidavit Of Consent of Plaintiff filed.

Aug. 17, 1992 Plaintiff's Inventory filed.

Aug. 20, 1992, Motion to ap point Master in Divorce filed.
ORDER APPOINTING MASTER:

Aug. 20,1992 Order Appointing Master filed. AND NOW, August 26, 1992, John B. Brautigam,Esquire is appointed Master in respect to the following claims: Divorce and Equitable Distribution of Marital Property. The parties, especially, the defendant, shall comply with the local rules of court without fail from this point on, including compliance with Rule L1920.33. The plaintiff shall complay with Pa. R.C.P. 1920.46 if he has not already done so. Deposit required: Plaintiff $600.00 Defendant $------0------

PER CURIAM:
Gordon R. Miller, Judge

Aug.26, 1992 Copy of Order to Attys. Irwin & Brautigam. Copy to Atty. Carney, Jr.

Sept. 22, 1992 Answer and Counter-Claim filed. (Alimony, Alimony Pendent Lite, Counsel Fees and Expenses)

Oct 20, 1992 NOTICE OF PRE-TRIAL CONFERENCE TO BE CONDUCTED BY MASTER, filed.

Nov. 2, 1992 Inventory of Cynthia M.Allen, Defendant, filed.

Nov 5, 1992 NOTICE OF MASTER'S HEARING, filed.

Nov. 13, 1992 Amended Motion to Appoint Master in Divorce and Amended Order Appointing Master filed. AND NOW, November 9, 1992, the Order of August 26, 1992 previously entered in this case is hereby amended to include, as matters to be heard by the Master, the issues of 3301 (a)(6) Divorce, Alimony,Alimony Pendente Lite, Counsel Fees,Costs and Expenses. In all other regards the August 26, 1992 Order appointing the Master shall remain in full force and effect.

PER CURIAM:
Gordon R. Miller, Judge

Nov.17, 1992 Copy of Order to Attys.Irwin, Carney, Jr. and Brautigam.

Oct. 20, 1993 Petition for Interim Payment of Master's Fees and Order filed. And Now, October 19, 1993, the Prothonotary is directed to release to the Master in the above-captioned case the funds, in the amount of $187.44 that are on deposit for the purpose of paying Master's fees. We note counsel for each pa rty have consented to this motion.

By The Court:
Anthony J. Vardaro, J

Oct. 27, 1993 Copies of order to Atty's Irwin, Carney and Brautigam

Jan. 24, 1994 Amended Inventory of Plaintiff filed.

Feb. 4, 1994, Income and Expense Statement of Plaintiff filed.

Feb. 15, 1994 Notice of Master's Hearing filed.

April 18, 1994 Affidavit of Consent of Defendant filed.

April 18, 1994 Upon praecipe of plaintiff attorney for Review under Section 3301(c) of Divorce Code, this case moved to Court.

DIVORCE DECREE FILED

April 21, 1994 AND NOW, this 21 day of April, 1994, it is ordered and decreed that D. BRUCE ALLEN, Plaintiff, and CYNTHIA M. ALLEN, Defendant, are divorced from the bonds of matrimony.

It is further ordered that the parties' Separation and Property Settlement AGreement dated April 13, 1994, 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.

May 10, 1994, Petition for Payment of Masters Fees filed.

May 10, 1994, ORDER filed. AND NOW, May 9, 1994, the Prothonotary is directed to release to the master in the above case the funds, inthe amount of $211.50 that are on deposit for the purpose of paying master fees.

BY THE COURT,
Gordon R. Miller, J.

May 10, 1994, copies to Shafer, swick, and Culbertson firm.

July 25, 1994 Petition to Refund Master's Fees and Order filed. AND NOW, this 21st day of July, 1994, the Prothonotary of Crawford County is ordered to refund Plaintiff in the above-captioned divorce action, the amount of $201.06 for unsued Master's fees.

BY THE COURT:
Gordon R. Miller, J

July 20, 1994 Faxed Irwin, Brautigam & Carney

1992

C. Barton Jones

469

GARY F. ARTMAN

vs.

DELORES J. ARTMAN

Filed May 15, 1992
@ 1:40 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 8/7/92	9.00

COMPLAINT UNDER SECTION 3301(c) OF THE DIVORCE CODE, EQUITABLE DISTRIBUTION

Aug. 7, 1992 Affidavit of Consent by Gary F.Artman, Plaintiff, filed.

Aug. 7, 1992 Affidavit of Consent by Delores J. Artman, Defendant filed.

Affidavit of Service by Mail Pursuant to Pa. R.C.P. 1920.4 (2) (1) (ii) filed. I, C. Barton Jones, Esquire, being duly sworn according to law, deposes and says that he is the attorney for Plaintiff GARY F. ARTMAN, and that he did mail a true and correct copy of the Complaint in Divorce in the above matter, by Certified Mail, Return Receipt Requested, to the Defendant, DELORES J. ARTMAN, on May 13, 1992, at her last know address, 190½ Main Street, Greenville, PA 16125. The signed receipt is attached as Exhibit "A".
Date: C. Barton Jones, Esquire

Aug. 7, 1992 Upon Praecipe of Plaintiff's Attorney, C. Barton Jones, Esquire to Transmit Record, Case moved to Court.

DIVORCE DECREE FILED

Aug. 24, 1992 DECREE AND ORDER filed. AND NOW, this 19th day of August, 1992, on the grounds of irretrievably breakdown, in the above case having been duly approved, the court, by virtue of the authority vested in it by law, decrees that **GARY F. ARTMAN** and **DELORES J. ARTMAN**, are hereby divorced from the bounds of matrimony, and all the duties, rights, and claims accorded to either of the said paraties at any time heretofore, in pursuance of said marriage, shall henceforth cease and determine, and the said parties shall severally be at liberty to marry again as if they never been married.

AND IT IS FURTHER ORDERED, ADJUDGED, AND DECREED, as follows:

2) Property Distribution

a) The Husband and Wife have entered into a Marriage Settlement Agreement amicably and satisfactorily distributing their personal property among themselves. Each receives his and her own vehicles. The Husband is also bound to assume all indebtedness on or related to the marital residence.

b) Over five years husband shall make payments to wife totalling $7,500.00, after which the wife shall deliver him a good and sufficient deed for the conveyancing to him of the marital residence.

c) There were no children of the marriage, but husband is also to pay $250.00 and make other adjustments of the parties' personal property, each to cooperate with the other, as set out in a) above.

d) Additionally, the parties, Marriage settlement agreement provides that there will be no other payments of alimony, or other forms of support, and no rights to each the other's future interests, and mutual releases and held harm (all clauses are there in.)

e) This agreement contains the usual legal provisions such as Pennsylvania law governing, and the like.

BY THE COURT:
Gordon R. Miller, Judge.

1992

Joseph w. Tinko

470

TERRY M. FEDORKA

vs.

DANIEL D. FEDORKA

Filed May 15, 1992
@ 3:41 pm

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro.Co. pd 8/13/93	9.00

COMPLAINT UNDER THE DIVORCE CODE, 23 Pa.C.S.A. Section 3101 ET SEQ.
1 copy (atty)

Aug. 10, 1992 Affidavit of Service filed. Before me, a Notary Public of the Commonwealth of Pennsylvania, on this 5th day of August, A.D. 1992, comes Joseph W. Tinko, Esquire, the undersigned affiant who, after being duly sworn (affirmed) according to law, deposes and says as follows:
That pursuant to Pa.R.C.P. No. 405, the Complaint in the abaove-captioned case for Divorce under §3301(c) of 3301(d) of The Divorce Code of Pennsylvania was served on the defendant, Daniel D. Fedorka, by United States certified mail, postage prepaid, on July 28, 1992 at 816 Spanish Moss Trail, Destin, Florida, 32541, as evidenced by the return receipt signed by the defendant, Daniel D. Fedorka, which return receipt is attached hereto as Exhibit "A" and incorpated herein by this reference as if fully set forth.
DATE: August 5, 1992. Joseph W. Tinko

Feb. 16, 1993 Affidavit of Consent of Defendant filed.

Feb. 16, 1993 Affidavit of Consent of Plaintiff filed.

Aug. 13, 1993 Aug.13, 1993 Upon Praecipe of Plaintiff Attorney, Joseph W. Tinko, Esquire, to transmit record, case moved to Court.

DIVORCE DECREE FILED

Aug. 24, 1993 AND NOW, Aug. 23, 1993, it is hereby ordered and decreed that TERRY M. FEDORKA, Plaintiff, and DANIEL D. FEDORKA, 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.

1992

Joseph W. Tinko

471

William J. Gregg

STACEY A. WAID

vs.

CHARLES R. WAID

Filed May 15, 1992
@ 3:43 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro.Co. pd. 6/30/93	9.00

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

Aug. 21, 1992, Affidavit of Consent of plaintiff filed.

May 21, 1993 Affidavit of Consent of Defendant, Charles R.Waid, filed.

June 15, 1993, Acceptance of Service of Complaint under 3301(c) or 3301(d) of the Divorce Code on behalf of defendant, certification of being authorized to do so, filed by William J. Gregg, attorney for defendant.

Jun. 30, 1993 Affidavit of Service filed. BEFORE ME, a Notary Public of the Commonwealth of Pennsylvania, on this 30th day of June, 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 a Complaint in Divorce on Defendants' counsel of record, William J. Gregg,Esquire by United States First Class Mail on May 18, 1992 at East Side Knolls,Route 18, Conneaut Lake, Pennsylvania, 16316 as evidenced by the Acceptance of Service filed on June 15, 1993, pursuant to Pennsylvania Rules of Civil Procedure.

Date:June 30, 1993 Joseph W. Tinko, Esquire

Jun. 30, 1993 Upon Praecipe of Plaintiff Attorney, Joseph W. Tinko, ESquire, to transmit record, case moved to court.

DIVORCE DECREE FILED

July 7, 1993 AND NO, to wit, this 7 day of July, 1993, the Court, having reviewed the above-captioned case, finds that the marriage between STACEY A. WAID and CHARLES R. WAID is irretrievably broken, that ninety (90) days have elapsed from the date of filing the above-captioned Complaint in Divorce, and that Stacey A. Waid and Charles R. Waid each filed an affidavit consenting to the divorce:

THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Stacey A. Waid, the plaintiff, and Charles R. Waid, the defendant, be and hereby re divorced from the bonds of matrimony heretofore contracted between them.

THIS DECREE OF DIVORCE constitutes a FINAL ORDER as to all pending claims herein.

BY THE COURT:
Anthony J. Vardaro, J.

22

1992

Bifulco, Bender,
Scarpitti, Moore & McNair
William F. Scarpitti, Jr.

~~Bettie J. Peterson-Muth~~ Withdrawn

472

Mary Ann Kirkpatrick

SUSAN A. ROBERTS

vs.

RICHARD P. ROBERTS

Filed May 15, 1992
@ 3:45 PM

Tax & entry paid	50.50
User's Feepaid	15.00
2 Add'l Counts paid	30.00
State paid	10.00
Pro pd 11/10/97	9.00

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

July 8, 1992 Praecipe filed by Bettie J. Peterson-Muth, Esquire withdrawing appearance in the above captioned case.

July 8, 1992 Praecipe of William F. Scarpitti, Jr. Esquire to enter appearance in the above captioned case.

July 22, 1992 Affidavit of Service filed. Bettie J. Peterson-Muth, Esquire, being duly sworn according to law, depose and says that she is the attorney for the plaintiff, Susan A. Roberts, and that she did mail a true and correct copy of the Complaint in Divorce filed in the above matter, by certified mail return receipt requested, deliver to addressee only, to the defendant, Richard P. Roberts, on May 15, 1992, at his last known address, 777 Dean Avenue, Meadville, Crawford County, Pennsylvania 16335. The signed receipt is attached hereto as Exhibit "A".

Bettie J. Peterson-Muth

Sept. 24, 1992 Inventory of Defendant, filed.

Sept. 24, 1992 Affidavit of Consent of Defendant, filed.

Oct. 7, 1992 Inventory of Plaintiff, filed.

Mar. 18, 1993 Appearance of William F. Scarpitti, Jr. Esq. for Plaintiff filed.

Sept 26, 1997 Affidavit of Consent of Plaintiff, filed.

Sept 29, 1997 Marriage Settlemetn Agreement, filed.

Oct. 27, 1997 Upon praecipe of plaintiff attorney, to transmit the record, this case moved to court.

Nov. 5, 1997 Counter-Affidavit Under Section 3301 (d) of the Divorce Code of Defendant filed.

DIVORCE DECREE FILED

November 20, 1997 AND NOW, this 17 day of November, 1997, 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, SUSAN A. ROBERTS and Defendant, RICHARD P. ROBERTS, 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. 19, 1997, shall be 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.

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.

1992

473

ROBERT EVANS

vs.

CAROLE EVENS

Filed May 18, 1992
@ 1:45 PM

Tax & entry paid	10.50
User's Fee paid	5.00

ORDER OF COURT CERTIFIED FROM THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PA. FD92-04051

ORDER OF COURT,

AND NOW, this 27 day of April, 1992, upon consent of the parties, it is hereby ORDERED, ADJUDGED and DECREED without finding of fault as follows:

1. For a period of ninety days ending on July 27, 1992 Defendant is:

a. directed to refrain from abusing Plaintiff:

b. Prohibited form having any contact with Plaintiff including, but not limited to, personal and/or telephone contact:

c. Restrained form entering Plaintiff's place of employment/ business; and

d. Prohibited from harassing Plaintiff and his relatives.

2. For a period of ninety days ending July 27, 1992, Defendant is completely excluded from the residence at 323 Elfort Drive. Penn Hills, Pennsylvania 15234 and any other residence where Plaintiff may live. Including Plaintiff's cottage at Payne Ave., Canadohta Lake Crawford County. During this period, exclusive possession of these premises is granted to Plaintiff; Defendant shall have no right or privilege to enter or be present on the premises. Defendan is advised that if she enters the residence from which this Court Order excludes her, she can be arrested on the charge of indirect criminal contempt.

2(b) Defendant shall return to Plaintiff solar, handheld calculator, 2 garage door openers, 1 video ta pe of "Ghosts". Delivery shall be made by a 3rd party.

(c) Plaintiff acknowledges receipt of the April trailer rent of $165.00

3. The police who have jurisdiction over the Plaintiff's residence or the police in any other loca tion where a violationof this Order occurs, whether in Allegheny County or in any county in which this Order is registered, shall enforce this Order.

4. If Defendant violates this Order, Defendant is to be arrested o nthe charges of indirect criminal contempt which may b epunishable by a fine of up to $1,000.00 and jail sentence of up to six months. An arrest for violation of this Order may be without warrant, based sonely upon probable cause, whether or not the vioatlion is committed in the presence of the police.

5. Subsequent to an arrest, the new enforcement officer shall seize all weapons used or threatene to have been sued durin the vioaltion of this Order or duirng prior incidents of abuse. As soon as it is reasonably possible, the arresting officer shall deliver the confiscated weapons to the office of the Sheriff. The Sheriff shall maintain possession of the weapons until the Court issues an orde specifying the weapons to be relinquished and the persons to whom the weapons shall be relinquished.

6. If the defendant is placed under arrest for violation of this Order, she shall be taken by the police to the presiding District Justice in the area where the violation occurred or to Night Court. The Plaintiff, or if the Plaintiff is unavailalbe, any witness must appear before the District Justice or Night Court and shall complete the prescribed form. "Compalint for INdirect Criminal Contempt."

7. If sufficient grounds for violation of this Order are alleged, the offending party shall be arraigned, bond set and both parties given notice of the final hearing.

8. All costs of filing, service and certification are waived as to the Plaintiff and are imposed on Defendant.

BY THE COURT,
C.A. Baldwin, J

24

1992

Northwest Legal SErvices
Gerald Sullivan
R. Christopher Brode

474

MARY B. LOCKMAN

vs.

CARSON K. LOCKMAN

Filed May 18, 1992
@ 2:27 PM

Tax & entry	50.50
user's Fee	5.00
Sheriff's Costs	25.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 Copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 18 day of May, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: The defendant shall stay away from residence and place of work.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for May 27, 1992, at 3:30 P.M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

May 19, 1992 SHERIFF's RETURN FILED. SERVED Carson K. Lockman personally on May 18, 1992 at 3:50 PM at Lot #22, Chuck-A-Lou Trailer Park, Rt. #19, Saegertown, Crawford County, PA.
So answers,
Robert A. Fischer, Deputy Sheriff
Shawn Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

May 28, 1992 ORDER FILED. AND NOW, May 27, 1992, this matter is before the Court on the Plaintiff's Petition for Relief Under the Protection From Abuse Act.

At the time of the hearing, the plaintiff appears with counsel and the defendant does not appear. The plaintiff relates that the defendant is apparently living in his car at Woodcock Dam, but that he was aware of this hearing through conversations with her and the Sheriff's Return indicates he was served on May 18, 1992 with the Temporary Order and Notice of this hearing date.

ACCORDINGLY, the Court does find that the defendant has committed abuse within the meaning of the Act and enters the following Order:

1. The defendant shall not assault, abuse, harass or threaten the plaintiff at any time nor shall he go to her place of residence nor her place of work.
2. The defendant is advised that even if he is invited to the plaintiff's residence, he shall not go there without further Order of Court because it shall be presumed by law enforcement personnel that he is not invited and in violation of this Order if he is found on the plaintiff's premises.
3. This Order may be enforced without a Warrant of Arrest by any law enforcement officer having reasonable grounds to believe that it has been violated.
4. A copy of this Order shall be delivered to the departments in the jurisdiction where the plaintiff resides and to County Control.
5. The plaintiff through her counsel shall make every effort to serve a copy of this Order upon the defendant, although it appears that that cannot be done by mail since he apparently has no mailing address. In that regard, the plaintiff shall make an effort to serve the defendant by mail at his place of employment.
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 apparently has a boat on the trailer lot of the plaintiff and he may also have a box of tools that he may wish to take from the plaintiff's residence. He shall be required to appear on June 13, 1992 between the hours of Noon and 2:00 p.m. to remove the boat from the plaintiff's property, and at that time, he may also remove his box of tools. His failure to appear at that time, after having veen served with a copy of this Order,shall mean that he forfeits his rights to those items and they may be disposed of by the plaintiff as she sees fit.
8. The defendant shall pay court costs in this matter in the amount of$89.50 to the Prothonotary of CrawfordCounty on the first floor of theCourthouse in Meadville, Pennsyvania, by the close of business on June 10, 1992 at 4:30 p.m.
9. This Order shall remain in full force and effect through May 26, 1993.

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

May 28, 1992 Copy of the Order to Gerald Sullivan, ESq.County Control, Plaintiff and Defendant.

1992

475
Northwest Legal Services
R.Christopher Brode

PEGGY ANN QUEST

vs.

ALBERT F. BEACH

Filed May 19, 1992
@ 9:51 AM

Tax & entry Pd 9-4-96 50.50
User's Fee 9-4-96 5.00

Sheriff's Costs Pd 37.00
Pro.Co Pd 9-4-96 9.00

9-4-96 Pd Sheriff #10212 37.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 19th day of May, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff ~~or any of the minor children named in the Petition.~~
2. Special Conditions: Defendant shall not contact or follow the Plaintiff. Defendant shall not go to Plaintiff's residence.

3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for May 29, 1992, at3:30 P. M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

May 22, 1992 SHERIFF'S RETURN FILED. SERVED Albert F. Beach personally on May 20, 1992 at 10:10 A.M.by handing to him a copy of the Protection from Abuse at his place of employment, Bryan's Tru-Value, Corner of Franklin Street and West Central Avenue, Titusville, Crawford County, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M.Stevens, Sheriff

June 2, 1992 Order filed. AND NOW,May 29, 1992 this matter is before the Court on the Plaintiff's petition requesting relief under the Protection from Abuse Act. The Plaintiff appears represented by counsel, and the Defendant is not represented but indicates that he wishes to proceed without counsel.

The Defendant agrees to an order under the Act without admitting any of the allegations contained in the Plaintiff's petition. Accordingly, it is ORDERED as follows:

1.The Defendant shall not assault, abuse, harass, or threaten the Plaintiff at any time, nor shall he go to her residence, to her place of employment, to the YWCA in Titusville where she is taking classes, or to any other place she is taking classes, and he shall not have any contact with her by any other means including mail or telephone.

2.In the event that the Plaintiff should invite the Defendant to her residence, he is advised that it is a violationof this order for him to go to her residence and any law enforcement officer shall presume that it is a violation of this order if he is at her residence. If she should invite him to the residence, the parties should obtain a modification of this order allowing the same prior to him going to that residence.

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 Department in the jurisdiction where the Plaintiff resides, and to County Control.

5. The Defendant is reminded that this is an order of Court, and violation of this order may be punishable by a fine of up to $1,000 and a jail sentece of up to six months.

6. The Defendant shall pay costs in this matter in the amount of$101.50 by making installment payments to the office of the Prothonotary of Crawford County in the first floor of the Courthouse by the close of business at 4:30 p.m. with payment of $20.00 on June 5, 1992 and a similar payment of $20 on June 12, 1992; June 19, 1992; and June 26, 1992. He shall complete his obligation for payment by paying the sum of $21.50 on or before the close of business on July 6, 1992.

7. This order shall remain in full force and effect through May 28, 1993.

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

June 2, 1992 Copy of the order to R. Christopher Brode, Esq.County Control, Deft & Plft. State Police.

1992

Mary Ann Kirkpatrick

476

REBECCA HENRY WHITE

vs.

CHARLES WEST WHITE

Filed May 19, 1992
@ 1:19 PM

Tax & entry paid	50.50
user's Fee paid	5.00
State paid	10.00
Service Costs	33.50
Pro pd. 2/8/93	30.00
state paid 2/8/93	10. 00
Pro Co pd 9-29-93	9.00

Equitable Distribution)

COMPLAINT IN DIVORCE
1 copy (atty)

Aug. 13, 1992 Complaint reissued.

Sept. 10, 1992 Affidavit of Service filed. James M. Tidd, being duly sworn according to law, deposes and sets forth as follows:
1. That he/she is a competent adult.
2. That on information furnished him, he served a certified copy of the in the above-matter upon Charles W. White at 04:00 O'clock P.M., on 14 August 1992, at residence/Mobile Home in Conneaut Lake.
3. That ocsts incured for this service were as follows:

a.) Service	$27.50
b.) Mileage	6.00
Total	$33.50

4. Further Deponent Saith Not.

James M. Tidd

Jan. 28, 1993 Inventory of Plaintiff filed.

Feb. 8, 1993, Petition for Additional Claims filed. (alimony Pendente Lite, counsel fees, costs and expenses, and

Feb. 12, 1993 Petitionfor Injunction and Special Relief Regardidng Pension and Order, filed. ORDER: And Now, Feb. 11, 1993 hearing on Plaintiff's Petition for Injunction and Special Relief Regarding Pension is scheduled for April 28, 1993, at 10:00 a.m. in court room 1 or 2 of the Crawford County Courthouse in Meadville Pa.
For the Court:
Ann A. Walker, Crt. Adm.
Feb. 22, 1993 copy to M.A. Kirkpatrick & Dft.

Feb. 12, 1993 Motion to Set Hearing and Order, filed. ORDER: And, Now, Feb. 11, 1993, hearing on Plaintiff's Request for Alimony Pendente Lite, Counsel Fees, Costs and Expenses is scheduled for April 28, 1993 at 10:00 a.m. in court room 1 or 2 of the Crawford County Courthouse in Meadville, Pa. For the Court:
Ann A. Walker, Crt. Adm.
Feb. 22, 1993 copy to M.A. Kirkpatrick & Dft.

Feb. 19, 1993 Petition for Leave to Engage in Discovery and Order filed. AND NOW, Feb. 19, 1993 hearing set for April 28, 1993, at 10:00 a.m., Courtroom 1 or 2.

FOR THE COURT,
Ann A. Walker, CA

Mar. 1, 1993 Copy of order to Atty. Kirkpatrick

Apr. 22, 1993, Proof of Service of Notice to Produce filed.

Apr. 29, 1993 Order filed. AND NOW, April 28, 1993, this matter is before the Court on three petitions filed by the Plaintiff.
Both parties appear represented by counsel and have tentatively resolved these matters so that we may enter the following Consent Order.
The Plaintiff now withdraws the petition for leave to engage in discovery insofar as the items requested in that petition have been proved by the Defendant.
With respect to the Plaintiff's request for alimony pendente lite, while the claim is left in place, hearing in this matter is continued generally to be set upon motion of either party.
By agreement ofthe parties, the Defendant shall pay to Plaintiff's counsel toward counsel fees and costs of sum of $500.00 within thirty (30) days of today's Orde,r which amount is intended to cover his contribution toward such consel fees andcosts through this date.
This Order is without prejudice to the Plaintiff to request further counsel fees and costs if it becomes appropriate, but they shall only be awarded with respect to work performed fromm this day forward if they are in fact awarded.
With respect to the Plaintiff's petition for injunction and special relief regarding pension, the parties agree that the Defendant will be retiring at the end of this school year and mus tmake an election wtih regard to his pension no later than May 15, 1993.
The defendant agrees to defer that election until further hearing set in this matter at 11:00 a.m. on May 7, 1993, in Courtroom No. 2 before the undersigned.

BY ORDER OF THE COURT,
Anthony J. Vardaro,

J Apr. 29, 1993 Cpies dist. to Kirkpatrick and RCT

May 7, 1993 Motion to Cancel Hearing and Order, filed. ORDER: And, Now, May 7, 1993, hearing on Plaintiff's Petition for Injunction and Special Relief is canceled. By the Court:
Anthony J. Vardaro, J.

May 12, 1993 copy to M.A. Kirkpatrick

Sept. 17, 1993 Affidavit of Consent of Plaintiff filed.

Sept. 28, 1993 Affidavit of Consent of Defendant filed.

Sept. 29, 1993 Upon praecipe of plaintiff attorney to transmit records, case moved to Court.

DIVORCE DECREE FILED

Oct. 8, 1993 , And, Now, October 6, 1993, it is ordered and decreed that REBECCA HENRY WHITE, plaintiff, and CHARLES WEST WHITE, 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 provisions of the parties' Memorandum of Agreement attached hereto concerning equitable distribution, alimony and counsel fees are incorporated herein and enforceable hereunder.

By the Court:
Gordon R. Miller, J.

1992

pro se

477

KEVIN CARROLL TURNER

vs.

ELIZABETH LIZZY TURNER

Filed May 19, 1992
@ 4:01 PM

Indigent Filing

COMPLAINT UNDER SECTION 3301(d) OF THE DIVORCE CODE
1 copy (plff)

May 19, 1992 Petition For Leave To Proceed In Forma Pauperis and Order filed. AND NOW, this 18th day of May, 1992, It is hereby ordered that the foregoing Petition to Proceed In Forma Pauperis is granted subject to the right of the Court of the Master to assess costs, if appropriate, at a later date.
(1 copy atty) Gordon R. Miller, J

July 8, 1992 Notice of Intention to Request Entry of Divorce Decree filed.

July 8, 1992 Defendant's Counteraffidavit Under Section 3301 (d) of theDivorce Code filed.

Sep. 2, 1992 Notice of Intention to Request Entry of Divorce Decree filed.

Sep. 2, 1992 Upon Praecipe of Plaintiff, Kevin Carroll Turner, to transmit record, case moved to court.

Sept. 14, 1992 Memorandum Filed. This matter is before the Court on Plaintiff's Praecipe to transmit record which has been filed pro se.

This matter is not in a positionto grant a divorce under Section 3301 (d) of the Divorce Code as requested for the following reasons:

1. The Plaintiff has never filed the affidavit required under Section 3301 (3) of the Divorce Code and Pennsylvania Rule of Civil Procedure 1920.42 (a) (2).

2. Although he has attached a return receipt evidencing the delivery of mail on June 4, 1992 and bearing Article No. T807909113, he has not attached an affidavit of service indicating that in fact that is when the divorce complaint was served upon the Defendant. He does make reference to that date in his praecipe to transmit the record as the date of service but that is not adequate. Additionally, there will have to be an affidavit of service evidencing that the above affidavit required by Section 3301 (d) has in fact been served upon the Defendant.

After the filing and service of the required affidavit has been made,then the Plaintiff may proceed again through the process of notifying the Defendant of his intention to request entry of a divorce decree and finally filing a praecipe requesting the Prothonotary to transmit this matter to the Court for review once again.

When the Plaintiff does praecipe to transmit the record once again,he must note in the praecipt the date and manner of service of the notice of intention to file praceipt to transmit record and attached a copy of that notice to the praecipe.

The Court also notes for the Plaintiff's information that the proper information to be inserted with respect to where the Defendant can seek legal help is:

Court Administrator
CrawfordCounty Courthouse
Meadville, PA 16335

The Prothonotary is directed to send a copy of this Memorandum to the Plaintiff at BH-1814, Box A, Bellefonte,PA 16823.

BY THE COURT:
Anthony J.Vardaro, J.

Sept. 14, 1992 Copy of the Memorandum mailed to Pltf and 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 9/14/92 . We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonable delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.

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

I If you object to the case being dismissed, you must put your objections in writing and follow Crawford County Civil Local Rule L206, LJA 1901E and LJA1901F, explaining why there has been a delay in your case and why it is not unreasonable. These written objections must be filed in the Prothonotary's Office on or before April 24, 1998. You must also give or send a copy of any objections you file to the other party or his or her attorney, and certify that you have done so when you file your objections with the Prothonotary.

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

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

By the Court,
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)

1992

Northwestern Legal Serv.
Christopher Brode

478

RHONDA MARIE HAMILTON

vs.

DONALD C. HAMILTON

Filed May 20, 1992
@ 9:58 AM

Tax & entry Pd 6-24-92 50.50
User's Fee Pd 6-24-92 5.00

Sheriff's Costs 20.00
Pro Co pd 6-24-92 9.00

Received from Dept. Sheriff's Cost 6-24-92 20.00

Paid Sheriff 6-24-92 Ck# 6897 20.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 20 day of May, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: The Plaintiff shall have temporary physical custody of th eminor child and temporary exclusive possession of the marital home.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for May 29, 1992, at 3:30 P M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

May 26, 1992 SHERIFF'S RETURN FILED. SERVED Donald C. Hamilton personally on May 20, 1992 at 5:12 PM by handing to him a copy of the Protection from Abuse at the Titusville City Police Department, 323 North Franklin Street, Titusville, Crawford County, PA.
So answers, Dale L. Beach, Titusville PD
Robert M.Stevens, Sheriff

June 2, 1992 ORDER FILED. AND NOW,May 29, 1992 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, and indicates he wishes to go forward.

The parties have agreed to the entry of an order without admission by the Defendant of any of the allegations of the petition.

Accordingly, the following order is entered:

1. The Defendant shall not assault, abuse,harass, or threaten the Plaintiff in any manner at any time.
2. The Plaintiff is granted exclusive possession of the marital home and the Defendant shall not go to the marital home nor to the Plaintiff's place of employment at any time. Additionally, he may not contact her by telephone but may contact her in writing.
3. The Defendant is advised that if he is invited to the marital home, he should not go to the martial home without a modification of this order insofar as any policy agency is to presume that he is in violation of this order if he is caught at the marital residence during the term of this order.
4. The only exception to that condition is that sometime between now and June 7, 1992, the Defendant may go to the marital home in the company of his mother Loretta Caldwell for a period of no longer than 4 hours to remove his personal belongings,hunting and fishing equipment, and one television. He shall make arrangements to do so by contacting his mother at least 24 hours before he intends to remove those items and his mother in turn will contact the Plaintiff to advise her that he will be coming to the marital residence.
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. A copy of this order shall be delivered to the Police Department in the jurisdiction where the Plaintiff resides, 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 of up to $1,000 and a jail sentence of up to six months.
8. The Defendant shall pay costs in this matter in the amountof $84.50 by making installment payments to the Prothonotary of Crawford County on the first flkoor of the Courthouse in Meadville, with those installments being $20 on June 1, $20 on June 8, $20 on June 15, and $24.50 on June 22, 1992. Those payments shall be made by the close of business on each of those dates at 4:30 P.M.
9. This order shall remain in full force and effect through May 28, 1993.

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

June 2, 1992 Copy of the order to: County Control, Titusville Police Department, R. Christopher Brode, Esq.Plft. & Deft.

Nov. 4, 1992 Complaint for Indirect Criminal Contempt for Violation of Protection From Abuse Order, NOtice of Assignment of Hearing date filed. Nov. 4, 1992: Hearing in the above captioned matter has been scheduled for November 6, 1992 at 3:30 P.M. in Courtroom 2.

FOR THE COURT,
Imogene Yetman, Court Administrator

Nov. 4, 1992 Copy of Order to Atty. Brode, District Justice notifed Plft.& Deft.

Continued to Page 28 A.

1992

Rhonda Marie Hamilton
vs.
Donald C. Hamilton

Continued of Record from Page 28

A.D. 1992 - 478

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Nov. 9, 1992 Re: Protection from Abuse Order filed. AND NOW, November 6, 1992, this matter is before the Court on Plaintiff's Complaint for indirect contempt for violation of a Protection From Abuse Order.

The Plaintiff appears with counsel and the Defendant appears without counsel and proceeds without counsel after having been advised of his right ot have the same.

The parties have reached an agreement which will not include an adjudication of contempt with respect to the Defendant in this matter.

That agreement is that:

1. The ProtectionFrom Abuse Order entered on May 29, 1992 by the undersigned shall remain in full force and effect through May 28, 1994.

2. The Defendant shall not follow the Plaintiff nor shall he contact her at any time nor have any contact with her at any time.

3. The plaintiff will make arrangements with the Defendant's mother for either the Defendant's mother or his brother to come to the marital home for the purpose of removing fishing gear and a 1975 650 Yamaha Motorcycle.

4. In all respects not contrary to this Order, the Order of May 29, 1992 shall remain in full force and effect through the new date of May 28, 1994.

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

Nov. 10, 1992 Copies given to Atty., Brode, Co. Control, Titusville C.P.D.

1992

Knox, McLaughlin,
Gornall & Sennett, PC
B. Scott Kern

479

GENERAL MOTORS ACCEPTANCE CORPORATION

vs.

JUNE E. KERR

Filed June 20, 1992
@ 11:31 AM

Tax & entry paid	50.50
User's fee paid	5.00
Sheriff's Costs	37.00
Pro.Co.pd 7/23/92	9.00

COMPLAINT IN CIVIL ACTION
1 copy (sheriff)

May 28, 1992 SHERIFF'S RETURN FILED. SERVED June E. Kerr on May 26, 1992 at 2:10 PM by handing a copy of the Complaint to Nelson Smith, Adult in Charge at the residence, 110 McKinney Road, Titusville, Crawford County, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

And Now, July 23, 1992 at 12:01 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 want of an answer and the damages are assessed at the sum of Four thousand Seven hundred Thirty-One and 10/100 Dollars, plus interest and cost of suit.

K-94

Entered July 24, 1992
Notice mailed to Defendant
and Atty. Kern

Debt $4,731.10
Judgment
Barbara H. King
Prothonotary

30

1992

Swanson, Bevevino
& Millin, PC
Timothy R. Bevevino

Melvyn S. Mantz

480

FIRST DEPOSIT NATIONAL BANK

vs.

DANIEL C. MINICK

Filed May 20, 1992
@ 11:41 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	25.00
Pro Co pd 6/25/92	9.00

COMPLAINT - CIVIL ACTION
1 copy (Sheriff)

May 28, 1992 SHERIFF's RETURN FILED. SERVED Daniel C.Minick personally on May 22, 1992 at 2:40 PM by handing to him a copy of the Complaint at his residence, 1470 Leslie Road, R.D.#7, Meadville, Crawford County, PA.

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

And Now, June 25, 1992 at 2:49 PM upon praecipe of Plaintiff Attorney, with Notice of Intention to File Judgment attached, jdugment is hereby entered in favor of the Plaintiff and against the defendant for failure to file an answer and the damages are assessed at Eight Thousand One Hundred Sixty-five and 50/100 plus interest and cost of suit.

M-43
jdugment entered 6/25/92

Debt $8,165.50
Judgment
Barbara H. King
Prothonotary

EX 1992 - 58

1992

481

Barbara J.Walton

Paid Sheriff 6-8-92 Ck# 8869 25.00

LEHUANNE OBERT

vs

RICHARD E. BROWN

Filed May 20, 1992
@ 2:38 PM

Tax & entry	Pd. 6/8/92	50.50
User's Fee	Pd 6/8/92	5.00
Sheriff's Costs		25.00
Pro.Co.	Pd 6/8/92	5.00
Pro Co	pd 7-21-92	5.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 20 day of May, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.

2. Special Conditions: The plaintiff shall have temporary exclusi custody of the minor child The Sheriff of Crawford County may make appropriate arrangements with Sheriff of Mercer County for service. The Plaintiff may accompany law enforcement to defendant house to remove her belonging.

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

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

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

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

7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.

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

Hearing is here by set for June 1, 1992, at 3:30 P M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

May 22, 1992.SHERIFF'S RETURN FILED. SERVEDRichard E. Brown personally on May 21, 1992 at 2:35 P.M. by handing a copy of the Protecton from ABuse to him in the Sheriff's Office, Crawford County Courthouse, Meadville, PA.
So answers, Robert M.Stevens, Sheriff

June 2, 1992 MOTION FOR RESETTING HEARING and ORDER, filed. ORDER: And now, June2, 1992. . The hearing set for June 9, 1992 at 3:30 p.m. is reset for June 5, 1992 at 3:30 p.m. The temporary order will remain in full force and effect pending that hearing. Anthony J. Vardaro, J.
June 4, 1992 copy in box for Brode & Walton

June 1,1992.Motion for Continuance and Order of Court filed. And Now, June 1, 1992 the hearing set for 3:30 p.m. June 1, 1992 is continued until June 9, 1992 at 3:30 P.M. The Temporary Order will remain in full force and effect until further order.
Anthony J.Vardaro, J.
June 1, 1992 Copy of Order to Barbara J.Walton,Esq.

June 8, 1992 Upon praecipe of Plaintiff this action is discontinued of record.

June 9, 1992 Order filed. AND NOW, June 5, 1992, at the time fixed for hearing, both parties appeared with counsel and agreed to a settlement of this matter without admissionon the part of the defendant.

ACCORDINGLY, based upon that settlement, it is ORDERED as follows:

1. The defendant shal lnot assault, abuse, harass or threaten the plaintiff or the minor child named in the petition.

2. The derfendant shall not go to the place of residence, place of employment or school where the plaintiff may reside, work or attend. She currently resides at R.D. #5, Meadville, Pennsylvania.

3. The defendant shall not contact the plaintiff in any manner except as follows: A) He may contact her by mail, provided he complies with paragraph one. B) He may contact her or he may receive contacts form her for the purpose of arranging an dtreansferring child visitations, provided he complies with paragraph one.

4. Both parties are advised that this is an Order of Court. In the event that the plaintiff invites the defendant to her home or invites contacts with the defendant for purposes other than visitaiton, the defendant is advised that he should reguse those attmepts becuase this court has ordered him to have no contact wit hher. Even though she may invite him, he should refuse until this Orde ris changed because any contact with the plaintiff, whether inited by her or not, except under the circumstances set froth in paragraph three will be considered a violation of this Court Order. The parties do not have the ability or right to amend this Court Order. ONly a Judge of this State can do that.

5. A copy of this Order shall be delivered to the Pennsylvania STate Police and to County Control.

7. This Order shall remain in full force and effect until June 4, 1993, unless modified or terminated by further Order of Court.

8. The defendant shall pay costs in the amount of $89.50 no later than July 31, 1992 or be held in contempt of court for failure to pay costs. Those costs shall be paid at the Prothonotary's Off.

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 $1,000.00 and a jail sentence o fup to six (6) months.

10. The plaintiff shall have the right to go to the defendant's mother's house on Saturday, June 6, 1992, at 3:00 o'clock p.m. fo rth epurpose of picking up her clothing, persona' belongings and

the child's personal belongings. If there is any dispute as to what constitutes these items, the parties shall attempt to resolve that on their own without any sort of abuse or physical confrontation. If they cannot do that, then either par ty may bring an appropriate replevin or possessory action, depending on who takes what.
BY ORDER OF THE COURT,
Gordon R. Milller, J
June 9, 1992 Copies to Atty's Brode & Walton, County Control and PA State Police

Continued on page 503

32

1992

Barbara J. Walton

482

~~Kathleen R. Nelson.~~ Withdrawn

SANDY DeBRUYCKER

vs.

EDWARD De BRUYCKER

Filed May 20, 1992
@ 2:33 PM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count paid	15.00
State paid	10.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
1 copy (plff)

June 9, 1992 AFFIDAVIT OF SERVICE, filed. 1. A true and correct copy of the Complaint in Divorce filed in the above-captioned matter was served upon the Defendant, EDWARD DEBRUYCKER, by certified mail, restricted delivery, pursuant to Pa. R.C.P. 412 on May 20, 1992, as is evidenced by the United States Postal Service Return REceipt (Certified No. P. 899097901) 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. B. Walton

July 8, 1992 Appearance ofKathleen R. Nelson, Attorney for defendant filed.

Mar. 16, 1994 Motion to Withdraw Appearance and ORDER filed. AND NOW, this 15th day of March, 1994, the above Motion to Withdraw Appearance is hereby granted.

Gordon R. Miller, J.

3-21-94 Copy of Order to Attys. Walton & Nelson

May 24, 1994 Affidavit of Consent of Plaintiff 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 5/24/94. 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,
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)

1992

Ferguson & Spataro
Douglas W. Ferguson

483

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

FRANK J. RENDULIC

vs.

KAREN S. RENDULIC

Filed May 20, 1992
@ 3:55 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro.Co. pd 8/21/92	9.00

COMPLAINT IN DIVORCE
2 copies (atty)

May 29, 1992 Appearance of Fuller, Kinnunen, Petruso, Gamble, Fabian & Hall by Gary A. Fabian, Esquire for Karen S. Rendulic, filed.

June 3, 1992 AFFIDAVIT OF SERVICE, filed. I, the undersigned being duly sworn according to law, depose and say I served to true and correct copy of the Complaint in Divorce certified by the Prothonotary of Crawford County, Pennsylvania, on the above named Defendant by certified mail, addressee only, return receipt requested, dated May 22, 1992. The Defendant acknowledged service on May 27, 1992, by accepting delivery on that date as evidenced by the attached signed return receipt.

Douglas W. Ferguson

July 15, 1992 Answer to divorce and Counter Claim filed.

Aug. 21, 1992 Affidavit of Consent by Karen S. Rendulic, Defendant, filed.

Aug. 21, 1992 Affidavit of Consent by Frank J. Rendulic, Plaintiff, filed.

Aug. 21, 1992 Upon Praecipe of Defendant's Attorney, Gary A. Fabian, Esquire for Review under §3301 (c) of the Divorce Code this case moved to Court.

DIVORCE DECREE FILED

Aug. 28, 1992 DECREE filed.

1. Divorce:

Upon consideration of the pleadings and affidavits filed in the above-captioned case, this Court hereby grants an absolute divorce from the bonds of matrimony to the above-named parties on the grounds that the marriage is irretrievably broken and ninety (90) days has elapsed since the date of the filing of the complaint and an affidavit has been filed by each of the parties evidencing that each of the parties consents to the divorce, pursuant to Section 3301(c) of the Pennsylvania Divorce Code.

2. Equitable Property Determination and Distribution:

This decree provides that the marital property of the above-named parties shall be divided in accordance with a Marital Settlement Agreement executed by the parties, the effective date of said agreement being July 27, 1992, and said agreement being filed in the Court of Common Pleas of Crawford County, PA. at the above-captioned number.

The agreement, in part, provides that:

A. Real Estate.

Plaintiff Husband shall make, execute and deliver to Defendant Wife a quit claim deed conveying and transferring all his right, title and interest in and to certain real estate, said real estate being the former marital residence, including a double-wide mobile home located thereon, and being situate in Union Township, Crawford County, Pennsylvania, and being more particularly described in a deed dated May 2, 1986, and recorded in Crawford County Deed Book 567, page 770. Said premises are awarded to Defendant Wife.

Defendnat Wife is the owner of certain real estate with her brother, James Lee Kull, which real estate is located in Triumph Township, Warren County, PA. and is mroe particularly described in a deed dated December 2, 1982, and recorded in Warren County Deed Book 437, page 805. Said real estate shall be retained by Defendant Wife and said premises are hereby awarded to Defendant Wife.

B. Motor Vehicles. The 1986 Ford Bronco II and the 1988 Palomino Travel Trailer are awarded to Defendant Wife. The 1987 Ford Bronco XLT is awarded to Plaintiff Husband.

C. Pension and Disability Benefits. Plaintiff Husband shall retain and is awarded the pension which he has with TIAA/CREF, Teachers Insurance and Annuity Association, College Retirement Equities Fund, by virtue of his employment with Allegheny College.

Defendant Wife shall retain and is awarded the pension which she has with Crawford County, PA., by virtue of her employment with Crawford County Children and Youth Services.

D. Further, the division of all other marital property, and the payment of all debts of the partaies shall be made in accordance with the terms of the Marital Settlement Agreement, which said Agreement was effective July 27, 1992.

3. A copy of the Marital Settlement Agreement of the parties, which said Agreement was effective July 27, 1992, whice 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 26 day of August, 1992.

BY THE COURT
Anthony J. Vardaro, J.

34

1992

Thomas, Truax,
Spadafore, & Walker
R. Charles Thomas

484
~~Fuller, Kinnunen,~~
~~Petruso, Gamble,~~
~~Fabian & Hall~~
~~Gary A. Fabian~~

BERNICE WELCHECK

vs.

ROBERT J. WELCHECK, JR.

Filed May 21, 1992
@ 10:57 AM

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 10/2/92	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
ALIMONY PENDENTE LITE, COUNSEL FEES AND COSTS,
AND PERMANENT ALIMONY
1 copy (atty)

May 21, 1992 Plaintiff's Affidavit Under Section 3301(d) of the Divorce Code filed.

June 2, 1992 Appearance of Fuller, Kinnunen, Petruso, Gamble, Fabian & Hall by Gary A. Fabian, Esquire for Robert J. Welcheck, Defendant, filed.

July 2, 1992 Motion To Withdraw and ORDER filed. AND NOW, this 29 day of June, 1992, upon presentation of the foregoing Motion, Gary A. Fabian, Esq., is granted leave to withdraw as counsel for defendant, Robert J. Welcheck.

BY THE COURT
Anthony J. Vardaro, J.

July 9, 1992 Copy of Order to Attys. R. Charles Thomas and G. Fabian.

Oct. 2, 1992 Affidavit of Service of Complaint in Divorce filed.

Oct. 2, 1992 Notice of Intention to Request Entry of Divorce Decree filed.

Oct. 2, 1992 Upon Praecipe of R. Charles Thomas, Esquire for Review under Section §3301 (d) of the Divorce Code this case moved to Court.

Oct. 2, 1992 Motion for Withdrawal of Counts from Divorce Complaint and Order of Court filed. And Now, October 2, 1992 Upon presentation and consideration of the within Motion the Plaintiff is hereby authorized to withdraw from the DivorceComplaint heretofore filed her claims for equitable distribution, alimony pendente lite,counsel fees and costs and permanent alimony, all by reason of the fact that the Plaintiff and Defendant have amicably resolved those issues between them and thus this divorce will proceed to the Court for dispositin on the Plaintiff's Claim for divorce alone.

Oct. 7, 1992 Copy of the Order to R. Charles Thomas, Esq.

DIVORCE DECREE FILED

October 15, 1992 AND NOW, October 15, 1992, it is hereby ordered and decreed that **BERNICE WELCHECK**, Plaintiff, and **ROBERT J. WELCHECK, JE.,** 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.

1992

William J. Gregg &
Kathleen Nelson

William J. Gregg

485

PAGES TIRE & AUTO

vs.

LEE S. MARKS

Filed May 21, 1992
@ 11:58 AM

Tax & entry paid	50.25
user's Fee paid	5.00
Pro Co pd 8/19/92	6.00

APPEAL OF DEFENDANT FROM DECISIONS
OF DISTRICT JUSTICE HUBERT E. VOGAN

June 1, 1992 Proof of Service of Notice of Appeal and Rule to File Complaint, filed.

July 1, 1992 Complaint filed.
July 1, 1992 Copy of Complaint to Atty.Gregg.

Aug. 18, 1992 Upon praecipe of Plaintiff Attorney the above-captioned case is marked settled and discontinued of record.

1992

Peters, Lindsay, Lewis & Gagliotti
Brian J. Lindsay

486

LUANNE M. MANUEL

vs.

WILLIAM P. MANUEL

Filed May 21, 1992
@ 1:25 PM

Tax & entry Pro Co Pd 6-24-92 50.50
User's Fee Pd 6-24-92 5.00
Sheriff's Costs 23.00
Pd Co Pd 6-29-92 9.00
Pro Co pd 9/20/96 9.00

Received from defendant 23.00 Sheriffs costs 6-29-92

Paid Sheriff's Office 6-29-92 C907 23.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 21 day of May, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: The Plaitniff shall have temporary physical custody of the minor 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 of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for June 1, 1992, at 3:30 P. M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

June 1, 1992 Sheriff's Return filed. Not served. Mr. Mauel contacted Sheriff's Office by phone, after finding note left at his residence, R.D. #4, Cochranton, PA. He was informed of the hearing, and said he would come in for service the week of May 24, 1992. He did not.
So answers, Robert M. Stevens, Sheriff

June 2, 1992 ORDER FILED. AND NOW, June 1, 1992, this matter is before the Court for a hearing regarding plaintiff's Petition for Relief Under the Protection From Abuse Act.

The plaintiff appears with counsel and the defendant does not appear, but it is clear that he has been served and talked to the defendant, indicating a knowledge of the date of this hearing.

The Court believes that the defendant has committed acts that would constitute abuse within the meaning of the Act, and 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 inthe petition.
2. The defendant shall maintain possession of the marital home,but the plaintiff shall be permitted to go the marital home on June 8, 1992, between the hours of Noon and 5:00 p.m. for the purpose of removing personal belongings of her own and those of the children. While the plaintiff may not remove marital possessions otherwise, the defendant is cautioned that he may not do so either and he shall not do anything to destroy, remove, sell or in any way cause damage to the marital assets pending any further litigation between the parties.
3. The plaintiff is granted temporary physical custody of the minor children and the defendant shall have visitation with the minor children commencing the weekend of June 12, 1992 starting at 6:00 p.m. and ending on that weekend at 6:00 p.m. on June 14, 1992, and such visitation shall occur every other weekend thereafter. This is a temporary Order with regard to custody and will remain in full force and effect until such time as there is further Order of Court in this or any other proceeding regarding custody.
4. The defendant shall not assault, abuse, harass, or threaten the plaintiff or any of the minor children during any exchange concerning visitation with the children and the defendant shall be responsible for all transportation with respect to visits unless other arrangements are made specifically with the plaintiff.
5. This Order may be enforced without a Warrant of Arrest by any law enforcement officer having reasonble grounds to believe that it has been violated.
6. A copy of this Order shall be forwarded to the Police Departments in the jurisdiction where the plaintiff resides 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 of up to $1,000.00 and a jail of sentence of up to six (6) months.
8. The defendant shall pay costs in this matter in the amount of$87.50 on or before the close of business in the office of the Prothonotary of Crawford County on the first floor of the Courthouse, at 4:30 p.m. on June 16, 1992.
9. This Order shall remain in full force and effect through May 31, 1993.
10. At no time shall the defendant follow the plaintiff in public places or harass her in public places or at any other place, no shall he procure anyone else to do so. Due to the visitation and other matters with regard to the children, telephone calls may be necessary between the parties, but the defendant is cautioned that at no time shall he use the telephone to harass or threaten the plaintiff or any of the minor children as the same would constitute a violation of this Order.

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

June 2, 1992 Copy of the Order to: County Control, State Police, Gerald Sullivan, ESq. Plft. & Deft.

Continued on Page 36A

1992

Luanne M. Manuel
vs.
William P. Manuel

CONTINUED FROM PAGE 36
of Record
A. D. 1992 - 486

****

June 19, 1992 CONSENT CUSTODY ORDER, AGREEMENT and ORDER, FILED. ORDER: AND NOW, upon presentation and consideration of the foregoing, and the parties hereto having executed same, the foregoing agreement is entered as an Order of this Court.
BY THE COURT:
Gordon R. Miller, P.J.
June 23, 1992 copy in box for B. Lindsay

Aug. 25, 1992, Complaint for Indirect Criminal Contempt for violation of Protection from Abuse Order filed.

Aug. 25, 1992, Notice of Assignment of Hearing date filed. Aug. 25, 1992, Hearing in the above captioned case has been scheduled for sept. 2, 1992 at 3:30 p.m. in C. R. No. 2.
FOR THE COURT,
Imogene Yetman, Ct. Adm.

Aug. 25, 1992, Copies given to County Control, attys. sullivan, Atty. L indsay, and Sheriff of Craw. Co.

August 28, 1992 Appearance of Peters, LIndsay, Lewis & Gagiotti By Brian J. Lindsay, attorney for plaintiff filed.

Sep. 2, 1992 Motion to Reschedule Contempt Hearing and Order Filed. AND NOW,this 2nd day of September, 1992, this Honorable Court grants the Plaintiff's request and reschedules the Contempt Hearing for the 2nd day of October, 1992, in Court Room 1 or 2 of the Crawford County Corthouse, Meadville, Pennsylvania at 3:30 pm.
BY THE COURT,
Gordon R. Miller, J.

Sep.2, 1992 Copy of the order to Attys. Sullivan, Lindsay.

Oct. 6, 1992 Motion to Withdraw Petition for Contempt and Order filed. AND NOW, this 5 day of October, 1992, this Honorable Court grants the Motion to Withdraw Petition for Contempt and the Contempt Hearing scheduled for October 2, 1992, at 3:30 P.M. is hereby dismissed.
BY THE COURT:
Anthony J.Vardaro,

Oct. 6, 1992 Copy of the Order to Attys. Lindsay and Sullivan.

1992

1992

Thomas, Truax,
Spadafore & Walker
Gregory Keenan
pro se

487

John Brautigam

FRANCES STONEDALE

vs.

RUSSELL KOVAC

Tax & entry paid	50.25
User's Fee paid	5.00
Pro Co pd 2-23-93	15.00

APPEAL OF PLAINTIFF FROM DECISION
OF DISTRICT JUSTICE GEORGE W. HERZBERGER

May 22, 1992 Proof of Service filed.

June 10, 1992 Complaint filed.

June 23, 1992 Answer, New Matter and Counterclaim filed.

June 26, 1992 Affidavit of Service filed. Gregory A. Keenan, Esquire, being duly sworn according to law, deposes and says that on June 11, 1992, he sent a true and correct copy of a Complaint, properly endorsed with a Notice To defend, filed in the above action to the defendant, Russell Kovac, by Certified Mail No. P 063 588 839, postage prepaid, restricted delivery, return receipt requested and that attached hereto is a duly executed return receipt card showing the date of delivery as June 17, 1992.
Gregory A. Keenan

July 20, 1992 Plaintiff's Reply To Defendant's Reply To Defendant's New Matter and Counterclaim filed.

Feb. 23, 1993 Upon praecipe of Plaintiff attorney to appoint Arbitrators the following Arbitrators are appointed. ~~Glenn Thompson~~, Chr. Mark Prather
Tamera Rothschild
Joseph Kulwicki

Mar. 23, 1993, Arbitrators take the qualifying oath.

Apr. 7, 1993, Notice Pursuant to Pa. R.C.P. 1305 filed.

May 27, 1993, Decision of the ARbitrators filed in which they find against plaintiff on plaintiff complaint and against defendant on defendant counterclaim.
S. 65
K. 146 DECISION OF ARBITRATORS,
Barbara H. King,
Prothonotary
May 28, 1993, copies given to Attys. J. brautigam and G. Keenan.

38

1992

Federman and Phelan
Frank Federman

488

MARGARETTEN & COMPANY, INC.

vs.

RICHARD J. COURSEY and
SUSAN M. COURSEY

Filed May 21, 1992
@ 2:18 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	41.00
Pro Co Pd 7-6-92	9.00
Pro Pd 2/12/96	5.00

CIVIL ACTION/MORTGAGE FORECLOSURE
2 copies (sheriff)

June 4, 1992 SHERIFF'S RETURN FILED. SERVED Richard J.Coursey personally on May 28, 1992 at 12:30 PM by handing to him a copy of the Complaint in Mortgage Foreclosure in the Sheriff's Office, Crawford County Courthouse, Meadville, PA.

SERVED Susan M. Coursey on May 28, 1992 at 12:31 PM by handing a copy of the Complaint in Mortgage Foreclosure to Richard J. Coursey, her Authorized Agent, in theSheriff's Office, Crawford County Courthouse, Meadville, PA. Signed Acceptance of Service attached.

So answers, Diane Severo, Deputy Sheriff
Robert M. Stevens, Sheriff

July 6, 1992 VERIFICATION OF NON-MILITARY SERVICE, filed.

And now,(July 6, 1992, 2:34 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 Forty-Nine Thousand, Six Hundred, Thirty-Two Dollars, and nineteen cents (One Thousand, Two Hundred Sixty-Four Dollars and Ninety Cents is interest from 4-1-92 to 6-30-92).

Judgment entered: July 6, 1992 Debt: $49,632.19
C - 144, 154 JUDGMENT
Barbara H. King, Pro.

Feb. 9, 1996, Upon praecipe of plaintiff, the above captioned action is discontinued of record.

1992

Thomas, Truax,
Spadafore & Walker
Gregory A. Keenan

489

KIMBERLEE L. MILLER

vs.

DAN L. MILLER

Filed May 21, 1992
@ 2:18 PM

Tax & entry paid	50.50
User's Fee paid	15.00
2 Add'l Counts paid	30.00
State paid	10.00
Proc Copd 12-2-92	9.00

COMPLAINT IN DIVORCE UNDER SECTION 3301(c) OF THE DIVORCE CODE, CUSTODY, EQUITABLE DISTRIBUTION
1 copy (atty)

June 29, 1992 Affidavit of Service of Complaint in Divorce filed. Gregory A. Keenan, Esquire, being duly sworn according to law, deposes and says that on May 21, 1992, he sent a true and correct copy of a Complaint in Divorce, property endorsed with the NOtice to Defend, filed in the above action, to the Defendant, Dan L. Miller, at Defendant's last known address of R.D.#2, Saegertown, PA 16433, c/o Donald Miller, by Certified Mail No. P 899 093 330, postage prepaid, restricted delivery, return receipt requested, and that attached hereto is a duly executed return receipt card showing date of delivery as of May 21, 1992.

Gregory A. Keenan, Esquire

Nov. 18, 1992 Motion For Withdrawal of Counts II and III and Order filed. AND NOW, this 17th day of November, 1992, the within Motion is allowed andthe Plaintiff is authorized to withdraw the claims for custody and equitable distribution by reason of the fact that custody and the disposition of marital property has beensettled by the parties pursuant to written agreement and this case may proceed to the Court for disposition of the divorce alone.

By the Court,
Gordon R. Miller, J

Nov. 23, 1992 Copy of order put in box for Atty. Keenan

Dec. 2, 1992 Affidavit of Consent of Plaintiff, filed.

Dec. 2, 1992 Affidavit of Consent of Defendant, filed.

Dec 2, 1992 Praecipe for Review Under Section 3301(c) of the Divorce Code, filed.

DIVORCE DECREE FILED

Jan. 13, 1993 AND NOW, January 12, 1993, it is hereby ordered and decreed that **KIMBERLEE L. MILLER**, PLAINTIFF, AND **DAN L. MILLER**, defendant, are divorced from the bonds of matrimony.

The Court retains jruisdiction 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.

40

1992

Peters, Lindsay,
Lewis & Gagliotti
Brian J. Lindsay

490

DIANE L. DENNIS

vs.

JULIAN ARLISS DENNIS

Filed May 21, 1992
@ 4:22 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 3-18-93	9.00

COMPLAINT IN DIVORCE
1 copy (atty)

July 8, 1992 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 non the 3rd day of June,1992, 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 16th day of June, L992, receive a duly executed return receipt dated June 9th, 1992.

Jan. 22, 1993 Affidavit of Consent of defendant filed.

Mar. 11, 1993 Affidavit of Consent of Plaintiff filed.

Mar. 18, 1993 Upon praecipe of plaintiff attorney to transmit records, case moved to Court.

Mar. 22, 1993 **DIVORCE DECREE FILED.**

AND NOW, March 19, 1993, it is ordered and decreed that Diane L. Dennis, plaintiff, and Julian Arliss Dennis, 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,
Gorodn R. Miller, J

1992

Fuller, Kinnunen,
Petruso, Gamble,
Fabian & Hall
John D. Petruso

491

EDWARD C. WENZEL

vs.

JANICE M. WENZEL

Filed May 22, 1992
@ 9:37 AM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro.Co.Pd 10/4/95	9.00

COMPLAINT UNDER SECTION 3301(c) or 3301(d)
OF THE DIVORCE CODE
2 copies (atty)

May 26, 1992 ACCEPTANCE OF SERVICE OF COMPLAINT IN DIVORCE FILED AND NOW,. this 26th day of May, 1992, 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.
Janice M.Wenzel, Defendant

Oct. 3, 1995 Affidavit of Consent of Janice M.Wenzel, filed.

Oct. 3, 1995, Affidavit of Consent of plaintiff filed.

Oct. 4,1995 Upon Preacipe of John D.Petruso, Esquire to transmit record, Case moved to Court.

Oct. 27, 1995 DIVORCE DECREE filed. AND NOW, October 25, 1995, it is hereby ordered and decreed that Edward C. Wenzel, plaintiff, and Janice M. Wenzel, 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:
. Grodon R. Miller, J.

42

1992

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

492

DONNA J. HOLLENBECK

vs.

JOHN L. HOLLENBECK

Filed May 22, 1992
@ 10:46 AM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro.Co. pd. 9/3/92	9.00

COMPLAINT IN DIVORCE
(1 copy Atty)

July 24, 1992 AFFIDAVIT OF SERVICE field. 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 May 27, 1992. The Defendant acknowledged service on May 28, 1992 by accepting delivery on that date as evidenced by the attached signed return receipt.

Sept. 3, 1992 Affidavit of Consent by Donna J. Hollenbeck, Plaintiff, filed.

Sept. 3, 1992 Affidavit of Consent by John L. Hollenbeck, Defendant, filed.

Sept. 3, 1992 Upon Praecipe of Plaintiff's Attorney, James R. Irwin, to transmit record, case moved to Court.

DIVORCE DECREE FILED

Sept. 11, 1992 AND NOW, September 9, 1992, it is ordered and decreed that **DONNA J. HOLLENBECK**, plaintiff, and **JOHN L. HOLLENBECK**, defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the paraties 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.

1992

William J. Gregg 493 Thomas, Truax, Spadafore & Walker William L. Walker	HOMESTEAD OAK, INC. vs. IVA D. MILLETT Filed May 22, 1992 @ 11:17 AM Tax & entry paid 50.50 User's Fee paid 5.00 Sheriff's Costs 29.00	COMPLAINT 1 copy (sheriff) June 3, 1992 SHERIFF'S RETURN FILED. SERVED Iva D. Millett personally on May 26, 1992 at 2:55 PM by handing to her a copy of the Complaint at her residence, 400 Venango Avenue,Cambridge Springs Crawford County, PA 16403. So answers, Dale A. Collins, Deputy Sheriff Robert M. Stevens, Sheriff June 25, 1992 Answer filed.

1992

Feeman & Mesics
Robert W. Feeman

494

EDINBORO AGWAY COOPERATIVE, INC.

vs.

JOHN M. STAS and PATTI A. STAS, a/k/a PATTI A. CHRISTEN

Filed May 22, 1992
@ 11:31 AM

Tax & entry paid	15.00
Plff. on orig.	76.70
Sheriff's Costs	37.00
Pro.Co.pd 7/13/92	9.00

S-95, 135
C-134
Entered July 13, 1992
Abstract to Atty.Feeman

WRIT OF REVIVAL OF JUDGMENT

of

AD 1987 - 513

Debt ---- $6,913.34
Date ---- May 19, 1992
S-95-135; C-134 ----- REVIVAL OF JUDGMENT

Barbara H. King, Pro
Issued (Sheriff)

Revival indexed in favor of plaintiff and against the defendants in the sum of Six Thousand Nine Hundred Thirteen and 34/100 dollars plus costs.

June 3, 1992 SHERIFF'S RETURN FILED. NOT FOUND as to the Defendants John M. Stas and Patti A. Stas, a/k/a Christen. As per post office, they have moved from address given of R.D.#2, Skeltonhouse Road, Cambridge Springs, Crawford County, PA 16403 approximately three years ago; no forwarding address is known.
So answers, Robert M. Stevens, Sheriff

AND NOW, July 13, 1992 at 3:51 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 want of an answer and the same is liquidated at the sum of Six Thousand Nine Hundred Thirteen and 34/100 Dollars, plus costs and interest from August 4, 1987.

Debt	$6,913.34
Int.from 8/4/87	
Judgment	

Barbara H. King,
Prothonotary

1992

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

495

MARINE BANK

vs.

DAVID T. DRESBACH and
PATRICIA J. DRESBACH, his
wfie

Filed May 22, 1992
@ 12:53 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	48.00
Pro Co pd 6/18/92	9.00
Pro.Co. Pd 2/24/94	5.00

EX1992-69

COMPLAINT IN MORTGAGE FORECLOSURE
2 copies (Sheriff)

June 3, 1992 SHERIFF'S RETURN FILED. SERVED Patricia J.Dresbach personally on May 27, 1992 at 10:02 AM by handing to her a copy of the Complaint in Mortgage Foreclosure in theSheriff's Office, Third Floor, Crawford County Courthouse, Meadville, PA.

SERVED David T. Dresbach on May 27, 1992 at 10:05 AM by handing a copy of the Complaint in Mortgage Foreclosure to Patricia J. Dresbach, hisAuthorized 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, June 18, 1992 @ 2:49 PM upon praecipe of Plaintiff Atorney, judgment is hereby entered in favor of Plaintiff and against defendant for failure to file an answer and the damages are assessed at Nineteen Thousand Six Hundred Twenty-two and 95/100 plus interest and cost of suit.

D-44-134
Judgment entered June 18, 1992

Debt $19,622.95
Int. from June 18, 1992
Judgment
Barbara H. King, Pro

In error see R Docket

Aug. 25, 1992, Certifi cate of Service of the Notice of Execution Sale (sheriff's sale) of Real Property filed.

Feb. 24, 1994 at 11:41 A.M. writing filed wherein Plaintiff releases from the lien of the above entitled judgment the following described property: All that certain piece or parcel of land situate in the Second Ward of the City of titusville, Crawford County, Pennsylvania. (For more complete description see Release of Lien filed.

1992

Tamera Ochs Rothsch91d
~~Mary Ann Kirkpatrick~~
(withdrawn)

496

Robert J. Felton

5/22/92 $150.00
deposited by Plaintiff

Paid C.C. Comm
9-14-92 Ch#7046
mediation
79.07

10-13-92
Recv'd from Plf.
½ mediation certs.
79.07

7-26-95 Rec'd
from Plf
$150.00 mediation

SAMUEL V. GREER, JR.

vs.

REBECCA METZGAR

Filed May 22, 1992
@ 2:05 PM

Tax & entry paid	50.50
User's fee paid	5.00
Bruce Smith Mediator	158.14
Pro Co 9-14-92 (7045)	9.00 ✓

Kathleen Nelson, Mediator

COMPLAINT FOR CUSTODY

ORDER:

You, Rebecca Metzgar, have been sued in Court to obtain custody of Christian Metzgar.

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 visitaiton may be entered against you or the cour tmay 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: May 21, 1992 Gordon R. Miller,J

June 4, 1992 Affidavit of Service, filed. And Nos, May 31, 1992, comes Constance L. Deitman being duly sworn according to law,deposes and sets forth as follows:

1. That she is the legal secretary of Attorney for Samuel V. Greer, Plaintiff in the above-captioned matter.

2. That on information furnished her by the Plaintiff, she caused a copy of the Custody Complaint to be forwarded by Certified Mail, P 899 085 272; postmarked May 26, 1992, to the last known address of the Defendant, Rebecca Metzgar, R.D. 3, Box 25, Titusville, Pa. 16354.

3. That the Defendant, Rebecca Metzgar, on May 28, 1992, 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 there fore effected in accordance with Pa. Rules of Civil Procedure.

June 30, 1992 And now June 24, 1992 Appearance of Robert J. Felton, Esquire for Rebecca Metzgar, filed.

Aug. 18, 1992 TEMPORARY ORDER OF COURT filed. AND NOW, this 17th day of August, 1992, after Mediation and upon recommendation of the Child Custody Mediator, it is hereby ordered and decreed that:

1. The natural parents of Christian J. Metzgar, age one, born August 3, 1991, the parties to this action, shall share legal custody of the said minor child. Said joint legal custody being shared shall entitle both of the parents to equal access to any records relating to the child held by a third party, including, but not limited to, school and medical records, and shall also entitle both parents to equal input with regard to the educational and religious upbringing of the child, as well as to any elective surgery.

2. Primary physical custody of the child shall remain with the natural mother, Rebecca L. Metzgar. Regular visitation and temporary custody of the child shall be granted to the plaintiff father, Samuel V. Greer, Jr. Physical custody for the plaintiff father shall be as follows:

a. The plaintiff father shall be entitled to take the child into his temporary physical custody each weekend, except the fourth weekend of each month. For the pruposes of th is paragraph, a weekend shall be from 10:00 a.m., prevailing time, Saturday, through 3:00 p.m., prevailing time, Monday. The father shall also have the right to take the child into his temporary physical custody for three non-consecutive weeks throughout the year upon notice of 15 days to the defendant mother. These three weeks shall not interfere with holiday visitation, and holiday visitation shall have priority over other regular visitation.

b. The parties are encouraged to agree as to holiday visitation; however, in the event that they cannot, the father shall have the right to take the child into his temporary physical custody during the hours of 1:00-4:00 p.m., prevailing tiem, on Christmas Day, Thanksgiving Day, and Easter Sunday. In the event that any of these holidays falls on a weekend when the father would have temporary custody of the child, the mother shall have the right to take the child into her temporary physical custody on Christmas Day, Thanksgiving Day, or Easter Sunday from 1:00-4:00 p.m., prevailing time. Additionally, either parent shall have the right, upon notice of one week to the other parent, to take the child for four hours from 11:30 a .m. - 3:30 p.m., prevailing time, to any regularly scheduled family reunion which that parent intends to attend. This family reunion provision shall have priority over other shceduled visitation.

c. The father shall p ick up and return the child to the mother's residence. Anytime the father knows he is going to be late for a scheduled transfer of custody, he shall immediately notify the mother by telephone.

3. The parent having custody of the child at anytime shall notify the other parent as soon possible in the event of injury to or illness of the child requiring medical treatment.

4. Neither parent shall take the child into any environment which might be commonly thought of as detrimental to his development or to the development of his character or which would be commonly thought of as dangerous to his physical person. Additionally, when either parent or any other adult is transporting the child by use of a motor vehicle, the child whall be placed in an approved child-restraint car seat.

5. The parents are encouraged to discuss arrangements for physical custody of the child; and, if the parties mutually agree to alternative arrangements to accommodate themselves and/or the child's schedule, they may adjust the physical custody arrangements accordingly and are encouraged to do so by mutual consent and agreement.

6. Each of the parents 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 form his or her child. Neither of the parents (nor any adult coming into regular contact with the child) will do or say anything to blacken the character of either parent in the eyes of the child.

7. 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.

~~8. The Court of Common Pleas of Crawford County, Pennsylvania shall continue jurisdiction of this matter~~

Continued on Page 46A

1992

SAMUEL V. GREER, JR.
vs.
REBECCA METZGAR

CONTINUED FROM PAGE 46
of Record
A.D. 1992 - 496

****

8. The Court of Common Pleas of Crawford Co., Pa., shall retain jurisdiction of this matter so long as either of the parents or the child resides in the Court's jurisdiction and for at least six months from the date of this Temporary Order.

9. 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.

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, P.J.

Aug. 20, 1992 copy to M.A. Kirkpatrick, R. Felton, B. Smith, Plf. & Dft.

Jul. 26, 1995 Petition to Modify Custody and ORDER filed. And, Now, July 25th,1995,Kathleen Nelson is appointed child custody mediator and shall schedule mediation.

By the Court:
Gordon R.Miller,J.

7-26-95 Faxed Nelson, Kirkpatrick & Felton

Sep 29,1995 Petition To Intervene and Order, filed. AND NOW, this 29 day of September, 1995, upon consideration of the foregoing Petition to Intervene, the Court grants a rule to show cause why the Petitioner should be allowed to intervene.

Rule returnable on October 23, 1995 at 4 o'clock p.m. inCourtroom No. 1 or 2, Crawford County Courthouse, Meadville, Pennsylvania.

Anthony J. Vardaro, J.

Sept 29, 1995 Faxed Nelson, Kirkpatrick, Felton & Rothschild

Oct. 9, 1995, 11:58 A.M. Consent Custody Order filed on behalf of Samuel V. Greer, Jr., Plaintiff, Supreme Court I.D. Number 21929. In RE: Christian James Greer, age 4, born August 3, 1991 CONSENT CUSTODY ORDER

1. The natural parents of Christian James Greer, age 4, born August 3, 1991, 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 record relating to the child held by a third party, including, but not limited to, school and medical records, and shall also entitle both parents to equal input with regard to the educational and religious upbringing of the child, as well as to any elective surgery.

2. Primary physical custody of Christian James Greer shall be with his father. Visitation for mother shall be as follows: a. The defendant mother shall be entitled to take the child into her temporary physical custody each weekend, except the fourth weekend of each month. For the purposes of his paragraph, a weekend shall be from 10:00 a.m., prevailing time, Saturday, through 3:00 p.m., prevailing time Sunday. The mother shall also have the right to take the child into her temporary physical custody for three non-consecutive weeks throughout the year upon notice of fifteen (15) days to the plaintiff father. These three weeks shall not interfere with holiday visitation shall have priority over other regular visitation.

b. The parties are encouraged to agree as to holiday visitation; however, in the event that they cannot, the mother shall have the right to take the child into her temporary physical custody during the hours of 1:00-4:00 p.m., prevailing time, on Christmas Day, Thanksgiving Day, and Easter Sunday. In the event that any of these holidays falls on a weekend when the mother would have temporary custody of the child, the father shall have the right to take the child into his temporary physical custody on Christmas Day, Thanksgiving Day, or Easter Sunday from 1:00-4:00 p.m., prevailing time. Additionally, either parent shall have the right, upon notice of one (1) week to the other parent, to take the child for four hours from 11:30 a.m. - 33:30 p.m., prevailing time, to any regularly scheduled family reunion which that parent intends to attend. This family reunion provision shall have priority over other scheduled visitation.

c. The receiving parent shall pick up the child at the residence of the otehr parent.

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. Additionally, when either parent or any other adult is transporting the child by use of a motor vehicle, the child shall be placed in an approved child-restraint car seat.

5. The parents are encouraged to discuss arrangements for physical custody of the child; and, if the parties mutually agree to alternative arrangements to accommodate themselves and/or the child's schedule, they may adjust the physical custody arrangements accordingly and are encouraged to do so by mutual consent and agreement.

6. Each of the parents 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 in the eyes of the child.

7. The 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.

8. The parties agree to be bound by terms of this Order without the need to be present at the time the order is entered.

Samuel V. Greer, Jr., Plaintiff
Mary Ann Kirkpatrick, Esq.
Attorney for Plaintiff

Rebecca L. Metzgar, Defendant
Robert Felton, Esz.
Attorney for Defendant

BY THE COURT: Anthony J. Vardaro, J.
10/9/95 faxed to Kirkpatrick & Felton

Oct. 17, 1995 Motion to Reschedule Hearing and ORDER filed. And, Now, October 17, 1995, hearing on Rule to Show Cause regarding the Petition to Intervene is now scheduled for December 5, 1995, at 2:30 p.m. o'clock in courtroom 1, 2 or 3 of the Crawford County Courthouse, Meadville,Pennsylvania.

By the Court:
Anthony J.Vardaro, J.

10-17-95 FAxed Kirkpatrick, Felton & Rothschild

Nov. 20, 1995 Motion to Withdraw Petition to Intervene and Discontinue Hearing and ORDER OF COURT filed. Now this 17th day of November,1995,upon consideration of Marsha L'Huillier's Motion to Withdraw Petiton to Intervene and Discontinue Hearing in this matter,it is ordered and decreed that:

1. The Petition to Intervene,filed by Marsha L'Huillier,in the above captioned matter is hereby withdrawn; and
2. The hearing on the Petition to Intervene currently scheduled for December 5, 1995 at 2:30 p.m. in the Crawford County Courthouse is hereby discontinued.

By the Court
Gordon R.Miller,Judge

11-27-95 Faxed Rothschild, Felton, Kirkpatrick, Nelson

Continued on Pg. 46B

46
-6-

1992

Continuation of Samual Greer, Jr. vs. Rebecca Metzgar al at AD 1992 - 496 - from page 46a

Oct. 16, 1996, Motion for Leave to Withdraw Appearance and order filed. ORDER: AND NOW, Oct. 14, 1996 the motion for leave to withdraw appearance is granted. Anthony J. Vardaro, J.
10/16/96 faxed to Kirkpatrick and Felton

1992

Mason & Mason
Joan D. Mason

497

ROSALIE RISHER

vs.

ROBERT E. WALKER

Filed May 22, 1992
@ 2:49 PM

Tax & entry paid	50.50
User's fee paid	5.00
State paid	10.00
Pro Co Pd 6/4/98	9.00

COMPLAINT IN DIVORCE
2 copies (atty)

June 30, 1992 Complaint reinstated.

June 17, 1993 Complaint reinstated.

July 9, 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, despose and say that I did on June 21, 1993 mail to the above Defendant, Robert E. Walker, by certified mail return receipt requested, deliver to addressee only, a Complaint in the above divorce action. Said notice was received on June 23, 1993, as indicated by the return receipt card which was returned to the office of the Plaintiff's attorney and is attached hereto.

Feb. 19, 1998 Waiver of Notice of Intention To Request Entry of a Divorce decree Under Section 3301(c) of the Divorce Code of Plaintiff filed.

Feb. 19, 1998 Affidavit of Consent of Plaintiff 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 7/9/93 . 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

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)

June 3, 1998 Affidavit of Consent of Defendant filed.

June 3, 1998 Waiver of Notice of Intention To Request Entry of a Divorce decree Under Section 3301(c) Of The Divorce Code of Defendant filed.

June 4, 1998 Upon praecipe of plaintiff attorney, for review, this case is moved to court.

DIVORCE DECREE FILED

June 25, 1998 AND NOW, June 19, 1998, it is ordered and decreed that ROSALIE RISHER, Plaintiff and ROBERT E. WALKER, Defendant, are divorced from the bond 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.

Any existing spousal support order shall hereafter be deemed an order for alimony pendente lite if any economic claims remain pending.

BY THE COURT
Anthony J. Vardaro, J.

48

1992

Thomas, Truax,
Spadafore & Walker
R. Charles Thomas

498

ERIE INSURANCE COMPANY

vs.

ALBERT MOORE and MARILYN MOORE t/a TAMARACK BAIT HOUSE

Filed May 22, 1992
@ 3:29 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	33.00
Pro. Co.pd 9/9/92	9.00

COMPLAINT
2 copies (Sheriff)

June 4, 1992 SHERIFF'S RETURN FILED. SERVED Albert Moore on May 27, 1992 at 11:12 AM by handing a copy of the Complaint to Marilyn Moore, his wife, at the residence, 102 North Street, Cochranton, Crawford County, PA.

SERVED Marilyn Moore personally on May 27, 1992 at 11:13 AM by handing a copy of the Complaint to her at the residence, 102 North Street,Cochranton, Crawford County, PA.

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

And Now, Sept. 9, 1992 at 10:51 A.M. upon praecipe of plaintiff;s attorney, with Notice of Intention to File Default Judgment attached, judgment is hereby entered in favor of the plaintiff and against the defendants for wasnt of an answer and the damages are assessed at the sum of Four thousand four hundred seventy-six and 63/100 dollars, plus cost of suit.

	Debt $4,476.63
M-14; 114	Int. from Feb.22, 1991 to Aug. 22,1991
T-182	Judgment
Entered Sept. 9, 1992	Barbara H. King
Abstract to Atty. Thomas	Prothonotary

Reviewed to AD1997-890

1992

Thomas, Truax,
Spadafore & Walker
R. Charles Thomas

499

MARQUETTE SAVINGS
ASSOCIATION

vs.

CHESTER G. CONLEY and
DEBRA J. CONLEY

Filed May 22, 1992
@ 3:34 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	50.00

COMPLAINT IN MORTGAGE FORECLOSURE
2 copies (Sheriff)

June 18, 1992 SHERIFF'S RETURN filed. SERVED Chester G. Conley on June 11,, 1992 at 11:11 a.m. by handing a copy of the Complaint in Mortgage Foreclosure to Debra J. Conley, his Authorized Agent, in the Sheriff's Office, Crawford County Courthouse, Meadville, Pa. Signed Acceptance of Service attached.

SERVED Debra J. Conley personally on June 11, 1992 at 11:10 a.m. in the Sheriff's Office, Crawford County Courthouse, Meadville, Pa. by handing to her a copy of the Complaint in Mortgage Foreclosure. So answers, Carole Stefanucci, Deputy Sheriff
Robert M. Stevens, Sheriff

1992

Kathleen R. Nelson

500

JOHN W. RIFENBERRICK and LINDA RIFENBERRICK, his wife

vs.

FRED CONSLA and IDA CONSLA, his wife, their heirs, executors, administrators, and assigns, and RAYMOND B. CONSLA, WALTER CONSLA, FRED J. CONSLA, and HELEN PETERSON

Filed May 26, 1992
@ 12:00 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	203.73
Pro.Co.pd.10/29/92	9.00

COMPLAINT IN QUIET TITLE
4 copies atty.

June 11, 1992 MOTION FOR SERVICE BY PUBLICATION, filed. AND NOW, June 10, 1992, the Affidavit having been filed by Counsel for the Plaintiffs to the effect that the whereabouts of the heirs, executors, administrators, and assigns of Fred Consla and Ida Consla, his wife, other than those named as Defendants in the Complaint, are unknown, the Plaintiffs by their attorney, Kathleen R. Nelson, move the Court for leave to serve the Complaint by p ublication in such manner as the Court may direct, as provided by Pa.R.C.P. 430.

The named Defendants, Raymond B. Consla, Walter Consla, Fred J. Consla, and Helen Peterson, shall be served in accordance with Pa.R.C.P. 400 or 402. Kathleen R. Nelson

ORDER FOR SERVICE BY PUBLICATION, filed. AND NOW, June 11, 1992, upon consideration of the herein Motion, the Sheriff of Crawford County is Ordered and Directed to make service of the Complaint on the Defendants, Fred Consla and Ida Consla, his wife, their heirs, executors, administrators,and assigns, by publication once in the Meadville Tribune, a newspaper of general circulation in Crawford County, Pa., and in the Crawford County Legal Journal.

BY THE COURT,
Anthony J. Vardaro, J.

June 16, 1992 copy in box for K. Nelson

June 29, 1992 Action to Quiet Title and Acceptances of Service filed. I herby accept service of the Complaint in Action to Quiet Title.

Date: 7-17-92
Raymond B. Consla
1073 LIberty Street
Meadville, PA 16335

I herby accept service of the Complaint in Action to Quiet Title.

Date: 6-15-92
Walter Consla
R.D.#8
Meadville, PA 16335

I herby accept service of the Complaint in Action to Quiet Title.

Date: June 15, 1992
Fred J. Consla
R.D.#1,Box 840
Conneaut Lake, PA 16316

I herby accept service of the Complaint in Action to Quiet Title.

Date: June 16, 92
Helen Peterson
787 Chestnut Street
Meadville, PA 16335

Aug.5 , 1992 Sheriff's Return filed. SERVED BY PUBLICATION once only in the Meadville Tribune on Wednesday, July 15, 1992, at per Proof of Publication attached.
SERVED by publication once only inthe crawford County Legal Journal on Wednesday, July 15, 1992, at per Proof of Publication attached.
So answers,
Robert M. Stevens, Sheriff

Sept. 29, 1992 Motion for Judgment and Order Filed. AND NOW, this 28th day of September, 1992, upon presentation of the foregoing Motion, and after due consideration thereof, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the mortgage dated December 1, 1933, and recorded December 6, 1933, in Mortgage Book 158 page 223,Crawford County records, is satisfied of record as to the defendant, Ida Consla; that the title to the hereinafter described property is in the Plaintiffs, and that the defendants, their successors and assigns, be and are hereby forever barred from asserting any right, lien, title or interest to the premises hereinafter described, to-wit:

All that certain piece or parcel of land lying and being situate in the Township of Summit, County of Crawford, and Commonwealth of Pennsylvania containing fifty (50) acres and bounded on the north by a public road; on the east by land now or formerly of H.P.Whiting; on the south by land now or formerly of Matusiak and on the west by land now or formerly of Matusiak and Sadie Ebert.

Provided, however, that this Order shall become final only if the defendants fail to take any action as is herein directed within thirty (30) days from the date of the decree; IT IS FURTHER ORDERED AND DIRECTED that if no petition to open this judgment or to set aside this Order is presented by the defendants, or no acton of ejectment is commenced by them or any one of them, within thirty (30) days from and after the entry of this Order, the same shall become final, and if no such action is taken within said thirty (30) day period, the Prothonotary upon Praecipe of the Plaintiff shall entere final judgment.

Gordon R. Miller, J.

Oct. 6, 1992 Copy of the Order to Atty. Nelson.
C-63; 83;143:173; 63;
P-201

AND NOW, Oct. 29, 1992 10:21 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.

FINAL JUDGMENT
Barbara H. King
Prothonotary

C-53;C-83;C-143; C-173,C-63: P-201

1992

Barbara J. Walton

501

John P. Gagliotti

DEBORA J. JEFFRIES

vs.

JAMES JAY JEFFRIES

Filed May 26, 1992
@ 12:52 PM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count paid	15.00
State paid	10.00
John Fuller Mediator	150.00
Pro Co	9.00
Pro Co pd 10-25-94	9.00

COMPLAINT IN DIVORCE, CUSTODY

June 16, 1992 Answer to Custody complaint filed.

July 16, 1992 Motion For Appointment Of Custody Mediator and Order filed. And Now, July 15, 1992, this matter is referred to John Fuller, child custody mediator. The Plaintiff must comply with the notice provisions of P.R.C.P. 1915.15.

By the Court:
1 copy (atty); 1 copy Med. Gordon R. Miller, J

Aug 18, 1992 ORDER filed. AND NOW, August 17, 1992, after mediation conference before John Fuller, Esq., IT ORDERED AND DECREEED AS FOLLOWS, TO-WIT:

I. Legal custody of Jessan Jeffries and Julia Jeffries 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 Jessan Jeffries and Julia Jeffries shall be with their mother, subject to the following conditions:

A. The father shall be entitled to visit the chidren on Saturdays, Sundays, holidays and other times; provided: that visits be limited to one visit a week; that the father five the mother reasonablenotice of any visit 24 hours in advance, if possible and that the mother be present during visits.

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

E. The father is directed and encouraged to obtain appropriate mental health counseling.

III. This order is a temporary order but shall become a permanent order unless exceptions thereto are filed by either party within 30 days of the date hereof.

IV. Cost of the mediation conference shall be paid by Crawford County.

V. This order shall be deemed to modify the prior order of Court dated April 16, 1992 at A.D. 1992-350, to the extent necessary to permit the father to have visits set forth herein.

Anthony J. Vardaro, J.

Aug. 20, 1992 copy to B. Walton, J. Fuller, Plf. & Dft.

Received from Plaintiff 7-16-92 re Med Dep. #150.00

Aug. 25, 1992 Motion for Refund of Mediation Deposit and Order filed. And Now, August 25, 1992, this Court orders that the Prothonotary's Office refund to Plaintiff, DEBORA JEFFRIES the amount of $150.00 which is the amount of her mediation deposit.

By the Court:
Anthony J.Vardaro, J.

Aug. 25, 1992 Copy of the Order to Barbara J. Walton, Esquire.

Refunded 8-25-92 mediation deposit to Plff per order dated 8-25-92 Ck# 7005 150.00

Oct. 7, 1992 Affidate of Service. And Now 10-6-92, come Atty Walton and says a copy of the Complaint in Divorce was served.

Oct. 23, 1992Affidavit of Consent by Debora L. Jeffries, Plaintiff, filed.

Oct. 28, 1992 PETITION TO HAVE RESPONDENT HELDIN CONTEMP FOR FAILURE TO COMPLY WITH CUSTODY ORDER and NOTICE AND ORDER TO APPEAR, filed. ORDER: Legal proceedings have been brought against you alleging you have wilfully disobeyed an order of court for custody/visitation.

If you wish to defend against the claim set forth in the following pages, you may but are not required to file in writing with the court your defenses or objections.

Whether or not you file in writing with the court, your defenses or objections, you must appear in person in court on the 16th day of December, 1992, in the courtroom 1 or 2 of the Crawford County Courthouse, Meadville, Pa, 16335, at 3:00 p.m.

IF YOU DO NOT APPEAR IN PERSON, THE COURT MAY ISSUE A WARRANT FOR YOUR ARREST.

Date: 10-28-92 anthony J. Vardaro, J.

Nov. 2, 1992 copy to B. Walton & J. Gagliotti

Dec. 17, 1992 Motion to Continue and Order filed. AND NOW, this 17 day of December, 1992, the within Motion is granted and the Contempt Hearing scheduled for December 16, 1992, is hereby continued generally.

BY THE COURT,
Anthony J. Vardaro, J.

Dec. 18, 1992 Copy of Order to Attys. Walton,Gagliotti, Fuller.

Apr. 15, 1994 Affidavit of Cosnent Under Section 3301(d) of Plaintiff filed.

Sept. 8, 1994 Affidavit of Service, filed. AND Now, September 6, 1994, comes Barbara J. Walton, and avers as follows:

1. A true and correct copy of the Plaintiff's Affidavit Under Section 3301(d) was mailed to the Defendant via Certified Mail, return receipt on August 30, 1994.

2. That the Defendant signed the return card on September 1,1994, and in accordance with Pa. R.C.P. 412, service of the Complaint was made as is evidenced by teh United States Postal Service Return Receipt (Certified No. Z070383585) 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. Sec. 4904, relating to unsworn falsification to authorities.

Sept. 29, 1994 Affidavit of Service, filed. And Now, September 29, 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 was mailed to the Defendant by certified mail, filed.

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

RECORD CONTINUED ON PAGE 468.....

52

1992

Jorden & White
Harry Faber White II

502

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

CAROLYN LEONARD and
JAMES LEONARD, her husband

vs.

LEE ANNE MOYER

Filed May 26, 1992
@ 2:00 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	33.00
Sheriff's Costs Pro Co Pd 4-15-93	41.50 6.00

COMPLAINT
1 copy (Sheriff)

June 26, 1992 Sheriff's Return filed. Did Not Serve the within Complaint et al on June 2, 1992, upon Lee Anne Moyer at Sheriff's return of Not Found, Wampum not in Butler Co.
So answers, Dennis C. Richard, Sheriff
I hereby deputize the Sheriff of Butler County, Pennsylvania to serve the within Complaint according to law.
So answers, Robert M. Stevens, Sheriff

July 14, 1992 Complaint Reissued.

July 22, 1992 Sheriff's Return filed. SERVED the within Complaint on July 17, 1992, at 10:25 AM, upon Lee Anne Moyer at R.D. #1, Box 1217, Wampum, Penna by handing to her, personally a true and correct copy thereof andmad eknown to her the contents therein.
So answers Carl B. Nord, Sheriff
I hereby deputize the Sheriff of Lawrence County, Pennsylvania to serve the iwhtin Complaint according to law.
So answers Robert M. Stevens, Sheriff

Sept. 29, 1992 NOtice of Taking Depositions on Oral Examination on behalf of Lee Anne Moyer filed.

Oct 8, 1992 Answer and New Matter of Lee Ann Moyer to Plaintiffs' Complaint, filed.

Oct. 29, 1992 NOTICE TO COMPLETE DISCOVERY, filed.

Dec. 29, 1992 Certificate of Readiness filed.

1993 April Trial List

Mar. 29, 1993 Order Filed. And now, this 29th day of March, 1993, following the call of the April Civil Trial List, pretrial conferences are scheduled inthe following cases on the following dates and times before the judge indicated below:
Pretrial Conference Date and Time: Judge. Monday,April 5, 1993, at 9:00 A.M.; Vardaro, J.
Counsel are directed to report any change in the status of any case, or any special scheduling needs to the Court Administrator at the earliest possible time.
BY THE COURT,
Gordon R. Miller, P. J.
Mar. 29, 1993 Copies distributed by Court.

April 13, 1993 Upon praecipe of Plaintiff attorney the above-captioned matter is marked settled and discontinued of record.

1992

503

SHARLEEN J. BLACK

vs.

CARL E. BLACK

Filed May 26, 1992
@ 2:25 PM

Tax & entry paid 7-31-92 50.50
User's Fee paid 7-31-92 5.00
Sheriff's Costs 25.00
Pro Co Pd 7-31-92 $80.50

Received from dft 7-31-92 Sheriff's costs $25.00

Paid Sheriff 7-31-92 $25.00 6920 Ctt

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 26th day of May, 1992, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff ~~or any of the minor children named in the Petition.~~
2. Special Conditions: Defendant shall not contact Plaintiff in any manner by phone or in person. Defendant shall not go to plaintiff's residence.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for June 3, 1992, at 3:30 P M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

May 27, 1992 SHERIFF'S RETURN FILED. SERVED Carl E. Black personally on May 26, 1992 at 3:58 PM by handing to him a copy of the Protection from Abuse at his residence, 420 Fairmont Avenue, Meadville, Crawford County, PA.
So answers,

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

June 8, 1992 ORDER FILED. AND NOW,June 3, 1992 this matter is before the Court on Plaintiff's petition for relief from abuse under the Protection from Abuse Act.

The parties appear, both represented by counsel, and advise the Court that they have resolved this matter without the Defendant admitting any of the allegations of the petition but agreeing to the following order.

Accordingly, this order is entered:

1. The Defendant shall not assault, abuse, harass, or threaten the Plaintiff in any manner at any time or place.
2. The Defendant shall not go to the residence of the Plaintiff at any time.
3. The Defendant is cautioned that if he is invited to the residence of the Plaintiff, he should not go without a modification of this order insofar as it shall be presumed by any law enforcement officer tht his presence at the residence under the current order shall constitute a violation of this order, and he is subject to being held in contempt of court.
4. The Defendant may make written contact with the Plaintiff at any time so long as the contents of the writing is not intended to harass the Plaintiff.
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. A copy of this order shall be delivered to the Police Department in the jurisdiction where the Plaintiff resides, and to County Control.
7. The Defendant is reminded tht 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.
8. The Defendant shall pay costs in this matter in the amount of $89.50 with one-half being paid to the Prothonotary of CrawfordCounty on the first floor of the Courthouse in Meadville by the close of business at 4;30 p.m. on July 6,1992 and the balance being paid at the same place on or before the close of business on August 7, 1992.

The Defendant is advised that failure to pay the same could constitute contempt of this order.

9. This order shall remain in full force and effect through June 2, 1993.

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

June 8, 1992 Copy of the Order to: Attys. Gerald Sullivan, and C. Barton Jones, County Control, State Police, Plft. & Dft.

54

1992

Brandt, Liotta,
Stuutler & White
D. Shawn White

504

CLIFFORD L. and DEBRA E. ARMSTRONG, husband and wife

vw.

RICHARD PEEBLES and ELIZABETH A. PEEBLES, husband and wife, t/d/b/a PEEBLES AUTO ISLE

Filed May 26, 1992
@ 2:43 PM

Tax & entry paid	50.50
User's fee paid	5.00

WRIT OF SUMMONS
Issued Sheriff

Sept. 15,1992 SHERIFF'S RETURN, filed. Summons returned to Prothonotary's Office 9-15-92. No instructions received by Sheriff's Office for service. Atty's check #1553 dated 5-22-92 returned to Brandt, Liotta, Stuttler & White, 1328 Liberty St., Franklin, Pa. 16323 ($50.00)
So answers, Robert M. Stevens, Sheriff

1992

Shafer, Swick, Bailey, Irwin & Stack
James R. Irwin & Jeffrey Millin
505

W. Gustave McGeorge

CHARLES J. LARSON, JR.

vs.

BETH and ALLAN GRANT

Filed May 27, 1992
@ 11:41 AM

Tax & entry paid	50.25
User's Fee paid	5.00
Pro Co pd 6-23-93	15.00

APPEARL OF DEFENDANT FROM DEICSION OF DISTRICT JUSTICE WILLIAM CHISHOLM

May 27, 1992 Rule entered upon Plaintiff to file a Complaint filed.

June 2, 1992 Proof of Service of Notice of Appeal and Rule to File Complaint, filed.

June 16, 1992 Complaint filed.

June 26, 1992 Preliminary Objections filed.

July 1, 1992 Upon praecipe of James R. Irwin, Esquire and Jeffrey K.Millin, Esquire. the above captioned matter is placed on the next available Argument List.

ON AUGUST, 1992 ARGUMENT LIST

July 16, 1992 Response To Defendants' Prelminary Objections filed.

July 16, 1992 Preliminary Objection sTo Defendants' Preliminary Objections filed.

July 16, 1992 Upon praecipe of Plaintiff the Above matter is placed on the next available argument list.

August Argument List of 1992

July 29, 1992, Answer to Plaintiff's Preliminary Objections to Defendants' Preliminary Objections filed.

July 29, 1992, Amended Preliminary Objections filed.

Sept. 11, 1992 MEMORANDUM AND ORDER filed. AND NOW, Sept. 11, 1992 it is ordered as follows:

1. The plaintiff's preliminary objections to the defendants' preliminary objections are dismissed.
2. The Court is unable to dispose of the defendants' preliminary objections without additional evidence. The parties shall either:

a. Prepare and submit affidavits of the parties, sworn to under oath, setting forth the relevant facts that the parties would testify to on the issue of venue in a trial or hearing. The affidavits shall not set forth any conclusions or statements of law. The affidavits shall be filed with the Court no later than October 1, 1992; or

b. If the parties believe that the averments of fact in the affidavits would be so conflicting that the Court would be required to determine credibility then the parties shall not submit affidavits but one or both of the parties shall file a motion with the Court Administrator to schedule a hearing before the Court where the Court may receive testimony and other evidence in order to determine venue and the defendants' preliminary objections. Said motion shall be filed with the Court Administrator no later than October 1, 1992.

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

Sept. 14, 1992 Copy of Order placed in Atty. Jeffrey Millin's box, copy mailed to W. Gustave McGeorge, copy placed in Atty. James Irwin's box.

Oct. 7, 1992 Defendants' Affidavit for the Purpose of Preliminary Objections and Determination Thereof filed.

Oct 1, 1992 Affidavit for the Purposes of Prelominary Objections and Determination Thereof, filed.

Oct 14, 1992 Defendant's Affidavit for the Purpose of Preliminary Objections and Determination Thereof, filed.

Oct 14, 1992 Order filed. AND NOW, Oct. 12, 1992, the defendant's prelininary objections questing venue are denied. The affidavit of the plaintiff indicates that he accepted the defendants' offer to sell their boat by a telephone call initiated from Meadville, Crawford County, Pennsylvania by him while he was in Meadville. The defendants' affidavit seems to agree.

Therefore the court concludes that the oral contract was consummated by an acceptance of the defendants' offer which said acceptance occurred in Crawford County, Pennsylvania. The making of a contract constitutes a transaction for venue purposes. Craig v. W. J. Thiele & Sons, 395 Pa. 129, 149 A.2d 35, 36 (1959).

It is further ordered that the defendants shall file their answer and/or other appropriate responsive pleadings within 20 days from the date of this order. BY ORDER OF COURT
Gordon R. Miller, P.J.

Oct 20, 1992 copy to J. Millin W.G. McGeorge

Nov 4, 1992 Answer to Complaint and New Matter, filed.

Nov. 12, 1992 Reply to New Matter filed.

Nov. 16, 1992 Plaintiff's Verification for Reply to New Matter filed.

Feb. 16, 1993 Notice Of Intent To Complete Discovery filed.

Feb. 19, 1993 Motion To Compel Answers To Interrogatories and Request For Production of Documents and Order filed. AND NOW, this 19 day of February, 1993, upon consideration of Plaintiff's Motion to Compel Discovery, said Mtoion is granted and the dEfendants are given 20 days within the date of this Order to file responses to same, or sanctions, including reasonable attorneys' fees, shall be imposed by the Court in accordance with the Pennsylvania Rules of Civil Procedure.

BY THE COURT:
Gordon R. Miller, J

Mar. 1, 1993 Copies of order to Atty's Millin and McGeorge

Mar. 5, 1993 Notice Of Serving Interrogatoaries filed.

Mar. 12, 1993 Notice of Serving Answers to Interrogatories, filed.

CONTINUED ON PAGE 461

56

1992

506

IN RE:
REPORT OF THE AUDITORS OF CRAWFORD COUNTY, PENNSYLVANIA FOR THE FISCAL YEAR 1991

Filed May 28, 1992
@ 8:57 AM

ANNUAL FINANCIAL REPORT OF COUNTY OF CRAWFORD

1992

507

INVOLUNTARY TREATMENT
FOR DAVID RITTER

Filed May 28, 1992
@ 12:00 PM

PETITION FOR INVOLUNTARY TREATMENT
UNDER SECTION 304 & 305

May 28, 1992 Mental Health Review Officer's Report and Order filed. AND NOW, this 28th day of May, 1992, after a hearing conducted by the Mental Health Review Officer and the Court's considerationof the Mental Health Review Officer's Report and Recommendation, and it appearing that no suitable facilities providing a lesser restrictive environment are available, It Is Hereby Ordered and decreed that the patient shall be involuntarily committed to Warren State Hospital for a period of time not to exceed ninety (90) days or until another hearing is held pursuant to the Mental Health Procedures Act.

Commitment to Warren State Hospital shall being on June 1, 1992 and transportation will be provided by the Clarion County Sheriff's Office.

BY THE COURT,
Gordon R. Miller, J

See 1992-534

58

1992

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

508

FNB CONSUMER DISCOUNT
COMPANY

vs.

CHARLES L. CALVERT and
HELEN K. CALVERT

Filed May 28, 1992
@ 1:33 PM

Tax & entr ypaid	50.50
User's fee paid	5.00
Sheriff's Costs	41.00
Pro Co pd 7/20/92	9.00

COMPLAINT
2 copies (Sheriff)

June 15, 1992 SHERIFF'S RETURN filed. SERVED Charles L. Calvert personally on June 3, 1992 at 3:55 p.m. by handing to hima copy of the Complaint in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, Crawford County, Pa.

SERVED Helen K. Calvert personally on June 8, 1992 at 2:55 p.m. by handing a copy of the Complaint to her at her residence, R.D. 3, Box 210, Linesville, Crawford County, Pa.

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

And Now, July 20, 1992 at 1:39 PM upon praecipe of plaintiff's attorney, with Notice of Intention to File Default Judgment attached, judgment is hereby entered in favor of the plaintiff and against the defendant for failure to file an answer and the damages are assessed at the sum of Four Thousand One Hundred Thirty Eight and 46/100 plus interest and cost of suit.

C-31-81
judgment entered 7/20/92
notice of entry mailed 7/22/92

debt $4,138.46
Int. from February 1992
Judgment
Barbara H. King
Prothonotary

1992

(withdrawn)
~~Merri R. Lane~~

509

Federman & Phelan
Frank Federman

MARGARETTEN & COMPANY, INC.

vs.

RICHARD J. WOOD and
DEBORAH J. WOOD, his wife

Filed May 28, 1992
@ 1:59 PM

Tax & entry paid	50.50
User's fee paid	5.00
Sheriff's Costs	36.00
Pro Co. pd 8/17/92	9.00

COMPLAINT IN MORTGAGE FORECLOSURE
2 copies (Sheriff)

June 10, 1992 Sheriff's Return filed. SERVED Richard J. Wood personally on June 8, 1992 at 2:42 PM by handing to him a copy of the Complaint in Mortgage Foreclosure at his residence, 533 West Erie Street, Linesville, Crawford County, PA.
SERVED Deborah H. wood on June 8, 1992 at 2:44 PM by handing a copy of the Complaint in Mortgage Foreclosure to Richard J. Wood her husband, at the residence, 533 West Erie Street, Linesville, Crawford County, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

August 17, 1992, 9:29 a.m., AND NOW upon Praecipe of plaintiff attorney, with copy of Notice of Intention to file default judgment attached, judgment is hereby entered in favor of Plaintiff and against Defendant for failure to respond within the required time to plead to the Complaint for the following amounts with costs:

Principal Balance	$51,611.05
Interest from Jul 1, 1992 to Aug. 3, 1992	5,379.77
Escrow Deficiency	2,132.98
Late charges from Jul 1, 1992	288.24
Attorneys Fees (5% principal balance)	2,580.55
TOTAL	$61,992.59

W-297,46
Judgment entered 7/17/92

Debt $61,992.59
Judgment
Barbara H. King, Pro.

EX 1993-44

July 16, 1993 Affidavit of Service of Notice of Sheriff Sale, filed.

Oct. 25, 1993, Appearance of Federman & Phelan, by Frank Federman, attorneys for defendant, filed.

Nov. 1, 1993, Appearance of Merri R. Lane, Esq. withdrawn from above captioned case.

60

1992

Douglas Ferguson
Ferguson & Spataro

~~Thomas, Truax, Spadafore & Walker~~
~~R. Charles Thomas~~ withdrawn

510

~~Donahoe & Moskal~~
~~Thomas P. Birris~~
Marshall, Dennehey, Warner, Coleman & Goggin
Thomas P. Birris, Esq.

JOSEPH D. HYDE

vs.

GARY C. WINTER

Filed May 28, 1992
@ 2:33 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	29.00

Jury Trial Demanded

COMPLAINT
1 copy (Sheriff)

June 18, 1992 SHERIFF'S RETURN filed. SERVED Gary C. Winter personally on June 11, 1992 at 8:50 a.m. by handing to him a copy of the complaint in the Sheriff's Office, Crawford County Courthouse, Meadville, Pa.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

July 9, 1992 Appearance of Donahoe & Moskal by Thomas P. Birris for Defendant filed.

July 9, 1992 Answer and New Matter filed.

Aug.6 , 1993, Motion for Withdrawal of Appearance and Order filed. ORDER: AND NOW, this 6 day of Aug. 1993, upon presentation and consideration of the within Motion. R. Charles thomas, Esq. is authorized to withdraw his appearance on behalf of the plaintiff.
BY THE COURT,
Anthony J. Vardaro, J.
Aug. 11, 1993, copy of order to R C THomas and Thomas P. Birris, attys. and Douglas Ferguson, ESq

Aug. 10, 1993 Affidavit of Service of Request for Production of Documents and Interrogatories Directed to Plaintiff filed.

Aug. 13, 1993, Appearance of Douglas W. Ferguson, of Ferguson and Spataro, attor neys for plaintiff filed.

Oct. 28, 1993, Certific ate of Mailing of service of copy of Answers to Interrogatories filed.

Nov. 3, 1993 Notice of Taking Deposition PUrsuant to PA.R.C.P. NO. 4007.1 of Defendant, Gary C. Winter, filed.

Oct. 4, 1996 Defendant's Motion for Judgment of Non Pros and ORDER filed. AND NOW, to-wit, this 4 day of October, 1996, it is hereby Ordered that the Motion is set for Argument on the November, 1996 Argument list. The attorney of record for the Plaintiff shall notify the Plaintiff who the Attorney counsel believes now represents the Plaintiff.
BY THE COURT,
Anthony J. Vardaro, J.
10-4-96 FAXED Winter & Ferguson

Dec. 23, 1996 Entry/Withdrawal of Appearance filed. Kindly withdraw the Appearance of the law firm of Donahoe & Relich on behalf of Defendant, GARY C. WINTER, and enter the Appearance of Thomas P. Birris and the law firm of Marshall, Dennehey, Warner, Coleman & Goggin, on behalf of Defendant, GARY C. WINTER, in connection with the above-captioned matter.
Respectfully submitted,
MARSHALL, DENNEHEY, WARNER, COLEMAN & GOGGIN
By: Thomas P. Birris, Esq. for Deft.

Jan. 31, 1997 Memorandum and Order filed. AND NOW, January 31, 1997, it is hereby Ordered that the Defendant's Motion for Judgment of Non Pros is granted and the plaintiff's action is hereby dismissed with prejudice.
BY THE COURT,
Anthony J. Vardaro, J

1-31-97 distirbuted Ferguson mailed Birris

1992

511

KAREN L. CONSLA

vs.

WILLIAM A. CONSLA, JR.

Filed May 28, 1992
@ 2:50 PM

~~Tax~~ & entry Pd 6-15-92 50.50
User's Fee Pd 6-15-92 5.00
Sheriff's Costs 25.00
Pro Co Pd 6-15-92 9.00

Received from Dept 6-15-92 $12.50 1/2 Sheriff's cost
Pd Sheriff 6-15-92 Ck# 6880 $12.50

Received from Dept 6-15-92 1/2 Sheriff cost $12.50

Pd Sheriff 6-15-92 Ck#6882 $12.50

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 28 day of May, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten ~~the Plaintiff or~~ any of the minor children named in the Petition.

2. Special Conditions: Defendant shall move out. Plaintiff shall have full & sole possession of the residence. Defendant 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 of fees and costs will be determined by final court order.

7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.

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

Hearing is here by set for June 5, 1992, at 3:30 P. M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

June 3, 1992 SHERIFF'S RETURN FILED. SERVED William Consla, Jr. personally on May 28, 1992 at 3:25 PM by handing a copy of the Protection from Abuse to him at his residence, 1121 Alden Street, Meadville, Crawford County, PA.
So answers,
Dale A. Collins, Deputy Sheriff
Robert M.Stevens, Sheriff

June 9, 1992 ORDER filed. AND NOW, June 5, 1992, at the time fixed for hearing, both parties appeared with counsel and agreed to a settlement of this case on an amicable basis. The defendant agrees without admission as to the facts set forth in the petition.

THEREFORE, based upon that agreement, it is ORDERED as follows:

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

2. Sole possession of the parties' marital residence on Alden St. shall be with the Plaintiff until June 30, 1992. At that time, she shall move out and find other suitable arrangements. Until that time, the defendant shall not go to that residence except for the purpose of picking up his children for visitation periods and returning the children at the endof any visitations. While the plaintiff is in exclusive possession of the marital residence, she shall not do anything to destroy, damage or mutilate any marital property or non-marital property that belongs to the defendant. When the plaintiff moves out, she may, subject to any further Court Orders, take the children with her, although the children are welcome to stay and live with the Plaintiff if the plaintiff so desires and does not otherwise have suitable arrangements for them at that time. After June 30, 1992 until further Order of Court, the defendant shall have the right to return to the marital residence and occupy and possess it solely to the exclusion of the plaintiff.

3. Primary physical custody of the minor children shall be with the plaintiff until further Order of Court. The parties shall endeavor to agree upon reasonable periods of visitation in the defendant where he shall be permitted to take the children into his custody for agreed-upon periods of time. The children are free to visit with the defendant if they wish. Furthermore, the defendant is given reasonable opportunities and periods of time where he may call the plaintiff's residence to talk to the children.

4. This Order is entered subject to 23 Pa.C.S.A. 6108(a)(4). The provisions with respect to custody and visitation are temporary and subject to change in an appropriate proceeding and Order entered by a Court of competent jurisdiction.

5. This Order may be enforced without a Warrant of Arrest by any law enforcement officer having reasonable ground to believe it has been violated.

6. A copy of this Order shall be delivered to the Meadville City Police Department and to County Control.

7. This Order shall remain in full force and effect until June 4, 1993, unless modified or terminated by further Court Order. This Order may not be terminated or mofified by the parties, even though they may agaree to a change. No change shall take effect unless it is approved and ordered by this Court.

8. Costs in the amount of $89.50 shall be split with each party paying one-half of those costs within ten (10) days from this date. This payment should be made to the Prothonotary.

9. When the plaintiff moves from the marital residence, she may take items that are purely personal to her and owned by her as well as any other items that are legitimately property of the children or directly related to the children, such as clothing, toys, et cetera, and ~~those that the parties agree she may take if the property was owned by the~~ [illegible]

Continued on Pg. 502

62

1992

Knox, McLaughlin, Gornall & Sennett, PC
Sean McLaughlin

512

CRAWFORD COUNTY, CRAWFORD COUNTY COMMISSIONERS, and JOHN DAWSON

vs.

GELVIN, JACKSON & STARR, INC

Filed May 29, 1992
@ 11:01 AM

Tax & entry paid	50.50
User's Fee Paid 6-1-92	5.00
Pro Co pd 12/10/92-	6.00

WRIT OF SUMMONS
Issued (Sheriff)

Juen 11, 1992 ACCEPTANCE OF SERVERICE, filed. The undersigned hereby accepts service of the writ of summons on behalf of Gelvin, Jackson and Starr, Inc.

Dec. 10, 1992, Upon praecipe of plaintiff attorney, all claims and causes of action which were, or could have been, asserted in this action having been settled, adjusted and compromised, this action is hereby discontinued of record.

1992

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

513

CRAWFORD COUNTY, CRAWFORD COUNTY COMMISSIONERS, and JOHN DAWSON

vs.

COVER X CORPORATION, ILLINOIS, INSURANCE EXCHANGE FIRST MERCURY SYNDICATE, INC NATIONAL UNION FIRE INSURANCE COMPANY, and D.V.U.A. OF PITTSBURGH, INC.

Filed May 29, 1992
@ 11:13 AM

Tax & entry paid 50.50
User's Fee Paid 6-1-92 5.00
Pr Sheriff's Costs 50.00

WRIT OF SUMMONS
Issued (Atty.)

June 29, 1992 On this, the 26th day of June, 1992, Joanna K. Budde, the undersigned, deposes and says that she is counsel for plaintiff in the above-captioned matter, and that she caused a copy of the writ of summons to be served upon defendant National Union Fire Ins. Co., by certified mail number P 630 994 663, copy of receipt attached.

June 29, 1992 VERIFICATION OF SERVICE filed. On this, the 26 th day of June, 1992, Joanna K. Budde, the undersigned, deposes and says that she is counsel for plaintiff int he above-captioned matter, and that she caused a copy of the writ of summons to be serve upon defendants, Cover X Corp., Illinois Ins. Exchange and First Mercury Syndicate, Inc., by certified mail number P 830 994 960, copy of receipt attached.

July 2, 1992, Verification of service filed. On this, the 1st day of July 1992, Joanna K. budde, the undersigned, deposes and says that she is counsel for plffs in the above matter, and that she caused a copy of above writ to be served on dfts, Cover X Coproration, Illinois Ins. exchange and First Mercury Syndicate, Inc. c/o the Director of Insurance of the state of Illinois, 160 N. LaSalle St. suite 1600, chicago, Ill 60601, by cert. mail, No. P 630 994 656, receipt being executed on June 23, 1992.
Joanna K. Budde, Esq

July 8, 1992 Acceptance of Service filed. The undersigned hereby accepts service of the Writ of summons issued against the defendants, Cover X Corporation, Illinois Insurance Exchange for First Mercury Syndicate,Inc.

By Stephen F. Selcke, Director of Insurance

July 10, 1992 Affidavit of Service filed. SERVED the within Summons on June 6, 1992, at 2:52 PM, upon D.V.U.A. of Pittsburgh, Inc. at above named address by handing to Linda Bobio-Asst. V. Pres. a true and correct copy thereof and made known to her the contents therein.
So answers,
J. A. Kearney, Deputy Sheriff
Eugue L. Coon, Sheriff

I hereby deputize the Sheriff of Allegheny County, Pennsylvania to serve the within Summons according to law.
So answers,
Robert M. Stevens, Sheriff

64

1992

Dickie, McCamey &
Chilcote, P.C.
Joseph S.D.Christof, II
Alyson J. Kirleis

514

URSULA GEYSER

vs.

JEFF REAUGH and PATRICIA MILLER

Filed May 29, 1992
@ 1:50 PM

Tax & entry paid	50.50
user's Fee paid	5.00
Sheriff's Costs	$37.00
Pro Co. pd 2/24/94	6.00

JURY TRIAL DEMANDED

WRIT OF SUMMONS
Issued (Sheriff)

June 16, 1992 SHERIFF'S RETURN FILED. SERVED Jeff Reaugh on June 8, 1992 at 2:04 PM by handing a copy of the Summons to Gene Reaugh, Adult in Charge at the residence, 248 Cussewago Road, Meadville, Crawford County, PA.

SERVED Patricia Miller on JUne 8, 1992, at 2:03 PM by handing a copy of theSummons to Gene Reaugh, Adult in Charge at the residence, 248 Cussewago Road, Meadville, Crawford County, PA.

So answers, Edgard D. Householder, Chief Deputy
Robert M. Stevens, Sheriff

Feb. 22, 1994 Upon Praecipe of Plaintiff attorney, the above - captioned matter marked settled and discontinued of record.

1992

Davis Reilly, PC
Richard J. Parks
Reed Davis

515

INTEGRA NATIONAL BANK/NORTH, successor by merger too the McDOWELL NATIONAL BANK OF SHARON

vs.

JOHN O. HERMAN and
DARLENE A. HERMAN

Filed May 29, 1992
@ 2:17 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	50.00
Pro Co Pd 7-6-92	9.00

COMPLAINT IN CIVIL ACTION
2 copies (Sheriff)

June 18, 1992 SHERIFF'S RETURN filed. SERVED John O. Herman personally on June 12, 1992 at 9:22 a.m. by handing a copy of the Complaint to him in the Sheriff's Office, Crawford County Courthouse, Meadville, Pa.

SERVED Darlene A. Herman on June 12, 1992 at 9:23 a.m. by handing a copy of the Complaint to John O. Herman, her Authorized Agent, in the Sheriff's Office, Crawford County Courthouse, Meadville, Pa. Signed Acceptance of Service attached.

So answers, Diane Severo, Deputy Sheriff
Robert M. Stevens, Sheriff

July 6, 1992 And Now, July 6, 1992, 2:15 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 Twenty-Three Thousand Three Hundred Forty-Six Dollars and Eighty-Five Cents, with interest thereon at the rate of $5.29 per diem from May 19, 1992, late charges of $9.77 per month and for foreclosure and sale of the mortgaged premises. Affidavit of Non-Military Service filed.

Judgment entered - July 6, 1992 — Debt: $23,346.85
H - 44, 94 — Judgment
Barbara H. King, Pro.

EX1992-64

1992

516

LAURA D. CORLISS

vs.

BRIAN J. CORLISS

Filed June 1, 1992
@ 2:44 PM

Received 6-8-92 Sheriff's cost Pltf 25.00

Pd Sheriff Cash 6-8-92 ck#6878 25.00

Tax & entry Pd 6-8-92 50.50
User's Fee 6-8-92 5.00
Pro Co Pd 6-8-92 5.00
Sheriff's Costs 25.00
Pro Co Pd 6-8-92 5.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 1st day of June, 1992, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Custody of the children is awarded to Plaintiff until further Court Order. Defendan tshall not go to Plaintiffs residence or work place. Defendant may contact Plaintif fby phone to discuss the children.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for , at M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

June 3, 1992 Sheriff's Return filed. SERVED Brian J. Corliss personally on June 1, 1992 at 4:20 PM by handing a copy of the Protection From Abuse to him at his place of employment, B & C Auto on the corner of Grove Street and State Street, Meadville, Crawford County, PA.
So answers,
Dale A. Collins, Deputy Sheriff
Edgar D. Householder, Chief Deputy
Robert M. Stevens, Sheriff

June 8, 1992 Upon praecipe of Plaintiff the above action is discontinued of record.

1992

Northwest Legal Service
Gerald Sullivan
R.Christopher Brode

517

LAWANDA JOHNSON

vs.

HENRY EARL JOHNSON

Filed June 1, 1992
@ 3:04 PM

Tax & entry	Pd 6-23-92	50.50
User's Fee	Pd 6-23-92	5.00
Sheriff's Costs		39.50
Pro Co	Pd 6-23-92	9.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 1st day of June, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Defendant will not contact Plaintiff in any way. Defendant shall not go to Plaintiff's residence. Temporary custody of the children is awarded to Plaintiff. Visitation are suspended.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for June 16, 1992, at 3:30 P M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

JUne 10, 1992 SHERIFF'S RETURN filed. I hereby deputize the Sheriff of Erie Co., Pa. to serve the within Protection from Abuse according to law. The defendants alleged address is 220 East 30th St., Erie, Pa. 16504

AFFIDAVIT OF SERVICE: SERVED the within Petition for Protection from Aubse on Une 2, 1992, at 1535 hrs., upon Henry Earl Johnson at 220 East 30th St., Erie Co., Erie, Pa. by handing to Henry Earl Johnson a true and correct copy thereof and made known to him the contents therein. Sworn and subscribed to before me, Robert N. Michel, Sheriff, Erie, Co.

June 18, 1992 ORDER FILED. AND NOW, June 16, 1992, after hearing, in which the plaintiff was represented by counsel, the defendant was not represented by counsel, but agreed to proceed on his own without counsel, the Court finds that the plaintiff has proven physical abuse by the fair weight of the evidence, and therefore, enteres the following Order:

1. The defendant shall not assault, abuse, harass or threaten the plaintiff or any of her minor children.
2. There was no evidence that the defendant engaged in abuse as that is defined by the Act with respect to his minor son Leland, and therefore, we make no provisions with respect to custody and visitation,but leave that to the parties who may already be under a visitation or custody Order and/or who have the right to deal with visitations and custody in another forum. Therefore, this Order shall have no effect whatsoever on visitations and custody.
3. This Order shall remain in full force and effect for six (6) months from this date, or until December 15, 1992, unless modified or terminated by further Order of Court.
4. The defendant is obligated to pay the court costs in the amount of $104.00 no later than Friday, June 19, 1992.
5. Furthermore, the defendant is obligated to pay reasonable hospital and emergency care costs that were incurred by the plaintiff and her minor daughter in seeking EmergencyRoom care and treatment as a result of the incident of May 31, 1992. In the event that the defendant believes that the charges are unreasonable, he shall have aright to file a motion with the Court to determin the appropriate amount of bills that he should be paying. The defendant shall not be permitted to reaise liability for the bills for the Court now determines he is liable for the bills if he thinks he must to do or has evidence that they are not reasonable. He shall pay those bills within sixty (60) days after the bills are submitted to him by the plaintiff or the medical care provider.
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 not go to the plaintiff's place of work or school. He shall not go to the door or into the home. The defendant and the plaintiff shall make satisfactory arrangements where the defendant may come to the sidewalk or driveway at the plaintiff's home and the child will come out of the home and go the defendant rather than the defendant going to the plaintiff's home.
8. A copy of this Order shall be sent to the jurisdiction in which the plaintiff resides and to County Control

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

June 18, 1992 Copy of the order given to County Control, and Atty. Brode June 23, 1992 copy Dft.

1992

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

518

RUTH A. SPITMAN

vs.

KEVIN J. SPITMAN

Filed June 1, 1992
@ 3:09 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 6-28-94	9.00

COMPLAINT IN DIVORCE, ALIMONY, ALIMONY PENDENTE LITE
COUNSEL FEES, COSTS and EXPENSES, CUSTODY,
EQUITABLE DISTRIBUTIONS
! COPY (atty)

June 10, 1992 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 June 5, 1992, she sent a certified copy of the Complaint in Divorce to the Defendant by certified mail, restricted delivery, postage prepaid, receipt requested, to Kevin J. Spitman, 523 Main St., P.O. Box 13, Spartansburg, Pa. 16434, the Defendant's last known address. The said receipt being attached hereto.

Apr. 11, 1994 Affidavit of Consent of Plaintiff, filed.

June 8, 1994 Affidavit of Consent of defendant filed.

June 23, 1994 Upon praecipe of Plaintiff's attorney to transmit record, case moved to Court.

July 22, 1994 Stipulation and Order filed. AND NOW, this 18 day of July, 1994, the parties hereto having stipulated and agreed, it is hereby ordered and directed as follows:

1. The minor children of the parties Kevin Matthew Spitman, date of birth, July 16, 1980 and Stephanie L. Spitman, date of birth, March 9, 1982, are and shall remain in the joint and shared legal and physical custody of the aprties hereto. The primary physcial custody of Kevin Matthew Spitman shall be with defendant father and the primary physical custody of Stephanie L. Spitman shall be with the Plaintiff mother. The partial custody to be accorded to each parent of the child not in his or her primary physical custody shall be arranged at the convenience of the parties. In the event that the parties are unable to agree, either par ty may petition this court to request a more specific schedule of partial physical custody.
2. The jointly owned home of the parties has been listed for sale and at such time as a sale is made, the proceeds of sale after payment of the broker's commission, the rrealty transfer tax, the mortgage to Pennbsnk, and attorneys fees shall be equally divided between the parties based on the principle balance outstanding to Pennbank as of December 31, 1992, which figure is $20,858.17. To the extent that the actual mortgage payoff is less that the amount at the end of December 31, 1992, the entire difference shall be payable to the husband. The husband shall also be responsible for all taxes, insurance and repairs which may be made to the dwelling from the date of separation of the parties. In the event that the parties make no sale of the premises or in the event that the husband elects to purchase the interest of the wife in the subject property, then the husband shall pay to the wife the sume of $7,050.00, on or before March 1, 1994.
3. The wife shall pay the obligation ofthe couple to the Credit Union and the husband shall pay the Extra Cash obligation at Integra BAnk./North.
4. The husband has paid the sum of $250.00 to the attorney for the wife as a portion of the attorneys fees which are due to her form the wife. The wife will pay any an dall other legal expenses relating to her own attorneys fees in this action in divorce. In the event that the husband obtains separate legal counsel he agree to pay and and all costs of his own separate legal counsel.
5. Neither party shall be required to pay any spousal support, temporary alimony, permanent alimony, rehabilitative alimony or any other form of spousal support to the other.
6. This order being the result of agreement between the parties is not modifiable. The jurisdiction of the court is retained solely for the purpose of enforcement.
7. In the event that either of the parties hereto breaches this agrement or any portion thereof the party seeking enforcement shall be entitled to reinbursement of any attorneys fees and court costs which he or she may incur in enforcing this agrement.

Anthony J. Vardaro, J

July 25, 1994 Faxed to Gable

July 22, 1994 **DIVORCE DECREE FILED.**

AND NOW, July 18, 1994, it is hereby ordered and decreed that Ruth A. Spitman, Plaintiff, and Kevin J. Spitman, Defendant, are divorced from the bonds of matirmony.
The terms and conditions of a stipulation entered into by the parties on June 22, 1994 and filed of record at thisnumber and term are incorporated in this divorce decree.
The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.

BY THE COURT:
Anthony J. Vardaro, J

1992

Jorden & White
William T. Jorden

519

JAMES I. SHEARER

vs.

JOHN B. HARTHAN

Filed June 1, 1992
@ 4:07 PM

Pro King paid	15.00
Plff. on Orig.	38.75

WRIT OF REVIVAL

of

A.D. 1987 - 405

Dated-----June 1, 1992
Debt------$12,974.75
Int. from May 19, 1982
H-94 --------JUDGMENT

Writ of revival of judgment indexed against defendant in amount of Twelve Thousand Nine Hundred Seventy Four and 75/100 Dollars.

Issued (Atty)

Sept. 15, 1992 SHERIFF'S RETURN, filed. Writ of Revival returned 9-15-92 to Prothonotary's Office unserved. No instructions or advance check received by Sheriff's Office.
So answers, Robert M. Stevens, Sheriff

Revived to AD 1992-407

70

1992

520

BRENDA S. BARKER

vs.

RICHARD E. ARTICE

Filed June 2, 1992
@ 9:25 AM

Tax & entry 9-21-92 50.50
User's Fee 9-21-92 5.00
Sheriff's Costs 9-21-92 25.00
Pro Co. pd. 9-21-92 9.00

Received from defendant 9-21-92 Sheriff's Costs 25.00

Paid Sheriff 9-21-92 Ch# 7057 25.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies (Sheriff)
1 copy Plaintiff

ORDER:

And now, this 2 day of June, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: The Defendant shall not go to the Plaintiff's residence.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for June 9, 1992, at 3:30 PM., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

June 3, 1992 SHERIFF'S RETURN FILED. SERVED RichardE. Artice personally on June 2, 1992 at 10:10 AM by handing to him a copy of the Protection from Abuse at his residence, 773 Market Street, Meadville, Crawford County, PA.
So answers,

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

June 11, 1992 ORDER FILED. AND NOW, June 9, 1992, this matter is before the Court on a petition filed by the plaintiff seeking protection under the Protection From Abuse Act.

The parties appear both without counsel and the defendant is advised of his right to counsel and the parties agree to proceed without counsel, advising the Court that they have reached an agreement.

THEREFORE, the Court enters the following Order:

1. The defendant shall not assault, abuse, haras or threaten the plaintiff.
2. This Order is entered without an admission of the allegations of the petition by the defendant.
3. The defendant shall not go to the plaintiff's residence at any time and he is advised that if he goes to the plaintiff's residence, even upon invitation, he is subject to arrest as a violation of this Order and he should not go to the plaintiff's residence at any time other than set forth in this Order without further Order of Court modifying this Order.
4. The defendant may go to the plaintiff's residence on June 9, 1992, between the hours of 7:00 p.m. and 11:00 p.m., solely for the purpose of removing any items that he has remaining in the house and for no other purpose.
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 Departments in the jurisdiction where the plaintiff resides and to County Control.
7. The defendant is reminded that this is an Order of Court and a violation of this Order may be punishable by a fine of up to $1,000.00 and a jail sentence of up to six (6) months.
8. The defendant shall pay court costs in this matter in the amount of $89.50, by making installment payments to the Office of the Prothonotary of Crawford County on the first floor of the Courthouse in Meadville, Pennsylvania, with the first payment due by 4:30 p.m. on June 24, 1992, in the amount of $15.00, and payments in the like amount due every two (2) weeks thereafter until the costs are paid in full.
9. This Order shall remain in full force and effect through June 8, 1993.

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

June 11, 1992Copy of the order to: County Control, Meadville City Police Department, Plf. & Dft.

1992

Watts & Pepicelli PC
Christopher D. Ferry

521

MOODY and ASSOCIATES, INC.

vs.

THE PAGEWOOD COMPANY, a/k/a PAGEWOOD MEAT PACKING COMPANY

Filed June 2, 1992
@ 4:29 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	$48.50
Pro Co. pd 8-18-92	9.00
Exemp of Record	10.00

COMPLAINT IN CIVIL ACTION
1 copy (Sheriff)

June 17, 1992 SHERIFF'S RETURN AND AFFIDAVIT OF SERVICE FILED. SERVEDthe within Complaint on June 9, 1992 at 1235 hrs, upon the Pagewood Company a/k/a Pagewood Packing Company at Eat & Park, Route 19, ERie County, ERie, Pennsyvania by handing to Asina Dawodu Officer of Company a true and correct copy thereof and made known to him the contents therein.

Robert N. Micehl, Sheriff Erie County
Ned Anderson, Chief Deputy

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

So Answers, Robert M.Stevens, Sheriff, Crawford County, Pa.

August 18, 1992, 3:48 p.m., AND NOW upon Praecipe of Plaintiff Attorney, with copy of Notice of Intention to file default judgment attached, judgmetn is hereby entered in favor of Plaintiff and against Defendant for want of an answer, and access the Plaintiff's damages as follows:

Amount claimed in Plaintiff's Complaint	$1,926.10
Interest from 6-2-92 to 8-18-92	$ 23.67
TOTAL	$1,949.77

Debt $1,949.77
P-186 Judgment
Judgment entered 8-18-92 Barbara H. King, Pro.
8-19-92 Notice of entry of judgment mailed defendant.

1992

Brian J. Lindsay

522

PAUL MARK CARLSON

vs.

CHERRI L. CARLSON

Filed June 2, 1992
@ 4:29 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 4-14-93	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
1 copy (atty)

June 2, 1992 Acceptance of Service filed. I, the above named Defendant, hereby accept service of the Complaint in the above action.
Date: June 2, 1992 Cherri L. Carlson

July 27, 1992 Motion to Amend Caption and Order filed. AND NOW, July 27, 1992, upon presentation and consideration of the within Motion, leave is granted to the plaintiff to amend the name of the defendant to Cherri L. Carlson and the Prothonotary is hereby directed to correct the court docket reflecting this change.
BY THE COURT,
Gordon R. Miller, J.
July 31, 1992 Copy of the Order to Brian J. Lindsay,ESq.

Nov. 17, 1992 Affidavit of Consent by Cherri L. Carlson, Defendant, filed.

Jan. 21, 1993 Affidavit of Consent of Plaintiff filed.

Jan. 22, 1993 Motion to Withdraw Ancillary Counts in Divorce and Order, filed. ORDER: AND NOW, this 22nd day of January, 1993, Motion to Withdraw Ancillary Counts in Divorce is hereby granted. Gordon R. Miller, P.J.
Jan. 22, 1993 copy to B. Lindsay

Apr. 14, 1993 Upon praecipe of plaintiff attorney to transmit records, case moved to Court.

D I V O R C E D E C R E E F I L E D

April 23, 1993 AND NOW, April 19, 1993, it is hereby ordered and decreed that **P A U L M A R K C A R L S O N ,** plaintiff and **C H E R R I L . C A R L S O N ,** Defendant, are divorced from the bonds of matrimony.
The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.
BY THE COURT:
Anthony J. Vardaro, J.

1992

Bettie J. Peterson-Muth

523

DERRICK W. WISE

vs.

LYNN M. WISE

Filed June 3, 1992
@ 8:59 AM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co Pd 4/27/93	9.00

COMPLAINT IN DIVORCE
1 copy (atty)

Mar. 11, 1993 Affidavit of Consent of Plaintiff filed.

Apr. 27, 1993, Affidavit of Service by Mail filed. Bettie J. Peterson Muth Esq. being duly sworn according to law, deposes and says that she is the atty. for the plff, Derrick W. Wise, and that she did mail a true and correct copy of Complaint in Divorce filed in above matter, by cert. mail, ret. rec. req. del. to addressee only, to the dft. on July 1, 1992, at her last known address, 538 E. 7th st. Erie, Erie County, Pa. 16503. The signed receipt is attache dhereto as Exhibit "A".
Bettie J. Peterson-Muth

Apr. 27, 1993, Affidavit of Consent of defendant filed.

Apr. 27, 1993, Upon praecipe of plaintiff attorney, to transmit the record, this case is moved to court.

DIVORCE DECREE FILED

May 4, 1993 AND NOW, May 3, 1993, it is hereby ordered and decreed that DERRICK W. WISE, Plaintiff, and LYNN M. WISE, Defendant, are divorced from the bonds of matrimony.

The Court retains jurisdicton 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.

74

1992

Jack L. Cherkin, Esq.PC
Dominic D. Salvatori

524

LISA M. STALLARD

vs.

STATE FARM INSURANCE COMPANY

Filed June 3, 1992
@ 11:40 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	25.00
Pro Co. pd 8-5-92	6.00

COMPLAINT - CIVIL ACTION
1 copy (Sheriff)

June 15, 1992 SHERIFF'S RETURN filed. SERVED State Farm Insurance Co. on June 8, 1992 at 1:30 p.m. by handing a copy of the Complaint to Carla Jackson, Receptionist and Adult in Charge, at the business, R.D.4, Box 3, Meadville,Crawford County, Pa.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

July 30, 1992 Upon Praecipe of Plaintiff attorney this case marked settled and discontinued of record.

1992

John J. Zagari
Joel S. Sansone

525

Knox, McLaughlin,
Gornall & Sennett
Sean J. McLaughlin

KAREN ANDREWS

vs.

JOHN PRAMITER, individually
and J & K COTTAGES

Filed June 3, 1992
@ 11:47 AM

Tax & entry	50.50
User's Fee	5.00
Pro.Co. pd 2/25/93 Prothy Pdent) 10-13-93	5.00 ✓ 1.00 —

CERTIFIED RECORD FROM THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PA - GD920898 - COURT ORDER

Jan. 15, 1992 Writ of Summons

Feb. 10, 1992 Praecipe for Appearance filed.

Feb. 10, 1992 Praecipe for Rule filed.

Feb. 27, 1992 Sheriff's Return filed.

Mar. 27, 1992 Complaint in Civil Action filed.

Apr. 24, 1992 Preliminary Objections On Behalf of Defendants filed.

May 6, 1992 Praecipe For Appearance filed.

May 15, 1992 Moiton To Change Venue and Order filed.

May 20, 1992 Motion To Withdraw Preliminary Objections and Order filed.

CRAWFORD COUNTY ENTRIES:

June 10, 1992 Amended Complaint In Civil Action filed.

July 7, 1992 Defendants' Answer To Amended Complaint in Civil Action filed.

July 23, 1992 PLAINTIFF'S RESPONSE TO NEW MATTER, filed.

Jan. 6, 1993 Plaintiff's Response to New Matter filed.

Feb. 4, 1993 Motion For Summary Judgment filed.

Feb. 4, 1993 Upon praecipe of Defendant's Attorney the Above captioned matter is placed on the next available argument list.

1993 MARCH ARGUMENT LIST

Feb.25, 1993 Upon Praecipe of Kelly L.Scanlon, Esquire, Attorney for the Plaintiff, the above-captioned case marked settled and discontinued.

1992

Howard A. Hain

526

DENISE A. ST. JOHN and ERNEST W. ST. JOHN, her husband, and ERNEST W. ST. JOHN husband

vs.

DANIEL E. DONNER

Filed June 3, 1992
@ 2:48 PM

Tax & entry paid	50.50
User's fee paid	5.00
Sheriff's Costs	52.90
Pro Co Pd 12/15/93	5.00

WRIT OF SUMMONS
Issued (Sheriff)

July 10, 1992 SHERIFF'S RETURN AND AFFIDAVIT OF SERVICE FILED. SERVED the within Summons on June 16, 1992, at 1:30 P.M. upon Daniel E. Donner at 34 Stewart Ave., Greenville, PA 16125 by handing to Daniel E. Donner personally a true and correct copy thereof and made known to him the contents therein.

William H. Romine,Jr.
Sheriff Mercer County

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

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

Dec. 15, 1993, upon praecipe of plaintiff attorney, the above captioned case is hereby marked settled, discontinued and ended with prejudice.

1992

Terry Toomey

527

Lavin, Coleman,
Finarelli & Gray
Mary Grace Maley
Shafer,Swick,Bailey,
Irwin & Stack
~~James R. Irwin~~ Withdrawn

TERRY W. MORRIS

vs.

COMMUNITY CHEVROLET, INC.
and CHEVROLET MOTOR DIVISION
of GENERAL MOTORS CORPORATION

Filed June 3, 1992
@ 3:35 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	98.00
Pro.Co. pd 1/13/95	$5.00

JURY TRIAL DEMANDED

WRIT OF SUMMONS
Issued Sheriff

July 2, 1992 Rule Upon Plaintiff to File Complaint issued.

July 2, 1992 Appearance of Lavin, Coleman, finarelli & Gray by Mary Grace Maley for Defendant.

July 2, 1992 Praecipe to File Complaint, filed.
Issued Atty.

July 24, 1992 SHERIFF'S RETURN filed. SERVED Community Chevrolet, Inc. on June 8, 1992 at 1:35 PM by handing a copy of the Summons to Ron Pusz, Business Manager, at Community Chevrolet Inc. 1300 Conneaut Lake Rd., Meadville, Cr. Co., Pa.
SERVED Chevrolet Motor Division of General Motors on Une 12, 1992 by deputizing the Sheriff of Philadelphia County, Pa. as per his Affidavit of Service attached.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff
SERVED AND MADE KNOWN TO Chevrolet Motors Division c/o C.T. Corp Defendant Company by handing a true and attested copy of the within Summons/Complaint issued in the above captioned matter on June 12, 1992, at L;00 P.M. EST at 1635 Market St, in the County of Philadelphia, State of Pa., to Rita Spear, agent or person for the time being in charge of defendant's office or usual place of business.
So Answers, John D. Green, Sheriff
John Polsky, Deputy Sheriff

Aug. 25, 1992 Civil Complaint filed by Terry Toomey,Esquire.
Aug. 25, 1992 Copies to Terry Toomey, Esq. & Mary Grace Maley, Esq.

Oct. 5, 1992 Defendants, General Motors Corporation, Chevrolet Motor Division Response To Plaintiff's Complaint with New Matter filed.

Oct. 5, 1992 Demand For Jury Trial filed.

Oct. 13, 1992 Substitution of Verification filed.

Oct.26, 1992 Reply to Defendant General Motors Corporation, Chevrolet Motor Division New Matter filed.

Nov. 9, 1992 Answer and New Matter filed.
Nov. 9, 1992 Appearance of Shafer, Swick, Bailey, Irwin & Stack by James R.Irwin, Esquire for Community Chevrolet, Inc., filed.

Nov. 10, 1992 Affidavit of Service of Defendant Community Chevrolet, Inc.'s Answer and New Matter, filed.

Dec. 1, 1992, Reply to Defendant Community Chevrolet, Inc. New Matter filed. 2 copies (atty)

Jan.19, 1993 Withdrawal of Appearance for Defendant, Community Chevrolet, Inc. by James R. Irwin, Esquire, filed.

Jan. 19, 1993 Appearance of Lavin, Coleman, Finarelli & Gray by Mary Grace Maley, Esquire, for Defendant, Community Chevrolet, Inc. filed.

Nov. 22, 1994 Notice to Complete Discovery filed.

Jan. 13, 1995 Upon Praecipe of Terry A.Toomey, Esquire, Attorney for Plaintiff,the above-captioned matter is marked Settled, Discontinued and Ended of record.

78

1992

Ferguson & Spataro
John F. Spataro

528

DIANA R. STRAUB

vs.

GREYHOUND BUS LINES, INC.

Filed June 3, 1992
@ 4:15 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	28.00

WRIT OF SUMMONS
Issued (Sheriff)

July 8, 1992 Sheriff's Return filed. SERVED Greyhound Bus Lines, Inc. on July 1, 1992 at 11:30 AM by handing copy of Summons to Roger Wayland, person in charge at the time, at place of business 881 Water Street, Meadville, Crawford County, PA.
So answers, Dale A.Collins, Deputy Sheriff
Robert M.Stevens, Sheriff

1992

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

529

James Irwin

$150.00 deposited by the Plaintiff

12-15-92 Pd Pltf Bal med dep ckt Ck# 7221 19.78

12-15-92 Pd Comm med fee Ck# 7222 121.22

2-18-92 Received from dft. Med Fee 121.00

4-27-93 Pd Co Comm Med Fee Ck#7482 121.00

6-6-94 Rec from pltf Med deposit 150.00

JAMES F. RAUMBAUGH, a minor, by his guardian and next friend JEAN B. RUMBAUGH

vs.

JENNIFER HANLON, a minor

Filed June 4, 1992
@ 2:58 PM

Tax & entry paid 50.50
User's Fee paid 5.00
Pro Co Pd 12-15-92 Ck# 7223 9.00
Bruce L. Smith, mediator 158.83
Pro Co 9.00

COMPLAINT FOR CUSTODY AND FOR APPOINTMENT OF CUSTODY MEDIATOR

1 copy atty.; 1 copy Mediator

ORDER:

You, Jennifer Hanlon, Defendant have been sued in Court to obtain custody of the child: Brianna Lynne Rumbaugh.
You are ORDERED to appear in person on the date and time set for a conference and/or hearing before Bruce L. Smith, a special Master.
If you fail to appear as provided by this Order, an ORDER for custody, partial custoyd or visitation may be entered against you.
HOU 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.

PA LAWYER REFERRAL SERVICE
PA Bar Association
100 South Street
P.O. Box 186
Harrisburg, PA 17108
Telephone (800) 692-7375

Court Administrator
Courthouse
Meadville, PA 16335
Telephone: (814) 336-1151
Extension: 298

Date: June 3, 1992

Anthony J. Vardaro, J

June 17, 1992 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 June 11, 19992, she sent a certified copy of the Complaint in Divorce to theDefendant by certified mail, restricted delivery, postage prepaid, receipt requested to Jennifer Hanlon, 857 West Central Ave., Titusville, PA 16354, theDefendant's last known address. The said receipt being attached hereto.

Ann Hansen Gamble

Oct. 15, 1992 Petition for the Appointment of a Guardian for a Minor Defendant filed.

Oct. 15, 1992 Order filed. AND NOW, this day of October, 1992, Kathleen Nelson, Esq. is hereby appointed Guardian Ad Litem for Jennifer Hanlon in the above cpationed matter.

Anthony J. Vardaro, J

Oct. 21, 1992 Copies of order put in box for atty's Gabmle and Nelson

December 9, 1992 TEMPORARY ORDER OF COURT filed. AND NOW, this 8 day of Dec., 1992, after Mediation and upon recommendation of the Chidl Custody Mediator, it is hereby ordered and decreed that:

1. The natural parents of Brianna Lynne Rumbaugh, born Dec. 26, 1991, the real parties and interest to this action, shall share legal custody of the said minor child. Said joint legal custody being shared shall entitle both of the parents to equal access to any records relating to the child held by a third party, including, but not limited to, school and medical records, and shall also entitle both parents to equal input with regard to the educational and religious upbringing of the child, as well as to any elective surgery. Decisions during the parents' minority shall be made in conjunction with the Guardian ad Litem on behalf of the defendant mother and the guardian and next friend on behalf of the plaintiff father.

2. Primary physical custody of the child shall remain with the natural mother, Jennifer Hanlon. Regular visitation and temporary custody of the child shall be granted to the plaintiff father, James F. Rumbaugh. Physical custody for the plaintiff father shall be as follows:

a. The child shall be available to visit in the home of the natural father on the second and fourth weekends of each month, beginning immediately, from Friday at 6:00 p.m., prevailing time, through Sunday at 4:00 p.m., prevailing time.

b. Beginning in June of 1993, the father shall have the opportunity to take the child into his temporary physical custody during the first two weeks of June each summer.

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 defendant mother and Father's Day with the plaintiff father from 10:00 a.m. through 8:00 p.m., prevailing time. The father shall have the right to take the child into his temporary physical custody on Thanksgiving Day and Christmas Day of each year, beginning in 1992, from 2:00 p.m. through 7:00 p.m., prevailing time.

d. The father (when he becomes licensed) or his guardian and next friend, Jean B. Rumbaugh, shall pick up and return the child to the mother's residence. Any time the father is more than thirty (30) minutes late for a scheduled transfer of custody, that transfer and the resulting partial custody shall be considered waived and shall not occur unless satisfactory arrangements are made with the mother with her consent for substitute visitation. With regard to the two-week summer visitation, the father shall be permitted to pick up the child the following day for the two weeks of consecutive visitation.

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 detrimentl to her development or to the development of her character or which would be commonly thought of as dangerous to her physical person.

5. The parents are encouraged to discuss arrangements for physical custody of the child; and, if the parties mutually agree to 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.

6. Each of the parents 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 grandparent in the eyes of the child.

7. Neither of the parents, when having physical custody of the child, shall drink alcohol or take non-prescription drugs or medications. Upon attaining the age of twenty-one (21), the parents of the child shall be permitted to drink no more than two ounces of alcohol in any twenty-four hour period when the child is in his or her primary physical custody. Non-prescription or street drugs being used by either parent shall be grounds for additional Mediation and probably change of visitation.

8. This Order shall not prejudice the right of either party or the Guardian ad Litem 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. For the purposes of this paragraph, the defendant mother shall give written notice to the Guardian ad Litem and to the plaintiff father through his guardian and next friend, his mother (Jean B. Rumbaugh) anytime she leaves her parents' home with the purpose of establishing her own seperate residence.

RECORD CONTINUED FROM PAGE TO PAGE 497.....

80

1992

530

R. Christopher Brode

POWELL"S PORTABLE TOILETS

vs.

JOSEPH GRECO

Filed June 4, 1992
@ 4:21 PM

Indigent Filing

APPEAL OF DEFENDANT FROM DECISION OF
DISTRICT JUSTICE HUBERT E. VOGAN

June 4, 1992 Upon praecipe of Atty. Brode To Proceed IN Forma Pauperis filed.

June 4, 1992 Rule entered upon Plaintiff to file a Complaint Issued.

June 9, 1992 Proof of Service of Notice of Appeal and Rule to File Complaint, filed.

And Now, June 30, 1992 at 8:49 A.M. upon praecipe of Defendant's Attorney judgment of Non Pros is hereby entered against the Plaintiff for failure to file complaint.

P-181

Judgment of Non Pros
Barbara H. King
Prothonotary

1992

Barrett & Dratler
Bruce A. Barrett

531

RONALD HARPER and VICKI HARPER, his wife

vs.

EDWARD E. WILSON, SR.,and TERESA L. GRANT, CHRISTINE L. EGLEY and H. DEAN EGLEY her husband t/d/b/a ETC COMPANY

Filed June 5, 1992
@ 4:09 PM

Tax & entry paid	50.50 ✓
User's fee paid	5.00
Sheriff's Costs	$71.00
Pro.Co. pd 10/29/92	5.00 ✓
Pro. Co. pd 12/8/92	1.00 ✓

WRIT OF SUMMONS
Issued Sheriff

June 29, 1992 SHERIFF'S RETURN FILED. SERVED Edward E. Wilson, Sr., on June 15, 1992 at 9:45 AM by handing a copy of the Summons to Deedra Axtell, Secretary andAdult in Charge, at Route 19, R.D.#4, Box 1072 A, Meadville, Crawford County, PA.

SERVED Teresa L.Grant personally on JUne 15, 1992 at 10:01 AM by handing to her a copy of the Summons at Choctaw Avenue, R.D. #1, Box 35, Conneaut Lake, Crawford County, PA.

SERVED ETC Company on June 15, 1992 at 10:00 AM by handing a copy of the Summons to Teresa L.Grant, Adult in Charge, at Choctaw Avenue, R.D.#1, Box 35, Conneaut Lake, Crawford County, PA.

NOT FOUND as to Defendants Christine L.Egley and H. Dean Egley. Not known at adress given of R.D.#1, Linn Road, Conneaut Lake, Crawford County, PA.
So answers,

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

Oct. 29, 1992 Upon Praecipe of Plaintiff Attorney the above case marked discontinued of record.

82

1992

Emil M. Spadafore, Jr

532

MARINE BANK, formerly THE FIRST NATIONAL BANK OF COCHRANTON

vs.

ERIC P. ALLEN and MARSCHELLIA A. ALLEN, his wife

Filed June 8, 1992
@ 1:11 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	38.00
Pro Co. pd. 7/24/92	9.00

COMPLAINT IN MORTGAGE FORECLOSURE
2 copies (sheriff)

June 19, 1992 SHERIFF'S RETURN FILED. SERVED Eric P. Allen personally on June 11, 1992 at 11:21 AM at his place of employment, Dairy Mart, Pine Street, Meadville, Crawford County, PA, by handing him a copy of the complaint in Mortgage Foreclosure.

SERVED Marschellia Allen personally on June 12, 1992 at 3:46 PM by handing to her a copy of the Complaint in Mortgage Foreclosure at the residence, R.D.#3, Box 137A, Cochranton, Crawford County, PA.

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

July 24, 1992, 10:14 a.m., AND NOW upon Praecipe of Plaintiff Attorney, judgment is hereby entered against the Defendants in favor of Plaintiff for failure to file and Answer within twenty days of service of the Complaint and damages are assessed as follows:

A-51,214
Judgment entered 7-24-92

Debt $11,661.53
Interest from 7-19-91 thru 2-21-92.
Judgment
Barbara H. King, Pro.

EX1992-87

1992

Emil M. Spadafore, Jr

533

MARINE BANK, formerly THE FIRST NATIONAL BANK OF COCHRANTON

vs.

ERIC P. ALLEN, and MARSCHELLIA A. ALLEN, his wife

Filed June 8, 1992
@ 1:11 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	$38.00
Pro Co. pd. 7-24-92	9.00

COMPLAINT IN MORTGAGE FORECLOSURE
2 copies (Sheriff)

June 19, 1992 SHERIFF'S RETURN FILED. SERVED Eric P. Allen personally on June 11, 1992 at 11:20 AM by handing to him a copy of the Complaint in Mortgage Foreclosure at his place of employment, Dairy Mart, Pine Street, Meadville, Crawford County, PA.
SERVED Marschellia Allen personally on June 12, 1992 at 3:45 PM by handing to her a copy of the Complaint in Mortgage Foreclosure at the residence, R.D.3, Box 137A,Cochranton, Crawford County, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M.Stevens, Sheriff

July 24, 1992, 10:14 a.m., AND NOW upon Praecipe of Plaintiff Attorney , judgment is hereby entered against the Defendants in favor of Plaintiff for failure to file an Answer within twenty days of service of the Complaint and damages are assessed as follows:

A-51,214
Judgment entered 7-24-92

Debt $5,910.81
Interest from 2-21-92 together with interest from 2-22-92 at 12%.
Judgment
Barbara H. King, Pro.

EX1992-86

1992

534

PETITION FOR INVOLUNTARY TREATMENT

of

DAVID RITTER

Filed June 8, 1992
@ 2:19 PM

PETITION FOR INVOLUNTARY TREATMENT
Mental Health Petition 304 & 305

June 16, 1992 ORDER filed. AND NOW, this 12th day of June, 1992, after a hearing conducted by the Mental Health Review Officer and the Court's consideration of the Mental Health Review Officer's Report and Recommendation, and it appearing that no suitable facilities providing a lesser restrictive environment are available, It is hereby Ordered and Decreed that the patient shall be involuntarily committed to Warren State Hospital for a period of time not to exceed 90 days, or until another hearing is held pursuant to the Mental Health Procedures Act.

Commitment to Warren State Hospital shall begin on June 1, 1992, and transportation will be provided by the Clarion County Sheriff's Office.

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

JUne 19, 1992 copy in box for B. Barrett, copy to MH/NR,WSH

July 29, 1992 REPORT OF MENTAL HEALTH REVIEW OFFICER and ORDER filed. ORDER: AND NOW, this 29th day of July, 1992 upon consideration of the petition filed at the above number and term, and other relevant matter, and after a review of the report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said David Ritter be committed to Warren state Hospital for treatment for a period not to exceed 180 days.

This order shall take effect on July, 1992.

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

Aug. 4, 1992 copy for Barrett, MH/MR, Warren

Jan. 4, 1993 Petition for Involuntary Treatment, field.

Jan. 8, 1993 REPORT OF MENTAL HEALTH REVIEW OFFICER and ORDER filed. ORDER: And now, Jan. 7, 1993, upon consideration of the petition filed at the above number and term, and other relevant matter, and after a review of the report of the mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said David Ritter be committed to Warren State Hospital for treatment for a period not ot exceed 180 days.

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

Jan. 13, 1993 copy to Barrett, MH/MR, WSH

July 6, 1993 Petition For Involuntary Treatment, filed.

July 20, 1993 Report of Mental Health Review Officer and Order, filed. ORDER: And now, July 19, 1993, upon consideration of 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 David Ritter be committed to Warren State Hospital for treatment for a period not to exceed 180 days.

This order shall take effect on this date.

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

July 22, 1993 copy to Barrett, MH/MR, WSH

1992

535

LINDA J. CURLEY

vs.

DENNIS M. CURLEY

Filed June 8, 1992
@ 3:05 PM

Tax & entry Pd 6-19-92	50.50
User's Fee 6-19-92	5.00
Sheriff's Costs	20.00
Pro Co Pd 6-19-92	9.00

Received from dft- Sheriff's cash 6-19-92 20.00
Paid Sheriff 6-19-92 20.00
Ck # 6890

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 8th day of June, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Defendant shall not go to Plaintiff's home Defnednat shall not contact Plaintiff in person. The parties may communicate by phone or letter.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for June 18, 1992, at 3:30 P M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

June 16, 1992 SHERIFF'S RETURN AND AFFIDAVIT OF SERVICE filed. SERVED the within Notice, Petition for RElief Under Protecton From Abuse Act, Temporary ABuse Order on June 11, 1992, at 2:09 PM upon Dennis M. Curley at Greenville Hospital, Greenville, PA 16125 by handing to Dennis M. Curley personally a true and correct copy thereof and made known to him the contents therein.

William H. Romine, Jr. Sheriff Mercer County
Mark S. Fisher, Deputy Sheriff

See Affidavit of Service endorsed heron by Sheriff of Mercer County, Pennsyvlania, which is part of this return.
So answers: Robert M. Stevens, Sheriff, Crawford County, PA

June 19, 1992 Order filed. AND NOW, June 18, 1992, after formal hearing where both parties appeared with counsel, the Court believes that this is an extremely close case, but that the Plaintiff has carried the burden by the fair weight and preponderance of the evidence, that the Defendant acted in a reckless manner on June 5, 1992 when he grabbed the Plaintiff around the throat, and accordingly, it is ORDERED as follows:

1. The defendant shall not assault, abuse, harass or threaten the Plaintiff.
2. We make no provision or finding with respect to visitation or custody. However, the Defendant shall not go to the Pl aintiff's home for any reason whatsoever. He shall not go to the Plaintiff's home even to exercise visitation or custody rights until further Order of Court.
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 County Control and to the Pennsylvania State Plice
5. This Order shall remain in full force and effect for a period of six (6) months from this date or until December 17, 1992 unless modified or terminated by further Order of Court.
6. The Defendant shall pay court cost sin the amount of $84.50 forthwith.
7. The Defendant is remineded 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. Millr, J

June 19, 1992 Copies of order to Atty's Sullivan & Lindsay and to County Control and PSP

1992

Prather, Prather
& Pineo
William Pineo

536

PATRICIA YANUCEK SMITH
a/k/a PATRICIA Y. SMITH

vs.

MERLE DELWOOD SMITH
a/k/a MERLE D. SMITH

Filed June 8, 1992
@ 3:48 PM

Tax & entry paid	50.50
Users's Fe epaid	5.00
State paid	10.00
Pro.Co. pd 10/6/92	9.00 ✓

COMPLAINT IN DIVORCE
2 copies (Atty)

June 17, 1992 Verification of Service filed. I, William Pineo, Esquire, hereby verify that on June 10, 1992, I served the Complaint in the above captioned case upon Merle DelwoodSmith, aka Merle D. Smith, defendant herein by certified mail, return receipt requested. See certified mail receipts attached hereto and incorporated herein.

This verification is made pursuant to 18 Pa. C.S.Sec. 4904 relating to Unsworn Falsification to Authorities.
Dated: 6/17/92 William Pineo

Oct. 6, 1992 Affidavit of Consent of Merle D. Smith, Defendant, filed.

Oct. 6, 1992 Affidavit of Consent of Patricia Y. Smith, Plaintiff, filed.

Oct. 5, 1992 Upon Praecipe of Plaintiff's Attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

October 15, 1992 AND NOW, October 12, 1992, it is hereby ordered and decreed that **PATRICIA YANACEK SMITH A/k/a PATRICIA Y. SMITH**, Plaintiff, and **MERLE DELWOOD SMITH a/k/a MERLE D. SMITH**, Defendant, are divorced from the bonds of matrimony.

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

BY THE COURT:
Anthony J. Vardaro, J.

1992

Thomas, Truax,
Spadafore & Walker
William L. Walker

537

ANDOVER BANK

vs.

DALE D. THOMPSON

Filed June 8, 1992
@ 3:59 PM

Tax & entry paid	15.00
Plff. on orig.	62.05
Sheriff's Costs	$33.00
Sheriff's Costs	33.00

WRIT OF REVIVAL

OF

A.D. 1983 - 400

Dated------June 8, 1992
debt------$7,863.68
Int. from July 27, 1983
T-42 ----------JUDGMENT

Writ of revival of judgment indexed against defendant in amount of Seven Thousand Eight Hundred Sixty-Three and 68/100 Dollars.

Issued (Sheriff)

June 22, 1992 SHERIFF's RETURN FILED. NOT FOUND as to Defendant Dale D. Thompson. He has moved from address given of 575 Penn Street, Linesville, Crawford County, PA. Current address unknown.
So answers, Robert M. Stevens, Sheriff

July 9, 1992 Writ Reinstated.

July 16, 1992 SHERIFF'S RETURN FILED. SERVED Dale D. Thompson on July 15, 1992 at 12:12 PM by handing a copy of the Writ of Revival to Attorney William Gregg, his Authorized Agent in the Sheriff's Office, Crawford County Courthouse, Meadville, PA. Signed Accpetance of Service Attached.
So answers, Carole Stefanucci, Deputy Sheriff
Robert M.Stevens, Sheriff

Revived to AD 1997-395

1992

Gifford, Lay & Johnson
James P. Lay, III

538

MATTHEW D. THOMPSON

vs.

DENNIS and KAREN HALFAST

Filed June 9, 1992
@ 12:25 PM

Tax & entry paid	50.50
User's fee paid	5.00
Sheriff's Costs	46.00
Pro.Co. pd 12/20/93	6.00

WRIT OF SUMMONS
Issued Sheriff

June 25, 1992 Sheriff's Return filed. SERVED Dennis Halfast on June 15, 1992 at 2:24 PM by handing a copy of the Summons to Karen Halfast, Adult in Charge at the residence, Den-Kar Farm, Magee Town Road, R.D. #1 Centerville, Crawford County, PA. SERVED Karen Halfast personally on June 15, 1992 at 2:25 PM by handing her a copy of the Summons at her residence, Den-Kar Farm, Magee Town raod, R.D. #1, Centerville, Crawford County, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Dec. 29, 1993 Upon Praecipe of James P. Lay, III, Esquire, attorney for Plaintiff, the above captioned matter settled and discontinued of record.

1992

William J. Gregg 539	WILLIAM G. TRGOVIC and SANDRA L. TRGOVIC, his wife vs. MAYME E. BATES, her heirs and assigns Filed June 9, 1992 @ 12:58 PM Tax & entry paid 50.50 User's fee paid 5.00	COMPLAINT- ACTION TO QUIET TITLE 1 copy (atty)

90

1992

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

540

CAROL L. BRUNOT

vs.

DANIEL P. BRUNOT

Filed June 9, 1992
@ 3:30 PM

Tax & entry paid	50.50
user's Fee paid	5.00
State paid	10.00
Pro Co pd 9-14-92	9.00

COMPLAINT IN DIVORCE
1 copy (atty)

July 13, 1992 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 cpy of the Complaint in Divorce certified by the Prothonotary of Crawford County, Pennsylvania on the above named Defendant by certifie dmail, addressee only, return receipt requested, date June 9, 1992. The defendant acknowledged service on June 10, 1992 by accepting delivery on that date as evidenced by the attached signed return receipt. James R. Irwin

Sept. 8, 1992 Affidavit of Consent of Carol L.Brunot, Plaintiff filed.

Sept. 14, 1992 Affidavit of Consent of Defendant, filed.

Sept. 14, 1992 Upon praecipe of Plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Sept. 21, 1992 AND NOW, September 17, 1992, it is ordered and decreed that **CAROL L. BRUNOT**, plaintiff, and **DANIEL P. BRUNOT**, 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 hsa not yet been entered and which has not been withdrawn by the party making the claim.

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

1992

Peterson & Gula
Richard A. Peterson

541

LOIS M. POMPONIO

vs.

MARK J. POMPONIO

Filed June 10, 1992
@ 2:45 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co Pd 10-7-92	9.00

COMPLAINT IN DIVORCE
no copies

Aug. 18, 1992 General Appearance filed. Please enter my General Appearance in the above-described divorce action. I hereby accept service of and acknowledge receipt of a true and correct copy of the original Complaint in Divorce filed in this action.
SERVE ALL PAPERS AT THE FOLLOWING ADDRESS:
229 Bush Rd.
Jamestown, PA 16134
Date: July 14, 1992 Mark J. Pomponio

Oct 7, 1992 Affidavit of Consent of Defendant,filed.

Oct 7, 1992 Affidavit of Consent of Plaintiff, filed.

Oct 7, 1992 Upon praecipe of Plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

October 15, 1992 AND NOW, October 15, 1992, it is hereby ordered and decreed that **LOIS M. POMPONIO,** Plaintiff, and **MARK J. POMPONIO,** 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.

1992

542

LYNN HOUSTON WHITE

vs.

JAMES WHITE

Filed June 10, 1992
@ 2:47 PM

Tax & entry Pd 6-30-92 50.50
User's Fee Pd 6-30-92 5.00
Sheriff's Costs 18.00
Pro Co Pd 6-30-92 9.00

Received Sheriffs cost 6-30-92 18.00

Pd Sheriff Ck # 6910 6-30-92 18.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 9 day of June, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: The Plaintiff is granted temporary possession of marital home and defendant is excluded from the house. Defendant may use garage to work in so long is he doesn't harass plaintiff in doing so.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for June 16, 1992, at 3:30 P M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

June 15, 1992 SHERIFF'S RETURN FILED. SERVED James White personally on JUne 10, 1992 at 10:00 P.M. at the Garden's Motel, Rt. 618, Conneaut Lake, Crawford County, PA.
So answers,
Lynn Houston-White, Plaintiff
Robert M. Stevens, Sheriff

June 18, 1992 Order filed. AND NOW, January 16, 1992, at the time fixed for hearing, the appeared with counsel. The defendant appeared without counsel, was advised of his right to counsel and the natur of the proceedings. He understood his rights. He understood the nature of these proceedings. The parties agree, wihtout admission, that a permanent Abuse Order may be entered and they agree to the following terms:

ACCORDINGLY, it is ordered as follows:

1. The defendant shall not assault, abuse, harass or threaten the plaintiff or her minor children in any way.
2. The plaintiff is granted temporary possession of the marital residence at 215 Wadsworth avenue, Meadville, Pennsylvania for no more than one (1) year. The defendant shall not go to that residence for any purpose, exccept to exercise visitation rights. When the plaintiff moves out of that residence, she shal lnotify the defendant. Thereafter, the defendant shall have exclusive right to that premises and the plaintiff shall not return.
3. The defendant shall not go to the place where the defendant works or to any other residence she may have at any time during the existence of this Order.
4. Temporary custody of Tucker Junior Houston-White is awarded to the plaintiff. The defendant shallhave reasonable periods of visitaiton, to be agreed upon by the parties. In the event that the defendant desires to visit his child an dtake his child into his custody, he shall make that request no later than twenty-four (24) hours before the time he wishes to exercise visitations. The parties shall endeavor to agree on periods of visitaiton. This Order, with respect to custody and visitation, is subject to 23 Pa. C.S.A. 6108(a)(4). This Order shall remain in effect until a court of competent jurisdiction in a custody or visitation matter enters a different award or Order.
5. This Order may enforced without a Warrant of Arrest by any law enforcement officer having reasonable ground to believe that it has been violated.
6. A copy of this Order shall be delivered to the Meadville City Police Department and to County Control.
7. This Order shall remain in full force and effect for one (1) year, that is, until June 15, 1993, unless modified or terminated by further Orde rof Court.
8. The parties are advised that this is an Order of Court and they cannot agree to change it. If they wish to chang eit by agreement or otherwise, they must petition the Court for a change. The defendant is advised that if he goes to the plaintiff's place of residence or place of work, even if he is invited by her, for purposes other than visitation, he should refuse to do so as that may be considered to be a violation of this Court Order.
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 $1,000.00 and a jail sentence of up to six (6) months.
10. The defendant shall pay court costs in the amount of $82.50 no later than June 30, 1992.

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

June 23, 1992 Copies of order to Atty. Gray, Defendant, MCP and County Control

Continued on Pg. 92A

1992

Lynn Houston White
vs.
James White

CONTINUED FROM PAGE 92
of Record
A. D. 1992 - 542

June 25, 1992 AMENDED ORDER filed. AND NOW, June 16, 1992, at the time fixed for hearing, the Plaintiff appeared with counsel. The defendant appeared without counsel, was advised of his right to counsel and the nature of the proceedings. He understood his rights. He understood the nature of these proceedings. The parties agree, without admission, that a permanent Abuse Order may be entered and they agree to the following terms:

ACCORDINGLY, it is ORDERED as follows:

1. The defendant shall not assault, abuse, harass or threaten the plaintiff or her minor children in any way.
2. The Plaintiff is granted temporary possession of the marital residence at 215 Wadsworth Avenue, Meadville, Pennsylvania for no more than one year. The defendant shall not go to that residence for any purpose, except to exercise visitation rights. When the plaintiff moves out of that residence, she shall notify the defendant. Thereafter, the defendant shall have exclusive right to that premises and the plaintiff shall not return.
3. The defendant shall not go to the place where the plaintiff works or to any other residence she may have at any time during the existence of this Order.
4. Temporary custody of Tucker Junior Houston-White is awarded to the plaintiff. The defendant shall have reasonable periods of visitation, to be agreed upon by the parties. In the event that the defendant desires to visit his child and take his child into his custody, he shall make that request no later than 24 h ours before the time he wishes to exercise visitations. The parties shall endeavor to agree on periods of visitation. This Order, with respect to custody and visitation, is subjec to 23 Pa. C.S. A. 6108(a)(4). This Order shall remain in effect until a court of competent jurisdiction in a custody or visitation matter enters a different award or Order.
5. This Order may be enforced without a Warrant of Arrest by any law enforcement officer having reasonable ground to believe that it has been violated.
6. A copy of this Order shall be delivered to the Meadville City Police Dept. and to County Control.
7. This Order shall remain in full force and effect for 1 year, that is, until June 15th, 1993, unless modified or terminated by further Order of Court.
8. The parties are advised that this is an Order of Court and they cannot agree to change it. If they wish to change it by agreement or otherwise, they must petition the Court for a change. The defendant is advised that if he goes to the plaintiff's place of residence or place of work, even if he is invited by her, for purposes other than visitation, he should refuse to do so as that may be considered to be a violation of this Court Order.
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 $1,000.00 and a jail sentence of up to 6 months.
10. The defendant shall pay court costs in the amount of $82.50 no later than June 30, 1992.

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

June 25, 1992 copy mailed to Plf & Dft., copy put in box for G. Gray, copy given to Co. Ctrl. & Mdvl. City Police

92
-6-

1992

1992

543

MARYALICE MOSLEY

vs.

ANDREW MOSLEY

Filed June 10, 1992
@ 3:35 PM

Tax & entry	50.50
User's Fee	5.00
Sheriff's Costs	43.50
Pro Co	9.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 10th day of June, 1992, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Defendant shall not contact Plaintiff in any way. Defendant shall not go to Plaintiff's residence.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for June 18, 1992, at 3:30 P. M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

June 23, 1992 ORDER filed. AND NOW, June 18, 1992, this matter is before the Court on a Petition by the plaintiff for Relief Under the Protection From Abuse Act.

The hearing proceeds with neither party represented by counsel. Both are sworn and testify informally, and upon inquiry from the Court, the defendant admits ahtat in the past he has struck the plaintiff and that she may be concerned that he will do so insofar as he has a short temper.

The Court believes that these actions constitute abuse within the meaning of the Act, and accordingly, enters the following Order:

1. The defendant shall not assault, abuse, harass or threaten the plaintiff at any time.
2. The defendant shall not contact the plaintiff in any way and shall not go to the plaintiff's residence. He is cautioned that if he should be invited to the plaintiff's residence, he should not go to that residence without further Order of Court because it shall be presumed by any law enforcement agent that he is not entitled to be at that residence and he shall be in violation of this Order if he is at that residence.
3. This Order may be enforced without a Warrant of Arrest by any law enforcement officer having reasonable grounds to believe that it has been violated.
4. A copy of this Order shall be delivered to the police Departments int he jurisdiction where the plaintiff resides and to Crawford County Control.
5. The defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine of up to $1,000.00 and a jail sentence of up to six months.
6. The defendant shall pay costs in this matter in the amount of $108.00 within a period of 60 days from this date.
7. This Order shall remain in full force and effect through June 17, 1993.

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

June 25, 1992 mailed copy to Plf. & Dft. also Pa. State Police
June 23, 1992 copy given to County Ctrl.

June 24, 1992 SHERIFF'S RETURN filed. I hereby deputize teh Sheriff of Erie Co., Pa. to serve the within Protection From Abuse accordign to law. The defendants alleged address is 924 E. 21st St., Erie, Pa. 16505, c/o Grandmother, Mary McKinnon. Robert M. Stevens, Sheriff

AFFIDAVIT OF SERVICE - SERVED the within Petition for Protection from Abuse on June 17 1992, at 1115 hrs. upon Andrew Mosley at 924 East 21st, Erie County, Erie, Pa. by handing to aAndrew Mosley a true and correct copy thereof and made known to him the contents therein.

Robert N. Michel, Sheriff, Erie Co.

94

1992

David L. Hunter, Jr.

544

EDWARD HAGEN and SHIRLEY HAGEN, his wife

vs.

SUE ELLEN ARTERS and CAROL B. ARTERS

Filed June 11, 1992
@ 1:55 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	43.00
Pro.Co. pd 9/24/92	5.00

COMPLAINT IN CIVIL ACTION
2 copies (Sheriff)

June 23, 1992 Appearance of Marsh, Spaeder, Baur, Spaeder & Schaaf by Thomas M. Lent, Esquire for Sue Ellen Arters and Carol B. Arters, Defendants, filed.

June 24, 1992 SHERIFF'S RETURN FILED. SERVED Sue Ellen Arters personally on June 15, 1992 at 2:00 PM by handing to her a copy of the Complaint at her residence, R.D.#3, Union City, Crawford, County, PA.

SEVED Carol B. Arters on June 15, 1992 at 2:01 PM by handing a copy of the Complaint to Sue Ellen Arters, Adult in Charge at the residence, R.D.#3, Union City, Crawford County, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Sept. 24, 1992 Upon Praecipe of Plaintiff's Attorney, David L. Hunter, Jr., the above case marked discontinued for value received.

1992

Robert H. Isbell

545

THE GLIDDEN COMPANY

vs.

JAMES D. RING, individually and t/a/d/b/a RING PAINTING COMPANY and JAMES D. RING and SUSAN RING, husband and wife

Filed June 11, 1992
@ 2:08 PM

Tax & entry piad	50.50
User's Fee paid	5.00
Sheriff's Costs	39.00
Pro.Co. pd 8/12/92	9.00

COMPLAINT IN CIVIL ACTION
4 copies Atty.

June 25, 1992 Sheriff's Return filed. SERVED James Ring personally on June 16, 1992 at 4:13 PM by handing to him a copy of the Complaint at 121 South Franklin Street, Cochranton, Crawford County, PA.
SERVED Susan Ring on June 16, 1992 at 4:14 PM by handing a copy of the Complaint to James Ring, Adult in Charge, at 121 South Franklin Street, Cochranton, Crawford County, PA.
SERVED James Ring, d/b/a Ring Painting, personally on June 16, 1992 at 4:15 PM by handing him a copy of the Complaint at 121 South Franklin Street, Cochranton, Crawford County, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

And Now, Aug. 12, 1992 at 12:00 P.M. upon Praecipe of Plaintiff attorney, with Notice of Intention to File Default Judgment attached, judgment is hereby entered in favor of the plaintiff and against the defendants for want of an answer and the same is liquidated at the sum of Five thousand five hundred eight and 77/100 dollars, plus interest and cost of suit.

R-93,183,153
Entered Aug. 12, 1992
Abstract to Atty.Isbell
Notice to Defendants

Debt	$5,508.77
Int.from 7/31/91 until date of final judgment	
Judgment	
Barbara H. King	
Prothonotary	

EX1992-104

96

1992

Hayt, Hayt & Landau
Arthur Lashin

546

FORD MOTOR CREDIT COMPANY

vs.

BRIAN L. HOLLER

Filed June 11, 1992
@ 2:16 PM

Tax & entry paid	50.50
user's Fee paid	5.00
Sheriff's Costs	25.00
Pro.Co. Pd 7/27/92	9.00
Exemplification of Record	$15.50
Pd 2/24/00	

CIVIL ACTION COMPLAINT
1 copy (Sheriff)

June 25, 1992 Sheriff's Return filed. SERVED Brian L. Holler on June 22, 1992 at 10:22 Am by handing a copy of the Complaint to Stacey Holler, Adult in Charge at the residence, R.D. 39, Box 730, Meadville, Crawford County, PA.
So answers, Dale A. Collins, deputy Sheriff
Robert M. Stevens, Sheriff

July 27, 1992 And Now, July 27, 1992 at 1:31 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 want of an answer and the damages are assessed at the sum of Six thousand six hundred thirty one and 66/100, plus interest and cost of suit.

Debt	$6,631.66
Interest	
Judgment	
Barbara H. King	
Prothonotary	

H-21
Entered July 27, 1992
Notice of Judgment sent to
Atty. Lashin and Defendant

FX 1992-78

1992

547

DUANE PAUL LEONARD

vs.

PAUL IVAN LEONARD II

Filed June 11, 1992
@ 2:27 PM

Indigent Filing

Pro.Co.Costs $15.50

CERTIFIED RECORD OF PROTECTION FROM ABUSE
FROM ERIE COUNTY, PA 6828-92

ORDER:

AND NOW, to-wit, this 10 day of June, 1992, upon consideration of the Petition for Protection From Abuse in the above-captioned case, it is ORDERED, ADJUDGED and DECREED as follows:

A final hearing for the Petitioner and Respondent will be held on the 16 day of June, 1992 at 9:00 a.m. in Courtroom No. 5, Erie County Courthouse, Erie, Pennsylvania.

Pending said hearing, it is ORDERED that:

1. Temporary custody is granted to your Petitioner of the parties' n/a minor child/children.

2. POssession of the premises at R.D. #3 Box 131 & Box 132, Union City, PA is granted to the Petitioner for the exclusive occupany by her/him and her/his child/children. Respondent, Paul Ivan Leonard, is completely excluded from the residence. Respondent shall hereafte have no license to be present on the premises.

3. Respondent, Paul Ivan Leonard, son, is directed to refrain from striking, hitting, threatening, abusing or harassing Petitioner and the minor child/children at any location including but not limted to Petitioner's residence, her/his place of employment andthe child's/children's school, by any act or actions, including both physically and verbally, including but not limited to those recited in this Petition.

4. That the Sheriff's Department or any other police agency within the area of the residence of the parties, including the State Police, shall enforce this Order by:

(a) Serving a certified copy of this Order onthe Respondent, Paul Ivan Leonard, at R.D.#3, Box 132 Union City or 457 E 10th St., Erie whre the said Respondent now resides, if he/she is present thereon and them escorting him/her from the premises, the Petitioner shall release Respondent's personal hygiene and clothing to a third party within a reasonable time and hour.

(b) If the Respondent violates this Order, he/she is to be arrested on the charge of indirect criminal contempt. An arrest for violation of this Order may be made without warrant, based solely on probable cause, whether or not the vioaltion is committed in the presence ofthe Sheriff or Police aforesaid or not.

(c) If the Respondent is placed under arrest for violation of this Order, he/she shall be arraigne before the District Justice who shall fix security.

(d) An Affidavit having been filed pursuant to 35 P.S. Section 10184, this Petitioner shall be filed and service shall be made without payment of costs.

5. It is further ORDERED that the Respondent immediately relinquished possession or custody of: n/a . Sheriff's Department or any law enforcement agency is ordered to enfroce this and, if applicable, to witness the exchange.

BY THE COURT:
Jess S. Jiulianti, J

June 12, 1992 Copy of order to County Control.

June 18, 1992 Order filed. AND NOW, this 16th day of June, 1992, upon consideration of the Petition for Protection From Abuse, and a final hearing upon said Petition having been heard on this 16th day of June, 1992 at 9:00 A.M. in Courtroom No. 5, it is hereby ORDERED, ADJUDGED AND DECREED that:

(2) Possession of Petitioner's present residence and any other residence tht he/she may reside, is granted to the Petitioner for the exclusive occupancy by him/her and his/her children for a period of one year from date of this Order. Defendant, Paul Ivan Leonard,II, is completely excluded from said residence for the same one year period and shall have no license to be present on the premises. Except Defendant shall have right to remove his (writing illegible) personal property commencing on Sunday, June 21 at (time illegible) p.m.

(3) Respondent is prohibited from striking,hitting, threatening, abusing or harassing Petitioner and the minor children at any location including but not limited to Petitioner's residence, his/her place of employment and the children's school.

(4) There shall be no personal contact between the parties.

(5) That the Sheriff's Department, or any other police agency within the area of the residence of the Petitioner, including the State Police, are instructed to enforce this Order.

(6) Should the Respondent violate this Order, he is to be arrested and then cited for indirect criminal contempt before a District Justice. An arrest for violation of this Order may be made without a warrant, based solely upon probable cause, whether or not the violation is committed in the presence of a police officer.

(7) Plaintiff (Petitioner) is ordered not to invite, entice or encourage the Respondent to violate this Order in any fashion,or he or she may be subject to sanctions of this Court which can include incarceration up to six months.

(8) Consent to entry of this as an Order is not an admission to the allegations.

(10) This Order shall expire on 6/16/93 unless extended by the Court. Otherwise, this case will be closed.

(11) This Order shall be a warrant for arrest of the Respondent upon probably cause of a violation.

Jess Jiulianti, Judge

ORDER, and now, to-wit, this 16th day of June, 1992, Paul Ivan Leonard,II is hereby ORDERED to pay costs in the above action as follows:

(A) $40.50 to the Prothonotary of Erie County, 1st Floor, ERie County Courthouse, CERTIFIED CHECK, CASH, OR MONEY ORDER.

(B) $21.50 to the Sheriff of ERie County, 1st Floor, ERie County Courthouse - MONEY ORDER or CASH ONLY.

It is further ORDERED that said costs shall be paid by the 16th of August, 1992. Failure to pay by the said date shall result in the issuance of a bench warrant and your immediate arrest and incarceration.

BY THE COURT,
Jess S. Jiulianti, J.

June 18, 1992 Copy of the order to Defendant.

1992

In Error
~~Robert A. Sambroak, Jr.~~

548

Terry Toomey

Paid to Integra In
Court Acct. - Cash Bond
6/11/92 $137.50

2-1-93 Pd Wagnercrest
V B. Wagner 137.50
Ch# 253

Wagner Crest Farms/ Bernard Wagner

vs.

MARTHA HANSEN

Filed June 11, 1992
@ 4:08 PM

Tax & entry paid	50.25
user's Fee paid	5.00
~~Pro Co pd 1-5-93~~ In Error	~~6.00~~
Pro Pd. 2/8/93	5.00

APPEAL OF DEFENDANT FROM DECISION OF
DISTRICT JUSTICE GEORGE W. HERZBERGER, III

June 11, 1992 Rule entered upon the Plaintiff to file a Complaint Issued.

June 16, 1992 Proof of Service of Notice of Appeal and Rule to File Complaint filed.

In Error ~~Jan. 4, 1993 Upon praecipe of Plaintiff's attorney the above captioned action is settled and discontinued of record.~~

Feb 1, 1993 Motion For Release of Bond, filed.

Feb. 1, 1993 Order of Court, filed. AND NOW, this 1st day of February, 1993, upon consideration of the Defendant's Motion for the Release of the Bond filed in this matter to the plaintiff, BERNARD WAGNER, trading and doing business as WAGNERCREST FARMS, said Motion is hereby granted and the Prothonotary is directed to pay over the bond posted in the amount of one hundred thirty-seven dollars fifty cents ($137.50) to BERNARD WAGNER 5.d.b.a WAGNEREST FARMS.

BY THE COURT:
Anthony J. Vardaro, J.

Feb. 3, 1993 copy to B. Wagner & T. Toomey

Feb. 8, 1993, Upon praecipe of plaintiff, the above captioned case is hereby discontinued of record.

1992

Thomas, Truax,
Spadafore & Walker
R. Charles Thomas

549

Edward H. Thomas

8-13-97 Ref from dept
-med dup 2.00

9-22-98 Pd Cor. 19.00

GERALD RAY MARTIN

vs.

TINA MARIE MARTIN

Filed June 15, 1992
@ 9:19 AM

Tax & entry paid	50.50
User's Fee paid	15.00
2 Add'l Count paid	30.00
User's Fee paid	10.00
Pro. Co. pd 9/18/92	9.00
John Spataro, Mediator	240.00
Pro Co pd 9-14-98	90.00

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

Sept. 18, 1992Affidavit of Service of Complaint in Divorce filed. R. Charles Thomas, Esquire, being duly sworn according to law, deposes and says that on June 23rd, 1992, he sent a true and correct copy of the Complaint in Divorce,properly endorsed with the Notice to Defend, filed inthe above action to the Defendant Tina Marie Martin, at Defendant's Last known address of c/o Susan Hutton, R.D.#2, Box 663A, Conneaut Lake, PA 16316, by Certified Mail No. P643 856 992, postage prepaid, restricted delivery, return receipt requested and that attached hereto is a duly executed return receipt card showing date of delivery as of July 1, 1992.
September 18, 1992 R. Charles Thomas, Attorney for Plaintiff.

Sept. 18, 1992 Affidavit of Consent by Gerald Ray Martin, Plaintiff filed.

Sept. 18, 1992 Affidavit of Consent by Tina Marie Martin, Defendant, filed.

Sept. 18, 1992 Upon Praecipe of R. Charles Thomas, Esquire, Attorney for Plaintiff, for Review under §3301 (c) of the Divorce Code, this case moved to Court.

Sept. 25, 1992 STIPULATION and CONSENT CUSTODY ORDER filed. WHEREAS, the Plaintiff and Defendant are the parents of one (1) minor child to-wit Jered Ray Martin, born June 9, 1989; and

WHEREAS, the Plaintiff presently resides at PO Box 37, Westford, PA; and

WHEREAS, the Defendant presently resides at RD # 2, Box 663A, Conneaut Lake, PA 16316 and is contemplating moving to the State of Florida to live there permanently; and

WHEREAS, the Plaintiff is represented by Attorney R. Charles Thomas, Esquire; and

WHEREAS, the Defendant is not represented by counsel but has been advised of her right to seek and employ counsel in connection with this Consent Custody Order and has chosen not to do so; and

WHEREAS, a Divorce Complaint was filed in the Court of Common Pleas of Crawford County, PA. at the above number and term wherein the Plaintiff requested custody of the aforesaid minor child be awarded to him; and

WHEREAS, the parties have reached an agreement relative to the custody of the aforesaid minor child and are desirous of having a Consent Order entered pursuant to their agreement; and

NOW, THEREFORE, this 4th day of Sept., 1992, it is hereby ordered and decreed as follows:

1. Legal and physical custody of Jered Ray Martin, born June 9, 1989, is hereby awarded to the Plaintiff, Gerald Ray Martin.

2. The Plaintiff and Defendant shall share with each other any and all information that each may have regarding the health, education and the major events in the life of the said Jered Ray Martin. 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 Jered Ray Martin.

3. The Defendant shall have temporary physical custody of the minor child for the periods and at the places hereinafter set forth:

a) The Defendant shall have temporary physical custody of Jered Ray Martin during the months of June, July and August of each year, which visitations shall commence on the second Sunday in June of each eyar and terminate on the third Sunday in August of each year. The Defendant shall secure said child from the home of the Plaintiff at PO Box 37, Westford, PA. on the second Sunday of June each eyar and shall return said child to the home of the Plaintiff on the third Sunday of August each eyar. During the time that the Defendant has temporary custody of said child during the months of June, July and August she will provide to the Plaintiff a current mailing address and her current phone number. In the event the Defendant chooses not to exercise the summer visitation she shall notify the Plaintiff at least one month prior to the time of the scheduled summer visitation.

b) In the event that the Defendant returns to the Commonwealth of PA. on a temporary basis for the purpose of visiting friends or relatives or other purposes then in that event the Defendant shall have the opportunity to have temporary custody of the minor child for such periods of time as the Plaintiff and Defendant agree provided, however, that in connection with the aforesaid visitations the Defendant shall provide to the Plaintiff at least seventy-two (72) hours notice of her intention to request temporary custody of the aforesaid minor child and provided further that during the time that the Defendant has the minro child for these visitations she shall not remove the child from the jurisdiction of the Court of Common Pleas of Crawford County, PA.

dated: September 22, 1992

BY THE COURT,
Gordon R. Miller, J.

Sept. 28, 1992 Copy of Order placed in Atty. R. Charles Thomas box. Copy mailed to defendant.

DIVORCE DECREE FILED

Sept. 2, 1992 STIPULATION and FINAL DECREE filed. AND NOW, this 22nd day of September, 1992 it is ordered and decreed that GERALD RAY MARTN, Plaintiff and TIMA MARIE MARTIN, Defendant, are divorced from the bonds of matrimony.

It is further ordered and decreed as follows:

EQUITABLE DISTRIBUTION - REAL ESTATE

1. The Plaintiff is awarded all that certain piece or parcel of land situate in South Shenango Township, Crawford Co., PA., and more specifically described in a certain Article of AGreement between Larry Vincent Martin, Party of the First Part, and Gerald R. Martin and Tima Marie Martin, Parties of the Second Part, dated June 3rd, 1988 and recorded in Crawford County Agreement Book 40, Page 578. The Defendant shall sign, execute and acknoweldge a Quit Claim Deed to the Plaintiff conveying to the Plaintiff all of her right, title and interest in the aforesaid real estate.

EQUITABLE DISTRIBUTION - TANGIBLE PERSONAL PROPERTY

2. The Plaintiff is awarded all tangible personal proeprty presently in the possession, custody and control of the Plaintiff and located at the former marital residence of the Plaintiff and Defendant located at Westford, Pa.

3. The Defendant is awarded all tangible personal property presently in the possession, custody and control of the Defendant.

4. The Plaintiff is awarded a certain 1982 Celica Toyota motor vehicle.

5. The Defendant is awarded a certain 1979 Chevrolet Pickup Truck.

EQUITABLE DISTRIBUTION - INTANGIBLE PERSONAL PROPERTY

6. The Defendant is awarded cash in the amoutn of $4500.00 which amount shall be paid within two (2) years of the date of the filing and entry of this divorce without interest.

7. The Plaintiff is awarded any and all pension benefits and/or retirement benefits to which he may be entitled by reason of his employment at Pittsburgh Plate Glass.

MISCELLANEOUS

8. That neither the Plaintiff nor the Defendant shall make any further claims against the other party hereto except for the enforcement of the rights and responsibilities set forth in this Divorce Decree.

BY THE COURT,
Gordon R. Miller, J.

Cont on Pg. 464

100

1992

Blystone & Blystone
Curtis E. Blystone

550

David MacGregor Neil

AGWAY ENERGY PRODUCT

vs.

ERIE INDUSTRIAL ELECTRIC SUPPLY CORP.

Filed June 15, 1992
@ 1:13 PM

Tax & entry paid	50.50 ~~25~~
User's Fee paid	5.00
Pro Co Pd 8/4/92	#9 00

APPEAL OF DEFENDANT FROM DECISION OF DISTRICT JUSTICE HUBERT E. VOGAN

June 15, 1992 Rule entered upon the plaintiff to file a complaint issued.

June 15, 1992 Proof of Service filed.

July 2, 1992 Complaint filed. (1 copy Atty.)

Aug. 4, 1992, And now, at 4:30 p.m., upon praecipe of plaintiff attorney, with default notices attached, Judgment is hereby entered in favor of the plaintiff and against the defendant in the sum of One Thousand Six Hundred Twenty five and 76/100 Dollars.
E - 184 Debt ------$1,625.76
JUDGMENT
Barbara H. King,
Prothonotary

Aug. 11, 1992, notice of judgment mailed to dft.

1992

551

David MacGregor Neil

FLYNNS TIRE & AUTO SERVICE

vs.

ERIE INDUSTRIAL ELECTRIC SUPPLY CORP.

Filed June 15, 1992
@ 1:13 PM

Tax & entry paid	50.25
User's Fee paid	5.00

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

June 15, 1992 Rule entered upon plaintiff to file complaint issued.

June 15, 1992 Proof of Service filed.

Jonathan Ostroff

552

SHANE ANTHONY, a minor by his parent and natural guardian, SHARON ANTHONY

vs.

SHARON ANTHONY

Filed June 15, 1992
@ 1:42 PM

Tax & entry paid 50.50
User's Fee paid 5.00

WRIT OF SUMMONS
Issued

July 2, 1992 PETITION TO APPROVE SETTLEMENT OF MINOR'S CLAIM AND SCHEDULE OF DISTRIBUTION PURSUANT TO PA. R.C.P. 2039, filed.

July 2, 1992 ORDER filed. AND NOW, Juen 30, 1992, the Court has reviewed the petition to approve settlement of minor's claim and schedule of distribution and refuses to approve the same for two reasons.

First of all,the plaintiff's interest is represented by his parent and natural guardian, his mother, in a suit against the very same person, his mother. A guardian cannot have an interest in the suit adverse to a m inor. Bertinelli et al. v. galoni, 331 Pa. 73, 75, 200 A.2d 58 (1938) In Re Estate of Cecchine, 336 Pa. Super. 111, 485 A.2d 454, 457 (1984).

Therefore in accordance with Pa.R.C.P. 2031, 2033(c) and 2039, this Court, on its own removes Sharon Anthony as guardian and further proceedings are suspended until a proper representative is selected if this method of resolving this matter is pursued. If this action is pursued the plaintiff is ordered and ifrected to submit to the Court a proposed guardian who does not have an interest in the action adverse to Shane Anthony, the minor.

Furthermore, the Court will not consider nor approve the petition without a brief hearing to scrutinize the settlement and distribution.

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

July 7, 1992 mailed copy to J. Ostroff

July 17, 1992 Petition to Appoint Guardian Ad Litem filed.

July 17, 1992 Petition to Approve Settlement of Minor's Claim and Schedule of Distribution Pursuant to PA. R.C.P. 2039 filed.

July 17, 1992 ORDER FILED. AND NOW, July 17th, 1992, upon consideration of the foregoing Petition for the Appointment of a Guardian Ad LItem, this Honorable Court appoints Mary Ellen Myers as the guardian ad litem for Shane Anthony, for purposes of reviewing and consenting to the settlement of Shane Anthony's Minor's Claim and schedule of distribution pursuant to Pa. R.C.P. 2039, set forth under the above Court term and number.

BY THE COURT:
Gordon R. Miller, J.

July 17, 1992 Copy of the Order to Jonathan Ostroff, Esq.

July 17, 1992 ORDER TO DISTRIBUTION FILED. AND NOW, this 17th day of July, 1992, upon consideration of the foregoing Petition, the settlement in the above matter of $24,000.00 is approved and distribution ordered as follows:

To:	Jonathan Ostroff, Esquire - Costs	$ 193.76
To:	Jonathan Ostroff, Esquire - Counsel Fees	$ 6,000.00
To:	Shane Anthony, Minor, to be placed in a trust account, and marked not to be withdrawn until he reaches the age of 18 years (July 7, 2005)	$17,667.98
	TOTAL VALUE	$24,000.00

BY THE COURT:
Gordon R. Miller, J.

July 17, 1992 Copy of the Order to Jonathan Ostroff, Esquire

1992

Joseph W. Tinko

553

LYNN MARIE HOUSTON-WHITE

vs.

JAMES PAUL WHITE

Filed June 15, 1992
@ 1:46 PM

Tax & entry paid	50.50
User's Fee paid	20.00
3 Add'l Count paid	45.00
State paid	10.00
Pro Co pd 6-22-93	9.00

COMPLAINT IN DIVORCE, CUSTODY, CHILD SUPPORT,
EQUITABLE DISTRIBUTION OF MARITAL PROPERTY
ATTORNEY FEES AND ALIMONY PENDENTE LITE
1 copy (atty)

Sept. 16, 1992 Acceptance of Service filed. I, James Paul White, the undersigned and defendant, accept service ofthe Complaint in the above-captioned case.
Date: June 16, 1992 James Paul White

Sept. 16, 1992 Affidavit of Service filed. before me, a Notary Public of the Commonwealth of Pennsyvlania, on this 16th day of September, A.D., 1992, comes Joseph W. Tinko, Esquire, the under-signed 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 serve don the defendnat, James Paul White, by personal delivery, on June 16, 1992 at Meadville, Pennsylvania, as evidenced by the Acceptance of Service signed by the defendant, James Paul White, which is attached hereto as Exhibit "A" and incorporated herein by this reference as if fully set forth.
Date: 9-16-92 Joseph W. Tinko

May 25, 1993 Affidavit of Consent of Plaintiff, filed.

June 18, 1993 Affidavit of Consent of Defendant, filed.

June 22, 1993 Upon praecipe of Plaintiff attorney to transmit records, case moved to Court.

June 30, 1993 Memorandum filed. This matter came before the Court on June 25, 1993 for review. We returned the record to the Prothonotary for proceedings consistent with this memorandum.
The plaintiff's complaint in divorce contains counts for coustody, child support, equitable distribution of marital property, attorneys fees and alimony prndente lite in addition to the court for divorce.
The Court has not disposed of the ancillary counts nor has the plaintiff withdrawn said counts. We will not grant a divorce when there are other counts pending unresolved for that is tantamount to a bifurcation which we will not grant without notice and a hearing.
Until the plaintiff either proceeds on said counts or withdraws them we will not consider entering a divorce decree. BY ORDER OF COURT
Date June 30, 1993 Gordon R. Miller,P.J.
July 6, 1993 copy to J. Tinko

July 27, 1993 Praecipe to Withdraw Grounds filed.

July 27, 1993 Upon praecipe of Joseph W. Tinko, Esquire, to transmit record, case moved to Court.

DIVORCE DECREE FILED

August 3, 1993 AND NOW, August 2, 1993, it is ordered and decreed that LYNN MARIE HOUSTON-WHITE, plaintiff, and JAMES PAUL WHITE, 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.

104

1992

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

554

MARY K. PROCTOR

vs.

RICHARD E. PROCTOR, JR.

Filed June 15, 1992
@ 2:45 PM

Tax & entry paid	50.50
user's Fee paid	5.00
State paid	10.00
Pro Co pd 4-19-96	9.00

COMPLAINT IN DIVORCE
1 copy (atty)

June 15, 1992 Affidavit Under #3301(d) of Divorce Code of Plaintiff filed.

Mar. 8, 1996 Complaint in Divorce reissued.

Mar. 22, 1996 Return of Service Filed. David L.Geer, being duly sworn according to law,deposes and says:
That he is duly qualified Constable in and for Crawford County, Pennsylvania, and the he served a Certified copy of theComplaint in Divorce and an Affidavit under Section 3301(d) of the Divorce Code, in the above entitled matter, upon the Defendant, Richard E.Proctor,Jr., at 631 W. Central, (Taylor Ramsye) Titusville, Pennsylvania 16354, at Approximately 2:40 p.m.
Said service was made by reading same to him and making the contents thereof known to him and by handing him the Certified copy of the Complaint in Divorce and the Affidavit under Section 3301(d) of the Divorce Code.
March 20, 1996 David L.Geer

Apr 19, 1996 Defendant's Counter-Affidavit Under Section 3301(d) of the Divorce Code, filed.

Apr 19, 1996 Notice of Intention to Request Entry of Divorce Decree, filed.

April 19, 1996 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

Apr 30, 1996 ORDER: 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. The date when service is made has not been given.
Date: April 26, 1996 Gordon R. Miller, P.J.
May 1, 1996 Faxed Gamble

May 7, 1996, Return of Service filed.

May 7, 1996, Notice of Intention to Request EntryofDivorce Decree filed.

May 7, ,1996, Defendant's Counter-Affidavit Under Sect. 3301(d) of the Divorce Code filed.

May 7, 1996, Defendant's Counter-Affidavit Under Sect. 3301(d) of the Divorce Code filed.

May 7, 1996, Upon praecipe of plaintiff attorney, to transmit the record, this case is resubmitted tothe court.

DIVORCE DECREE FILED

May 10, 1996 AND NOW, May 9, 1996, it is ordered and decreed that MARY K. PROCTOR, plaintiff, and RICHARD E. PROCTOR, 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 and which has not been withdrawn by the party making the claim.

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

1992

Joseph F. Kulwicki, III

555

R. Charles Thomas

SANDRA L. WRIGHT

vs.

DWIGHT L. HALL

Filed June 15, 1992
@ 3:59 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	38.00
Pro Co pd 7-12-94	6.00

WRIT OF SUMMONS
Issued Sheriff

June 25, 1992 Sheriff's Return filed. SERVED Dwight L. Hall on June 22, 1992 at 12:53 PM by handing a copy of the Summons to Cindy Hall, his Wife and Authorized Agent, in the Sheriff's Office, Crawford County Courthosue, Meadville, PA. Signed Acceptance of Service attached.
So answers, Diane Severo, Deputy Sheriff
Robert M. STevens, Sheriff

Sept. 10, 1993 Upon Praecipe of Defendant's attorney, Rule to File Complaint filed.

Nov. 29, 1993, Service of the foregoing Rule is hereby accepted on Nov. 19, 1993, by plaintiff attorney.

July 12, 1994 Upon praecipe of plaintiff attorney the above captioned matter is settled and discontinued of record.

1992

Mary Ann Kirkpatrick

Brian J. Lindsay

556

Thomas, Truax,
Spadafore & Walker
R. Charles Thomas

CHARLES IRWIN EXLEY

vs.

SILVIA SMOCK EXLEY

Filed June 16, 1992
@ 9:15 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 6/21/94	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
1 copy (atty)

July 1, 1992 Affidavit of Service filed. AND NOW,July 1, 1992, comes Constance L. Deitman being duly sworn according to law, deposes and sets forth as follows:

1. That she is the legal secretary of Attorney for Charles Irwin Exley, Plaintiff in the above-captioned matter.

2. That on information furnished her by the Plaintiff, she caused a certfied copy of the Complaint in Divorce to be forwarded by Certified Mail, P 988 085 273; postmarked June 17, 1992, to the last known address of the Defendant, Silvia Smock Exley, P. O.Box 117, Conneaut Lake, PA 16316.

3. That the Defendant, Silvia Smock Exley, on June 22, 1992, 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.

June 30,1992 Constance L. Deitman

August 10, 1992 Answer To Plaintiff's Complaint And Counterclaim filed.

Aug. 10, 1992 Appearance of Thomas, Truax, Spadafore & Walker by R. Charles Thomas for derfendant filed.

Aug. 20, 1992 Motion to Set Hearing on Alimony Pendente Lite and Order filed. And Now, August 20, 1992, hearing on Petition for Alimony Pendnete Lite and Related Relief is scheduled for October 1, 1992 at 9:30 A.M., o'clock in courtoom 1 or 2 at the Crawford County Courthouse in Meadville, PA.

For the Court:
Imogene Yetman,Court Administrator

Aug. 20, 1992 Copy of the Order to Attys. Kirkpatrick and Thomas.

Oct. 2, 1992 Re: Pet. for Alimony Pendente Lite and Related Relief and Order, field. ORDER: AND NOW, Oct 1, 1992, Plaintiff having withdrawn the motion to set hearing on alimony pendente lite, the hearing scheduled for this date is hereby cancelled and a new hearing will be shceduled upon motion of any party in interest on such issues as may be appropriately scheduled for hearing.

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

Oct 7, 1992 copy to M.A. Kirkpatrick & R.C. Thomas

Oct. 20, 1992 Inventory of Planitiff filed.

Oct. 20, 1992 Income and Expense Statement of Planitiff filed.

Apr. 15, 1993 Appearance of Brian J. Lindsay for Plaintiff filed.

Feb. 18, 1994 Affidavit of Consent by Charles Irwin Exley, Plaintiff, filed.

May 24, 1994 Affidavit of Consent of Defendant filed.

June 14, 1994 Upon praecipe of Plaintiff Attorney To Transmit Record, this case moved to Court.

June 23, 1994 Affidavit filed. I, Charles Irwin Exley, being duly sworn according to law do hereby certify that on June 16, 1992, a Complaint in Divorce was filed on behalf of the above named Plaintiff. This Affidavit is being made to verify that as Plaintiff in the divorce action I had been advised at the time the divorce complaint was filed that counseling is available and I have the right to request said counseling if so desired.I hereby waive any right I have to request counseling.

I make this Affidavit because it was not stated in the Divorce Complaint that I was advised of the availability of marriage counseling.

Charles Irwin Exley

DIVORCE DECREE FILED

STIPULATION and CONSENT DECREE filed. AND NOW, this 28th day of June, 1994, upon presentation and consideration of the foregoing stipulation, this Court hereby orders and decrees 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 aboe named parties, on the grounds that the marriae 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 Pennsylvania.

2. Equitable Distribution of Property

A. That the parties own cerain real estate, with a dwelling house located thereon, situate at Oakmont Drive, Conneaut Lake, Crawford Co., PA., and husband shall execute a quit-claim deed to any interest he has in that marital real estate in favor of wife. Husband shall execute that deed within ten days of the date of this Decree and said Deed shall be delivered to wife's attorney immediately upon the signing thereof.

In exchange for the quit-claim deed from husband, wife shall assume and be responsible for all liabilities arising out of two mortgages which currently encumber the marital residence and arising out of all maintenance, repair, and utility bills incurred since May 31, 1992. Wife shall indemnify and hold husband harmless from the above referenced liabilities.

Further, wife shall make reasonable and continuing efforts to refinance those mortgage obligations for the purpose of satisfying them in order to free up husband's borrowing ability.

B. That the parties own a 1991 Chevrolet Cavalier registered in wife' name. That wife shall become the sole and exclusive owner of that 1991 Chevrolet Cavalier and shall assume and be responsible for and shall indemnify and hold husband harmless from all liabilities owed to Huntington Banks of Pittsburgh which company financed the purchase of the Cavalier. Wife's responsibility extends to all assigns and transferees of Huntington Banks. Wife shall make a diligent effort and shall have a continuing obligation to refinance or satisfy the parties' obligation to Huntington Banks.

RECORD CONTINUED ON PAGE 494.....

1992

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

557

MARINE BANK

vs.

JOHN A. FORINGER and
MARGARET J. FORINGER

Filed June 16, 1992
@ 10:58 A.M.

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	41.00
Sheriff's costs	25.00
Pro Co Pd 12/1 /92	9.00

COMPLAINT IN MORTGAGE FORECLOSURE
2 copies (Sheriff)

June 25, 1992 Sheriff's Return filed. SERVED John A. Foringer personally on June 23, 1992 at 8:45 AM in the Sheriff's Office, Crawford County Courthouse, Meadville, PA.
NOT FOUND as to Defendnat Margaret J. Foringer. Sher is unknown by the Meadville Post Office, not at address of R.D. #3, Box 492, Meadville, PA.
So answers, Carole Stefanucci, Deputy Sheriff
Robert M. Stevens, Sheriff

Aug. 10, 1992 Complaint Reinstated.

Aug. 13, 1992 Sheriff's Return filed. SERVED Margaret Shorts (Foringer) on Aug. 12, 1992 at 9:18 AM by handing a copy of the Complaint in Mortgage Foreclosure to Mary Ann McCarl, ADult in Charge, at the residence, RD # 1, Box 492, Meadville, Crawford Co., PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

AND Now, Nov. 24, 1992 upon praecipe of plaintiff attorney, Judgment is hereby entered in favor of the plaintiff and against the defendants for failure to file answer; daMAGES ASSESSED as follows: Unpaid Bal - $24,691.54 plus int. to 6/12/92 of $1,912.54; late chgs. of $37.10; and 5% atty fees of $1,322.06 plus NSF chgs---tot. of Twenty Seven Thousand Nine Hundred eighty Three and 24/100 Dollars together with interest from 6/13/92 at rate of 11% pl us costs.
Judgment entered 11/24/92
F -- 94, 114

Debt - $27,983.24
JUDGMENT
Int. from 6/13/92
Barbara H. King, Pro.

EXECUTION 1992 - 107

1992

Ferguson & Spataro
Douglas W. Ferguson

558

Barbara Walton
for Defendnat

Oct 6, 1994 #250.00
Deposited Master's Fee
by Plaintiff
(Non Refundable)
2-28-95 Ref from Pltf
Ct Rep. Settingfee 30.00
3-16-95 Pd Ct Rep-
Setting Fee #9012 30.00

OWEN B. BOWSER

vs.

CLAUDIA H. BOWSER

Filed June 16, 1992
at 11:33 A.M.

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 7/9/92	30.00
User's Fee pd 7/9/92	10.00
David Pickens, Master	
Pro.Co. pd 3/3/95	9.00 ✓

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
1 copy (Atty)

June 26, 1992 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 June 16, 1992. The Defendnat acknowledged service on June 17, 1992, by accepting delivery on that date as evidenced by the attached s igned return receipt. Douglas Ferguson

July 9, 1992 Petition For Related Claims Under the Divorce Code filed. (Alimony, Alimony Pendente Lite, Attorneys' Fees and Costs)

Sept. 2, 1992 MOTION TO SET HEARING ON ALIMONY PENDENTE LITE attorneys fees and costs and ORDER filed. ORDER: And Now, Sept. 1, 1992, Hearign on Alimony Pendente Lite, Attorney's Fees, and Costs is set for Oct. 1, 1992 at 10:00 a.m. at the Crawford County Courthouse, located in Meadville, Pa. FOR THE COURT:
Imogene Yetman, Crt. Adm.
Sept. 2, 1992 copy to Walton, Ferguson

Sept. 11, 1992 MOTION TO CONTINUE and ORDER, filed. ORDER: AND NOW, this 11th day of September, 1992, the within Motion is granted and the hearing is rescheduled to October 5, 1992, at 4:00 p.m. at the Crawford County Courthouse, Meadville, Pa. BY THE COURT:
Gordon R. Miller, P.J.
Sept. 11, 1992 copies to D. Ferguson & B. Walton

Oct. 8, 1992 Order filed. AND NOW, October 5, 1992 after an informal hearing on the defendant's petition for alimony pendente lite, counsel fees and expenses, the Court finds that the Plaintiff earns approximately $3,065 net take-home pay per month, has monthly expenses of approximately $600 per mnths, and is currently under a support order to pay $970 per month spousal support. The Court finds that the Defendant resides in the marital household, earns approximately $340 net take-home pay per month, but should be earning at least the minimun wage, which would total $600 per month, has living with her and partially supports an 18-year-old son who is in college, has approximately $1789.30 worth of monthly e xpenses which are taken from her budget information sheet and does not include charitable contributions, vacations, or legal fees, or medical expenses. One of the Plaintiff's expenses is to pay automobile insurance on an automobile that is beng used by the defendant. One of the Defendant's monthly expenses includes a mortgage payment on marital real estate in whcih she lives.

Accordingly it is ORDERED as follows:

The Plaintiff shall pay the sum of $200 per month as alimony pendente lite for three months, commencing with October, 1992 which said payment shall be made on or before the last day of each month, commencing with October 31, 1992. This is in addition to the spousal support which the Domestic RElations Section has already ordered the Plaintiff to pay. The Court finds that the Plaintiff has the financial ability to contribute more to the defendant's support and believes that an additional monthly payment sh ould b emad eover and above spousal support in order to enable the defendant, who earns less than the Plaintiff, to participate in this litigation and to pay her expenses which include to some extent, expense involved with a college-age son.

The Plaintiff shall pay the su mof $750 to apply on the defendatn's attorneys fees, which said amount shall b epaid at the rate of $250 per mo;nth for three months. The first installment payment of $250 shall be made on or before October 31, 1992.

This order shall not affect the ability of the Court or a maste rto make additional allocations for alimony pendente lite, counsel fees, and expenses if the facts and th elaw support it.

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

Oct. 8, 1992 Copies of order to atty's Walton and Ferguson

Jan. 11, 1993 Motion to Set Hearing on Defendant's Request to Extend Alimony Pendente Lite payments and Order filed. AND NOW, this 8 day of January, 1993, Hearing on Defendant's request for an extention of the existing alimony pendente lite payments is set for February 11, 1993, at 3:30 p.m. O'clock in Courtroom number 1 or 2 of the Crawford County Courthouse located in Meadville,Pennsylvania. For the Court:
Imogene Yetman, Ct. Adm.
Jan. 14, 1993 Copy of Order to Attys. Ferguson & Walton.

Jan. 22, 1993 Motion to Continue and Order, filed. ORDER: AND NOW, this 22nd day of January, 1993, the within Motion is allowed and a hearing is rescheduled for February 5, 1993 at 3:00 p.m. in courtroom 1. BY THE COURT,
Gordon R. Miller, P.J.
Jan. 22, 1993 copy to D. Ferguson & B. Walton

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 Claudia H. Bowser, Defendant in the above-captioned matter.
2. That on information furnished her by the Defendant, she caused a certified copy of the Petition for Related Claims to be forwarded by Certified Mail, P 899 097 832; postmarked July 9 1992, to the last known address of the Plaintif, Owen B. Bowser, R.D. #3, Box 300, Drums, PA 18222.
3. That the Plaintiff, Owen B. Bowser, on July 17, 1992, personally signed the return receipt card which was affixed to the Petition in the above-matter and which is attached hereto.
4. Service of the Petition against Plaintiff is therefore effected in accordance with Pennsylvania Rules of Civil Procedure. Lisa M. Sherretts

Continued on Page 108A

OWEN B. BOWSER
VS.
CLAUDIA H. BOWSER

CONTINUED FROM PAGE 108
of Record
A. D. 1992 - 558

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Mar. 8, 1993 MEMORANDUM AND ORDER filed. ORDER: AND NOW, March 5, 1993, the defendant's request for additional alimony pendente lite is denied.

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

Mar. 8, 1993 copies given to Ferguson & Irwin Mar 11, 1993 copy to B. Walton

Jun. 21, 1994 Affidavit Under Section 3301 (D) of the Divorce Code of Owen B. Bowser, Plaintiff, filed.

Oct. 6,1994 Income and Expense Statement of Owen B.Bowser, filed.

Oct.6, 1994 Inventory and Appraisement of Owen B.Bowser, filed.

Oct. 6, 1994 Motion For Appointment of Master in Divorce and Order, filed. AND NOW, October 14, 1994, David Pickens, Esquire is herby appointed Master in respect to the following claims: Divorce, Alimony, Equitable Distribution, Counsel Fees, Costs and Expenses.

If not filed already the parties are ordered to file their pre-trial statements within thirty (30) days from this date and Defendant shall within 30 days file Income and Expense Statement and Inventory.

Per Curiam,
Anthony J. Vardaro, J.

Oct 17, 1994 given Ferguson Faxed Pickens & Irwin

Oct.21,1994 Notice of Scheduled Pre-Hearing Conference filed.

Nov.18,1994 Summary of Pre-Hearing Conference, filed.

Dec. 9, 1994 Notice of Scheduled Master Hearing filed.

Feb. 16, 1995 Notice of filing Master's Report filed.

Feb. 16, 1995 Master's Report and Recommendation filed.

Feb. 28, 1995 Affidavit of Consent of Plaintiff, filed.

Mar. 3, 1995 Affidavit of Consent of Defendant, filed.

Mar. 3, 1995 Upon Praecipe of Douglas W. Ferguson, Esquire, to Transmit record, case moved to Court.

DIVORCE DECREE FILED

March 15, 1995 FINAL DECREE. AND NOW, March 15, 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:

   The marital residence
   Wife's personal property, as currently in her possession
   65% of the July 1, 1992 value of Husband's P.S.E.R.S pension, but not less than $400 per month, commending when Husband's pension goes into pay status.

   1988 Nissan Sentra

3. Husband shall receive the following items from the lsit of marital property:
   Husband's personal property, as currently in his possession.
   All that portion of Husband's pension not distributed to Wife
   interest in a leased, 1992 Honda.

4. Wife shall assume all responsibility for the PNC mortgage, PNC line of credit and Montgomery Ward Charge account and hold Husband harmless with respect to said debts.

5. Husband shall assume all responsibility for payments on the lease for the 1992 Honda and hold Wife harmless with respect to the same.

6. Wife shall prepare an appropriate Order and/or such other documents as are necessary to effectuate transfer to and payment of wife's interest in Husband's P.S.E.R.S. pension.

7. Husband shall prepare necessary deeds to transfer interest in the real estate to wife.

8. The parties will execute any and all documents necessary to effectuate this agreement.

9. Husband shall pay to wife the sum of $970 per month for period of 48 consecutive months, commencing Feb. 1, 1995. The amount and duration of alimony shall be non-modifiable except that the right to receive or pay the same shall terminate upon the death of either party.

10. Husband shall pay $1,200 toward Wife's attorney fees, in addition to any payments already made or ordered to be made by Husband for this purpose. This amount shall be paid to James R. Irwin, Esq., within 30 days of the entry of a decree in divorce.

11. 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.

13. All claims raised in the pleadings which are not specifically dealt with herein are deemed denied.

BY THE COURT:
Gordon R. Miller, J.

Feb. 26, 1997 Approved Domestic Relations Order filed. (SEE PAPERS FILED).

BY THE COURT:
Anthony J. Vardaro, J.

1992

1992

Roeder & Rothschild Tamera Ochs Rothschild 559	HELEN MARIE ANDERSON and HAROLD A. ANDERSON vs. WILLIAM B. BRADLEY and VICKI L. BRADLEY Filed June 16, 1992 at 2:03 P.M. Tax & entry paid 50.50 User's Fee paid 5.00 Sheriff's Costs 43.00 Pro Co pd 8-19-92 5.00	COMPLAINT IN MORTGAGE FORECLOSURE 3 copies (Sheriff) June 25, 1992 Sheriff's Return filed. SERVED William B. Bradley personally on June 19, 1992, at 11:07 AM by handing him a copy of the Complaint in MOrtgage Foreclosure at Maker Auto Parts, Central Avenue, Titusville, Crawford County, PA. SERVED Vicki L. Bradley onJune 19, 1992 at 11:08 AM by handing a copy of the Complaint in Mortgage Foreclosure to William B. Bradley her husband, at Baker Auto Parts, Central Avneue, Titusville, Crawford County, PA. So answers, Dale A. Collins, Deputy SHerff Robert M. Stevens, Sheriff Aug. 19, 1992 Upon praecipe of Plaintiff attorney the above-capttioned matter is settled and discontinued of record.

Bernstein and
Bernstein, P.C.
Susan W. Laatsch

Hollie A. Bernstein

560

Fuller, Kinnunen,
Petruso, Gamble,
Fabian & Hall
John D. Petruso

WESTERN WORLD INSURANCE
COMPANY, INC.

vs.

CRAWFORD COUNTY INSTITUTION
DISTRICT, doing business as
CRAWFORD COUNTY MENTAL HEALTH/
MENTAL RETARDATION PROGRAM,
a non-profit governmental
agency of CRAWFORD COUNTY

Filed June 16, 1992
at 2:17 P.M.

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's costs	25.00
Pro. Pd. 10/28/92	5.00 ✓

COMPLAINT
1 copy (Sheriff)

July 2, 1992 Sheriff's Return filed. SERVED, Crawford County Mental Health/Mental Retardation Program on June 25, 1992, at 10:23 AM by handing a copy of the Complaint to Laverne Galford, Receptionist and Person in Charge at the business, 628 Arch St., Meadville, Crawford County, Pa.
So answers,

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

July 15, 1992 Answer to Complaint, New Matter and Counterclaim filed.

Aug. 19, 1992 Notice of Default filed.

Oct. 28, 1992 Upon Praecipe of the Plaintiff and Defendant Attorney the original action and the Counterclaim the above captioned matter is marked settled and Discontinued of record.

1992

SHAFER,SWICK, BAILEY, IRWIN & STACK
Paul D. Shafer, Jr.
Jeffrey K. Millin

561

William P. Voegele
~~Kenneth J. Polk~~

Keddie & Keddie
Robert B. Keddie
for Seal-Dry/USA, Inc.

Cipriani & Werner
Gerard J.Cipriani
for Apache Building Products Company

SECO/WARWICK CORPORATION

VS.

VOEGELE COMPANY, INC.
AND SEAL-DRY/USA, INC.

vs.

APACHE BUILDING PRODUCTS COMPANY, Additional Defendant
Filed June 16, 1992
at 3:51 P.M.

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	45.00
Pro Co pd 7-25-95	6.00

JURY TRIAL

COMPLAINT
1 copy (Sheriff)

July 31, 1992 PRAECIPE TO LIST FOR ARGUMENT, filed.

ON JULY 1992 ARGUMENT LIST

July 31, 1992 PRELIMINARY OBJECTIONS IN THE NATURE OF A DEMURRER AND A MOTION FOR MORE SPECIFIC PLEADING, filed.

Aug. 4, 1992 Sheriff's Return filed. SERVED the within Comp on June 24, 1992 at 11:55 A.M. upon Voegele Co., Inc. at above by handing to Amy Batman, Sec. a true and correct correct copy thereof and made known to her the contents therein.
Robert _____ Sheriff, Allegheny Co
Eugene L. Coon, Allegheny
See Affidavit of Service endorsed hereon by Sheriff of Allegheny County, Pennsylvania, which is a part of this return.
So answers,
Robert M. Stevens, Sheriff,
Crawford County, PA

Nov. 16, 1992 Memorandum and Order filed. AND NOW, November 16, 1992 the defendant's demurer to Count II is preliminary granted subject to the planitiff's right to file an amended complaint within twenty (20) days from the date of this order to aver facts upon which a breach of warranty claim could be based.
The defendant's preliminary objections are sustained with respect to paragraphs 7, 9, and 11. The defendatn's motion for paragraphs 13 is denied. The Planitiff is given leave of court to file an amended complaint within twenty (20) days from the date of this order to aver with more specificity the matters claimed in paragraphs 7, 9 and 11.
BY ORDER OF COURT,
Gordon R. Miller, J

Nov. 17, 1992 copies mailed to Atty's Polk and given to Atty. Millin and Shafer

Nov. 30, 1992, Amended Complaint filed 1 copy (atty)

Jan. 12, 1993 Appearance of Keddie & Keddie by Robert B.Keddie, Esquire for Seal-Dry/USA, Inc. filed.

Jan. 25, 1993 Praecipe for Writ of Summons to Join an Additonal Defendant, APACHE BUILDING PRODUCTS COMPANY, filed.

Jan. 26, 1993 Answer, New Matter and New Matter Rule 2252(d), filed.

Jan. 26, 1993 Answer to Amended Complaint, New Matter and New Matter Pursuant to Rule 2252(d).

Feb. 4, 1993 Verification In Support OF Answer To Amended Complaint, New Matter and New Matter Pursuant To Rule 2252(d) filed.

Feb. 22, 1993 Appearance of Cipriani & Werner by Gerard J. Cipriani, Esquire for Apache Building Products Company, additional Defendant, filed.

Feb. 22, 1993 Praecipe for Rule to File a Complaint to join additional Defendant, issued. Feb. 22, 1993 (1 copy Attorney)

Mar. 23, 1993, Reply to New Matter of Voegele Co., Inc. Under Rule 2252(d) filed.

Apr. 12, 1993 Peply to New Matter of Seal-Dry/USA, Inc. Under Rule 2252(d), filed.

Apr. 26, 1993, Complaint of Defendant Voegele Co. Inc.'s Against Additional Defendant filed.

May 7, 1993 Reply to New Matter of Defendant, Voegele Company, Inc., filed.

May 17, 1993 Verification to Reply to New Matter of Voegele Company, Inc., filed.

July 13, 1993 Answer, New Matter and New Matter Pursuant to Rule 2252(d), filed.

July 16, 1993, Reply to New Matter ofApache Building Products filed.

Aug. 23, 1993, Certificate ofService of Answers to Plaintiffs Interrogatories Directed to Apache Building Products Company, filed.

Sep. 14, 1993 Affidavit of Service filed. BEFORE ME, the undersigned authority, a notary public, and and for the Commonwealth of Pennsylvania and County of Allegheny personally appeared Lynn M. FIEVET, who first being duly sowrn according to law deposes and says that on or about the 3rd day of March, 1993, she did mail by certified mail, return receipt requested, number P-214 685 768, sent to counsel for original defendant, KENNETH J. POLK, ESQURE, at his last known address of 4731 Liberty Avenue, Pittsburgh,Pennsylvania, 15224-0232, the original Rule to File a Complaint. Attached hereto is the original return receipt dated March 9, 1993.
LYNN M. FIEVET

June 30, 1994 Reply To New Matter And New Matter Pursuant To Rule 2252(d) Of Additional Defendant Apache Building Products Company, filed.

Aug. 15, 1994 Motion to Compel Discovery Directed to Sea-Dry/USA, Inc., and ORDER filed. AND NOW, this 12 day of August, 1994, upon consideration of Plaintiff's Motion toCompel Discovery, said Motion is granted and the Defendant, Seal-Dry/USA, Inc., shall provide full and complete responses to said discovery within thirty (30) days from the date of this Order or suffer appropriate sanctions to be entered by the Court upon further Motion of the moving party.
BY THE COURT:
Anthony J. Vardaro, J.
8-15-94 Faxed to Attys.Shafer, English, Polk and Mailed Keddie

Oct. 13, 1994 Appearance of William P. Voegele, Pro Se for Kenneth J. Polk, Esq., filed.

Continued toPage 473

112

1992

Culbertson,Weiss,
Schetroma & Schug,P.C.
David L. Hotchkiss

562

WILLIAM A. OHLE and
FLORINE E. OHLE

VS.

THE SURVIVING SPOUSE, if any of MAX V. SCHOONMAKER, he runknown heirs, devisees, and assigns, and all persons claiming any right, title or interest

Filed June 16, 1992
at 3:58 P.M.

Tax & Entry paid 50.50
User's Fee paid 5.00
ProCopd 10-16-92 9.00

COMPLAINT IN ACTION TO QUIET TITLE
(no copy)

June 22, 1992 Motion for Service Pursuant to Special Order of Court for Service of Complaint to Quiet Title by Publication, filed. And Now, this 19 day of June,1992, upon consideration of the Motion filed by counsel for the Plaintiffs, and in reliance upon the Affidavit concerning the status of the Defendant, 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, her heirs and assignes, 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, her heirs and assigns generally, to respond to theComplaint to Quiet Title within twenty (20) days from the date of said publication, or be forever barred from asserting any right, title, interest, claim or demand whatsoever in,to or against that certain tract of land described in said Complaint.

By the Court,
Anthony J.Vardaro

June 22, 1992 Copy of the Order in Atty. Hotchkiss box.

Sept. 15, 1992 Motion For Judgment and order filed. And Now, this 14th day of September, 1992, upon mtoion of the Plaintiffs and after having deterined that no appearance has been entered on the reocrd on behalf of the defendant, her heirs or assigns generally, or anyone on her behalf, it is hereby ordered and decreed, as follows:

1. Plaintiffs are the owners of the subject premises described in the Complaint in fee simple absolute as their respective interests may appear, free and clear of all claims of the defendant, 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 21 years.
2. Defendant, her heirs and assigns generally, are forever barred form asserting any right, lien, title or interest in the subject premises inconsistent with the interest or claim of the APlaintiffs as set forth in their Complaint, and form impeaching, denying, liligating or in any way attacking plaintiffs' title thereto.
3. The fee simple title of plaintiffs herein to the subject premises is confirmed, ordered and decreed, unless defnednat, her heirs or assigns, or any one or some of them, file Exceptions to this Order wihtin Twenty (20) days form the filing hereof to the Prothonotary of this Court,
4. No notice of the filing of this Order is required to be given to defendant or to any other person.
5. If no action is taken by defendant, her heirs or assigns generally, or any one or some of them, within the said twenty -day period of time, this Order shall become absolute and final, upon Praecipe of plaintiffs.

By The Court,
Gordon R. Miller, J

Sept. 16, 1992 Copy of order put in box for Atty. Hotchkiss

And now, Oct. 12, 1992 @ 3:23 PM upon praecipe of plaintiff's attorney, final judgment is hereby entered in this case, in favor of the plaintiffs and against the defendants, pursuant to the foregoing Order of Court.

S-113

FINAL JUDGMENT
Barbara H. King, Pro

Prothonotary

1992

Joseph W. Tinko

563

RALPH MICHAEL WEAVER

vs.

ANDREA M. WEAVER

Filed June 17, 1992
at 2:49 P.M.

Tax & entry paid	50.50
User's Fee paid	5.00
State Paid	10.00
Pro.Co. pd 9/18/92	9.00

COMPLAINT UNDER SECTION 3301 (c) or 3301 (d) of the DIVORCE CODE

1 copy (atty)

July 6, 1992 Affidavit Of Service filed. BEFORE ME, a Notary Public of the Commonwealth of PA., on this 6th day of July, AD 1992, comes Joseph W. Tinko, Esquire, the undersigned affiant who, after being duly sworn (affirmed) according to law, deposes and says as follows:

That pursuant to Pa. R.C.P. No. 405, the Complaint in the above-captioned case for Divorce under Section 3301(c) or 3301(d) of The Divorce Code of PA. was served on the defendant, Andrea M. Weaver, by United States certified mail, postage prepaid, on June 18, 1992 at 453 Arch St., Meadville, PA., 16635, as evidenced by the return receipt signed by the defendant, Andrea M. Weaver, which return receipt is attached hereto as Exhibit "A" and incorporated herein by this reference as if fully set forth.

Date: July 6, 1992

Joseph W. Tinko, Esq.

July 6, 1992 Acceptance Of Service filed.
Date: 6-18-92 Andrea M. Weaver

sept. 18, 1992 Affidavit of Consent of Plaintiff filed.

Sept. 18, 1992 Affidavit of Consent of Defendant filed.

Sept. 18, 1992 Upon Praecipe of Plaintiff's Attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Sept. 25, 1992 AND NOW, to wit, this 22nd day of September, 1992, the Court, having reviewed the above-captioned case, finds that the marriage between Ralph Michael WEaver and Andrea M. Weaver is irretrievably broken, that ninety (90) days have elapsed from the date of filing the above-captioned Complaint in Divorce, and that Ralph Michael WEaver and Andrea M. Weaver each field an affidavit consenting to the divorce:

THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Ralph Michael Weaver, the plaintiff, and Andrea M. Weaver, the defendant, be and hereby are divorced from the bonds of matrimony heretofore contracted between them.

THIS DECREE OF DIVORCE constitutes a FINAL ORDER as to all pending claims herein.

BY THE COURT:
Gordon R. Miller, J.

114

1992

Thomas, Truax,
Spadafore & Walker
R. Charles Thomas

564

PAUL J. PETERSON, SR.

vs.

BRENDA SUE PETERSON

Filed June 17, 1992
at 3:21 P.M.

Tax & Entry paid	50.50
User's Fee paid	5.00
State Paid	10.00
Pro Co pd 2-8-93	9.00

COMPLAINT UNDER SECTION 3301 (c) or 3301 (d) OF THE DIVORCE CODE

1 copy (atty)

June 17, 1992 Plaintiff's Affidavit under Section 3301 (d) of Divorce Code filed.

Feb. 8, 1993 Affidavit of Service of Complaint in Divorce, filed. R.CHARLES THOMAS, Esq., being duly sworn according to law, deposes and says that on June 18th, 1992, he sent a true and correct copy of the Complaint in Divorce and 3301(d) Affidavit, properly endorsed with the Notice to Defend, filed in the above action to the Defendant, Brenda Sue Peterson, at Defendant's last known address of 306 Forest Green Dr., Meadville, Pa 16335, by Certified Mail No. P643 856 985, postage prepaid, restricted delivery, return receipt requested and that attched hereto is a duly executed return receipt card showing date of delivery as 6/19/92.

Feb. 8, 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

February 16, 1993 AND NOW, February 16, 1993, it is ordered and decreed that **P A U L J . P E T E R S O N , S R . ,** plaintiff, and **B R E N D A S U E P E T E R S O N ,** defendant, are divorced from the bonds of matrimony.

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

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

1992

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

565
Bette Peterson-Muth

SHIRLEY L. ABBOTT

vs.

LEWIS A. ABBOTT

Filed June 17, 1992
at 3:23 P. M.

State & Entry paid	50.50
User's Fee paid	15.00
State Paid	10.00
2 add'l counts paid	30.00
Pro Co pd 2-2-93	9.00

COMPLAINT UNDER SECTION 3301 (c) and 3301 (d)
OF THE DIVORCE CODE, EQUITABLE DISTRIBUTION,
Alimony Pendente Lite Permanent Alimony, Counsel Fees,
Expenses and Costs

1 copy (atty)

June 24, 1992 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 June 18, 1992, he had deposited in the United States Mail by certified mail, return receipt requested, Certified Mail No. P 899 095 154 as evidenced by Certified Mail Receipt No. P 899 095 154 attached hereto and made a part hereof, a true and correct c opy ofa Complaint in Divorce addressed to Lewis A. Abbott said Complaint in Divorce naming Lewis A. Abbott as the defendant in the above-captioned matter.
4. Service was obtained upon the defendant, Lewis A. Abbott on June 19, 1992, as evidenced by rEturn Receipt for Certified Mail No. P 899 095 154 attached hereto and made a part hereof, said receipt being signed by Lewis A. Abbott.
FURTHER, DEPONENT SAYETH NOT. Gary A. Fabian

July 8, 1992 Motion To Schedule Hearing Upon Plaintiff's Request For Alimony Pendente Lite, Counsel Fees, Expenses and Costs and ORDER filed. AND NOW, this 8 day of July, 1992, upon presentation of the foregoing Motion, a hearing is hereby scheduled upon plaintiff's request for alimony pendente lite, counsel fees, expenses and costs, to occur at the Courthouse, Meadville, Crawford County, PA., on the 12 day of August, 1992, at 1:30 p.m. o'clock p.m. in Courtroom No. 2.
BY THE COURT
Anthony J. Vardaro, J.

July 10, 1992 Copy of Order to Atty. Gary Fabian.

Aug. 26, 1992, Income and Expense Statement of defendant filed.

Dec. 2, 1992 Affidavit of Consent of Lewis A. Abbott, Defendant, filed.

Jan. 28, 1993 Affidavit of Consent of Plaintiff filed.

Feb. 2, 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

Feb. 24, 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 teh 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 eviencing that each of the parties consents to the divorce, pursuant to Section 3301(c) of the Pennsylvania Divorce Code.
2. Equitable Property Determination and Distribution:
This decree provides that the marital property of the above-named parties shall be divided in accordance with a Marital Settlement Agreement executed by the parties, the effective date of said agreement being Jan. 25, 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. Cash Payment. Defendant Husband shall pay to Plaintiff Wife the sum of Twelve Thousand ($12,000.00) Dollars cash, being currency of the United States of America, in one lump sum with credit being given to Defendant Husband toward such total sum for payments made by Defendant Husband to Plaintiff Wife since Dec. 1, 1992.
B. Real Estate. Plaintiff Wife shall make, execute and deliver to Defendant Husband a quit claim deed conveying and transferring all her right, title and interest in and to certain real estate, said real estate being the former marital residence and being situate in the Borough of Saegertown, Crawford Co., Pa., and being commonly known as 519 Water Street, Saegertown, PA. 16433 and being more particularly described in a deed dated June 7, 1962, and recorded in Crawford Co. Deed Book 405, Page 368. Said premises are awarded to Defendant Husband.
C. Individual Retirement Account. Defendant Husband shall retain and is awarded his individual retirement account (I.R.A.) deposited with Integra Bank - Saegertown, PA. office.
D. Further, the division of all other marital property, and the payment of all debts of the parties shall be made in accordance with the terms of the Marital Settlement Agreement, which said Agreement was effective Jan. 25, 1993.
3. A copy of the Marital Settlement Agreement of the parties, which said Agreement was effective of the parteis 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 the 23 day of February, 1993.

BY THE COURT
Anthony J. Vardaro, J.

Berger Kapetan Meyers Rosen Louik & Raizman, P.
Neil R. Rosen

566

Swartz,Campbell & Detweiler
Curtis P.Cheyney,III
for The Home Insurance Company, Garnishee

David Manross, Executor of the Estate of Francis Barnes, and Diana Toth

vs.

Joseph C. Barnhart

Filed June 18, 1992 at 11:14 A.M.

Tax & Entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	37.00
Pro Co pd 11-12-92	9.00

PRAECIPE FOR WRIT OF SUMMONS IN CICIL ACTION
Issued Atty

July 10, 1992 SHERIFF'S RETURN FILED. SERVED Joseph C. Barnhart on July 1, 1992 at 1:55 PM by handing a copy of the Summons to Pat Cappel, Legal Secretary and Adult in Charge, at 228 East Central Avenue, Titusville, Crawford County, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

July 29, 1992, Complaint in Civil Action filed.

And Now, Nov. 12, 1992 at 3:21 p.m. upon praecipe of plaintiff's attorney default judgment is entered against defendantJoseph C. Barnhart, in the within captioned matter.
B - 94 JUDGMENT
Barbara H. King, Prothonotary

Nov. 13, 1992 Affidavit of Service filed. Before me, the undersigned authority, appeared Neil R. Rosen, Esquire, counsel for the plaintiffs, who, being duly sworn according to law, deposes and says that he cause a true and correct copy of a Complaint in Civil Action to be forwarded to the defendant, Joseph C. Barnhart, on August 3, 1992 by certified mail, return receipt requested. The original receipt of the United States Post Office evidencing receipt of said pleading by this defendant on August 5, 1992 is attached hereto and made a part heretof.
Neil R. Rosen

Jan. 25, 1993 Notice Of Deposition of Joseph C. Barnhart filed.

Mar 19, 1993 Notice of Deposition of Joseph C. Barnhart, filed.

Jan. 3, 1995 Notice To Complete Discovery Within Sixty Days Pursuant to Local Rule L302A(2).

Jan. 5, 1995 Certificate of Readiness on behalf of plaintiffs filed.

On April 1995 Civil Trial List

Apr. 6, 1995 Consent Motion To Liquidate Damage Claim and Enter Judgment and Order, filed. AND NOW, this 5th day of April, 1995, upon consideration of the foregoing Motion ane the consent of the parties thereto, the Court finds and Orders as follows:
1. The amount of $112,500.00 is a fair and reasonable value of the claims arising from the death of Francis Barnes, deceased; and
2. Judgment is entered in favor of Plaintiffs against Defendant in the amount of $112,500.00.
BY THE COURT:
Gordon R. Miller, P.J.

Apr. 6, 1995 Horvath & Barnhart
B - 94 JUDGMENT

EX 1995-47

Sep. 22, 1995 The Deposition of: Joseph C.Barnhart, May 10,1993, filed.

Nov. 9, 1995 Garnishee The Home Insurance Company's Cross Motion for Summary Judgment filed.
(Originals filed at Ex 1995 - 47)

Nov. 9, 1995 Answer to Plaintiff's Motion for Summary Judgment filed.
(Originals filed at Ex. 1995 - 47)

Nov. 30, 1995 Motion for Continuance of Argument Date and ORDER filed.
(Original filed at EX. 1995 - 47)

1992

Thomas, Truax, Spadafore & Walker
Gregory A. Keenan

567

Michael W. Duell

vs.

Lena D. Duell

Filed June 18, 1992
at 11:27 A.M.

Tax & Entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 10-6-92	9.00

COMPLAINT IN DIVORCE
1 copy Atty

June 29, 1992 Affidavit of Service of Complaint in Divorce filed. Gregory A. Keenan, Esquire, being duly sworn according to law, deposes and says that on June 18, 1992, 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, Lena D. Duell, at Defendant's last known address of 98 FrontSt., Box B-5, Addison, N.Y. 14801, by Certified Mail No. P 063 588 841, postage prepaid, restricted delivery, return receipt requested,and that attached hereto is a duly executed return receipt card showing date of delivery as June 22, 1992.

Gregory A.Keenan, Esquire

Oct 6, 1992 Affidavit of Consent of Defendant, filed.

Oct. 6, 1992 Affidavit of Consent of Plaintiff, filed.

Oct. 6, 1992 Upon praecipe of Plaintiff attorney, to transmit record, case moved to Court.

DIVORCE DECREE FILED

October 15, 1992 AND NOW, October 12, 1992, it is hereby ordered and decreed that **MICHAEL W. DUELL**, Plaintiff, and **LENA D. DUELL**, 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.

1992

Darrell L. Kadunce

568

~~Rubinate & Marks~~
~~Paul R. Marks~~ withdrawn

Wayman, Irvin &
McAuley
Bernard J. McAuley

MIKE RYDER

vs.

CENTURY ELECTRIC COMPANY/
MAGNETEK ELECTRIC COMPANY

Filed June 18, 1992
at 1:22 P.M.

Tax & Entry paid	50.50
User's Fee paid	5.00
Pro Co pd 11-23-94	6.00

PRAECIPE FOR WRIT OF SUMMONS Issued (atty) **JURY TRIAL**

July 20, 1992 Appearance of Rubinate & Marks by Paul R. Marks for defendants filed.

July 20, 1992 Praecipe for Rule to File a Complaint filed. (Issued Atty)

Sept. 8, 1992 Complaint in Civil Action of Plaintiff filed.

Oct 1, 1992 Answer and New Matter, filed.

Jan. 4, 1993 Notice of OralDeposition of Mike Ryder, filed.

Jan.4, 1993 Notice of Service for Request for Production of Documents and Defendants' First Set of Interrogatories Directed to Plaintiff, filed.

Jan. 19, 1993 Reply To New Matter filed.

Feb. 25, 1993 Appearance of Wayman, Irvin & McAuley by Bernard J. McAuley, ESquire for Century Electric/Magnetek Electric Company, Defendants, filed.

Mar. 24, 1993, UPon praecipe of Paul R. Marks, Esq. Appearance for defendant withdrawn of record.

June 22, 1993 Notice of Answer to Interrogatories Being Completed by Plaintiff, filed.

July 23, 1993 Notice of Deposition of Plaintiff, Mike Ryder, filed.

Aug. 13, 1993, Plaintiff's Consent to Filing of an Amended New Matter by Defendant filed.

Aug. 13, 1993, Amended New Matter filed.

Jul 1, 1994 Response to Request for Production of Documents, filed.

Nov. 21, 1994 Upon praecipe of plaintiff attorney the above-captioned case is marked satisfied of record.
11-23-94 Sent certificate and costs.

1992

Gerald Sullivan

569

SENECA L. DONAHUE

vs.

GARRY E. DONAHUE

Filed June 18, 1992
at 2:08 P.M.

Tax & Entry	50.50
User's Fee	5.00
Sheriff's Costs	25.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT
1 copy (Plf) 3 copies (Dft)

June 22, 1992 SHERIFF'S RETURN FILED. SERVED Garry E. Donahue personally on June 18, 1992 at 2:46 PM by handing to him a copy of the Protecton From Abuse at R.D.#9, Box 698, Meadville, Crawford County, PA.
So answers, Edgar D. Householder, Chief Deputy
Robert M. Stevens, Sheriff

June 29, 1992 ORDER filed. AND NOW, June 26, 1992 this matter is before the Court on a petition filed by the Plaintiff seeking relief under the Protection from Abuse Act.

The Plaintiff appears represented by counsel and the Defendant appears without ccounsel. He is advised of his right to counsel, and wishes to proceed without counsel, particularly in light of the fact that the parties have reached an agreement.

Accordingly, the following order is entered without admission on the Defendant's part of the allegations contained in the Plaintiff's petition.

1. The Defendatn shall not assault, abuse, harass, or threaten the Plaintiff at any time or place.

2. The Defendant shall not go to the Plaintiff's residence at any time. He is cautioned that if he is invited to the Plaintiff's residence, he should not go to the residence without further order of Cfourt insofar as any police agency called shall be entitled to presume that he has not been invited to the residence and his presence at the residence is in violation of this order.

3. The Plaintiff is granted temporary physical custody of the minor child pending further order of Court, in any other proceeding and the Defendant is granted partial custody every other weekend from Saturday at noon through Sunday at 11:30 a.m., beginning on June 27, 1992. Additionally, the Defendant shall have custody every Tuesday and Thursday evening from 5:30 p.m. until 8:30 p.m.

4. Notwithstanding the provision above concerning presence at the home of the plaintiff, the Defendant shall be entitled to go to the home at noon on July 5, 1992 for the prupose of obtaining his tools and clothing, and in doing so he shall not assault, abuse, harass, or threaten the Plaintiff.

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. A copy of this order shall be delivered tot he Police Dept. in the jurisdiction where the Plaintiff resides, 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 of up to $1,000 and a jail sentence of up to six months.

8. The Defendant shall pay court costs in this matter in the amount of $89.50 on or before the close of business at the office of the Prothonotary of Crawford County on the first floor of the Courthoue on or before July 10, 1992.

9. This order shall remain in full force and effect through June 25, 1993.

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

June 26, 1992 copies givent o Co. Ctrl. & Atty. Sullivan, mailed copy to Dft. July 6, 1992 also mailed copy to Pa. State Police

120

1992

Terry Toomey

570

pro se

NORMAN JOHN ADAMS

vs.

JULIE A. ADMAS

Filed June 18, 1992
at 2:27 P.M.

Tax & Entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 8-4-93	9.00

COMPLAINT IN DIVORCE
2 copies (Dft.)

July 8, 1993 Appearance of Terry Toomey for Plaintiff Norman John Admas, Jr., filed.

July 8, 1993 Affidavit of Consent of Plaintiff, filed.

Aug. 4, 1993 ACCEPTANCE OF SERVICE, and ENTRY OF APPEARANCE PRO SE, filed. I, JULIE A. ADAMS, the Defendant herein, do hereby acknowledge service of the Complaint in the Divorce upon me on July 15, 1992. FURTHER, I do here enter my appearance pro se.

Aug 4, 1993 Affidavit of Consent of Defendant, filed.

Aug. 4, 1993 Upon praecipe of Plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Aug. 12, 1993 AND NOW, August 10, 1993, it is hereby ordered and decreed that NORMAN JOHN ADAMS, JR., Plaintiff, and JULIE A. ADAMS, 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 nto yet been entered.

BY THE COURT:
Anthony J. Vardaro, J.

1992

Peters, Lindsay, Lewis & Gagliotti
Brian J. Lindsay

571

THOMAS EDWARD LONG, SR.

vs.

LUCILLE ANN GLANCY

Filed June 18, 1992
at 3:44 p.m.

Tax & Entry paid 50.50
User's Fee paid 5.00

John Fuller, Mediator

NOTICE AND ORDER TO APPEAR, PETITION FOR CUSTODY & SPECIAL RELIEF

June 18, 1992 ORDER FILED. AND NOW, May 29, 1992, this custody proceeding is filed and John Fuller, is appointed Custody Mediator for a mediation conference.

The attorney for the petitioner appears in Motion Court and indicates that the respondent has apparently exercised behavior with respect to the monor child that may endanger the health of the minor child due to a chronic problem with viral pneumonia and bronchitis and related respiratory problems.

ACCORDINGLY, THE Court grants temporary custody of the minor child to the plaintiff pending the medication conference. This placement should be no guidance to the Mediator with respect to an ultimate determination in regard to this matter.

The respondent shall have visitation privileges with the minor child every other weekend beginning at 6:00 A.M. on Friday, June 5, 1992, with a weekend ending on the following Sunday at 6:00 p.m., which in the case of the first weekend, would be June 7, 1992.

During the period of time the parties are with the child, they shall not smoke in the presence of the child at any time.

This Order shall only remain in effect until a mediation conference is held and there is further Order of Court.

The petitioner shall forthwith make the deposit with the Prothonotary for the purposes of a Mediator being appointed.

By Order of the Court,
Anthony J.Vardaro, J.

June 18, 1992 Copy of the Order to: Brian J. Lindsay, Esq., and John Fuller, Esquire

June 30, 1992 Order filed. AND NOW, June 29, 1992, the order of June 18, 1992 appointing John Fuller, Esquire as custody mediator is hereby vacated as the plaintff has neither made the deposit of $150.00 nor obtained leave of Court to proceed informa pauperis, all as required by the local rules.

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

June 30, 1992 Copy of the Order given to Atty. Fuller andAtty. LIndsay.

July 15, 1992 Verification Of Service filed. I, Brian J. Lindsay, Esquire, attorney for the Plaintiff in the above-captioned action verify that I did mail a certified copy of the Notice and Order to Appear, Petition for Custody & Special Relief, and Order to Lucille Ann Glancy, P O Box 354, Conneautville, PA 16406 by United States First Class Mail, postage prepaid, and also by United States Certified Mail, #P899087486; I make this verification with notice that willful false statements made herein are subject to the penalties of perjury under Section 4904 of the Pennsylvania Crime Code, relating to unsworn falsification to authorities.

Brian J. Lindsay

Sept 22, 1998 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 7/15/1992. 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 objectioins 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.

Date: Sept 22, 1998 Anthony J. Vardaro, J.

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.

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

572

JAMES A. CLARK and DORIS A. CLARK, his wife

vs.

The ESTATE of GEORGE W. CLARK and the ESTATE of MOLLIE M. CLARK, his wife; The ESTATE of HARVEY M. CLARK and the ESTATE of and C. ALICE CLARK a/k/a ALICE CLARK his wife; GLEE CLARK and the ESTATE of WALTER D. BAILEY, her husband: AUDREY E. BAILEY and ROBERT O. BAILEY, her husband; NANCY S. BAILEY: DARWIN C. BAILEY and DOROTHY WEAVER BAILEY, his wife; WILFORD A. BAILEY and MARTHA BAILEY, his wife; the ESTATE of MAURICE F. BAILEY and GLADYS M. BAILEY, his wife; the ESTATE of GRACE CLARK FORTNER and the ESTATE WILLIAM FORTNER, her husband; SAYELLA FORTNER WEINAL and ELMER WEINAL, her husband; WILLIAM J. FORTNER; JERRY H. FORNTER: A.D. CLARK aka A. DALE CLARK and KATHERINE CLARK; and their heirs successors, and assigns and RUTH ANN HAFER and ANDREA JANE HAFER

Filed June 19, 1992
@ 9:32 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	80.00
Pro Co pd 9/9/92	9.00

COMPLAINT IN ACTION TO QUIET TITLE
9 copies (Sheriff)

June 22, 1992 Action to Quiet Title and Order filed. AND NOW, to-wit, this 22 day of June, 1992 upon consideration of the foregoing Motion, the Plaintiffs are granted leave to make service of the Complaint on the Defendants Glee Clark Bailey; Nancy S. Bailey; Sayella Fortner Weinel; Elmer Weinel, her husband; William J. Fortner; Jerry H. Fortner; A. D. Clark aka A. Dale Clark; and Katherine Clark, his wife; and the Estates of George W. Clark and Mollie M. Clark, his wife,and Maurice F. Bailey, their heirs, successors and assigns, by publication once in the Crawford County Legal Journal and the Meadville Tribune, two periodicals of general circulation in the County of Crawford, Pennsylvania.

PER CURIAM,
Anthony J. Vardaro, J.

June 22, 1992 Copy of the Order given to Atty. Stack.

June 22, 1992 MOTION FOR SERVICE PURSUANT TO SPECIAL ORDER OF COURT PURSUANT TO PA. R.C.P. 430, filed.

July 8, 1992 SHERIFF'S RETURN filed. SERVED Darwin C.Bailey on June 29, 1992 at 11:56 am by serving his wife, Dorothy W. Bailey at their residence, RD 4, Bailey Rd, Meadville, Cr. Co., Pa. 16335

SERVED Dorothy Weaver Bailey personally on June 29, 1992 at 11:55 am at her residence, RD 4, Bailey Rd, Meadville, Cr. Co. Pa.

SERVED Audrey E. Bailey on Juen 29, 1992 at 11:11 am by serving her husband Robert O. Bailey, at residence, RD 4, Meadville, Crawford County, Pa. 16335.

SERVED Robet O. Bailey personally on June 29, 1992 at 11:10 am at his residence, RD 4, Meadville, Crawford County, Pa. 16335.

SERVED Wilford Bailey on June 29, 1992 at 10:45 am by serving his wife, Martha Bailey, at their residence, Perry Highway, Meadville, Crawford County, Pa. 16335.

SERVED Martha Bailey personally on June 29, 1992 at 10:46 am at her residence, Perry Highway, Meadville, Cr. Co., Pa. 16335.

SERVED Gladys M. Bailey on June 29, 1992 at 10:55 am by serving her Son, Rick Henry, at her residence, RD 4, S. Watson Run Rd., Meadville, Crawford County, Pa. 16335.

SERVED Ruth Ann Hafer personally on June 25, 1992 at residence, RD 3, Box 388, Conneaut Lake, Crawford Co., Pa. 16316.

SERVED Andrea Jane Hafer Papsun on June 25, 1992 at 11:56 am by serving her Mother, Ruth Ann Hafer, at residence, RD 3, Box 388, Conneaut Lake, Crawford Co., Pa. 16316

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

Aug. 3, 1992 Motion For Judgment Pursuant To Rule 1066 and ORDER filed. AND NOW, this 3 day of August, 1992, upon Motion of the Plaintiff for default judgment pursuant to Pennsylvania Rule of Civil Procedure 1066, and it appearing that service has been made in accordance with this Court's Order and that the Defendants have failed to file an Answer within the time permitted by the Rules; it is hereby ordered and decreed that the Defendants their, successors and assigns be and hereby forever barred from asserting any right, lien, title or interest to the premises located in Greenwood Township, Crawford Co. PA., hereafter described to-wit;

All their undivided interests in the East one-half (½) of that certain piece or parcel of land situate in Greenwood Township, Crawford County, PA., bounded and described as follows, to wit:

On the North by center line of a public road leading from GEneva to Custards, a distance of approximately three hundred seventy-five (375) feet; on the East by land of Larry E. McMaster and Edna McMaster, his wife, a distance of approximately one thousand seven hundred fifty (1,750) feet; on the South by land now or formerly of The United States of America, a distance of approximately three hundred seventy-five (375) feet; and on the West by land now owned by Larry E. McMaster and Edna McMaster, his wife, a distance of approximately one thousand seven hundred fifty (1,750) feet. Containing approximately fifteen (15) acres of land.

Said Defendants are forever barred from asserting any right, lien, title or interest inconsistent with the interest or claims of the Plaintiff set forth in the Complaint; from impeaching, denying, or in any way attacking Plaintiff's title to said property; from issuing; or maintaining any action attacking same; and from encumbering, mortgaging or conveying the same or any part hereof unless the Defendants shall, within thirty (30) days of this Order, file with the Court written objections to this Order. If such action is not taken within the thirty (30) day period, the Prothonotary, on Praecipe by the Plaintiff, shall enter final judgment.

BY THE COURT:
Anthony J. Vardaro, J.

Aug. 6, 1992 Copy of Order to Atty. Louis Stack.

And now, September 9, 1992 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.

C-203, 269, 81, 205, 11, 203, B-268, 230, 121, 266, 266, 268, 227
B-227, 71, F-74,174, W-153, 53, F-174, 94, C-11, 11, 281
H-144, 14

FINAL JUDGMENT
Barbara H. King, Pro

Prothonotary

1992

Barbara J. Walton

573

PATRICIA A. POLICZ

vs.

ANDREW POLICZ, JR.

Filed June 19, 1992
@ 10:36 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 10-7-92	9.00

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

Oct. 7, 1992 AFFIDAVIT OF SERVICE, filed. 1. A true and correct copy of the Complaint for Divorce filed in the above-captioned matter was served upon the Defendant ANDREW POLICZ, by certified mail, restricted delivery, pursuant to Pa. R.C.P. 412 on June 24, 1992, as is evidenced by the United States Postal Service Return Receipt (Certified No. P 899097822) attached hereto as Exhibit A.

I VERFY 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.
Date: Oct. 6, 1992

Oct. 7, 1992 Affidavit of Consent of Plaintiff, filed.

Oct. 7, 1992 Affidavit of Consent of Defendant, field.

Oct 7, 1992 Property Settlement Agreement, filed.

Oct. 7, 1992 Upon praecipe of Plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

October 15, 1992 AND NOW, October 15, 1992, it is hereby ordered and decreed that **PATRICIA POLICZ**, Plaintiff, and **ANDREW POLICZ**, 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.

Nov. 6, 1992 Motion to Accept Property Settlement Agreement and Withdraw Outstanding Claims and Final Order of Court filed. AND NOW, this 6th day of November, 1992 it is ordered that the issues of Child Custody and Equitable Distribution that were raised in the Complaint of the Plaintiff have been settled by the parties herein by the signing of the Property Settlement Agreement.

Plaintiff and Defendant's Property Settlement Agreement is incorporated herein as part of this Final Order of Court.

By the Court:
Gordon R. Miller, J.

Nov. 10, 1992 Copy of Order to Atty.Walton.

AS OF APRIL 19, 2000 - ANY FILINGS INVOLVING THIS CASE MAY NOW BE FOUND ON THE COMPUTER.

1992

Blystone & Blystone
Curtis E. Blystone

574

Paul E. Allen
for Wilson F.Gum,Jr.

BERNICE I. FREYERMUTH,
formerly Bernice I. Dupont

vs.

DALE W. GUM, SHIRLEY A. GUM, WILSON F. GUM and DORIS C. GUM,

Filed June 19, 1992
@ 1:44PM

Tax & entry paid	50.50
User's fee paid	5.00
Sheriff's Costs	90.00
Pro.Co. pd 7/28/92	9.00
Pro.Co.pd 8/29/94	5.00

COMPLAINT IN CIVIL ACTION
4 copies (Sheriff)

July 15, 1992 Sheriff's Return filed. SERVED Dale W. Gum on June 25, 1992 at 11:26 AM by handing a copy of the Complaint to Shirley A. Gum, his Wife, at the residence, r.D. #4, Cochranton, Crawford County, PA.
SERVED Shirley A. Gum personally on June 25, 1992 at 11:25 AM by handing a copy of the Complaint to her at the residence, R.D. #4, Cochranton, crawford County, PA.
SERVED Wilson F. Gum by deputizing the Sheriff of Northampton County, PA, as per his Affidavit of Service attached. Served on June 26, 1992 at 876 Copella Rd. Bath.
SERVED Doris C. Gum by deputizing the Sheriff of Northhampton County, PA, as per his Affidavit of Service attached. Served on June 26, 1992 at 876 Copella Rd. Bath.
So answers, dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

July 27, 1992 Affidavit of Non-Military Service of Defendants filed.

July 28, 1992 AND NOW, July 28, 1992 at 1:27 P.M. upon Praecipe of Plaintiff's attorney, with notice of Intention to File Default Judgment attached, judgment is hereby entered in favor of the plaintiff and against the defendants for want of an answer and the damages are assessed at the sum of One Hundred Five thousand Eighty-Nine and 07/100 dollars, plus interest and cost of suit.*

G-42, 152, 172, 42.
Entered July 28, 1992
Abstract sent to Atty. &
Defendants

Debt $105,089.07
Interest
Judgment
Barbara H. King
Prothonotary

EXECUTION 1992 - 66

*Principal Bal. due	$97,907.22
Int. accrued through May 31, 1992	2,177.61
Attorney's Fees	5,004.24
Total	$105,089.07

Together with interest on the principal balance at the rate of 7% per annum from May 31, 1992.

Aug. 29, 1994 at 1:00 P.M. Assignment of Mortgage, Bond and Judgment filed.Whereas, under date of July 26, 1974, Dale W.Gum and Shirley A. Gum, his wife, and Wilson F.Gum and Doris C.Gum, his wife, as mortgagors, executed and delivered in favor of Esley A. Dupont and Bernice I. Dupont, his wife, as mortgagees, a certain mortgage recorded in Crawford County Mortgage Book 348, Page 16, (the "Mortgage") given to secure the payment of a Bond given by the said mortgagors to said mortgagees of even date therewith in the principal sum of Two Hundred Thirty Four Thousand Three Hundred Dollars ($234,300.00) with interest, etc. (the "Bond"), and

NOW THEREFORE, for and in consideration of the sum of ThirtyThree Thousand Nine Hundred Twenty Six and 31/100 Dollars ($33,926.31) paid by Assignee to Assignor at the time of the execution hereof, the receipt and sufficiency of which is hereby acknowledged, and intending to be legally bound hereby, Assignor does hereby remise, rlease and quit claim unto Assignee, Assignee's successors and assigns, all Assignor's right, title and interest in, to, under, or incident to the aforesaid Mortgage, Bond and judgment, and all moneys, principal and interest, due thereon, together with all rights, remedies, incidents and appurtenances thereunto belonging,or in anywise appertaining, together with all of Assignor's right, title and interest in, to, under, or incident to the aforesaid insurance policy and any proceeds of insurance payable pursuant thereto, and all future distributions made by the Office of the Chapter 13 Trustee incident to the Mortgage, Bond and judgment, and all of Assignor's right, title, interest, property, claim, and demand in and to the same.

1992

Robert W. Lape, Jr.

575

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

Paul E. Allen

Thomas Arthur James Jr.
James & Mihalik

Deposited $150.00 by Plaintiff for Mediation

COREY T. DICK ~~and SHAWN B. MUSSELMAN~~

vs.

NICOLE ELISSE ERNEST
and Michael C.Ernst

Filed June 22, 1992
@ 9:22 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	25.00
Sheriff's Costs	25.00

Karen Johnson, Guar Ad Litem

Pro.Co. pd 10/21/93	30.00
State pd 10/21/93	5.00

COMPLAINT FOR CUSTODY
1 copy (Sheriff)

ORDER:

You, Nicole E. Ernst, have been sued in Court to obtain custod of Brittan Guyer.

You are ORDERED to appear in person for a Conference before William Pineo, Esquire, Child Custody Mediator, at such time as he shall designate.

If you fail to appear as provied by this Order, an Order for custod parties custody or visitation may be entered against your 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 WHER EYOU CAN GET LEGAL HELP.

Court Administrator
Courthouse
Meadville, PA 16335
(814) 336-1151, ext. 298
Date: 6-19-92 Anthony J. Vardaro, J

June 24, 1992 Petition for Blood Tests and Order filed. AND NOW, this 22nd day of June, 1992, upon consideration of the within Petition for Blood Test and upon motion of Robert W. Lape, Jr., Esquire, Attorney for Plaintiffs, a Rule is hereby granted on the Defendant to show cause why the prayer of the within Plaintiffs should not be granted.

Rule returnable the 3rd day of August, 1992, at 9:30 o'clock a.m., Courtroom No. 1 or 2, Crawford County Courthouse, Meadville, Pennsylvania.

BY THE COURT,
Anthony J. Vardaro, J

June 25, 1992 Copy of order mailed to Atty. Lape

July 10, 1992 SHERIFF'S RETURN FILED. SERVED Nicole Elissa Ernst personally on June 29, 1992 at 10:36 AM by handing to her a copy of the Complaint at the residence, R.D.#5, Box 365, Meadville, Crawford County, PA.

So answers,

Edgar D. Householder, Chief Deputy
Robert M.Stevens, Sheriff

July 15, 1992 SHERIFF'S RETURN filed. SERVED Nicole E. Ernst personally on July 14, 1992 at 11:39 am by handing a copy of the Petition for Blood Tests and Complaint for Custody to her at the residence, RD 5, Box 365, Meadville, Crawford County, Pa.

So answers,

Edgar D. Householder, Chief Deputy
Robert M. Stevens, Sheriff

July 27, 1992 Appearance of Shafer, Swick, Bailey, Irwin & Stack by James R. Irwin for Defendant, filed.

Aug. 3, 1992 Motion For Continuance and Order filed. AND NOW, this 3rd day of Aug., 1992 upon presentation and consideration of the within Motion this hearing is rescheduled for the 25 day of August, 1992 at 11:00 o'clock a.m.

FOR THE COURT,
Imogene Yetman, CA

Aug. 6, 1992 Copies of order to Atty's Lape & Irwin

Aug. 21, 1992, Motion for Continuance and Order filed. ORDER: AND NOW this 21 day of Aug. 1992 upon presentation and consideration of the within motion this hearing iscontinued generally. Hearing to be rescheduled upon motion of either plaintiffs or defendant.

BY THE COURT,
Anthony J. Vardaro, J.

Aug. 25, 1992, copies of order to Attys. J. Irwin, Robert Lape

********** (see below)

April 23, 1993, Answer to Petition for Blood Tests filed

April 23, 1993, Answer to Complaint for Custody filed.

April 23, 1993, Appearance of Thomas Arthur James, Jr. attorney for defendant; and appearance of Paul E. Allen, attorney for defendant, filed.

Apr. 23, 1993 Motion to Withdraw Appearance and Order filed. AND NOW, this 22 day of April, 1993, 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 theDefendant in the above captioned case. Anthony J.Vardaro, J.

Apr. 29, 1993 Copy of Order to Attys. Lape, Irwin, Allen & James, Jr.

Apr. 23, 1993 Motion for Protecton Order and Rule Returnable filed. AND NOW, this 23 day of April, 1993, upon consideration of the within Motion for Protective Order and upon motion of Thomas Arthur James, Jr., Esquire and Paul E. Allen, Esquire,Attorneys for the Defendant, a Rule is hereby granted on the Plaintiffs to show cause why the prayer of the within Defendant should not be granted

Rule returnable the 3 day of June 1993 at 2:30 o'clock p.m., Courtroom No. 1 or 2, Crawford County Courthouse, Meadville,Pennsylvania.

BY THE COURT:
Anthony J.Vardaro, J.

Apr. 29, 1993 Copy of Order to Attys. Lape, Irwin, Allen & James, Jr.

**********(see above)

Apr. 22, 1993, ORDER filed. AND NOW, BY consent of the parties hereto, is hereby Ordered Directed and Decreed as follows:

1. Corey Dick, Shawn Musselman, and Nicole Ernst shall submit themselves for blood testing to determine paternity through the agreed upon testing agency, Genetic Design, 220 Park Ave. Plaza, Meadville, Pa.
2. Defendant Nicole E. Ernst shall make the minor child, brittan Tyler Guyer, available for such testing.
3. The costs of the same shall be paid in advance by the plaintiffs Corey dick and Shawn Musselman.
4. The time for said testing shall be arranged through the Crawford County Domestic Relations Office.
5. The results of said testing shall be provided by Genetic Design to Robert W. Lape, Jr. Esq. counsel for plaintiffs and to James R. Irwin, Esq. counsel for defendant

RECORD CONTINUED ON PAGE 457

126

1992

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

576

SAINT VINCENT HEALTH CENTER

vs.

EZRA SCHWARTZ, JACOB B.
SCHWARTZ & DELILA SCHWARTZ

Filed June 22, 1992
@ 2:27 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's costs	42.00
Pro Co pd 9/10/92	5.00
Pro Co pd. 11-15-93	9.00

CIVIL ACTION
3 copies Sheriff

July 2, 1992 Sheriff's Return filed. SERVED Ezra Schwartz personally on June 25, 1992 at 1:25 pM by handing a copy of the Complaint to him at the residence, RD # 1, Box 51, Conneautville, Crawford Co., PA.

SERVED Jacob K. Schwartz on June 25, 1992 at 1:26 PM by handing a copy of the Complaint to Ezra Schwartz, Adult in Charge at the residence, RD # 1, Box 51, Conneautville, Crawford Co., PA.

SERVED Delila Schwartz on June 25, 1992 at 1:27 PM by handing a copy of the Complaint to Ezra Schwartz, Adult in Charge at the residence, RD # 1, Box 51, Conneautville, Crawford Co., PA.

So anwers,

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

Sept. 10, 1992 Upon praecipe of Plaintiff attorney the above matter is marked settled and discontinued as to Jacob K. Schwartz and Delila Schwartz, **only.**

And Now, November 15, 1993, upon praecipe of Plaintiff's attorney judgment is hereby entered against the defendant, above captioned, in the sum of Fifteen Thousand Seven Hundred Sixty Dollars and 50/100 plus interest from October 1, 1993 and all costs of suit for failure to answr or otherwise plead, agaisnt **Ezra Schwarts, ONLY.**

Entered 11-15-93 Debt: $15,760.50 plus iterest and costs
S - 54 JUDGMENT
Barbara H. King, Prothonotary

11-17-93 Notice of entry of Judgment sent to Dft. E. Schwarts

Revived to A01997-711

1992

Mason & Mason
Joan D. Mason

577

TANYA L. KARNS

vs.

JAMES E. KARNS

Filed June 22, 1992
@ 3:27 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co Pd 3/24/93	9.00

COMPLAINT IN DIVORCE
3 copies (atty)

July 7, 1992 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 June 25, 1992 mail to the above Defendant, James E. Karns, by certified mail return receipt requested, deliver to addressee only, a Complaint in the above divorce action. Said notice was received on June 26, 1992, as indicated by the return receipt card which was returned to the office of the Plaintiff's attorney and is attached hereto.

Feb. 18, 1993 Affidavit of Consent of Defendant filed.

Mar. 4, 1993 Affidavit of Consent by Tanya L. Karns, Plaintiff, filed.

Mar. 24, 1993, Upon praecipe of plaintiff, for review Under 201(c) of the divorce code, this case moved to court.

D I V O R C E D E C R E E F I L E D

March 30, 1993 AND NOW, March 29, 1993, it is hereby ordered and decreed that **T A N Y A L . K A R N S**, plaintiff, and **J A M E S E . K A R N S**, 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.

1992

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

578

Joseph W. Tinko
for George S. Black

PETITION FOR CHANGE OF NAME
OF
HEIDI JO BLACK TO BE CHANGED TO:
HEIDI JO CHARLTON

Filed June 22, 1992
@ 4:10 PM

Tax & entry paid 50.50
User's Fee paid 5.00

PETITION FOR CHANGE OF NAME
1 copy atty

ORDER:

AND NOW, this 19 day of June, 1992, upon presentation of the attached Petition for Change of Name, hearing on said Petition is set forth 3rd day of August, 1992, at 9:00 o'clock a.m. in Courtroom No. 1 or 2 in the crawford County Courthouse, Meadville, Pennsylvania.

Notice of filing of the within Petition and of the aforesaid date for hearing shall be published in the Meadville Tribune 1 time.

BY THE COURT,
Anthony J. Vardaro, J

July 29, 1992 OBJECTION TO PETITION FOR CHANGE OF NAME, filed.

July 31, 1992 Order filed. AND NOW, July 31, 1992, a hearing is currently set in this matter for August 3, 1992 at 9:00 o'clock a.m.

It appears that there has beensome problem obtaining service upon the minor petitioner's father and it is unclear as to whether proper service was ever obtained although he has now filed through California counsel an objection to the petition and requests a continuance until mid September so that he may obtain local counel to personally present his objection.

The Court believes that a continuance would be proper under these circumstances and accordingly continues this matter until September 30, 1992 at 9:30 o'clock a.m. in Courtroom No. 1 or 2, Crawford County Courthouse, Meadville, Pennsylvania.

The Prothonotary shall provide notice of this Order to George S. Black, % Brett Pedersen, Esquire, 2190 Grove Street, San Francisco, CA 94117.

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

July 31, 1992 Copy of order given to Atty. Irwin and mailed to George Black.

Sept. 25, 1992, Appearance of Joseph W. Tinko, attorney for George S. Black,filed.

Sept. 30, 1992 Order filed. AND NOW, this 30 day of September, 1992, upon consideration of the within Petition and after a hearing thereon, this Court being satisfied that the statements contained in the Petition are true and tha tthe best interest and welfare of the person proposed to have her named changed will be promoted by this change of name.

It is hereby ORDERED and DECREED that Heidi Jo Black, shall hereafter assume the name of Heidi Jo Charlton.

BY THE COURT,
Anthony J. Vardaro, J

Sept. 30, 1992 Copies of order to atty's Irwin and Tinko

Sept. 30, 1992 Exhibit's filed.

9-14-92 Pd Co. 191.00

1992

Brian J. Lindsay

Barbara J. Walton

579

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

Bettie Peterson-Muth

Ann H. Gaamble

6/22/92
Received $150.00 from Plaintiff.

8-17-92
Received from deft. 8-17-92 Med. Fee 75.00

Part Refund Pd. mediation Ded. 8-19-92 Ck# 6945 66.00

Pd CC Comm 9-15-92 Ck# 7046 Mediation $150.00

11-13-92 Received from defendant Med fee 75.00

11-20-92 Pd Comm Med fee Ck# 7186 75.00

12-10-92 Received from plaintiff med. fee ~~84.00~~ 75.00

12-15-92 Pd Comm med fee ck# 7122 75.00

9-29-94 Rec from pltf med deposit 150.00

12-22-94 - med Refund #8742 41.00

Pd Cr Colon 100.00 med fee #8759

11-29-96 Rec'd from deft med fee 100.00

100.00

6-23-97 Rec'd from deft Med fee 200.00
11-24-97 Rec'd from pltf 49.00
= 191.00
(49.00)

6-25-98 Pd Co

8-22-98 Rec'd from pltf med fee 200.00

Continued to Page 498

NANCY DRONKO

vs.

GREGORY L. DRONKO

Filed June 22, 1992
@ 4:23 PM

Tax & entry paid	50.50
User's Fee paid	5.00

JOHN FULLER, MEDIATOR.
Pro Co Pd 9-15-92 #7046 9.00
Pro Co pd 12-10-92 9.00
Pro Co Pd 12-30-94 9.00
John Spataro, Mediator 240.00
Pro Co Pd 6-25-98 9.00
Pro Co Pd 9-14-98 9.00
John Spataro, Mediator 300.00
Pro Co 9-15-98 9.00

PETITION FOR CUSTODY
1 copy Atty.
1 copy Mediator

ORDER:

YOU, GREGORY L. DRONKO, have been sued in Court to obtain custody of John Frank Dronko.

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 visi tation may be entered against you or the court may issue a warrant for your arrest.

Until such time as the mediation hearing takes place, physical custody of the minor child, JOHN FRANK DRONKO be with the Plaintiff NANCY DRONKO with reasonable visitation to the defendant, GREGORY L DRONKO, with the provision that neither par ty remove the child from the State.

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

Plaintiff's Attorney
BARBARA J. WALTON, Esq.
1111½ Park Aveneu
Meadville, PA 16335
Telephone: 814-336-4132

Court Administrator
Crawford County Courthouse
Meadville, PA 16335
Telephone: 814-336-1151-ext. 298

Date: 6/22/92

BY THE COURT,
Anthony J. Vardaro, J

August 4, 1992 ORDER filed. AND NOW, Aug. 3, 1992, after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED as follows, to wit:

I. Prior Order of Judge Anthony J. Vardaro, shall be continued and complied with pending receipt of drug and alcohol evaluation report and further mediation conference.

II. Cost of the mediation conference shall be divided equally between the plaintiff and the defendant.

Anthony J. Vardaro, Judge

Aug. 10, 1992 Copy of Order to Attys. James Irwin and Barbara Walton, John Fuller, plaintiff and defendant.

Aug. 18, 1992 Motion For Refund Of Mediation Deposit and Order filed. And now, August 17, 192, this Court orders that the Prothonotary's Office refund to Plaintiff, Nancy Dronko the amount of $66.00 which is the amount of unused mediation deposit.

By the Court:
Anthony J. Vardaro, J

Aug. 20, 1992 Copy of orders put in box for atty's Walton and Fuller

Oct. 22, 1992 Memorandum filed.

Oct. 28, 1992 Custody Order filed. AND NOW, October 28, 1992, after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of John Frank Dronko 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 John Frank Dronko 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 four (4) days each week, from 8:00 a.m. to 5:00 p.m. to coincide with the four (4) days that the mother works at Meadville Medical Center. Such visits shall commence the date of this Order.

B. In aidition to the four (4) day visits, from and after January 1, 1993, the father shall be entitled to extend one of the day visits to an overnight visit and shall return the child to the mother the following morning at 10:00 a.m. unless the mother is working that day in which case, the father shall keep the child until 5:00 p.m. that day. The overnight visit shall occur on the same date as the first day visit each week, unless otheerwise agreed by both parents.

C. 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 mother on the aforesaid holidays from 1:00 p.m. until 7:00 p.m.

D. Transportation of the child shall be provided as follows: The mother shall drop off the child and pick up the child at the father's residence. If the mother requests the father to do so, the father shall pick up the child at the mother's residence.

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 attitutde 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. The father shall continue counseling with Deborah Gregg as long as she recommends it. The father shall complete parenting classes at Center for Families in Change and the father shall completely abstain from the use of alcohol or illegal drugs, when the child is in hs custody.

III. This order is a temporary order but shall become a permanent order unless exceptions thereto are filed by either party within thirty (30) dyas 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 (½) of the deposit paid in advance by the Plaintiff, less the cost of the custody order.

Anthony J. Vardaro, Judge

Oct. 28, 1992 Copy of Order to Attys. Irwin & Walton.

Oct. 29, 1992 Order filed. AND NOW, October 29, 1992, it is brought to the Court's attention by the Prothonotary that with respect to the order of October 28, 1992based on the mediator's recommendations there is not currently a deposit with the Prothonotary with respect to this mediation.

Accordingly, Paragraph IV in that order of October 28, 1992 is affirmed to the extent that the mediation conference costs will be divided between the parties but it is rescinded to the extent that there shall be any refund to the Plaintiff. Instead the parties are ordered to each pay one-half of the cost of mediation and for the Plaintiff to additionally pay for the costs of the order all within 30 days of the date of this order.

BY THE COURT:
Atnhony J. Vardaro, J.

Oct.29, 1992 Copy of Order to Attys.Walton & Irwin.

130

1992

Barrett & Dratler
Sylvia L. Dratler

580

WILLIAM J. MOOK

vs.

BARBARA A. SANTIAGO MOOK

Filed June 23, 1992
@ 9:42 AM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Ict Pd 6-24-92	15.00
User Fee Pd 6-24-92	5.00
Pro Co pd 1-26-93	9.00

COMPLAINT IN DIVORCE, CUSTODY
1 copy (atty)

sept. 18, 1992 Affidavit of Service filed. Sylvia L. Dratler Esquire, being duly sworn, deposes and says that the following facts in support of his Affidavit of Service are true and correct to the bes tof his knowledg, information and belief.

1. That the affiant is the Attorney for the Plaintiff in the above captioned action.
2. That a true and correct copy of a Complaint under Section 3301(d) of the Divorce Code was sent by registered mail to the Defendant.
3. The registered mail was sent to the Defendant at 3609 Henritze Cleveland, OH 44109.
4. The Defendant received said registere dmail on August 27, 1992. Said receipt card number 320 791 329 is attached hereto and signed by the Defendant, Barbara Santiago Mook

Sylvia L. Dratler

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

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

Jan. 26, 1993 Upon praecipe of Plaintiff attorney to transmit record, case moved to Court.

February 2, 1993 Agreement and Consent Custody Court ORDER filed. AND NOW, January 29, 1993, this Agreement approved and made an Order of Court.

Anthony J. Vardaro, J.

Feb. 3, 1993 Copy of Order to Attys. Sylvia Dratler; copy mailed to Dft.

D I V O R C E D E C R E E F I L E D

Feb. 2, 1993 AND NOW, January 29, 1993, it is hereby ordered and decreed that **W I L L I A M J . M O O K ,** plaintiff, and **B A R B A R A A . S A N T I A G O M O O 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.

BY THE COURT:
Anthony J. Vardaro, J.

1992

MacDonald, Illig,
Jones & Britton
Dale Huntley

581

R.F. SCHNEIDER PIPE & SUPPLY CO.

vs.

DAVE SUGAR, INC. and THE AMERICAN INSURANCE COMPANY

Filed June 23, 1992
@ 11:33 AM

Tax & entry paid 50.50
User's Fee paid 5.00

COMPLAINT IN CIVIL ACTION
3 coies (Atty)

July 15, 1992 Affidavit of Service filed. I, Dale E. Huntley Esquire, being duly sworn according to law, depose and say:
1. I am an adult individual, age 36, with an office address of MacDonald, Illig, Jones & Britton, 100 State Street, Suite 700, Erie, Pennsylvania 16507-1498.
2. I am not a party to this case.
3. I served the Complaint in a Civil Action at No. A.D. 1992 - 581 upon Defendant Dave Sugar, Inc., by mailing same by United States Certified Mail, REturn Receipt Requested, addressed as follows: Davd Sugar, Inc; 28 Deeringwood Drive, P.O. Box AH, New Middletown, Ohio 44442 Attention: Dave Sugar
4. A copy ofDomestic REturn Receipt No. P 830 997 040 evidencing receipt of the Complaint in a Civil Action on June 29, 1992 is attached hereto as Exhibit A. Dale Huntley

July 15, 1992 Affidavit of Service filed. I, Dale E. Huntley Esquire, being duly sworn according to law, depose and say:
1. I am an adult individual, age 36, with an office address of MacDonald, Illig, Jones & Britton, 100 State Street, Suite 700, Erie, Pennsylvania 16507-1498.
2. I am not a party to this case.
3. I served the Complaint in a Civil Action at No. A.D. 1992-581 upon Defendant the American Insurance Company, by mailing same by United STates Certified Mail, Return Receipt Requested, addressed as follows: The American Insurance Company, 11516 Miracle Hills Drive, Omaha, Nebraska 68154 Attention: Executive Officer or Agent Authorized to Accept Service
4. A copy of Domestic Return Receipt No. P 830 997 039 evidencing receipt ofthe Complaint in a Civil Action on June 29, 1992 is attached hereto as Exhibit A. Dale Huntley

Aug 28, 1992 Default Notice filed.

Aug 28, 1992 Default Notice filed.

132

1992

Northwest Legal Service
R.Christopher Brode
Gerald Sullivan

582

RENEE BURGER

vs.

STEPHEN T. BURGER

Filed June 23, 1992
@ 1:47 PM

Tax & entry	Pd 10-19-92	50.50 ✓
User's Fee	Pd 10-19-92	5.00
Sheriff's Costs		25.00
Pro.Co.	Pd 10-19-92	9.00 ✓

10-19-92
Received Sheriff's Costs
25.00

Paid Sheriff
10-19-92
Ck# 7131 25.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 23 day of June, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions:

3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for June 26, 1992, at 3:30 P.M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

June 24, 1992 SHERIFF'S RETURN FILED. SERVED Stephen T. Burger personally on June 24, 1992 at 9:01 AM at Sheriff's Office, Crawford County Courthouse, Meadville, PA.
So answers,
Carole Stefanucci, Deputy Sheriff
Robert M.Stevens, Sheriff

June 29, 1992 Order filed. AND NOW, June 26, 1992 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. He is advised of his right to counsel and agrees to proceed without counsel.

Accordingly, the following order is entered without admission of the allegations of Plaintiff's petition on the part of the Defendant.

1. The Defendant shall not assault, abuse, harass, or threaten the Plaintiff at any time or any place.
2. Except for the purpose of exchanging custody of the minor children, the Defendant shall not go to the Plaintiff's residence at any time. He is cautioned that even if he is invited to the Plaintiff;s residence, he should not go without further order of Court insofar as it shall be presumed by any law enforcement agency that he is at the residence in vilation of this order, even if he has been invited to the residence. When he goes to the residence for the purpose of exchanging custody of the children,he shall not assault, abuse harass or threeaten the Plaintiff in any manner.
3. The Plaintiff shall have primary custody of the minor children pending any further order of Court, with the Defendant to have temporary custody every other weekend beginning Friday, July 17, 1992. The period of temporary custody shall be from Friday at 6:00 p.m. until the following Sunday at 6:00 p.m. In the event that the Defendant is unable to exercise his rights to custody because of his National Guard duties on any weekend, the visitation shall occur the following weekend.
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 Department 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 fy a fine of up to $1,000 and a jail sentence of up to six months.
7. The Defendant shall pay costs in this matter to the Prothonotary of Crawford County on the first floow of the Crawford County Courthouse within 30 days of the date of this order.
8. This order shall remain in full force and effect through June 25, 1993.

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

June 29, 1992 Copy of the Order to ATty. Sullivan, County Control, State Police, Deft. & Plft.

1992

Mason & Mason
Joan D. Mason

583

JOSEPH W. KIMMEL

vs.

DAWN MARIE KIMMEL

Filed June 23, 1992
@ 1:45 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro. Co. pd 10/30/92	9.00

COMPLAINT IN DIVORCE

July 21, 1992 Affidavit of Service filed. I, Joan D. Mason, Esquire, attorney forthe Plaintiff in the above entitled case, and being duly sworn according to law, depose and say that I did on July 2, 1992 mail to the above Defendant, dawn Marie Kimmel, by certified mail return receipt requested, deliver to addressee only, a Complaint in the above divorce action. Said notice was received on July 7, 1992, as indicated by the return receipt card which was returned to the office of the Plaintiff's attorney and is attached hereto. Joan D. Mason

Oct. 21, 1992 Affidavit of Consent of Plaintiff filed.

Oct. 21, 1992 Affidavit of Consent of Defendant filed.

Oct. 30, 1992 Upon Praecipe of Plaintiff Attorney, Joan D. Mason, for Review under §201 (c) of the Divorce Code this case moved to Court.

D I V O R C E D E C R E E F I L E D

Nov. 10, 1992 AND NOW, November 9, 1992, it is ordered and decreed that **J O S E P H W . K I M M E L ,** plaintiff, and **D A W N M A R I E K I M M E L ,** 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.

1992

~~Halliday & Halliday~~
Michael Halliday

Peters, Lindsay,
Lewis & Gagliotti
John P. Gagliotti

584

Michael L. Fitzpatrick

MARJORIE H. ECKARD

vs.

COUNTRY CLUB (A Corporation)

Filed June 23, 1992
@ 3:07 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	28.00
Pro.Co. pd 11/14/95	6.00
Certified copy Complaint	

JURY TRIAL DEMANDED

WRIT OF SUMMONS
Issued (Sheriff)

June 26, 1992 Writ Return filed. SERVED THE Country Club on June 25, 1992 at 10:40 AM by handing a copy of the Summons to Kathleen Elliott, Receptionist and Adult in Charge, at the Country Club, North Main Street Extension, Meadville, Crawford County, PA.
So answers, Dale A. Collins, Deputy
Robert M. Stevens, Sheriff

July 16, 1992 Appearance of Michael L. Fitzpatrick for Defendant filed.

Feb. 16, 1993 Praecipe for Rule to File a Complaint filed.
Feb. 16, 1993 Issued (Attorney)

Feb. 24, 1993 CERTIFICATE OF SERVICE filed. I, MICHAEL L. FITZPATRICK, ESQ., attorney for the Defendant, Country Club, do hereby certify that a true and correct copy of the Rule to File a Complaint was served by Certified Mail, Return Receipt Requested upon the following: J. Gagliotti.

Mar. 31, 1993 Complaint in Civil Action, filed.

Apr. 6, 1993, Certificate of Service filed. I hereby certify that on the 1st day of Apr. 1993, I served a cert. copy of plaintiff's Complaint in Civil Action as filed in the above matter upon counsel for the dft. by regular US mail, postage prepaid . MIchael Halliday, Esq.

July 8, 1993 Notice of Service of Interrogatories and Request for Porduction of Documents Addressed to Plaintiff, filed.

July 15, 1993, Notice of Deposition of Plaintiff filed.

July 16, 1993 Notice of Deposition of Marjorie H. Eckard, filed.

Aug. 27, 1993 Notice of Revised Deposition of Marjorie H. Eckard, filed.

Sept. 24, 1993 Notice of REvised Deposition of Marjorie H. Eckard filed.

Nov. 10, 1993 Notice of Deposition of Marjorie H. Eckard, filed.

Jan. 12, 1994 Answer and New Matter filed.

Feb. 10, 1994, Plaintiff's Reply to New Matter filed.

Feb. 10, 1994, Certificate of Service of Plaintiffs answers to Interrogatories and Plaintiffs Response to Request for Production of documents, filed.

May 27, 1997 Motion to Dismiss on behalf of Defendant, filed.

Nov. 26, 1997, Motion to Dismiss filed.

Nov. 26, 1997 ORDER: AND NOW, Nov. 25, 1997 upon receipt and review of the motion to dismiss due to inactivity and a letter from dft's counsel dated Nov. 21, 1997 said motion is denied without prejudice.

The dft. has not complied with Craw. County Civil Rule L206 with respect tothe giving of notice ofthe filing of motins at least two business days prior to the date the motion is filed nor by attaching the cert. that is required.

Even though counsel represents the fact that plff's counsel does not object to the case dismissal due to inactivity we still insist that Craw. County Civil Rules be followed.

Once the rules are followed and appropriate notice given the motion may be resubmitted to the court for ocnsideration. BY THE COURT,
Gordon R. Miller, j.

11/26/97 faxed to Hallidayand Fitzpatrick

December 12, 1997 MOTION TO DISMISS ON BEHALF OF DEFENDANT AND ORDER FILED. AND NOW, to wit, this 11 day of December 1997, Defendant's Motion to Dismiss for Inactivity is hereby granted.
BY THE COURT
Anthony J. Vardaro, J
12/12/97 FAXED KIRKPATRICK & HALLIDAY

1992

585

PETITION FOR INVOLUNTARY
TREATMENT OF TED A. COFFEY

Filed June 24, 1992
@ 8:55 AM

PETITION FOR INVOLUNTARY TREATMENT
Mental Health Procedures Act of 1976
(Section 303)

1992

Bruce A. Barrett

586

Barbara J. Walton

GREGORY L. DRONKO

vs.

NANCY S. DRONKO

Filed June 24, 1992
@ 1:45 PM

Tax & entry	Pd 7-20-92 $2.25 7-23-92 Pd. PAJ-23-92 17.75	50.50
User's Fee	Pd 7-23-92	5.00
Sheriff's Costs		25.00
Pro Co	Pd 7-23-92	9.00

Received from Plff 7-23-92 12.50 1/2 Sheriffs Costs.

Pd Sheriff 7-23-92 12.50 1/2 Costs Ch # 6957

Received from Deft 7-28-92 1/2 Sheriffs Costs $ 12.50

Paid Sheriff 7-28-92 1/2 Sheriffs Costs 12.50 Ch # 6966

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 24th day of June, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Neither party shall take the child out of the county. We do no decide the vistiation & custody at this time.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for July 1, 1992, at 3:30 P M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

June 25, 1992 Sheriff's return filed. SERVED Nancy S. Dronko personally on June 24, 1992 at 2:32 pM at the parking lost adjacent to her place of employment, Meadville Medical Center, Liberty street, Meadville, Crawford County, PA. 16335
So answers,

Diane Severo, Deputy Sheriff
Robert M. STevens, Sheriff

July 10, 1992 ORDER filed. AND NOW, July 1, 1992, this matter is before the Court on a petition by the plaintiff requesting an Order under the Protection From Abuse Act.

The parties are both represented by counsel and have agreed to certain matters,including those which may be normally beyond the scope of an Abuse Order. The parties have agreed, however, to have those matters handled within this order and this Order shall be binding as an Order of Court with respect to all such issues, even though they may be beyond the scope of that Act.

ACCORDINGLY, the Court enters the following Order:

1. Neither party shall assault, abuse, harass or threaten the other party in this matter.
2. The plaintiff shall within 5 days of this date withdraw a pending criminal action for harassment against the defendant.
3. The defendant shall within 5 days get, through cooperation with her mother, a civil action withdrawn which has been filed against the plaintiff by the defendant's mother.
4. The plaintiff shall remove his personal property from the residence of the defendant no later than July 5, 1992 at 8:00 p.m. That shall pertain to only the items within the house.
5. The plaintiff shall remove the animals and farm equipment within 20 days of the date of this Order.
6. The defendant shall have temporary custody of the minor child pending any further Order of Court in this action or any other action with the plaintiff to have visitation on Mondays, Wednesdays and Fridays from 9:00 a.m. to 3:00 p.m., with such visitation to occur at his aunt's residence where he is currently staying, and to be supervised by his aunt. His aunt's name is Joan Black.
7. The parties may, however, arrange other appropriate visitation which they may both agaree to; and in the event that for some reason the day of the week that has been ordered or days of the week that have been ordered does not work out, then the parties may arrange for a different day from time to time for the husband to visit.
8. There are apparently funds which are in the wife's possession which may well belong to the plaintiff husband, and the defendant wife shall forward the sum of $6,000.00 with respect to those funds to plaintiff husband with 5 days of this date.
9. During periods of visitation with the minor child, the party having visitation and/or custody shall not be under the influence of alcohol while the child is in their custody. The party shall not have consumed alcoholic beverages for aperiod of at least 8 hours prior to beginning the visit.
10. The parties additionally shall not posess or use controlled substances in the presence of the child, and additionally, shall not be under the influence of the same at any time the child is in their custody. The parties are also reminded that possession and use of controlled substances is illegal in the Commonwealth of Pennsylvania anyway.
11. 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.
12, The parties shall split the costs of this action, which amounts to $89.50, equally, with each making their payment to the Prothonotary of Crawford County on the first floor of the Crawford County Courthouse in Meadville, Pa. by the close of business on July 31, 1992.

CONTINUED ON PAGE 136A

1992

Gregory L. Dronko
vs.
Nancy S. Dronko

CONTINUED FROM PAGE 136
of Record
A. D. 1992 - 586

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13. After July 5, 1992 at 8:00 p.m., when the plaintiff has removed all of the remaining personal possessions from the marital home or sooner if he does so prior to that date and time, he shall not go to that residence for any prupose. He may continue to go onto the farm property until further Order of Court or until agreement of the parties, but he shall not go to the residence.

14. With respect to that requirement, the defendant agrees to transport the child for all visitations to the plaintiff's aunt's residence and to pick up the child when visitations are complete.

15. This Order shall remain in full force and effect for a period of one year. BY ORDER OF THE COURT,
Anthony J. Vardaro, J.

July 10, 1992 copies to Barrett, Walton, County Control, P.S.P.

July 15, 1992 AFFIDAVIT OF SERVICE. 1. A true and correct copy of the Complaint for Custody filed in the above-captioned matter was served upon the Defendant GREGORY L. DRONKO, by certified mail, restricted delivery, persuant to Pa. R.C.P. 412 on June 24, 1992, as is evidenced by the United States Postal Service Return Receipt (Certified No. P 899097823) 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.
Date: July 15, 1992
Barbara J. Walton, Esquire

July 20, 1992 ORDER filed. AND NOW, July 20, 1992, the Court notes in its order of July 1, 1992 it neglected to direct the Prothonotary to provide a copy of this order to the police in the jurisdiction where the Defendant lives and to County Control and now it is so ordered. BY THE COURT:
Anthony J. Vardaro, J.

July 23, 1992 copy in box for Barrett & Walton. Sent copy of July 1, 1992 Order to Co. Ctrl. & PSP on July 10, 1992

Oct 22, 1992 Memorandum filed.

136
-b-

1992

1992

Joseph C. Barnhart

587

MICHELLE A. COULTER

vs.

RICHARD A. COULTER

Filed June 24, 1992
@ 2:15 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co Pd 4/21/95	9.00

COMPLAINT IN DIVORCE

July 17, 1992 Acceptance of Service filed. I, Richard A. Coulter, do hereby acknowledge that I have this date received a true and correct copy of a Complaint in divorce as filed in the above-captioned matter.

Dated: 7-15-92 Richard A. Coulter

Mar. 28, 1995 Defendant's Counter-Affidavit Under Section 3301(d) of the Divorce Code filed.

Mar. 28, 1995 Plaintiff's Affidavit Under Section 3301(d) ofthe Divorce Code filed.

Apr. 21, 1995, Upon praecipe of plaintiff attorney, to transmit the record, with notice of intention and defendatns counter affidavit attached, this case moved to court.

DIVORCE DECREE FILED

May 4, 1995 AND NOW, this 3rd day of May, 1995, IT IS ORDERED AND DECREED THAT, MICHELLA A. COULTER and RICHARD A. COULTER, 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.

1992

Robert J. Felton

588

Barrett & Dratler,
~~Bruce A. Barrett~~ withdrawn

Sowash, Carson & Shostak
Robert J. Shostak

Patrick C. McGinley

ROBERT R. RHOADES, Mayor, CAROL R. MEINSTEREIFEL, JAMES J. WANGER, FRED ZDARKO, and TIMOTHY P. McGREGOR, individually, and as Members of the Council Of The City Of Titusville, Pennsylvania, and DENNIS E. PEDEN, Manager of the City of Titusville

vs.

JOHN D. WAYCHOFF, III, a/k/a J. D. WAYCHOFF

Filed June 24, 1992
@ 2:30 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	25.00
Pro Co pd 2-3-94	5.00

COMPLAINT SEEKING OUSTER OF ELECTED CITY TREASURER
FOR FAILURE TO QUALIFY FOR OFFICE
1 copy (atty)

June 26, 1992 Sheriff's Return filed. SERVED John D. Waychoff III, on June 25, 1992 at 4:10 PM by handing a copy of the Quo Warranto to Attorney Bruce Barrett, his Authorized Agent, in the Sheriff's Office, Crawford County Courthouse, Meadville, PA. Signed Acceptance of Service attached.
So answers, Carole Stefanucci, Deputy Sheriff
Robert M. Stevens, Sheriff

July 14, 1992 Answer To Complaint and Counterclaim filed.

Aug. 14, 1992 Plaintiff's Reply To Defendant's New Matter and Counterclaim filed.

Aug. 27, 1992, Acceptance of Service of copy of Plaintiff's Reply by Bruce A. Barrett, Esq. filed.

Sept. 21, 1992 Upon Praecipe of Attorney Robert J. Felton, for Plaintiffs, the above captioned matter is place on the next available Trial List.

ON FEBRUARY, 1993 TRIAL LIST

Sept. 21, 1992 Certificate of Readiness filed.

Jan. 28, 1993 Assignment Of Nonjury Trial Date filed. January 27, 1993, nonjury trial in the above matter is set for April 7, 1993, at 9:15 AM, in Courtroom 1 or 2.
For The Court,
Imogene Yetman, C.A.
Jan. 28, 1993 Copies mailed to Felton and given to Barrett

Mar. 25, 1993 Motion to Continue and Order, filed. ORDER:" And now, March 25, 1993, upon consideration of the foregoing motion, the non-jury trial scheduled for April 7, 1993, is hereby continued. The non-jury trial is set for the 7th day of July, 1993, at 9:15 a.m. Gordon R.. Miller, P.J.
Mar. 29, 1993 copy to R. Felton, B. Barrett

June 21, 1993 Motion to Continue filed.

Jun. 21, 1993 Memorandum and Order filed. AND NOW, June 21, 1993, after consideration of the Defendant's motion to continue this matter which is opposed by the Plaintiffs, the same is denied.
BY THE COURT:
Anthony J. Vardaro, J.
June 21, 1993 Copies Dist. to Barrett & Felton.

July 7, 1993 Motion for Continuance and Order, filed. ORDER: And now, July 6, 1993, insofar as this Motion is consented to by all parties this matter is continued to be set by the Court Administrator sometime after the September 1993 term of criminal court is completed.
Anthony J. Vardaro, J.
Copy given to Court Administrator by Judge Vardaro secretary
July 12, 1993 copy to R. Felton & B. Barrett

July 9, 1993 ASSIGNMENT OF NONJURY TRIAL DATE, filed. AND NOW, July 8, 1993, at the direction of the court, nonjury trial in the above matter is set for October 27, 1993, at 9:15 a.m., in Courtroom 1 or 2.
FOR THE COURT,
Ann A. Walker, Crt. Adm.
July 9, 1993 copies dist. to Atty's Felton & Barrett

Aug. 4, 1993 Motion for Withdrawal of Appearance of Bruce A. Barrett, Esquire Attorney for Defendant and ORDER OF COURT filed. And Now, August 2, 1993. The above motion allowed. The Prothnotary shall send a copy of this order to the Defendant by regular mail noting that he must obtain new counsel by the trial date or be prepared to proceed without counsel.
Anthony J.Vardaro, J.
Aug. 9, 1993 Copy of Order to Attys. Felton, Barrett & Deft.

Oct. 22, 1993 ORDER: AND NOW, Oct. 22, 1993 the court having received a letter fromthe defendant dated Oct. 21, 1993 asking for a continuance of his non jury trial in this case in order to obtain counsel the court will treat said letter as a motion for continuanc e and hereby enters a rule to show cause directed to plaintiffs to show cause, if any they have, why said said motion should not be granted. Said rule is returnable for argument at Motions Court on Wed., Oct. 27, 1993 at 8:45 a.m.
The court is treating the defendants letter in this manner in order to gi ve the plaintiffs an opportunity to be heard since the dft. has not followed the local civil rules with respect to trial continuances (Rule L216) nor has he followed the local motions rules (L206)
From this point on the court will not a ccept letters from any party inthis case. All parties shall adhere to the rules governing motions and petitions.
BY ORDER OF THE COURT,
Gordon R. Miller, P.J.
10/22/93 copies distributed by court.

Oct. 26, 1993, ORDER filed. AND NOW, Oct. 26, 1993, upon written motion of the defendant file in letter form, the trial inthis case is continued until the 5th day of Jan. 1994 at 1:30 PM in C. R. No. 1 of the Crawford County Courthouse. No further continuances will be granted to the defendant.
BY ORDER OF THE COURT,
Gordon R. Miller, P.J.
Oct. 26, 1993, copies sent to Wychoff by court, Felton by Pro

Continued to Page 138 A

Nov. 9, 1993 Appearance of Sowash, Carson & Shostak by Robert J. Shostak, Esquire for John D. Waychoff,III, a/k/a J. D. Waychoff, III, Defendant, filed.

Nov. 18, 1993 Notice of Oral Deposition of Frederick Wagner, filed.

Nov. 1 8, 1993 Notice of Deposition Upon Oral Examination of William r. Muirhead, filed.

Nov. 18, 1993 Notice of Deposition Upon Oral Examination of Dennis E. Peden, filed.

Nov. 18, 1993 Notice of Deposition Upon Oral Examination of Caroline Ford, filed.

Nov.29, 1993 Subpoena filed.

Nov. 29, 1993 Subpoena filed.

Nov.29, 1993 Subpoena filed.

Nov. 29, 1993 Subpoena filed.

Dec. 13, 1993 Appearance of Patrick C. McGinley, Esquire for John D.Waychoff, III, Defendant, filed.

Feb. 1, 1994 Upon Praecipe of Robert J. Felton, Esquire, Attorney for Plaintiffs, the Plaintiff's Complaint in this case is marked settled and discontinued of record.

Mar. 4, 1994, Notice of Settlement and Discontinuance of Courterclaim filed.

1992

Phillips & Galanter
Stephanie A. McElwain

589

JOANNE WEAVER

vs.

JAMES AMEND

Filed June 24, 1992
@ 2:49 PM

Tax & entry paid	50.50
User's Feepaid	5.00
Sheriff's Costs	28.00
Sheriff's Costs	34.00
Pro Co pd 9-29-93	9.00
Cert pd 1-14-94	2.00
Cert Pd 9-24-94	20

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

July 15, 1992 SHERIFF's RETURN FILED. NOT FOUND as to Defendant JamesAmend. He moved from address given of R.D.#2, Box 2132, Union City, PA, to R.D.#1, Guys Mills, PA. Also moved from that address and his current address is unknown.
So answers,

Robert M. Stevens, Sheriff

Aug. 4, 1992 Sheriff's Return filed. SERVED James Amend personally on July 20, 1992 at 2:27 PM by handing him a copy of the complaint at his place of employment, Spartywood Lumber Yard, Centervill, CrawfordCounty, PA.
So answers,

Edgar D.Householder, Chief Deputy
Robert M. Stevens, Sheriff

And Now, Sept. 29, 1993, upon praecipe of plaintiff's attorney judgment is entered agaisnt the above named Defendant(s), JAMES AMEND, in default of appearance of pleading sec. leg. pursuant to Pa. R.C.P. 1037 in the amount of One Thousand Eight Hundred Forty-Four Dollars and 96/100, plus costs of suit.
Entered 9-29-93 Debt: $1,844.96 plus costs
A - 92 JUDGMENT
Barbara H. King, Pro.
10-6-93 Notice of entry of Judgment sent to Dft.

Mason & Mason
Joan D. Mason

590

~~Shafer, Swick, Bailey, Irwin & Stack~~
~~James R. Irwin~~
(withdrawn)

ROBIN L. SIVERD

vs.

DEAN L. SIVERD

Filed June 24, 1992
@ 4:20 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 7884-12-29-93	9.00
William Pineo, Mediator	202.00
Pro Co	9.00
Masterudy Pd 11-28-95 David Pickens, Master	250.00
Add'l Ct. pd 1/5/96	15.00
User's Fee pd 1/5/96	5.00
Pro Co Pd 9/5/96	9.00
Proco Pd 11-22-96	5.00

COMPLAINT IN DIVORCE, CUSTODY & EQUITABLE DISTRIBUTION
4 copies (atty)

July 30, 1992, Affidavit of Service filed. I, Joan D. Mason Esq. atty. for plff. in the above case, and being duly sworn according to law, depose and say that I did on July 21, 1992 at approximately 3:30 p.m. serve on dft. a complaint in the above action at Crawford Countycourt House, Diamond Park Meadville, Pa.
Joan D. Mason, Atty.

Dec. 3, 1992 ORDER filed. AND NOW, Decembr 2, 1992, after mediation conference before John Fuller, Esq., IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Staci Siverd and Philip Siverd 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 Staci Siverd and pHilip Siverd shall be with their mother, subject to the following conditions:

A. The father shall be entitled to visit and take the children into his custody the 1st, 2nd and 4th weekends of each month from 5:00 p.m. on Friday to 5:00 p.m. on Sunday, beginning Nov. 27, 1992. The 1st, 2nd and 4th weekends shall be defined as those on which the 1st, 2nd and 4th Fridays fall.

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 so 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.

C. Beginning with the Summer o f1993, children shall be in the custody of the father for a period of two nonconsecutive two week periods. The father shall give the mother at least 30 days notice of the dates of the Summer visit.

D. Transportation of the children on weekends, holidays and Summer visits shall be equally divided as follows: Custody exchanges shall be at McDonald's restaurant until such time as both mothe and father feel exchanges can be made amicably; then, the parent requesting custody shall provide transportation.

E. Neither mother nor father shall say or do anything in an attempt to turn the children against the other parent or the parents' family, 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, and their extended families.

F. Neither mother nor father shall expose the children to any person or situation which may be harmful to the children's health and 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. The children shall be entitled to call the noncustodial parent at reasonable times.

H. The parents are directed to secure appropriate psychological counseling for the children and to cooperate in every way deemed advisabel by the counselor, including seeking counseling for themselves, if recommended.

III, This order is a temporary order but shall become a permanent order unless exceptions thereto are filed by either party within 30 days of the date hereof.

IV. Cost of the mediation conference shall be equally divided between the parties.

Anthony J. Vardaro, J.

Dec. 8, 1992 copy to J. Mason, D. Graban, J. Fuller, PLf. & Dft.

Dec. 10, 1992 Exceptions and Notice Of Appeal and Order filed. December 9, 1992, hearing in above matter is set for Feb. 5, 1993, at 10:00 a.m., in Courtroom 1 or 2 of the crawford County Courthouse.

For The Court,
Imogene Yetman, C.A.

Dec. 16, 1992 Copies of order to Atty's Graban, Mason and Fuller

Jan. 15, 1993 Appearance of Shafer, Swick, Bailey, Irwin & Stack by James R. Irwin for Defendant filed.

Feb. 2, 1993 Motion to Postpone Hearing and Order of Court filed. And Now, Feb. 1, 1993. This matter continued until March 3, 1993 at 9 A.M. Ct. Room 1 or 2.

Anthony J. Vardaro,J.

Feb. 4, 1993 Copy of Order to Joan D. Mason, Esq. and James R. Irwin, Esq. & John Fuller, Esq.

Mar. 2, 1993 Motion For Continuance and Order filed. AND NOW, this 2nd day of March, 1993, upon presentation and considerationof the wtihin Motion this hearing is rescheduled for the 24th day of May, 1993 at 9:00 o'clock a.m. in Courtroom No. 1 or 2 of the Crawford County Courthouse.

For The Court,
Ann A. Walker, C.A.

Mar. 8, 1993 Copies of order to Atty.s Mason, Irwin and Fuller

May 21, 1993 Motion to Reschedule Custody Hearing and ORDER OF COURT filed. And Now, May 20, 1993 The above motion to reschedule hearing is granted.

For the Court
Ann A.Walker,Court Administrator

May 27, 1993 Copy of Order to Attys. Mason & Irwin.

RECORD CONTINUED ON PAGE 140 (A).....

Received from Defendant 75.00 7-2-92 mediation deposit

Received from Plaintiff 75.00 8-14-92 mediation deposit.

12-15-92 Pd Comm 150.00 med fee Ch# 7222

10-25-93 Rec from Dft. Med Dep $150.00

12-24-93 Pd dft (refund) 40.00 Ch# 7987

12-29-93 Pd Co 101.00 Ch# 7983

3-30-94 Rec. from Plf med fees 101.00

6-9-94 Pd Co Ch# 8355 101.00

11/28/95 250.00 Pd masters deposit

ROBIN L. SIVERD

VS.

DEAN L. SIVERD

RECORD CONTINUED FROM PAGE 140

OF

AD 1992 - 590

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July 28, 1993 ORDER filed. AND NOW, July 7, 1993 after partial hearing and by agreement of the parties the Temporary Order of December 22nd, 1992 based upon the recommendations of custody made by the mediator is hereby adopted as the permanent order of this Court subject to the following modifications:

1) Paragraph II-B is hereby deleted, and there is substituted therefore the following:

A) The Christmas holiday will be divided between the parties with one party having custody of the children from noon December 24th to noon December 25th, and the other party having custody fron noon December 25th to noon December 26th. The two peridos shall be alternated between the parties, and the father shall have the first period in 1993 and the mother the second period.

B) The Thanksgiving holiday shall be divided on Thanksgiving Day, 8 a.m. to 2 p.m. with the mother, and 2 p.m. to 8 p.m. with the father. This arrangement as to time periods shall remain throughout the period of this Order.

C) The children shall spend Mother's Day with their mother from 8 a.m. to 8 p.m. and Father's Day with their father from 8 a.m. to 8 p.m.

D) Easter day shall be spent with the mother until one o'clock p.m. and with the father from one o'clock p.m. until seven o'clock p.m.

E)Each of these holiday arrangemetns shall take precedence over th regular visitation schedule.

2) Paragraph II-D is modified to provide that the parent receiving the children shall furnish transprotation for the children and shall pick them up at the other parent's home, but shall not go inside the home for that purpose. Both parents feel that such exchanges can be made amicably at this time. This Order shall supersede any existing order in a Protection from Abuse proceeding that may be in conflict therewith.

3) Paragraph II-H of the original Temporary Order required the parents to secure appropriate psychologial counseling for the children. The defendant has suggested Anthony Cifullo a professional psychologist of Edinboro, Pa. to engage in such counseling. The mother agrees to meet with Dr. Cifullo, and if satisfied, to consent to that arrangement, which consent shall not be unreasonably withheld. If the parties do not agree on that counseling arrangement they shall meet again to make such arrangement. If no meeting of the minds can be reached, either party may apply to the Court for an informal conference to resolve the deadlock.

4) The mediation conference costs were originally equally divided between the parties, and if the mediation conference fees have not been paid, each party shall pay their share on or before Aug. 2nd, 1993.

5) Each party shall apply any available insurance benefits to the cost of counseling, and any amount not covered by insurance benefits shall be paid equally by the parties.

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

Aug. 2, 1993 Copy of Order to Attys. Joan Mason, James Irwin and John Fuller.

Oct. 25, 1993 Petition to Modify Custody filed.
Nov. 3, 1993 copy to J. Mason, J. Irwin, J. Fuller (of Order below)

Oct. 25,1993 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 Mediator William Pineo, at a time to be set by the Mediator in the Crawford County Courthouse with the Child Custody Mediator as requireed by Rule 31(e) of the Court of Common Pleas of Crawford County, Pennsylvania.

It is further ordered and decreed tht pending final determination by the Court, the aforesaid minor child 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. 3, 1993 copy to J. Mason, J. Irwin, J. Fuller

Dec. 23, 1993 TEMPORARY ORDER, filed. AND NOW, this 22 day of December, 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 order of December 22, 1992, as modified by the osrder of July 7,1993 is modified only in this respect: Paragraph II-H of the order of December 22, 1992, and Paragaraph 3 of the order of July 7, 1993, are deleted. The parties have agreed that Michael Mercatoris, PhD, is to engage in appropriate psychological counseling for the children. If Dr. Mercatoris accepts the task, it shall be for the purpose of children to Dr. Mercatoris shall be used as evidence, nor shall Dr. Mercatoris be allowed or compelled to testify in this proceeding or in any proceeding arising out of the marital relation between the parties nor the relationship of parent-child with their children. The father has indicated that his insurance plan will cover part of the costs of counseling. He shall arrange that it do so, and any expenses fo counseling not covered by the father's insurance plan shall be paid equally by the parties.

2. 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. 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. The mother shall pay her share of costs and fees to the Prothonotary of Crawford County within thirty (30) days of the dte of this Order.

3. 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.

Jan. 7, 1994 copy to W. Pineo,J. Mason,J. Irwin, Plf. & Dft.

Dec. 30, 1993 Request for Hearing DeNovo and ORDER filed. AND NOW, this 29 day of December, 1993 upon presentation and consideration of the foregoing Request for Hearing hearing is scheduled with the Court of Common Pleas of Crawford County, Pennsylvania, on the 26th day of January, 1994 at 9:30 o'clock a.m. in Courtroom No. 1 of the Crawford County Courthouse, Meadville, Pennsylvania.

BY THE COURT:
Anthony J.Vardaro, J.

Jan.7, 1994 Copy to Attys. Pineo, Mason & Irwin, Pltf & Deft.

Jan. 27, 1994 ORDER filed. AND NOW, January 26, 1994 at the close of the time allotted for the hearing in this case, the case is continued until wednesday, February 2, 1994 at 1:30 o'clock p.m. in Courtroom No. 1 of the Crawford County Courthouse. The attorneys shall endeavor to complete the testimony that day. If they are unable to do so, then we will devote the morning of Thursday, February 3, 1994 to this case and no time after that.

The case must be completed, if not sooner, by 12:00 o'clock noon on Thursday, February 3, 1994.

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

Jan. 27,1994 copies dist. to Mason & Irwin

Continued on Pg 140 (B)

Feb. 10, 1994, Transcript of Hearing Denovo Custody taken on behalf of the Plaintiff on Wed. July 7, 1993, filed.

Feb. 10, 1994, ORDER filed. AND NOW, feb. 9, 1994, the hearing in this matter is continued until Wed. Mar.30, 1994 at 1:30 p.m. in C. R. No. 1 of the Crawford County courthouse. All testimony and evidence shall be concluded at that date. No further court time will be permitted. BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

Feb. 10, 1994, copies dist. to Mason and Irwin, attys.

Feb. 10, 1994, exhibits filed.

Apr. 21, 1994 Memorandum and Order filed. AND NOW, April 19, 1994, after a lengthy hearing to determine primary custody after which the parties were given an opportunity to present either an agreedment or separate proposals regarding other periods of visitation it is ordered as follows:

1. Legal custody of Staci Siverd and Philip Siverd shall be shared between the mother and the father. Each parent shall be entitled to equal access to any records relating to the children held by any third party including, but not limited to, school and medical records. Each parent shall be entitled to take part fully and equally in important decisions affecting the children such as the education, medical treatment and religious instruction of the children.

2. Primary physical custody of Staci and Philip shall remain with their mother subject to the following visitations and temporary custody provisions:

A. Weekend visitations

During the months of September through May the children shall be with their father the first, second and fourth weekends of each month from 5:30 o'clock p.m. on Friday until 6:00 o'clock p.m. on Sunday. The first weekend of a month shall be the first weekend where Saturday and Sunday fall in the same month.

B. Holiday visitations

The parties are encouraged to agree to holiday visitations. In the event that they cannot agree the following provisions shall be strictly followed:

(i) The children shall spend Mother's Day with the mother and Father's Day with the father. Said visitations to be from 10:00 o'clock a.m. to 8:00 o'clock p.m.

(ii) The parties shall share Memorial Day (as observed), Independence Day (as observed) and Labor Day. Visitations shall be from 10:00 o'clock a.m. until 8:00 o'clock p.m. In even numbered years the children shall be with their mother on Memorial Day and Labor Day and with their father on Independence Day. In odd numbered years the children shallbe with their mother on Independence Day and with their father on Memorial Day and Labor Day.

(iii) Thanksgiving Day shall be divided into two visitationperiods. The children shall spend the first visitation period from 8:00 o'clock a.m.until 2:00 o'clock p.m. with their mother. The children shall spend the second visitation period from 2:00 o'clock p.m. until 8:00 o'clock p.m. with their father.

(iv) Easter Day shall be divided into two visitationperiods. The children shall spend the first visitation period from 8:00 o'clock a.m. until 2:00 o'clock p.m. with their mother. The children shall spend the second visitation period from 2:00 o'clock p.m. until 8:00 o'clock p.m. with their father.

(v) Christmas shall be divided into two visitation periods. The first visitation period shall be from 6:00 o'clock p.m. on December 24th until 6:00 o'clock p.m.on Christmas Day until 6:00 o'clock p.m. on December 26th. In even numbered years the mother shall have the first period and the father shall have the second period. In odd numbered years the father shall have the first period and the mother shall have the second period.

C. Summer visitations

The parties are encouraged toagree to summer visitations. In the event that they cannot agree the following provisions shall be strictly followed.

The children shall be with their fat her from 10:00 o'clock a.m. on the first Saturday in July through 12:00 o'clock noon on the first Saturday of August. During that period of time the mother shall not be entitled to any visitations in her children except on the weekends where the third and fourth Saturdays in July fall at which time she shall be entitled to visitations from 5:30 o'clock p.m.the following Sunday.

The mother shall have one two week uninterrupted period with her children commencing at 5:30 o'clock p.m. on a Friday and ending on 12:00 noon on the second Saturday following. She shall select this two week period no later than May 1st of each year and shall notify the father in writing. This period shall not occur during the father's summer visitations set forth in the paragraph immediately preceeding this paragraph.

During the months of June, July and August the fat her shall have the same weekend visitation rights he has in his children during the months from September through May except during the two week uninterrupted period chosen by the mother.

D. Priorities

Holiday visitations, including MOther's Day and Father's Day, shall take priority over all other visitation periods.

3. The children shall be given reasonable opportunities to call the non-custodial parent during periods of time when they are in the custody of, or visiting with, the other parent. The non-custodial parent shall have the right to callthe children when they are in the custody of theother for reasonable periods of time, not to exceed two calls in a seven day period. Telephone calls between the children and the non-custodial parent shall not be recorded, taped or listened to by the custodial parent.

4. If it becomes necessary for a party to cancel or modify visitations as set forth in this order or as previously agreed to by the parties, the party seeking a change shall notify the other party as soon as the need for the change is known. Changes shall not be proposed except for necessary and good faith purposes. If a change occurs the parties shall make every reasonable effort to arrange for an alternate visitation or make alternate arrangements.

5. Each parent shall notify the other and keep the other advised of important events which the children engage in such as sporting events,concerts,plays, etc. so that the other parent may attend such events if that parent desires to do so.

6. The parent shall split responsibility for transportation with the party receiving a child to provide the transportation for that visitation change.

7. The level with which the parties deal with each other is inexcusable and they shall henceforth deal and cooperate with each ot her at a proper level with respect to the children and their welfare. Accordingly each shall teach the children to give the other parent that love and respect which is due a parent from his or her children. Furthermore, neither parent shall do or say anything to blacken the character of the ot her in the childrens' estimation. Each party shall treat the other in a polite and respectful manner, in words and deeds, when in the children's presence. Each parent shall instruct his or her relatives and friends to do likewise and not to disparage the other parent in the childrens' estimation.

8. Neither parent shall use or possess illegal drugs, controlled substances nor shall either parent be under the influence of alcohol, intoxicating liquors, beer or wine at any time when he or she has the care and custody of the children.

9. The parties are free to make additional or alternative arrangements respecting custodial and visitation periods. They are encouraged to do so. Child custody and visitation matters should be flexiable. Such arrangements shall be made by mutual consent only. In the absence of mutual consent this order shall govern without exception or deviation.

10. The parties are ordered and directed to participate in appropriate counseling to aid and assist them in dealing with each other, communicating with each other and working amicably for the best interests of the children.

Continued to Page 140 C

The cost of counseling shall be split between the parties. At the moment it appears that the parties are counseling with Dr. Michael Mercatoris. They shall continue with Dr. Mercatoris until he believes that counseling is no longer appropriate or necessary.

11. All arrangements involving the children shall be made by the prents directly and not through intermediaries. If personal, verbal contact cannot be accomplished then written communications may be appropriate.

12. During periods of time when the children are in the custody of a parent who is not readily available at home (especially after shool and during summer school recesses) the parent having custody shall make arrangements to have a responsible person over 18 either present in the home to oversee the children until the parent returns to the home or have a responsbile personover 18 years of age available within 250 feet of the home in which case said person shall check in on the children from time to time and shall at all times be available for the children to check in with him or her. There must be a readily available adult to oversee the children when the custodial parent is absent from the home.

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

4-21-94 Copies dist. to Mason& Irwin.

Sept. 12, 1994 Affidavit of Consent of Dean L. Siverd, filed.

Nov. 28, 1995, Inventory of Dean L. Siverd filed.

Nov. 28, 1995, Motion to appoint Master in Divorce and Order appointing Master, filed. ORDER: AND NOW, this 28 day of Nov. 1995, Daivd W. Pickens, Esq. is appointed Master in respect tothe following claims:

All matters properly raised by the pleading or petition except custody.

percuriam,
Gordon R. Miller, Judge

11/28/95 copies to Pickens, Mason, Shafer, Swick.

Dec. 11, 1995 Notice of Scheduled Pre-Hearing Conference,filed.

Ja. 5, 1996 Motion to Schedule Hearing and ORDER OF COURT filed. And now,January 4,1996 Hearing in this matter scheduled for February 8, 1996 at 9:00 o'clock A.M. in Court Room No. 2.

Gordon R. Miller, J.

1-5-96 Faxed J. Mason & Irwin

Jan. 5, 1996 Petition for Additional REmedies filed.

Jan. 16, 1996 Defendant's Preliminary Objections To Plaintiff's Petition for Additional Remedies filed.

Jan. 18, 1996 Notice of Scheduled Master's Hearing filed.

Jan. 19, 1996, Summary of Pre-Hearing Conference filed.

Jan 25, 1996 Proof of Service of Notice to Produce, filed.

FEb. 14, 1996 MEMORANDUM AND ORDER filed. ORDER. AND NOW, February 12, 1996,the plaintiff's petition for alimony pendente lite,counsel fees and expenses is denied without prejudice to seek additional relief if she is able to prove a change in circumstances.

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

2-14-96 Copy to Mason & Irwin (Back up)

Feb. 14, 1996 Motion for Continuance filed.

Feb. 14, 1996 Motion by Joan D.Mason,Esquire, Attorney for Plaintiff to withdraw Count V - Post-High School Educational Expenses for Children from Plaintiff's Petition for Additional Remedies in the above captioned action and ORDER OF COURT filed. And now,February 8, 1996, Motion granted.

Gordon R. Miller, J.

2-15-96 Faxed Atty. Mason & Irwin

Mar. 4, 1996 Motion for continuance and ORDER OF COURT filed. And now, March 4, 1996. This hearing shall not take place on March 28, 1996 but the Master is directed to start on March 29, 1996 and then schedule another day if necessary.

Anthony J.Vardaro, J.

2-4-96 Faxed Pickens, Irwin & J.Mason

July 3, 1996, Affidavit of consent of defendant filed.

July 3, 1996, Waiver of Notice of Intention to Request Entry of a Divorce Decree filed.

Aug. 2, 1996 Waiver of Notice of Intention To Request Entry of a Divorce Decree Under Section 3301(c) of the Divorce Code of Plaintiff filed.

Aug. 29, 1996 Praecipe for Review 3301(c) filed.

Aug. 29, 1996 Affidavit of Consent by Plaintiff filed.

Sept. 11, 1996 ORDER filed. AND NOW, September 10, 1996, pursuant to the praecipe for review filed by the plaintiff on Aug. 29, 1996 the Court reviewed this file in its entirety.

This case is not in the proper posture for a final divorce decree. A Master was appointed but there is no Master's Report in the file. There is no settlement agreement. The sate of the record reveals no finality to this matter.

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

Sept.11, 1996 Order Distributed to Attys. J. Mason and J. Irwin.

Sept. 11, 1996 Exhibits filed.

Sept. 13, 1996 Separation and Property Settlement Agreement filed.

Sept. 13, 1996 Praecipe To Resubmit the above captioned divorce action by Joan D. Mason for Plaintiff filed.

DIVORCE DECREE FILED

Sept. 25, 1996 AND NOW, September 24, 1996, it is ordered and decreed that ROBIN L. SIVERD, plaintiff and DEAN L. SIVERD, 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 Aug. 5, 1996 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.

Cont on Pg. 140 D

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

_____TERM

CONTINUATION OF SIVERD VS SIVERD FROM PAGE 140 C A.D. 1992 - 590

Nov 18, 1996 Notice of Intention To Resume prior Maiden Name. **Robin L. Siverd** TO BE KNOWN AS: **Robin L. Stockton**, filed.

Jan. 8, 1998 PETITION FOR CONTEMPT AND NOTICE AND ORDER TO APPEAR FILED. Legal proceedings have been brought against you, Dean L. Siverd, alleging you have wilfully disobeyed Crawford County Court of common Please President Judge Gordon R. Miller's Sept. 24, 1996 Final Divorce Decree which incorporated the Plaintiff and your Aug. 5, 1996 Separtation and Property Settlement Agreement.

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 23rd day of Feb., 1998 at 3:45 PM in Courtroom Now. 1 of the Crawford County Courthouse located at 903 Diamond Sq, Meadville, PA 16335.

IF YOU DO NOT APPEAR IN PERSON, THE COURT MAY ISSUE A WARRANT FOR YOUR ARREST.

If the court finds that you have wilfully failed to comply with its Dec. 10, 1996 Court 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.

Crawford County Courthouse
Court Administrator's Office
903 Diamond Square
Meadville, PA 16335 (814) 336-1151

BY THE COURT
ANTHONY J. VARDARO, J.

1/8/98 FAXED HATHEWAY & IRWIN

Feb. 23, 1998 Amended Petition For contempt and Order filed. Legal proceedings have been brought against you, Dean L. Siverd, alleging you have wilfully disobeyed Crwaford County Court of Common Pleas President Judge Gordon R. Miller's September 24, 1996 Final Divorce Decree which incorporated the Plaintiff and you August 5, 1996 Separation and Property Settlement Agreement.

I fyou wish to defned against the claim set forth in the following pages, you may but are not rrequired 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 23rd day of February, 1998 at 3:45 p.m. in Courtroom #1 of the Crwaford County Courthouse located at 903 Diamond Square, Meadville, Pennsylvania 16335.

IF YOU DO NOT APPEAR IN PERSON THE COUR TMAY ISSUE A WARRANT FOR YOUR ARREST.

If hte court finds that you have wifully filaed to comply with its December 10, 1996 Court Order, you may be fond to b ein 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 CNE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Crwaford County Courthouse
Court Administrator's Office
903 Diamond Square
Meadville, PA 16335
(814) 336-1151

[BY THE COURT
Anthony J. Vardaro, J

2/23/98 Faxed Irwin & Hatheway

Feb. 25, 1998 ORDER filed. AND NOW, Feb. 23, 1998, at the Contempt Hearing, it appears that there are two issues. The first is that the mortgage payments have not been made, but apparently, that has been resolved by the Plaintiff realizing that payments have been made although late.

The second issue is that the Defendant has not signed a listing agreement as required by Paragraph 14 of the August 15, 1996 agreement.

We do not hold the Defendant in contempt because Paragraph 14b of the agreement provides that if the parties cannot agree on ERA-Richmond, then the two attorneys would make the determination. It is true that the Defendant has refused to sign an agreement with ERA-Richmond, but the agreement does provide an alternative to the Plaintiff to accomplish the purposes of the agreement.

Accordingly, it is ordered as follows:

1. Based upon the agreement of the parties, they shall both sign a current listing form for ERA-Richmond Real Estate, and the form was presented at the Hearing by counsel for the Plaintiff.

2. Edward Hatheway, Esq., shall hold this listing in escrow and not deliver it to ERA-Richmond for fourteen (14) days from this date.

3. In the meantime, the parties shall endeavor to reach an agreement, either as to the sale and disposition of the property or as to the selection of another broker or some other alternative they can think of. If the parties reach an agreement, then Mr. Hatheway shall destroy the listing agreement that was signed today. If the parties do not reach an agreement or alternative, then Mr. Hatheway is directed to deliver the listing agreement to ERA-Richmond and give copies to each of the parties.

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

Feb. 26, 1998 Distributed Attys. Irwin and Hatheway.

Mar. 3, 1998 MOtion to withdraw Appearance and order field. ORDER: AND NOW, this 2 day of Mar. 1998 Dft's counsel James R. Irwin is hereby authorized to withdraw his appearance on behalf of dft. in above case.

Gordon R. Miller, J.

3/3/98 faxed to Irwin and Hatheway.

1992

Jonathan Ostroff 591	DALE HAMILTON and LUCILLE HAMILTON vs. JOHN DOE Filed June 29, 1992 @ 9:04 AM Tax & entry paid 50.50 User's Fee paid 5.00	WRIT OF SUMMONS Issued (atty)

142

1992

Withdrawn
~~Barbara J. Walton~~

592

James Irwin

BONNIE GRAHAM

vs.

KENNETH A. GRAHAM

Filed June 29, 1992
@ 1:49 PM

Tax & entry paid	50.50
User's Fee paid	20.00
3 Add'l Counts paid	45.00
State paid	10.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION, ALIMONY PENDENTE LITE, COUNSEL FEES and COSTS, and PERMANENT ALIMONY
2 copies (atty)

July 15, 1992 AFFIDAVIT OF SERVICE FILED. 1. A true and correct copy of the Complaint for Divorce and other remedies filed in the above-captioned matter was served upon the Defendant, Kenneth A. Graham, by certfied mail, restricted delivery, persuant to Pa. R.C.P. 412 on July 6, 1992, as is evidenced by the United States Postal Service Return REceipt (Certified No. P 899097829) 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.

Date: July 15, 1992 Barbara J. Walton,Esq.

July 17, 1992 Motion to Set Hearing on Alimony Pendente Lite filed. and ORDER AND Now, July 23, 1992 Hearing on Alimony Pendente Lite is set for Aug. 14, 1992 at 9:00 o'clock a.m. in Courtroom number 1 or 2 of the Crawford County Courthouse.

By the Court:
Gordon R. Miller, J.

July 27, 1992 Copy of Order to Attys. Barbara Walton.

July 27, 1992 MOTION TO SET ALIMONY PENDENTE LITE HEARING and ORDER filed. ORDER: And Now, July 27th, 1992 Hearing on Alimony Pendente Lite is set for September 3, 1992 at 1:30 P.M. in Courtroom 1 or 2 of the Crawford County Courthouse.

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

July 30,1992 copy put in box for B. Walton, mailed copy to Dft.

July 30, 1992 Motion to Cancel Hearing on Alimony Pendente Lite and Order filed. And Now, July 29, 1992, upon presentation of the within Motion,hearing on the issue ofAlimony Pendente Lite scheduled for August 14, 1992, at 9:00 a.m. is cancelled.

For the Court:
Imogene Yetman, Court Administrator

Aug. 4, 1992Copy of the Order to Barbara J. Walton, Esquire

Sept. 4, 1992 ORDER filed. AND NOW, Sept. 3, 1992, this matter is before the Court on Plaintiff's motion for alimony pendente lite, counsel fees and costs.

Both parties are represented by counsel and agree to proceed informally.

After some exploration by the Court the Defendant makes an offer to the Plaintiff to resolve this matter and is accepted by the Plaintiff so the Court need not make a determination with respect to the incomes of the parties.

Accordingly, by agreement of the parties it is ORDERED as follows:

1. The Defendant shall pay to the Plaintiff as alimony pendente lite the sum of $200.00 on Sept. 15, 1992, the sum of $200.00 on Oct 15, 1992 and the sum of $200.00 on Nov. 15, 1992.

2. The Defendant shall pay to Plaintiff's counsel toward c ounsel fees in thismatter the sum of $125.00 on or before Sept. 30, 1992 and the sum of $125.00 on or before Oct. 30, 1992.

3. The Plaintiff is currently receiving rental income from a cottage owned by the Parties and the Defend ant is paying substantially all of the expenses with some small exceptions. The parties agree that during the period of September, October and November, 1992 the Plaintiff shall continue to receive any rental income generated by that cottage and the Defendant shall continue to pay all of those expenses he is currently paying.

4. The parties agree that they will file affidavits of consent so that this matter may be praecifped for a Master within 3 days after the first day that they are permitted to do so, which is Sept. 29, 1992, and they further agree that they will proceed with due and reasonable diligence to bring this matter to a conclusion.

5. This Order is entered without prejudice with respect to the issues it addresses to the pareties to have these issues determined finally by a Master or other trier of fact, it being the Court's intention that this only be temporary relief and that all matters that shall normally be reviewed in a divorce proceeding may be reviewed so that this Order is not intended to be final.

6. The Defendant is concerned that he may be waiving rights to obtain property credit for moneys he has paid toward the upkeep and maintenance and insurance and related costs of the cottage, and it is not the Court's intention to be doing that. It is specifically the Court's intention that the parties may claim any appropriate credits for moneys they have paid to benefit martial property at the time an equiptable distribution is heard.

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

Sept. 4, 1992 copy put in box for Walton & Irwin

Oct. 9, 1992 Affidavit of Consent of Kenneth A.Graham, Sr. filed.

Nov. 10, 1992 Affidavit of Consent of Plaintiff, filed.

Jan. 19, 1993 Motion To Extend Alimony Pendente Lite Paymetns and ORDER filed. AND NOW, this _____ th day of January, 1993, motion allowed. Hearing on Plaintiff's request for an extension of the existing alimony pendente lite payments and counsel fees is set for April 1st, 1993, at 2:30 p.m. o'clock in Courtroom 2 of the Crawford Co. Courthouse located in Meadville, PA.

FOR THE COURT:
Imogene Yetman, Court Administrator

Jan. 20, 1993 Copy of Order to Attys. Barbara Walton and James Irwin.

Mar. 31, 1993, Motion to Withdraw Appearance as Counsel for plaintiff and Order filed. ORDER: AND NOW, March 31, 1993, upon presentation and consideration of the within Motion, Plaintiffs Counsel, Barbara J. Walton, Esq. is hereby authorized to withdraw as counsel of the plff. inthe above case.

**By the Court,
Gordon R. Miller, J.**

Apr. 2, 1993, copy of order to B. Walton and James Irwin.

Mar. 31, 1993, Defendant's Income and Expense Statement filed.

Mar. 12, 1998 Important Notice and Court Order Terminating Case on April 24, 1998 filed.

May 6, 1998 Order Terminating Case filed.

1992

593

MICHAEL J. WOLFE

vs.

JILL M. BUNNELL

Filed June 29, 1992
@ 1:44 PM

Tax & entry	50.50
User's Fee	5.00
Sheriff's Costs	40.80
Pro Co	9.00

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

ORDER:

And now, this 29 day of June, 1992, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions:

3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000:00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for July 6, 1992, at 3:30 P. M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

July 8, 1992 SHIERIFF'S RETURN filed. SERVED Jill M. Bunnell by deputizing the Sheriff of Venango County, Pa., as per Affidavit of Service attached. Served on June 30, 1992.
So answers, Robert M. Stevens, Sheriff

AFFIDAVIT OF SERVICE filed. SERVED the within Protection From Abuse on 30JUN92 at 3:02 P.M. upon Jill Bunnell (In Person) at 16 Spruce St., Oil City, Pa. 16301 by handing to Jill Bunnell, (In Person) a true and correct copy thereof and made known to her the contents therein.
Gene Price, Sheriff Venango County

July 8, 1992 ORDER filed. AND NOW, July 6, 1992 at the time set for hearing with respect to this petition for relief under the Protection from Abuse Act, the Plaintiff does not appear.

The Plaintiff was told at the time the temporary order was entered athat if he chose not to go forward with th is action, he would have to either withdraw the action and pay the court costs or else appear at the time set for th is hearing for the Court to conduct a hearing to determine whether he could afford to pay court costs.

In light of the fact that he ahs done neither, this petition is dismissed and the Plaintiff shall pay court costs to the Prothonotary in the amount of $64.50 plus all Sheriff costs in an amount yet to be determined, all on or before July 15, 1992, at the close of business at the Office of the Prothonotary of Crawford County on the first floor of the Courthouse in Meadville Pennsylvania.

A copy of th is order shall be sent to the Plaintiff by the Prothonotary at his last known address at PO Box 50, Titusville, Pa. and the Plaintiff is advised that his failure to pay such court costs in atimely manner could result in him being held in contempt of Court.

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

July 8, 1992 copy given to Co. Ctr., mailed copy to Plf.

144

1992

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

594

PATRICK J. FRONCILLO

vs.

MARILYN J. FRONCILLO

Filed June 29, 1992
@ 2:39 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro.Co.pd 1/20/93	9.00 ✓

COMPLAINT IN DIVORCE
2 copies (atty)

July 24, 1992 AFFIDAVIT OF SERVICE filed. I, JAMES R. IRWIN, Esq., being duly sworn according to law, depose and say that I am the attorney of record, and as such say that I served a true and correct copy of the Complaint in Divorce certified by the Prothonotary of Crawford County, Pa. on the above named Defendant by certified mail, addressee only, return receipt requested, dated June 30, 1992. The Defendantacknowledged service on July 1, 1992 by accepting delivery on that date as evidenced by the attached signed return receipt.

Dec. 4, 1992, Affidavit of Consent of Plaintiff filed.

Jan. 20, 1993 Affidavit of Consent by Marilyn J.Froncillo, Defendant, filed.

Jan. 20, 1993 Upon Praecipe of Plaintiff Attorney to transmit record, case moved to court.

DIVORCE DECREE FILED

Jan. 27, 1993 AND NOW, January 25, 1993, it is hereby ordered and decreed that P A T R I C K J . F R O N C I L L O , Plaintiff, and M A R I L Y N J . F R O N C I L L O , 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.

1992

595

Bruce Barrett

PETITION FOR EXTENDED
INVOLUNTARY TREATMENT

of

ERNEST L. FAUSNAUGHT

Filed June 29, 1992
@ 2:57 PM

APPLICATION FOR EXTENDED INVOLUNTARY TREATMENT
Mental Health Procedures Act of 1976 (Section 303)

Oct. 13, 1995 Petition for Involuntary Treatment, Mental Health Procedures Act of 1976 (Sections 304 and 305), filed.

Oct. 19, 1995 Report of Mental Health Review Officer and ORDER filed. ORDER. And now, October 17, 1995,upon consideration of the petition filed at the above number and term, and other releva matter,and after a review of the report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said Ernest L. Fausnaught be committed to Warren State Hospital for treatment for a period not to exceed 90 days.

This order shall take effect on October 24, 1995.

BY THE COURT,
Gordon R. Miller, J.

10-20-95 Copy to Atty. & Hospital & Mh/MR

Jan. 5, 1996 Mental Health Procedures Act of 1976 (Sections 304 and 305), filed.

Jan. 26, 1996 Report of Mental Health Review Officer and Order of January 25, 1996 committing Ernest Fausnaught to Warren State Hospital for treatment for a period not to exceed 180 days from January 9, 1996.
Jan 26, 1996 sent Africa, MH/MR, WSH

** FOR FUTURE ENTRIES AS OF DECEMBER 30, 2002 - SEE COMPUTER**

146

1992

596

ARTHUR SAVITZ

vs.

WILLIAM SHIFFLETT

Filed June 30, 1992
@ 1:28 PM

Tax & entry paid	50.25
User's Fee paid	5.00

APPEAL OF DEFENDANT FROM DECISION
OF DISTRICT JUSTICE GEORGE W. HERZBERGER, III

June 30, 1992, Rule entered upon plaintiff to file complaint issued.

July 2, 1992, Proof of Service filed.

1992

Routman, Moore,
Goldstone & Valentino
Joseph P. Valentino

597

Shafer,Swick, Bailey,
Irwin & Stack
Paul D. Shafer, Jr.
Jeffrey K.Millin

WALTER DUNN and GEORGE DUNN

vs.

DAVID DUNN, both individually and as Trustee under Fund A and Fund B of the Last Will and Testament of W.L. Dunn, deceased.

Filed June 30, 1992
@ 2:15 PM

Tax & entry paid	50.50
Under's Fee paid	5.00
Sheriff's Costs	31.00
Pro Co pd 5-4-95	6.00

COMPLAINT IN CIVIL ACTION
1 copy (Sheriff)

July 8, 1992 Appearance of Shafer, Swick, Bailey, Irwin & Stack by Paul D. Shafer, Jr. for David Dunn, both individually and as Trustee under Fund A and Fund B of the Last Will and Testament of W.L.Dunn, Deceased, filed.

July 14, 1992 Sheriff's Return filed. SERVED Dr. David Dunn personally on July 7, 1992 at 9:40 AM by handing to him a copy of the Complaint, Appeal from Probate, Petition to Set Aside Will and Assessment of Damages in the Sheriff's Office, crawford County Courthosue, Meadville, PA.
So answers, Carole Stefanucci, Deputy Sheriff
Robert M. STevens, Sheriff

July 23, 1992 PRELIMINARY OBJECTIONS TO COMPLAINT, filed.

Aug. 7, 1992 Upon Praecipe of Paul D. Shafer, Jr., Esquire, Attorney for David Dunn, Defendant, the above captioned matter is placed on the next available Argument List.

ON SEPTEMBER, 1992 ARGUMENT LIST

Sept. 3, 1992 Appeal from Prbate, Petition to Set aside Will and Assessment of Damages and Preliminary Objections and Order filed. AND NOW, September 2, 1992, argument on the above matters is hereby set for September 28, 1992, at 11:00 A.M. in Courtroom 1 or 2 of the Crawford County Courthouse, before Judge Anthony J. Vardaro.
FOR THE COURT,
Imogene Yetman, Court Administrator

Sept. 3, 1992 Copy of the Order mailed to Atty. Valentino and given to Attys. Shafer and Millin with copy of Argument list.

Dec 4, 1992 MEMORANDUM AND ORDER, filed. ORDER: AND NOW, Dec. 4, 1992, the Plaintiffs' demurrer id sustained with respect to Count I. With respect to Count II, the Plaintiffs shall be permitted to proceed with respect to the allegations of "oppressive activities" and contained in that count and the Defendant's demurrer is sustained with respect to the allegations contained in that count concerning a "fiduciary duty to disclose" theory.

Count III is stricken, however, with the Plaintiffs having the right to amend the same to conform to the requirements of "undue influence" as set forth in our Memorandum provided the same is done within 20 days from the day of this Order. BY THE COURT:
Anthony J. Vardaro, J.

Dec. 4, 1992 All copies circulated.

Dec. 23, 1992, Amended and Restated Complaint filed.

Jan. 12, 1993 Preliminary Objections To Amended And Restated Complaint filed.

Aug. 17, 1993 MEMORANDUM AND ORDER filed. AND NOW, April 29, 1993, the Court conducts a status conference with counsel in chambers with respect to the related Civil and Orphans Court actions captioned above.

On Dec. 4, 1992, we entered an order at each of these actions with respect to matters as they were pending at that time. At this time, counsel indicate that there are ongoing settlement negotiations but they would like to keep this matter moving forward and would like some clarification with respect to those orders.

Accordingly, with counsel present, we enter the following Order:

AND NOW, Aug. 13, 1993, after status conference with respect to both the civil action and the probate action, we first of all advise counsel that with respect to the probate action that it is now properly before the court insofar as it raises the same issues that were raised in the civil action and our determination with respect to those issues will be the same as stated in our order of Dec. 4, 1992 in the civil action.

Therefore, with respect to the civil action, there would remain a count concerning alleged oppressive activities (Count 2) and a count alleging undue influence (count 3) and with respect to the probate action there would remain a count concerning the scope of the exercise of the power of appointment (Count 1) and a count alleging undue influence (Count 4).

Since the time of our order of Dec. 4, 1992 in the civil action, the Plaintiffs have filed an amended and restated complaint which in part restates the counts to which the Court in the order of Dec. 4, 1992 had granted demurrers and counsel for the Plaintiffs this day indicates that his intention in doing so was to preserve any appellate rights that his clients may have with respect to those counts in the Court's ruling of Dec. 4, 1992 and counsel for the Plaintiffs therefore recognizes that going forward in this Court he would be limited to the oppressive activities portion of count 2 and coutn 3 with regard to undue influence if it is proeprly pled in the amended and restated complaint.

Counsel for the plaintiffs is willing to go forward therefore with that understanding and with the understanding that he has preserved his rights with respect to the counts to which the Court has sustained a demurrer.

Counsel for the Defendant notes that, with respect to those restated coutns to which the Court had previously sustaiend a demurrer, he wishes to preserve his appellate rights likewise to raise any res judicata argument or any other appropriate argument insofar as as it is the Defendant's position that any appeal with respect to the counts to which the Court has sustained the Defendant's demurrer should have been filed previously and the Plaintiffs have not preserved the right to do so. We will preserve the rights of the Defendant to raise that issue on appeal as we have preserved the rights of the Plaintiffs to raise the issues with respect to whether or not we should have sustained the demurrers raised by the Defendant.

This action preserving the appellate rights of both parties is with the agreement of both parties and likewise both parties agree that in light of the fact that we have sustained the demurrers of the Defendant with respect to ceratin counts he shall nto be required to file a responsive pleading to those counts as they have been restated in the Plaintiffs' amended and restated complaint.

RECORD CONTINUED ON PAGE 508 . . . . . .

148

1992

Kuhn & Kuhn
Daniel J. Kuhn

598
Joseph C. Barnhart

Plaintiff deposited
$150.00 for Mediation

Pd Plff Refund
Bal Mbd. Dep
Ch# 7195
66.00

12-15-92
Pd Comm. Med. Fees
Ch# 7222 75.00

9-14-93 Received from
Defts med fee 75.00

9-22-93 Pd Co Ch# 7194
med fees 75.00

MERRY E. SHELLITO

vs.

PAUL A. KUCNIC

Filed June 30, 1992
@ 2:27 PM

Tax & entry paid 50.50
User's Fee paid 5.00
Pd Cash 12-15-92 Ch# 7223 9.00

John Fuller, Custody Mediator

COMPLAINT FOR CUSTODY

June 30, 1992 Custody Complaint and ORDER OF COURT filed.
You, **PAUL A. KUCNICK**, Defendant, have been sued in Court for custody of the following children:

Michael Paul Kucnick
Nicholas Roy Kucnick
Paul Andrew Kucnick, Jr.
Casey James Kucnick

It is ordered that all parties in the above-captioned case and their counsel shall appear for a mediation conference before the custody mediator, John Fuller, at a time to be designated by the mediator, for Hearing.

If you fail to appear as provided by this Order or to bring the children, if they are in your custody, 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 do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you cn get help.

Crawford County Bar Association
Service to the Public Committee
c/o Crawford County Prothonotary
Crawford County Court House
Meadville, Pa 16335

Plaintiff's Attorney:
Daniel J. Kuhn, Esq.
72 North Main St.
Union City, PA 16438

BY THE COURT:
Gordon R. Miller, J.

Date: July 1, 1992
July 2, 1992 Copy given to Atty. John Fuller.
July 9, 1992 Copy of Order mailed to Atty. Daniel Kuhn, Paul Kucnic.

July 24, 1992 Appearance of Joseph C. Barnhart for Defendant, field.

Nov. 24, 1992 Order Filed. AND NOW,November 23rd, 1992, after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of MIchael Paul Kucnick,Nicholas Roy Kucnick, Paul Andrew Kucnick and Casey James Kucnick 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 that each parent shall be entitled to take part fully in important decisions affecting the children such as the education, medical treatment and religious instruction of the subject children.

II. Physical custody of Michael Paul Kucnick, Nicholas Roy Kucnick, Paul Andrew Kucnick and Casey James Kucnick shall be with their father, subject to the following conditions:

A. The mother shall be entitled to visit and take the children into her custody every Saturday, from 11:00 a.m. on Saturday morning until 4:00 p.m. on Saturday afternoon, beginning November 14, 1992. These visits shall take place at the home of the maternal grandparents.

B. Beginning December 11,1992, the mother shall be entitled to visit and take the children into her custody every oter weekend from 7:00 p.m. on Friday to 6:00 p.m. on Sunday.

C. Holidays shall be defined as Christmas, Easter and Thanksgiving. Custody of the children shall be shared on the aforesaid holidays and in the absence of an agreement to the contrary,the children shall be in the custody of the father on the aforesaid holidays until 1:00 p.m. and in the custody of the mother on the aforesaid holidays from 1:00 p.m. until 7:00 p.m.

D. Beginning with the Summer of 1993, the children shallbe in the custody of the mother for two, non-consecutive, one week periods. The mother shall give the father at least thirty (30) days notice of the dates of the Summer visits.

E. Transportation of the children on weekends,holidays and Summer visits shallbe provided by the mother.

F. 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 everythin in the power of each to foster a favorable and loving attitude on the part of the children towards both parents.

G. Niether mother nor father shall expose the children to any person or situation which may be harmful to the children's health or well being.

H. 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.

I. Neither mother, nor father shall consumer alcohol or illegal drugs when the children are in their custody and neither parent shall smoke in the presence of the children.

J. If the children express a desire to attend Sunday church services when they are in the mother's custody, the mother shall take them to services at a local church of Jesus Christ of the Latter Day Saints.

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 Plaintiff and Defendant. The Prothonotary of Crawford County is hereby directed to refund one-half ($\frac{1}{2}$) of the deposit paid in advance by the Plaintiff,less the cost of the custody order.

Gordon R. Miller, Judge

Dec. 1, 1992 Copy of Order to Attys.Kuhn & Barnhart

1992

Gent, Gent & Snyder
Michael D. Snyder

599

THE FIRST NATIONAL BANK OF PENNSYLVANIA

vs.

ARTHUR J. NIES & KAREN L. NIES

Filed July 1, 1992
@ 2:28 Pm

Tax & entry paid	50.50
User's fee paid	5.00
Sheriff's Costs	31.00
Pro Co pd 10/5/92	6.00

COMPLAINT IN MORTGAGE FORECLOSURE
2 copies (Sheriff)

July 10, 1992 SHERIFF'S RETURN FILED. SERVED Arthur J. Nies personally on July 2, 1992 at 9:26 AM by handing a copy of the Complaint in Mortgage Foreclosure to him at the residence, Star Route, Meadville, Crawford County, PA.

SERVED Karen L. Nies on July 2, 9992 at 9:25 AM by handing a copy of the Complaint in Mortgage Foreclosure to Arthur Nies, her Husband, at the residence, Star Route, Meadville, Crawford County, PA.

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

Sept. 29, 1992 Upon praecipe of Plaintiff Attorney the above captioned matter is marked settled and discontinued of record.

1992

Barbara J. Walton

600

CHERYL ANDERHALT

vs.

MARK ANDERHALT

Filed July 1, 1992
@ 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 10/2/92	9.00
Pro Co pd 11-30-92	5.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
1 copy atty

July 15, 1992 Affidavit of Service filed. 1. A true and correct copy of the Complaint for Divorce filed in the above-captioned matter was served upon the Defendant MARK ANDERHALT, by certified mail,restricted delivery, persuant to Pa. R.C.P. 412 on July 3, 1992, as is evidenced by the United States Postal Service Return Receipt (Certified No. P 899097828) 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.

Date: July 15, 1992 Barbara J. Walton, Esq.

Oct. 2, 1992 Affidavit of Consent by Cheryl Anderhalt, Plaintiff, filed.

Oct. 2, 1992 Affidavit of Consent by Mark C. Anderhalt, Defendant, filed.

Oct. 2, 1992 Upon Praecipe of Barbara J. Walton, Esquire, to transmit record, case moved to Court.

Oct. 19, 1992 Memorandum filed. AND NOW, October 19, 1992, this matter is before the Court on a praecipe to transmit record filed by the Plaintiff.

There are affidavits of consent signed by both parties on September 24, 1992. The divorce was originally filed on July 1, 1992.

Those affidavits of consent were signed within 90 days ofthe date that the complaint was filed in violationof Pa. R.C.P. 1920.42(b)(1).

Accordingly, this file is returned to the Prothonotary so that the parties may file new affidavits of consent at which time they may again praecipe this matter for consideration.

BY THE COURT,
Anthony J. Vardaro, J

Oct. 20, 1992 Copy given to Atty. Walton

Oct. 23, 1992 Affidavit of Consent by Cheryl Anderhalt,Plaintiff, filed.

Oct. 23, 1992 Affidavit of Consent by Mark C. Anderhalt, Defendant, filed.

Oct. 23, 1992 Upon praecipe of Plaintiff Attorney to transmit record, case moved to Court.

D I V O R C E D E C R E E F I L E D

Oct. 29, 1992 AND NOW, Oct. 29, 1992, it is hereby ordered and decreed that **C H E R Y L A N D E R H A L T ,** Plaintiff, and **M A R K A N D E R H A L T ,** 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.

Nov. 30, 1992 Election to retake prior name. CHERYL MARION ANDERHALT to be known as CHERYL MARION CHALMERS.
7 copies Plff.

1992

Zimmer, Kunz,
Loughren, Hart,
Lararoff, Trenor,
Banyas & Conaway, PC
Louis B. Loughren

601
Thomas, Truax,Spadafore
& Walker
Emil M.Spadafore, Jr.

GEORGE OLEAN and BARBARA
A. OLEAN, husband and wife

vs.

DALE E. LONDON

Filed July 2, 1992
@ 11:32 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's costs	30.00
Pro Co pd 9-2-94	6.00

COMPLAINT IN CIVIL ACTION
1 copy (atty)

August 11, 1992 Sheriff's Return filed. NOT FOUND as to Defendant Dale E. London as per an Affidavit of Service returned from Mercer County Sheriff's Office on July 31, 1992. Defendant resides in Crawford County.
So answers,
Robert M. Stevens, Sheriff

Sept. 4, 1992 Complaint reinstated.

Nov. 2, 1992 Affidavit of Service filed. Before me, the undersigned authority, a Notary Public in and for the above-named Commonwealth and County, personally appeared Louis B. Loughren, Esq., who, being sworn according to law, deposes and says that the defendant, Dale E. London, was served with a copy of the Complaint. The Proof of Service, dated September 22, 1992, is attached and identified as Exhibit "A".
Louis B. Loughren

Nov.17, 1992 Answer filed by Emil M. Spadafore, Jr. Esquire for defendant, filed.

Sep. 7, 1993 Certificate of Service filed. I Certify that a true and correct copy of the INterrogatories and Request for Production was served upon counsel for the Plaintiff, Louis B. Loughren, Esquire,by deliveryto him at his address of One Oxford Centre, 43d Flocr, Pittsburgh, Pennsylvania 15219, by United States First-class mail,postage prepaid.
Date: Sept.7, 1993 Emil M. Spadafore, Jr., ESquire

Aug. 29, 1994 Upon praecipe of Plaintiffs attorney the above captioned matter is settled and discontinued of record.

1992

Devine & Kuftic
David R. Devine

602

JEROME L. WILLIAMS

vs.

BARBARA J. WILLIAMS

Filed July 2, 1992
@ 3:08 PM

Tax & Entry paid	50.50
User's Fee p aid	5.00
State paid	10.00
Pro Co pd 2-25-93	9.00
Pro Co Pd 4-27-93	30.00
User's Fee Pd 4-27-93	10.00

COMPLAINT IN DIVORCE
5 copies (Atty)

July 16, 1992 Affidavit of Service filed. Before me, the undersigned Notary Public, personally appeared David R. Devine, Esquire, of 201 Erie Street, edinboro, Pennsylvania, Attorney for Plaintiff, JEROME L. WILLIAMS, in the above captioned case. Attorney Devine deposes and states that he mailed a true and certified copy of the Complaint In Divorce in the above captioned case to Defendant, Barbara J. Williams, certified mail, return receipt requested, pursuant to Rule 1920.4 (a)(ii). The original of the return receipt is attached to this Affidavit and made a part hereof. Attorney Devine further states that he sent a second true and attested copy of the Complaint In Divorce, in the above captioned case to the defendnat by ordinary mail.
David R. Devine

Feb. 25, 1993 Affidavit of Consent of Plaintiff, filed.

Feb. 25, 1993 Affidavit of Consent of Defendent, filed.

Feb. 25, 1993 Upon praecipe of Plaintiff attorney to transmit record, case moved to Court.

Mar. 26, 1993 Petition To Raise Claim under the Divorce Code filed. (Equitable Distribution of Marital Property, Alimony, Alimony Pendente Lite, Counsel Fees and Support)

D I V O R C E D E C R E E F I L E D

April 5, 1993 AND NOW, this 2 day of April, 1993, it is ordered and decreed that **J E R O M E L . W I L L I A M S ,** plaintiff, and **B A R B A R A J . W I L L I A M S ,** defendant, are divorced from the bands of matrimony.

All duties, rights and claims of the parties in regard to each other as a result of their marriage are hereby terminated, except for those duties, rights and claims specifically enumerated in a Postnuptial Agreement executed by the paraties and dated Februaty 11, 1993, the terms of which are hereby incorporated by reference as if fully set forth herein.

BY THE COURT:
Anthony J. Vardaro, J.

1992

Jorden & White
Harry F. White II

603

RICHARD W. NOWAK

vs.

CHERYL MARIE NOWAK

Filed July 2, 1992
@ 3:19 AM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro. Co. pd 9/4/92	9.00

COMPLAINT IN DIVORCE
1 copy (atty)

August 12, 1992 Affidavit of Service filed. HARRY FABER WHITE, II, ESQUIRE, attorney for plaintiff in the above captioned matter, being duly sworn according to law, deposes and says that he served the Notice to Plead and Complaint under Section 3301(d) of the Divorce Code, the plaintiff's affidavit under Section 3301(d) of the Divorce Code, upon the defendant, CHERYL MARIE NOWAK, by certified mail, return receipt requested, on July 20, 1992, at the defendant's address, 2330 Bernard St., Pittsburgh, PA. 15234. The defendant's acceptance of the same is attached hereto.

Harry Faber, White, II

Sept.4, 1992 Notice of Intention to Request Entry of Divorce Decree.

Sept. 4, 1992 Acceptance of Service filed.

Sept. 4, 1992 Upon Praecipe of Plaintiff's attorney, Harry F. White, II to transmit record, case moved to Court.

DIVORCE DECREE FILED

Sept. 18, 1992 AND NOW, Sept. 17, 1992, it is hereby ordered and decreed that **RICHARD W. NOWAK**, Plaintiff, and **CHERYL MARIE NOWAK**, 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.

1992

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

604

John R. Gavin

JOEL E. ROBERTS

vs.

KATHLEEN M. ROBERTS

Filed July 2, 1992
@ 3:30 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 add'l ct #10-9-92 15.00
State Pd 10-9-92 5.00
Pro Co pd 4-11-94 9.00
Andrew S. Bacallao, Master

2-16-93 Received from Plt/Mastersdep 375.00
3-22-93 Recvied from defendant Mastersdep 375.00
3-16-94 paid Masters Fee 750.00 ck 8171

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

July 9, 1992 Affidavit of Service filed. I, James R. Irwin, Esq., being duly sworn according to law, depose and say that I am the attorney of record, and as such say that I served a true and correct copy of the Complaint in Divorce certified by the Prothonotary of Crawford County, PA. on the above named Defendant by certified mail, addressee only, return receipt requested, dated July 2, 1992. The Defendnt acknowledged service on July 3, 1992 by accepting delivery on that date as evidenced by the attached signed return receipt.

James R. Irwin, Esq.

Aug. 11, 1992 Appearance of John R. Gavin, attorney for defendant filed.

Aug. 11, 1992 Defendant's Notice to Defend of Counterclaim Alimony/Counsel Fees filed.

Jan. 6, 1992 Affidavit of Consent of Defendant filed.

Jan. 8, 1993 Inventory of Joel E. Roberts, filed.

Jan. 11, 1993 Affidavit of Consent of plaintiff filed.

Jan. 12, 1993 Plaintiff's Income and Expense filed.

Jan. 13, 1993 Motion to Appoint Master in Divorce filed.

Jan.20, 1993 Order Filed. AND NOW, January 18, 1993 it is ordered as follows:
1. The plaintiff shall file the form required by Pa. R.C.P. 1920.46 within seven (7) days from this date.
2. Andrew S. Bacallao, Esquire, is appointed Master with respect to the following claims: divorce, alimony, alimony pendente lite, distribution of property and counsel fees.
3. The parties shall make a total deposit of$750 with the plaintiff paying $375.00 and the defendant paying $375.00. Payments shall be made in the manner required by the Local Rules of Court.

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

Jan. 20, 1993 Copies sent to Attys. Bacallao, Gavin & Irwin.

Feb. 3, 1993 Inventory of Defendant filed.

May 24, 1993 Notice of Master's Hearing, filed.

June 15, 1993 Summary of Discussions And Action Taken At Pre-Hearing Conference filed.

Dec. 22, 1993 Notice of Filing Master's Report filed.

Dec. 22, 1993 Proposed Master's Report and Recommendation filed.

Dec. 23, 1993 Master's Hearing filed.

Dec. 28, 1993 Exceptions To Master's Report, filed.

Jan. 12, 1994 Upon Praecipe of James R.Irwin, Esquire,Attorney for Defendant, the above captioned matter of Defendant's Exceptions to Master's Report be placed on the next available Argument List.

ON FEBRUARY, 1994 ARGUMENT LIST

March 16, 1994 Petition For Approval of Master's Fees and ORDER filed. AND NOW, 16 day of March, 1994, upon presentation and consideration of the foregoing Petition for Approval of Master's Fees the firm of Pepicelli, Youngs and Youngs PC, Tax Identification No. 25-1645172, is awarded Master's Fees + costs in the sum of $1,314.10. Further, the Prothontoary is Ordered and Directed to pay from the balance of the deposited monies from the Plaintiff and Defendant the total sum of $750 minus costs of record with the Prothonotary. The balance of the Master's Fee in the sum of $564.10 shall be equally paid by the Plaintiff and Defendant in the respective sum of $282.05 each within 30 days of the date of this Order.

BY THE COURT:
Anthony J. Vardaro, J.

March 18, 1994 Copy of Order to Attys. A. Bacallao, J. Irwin and J. Gavin.

DIVORCE DECREE FILED

April 5, 1994 AND NOW, March 31, 1994, it is ordered and decreed as follows:
1. The defendant's exceptions to the Master's Reprot are dismissed.
2. It is ordered and decreed that the plaintiff, and the 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 have not been withdrawn by the party making the claim.

3. The Master's recommendations and conclusions concerning equitable distribution are adopted and approved in full.
4. The plaintiff shall receive forty-seven (47%) percent of the marital property and the defendant shall receive fifty-three (53%) percent of the marital property in the manner set forth in the Master's recommendations and report.
5. Each party shall retain the property designated to be in his or her possession.
6. The defendant shall convey all of her right, title and interest in and to all marital real property, with improvements thereon, and personal property that makes up and is located on the

CONTINUED ON PAGE 154A

JOEL E. ROBERTS

VS.

KATHLEEN M. ROBERTS

RECORD CONTINUED FROM PAGE 154

OF

AD 1992 - 604

****

premises located at RD # 2, Box 234, Titusville, Pa. Plaintiff shall pay for all taxes, costs and expenses of preparing, filing and recording any and all documents to accomplish this transfer and conveyance.

7. The plaintiff shall convey all of his right, title and interest in and to all marital real property including improvements and personal property including improvements and personal property located on or about the premises at 21462 Springcreek Rd., Titusville, PA. Defendant shall pay for all of the taxex, costs and expenses incurred with respect to the transfer and conveyance of this property.

8. Plaintiff shall retain all right, title and interest in and to his pension benefits through Cy-Temp Specialty Steel. The defendant shall sign any and all documents reasonably necessary that may be presented to her within the next sixt months to terminate or divest her interest in said pension benefit plan.

9. Each party shall be responsible for the payment of that party's costs and expenses of this litigation. Master's fees, stenographic fees, record costs and expenses shall be split by the parties on a 50/50 basis.

10. The plaintiff's share of the marital debt of $11,500 to Jennifer Roberts is fifty-three (53%) persent. The defendant's share of the marital debt of $11,500 to Jennifer Roberts shall be forty-seven (47%) percent. Each party shall pay over to Jennifer Roberts his or her share within ninety (90) days from the date of this decree. Plaintiff shall pay $6,095. Defendant shall pay $5,405.

11. Neither party shall be obligated to pay alimony, alimony pendente lite or counsel fees to the other.

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

June 13, 1994 Petition For Contempt, filed.

Juen 13, 1994 ORDER filed. AND NOW, this 13 day of June 1994, it is hereby ORDERED, ADJUDGED AND DECREED that a Rule to Show Cause is hereby entered upon Defendant, Kathleen M. Roberts, to show cause why she should not abe held in contempt of Court.

Said rule is returnable on the 19th day of July, 1994, in Courtroom No 1 or 2 of the Crawford County Courthouse, Meadville, Pennsylvania at 9:15 o'clock A.M.

BY THE COURT:
Anthony J. Vardaro, J.

JUne 14, 1994 Faxed to Getsinger & Irwin

Jun. 16, 1994 Motion to Continue and ORDER filed. AND NOW, this 21 day of June, 1994 upon presentation and consideration of the within Motion this hearing is continued generally. Hearing to be scheduled upon Motion of either Plaintiff or Defendant.

BY THE COURT:
Anthony J. Vardaro, J.

6-21-94 Faxed to Attys. Getsinger & Irwin

Aug. 1, 1994 Motion to Reschedule Hearing On Plaintiff's Petition For Contempt and ORDER filed. AND NOW, this 1st day of August, 1994 upon presentation of Plaintiff's Motion to Reschedule Hearing on Petition for Contempt, said hearing is now set for the 19th day of August, 1994 at 3:30 o'clock p.m. in Courtroom No. 1 or 2 of the Crawford Co. Courthouse.

BY THE COURT:
Gordon R. Miller, J.

Aug. 1, 1994 Order FAXED to Atty. Irwin; copy mailed to Atty. Getsinger.

Aug. 23, 1994 Order filed. AND NOW, August 19, 1994, the parties appeared before the Court and the Court held an informal hearing on the Plaintiff's Petition for Contempt.

This is a divorce which started on July 2, 1992, more than two years ago. The Master filed his report on December 22, 1993 and recommended, inter alia, that the defendant pay 47 per cent of a marital debt in the amount of $5,405. The Court entered a Final Decree on March 31, 1994, making the same Order. The defendant has not paid that amount, which she knew she had to pay on March 31, 1994, and suspected she had to pay since December, 1993. She has paid $300 and attempted to pay another $200. She claims that she has attempted to borrow the money, but only has evidence that she attempted to borrow the money from Northwest Savings Bank.

She apparently has not been working up until recently. She rents out a room in her home for $200. She also works at Blair Company in Warren, Pennsylvania, earning approximately $5 per hour, working a 37 1/2 hour week. She apparently has no family she can borrow the money from. She has made no attempt to sell the property in order to raise enough cash to pay the indebtedness. She offers to pay $200 per month until it is paid in full.

The Court is inclined tohold the defendant in contempt of court because we do not think she has made a good-faith effort to raise $4,504, because, among other things, she has made no effort to sell her property. We withhold a final adjudication and we withhold the imposition of any penalties to give the defendant a final opportunity to comply with this Court's Final Decree that was not appealed, and that was entered March 31,1994.

ACCORDINGLY, it is ORDERED as follows:

1. The defendant shall comply with the Final Decree of March 31,1994.

2. The Court hereby sets a hearing for Thursday, October 27, 1994, at 11 o'clock a.m. in Courtroom No. 1 of the Crawford County Courthouse to review this matter, to receive additional evidence and to make a final adjudication. If the defendant fully and completly complies with the March 31, 1994 Decree and this Order, then on motion of the plaintiff, said hearing shall be canceled and the contempt proceedings dissolved without any further action.

3. Before the defendant makes full and complete payment of all outstanding indebtedness, she shall pay at least $200 per month. The first paymetn shall be made on or before August 19, 1994' and each subsequent paymetn shall be made on or before the 19th day of each subsequent month; that is, September 19, 1994 and October 19, 1994. From said paymetn interest on the outstanding balance shall be paid at the rate of 8 1/2 percetn per month, computed from June 30, 1994 and the balance shall be applied to principle.

4. If the defendant makes final payment of all sums hereunder before the October 27, 1994 hearing, and therefore satisfies any contempt petition, she shall pay all outstanding balances, plus interest at the rate of 8 1/2 per annum, with the interest to be calculated from June 30, 1994.

5. The defendant shall pay to counsel for the plaintiff the sum of $250 to apply on his attorney's fees incurred in connection with these contempt proceedings. That sum shall be paid no later than Friday, September 30, 1994. That paymetn shall be made directly to James R. Irwin, Esquire, at this office in Meadville, Pennsylvania.

6. Within fifteen (15) days from the date of this Order, the defendant shall record the deed to the Spring Creek Road property and at the same time the deed is recorded, a first mortgage and accompanying bond shall also be signed and recorded, giving to Joel E. Roberts, as guardian of the estate of Jennifer Roberts, a first mortgage and accompanying bond on the Spring Creek property. The principle amount of that m ortgage shall be $4,405. The payment schedule shall indicate that it shall be paid in accordance with a Court Order entered in the case of Joel E. Roberts versus Kathleen M. Roberts at 1992 - 604, in the Court of Common Pleas of Crawford County, Pennsylvania, with the provisions regarding teh paymetn of said indebtedness as set forth in said action, to be incorporated by reference thereto into the mortgage and accompanying bond as though fully part of the mortgage and accompanying bond as fully set forth at length in the mortgage. The cost of preparing the mortgage and accompanying bond shall be borne by the defindant. The mortgage and accompanying bond shall be in standard form and shall include an obligation to provide insurance

CONTINUED ON PAGE 154B

154B

1992 TERM

Joel E. Roberts vs. Kathleen M. Roberts A. D. 1992 - 604 Continued from Page 154A

on the property, with a loss payable clause to the mortgagee. The defendant shall obtain siad insurance with said mortgagee clause and furnish proof thereof to the plaintiff or his counsel so that if there is a casualty loss on the property, the first paymetn will be made to Joel E. Roberts, as guardian of the estate of Jennifer Roberts, to satisfy the indebtedness due by the estate of Jennifer Roberts, to satisfy the indebtedness due by teh defendant in this case. The vcosts of satisfying that mortgage and accompanying bond shall be borne by the defendant.

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

Aug 23, 1994 Copies dist. to Irwin & Dft., given to Gagliotte

Nov. 1, 1994 Motion for hearing to be continued generally and ORDER OF COURT filed. And now, November 1, 1994. Motion granted. To be rescheduled only on motion of either party.

Anthony J.Vardaro, J.

11-1-94 Faxed to Attys. Irwin, Kookogey & Gavin.

1992

Joseph W. Tinko

605

ANGELA DANA KARASTURY

vs.

ERIK RONALD PIATT

Filed July 6, 1992
@ 9:17 AM

Tax & entry paid	50.50
User's Fee paid	5.00
State Paid	10.00
Pro Co Pd 11/25/92	**9.00**

COMPLAINT IN DIVORCE
1 copy (atty)

Aug. 10, 1992 Acceptance of Service filed. I, Erik Ronald Piatt, the undersigned and defendnat, hereby accept service of the Complaint Under the Divorce Code, 23 Pa.C.S.A. section 3101 et seq. in the above-captioned case. Erik Ronald Piatt

August 11, 1992 Affidavit of Service filed. BEFORE ME, a Notary Public of the Commonwealth of PA., on this 10th day of August, AD 1992, comes Joseph W. Tinko, Esq., the undersigned affiant who, after being duly sworn (affirmed) according to law deposes and says as follows:

That 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, Erik Ronald Piatt, by U.S. mail, postage prepaid, on July 27,1992 at U.S. Marine Corps, MSSG II ENG DET, Camp Pendelton, CA, 92055-5050, as evidenced by the return receipt signed by the defendant, Erik Ronald Piatt, which return receipt is attached hereto as Exhibit "A" and incorporated herein by this reference as if fully set forth.

Joseph W. Tinko, Esq.
(1 copy atty)

Oct 9, 1992 Affidavit of Consent of Plaintiff, filed.

Nov. 20, 1992 Affidavit of Consent of Erik Ronald Piatt, Defendnt, filed.

Nov. 25, 1992, UPon praecipe of plaintiff attorney, to transmit the record, this case moved to court.

D I V O R C E D E C R E E F I L E D

Dec. 3, 1992 AND NOW, to wit, this 2nd day of December, 1992, the Court, having reviewed the above-captioned case, finds that the marriage between **A N G E L A D A N A K A R A S T U R Y** and **E R I K R O N A L D P I A T T** is irretrievably broken, that ninety (90) days have elapsed from the date of filing the above-captioned Complaint in Divorce, and that Angela Dana Karastury and Erik Ronald Piatt each filed an affidavit consenting to the divorce:

THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Angela Dana Karastury, the plaintiff, and Erik Ronald Piatt, the defendant, be and hereby are divorced from the bonds of matrimony heretofore contracted between them.

this decree of divorce constitutes a FINAL ORDER as to all pending claims herein.

BY THE COURT:
Gordon R. Miller, J.

156

1992

606

JAMES F. FOLTZ

vs.

GLADYS L. FOLTZ

Filed July 6, 1992
@ 10:57 A,

Tax & entry Pd 7-14-92 50.50
User's Fee Pd 7-14-92 5.00
Sheriff's costs 49.50
Cert-Pro Co Pd 7-14-92 9.00

Received from Def 7-14-92 Sheriff Costs

Pd Sheriff 7-14-92 49.50 Ch#6938

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 6 day of July, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: The Plaintiff shall have temporary exclusive custody of marital home #1 Maple Lane, S. Shenango Twp.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for July 14, 1992, at 3:30 P M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

July 10, 1992 Sheirff's Return filed. I hereby deputize the Sheriff of Lawrence Co., PA. to serve the within Protection From Abuse according to law. The defendants alleged address is 26 Cochran Drive, New Castle, PA 16105.

SERVED the withn Notice of Hearing/Petition for Relief Under Protection from Abuse Act/ Order of Court on July 6, 1992, at 3:10 P.M., upon Gladys Foltz at 26 Cochran Dr., New Castle,PA. by handing to her, personally a true and correct copy thereof and made known to her the contents therein.

Carl B. Nord, Sheriff
Lawrence County

SERVED Gladys L. Foltz by deputizing the Sheriff of Lawrence Co., PA., as per his Affidavit of Service attached. Served on July 6, 1992.
So answers,

Robert M. Stevens, Sheriff

July 16, 1992 ORDER filed. AND NOW, July 15, 1992, at the time fixed for hearing on this matter the Plaintiff appeared but the Defendant did not. The Defendant was properly served by deputized service on JUly 6, 1992 and therefore, this Court has juris diction over her. The Plaintiff recounted events that took place over the past several months and by doing so has convinced this Court by the fair preponderance of the evidence that the Defendant has engaged in abuse of teh Plaintiff as the term abuse is defined by the Act and thus the Court finds that the Plaintiff is entitled to relief. Accordingly, it is ORDERED as follows:

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff.
2. The Defendant shall not go to the Plaintiff's place of residence on Maple Lane in South Shenango Township, Crawford County, Pennsylvania, for any purpose.
3. Possession of the Maple Lane property is hereby granted to the Plaintiff until further Order of a court of competent jurisdiction including a court that has jurisdiction over equity and distribution of marital property and other matters that can be properly raised in a divorce action.
4. The 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 by the Prothonotary to County Control and the Pennsylvania State Police.
6. A copy of this Order shall be sent by the Prothonotary to the Defendant at 26 Cochran Drive, New Castle, Pennsylvania 16105, the address where she was served with process in this case.
7. This Order shall remain in full force and effect for one (1) year or until JUly 13, 1993 unless modified or terminated by further Order of this Court.
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.
9. It appears that the Defend ant has a very limited income. It further appears that the Plaintiff is capable of paying court costs and therefore, the Plaintiff is ORDERED and DIRECTED to pay court costs in the amount of $114.00 forthwith.

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

July 16, 1992 copies distributed to Plf, Dft, Co Ctrl. & PSP

1992

Mason & Mason
Joan D. Mason

607

David Graban

ROBIN L. SIVERD

vs.

DEAN SIVERD

Filed July 6, 1992
@ 11:47 AM

Tax & entry Pd 9-23-92 50.50
User's Fee Pd 9-23-92 5.00

Sheriff's Costs 33.24
Pro Co Pd 9-23-92 9.00

Received from Defendant 9-23-92 Sheriffs Cost 33.24

Paid Sheriff - 9-24-92 Ck 7064 #33.24

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 6 day of July, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Plaintiff shall have temporary physical custody of minor children with visitation to be arranged for defendant.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for July 14, 1992, at 3:30 P.M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

July 8, 1992 Sheriff's Return filed. SERVED Dean Sivered personally on July 7, 1992 at 7:55 AM by handing to him a copy of the Protecton fromABuse at his residence, R.D.#7,Box 608, Meadville,Crawford County,PA.
So Answers,
Edgar D.Householder,Chief Deputy
Robert M.Stevens, Sheriff

July 13, 1992 Motion to Continue and Order filed. ORDER OF COURT, AND NOW, July 13, 1992 hearing reset for July 21, 1992 at 3:30 P.M. Courtroom 1 or 2.
FOR THE COURT,
Imogene Yetman, Court Administrator
July 13, 1992 Copy of Order to: Joan D. Mason, Esq. and David Graban, Esq., Plft.& Deft.

July 22, 1992 Order filed. AND NOW, July 21, 1992, this matter is before the Court on Plaintiff's petition for protection under the Protection From Abuse Act.
The parties appear represented by counsel and the Defendant agrees to the entry of an Order without admission of the petition.
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 defendant shall not go to the home of the Plaintiff at any time even upon invitationof the Plaintiff and his presence at the home of the Plaintiff shall be a presumption of a violation of this Order. He is cautioned that if he is invited to the residence ofthe Pl aintiff, he should seek a modification of this Order so as not to be violation of the same.
3. The temporary custody of the minor child shall be with the Plaintiff with the current arrangement between the parties for visitation to continue until such itme as a mediation conference can be had with respect to this matter.
Upon agreement of the parties this matter is referred for custody meidation to John Fuller, Esquire. Mediation will be schedule dupon payment of $75.00 by each par ty to the Court Administrator for the intital mediation deposit.
Pending any further Order of Court the parties shall have joint shared legal custody of the Plaintiff having primary physical custody as has been the custom between the parties.
The deposit to have a custody mediator appinted as set forth above shall be made by both parties on or before August 3, 1992.
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 Defendan tis 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 to Plaintiff's counsel within twenty (20) days of the date of this Order the sum of $150.00 toward the counsel fees of the Pl aintiff with regard to this action.
8. The Defendan tshall pay court costs in the amount of $97.74 to the Prothonotary of Crawford County on the first floor of the CrawfordCounty Courthouse by the close of business within sixty (60) days form the date of this Order.
9. This Order shall remain in full force and effect through JUly 20, 1993.
10. The Defendant shall not go to the place of work of the Plaintiff at any time.
BY ORDER OF THE COURT,
Anthony J. Vardaro, J
July 22, 1992 Copies given to Co Contril Counsel for pa rties and M.C.P.

158

1992

John P. Gagliotti

608

LARRY P. GOSNELL and JUDITH C. GOSNELL

vs.

JULIE C. MARVIN and DUANE MARVIN

Filed July 6, 1992
@ 1:32 PM

Tax & entry	Pd	50.50
User's Fee	Pd	5.00
Sheriff's Costs		25.00

Received from Plaintiff 7-16-92 Pre-Med Deposit $150.00

10-9-92 Paid Plaintiffs Med. Dep. refund Ck# 11166 150.00

COMPLAINT FOR VISITATION
1 copy (Sheriff)

July 14, 1992 Sheriff's Return filed. SERVED Julie C. Marvin personally on July 7, 1992 at 12:33 PM by handing to her a copy of the Complaint for visitation at her residence, 709 Baldwin Street, Meadville, Crawford County, PA.
So answers, Robert M. Stevens, Sheriff

July 16, 1992 Motion To Appoint Custody Mediator and Order filed. AND NOW, this 15th day of July, 1992 the within Motion is granted and William Pineo, Esquire, is appointed as Custody Mediator in the above-captioned action.

BY THE COURT,
1 copy mediator Gordon R. Miller, J

Nov. 6, 1992 MOTIONTO REFUND DEPOSITED MEDIATOR'S FEES and and ORDER filed. ORDER: AND NOW, this 5th day of November, 1992, this Court directs the Prothonotary to refund the mediator's deposit of One Hundred Fifty and no/100 ($150.00) Dollars to the above named Plaintiffs, Larry P. Gosnell and Judith C. Gosnell.

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

1992

609

Culbertson, Weiss,
Schetroma & Schug
John B. Brautigam

AMY E. BALDWIN

vs.

RONALD L. BALDWIN

Filed July 6, 1992
@ 1:54 PM

Tax & entry Pd 8-25-92 50.50
User's Fee Pd 8-25-92 5.00
Sheriff's Costs 25.00
Pro Co Pd 8-25-92 90
Pro Co pd 3-19-93 5.00

Received from Defendant 8-25-92 Sheriff's Costs 25.00

Paid Sheriff 8-25-92 Sheriff's Cash Ck #1003 25.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 Copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 6 day of July, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: The Plaintiff shall have temporary possessi of marital residence. defnedant shall remove his van from marital property forthwith and return forthwith to Plaintiff her car & house keys
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for July 10, 1992, at 3:30 P.M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

July 7, 1992 Appearance of Culbertson, Weiss, Schetroma & Schug by John B. Brautigam for Defendant filed.

July 8, 1992 Sheriff's Return filed. SERVED Ronald L. Baldwin personally on July 6, 1992 at 2:05 PM by handing a copy of the ProtectionFrom Abuse to him in the Sheriff's Office, Crawford County Courthouse, Meadville, PA.
So answers, Carole Stefanucci, Deputy Sheriff
Robert M.Stevens,Sheriff

July 20, 1992 ORDER filed. AND NOW, July 10, 1992, this matter is before the Court on Plaintiff's Petition for Relief Under the Protection From Abuse Act.

Both parties appear represented by counsel and the defendant agrees to the entry of the following Order without admission on his part of any of the contents of the plaintiff's petition:

1. The defendant shall not abuse, assault, threaten or harass the plaintiff at any time or any place.
2. The defendant shall have no direct contact with the plaintiff.
3. The defendant shall not go to the plaintiff's residence at RD # 4, Box 229-J, Titusville, PA. at any time. The defendant is advised that if he should be invited to that residence by the plaintiff, he should not go there without further Order of Court modifying this Order since it shall be presumed by any law enforcement officer that he is in violation of this Order for being on those premises.
4. Temporary custody of the minor child shall be with the plaintiff, with both parties reserving the right to reserve appropriate custody procedings at any time.
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 Departments in the jurisdiction where the plaintiff resides 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 of up to $1,000.00 and a jail sentence of up to six (6) months.
8. The defendant shall pay court costs in this matter in the amount of $89.50, with payments to be made to the Prothonotary of Crawford Co. on the first floor of the Crawford County Courthouse. A payment of $20.00 shall be made on or before the close of business in that office on July 22, 1992; a similar $20.00 payment shall be made on or before the close of business on Aug. 7, 1992; another payment shall be made at that office before the close of business on Aug. 22, 1992; and the balance shall be paid to that office on or before Sept. 7, 1992.
9. This Order shall remain in full force and effect through July 9, 1993.

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

July 23, 1992 Copy of Order to Atty. John Brautigam, Gerald Sullivan, Co. Control; Copy mailed to Titusville Police Dept. and defendant.

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 July 10, 1992, 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 Ronald Baldwin and to County Control.

Any provisions of the Protection from Abuse Order of July 10, 1992 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. 19, 1993 copy to Ronald Baldwin, Co. Ctrol ~~& Plfs.~~

Continued page 493

Pepicelli, Youngs & Youngs ~~Withdrawn~~ ~~Andrew S. Bacallao~~

610

KIMBERLY F. McKIBBEN

vs.

DANIEL P. McKIBBEN

Filed July 7, 1992
@ 10:30 AM

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, CHILD CUSTODY, EQUITABLE DISTRIBUTION
1 copy (atty)

July 13, 1992 CERTIFICATE OF SERVICE filed. I, ANDREW S. BACALLAO, hereby certify tha tI am the Attorney for the Plaintiff, KImerly F. McKibben, in the within Action and that a certified copy of the Divorce Complaint with Notice to Defend under the Divorce Code was sent by Certified Mail, Return Receipt Requested, Restricted Delivery, to the Defendant, Daniel P. McKibben, 964 Kirkwood Dr., West Jefferson, OH 43162, on July 9, 1992 and was received by teh Defendant on July 11, 1992. The receipt for certified mail. and the return receipt are attached hereto marked Ex. "A".

Jan. 19, 1994 Motion for Leave to Withdraw and ORDER filed. AND NOW, this 19th day of January, 1994, upon presentation and consideration of the above-mentioned motion, Andrew S. Bacallao, Esq., of Pepicelli, Youngs and Youngs PC, is granted leave to withdraw as counsel for the Plaintiff in the above-captioned action., Counsel shall attempt service of this order on Plaintiff forthwit.

BY THE COURT,
Gordon R. Miller,J.

1-21-94 Copy of Order to Atty. Bacallao & 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 1/19/94 . 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)

1992

Pepicelli, Youngs & Youngs
Andrew S. Bacallao

611

RUTH ANN LUBEN

vs.

KENNETH J. LUBEN

Filed July 7, 1992
@ 10:30 AM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count paid	15.00
State paid	10.00
Sheriff's costs	42.58

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
1 copy (atty)

Aug. 10, 1992 Complaint Reinstated.

Aug. 13, 1992 Sheriff's Return filed. SERVED Kenneth J. Luben personally on Aug. 11, 1992 at 3:00 PM by handing to him a copy of the Complaint in Divorce at 505 Poplar St., Meadville, Crawford Co., PA. where he was working at a construction site.
So answers,

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

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 8/13/92 . We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonably delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.

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

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

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

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

By the Court,
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)

1992

Watts and Pepicelli, P.C.
Christopher D. Ferry
~~Mary Ann Kirkpatrick~~ Withdrawn

612

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

FREDERICK CHARLES RICE

vs.

DEBORAH WILSON RICE

Filed July 7, 1992
@ 1:07 PM

Tax & entry paid	50.50
User's Fee paid	5.00
William Pineo, Mediator	102.00
Pro Co 11-20-92 Pd	9.00
3-11-98 Pd Co.	9.00

COMPLAINT FOR CUSTODY
1 copy (atty)

July 21, 1992 AFFIDAVIT OF SERVICE, filed. And Now, July 21, 1992, comes Constance L. Deitman being duly sworn according to law, deposes and sets forth as follows:

1. That she is the legal secretary of Attorney for Frederick Charles Rice, Plaintiff in the above-captioned matter.

2. That on information furnished her by the Plaintiff, she caused a certified copy fo the Custody Complaint to be forwarded by Certified Mail, P 899 085 274: postmarked July 14, 1992, to the last known address of the Defendant, deborah Wilson Rice, 360 Turner Rd., Meadville, Pa. 16335.

3. That the Defendant, Deborah Wilson Rice, on July 15, 1992, 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.

Sept. 9, 1992 Appearance of Shafer, Swick, Bailey, Irwin & Stack by James R.Irwin, Esquire for Deborah Wilson Rice, Defendant, filed.

Sept. 22, 1992 Motion to Appoint Mediator and Order Filed. And, Now, September 18, 1992, the Court appoints Wm. Pineo, Child Custody Mediator.

By the Court:
Gordon R. Miller, J.

Sept. 24, 1992 Copy of the Order to: Attys. Kirkpatrick, Irwin & Pineo.

Nov 6, 1992 TEMPORARY ORDER filed. AND NOW, this 5th day of November, 1992, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator.

IT IS HEREBY ORDERED AND DECREED THAT:

1. The parties shall share legal and physical custody of the subject minor children, Stephanie JO Rice and Carly Janelle Rice.

2. The parties shall share with each other any and all information which each may have regarding the health, education, and the major events in the life of the subject minor children. Health care, school personnel, and other care providers are hereby authorized to release to either party any and all confidential information which they may have regarding the subject minor children.

3a. The mother shall have primary physical custody fo the subject minor children. The fahter shall have temporary physical custody and visitation every weekend, except for the last full week end of each month, beginning with the week end of Nov. 6, 1992. The fahter shall also have visitation and temporary physical custody each summer for two non-consecutive paeriods of one week each. The father shall notify the mother by May 31 of the periods he 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.

4. Holiday visitation shall be arranged as follows:

a. There shall be two Christmas holiday visitationperiods, the first beginning at 5:30 p.m. of December 23 and ending at noon of December 27, and the second beginning at noon of December 27 and ending at 5:00 p.m. of January 1. The mothe shall have the first period each year and the father, the second.

b. The father shall have visitation and temporary physical custody each Thanksgiving from 4:00 p.m. of the Wednesday parecedign Thanksgiving, or from the close of school of that day if the children are in school, until 5:30 p.m. of the Monday after Thanksgiving.

c. For Easter, the father shall have visitation and temporary physical custody from the close of school on Holy Thursday, if they are not, until Holy Saturday at 5:30 p.m. The mother shall have physical custody during the remainder of the Easter holiday.

d. The children shall spend the weekend of Father's Day with their father and the week end of Mother's Day with their mother, during the same hours as are provided for the normal week end visitations.

e. The provisions of this paragraph shall take precedence over the otherprovisions 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 concellation or modification be necessary, the parties shall attempt at once to arrange for alternative visits or to make alternative arrangements. If the weather does not permit safe transportation of the children, the party asserting bad weather conditions shall notify the other by noon of the day in which visitation is to start.

6. The parties shall split responsibility for transportation with the party receiving the children in the exercise of his or her rights picking up the children at the home of the other.

7. Each party shall teach said children to give to the other party tht 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 children. The parties are cautioned that recent medical research has indicated that tobacco smoke is injurious to the health of growing children. Therefore, neither party shall smoke tobacco or permit others to do so in a closed automobile in which the children are being transported or in the bedroom of the chidlren.

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

10. Neither party shall do or say anything to blacken the character of the other in the children's estimation. Each party shall treat the other in apolite 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 regarding custodial and convenient visits. Said arrangements shall be by mutual consent only, and the absence of such consent would be proper~~

Continued on Pg. 162A

6-24-92 Received from Plaintiff mediator deposit $150.00

11-9-92 Pd Pltf Refund Bal med dep ck #7161 90.00

11-20-92 Pd Comm med fees Ch#7186 31.00

11-25-92 Received from deft med fee 51.00

12-15-92 Pd Comm med fee Ch#7222 51.00

5-24-94 Rec from Pltf med. dep 150.00

10-23-94 Ref from pltf med dep 50.00 total 200.00

3-11-98 Pd pltf refund 9.00 #11757

3-11-98 Pd Co #11758 102.00

FREDERICK CHARLES RICE
VS.
DEBORAH WILSON RICE

CONTINUED FROM PAGE 162
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****

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 $102.00 are divided equally between the parties with a share of each being assessed to him or her as costs in this case. The deposit required for the appointment of the Custody Mediator was made by the father. Said deposit shall first be applied against the father's share of costs and the remainder remitted to him. The mother shall pay her share of costs to the Prothonotary of Crawford County.

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

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

Nov. 13, 1992 copy to W. Pineo, M.A. Kirkpatrick, J. Irwin, Plf. & Dft.

Dec 1, 1992 REQUEST FOR HEARING DE NOVO and ORDER, filed. ORDER: AND NOW, this 30th day of November, 1992 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 27th day of January, 1993 at 10:00 a.m. in Courtroom 1 or 2 of the Crawford County Courthouse, Meadville, Pennsylvania.

FOR THE COURT:
Imogene Yetman, Crt. Adm.

Dec. 3, 1992 cooy to M.A. Kirkpatrick, J. Irwin, W. Pineo

Jan. 28, 1993 Motion To Withdraw Request For Hearing De Novo and Order filed. AND NOW, this 27th day of january, 1993, upon presentation and considertaion of the within Motion, Defendant's request for hearing de novo is hereby withdrawn

Gordon R. Miller, J

Jan. 29, 1993 Copies to Atty's Pineo, Kirkpatrick and Irwin

May 11, 1993 Motion for Leave to Withdraw Appearance and Order filed. And Now, Mayll, 1993, comes Mary Ann Kirkpatrick, Esq., pursuant to Pa. R.C.P. 1012 and L1012B and moves the court for Leave to Withdraw as counsel for Plaintiff. Plaintiff has advised counsel in writing that he no longer desires her services.

By: Mary Ann Kirkpatrick, Esq.

ORDER, and, Now, May 11th, 1993, motion granted.

By the Court:
Gordon R. Miller, J.

May 12, 1993 Copy of Order to Attys. Kikrpatrick & Irwin.

May 27, 1994 Petition to Modify Custody and ORDER filed. AND NOW, this 24th day of May, 1994, it is ordered that all parties in the above capt ioned case and their counsel shall appear for mediation conference before William Pineo at a time to be set by the Mediator in the Crawford County Courthouse with the Child Custody Mediator as requred by Rule 31 (e) of the Court of Common Pleas of Crawford County, Pennsylvania.

It is further ordered and decreed that pending final determination by the Court, the aforesaid minor child shall not be removed from the jurisdiction of the Court by either party hereunder, under possible punishment for Contempt of Court.

BY THE COURT:
Gordon R. Miller, J.

5-27-94 Faxed copy to Attys. Pineo, Andressi, Irwin, given to Kirkpatrick

Oct. 24, 1997 Modification in Custody and Order filed.

AND NOW, this 24 day of October ,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, Pennsylvania 16335; the Prothonotary at the Crawford County Courthouse; or the Court Administrator at the Crawford County Courthouse.

Application for attendance at the seminar must be made by the plaintiff or petitioner within fifteen (15) days after the pleading or petition is filed; and by the defendant or respondent within fifteen (15) days after he or she is served with the pleading or petition.

THE SEMINAR MUST BE COMPLETED WITHIN FORTY-FIVE (45) DAYS AFTER APPLICATION. FAILURE TO ATTEND THE SEMINAR MAY RESULT IN SANCTIONS, INCLUDING CONTEMPT OF COURT, A DISMISSAL OF THE ACTION OR A DELAY IN THE PROCEEDINGS UNLESS ATTENDANCE IS WAIVED BY ORDER OF COURT.

If either party has any questions about this seminar he/she should consult an attorney or refer to the Crawford County Civil Rules of Court that are available in the Prothonotary's office and in the Crawford County Law Library or contact the Center for Family Services, Inc.

BY THE COURT,
Anthony J. Vardaro, J

You, Deborah Wilson , have been sued in Court to obtain Custody of the child(ren): Stephanie J. Rice, d/o/b April 18, 1988 and Carily J. Rice d.o.b. April 3, 1991

You are Ordered to appear in person at such time and place as will be determined by the Mediator William PIneo , Esquire for a mediation conference. The Mediator shall send you a Notice of the Hearing my mail to the address listed onthe complaint or petition that has been filed recently.

I fyou fail to appear as provided by this Order, an Order for custody, partial custody or visitaiton 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, OF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE TH EOFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Court Administrator
Courthouse
Meadville, PA 16335
(814) 333-7498

AMERICANS WITH DISABILITIES ACT OF 1990

The Court of Common Pleas of Crawford County is required by law to comply with the Americans with Disabilities Act of 1990. For information about accessible facilities and reasonable accommodations available to disabled individuals having business before the Court, please contact the Court Administrator's Office. All arrangements must be made at least 72 hours prior to any hearnig or business before the Court. You must attend the scheduled conference or hearing.

BY THE COURT

Cont. on Pg. 162B

FREDERICK CHARLES RICE
VS
DEBORAH WILSON RICE

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of Record
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Nov 20, 1997 Certificate of Service: I hereby certify that on the 17th day of November, 1997 a true and correct copy of the Modification in Custody, a brochure on Children Cope With Divorce, and an application to the Center for Family Services, Inc. was sent by certified restricted delivery mail to the following: Ms. Deborah Wilson, 18011 Turner Road, Meadville, PA 16335.

Dec. 1, 1997 Certification of completion of Seminar (plff) filed.

Dec. 18, 1997, CERTIFICATION OF COMPLETION OF SEMINAR FOR SEPARATING PARENTS FILED. (DEBORAH WILSON DEFT.)

Dec 22, 1997 Appearance of Watts and Pepicelli, P.C. by Christopher D. Ferry, Esquire on behalf of Plaintiff, filed.

March 17, 1998 Request For a Hearing De Novo and ORDER filed. AND NOW, this 17th day of March, 1998 upon presentation and consideration of the foregoing Request for Hearing DeNovo, a hearing is scheduled with the Court of Common Pleas of Crawford Co., PA., on the 11th day of June, 1998 at 9:15 o'clock A.M. in Courtroom No. 1 or 2 of the Crawford Co. Courthouse, Meadville, PA.

FOR THE COURT:
Ann A. Walker, Court Administrator

March 18, 1998 Order FAXED Attys. Irwin and Youngs.

March 17, 1998 Request for a Hearing and ORDER filed. AND NOW, this 17th day of March, 1998, upon presentation and consideration of the foregoing Request for Hearing, a hearing is scheduled with the Court of Common Pleas of Crawford County, on the 11th day of June, 1998, at 9:15 O'Clock P.M. in Court Room Number 2 of the Crawford County Courthouse, Meadville, PA.

For the Court,
Ann a. Walker, Court Administrator

March 18, 1998 Order FAXED Attys. Ferry, Irwin.

Feb. 19, 1998 TEMPORARY ORDER FILED. AND DNOW, this 18 day of February 1998 after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediatro,

IT IS HEREBY ORDERED AND DECREED THAT:

1. The parties shall share legal and physical custody of the subject minor children, Stephanie Jo Rice and Carly Jenelle Rice.
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.
3a. The mother shall have primary physical custody of the subject minor children. The father shall have visitation and temporary physical custody on the first and third full weekends of each month from 6:30 PM on Friday until 6:30 PM on Sunday.
b. The father shall also have visitation and temporary physical custody each Summer for a period of six weeks to begin at 6:30 PM on the first Friday in July and to end at 6:30 PM on the 7th Friday thereafter. The mother shall have the right of visitation and temporary physical custody one weekend during the father's Summertime visitation period to begin at 6:30 PM on the 3rd Friday of the fahter's summer visitation period and ending at 6:30 PM on the Sunday following.
c. The parent not having physical custody of the children shall have the right to telephone them at reasonable times for reasonable lengths of time and such conversations will not be unreasonably monitored by the parent having physical custody.
4. Holiday visitations shall be arranged as follows:
a. Christmas: There shall be two Christmas holiday visitation periods the first beginning on Christmas Eve at 6:30 PM and ending on Christmas Day at 6:30 PM and the second beginning on Christmas day at 6:30 PM and ending on the day after Christmas at 6:30 PM For Christmas 1998 the fahter 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 the Wednesday preceding Thanksgiving at 6:30 Pm and ending on Thanksgiving Day at 6:30 PM on the second beginning on Thanksgiving Day at 6:30 PM and ending on the Friday following Thanksgiving at 6:30 PM for Thanksgiving 1998 the mother shall have the care of the children during the first period and the father the second and the parties shall thereafter alternate.
c. The other holidays to be observed are Easter, Memorial Day, Independence Day and Labor Day. Holiday visitation shall begin on the evening preceding the holiday at 6:30 PM and end at 8 PM on the holiday. In even numbered years, the mother shall have the children for Easter and Independence Day and the father for Memorial Day and Labor Day In odd numbered years the mother shall have the children for Memorial Day and Labor Day and the father for Easter and Independence day.
d. The children shall spend Father's Day with their father from the evening preceding Father's Day and the children shall spend Mother's Day with their mother during the same hours.
e. The provisions of this paragraph shall take precedence over the other provisions of this Order realting to the custodial or visitation periods.
5. The parties are free to make additional or alternative arrangements respecting the custodial and visitation periods and are strongly encouraged to do so if that would be proper and convenient. Said arrangements shall be by mutual consent only in the absence of which this Order shall govern.
6. Should it be necessary for either party to cancel or modify the visitation as set out in this Order or as previously arranged, the party seeking cancellation or modification shall notify the other party as soon as he or she knows of the necessity which impels the cancellation or modification Said 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 agree to split responsiblity for transportation by meeting half way between their homes, but are unable to agree on a precise meeting place. The court urges the parties to negotiate this matter. In the event that the parties cannot agree, then the party receiving the children in the exercise of his or her visitation rights shall pick them up at the hojme of the other. Any person transporting the children shall make sure kthat the seat belts or other restraints are used in accordance with the laws of PA
8. Each party shall teach said children to give the other aprty that love and respect which is due a parent from the 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 cauationed 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 children in 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. Costs and fees of this Mediation which are fixed at 182.00 are divided equally between the parties with a share of each being assessed to him or her as costs in this case.
12. The deposit required for the appointment of the Custody Mediator was made by the father. The deposit shall first be applied against the costs in this case and the remeinder if any shall be remitted to him. The parties shall settle up with each other and with the Prothonotary if necessary withing thirty days of this order.
13. Either party may move the Court for a hearing de novo within 10 days from the date hereof. If neither party so moves, this Order shall be considered permanent.

BY THE COURT
Anthony J. Vardaro, J.

3/5/98 FAXED Pines, Ferry & Irwin

CONTINUED ON PAGE 162-C

Frederick Charles Rice
vs
Deborah Wilson Rice

Continued from page 162-B
of record
AD 1992-612

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October 27, 1998 PETITION FOR SPECIAL RELIEF AND ORDER FILED. And now, this 26 day of October 1998 it is hereby Ordered and Decreed that upon consideration of the withinpetition for special relief a Rule is hereby entered upon respondent Deborah Wilson, to show cause why the relief requested should not be granted.
Rule returnable the 1st Day of December, 1998 with hearing at 1:30PM said date in Courtroom No. 2 of the Crawford County Courlthouse, Meadville, PA

By the Court:
Anthony J. Vardaro, J.

10/27/98 Faxed Ferry & Irwin

Nov. 12, 1998 Motion for Continuance and Order filed. And Now, this 4 day of June 1998 comes the Defendant by and though her attorneys Shafer, Swick, Bailey, Irwin Stack And Millin and James R. Irwin, Esq. and request that the Hearing in the above matter now scheduled for June 11, 1998 at 9: AM be rescheduled as Defendant's attorney has a previously scheduled Master's Hearing on this same date. James R. Irwin, Esq.
ORDER: And Now, this 12th day of June 1998 upon presentation and consieration of the within Motion this hearing is rescheduled for the 1st day of December, 1998 at 1:30 PM in Courtroom No. 1 or 2 of the Crawford county Courthouse, Meadville, PA
For the Court
Ann A. Walker, Ct. Admin.

11/12/98 Faxed Ferry & Irwin

December 2, 1998 Motion to Withdraw Request for Hearing DeNovo in Custody and Order filed. And Now, this 30th day of November 1998 upon presentation and consideration of the within motion, Defendant's Request for a Hearing DeNovo in regard to custody is withdrawn along with the hearing in this matter which was set for Dec. 1, 1998 at 1:30PM.
Anthony J. Vardaro, J.

12/2/98 Faxed Irwin & Ferry

December 9, 1998 Motion to Enter Consent Custody Order and Custody Consent Order Filed. And Now, this 8th day of Dec. 1998 upon the mutual agreement and cosnent of the parties in the above referenced matter, IT IS HEREBY ORDERED AND DECREED THAT:
!. The parties shall share elgal and physical custody of the subject minor chidlre, Stephanie Jo Rice and Carly Janelle Rice.
2. Teh parties shall share with each other any and all infomration which each may have regarding the health, education and major events in the life of the subject minor chidlren. Health care, school personnel, and other care provideres are hereby authorized to release to either aprty any all confidential information which they may have regarding teh subject minor children.
3a. The mother shall have primary physical custody of the subject minor children the father shall have partial physical custody on the first and third full weekends of each month from 6:30 PM on Friday until 6:30 PM on Sunday. on months having a fifth weekend, mother and fahter shall alternate said fifth weekend.
b. The fahter shall have partial physical custody for a period of seven weeks to begin on the last Friday in June and end at 6:30 PM on the 8th Friday thereafter. The mother shall have the right of partial physical custody form 6:30 PM on Monday until 6:30 pm on Thursdayys during the fahter's periodof summer partial physical custody. The mother shall also have teh right of partial physical custody one weekend during the fahter's summer partial custody period. The fahter shall have the right to choose one of teh seven weeks for vacation in which case the mother will not have partial physical custody period that week.
c. The parent not having physical custody of the children shall have the right to telephone them at reasonable times and for reasonable lenghts 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 two Christmas holiday partial custody periods. The first beginning on Dec. 23 and ending on Dec. 27, at 6:30 PM. The second beginning at 6:30 PM on December 27 and ending on January 1 at 5 PM. For Christmas 1998 the mohter shall have the first period and the fahter the second and the parties shall thereafter alternate.
b. Teh other Holidays to be observed are Easter, Memorial Day, Independence Day, Labor Day and Thanksgiving. Holiday partial custody shall begin on the evening preceding the holiday and end at 6:30 PM the evening after the holiday. In even numbered years the mother shall have the c hildren for Easter and Independence Day and the father shall have the children for Memorial Day, Labor Day and Thanksgiving. In odd numbered years the mother shall have the childrend for Memorial Day, Labor Day and Thanksgiving and the father shall have Easter and Independence Day.
c. The children shall spend Father's Day weekend with their father from 6:30 PM on Friday to 6:30 PM on Sunday. The children shall spend Mother's Day weekend with their mother during the same hours.
d. The provisisons of this paragraph shall take precedence over the other provisions of this agreement relating to the partial physical custody periods.
5. The parties are free to make additional or alternative arrangements respecting partial physical custody by mutual consent.
6. Should it be necessary for either party to cancel or modify the partial physical custody as set out in this agreement or as previously arranged the party seeking cancellaiton or modification shall notify the other party as soon as he or she knows fo the necessity which impels the cancellaiton or modification . Said modifications or cancellations shall not be proposed except for good reasons. Should a cancellaiton or modification be necessary the aprties shall attempt at once to arrange for alternative visits or to make alternative arrangements.
7. The parties agree to share responsibility for transportation by exchanging the children at McDonalds in Slippery Rock. Any person transporting the children shall make sure that the seat belts are used in accordance with the laws of PA
8. Each party shall teach said children to give the other party that love and respect which is due a parent from his or her children. Neither party shall smoke tobacco or permit others tc do so in the same room as the children, 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 fo teh 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.

By the Court
Anthony J. Vardaro, J

12/9/98 Faxed Irwin & Ferry

AS OF Nov. 19, 1999 ALL FILINGS IN THIS CASE ARE ON COMPUTER

1992

613.

M. Dan Mason

PETITION FOR INVOLUNTARY TREATMENT

vs.

SHELLEY SLATER

Filed July 8, 1992
@ 11:21 a.m.

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

July 8, 1992 Petition for Involuntary Treatment filed.
July 8, 1992 Report of Mental Health REview Officer and ORDER Filed. AND NOW, this 9 day of July, 1992, upon consideration of the Petition filed at the above number and term, and other relevant matter, and after a review of theReport 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 exeeed 180 days from May 18, 1992.

BY THE COURT,
Anthony J. Vardaro, J.

July 8, 1992 Copy of the Order to: Atty. Barrett, Atty. AFrica, WSH, MH/MR.

Jan. 19, 1993 APPLICATION FOR EXTENDED INVOLUNTARY TREATMENT, filed.

Jan. 26, 1993 Certification By The Court for Extended Involuntary Emergency Treatment-Section 303 filed.
Jan. 27, 1993 Copy to MH/MR, MMC, Attys. Mason & Petruso

Feb 4, 1993 Petition for Involuntary Treatment, filed.

Feb. 10, 1993, Report of Mental Health review Officer, recommendation and Order filed. ORDER: AND NOW, Feb. 9, 1993, upon consideration ofthe petition filed at above number, and other relevant matter, and after a review of the report of the MHRO, it is hereby ORDERED an DIRECTED trhat the said Shelly L. Slater be committed to WSH for treatment for a period not to exceel 90 days.

This order shall take effect on Feb. 11, 1993.

BY THE COURT,
Gordon R. Miller, J.

Feb. 10, 1993, copies given to MH/MR, Mason and mailed to WSH

May 10, 1993 PetitionFor Involuntary Treatment filed.

May 17, 1993 REPORT OF MENTAL HEALTH REVIEW OFFICER and ORDER, filed. 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 Review Officer, it is hereby ORDERED and DIRECTED that the said Shelly L. Slater be committed to Warren State Hospital 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 D. Mason, MH/MR, WSH

1992

McCann, Garland,
Ridall & Burke
James G. Gordon

614.

LARRY E. BARKER, SR. AND CAROL BARKER, HUSBAND AND WIFE

vs.

MID MICHIGAN METAL PRODUCTS COMPANY, INC. A CORPORATION

Filed July 8, 1992
@ 11:25 a.m.

Tax & entry paid $50.50
state paid 5.00

JURY TRIAL DEMANDED

COMPLAINT IN CIVIL ACTION

1 copy (atty)

July 13, 1992 Notice of Service of Interrogatories filed.

July 22, 1992 Proof of Service of Complaint in a Civil Action by Certied Mail upon Defendant filed. I do hereby certify that I have mailed a true and correct copy of a Complaint in Civil Action by Certified Mail No. P 071 040 779, Return Receipt Requested, on July 10, 1992, to Mid MIchigan Metal Products Company, Inc., 900 Brooks Road, Albion, MIchigan 49224-0155, and that same was received by Defendant on July 14, 1992, as evidenced by the Certified Mail Receipt signed by Defendant and/or his or its agent, 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.

Dated: 7-20-92 By James G. Gordon, Esquire

July 28, 1992 Notice of Removal to the United States District Court for the Western District of Pennsylvania filed.

July 30, 1992 Upon Praecipe of Attorney for Defendants, this case is hereby Transmitted to United State District Court for the Western District of Pennsylvania.

1992

Northwest Legal Services
Gerald Sullivan
R. Christopher Brode

615.

STEPHANIE CHRISTY

vs.

KEVIN CHRISTY

Filed July 8, 1992
@ 11:32 a.m.

Tax & entry Pd 9-23-92 $5.50
state Pd 9-23-92 5.00
Sheriff's Costs 60.00
Pro Co Pd 9-23-92 Govt

9-23-92 Received from Defendant Sheriff cash 60.00

9-24-92 Paid Sheriff CH#7005 60.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

ORDER:

And now, this 8 day of July, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions:
The plaintiff shall have exclusive temporarycustody of the minor child.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for July 17, 1992, at 3:30 p.M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,

Anthony J. Vardaro, J.

July 15, 1992 Sheriff's Return filed. SERVED the within Notice to dEfend, etc. on 13 JUL92, at 9:30 AM, upon Kevin S. Christy at Prenatt Mfg at Rt 27 & 227 in Pleasantville, PA by handing to Kevin S. Christy in per son a true and correct copy thereof and made known to him the contents therein.
So answers, Gene Price, Sheriff
I hereby deputize the Sheriff of Venango County, Pennsylvania to serve the wtihin Protection From Abuse according to law.
So answers, Robert M. STevens, Sheriff

July 22, 1992 ORDER FILED. AND NOW,July 15, 1992, at the time fixed for hearing in this matter, both parties have appeared in person and have indicated tothe Court their willingness to have an Order entered, without admission or denial of the facts alleged in the petition,upon the following terms and conditions:

1. The defendant shall not abuse, harass or threaten to abuse the plaintiff or the minor child of the parties at any time or under any circumstances.
2. The defendant shall not go to the residence of the plaintiff, to the plaintiff's present place of employment, Queen Cutlery, or to any other place where he reasonably knows that the plaintiff will be, except as otherwise provided in this Order.
3. The defendant shall have a right to take the minor child of the parties, Brian Christy, into his temporary custody every other weekend from 6:00 o'clock p.m. onFriday to 4:00 o'clock p.m. on Sunday, beginning with July 24, 1992 and alternating thereafter.
4. The defendant shall furnish transportation for such visits,but shall not go into the plaintiff's residence at any time and the plaintiff shall have the child ready to leave with the defendant at the appointed time.
5. The defendant shall contact the plaintiff by telephone between the hours of 6:00 o'clock p.m. and 7:00 o'clock p.m. on the Thursday preceding each visit to confirm his plans regarding the visit.
6. The defendant on occasions makes soliciations for a volunteer fire company, which solicitations include the plaintiff's place of employment, Queen Cutlery, and shall be permitted to go to Queen Cutlery for that purpose so long as it is within the regular business hours of Queen Cutlery when other parties will be present.
7. This Order shall continue in full force and effect for a period of one (1) year from this date.
8. The records costs in this matter shall be paid by the defendant within sixty (60) days of this date.
9. Any Police Officer or Police Department having jurisdiction in the premises may enforce this Order in accordance with the Protection From Abuse Act.

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

July 24, 1992 Copy of the Order to Atty.Brode, County Control, mailed to Defendant and Police Department and Plaintiff.

166

1992

616.

BOROUGH OF SPRINGBORO
PO Box 33
Springboro, Pa. 16435

vs.

EVELYN H. KERNS

Filed July 8, 1992
@ 1:56 p.m.

Pro Paid	$9.00
plff on orig	14.50

AGREEMENT TO REVIVE

of

DSB 1987- 459

The undersigned hereby agrees that the judgemtn entered on July 29, 1987, lien continued and indexed as revival in the amount of Six Thousand Nine Hundred Fifty and 50/100 Dollars plus costs.

Dated ----June 29, 1992
Debt ---- $6,950.50
K - 54 JUDGMENT

Barbara H. King,
Prothonotary

Revived to:
AD1997-662

1992

Ferguson and Spataro
Douglas w. Ferguson

617.

MARK MAHONEY

vs.

THERESA M. MAHONEY

Filed July 8, 1992
@ 2:10 p.m.

Tax & entry paid	$95.50
state paid	20.00
state paid	10.00
Pro. Co. pd 10/21/92	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION, CUSTODY AND ALIMONY

2 copies (atty)

July 24, 1992 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, Pa., on the above named Defendant by certified mail, addressee only, return receipt requested, dated July 14, 1992. The Defendant acknowledged service on July 20, 1992, by accepting delivery on that date as evidenced by the attached signed return receipt.
Douglas W. Ferguson

Oct. 21, 1992 Affidavit of Consent of Mark Mahoney,Plaintiff, filed.
Oct. 21, 1992 Affidavit of Consent of Theresa M. Mahoney, Defendant filed.
Oct. 21, 1992 Upon Praecipe of Douglas W. Ferguson, Esquire, to transmit record, case moved to Court.

DIVORCE DECREE FILED

Oct. 29, 1992 Stipulation and FINAL DECREE filed. AND NOW, this 28th day of Oct., 1992, it is Ordered and Decreed that Mark Mahoney, Plaintiff and Theresa M. Mahoney, Defendant, are divorced from the bonds of matrimony.
IT IS FURTHER ORDERED AND DECREED AS FOLLOWS:

EQUITABLE DISTRIBUTION

1. The plaintiff is awarded all right, title and interest in certain real estate known as the parties' marital residence located in Woodcock Township, Crawford Co., PA. The parties acknowledge that said property was transferred to the plaintiff, Mark Mahoney by a certain quiclaim deed of Mark Mahoney and Theresa Maria Mahoney dated July 30, 1992, and recorded among the records of Crawford County in Record Book 162, Page 731.

2. All personal property currently in the plaintiff's possession shall be his sole and exclusive property.

3. All personal property currently in the defendant's possession shall be her sole and exclusive property.

4. Plaintiff is awarded his pension plan through his place of employment at Meadville Medical Center, Meadville,PA.

5. Defendant is awarded the sum of $7500.00 for her interest in the marital home which the defendant acknowledges having received prior to the date of this Decree directly from the plaintiff.

6. The plaintiff shall be solely responsible for all legal obligations for which the parties could be held legally responsible during the course of the parties' marriage prior to their separation. HE shall hold harmless and indemnify the defendant from any and all claims or demands made against her by reason of this obligation from any and all legal costs and reasonable counsel fees incurred in the enforcement of this Decree.

ALIMONY

7. Plaintiff shall pay to the defendant as for her support, the sum of Two Hundred ($200.00) Dollars each and every month commencing on the first day of July , 1992, and continuing for twenty-four (24) subsequent months (for a total of 24 such monthly payments). The monthly amount due hereunder shall be payable on the first day of each month during the foregoing period. Plaintiff's obligation for support under this paragraph shall terminate in the event of death of the defendant/wife, her remarriage, her co-habitation with another as defined by the Divorce Code of PA., or upon receipt of the 24 payments set forth herein in the sum of $200.00 whichever event shall first occur.

CUSTODY

8. The parties shall share legal and physical custody of the parties' minor children, Jared Mahoney, date of birth, Aug. 10, 1980, Mark Mahoney, date of birth, Sept. 11, 1982, and Rory Mahoney, date of birth, May 3, 1986.

9. 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 children.

10. Primary physical custody of the parties' three minor children shall be with the plaintiff/father. While the children are in the primary physical care and custody of the father, the mother shall have the children two days each week and on every other wekend from Friday night at approximately 6:00 p.m. to Sunday night at approximately 6:00 p.m.

11. In the event the defendant/mother shall acquire a residence in the Saegertown Area School District with appropriate living arrangements for the three children including a separate bedroom for the child Jared and a shared bedroom for the children Mark and Rory the primary physical custody shall be as follows:

a. The children shall reside with the father for a seven day period from Sunday at 6:00 p.m. until the following Sunday at 6:00 p.m. followed by a like weekly visit with the defendant/mother for a weekly period with each week alternating between the plaintiff and defendant.

12. The parties shall split responsibility for transportation with the party receiving the children in the exercise of his or her rights picking up the children at the home of the other.

13. The parties agaree that the plaintiff/father shall be entitled to claim the paraties' minor children, Rory Mahoney and Mark Mahoney, as an income tax exemption for the calendar year 1992 and each and every year thereafter.

14. The defendant, mother shall be entitled to claim the parties minor child, Jared Mahoney, as an income tax exemption for the calendar year 1992 and each and every year thereafter.

15. Each party shall teach said children to give the other party that love and respect which is due a parent from his or her children.

16. Neither party shall use illegal drugs or be under the influence of alcohol at any time when said party has the care and custody of the subject minor children. The parties are cautioned that recent medical research has indicated that tobacco smoke is injurious to the health of growing children. Therefore, neither party shall smoke tobacco or permit others to do so in a closed automobile in which the children are being transported or in the bedroom of any children.

17. Any person transporting the children shall make sure that the seat belts or other restraints are used in accordance with the law of PA.

18. Neither party shall do or say anything to blacken the character of the other in the children's estimation. Each shall treat the other in a polite and respectful manner when in the children's presence and each shall instruct his or her relatives and friends to do likewise and also not to disparage the other party in the children's estimation.

19. The parties are free to make additional or alternative arrangements for respecting the custodial and visitation periods and are strongly encouraged to do so if that would be proper and convenient. Such arrangements shall be by mutual consent only in writing and in the absence of which this order shall govern.

20. Any party violating a term or provision of this Decree with respect to equitable distribution and/or alimony shall be liable to the other party for any and all legal costs and reasonable counsel fees incurred in the enforcement of this Decree with regard to alimony and equitable distribution. This paragraph shall not apply to any portion of the Decree concerning custody of the parties' minor children.

BY THE COURT:
Anthony J. Vardaro, J.

Apr.2, 1993 Stipulation and Modification of Final Decree Filed on behalf of Mark Mahoney, the Plaintiff filed.

Modification of Final Decree

AND NOW, this 2nd day of April,1993, it is Ordered and Decreed that the Final Decree dated Oct. 28, 1992, is hereby modified as follows:

Alimony

The alimony previously awarded to the Defendant in the sum of $200.00 each and every month commencing the first day of July 1992 and continuing for twenty-four (24) months subsequently for a total of twenty-four (24) such monthly payments is hereby terminated as of 3/30/93.

All other portions of the Decree of Oct. 28, 1992 shall remain in full force and affect.

BY THE COURT:
Gordon R. Miller, J.

1992

Kuhn Law Office
Daniel J. Kuhn

618.

Northwestern Legal Serv.
Christopher Brode

CHARLES KOVACH AND LINDA KOVACH, HIS WIFE

vs.

JODY A. KINNEY a/k/a JODY A. ROSS KINNEY AND MIKE WESTER

Filed July 8, 1992
at 2:30 p.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	43.00

COMPLAINT

3 copies (atty)

July 22, 1992 Sheriff's Return filed. SERVED Jody A. Kinney personally on July 20, 1992 at 3:23 PM by handing a copy of the Complaint to her at the residence, R.D. #3, Union City, crawfo;rd County, PA.
SERVED Mike Wester on July 20, 1992 at 3:24 PM by handing a copy of the Complaint to Jody Kinney, Adult in Charge at the residence, R.D. #3, Union City, Crawford County, PA.
So answers, Edgar D. Householder, Chief Deputy
Robert M. Stevens, Sheriff

Sept. 10, 1992 Answer,New Matter and Counterclaim filed.

Sept. 16, 1992 Default Notice filed.
Oct. 15, 1992 Motion by Defendant for Judgment on the Pleadings filed.
Oct. 21, 1992 Reply To New Matter and Counterclaim filed.

Oct. 22, 1992 ORDER filed. AND NOW, Oct. 21, 1992 upon receipt of the Defendant's motion for judgment on the pleadings, a Rule to Show CAuse is hereby issued and directed to the Plaintiffs to show cause if any they have, why said motion should not be granted.
Said rule is returnable for argument at Argument Court on December 1, 1992 at a time to be determined by the Court Administrator.

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

Oct. 22, 1992 Copy of Order given to Attys. Christopher Brode and Daniel Kuhn.

Dec. 11, 1992 Memorandum and Order filed. AND NOW, December 10, 1992, the Defendants' motion for a judgment on the pleadings is denied. The Plaintiffs have already filed a reply to new matter and counterclaim and this matter may therefore proceed appropriately through the system.

BY THE COURT:
Anthony J. Vardaro, J

Dec. 11, 1992 Copies to Atty's Kuhn and Brode

1992

619.	JAMES B. CHAMBERLAIN vs.	APPEAL OF DEFENDANT FROM JUDGMENT OF MAGISTERIAL DISTRICT 30-3-03
PRO SE	RONALD KOESTEL	July 8, 1992, Rule entered upon plaintiff to file complaint issued. July 10, 1992 Proof of Service filed.
	Filed July 8, 1992 @ 3:00 p.m. Tax & entry paid $50.25 state paid 5.00	

170

1992

Mac Donald, Illig, Jones & Britton
S.E. Riley, Jr.

Ambrose, Friedman and Weichler withdrawn
~~Philip B. Friedman~~

620.

Grogan, Graffam,
Mc Ginley & Lucchino
Joseph A. Macerelli

ROSE MacQUARRIE AND STEPHEN MacQuarrie her husband

vs.

LEONARD FERRIERA, M.D.

Filed July 9, 1992
@ 11:30 a.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	50.00
Pro Co pd 12/17/92	5.00

SUMMONS IN A CIVIL ACTION

Issued (sheriff)

July 9, 1992, Notice of Serving Interrogatories to Defendant (First Set) filed.

July 9, 1992, Notice of Serving Requests for Production of Documents Directed to Defendatn (First Set) filed.

July 21, 1992 Writ Return filed. SERVED Leonard Ferriera, M.D. on July 20, 1992 at 11:45 AM by handing the copies of the Summons, Interrogatories and Request for Production of Documents, to Ronda Ritchey, Office Nurse, at his place of business, 129 North Franklin street, Titusville, Crawford County, PA.
So answers, Edgar D. Householder, Deputy Sheriff
Robert M. Stevens, Sheriff

Aug 19, 1992 Appearance of Grogan, Graffam, McGinley & Lucchino by Joseph A. Macerelli for Defendant

Aug. 19, 1992 Praecipe for Rule to File a Complaint, filed.

Aug. 28, 1992 Praecipe of Philip B. Friedman, Esquire filed, to withdraw name as counsel of record for the above-capitioned Plaintiffs.

Aug. 28, 1992 Appearance of MacDonald, Illig, Jones & Britton of S.E. Riley, Jr. for Plaintiffs filed.

Sept. 9, 1992 Rule entered on Plaintiff to file Complaint within 20 days of service.

Dec. 17, 1992 Upon praecipe of Plaintiff Attorney the above matter is marked settled and discontinued of record without prejudice filed.

1992

621.

DOROTHY J. SNODGRASS

vs.

ARDEN D. ROBERTS
JANICE L. ROBERTS

Filed July 9, 1992
@ 11:47 a.m.

Pro King paid $9.00
Pltff on orig 15.50
Satisfaction pd. 9/26/96 $5.00

AGREEMENT TO REVIVE

of

AD 1987 - 586

The undersigned hereby agrees that judgment be revived; indexed by Prothonotary in favor of the plaintiff and against the defendants in the sum of Twelve Thousand dollars plus costs.

Dated ------July 9, 1992
Debt ------ $12,000.00
R - 14, 218 --- JUDGMENT

Barbara H. King,
Prothonotary

Sept. 26, 1996 this Lien satisfied (see paper filed)

172

1992

Watts & Pepicelli
Alan L. Pepicelli

622.

Springer, Bush & Perry
Gerri L.Sperling

MARY F. PLANK

vs.

BLUE CROSS OF WESTERN PENNSYLVANIA, A corporation

Filed July 9, 1992
@ 1:21 p.m.

Tax & entry paid	$50.50
state paid	5.00
Pro Co pd. 3-18-93	6.00

COMPLAINT IN CIVIL ACTION

1 copy (atty)

(Jury Trial Demanded)

July 15, 1992 Acceptance of Service and entry of Appearance filed. AND NOW, this 13 day of July, 1992, I hereby accept service of a certified copy of the Complaint in Civil Action, original and two copies of Plaintiff's Frist Set of Requests for Production of Documents and original and two copies of Plaintiff's First Set of Interrogatories on behalf of the Defendant, Blue Cross of Western Pennsylvania, by receipt of true and correct copies thereof, being duly authorized to accept service on behalf of said Defendant.
I hereby enter my appearance as attorney for Blue Cross of Western Pennsylvania, the above-captioned Defendant.
Gerri L. Sperling

July 31, 1992 ANSWER, NEW MATTER AND COUNTER-CLAIM OF DEFENDANT BLUE CROSS OF WESTERN PENNSYLVANIA, filed.

Sept. 1, 1992 Reply to New Matter/Answer and New Matter to Counterclaim filed.

Sept. 2, 1992 Complaint reinstated.

Sept. 22, 1992 Amended Complaint in Civil Action filed.

Sept. 22, 1992 Notice of Service filed.

Sept. 22, 1992 Consent to Filing of Amended Complaint filed.

Sept. 28, 1992 Acceptance of Service and Entry of Appearance filed. AND NOW, this 23 day of Sept., 1992, I hereby accept service of a certified copy of the Amended Complaint in Civil Action, original and two sets of Plaintiff's Second Set of Interrogatories/Requests for Production of Documents on behalf of the Defendants, Blue Cross of Western Pennsylvania, a Corporation, and Veritus, Inc., a Corporation, t/a/d/b/a Blue Cross of Western Pennsylvania, by receipt of true and correct copies thereof, being duly authorized to accept service on behalf of said Defendants.
I hereby enter my appearance as attorney for Blue Cross of Western Pennsylvania, a Corporation, and Veritus, INc.., a Corporation, t/a/d/b/a Blue Cross of Western Pennsylvania, the above-captioned Defendants. Gerri L. Sperling

Mar 17, 1993 Upon praceipe of Plaintiff attorney the above-captioned case is settled and discontinued of reocrd.

1992

Ferguson & Spataro
Douglas W. Ferguson

623

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

KAREN A. KASEMER

vs.

PATRICK G. KASEMER

Filed July 9, 1992
@ 3:16 PM

Tax & entry paid	50.50
User's Fee paid	20.00
3 Add'l Counts paid	45.00
State paid	10.00
Gary Fabian, Master	
Pro.Co.pd 3/18/94	9.00

9-23-93 Received from deft. Masters $400.00
11-23-93 Received from pltf/master # 350.00
4-13-94 Pd Master # Ck#8227 331.58
Pd Pltf#8229 184.25
Pd deft#8228 234.25
Bal- #0

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION, ALIMONY, ALIMONY PENDENTE LITE, COUNSEL FEES, COSTS and EXPENSES
2 copies (atty)

July 24, 1992 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, Pa., on the above named Dedfendant by certified mail, addressee only, return receipt requested, dated July 14, 1992. The Defendant acknowledged service on July 16, 1992, by accepting delivery on that date as evidenced by the attached signed return receipt.
Douglas W. Ferguson

Nov. 13, 1992 Inventory and Appraisement of Karen A.Kasemer, filed.

Nov. 13, 1992 Income and Expense Statement,filed.

Nov. 18, 1992 Motion To Schedule Hearing Date and Order filed. AND NOW, this 18 day of November 1992, the within Motion is granted and a hearing is scheduled for December 29, 1992 at 3:30 p.m.
By the Court,
Gordon R. Miller, J

Nov. 19, 1992 Copy of order to Atty. Ferguson

Nov. 24, 1992 Affidavit of Service filed. I, Douglas W. Ferguson, Esq., the undersigned, being duly sworn according to law, depose and say tht I served a true and correct copy of the Motion to Schedule Hearing Date filed by the Plaintiff and certified by the Prothonotary of Crawford County, Pennsylvania, by certified mail, restricted delivery of said copy to the above named Defendant at his address at 250 Locust Street, Meadville, Pennsylvania 16335 on November 21, 1992.
By: Douglas W. Ferguson, Esquire

Dec. 29, 1992 Inventory of Patrick G.Kasemer, Defendant, filed.

Dec. 29, 1992 Affidavit of Consent of defendant filed.

Jan. 5, 1993 Petition for Counsel Fees, Costs and Expenses and Order filed. AND NOW, December 29, 1992, this matter is before the Court onplaintiff's petition for counsel fees, costs and expenses.

At the time set for hearing, the matter proceeds informally with both parties represented by counsel and it appears that based on current spousal support payments as well as child support payments and consideration toward a daughter's education,the parties' income is comparable or, if anything, the wife's income is actually higher per month.

It appears that both parties are interested, however, in trying to get this matter moving forward toward ultimate resolution, particularly in light of the fact that another child will be in college in the Fall of 1993.

ACCORDINGLY, by agreement of the parties, the following Order is entered:

1. The defendant shall pay to plaintiff the sum of $250.00 per month, beginning on January 5, 1993, and continuing thereafter for a total of four (4) months, including the January, 1993 payment, so that a total of$1,000.00 has been paid by April 5, 1993.

2. The parties agree that the plaintiff may retain John Pritchard,a local realtor, for the purpose of doing an appraisal on real estate and a mobile home park without either party being bound by that report, but with the plaintiff furnishing a copy of said report to the defendant within ten (10) days of receiving the same. The$1,000.00 paid by the defendant over the four-month period shall be first used to pay for that appraisal and any excess shall be used to pay counsel fees to plaintiff's counsel.

3. The parties shall file affidavits of consent, consenting to a 3301 (c) divorce no later than April 5, 1993, so that each party may prepare to move this matter forward to a Master's hearing if that becomes necessary.

4. This Order is entered without prejudice to either party to seek an ultimate determination with respect to counsel fees and expenses and costs at the time the Master's hearing is held or in any other appropriate manner through this Court.

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

Jan.5, 1993 Copies given to Attys. Irwin & Ferguson.

Jan.7, 1993 Amended Inventory of Petrick Kasemer, Defendant filed.

Apr. 21, 1993 Affidavit of Consent of Plaintiff filed.

Sep. 10, 1993 Income and Expense Statement of Patrick Kasemer, Defendant, filed.

Sept. 16, 1993 Motion For Appointment of Master in Divorce and Order, filed. ORDER: AND NOW, 9-13-93, Gary A. Fabian, Esquire is appointed Master in respect to the following claims: Divorce, Alimony, Alimony Pendente Lite, Equitable Distribution, Counsel Fees, Costs and Expenses.
Deposit required: Plaintiff $350.00 Defendant $400.00
PER CURIAM:
Gordon R. Miller, P.J.
Sept. 9-21-93 copy to G. Fabian, D. Ferguson, J. Irwin

Jan. 21, 1994 Petition for Special Relief fied.

Jan. 21, 1994 Memorandum and ORDER filed. AND NOW, January 19, 1994, after due consideration of the Defendant's petition for special relief, the Master's hearing now scheduled for January 24 and 25, 1994 is continued.

The attorney for the Defendant shall within ten days of the date of this order provide to John Pritchard the information which he believes was not previously provided to Mr. Prtichard as well as information to correct what he believes was incorrect information previously used by Mr. Pritchard and shall forward a copy of all such information to the attorney for the Plaintiff at the same time all such information is forwarded to Mr. Pritchard.

Continued of record to Page 465

1992

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

624

Ferguson & Spataro
Douglas W. Ferguson

GERALD R. FOLTZ

vs.

EDNA C. FOLTZ

Filed July 9, 1992
@ 3:52 PM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count paid	15.00
State paid	10.00

COMPLAINT IN DIVORCE, EQUITABLE PROPERTY DETERMINATION and DISTRIBUTION

Juyl 13, 1992 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, date July 9, 1992. The defendant acknowledged service on July 10, 1992 by accepting delivery onthat date as evidenced by the attached signed return receipt. James R. Irwin

July 21, 1992 Affidavit of Consent by Gerald R. Foltz, Plaintiff Under Section 3301 (d) of the Divorce Code filed.

July 28, 1992 Appearance of Ferguson & Spataro by Douglas W. Ferguson for Defendant, filed.

August 4, 1992 Defendant's Counter-Affidavit Under Section 3301(d) of Divorce Code filed.

Apr. 5, 1995 Plaintiff's Income & Expense, filed.

Apr. 5,1995 Plaintiff's Inventory, 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 4/5/95 . We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonable delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.
If you do not object to this case being dismissed, you do not have to do anything. The case will be marked "dismissed with prejudice" in our records, and will be over forever.
I If you object to the case being dismissed, you must put your objections in writing and follow Crawford County Civil Local Rule L206, LJA 1901E and LJA1901F, explaining why there has been a delay in your case and why it is not unreasonable. These written objections must be filed in the Prothonotary's Office on or before April 24, 1998. You must also give or send a copy of any objections you file to the other party or his or her attorney, and certify that you have done so when you file your objections with the Prothonotary.
YOU MAY LOSE IMPORTANT RIGHTS IF YOUR CASE IS TERMINATED. YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHER EYOU CAN GET LEGAL HELP.
Court Administrator
Second Floor-Crawford County Courthouse
Meadville, PA 16335
(814) 333-7498

By the Court,
Anthony J. Vardaro, J

Date: 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)

1992

Fuller, Kinnunen,
Petruso, Gamble,
Fabian & Hall
John D. Petruso

625

SANDRA L. ZIMMERMAN

vs.

STEVEN W. ZIMMERMAN

Filed July 9, 1992
@ 4:20 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co Pd 11/20/92	9.00

COMPLAINT IN DIVORCE
1 copy (atty)

July 21, 1992 Acceptance of Complaint in Divorce filed. AND NOW, this 21st day of July, 1992, 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.

Steve Zimmerman

Nov. 20, 1992, Affidavit of Consent of Plaintiff and Affidavit of Consent of defendant filed.

Nov. 20, 1992 Upon praecipe of plaintiff attorney, to transmit the record, for review under 3301 (c) of the divorce code, this case moved to court.

DIVORCE DECREE FILED

Dec. 3, 1992 AND NOW, December 2, 1992, it is hereby ordered and decreed that **SANDRA L. ZIMMERMAN**, plaintiff, and **STEVEN W. ZIMMERMAN**, 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.

1992

Barbara J. Walton

626

MICHAEL HALL

vs.

TRUDY CERVONE

Filed July 10, 1992
@ 12:56 PM

Tax & entry paid 50.50
User's Fee paid 5.00

William Pineo, Mediator

7/10/92 Deposit of $150.00 was made by Plaintiff.

10-16-92 to Barbara Walton, Esq Refund Plffs deposit CK#1120 150.00

CUSTODY COMPLAINT
1 copy (atty); 1 copy (mediator)

ORDER:
And NOw, July 9, 1992, this matter is referred to William Pineo, child custody mediator. Until hearing on this matter Tempor ary Custody is granted to Maternal Grandmother, Karen Cervone.
By the Court,
Anthony J. Vardaro, J

July 15, 1992 AFFIDAVIT OF SERVICE FILED. 1. A true and correct copy of the Complaint for Custody filed inthe above-captioned matter was served upon the Defendant TRUDY CERVONE, by certified mail, restricted delivery, persuant to Pa. R.C.P. 412 on July 3, 1992, as is evidenced by the United States Postal Service REturn Receipt (Certified No. P 899097878) 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.
Date: July 15, 1992 Barbara J.Walton,Esquire

July 17, 1992 Notice of Mediation filed.

Oct 7, 1992 MOTION FOR REFUND OF MEDIATION DEPOSIT, filed. 1 copy (atty)

Oct 7, 1992 ORDER filed. AND NOW, Oct. 5, 1992, the plaintiff's motion for refund of mediation deposit is denied. Theere are no facts contained in the motion (and if so, it should be labeled a petition and verified) that support the request. The Court made an independent review of the file and finds no information that would justify the request.
It appears that the plaintiff filed a custody complaint, made a deposit and July 9, 1992 William Pineo was appointed child custody mediator. It further appears that a mediation conference was scheduled on Aug. 10, 1992 and notice was given of that.
Beyond that there is nothing in the record nor in the motion to justify the release of the required deposit. The Court needs to know, inter alia, whether the mediator has incurred any costs and expenses which he should be paid; whether mediation will never take place in which case the request for mediation should be withdrawn or the action marked settled and discontinued. Since mediation can always take place the deposit is required.
BY ORDER OF COURT
Gordon R. Miller, P.J.

Oct 7, 1992 1 copy Atty, 1 copy (Pineo)

Oct. 15, 1992 Motion For Refund Of Deposit and Order filed. AND NOW, October 15, 1992, this Court orders that the Prothonotary's Office refund to Plaintiff's attorney the amount of unsused mediation deposit.
By the Court,
Anthony J. Vardaro, J

Oct. 21, 1992 Copy of order putin box for Atty. walton

1992

Gerald Sullivan

627

CRYSTAL LEI JOHNSON

vs.

THOMAS LEO JOHNSON

Filed July 10, 1992
@ 3:22 PM

Tax & entry Pd 7-21-92 50.50
User's Fee Pd 7-21-92 5.00
Sheriff's Costs Pd 7-21-92 25.00

Received from Defendant 7-21-92 Sheriff's Cost 25.00

Paid Sheriff 7-21-92 25.00 Ck# 6955

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies (Sheriff)
1 coy (Plaintiff)

ORDER:

And now, this 10 day of July, 19___, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions:

3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for July 17, 1992, at 3:30 P. M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

July 13, 1992 Sheriff's Return filed. SERVED Thomas Leo Johnson personally on July 10, 1992 at 3:40 PM by handing him a copy of the Protection from Abuse at his temporary place of custody in the Crawford County Jail, 360 Center Street, Meadville, Crawford County, PA
So answers,
Diane Severo, Deputy Sheriff
Robert M. Stevens, Sheriff

July 20, 1992 ORDER filed. AND NOW, July 17, 1992, after a formal hearing the Court finds that the Defendant has engaged in abuse as that term is defined by the Act and is satisfied that the Plaintiff has proven her case by the fair weight of the evidence. Accordingly, it is ORDERED as follows:

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the petition.
2. Temporary custody of the minor children is awarded to the Plaintiff until further Order of Court. If either of the parties desire to obtain a Court Order regarding custody or visitation, they must do so in a custody action not in this action. Hcwever, this Order with respect to custody shall remain until modified by a Court of competent jurisdiction.
3. The Defendant shall not contact the Plaintiff nor go to her residence or her place of work if any.
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 by the Prothonotary to County Control, West Meadv Police Dept. and the Pennsylvania State Police.
6. This Order shall remain in full force and effect for one (1) year from this date, that is until July 16, 1993 unless modified or terminated by further Order of Court. The parties are advised that this Order prohibits the Defendant from any contact with the Plaintiff. In the event that the parties work out their differences or in the event that the Plaintiff invites the Defendant to her place, the Defendant is warned that he should not go there until there is a modification or termination of this Order, because to do so would be a violation of this Order and he may be punished accordingly.
7. The Defendant shall pay costs in the amount of $89.50 no later than Tuesday, July 21, 19992.
8. The Defend ant 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.
9. The Plaintiff shall have the right to go to her former residence at 1137 Water St., Meadville, Pa., during daylight hours only for the sole purpose of picking up her clothing and purely personal effects and clothes and purely personal effects of the children and take nothing else nor destroy or damage anything else that remains there. The ultimate division of any other property in that residence shall be left to another proceeding either on agreement of the parties or a divorce action, equitable distribution or replevin action.

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

July 21, 1992 copies given to Co Ctrl, PSP, West Mead Police & Dft.also G. Sullivan

1992

Watts & Pepicelli
Alan L. Pepicelli

628

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

MARY M. HUNT

vs.

STELLA E. COLE and DAVID LEONHART .

Filed July 10, 1992
@ 3:27 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	41.00
Pro Co pd 12-19-94	6.00

JURY TRIAL DEMANDED

WRIT OF SUMMONS
Issued (Sheriff)

July 22, 1992 SHERIFF'S RETURN, filed. SERVED Stella E. Cole on July 17, 1992 at 11:41 a.m. by handing a copy of the Summons to Julia Williamson, Adult in Charge at the residence, Route 86, Cambridge Springs, Crawford County, Pa.
SERVED David Leonhart on July 17, 1992 at 11:40 a.m. by handing a copy of the Complaint to Julia Williamson, Adult in Charge at the residence, Route 86, Cambridge Springs, Cr. Co., Pa.
So answers, Edgar D. Householder, Chief Deputy
Robert M. Stevens, Sheriff

Jan. 25, 1993 Complaint in Civil Action Filed.

Jan. 26, 1993 Notice of Service, filed. Alan L. Pepicelli, Esq., hereby certifies that certified copies of the Complaint in Civil Action were served upon the Defendants, Stella E. Cole and David Leonhart, via regular U.S. mail sent to PO Box 77, Venango, Pa. 16440, on Jan. 25, 1993.

Jan. 26, 1993 Notice of Service of Requests for Production and Interrogatories filed.

Feb. 19, 1993 Appearance of Thomas, Truax, Spadafore & Walker by EMil M. Spadafore, Jr. for Defendants.

Mar. 5, 1993 Answer and New Matter filed.

Mar. 5, 1993 Appearance of Thomas, Truax, Spadafore & Walker by Emil M. Spadafore, Jr. for defendants filed.

July 14, 1993 Certificate of Service filed. Emil M. Spadafore, Jr., Esquire,attorney for Defendants, does hereby certify that he has served a true and correct copy of the Answers to Interrogatories upon counsel for the Plaintiff by United State first class mail, postage prepaid to the following address; Alan L. Pepicelli
916 Diamond Park
Meadville, PA 16335
Dated: June 10, 1993 Emil M.Spadafore, Jr. Esquire, Atty. for Defendants

Aug. 31, 1993 Reply to New Matter of Defendants, filed.

Mar. 1, 1994, Notice of Service of Answers to Interrogatories and Requests for Production filed.

Mar. 30, 1994 Notice of Depositions of Stella E. Cole and Dorothy Irwin filed.

June 17, 1994 Notice of Depositions of Stella E. Cole and Dorothy Irwin filed.

Dec. 15, 1994 Upon praecipe of plaintiff attorney the above-captioned case is marked settled and discontinued of record.

1992

Pepicelli, Youngs
& Youngs
Lisa Pepicelli Youngs
629

DAVID WALTER RANKIN

vs.

SHEILA MARIE RANKIN

Filed July 10, 1992
@ 4:11 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro.Co. pd 2/3/93	9.00

COMPLAINT IN DIVORCE
1 copy (atty)

July 15, 1992 Acceptance of Service filed. I, Sheila Marie Rankin, accept service of the Complaint in Divorce.
Date: 7-15-92
Sheila M.Rankin
R.D.#2, Box 249
Cochranton, PA 16314

Nov. 9, 1992 Affidavit of Consent by Sheila Marie Rankin, Defendant, filed.

Dec. 23, 1992, Affidavit of Consent of plaintiff filed.

Feb. 3, 1993 Upon Praecipe of Plaintiff Attorney to Transmit record, case moved to Court.

Feb. 10, 1993 **DIVORCE DECREE FILED.**

AND NOW, February 8, 1993, it is hereby ordered and decreed that David Walter Rankin, Plaintiff and Sheila Marie Rankin, Defendant, are divorced from the bonds of matrimony.
TheCourt 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

1992

Strassburger, McKenna
Gutnick & Potter
Cheri Binder

630

Knox McLaughlin Gornall
& Sennett, P.C.
Sean J. McLaughlin
for The Titusville Area
Hospital

Grogan,Graffam,McGinley
& Lucchino,
Ronald J.Rademacher
for Defendant, Mario
D'Alessandro

Knox, McLaughlin,
Gornall & Sennett, PC
James T. Marnen
Titusville Hospital

VALERIE M. CASLER,
Administratrix of the Estate
of RAYMOND E. CASLER

vs.

THE TITUSVILLE ARE HOSPITAL
a non-profit Pennsylvania
corporation; MARIO
D'ALESSANDRO, M.D., in
individual

Filed July 13, 1992
@ 3:29 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's costs	43.00
Pro.Co. Pd 11/17/95	6.00

COMPLAINT IN CIVIL ACTION
2 copies (Sheriff)

July 21, 1992 Sheriff's return filed. SERVED The Titusville Area Hospital on July 20, 1992 at 12:04 PM by handing a copy of the complaint to Linda Harris, vice-president of Patient Service, at thehospital, 406 West Oak Street, Titusville, Crawford County,PA SERVED Mario D'Alessandro, M.D. on July 20, 1992 at 12:05 PM by handing a copy ofthe Complaint to Linda Harris, Vice-president of Patient Services, at Titusville Area Hospital, 406 W. Oak street, Titusville, Crawford County, PA.
So answers, Edgar D. Householder, Chief Deputy
Robert M. Stevens, Sheriff

July 27, 1992 Appearance of Knox McLaughlin Gornall & Sennett by Sean J. McLaughlin for Defendant The Titusville Area Hospital.

Aug. 7, 1992 Appearance of Grogan, Graffam, McGinley & Lucchino, P.C. by Ronald J.Rademacher, Esquire for Mario D'Alessando, M.D.Defendant, filed.

Aug. 31, 1992 Answer and New Matter on Behalf of the Defendant, Titusville Area Hospital, A Non-Profit Pennsylvania Corporation filed.

Sept. 1, 1992 Answer and New Matter filed.

Sept. 1, 1992 Notice Of Service of INterrogatories and Request For Production of Documents Directed To Plaintiff filed.

Sept. 16, 1992 Notice Of Service Of Request For Production To Plaintiff (First Request) filed.

Sept. 16, 1992 Notice Of Service of Interrogatories To Plaintiff (First Set) filed.

Dec. 9, 1992, Notice of Taking Deposition upon oral Examination of ValerieCasler filed.

Dec. 9, 1992, Notice of Taking Deposition upon oral examination of Chad Hulings filed.

Dec. 9, 1992, Notice of Taking Deposition upon oral examination of ryan casler filed.

Dec. 9, 1992, Notice of TakingDeposition upon oral examination of Rev. Robert Casler filed.

Jan. 15, 1993 Notice Of Deposition Filed On Behalf Of Defendant, The Titusville Area Hopsital of Dr. Stuart Shapiro filed.

Feb. 17, 1993 Plaintiff's Reply To New Matter Of Defendant The Titusville Area Hospital filed.

Feb. 17, 1993 Plaintiff's Reply To New Matter Of Defendant Mario D'Alessandro, M.D. filed.

Jun. 25, 1993 Notice of Deposition on Behalf of Defendant: Titusville Area Hospital, filed.

Jun. 25, 1993 Notice ofDeposition on Behalf of Defendant: Titusville Area Hospital, filed.

Oct. 13, 1994 Withdrawal of Appearance by Sean J. McLaughlin filed.

Oct. 13, 1994 Appearance of Knox, McLaughlin, Gornall & Sennett, PC by James T. Marnen for Titusville Area Hospital filed.

Nov.13,1995 Upon Praecipe of Cheri Binder Wilke, Esquire,. Attorney for Plaintiff, this action is marked discontinued as to all defendants, payment of costs being tendered with the filing of this praecipe.

1992

631

MAUREEN LEA DESKO

vs.

MICHAEL SCOTT RUMZIE

Filed July 13, 1992
@ 3:19 PM

Tax & entry	50.50
User's Fee	5.00
Sheriff's Costs	25.00
Pro Co.	9.00 ✓

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plantiff

ORDER:

And now, this 13th day of July, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Defendant shall not contact Plaintiff. Defendant shall not go to P laintiff's residence. Custody of the child shall be with Plaintiff. Defendant shall return Joshua to Plaintiff.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for July 28, 1992, at 3:30 P. M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

July 14, 1992 Sher;iff's Return filed. SERVED Michael S. Rumzie personally on July 13, 1992 at 3:35 PM at his residence, 848 Park Avenue, Second Floor, Meadville, crawfordCounty, PA
So answers, Robert M. Stevens, Sheriff

July 31, 1992 ORDER filed. AND NOW, July 28, 1992, this matter is before the Court on a request by the plaintiff for protection under the Protection From Abuse Act.

The plaintiff appears without counsel and the defendant appears represented by counsel. The parties have reached an agreement without admission 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 nor shall he procure anyone else to do so at any time.
2. The plaintiff shall have sole possession of the residence of the parties at 799 Market St. in the City of Meadville and the defendant shall not go to that residence. The defendant is specifically cautioned that even if he is invited to that residence by the plaintiff, he shall nto go there because there shall be a presumption that his presence at that residence is a violation of this Order and if he wishes to change that or if the plaintiff wishes to change that, it is necessary for them to petition the Court to modify the Order.
3. The defendant may remove his personal clothing and belongings from that residence at a time to be arranged between his attorney and the plaintiff and the parties shall act reasonably in arranging for such a time.
4. At no time will the plaintiff harass the defendant in any manner.
5. This is an Order of Court and 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 Departments in the jurisdiction where the plaintiff resides 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 of up to $1,000.00 and a jail sentence of up to six (6) months.
8. The defendant shall be responsible for paying court costs in this matter in the amount of $89.50, which amount shall be paid to the Prothonotary of Crawford Co. on the first floor of the Courthouse in Meadville, PA. within forty-five (45) days of the date of this Order.
9. This Order, unlike the Temporary Order, will not deal with custody of the parties minor children insofar as it appears that the parties intend to resolve that issue through an appropriate custody proceeding.
10. This Order shall remain in full force and effect through July 27, 1993.

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

July 31, 1992 Copy mailed to Plaintiff and Meadville City Police; copy given to Co. Control and Atty. Barbara Walton.

1992

~~Robert J. Felton~~ withdrawn

632

Paul J. Carney, Jr.

Lloyd E. Wilson

7-13-92 $150.00 deposit by Plaintiff

9-14-92 Pd CC Comm Med Fee Ch# 7046 150.00

10-29-92 Rec from Plf- Bal of mediation fee #13.12

11-20-92 Pd Comm Med Fee Ch# 7186 13.12

12-20-93 pd by Plf med deposit 150.00
6-9-94 Pd Co Ch#8355 58.95
Bal owed plf 82.05

ERNEST D. ROSS, SR.

vs.

CAROLYN A. ROSS

Filed July 13, 1992

Fax & Entry	Pd 7-16-92	50.50
User Fee	Pd 7-16-92	5.00
Bruce Smith mediator		217.49
Pro Co.	Pro Co Pd 10-29-92	9.00
Bruce L. Smith, Mediator		117.89
Pro Co	Pd Ch#8356 6-9-94	9.00

COMPLAINT FOR PRIMARY, PHYSICAL AND LEGAL CUSTODY

July 13, 1992 ORDER filed. AND NOW, this 14th day of July, 1992, 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.

1 copy Atty 1 copy Medx for [illegible]

Aug. 27, 1992 ORDER filed. AND NOW, this 26th day of August, 1992, after Mediation and upon recommendation of the Child Custody Mediator, it is hereby ordered and decreed that:

1. The natural parents of Louis A. Ross, age fourteen, and Jeremy D. Ross, age twelve, the parties to th is 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 imput with regard to the educational and religious upbringing of the children, as well as to any elective surgery. Copies of school report cards shall be exchanged by the parents within one week of receiving them.

2. Primary physical custody fo the child, Louis A. Ross, shall remain with thenatural mother, Carolyn A. Ross. Primary physical custody of the child, Jeremy D. Ross, shall be granted to the father, Ernest D. Ross, Sr. Temporary physical custody of the child not in the parent's primary physical custody shall be as follows.

a. Each child will be in the temporary physical custody of the non-primary physical custody parent the first full weekend of each month beginning on Friday at 5:00 p.m., prevailing time, through Sunday at 5:00 p.m., prevailing time. This means that Louis will be with the father during the first weekend of each month and Jeremy will be with the mother during the first weekend of each month. During the second weekend of each month, Louis will be in the father's home during the same hours and Jeremy will remain in the father's home. During the third weekend of each month, Jeremy will remain in the father's home. During the third weekend of each month, Jeremy will be in the mother's home and Louis will remain in the mother's home. During the fourthe weekend of each month, the children will remain with their primary custodial parent.

b. Each summer, beginning in 1993, the boys will spend the first six weeks of the school recess in the father's home and the remainder of the summer, until three days prior to the beginning of school, in the mother's home at which time they will return to the home of their primary custodial parent.

c. Hokiday 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, both children will be in the father's home on Thanksgiving Day each year from 9:00 a.m., to 9:00 p.m., prevailing time. The children will also spend 9:00 a.m. to 9:00 p.m., prevailing time, with the mother on Mother's Day and the same hours with the father on Father's Day. All other nationally recognized holidays will be subject to the other visitation schedules, and transfers will not take place.

d. The father shall pick up and return the child or children to the mother's residence during any scheduled transfer of custody.

3. The parent having custody of the child or children at anytime shall notify the other parent as soon possible in the event of injury to or illness of the child or children requiring medical treatment.

4. Neither parent shall take the children into any environment which might be commonly thosught of as detrimental to their development of to the development of their character or which would be commonly thought of as dangerous to their physical presons.

5. The parent sare encouraged to discuss arrangements for physical custody of the children; and, if the parties nutually agree to alternative arrangements to accommodate themselves and/or the chidren's schedule, they may adjust thephysical custody arrangements accordingly and are encouraged to do so by mutual consent and agreement. Both parents are encouraged to attend school events for each of the boys, whether in the Corry Schools or the Titusville Schools, and are also encouraged to attend parent-teacher conferences. Each parent shall notify the other of scheduled teacher's conferences for the child in his/her custody.

6. Each of the parents andd any adult comong 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 form his or her child. Neither of the parents (nor any adult coming into regular contact with the children) will do or say anything to blacken the character fo either parent int he eyes of the children.

7. Neither of the parents will use or have present any illegal drugs while the children are in his/her custody. Neither of the parents shall consume more than two ounces of alcohol in any twenty-four hour period while one or both of the children are in his/her custody.

8. This Order shall not prejudice the right of either party to request further Mediation if thereare changed circumstances in the lives of the parties or the children orin 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 int he Court's jurisdiction and for a tleast six months from the date of this Temporary Order.

10. The fee for Child Custody Midiation shall be paid 75% by the plaintiff father and 25% 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, J.

Aug 31, 1992 copy to R. Felton, B. Smith, P. Carney,Jr., Plf & Dft.

Continued on Pg. 182A

1992 TERM

Ernest D. Ross, Jr.
vs.
Carolyn A. Ross

CONTINUED FROM PAGE 182
of Record
A. D. 1992 - 632

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Dec. 23, 1993 Petition For Modification Of Custody Order and Order, filed. ORDER: You, ERNEST ROSS, have been sued in Court to obtain custody of JEREMY ROSS.

You are ORDERED to appear in person at such time and place as will be determined by the Mediator Bruce L. 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.
Anthony J. Vardaro, J.
Jan. 5, 1994 copy to R. Felton, P. Carney, B. Smith

Feb. 10, 1994 Certificate of Service filed. The undersigned represents that on February 1, 1994, a Certified Mail envelope was received at the Spartensburg Post Office and subsequently marked "Refused Return to Sender". Upon receipt of said envelope the undersigned has reserved ErnestRoss at his address of R.D. 32, Spartansburg, Pennsylvania 16434 by regular mail on February 4, 1994.
Lloyd E. Wilson

Apr. 6, 1994 TEMPORARY ORDER OF COURT, filed. AND NOW, this 6 day of April, 1994, after additional Mediation and upon recommendation of the Child Custody Mediator, it is hereby ordered and decreed that:

1. The natural parents of Louis A. Ross, age sixteen, born January 8, 1978, and Jeremy D. Ross, age thirteen, born June 5, 1980, 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. Copies of school repoert cards shall be exchanged by the parents within one week of receipt, and it is noted that the older child, Louis, is now involved in home schooling at the mother's home.

2. Primary physical custody of both children shall remain with the natural mother, Carolyn A. ross. Temporary physical custody for the father shall be as follows:

a. The father shall be entitled to take the children into his temporary physical custody on the second and fourth weekends of each month beginning at 5:00 p.m., prevailing time, on Friday, and ending at 6:00 p.m., prevailing time, on Sunday.

b. Each summer, beginning in 1994, the children, Louis and Jeremy shall be available to spend two full consecutive weeks with the father beginning at noon, prevailing time, on Sunday, and ending at noonl, prevailing time, on Sunday, meaning fourteen days later, which dates shall be pursuant to a written notice of thirty days from the father to the mother. Falling such notice, the two weeks shall be the first two full weeks of July each year.

c. Holiday visitation shall take priority over other shceduled visitation. The parties are encouraged to agree as to holiday visitation; however, in the event that they cannot, the father shall have the right to take the children into his temporary physical custody during the hours of 9:00 a.m. - 9:00 p.m., prevailing time, on Thanksgiving Day, and the children shall be in the mother's home on Christmas Day each year during the same hours. The children shall also spend from 9:00 a.m. - 9:00 p.m., prevailikg time, in the mother's home on Mother's Day and the same hours with the father on Father's Day. All other nationally recognized holidays will be subject to the other visitation schedules, and transfers will not take place.

d. The father shall pick up and return the children to the mother's residence at the time of any scheduled transfer of custody.

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 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 character or which would be commonly thought of as dangerous to their physical person. Neither parent shall the children to taverns while the parent is there primarily to drink; however, if the parent and children are at a tavern primarily to consume food, the children shall be permitted to be at the tavern for a period for up to one and a half hours for the purposes fo consuming food and playing pool and like games.

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 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. Neither of the parents (nor any 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.

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 either of the children or in the event that the best interest 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 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 50% by the father and 50% by the County of Crawford on behalf of the mother.

10. 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.

Apr. 12, 1994 copy to R. Felton, L. Wilson, B. Smith, Plf. & Dft.

Apr. 20, 1995, Motion to Withdraw as counsel, and Order filed. ORDER: AND NOW, Apr. 19, 1995, motion granted.
Anthony J. vardaro, J.
4/20/95 faxed to Felton, Carney adnd wilson.

182

-6-

1992 TERM

1992

Wayne H. Hundertmark

633

~~John W. McCandless~~
In Error
Shafer, Swick, Bailey, Irwin & Stack
James R. Irwin

BARBARA KRINER

vs.

W. SCOTT KRINER

Filed July 13, 1992
@ 3:43 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro. Co. paid 7/9/93	9.00

COMPLAINT IN DIVORCE
1 copy (atty)

Aug. 3, 1992 PROOF OF SERVICE OF COMPLAINT, filed. The undersigned, being first duly sworn according to law, deposes and says that:

1. Your deponent is counsel for the plaintiff in the above case.

2. The Complaint filed in the above case was served upon the defendant pursuant to PA. Rules of Civil Procedure by certified mail with restricted delivery and return receipt requested, addressed to said defendant at the last known address of said defendant following: Box 1111, Meadville, Pa. 16335.

3. Attached hereto is the following exhibit: The receipt of certified mail delivery signed by the defendant.

Wayne H. Hundertmark, Esq.

Oct 6, 1992 Appearance of John W. M cCandless for ~~Defendants~~ In Error filed.

Oct. 6, 1992 Praecipe ~~for Rule Upon Plaintiffs~~ To File Complaint, filed.

~~Oct 6, 1992~~ issued (atty)

Dec. 29, 1992 Affidavit of Consent by W. Scott Kriner, Defendant, filed.

May 4, 1993 Affidavit of Consent of Plaintiff, filed.

July 9, 1993 Upon Praecipe of Plaintiff Attorney, Wayne H. Hundertmark, Esquire, to transmit record , case moved to court.

July 20, 1993 Memorandum filed. This matter is before theCourt for a final divorce decree pursuant to the plaintiff's praecipe to transmit the record (Pa.R.C.P. 1920-42). The Court is returning the papers to the Prothonotary for further proceedings consistent with this memornadum.

The plaintiff filed a complaint in divorce. She simply asks for a divorce and has asked for no other relief, either in the initial pleading or by a subsequent petition. Accompanying the praecipe to transmit the record was a lengthy marital agreemetn which resolves matters of equitable distribution of marital property, support etc. We have not been given any instructions but paragraph 3 of the Agreement indicates that the agreemetn shall be incorporated into a divorce decree. This is improper.

This Court only has jurisdiction to determine and grant decrees as to matters raised by the pleadings or by a subsequent petition (23 Pa.C.S.A. 3104(a); 23 Pa.C.S.A. 3323(b); Pa.R.C.P. 1920.11, 1920.13).

Therefore this Court has jurisdiction only to grant a decree in divorce and nothing else.

Thje plaintiff has two choices. She could indicate in writing that she wants the Court to enter a divorce decree only so that the Ccurt has clear instructions that other aspects of the parties settlement will not become a part of the decree. The second choice is for the plaintiff to file an amende d complaint raising additional matters for the Court which said filing, and the subsequent service thereof, must all comply with the rules of civil procedure; or in lieu thereof, file an appropriate petition raising additional matters as envisioned by the Rules.

This is more than a technicality in what appears to be an amicable resolution of the marriage and divorce. The jurisdiction of the Court is a fundamental matter. Without jurisdiction the Court is without power to act. We cannot entertainmatters that are beyond our jurisdiction.

BY ORDEROF COURT
Gordon R. Miller, p.J.

July 20, 1993 copies dist to Irwin & Hundertmark

Sept. 3, 1993 Amended Complaint In Divorce filed.

Sept. 17, 1993 Acceptance of Service on behalf of Defendant filed.

Sept. 27, 1993 Affidavit of Consent of Plaintiff, filed.

Sept. 27, 1993 Affidavit of Consent of Defendant, filed.

Sept. 27, 1993 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Oct. 8, 1993 AND NOW, this 6th day of October, 1993, it is hereby ORDERED AND DECREED that:

1. BARBARA KRINER, Plaintiff, and W. SCOTT KRINER, Defendant, are hereby divorced from the bonds of matrimony.

2. The Separation Agreement dated July 7, 1992, executed by both parties to this action is hereby incorporated in this Order and made a part hereof as though fully set forth at length herein.

3. This Decree constitutes a final Order as to all matters and claims pending in this action, and the Court retains jurisdiction of the parties in the subject matter for purposes of enforcement only.

BY THE COURT,
Gordon R. Miller, J.

1992

Northwest Legal Services
Gerald Sullivan
R.Christopher Brode

634

TRACY PHILLIPS

vs.

JOHN PHILLIPS

Filed July 14, 1992
@ 11:18 AM

Tax & entry Pd 10-5-92 50.50 ✓
User's Fee Pd 10-5-92 5.00
Sheriff's Costs 25.00
Pro Se Pd 10-5-92 gov ✓

10-5-92
Received from dept
Sheriff's Desk
25 cr

10-5-92
Paid to Sheriff
Ck# 7093
25 cr

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 14th day of July, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Defendant shall not go to Plaintiff's residence or place of employment for any purpose.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for July 21, 1992, at 3:30 P. M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Robert L. Walker, J

July 15, 1992 Sheriff's Return filed. SERVED John Phillips personally on July 14, 1992 at 2:10 PM by handing a copy of the Protection from Abuse to him at the residence, 540 North Street, Meadville, Crawford County, PA.
So answers, Robert M. Stevens, Sheriff

July 22, 1992 ORDER FILED. AND NOW, July 21, 1992, tis matter is before the Court on Plaintiff's petition for relief under the Protection From Abuse Act. The parties appear with the Plaintiff represented by counsel and Defendant unrepresented. The Defendant is advised of his right to counsel and indicates that he will proceed without counsel.

The parties have reached an agreement whereby the following Order may be entered without admission of the contents of the petition on the part of t he Defendant:

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff at any time.
2. The Plaintiff shall have exclusive possession of the marital home and theDefendant shall not go to the marital home other than at the time specifically designated in this Order. He is advised that there is a presumption if he is on the marital residence that he is in violation of of this Order, and therefore, if he is invited to the marital residence at other times than indicated in this Order by the Plaintiff, he should not go to the marital residence without seeking a modification of this Order.
3. The Plaintiff shall have temporary physical custody of the minor child pending further Order of this Court in this proceeding or any other proceeding with the Defendant to have temporary custody each Wenesday from Noon until Thursday at Noon until September of 1992. For those visitations the Plaintiff shall provide transportation each way.

Beginning in September of 1992 when the Plaintiff goes back to work, the Defendant shall have temporary custody of the minor child Monday through Friday beginning at 7:00 a.m. he shall pick up the minor child at the marital home and said temporary custody shall end on each such day between 2:30 and 3:00 p.m. when the Plaintiff will go to the Defendant's residence to take the child back into her custody.

4. The Defendant is permitted to contact the Plaintiff by telephone so long as he does not harass or threaten her in doing so.
5. The parties shall jointly go to an appropriate location this day to transfer the title to the 1983 Olds Omega to the Plaintiff and this shall be accomplished by 6:00 p.m. this date.
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 departments 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 $1,000.00 and a jail sentence of up to six (6) months.
9. The Defendant shall pay court costs in this matter in the amount of $89.50 on or before September 30, 1992 with the same to be paid to the Prothonotary of Crawford County on the first floor of the Courthouse in Meadville, Crawford County, Pennsylvania, by 4:30 p.m., which is the close of business for that office on that date.
10. This Order shall remain in full force and effect through July 20, 1993.

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

July 24, 1992 Copy of the Order to R.Christopher Brode, Esq.,Plft. & Deft., County Control and Police Department.

Continued on page 184A

1992

TRACY PHILLIPS
VS.
JOHN PHILLIPS

CONTINUED FROM PAGE 184
of Record
A. D. 1992 - 634

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Sept. 10, 1992 ORDER filed. AND NOW, Sept. 10, 1992, the Court is presented with the attached agreement signed by both of the parties dated Septembr 3, 1992.

Therefore, pursuant to that agreement Paragraph 3 of the Order of July 21, 1992 is modified to the extent that it shall state:

The Defendant shall have temporary custody of the minor child to include care at the plaintiff's residence Monday through Friday beginning at 7:00 a.m. and ending between 2:30 p.m. and 3:00 p.m. when the Plaintiff returns home from work. The Defendant will l eave the premises and have no reason to remain after that time.

In all other respects which are not inconsitent with this Order, the Order of July 21, 1992 is affirmed.

BY THE COURT:
Anthony J. Vardaro, J.

Sept. 10, 1992 copies mailed to Plf. & Dft by Judge Vardaro's Sec.- copies given to Brode, Co. Ctrl and mailed to MCPD by Pro's Off.

184
-b-

1992

1992

pro se

635

David M. Speen

LESLIE TAR, M.D.

vs.

CALVIN McCLEARY

Filed July 14, 1992
@ 11:35 AM

Tax & entry paid	50.25
User's Fee paid	5.00
Pro.Co. pd 9/1/92	9.00
Ex.of Rec. pd 9-3-92	10.00

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

July 20, 1992 Proof of Service filed.

July 28, 1992 Complaint filed. 1 cert (PH)

Aug. 6, 1992 Affidavit of Service filed. Regarding the above matter, enclosed, please find the original certified document representing the receipt of the civil action against Mr. Calvin McCleary by a family member. The document was forwarded by certified mail and a return receipt requested. Please find the same as an affidavit of service.
August 4, 1992 Leslie Tar, M.D.

And Now, Sep. 1, 1992 at 1:21 P.M. upon praecipe of Plaintiff, Leslie Tar, M.D. with Notice of Intention to File Default Judgment attached, judgment is hereby entered in favor of the plaintiff and against the defendant for want of an answer and the damages are assessed at the sum of One Hundred Forty and 66/100 dollars.

M-31
Notice sent to
Leslie Tar, M.D.
Entered 9/1/92

Debt $140.66
Judgment
Barbara H. King
Prothonotary

186

1992

Terry Toomey

636

KEVIN TINGLEY

vs.

GEORGE M. BOYLE d/b/a
NEW LIFE CO.

Filed July 14, 1992
@ 1:48 PM

Tax & entry paid	50.25
User's Fee paid	5.00
Pro Co pd 11-8-95	5.00

APPEAL OF DEFENDANT FROM DECISION OF
DISTRICT JUSTICE HUBERT E. VOGAN

July 14, 1992 Rule entered upon plaintiff to file Complaint issued.

July 14, 1992 Proof of Service filed.

Aug. 3, 1992, Civil Complaint filed. 1 copy (atty)

NOv 8, 1995 Upon praecipe of Plaintiff attorney the above-captioned matter is discontinue of record.

1992

Shafer, Swick, Bailey
Irwin & Stack
Jeffrey K. Millin

637

AGRICREDIT ACCEPTANCE CORPORATION

vs.

SIMON MILLER, Individually and t/d/b/a MILLER AUCTION SERVICE

Filed July 14, 1992
@ 2:00 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	62.20
Pro. Co. pd 8/28/92	9.00
Pro Co pd 11-22-96	5.00

JURY TRIAL DEMANDED

COMPLAINT IN CIVIL ACTION
2 copies (Sheriff)

Aug. 14, 1992 Affidavit of Service filed. SERVED the within Complaint on July 27, 1992 at 12:10 PM. upon Simon Miller, Individually at R.D.#1, Hadley, PA by handing to Simon Miller Personally a true and correct copy thereof and made known to him the contents therein.

David J. _____ Deputy Sheriff
William H. Romine, Jr. Sheriff Mercer County

See Affidavit of Service endorsed hereon by Sheriff of Mercer County, Pennsylvania, which is part of this return.
So answers: Robert M.Stevens, Sheriff, Crawford County, PA.

Aug. 14, 1992 Affidavit of Service filed. SERVED the within Complaint on July 27, 1992 at 12:10 PM upon Simon Miller, individually at R.D.#1, Hadley, PA by handing to Simon Miller personally a true and correct copy thereof and made know to him the contents therein.

David J. _____ Deputy Sheriff
William H.Romine, Jr. Sheriff Mercer County

See Affidavit of Service endorsed hereon by Sheriff of Mercer County, Pennsylvania, which is part of this return.
So Answers, Robert M. Stevens, Sheriff, Crawford County, PA

Aug. 28, 1992 AND NOW, Aug. 28, 1992 at 3:21 P.M. upon praecipe of Plaintiff's attorney, with notice of Intention to File Consent Judgment attached, 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 Thirteen thousand dollars plus costs based upon the following cost breakdown:

Judgment	$13,000.00
Filing of Complaint	55.50
Sheriff's Service Costs	62.20
Entry of Judgment	9.00
Settlement & Discontinuance	5.00
Total Judgment	$13,131.70

M-151 - 181
Entered Aug. 28, 1992
Abstract sent to Jeffrey K. Millin, Esq.

Debt $13,131.70
Judgment
Barbara H. King
Prothonotary

Nov21, 1996 Upon praecipe of plaintiff attorney the above captioned matter is marked satisfied of record.

188

1992

Brian J. Lindsay

638

BERNARD R. WAGNER

vs.

PATRICIA J. WAGNER

Filed July 14, 1992
@ 2:28 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 12/30/93	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
SPECIAL RELIEF
1 copy (atty)

ORDER:

AND NOW, July 14, 1992, upon presentation and consideration of the foregoing Complaint in Divorce, a Rule is entered upon the Defendant to show cause, if any she has, why the prayer of the Plaintiff should not be granted.

THIS RULE IS RETURNABLE ON July 21, 1992, in Courtroom No. 1 ofthe crawford County Courthouse, Meadville, Pennsylvania at 1:30 o'clock P.M.

BY THE COURT,
Gordon R. Miller, J

July 20, 1992 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 I did on the 14th day of July, 1992, send to the above named defendant, by certified Mail, Return Receipt Requested, a true and correct copy of the Divorce Complaint, Rule to Show Cause Order, filed at the above term and number; and that I did on the 16th day of July, 1992, receive a duly executed return receipt dated July 15, 1992.

Brian J. Lindsay

July 22, 1992 ORDER filed. AND NOW, July 21, 1992, at the time fixed for hearing on the plaintiff's Rule to Show Cause, Collateral Matters at 1989-617 in a suit of John W. English, Jr. versus Bernard Wagner, et al., have been settled on an installment basis, and therefore, there is no necessity to proceed on the Rule to Show Cause.

ACCORDINGLY, the Rule is hereby dissolv ed without further proceedings.

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

July 24, 1992 Copy of Order to Attys. Brian Lindsay and Michael Halliday.

Dec. 30, 1993 Affidavit of Consent of Plaintiff filed.

Dec. 30, 1993 Affidavit of Consent of Defendant filed.

Dec. 30, 1993 Upon praecipe of Plaintiff To Transmit Record, this case moved to court.

Jan. 11, 1994 Motion To Withdraw Counts In Divorce and ORDER filed. AND NOW this 7th day of January, 1994, upon consideration of the within Motion, it is hereby ORDERED AND DECREED that Plaintiff's Counts for Equitable Distribution and Special Relief be withdrawn, and that only Count 1: Divorce remain.

BY THE COURT:
Gordon R. Miller, J.

Jan. 13, 1994 Copy of Order to Atty. Brian Lindsay, copy mailed dft.

DIVORCE DECREE FILED

Jan. 11, 1994 AND NOW, January 7, 1994, it is ordered and decreed that BERNARD R. WAGNER, plaintiff, and PATRICIA J. WAGNER, 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.

1992

Joseph F. Kulwicki	RAYMOND HAMILTON	SUMMONS Issued Sheriff
639	vs.	July 15, 1992 Sheriff returned Writ. Atty. requested that nothing be served.
	JONATHAN L. BOYD	Feb. 23, 1993 Upon praecipe of Plaintiff attorney the above captioned matter is settled and discontinued of record.
	Filed July 14, 1992 @ 3:11 PM	
	Tax & entry paid 50.50 User's Fee paid 5.00 Pro Co pd 2-23-93 6.00 ~~Sheriffs Costs~~	

1992

640	IN THE MATTER OF THE SELECTION OF PERSONS TO SERVE AS JURORS FOR THE YEAR 1993 Filed July 14, 1992 @ 3:57 PM	ORDER AND NOW, July 13, 1992, the Jury Commissioners are hereby directed to fill the jury wheel for the year 1992 with 1500 names, said names to be selected in accordance with the provisions of the Jury Act (1980-78) BY ORDER OF THE COURT, Gordon R. Miller, J 7/14/92 Copies of above Order mailed to Jury Commissioners, and Clerk, also to Sheriff., by Ct. Administrator. Jan. 22, 1993 Jury Wheel for the Year 1993 filed.

1992

Watts and Pepicelli PC
Christopher D. Ferry

Watts & Pepicelli
Theodore H. Watts

641
Joan Mason

ALBERT MICHAEL ROSSI, JR.

vs.

PAMELA M. ROSSI

Filed July 14, 1992
@ 4:09 PM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count paid	15.00
State paid	10.00
master fee pd 2-6-95	250.00
Pro Co pd 7-31-96	9.00
1 Add'l Ct. pd 9/28/95	15.00
User's Fee pd 9/28/95	5.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
1 copy (atty)

July 17, 1992 Affidavit of Service filed. Theodore H. Watts, hereby certifies that he is the Attorney for the Plaintiff Albert Michael Rossi, Jr., in the wihtin Action and that a copy of the Complaint in Divorce was sent by certified mail, return receipt requested, deliver to addressee only to the Defendant, Pamela M. Rossi at RD #4, Box 578, Cutter Road, Meadville, Pennsylvania 16335 on July 14, 1992 and was received by the defendant on July 15, 1992. The receipt for certified mail and the return receipt are attached hereto marked Exhibit "A".

Theodore H. Watts

Aug. 11, 1994 Motion for Appointment of Master filed.

Aug. 16, 1994 ORDER filed. AND NOW,August 15, 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.

8-16-94 Copies dist. to Watts. & Deft. Atty. (J. Mason)

Aug. 16, 1994 Inventory of Plaintiff, filed.

Sept. 15, 1994, Motion for Appointment of Master filed.

Oct. 4, 1994, ORDER filed. AND NOW, Oct. 3, 1994, the plaintiff's motion for the appointment of a master is denied because this case is not in a proper posture to appoint a Master.

The grounds for divorce are no fault grounds (Complaint, para. 6). The parties have not filed consents under 23 Pa. C.S.A. 3301(c) and the plaintiff has not complied with 23 Pa. C.S.A. 3301(d) or the paplicable rules pertaining thereto.

The complaint does not allege any fault grounds.

Therefore, the master would have no authority torecommend a divorce nor would the court have the ability to grant a divorce. A master's hearing on economic issues would not be appropriate under these circumstances if a divorce cannot be entered inthe first place.

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

10/5/94 copies dist. to J. Mason and Watts.

Oct. 6, 1994 Appearance of Watts and Pepicelli PC by Christopher D. Ferry for Plaintiff, filed.

Oct. 6, 1994 Affidavait of consent of Plaintiff, filed.

Oct. 27, 1994 Notice of Intention to Request Entry of Divorce Decree filed.

Jan. 30, 1995 Affidavit of Service filed. Christopher D. Ferry, Esquire, being duly sworn according to law, deposes and states taht he served a true and correct copy of the Notice and Affidavit (under Section 3301(9)(d) of the Divorce Code) upon Pamela M. Rossi, Defendant in the above-captioned matter, by mailing a true and correct copy of the same by U.S. Certified Mail, Return Receipt Requested, Article Number P 151 366 181, postage pre-paid, on November 17, 1994, to the following address:

Pamela M. Rossi
R.D. #4, Cutter Road
Meadville, PA 16335

Defendant personally received said document on November 21, 1994, as evidenced by her signature on the Certified Mail Return receipt card which is attached hereto and marked Exhibit "A"

Christopher D. Ferry

Feb. 6, 1995 Motion for Appointment of Master filed.

Feb.6, 1995 ORDER filed. AND NOW,February 6, 1995, the Court declines to grant Plaintiff's motion for appointment of Master insofar as said motion is not in the form prescribed by Exhibit L1920.74 of the Crawford County Local Rules of Court as required by Local Rule L1920.51A(2).

BY THE COURT:
Anthony J.Vardaro, J.

2-6-95 Faxed to Attys.J.Mason & Ferry.

March 17, 1995 Motion for Appointment of Master in Divorce and ORDER APPOINTING MASTER filed. AND NOW, march 17, 1995, David Pickens, Esq., is appointed Master in respect to the following claims:

Deposit required: By Plaintiff $_____
By 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

March 20, 1995 Order FAXED Attys. Ferry, J. Mason, and Pickens.

Aug. 3, 1995 Notice of Scheduled Pre-HearingConference filed.

Sept. 5, 1995, Notice of Re-scheduled Pre-Hearing conference filed.

Sep. 28, 1995 Petition for Additional Remedies filed.

Sep. 28, 1995 Summaryof Pre-Hearing Conference filed.

Sep. 28, 1995 Defendant's Pretrial Narrative Statement filed.

Continued on Page 475

1992

~~Barbara J. Walton~~ withdrawn

642

Bukac & Toomey
Terry Toomey

Thomas, Truax,
Spadafore & Walker
Gregory A. Keenan
Rebecca Fleming
Harry Faber White II

8/5/92
$ 150.00 paid in
by plff. atty.
for mediation

WILLIAM C. RILEY

vs.

REBECCA FLEMING

vs.
MARK B. FLEMING

Filed July 15, 1992
@ 10:24 AM

Tax & entry paid 50.50
User's Fee paid 5.00
John Fuller, mediator 150.00
Pro Co Pd 9-19-94 9.00
Pro Co Pd 7-21-98

PETITION FOR CUSTODY
2 copies (atty)

July 27, 1992 Petition of Grandparents for Partial Custody and/or Visitation filed.

July 31, 1992 Motion to Require Joinder and Order of Court filed. AND NOW, this 31 day of July, 1992, upon Motion for Joinder by Mark B.Fleming, natural father of Mark Fleming, IT IS HEREBY ORDERED THAT Mark B. Fleming be joined as a party and FURTHERthat Plaintiff shall serve the said Mark B. Fleming with a copy of all prior pledings and a Notice of Joinder. FINALLY, the said Mark B. Fleming may file a counterclaim asserting his right to custody, partial custody, or visitation rights with respect to the minor, Mark Fleming.

BY THE COURT,
Gordon R. Miller, J.

Aug. 5, 1992 Copy of the Order to Barbara J. Walton, Esq. and Terry Toomey,Esq.

Aug. 5, 1992, Motion to Appoint Child Custody Mediator and order filed. 1 copy (atty) 1 copy (mediator)

ORDER:

You, **Rebecca Fleming**, have been sued in Court to obtain custody of **Megan Louise Riley and Mark Fleming**

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 visi tation 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.

Dated: Aug. 4, 1992

Court Administrator
Crawford County Courthouse
Meadville, PA 16335
Telephone: 814-336-1151
ext 298

BY THE COURT,

Anthony J. VArdaro, J/

9-22-92 Paid Plaintiff Refund Mediation Fee Ch# 7061 150.00

11-13-92 Received from defendant/mother Mediation deposit 150.00

6-14-94 Pd deft Ch# 8376 141.00

6-6-96 Red from Richard & Martha Riley grandparent med dep 150.00

8-19-96 Pd Richard & Martha Riley Refund #10186 130.00

10-31-97 Red from deft med Fee 200.00

7-21-98 Pd Co med fee 116.89

7-21-98 Pd deft 74.11

9-14-98 Red from Plff 125.88

9-11-98 Pd Co 125.88

Aug. 10, 1992 Answer To Petition For Custody filed.

Aug. 14, 1992 Answer To Petition Of Grandparents For Partial Custody And/Or Visitation filed.

Aug. 24, 1992 Notice of Joinder filed.

1. A complaint has been filed in the Court of Common Pleas of Crawford County concerning custody, partial custody and visitation of MARK FLEMING.

2. The court has learned you claim custody, partial custody, or visitation of the child above-named.

3. A hearing will be held at the Crawford County Courthouse on the second floor on Monday, September 14, 1992 at 10:00 a.m. Please meet with the other parties to this action and their counsel at 10:00 a.m. outside the Judge's chanber's to select a hearing room if you wish to have custody, partial custody or visitation of the child or wish to present evidence to the Court on those matters.

4. If you wish to assert your claim to custody, partial custody or visitation rights with respect to the child or wich to present evidence to the Court on those matters, you should petition the Court,on or before the above date, for leave to intervene in the proceedings.

By the Court:
Anthony J. Vardaro, J.

Aug. 24, 1992 Copy of the order to Barbara J.Walton,Esq., Terry Toomey, Esq. & Gregory A.Keenan, Esq.

Sept. 8, 1992 Counterclaim for Custody filed.

Sept. 21, 1992 Order (Custody), filed. AND NOW, Sept. 18, 1992, after mediation conference before John Fuller, Esq., IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Megan L. Riley 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 children.

II. Physical custody of Megan L. Riley shall be with her mother, subject to the following conditions:

A. The father shall be entitled to vusit and take the child into his custody one (1) week each month, from 12:00 Noon on the third Saturday of each month until 12:00 Noon on the fourth Sunday of each month, beginning Sept. 19, 1992.

B. Beginning with the Summer of 1993, the child shall be in the custody of the father for a period of six (6) weeks each Summer. The father shall give the mother at least thirty (30) days notice of the dates of the Summer visit.

C. Transportation of the child on monthly and Summer visits shall be equally divided as follows: The person receiving custody shall provide transportation, i.e., the father shall pick up the child at the beginning of the visit and the mother shall pick up the child at the conclusion of the father's visit.

D. Neither mother nor father shall say or do anything in an attempt to turn the child against the other parent, but on the other hand shall do everything in the power of each to foster a favorable and loving attitude on the part of the child towards both parents and neither parent shall threaten the other parent.

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.

CONTINUED ON PAGE 192A

WILLIAM C. RILEY
VS.
REBECCA FLEMING

CONTINUED FROM PAGE 192
of Record
A. D. 1992 - 642

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. Neither father nor mother shall physically punish the child by slapping or spanking the child.

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 since neither parent is employed. Therefore, the Prothonotary of Crawford County is hereby directed to return the midiation fee of $150.00 deposited with her, to the Plaintiff.

Gordon R. Miller, P.J.

Sept. 22, 1992 copy to B. Walton, G. Keenan, J. Fuller, Plf. & Dft.

Nov.13, 1992 Motion to Appoint Mediator and Notice and Order to Appear filed. You, William C.Riley, Plaintiff, have been sued in Court to obtaincustodyof Megan L.Riley.

You are ORDERED to appear inperson at such time and place as will be determined by the Mediator JohnFuller for a mediation conference.

GordonR. Miller, J.

Nov. 18, 1992 Copy of Order toAttys. Walton, Toomey, Keenan, Fuller.

Dec, 31, 1992 Contempt Petition, Motion to Set Hearing on Petition for Contempt and Order filed. And Now,December 30, 1992, hearing on Plaintiff's Petition for Contempt is set on February 24, 1993, at 10:00 a.m. O'clock in Courtroom 1 or 2 of the Crawford County Courthouse located onDiamond Square in Meadville, Pennsylvania.

For theCourt:
Imogene Yetman, Ct. Adm.

Jan. 5, 1993 Copy of Order to Attys. Walton, Toomey & Keenan.

March 4, 1993 ORDER filed. AND NOW, February 24, 1993, after an informal hering on the Plaintiff's petition for contempt dated December 22, 1992 but not filed until December 29, 1992, it is ORDERED as follows:

1. The Court finds that the Defendant did not follow the strict letter of the Order but is not satisfied that her conduct was wilful, because she wanted some time with her child at Christmas (even though the Order did not permit it), and gave the Plaintiff an appropriate amount of substituted time. We, therefore, do not hold the Defendnat in contempt and dismiss the contempt petition.

2. The parties have agreed to a modification of the current Order and because they have agreed, the Court is now modifying the prior Order to dispose of two problems created by the prior Order. The prior custody Order is modified and amended in the following respects:

A. For any month in which the third Saturday of that month is immediately followed the next day by the fourth Sunday of that month, then the Plaintiff's period of visitation and custody with his minor daughter shall extend to the second Sunday following the third Saturday.

B. The parent who does not have custody of the child for the week that covers Easter, Thanksgiving and Christmas shall have the right to take the child into her or his custody at 2:00 p.m. on Easter, Thanksgiving and Christmas, as the case may be, and return the child to the home of the parent having custody during that week no later than 8:00 o'clock p.m. the same day.

The party receiving the child shall be responsible for transportation.

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

March 5, 1993 Copies given to Attys. James Irwin, Barbara Walton.
March 9, 1993 Copy given to Atty. John Fuller.

Oct. 29, 1993 Withdrawal of appearance of Shafer, Swick, Bailey, Irwin & Stack by James R. Irwin, Esq. for Defendant, and Order, filed. AND NOW, this 10 day of November, 1993, upon presentation and consideration of the within Motion, Defendant's counsel, James r. Irwin, Esquire, is hereby authorized to withdraw his apperance on behalf of the Defendant in the above captioned case.

Anthony J. Vardaro, J.

NOv. 16, 1993 copy to J. Irwin

Mar. 25, 1994 Appearance of Jorden & White by Harry Faber White, II for Defendant filed.

April 18, 1994 Petition For Custody Modification and NOTICE AND ORDER TO APPEAR filed. You, WILLIAM C. RILEY, have been sued in Court to obtain custody of MEGAN L. RILEY.

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 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.

Defendant's Attorney:
Harry Faber White II, Esq.
JORDEN AND WHITE
966 South Main St.
Meadville, PA 16335
(814) 724-1771

Court Administrator
Crawford County Courthouse
Meadville, PA 16335
(814) 336-1151, Est. 298

4/15/94:

By Order of Court,
Anthony J. Vardaro, J.

April 20, 1994 Copy of Order to Attys.Harry White, John Fuller, Terry Toomey, Barbara Walton, Gregory Keenan.

Apr. 26, 1994 Upon praecipe of Gregory A. Keenan his appearance is hereby withdrawn.

June 13, 1994 ORDER filed. AND NOW, June 10, 1994 after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. legal custody of Megan L. Riley 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 Megal L. Riley shall be with her mother, subject to the following conditions:

A. The father shall be entitled to visit and take the child into his custody every weekend from 5:30 o'clock p.m. on Friday to 5:30 o'clock p.m. on Sunday, beginning June 17, 1994.

B. 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. and in the custody of the father on teh aforesaid holidays from 1:00 o'clock p.m. until 7:00 o'clock p.m. Additionally, the child shall be with the father on Father's Day from 10:00 o'clock a.m. to 5:00 o'clock p.m. and with the mother on Mother's Day.

RECORD CONTINUED ON PAGE 192 (b).....

William C. Riley

vs.

Rebecca Fleming

RECORD CONTINUED FROM PAGE

OF

AD 1992 - 642

Holidays shall take precedence over weekend or other visitation schedules set forth herein.

C. Beginning with the Summer of 1994, the child shall be in the custody of the father for a period of six (6) weeks each summer, which unless otherwise agreed to by the parties, shall be from June 1 to July 15 each year and in the custody of the mother from July 15 to Sept. 1, each year. During the summer months the non-custodial parent shall be entitled to have the child every other weekend from 5:30 o'clock p.m. Friday to 5:30 l'clock p.m. Sunday.

D. Transportation of the child on weekends, holidays and Summer visits shall be shared as follows: The parties shall meet and exchange custody at McDonald's parking lot in Meadville at the beginning and end of a visit.

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. Both parties agree to take the child to the same pediatrician, which unless otherwise agreed, shall be Dr. Downing, and both parties agree to communicate fully with each other on all medical and related matters.

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

Anthony J. Vardaro, Judge

June 21, 1994 Copy of Order to Attys. Fuller, Walton and White; copy mailed to Plf. and Dft.

June 11, 1996, ORDER filed. AND NOW, June 10, 1996, the Petition for custody Modification is denied insofar as it does not appear the petitioners are currently parties to this action and the Petition does not appear to comply with Rule L1930 regarding mandatory Seminar for Separating Parents.

BY THE COURT,
Anthony J. Vardaro, J.

6/11/96 Dist. to Rowden w/petition per ct. note.

Aug. 19, 1996, Motion to Refund Escrow and order filed. ORDER: AND NOW, Aug. 16, 1996 upon consideration of above motion, the Prothonotary is hereby directed to refund the escrow made by Richard and Martha Riley, less any costs.

BY THE COURT.
Anthony J. VArdaro, J.

8/19/96 faxed to Rowden, Walton, Toomey, Keenan and White

Sept. 24, 1997 Certification of Completion of Seminar (Rebecca Fleming) filed.

November 5, 1997, PETITION FOR MODIFICATION AND ORDERS FILED. ORDER: AND NOW, in consideration of the foregoing Petition Modify Custody in the above captioned matter, John Fuller, Mediator, is reappointed as mediator in this case.

BY THE COURT
Gordon R. Miller, J

Nov. 3, 1997

ORDER: And Now, this 3rd day of November, 1997 it is ordered and decreed taht 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 St, Meadville, PA 16335; the Prothonotary at the Crawford County Courthouse; or the Court Administrator at the Crawford County Courthouse.

Application for attendance at the seminar must be made by the plaintiff or petitioner within fifteen (15) days after the pleading or petition is filed; and by the defendant or respondent within fifteen (15) days after he or she is served with the pleading or petition.

THE SEMINAR MUST BE COMPLETED WITHIN FORTY-FIVE (45) DAYS AFTER APPLICATION. FAILURE TO 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.

NOVEMBER 5, 1997, Faxed to Attys: Fuller (B. Walton placed in mailbox)

Nov 14,1997 Motion For Leave To Withdraw Appearance and Order: Withdrawal of Appearance of Barbara J. Walton, Esquire, on behalf of Plaintiff. ORDER: And Now, November 14, 1997, the motion for withdrawal of appearance is granted.

Gordon R. Miller, P.J.

Nov 14, 1997 Faxed White, Dist. Walton
Dec 3, 1997 Faxed Fuller

July 14, 1998 ORDER FILED. AND NOW, July 14, 1998 after mediation conference before John Fuller, Esq. IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT"

1. Legal custody of Megan L. Riles 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 shcool 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 Megan L. Riley shall be with her mother subject to the following conditions:

A. During the shcool year the father shall be entitled to visit and take the child into his custody every other weekend from 5PM on Friday to 5PM on Sunday beginning Sept. 11, 1998.

B. 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 other holidays as agreed on by the parents form time to time.

C. Beginning with the Summer of 1998 the child shall be in the custody of the fahter for a period beginning July 15, 1998 and ending 10 days before the beginning of school. In subsequent years father shall have the child for 5 weeks in the Su Summer visit. During the Summer the non-custodial parent shall have custody of the child every ohter weekend from 5 PM on Friday to 5 PM on Sunday.

D. Transportation of the child on weekends, holidays and summer visits shall be provided as follows; Father will provide transportation September through May and Mother will provide transportation June, July & August.

E Neither mother nor father shall say or do anything in an attemept to turn 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.

CONTINUED ON PAGE 192-C

192
(c)

1992

S29052

WILLIAM C. RILEY
vs
REBECCA FLEMING

CONTINUED FORM PAGE 192 - B
of record
AD 1992 - 642

****

G. Both parents agree to inform the other immediately of any illness or injury regarding the child and both parents agree to furnish the other with a current telephone number.
III. This order is a temporary order but shall become a permanent order unless exceptions thereto are filed by either party within 20 days of the date hereof.
IV. The fees ($240.00 and costs $9.00 court order filing fee and $2.77 certified mail in this case are paid as follows;
A. The mother has deposited with the Prothonotary the requested $200.00 which shall be partially applied toward the fees and costs. The Prothonotary is hereby directed to refund to mother $74.11.
The fahter shall within 30 days of the date of this order pay the Prothonotary $125.88 representing his share of fees and cost.

GORDON R. MILLER, J.

7/15/98 FAXED WHITE AND DIST. WALTON

July 28, 1998 MOTION FOR HEARING DE NOVO and ORDER OF COURT, filed. AND NOW, this 28th day of July, 1998, the hearing de novo in this matter is scheduled for Monday, Aug. 24, 1998 at 9:15 A.M. in Courtroom 2 of the Crawford County Courthouse.

For The Court
Ann A. Walker, Court Administrator

Aug. 5, 1998 DISTRIBUTED to Atty. Walton; FAXED Atty. H. White.

Aug. 24, 1998 MOTION FOR MODIFICATION OF ORDER and ORDER OF COURT filed. AND NOW, this 20 day of August, 1998, REBECCA FLEMING shall be solely responsible for the mediation fees generated from a hearing which took place on June 18, 1998 in the amount of $251.77.

The custody order of Julyl 4, 1998 is modified insofar as the provision regarding the payment for mediation is concerned. All other provisions of the above custody order shall remain in full force and effect.

By The Court
Anthony J. Vardaro, J.

Aug. 24, 1998 FAXED Atty. White; Copy for Atty. Walton.

1992

Barrett & Dratler
Bruce A. Barrett

643

WILLIAM DAVID WOTHERSPOON

vs.

ANASTACIA SANTILLANES a/k/a
ANASTACIA SANTILLANES
WOTHERSPOON

Filed July 15, 1992
@ 10:24 AM

Tax & entry paid	50.50
User's fee paid	5.00
State paid	10.00
Pro Co pd 10-23-92	9.00

COMPLAINT IN DIVORCE
1 copy (atty)

Aug. 6, 1992 AFFIDAVIT OF SERVICE, filed. Bruce A. Barrett, Esq., being duly sworn, deposes and says that the following facts in support of his Affidavit of Service are true and correct to thebest of his knowledge, information and belief.

1. That the affiant is the Attorney for the plaintiff in the above captioned action.

2. That a true and correct copy of a Compalint under Section 3301(d) of the Divorce Code was sent by registered mail to the Defendant on J uly 15, 1992.

3. The registered mail was sent to the Defendant at 110 Link St., Apt. 7C, Hinesville, Georgia 31313.

4. The Defendant received said registered mail on July 18, 1992. Said receipt card number 320 791 370 is attached hereto and signed by the Defendant.

Oct. 20, 1992 Affidavit of Consent of Planitiff filed.

Oct. 23, 1992 Affidavit of Consent of Defendant,filed.

Oct. 23, 1992 Upon praecipe of Plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Oct. 29, 1992 AND NOW, Oct. 29, 1992, it is hereby ordered and decreed that **WILLIAM DAVID WOTHERSPOON,** Plaintiff, and **ANASTACIA SANTILLANES a/k/a ANASTACIA SANTILLANES WOTHERSPOON,** 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.

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1992

Davis Reilly
Richard J. Parks
MacDonald, Illig,
Jones & Britton

644

INTEGRA NATIONAL BANK/NORTH
successor by merger to
pennbank

vs.

CURTIS A. BURHOE and
CLAUDIA A. BURHOE a/k/a
CLAUDIA BURHOE

Filed July 15, 1992
@ 11:28 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	43.00
Pro Co pd 10-27-92	9.00

COMPLAINT IN CIVIL ACTION
2 copies (Sheriff)

July 21, 1992 Sheriff's Return filed. SERVED Curtis A. Burhoe personally on July 20, 1992 at 12:20 PM by handing to him a copy of the Complaint at his residence, 137 White a, Drive, Titusville, Crawford County, PA.
SERVED Claudia A. Burhoe on July 20, 1992 at 12:21 PM by handing a copy of the Complaint to Curtis A. Burhoe, her husband, at the residence, 137 White Oak Drive, Titusville, Crawford County, PA
So answers, Edgar D. Househclder, Chief Deputy
Robert M. Stevens, Sheriff

Oct 22,1992 Appearance of MacDonald, Illig Jones & Britton by Richard J. Parks for Integra National Bank/North.

And Now, Oct. 27, 1992 at 1:18 p.m., upon praecipe of plaintiffs attorney and against the defendants for want of an answer in the above-captioned matter in the amount claimed in the Complaint of $192,915.93 with costs, interest thereon at the rate of $47.92 per diem from July 4, 1992, late charges of $41.80 every two weeks beginning June 28, 1992 and for foreclosure and sale of the mortgaged premises.
Filed: 10-27-92 Debt: $192,915.93
B - 34 Judgment
Barbara H. King, Prothonotary

EX 1992 - 99

1992

Bukac & Toomey
Terry Toomey

645

7/16/92 Plaintiff deposited $150.00 mediator deposit.

Paid 9-4-92 Linda Gleeson Ck# 7029 $39.00

Pd Comm 10-12-92 Mediator Fee Ck#7106 102.00

LINDA GLEESON

vs.

ROBERT W. PETRUSO

Filed July 16, 1992
@ 11:10 AM

Tax & entry paid	50.50
User's Fee paid	5.00
W Pineo Mediator	102.00
Pro Co Pd 10-12-92 20644 1107	9.00

COMPLAINT FOR CUSTODY
1 copy med.; 1 copy atty

ORDER:

You, Robert W. Petruso, defendant have been sued in Court to obtain custody of the children: Travis Elijah Peterson Petruso and Rachel renee Peterson Petruso.

You are ordered to appear in person for a conference at such time and place as may be set by William Pineo, Child Custody Mediator.

If you fail to appear as provided by this Order, an Order for custody may be entered against you or the Court may issue a warrant for your arrest.

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

Court Administrator
Courthouse
Meadville, PA 16335
Telephone (814) 336-1151, ext. 298

Date: 7-13-92

BY THE COURT
Gordon R. Miller, J

July 27, 1992 Affidavit of Service filed. I, Terry Toomey, Esq., after being duly sworn according to law, depose and say that I am the attorney of record for the Plaintiff and that as such I am authorized to execute this Affidavit; that I did, on July 20, 1992 send by Certified Mail, Return REceipt Requested to Robert W. Petruso, Defendant, a true and correct copy of the Complaint for custody at his last known business address of 939 Park Avenue, Meadville, PA 16335 as evidenced by the attached sender's receipt No. P 147 764 485 and that on July 22, 1992, I did receive the duly executed return receipt dated July 21, 1992.

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.

Date: 7/27/92 TerryToomey, Esquire

Aug. 18, 1992 Application For Special Relief filed.

Aug. 18, 1992 Order filed. ANDNOW, August 17, 1992, the Plaintiff appears represented by counsel in this custody action in Motion Court with an application for special relief and the Defendant appears pro se opposing the sam eon behalf of the minor child, Travis, who is 14 year of age.

The issue centers around the request to require Travis to go to school in the Maplewood School District where his mother resides as apposed to continuing in school in the Meadville School District where he wishes to go and ocntinue to reside with his stepmother.

A mediation conference is not set until September 8, 1992 and school apparently begins on September 1, 1992.

The Court has contacted william Pineo, Esquire, mediator in this matter, and mediation will be rescheduled for August 27, 1992 to allow mediation prior to the beginning of school. The Court believes this is in the best interest of the child insofar as a full mediation can be held rather than the Court entering an ex parte order with limited facts.

BY THE COURT:
Anthony J. Vardaro, J

Aug. 18, 1992 Copies distributed by the Judge's Secretary

Sep.3, 1992 Temporary Order filed. AND NOW, this 2nd day of September, 1992, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator,

IT IS HEREBY ORDERED AND DECREED THAT:

1. The parties shall share legal custody of the subject minor children, Travis and Rachel Petruso.

2. The parties and Arlene Petruso, wife of the defendant, shall share with each other any and all information which eachmay have regarding the health, education, and the major events in the life of the subject minor children. Health care, school personnel, and other care providers are hereby authorized to release to either party and to Arlene Petruso any and all confidential information which they may have regarding the subject minor childrn.

3a. Custody of the subject minor child, Rachel Petruso, is awarded to her mother, the plaintiff Custody of the suvject minor child, Travis Petruso, is hereby awarded to Arlene Petruso.

b. The subject minor children shall have the right to telephone the parent, or Arlene Petruso, 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. The parties and Arlene Petruso are to arrange for reasonable visitation between the children and between the children and temselves, taking into account summer vacations and the usual holidays, and so forth.

5. Costs and fees of this Mediation, which are fixed at $102.00 are divided equally between the parties witha share of each beingassessed to him or her as costs in this case.

6. The deposit requireed for the appointment of the custody mediator was made by the mother. The deposit shall first be applied against the total costs in this case. The difference shall be refunded to the mother. The father shall pay to the mother the difference between his share of the costs and the refudn.

7. Either party may move the Court for a hearing de novoo 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.

Sept. 8, 1992 copy to W. Pineo, T. Toomey, Plf. & Dft.

Sept. 21, 1992 Motion For Technical Correction To Temporary Order and Order filed. AND NOW September 18, 1992, upon consideration of the foregoing motion, the same is hereby granted and Paragraph 3a of the temporary order of September 2, 1992, is hereby amended to read: "3a. Physical custody of the subject minor child, Rachel Petruso, is awarded to her mother, the plaintiff. Physical custody of the subject minor child, travis Petruso, is here by awarded to Arlene Petruso, the wife of the dfendant."

By the Court,
Gorodn R. Miller, J

Sept. 22, 1992 Copies of order to Atty's Toomey & Pineo and to Dft.

Peters, Lindsay,
Lewis & Gagliotti
~~Brian J. Lindsay~~ (withdrawn)

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Culbertson, Weiss,
Schetroma & Schug
John B. Brautigam

Thomas, Spadafore,
Walker & Keenan
Gregory A. Keenan

7/16/92 Plaintiff deposited $150.00 pre mediation deposit

Paid Plaintiff Bal. of Med. Dep 9-1-92 CH # 7023 $43.56

Paid Plaintiff bal of med dep 9-1-92 Per Order Ch # 7046 9-11-92 106.34

10-26-92 Received from defendant Mediation fee 97.35

11-20-92 Pd Co Comm Med Fee Ch # 7186 97.35

5-14-96 Refund from Plt/ med dep 150.00

8-12-96 Pd Plt/ Med Refund # 10163 $41.38
9-5-96 Refund from dept 99.62
9-18-96 Pd Co # 10249 $99.24

MICHELLE D. PEELMAN
(Lanham)

vs.

DAVID CHARLES PEELMAN

Filed July 16, 1992
@ 1:48 PM

Tax & entry paid	50.50
User's Fee paid	5.00
B. Smith Mediator	194.69
Pro Co Pd 9-19-94	9.00

PETITION FOR CUSTODY
1 copy med; 1 copy atty

ORDER:

You, DAVID CHARLES PEELMAN, Respondent, have been sued in court to obtain custody, partial custody or visitation of the child: SHANDRA ANN NICOLE PEELMAN.

You are ordered to appear in person at such time and place as well 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
Crawford County Courthouse
Meadville, PA 16335
814/336-1151, ext. 298

Date: 7-14-92

BY THE COURT,
Gordon R. Miller

Aug. 4, 1992 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 28th day of July, 1992, send to the above named Defendant, by Certified Mail, Return Receipt Requested, a true and correct copy of the Petition for Custody filed at the above term and number; and that I did on the 30th day of July, 1992, receive a duly executed return receipt dated July 29, 1992.

Brian J. Lindsay, Esq.

Aug. 20, 1992, Appearance of Culbertson, Weiss, Schetroma and Schug PC by John B. Brautigam attorneys for defendant filed.

Sept. 1, 1992 TEMPORARY ORDER OF COURT, filed. AND NOW, this 31st day of August, 1992, after Mediation and upon recommendation of the Child Custody Mediator, it is hereby ordered and decreed that:

1. The natural parents of Shandra Ann Nicole Peelman, age one, born July 30, 1991, the parties to this action, shall share legal custody of the said minor child. Said joint legal custody being shared shall entitle both of the parents to equal access to any records relating to the child held by a third party, including, but not limited to, school and medical records, and shall also entitle both parents to equal input with regard to the educational and religious upbringing of the child, as well as to any elective surgery.

2. Primary physical custody of the child shall remain with the natural mother, Michelle D. Peelman. Regular visitation and temproary custody of the child shall be granted to the defendant father, David Charles Peelman. Physical custody for the defendant father shall be as follows:

a. The child shall visit in the home of the natural father on the first, third and fourth weekends of each month from 7:00 p.m., prevailing time, Friday, to 6:00 p.m., prevailing time, Sunday. During the other weekend each month, the child shall remain in the mother's custody. For the purpose of determining which week ends are the first, third, and fourth weekends of the month, the first weekend of any given month will be the first full week end (Saturday and Sunday) of the monthe.

b. During the summer of each year, beginning in 1993, the child shall be in the father's home the first full week of June, July, and August. Once again, the first full week will be defined as that week, Sunday through Sunday, where both Sundays are in the month. The child shall picked up no earlier than noon, prevailing time, on Sunday and returned no later than noon, prevailing time, the following Sunday.

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, during odd-numbered years, beginning in 1993, the mother shall have the child on Easter and the 4th of July, and the father shall have the child on Memorial Day and Labor Day. These days shall begin at 9:00 a.m., prevailing tiem, and shall end at 7:00p.m., previaling time. These days shall be reversed in even-numbered years. Beginning in 1992, the child shall spend Thanksgiving Day each year in the mother's home and the day following Thanksgiving each year in the father's home. Beginning in 1992, the child shall be available to spend Christmas Day each year in the father's home from 2:00 p.m. to 7:30 p.m., prevailing time. Additionally, the child shall be int hemother's home on Valentine's Day, Halloween, and New Year's Day. The child shall be in the father's home any days between Christmas Day and New Year's Day that he is in the Crawford County area.

c. The parent givign up custody shall be responsible for providing transportation of the child to the other parent's residence.

3. The parent having custody of the child at anytime shall notify the other parent as soon possible in the event of injury to or illness of the child requiring medical treatment.

4. Neither parent shal take the child into any environment which might be commonly thought of as detrimental to her development of to the development of her character or which would be commonly thought of as dangerous to her physical person.

5. The parents are encouraged to discuss arrangements for physical custody of the child; and, if the parties mutually agree to alternative arrangements to accommodate themselfes and/or the child's schedule, they may adjust the physical custody arrangements accordingly and are encouraged to do so by mutual consent and agreement.

6. Each of the parents and 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 of grandparent from his or her child or grandchild. Neither of the parents (nor any adult coming into regular contact with the child) will do or say anything to blacken the character or either parent in the eyes of the child.

7. This Order shall not prejudice the right of either party to request further Mediation if there are changed circumstances in the lives of the parties or the child or in the event that the best interest of the childwould be served by further Mediation.

CONTINUED ON PAGE 196A

1992

MICHELLE D. PEELMAN (Lanham) VS. DAVID CHARLES PEELMAN

CONTINUED FROM PAGE 196
of Record
A.D. 1992 - 646

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8. The Court of Common Pleas of Crawford County, Pa., shal retain jurisdiction of this matter so long as either of the parents or the child resides in the Court's jurisdiction and for at least six months from the date of this Temporary Order.

9. The fee for Child Custody Mediation shall be paid 50% by the County of Crawford on behalf of the plaintiff mother and 50% by the defendant father. The mother deposited $150.00 in advance of the appointment with the Custody Mediator, and it shall be refunded to her by the Prothonotary of Crawford County.

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, J.

Sept. 8, 1992 copy to B. Lindsay, J. Brautigam, B. Smith, Plf. & Dft.

Mar. 3, 1993 Motion for Entry of Consent Custody Order and Order filed. AND Now, this 1st day of March, 1993, upon consideraiton of Defendnat's Motion for Entry of consent Custody Order, the terms of the parties' Agreement attached hereto as Exhibit "A" are hereby entered as an Order governing the cusotdy of the parties' minor child, Shandra Ann Nicole Peelman.

By the Court,
Gordon R. Miller, J

Mar. 8, 1993 Copy of order to Atty. Brautigam

May 14, 1996 NOTICE AND ORDER TO APPEAR filed. You, David C. Peelman, have been sued in Court to obtain custody, partial custody or visitation of the children: Shandra Qnn Nicole Peelman.

You are ORDERED to appear in person at such time and place as will be determined by the Mediator Kathleen Nelson, Esquire, for a mediation conference. The Mediator shall send you a Notice of the Hearing by mail to the address listed on the complaint or petition that has been filed recently.

If you fail to appear as provided by this Order, an Order for custody, partial custody or visitation may be entered against you or the Court may issue a warrant for you arrest.

BY THE COURT,
Gordon R. Miller, J.

FAXED 5-17-96 Lindsay, Bautigam & Nelson.
Distributed Gagliotti

June 3, 1996 Appearance of Gregory A. Keenan, of Thomas, Spadafore, Walker & Keenan, attorney for dft., filed.

Aug. 7, 1996 Temporary Order filed. AND NOW, August 6, 1996, 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, Shandra Ann Nicole Peelman, 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 party including, but not limited to school records and medical records and each parent shall have equal input regarding important decisions affecting the child such as education, religious instruction and medical treatment.

2. Primary physical custody of Shandra Ann Nicole Peelman shall be with her Father, subject to the following conditions:

a. The Mother shall be permitted to visit and take the child into her temporary physical custody during the first, third and fourth weekends of each month from Friday at 6:00 p.m. through Sunday at 6:00 p.m. The first weekend of each month shall be defined as that weekend containing a Friday, Saturday and Sunday in the same month.

(FOR REMAINDER OF ORDER, PLEASE SEE FILE FOLDER)

BY THE COURT:
Gordon R. Miller, J.
8-9-96 FAXED Keenan, Nelson, Brautigans, Lindsay & Gagliotti

Aug. 13, 1996 Motion for Leave to Withdraw Appearance by Brian J. Lindsay, Esq. and ORDER filed. AND NOW, this 12 day of August, 1996, upon presentation and consideration of the within Motion, Plaintiff's counsel, Brian J. Lindsay, Esq. is hereby authorized and is given leave to withdraw his appearance on behalf of the Plaintiff in the above captioned case.

Anthony J. Vardaro, J.
8-13-96 FAXED Lindsay, Brautigam, Keenan & Gagliotti

Aug 23, 1996 Certificate of completion of the Seminar for Separating Parents for DAVID PELLMAN, filed.

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-b-

1992

1992

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AMY KIDDER

vs.

ROBERT KIDDER

Filed July 16, 1992
@ 2:31 PM

Tax & entry paid	10.50
User's Fee paid	5.00

CERTIFIED COPY OF PETITION FOR PROTECTION
FROM ABUSE FROM ERIE COUNTY, PENNSYLVANIA

AMENDED ORDER:

AND NOW, this 30 day of June, 1992, upon consideration of the Petition for Protection From Abuse, and a hearing upon said petition having been heard on this 30 day of June, 1992, at 9:00 in Courtroom No. 5, it is her eby ORDERED, ADJDUGED AND DECREED that:

(1) Temporary custody is granted to the Petitioner of the parties' chidlren for a period of one year from the date of this Order. (Note: Prior to the expiration of the one-year period, it is recommended that either party file a separate action requesting a hearing before the Custody Counsellor to obtain custodial rights of a more permanent nature.

(2) Respondent is prohibited form striking, hitting, threatening, abusing or harassing Petitioner and the minor c hildren at any location including but not limited to Petitioner's residence, his/her place of employment and the children's school.

(3) That the Sheriff's Department, or any other police agency within the area of the residence of the Petitioner, including the State Police, are instructed to enforce this Order.

(4) Should the Respondent violate this Order, he is to be arrested and then cited for indirect criminal contempt before a District Justice. An arrest for violation of this Order may be made without a warrant, based solely upon probable cause, whether or not the violation is commited in the presence of a police officer.

(5) Plaintiff (Petitioner) is ordered not to invite, entice or encourage the Respondent to violate this Order in any fashion, or he or she may be subject to sanctions of this Court which can include incarceration of up to six months.

(6) This Order shall expire on 2-10-93 unless extended by the Court. Otherwise, this case will be closed.

(7) This Order shall be a warrant for arrest of the Respondent upon probable cause of a violation.

Jess S. Jiuliante

1992

648

Terry Toomey

PETITION FOR EXTENDED INVOLUNTARY TREATMENT

OF

MARY ANN SCHILLINGER

Filed July 16, 1992
@ 11:32 AM

APPLICATION FOR EXTENDED INVOLUNTARY TREATMENT

July 17, 1992 ORDER FILED. AND NOW, July 17, 1992 Stephen E. Hall, Esquire is appointed as mental health review officer in this case. BY ORDER OF COURT,
GordonR. Miller, P. J.
July 21, 1992 Copy of Order to: Stephen E. Hall, Esq., MH/MR, Meadville Medical Center, Inpatient M/H, Court Administrator, John Petruso, Esquire, Terry Toomey, Esquire

Aug. 10, 1992 Petition For INvoluntary Treatment filed.

Aug. 18, 1992 Report of Mental Health REview Officer and Order filed. And Now, this 17 day of August, 1992, upon consideration of the petition filed at the abovenumber and term, and other relevent matter, and after a review of the report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said Mary Ann Schillinger be committed to Warren State Hospital for treatment for a period not to exceed 90 days.

This Order shall take effect on August 18, 1992.

BY THE COURT,
Anthony J. Vardaro, J.

Aug. 18, 1992 Copy of the Order to Meadville Medical Center, MH/MR, Terry Toomey, Esq. & Warren State Hospital.

Nov. 25, 1992 Petition for Involuntary Treatment filed.

Nov. 25, 1992, Report of Mental Health review Officer, Findings of Fact, Recommendation, and Order filed. ORDER: AND NOW, this 25 day of Nov. 1992, upon consideration of the petition filed at above number and other relevant matter and after a review of the Report of MHRO, 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 Nov. 10, 1992. BY THE COURT,
Gordon R. Miller, P.J.

Dec. 1, 1992, copies of order to T. Toomey, J. Petruso, t. Africa, Mental Health, WSH, Stephen Hall.

May 10, 1993 Petition For Involuntary Treatment filed.

May 17, 1993 REPORT OF THE MENTAL HEALTH REVIEW OFFICER and ORDER, filed. ORDER: AND NOW, this 14th day of May, 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 May 9, 1993. BY THE COURT,
Gordon R. Miller, P.J.
May 20, 1993 copy to T. Toomey, Atty Africa, WSH, MH/MR

Nov. 17, 1993 Petition For Involuntary Treatment, filed.

Jan. 11, 1994 Report of Mental Health Review Officer and ORDER filed. AND NOW, this 11th day of January, 1994, upon consideration of the Petition filed at the above number and term, and other relevant matter, and after a review of the Report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said Mary Ann Schillinger be committed to the Warren State Hospital for treatment for a period not to exceed 180 days from December 14, 1993.
BY THE COURT,
Gordon R. Miller,
1-12-94 Copy of Order to Atty.Toomey, Africa, WSH & MH/Mr

May 31, 1994, Petition for Order of Court filed.

Jun. 27, 1994 Report of Mental Health REview Officer and ORDER filed. AND NOW, this 24th day of June, 1994, upon considerationof 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 Mary Ann Schillinger be committed to the Warren State Hospital for treatment for a period not to exceed 180 days from June 14, 1994.
BY THE COURT,
Gordon R. Miller, P. J.
6-27-94 Copy of Order to Atty. Toomey, Africa, WSH & MH/MR, Atty.Barrett

Jan. 12, 1995 Recommendation for Civil Court Commitment Under Section 305 of the Mental Health Procedures Act of 1976 and ORDER filed. AND NOW, this 11thday of January, 1995, upon consideration of the Petition filed at the above number and term, and other relevant matter, and after a review of the report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said Mary Ann Schillinger be committed to the Warren State Hospital for treatment for a period not to exceed 180 days from December 15, 1994.
BY THE COURT,
Gordon R. Miller, J.
1-13-95 Copy to Atty.Toomey,Africa,WSH, MH/MR & Atty.Barrett.

July 25, 1995 Recommendation for Civil Court commitment Under Section 305 of the Mental Health Procedures Act of 1976 and ORDER filed. AND NOW, this 24th day of July, 1995, upon consideration of the Petition filed at the above number and term, and other relevant matter, and after a review of the Report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said Mary Ann Schillinger be committed to the Warren State Hospital for treatment for a period not to exceed 180 days from June 20, 1995.
BY THE COURT,
Gordon R. Miller, J.
July 26, 1995 Copy to Attys. Toomey, Africa, WSH, MH/MR.

Jan. 5, 1996 Report of Mental Health Review Officer , Findings of Fact and ORDER filed. AND NOW, this 4thday of January, 1996,upon consideration of the Petition filed at the above number and term, and after a review of the Report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said Mary Ann Schillinger be committed to the Warren State Hospital for treatment for a period not to exceed 180 days from December 12, 1995.
BY THE COURT,
Gordon R. Miller, P.J.
1-9-96 Copy to Attys. Toomey, Africa,WSH, MH/MR

Continued on Page 198A

PETITION FOR EXTENDED INVOLUNTARY TREATMENT

OF

Mary Ann Schillinger

Record continued from page 198

of

AD 1992 - 648

June 14, 1996, Petition for Order of Court filed.

July 16, 1996 ORDER filed. AND NOW, this 16th day of July, 1996, upon consideration of the Petition filed at the above number and term, and after a review of the Report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said Mary Ann Schillinger be committed to the Warren State Hospital for treatment for a period not to exceed 180 days from June 12, 1996.

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

Dec. 24, 1996 ORDER FOR INVOLUNTARY TREATMENT filed. This 10th day of December, 1996 after hearing and consideration, the court finds that the patient is severely mentally disabled and in need of (continued treatment). Accordingly, the court orders that: Mary Ann Schillinger receive inpatient treatment as a severely mentally disabled person pursuant to the provisions of the Mental Health Procedures Act of 1976 for a period not to exceed 180 days. At present, this treatment setting is the least restrictive setting appropriate for the patient, for the Court Thomas E. Africa, Mental Health Reveiw Officer, filed.

By the Court,
Anthony J. Vardaro, J.

Jan. 3, 1997 Order mailed WSH.

Jan. 30, 1997 Report and Order filed. AND NOW, this 29 day of January, 1996, upon consideration of the Petition filed at the above number and term, and after a review of the Report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said Mary Ann Schillinger be committed to the Warren State Hospital for a treatment period not to exceed 180 days form December 10, 1996.

BY THE COURT,
Anthony J. Vardaro, J.

June 24, 1997 Mental Health Procedures Act of 1976 (Sections 304 and 305) filed.

June 24, 1997 Report of Mental Health Review Officer and Order filed. AND NOW, this 26th day of June, 1997, upon consideration of the Petition filed at the above number and term, and after a review of the report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said Mary Ann Scchillinger be committed to the Warren State Hospital for a treatment period not to exceed 180 days from June 10, 1997.

BY THE COURT,
Gordon R. Miller, P.J.
7-2-97 DISTRIBUTED Toomey, MAILED WSH, AFRICA

Dec 22, 1997 Mental Health Procedures Act of 1976 (Sections 304 and 305), filed.

Dec 22, 1997 Report of Mental Health Review officer and Order: AND NOW, this 22 day of December, 1997, upon consideration of the Petition filed at the above number and term, and after a review of the Report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said Mary Ann Schillinger be committed to the Warren State Hospital for a treatment period not to exceed 180 days from December 9, 1997. Anthony J. Vardaro, J.
Jan 15, 1998 Dist. Toomey & MH/MR and sent WSH

June 23, 1998 Mental Helath Procedures Act of 1976 **and** Report of Mental Health Review Officer and Order: AND NOW, this 23 day of Juen, 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 Mary Ann Schillinger be committed to the Warren State Hospital for a treatment period not to exceed 180 days from June 9, 1998.

Anthony J. Vardaro, J.

July 17, 1998 Sent WSH, Toomey & MH/MR

Jan 13, 1999 Mental Health Procedures Act of 1976 (Sections 304 and 305) and Report of Mental Health Review Officer and Order: AND NOW, this 11th day of January, 1999, upon consideration of the Petition field 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 Mary Ann Schillinger be committed to the Warren state Hospital for a treatment period not to exceed 180 days from Dec 8, 1998.

Gordon R. Miller, P.J.
Jan 18, 1999 eent WSH & MH/MR - Dist Toomey

June 22, 1999 Finding of Fact of Mental Health Review Officer and Order filed. And Now, this 21 day of June 1999 upon consideration of the Petition filed at the above number and term and after a review of the report of teh Mental Health Review Officer, it is hereby Ordered and Directed taht the said Mary Ann Schillinger be committed to the Warren State Hospital for a treatment period not to exceed 180 days form June 8, 1999.

By the Court
Anthony J. Vardaro, J.

June 22, 1999 Mental Health Procedure Act of 1976 filed.

(SEE COMPUTER OR PAPERS FILED FOR MORE INFORMATION)

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1992

1992

H. Robert Hampson

649

WILLIAM A. JOHNSON and PATRICIA B. JOHNSON, husband and wife

vs.

KEITH A. BATES

Filed July 16, 1992
@ 2:42 PM

Tax & entry paid	50.50
User's fee paid	5.00
Sheriff's Costs	26.00
Pro Co. pd 10-20-92	7.00

SUMMONS

Issued Sheriff

July 22, 1992 Writ Return filed. NOT FOUND, as to defendant Keith A. Bates. The POstmaster in Waterford, PA, has no record of Keither A. Bates at P.O. Box 16, and no record of the name elsewhere.
So answers, Robert M. Stevens, Sheriff

October 20, 1992 Upon Praecipe of plaintiff attorney the above action marked settled and discontinued.

Thomas, Truax,
Spadafore & Walker
R. Charles Thomas

650

Mary Ann Kirkpatrick

ELLEN D. TROILA

vs.

DONALD LEE TRIOLA

Filed July 17, 1992
@ 9:29 AM

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	152.00
Pro Co 3-10-93 @ Ch# 7386	9.00
Kathleen Nelson, Master	700.00
Pro Co Pd 4-6-94 Ch# 8214	9.00

Received from defendant 8-18-92 150.00 mediation dep.

3-16-93 Pd Deft Bal med. fee 65.00 Ch# 7344

3-16-93 Pd @ Com. med. fee 76.00 Ch 7385

4-20-93 Received from Plff med fees 76.00

5-20-93 Pd CC Com. med fee Ch# 7559 76.00

9-17-93 Rec from deft mastersdep. #400.00

10-25-93 Rec from plff mastersdep. 300.00

3-7-94 Pd Sue Conkler Ct Rep fees Ch# 8143 51.15

4-5-94 Pd master Ch# 8210 $260.00

4-5-94 Pd plff 135.42 Ch# 8211

4-6-94 Pd deft 244.42 Ch# 8213

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION,
ALIMONY PENDENTE ITE, COUNSEL FEES & COSTS, CUSTODY
1 copy (atty)

July 27, 1992 Appearance and Acceptance of Service filed. And Now, July 27, 1992 hereby appear for Defendant and accept service of the Plaintiff's Complaint in Divorce filed on the 17th day of July, 1992, in the above entitled case.

Mary Ann Kirkpatrick, Esquire

July 31, 1992 Order filed. AND NOW, July 28, 1992, the parties appear at the time of a hearing with regard to plaintiff's petition for relief under the Pr otection From ABuse Act filed at A.D.1992-652. Both are represented by counsel at that time and it is stipulated between the parties that at this term and number in this divorce action, the Court shall enter this Order awarding to the plaintiff sole and exclusive possession of the marital home at R.D.#1 Townline Road in Meadville, Pennsylvania pending a final determination of this divorce action.

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

July 31, 1992 Copies put in Attys. Thomas and Kirkpatrick boxes.

Aug. 18, 1992 Motion for Custody Mediation and Order filed. And Now, August 17, 1992, hearing on the matter is assigned to William Pineo, child custody mediator, for further action.

By the Court:
Anthony J. Vardaro, J

Aug. 20, 1992 Copies of order put in box for Atty's Thomas & Kirkpatrick

Oct. 28, 1992 Affidavit of Consent by Donald Lee Triola, Defendant, filed.

Dec. 11, 1992 Motion to Schedule Hearing and Order of Court filed. And Now, December 11, 1992, upon presentation and consideraton of the above Motion a hearing is scheduled for the 8th day of Jan. 8, 1993 at 11:00 o'clock A. M.

Gordon R. Miller, J.

Dec. 16, 1992 Copy of Order to Attys. Thomas and Kirkpatrick.

Jan. 8, 1993 Income and Expense Statement of Donald Lee Triola filed.

Jan. 20, 1993 MEMORANDUM AND ORDER, filed. ORDER: AND NOW, Jan. 19, 1993, the plaintiff's request for alimony pendente lite, counsel fees and expenses is denied reservign unto the plaintiff the opportunity to raise these matters later on in this litigation if the circumstances change and reserving unto the Master the right to award alimony pendente lite, counsel fees and expenses if he/she determines that under the applicable law and appropriate facts she is entitled to them.

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

Jan. 20, 1993 copy to R.C. Thomas & M.A. Kirkpatrick

Feb. 8, 1993, Inventory of Defendant filed.

Feb 11, 1993 TEMPORARY ORDER, filed. AND NOW, this 10th 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 the subject children, Jason, Justin and Megan Triola.

2. The parties shall share with each other any and all information which each may have regarding the health, education, and the major events in the life of the subject minor children. Health care, school personnel, and other care providers are hereby authorized to release to either party any and all confidential information which they may have regarding the subject minor children.

3a. The mother shall have primary physical custody of the subject minor children.

b. The father shall have visitation for the first three full weekends of each month, from Friday at 5:30 p.m. to Sunday at 6:30 p.m. A full week end is defined as one in which Friday, Saturday, and Sunday occur within the same month. The father shall also have the right of visitation and temporary physical custody one eventing each week from 4:00 p.m. to 7:30 p.m. He shall notify the mother one week in advance of the evening he wishes to select.

c. The father shall also have visitation and temporary physical custody each summer for two tow-week periods. The father shall give the mother/seven (7) days notice of the periods he wishes to select. If, during the summer, the mother shall have planned a vacation trip, she shall notify the father by May 15 so that he may take that into account in his vacation planning.

d. The parent not having physical custody of the subject minor children shall have the right to telephone them at reasonable times and for reasonable lengths of time, and such conversations will not be unreasonably monitored by the parent having physical custody.

4. The parties will work out a reasonable division of the holidays.

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. Shouls 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 children in the exercise of his or her rights picking up the children at the home of the other.

7. Each party shall teach said children to give to the other party that love and respect which is due a parent from his or her children.

8. Neither party shall use illegal drugs or be under the influence of alcohol at any time when said party has the care and custody of the subject minor children. The parties are cautioned that recent medical research has indicated that tobacco smoke is injurious to the health of growing children. Therefore, neither party shall smoke tobacco or permit others to do so in a closed automobile in which the children are being transported or in the bedroom of the children.

9. Any person transporting the children shall make sure that the seat belts or other restraints are used in accordance with the law of Pa.

CONTINUED ON PAGE 200A

ELLEN D. TROILA
VS.
DONALD LEE TRIOLA

CONTINUED FROM PAGE 200
of Record
A. D. 1992 - 650

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10. Neither party shall do or say anything to blacken the character of the other in the children's estimation. Eadh 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 childrens's estimation.

11. The parties informed the mediator that the children have been raised in the Roman Catholic faith and are presently members of St. Agatha's Parish, Meadville. Each parent will, therefore, take all reasonable steps to insure that the children are given the opportunity to take part in the celebrations and observances of thefaith in gheir parish.

12. Neither party shall expose the children to the company of persons of the opposite sex to whom they are not related by blood or marriage between the hours of 11:00 p.m. and 8:00 a.m. nor allow such persons to be in his or her home durign such hours. Neither party shall expose the children to the more intimate aspects of any romantic relationship at any time.

13. Neither party is to use to children to carry messages to the other party. Communications respecting the arrangements to be made for the care and custody fo the children should be made directly between the parties. Neither party shall interrogate the children with respect to conditions or happenings in the home of the other party.

14. 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.

15. Either party may request a review of this Order two years from date hereof or upon a substantial change in the living circumstances of either party to make any adjustments.

16. 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 th is case. Payment shall be made to the Prothonotary of Crawford Cofunty.

17. 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.

18. 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. 23, 1993 copy to W. P ineo R.C. Thomas, M.A. Kirkpatrick, Plf. & Dft.

Mar. 19, 1993 Petition to Adjudicate Defendant in Contempt and for IMposition of Sanctions and Order, filed. ORDER: AND NOW, this 19th day of March , 1993, upon presentation and consideration of the within Petition a Rule is granted upon the Defendant to show cause if any he has why the relief requested in this Petition should not be granted.

Returnable for hearing and/or argument on the 16th day of April, 1993, at 3:00 P.M. Court Room No. 1 or 2, Crawford County Court House, Meadville, Pennsylvania.

In the meantime, the Defendant is warned that he should not enter the marital home at RD 1, Townline Rd., Meadville, Pa., without the permission or consent of the Plaintiff.

BY THE COURT,
Anthony J. Vardaro, J.

1 copy atty

Apr. 19, 1993 Exhibit Filed.

Apr.16, 1993 Inventory and Appraisement filed.

Apr. 16, 1993 Income and Expense Statement filed.

Apr. 16, 1993 Affidavit of Consent by Ellen D.Triola, Plaintiff filed.

Apr. 22, 1993 Order filed. AND NOW, April 16, 1993 this matter is before the Court for a hearing with respect to a petition to adjudicate the Defendant in contempt and for imposition of sanctions with regard to the Court's order of July 28, 1993 awarding to the Plaintiff sole and exclusvie possession of the marital home at R.D.#1, Townline Road by agreement of the parties.

After listening to testimony by both parties, we are convinced that the Defendant is in contempt of our order of July 28, 1992 and adjudicate himas such.

We will not impose sanctions at this time and the Defendant may purge himself of contempt by doing the following from this point until such time as there is afinaldetermination with respect to this real property in this divorce action or until there is a further order of Court.

At no time shall the Defendant go to the marital residence for any purpose even if he is invited to the marital residence by the Plaintiff. When he either picks up the children of the parties for a period of temporary custody or when he drops them off after a period of temporary custody he shall do so by remaining at the end of the driveway to the residence and in the event he is dropping the children off, it shallbe the duty of the Plaintiff to watch for the children once Defendant drops them off and in the event that the Defendant is picking up the children,it shall be the duty of the Plaintiff to hav them available at the end of the drive way at such time as the Defendant is to pick them up.

Isofar as the Defendant has removed personal maritalproperty from the residence,some of which may have been without the permission of the plaintiff,pending further order of Court or a final determination in this divorce action,the Defendant shall not in any way dispose of, sell,convey, transfer or in any manner do anything with said property other than to maintain the same in his custody.

We believe that this order is absolutely clear with respect to what we believe sole and exclusive possession of the marital home to be and any further violation that the Court would find to have occurred will result in the imposition of sanctions which may include attorney's fees to the Plaintiff, a fine, and incarceration or any combination thereof.

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

Apr. 28, 1993 Copy of Order to Attys. Thomas & Kirkpatrick.

July 30, 1993 Motion for Appointment of Master in Divorce and Order Appointing Master filed. AND NOW,August 2, 1993, Kathleen Nelson, Esquire is appointed Master in respect to the following claims: EQUITABLE DISTRIBUTION.
Deposit required: By Plaintiff $300 By Defendnt $400
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

Aug. 3, 1993 Copy of Order to Attys. Thomas, Kirkpatrick & Nelson.

Oct. 8, 1993 Notice of Pre-trial Conference filed.

Nov. 3, 1993 Notice of Rescheduled Pre-Trial Conference, filed.

Nov. 10, 1993 Notice of Master's Hearing,filed.

Nov. 15, 1993 Memorandum of Pre-Trial Conference, filed.

Continued to Page 200 B

Triola vs. Triola AD 1992-650 Continued from Page 200 A

Dec. 13, 1993 Motion for Order Amending Order Appointing Master and ORDER filed. AND NOW, this 13th day of December, 1993, upon presentation and consideration of the within Motion, the Order hereby appointing Kathleen Nelson, Esquire, Master in this case is amended to the extent that the Master would hear in addition to the claim for equitable distribution the Plaintiff's claim for alimony pendente lite,counsel fees and costs.

Security deposits heretofore ordered shall remain as heretofore directed in the original Order, to-wit, $300.00 for the Plaintiff and $400.00 for the Defendant, the court is not sanctioning the addition of any new items not already raised by the pleadings or petitions already filed.

BY THE COURT,
Gordon R. Miller, Judge

12-20-93 Copy of Order to Attys.Thomas, Kirkpatrick, Pineo & Nelson

Mar. 7, 1994, Petition for Payment of Master's Expense and Order filed. ORDER: AND NOW, this 4 day of March 1994, upon Petition of Kathleen R. Nelson, Esq. the Master in the above referenced case, the Prothonotary is hereby ordered to pay the sum of $51.15 to Lois Conklin reporting service per exhibit "A" attached to the herein petition.

BY THE COURT,
Gordon R. Miller, J.

Mar. 10, 1994, copies of order to Attys. Thomas, Kirkpatrick Pineo and Nelson.

DIVORCE DECREE FILED

April 4, 1994 STIPULATION and DECREE. AND NOW, this 31st day of March, 1994, upon Stipulation of the parties to this action, the Court orders and Decrees as follows:

I. DIVORCE

Upon Consideration of the pleadings and Affidavits filed in the above captioned case, this court hereby grants an absolute divorce from the bonds of matrimony to the above named parties upon the grounds that the marriage is irretrievably broken and 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 located at RD # 1, Townline Rd., Meadville, Crawford Co., PA., shall be awarded to the Plaintiff subject to a driveway easement of approximately 25 feet in width and 100 feet in length in favor of the brother of the Defendant who is a property owner to the northwest. The Defendant shall deliver to teh Plaintiff a Quit-Claim Deed conveying to the Plaintiff all of his right, title, claim and interest in the premises, within ten (10) days of the date of this Decree, with said Deed in recordable form.

III. PERSONAL PROPERTY

a. The parties hereto shall each retain those items of personal property such as jewelry, clothing, and personal effects now in his or her possession. Furthermore, each party shall retain ownership of any financial accounts and/or cash on hand that were in their possession as of Dec. 15, 1993, and thereafter.

b. Plaintiff shall retain the following items of marital personal property as her sole and separate property: 1987 Buick Century staion wagon; Household Furnishings located at the marital residence at Townline Road as of Dec. 15, 1993, Retirement Benefits, Pension, and/or Profit Sharing Plans, along with all other benefits to which the Plaintiff is entitled by virtue of her employment with the Crawford Central School District, and U.S. Savings Bonds, having a value as of April, 1993, of $2,582.88, with the understanding that the parties intended to utilize the Savings Bonds for the education of their three minor children. Plaintiff shall attempt to continue to maintain the Savings Bonds and to utilize them for the post-secondary education of the parties children.

c. Defendant shall retain the following items of marital personal property as his sole and separate property: 1989 Ford pick-up truck, Retirement Benefits, Pension, and/or profit Sharing Plans, along with all other benefits to which the Defendant is entitled by virtue of his employment with Local 47 Pipe Fitters Union.

IV. DEBTS

a. Plaintiff shall assume full responsibility for the debt currently owed to PNC Bank as the Mortgagor of the former marital residence at RD # 1, Townline Rd., Meadville, Crawford Co., PA., and the obligation owed to Cynthia Niebauer, mother of the Plaintiff, in the approximate amount of $17,000.00. The Plaintiff shall indemnify and hold harmless the Defendant from any liability on either of the aforesaid obligations.

b. Defendant shall assume full responsibility for the debt currently owed to West Penn Credit Union in regard to the 1989 Ford pick-up truck. The Defendant shall indemnify and hold harmless the Plaintiff from any liability of the aforesaid obligation.

V. CONSIDERATION

Plaintiff shall pay to Defendant the sum of $22,500.00 with said payment to be made in cash, within thirty days after the date of this Decree.

VI. ALIMONY PENDENTE LITE, COSTS, AND EXPENSES

No Alimony Pendente Lite shall be awarded to the Plaintiff as her claim for same was withdrawn before the Master on Dec. 15, 1993. Each party shall pay their own attorney's fees. The fees and costs in association with the Master's Hearing shall be divided equally between the parties. Any balance remaining after payment of said Master's fees and costs shall be refunded to the parties by the Prothonotary of Crawford County.

VII. Each party shall execute any and all Certificates of Title, Assignments of Title, Deeds, or other documents reasonably required in order to transfer title to any of the assets listed above.

BY THE COURT:
Gordon R. Miller, J.

Apr. 5, 1994 Petition for Payment of Master's Fees and ORDER filed. AND NOW, this 5 day of April, 1994, upon Petition of Kathleen R. Nelson, ESquire, the Master in the above referenced case, the Prothonotary is ordered to pay the sum of $260 to Kathleen R. Nelson, Esquire, representing the Master's Fee for services rendered.

BY THE COURT:
Anthony J. Vardaro, J.

4-7-94 Copy of Order to Attys.Thomas, Kirkpatrick, Pineo & Nelson

1992

R. Christopher Brode

651

LUCILLE GLANCY

vs.

THOMASM. EAKIN

Filed July 17, 1992
@ 9:29 AM

Indigent Filing

William Pineo, Esq.Mediator

COMPLAINT FOR CUSTODY
1 copy (atty)

ORDER:

You, Thomas M. Eakin, Defendant, have been sued in Court to obtain custody of the minor child, Thomas J. Eakin.

You are ordered to appear in person at the time and place selected by William Pineo, 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 th eCourt 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 Petitioner and Order may be served by any competent adult or by certified mail.

The Court orders that the Plaintiff shall be entitled to the following special releif. the Plaintiff shal lhave said minor child every weekend pending the outcome of mediation from Saturday 10:00 a.m. through Sunday 9:00 p.m. Plaintiff shall provide transportation for visits. Plaintiff shall not take the child out of Crawford County for any purpose.

Plaintiff is allowed to proceed without payment of Court costs and/or mediation 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) 336-1141, ext. 298

BY THE COURT,
Gordon R. Miller, J

July 17, 1992 Praecipe of Plaintiff to Proceed In Forma Pauperis.

July 29, 1992 Affidavit of Service filed. I, Thomas Long, St., hereby certify that a copy of the foregoing Order and Custody Petition was served upon Defendant Thomas M. Eakin, by hand on July 22, 1992 at 12:10 p.m.

Respectfully submitted,
Thomas Long, Sr.

Aug.28, 1992 Temporary Order filed. AND NOW, this 27 day of August, 1992,after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator, IT IS HEREBY ORDERED AND DECREED THAT:

1. The parties shall share legal and physical custody of the subject minor child.

2. The parties shall share with each other any and all information which each may have regarding the health, education, and the major events in the life of the subject minor child. Health care, school personnel, and other care providers are hereby authorized to release to either party any and all confidential ifnormation which they may have regrding the subject minor child.

3a.There shall be three periods of primary phyical, the first beginning at 6:00 p.m. on August 15 and ending 6:00 p.m. of December 15; the second beginning with the close of the first period and ending at 6:00 p.m. of April 15; and the third beginning with the close of the second period and ending at 6:00 p.m. of August 15. The father shall transfer physical custody to the mother forthwith and the mother shall have the remainder of the first period so defined for 1992. The parties shall thereafter alternate the periods.

b. The party not having physical custody shall have the right of visitation and temporary physical custody each weekend, except for the first full weekend of each moth, from Friday at 6:00 p.m. throiugh Sunday at 6:00 p.m. A full weekend is defined as one in which Saturday and Sunday occur within the same month.

c. 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. There shall be two Christmas Holiday visistation periods, the first beginning Christmas Eve at 4:00 p.m. and ending Christmas Day at 10:00 a.m. and the second beginning Christmas Day at 10:00 a.m. and endingChristmas Day at 6:00 p.m. For Christmas 1992, the mother shall have the first period and the father, the second, and the parties shall thereafter alternate.

b. The other holidays to be observed are Memorial Day, Independence Day, Labor Day, Thanksgiving and Easter. Holiday visitationshall be between the hours of 9:00 a.m. and 8:00 p.m., except for Independence Day, when the holiday visitationshall be exteneded to 11:00 p.m. so that the child may watch the fireworks. The father shall have visitation for Labor Day, 1992 and the parties shall thereafter alternate the holiday periods.

c. 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.

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 necesssity 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 inthe 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 as the care and custody of the subject minor child. The parties are cautioned that recend 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 inthe bedroom of the child.

Continued of record to Page 505

202

1992

Thomas, Truax,
Spadafore & Walker
R. Charles Thomas

652

ELLEN D. TRIOLA

vs.

DONALD LEE TRIOLA

Filed July 17, 1992
@ 9:45 AM

Tax & entry PdC 7-31-92 50.50
User's fee PdC 7-31-92 5.00
~~State~~ (IN ERROR) ~~10.00~~
Sheriff's Costs PdC 7-31-92 25.00
PdC 7-31-92 9.00

Received from Defendant 25 for Sheriff's Costs 7-31-92

Paid Sheriff 7-31-92 25.00 ck#6965

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies (Sheriff)

ORDER:

And now, this 17 day of July, 1992, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Defendant shall move out and temporary possession of the residence is given to Plaintiff. Custody ofthe children shall be withthe Plaintiff. Defendant shall not contact Plaintiff in anyway.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for July 28, 1992, at 3:30 P M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

July 24, 1992 SHERIFF'S RETURN, filed. SERVED Donald Lee Triola on July 23, 1992 at 2:15 p.m. by handing a copy of the Protection from Abuse to Mary Ann Kirkpatrick, his attorney, at her office in the old Post Office building, 941 Federal Court, Meadville, Crawford County, Pa.
So answers, Robert M. Stevens, Sheriff

July 31, 1992 Order Filed. AND NOW, July 28, 1992, this matter is before the Court on plaintiff's petition for protection under the Protection From Abuse Act.

The parties appear represented by counsel and the petition is withdrawn this date by the plaintiff, with the defendant to pay costs in the amount of $89.50 on or before July 31, 1992.

The withdrawal of this petition is dependent upon the entry of an Order with regard to possession of the marital home, which Order is entered this day at A.D.1992 -650 in a divorce action between these parties.

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

July 31, 1992 Copies given to Atty.R.Charles Thomas, Atty. Mary Ann Kirkpatrick, County Control and Mailed to State Police.

1992

Keith E. Ball

653

John W. McCandless

Swensen, Perer, Johnson and McCandless
David A. Schroeder

ANN M. BECKER and GEORGE W. BECKER

vs.

JOHN P. SCULLIN and MARGUERITE SCULLIN, ADAMSVILLE GENERAL STORE: and ADAMSVILLE GENERAL STORE INC. a corporation

Filed July 17, 1992
@ 10:15 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	60.00
Pro Pd 3/13/95	5.00

SUMMONS
Issued Sheriff

Aug. 5, 1992 Writ Return filed. SERVED John P. Scullin on July 22, 1992 at 10:53 AM by handing a copy of the Summons to Marguerite Scullin, his Wife, at Route 18, Adamsville, Crawford County , PA.
SERVED Marguerite Scullin personally on July 22, 1992 at 10:50 AM by handing her a copy of the Summons at Route 18, Adamsville, Crawford County, PA.
SERVED Adamsville General Store on July 22, 1992 at 10:52 AM by handing a copy of the Summons to Marguerite Scullin, at Route 18, Adamsville, Crawford County, PA.
SERVED Adamsville General Store, INc. on July 22, 1992 at 10:51 AM by handing a copy of the Summons to Marguerite Scullin, ADult in Charge, at Route 18, Admasville, Crawford County, PA.
So answers, Edgar D. Householder, Chief Deputy
Robert M. Stevens, Sheriff

Oct 6, 1992 Appearance of John W. McCandless for Defendants, filed.

Oct. 6, 1992 PRAECIPE FOR RULE UPON PLAINTIFFS TO FILE COMPLAINT, filed.
Oct 6, 1992 issued (atty)

Oct. 13, 1992 Certificate of Service of Plaintiff's Interrogatories and Request for Production of Documents filed.

Oct. 16, 1992 Service of the foregoing Rule is hereby accepted by Keith Ball on Oct. 13, 1992.

Nov. 16, 1992 Complaint in Civil Action - Law filed.

Dec. 16, 1992, Answer and New Matter to the Pl aintiff's Complaint filed.

Jan. 20, 1993 Motion to Compel Discovery and Order filed. NOW TO WIT, this 20 day of January,1 993, upon consideration of the foregoing Motion, is hereby Ordered, adjudged and decreed that the Plaintiffs file Answers to the Interrogatories and Responses to the Requests for Prodcution, Inspection and Copying within twenty (20) days of the date of this Order or suffer sanctions.
BY THE COURT,
Anthony J. Vardaro, J

Jan. 20, 1993 Copies mailed to Atty's Ball and McCandless

Feb. 19, 1993 Reply to Defendants' New Matter filed.

May 18, 1994 Notice of Completion of Discovery filed.

Sept. 14, 1995 Appearance of Swensenm, Perer, Johnson and McCandless by David A. Schroeder, Esquire for Defendants, filed.

Sept. 14, 1994 Certificate of Readiness, filed.

ON TRIAL LIST FOR February 1995

Mar. 6, 1995 UPon praecipe of plaintiff attorney, the above captioned matter is hereby marked settled and discontinued of record.

204

1992

Gable, Mojock,
Piccione, Palmer &
Green
Allen L. Palmer

654

JOHN J. MURPHEY

vs.

GLORIA A. BEAN, also known
as GLORIA BEAN RIEDEL

Filed July 17, 1992
@ 11:26 PM

Pro Co pd 7/17/92 15.00
Plff on orig. 21.50
Pro Co pd 10/9/92 9.00

WRIT OF REVIVAL

OF

A.D. 1986 - 1090

Writ of Revival of Judgment entered in and indexed against the above defendan tin the amount of Five Thousand Four Hundred Forty and 94/100, plus costs and interest.

debt ----$5,440.94
Int. from -- December 23, 1981
B-73; R-71

JDUGMENT OF REVIVAL
Barbara H. King, Pro

Issued (atty)

Sept. 4, 1992 Affidavit of Service filed.

Oct 9, 1992 at 11:31 a.m., And Now, upon praecipe of Plaintiff's attorney judgment is hereby entered in the above matter for failure of the Defendant to file a response as required by law, thereby reviving the lien of the judgment previously entered at No. 1397 of 1992 D.S.B. in the amount of Five thousand, four hundred forty dollars and ninety-four cents plus interest. I hereby certify that the Notice required by Pa.R.C. P. 237.1 was mailed to the Defendant on Sept. 3, 1992. A true and correct copy of said Notice is attached hereto as Exhibit "A".

B - 73 Debt: $5,440.94
R - 71 Judgment
Barbara H. King, Prothonotary

Revived to:

AD 1998-835

1992

655

HOLLY L. KINNEY

vs.

KENNETH E. GILSON

Filed July 17, 1992
@ 11:31 AM

Tax & entry	Pd 8-17-92	50.50
User's fee	Pd 8-17-92	5.00
Sheriff's Costs		69.50
Prothy Pd 8-17-92		9.00

Received from Defendant 8-17-92 Sheriff's Costs $69.50

Paid Sheriff 8-17-92 $69.50 ck # 6987

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copeis Sheriff
1 copy Plaintiff

ORDER:

And now, this 17th day of July, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff ~~or any of the minor children named in the Petition.~~
2. Special Conditions: Defendant shal lnot contact the Plaintiff.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for July 30, 1992, at 3:30 P. M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

July 28, 1992 Sheriff's Return filed. SERVEDKenneth E. Gilson personally on July 28, 1992 at 11:25 AM by handing a copy of the Protection from Abuse to him in the Titusville Police Department North Franklin Street, Titusville, Crawford County, PA.
So answers,
James Withers, Chief Constable
Robert M.Stevens, Sheriff

Aug. 3, 1992, ORDER filed. AND NOW, July 30, 1992, this matter is before the court on a petition by a plaintiff seeking relief under the protection from abuse act.

Both parties appear withuot counsel and the dft. is willing to proceed without counsel and admits the allegations of the petition only to the extent that he agrees that he slapped the plaintiff.

Accordingly, the court enters the following order:

1. the defendant shall not assault, abuse, harass or threatenthe plaintiff.
2. This order may be enforced without a warrant of arrest by any law enforcement officer habing reasonable grounds to believe it has been violated.
3. A copy of this order shall be delivered tothe police depts. inteh jurisdiction where the plff. resides and to county control.
4. The defendant shall not go to the place of residence ofthe plff. and if he is invited to that residence he is advised that if he is at the residence it will be presumed that he is in violation of this order. If he wishes to go to theresidence of plff. upon her invitation then the parties are advised that that will require a modification ofthis order else the dft. will be considered in violation of the order.
5. The dft. is reminded that this is an order ofcourt 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.
6. The defendant shall pay costs in this matter inthe amt. of $134.50 with $50.00 being paid this day and the bal. being paid to the Pro. on or before Aug. 21, 1992.
7. This order shall remin in full force and effect thru July 29, 1993.

BY ORDER OFTHE COURT,
Anthony J. vardaro, J.

Aug. 3, 1992, copies to Countycontrol and Titus.vill City Police; Aug. 7, 1992, copies mailed to plff and dft.(dft. billed)

1992

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

656

Barbara J. Walton

Plaintiff Deposited $150.00 for Mediator as of 7/17/92

10-12-92 to Comm Mediator Fee 100.00 Ck# 706

9-8-93 Received from Pltf 150.00 deposit mediation

10-25-93 Pd Pltf Med Refund 107.00 Ck# 7869

10-26-93 Pd Co med fee 75.00 Ck# 7874

12-9-94 Rec'd from Pltf med fee 150.00

12-22-94 Rec'd from deft med fee 75.00

12-30-94 Pd Co 75.00 #8759

5-8-95 Pd Co 141.00 med fee #9166

2-14-96 Rec'd from deft med 159.00

5-15-96 Pd Co 159.00 #10019

7-17-98 Rec'd from Pltf mediation 200.00

9-14-98 Pd Co 191.00

RECORD CONTINUED ON PAGE 206 (a).....

FREDERICK J. ROSEBERRY

vs.

DEBORAH A. ROSEBERRY

Filed July 17, 1992
@ 1:15 PM

Tax & entry paid	50.50
User's Fee paid	5.00
John Fuller, Mediator	
Pro Co Pd 10-12-92 Ck#7107	9.00 ✓
Pro Co Pd 10-26-93 Ck#7845	9.00 ✓
Pro Co Pd 5-8-95	9.00 ✓
Pro Co Pd 9-14-98	9.00 ✓
John Spataro, Mediator	300.00
Pro Co	9.00

PETITION FOR CUSTODY
1 copy (atty); 1 copy (med)

ORDER:

AND NOW, this 16 day of July, 1992, it is ordered that all parties in the above captioned case and their counsel shall appear for a mediation conference before the Meidator, JOhn Fuller, at a time to be set by the Mediator in the crawford County Courthosue with the Child Custody Mediator as required by Rule 31(e) of the Court of Common Pleas of Crawford County, Pennsylvania.

It is further ordered and decreed that pending final determination by the Court, the aforesaid minor children shall not be removed form the jurisdiction of the Court by either party hereunder, under possible punishment for Contempt of Court.

BY THE COURT,
Gordon R. Miller, J

Aug. 26, 1992, Service Affidavit filed. I, the undersigned being duly sworn according to law, deposes and says that the following facts in support of this affidavit are true and correct to the best of my knowledge and belief:

1. That the Affiant is an adult individual over the age of 18 yrs., and a citizen of the U. S. of America.

2. That on Aug. 13, 1992, at approximately 7:40 a.m. I delivered a cert. copy of the Petition for Custody and NOtice of mediation conference to the dft. by handing same to her at 4367 W. Blacksmith T. located at Tuscon, Ariz . 85741. Affiant L. Wisdom.

August 27, 1992 Appearance of Barbara J. Walton, attorney for defendant filed.

Sept. 4, 1992 Custody Order filed. AND NOW,September 3, 1992, after mediation conference before John Fuller, Esquire, it is ordered and decreed as follows, TO-WIT:

I. Legal custody of Tammy Roseberry, Timothy Roseberry and CAtlynn Roseberry shall be with their father, the plainitff herein, in Crawford County, Pennsylvania.

II. Physical custody of Tammy Roseberry, Timothy Roseberry and Catlynn Roseberry shall be with their father, subject to the following conditions:

A. If the mother returns to Crawford County, Pennsylvania, the mother shall be entitled to visit and take the children into her custody every weekend from 7:00 p.m. onFriday to 7:00 p.m. on Sunday and shall be entitled to have the children for six (6) hours at Christmas, Easter, Thanksgiving and the children's birthdays.

B. If the mot her remains in Arizona, she shall be entitled to have the children in her custody from June 15th to August 15th, each Summer and ten (10) days during the Christmas holidays. The mother and father shall equally divide the costs of trasnportaton for these visits.

C. If the mother resides at some place other than Crawfor County, Pennsylvania, or Arizona, a further mediationconference will be held to determine an appropriate visitation schedule.

D. 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.

E. 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.

F. Both parents agree to inform the other immediately of any illness or injury regarding the children and both parents agree to furnish the other with a current telephone number.

III. This order is a temporary order but shall become a permanent order unless exeptions 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.

Gordon R. Miller, Judge

Sept. 4, 1992 Copy of the Order given to Attys. Irwin, Walton and Fuller.

Sept. 22, 1992 MOTION FOR HEARING DE NOVO and ORDER, filed. ORDER: And Now, Sept. 22, 1992, hearing de novo is set for Dec. 3, 1992 at 1:30 p.m. in courtroom 1 or 2 of the Crawford County Courthouse, located in Meadville, Pa.

For the Court:
Imogene Yetman, Crt. Adm.

Sept. 22, 1922 copy to Walton, Irwin & Fuller

Dec. 9, 1992 Order filed. AND NOW, December 3, 1992, this matter is before the Court for a de novo custody hearing based on the motion of the Defendant.

We proceed informally and the parties reach a tentative agreement which we will make a court order.

Specifically, for the immediate future, the order entered as a result of the mediation in front of John Fuller, Esq. is affirmed with the changes that the parties shallhave shared legal custody of the children andin addition to the vistiation set forthin that order, the defendant shall visit withthe children every weekend between 4:30 p.m. and 8:00 p.m. so long as she is not at her place of employment.

With respect to the Wednesday visits, so long as they shall occur onthe weeks when the Plaintiff father works, the Defendant mother shall do the transportation ofthe children and on the week when he does not work then the Plaintiff father shall do the transportation of the children.

As soon as the Defendant mother obtains suitable housing within the area tha the chidlren would still attend the Cochranton Schools, tshe parties will go to an arrangement whereby they will alternate one week of custody with the children. The exact details of that arrangement will be worked out between the parties, withthe understanding that the Defendant mother will have custody of the children on the weeks when Plaintiff father works from 3:00 p.m. until 1:00 a.m., and withthe understanding that the Defendant mother will make every effort to have work hours from approximately 9:30 a.m. until 4:00 p.m, and hours beyond that will be there rare exception rather than any normal, consistent manner.

The parties shallhave 14 days from when the Defendant mother notifies Plaintiff father either directly or through attorneys that she has obtained an apartment or other appropriate living arrangement within the district that the chilren can go to Cochranton Schools and has in fact made a rental deposit with respect to the same and has secured the same at least on a month-to-month basis, if not on a more permanent basis. If the parties cannot work out the final arrangements within that 14 days, then either party may petition the Court for further hearing for the solel purpose of working out the arrangements onthe alternating week custody.

Neither party shall leave the Commonwealth of Pennsylvania with any one or more ofthe children without the prior written consent of the other party.

No party shall consume alcoholic beverages while in the presence of the children, nor shall either party be in an intoxicated state at any time in the presence of the children.

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

Dec. 9, 1992 Copies of order putin box for Atty's Irwin, Walton & fuller

1992

FREDERICK J. ROSEBERRY

VS.

DEBORAH A. ROSEBERRY

RECORD CONTINUED FROM PAGE 206

OF

AD 1992 - 656

****

Sept. 23, 1993 Petition to Modify Custody filed.

Sept. 23, 1993 ORDER filed. AND NOW, this 2lst day of Sept., 1993, it is ordered that all parties in the above captioned case and their counsel shall appear for a medition conference before Mediator, John Fuller, Esq., at a time to be set by the Mediator in the Crawford Co. Courthouse with the Child Custody mediator as required by Rule 31(e) of the Court of Common Pleas of Crawford Co., PA.

It is further ordered and decreed that pending final determination by the Court, the aforesaid minor child shall not be removed from the jurisdiction of the Court by either party hereunder, under possible punishment for Contempt of Corut.

BY THE COURT:
Gordon R. Miller, J.

Oct. 1, 1993 Copy of Order to Attys. James Irwin, Barbara Walton and John Fuller.

Oct. 20, 1993 ORDER filed. AND NOW, October 19, 1993 after mediation conference before John Fuller, Esquire,IT IS ORDER AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Tammy Roseberry,Timothy Roseberry and Catlynn Roseberry 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 Timothy Roseberry and CAtlynn Roseberry shall be shared in accordance with a prior Order of Court in this case December 3, 1992 (copy attached).

III. Physical custody of Tammy Roseberry shall be with her Father subject to the following:

A. The Mother shall be entitled to visit and take Tammy Roseberry into her custody every other weekend from 4:00 o'clock p.m. on Friday to 7:00 o'clock p.m. on Sunday, beginning October 15, 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 o'clock p.m.

C. Transportation of the children on weekends, holidays and Summer visits shall be equally divided with the parent receiving custody providing transportation.

D. 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.

E. Neither mother nor fat her shall espose the children to any person or situation which may be harmful to the children's health or well being.

F. Both parents agree to inform the other immediately of any illness or injury regarding the children and both parents agree to furnish the other with a current telephone number.

IV. 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.

V. Cost of the mediation conference will be equally divided between the parties: The Prothonotary of Crawford County is hereby directed to refund one-half (½) of the deposit paid in advance by the plainitff, less the cost of the custody order, together with $41.00 owed to Plaintiff from a previous Court Order. In addition to the above owed by the Defendant she shall also pay $100 due from Sept. 4, 1992 Court Order. All of same shall be paid by 30 days from this Order.

Anthony J. Vardaro, Judge

11-1-93 Copy of Order to Attys. Irwin, Walton & Fuller 11-3-93 Copy of Order Mailed to Deft.

Dec. 6, 1994 Petition to Modify Custody and Order filed. AND NOW, this 5 day of December, 1994, it is ordered that all paraties inthe abovecaptioned case and their counsel shall appear for a mediation conference before Mediator John Spataro, at a time to be set by the Mediator in the Crawford County Courthouse withthe Child Custody Mediator as required by Rule 31(e) of the Court of Common Pleas of Crawford County, Pennsylvania.

BY THE COURT:
Anthony J. Vardaro, J

Dec. 8, 1994 Faxed Irwin, Walton & Spataro

Mar. 3, 1995 TEMPORARY ORDER Filed. AND NOW, this 3 dayof March, 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, Tammy Roseberry, born on March 13, 1977; Timothy Roseberry, born on June 19,1985 and Catlyn Roseberry, born on April 17, 1989.

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 herebyauthorized to release to either party any and all confidential information which they may have regarding the subject minor children.

3) All of the provisions of this Court's Orders of October19, 1993 and December 3, 1992 shall remain in full force and effect, except as otherwise preempted by contrary provisions appearing in this Order.

4) The parents have agreed and they therefore shall schedule and attend suitable counseling sessions in an effort to improve their communication skills with each other in the expectation that following counseling, the parents will work with eachother in developing consistently applied household practices and procedures, alonhg with consistently applied disciplinarymeasures. In the event the parties are unable to mutually select an appropriate family counselor,then in that event, the parties shall make application to the Center for Families in Change and secure the required counseling through that agency.

5) Should it be necessary for either party to cancel or modify the visitations as set out in this order or as previoulsy 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 tomake alternative arrangements.

6) The parties shall split responsibility for transportation with the party receiving the children in the exercise of his or her rights picking up the childrenat 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.

7) Each party shall teach said children to give to the other party that love and respect which is due a parent from his or her children.

8) Neither party shall use illegal drugs or be under the 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 todo so in a closed automobile in which the children are being transported or in the bedroom of the children.

Continued toPage 206 B

206
B

1992

Roseberry vs Roseberry AD 1992 656 Continued from Page 206-A

9) Neither party shall do or say anything to blacken the character of the other in the children's estimation. Each party shall treat the other in a polite and respectfull 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.

10) The parties are free to make additional or alternative arrangements respecting the custodial and visitation periods and are strongly encouraged to do so if that would be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which this order shall govern.

11) Either party may request a review of this order upon any material change in circumstances.

12) Costs and fees of this Mediation, which are fixed at $200.00 ($50.00/hr.x4.0 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.

13) The Prothonotary is directed to apply the deposit made by the father to the fees and costs of this mediation. The mother is directed to pay to the father the sum of $45.50 and the sum of $59.00 to the Prothonotary of Crawford County, representing her share of the mediation costs and fees 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 the date hereof. If neither party so moves,this Order shall be considered permanent.

BY THE COURT,
Anthony J.Vardaro, J.

3-9-95 Copy to Attys. Spataro, Irwin & Walton

Mar. 10, 1995 Request For Hearing De Novo and Order filed. AND NOW, this 10 day of March, 1995 upon consideration of Plaintiff's request for hearing de novo, a hearing is now set for the 4th day of May, 1995 in Courtroom No. 2 at 1:30 o'clock p.m.

BY THE COURT,
Anthony J. Vardaro, J

Mar. 10, 1995 Faxed to Irwin& Walton

Mar. 24, 1995 Motion for Continuance and Order filed. AND NOW, this 24th day of March, 1995 upon presentation and considerationofthe wtihin Motion, this hearing is rescheduled for the 8th day of June, 1995 at 9:00 o'clock a.m. in Courtroom No. 2 of the crawford County Courthouse, Meadville, Pennsylvania.

BY THE COURT,
Gordon R. Miller, J

Mar. 27, 1995 Faxed Walton& Irwin

Apr. 6, 1995 Motion For Continuance and Order, filed. AND NOW, this 5 day of April, 1995, upon presentation of the Motion for Continuance by the Defendant, the hearing scheduled in the above matter scheduled for June 8, 1995 at 9:00 a.m. is hereby continued until June 27, 1995 at 1:00 p.m. in Courtroom #2. By The Court
Anthony J. Vardaro, J.

Apr. 6, 1995 Faxed Irwin, given Walton

Jun. 28, 1995 Memorandum and Order filed. ORDER. AND NOW, June 28, 1995,after de novo hearing in this matter, the temporary order of March 3, 1995 is affirmed except that it is modified as follows:

1. Paragraph 4 of the temporary order is clarified to state specifically that both parents shall immediately make arrangements toattend counseling sessions aimed toward improving their communication skills as well as learning specifically to work witheach other in developing consistent household practices and procedures and consistent disciplinary measures. If they cannot agree upon a counselor, they shall immediately contact the Center for Families in Change to secure the required counseling through that agency.

2. No party shall discuss with the children or attempt to influence the children with respect to physical custody arrangements of the children. Those discussions are not appropriate at any time and particularly when there is an upcoming hearing.

3. When the children are in the custody of one parent, the other parent shall have the right to call the home of theparent in custody each day for a period of 15 minutes for the sole purpose of talking to the two children. In doing so, we recognize that the children will not always be available for those calls but no party incustody shall in any way attempt to hinder the efforts of the party not incustody to talk to the children insofar as we find that the children very much would like to be in contact with both parents and we find that it is in the best interest of thechildrento allow them to do so.

4. With respect to the oldest child, Tammy, we note that she has now turned 18 years of age and to the extent that this order or any previous orders cover her they are rescinded.

5. The Defendant owes accumulated costs to the Prothonotary of Crawford County totalling $159 and she is ordered and directed to pay those costs within 30 days of this date or she shall be in contempt of this Court.

BY THE COURT:
Anthony J. Vardaro,J.

6-28-95 Copy given Irwin & Walton

July 17, 1998 PETITTION TO MODIFY CUSTODY AND NOTICE AND ORDER TO APPEAR FILED. YOU, Deborah Watkins, have been sued in Court to obtain custody of Timothy Roseberry and Catlynn Roseberry.

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 Administrator, Courthouse
Meadville,PA 16335
Telephone No: (814)333-7498
GORDON R.MILLER

Date 7/16/98
7/17/98 FAXED IRWIN & SPATARO

ORDER AND NOTICE. AND NOW, this 16th day of July, 1998 it is ordered 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 Cetner for Family Serives, Inc. at 996 S. Main St., Meadville, pA 16335; the Prothonotary at the Crawford county courthouse; or the Court Administrator at teh Crawford County Courthouse.

Application for attendance at the seminar must be made by the plaintiff's or petitioner within 15 days after the pleading or petition is filed; and by the Defendant or respondent within 15 days after he or she is served with the pleading or petition.

THE SEMINAR MUST BE COMPLETED WITHIN 45 DAYS AFTER APPLICATION. FAILURE TO ATIEND THE SEMINAR MAY RESULT IN SANCTION, INCLUDING CONTEMPT OF COURT, A DISMISSAL OF THE ACTION OR A DELAY IN THE PROCEEDINGS UNLESS ATTENDANCE IS WAIVED BY ORDER OF CURT.

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

7/17/98 FAXED IRWIN & SPATARO

CONTINUED ON PAGE 206C

206
C

1992

S29052

Frederick J. Roseberry
vs
Deborah A. Roseberry now
Deborah A. Watkins

Continued from page 206(b)
of record
AD 1992 - 656

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July 22, 1998 CERTIFICATE OF SERVICE FILED. A CERTIFIED COPY OF Petition to Modify Custody has been served on all other parties or their counsel by first class mail to the office of Barbara Walton, Esq. 412 Baldwin St., Meadville, PA on the 21th day of July 1998.
SHAFER, SWICK, BAILEY, IRWIN STACK & MILLIN
BY JAMES R. IRWIN ATTY FOR PLTF.

Sept 1, 1998 ORDER: AND NOW, this 28 day of August, 1998, 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, Timothy Roseberry, born on Juen 19, 1985 and Catlyn Roseberry, born on April 17, 1989.

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 minro children. Health care, school personnel, and other care provideers are hereby authorized to release to either party any and all confidential information which they may have regarding the subject minor children.

3) This Court's order of March 3, 1995 shall remain in full force and effect. The children shall continue to attend Cochranton shcools in the Crawford Central School District.

4) Either may request a review of this Order upon any material change in circumstances.

5) The cost and fees of this mediation which are fixed at $300.00 ($60.00/hr. x 5 hrs.) and the $9.00 court order filing fee are to be paid as follows:

s. The father has paid the $200.00 necessary for the appointment of the child custody mediator. The entirety of said sum shall apply to the costs and fees of this case.

b. The balance of the mediation costs ($109.00) shall be paid by Crawford County for the reason that further mediation was due exclusively to the father's relocation out of Crawford County and not by any act or omission by the mother.

6) Eithe party maymove the Court for a hearing denovo within ten (10) days from the date hereof. If neither party so moves, this Order shall be considered permanent. Anthony J. Vardaro, J.
Awpr 1, 1998 FAXED Spataro, Irwin, Walton

Sept 17, 1998 Certificate of completion of the Seminar for Separating Parents for Frederick H. Roseberry, filed.

Sept 17, 1998 Certificate of completion of the Seminar for Separating Parents for Tracy L. Roseberry, filed.

October 21, 1998 Request for Hearing DeNovo and Order filed. And Now, October 21, 1998 upon consideration of plaintiff's Motion Fore Hearing DeNovo the same is set for Thursday December 31, 1998 at 9 AM Courtroom #2 Crawford county Courthouse, Meadville, PA 16335

For the Court
Ann A. Walker, Ct. Admin.

10/22/98 Faxed Irwin - 10/26/98 Copy Walton

1992

Mary Ann Kirkpatrick

657

James R. Irwin

DARLENE KUBANCEK CUTTER

vs.

JAMES WILLIAM CUTTER

Filed July 20, 1992
@ 9:15 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 4-12-93	9.00

COMPLAINT IN DIVORCE, ALIMONY, CHILD SUPPORT, ALIMONY PENDENTE LITE, REASONABLE COUNSEL FEES, COSTS & EXPENSES and EQUITABLE DISTRIBUTION
1 copy (atty)

July 27, 1992 Motion to set hearing for alimony pendente lite, appraisal fees, counsel fees, costs and expenses and Order filed. AND NOW,July 27, 1992 hearing on Alimony Pendente Lite, Appraisal Fees, Counsel Fees, Costs and Expenses is set for Sept.1, 1992, at 2:30 P.M. o'clock in courtroom 1 or 2 of the CrawfordCounty Courthouse at Meadville, PA.

For the Court:
Imogene Yetman, Court Adminmistrator

July 31, 1992 Copy of the order to Mary Ann Kirkpatrick, ESq.

Aug. 11, 1992 Appearance of James R. Irwin for Defendant, filed

Aug. 11, 1992 AFFIDAVIT OF SERVICE filed. And Now, Aug. 10, 1992, comes Contance L. Deitman being duly sworn according to law, deposes and sets forth as follows:

1. That she is the legal secretary of Attorney for Darlene Kubancek Cutter, Plaintiff in the above-captioned matter.
2. That oninformation furnished her by the Plaintiff, she caused a certified copy of the Compaaint in Divorce, Petition for Alimony Pendente Lite and order Setting Hearing for Sept. 1, 1992, to be forwarded by Certified Mail, P 899 085 279; postmarked Aug. 5, 1992, to the last known address of the Defendant, James William cutter, 1641, Conneaut Lake Rd., Meadville, Pa. 16335.
3. That the Defendant, James William Cutter, on Aug. 7, 1992, 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. Rule of Civil Procedure.

1 copy (atty)

Sept. 1, 1992 Income And Expense Statement of plaintiff filed.

Sept. 3, 1992 Order Filed. AND NOW,September 1, 1992, after an informal hearing on the Plaintiff's request for alimony pendente lite, counsel fees, appraisal fees and expenses the Court has a great deal of difficulty determining the Defendant's ability to pay, has difficulty but less difficulty determining the Plaintiff's need, but nonetheless enters a short term Order until the parties can determine the true facts or prepare and produce evidence as to the true facts from which this Court or a Master could make a more rational decision.

The Plaintiff has the burden of proof to show her need and the Defendant's ability to pay. Based on figures presented at this hearing the Court determines that her cash needs approximate $1,600.00 a month (not including gasoline, mortgage, property, health and other insurances and Country Club payments). The court finds that her average net take home pay per month approximates $1,250.00. Accordingly, it is ORDERED as follows:

1. The Defendant shall pay $500.00 per month to apply on alimony pendente lite for three (3) months, to-wit: September,October and November of 1992 in semi-monthly installments of $250.00 each payable no later than the 15th and 30th of each month.
2. The Defendant shall continue to pay the monthly morgage on the home where the Palintiff lives with her children, the same insurance premiums that he has been paying heretofore, up to $100.00 per month toward the Plaintiff's and the Plaintiff's children's Country Club expenses (not including dues, assessments or other annual charges (and automobile gasoline for her automobile in an amount not to exceed the amount she has used heretofore, that is average gasoline charges for the Plaintiff and the children over the past six (6) months.

For the record, the Court is requiring the Defendant to pay these expenses because if the Plaintiff were to pay these expenses she would have greater need than the Court has found she has.

The finding of the Plaintiff's needs did not include these items because the Plaintiff has not been paying for thouse out of her ownpocket. The Defendant's obligation to pay these expenses shall continue for the next three (3) months, September, October and November, 1992 unless modified or changed by further Order of Court.

3. The Defendant shall pay the sum of $1,500.00 (broken down as $1,000.00 on attorney fees and $500.00 toward appraisal fees) to Mary Ann Kirkpatrick at the rate of $500.00 a month for September, October and November, which said monthly payments shall be made on or before the last day of each month. To the extent that the appraisal fees are not used for appraisers they may be used and allocated to attorney fees.

Plaintiff's counsel, Mary Ann Kirkpatrick, shall keep detailed records of the charges she makes and detailed records of the charges made by appraisers so that the Court and defense counsel can be satisfied if those are questions that the $1,500.00 actually went to those expenses.

4. The Court understands that the parties may be appearing before the Domestic Relations Section for child and spousal support in the reasonably near future. We wish to give guidance to the support hearing officer. In arriving at the amount of alimony pendente lite per month we have taken into account food expenses of $645; gas $150; electric $150; appliance repair $50; entertainment $50; contributions $50; telephone $80; books and magazines $20; home maintenance$200; dry cleaning expenses $25; and cleaning lady $150; all on a monthly basis. Therefore, we believe we have awarded the Plaintiff through alimony pendente lite based upon this finding of need sufficient sums to support her household including her three children (as to support her household insofar as we have enumerated her expenses that she pays herself and that are paid for by the Defendant).It is the Court's view that the hearing officer and a future judge in the support proceeding shall look at the case as a whole for a number of reasons including the fact that the parties may have better income and expense figures available at the time of the support hearing. But, we do wish to tell the Hearing Officer and a future judge the expenses that we have taken into account and tried to provide for in this Order.

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

Sept. 3, 1992 Copy of the Order put in Boxes for Mary Ann Kirkpatrick, Esq. and James R.Irwin Esq.

Mar. 18, 1993 Affidavit of Consent of Defendant filed.

Mar. 30, 1993 Affidavit of Consent of Plaintiff, filed.

Continued on Page 455

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1992

Mazzotta, McCague,
& Associates, P.C.
Donald S. Mazzotta
William T. Molczan

658

GENERAL MOTORS ACCEPTANCE CORPORATION

vs.

FLORENCE I. WILCOX and
SPENCER G. WILCOX

Filed July 20, 1992
@ 11:28 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	31.00
Pro Co Pd 8-28-92	9.00
Pro Co pd 10-28-93	5.00

COMPLAINT - CIVIL ACTION
2 copies (Sheriff)

July 27, 1992 SHERIFF'S RETURN filed. SERVED Florence I. Wilcox on July 23, 1992 at 3:30 PM by handing a copy of the Complaint to Tracy L. Wilcox, her Authorized Agent, in the Sheriff's Office, Crawford County Courthouse, Meadville, Pa. Signed Acceptance of Service attached.

SERVED Spencer G. Wilcox on July 23, 1992 at 3:31 PM by handing a copy of the Complaint to Tracy L. Wilcox, his wife and Authorized Agent, in the Sheriff's Office, Crawford County Courthouse, Meadville, Pa. Signed Acceptance of Service attached.

So answers, Carole Stefanucci, Deputy Sheriff
Robert M. Stevens, Sheriff

And now, Aug. 28, 1992 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 Seven Thousand, Two Hundred, Fifty-three and eighty cents, plus interest from 9-17-91 through 8-25-92.

Judgement entered - Aug. 28, 1992 Debt $7,253.80
W- 61, 151 JUDGEMENT
9-1-92 notices sent Barbara H. King, Pro.

Oct. 28, 1993 Upon praecipe of plaintiff's attorney the above captioned matter is satisfied of record.

1992

Thomas, Truax,
Spadafore & Walker
Gregory A. Keenan

659

Eckert, Burke, Hunter,
Barron & Segel
William H. Eckert

JOHN CHAMBERLAIN and AMANDA TAPPER, Co-executors of the ESTATE OF THEODORE J. HECKER

vs.

ROBERT WESCHLER d/b/a HEARING CONSERVATION SERVICES and JEFFREY DAVIS

Filed July 20, 1992
@ 4:05 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	59.00
Pro co pd 10-19-92	9.00
Arb pd. 4/22/93	15.00

COMPLAINT IN CIVIL ACTION
3 copies (Sheriff)

Aug. 25, 1992 Affidavit of Service and Sheriff's return filed SERVED the within Complaint on August 17, 1992, at 0917 hrs. upon Robert Weschler dba Hearing Conservation Services at 5035 Cider Mill Road, Erie County,Erie,Pennsylvania by handing to Robert Weschler a true and correct copy thereof and made known to Robert Weschler the contents therein.

Robert N. Michel,Sheriff Erie Cty
William Parker,Deputy Sheriff

SERVED Robert Weschler, d/b/a Hearing Conservation Services, by deputizing the Sheriff of Erie County, PA as per his Affidavit of Service attached. SErved onAugust 17, 1992.
NOT FOUND as to Defendant Jeffrey Davis as per Affidavit of Service returned from Erie County, PA. He is no longer employed at Hearing Conservation Services. Affidavit attached.
So answers, Robert M.Stevens, Sheriff

Sept. 8, 1992 PRAECIPE FOR REINSTATEMENT OF COMPLAINT, filed.

Oct. 12, 1992 Sheriff's Return filed. Complaint returned to Prothonotary Office unserved on October 12, 1992. Sheriff's Office received no instructions or advance service costs.
So answers, Robert M.Stevens, Sheriff

And Now, Oct 19, 1992 at 10:57 a.m., upon praecipe of plaintiff's attorney judgment is hereby entered in favor of the plaintiff's for his failure to pleas to the Plaintiff's Complaint, at the sum of Four Thousand Five hundred Dollars and no cents.
H - 184
W - 141

Debt: $4,500.00
Judgment
Barbara H. King, Prothonotary

Oct. 19, 1992 ANSWER ON BEHALF OF DEFENDANTS ROBERT WESCHLER, D/B/A HEARING CONSERVATION SERVICES, AND JEFFREY DAVIS TO THE COMPLAINT OF PLAINTIFFS NEW MATTER AND COUNTERCLAIM, filed.

Jan. 21, 1993 Answer To Defendants' New Matter and Counterclaim filed.

Jan. 21, 1993 Motion to Vacate Entry of Judgment by Default and ORDER filed. AND NOW, this 20th day of January, 1993, upon consideration of the within Motion to Vacate Entry of Default Judgment by Plaintiffs' counsel, leave to vacate said default judgment is hereby granted. Said judgment is hereby vacated.

By the Court:
Gordon R. Miller, j.

Jan. 22, 1993 Copy of Order to Atty. Gregory Keenan.

Jan. 27, 1993 Certificate of Service of Answer to Defendants' New Matter and Counterclaim filed.

Feb. 8, 1993, Motion to Amend Complaint and Order filed.
ORDER: AND NOW, this 8 day of Feb. 1993, upon consideration of plaintiff's Motion to Amend Complaint, the Court finds that the proposed Amendment will not be prejudicial to the Defendants, leave to Amend is hereby granted.

By the Court,
Anthony Vardaro, Judge

Feb. 9, 1993, copies of order to Attys. Gregary Keenan and Wm. Eckert.

Feb. 25, 1993 Amended Complaint filed.

Mar. 3, 1993 Certificate Of Service filed. Gregory A. Keenan, Esquire, hereby certifies that a true and correct copy of the Amended Complaint was served upon William Eckert, Esquire Attorney forthe Defendants, at 821 StateStreet Erie, Pennsyvlania, 16501, by first class mail, postage prepaid on February 26, 1993.
Date: 2-26-93

Gregory A. Keenan

Apr. 1, 1993, Certifi cate of Service filed. Gregory A.Keenan, Esq. hereby certifies that a true and correct copy of the Amended Compoaint, properly endorsed with the Notice to Defend, was served upon William Eckert, Esq. at 821 state st. Erie, Pa. 16501, by first class mail, postage prepaid onthe 25 day fo Mar. 1993. Gregory A. Keenan, Esq.

Apr. 22, 1993, Upon praecipe of plaintiff attorney for reference to the arbitrators, the following arbitrators are appointed:

~~Harry F. White~~, Ch Victor Kinnunen,Ch.
Sylvia Dratler
Brian Lindsay

April 28, 1993 Motion for Judgment On The Pleadings and ORDER filed. AND NOW, this 28 day of April, 1993, upon consideration of Plaintiff's Motion for Judgment on the Pleadings, Prothonotary or Court Administrator shall place on next available argument list.

By the Court:
Anthony J. Vardaro, J.

April 30, 1993 Copy of Order to Attys. Gregory Keenan and William Eckert.

ON MAY ARGUMENT 1993

June 14, 1993 Answer On Behalf of Defendants Robert Weschler, D/B/A Hearing Conservation Services, and Jeffrey Davis To The Amended Complaint of Plaintiffs New Matter and Counterclaim filed.

Continued on Page 458

210

1992

McDonald, Illig, Jones
& Britton
Davis Reilly
Richard J. Parks
Reed Davis

660

INTEGRA NATIONAL BANK/NORTH
successor by merger to
Pennbank

660

RUSSELL S. NEISWONGER and
SHIRLEY M. NEISWONGER

Filed July 20, 1992
@ 4:19 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Pro Co Pd 9-10-92	9.00

COMPLAINT IN CIVIL ACTION
2 copies (Atty)

Aug. 13, 1992 AGreement For Acceptance Of Service Of Complaint in Civil Action filed. AND NOW, this 28th day of July, 1992, the undersigned, Defendant, Russell S. Neiswonger, accepts service of a true and correct copy of the Complaint in Civil Action filed by Integra National Bank/North in the above referenced matter.

RUssell S. Neiswonger

Aug. 13, 1992 Agreement For Acceptance Of Service of Complaint in Civil Action filed. AND NOW, this 10th day of August, 1992, the undersigned, Defendant, Shirley M. Neiswonger, accepts service of a true and correct copy of the Complaint in Civil Action filed by Integra National Bank/North in the above referenced matter.

Shirley M. Neiswonger

And Now, September 10, 1992 at 8:41 a.m., upon praecipe of plaintiff's attorney judgment is hereby entered in favor of the plaintiff and against the above named defendants, Russell Neiswonger and Shirley Neiswonger, for failure to file an answer in the above-captioned matter in the amount claimed in the Complaint of Twenty-Eight Thousand, Seven Hundred Ninety-five Dollars and 54/100 with interest thereon at the rate of $6.28 per dien from July 7, 1992, late charges of $11.80 per month beginning July 16, 1992 and for foreclosure and sale of the mortgaged premises.

Judgment entered - September 10, 1992 Debt: $28,795.54
N - 143, 153 JUDGMENT
Barbara H. King
Prothonotary

EX 1992-92

Oct. 16, 1992 Appearance of MacDonald, Illig, Jones & Britton by Richard J. Parks for Plaintiff filed.

Oct. 20, 1992 Affidavit of Mailing Notices to Lienholders filed.

1992

Mary Ann Kirkpatrick

661

BERND RICHARD WESSLER

vs.

JANEL NICKEL WESSLER

Filed July 21, 1992
@ 10:24 AM

Tax & entry paid	50.50
User's Fee paid	15.00
2 Add'l Count paid	30.00
State paid	10.00
Pro.Co. pd 11/16/92	9.00

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

Sept. 9, 1992 Affidavit of Service by Constance L.Deitman filed.

Oct. 30, 1992 Affidavit ofConsent by Bernd Richard Wessler, Plaintiff, filed.

Nov. 6, 1992 Affidavit of Consent of Defendant filed.

Nov. 16, 1992 Praecipe to Divorce, Stipulation, Proposed Decree filed. Upon precipe of Plaintiff Attorney for Review Under Section 3301 (c) of the Divorce Code this case moved to Court.

D I V O R C E D E C R E E F I L E D

Nov. 19, 1992 AND, NOW, this 18 day of November, 1992, the court orders and decrees as follows:

1. Divorce: Upon consideration of the pleadings and affidavits filed in the above captioned case, this court hereby grants an absolute divorce from the bonds of matrimony to the above-named parties, on the grounds that the marriage is irretrievably broken and ninety (90) days have elapsed form the date of the filing of the complaint, and an affidavit has been filed by each of the parties, evidencing that each o the parties consents to the divorce pursuant to Section 3301(c) of the PA. Divorce Code.

2. Real Estate: Defendant shall transfer all of her right, title and interest to jointly own real estate located in Woodcock Township, Crawford Co. PA., in exchange for $1.00 and other consideration, so that same shall belong to Bernd Richard Wessler In consideration therefore, Plaintiff shall assume full responsibility for all mortgages against said property, and any real estate taxes pertaining to said property

3. Vehicles: Plaintiff shall retain the 1987 Subaru automobile, and assume full responsibility for the debt thereon.

4. Furniture and Tangible Personal Possessions: Each party shall retain the furniture, appliances and furnishings presently in his and her own possession.

5. Savings: Wife shall be the sole owner of $1,400.00 of the parties savings.

6. Debts: Plaintiff shall assume full responsibility for the debts of the parties which arose prior to Oct. 20, 1991; each party shall be solely liable for his and her own debts arising after Oct. 20, 1991.

7. Waiver of Filing of Documents: Neither party hereto shall require the other party hereto to file an inventory and appraisement as would otherwise have been required by the PA. Rules of Civil Procedure and Divorce Code. Each party is aware of the debts and assets acquired during the marraige.

8. Custody: Plaintiff shall have custody of the parties' three (3) minor children and Defendant shall have frequent and liberal visitation by mutual agreement.

9. Waiver of Claims: Neither party hereto shall make any claim against the other party hereto except for enforcement of the rights and responsibilities set forth in this decree.

By the Court:
Anthony J. Vardaro, J.

212

1992

pro se

662

BONNIE L. RIORDAN

vs.

WAYNE T. RIORDAN, JR.

Filed July 21, 1992
@ 10:54 AM

Tax & entry	50.50
User's Fee	5.00

COMPLAINT IN DIVORCE

July 21, 1992 Affidavit and Mtoion For Order To Commence and Prsecute Proceedings In Forma Pauperis filed.

July 21, 1992 Order filed. AND NOW, July 20, 1992, the plaintiff's affidavit and motion for order to commence and prosecute proceedings in forma pauperis has been submitted to, and reviewed by, this Court. Said mtoionis denied becuase the plaintiff has not c omplied with the Pennsylvania Rules of Civil Procedure, she has not disclosed her full financial condition, including income and property as required by Pa.R.C.P. 1920.62 and Pa.R.C.P. 240.

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

July 22, 1992 Copy of order mailed to plaintiff

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 7/21/92 . We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonably delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.

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

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

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

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

By the Court,
Date: 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)

1992

Barrett & Dratler
Bruce A. Barrett

663

CLAAS OF AMERICA, INC.

vs.

RON HART, individually and
d/b/a HART"S MACHINERY and
d/b/a HART"S FARM EQUIPMENT

Filed July 21, 1992
@ 1:11 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	33.00
Pro Pd. 8/24/92	9.00
Satisfaction Pd 10/8/92	5.00

COMPLAINT IN CIVIL ACTION
2 copies Sheriff

July 27, 1992 SHERIFF'S RETURN filed. SERVED Ron Hart on July 23, 1992 at 2:17 PM by handing a copy of the Complaint to Cheryl Beggs, Secretary and Adult in Charge, at Hart's Machinery RD 2, Custards Rd., Cochranton, Crawford County, Pa.
SERVED Hart's Machinery and Hart's Farm Equipment on July 23, 1992 at 2:16 PM by handing a copy of the Complaint to Cheryl Beggs, Secretary and Adult in Charge at the business, R.D. 2, Custards Rd., Cochranton, Crawford County, Pa.
So answers, Edgar D. Householder, Chief Deputy
Robert M. Stevens, Sheriff

And now, Aug. 24, 1992, upon praecipe of plaintiff attorney, with copy of default notice attached, Judgment is hereby entered in favor ofthe plaintiff and against the defendant for want of an answer, in the sum of four Thousand Seven Hundred Sixty Seven and 00/100 Dollars.
H- 144, 184, 184

Debt - $ 4,767.00
JUDGMENT
Barbara H. King,
Prothonotary

EX1992-85

Oct. 8, 1992 Upon Praecipe of Plaintiff's Attorney, Bruce A.Barrett, Esquire, the above judgment is Satisfied. (See paper filed.)

214

1992

Halliday & Halliday
Michael Halliday

664

Thomas, Truax
Spadafore & Walker
Emil M. Spadafore

HELEN RANKIN

vs.

STATE FARM INSURANCE
COMPANIES.

Filed July 21, 1992
@ 1:27 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	25.00

COMPLAINT IN CIVIL ACTION
1 copy (Sheriff)

Aug. 4, 1992 Sheriff's Return filed. SERVED State Farm Insurance Companies on July 24,1992 at 10:00 AM by handing a copy of the Complaint to Michele Hoffman, Claims Services Assistant at the busines, R.D.#4, Box 3, Meadville,Crawford County, PA.
So answers, Robert M.Stevens, Sheriff

Nov. 13, 1992 Answer Containing New Matter filed

Nov. 20, 1992 CERTIFICATE OF SERVICE filed. I certify that a copy of the Answer Containing New Matter was served on the following by United States mail on Nov. 17, 1992: Michael Halliday, Esq.

Jan. 5, 1993 Plaintiff's Reply to New Matter filed.

Jan. 7, 1993 Certificate of Service filed.

1992

Douglas J. Mack
Thomas, Truax,
Spadafore & Walker
R. Charles Thomas
665

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

DOUGLAS W. INGALLS

vs.

LUCIA T. INGALLS

Filed July 21, 1992
@ 1:44 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 4-23-93	45.00
Users fee pd 4-23-93	15.00
John Fuller, Mediator	
Pro Co pd 3-22-94 #8179	9.00
John Fuller, Mediator	200.00
~~Pro Co~~	~~9.00~~
David Pickens, Master	
12-22-94 Master deposit	250.00
Pro Co pd 8-7-95	9.00
Pro Co pd 5-5-98	5.00

11-23-93 Rec from Plff med dep $150.00

2-11-94 Refund to Plff $41.00 Ck 8095

3-2-94 Rec from deft med fee 100.00

3-22-94 Pd Co #8180 200.00

6-20-94 Rec from Plff masters fees 500.00

7-3-95 Rec from deft masters fees 437.37

7-12-95 Rec from Plff. Masters fees 532.13

8-14-95 Pd Co #9373 masters fees $1117.50

8-14-95 Pd Dallas Ct Rep #9392 350.00

4-16-96 Rec'd from plff med dep. 150.00

4-23-96 refunded Plff $150.00 Ck 9947

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION OF MARITAL PROPERTY, SPECIAL RELIEF
2 copies Atty

August 13, 1992 Appearance of Shafer, Swick, Bailey, Irwin & Stack By James R. Irwin, attorney for defendant filed.

Mar. 19, 1993 Appearance of Thomas, Truax, Spadafore & Walker by R. charles Thomas for Plaintiff filed.

Apr. 23, 1993, Answer and Counterclaim filed. 2 copies atty.

Dec. 22, 1993 Motion For Appointment of Custody Mediator and Order, filed. ORDER: And now, December 22, 1993 John Fuller, Esquire is appointed Custody Mediatoar in the above captioned action.

By Order of Court,
Anthony J. Vardaro, J.

Dec. 22, 1993 copy to D. Mack, R.C. Thomas, J. Irwin, J. Fuller

Feb. 11, 1994 ORDER, filed. AND NOW, February 9, 1994 after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Elizabeth Marie Ingalls and Julia Ann Ingalls 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 importatn 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 Elizabeth Marie Ingalls and Julia Ann Ingalls shall be with their mother, subject to the following conditions:

A. The Father shall be entitled to visit and take the children into his custody the first, second and fourth weekends of each month from 3:30 o'clock p.m. on Friday to 4:30 o'clock p.m. on Sunday, beginning Februalry 11, 1994. The first, second and fourth weekend shall be deemed to be those weekends when the first, second and fourth Fridays of Each month fall.

B. Holidays shall be defined as Christmas, Easter and Thanksgiving. Custody of the children shall be shared on the aforesaid holidays and in the absence of an agreement to the contrary, the children shall be in the custody of the mother on the aforesaid holidays until 1:00 o'clock p.m. and in the custody of the father on the aforesaid holidays from 1:00 o'clock p.m. until 7:00 o'clock p.m. In addition, the father shall be entitled to have the children for one (1) week during the Christmas holidays which unless otherwise agreed shall be from 1:00 o'clock p.m. on December 25 until 1:00 o'clock p.m. on January 1.

C. Beginning with the Summer of 1994, the children shall be in the custody of the father for two (2) separate periods of fourteen (14) days each. The father shall give the mother at least thirty (30) days notice of the dates of the Summer visits. The mother shall also be entitled to have the children in her exclusive custody for a fourteen (14) day period, uninterrupted by weekend visits. She shall give the father thirty (30) days notice of the dates. In the event the parties cannot agree, the mother's fourteen (14) day period shall begin on August 15.

D. Transportation of the children on weekends, holidays and Summer visits shall be divided as follows: The parent receiving custody shall provide transportation.

E. Neither mother nor father shall say or do anything in an attempt to turn the children against the other parent, but on the other hand shall do everything in the power of each to foster a favorable and loving attitude on the part of the children towards both parents.

F. Neither mother nor father shall expose the children to any person or situation which may be 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 aboth 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 ten (10) days of the date hereof.

IV. Cost of the mediation conference shall be equally divided between the parties. The Prothonotary of Crawford County is hereby directed to refund a portion of the deposit paid in advance by the Plaintiff, less the cost of the custody order.

Anthony J. Vardaro, J.

Feb. 16, 1994 coopy to R.C. Thomas, J. Irwin, J. Fuller, Pla. & Dft.

Apr. 8, 1994 Income and Expense Statement of Plaintiff filed.

Apr. 8, 1994 Inventory and Appraisement of Douglas W. Ingalls filed.

May 20, 1994 Motion forAppointment of Master in Divorce and ORDER APPOINTING MASTER filed. And Now, May 20, 1994, David Pickens, Esquire is appointed Master in respect to the following claims: Alimony, Alimony Pendente Lite, Equitable Distribution, Counsel Fees, Costs and Expenses. Deposit required: By Plaintiff $500.-- By Defendant $250.--

If not filed already the parties are ordered to file their pretrialstatements within thirty (30) days from this date. *

* The master shall not proceed until the parties have filed 3301 (c) consents and the 1920.46 form is filed.

Per Curiam,
Gordon R. Miller, Judge

5-20-04 Faxed Pickens, Irwin & Thomas

June 20, 1994 Affidavit of Consent of Plaintiff, filed.

June 20, 1994 Affidavit of Non-Military Service, filed.

Sept. 26, 1994, Amended Complaint in Divorce filed.

Continued on Page 471

pro se

666

CHRISTINE LINDSLEY

vs.

CLARENCE L. LINDSLEY

Filed July 21, 1992
@ 2:53 PM

Tax & entry	50.50
User's Fee	5.00

COMPLAINT IN DIVORCE

July 29, 1992 Order filed. AND NOW, July 28, 1992, the plaintiff's affidavit and motion for order to commence and prosecute proceedings in forma pauperis has been submitted to,and reviewed by, this court. Said motion is denied because the plaintiff has not complied with the Pennsylvania Rules of Civil Procedure, she has not disclosed her full financial condition, including income and property as required by Pa. R.C.P. 1920.62 and Pa. R.C.P. 240.

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

August 3, 1992 Copy of the order to: Plaintiff and Defendant

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 7/29/92 . We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonably delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.

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

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

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

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

By the Court,
Date: 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)

1992

Peters, Lindsay,
Lewis & Gagliotti
John P. Gagliotti

Shafer,Swick,Bailey,
Irwin & Stack
Jeffrey K. Millin
667

Thomas, Truax, Spadafore and Walker
R. Charles Thomas

W. EDWIN McCULLAH and
MARY L. McCULLAH

vs.

MUNDY MASTER BUILDERS, INC.

Filed July 21, 1992
@ 3:31 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	28.00
Pro Co pd 2-9-93	15.00
Pro.Co. pd 5/17/94	6.00

COMPLAINT IN CIVIL ACTION
2 copies (atty)

July 27, 1992 SHERIFF'S RETURN filed. SERVED Mundy Master Builders, Inc. on JUly 24, 1992 at 10:36 AM by handing a copy of the complaint to Rick Muntean, Owner of Mundy Master Builders, in the Sheriff's Office, Crawford County Courthouse, Meadville, Pa
So answers, Diane Severo, Deputy Sheriff
Robert M. Stevens, Sheriff

Aug. 7, 1992, Appearance of Thomas, truax, Spadafore and Walker, by R. Charles Thomas, attorneys for defendant filed.

Aug. 7, 1992, Motion for Extension of Time to File Answer to Complaint and order filed. ORDER: AND NOW, Aug. 7, 1992, upon presentation ofthe within motion, the same is granted.
Gordon R. Miller, J

Aug. 18, 1992 Copies of order put in box for Atty's Thomas and Gagliotti

Oct. 6, 1992 Default Notice filed.

Oct. 9, 1992 Verification of Service filed. I, John P. Gagliotti, Esquire, attorney for the Plaintiff in the above-captione action, verify that I did mail a certified copy of the default Notice by United States first Class Mail, postage prepaid, dated October 8, 1992, as evidenced by the attached Certificatie of Mailir to R. Charles Thomas, Esquire, attorney of record for Mundy Master Builders, Inc. I make this verification with notice that willful false statements made herein are subject to the penalties of perjury under Section 4904 of the Pennsylvania Crime Code, relating to unsworn falsification to authorities.
John P. Gagliotti

Oct. 21, 1992 Answer and New Matter filed.

Oct. 28, 1992 Reply To New Matter filed.

Feb. 9, 1993 Upon praecipe of Plaintiff attorney for appointment of Arbitrators, the following Arbitrators have been appointed.
Theodore Watts, Chr.
Willilam Moore
M. Kathryn Karns

Apr 13, 1993 Arbitrators take qualifying oath.

Aug. 12, 1993, Notice of Resc heduled Arbitration Hearing filed.

Aug. 23, 1993, Notice of Rescheduled Arbitration hearing filed.

Sept. 30, 1993 Notice of Rescheduled Arbitration filed.

Oct. 13, 1993 Notice of Rescheduled Arbitration filed.

Jan. 27, 1993 Notice of Continued Arbitration, filed.

May 17, 1994 Upon Praecipe of Jeffrey K. Millin,Esquire, Attorney for Plaintiffs, the above captioned case settled and discontinued of record.

May 19, 1994 Appearance of Shafer, Swick, Bailey, Irwin & Stack by Jeffrey K. Millin, Esquire. for W. Edwin McCullah and Mary L.McCullah, Plaintiffs, filed.

218

1992

Mason & Mason
Joan D. Mason

668

JAMES TAYLOR

vs.

EDWINA DROPIK

Filed July 22, 1992
@ 1:27 PM

Tax & entry paid 50.50
User's fee paid 5.00
William Pineo Mediator

Received from Plaintiff $150 mediation deposit 7-28-92

PARTIAL CUSTODY COMPLAINT
4 copies (atty)

July 28, 1992 MOTION FOR APPOINT OF CUSTODY MEDIATOR and ORDER filed. ORDER: And now, July 24, 1992 William Pineo is appointed Custody Mediator in the above case. Gordon R. Miller, P.J. Aug 4, 1992 copy in box for J. Mason & W. Pineo Mailed copy to Dft

Sept 22, 1998 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 7/28/1992. 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 objectioins 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.

Date: Sept 22, 1998 Anthony J. Vardaro, J.

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.

1992

669

R. Charles Thomas

EUGENE MOOK

vs.

PIROLLO BROTHERS PIZZA

Filed July 23, 1992
@ 10:18 AM

Tax & entry paid 50.25
User's Fee paid 5.00

APPEAL OF DEFENDANT FROM DECISION
OF DISTRICT JUSTICE WAYNE E. HANSON

July 23, 1992 Rule entered upon the Plaintiff to File a Complaint Issued.

July 24, 1992 Proof of Service of Notice of Appeal and Rule to File Complaint, filed.

220

1992

670

THE FIRST NATIONAL BANK
OF PENNSYLVANIA

vs.

ONEIDA ELECTRONIC MFG., INC.

Filed July 23, 1992
@ 2:06 PM

Tax & entry paid 9.00
Orig. on Plff 9.50

AGREEMENT TO REVIVE

of

DSB 1987 - 655

Revival of Judgment indexed by Prothonotary in favor of Plaintiff and agianst the defendant in the sum of Five Thousand Seven Hundred Seventy-five and no/100 plus costs.

Debt-----$5,775.00
Date---- July 14, 1992
O-183 Judgment

Barbara H. King
Prothonotary

March 28. 1994 This judgment Satisfied. (See paper filed)

1992

Peters, Lindsay,
Lewis & Gagliotti
Brian J. Lindsay

671

Barbara J. Walton

July 23, 1992 Plaintif deposited $150.00 for Mediator Costs

10-12-92 to Comm Mediator Fee Ck#7106 100.00

9-3-93 Rec from dfft medfee #50.00 (balance due 50.00)

6-9-94 Pd Co Ck#8955 #50.00

TAMARA McCLINTON

vs.

ROBERT JOHN GABLE

Filed July 23, 1992
@ 3:33 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Pa Co Pd 10-12-92 ck#7107	9.00

PETITION FOR CUSTODY

Order:

You, Robert John Gamble, Defendnat, have been sued in court to obtain custody, partial custody or visitation of the child: Bobbie Joe Gable.

You are ordered to appear in person at such time and place as will be determined by the Mediator, John Fuller, for a mediation conference.

If you fail to appear as provided by this Order, an Order for custody, partial cusotdy 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

Dated: July 22, 1992

BY THE COURT
Gordon R. Miller, J

Aug. 3, 1992, Answer and Counterpetition for Custody filed. 2 copies (atty)

August 4, 1992 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 27th day of July, 1992, send to the above named Defendant, by Certified Mail, Return Receipt Requested a true and correct copy of the Petition for Custody filed at the above term and number; and that I did on the 29th day of July, 1992, receive a duly executed return receipt dated July 28, 1992.

Brian J. Lindsay, Esq.

September 3, 1992 ORDER filed. AND NOW, Sept. 2, 1992, after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Bobbie Joe Gable and Brandy L. Gable 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 improtant 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 Bobbie Jo Gable and Brandy L. GAble shall be with their father, subject to the following conditions:

A. The mother shall be entitled to visit and take the children into her custody every other weekend from 7:00 p.m. on Friday to 7:00 p.m. on Sunday, beginning Sept. 4, 1992.

B. Holidays shall be defined as Christmas, Easter and Thanksgiving. Custody of the children shall be shared on the aforesaid holidays and in the absence of an agreement to the contrary, the children shall be in the custody of the father on the aforesaid holidays until 1:00p.m. and in the custody of the mother on the aforesaid holidays from 1:00p.m. until 8:00 p.m.

C. Beginning with the Summer of 1993, the children shall be in the custody of the mother for a period of one month each Summer. The mother shall give the father at least thirty (30) days notice of the dates of the Summer visit.

D. Transportation of the children on weekends, holidays and Summer visits shall be equally divided as follows: The parent receiving custody shall provide transportation. For instance, the mother shall pick up the children on Friday evenings and the father shall pick up the children on Sunday evenings.

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.

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 plaintiff and defendant.

Gordon R. Miller, Judge

Sept. 9, 1992 Copy of Order to Attys. Brian Lindsay, Barbara Walton, John Fuller; copy mailed to plaintiff and defendant.

222

1992

Pepicelli, Youngs and Youngs
Christopher J. Youngs

672

FRENCH CREEK JOINT MUNICIPAL AUTHORITY, a Municipal Authority

vs.

APPROXIMATELY 0.0023 ACRES OF LAND, known to be the property of ELLEN E. WOOD

Filed July 24, 1992
@ 10:11 AM

Tax & entry paid	50.50
User's Fee paid	5.00

DECLARATION OF TAKING
1 copy (atty)

July 24, 1992 Bond in Eminent Domain Proceedings filed.

July 24, 1992 Memorandum of Recording filed.

Aug. 24, 1992 Proof of Service of Notice To Condemnee filed. I, Christopher J. Youngs, Solicitor for French Creek Joint Municipal Authority, Condemnor, do hereby certify that the Notice to Condemnee, required by 26 P.S. §1-405 was served upon Ellen E. Wood, Condemnee, in the following manner: By Acceptance of Service by Condemnee's attorney, Yolanda A. Barco, Esq., on Aug. 21, 1992. The statements herein are made subject to the penalties of 18 Pa. C.S.A. §4904, relating to unsworn falsification to authorities.

Christopher J. Youngs, Esq.

Aug. 24, 1992 Acceptance of Service filed.

May 19, 1993 Affidavit of Payment of Just Compensation filed.

1992

Thomas, Truax,
spadafore, & Walker
Gregory A.Keenen

673

Harry F. White, II

GEORGE POGUE

vs.

ZONING HEAIRNG BOARD,
BOROUGH OF CAMBRDIGE SPRINGS
CRAWFORD COUNTY, PENNSYLVANIA

Filed July 24, 1992
@ 1:42 PM

Tax & entry paid 50.50
Users' Fee paid 5.00

NOTICE OF APPEAL
3 copies (atty)

Aug. 10, 1992 Affidavit of Service filed. I, Gregory A. Keenen, Esquire, being duly sworn according to law, depose and say that on July 27, 1992, I sent a true and correct copy of a NOtice of Appeal filed in the above action, to the Defendant, the Zoning Board of Cambridge Springs, Pennsylvania, at Defendant's last known address of the Borough of Cambridge Springs, Pennsylvania, 16403 by Certified Mail No. P 899 093 313, postage prepaid, return receipt requested and that attached hereto is a duly exeucted return reciept card showing date of delivery as july 28, 1992.
Gregory A. Keenan

Oct. 7, 1992 Certificate of Service filed. I, Gregory A.Keenan, Attorney for Plaintiff in the above captioned matter, hereby certify that a Certified copyof the Petiton For Stay Procedings Pending Review of Court was served upon Attorney Harry F. White, II, of Jorden & White, at 966 South Main Street, Meadville,Pennsyvania 16335, via First Class Mail on this the 7th day of October, 1992.
Gregory A.Keenan

Oct. 19, 1992 Petition For Stay Proceedings Pending Review of Court and Order filed. AND NOW, this 15 day of October, 1992, upon consideration of Appellant's Petition For Stay of Proceedings Pending Review of Court of the actions undertaken by the Appellee, a Rule is hereby entered onthe Appellee, the Zoning Hearing Board of the Borough of Cambridge Springs, Crawford County, Pennsylvania, to show cause why the further proceedings in this action should not be stayed pending review of court onthe cited actionofthe Appellee.
Rule is returnable on the 1st day of December, 1992, in Court Room #1 or 2 at 1:30 p.m. in the Courthouse, Meadville.
By The Court,
1 copy atty. Anthony J. Vardaro, J

Oct. 30, 1992 Findings of Fact filed.

Dec. 2, 1992 ORDER AND NOTICE OF HEARING, field. AND NOW, this 1st day of December, 1992, at the time set for hearing onAppellant's Petition for Stay of Proceedings, counsel for Appellant and counsel for Appellee appear before the Court and indicate their agreement that the appeal filed in the instant matter shall be a stay of all proceedings pending final disposition of the apperal by this Honorable Court.
A hearing on the appeal is hereby set for th 8th day of January, 1993, at 1:30 p.m. in Courtroom 2.
By the Court:
Anthony J. Vardaro, J.
Dec. 7, 1992 copy to G. Keenen & Dft.

Jan. 11, 1993 Exhibits filed.

Mar. 5, 1993 MEMORANDUM AND ORDER, filed. ORDER: AND NOW, March 1, 1993, Appellant's request for a variance to the side yard setback restrictions of the R-1 districts of the Borough of Cambridge Springs is denied.
BY THE COURT:
Anthony J. Vardaro, J.
Mar. 5, 1993 copies given to White & Keenan

224

1992

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

674

PENNWEST FARM CREDIT, ACA

vs.

JOHN F. BIELAK

Filed July 24, 1992
@ 2:13 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Pro Co Pd 8-31-92	9.00
Sheriff Cost	53.50

COMPLAINT IN MORTGAGE FORECLOSURE
2 copies (atty)

Aug. 28, 1992 Sheriff's Return filed. SERVED John F. Bielak by Certified Mail, Restricted Delivery, addressed to him at his last known address of 136 Prospect Road Hill, R.D.#2, Westfield, NY 14787. Served on July 29, 1992; signed Return Receipt is attached.

SERVED Ted Forkey, Person in Charge of the morgaged property located at R.D.#4, Centerville, Crawford County, PA, on July 31, 1992 at 3:05 PM.

POSTED a copy of the Complaint in Morgage Foreclosure on the mortgaged property of John F. Bielak located at R.D.#4, Centerville, Crawford County, PA. Posted on July 31, 1992 at 3:06 PM.

So Answers,
Edgar D. Householder, Chief Deputy
Robert M.Stevens, Sheriff

And Now, Aug. 28, 1992 at 4:09 P.M. upon praecipe of plaintiff's attorney, judgment is hereby entered in favor of the plaintiff and against the Defendant,John F. Bielak, for failure to file an answer and the same is liquidated at the sum of Forty-four thousand Three hundred Seventy-one and 84/100 dollars, plus interest and cost of suit.

Debt	$44,371.84
Int.from 7/15/92	
Judgment	

B-91
Entered 8/28/92
Notice to Atty. Stack

Barbara H.King
Prothonotary

EXECUTION 1992 - 84

1992

Thomas, Truax,
Spadafore & Walker
R. Charles Thomas,

675

MARQUETTE SAVINGS ASSOCIATION

vs.

ROBERT L. CROSLEY and
DEBORAH K. CROSLEY, his wife

Filed July 24, 1992
@ 2:22 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	31.00
In Error ~~Pro Co pd 10-29-92~~	~~6.00~~

COMPLAINT IN MORTGAGE FORECLOSURE
2 copies (sheriff)

Aug. 4, 1992 Sheriff's Return filed. SERVED Robert L.Crosley on July 28, 1992 at 10:27 AM by handing a copy of the Complaint in Mortgage Foreclosure to Deborah k. Crosley, his Wife, at the residence, 15 Williams Street, Meadville, Crawford County, PA.

SERVED Deborah K. Crosley personally on July 28, 1992 at 10:28 AM by handing her a copy of the Complaint in Mortgage Foreclosure at the residence, 15 Williams Street, Meadville, Crawford County, PA

So answers, Edgar D.Householder, Chief Deputy
Robert M.Stevens, Sheriff

In Error ~~Oct. 26, 1992 Upon praecipe of Plaintiff attorney the above-captioned case is settled and discontinued of record.~~

1992

Watts & Pepicelli
Alan L. Pepicelli

676

HENRIETTA T VALENTINETTI and ROCCO R. VALENTINETTI

vs.

SHEILA PARDEE, now by marriage SHEILA FIELD, and KENNETH L. PARDEE, SR., a/k/a KENNETH PARDEE

Filed July 24, 1992
at 3:18 P.M.

Tax & Entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	42.00
Pro Co pd 10-29-92	6.00

WRIT OF SUMMONS IN CIVIL ACTION
Issued (Sheriff)

Aug. 4, 1992 Sheriff's Return filed. SERVED Kenneth L. Pardee, Sr., on July 30, 1992 at 11:35 AM by handing a copy of the Summons to Nira Pardee, his Daughter, at the residence, R.D.#10, Box 226, Cochranton Road, Meadville, Crawford County, PA.
SERVED Sheila Pardee Field on July 30, 1992, at 12:15 P.M. by handing a copy of the Summons to Robert Field, her Father-in-Law, at the residence, R.D.#1,Box 377, Saegertown,Crawford County, PA.
So answers, Edgar D.Householder, Chief Deputy
Robert M. Stevens, Sheriff

Oct 26, 1992 Upon praecipe of Plaintiff attorney the above-captioned case is settled and discontinued of record.

1992

Barrett & Dratler
Bruce A.Barrett

James R. Irwin

677

Mary Ann Kirkpatrick

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

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

DOROTHY E. IRWIN

vs.

MARY M. HUNT, STELLA COLE
and DAVID LEONHART

Filed July 24, 1992
at 3:25 P.M.

Tax & Entry paid	50.50
User's Fee paid	5.00
Sheriff's costs	28.00
Sheriffs costs	38.00
Pro.Co. pd 9/15/94	6.00

WRIT OF SUMMONS IN CIVIL ACTION
Issued (Atty)

Aug. 13, 1992 Writ Return filed. SERVED Mary M. Hunt personally on Aug. 11, 1992 at 3:30 PM by handing to her a copy of the Summons at her residence, RD # 2, Box 2, Saegertown, Crawford Co., PA.
So answers,

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

Oct. 22, 1992 Writ of Summons reissued.

Oct. 28, 1992 Contempt Petition, filed.

Oct. 28, 1992 ORDER filed. AND NOW, this 24th day of October, 1992, it is hereby ORDERED, ADJUDGED AND DECREED that a Rule to Show Cause is hereby entered upon Respondent, Michael L. Smith, to show cause why he should not be held in contempt of Court.

Said Rule is returnable on the 17th day of December, 1992, in Courtroom No 1 of the Crawford Cofunty Courthouse, Meadville, Pennsylvania at 10:00 a.m. BY THE COURT:
Anthony J. Vardaro, J.
Nov. 2, 1992 J. Irwin & M.A. Kirkpatrick & B. Barrett

Nov. 23, 1992, Writ Returned. SERVED Stella Cole personally on Nov. 18, 1992 at 2:30 p.m. by handing a copy of the Summons to her at her residence, Box 181, Venango, Crawford County Pa.

SERVED David Leonhart personally on Nov. 18, 1992, at 9:20 a.m. by handing a copy of the Summons to him at his temporary place of custody inthecrawford County Jail, 360 Center st., Meadville, crawford County, Pa.
So answers,

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

Apr 1, 1993 Complaint, filed. 3 copies (Atty)

Apr. 8, 1993 Affidavit of Service, filed.

Apr. 16, 1993 Appearance of Culbertson, Weiss, Schetroma and Schug, P.C. by E. Max Weiss, Esquire for Mary M. Hunt,one of the Defendants, filed.

June 7, 1993 Answer filed.

June 7, 1993 Appearance of Thomas, Truax, Spadafore & Walker by Emil M. Spadafore, Jr. for Defendants filed.

Sep.13, 1993 Answer and New Matter of Mary M.Hunt to Plaintiff's Complaint filed.

Sep. 24, 1993 Plaintiff's Reply to Defendant's, Mary M. Hunt, New Matter, filed.

Oct. 6, 1993 Defendant Cole and Leonhart's Reply to New Matter Pursuant to Pa. RCP 2252 (d) filed.

Sep. 15, 1994 Upon praecipe of Bruce A.Barrett, Esquire, Attorney for Plaintiff, the above action is marked discontinued of record.

1992

Barbara J. Walton

678

BARBARA R. FLINT

vs.

FRANK C. FLINT

Filed July 27, 1992
at 8:30 A.M.

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 4/13/94	5.00

COMPLAINT FOR DIVORCE, EQUITABLE DISTRIBUTION, ALIMONY PENDENTE LITE, COUNSEL FEES & COSTS, PERMANENT ALIMONY

3 copies (atty)

July 27, 1992 Petition to Prohibit Disposition or Concealment of Marital Property and Order filed. And Now, July 27, 1992, motion allowed. Hearing on Petiton to Prohibit Disposition or Concealment of Marital Property set for Sept. 1, 1992, at 2:30 P.M. in Courtroom 1 or 2, located in Meadville, Pennsylvania.

For the Court:
Imogene Yetman, Court Administrator

July 28, 1992 Copy of Order to Atty. Walton.

July 27, 1992 Motion to Set Hearing on Plaintiff's Claims for Alimony Pendente Lite, Counsel Fees, Costs and Expenses and Order filed. And Now, July 27, 1992, upon presentation of the within Motion, a hearing onAlimony Pendente Lite,Counsel Fees, Costs and Expenses is set for Sept. 1, 1992, at 2:30 p.m. o'clock in Courtroom 1 or 2, located in Meadville, Pensnylvania.

For the Court:
Imogene Yetman, Court Administrator

July 28, 1992 Copy of the Order to Atty.Walton.

Oct. 9, 1992 AFFIDAVIT OF SERVICE, filed. And now, Oct. 9, 1992 comes Lisa M. Sherretts, secretary to Barbara J. Walton, Esq. and avers as follows:

1. A true and correct copy of the Complaint for Divorce, Motion to Set Hearing on Alimony Pendente Lite and Petition to Prohibit Distribution or Concealment of Marital Property were mailed to the Defendant via Certified Mail, return receipt on July 27, 1992.

2. That the Defendant signed the return card on July 31, 1992 and in accordance with Pa. R.C.P. 412 service of the Complaint, Motion to Set Hearing on Alimony Pendente Lite and Petition to Prohibit Disposition or Concealment of Marital Property were made as is evidenced by the United States Postal Service Return Receipt (Cerified No. P 899097836) attached hereto as Ex. 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.

Oct. 15, 1992 Motion To Enter Agreement and Drop Claims and agreement filed. AND NOW, Oco October 15, 1992 the motion to Accept Property Settlement agreement and Withdraw Claims is allowed. The pending claims for Special Relief and Alimony Pendente Lite, Counsel Fees and costs are withdrawn and the Propery Settlement Agreement is accepted as an Order of Court settling the aforementioned claims.

By the Court
Anthony J. Vardaro, J

1 copy (atty)

Apr. 13, 1994 Petition to Withdraw Complaint in Divorce and ORDER filed. AND NOW, this 19 day of April, 1994, upon presentation of the Petition to Withdraw Complaint in Divorce, it is hereby ordered that this request is denied. Plaintiff must read Rule 229 as to proper procedure.

By the Court:
Anthony J. Vardaro, J.

4-22-94 Copy of Order to Atty. Walton & Deft.

May 4, 1994 Motion to Withdraw Complaint (amended) and Order filed. ORDER: AND NOW, this 2nd day of May 1994, upon presentation of the petition to withdraw complaint in divorce, it is hereby ordered that this complaint is withdrawn.

By the Court:
Gordon R. Miller, J.

May 4, 1994, two copies to Atty. Walton.

1992

BARBARA J.WALTON

679

MARJORIE KRASA

vs.

WILLIAM KRASA

Filed July 27, 1992
at 9:30 A.M.

Tax & Entry paid	50.50
User's Fee paid	10.00
1 add'l count	15.00
State paid paid	10.00
Pro. Co.pd 11/17/92	9.00

COMPLAINT FOR DIVORCE, EQUITABLE DISTRIBUTION
3 copies (atty)

Aug. 6, 1992 Affidavit of Service filed. And Now, August 6, 1992 comes, Lisa M. Sherretts, Secretary to Barbara J. Walton, Esq. attorney for Plaintiff in the above-catpioned matter and avers as follows:

1. A true and correct copy of the Complaint for Divorce filed in the above-catpioned matter was served upon the defendant William Krasa, by certified mail, restricted delivery, persuant to Pa. R.C.P. 412 on Jluly 28, 1992, as is evidenced by the United States Postal Service rEturn Receipt (Certified No. P 899097836) 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. LIsa M. Sherretts

Nov. 17, 1992 Affidavit of Consent to Divorce by William Krasa, Defendant, filed.

Nov.17, 1992 Affidavit of Consent to Divorce by Marjorie Krasa, Plaintiff, filed.

Nov. 17, 1992 Upon praecipe of Plaintiff attorney to transmit record, case moved to court.

DIVORCE DECREE FILED

Nov. 24, 1992 CONSENT DECREE filed. And Now, this 23rd day of November, 1992, upon presentation and consideration of the foregoing Stipulation, this Court hereby directs that:

1. 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.

2. The Defendant shall have sole and exclusive possession of the marital residence located in Conneaut Lake, PA. and Defendant shall be responsible for any and all outstanding obligations due and owing on said residence, including but not limited to the outstanding mortgage due and owing on said residence, insurance, utilities, and maintenance.

Plaintiff shall execute and deliver a Quit-Claim Deed to the Defendant within ten (10) days of the signing of this decree.

3. The Plaintiff shall receive $10,000.00 as settlement for her share of the marital assets. The Plaintiff shall receive this amount no later than the date of signing this decree.

4. The Defendant agrees to carry the Plaintiff on their current automobile insurance policy which is paid through December. When this policy expires in December, each party is to obtain their own insurance.

5. The Plaintiff and Defendant waive any and all claims each may have to the other's retirement benefits.

6. The Plaintiff and Defendant renounce any and all claims each may have to Alimony.

WHEREFORE, the Bond of Matrimony that have existed between the parties is hereby dissolved.

By the Court:
Gordon R. Miller, J.

John S. Kookogey

680

HENRY LASSIGE, and
SARAH LASSIGE, wife and
OSE& P, INC.

vs.

WAYNE DILLEY and
CARL KITELINGER, their
respective heirs, personal
representatives and assigns

Filed July 27, 1992
at 10:00 A.M.

Tax & Entry paid	50.50
State paid	5.00
Pro Co pd 10/19/92	9.00

COMPLAINT - ACTION TO QUIET TITLE

July 28, 1992 Affidavit Filed. John S. Kookogey, Attorney at Law for the Plaintiffs in the above-captioned matter, being duly sworn according to law, deposes and says that a diligent search has been made for the Defendants,WAYNE DILLEY and CARL KITELINGER, in Crawford County Court Huse records, phone books and directories, and the whereabouts, and/or identity and whereabouts of any of their heirs, personal representatives, and assigns, remains unknown to said Deponent. John S. Kookogey

July 28, 1992 Motion for Leave to Serve by Publication and Order Filed. AND NOW, July 27, 1992, on motion of JohnS. Kookogey, Attorney for Plaintiffs in the above-captioned matter, leave is hereby granted to serve WAYNE DILLEY and CARL KITELINGER, and their respective heirs, personal representatives, and assigns, generally, Defendants in said Action, by publication of a notice of the facts set forth in the Complaint in the Meadville Tribune and Crawford County Legal Journal both newspapers 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,
Gordon R. Miller,

July 28, 1992 Copy of the Order to John S.Kookogey, Esquire.

Sept. 11, 1992 Affidavit filed. John S. Kookogey, being duly sworn according to law, deposes and says that he is counsel for the Plaintiffs in the above-captioned case, and as such, makes this affidavit on behalf of said Plaintiffs, that on July 27, 1992, your Honorable Court entered an Order in said case directing that service of the Complaint be made on the Defendants, WAYNE DILLEY and CARL KITELINGER, and their respective heirs, personal representatives, and assigns, by publication in the Meadville Tribune and Crawford County Legal Journal one time; that service was made by publication in accordance with said Order as appears by proofs of publication attached hereto; more than twenty (20) days have elapsed from the date of the last publication of said notice and that the said Defendants, their respective heirs, personal representatives, and assigns, have not appeared nor filed an Answer to said Complaint.

John S. Kookogey

Sept. 11, 1992 Motion For Judgment and FINAL DECREE filed. AND NOW, this 11th day of Sept., 1992, upon presentation of the foregoing motion and due consideration thereof, it is hereby ORDERED AND DECREED that the Defendants, WAYNE DILLEY and CARL KITELINGER, and their heirs, personal representatives, and assigns, are forever barred from asserting any right, title, lien or interest inconsistent with the claim of the Plaintiffs, as set forth in the Complaint in this case, of in, or any way attacking the title of the 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, WAYNE DILLEY and CARL KITELINGER, 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 is further ORDERED AND DECREED that if no Petition to open this judgment or set aside this Decree is presented by the Defendants, WAYNE DILLEY and CARL KITELINGER, and their heirs, personal representatives, and assigns, within thirty (30) days from and after the entry of this Decree, the same shall be final. IF such action is not taken within said thirty day period, the Prothonotary, on praecipe of the Plaintiffs, shall enter final judgment.

PER CURIAM,
Gordon R. Miller, J.

Sept. 14, 1992 Copy of Order to Atty. John Kookogey.

And Now, Oct. 19, 1992 @ 12:00 PM upon praecipe of plantiff's attorney, final judgment is hereby entered in this case, in favor of the plantiffs and against the defendants, pursuant to the foregoing Order of Court.

FINAL JUDGMENT
Barbara H. King
Prothonotary

1992

R. Christopher Brode

681

CAROL MASIKER

vs.

MARK MASIKER

Filed July 27, 1992

Tax & entry	Pd 10-6-92	50.50 ✓
State	Pd 10-6-92	5.00
Sheriff's Costs		37.00
Pro Co	Pd 10-6-92	9.00 ✓
Pro Co Pd	10-9-92	5.00 ✓

10-6-92
Received from defendant Sheriff's costs $37.00

10-7-92 Pd Sheriff Ck# 7097 $37.00

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

ORDER:

And now, this 27 day of July, 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 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 detrmined by final court order.

7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.

8. The court reserves ruling on allocation of fees and costs. Hearing is hereby set for August 6, 1992, at 3:30 p.m. in Courtroom 1 or 2 of the CrawfordCounty 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.

July 28, 1992 Sheriff's Return filed. SERVED Mark Masiker personally on July 27, 1992 at 3:20 PM by handing a copy of the Protection from Abuse to him at his parents residence, Gary and Barb Masiker, R.D.#1, Box 19, Titusville,Crawford County, PA.
So answers,
Edgar D. Householder,Chief Deputy
Robert M.Stevens, Sheriff

Aug. 7, 1992 ORDER filed, AND NOW, Aug. 6, 1992, this matter is before the Court on plaintiff's Petition for Relief Under the Protection From Abuse Act. The plaintiff appears represented by counsel and the defendant appears without counsel but indicates that he will go foward without counsel.

After discussion at an informal hearing, the defendant indicates that some of the allegations of the petition are true, but not all of them, and the Court agrees to enter an Order without admission of any of the allegations on the part of the defendant.

ACCORDINGLY, the following Order is enterd:

1. The defendant shall not assault, abuse, harass or threaten the plaintiff at any time and shall not go within 100 yards of her parents' residence and/or any residence where she resides nor within 100 yards of any place of employment should she become employed.

2. Additionally, the defend ant shall not telephone the plaintiff, but he may contact her by United States Mail so long as the mail is not threatenign or harassing.

3. The defendant is cautioned that even if he is invited to the residence or within 100 yards of the residence of the Plaintiff at any time, he should not go to such residence without further Order of Court insofar as any law enforcement personnel can presume that he is in violation of the Order if he is in such a location without a modification of this Order, it being the Court's intention that the Police Department should not have to make a determination as to whether or not he was invited or not invited.

4. 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.

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 Courtand violation of this Order may be punishable by a fine of up to $1,000.00 and a jail sentenceof up to 6 months.

7. The defendant shall reimburse the plaintiff or shall pay directly on behalf of the plaintiff the sum of $107.55 to the Titusville Hospital for medical expenses incurred with respect to this matter and the following sums to Brooks Pharmacy for prescriptions: ($4.99, $14.79, $7.92), all to be paid within 30 days of the date of this hearing.

8. The defendant shall pay court costs in this matter in the amount of $101.50 to the Prothonotary of Crawford County on the first floor of the Courthouse in Meadville, Pa., by the close of business at 4:30 p.m. 60 days from this date.

9. This Order shall remain in full force and effect through Aug. 5, 1993.

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

Aug. copy to County Ctrl., PSP, Plf. & Dft.

Oct 9, 1992 Upon praecipe of Plaintiff the above action is marked discontinued of record.
Oct. 15, 1992 copy to Co. Ctrol & PSP (Corry Barracks)

Elderkin, Martin, Kelly & Messina
Craig A. Markham

682

Tighe, Evan & Ehrman
Harry M. Paras for F.A.Beshara Associates, James M. Beshara, Fred A. Beshara and Fred M. Beshara

Baginski & Bashline
Richard J. Trankocy, Jr
Fishers Big Wheel, Inc t/d/b/a Big Wheel, Big Wheel, Inc.
Richard J. Trankocy, Jr.
Romano Paving

Culbertson, Weiss, Schetroma & Schug
E. Max Weiss
for Romano Paving, Add'l Defendant

BARBARA SEE

vs.

FISHERS BIG WHEEL, INC., t/d/b/a BIG WHEEL, BIG WHEEL, INC., F.A. BESHARA ASSOCIATES, JAMES M. BESHARA, FRED A. BESHARA and FRED M. BESHARA

ROMANO PAVING, Additional Defendant

Filed July 27, 1992
at 2:36 P.M.

Tax & Entry paid	50.50
User's Fee paid	5.00
Sheriff;s Costs	59.00
Sheriff's Costs	44.50
Pro. Co.pd 2/6/95	$6.00

JURY TRIAL DEMANDED

WRIT OF SUMMONS - CIVIL ACTION

Issued (Sheriff)

Aug. 4, 1992 Affidavit of Service filed. SERVED the within Summons on July 30, 1992, at 11:42 AM, upon Big Wheel, Inc. at 102 Nesbitt Road, New Castle, Penna. by handing to Rose Stunkard, Executive Secretary, person found in charge at time being, a true and correct copy thereof and made known to her the contents therein.
Donald T. _____Sheriff Lawrence County.

Affidavit of Service filed. SERVED the within Summons on July 30, 1992, at 11:43 AM, upon Fisher's Big Wheel, Inc. t/d/b/a at 102 Nesbitt Road,New Castle, Penna. by handing to Rose Stunkard,EXecutive Secretary, person found in charge at time being a true and correct copy thereof and made know to her the contents therein.
Donald T. _____Sheriff, Lawrence County.

Sheriff's Return filed. SERVED Big Wheel, Inc. on July 28, 1992 at 10:55 AM by handing a copy of theSummons to Ed Lauch, Manager at 110 South Martin Street, Titusville, Crawford County, PA.

SERVED Fisher's Big Wheel, Inc. on July 28, 1992 at 10:56 AM by handing a copy of the Summons to Ed Lauch, Manager at 110 South Martin Street, Titusville, Crawford County,PA.

SERVED Big Wheel, Inc. by deputizing the Sheriff of Lawrence County, PA as per his Affidavit of Service Attached. Served on July 30, 1992.

SERVED Fisher's Big Wheel, Inc. by deputizing the Sheriff of Lawrence County, PA, as per his Affidavit of Service attached. Served on July 30, 1992.

NOT FOUND as to Defendants,F.A. Beshara Associates, James M. Beshara, Fred A. Beshara and Fred M.Beshara. No such address of 200 South Martin Street,Titusville, Crawford County,PA. Corporate headquarters is in Youngstown,Ohio.
So answers, Robert M.Stevens, Sheriff

Aug. 6, 1992 Return of Service of Writ of Summons, filed.

Sep. 2, 1992 Return of Service filed.

Sep. 2, 1992 Return of Service filed.

Sept. 4, 1992 Writ of Summons reissued.

Sept. 17, 1992 Acceptance of Service filed. The undersigned does hereby accept service of the Writ of Summons on behalf of dEfendnat, Fred M. Beshara, and I do hereby certify that I am authrozied to to accept such service. Andrea L. Young

Oct. 12, 1992 Sheriff's Return filed. Summons returned to Prothonotary Office unserved on October 12, 1992. Sheriff's Office received no instructions or advance service costs.
So answers, Robert M.Stevens, Sheriff

July 9, 1993 Complaint filed.

July 30, 1993 Appearance of Tighe, Evan & Ehrman by Harry M. Paras, Esquire for F. A. Beshara Associates, James M. Beshara, Fred A. Beshara and Fred M.Beshara, defendants,filed.

Aug.6 , 1993, Notice of Service of Request for production of Documents Directed to Defendants Fishers Big Wheel Inc. t/d/b/a Big Wheel, filed.

Aug. 6, 1993, Notice of Service of Interrogatories filed.

Aug. 30, 1993 Appearance of Baginski & Bashline by Richard J. Trankocy, Jr. for Fishers Big Wheel, Inc. t/d/b/a Big Wheel, Big Wheel, Inc. filed.

Aug. 30, 1993 Praecipe for Writ to join as additional defendant, ROMANO PAVING, filed.

Sept. 14, 1993 Writ Return filed. SERVED the within Writ to Join Additional on September 3, 1993, at 2:05 P.M., upon Romano Paving Defendant at 1103 E. Poland Ave., Bessemer, Penna. by handing to Christina Romano, Secretary, person found in charge at time being a true and correct copy thereof and made known to her the contents therein.
So answers, Carol B. Nord, depurty sheriff
I hereby deputize the Sheriff of Lawrence County, Pennsyvlania to serve the wtihin Writ to Join Add'l Defendant according to law. Carole Stefanucci, Deputy Sheriff

Sept. 16, 1993 Certificate of Service of Plaintiff's Interrogatories to Defendants, F.A. Beshara Associates, James M. Beshara, Fred A. Beshara and Fred M. Beshara filed.

Sept. 16, 1993 Certificate of Service of Plaitiff's Interrogatories to Defendants, Fishers Big Wheel, Inc., t/d/b/a Big Wheel and Big Wheel, Inc filed.

Sept. 27, 1993 Answer and New Matter, filed.

Oct. 1, 1993 Motion To Compel Answers To Interrogatories and Response To Request For Production of Documents filed.

Oct. 4, 1993, Answer, New Matter and New Matter Under rule 2252(d) on behalf of F. A. Beshara Associates, James M. Beshara, Fred A. Beshara and Fred M. Beshara, filed.

Oct. 14,1993 Plaintiff's Preliminary Objections to New Matter of Defendnat Fishers Big Wheel, Inc., t/d/b/a Big Wheel, Big Wheel, Inc., filed.

Oct. 14, 1993 Plaintiff's Preliminary Objections to New Matter of Defendants F.A. Beshara Associates, James M. Beshara, Fred A. Beshara and Fred M. Beshara, filed.

Nov. 1, 1993 Appearance of Culbertson, Weiss, Schetroma & Schug by E. Max Weiss, Esquire for Romano Paving, Additonal Defendant, filed.

Continued to Page 232 A

BARBARA SEE
vs.
Fishers Big Wheel,Inc., t/d/b/a/Big Wheel, Big Wheel, Inc., F.A.Bershara Associates, James M.Bershara, Fred A. Bershara & Fred M.Beshara

Romano Paving, Additional Deft.

Continued from Page 232
of Record
AD 1992 - 682

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Nov.15, 1993 Upon Praecipe of Craig A. Markham, Esquire, Attorney for Plaintiff, the above captioned matter is place on the next available Argument list.

ON DECEMBER, 1993 ARGUMENT LIST

Nov.19, 1993 Amended Answer, New Matter and New Matter Pursuant to Rule 2252 (d) filed.

Nov. 19, 1993 Notice of Deposition of Plaintiff Barbara See, filed.

Dec. 10, 1993 Plaintiff's Reply to Amended New Matter of Defendants, F.A. Beshara, James M. Beshara, Fred A. Beshara and Fred M. Beshara filed.

Jan.6, 1994 Plaintiff's Reply to Amended New Matter of Fishers Big Wheel, Inc., t/d/b/a Big Wheel, Big Wheel, Inc., filed.

May 23, 1994 Notice of Video Deposition of Russell Morrison, D.O., filed.

May 23, 1994 Notice of the Taking of Depositions Upon Oral Examination of Barbara Hoepfl, Edward Locke and Debra Jones, filed.

June 24, 1994 Notice of the Taking of Depositions Upon Oral Examination of Barbara Hoepfl and Debra Jones filed.

Jul.7, 1994 Return of Service of Deposition Subpoena, filed.

Jul. 29, 1994 Defendant, Fishers Big Wheel, Inc.'s Request for Production of Documents and Things Pursuant to Rule 4009 of the Pennsylvania Rules of Court directed to Plaintiff, filed.

Sep. 9, 1994 Notice to Complete Discovery in Accordance with Rule L302A(2), filed.

Nov.7, 1994 Notice of Service of Request for Production of Documents to Fisher Big Wheel, Inc., T/D/B/A Big Wheel, Big Wheel, Inc., filed.

Nov. 18, 1994 Request for Production of Documents Directed to Romano Paving, filed.

Dec. 13, 1994 Certificate of Readiness filed.

ON FEBRUARY, 1995 TRIAL LIST

Dec. 16, 1994 Motion to Compel Response to Request for Production of Documents Directed to Fishers Big Wheel, Inc. t/d/b/a Big Wheel, Big Wheel,Inc. filed.

Dec.16, 1994 Motion to Compel Response to Request for Production of Documents Directed to Romano Paving, filed.

Dec. 16, 1994 Motion to Strike Certificate of Readiness,filed.

Dec. 19, 1994 Notice of Videotape Deposition for Use at Trial, filed.

Dec. 19, 1994 Certificate of Service filed. The Undersigned herebycertifies that Answers to Beshara Defendants Request for Productionof Documents were served by first class mail upon Cynthia L.Garda,Esquire, Attorney for Beshara Defendants, and other counsel of record, on December 19, 1994,by forwarding a copy of said Answers.

By: E.Max Weiss, Esquire

Dec. 19, 1994 Answer and New Matter to Motion to Compel Response,filed.

Dec.23, 1994 ORDER OF COURT filed. AND NOW,to-wit, this 23 day of December,1994,it is hereby ordered and decre decreed that defendants Fisher Big Wheel, Inc. t/d/b/a Big Wheel and Big Wheel, Inc. file full and complete respon respones to the Request for Production of Documents of F.A. Bershara Associates, James M. Beshara, Fred A. Beshara and Fred M. Beshara within twenty (20) days of the date of this Order or suffer sanctions as deem deemed appropriate by this Court upon further Motion.

BY THE COURT:
Anthony J.Vardaro,J.

12-23-94 Copy to Atty. Olszerwski, Faxed to Attys. Markham, Garda & Weiss

Dec. 28,1994 ORDER filed. AND NOW,December 23, 1994, this motion is presented in motion court and is argued with pertinent counsel present. It appears that Romano Paving throughtheir counsel has produced various documents in a timely manner,although they did not originallyproduce them at the deposition of the Romano Paving representative. Counsel for Romano Paving represents that everything that appears tobe available has been produced except certain original itemswhich are at his office and available for inspection and copying by counsel for Beshara. Counsel for Romano Paving will provide a letter certifying that to counsel for Beshara within ten (10) days of the date of this Order, and additionally, this date Beshara through their counsel shall be permitted to inspect the items at Romano Paving counsel's office,and to make copies of those items if they deem fit.

Romano Paving's request for counsel fees to the extent that it still exists is denied.

This Order is without prejudice toany party to raise any appropriate issue with respect to the items that have not been produced in a timely manner, should any new items come to the attention of the parties sometime prior to trial.

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

12-28-94 Copies dist.to all counsel

Dec.28,1994 ORDER filed. AND NOW, December 23, 1994, this matter is presented in motion court, and after oral argument between counsel with respect to the same, the motion to strikethe certificate of readiness is denied withou prejudice to any party to raise that issue again in the event that this matter does not appear to be ready for trial in February, 1995,due to new materials come forward sometime after this date.

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

12-28-94 Copies dist.to all counsel.

CONTINUED TO PAGE 232B

Barbara See
vs
Fishers Big Wheel, Inc.,t/d/b/a
Big Wheel, Big Wheel, Inc., F.A.
Beshara Associates,James M.
Beshara, Fred A.Beshara and
Fred M.Beshara
vs
Romano Paving

Continued from Page 232 A
of Record

AD 1992 - 682

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Feb. 6, 1995 Upon Praecipe of Craig A.Markham, Esquire, Attorney for Plaintiff, the above action is marked settled and discontinued of record.

1992

William J. Gregg Law Of
Kathleen R. Nelson

683

Culbertson,Weiss,
Schetroma and Schug, P.C.
John B. Brautigam

HOWARD E. STARKEY

vs,

ELAINE STARKEY

Filed July 27, 1992
@ 3:48 p.m.

Tax & Entry Pd. 50.50
User's Fee Pd. 5.00

John Fuller, Mediator 100.00
Fro Co Pd 10-12-92 Ch#7107 gov

Received from Plf
8-17-92
$150 on med dep.

9-30-92
Pd Pltf - med refund
Ch # 7081 $41.00

10-12-92
Pd Comm Ck# 7106
Mediation Fee 100.00

10-13-92
Received from
defendant
Mediator fee $100.00

11-20-92
Pd Co Comm
Med Fee Ck# 7186
100.00

COMPLAINT FOR CUSTODY
1 copy (atty)

Aug. 19, 1992 Appearance of Culbertson, Weiss, Schetroma and Schug, P.C. by John B. Brautigam,Esquire, Attorney for Defendant, filed.

Aug. 31, 1992 Motion for Appointment of Custody Mediator and Order filed. AND NOW,August 12, 1992, John Fuller is hereby appointed Child Custody Mediator in the above-captioned matter.

P. Richard Thomas, S.J.

Aug. 31, 1992 Copy of the Order to Attys. Nelson, Brautigam and Fuller.

Sept. 29, 1992 Order filed. AND NOW,September 28, 1992, after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Chad MIchael Starkey shall be with his mother, Elaine Starkey.

II. Physical custody of Chad MIchael Starkey shall be with his mother, subject to the following conditions:

A. The grandfather,Howard E. Starkey, shall be entitled to visit and take the child into his custody every other Sunday, from 1:00 p.m. until 4:00 p.m., beginning October 4, 1992.

B. Transportation of the child on Sunday visits shall be provided by Mr.and Mrs. Koenig, unless the mother wishes to provide transportation on any given Sunday.

C. Neither mother nor grandfather shall say or do anything in an attempt to turn the child against the other party,but on the other hand shall do everythin in the power of each to foster a favorable and loving attitude on the part of the child towards both parties. If the grandfather criticizes the child's mother, his visits will be subject to termination.

D. Neither mother nor grandfather shall expose the child to any person or situation which may be harmful to the child's health or well being.

E.Both parties agree to inform the other immediately of any illness or injury regarind the child and both parties agree to furnish the other with a current telephone number.

F. Neither mother nor grandfather are to swear or use obscene language in the presence of the child.

G. The grandfather is not to spank or use any form of corporal punishment with respect to the child.

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 the sum of Fifty ($50.00) Dollars of the deposit paid in advance by the Plaintiff,less the cost of the custody order.

Gordon R. Miller, Judge

Oct. 5, 1992 Copy of the Order to Attys. Nelson & Brautigam.

234

1992

Robert J. Felton

684

TINA L. CRAY

vs.

JAMES T. CRAY

Filed July 27, 1992
@ 3:48 p.m.

Tax & Entry Pd	50.50
User's Fee Pd	5.00
State Pd	10.00
Pro.Co. pd 3/4/93	9.00

COMPLAINT UNDER SECTION 3301(C) OF DIVORCE CODE
1 copy (atty)

sept. 11, 1992 Affidavit of Service filed. I. Robert J. Felton, Esquire, Attorney at Law, 144 West Spring Street, TItusville Pennsylvania, do hereby certify that, in my capacity as attorney for the plaintiff in the above-captioned matter, served a ceritfied copy of the Divorce Complaint in this matter on July 31, 1992, by sending defendant the same by certified mail no. P 297 231 712, return receipt requested. A complaint was mailed to the defendant on Tuesday, July 28, 1992, as reflected in the receipt for mailing and the return receipt attached hereto.

Robert J. Felton

Mar. 4, 1993 Affidavit of Consent of James T.Cray, Defendant, filed.

Mar.4, 1993 Affidavit of Consent of Tina L.Cray, PLaintiff, filed.

Mar. 4, 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

March 12, 1993 AND NOW, March 10, 1993, ti is ordered and decreed that **T I N A L . C R A Y ,** plaintiff, and **J A M E S T . C R A Y ,** 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.

1992

685

CAROL E. BLYMILLER

vs.

JOHN E. HENLEY

Filed July 27, 1992
@ 4:14 p.m.

Tax & Entry	50.50
User's Fee	5.00
Sheriff's Costs	37.00

PROTECTION FROM ABUSE
3 copies (Sheriff)

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

ORDER:

And now, this 27 day of July, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions:
The Defendant shall not go to Plaintiff's residence.

3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for August 6, 1992, at 3:30 P. M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,

July 28, 1992 Sheriff's Return filed. SERVED John E. Henley personally on July 28, 1992 at 10:55 AM by handing him a copy of the Protection from ABuse at Big Wheel, South Martin Street, Titusville, Crawford County, PA.
So answers,
James Withers, Chief Constable
Robert M.Stevens, Sheriff

Aug 7, 1992 ORDER filed. AND NOW, Aug. 6, 1992, this matter is before the Court on Plaintiff Petition for Protection under the Protection From Abuse Act.

Both parties appear without counsel and the matter proceeds through a formal hearing with both parties calling several witnesses.

The burden being upon the plaintiff in this matter, the Court is not satisfied that that burden has been met, and accordingly, the Petition is DISMISSED with costs to the County.

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

Aug. 11, 1992 copy to Plf. & Dft. And County Control

236

1992

pro se

686

ROBIN L. COYLE

VS.

DONALD A. COOPER

Filed July 27, 1992
@ 4:31 p.m.

Tax & Entry pd 8-7-92 50.50
User's Fee pd 8-7-92 5.00
Sheriff's Costs 30.00
Pro Co pd 8-7-92 5.00

Paid Sheriff $30.00 on 8-7-92 ck # 6977

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT
3 copies (Sheriff) 1 copy (plf)

ORDER:

And now, this 27th day of July, 1992, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Defendant shall not contact Plaintiff in any way. Defendant shall not go to Plaintiff's residence. Defendant shall return Plaintiff's son to her.
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 th is 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 August 7, 1992 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, P.J.

July 28, 1992 Sheriff's Return filed. SERVED Donald A. Cooper personally on July 28, 1992 at 12:50 P.M. by handing him a copy of the Protecton from Abuse in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, PA.
So answers, Robert M.Stevens, Sheriff

August 7, 1992 Upon Praecipe of plaintiff the above action discontinued.

Aug. 7, 1992 MOTION FOR LEAVE TO WITHDRAW by Plaintiff, filed.

Aug. 7, 1992 ORDER, filed. AND NOW, this 7th day of August 1992, upon consideration of Plaintiff's Motion, leave is hereby GRANTED for Plaintiff to withdraw her Petition, the action is DISMISSED, upon payment of costs by Plaintiff.

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

Aug 11, 1992 copy to Plf.

1992

Berger Kapetan Meyers
Rosen Louik & Kapetan
~~Neil R. Rosen~~ Withdrawn
Raizman & Frischman, P.C.
Craig E. Frischman

687

Ceisler/Richman/Smith
Thomas/A./Lonich
Arkman & Assoc., P.C.
Lloyd E. Wilson
for Defendant, David A. Bean

MICHAEL B. NADOLNY, a minor by his parents and natural guardians, BRAD M. NADOLNY and RITA NADOLNY, and BRAD M. NADOLNY and RITA NADOLNY, husband and wife, parents and natural guardians of said minor, in their own right

vs.

DAVID A. BEAN, an individual and SHEILA MILLER, an individual
BRAD M. NADOLNY and RITA NADOLNY, husband & wife, & parents and natural guardians of MICHAEL B. NADOLNY, a minor, Additional Defendants

Filed July 28, 1992
@ 11:23 a.m.

Tax & Entry	Paid	50.50
User's Fee	Paid	5.00
Sheriff's Costs		50.00
Sheriff's Costs		43.00

JURY TRIAL DEMANDED

COMPLAINT IN A CIVIL ACTION
2 copies Sheriff

Aug. 5, 1992 Sheriff's REturn filed. SERVED David A. Bean personally on July 31, 1992 at 2:26 Pm by handing to him a copy of the Complaint at his place of employment, Quality Markets, 324 W. Central Avenue, Titusville, crawford County, PA. SERVED Sheila Miller on July 31, 1992 at 2:36 PM by hanidng a copy of the Complaint to William Beck, Adult in Charge, at R.D.#4, Titusville, Crawford County, PA.
So answers, Edgar D. Householder, Chief Deputy
Robert M. Stevens, Sheriff

Aug. 12, 1992 Appearance of Ceisler Richman Smith Law Firm by Thomas A. Lonich,Esquire, for David A. Bean, Defendant.

Sept. 8, 1992 Appearance of Arkman & Associates, P.C. by Lloyd E. Wilson, Esquire for David A. Bean, Defendant, filed.

Sept. 11, 1992 Answer, New Matter and New Matter Pursuant to Pa. R.C.P. 2252 (d) filed on behalf of Defendant, David A. Bean, filed.

Sept. 14, 1992 COMPLAINT TO JOIN ADDITIONAL DEFENDANTS, filed. 2 copies (Sheriff)

Sept. 18, 1992 Sheriff's Return filed. SERVED Rita Nadolny personally on September 15, 1992 at 3:18 PM by handing a copy of the Complaint to Join Additional Defendants to her at the residence 319 North Washington Street, Titusville, Crawford County, PA. SERVED Brad M. Nadolny on September 15, 1992 at 3:19 PM by handing a copy of the Complaint to Join Additional Defendants to Rita Nadolny, his Wife, at the residence, 319 North Washington Street, Titusville, Crawford County, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Oct. 1, 1992 Preliminary Objections to Complaint to Join Additional Defendants or Defendant David A. Bean Filed.

Oct. 1, 1992 Upon Praecipe of Attorney Neil R. Rose the above captioned matter is place on the next avialable Argument List.

Oct. 1, 1992 Preliminary Objections to Answer, New Matter and New Matter Pursuant to Pa. R.C.P. 2252 (d) of Defendant David A. Bean filed.

Oct. 1, 1992 Upon Praecipe of Attorney Neil R. Rosen, the above captioned matter is place on the next available Argument list.

ON NOVEMBER, 1992 ARGUMENT LIST

Oct. 14, 1992 Verification To Answer, New Matter and New Matter Pursuant To PA. R.C.P. 2252(d) and complaint To Join additonal Defendants filed.

Nov. 12, 1992 Plaintiff's Answer and New Matter To Complaint To Join Additional Defendants filed.

Nov. 12, 1992 Plaintiff's Reply To New Matter Of Defendant David A. Bean filed.

Nov. 19, 1992 Defendant David A. Bean's Reply to The Plaintiffs' New Matter to Join Additional Defendants, filed.

Jan. 9, 1995 Upon Praecipe of Thomas A. Lonich, Attorney for Defendant, David A. Abean, appearance withdrawn filed.

Apr. 27, 1995 Notice To Complete Discovery within Sixty Days Pursuant To Local Rule L302A(2) filed.

Apr. 1, 1996 Notice of Deposition of Sheila Miller filed.

Apr. 1, 1996 Notice of Deposition of David A. Bean filed.

May 19, 1997 Certificate of Readiness filed.

1997 OCTOBER CIVIL TRIAL LIST

Aug 26, 1997 Praecipe For The **Withdrawal and Entlry of Appearance:** The law firm of KAPETAN MEYERS ROSEN LOUIK & Raizman, P.C. hereby withdraws its appearance and the law firm of RAIZMAN & FRISCHMAN,P.C. hereby enters its appearance and substitution as counsel for plaintiffs in the above-referenced case, filed.

Sept 30,1997 ORDER: AND NOW, Sept 29, 1997, the pretrial conference in this case is scheduled for 10:00 a.m. on Monday, Oct 6, 1997, in Courtroom NO. 1. Gordon R. Miller, P.J.
Sept 30, 1997 Mailed Rosen, Wilson, Lonich & Miller

January 19, 1998 PETITION FOR APPROVAL OF A PROPOSED SETTLEMENT OF A CLAIM INVOLVING A MINOR AND ORDER OF COURT FILED. AND NOW, to=wit, this 19 day of January, 1998, upon consideration of the foregoing Petition, it is hereby ORDERED THAT leave is granted to Brad Nadolny and Rita Nadolny, parents and natural guardians of Michael Nadolny, a minor, to settle his claim pursuant to the following terms:

Michael Nadolny, pursuant to the express terms of the structured settlement proposal attached as Exhibit "A" to this agreement.		$11,173.00
Attorneys Fees	Rosen & Bloom	3,000.00
	Kapetan Meyers Rosen &Louik, P.C.	1,500.00
	Raizman & Frischman, P.C.	1,499.99
Reimbursement of costs expended by Kapetan Meyers Rosen & Louik, P.C. and Raizman & Frischman, P.C.		826.30

BY THE COURT:
Anthony J. Vardaro

1/19/98 MAILED 1/19/98 Lonich 1/19/98 Distributed Frischman

238

1992

Christine Hall McClure	PITTSBURGH NATIONAL BANK	COMPLAINT IN CIVIL ACTION
688	VS.	Oct.28, 1992 Upon Praecipe of Plaintiff Attorney, the above-captioned case marked discontinued of record.
	McDOWELL NATIONAL BANK, now by merger INTEGRA BANK/NORTH	
	Filed July 28, 1992 @11:38 a.m.	
	Tax & Entry Paid 50.50 ✓ User's Fee Paid 5.00 Pro. Co. pd.10/28/92 5.00 ✓	

1992

689

STEPHANIE R. COOPER

vs.

KEVIN D. KLINE

Filed July 28, 1992
@ 12:02 p.m.

Tax & Entry Pd 9/8/92 50.50
User's Fee Pd 9/8/92 5.00
Sheriff's Costs 54.70
Pro. Co. Pd 9/8/92- #9.00

9/8/92. #54.70 Sheriff's costs paid by plff

Paid Sheriff Clerk
9-9-92
Ck #7033 54.70

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

ORDER:

And now, this 27th day of July, 1992, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Defendant shall not contact Plaintiff. Defendant shall not go to Plaintiff's residence. Temporary custody of the minor child is given to Plaintiff.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for August 7, 1992 at 3:30 P. M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

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

August 6, 1992 Sheriff's Return and Affidavit of Service filed. SERVED the within Notice, Temporary Abuse Order, Petition for Relief Under Protection from Abuse Act on August 3, 1992 at 9:50 P.M. upon Kevin D. Kline at R.D.#3, Cochranton, PA by handing to Kevin D. Kline personally a true and correct copy thereof and made known to him the contents therein.

William H. Romine, Jr., Sheriff Mercer County
Ronald L. Clark, Chief Deputy Sheriff

See Affidavit of Service endorsed hereon by Sheriff of Mercer County, Pennsylvania, which is a part of this r eturn.
So answers,

Robert M. Stevens, Sheriff, Crawford County, PA.

August 18, 1992 ORDER filed. AND NOW, Aug. 7, 1992, this matter is before the Court on Plaintiff's petition for relief under the Protection From Abuse Act.

Both parties appear without counsel and the parties agree to proceed informally and the Defendant agrees to the entry of an Order 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 the minor child named in the Petition.
2. The Defendant shall not go to the residence of the Plaintiff except to pick up or visit with the minor child and he shall only to that if he has called and made arrangements with the Plaintiff at least one (1) hour before doing so. The parties agree that his visitation shall be somewhat liberal, but he shall not use that visitation for the purposes of harassing the Plaintiff at any time.
3. Until further Order of Court agreed to by both parties if the Defendant shall go to Plaintiff's residence for any other purpose it shall be presumed that he is in violation of this Order and he is advised if he wishes to go to Plaintiff's residence even on Plaintiff's invitation he should seek to amend this Order.
4. The parties are also advised that it is not the Court's intention to decide the custody matter with respect to the minor child and that this Order is entered without prejudice to either of them to file an appropriate custody action in this 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. A Copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides 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 of up to $1,000.00 and a jail sentence of up to six (6) months.
8. The Defendant shall pay costs in this matter in the amount of $119.20 within thirty (30) days of the date of this hearing. The same shall be paid to the Prothonotary of Crawford County on the first floor of the Crawford County Courthouse.
9. This Order shall remain in full force and effect through August 6, 1993.

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

Aug. 18, 1992 Copy of Order to County Control and Meadville Police Dept., Aug. 19, 1992 copy mailed to plaintiff,defendant

240

1992

690

ROBBYN GERARD

vs.

RANDY GERARD

Filed July 28, 1992
@ 1:19 p.m.

Tax & Entry pd 8-7-92 50.50
User's Fee pd 8-7-92 5.00
Sheriff's Costs 25.00
Pro Co pd 8-7-92 5.00

Paid Sheriff $25.00 on 8-7-92 Ck #6978

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT
3 copies (Sheriff) 1 copy (Plf)

ORDER:

And now, this 28th day of July, 1992, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Defendant shall move out. Possession of the residence is given to Plaintiff. Defendant shall not contact Plaintiff nor go to her residence. Custody of the children is given to Plaintiff.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for August 10, 1992 at 3:30 P. M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

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

July 28, 1992 Sheriff's Return filed. SERVED Randy Gerard personally on July 28, 1992 at 2:20 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, Robert M.Stevens, Sheriff

August 7, 1992 Upon Praecipe of Plaintiff this action discontinued.

1992

Prather, Prather
and Pineo
Mark Prather

691

GERTRUDE A. FERGUSON

vs.

METRO MEDIA STEAK HOUSE, INC.

Filed July 28, 1992
@ 1:34 p.m.

Tax & Entry	Paid	50.50
User's Fee	Paid	5.00
Sheriff's Costs		28.00
Pro Co pd 5/3/93		6.00

WRIT OF SUMMONS
issued Sheriff

Aug. 5, 1992 Writ Return filed. SERVED Metro Media Steak House, INc. on August 3, 1992 at 10:34 AM by handing a copy of the Complaint to Paul McNulty, Assistant Manager at Ponderosa Steak House, 781 Conneaut Lake Road, Meadville, Crawford County, PA.
So answers, Edgar D. Householder, Chief Deputy
Robert M. Stevens, Sheriff

May 3, 1993 The Upon praecipe of Plaintiff Attorney the above case is marked settled and discontinued of record.

1992

Thomas, Truax, Spadafore and Walker
R.Charles Thomas

692

SHARYL L. HIMES

vs.

TIMOTHY F. HIMES

Filed July 28, 1992
@ 1:46 p.m.

Tax & Entry	Paid	50.50
User's Fee	Paid	5.00
State	Paid	10.00
2 Add'l Counts	Paid	30.00
Pro Co	pd 6-21-93	9.00

COMPLAINT IN DIVORCE
EQUITABLE DISTRIBUTION
ALIMONY PENDENTE LITE, COUNSEL FEES AND COSTS
1 copy (atty)

Feb. 1, 1993 Inventory and Appraisement of Sharyl L.Himes, Plaintiff filed.

Feb. 1, 1993 Affidavit of Consent of Sharyl L.Himes, Plaintiff, filed.

Feb. 3, 1993 Motion to Schedule Hearing and Order of Court filed. And now, February 3, 1993, a hearing in the above case is scheduled for March 5, 1993 at 9:30 A.M.

Gordon R. Miller, J.

Feb. 4, 1993 Copy of Order to Atty. Thomas & Defendant.

Feb. 22, 1993 Motion for Continuance and Order filed. ORDER: And now, Feb. 22, 1993 the within Motion is granted and this case is continued generally to be rescheduled on Motion of either party. Gordon R. Miller, P.J.

Mar. 2, 1993 copy to R.C. Thomas & Dft.

June 9, 1993 Affidavit of Consent of Defendant filed.

June 21, 1993 Upon praecipe of Plaintiff attorney to transmit records, case moved to Court.

June 21, 1993 Affidavit of Service of Complaint In Divorce filed. R. Charles Thomas, Esq., being duly sworn according to law, deposes and says that on July 28th, 1992, he sent a true and correct copy of the Complaint In Divorce, property endorsed with the Notice To Defend, filed in the above action to the Defendant, Timothy F. Himes, at Defendant's last known address of Box 305A, Espyville, PA. 16414, by Certified Mail No. P899 092 554, postage prepaid, restricted delivery, return receipt requested and that attached hereto is a duly executed return receipt card showing date of delivery as _____.

R. Charles Thomas, Esq.

DIVORCE DECREE FILED

June 30, 1993 AND NOW, this 25th day of June, 1993, it is ordered and decreed that SHARYL L. HIMES, Plaintiff, and TIMOTHY F. HIMES, Defendant, are divorced from the bonds of matrimony.

IT IS FURTHER ORDERED AND DECREED AS FOLLOWS:

EQUITABLE DISTRIBUTION--REAL ESTATE

1. The Defendant is awarded all that certain piece or parcel of land situate in North Shenango Township, Crawford Co., Pa., known as Lots No. 135, 136, 137, and the easterly portion of Lot No. 134 in the Plan of Lots known as the Third Anenxation of the Hollick Allotment as recorded in Pla Book 5, page 22, said parcel of landhaving been acquired by the Plaintiff and Defendant by Deed of Charles R. Himes and Louise M. Himes, his wife, dated Aug. 12, 1989, and recorded in Crawford Co. Record Book 77, Page 639. Said property is the former marital residence of the Plaintiff and Defendant with a mailing address of RD # 1, Crom Rd., Linesville, Pa.

EQUITABLE DISTRIBUTION--TANGIBLE PERSONAL PROPERTY

2. The Defendant is awarded the tangible personal property presently located at the former marital residence of the parties at RD # 1, Crom Road, Linesville, PA. Said property shall become the sole and exclusive property of the Defendant with the exception of certain items of tangible personal property as more specifically described in Paragraph 3, of this Divorce Decree and shall become the sole and exclusive property of the Plaintiff, all of which the Plaintiff will secure within ten (10) days of the filing and entry of this Decree In Divorce.

3. The Plaintiff is awarded all tangible personal property presently in her possession at her present residence at 306 West Pine St., Linesville, PA., and which tangible personal property was formerly lcoated in the marital residence at RD #1, Crom Rd, Linesville, PA. In addition to the aforesaid tangible personal property the Plaintiff is awarded the following items of tangible personal property still located at the marital residence at RD #1, Crom Rd., Linesville, PA., to-wit:60 gallon hexagon salt water aquarium, together with the associated stand, contents, and accessoreis; 27-inch Panasonic Color Television; and the Convection Microwave Oven. The Plaintiff will remove the aforesaid items of tangible personal property from the marital home within ten (10) days of the filing and entry of this Decree In Divorce.

4. The Plaintiff is awarded a certain 1988 Pontiac Grand Am Motor Vehicle.

5. The Defendant is awarded a certain 1992 Chevrolet Silverado Pickup Truck.

6. The Defendant is awarded a certain 1983 Chevrolet C-10 Pickup Truck.

7. The Defendant is awarded a certain 1979 Honda CX 500 Motorcycle.

EQUITABLE DISTRIBUTION--INTANGIBLE PERSONAL PROPERTY

8. The Plaintiff is awarded cash in the amount of $10,000.00 which shall be paid to the Plaintiff by the Defendant within ten (10) days of the filing and entry of this Decree In Divorce.

MARITAL DEBT

9. The Defendant shall be solely and exclusively responsible for payment of a certain loan evidenced by a demand ntoe incurred by the Plaintiff and Defendant in favor of Charles R. Himes and Louise M. Himes, which loan was incurred by the Plaintiff and Defendant in connection with the purchase of the marital home. The Defendant shall make the payments due on the aforesaid loan on a regular and timely basis and further shall indemnify and hold the Defendant harmelss from any liability on the aforesaid loan. In the event of default by the Defendant in payment of said loan or in the event that the said Charles R. Himes and/or the said Louise M. Himes commences legal action against the Plaintiff and Defendant as a result of said default, then and in that event the Defendant shall be responsible for payment of any and all counsel fees incurred by the Plaintiff in the defense of said claim.

10. The Plaintiff shall be solely and exclusively responsible for the payment of a certain loan incurred by the Plaintiff and Defendant in favor of Marine Bank, Erie, PA., which loan was incurred by the plaintiff and Defendant in connection with the purchase of the aforesaid 1988 Pontiac Grand Am Automobile. The Plaintiff shall pay the monthly payments due on the aforesaid loan on a regular and timely basis and further shall indemnify and hold the Defendant harmles from any liability on the aforesaid loan. In the event of default by the Plaintiff in payment of said loan or in the event that Marine Bank commences legal action against the Plaintiff and Defendant as a result of said default, then and in that event, the Plaintiff shall be responsible for payment of any and all counsel fees incurred by the Plaintiff in the defense of said claim.

CONTINUED ON PAGE 242 (a).....

1992 - 692 TERM

SHARYL L. HIMES

VS.

TIMOTHY F. HIMES

RECORD CONTINUED FROM PAGE 242

OF

AD 1992 - 692

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11. The Plaintiff shall be solely and exclusively responsible for the payment of certain indebtedness incurred by the Plaintiff and Defendant by reason of charges made on a VISA Credit Card and charges made on a charge accoutn with Carlisle's. The Plaintiff shall pay monthly payments due on the aforesaid debts on a regular and timely basis and further shall indemnify and hold the Defendant harmelss from any liability on the aforesaid loan. In the event of default by the Plaintiff in payment of said debts or int he event that legal action is commenced against the plaintiff and Defendant as a result of the default on either of the aforesaid debts, then and in that event the Plaintiff shall be responsible for payment of any and all counsel fees incurred by the Defendant in the defense of said claim.

12. The Defendant shal lbe solely and exclusively responsible for the payment of a certain loan incurred by the Plaintiff and Defendant in favor of General Motors Acceptance Corporation which loan was incurred by the Plaintiff and Defendant in connection with the purchase of the aforesaid 1992 Chevrolet Silverado Pickup Truck. The Defendant shall pay the monthly payments due on the aforesaid loan on a regular and timely basis and further shall indemnify and hold the plaintiff harmless from any liability on the aforesaid loan.. In the event of default by the Defendant in payment of said loan or in the event that General Motors Acceptance Corporation commences legal action against the Plaintiff and Defendant as a result of default, then and in that event the Defendant shall be responsible for payment of any and all counsel fees incurred by the Plaintiff in the defense of said claim.

ALIMONY PENDENTE LITE, COUNSEL FEES AND COSTS

13. The Plaintiff's claim for alimony pendente lite, counsel fees and costs is denied.

MISCELLANEOUS

14. Plaintiff and Defendant shall sign, execute and acknowledge any and all documents necessary to comply with the provisions of this Decree in Divorce within ten (10) days after the filing and entry of this Decree.

15. That neither the Plaintiff nor the Defendant shall make any further claims against the other hereto except for the enforcement of rights and responsibilities as set forth in this Decree in Divorce.

BY THE COURT,
Gordon R. Miller, J.

1992

Paul E. Allen

693

John Brautigam

Pd 7-28-92 $150.00
mediation fee by
Plaintiff

9-30-92
Paid to Pltf
Med. fee refund
Ck# 7086 40.00

10-12-92 to Comm
Ck# 7106 Mediator fee
$ 101.00

LELA L. OBERT

vs.

LEHUANNA C. OBERT and
RICHARD BROWN

Filed July 28, 1992
@ 2:51 p.m.

Tax & Entry Pd. 8/17/92 50.50
User's Fee Pd. 8/17/92 5.00
William Pineo Mediator 202.00
Pro Co Pd 10-12-92 Ck# 7107 9.00

COMPLAINT IN CUSTODY
2 copies atty 1 copy mediator

Sept. 29, 1992 TEMPORARY ORDER filed. AND NOW, this 28th day of September, 1992, after Mediation in the above referenced matter and upon the recommendations of the Child custody Mediator,

IT IS HEREBY ORDERED AND DECREED THAT:

1. Custody of the subject minor child, Tyler Obert, is hereby awarded to his parents, Lehuanna Obert and Richard Brown, effective ten (10) days from the date of this Order.

2. Lela L. Obert, plaintiff herein, will have the right of visitation and temporary physical custody of Tyler Obert on the second Sunday of each month from 1:00 p.m. to 5:00 p.m. She shall provide all transportation necessary to her visitation rights.

3. 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 th ecancellation 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.

4. Each party shall teach said child to give to the other parties that love and respect which is due a parent or grandparent from his or her children or grandchildren.

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. 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.

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

7. Neither party shall do or say anything to blacken the character of the others in the child's estimation. Each party shall treat each of the other parties 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 parties in the child's estimation.

8. The parties are free to make additional or alternative arrangements respecting the custodial and visitation periods and are strongly encouraged to do so if that would be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which this Order shall govern.

9. Costs and fees of this Mediation, which are fixed at $202.00, are fivided equally in half with one share being assessed to the plaintiff and the other, to the defendants, as costs in this case. Payment shall be made to the Prothonotary of Crawford County.

10. The deposit required for the appointment of the custody mediator was made by the plaintiff. The deposit shall be disposed of as follows:

Said deposit shall first be applied against the plaintiff's share and the remainder shall be remitted to her. The defendants shall pay their share of costs to Crawford County.

11. Either party may move the Court for a hearing de novo for 30 days from date hereof. If neither party so mvoes, this Order shall be considered permanent.

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

Oct. 5, 1992 copy to W. Pineo, P. Allen, J. BRuatigam, Plf. & Dfts.

Oct. 13, 1992 Demand for De Novo Hearing and Order filed. October 8, 1992, hearing set for December 7, 1992, at 1:30 P.M., in Courtroom 1 or 2. Mediator recommendation shall remain in full force and effect pending this hearing.

BY THE COURT,
Anthony J. Vardaro, J

Oct. 21, 1992 Copies of order put in box for Atty's Allen, Brautigam and Pineo

Nov. 4, 1992 Motion for Judgment on the Pleadings filed.

Dec.8, 1992, Motion to withdraw demand for deNovo Hearing; Consent to Motion to Withdraw Demand for DeNovo Hearing and Order filed. ORDER: AND NOW Dec. 4, 1992, the above motion is granted.

Dec. 11, 1992, copies of order to Attys Allen, Pineo and Brautigam.

694

JUDITH A. OAKS

vs.

THOMAS K. BROCKLEHURST

Filed July 28, 1992
@ 3:31 p.m.

Tax & Entry	50.50
User's Fee	5.00
sheriff costs	23.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT
1 copy (plf) 3 copies (Sheriff)

ORDER:

And now, this 28th day of July, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: The Plaintiff shall have temporary physical custody of the minor child pending the hearing in this matter or other ordr of court.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for August 10 , 1992 at 3:30 P.M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

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

Aug. 7, 1992, Sheriffs return filed. NOT FOUND as to dft. Thomas K. brocklehurst as per a telephone call from Mercer County on Aug. 7, 1992. They checked the residence of his mother, Shirley (last name unknown), and she reported that he moved to Cleveland, Ohio, approx. one week ago. The mother was informed fothe Protection from Abuse and the hearing date. Affidavit forthcoming.
So answers, Robert M. Stevens, Sheriff

Aug. 10, 1992 Sheriff's rEturn filed. And Now, August 6, 1992, after diligent search and inquiry, Thomas K. Brocklehurst, defendant within named, NOT FOUND within the jurisdiction of this court.
So answers,

William H. Romine, Sheriff
David J. DeVenney, Deputy Sheriff

August 14, 1992 RE: Petition Under Abuse Act. ORDER filed. On July 28, 1992, an Order in the above matter was entered setting hering for Aug. 10, 1992. Just prior to the time set for hearing the Court Administrator learned that no serve had been made on the defendant.

The Court Administrator, upon notification that service has been made and an address obtained for the defendant, is directed to schedule this matter for hearing.

All terms and provisions contained in the original order shall remain in full force and effect until further order of court.

Date: August 11, 1992

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

Aug. 17, 1992 Copy of Order to Atty. Barbara Walton, Sheriff of Crawford Co., County Control.

1992

Mazzotta, McCague & Associates, P.C.
Donald S. Mazzotta
William T. Molczan

695

Thomas, Truax, Spadafore & Walker
William L. Walker

CHRYSLER CREDIT CORP., INC.

vs.

LEIGH E. BOWES and
JANET BOWES

Filed July 29, 1992
@ 12:02 p.m.

Tax & Entry	50.50
User's Fee	5.00
Sheriff's costs	35.00
Pro Co pd 3-3-95	5.00

CIVIL ACTIOIN - COMPLAINT

Aug. 12, 1992 Sheriff's Return filed. SERVED Leigh E. Bowes personally on Aug. 5, 1992 at 9:20 AM by handing a copy of the Complaint to him at the residence, RD # 1, Box 126A, Cambridge Springs, Crawford Co., PA.

SERVED Janet Bowes on Aug. 5, 1992 at 9:21 AM by handing a copy of the Complaint to Leigh Bowes, her husband, at the residence, RD # 1 Box 126A, Cambridge Springs, Crawford Co., PA.
So answers,

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

Aug. 31, 1992 Answer and New Matter filed.

Sept. 14, 1992 Plaintiff's Amended Complaint Pursuant to Pa.R.C.P. 1033 filed.

Sept. 14, 1992 Plaintiff's Reply to New Matter filed.

Sept. 21, 1992 Preliminary Objections - Motion to Strike, filed.

Sept. 21, 1992 Certificate of Service, filed. William L. Walker, Esq., attorney for Defendants, does hereby certify that he has served a true and correct copy of the Preliminary Objections - Motion to Strike and Defendant's Brief in Support of Preliminary Objections upon counsel for the Plaintiff by United State first class mail, postage prepaid.

Sept. 21, 1992 Praecipe to Place Preliminary Objections on Argument List, filed.

ON OCTOBER 1992 ARGUMENT LIST

Oct 23, 1992 PLAINTIFF'S REPLY TO DEFENDANTS' PRELIMINARY OBJECTIONS, filed.

Nov. 12, 1992 Memorandum and Order filed. AND NOW,NOvember 10, 1992, the Defendants' preliminary objections to Plaintiff's amended complaint in the nature of a motionto strike and the Plaintiff's amended complaint filed on September 14, 1992 is stricken.

The Plaintiff is, hwoever, given leave to file the same amended complaint within twenty days of the date of this order and the Defendants shall then be permitted to respond to that complaint within the normal time limit and within the manner permitted by the Pennsylvania Rules of Civil Procedure.

BY THE COURT:
Anthony J.Vardaro, J.

Nov.12, 1992 Copies of order mailed to Attys. Mazzotta & Molczan and put in Atty.Walker's box.

Nov. 20, 1992 Plaintiff's Amended Complaint Pursuant to Pa. R.C.P. 1033 filed.

Dec. 15, 1992, Answer to Amended Complaint filed.

Feb. 22, 1995 Upon praecipe of plaintiff attorney the above action is marked Discontinued without Prejudice.

1992

Joseph F.Kulwicki

696

Russell H. Lutz

vs.

Wilma L. Lutz

Filed July 29, 1992
@ 3:28 p.m.

Tax & Entry	Paid	50.50
User's Fee	Paid	5.00
State	Paid	10.00
Pro. Co. pd 2/17/95		9.00
Pro Co pd 3/23/95		5.00

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

Sept. 9, 1992 PRAECIPE TO REINSTATE DIVORCE COMPLAINT, filed

Sept. 15, 1992 Certificate of Service filed. stephanie Loper being duly sworn according to law, deposes and says she is an adult individual, employed by the law office of Joseph F. Kulwicki, Attorney for the Plaintiff, and as such she placed a certified copy of the Divorce Complaint in the United States mail on September 11, 1992, being certified mail number P 724 954 562, addressed as followsL Mrs. Wilma L. Lutz, 648 Jefferson street, Meadville, PA 16335 The signature card for said certifie dmail item was returned to the office of Joseph F. Kulwicki, Esq., as having received same on September 12, 1992. Said signature card is attached hereto and made a part hereof.
further affiant saith not. Stephanie Loper

Feb. 17, 1995 Affidavit of Consent by Russell H. Lutz,Plaintiff, filed.

Feb. 17, 1995 Affidavit of consent by Wilma L.Lutz, Defendant, filed.

Feb.17, 1995 Upon Praecipe of Joseph F.Kulwicki,III, Esquire, Attorney for Plaintiff, to transmit record,case moved to court.

DIVORCE DECREE FILED

March 9, 1995 AND NOW, March 2, 1995, it is ordered and decreed that RUSSELL H. LUTZ, plaintiff, and WILMA L. LUTZ, 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,
P. Richard Thomas, S. J.

Mar. 23, 1995 Notice of Election To Retake Maiden Name filed. Wilma L. Lutz TO BE KNOWN AS: Wilma L. Ishman

1992

Jorden and White
Harry Faber White, II

697

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

Michael A. Miczikus

vs.

Bruce Kenton Wheeler

Filed July 29, 1992
@ 3:44 p.m.

Tax & Entry Pd.	50.50
User's Fee Pd.	5.00
Sheriff's costs	33.00
Pro Co pd 1-25-93	6.00

WRIT OF SUMMONS
issued Sheriff

Aug. 11, 1992 Sheriff's Return filed. SERVED Bruce Kenton Wheeler on Aug. 6, 1992 at 11:58 AM by handing a copy of the Summons to Mary E. Wheeler, his Authorized Agent, in the Sheriff's Office, Crawford Co. Courthouse, Meadville, Pa. So answers,

Diane Severo, Deputy Sheriff
Robert M. Stevens, Sheriff

Aug. 25, 1992, Appearance of Thomas, Truax, Spadafore, & Walker, by Emil m. Spadafore Jr, attorneys for defendant filed.

Aug. 25, 1992, Rule Entered Upon plaintiff to file Complaint issued.

Jan. 25, 1993 Upon praecipe of Plaintiff attorney the above captioned action is hereby settled and discontinued of record.

1992

Donald E. Lewis	Shawn Douglas Moore	PETITION FOR WRIT OF SUPERSEDEAS
698	vs.	July 29, 1992 Notice of Appeal, filed. July 29, 1992 MOTION and ORDER filed. ORDER: AND NOW, this 29th day of July, 1992, upon Motion by the Appellant, a hearing is set on said Appeal for the 28th day of October, 1992, at 9:00 a.m., in Courtroom No. 1 or 2 of the Crawfor dCounty 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 by First Class, U.S. Mail, Postage Prepaid. Finally, said Appeal shall act as a superseadeas to Appellee's suspension of Appellant's operating privileges. BY THE COURT: Anthony J.Vardaro, J. July 31, 1992 copy in box for Lewis, mailed copy to Kuhar
	Commonwealth of Pennsylvania Dept. of Transportation	Oct. 30, 1992 ORDER filed. AND NOW, Oct. 28, 1992 after the Dept. of Transportation presents the testimony of the two police officers involved in this incident, the Defendant elected not to testify. Accordingly, the Court finds the evidence to be overwhelming that the Defendant refused to take the test for alcohol intoxication and was fully and completely advised of the consequences of said refusal. Accordingly, we deny the appeal of the appellant Shawn Douglas Moore and sustain the one year suspension imposed by the Dept. of Transportation. BY ORDER OF THE COURT, P. Richard Thomas, S.J. Oct. 30, 1992 copies given to Kuhar & Lewis
	Filed July 29, 1992 @ 4:10 p.m.	
	Tax & Entry Pd 50.50 User's Fee Pd 5.00	

1992

pro se

699

Culvertson,Weiss, Schetroma & Schug, PC
Alan R. Shaddinger

JAMES H. ANDERS

vs.

HENRY F. GRAYGO, JR. t/d/b/a H.F. GRAYGO & ASSOCIATES

Filed July 30, 1992
@ 9:31 a.m.

Tax & Entry Pd 50.50
User's Fee Pd 5.00
Appeal pd 2-8-93 30.00
User's fee pd 5.00

COMPLAINT IN TRESPASS FOR FALSE WRITTEN STATEMENT
2 COPIES (Plf)

Aug. 10, 1992 Sheriff's Return filed. SERVED the within Complaint on August 4, 1992, at 1355 hrs., upon Henry F. Graygo, Jr., tdba H. F. Graygo & Assoc. at 24 West 8th Street, Erie County Erie, Pennsylvania by handing to Henry F. graygo, Jr. a true and correct copy thereof and made known to him the contents therein.
So answers, Robert M. Michel, Sheriff
Geraldine taylor, deputy Sheriff
I hereby deputize the Sheriff of Erie County, Pennsylvania to served the within Complaint according to law.
So answers, Robert M. Stevens, Sheriff

Aug. 24, 1992 Answer and New Matter of Henry F.Graygo, Jr., t/d/b/a H.F.Graygo & Assoc. to Plaintiff's Complaint filed.

Aug. 27, 1992 Appearance of Culbertson,Weiss, Schetroma and Schug,P.C. by Alan R. Shaddinger, Esquire for Henry F. Graygo, Jr. t/d/b/a H.F. Graygo & Assoc.filed.

Aug. 27, 1992 Notice of Service of Interrogatories filed.

Sept. 14, 1992 Plaintiff's Reply & New Matter filed.

Sept. 25, 1992, Motion to Change Action to Equity filed.

Sept. 25, 1992, ORDER filed. This matter is before the court on plaintiff's motion to change this action toequity.
Such transfers are not usually allowed (Standard Pa. Prac. 2d 19:25) and we do not believe that this motion meets the requirements to not follow that general rule.
Accordingly, the plaintiff's motion is denied.
BY THE COURT:
Anthony J. Vardaro, J.
1 copy (plff) 1 copy (Shaddinger)

Oct. 12, 1992 Notice Of Taking Deposition on Oral Examination of David A. Johnson filed.

Oct. 19,1992 Motion to Set a Date to Argue the Employment Status of Defendant filed.

Oct. 19, 1992 Order Filed. AND NOW, October 16, 1992, the Plaintiff appears in Motion Court with a motion to set a date to argue the employment status of Defendant.
The Court explains to the Plaintiff that issue may be raised ultimately at trial and there is no need for a preliminary hearing with respect to the same.
It appears from talking to the Plaintiff and counsel for the Defendant that this matter may be listed for trial in the February 1993 term of court.
BY THE COURT:
Anthony J.Vardaro, J.
Oct. 20, 1992 copies given to Atty. Shaddinger and Plft.

Oct. 26, 1992 Certificate of Readiness, Brief and Proof of Service filed.

Oct 29, 1992 CERTIFICATE OF SERVICE, filed. The undersigned hereby certifies that a copy of the Motion to Strike Certificate of Readiness was served by first class mail upon James h. Anders, Plaintiff, on Oct 29, 1992. Alan r. Shaddinger,

Nov. 5, 1992 Motion to Strike Certificate of Readiness filed.

Nov. 5, 1992 Order filed. AND NOW, November 4, 1992, the attorney for the Defendant appears in Motion Court with a timely motion to strike a certificate of readiness.
Essentially, the Defendant indicates that he may be filing a motion for summary judgment and depending upon the disposition of that motion there may be an additional need for discovery.
Insofar as it appears that motion will be filed soon and this matter will not be onthe trial list until February, 1993, we will decline to strike the certificate of readiness at this time without prejudice to the Defendant to once again request that it be stricken or to move that the case be continued to the next civil term if it appears that additional disovery is necessary and cannot be completed prior to the scheduled trial of this matter.
BY THE COURT:
Anthony J. Vardaro, J.
Nov. 6, 1992 Copies of Order given to Anders and Atty.Shaddinger.

Jan. 14, 1993 Appendix to Defendant's Motion for Summary Judgment filed.

Jan. 14, 1993 Defendant's Motion for Summary Judgment filed.

Jan. 14, 1993 Upon praecipe of Defendant Attorney the above matter is placed on the next available Argument List

1993 FEBRUARY ARGUMENT LIST

Jan. 18, 1993 Motion to Continue to Next Trial List or Alternatively to Strike from Trial List and Order filed. AND NOW, January 18, 1993 said motion is denied because the sole reason advanced is to allow the disposition of the motion for summary judgment. See Pa. RCP 1035.
Gordon R. Miller, J

Jan. 18, 1993 Copies of order givento Shaddinger & Pltf (by mail)

Jan. 18, 1993 Petition for a View of the Premises filed.

Jan. 25, 1993 Motion for Tretrial Conference and for Argument on Defendant's Motion for Summary Judgment at Time of Pretrial Conference filed.

Jan. 26, 1993 Order filed. ANDN OW, January 25, 1993, at the call of the trial list and upon receipt and review of the Defendants's oral motion for continuance and written motion for pretrial conference it is ORDERED as follows:
1. The defendant's motion for a Continuance is DENIED.
2. The pretrial conference in this case shall be held on February 2, 1993 at 9:00 o'clock a.m. in Courtroom No. 1 All parties shall file within five (5) days from this date and serve upon the other a pretrial narrative in the form required by the Crwaford County Civil Rules.
3. Argument onthe defendant's motion for summary judgment shall also be held on February 2, 1993 at 9:00 o'clock a.m. in Courtroom No. 1. The parties shall exchange briefts if they have not already done sonon the issues raised in the Defendant's mtoion for summary judgment. Said briefs shall be exchanged no later than five (5) days formthis date.
BY ORDER OF THE COURT,
Gordon R. Miller, J

Jan. 27, 1993 copy mailed to Anders and givento Atty. Shaddinger

Continued on Page 452

1992

Thomas Truax, Spadafore and Walker
R. Charles Thomas

700

RICHARD THOMAS KANE

vs.

JOHN McCABE and MARY WELD, and their respective heirs, personal representatives and assigns

Filed July 30, 1992
@ 10:31 a.m.

Tax & Entry pd 50.50
User's Fee pd 5.00

COMPLAINT
1 copy atty

August 3, 1992 Affidavit of Plaintiff attorney filed.

August 3, 1992 Motion For Leave To Serve By Publication and ORDER filed. AND NOW, this 3 day of August, 1992, upon Motion of R. Charles Thomas, Esquire, Attorney for the Plaintiffs in the above captioned matter, leave is hereby granted to serve JOHN MCCABE and MARY WELD, and their respective heirs, personal representatives and assigns, Defendants in the said action, by publication of a notice of the facts set forth in the Complaint in the Meadville Tribune, a newspaper of general circulation, and the Crawford County Legal Journal, one (1) time and requiring the said Defendants to plead within twenty (20) days from the last date of publication thereof.

BY THE COURT,
Anthony J. Vardaro, j.

Aug. 6, 1992 Copy of Order to Attys. R. Charles Thomas.

Sept. 9, 1992 Affidavit of R. Charles Thomas, Esquire, filed.

Sept. 9, 1992 Motion for Judgment and Final Decree filed. AND Now, this 9th day of September, 1992, upon presentation of the foregoing Motion and due consideration thereof it is hereby ordered and decreed that the Defendants, John McCabe and Mary Weld, and their respective heirs, personal representatives and assigns, are forever barred from asserting any right, title, lien or interest inconsistent with the claim of the Plaintiffs as set forth in the Complaint in this case, or in any way attacking the title of the Plaintiffs in said property; from issuing or continuing any action and taxing the same and from encumbering, mortgaging, or conveying the same or any part thereof; unless the Defendants, their heirs and assigns, take such action as is herein directed within thirty (30) days after the entry of this judgment. It is further ordered and decreed that if no Petition to open this judgment or satisfy this Decree is presented by the Defendants, their heirs and assigns, within thirty (30) days from and after the entry of this decree the same shall be final. If such action is not taken within said thirty (30) day period, the Prothonotary shall enter judgment.

BY THE COURT,
Gordon R. Miller, J.

Sept. 10, 1992 Copy given to R. Charles Thomas, Esq.

1992

William J. Gregg
Kathleen R. Nelson

701

RENEE D. KEHN

vs.

DANIEL F. KEHN

Filed July 30, 1992
@ 10:38 a.m.

Tax & Entry	pd.	50.50
User's Fee	pd.	5.00
State	pd.	10.00
Pro.Co. pd 11/19/92		9.00

COMPLAINT IN DIVORCE
1 copy (atty)

Aug. 28, 1992 Complaint reinstated.

Sept. 24, 1992 Affidavit of Service filed.Henry S. Miller,being duly sworn according to law, deposes and says that the following facts in support of hisAffidavit of Service are true and correct to the best of his knowledge, information and belief:

1. That theAffiant 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 Divorce and Notice to Defend upon Daniel F.Kehn by hand delivering same to him at his residence of R.D.#2, Box 359, Linesville, PA on September 2, 1992, at approximately 10:50 a.m.

FURTHER AFFIANT SAITH NOT.

Sept. 2, 1992 Henry S. Miller

Nov. 12, 1992 Affidavit of Consent by DanielF.Kehn,Defendant, filed.

Nov. 13, 1992 Affidavit of Consent of Plaintiff filed.

Nov. 19, 1992 Upon praecipe of Plaintiff Attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Dec. 3, 1992 AND NOW, December 2, 1992, it is hereby ordered and decreed that **RENEE D. KEHN**, Plaintiff, and **DANIEL F. KEHN**, 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.

252

1992

Fuller, Kinnunen, Petruso Gamble, Fabian & Hall Victor J. Kinnunen	SANDRA M. CARRICK, individually and as Administratrix of the Estate of Michael J. Carrick, deceased	ACTION FOR DECLARATORY JUDGMENT 1 copy (atty) August 11, 1992 Appearance of Dickie, McCamey & Chilcote,P.C. By Robert J. Marino, attorneys for defendant filed. JURY TRIAL DEMANDED **Aug. 27, 1992, Notice of Removal to the United States District Court for the Western District of Pennsylvania, filed.**
702	vs.	
Dickie, McCamey & Chilcote Robert J. Marino	ZURICH-AMERICAN INSURANCE GROUP	
	Filed July 30, 1992 @ 11:30 a.m.	
	Tax & Entry pd. 50.50 User's Fee pd. 5.00	

1992

Halliday & Halliday, P.C.
Michael Halliday

703

JEFFERY S. WHEELER

vs.

GLADYS A WHEELER

Filed July 30, 1992
@ 11:33 a.m.

Tax & Entry	pd.	50.50
User's Fee	pd.	5.00
State	pd.	10.00
Pro Co Pd. 11/30/92		9.00

COMPLAINT IN DIVORCE
1 copy (atty)

Nov. 2, 1992 Affidavit of Service filed. On this, the 2nd day of November, 1992, 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 Complaint in Divorce was filed in the Prothonotary's Office on July 30, 1992.
3. That on August 10, 1992, he did forward to the defendant Gladys A. Wheelelr, 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 tothe Defendant by certified United States Mail, postage pre-paid, return receipt requested, addressed to Gladys A. Wheeler, P.O. box 273, Harmonsburg, Pa 16422.
5. That attached hereto is the return receipt as executed by the Defendant, Gladys A. Wheeler, showing delivery to have been made on August 18, 1992.

Michael Halliday

Nov. 2, 1992 General Appearance filed. Enter my General Appearance in the above-captioned divorce action. I hereby accept service of and acknowledge receipt of a certified copy of the Complaint file dinthis action.

Gladys A. Wheeler

Nov. 30, 1992 Affidavit of Consent of plaintiff filed.

Nov. 30, 1992, Affidavit of Consent of defendant filed.

Nov. 30, 1992, Upon praecipe of plaintiff attoreney, for Review, this case moved tocourt.

DIVORCE DECREE FILED

Dec. 9, 1992 AND NOW, December 4, 1992, it is hereby ordered and decreed that **JEFFREY S. WHEELER,** Plaintiff, and **GLADYS A. WHEELER,** 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.

1992

Culbertson, Weiss, Schetroma & Schug
David L. Hotchkiss

704

JAMES S. KREGEL

vs.

CONNIE KREGEL

Filed July 30, 1992
@ 11:44 a.m.

Tax & Entry	pd.	50.50
User's Fee	pd.	5.00
State	pd.	10.00
Pro co Pd 11/25/92		9.00

COMPLAINT IN DIVORCE
1 copy (atty)

Nov. 4, 1992 Affidavit of Service filed. And Now, Nov.3, 1992, Come David L. Hotchkiss, Esquire, who being duly sworn according to law, deposes and sets forth as follows:

1. That he is the Attorney for James S. Kregel, 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 899 082 685, postmarked July 21, 1992, to the last known address of the Defendant, Connie Kregel, at 774½ Stewart Street, Meadville, Pennsylvania 16335.
3. That the Defendant, Connie Kregel, on August 4, 1992, personally signed the return receipt card which was affixed to the Complaint in the above matter and which is attached hereto as Exhibit "A".
4. Service of the Complaint against the Defendant is therefore effected in accordance with Pennsylvania Rules of Civil Procedure.

Nov. 3, 1992 David L.Hotchkiss, Esquire

Nov. 4, 1992 Notice to the Defendant and Plaintiff's Affidavit Under Section 3301 (d) of the Divorce Code filed by James S. Kregel, Plaintiff, filed.

Nov. 17, 1992 Affidavit of Service filed. And Now, November, 16th, 1992, comes David L. Hotchkiss, Esquire, who being duly sworn according to law, deposes and sets forth as follows:

1. That he is the Attorney for James S. Kregel, Plaintiff in the above-captioned matter.
2. That on information furnished to him by the Plaintiff, he caused a certified coy ofthe Plaintiff's Affidavit Under Section3301(d) of the Divorce Code to be forwarded by Certified Mail No. P 401 441 545, postmarked November 4, 1992, to the last known address of the Defendant, Connie Kregel, at 774½ Stewart Street, Meadville, Pennsylvania 16335.
3. That the Defendant, Connie Kregel, on November 5, 1992, personally signed the return receipt card whcihwas affixed to the Affidavit in the above matter and which is attached hereto as Exhibit "A".
4. Service of the Plaintiff's Affidavit Under Section 3301(d) ofthe Divorce Code is therefore effected in accordance with Pennsylvania Rules of Civil Procedure.

David L. Hotchkiss

Nov. 25, 1992, Upon praecipe for Review Under Section 3301(d) ofthe Divorce Code, of plaintiff attorney, this case moved to court.

Dec 2, 1992 AFFIDAVIT OF SERVICE filed. And Now, thos 16th day of November, 1992, comes the Plaintiff and directs the Prothonotary to submit the above-captioned case to the Court for review:

1. That he is the Attorney for James S. Kregel, Plaintiff in the above captioned matter.
2. That oninformation furnished to him by the Plaintiff, he caused a certified copy of the Notice of Intention to Request Entry of Divorce Decree under Section 1920.42(d)(1) of the Divorce Code to be forwarded by Certified Mail No. P 401 441 545, postmarked Nov. 4, 1992, to the last known address of the Defendant, Connie Kregel, at 774 1/2 Stewart St, Meadville, Pa. 16335.
3. That the Defendant, Connie Dregel, on Nov. 5, 1992, personally signed the return receipt card.
4. Service of the Notice of Intention to Request Entry of Divorce Decree is therefore effected in accordance with Pa. Rules of Civil Procedure. David L. Hotchkiss

Dec 2, 1992 Notice of Intention to Request Entry of Divorce Decree and Counter-Affidavit Under Section 3301(d) of the Divorce Code, filed.

D I V O R C E D E C R E E F I L E D

December 9, 1992 AND NOW, December 4, 1992, it is hereby ordered and decreed that **J A M E S S . K R E G E L ,** Plaintiff, and **C O N N I E K R E G E L ,** 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.

1992

Mason and Mason
Joan D. Mason

705

Thomas, Spadafore,
Walker & Keenan, LLP
Gregory A. Keenan

BRUCE L. HALL

vs.

CHERYL MARIE HALL

Filed July 30, 1992
@ 11:49 a.m.

Tax & Entry	pd.	50.50
User's Fee	pd.	10.00
State	pd.	10.00
1 Add'l count	pd.	15.00
Pro Co. pd 12/17/92 Pro Co pd 11-13-97		9.00

COMPLAINT IN DIVORCE, CUSTODY
2 copies (atty)

Aug. 7, 1992, Affidavit of Service filed. I, Joan D. Mason, Esq. atty for plff in above case, and being duly sworn according to law, depose and say that I did on July 31, 1992, maile to the above dft. by cert. mail ret. rec.req. del to addressee only, a complaint in the above action. Said notice was received on Aug. 1, 1992 as indicated by the ret. rec. card which was returned to the office of the plaintiffs atty. and is attached hereto. Joan D. Mason Esq.

Aug. 13, 1992 MOTION TO CORRECT DIVORCE COMPLAINT and ORDER, filed. ORDER: MOTION GRANTED. P. Richard Thomas, S.J.
Aug. 14, 1992 copy to J. Mason

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

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

Dec. 17, 1992 Upon Praecipe of plaintiff attorney for Review Under §201(c) of Divorce Code, this case moved to Court.

Dec. 18, 1992 Stipulation and CONSENT CUSTODY ORDER filed. AND NOW, this 18th day of December, 1992, the Court orders as follows:

1. Primary physical and legal custody of the two minor children, Shalean Yvonne Hall, age five (5) years, born April 6, 1987, and Ryan Colby Hall, age four (4) years, born April 22, 1988, shall be with their father, Bruce L. Hall.

2. Liberal temporary custody shall be granted to their mother, Cheryl Marie Hall. Once mother has established her own residence, mother's visits are anticipated to be on a schedule of approximately every other weekend, with some week day evening visits when the children are not in school. The exact hours and times of the visits shall be determined by mutual agreement by their parents.

BY THE COURT
Gordon R. Miller, J.

Dec. 23, 1992 Copy of Order to Atty. Joan Mason.

D I V O R C E D E C R E E F I L E D

Dec. 18, 1992 AND NOW, December 18, 1992, it is ordered and decreed that **B R U C E L . H A L L ,** plaintiff, and **C H E R Y L M A R I E H A L L ,** 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 and which has not been withdrawn by the party making the claim.

BY THE COURT,
Gordon R. Miller, J.

Apr 7, 1997 Certificate of completion of the Seminar for Separating Parents for Cheryl M. Hall, filed.

Mar. 31, 1997 Petition to Modify Custody Order by Defendant/Petitioner and Order and Notice filed. AND NOW, this 27th day of March, 1997, it is ordered and decreed that the parents in this matter shall satisfactorily complete the Seminar for Separating Parents in accordance with Crawford 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 Court House; or the Court Administrator at the Crawford County Court House.

(SEE PAPERS FILED)

BY THE COURT:
Gordon R. Miller, J.
3-31-97 FAXED Keenan & J. Mason

Apr 23, 1997 Certificate of completion of the Seminar for Separating Parents for Cheryl M. Hall, filed.

June 18, 1997 Petition for Entry of Agreement by Defendant filed.

June 18, 1997 Order filed. AND NOW, June 16, 1997, we deny the defendant's petition for entry of a consent custody agreement insofar as there is no record of the plaintiff having completed the Seminar For Separating Parents.

This Order is without prejudice to resubmit that agreement when the plaintiff has completed the seminar.

BY THE COURT,
Anthony J. Vardaro, J.
6-18-97 DISTRIBUTED Keenan & MAILED Pltf.

Oct 3, 1997 Petition For Civil Contempt For Disobedience of a Court Order and Order: AND NOW, this 2nd day of October, 1997, upon consideration of Petitioner's Petition for Civil Contempt for Disobedience of a Court Order, a Rule is hereby entered against the Respondent, Bruce L. Hall, to show cause, if any he may have, as to why the relief requested should not be granted.

Rule returnable the 21st day of October, 1997 at 8:45 a.m. in Courtroom Number 1.

Anthony J. Vardaro, J.
Oct 16, 1997 Faxed Keenan, J. Mason

Continued on page 469

256

1992

Terry Toomey

706

Joseph F, Kulwicki

JOHN PODUSZLO and
ROSE PODUSZLO

vs.

ELIZABETH PIECHOTA

Filed July 30, 1992
@ 2:00 p.m.

Tax & Entry pd.	50.50
User's Fee pd.	5.00
Sheriff's Costs	20.00
Sheriff's Costs	20.00

COMPLAINT TO QUIET TITLE
1 copy (atty)

Sept. 18, 1992 Complaint Reinstated.

Oct. 21, 1992 Complaint Reinstated.

Dec. 7, 1992 Sheriff's Return filed. NOT FOUND as to Defendant Elizabeth Piechota as per an Affidavit of Not Served returned from Luzerne County Sheriff's Office. Several attempts were made to the residence with no response.
So answers, Robert M. Stevens, Sheriff

Mar. 31, 1993 Complaint reinstated.

Apr 2, 1993 Motion For Special Order Directing Method Of Service and Order, filed. ORDER: AND NOW, upon Motion of the Plaintiffs for a Special Order Directing the Method of Service, it is hereby ORDERED and DECREED that the Plaintiffs may serve their Complaint to Quiet Title upon Defendant's counsel, Joseph L. Kulwicki, III. Service on Attorney Kulwicki shall be effected by Plaintiffs' compliance with Pennsylvania Rule of Civil Procedure 440 just as if the Complaint served was service of legal papers other than original process. BY THE COURT:
Date: April 2, 1993 Gordon R. Miller, P.J.
Apr. 7, 1993 copy to T. Toomey

Apr. 15, 1993 Affidavit of Service filed. AND NOW, comes Terry Toomey, Esquire who verifies that on this date, April13, 1993, he did personally hand-deliver a true and correct copy of the Plaintiffs' Complaint filed in this matter to the law offices of Joseph F. Kulwicki, Esquire located at 898 Grove Street, Meadville, PA 16335.
Further, I verify that the statements made in this Affidavit of Service are true and correct. I understand that false statements made herein are subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities.
Date Apr.13,1993 Terry Toomey, Esquire, Attorney for Plaintiffs

April 23, 1993 Petition to Vacate and Rule To Show Causefiled. AND NOW, April 23, 1993, upon presentation and consideration of the within Petition, a Rule is hereby entered upon the Plaintiffs to show cause, if any they have, shy the prayer of the Petitioner should not be granted.
RULE RETURNABLE on teh 27 day of April, 1993, at 8:45 A.M. in Courtroom Number 1 of the Crawford Co. Court House.
BY THE COURT,
Anthony J. Vardaro, J.
April 27, 1993 Copy given to Atty. Toomey and J. Kulwicki.

May 5, 1993 ORDER filed, AND NOW, May 3, 1993, after review of a petition filed by Joseph F. Kulwicki, Esquire, "on behalf of" the defendant and after a conference with Mr. Kulwicki and Mr. Toomey the Order of Court of April 2, 1993 directing service of the complaint on Mr. Kulwicki is vacated.
Mr. Kulwicki and Mr. toomey, as officers of the Court and as representing the parties in this or other companion litigation are ordered and directed to meet in person or by telephone by May 20, 1993 to arrange a time when the defendant, Elizabeth Piechota, will be available in Luzerne County, Pennsylvania for personal service of a reinstated complaint by the Sheriff or Deputy Sheriff of Luzerne County.
If Sam Salvo who makes service on the defendant if Sam Salvo swears under oath that she is the same person who answered the door when he attempted service and responded to him that "Elizabeth Piechota does not live here anymore," that upon oath and affidavit by Sam Salvo this Court will direct the defendant to pay all costs of service regardless of the outcome of this case for it will appear to the Court that she intentionally avoided service and has caused service and this litigation, to be unnecessarily delayed.
In the event that service is not made in this manner within forty-five (45) days from this date, the plaintiff may approach the Court for alternative service provided they comply with Pa.R.C.P. 440. BY ORDER OF COURT
Gordon R. Miller, P.J.
May 5, 1993 copy to Toomey & Kulwicki

May 14, 1993 Complaint Reinstated.

Juen 17, 1993, Complaint Reinstated.

July 23, 1993 Sheriff's Return filed. NOT SERVED as to Defendnat Elizabeth Piechota as per an Affidavit of "Not Found" returned by Luzerne County Sheriff's Office. Affidavit attached.
So answers, Robert M.Stevens, Sheriff

Sep. 22, 1993 Preliminary Objections filed. (3 copys Atty.)

Nov. 4, 1993 Defendant's Reply to Preliminary Objections filed.

1992

Pepicelli, Youngs
and Youngs PC
Andrew S. Bacallao

707

~~Brian Lindsay~~ withdrawn

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

HELEN A. SMITH

vs.

TIMOTHY S. DEVORE

Filed July 30, 1992
@ 2:09 p.m.

Tax & Entry	pd.	50.50
User's Fee	pd.	5.00
John Fuller, mediator		200.00
Pro Co Pd 10-12-92 ch#7107		9.00

COMPLAINT FOR CUSTODY
3 copies (atty)

July 29, 1992 ORDER filed. You, Timothy S. Devore, Defendant have been sued in Court to obtain custody of the children: Matthew L. Devore and Luke V. Devore.

You are ordered to appear in person for a conference at such time and place as may be set by John Fuller, Child Custody Mediator.

If you fail to appear as provided by this Order, an Order for custody may be entered against you or the court may issue a warrant for your arrest.

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

July 31, 1992 copy in box for A. Bacallao & J. Fuller mailed copy to Dft.

August 4, 1992 Certificate of Service filed. I, Andrew S. Bacallao, hereby certify that I am the Attorney for the Plaintiff, Helen A. Smith, in the within Action and that a certified copy of the Complaint for Custody and Order of Court were sent by Certified Mail, Return Receipt REquested to the Defendant Timothy S. DeVore, R D # 1 Box 954, Meadville, PA 16335 on July 30, 1992 and was received by Defendant's wife on Aug. 1, 1992. The receipt for certified mail and the return receipt are attached hereto marked Exhibit "A".

Pepicelli, Youngs And Youngs
By: Andrew S. Bacallao

7-30-92 Plaintiff paid $150.00 Mediator deposit

9-15-1992 Received from Defendant Mediation 100.00

10-12-92 to Comm Mediator Fee Ch#7106 $200

Aug. 5, 1992, Answer and Counterclaim and Order of court filed. 2 copies (atty)

ORDER: AND NOW, this 5 day of Aug. 1992, the court herebyorderes that as of today's date, the 5th of Aug. 1992, that both sons and daughter are to return to the custody of the defendant father at 10:00 a.m. until the following wed. at 6:30 p.m. and said custody to continue to alternate until this matter isheard by a custody mediator. Pending mediations results, the sons are to continue their education inthe school district of father's residence.

The father shall do nothing to:

a) influence the hcildren's testimony at any subsequent hearing.
The children shall not be intimidated and shall be free to express their feelings.

b) Adversely affect the children's health safety, morals and welfare.

c) use physical force on the children unless absolutely necessary.

Gordon R. Miller, J.

Aug. 11, 1992, copies of order to Attys. bacallao, B. Lindsay and J. Fuller

Sept. 4, 1992 ORDER filed. AND NOW, September 3rd, 1992, after mediation conference before John Fuller, Esq., IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Matthew Devore, Luke Devore and Sarah Devore 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 taht each parent shall be entitled to take part fully in important decisions affecting the children such as the education, medical treatment and religious linstruction of the subject children.

II. Physical custody of Matthew Devore, Luke Devore and Sarah Devore shall be with their mother, subject to the following conditions:

A. The father shall be entitled to visit and take the children into his custody every other weekend from 7:00 p.m. on Friday to 7:00 p.m. on Sunday, beginnign Sept. 11, 1992.

B. Holidays shall be defined as Christmas, Easter, Thnaksgiving and the children's birthdays. 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 the aforesaid holidays until 1:00 p.m. and in the custody of the father ont he aforesaid holidays from 1:00 p.m. until 7:00 p.m.

C. Beginning with the Summer of 1993, the children shall be in the custody of the father for a continuaous period of 2 weeks, commencing each year at 7:00 p.m. on the first Friday of August and ending each year at 7:00 p.m. on the second Sunday in August.

D. Transportation fo the children on weekends, holidays and Summer visits shall be equally divided between the parents with the parent receiving custody providing the transportation.

E. Neither mother nor father nor step-parents shall may or do anything in an attempt to turn the children against the other parent or step-parents, 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 and both step-parents.

F. Neithe 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. Both parents and children (and step-parents, if appropriate) shall participate in family counseling with Dr. Kathryn A. Anderson to the extent recommended by Dr. Anderson.

I. The parents shall contact each other directly regarding important matters involving the children and shall not utilize the children to carry messages back and forth.

III. This order is a temporary order but shall become a permanent order unless exceptions thereto are filed by either party within 30 days of the date hereof.

IV. Cost of the mediation conference will be equally divided between the plaintiff and the defendant.

Gordon R. Miller, P.J.

Sept. 9, 1992 copy to A. Bacallao & B. Lindsay Mailed copy to Plf. & Dft.

Sept. 18, 1992 Request for Hearing De Novo and Order filed. September 22, 1992, hearing set for december 4, 1992, at 1:30 p.m., in Courtroom 1 or 2, Crawford County Courthouse.

FOR THE COURT,
Imogene Yetman, CA.

Sept. 23, 1992 Copies of order put in box for Atty. Bacallao and Timothy DeVore

Dec. 4, 1992, Motion to Withdrawal Support Hearing and De Novo Hearing and Order filed.
ORDER: Dec. 3, 1992, motion granted.
FOR THE COURT,
Imogene Yetman, Ct. Adm.
Dec. 9, 1992, copies of order to A. Bacallao and B. Lindsay.

Continued to Page 506

1992

Terry Toomey

708

DONALD A. COOPER

vs.

ROBIN L. COYLE

Filed July 31, 1992
@ 9:26 a.m.

Tax & Entry Pd 50.50
User's Fee Pd 5.00

7-31-92 Defendant pd $150.00 deposit for Mediator

Paid Plff Refund deposit 8-19-92 Chk 6996 Per Order Dated 8-13-92 $150.00

COMPLAINT FOR CUSTODY AND VISITATION
1 copy Mediator

July 31, 1992 APPLICATION FOR SPECIAL RELIEF, filed.3 copies Atty.

July 31, 1992 ORDER filed. AND NOW, this 31st day of July 1992, upon Application for Special Relief filed by the Plaintiff, ex parte, it is hereby ORDERED and DECREED that:

The Defendant natural mother of Jeremiah Marcel Coyle, shall not remove the minor child from Erie and Crawford counties until such time as a Mediation Conference on the Plaintiff's Complaint for Custody has been convened. FURTHER, the Defendant mother shall forthwith advise the Plaintiff, through his attorney, Terry Toomey, Esq., as to the whereabouts of the minor child and the Defendant mother shall kepp the Plaintiff's counsel apprised as to the primary residence of said minor child. BY THE COURT
Gordon R. Miller,P.J.

3 copies Atty.

Aug. 13, 1992 MOTION TO CONTINUE MATTER GENERALLY and ORDER, filed. ORDER: AND NOW, this 13th day of August 1992, upon consideration of Plaintiff's Motion to Continue, and after consideration of Plaintiff's consent, the above-captioned custody matter is continued generally. Either of theparties may move the Court for the re-appointment of a child custody mediator should the need arise.

FINALLY, the Prothonotary is hereby directed to return to the Plaintiff the sum of $150.00 earlier deposited by Plaintiff as a mediation advance fee. BY THE COURT
P. Richard Thomas

Aug. 14, 1992 copy to T. Toomey & W. Pineo

1992

William J. Gregg

709

Mary Ann Kirkpatrick

PATRICIA A. JACOBS

vs.

JOHN R. JACOBS

Filed July 31, 1992
@ 11:57 a.m.

Tax & Entry Pd	50.50
User's Fee Pd	10.00
State Pd	10.00
1 Add'l Count Pd	15.00
1 count pd. 2/23/93	15.00
state pd. 2/23/93	5.00
Pro Co pd 6-22-93	9.00
Pro Pd 8/6/93	5.00

COMPLAINT UNDER SECTION 3301(C) OF THE DIVORCE CODE
EQUITABLE DISTRIBUTION
1 copy (atty)

Aug. 5, 1992, Acceptance of Service filed. And Now, this 5th day of Aug. 1992, comes John R. Jacobs, dft. inthe above matter, and acknowledges that he received the complaint in divorce and notice to defend in the above action by personally picking up same at the office of Atty. Wm. J. Gregg, east Side Knolls, Rt. 18, Conneaut Lake, Pa. at 8:20 a.m. on Aug. 5, 1992.
John R. Jacobs.

Sept. 28, 1992 Appearance of Mary Ann Kirkpatrick, Esquire for John R. Jacobs, Defendant, filed.

Feb. 23, 1993, Amended Complaint in Divorce filed.
1 copy (atty) (adding count of Alimony, Pendente Lite, Counsel F Fees, Costs and Expenses)

Mar. 2, 1993 Motion for Hearing and Order filed. AND NOW, March 2, 1993, a hearing is cheduled in the above-captioned matter for May 7, 1993, at 9:00 o'clock a.m. in Courtroom No. 1 or 2 of the Crawford County Courthouse, Meadville, Pennsyvlania.
FOR THE COURT,
Ann A. Walker, C.A.
Mar 8, 1993 Copies of order to Atty.s Gregg and Kirkpatrick

Apr. 12, 1993 Proof of Service of Notice to Produce, filed.

May 4, 1993 Affidavit of Service of Subpoena, filed.

May 7, 1993 ORDER filed. AND NOW, May 7, 1993 this matter is before the Court scheduled for a hearing regarding alimony pendente lite, counsel fees, costs and expenses pursuant to the Plaintiff's request for the same.

Both parties appear with counsel and advise the Court that they have resolved all of the remainign marital issues and wish for the Court to enter an order with respect to all issues and their agreement so that this matter may be moved forward to a divorce.

Accordingly, the agreemetn of the parties, which shall be an order of this Court, is as follows:

1. Both parties shall file an appropriate Affidavit of Consent to a 3301(c) Divorce forthwith
2. Each party waives alimony, alimony pendente lite, and court costs, and each party shall be responsible for their own counsel fees.
3. Each party shall keep the vehicle currently in that party's possession and the other party shall provide the party with the vehicle with all keys to that vehicle and shall cooperate in transferring the title of the vehicles to the respective party having possession.
4. Each party shall keep the IRA pension plan or plans, 401K plan or plans, savings accounts, and jewelry in their possession or name with the understanding that any joint accounts will be divided as shall follow in this order.
5. Each party shall keep the personal property currently in his or her possession with the exception that within 10 days of the date of this order, the Defendant shall provide to the Plaintiff any 45 RPM records which were hers prior to the marriage.
6. With respect to real property remainign in the names of the parties, the Plaintiff wife shall have all remaining lots in Conneaut Lake and the Defendant husband shall have all the remaining lots in Greenwood Twp. and each shall make arrangements as quickly as possible to transfer title but in any event at any time within 90 days of the divorce decree.
7. The Defendant husband shall keep possession of a tractor, all of his guns, and a Certificate of Deposit at Integra Bank in the amount of approximately $4500.
8. The Defendant husband shall wave any claim he has to the Ferguson Family Partnership, Lakeside Courts and any Ferguson Construction stock.
9. There currently exists an escrow account with approximately $80,000 in it from the sale of the parties' home, and the husband shall receive $43,000 of that and the wife shall receive
10. The husband shall assume all responsibility for a PPG debt and any debt incurred for the improvement of the Greenwood Township lots and shall indemnify wife and hold her harmless with respect to the same.
11. This day, the Plaintiff and her attorney shall enter a safe deposit box at Integra Bank apparently in the Plaintiff wife's name and shall inventory the contents of the same and provide that inventory to the attorney for the Defendant husband no later than May 11, 1993.
12. The parties agree that all jointly titled savings and investment accounts will be divided equally between them.
13. The Plaintiff shall praecipe for review of this divorce action so that the divorce may become final with such praecipe to be filed within 30 days of the date of this order, unless there is further order of court allowing an extension of the same.

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

May 10, 1993 copies given to Kirkpatrick & Gregg

May 11, 1993 Affidavit of Consent by Patricia A. Jacobs, Plaintiff, filed

May 14, 1993 Affidavit Of Consent of Defendant filed.

June 21, 1993 Acceptance of Service, filed. AND NOW, this 18th day of June, 1993, comes John R. Jacobs, Defendant in the above captioned matter and acknowledges that he received an Amended Complaint in Divorce and Notice to Defend in the above captioned matter by personally picking up same at the office of Attorney William J. Gregg, EAst Side Knolls, Rt. 18, Conneaut Lake, Pennsylvania on Feb. 24, 1993, at 3:30 p.m.

June 22, 1993 Upon praecipe of plaintiff attorney to transmit record, case moved to court.

DIVORCE DECREE FILED

June 30, 1993 AND NOW, June 25, 1993, it is ordered and decreed that PATRICIA A. JACOBS, plaintiff, and JOHN R. JACOBS, defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by the paraties 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.

(Record Cont't on Margin)

RECORD CONTINUED.....

August 6, 1993, Notice of Election to Retake Prior Name filed.
TO BE KNOWN AS:
Patricia A. Ferguson.

Continued to Page 467

1992

Bruce A. Barrett

710

WARNER & SWASEY EMPLOYEES FEDERAL CREDIT UNION

vs.

ARON STEINER

Filed July 31, 1992
@ 12:02 p.m.

Tax & Entry pd	50.50
User's Fee pd	5.00
Sheriff's Costs	23.00

COMPLAINT IN REPLEVIN
1 copy (Sheriff)

August 3, 1992 Motion For Writ Of Seizure and ORDER OF COURT filed. AND NOW, August 3, 1992 A hearing is set for Aug. 14,1992 at 1:30 p.m.

Anthony J. Vardaro, J.

Aug 4, 1992 NOTICE OF HEARING FOR SEIZURE OF PROPERTY, filed.

Aug. 20, 1992 Motion for Continuance and Order of Court filed. And Now, August 18, 1992. The above motion allowed. A hearing is reset for September 4, 1992 at 10:00 A.M., Courtroom 2.

For the Court,
Imogene Yetman, Court Administrator

Aug. 20, 1992 Copy of the Order to Bruce A.Barret, Esquire. Copy of Order mailed to Defendant.

Aug. 26, 1992 Sheriff's Return filed. NOT FOUND as to Defendant Aron Steiner. Certified Mail was sent to 5401 Sunny Slope, Maple Heights, Ohio 44103, and was returned unclaimed, forwarding time expired with no current address.
So answers,

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

1992

Joseph F. Kulwicki

711

MARK HIGGINS

vs.

FRANCIS HIGGINS

Filed July 31, 1992
@ 12:29 p.m.

Tax & Entry	pd	50.50
User's Fee	pd	5.00
State	pd	10.00
Pro.Co.	pd 11/2/92	9.00
Pro.Co.	pd 11/13/92	5.00

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

Aug. 28, 1992 Certificate of Service filed. Stephanie Loper, being duly sworn according to law, deposes and says she is an adult individual, employed by the law office of Joseph F. Kulwicki, Attorney for the Plaintiff, and as such she placed a certified copy of the Divorce Complaint in the United States Mail on August 20, 1992, being certified mail number P 724 954 542, addressed as follows:

Mrs. Francis Higgins
Box 177
Hartstown,PA 16131

The signature card for said certified mail item was returned to the office of Joseph F.Kulwicki, Esq. as having received same on August 22, 1992. Said signature card is attached hereto and made a part hereof.

FURTHER AFFIANT SAITH NOT

Stephanie Loper

Nov. 2, 1992 Affidavit of Consent by Mark Higgins, Plaintiff, filed.

Nov. 2, 1992 Affidavit of Consent by Frances Higgins, Defendant, filed.

Nov. 2, 1992 Upon Praecipe of Plaintiff Attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Nov. 10, 1992 AND NOW, November 9, 1992, it is ordered and decreed that **MARK HIGGINS**, plaintiff, and **FRANCES HIGGINS**, 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.

Nov. 13, 1992 Notice of Intention to Resume Maiden Name filed, Frances Higgins to be known as FRANCES FUNK.

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

712

ESTATE OF MICHAEL G. MAHOVLIC, by his EXECUTRIX, DONNA M. KRUSE

vs.

ALFRED DARYMAN, HIS PERSONAL REPRESENTATIVES, HEIRS AND ASSIGNS and FRED HERRMANN and EDITH LOUISE HERRMANN, his wife

Filed July 31, 1992
@ 1:23 p.m.

Tax & Entry	50.50
User's Fee	5.00
Sheriff's Costs	77.00
Pro Co Pd 12/15/92	9.00

COMPLAINT IN ACTION TO QUIET TITLE

Sept. 4, 1992 Sheriff's Return and Affidavit of Service filed. SERVED the within Comp on 8/17/92 at 11:20 pM, upon Edith Herrmann at above by handing to Edith a true and correct copy thereof and made known to her the contents therein.

SERVED the within Comp on 8/17/92 at 11:20 AM, upon Fred Herrmann at above by handing to Fred a true and correct copy thereof and make known to her the contents therein.

Sgt. Ziegler, Sheriff Allegheny County
Eugene L.Coon, Allegheny County

See Affidavit of Service endorsed hereon by Sheriff of Allegheny County, Pennsylvania, which is part of this return.
So answers: Robert M. Stevens, Sheriff, Crawford County, Pa.

Sept. 8, 1992 Motion to Serve by Publication and Order filed. AND NOW, upon motion of Emil M. Spadafore, Jr., Attorney for Plaintiff in the above captioned matter, leave is hereby granted to serve Alfred Daryman, defendant, his heirs 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 the Crawford County Legal Journal, one time and requiring the said defendants to plead within twenty (20) days from the last date of publication thereof.

BY THE COURT:
Gordon R. Miller, J.

Sept. 10, 1992 Copy of the Order to Emil M. Spadafore, Jr., Esq.

And Now, Dec. 15, 1992, at 1:58 p.m., upon praecipe of plaintiff attorney with default notice attached, Judgment is hereby entered in favor of the plaintiff and against the defendant for failure to take action.

Judgment entered - 12/15/92
H - 64, H - 154

JUDGMENT
Barbara H. King,
Prothonotary

Dec 17, 1992 Affidavit of Service of Complaint by publication filed.

Dec 17, 1992 Motion for Judgment filed.

Dec 17, 1992 FINAL ORDER filed. AND NOW, this 17th day of December, 1992, upon presentation of the foregoing Motion and due consideration thereof, it is hereby ordered and decreed that the defendants, Alfred Daryman, his personal representatives, heirs and assigns are forever barred from asserting any right, title, lien, or interest inconsistent with the claim of the plaintiff as set forth in the Complaint in this case, or in any way attacking the title of the Plaintiff in said property; from issuing or continuing any action and attacking the same and from encumbering, mortgaging or conveying the same or any part thereof; unless the defendants, their heirs and assigns take such action as is herein directed within 30 days after the entry of this judgment.

It is further ordered and decreed that if no petition to open this judgment or satisfy this decree is presented by the defendants, their heirs and assigns within 30 days from and after the entry of th is decree, same shall be final. If such action is not taken within said 30 days period, the Prothonotary shall enter judgment.

BY THE COURT:
Anthony J. Vardaro,J.

Dec. 22, 1992 copy to E. Spadafore

1992

Culbertson, Weiss, Schetroma & Schug
Kemp C. Scales

Knox McLaughlin Gornall & Sennett, P.C.
Jack M. Gornall

713

HOWARD R. GEIST AND
NAOMI J. GEIST

vs.

THE ESTATE OF SYLVESTER SMITH, its heirs and assigns, its predecessors in title, and all persons or governments claiming by, through or under said Estate

Filed July 31, 1992
@ 4:22 p.m.

Tax & Entry pd 50.50
User's Fee pd 5.00

Pro.Co. pd 11/2/92 9.00

COMPLAINT IN ACTION TO QUIET TITLE
1 copy (atty)

Aug 4, 1992 MOTION FOR ORDER ALLOWING PUBLICATION and ORDER filed. ORDER: AND NOW, TO-WIT, this 3rd day of August, 1992, upon consideration of the foregoing Complaint, Affidavits and Motion attached hereto, it is hereby Ordered that said Plaintiffs shall make service by publication on one occasion int he Meadville Tribue and the Crawford County Legal Journal upon the Defendants, the Estate of Sylvester Smith, its heirs and assigns, its predecessors in title, and all persons or governments claiming by, through or under said Estate, and thereafter, Proofs of Publication shall be filed by said counsel. Anthony J. Vardaro, J.
Aug 10, 1992 copy to K. Scales and J. Gornall

Sept. 23, 1992 Motion for Default and Order of Court filed. AND NOW, TO-WIT, this 22nd day of September, 1992, upon review of the foregoing Motion for Default Judgment and Proofs of Publication, it is hereby Ordered that title to the below described property is valid and indefeasible as against all rights and claims whatsoever of the within named Defendants, their estates, heirs and assigns, and all persons or governments claiming by, through or under them, and that said Defendants and all other persons whatsoever are barred from asserting any right, lien, equity, title or interest in said land inconsistent with the interest of the Plaintiffs including, but not limited to, any claim resulting from the inability of counsel to ascertain the source of title prior to the ownership of Sylvester Smith, as described in the above Complaint, unless Defendants file a Action in Ejectment within thirty (30) days of this Order, and if not, Plaintiff shall file a Praecipe for Final Judgment which shall result in title being established free and clear of any cloud whatsoever to the Plaintiffs, Howard R. GEist and Naomi J. Geist, husband and wife, for the property as described as follows:

ALL THAT CERTAIN piece or parcel of land situate in Athens Township, Crawford County, Pennsylvania bounded and described as follows, to-wit:

On the north by land now or foremerly of F. E.Phelps; on the south by land now or formerly of F.J. Carter; on the east by land now or formely of E.C.Obert; on the west by a publice road.

Said parcel is more accurately described pursuant to recent survey of C.E. Stiles and Associates as dated June 16, 1992 as follows:

ALL THAT CERTAIN piece or parcel of land situate in Athens Township, Crawford County, Pennsylvania, bounded and described as follows, to-wit:

Beginning at a point on the easterly line of Pennsylvania Route 796 said point as being located 753.3 feet south of the interesection of Pennsylvania Route 796 and Pennsylvania Route 789; then southerly 78°53 minutes 25 seconds east, 1,110.37feet to an iron pin; thence northerly 0°4 minutes 6 seconds east,24.90 feet to an iron pin; thence soouthérly 78°3 minutes 35 seconds east 898.14 feet to an iron pin; thence sout herely 1°30 minutes 55 seconds west 2,071.19 feet to an iron pin; then northerly 88° 44 minutes 57 seconds west, 939.49 feet to an iron pin; thence northerly 0°0 minutes 57 seconds east, 1,093.57 feet to an iron pin; thence northerly 88° 22 minutes 50 seconds east, 113.7 feet to an iron pin; thence northerly 0°4 minutes 6 seconds east, 570.15 feet to an iron pin; thence northerly 82°1 minutes 38 seconds west, 1,111.20 feet to an iron pin which iron pin is located on the easterly line of Pennsylvania Rouute 796; thence northerly 1°5 minutes 45 seconds east, 603.88 feet to an iron pin, which iron pin is the point of beginning. Road,

Said premises described consist of 59.537 acres, without building improvements, commonly known as R.D.#2, Ongley Road, Centerville, Pennsylvania 16404. Being further identified as Crawford County Index Number 1103-13 and as described in Crawford County Record Book 159, Page 188.

Gordon R. Miller, J.
Sept. 24, 1992 Copy of the Order to Kemp C. Scales, Esq. and mailed to Jack M. Gornall, Esq.

And Now, Nove. 2, 1992 at 4:15 P.M. upon praecipe of plaintiff's attorney, final judgment is hereby entered in this case, in favor of the plaintiffs and against the defendants, pursuant to the foregoing Order of Court.
$-216

FINAL JUDGMENT
Barbara H. King
Prothonotary

264

1992

Jorden and White
Harry Faber White, II

714

JEFFREY L. NICHOL

vs.

ROBIN L. NICHOL

Filed July 31, 1992
@ 4:23 p.m.

Tax & Entry	pd	50.50
User's Fee	pd	5.00
State	pd	10.00
Pro.Co.	pd 1/25/93	9.00
Pro Co	pd 2-22-93	5.00

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

Dec 14, 1992 Acceptance of Service, filed. AND NOW, this 6th day of August, 1992, comes the Defendant, Robin L. Nichol, and swears that she accepted service of a Divorce Complaint under Section 3301(c) of the Divorce Code and a Notice to Plead under Section 3301(c), on the 6th day of August, 1992, in the above captioned matter, with the full force and effect of service under the Divorce Code of Pennsylvania. Robin L. Nichol

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

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

Jan. 25, 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

Feb. 2, 1993 AND NOW, January 26, 1993, it is hereby ordered and decreed that **J E F F R E Y L . N I C H O L ,** Plaintiff, and **R O B I N L . N I C H O L ,** 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.

Feb. 22, 1993 Notice of Election to Retake Maiden Name, filed. Robin L. NIchol to be known as Robin L. Humes.

1992

Mason & Mason
Joan D. Mason

715.

HELEN A. ADAMS

vs.

DONALD J. ADMAS, JR.

Filed Aug. 3, 1992
@ 11:32 a.m.

Tax & entry	$50.50
state	5.00
sheriffs costs	34.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies (sheriff)
1 copy (plff)

ORDER:

And now, this 3 day of August, 1992, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions:
Plaintiff shall have temporary possession of the marital home. Defendant may remov e personal clothing only while sheriff or deputies are present. Plaintiff shall have temporary custody of minor children.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for August 11, 1992, at 3:30 P.M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. vardaro, Judge

Aug 7, 1992, Sheriffs Return filed. SERVED Donald J. Adams, Jr personally on Aug.6, 1992 at 11:15 a.m. by handing to him a copy fothe p rotection from Abuse intrhe sheriffs office, Third Floor, Crawford County Courthouse, Meadville, Pa.
So answers, Carole Stefanucci, Dept. sheriff
Robert M. Stevens, Sheriff

Aug. 11, 1992 Reassignment Of Hearing Date filed. August 11, 1992: Hearing in the above captioned matter heretofore set for August 11, 1992, at 3:30 P.M., is hereby reset for Wednesday August, 19, 1992, at 10:00 a.m., in Courtroom No. 2.
All other provisions of the Court's Order of August 3, 1992, shall remain in effect.

FOR THE COURT,
Imogene Yetman, CA..

Aug. 11, 1992 Copies distributed by C.A.

Aug. 27, 1992 Motion to Postpone and Reschedule Hearing and Order filed. And Now, August 27, 1992 This MOtion is granted and Hearing is rescheduled for the 2nd day of September, 1992 at 2:30 P.m. in Cortroom 1 or 2.

Anthony J.Vardaro, J.

Aug. 27, 1992 Copy of the Order to Joan D. Mason and Defendant

Aug. 27, 1992 Motion for Amendment of Petition for Protective Order and Order filed. And Now, August 27, 1992 The Issues raised in this motion will be considered at the time of the hearing set. This is done pursuant to 23 Pa. C.S.A.§6108.

Anthony J.Vardaro, J.

Aug. 27, 1992 Copy of the Order to Joan D. Mason, Esq. and Defendant.

1992

Mazzotta, McCague & Associates PC
Donald S. Mazzotta
William T. Molczan

716.

THE HUNTINGTON ACCEPTANCE COMPANY

vs.

BRADLEY V. ONGELY AND (ONGLEY)
SHARON J. ONGELY (ONGLEY)

Filed Aug. 3, 1992
@ 1:34 p.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	42.00
Pro Co. pd 9-17-92	9.00

COMPLAINT IN CIVIL ACTION

2 copies (sheriff)

Aug. 11, 1992 Sheriff's Return filed. SERVED Sharon J. Ongley personally on August 5, 1992 at 9:58 AM by handing a copy of the Complaint to her at the residence, R.D. #2, Box 298A, Spartansburg Crawford County, PA.
SERVED Bradley V. Ongley on August 5, 1992 at 9:59 AM by handing a copy of the Complaint to Sharon J. Ongley, his wife, at the residence, R.D. #2, Box 298A, Spartansburg, Crawford County, PA.
So answers, Edgar D. Householder, Chief Deputy
Robert M. STevens, Sheriff

Sept. 17, 1992, 11:37 a.m., AND NOW upon Praecipe of Plaintiff Attorney, with copy of Notice of Intention to file defualt judgment attached, judgment is hereby entered in favor of Plaintiff and against Defendants for failure to file an Answer.

Amount claimed in Complaint	$ 4,705.27
Interest from 4/13/92 through 9/9/92	248.83
Costs of suit	$ _____
TOTAL	$ 4,954.10

With interest accruing on total balance of $4,954.10 at the rate of 15.50% from date of Judgment.

Debt $4,954.10
Judgment
Barbara H. King, Pro.

O-23, 153
Judgment entered 9-17-92
9-18-92 Notice of judgment mailed defendant.

1992

Dallas W. Hartman, PC
Dallas W. Hartman

717.

GLENN A. JR. AND ELAINE R. RITTS, h/w

vs.

CHARLES FLYNN, t/d/b/a CONNEAUT LAKE PARK, CONNEAUT LAKE AMUSEMENT PARK, INC., ASSOCIATED GAMES COMPANY, AND LAKE SIDE REAL ESTATE COMPANY, INC., AND OPGAKCO, INC.

Filed Aug. 3, 1992
@ 1:57 p.m.

Tax and entry paid	$50.50
state paid	5.00
Sheriff's Costs	30.00
Pro Co Pd 10/8/93	6.00

SUMMONS IN A CIVIL ACTION

Issued (sheriff)

Aug. 11, 1992 Writ Return filed. SERVED Charles Flynn, t/d/b/a Conneaut Lake Park, on August 5, 1992, at 1:46 PM by handing a copy ofthe Summons to Winfield McFeely, Manager at Conneaut Lake Park, r.D. #4, Conneaut Lake, Crawford County, PA.
So answers, Dale A. Collins, Deputy sheriff
Robert M. Stevens, Sheriff

Oct. 4, 1993, Upon praecipe of plaintiff attorney, the above captioned action is marked settled, ended and discontinued of record.

Joseph C. Barnhart
Gerald Sullivan

718.

Robert Felton

VANESSA M. WRIGHT

vs.

RICHARD E. WRIGHT, JR.

Filed Aug. 3, 1992
@ 2:48 p.m.

Tax & entry	$50.50
state	5.00
Sheriff's Costs	34.85

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies (sheriff)
1 copy (plff)

ORDER:

And now, this 3 day of August, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions:
The defendant shall not go to plaintiffs current residence at R. D. #2, Box 278-3 Hatchtown Road, Spartansburg, Pa.

3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for **August 13, 1992**, at 3:30 PM., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,

Anthony J. Vardaro, Judge

Aug. 4, 1992 Sheriff's Return filed. SERVED Richard E.Wright, Jr. personally on August 3, 1992 at 4:00 PM by handing to him a copy of the Protection from Abuse at his residence, R.D.#1, Centerville,Crawford County,PA.
So answers,

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

Aug. 11, 1992 Reassignment Of Hearing Date filed: August 11, 1992: Hearing in the above captioned matter heretofore set for August 13, 1992, at 3:30 P.M. is her eby reset for Wednesday, August 19, 1992, at 10:00 a.m., in Courtroom No. 2.

All other provisions ofthe Court's Order of August 3, 1992, shall remain in effect.

FOR THE COURT,
Imogene Yetman, CA.

Aug. 11, 1992 Copies mailed to C.A.

Aug. 21, 1992 Motion for Continuance of Hearing and Order of Court filed. ORDER:AND NOW, this 21 day of Aug. 1992, upon consideration of the foregoing motion, hearing inthe above matter is continued generally until further request by plaintiff or defendant or until resolved by stipulation to be filed by the parties.

Pending further order ofthe curt, the court's order of Aug. 3, 1992, " Temporary Abuse Order" is continued in full force and effect.

BY THE COURT,
Anthony j. Vardaro, J.

Aug. 25, 1992, copies to Attys. Barnhart, R. Felton, County Control, Police Dept. Atty. Sullivan.

1992

Barbara J. Walton

719.

BETTI NORMAN

vs.

LELAND J. NORMAN

Filed Aug. 3, 1992
@ 4:10 p.m.

Tax & entry paid	$50.50
2 counts paid	30.00
state paid	15.00
state paid	10.00
Pro Co Pd 4-17-98	9.00
Pro Co pd 6/3/98	5.00

2-20-98 Rec'd from Deft med dep 200

COMPLAINT IN DIVORCE, CUSTODY, EQUITABLE DISTRIBUTION

2 copies (atty)

Sept. 9, 1992 AFFIDAVIT OS SERVICE, filed. And now, Aug. 31, 1992 comes Lisa M. Sherretts, secretary to Barbara J. Walton, Esq., and avers as follows:

1. A true and correct copy of the Complaint for Custody was mailed to the Defendant via Certified Mail, return receipt on August 4, 1992.

2. That the Defendant signed the return card on August 6, 1992 and in accordance with Pa. R.C.P. 412 service of the Complaint was made as is evidenced by the United States Postal Service Return Receipt (Certified No. P 899 097 850) 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 tothe penalties of 18 Pa. C.S.§4904, relating to unsworn falsification to authorities.

July 16, 1997 Affidavit of Consen To Divorce of Plaintiff filed.

July 16, 1997 Marital Property, Child Custody and Child Support Agreement filed.

March 18, 1998 PETITION FOR SPECIAL RELIEF AND ORDER FILED. AND NOW, this 16th day of March 1998, upon consideration of the enclosed Petition for Special Relief a Rule is issued to show cause why the relief requested in the petition should not be granted. This matter is scheduled for a hearing on the 21st day of april, 1998 in Courtroom 1, 2, 3 in the Crawford County Courthouse located at Diamond Park, Meadville, PA

FOR THE COURT
Ann A. Walker, Ct. Admin.

3/20/98 FAXED WHITE AND COPY SENT TO WALTON

March 26, 1998 ORDER RESETTING HEARING FILED. AND NOW, March 26,1 998 due to unavailability of the Court at the time set for hearing on Plaintiff's Petition for Special Relief (April 21, 1998, 2:15 PM) this matter is hereby rescheduled for Tuesday April 14, 1998 at 1:00 PM CR #3, Crawfcrd County Courthouse.

FOR THE COURT
ANN A. WALKER, CT. ADMIN.

32/6/98 FAXED WHITE AND COPY TO WALTON

April 14, 1998 Affidavit of Consent of Defendant, filed.

April 14, 1998 Upon Praecipe of plaintiff for Review under Section 3301(c) of Divorce Code, this case moved to Court.

April 15, 1998 Amendment to Marital Property, Child Custody and Child Support Agreement dated July 16, 1997, filed.

DIVORCE DECREE FILED

April 15, 1998 AND NOW, this 14th day of April, 1998, upon presentation of the Stipulation and Consent of the parties, and after consideration of same, it is hereby ORDERED, DIRECTED AND DECREED that:

The bonds of marriage between Plaintiff, Betti J. Normand and Defendant, Leland J. Norman, are dissolved. Plaintiff and Defendant are divorced from the bonds of matrimony.

AND IT IS FURTHER ORDERED, ADJUDGED, AND DECREED, that the terms, provisions and considition of the Divorce Consent Agreement and Order dictated April 14, 1998, which incorporates the terms of a marital settlement agreement dated Jan. 29, 1997 and the Addendum thereto, dated Oct., 1997, shall be incorporated in this decree and order by reference as fully as though the same were set forth herein, at length. Said agreements 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:
P. Richard Thomas, S. J.

Apr 21, 1998 ORDER: AND NOW, April 14, 1998, after extensive input and argumetn before the Court, counsel for both parties advise the Court that the divorce matter has been amicably resolved as follows:

DIVORCE AGREEMENT (see paper filed) P Richard Thomas, S.J.
Apr 21, 1998 Dist Walton, White & Dom Rel

June 3, 1998 Notice of Election To retake Prior Name filed. Betti J. Norman TO BE KNOWN AS: Betti J. Burnley

July 28, 1998 Certificate of completion of the Seminar for Separating Parents for Leland J. Norman, filed.

July 20, 1998 Petition to Modify Custody ORDER AND NOTICE and NOTICE AND ORDER TO APPEAR filed.

AND NOW, this 21 day of July, 1998, it is ordered that the parents in this matter shall satisfactorily complete the Seminar for Separating Parents in accordance with Crawford Co. Civil Rule L1930. Applications for the seminar may be obtianed at the Center for Family Service Inc.at 996 S. Main St., Meadville, PA 16335; the Prothonotary at the Crawford Co. Courthouse; or the Court Administrator at the Crawford Co. 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 (15) days after he or she is served with the pleading or petition.

RECORD CONTINUED ON PAGE 520.....

1992

Barbara J. Walton

720.

LOLA DAVIS

vs.

GEORGE DAVIS

Filed Aug. 3, 1992
@ 4:10 p.m.

Tax & entry paid	$50.50
state paid	5.00
state paid	10.00

COMPLAINT IN DIVORCE

2 copies (atty)

Sept. 9, 1992 AFFIDAVIT OF SERVICE, filed. And Now, Sept. 9, 1992, comes Lisa M. Sherretts, secretary to Barbara J. Walton, Esq. and avers as follows:

1. A true and correct copy of the Complaintfor Custody wasmailed to the Defendant via Certified Mail, return receipt on August 3, 1992.

2. That the Defendant signed the return card on August 4, 1992 and in accordance with Pa. R.C. P. 412 service of the Complaint was made as is evidenced by the United States Postal Service Return Receipt (Certified No. P 899097847) 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.

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 9/9/92 . We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonable delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.

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

I If you object to the case being dismissed, you must put your objections in writing and follow Crawford County Civil Local Rule L206, LJA 1901E and LJA1901F, explaining why there has been a delay in your case and why it is not unreasonable. These written objections must be filed in the Prothonotary's Office on or before April 24, 1998. You must also give or send a copy of any objections you file to the other party or his or her attorney, and certify that you have done so when you file your objections with the Prothonotary.

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

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

By the Court,
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)

1992

Brian J. Lindsay

721.

DAVID H. INGALLS

vs.

DEBORAH C. INGALLS

Filed Aug. 3, 1992
@ 4:19 p.m.

Tax & entry paid	$50.50
state paid	5.00
state paid	10.00
Pro.Co. pd 12/17/92	9.00

COMPLAINT IN DIVORCE

1 copy (atty)

Aug. 19, 1992 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 verifcation; that I did on the 4th day of August, 1992, 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 6th day of August, 1992, receive a duly executed return receipt dated August 5, 1992.

Brian J. Lindsay, Esquire

Dec 4, 1992 Affidavit of Consent of Defendant, filed.

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

Dec. 17, 1992 Upon Praecipe of Plaintiff Attorney to transmit record, case moved to Court.

D I V O R C E D E C R E E F I L E D

Dec. 30, 1992 AND NOW, December 29, 1992, is it hereby ordered and decreed that **D A V I D H . I N G A L L S ,** Plaintiff, and **D E B O R A H C . I N G A L L S ,** 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.

722

CATHY DEETS

vs.

KEVIN McGOWAN

Filed Aug 4, 1992
@ 9:38 a.m.

Tax & Entry	Pd 8-19-92	50.50
User's Fee	Pd 8-19-92	5.00
Sheriff's Costs		20.00
Pro Co Pd 8-19-92		9.00
Pro.Co.Pd. 1-25-93		5.00

Received from defendant 8-19-92 20.00 Sheriffs Costs

Paid Sheriff 8-20-92 20.00 Check #6998

PROTECTION FROM ABUSE
3 copies Sheriff
1 copy Plaintiff

Aug. 4, 1992 ORDER: And now, this 4th day of August, 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 Plaintiff or any of the minor children named int he Petition.

2. Special Conditions: Defendant shall not contact Plaintiff in any way. Defendant shall not go to Plaintiff's residence. Custody of the children shall be with 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 August 13, 1992, 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, P.J.

Aug. 10, 1992 Sheriff's rEturn filed. SERVED the within Notice to Defend, Petition for Relief Under Protection from Abuse Act, on 05Aug92, at 2:05 PM, upon Kevin McGowen at r.D. #3, Box 172, Titusville, PA by handing to Kevin McGowan, in person a true and correct copy thereof and made known to him the contents therein.
So answers,
Gene Price, Sheriff
I hereby deputize the Sheriff of Venango County, Pennsyvlania to serve the within Protection From Aubse according to law.
So answers,
Robert M. Stevens, Sheriff

Aug. 11, 1992 Reassignment Of Hearing Date filed. August 11, 1992: Hearing in the above cpationed matter heretofore set for August 13, 1992, at 3:30 P.M. is hereby reset for Wednesday, August, 19, 1992, at 10:00 a.m., in Courtroom No. 2.
All other provisions of the Court's Order of August 4, 1992, shall remain in effect.
FOR THE COURT,
Imogene Yetman, C.A.

Aug. 11, 1992 Copies mailed to C.A.

Aug. 24, 1992 ORDER filed. AND NOW, Aug. 19, 1992, at the time fixed for hearing in this matter, both parties appeared with counsel and agreed to a settlement and disposition of this case as follows:

The defendant does not admit that he engaged in the conduct set forthe in the Complaint, but is willing to have an abuse Order entered against him under the terms and conditions hereafter set forth.

ACCORDINGLY, it is ORDERED as follows:

1. The defendant shall not assault, abuse, harass or thereaten 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 and, in fact, shall not be within 100 yards of her residence and place of work.

3. Each party has personal belonging slocated at the other's residence. The defendant shall be permitted to go to the plaintiff;s residence on Monday, Aug. 24, 1992 at 9:00 a.m., and there to remain for no more than one hour for the purpose of picking up his personal belongings consisting of clothing, mirror, meat grinder and dresser. The plaintiff shall do nothing to destroy or dispose of those items in the meantime. The plaintiff shall be permitted to go to the defendant's residence on Aug. 29, 1992 at 9:00 a.m. to pick up her personal belongings. The defendant shall do notheing in the meantime to destroy or dispose of those personal belongings.

4. Until further Order of Court, the primary physical custody of the three minor children is awarded to the plaintiff, with the defendant having the following visitation rights:

A) He shall have the right to take the children into his custody every Sunday, commencing with Sunday, Aug. 23, 1992, between the hours of 10:00 a.m. and 4:00 p.m., provided he is sober. He shallnot have had alcoholic beverages to drink for at least 8 hours prior to the visitation.

B) He shall be permitted to take his children into his custody every Wednesday evening, commencing with Wednesday, Aug. 26, 1992 between the ours of 5:30 p.m. and 8:30 p.m., provided he is sober. He shall not have had any alcoholic beverages to drink for at least 8 hours prior to said visits.

C) The plaintiff shall provide transportation to and from all visits between the children and the defendant. The plaintiff shall deliver the children on tiem. Sher may be late and excused for no longer than 15 minutes because of traffic or weather. If when she takes the children tothe defendant's home, he is not readily available, the plaintiff, after remaining there for 5 minutes, shall be permitted to leave with the children and that visitation shall be deemed cancelled. There shall be no substitute visitation afforded.

5. The defendant shall give the plaintiff's car keys and car (1975 Oldsmobile) to the plaintiff no later than 5:30 p.m. on Wednesday, Aug. 26, 1992. The vehicle and the keys shall be in the same condition they were in on Aug. 2, 1992.

CONTINUED ON PAGE 272A

1992

CATHY DEETS
VS.
KEVIN McGOWAN

CONTINUED FROM PAGE 272
of Record
A.D. 1992 - 722

****

6. The defendant shall pay all medical and dental bills incurred by the plaintiff for treatment in connection with the injuries she suffered on Aug. 2, 1992. The defendant shall pay those bills within 2 days after they are submitted to him by the plaintiff or a service provider.

7. The defendant shall pay the record court costs of $84.50 forthwith.

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 Titusville Police Dept. and to County Control by the Prothonotary.

10. This Order shall remain in full force and effect for 1 year from this date, that is, until Aug. 18, 1993, unless modified or terminated by further Court Order.

11. The parties are advised that the plaintiff should not visit the defendant to her home or place of work in violation of this Order. The defendant is advised that even if the plaintiff does invite him to have contact, he shall resist that because that would be a violation of this Court Order. If the parties desire to amend or change this Court Order, they should file an appropriate motion, petition, et cetera, with the Court in the manner provided by Crawford County Rules of Court, Recovering Motion sPractice.

12. The defendant is reminded that this is an Order of Cour tand violation of this Order may be punishable by a fine of up to $1,000.00 and improsonment up to 6 months.

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

Aug. 24, 1992 copies mailed to Atty Hundertmark and Titusville PD, copy given to Atty Brode and Co. Ctrl.

Jan. 25, 1993 Upon praecipe of Plaintiff the above caption is marked settled and discontinued of record.

272
-6-

1992

1992

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

723

AMERICAN FEDERAL SAVINGS AND LOAN ASSOCIATION, now by merger NORTHWEST SAVINGS ASSOCIATION

VS.

MARK B. ZIMMERMAN and DONNA M. ZIMMERMAN, his wife

Filed Aug. 4, 1992
@ 10:05 a.m.

Tax & Entry pd	50.50
User's Fee pd	5.00
Sheriff's costs	36.00
Pro Co Pd 9-9-92	9.00

COMPLAINT IN MORTGAGE FORECLOSURE
3 copies Sheriff

Aug. 12, 1992 Sheriff's Return filed. SERVED Donna M. Zimmerman personally on Aug. 7, 1992 at 10:35 AM at residence, RD # 7, 1413 Leslie Rd., Meadville,Crawford Co., PA 16335.

SERVED Mark B. Zimmerman on Aug. 7, 1992 at 10:36 AM by handing copy of Complaint to Donna M. Zimmerman, his wife, at their residence, RD #7, 1413 Leslie Rd., Meadville, Crawford Co., PA 16335.

No other person was found to be in possession of the property So answers,

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

Sept. 9, 1992, 1:50 p.m., AND NOW upon Praecipe of Plaintiff Attorney, judgment is hereby entered in favor of Plaintiff and against Defendants for failure to file an answer within twenty days of service of the complaint in the sum of Twenty-Seven Thousand seven hundred sixty-eight and 34/100 Dollars, with costs plus interest from 7/31/92 at the rate of 10%.

Z-42,112
Judgment entered 9/9/92
9-10-92 Notice of entry mailed to defendant.

Debt $27,768.34
Interest from 7/31/92
Judgment
Barbara H. King, Pro.

EXECUTION NO. 1992 - 89

1992

Lawrence G. Reinhold

724

Bukac and Toomey
Terry Toomey

THE JOHN DEERE INDUSTRIAL EQUIPMENT COMPANY

vs.

HAROLD E. GRAVES

Filed Aug 4, 1992
@ 11:32 a.m.

Tax & Entry pd. 50.50
User's Fee pd. 5.00

ACTION IN REPLEVIN
1 copy Sheriff

Aug. 12, 1992 Sheriff's Return filed. SERVED Harold E. Graves personally on Aug. 7, 1992 at 11:27 AM at Sheriff's Office, Crawford Co. Courthouse, Meadville, PA 16335
So answers,
Dale A. Collins, Deputy Sheriff
Robert M. Stevans, Sheriff

Aug. 27, 1992, Preliminary Objections filed. 1 copy (atty)

Sept. 21, 1992 Answer of The John Deere Industrial Equipment Company to Preliminary Objections of Defendant Harold E. Graves, filed.

Oct. 6, 1992 Motion of the John Deere Industrial Equipment Company to Issue Writ of Seizure Pursuant to Pa. R.C.P. 1075 filed.
ORDER: Oct 14, 1992, hearing in the above captioned matter is hereby set for Nov. 2, 1992, at 9:00 a.m., in Courtroom 1 or 2 of the Crawford County Courthouse.
FOR THE COURT,
Imogene Yetman, Crt. Adm.
1 copy order Bukac, Toomey & Reinhold

Mar. 25, 1993 Motion for Writ of Seizure Precipe for Hearing Date, filed.

Mar. 25, 1993 NOTICE OF HEARING, filed. AND NOW, to-wit, this 23rd day of March, 1993, IT IS HEREBY ORDERED: THAT A HEARING ON THE MOTION OF THE JOHN DEERE INDUSTRIAL EQUIPMENT COMPANY FOR AN ORDER OF SEIZURE WILL BE HELD:
ON: THE 8th DAY OF April, 1993
AT: 11:30 A.M.
IN: COURTROOM 1 or 2
OF: THE CRAWFORD COUNTY COURTHOUSE, MEADVILLE, COMM. OF PA.
FOR THE COURT
Ann A. Walker, Crt. Adm.
Mar 29, 1993 copy to L. Reinhold & J. Bukac

Apr. 8, 1993, Affidavit and Application of Harold E. Graves in Response to Motion for Writ of Seizure, filed.

April 13, 1993 ORDER filed. AND NOW, April 8, 1993, this matter is before the Court on Plaintiff's motion for a writ of seizure pursuant to Pa.R.C.P. 1075.
Counsel for both parties appear and they indicate that they believe it would be most appropriate for the Court to decide whether a writ of seizure should be issued and the Defendant's prelimingary objections (which apparently have been narrowed and may be narrowed more) all at the same tiem to expedite the forward movement of this case.
Both parties agree that they are willing to submit these issues on briefs without further oral argument.
Accordingly, the Defendant shall submit his brief by 4:30 P.M. on April 23, 1993 and the Plaintiff shall submit his brief on or before 4:30 P.M. on May 10, 1993.
Thereafter we will consider both the writ of seizure and the preliminary objections of the Defendant.
BY THE COURT:
Anthony J. Vardaro, J.
Apr. 13, 1993 copies distributed to Bukac & Reinhold

May 6, 1993 Application For Leave To File Defendant's Brief, Nunc Pro Tunc and ORDER OF COURT filed. AND NOW, this 30 day of April, 1993, the Motion for Leave to Extend Time for filing Brief Nunc Pro Tunc is granted, and defendant is hereby granted leave to file his brief no later than April 30, 1993.
BY THE COURT
Anthony J. Vardaro, J.
May 10, 1993 Copy of Crder to Attys. Lawrence Reinhold and Terry Toomey.

May 10, 1993 Reply Memorandum of Law of The John Deere Industrial Equipment Company In Support of Its Motion For Writ Of Seizure and Against Defendant's Preliminary Objections filed.

June 11, 1993, MEMORANDUM AND ORDER filed. ORDER: AND NOW, June 10, 1993, the preliminary objections filed by the defendant are dismissed and the defendant may file appropriate responsive pleading within 20 days ofthe date of this order.
A hearing is set with respect tothe plaintiff's request for a writ of seizure with said hearing to be held July 14, 1993, at 9:30 a.m. in C. R. No. 2, Crawford County Courthouse, before the undersigned.
BY THE COURT,
Anthony J. VArdaro, J.
June 14, 1993, copies mailed to Reinhold, and given to Atty. Bukac.

July 15, 1993, ORDER filed. AND NOW, JUly 15, 1993, at the time set for hearing with respect to the plaintiff's motion for writ of seizure no one appears and court staff contacts the office of the atty. for the dft. HIs office indicates that this amtter probably has been settled.
Accordingly, the hearing on plaintiff's motion for writ of seizure is continued generally to be reset upon motion fo either party if it becomes necessary to do so.
BY THE COURT:
Anthony J. Vardaro, J.
July 15, 1993, copies to attys. Reinhold and T. Toomey, + Bukac.

Aug. 20, 1993 Answer, New Matterand Counterclaim, filed.

Continued on Page 459

1992

Robert J.Felton

724A

M. Dan Mason

REBECCA STEPHENS

vs.

BRYAN SCOTT STEPHENS

Filed Aug. 4, 1992
@ 4:25 p.m.

Tax & Entry	Pd 11-9-94	50.50
User's Fee	Pd 11-9-94	5.00
sheriffs costs		34.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT
1 copy (Plf) 3 copies (Sheriff

ORDER:

And now, this 4 day of August, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions:
The Defendant shall not have visitation with either minor Plaintiff pending further ordr of Court.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for August 14, 1992, at 3:30 P.M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

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

Aug. 7, 1992, Sheriffs Return filed., SERVED Bryan Scott Stephens personally on Aug. 6, 1992, at 2:35 p.m. by handing a copy fot he Protection From Abuse to him at his residence, R. d. #4, Box 13B, Centerville, Crawford County Pa
So answers, Dale A. collins, Dep. Sheriff
Edgar D. Householder, Ch. Dep.
Robert m. Stevens, Sheriff

Aug. 11, 1992 Reassignment Of Hearing Date filed. August 11, 1992: Hearing in the above captioned matter heretofore set for August 14, 1992, at 3:30 P.M., is hereby reset for Wednesday, August 19, 1992, at 10:00 a.m., in Courtroom NO. 2.
All other provisions of the Court's Order of August 4, 1992, shall remain in effect.

FOR THE COURT,
Imogene Yetman, C.A.

Aug. 11, 1992 Copies mailed by C.A.

Aug. 21, 1992 Hearing on Petition Under Protection from Abuse Act and Order filed. AND NOW, August 19, 1992, this matter is before the Court on Plaintiff;s petition for relief under the Protection from Abuse Act.

This had originally been scheduled for August 14, 1992 and due to a court emergency, was rescheduled for this date. Obviously the temporary order entered on August 4, 1992 has now exceeded the ten day maximum allowable, and at this time, the Plaintiff appears without counsel and the Defendant appears with counsel..

The Plaintiff indicates that her counsel is not available today and the Court speaks with her counsel in chambers and determines that he does intend to represent the Plaintiff, but was unavailable today. Additionally, the Court determines that Plaintiff's counsel is waiting for certain evidence to be released by Children and Youth Services and possibly, the Pennsylvania State Police which he intends to use at a hearing to determine whether a permanent order should be issued with respect to this matter.

The Court does not believe that a temporary order should continue at this time unless a hearing is held this day and gives the Plaintiff the option of proceeding without counsel or continuing this hearing until such time as she is prepared to proceed, with the understanding that the temporary abuse order of August 4, 1992 will be rescinded.

After consultation with her counsel by telephone, she chooses the option of postponing the hearing until she has the evidence available to proceed, and accordingly, this hearing is continued indefinitely to be reset upon motion of either party at a future date.

The temporary abuse order of August 4, 1992 is rescinded.

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

Aug. 21, 1992 Copy of the Order mailed to Atty. Felton, State Police and given to County Control and Atty. Dan Mason..

2746

1992

1992

725

Bruce Barrett

PETITION FOR INVOLUNTARY TREATMENT

OF

Ian A. Babyak

Filed Aug 5, 1992
@ 8:51 a.m.

PETITION FOR INVOLUNTARY TREATMENT

Aug 5, 1992 REPORT OF MENTAL HEALTH REVIEW OFFICER and ORDER filed. ORDER: AND NOW, this 29th day of July, 1992, upon consideration of the petition filed at the above number and term, and other relevant matter, and after a review of the report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said Ian A. Babyak be committed to Warren State Hospital for treatment for a period not to exceed 180 days.

This order shall take effect on JUly, 1992.

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

Aug 5, 1992 copy to Barrett, MH/MR, Warren

Jan. 4, 1993 Petition for Involuntary Treatment, filed.

Jan. 8, 1993 REPORT OF MENTAL HEALTH REVIEW OFFICER and ORDER filed. ORDER: And now, Jan. 7, 1993, upon consideration of the petition filed at the above number and term, and other relevant matter, and after a review of the report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said Ian A. Babyak be committed to Warren State Hospital for treatment for a period not to exceed 180 days.

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

Jan. 13, 1993 copy to Barrett, MH/MR, WSH

July 6, 1993 Petition For Involuntary Treatment, filed.

July 20, 1993 Report of Mental Health Review and Order, filed. ORDER: And now, July 19, 1993 upon consideration of the petition filed at the above number and term, and other relevant matter, and after a review of the report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said Ian A. Babyak be committed to Warren State Hospital for treatment for a period not to exceed 180 days.

This order shall take effect on this date.

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

July 22, 1993 copy to Barrett, MH/MR, WSH

Dec. 29, 1993 Petition For Involuntary Treatment, filed.

Jan. 27, 1994 Report of Mental Health Review Officer and Order, filed. ORDER: AND NOW, this 26th day of January, 1994, upon consideration of the Petition filed at the above number and term, and other relevant matter, and after a review of the Report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said Ian Babyak be committed to the Warren State Hospital for treatment for a period not to exceed 180 days from January 19, 1994.

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

Jan. 28, 1994 copy to Barrett, Africa, MH/MR, WSH

1992

726	PETITION FOR INVOLUNTARY TREATMENT OF DAWN KALI SHAFRITZ Filed Aug. 5, 1992 @ 8;51 a.m.	PETITION FOR INVOLUNTARY TREATMENT Aug. 5, 1992 REPORT OF MENTAL HEALTH REVIEW OFFICER and ORDER filed. ORDER: AND NOW, this 29th day of July, 1992, upon consideration of the petition filed at the above number and term, and other relevant matter, and after a review of the report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said Dawn Kali Shafritz be committed to Warren State Hospital for treatment for a period not to exceed 180 days. This order shall take effect on July, 1992. BY THE COURT Gordon R. Miller, P.J. Aug 5, 1992 copy to Barrett, MH/MR, WSH

1992

Shafer, Swick, Bailey
Irwin and Stack
~~James R. Irwin~~ withdrawn

727.

Barbara J. Walton

GREGORY L. DRONKO

vs.

NANCY S. DRONKO

Filed Aug. 5, 1992
@ 9:55 a.m.

Tax & entry paid	$50.50
1 count paid	15.00
state paid	10.00
STATE paid	10.00
Pro Co pd 12-1-94	9 00

COMPLAINT IN DIVORCE, EQUITABLE DETERMINATION & DISTRIBUTION

1 copy (atty)

Aug 7, 1992 I, JAMES R. IRWIN, Esq., beign duly sworn according to law, depose and say tha tI am the attorney of record, andas such say tha tI 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 Aug. 5, 1992. The Defendant acknowledged service on Aug. 6, 1992 by accepting delivery on that date as evidenced by the attached signed return reciept.

Sept. 29, 1992 Motion To request Marital Counseling Sessions and Order filed. AND NOW, September 18, 1992, motion granted. Plaintiff is ordered to attend marital counseling sessions with Defendant.

By the Court,
Gordon R. Miller, J

Oct. 5, 1992 Copies of order to Atty's Irwin and Walton

Sept. 29, 1992 Order filed. AND NOW, September 28, 1992, on motion ofthe defendant, alleging that indignities under 23 Pa.C.S.A. 3301(a)(6) is a ground for divorce, and the defendant requests counseling it is ordered and directed that the parties shall engage in marital counseling for up to three counseling sessions. the choice of a qualified professional counselor shall be dtermined by the parties. If they do not agree within twenty (20) days form the date of this order either par ty may file a mtoion with the Court requesting the Court to appoint and select the counselor. The counsleing session shall be completed within sixty (60) days from this date.

BY ORDER OF COURT,
Gordon r. Miller, J

Oct. 5, 1992 Copies of order to Atty's Irwin and Walton

Nov. 6, 1992 Affidavit of Consent by Gregory L. Dronko, Plaintiff, filed.

Mar. 5, 1993 Motion to Withdraw Appearance and Order filed. AND NOW, this 5th day of March, 1993, upon presentation and consideration of the within Motion, Plaintiff's counsel, James R. Irwin,Esquire, is hereby authorized to withdraw his appearance on behalf of the Plaintiff in the above captioned case.

Anthony J. Vardaro, J.

Mar. 9, 1993 Copy of Order to Attys. Irwin & Walton.

Aug. 12, 1994 Affidavit Under Sectoin 3301 (d) of the Divorce Code of Gregory L. Dronko, Plaintiff, filed.

Aug. 17, 1994, Counter-Affidavit Under Section 3301(d) filed.

Aug. 17, 1994, Motion Withdrawing Claim for Equitable Determination and Distribution of Marital Property and Order filed. ORDER: AND NOW, this 17 day of Aug. 1994 upon consideration of the foregoing motion, it is hereby ORDERED that Plaintiff's claims for equitable Determination and Distribution of marital property shall be, and hereby are, deemed withdrawn.

BYTHE COURT,
Anthony J. vardaro, Judge

Aug. 17, 1994, faxed towalton and Muth

Oct. 28, 1994 Motion For Appointment Of Master and ORDER filed. AND NOW, October 28, 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.

Additionally, pursuant to President Judge Gordon R. Miller's order of Sept. 8, 1994, a non-refundable fee of $250 is to be paid by the moving party at the time a motion to appoint master is filed.

BY THE COURT:
Anthony J. Vardaro, J.

Oct. 31, 1994 Copies of Order distributed to Attys. Muth and Walton.

Nov.16, 1994 Affidavit of Consent by Nancy S.Dronko, Defendant, filed.

Nov. 29, 1994 Upon praecipe of Plaintiff's attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Dec. 6, 1994 AND NOW, Dec. 6, 1994, it is ordered and decreed that GREGORY L. DRONKO, plaintiff, and NANCY S. DRONKO, 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.

278

1992

pro se 728.	ARTHUR IVES vs. PERRY BANTA Filed Aug. 5, 1992 @ 10:47 a.m. Tax & entry paid $50.25 state paid 5.00	APPEAL OF PLAINTIFF FROM JUDGMENT OF RON COLE, SR. Aug. 27, 1992, Proof of Service filed.

1992

Northwestern Legal Services
Gerald Sullivan

729.

DOROTHY MAY DAVIS

vs.

EARL JOHN DAVIS III

Filed Aug. 5, 1992
@ 10:57 a.m.

Tax & entry	Pd 10-19-92	$50.50 ✓
state	Pd 10-19-92	5.00
sheriff costs		36.00
Pro Co.	Pd 10-19-92	9.00 ✓
Pro Co	Pd 10-19-92	5.00 ✓

10-19-92
Received from dept. Sheriffs Costs
36 00

10-19-92 Pd
Sheriff ck # 7121
36 00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies (sheriff)
1 copy (plff)

ORDER:

And now, this 5th day of August, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions:
Defendant shall not go to plaintiffs residence. Defendant shall not contact plaintiff in any way.

3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for Aug. 18, 1992, at 3:30 P M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. MIller, J.

Aug. 7, 1992, Sheriffs return filed. SERVED Earl John Davis, III personally on Aug. 6, 1992 at 3:45 p.m. by handing him a copy of the Protection From Abuse to him at his residence, Crystal Lake Trailer, Park Lot #32, Hartstown, Crawford County Pa.
So answers, Dale A. Collins, Dep. Sheriff
Robert M. Stevens, sheriff

Aug. 21, 1992 Hearing on Petition Under Protection from Abuse Act and Order filed.
AND NOW, August 18, 1992 this matter is before the Court on Plaintiff's petition for relief under the Protection from Abuse Act.

The Plaintiff appears represented by counsel and the Defendant appears without counsel,but indicates that he will proceed without counsel.

The parties have reached an agreement and accordingly, without admission of the allegations of the Plaintiff's petition by the Defendant, it is ordered as follows:

1. The Defendant shall not assault, abuse, harass, or threaten the Plaintiff at any time or any place.
2. The Defendant shall not contact the Plaintiff nor shall he go to her home at any time. He is cautioned if he is invited to her home, that he should not go there without further order of Court because it shall be presumed that if he is at her home, he is in violation of this order and therefore is subject to arrest.
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 Department in the jurisdiction where the Plaintiff resides, and to County Control.
5. The Defendant is reminded that this is an order of Court, and violation of this order may b punishable by a fine of up to $1,000 and a jail sentence of up to six months.
6. The Defendant shall pay court costs in this matter to the office of the Prothonotary on the first floor of the Courthouse in Meadville, Pennsylvania in the amount of $150 within 60 days of the dat e of this order.
7. This order shall remain in full force and effect through August 17, 1993.

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

Aug. 21, 1992Copy of the Order mailed to Defendant and State Police and copies given to Atty. Sullivan and County Control.

Oct. 19, 1992 Upon praecipe of Planitiff this action is marked settled and discontinued of record filed.

1992

730.

CINDY SPECK

vs.

RANDY SPECK

Filed Aug. 5, 1992
@ 11:24 a.m.

Tax & entry	2-22-93	$50.50 ✓
state	2-22-93	5.00
sheriffs costs		29.00
Pro Co pd 2-22-93		9.00 ✓

2-22-93
Received from
Dept Sheriff Cost
29.00

Pd Sheriff
Ch# 7354 29.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies (sheriff)
1 copy (plff)

ORDER:

And now, this 5th day of August, 1992, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions:
Defendant shall move out. Possession ofthe residence is given to plaintiff. Defendant shall not go to plaintiffs residence. Defendant shall not contact plaintiff. Plaintiff shall have temporary custody of children.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for August 18, 92 at 3:30 p. M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. MIller, J.

Aug.7, 1992, Sheriffs Return filed. SERVED Randy Speck personally on Aug. 6, 1992 at 9:00 a.m.by handing a copy ofthe Protection from Abuse to him inthe Sheriffs Office, Third Fl. crawford County, Meadville, Pa. (courthouse)
So answers, Robert M. Stevens, Sheriff

August 21, 1992 ORDER filed. AND NOW, Aug. 18, 1992 this matter is before the Court on Plaintiff's petition for relief under the Protection from Abuse Act.

The Plaintiff appears represented by counsel. The Defendant appears without counsel, but admits the allegations of the petition and is willing to proceed this date.

After informal hearing and discussion beteen the parties, and based on the admission by the Defendant, the Court enters the following order:

1. The Defendant shall not assault, abuse, harass, or threaten the Plaintiff or any of the minor children named in the petition.
2. The Plaintiff shall continue to have possession of the marital residence and the Defendant shall not go to that residence. He is advised that even if he is invited to the residence, it shall be presumed that he is in violation of this order if he is present at the residence, and if matters would change that would result in him being invited to the residence, he shoudl seek a modification of this order before so doing.
3. Pending further order of court in this action or any other action which may be appropriate, primary custody of the minor children shall be with the Plaintiff, and the Defendant shall have visitation every other Friday at 6:00 p.m. through Sunday at 6:00 p.m., beginning on Friday, August 21, 1992. He shall also have visitation at such other times as may be agreed upon between the Plaintiff and the Defendant's mother or father, it being the Plaintiff's desire that the Defendant make no direct contact with her.
4. When visitation takes place, the Defendant shall be responsible for receiving possession of the children by providing transportation by someone other than himself to the mother's home to pick up the children. When the visit terminates on Sunday at 6:00 p.m., the children's mother shall be responsible for picking the children up at the home of the Defendants' parents at 111 Glenn Street in Cambridge Springs, where the Defendant currently resides.
5. The Plaintiff requests a temporary order of child support and spousal support and in exploring that, apparently she has no income and the Defendant has income of about $1800 a month net. He indicates that he has paid the mortgage on the marital home for hte month in the amount of $600, the electric bill in the amount of $150, and other various utilities. he shall continue to pay those items pending further order of court, and additionally shall pay to the Plaintiff the sum of $200 per month for child support pending further order of court in this action or any other action. The Court specifically notes that it is not the Court's intention to suggest an appropriate amount of permanent support to any trier of facts with respect to that issue, and this is only a temporary order.
6. The Plaintiff is awarded attorney's fees in the amount of $150 which shall be paid directly by the Defendant to the Plaintiff's attorney on or before Sept. 25, 1992.
7. This order may be enforced without a warrant of arrest by any law enforcement officer having reasonable grounds to believe it has been violated.
8. A copy of this order shall be delivered to the Police Dept. in the jurisdiction where the Plaintiff resides, and to County Control, and to the Defendant at 111 Glenn Street in Cambridge Springs, PA 16403.

RECORD CONTINUED ON PAGE 280(a).....

1992

CINDY SPECK

VS.

RANDY SPECK

RECORD CONTINUED FROM PAGE 280

OF

AD 1992 - 730

****

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 be responsible for paying court costs in this matter to the Prothonotary of Crawford County on the first floor of the Crawford County Courthouse in the amount of $93.50 within 30 days of the date of this order.

11. This order shall remain in full force and effect through August 17, 1993.

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

Aug. 21, 1992 Copy of Order mailed to CSPD, defendant. Copy given to Atty.Gregory Keenan.

Feb. 16, 1993 NOTICE OF ASSIGNMENT OF HEARING DATE, filed. Feb. 16,1993: Hearing in the above captioned matter has been scheduled for Friday, Feb. 19th at 3:30 P.M, in Courtroom 1, 2, or 3.

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

Feb. 16, 1993 copies distributed by Crt. Adm.

Feb. 24, 1993 ORDER filed. AND NOW, Feb. 19, 1993, this matter is before the Court on Plaintiff's complaint for indirect criminal contempt for violation of a Protection From Abuse Order entered by the undersigned on Aug. 18, 1992.

The parties appear with counsel and the Court is advised that this matter has been resolved to their mutual satisfaction.

Accordingly, the following Order is entered by agreement of the parties:

1. The Order entered on Aug. 18, 1992 shall remain in full force and effect through Feb. 19, 1994 with the only changes being tht on line five of paragraph number five, the amount per month shall be increased to $620.00 and on the next line the amount for the electric bill shall be increased to $200.00, and paragraph six of that Order is hereafter considered null and void.

The Court also notes that pursuant to paragraph 10 of that Order of Aug. 18, 1992, the Defendant was required to pay costs in the amount of $93.50 and he has not done so. He indicates that it is through a misunderstanding, and accordingly, he shall pay such costs in the amount of $93.50 to the Office of the Prothonotary of Crawford County on the first floor of the Courthouse before the close of business at 4:30 p.m. on Feb. 22, 1993 or he shall be in contempt of this Order.

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

Feb. 24, 1993 copies given to Tinko, Sullivan CCJail, CSPD & Co., Control
Mar. 4, 1993 copy sent to Plf. & Dft.

Feb. 24, 1993 ORDER filed. AND NOW, Feb. 19, 1993, at the time set for hearing on Plaintiff's complaint for indirect criminal contempt for violation of a Protection From Abuse Order, the matter is resolved, and the Warden id DIRECTED to release the Defendant from further custody with respect to the $5,000.00 bond set by District justice George Herzberber, III.

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

Feb. 24, 1993 Copies given to Tinko,Sullivan, CCJail, CSPD & Co. Control.
Mar. 4, 1993 copies sent to Plf. & Dft.

1992

Mary Ann Kirkpatrick

731.

Ferguson & Spataro
Douglas Ferguson

BEVERLY DONNELL HAUN

vs.

ROBERT VERNON HAUN

Filed Aug. 5, 1992
@ 12:01 a.m.

Tax & entry paid	$50.50
2 counts paid	30.00
state paid	15.00
state paid	10.00
Pro Co pd 5-7-93	9.00
Pro Co pd 5-20-93	5.00

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

1 copy (atty)

Aug. 10, 1992, Affidavit of Service filed.
And now, Aug. 10, 1992, comes constance L. Deitman being duly sworn according to law, deposes and sets forth the following.

1. That she is the legal secretary of Atty. for Beverly Donnell Haun, plff in above action.

2. That on information furnished her by the plaintiff, she caused a cert. copy of complaint indivorce to be forwarded by cert. mail P 899 085 280; postmarked Aug. 5, 1992, to the last known address of the dft. R. d. #2, Box 191, Centerville, Pa. 16404.

3. That the defendant Robert Vernon Haun, on Aug. 6, 1992, personally signed the ret. rec. card which was affixed to complaint om above matter which is attached.

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

Constance L. Deitman.

Aug. 21, 1992, Motion to Request Counseling and order filed. ORDER: AND NOW, this 21 day of Aug. 1992, upon consideration and of the foregoing Motion is hereby ordered and decreed that the plaintiff and defendant shall attend a maximum of three counseling sesisons pursuant to 23 Pa C.S.A. 3302.

It is hereby ordered and decreed that DAVID GLENN is appointed as counselor for the plff. and dft.

BY THE COURT,
Anthony J. Vardaro, J.

Aug. 25, 1992, copies of order to Atty. M. Kirkpatrick and D. Ferguson.

Dec. 18, 1992 Inventory of plaintiff filed.

Dec. 29, 1992 Affidavit of Consent of Plaintiff filed.

Dec 31, 1992 Motion to Set Hearing for Alimony Pendente Lite, Counsel Fees, Costs and Espenses and Order, filed. ORDER: And, Now, Dec. 29, 1992, hearing on Plaintiff's request for alimony pndente lite, counsel fees, costs and expenses is scheduled for Jan. 26, 1993 at 3:00 p.m. in courtroom number 1 or 2 of the Crawford County Courthouse at Meadville Pa.

For the Court:
Imogene Yetman, Ct. Adm.

Jan. 5, 1993 copy to M.A. Kirkpatrick & D. Ferguson

Jan. 19, 1993 Affidavit of Service filed. And Now, January 19, 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 Beverly Donnell Haun, Plaintiff in the above-captioned matter.

2. That on information furnished her by the Plaintiff, she caused a copy of the Order setting hearing for Alimony Pendente Lite, Counsel Fees, Costs and Expenses to be forwarded by Certified Mail, P 899 085 770; postmarked January 8, 1993, to the last known address of the Defendant, Robert Vernon Haun, R.D. #2, Box 191, Centerville, PA 16404.

3. That the Defendant, Robert Vernon Haun, on January 14, 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 Order against Defendant is therefore effected in accordance with Pennsylvania Rules of Civil Procedure.

Constance L. Deitman

Jan. 29, 1993 Income and Expense Statement of Beverly Donnell Haun, plaintiff, filed.

Jan. 29,1993 Order Filed. AND NOW, January 26, 1993, tis matter is before the Court with respect to the Plaitniff's petition for alimony, counsel fees, costs and expenses.

The Plaintiff appears with counsel and the Defendant does not appear. From a letter that was sent to Plaintiff's counsel it appears that the Defendant kdoes not intend to appear at court proceedings with respect to this action and after that letter was received Plaintiff's counsel sent a copy of a notice that this hearing was taking place to the Defendant and from a return-receipt request signed by him, it appears that he received that notice on January 15, 1993.

Additionally, he has had counsel involved in this matter and counsel has been made aware of this hearing.

Accordingly, we proceed informally without the Defendant present.

It appears that the Plaintiff is prepared to conclude this divorce action as quickly as possible, but the Defendant does not wish to cooperate in that regard,so there will be the necessity of various legal activity in order to bring this matter to a conclusion.

The attorney for the Plaintiff indicates that the Plaintiff's net income is approximately $1,000 a month and the Defendant's net income is approximately $1,500 a month. Neither party is supporting any children at this time.

The Defendant currently resides at the martial residence and has most of the personal property from the marraige. Apparently the marital residence and real estate is unencumbered and, therefore, there is no mortgage payment for the Defendant to make. It does appear there are other bills that he is paying on from his income.

Based on what the Court knows of this matter at this time informally without the Defendant present, the Defendant is ORDERED to pay the sum of $400.00 on February 5, 1993 and a like sum for a total of six (6) months by the 5th of each consecutive month for a total of $2,400 directly to Plaintiff's counsel. That money is to be used as counsel fees for a master's deposit, for appraisals of the marital real estate and personal property and for a pension evaluation.

Additionally, beginning February 15, 1993, and continuing each consecutive month by the 15th of the month, for a total of six (6) months, the Defendant shall pay alimony pendente lite to the Plaintiff in the amount of$200.00 per month for a total of $1,200.00 if this matter is not concluded that six-month period.

Continued to Page 491

Barbara J. Walton

732.

Gregory Keenan

8/5/92---- $150.00
deposited by plff.

9-30-92 Pd to Plaintiff's Med. Dep Refund Ch# 7053 39.00

Pd to Comm 10-12-92 Mediation Fee Ch# 7106 102.00

9-16-96 Recd from Plf/ med fee 150.00

1/24.90

June 9, 1997 refunded Pltf Kolcun $16.10 Ck 11082
7-7-97 Recd $124.91 from Buchanon's grandparents

BARBARA KOLCUN

vs.

CARLA PERRINE

Filed Aug. 5, 1992
@ 1:29 p.m.

Tax & entry paid $50.50
state paid 5.00
William Pineo, mediator
Pro Co Pd 10-12-92 Ch# 7107 9.00
Pro Co 9.00

COMPLAINT FOR CUSTODY AND/OR VISITATION BY GRANDPARENT
1 copy (atty); 1 copy (mediator)

ORDER: (NOTICE AND ORDER TO APPEAR)

You, **Carla Perrine**, have been sued in Court to obtain custody of **Michael Scott Kolcun**

You are Ordered to appear for a hearing before **William Pineo** 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 visi tation 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

Dated: Aug. 4, 1992

BY THE COURT,
Anthony J. Vardaro, J.

Aug. 5, 1992, copies of order to Attys. B. Walton & W. Pineo.

Aug. 13, 1992 Affidavit of Service filed. And Now, August 13, 1992, comes Lisa M. Sherretts, secretary to Barbara J. Walton, Esq. and swears that she mailed a true and correct copy of the Complaint for custody to the Defendant, CARLA PERRINE and offers in support thereof as follows:

1. A true and correct copy of the Complaint for Custody filed in the above-captioned matter was served upon theDefendant CARLA PERRINE, by certified mail, restricted delivery, persuant to Pa. R.C.P. 412 on August 10, 1992, as is evidenced by the United States Postal Service Return Receipt (Certified No. P 899097854) 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.

Date: August 13, 1992

Lisa M.Sherretts,
secretary to Barbara Walton

Sept. 29, 1992 Temporary Order Filed. AND NOW, this 28th day of September, 1992, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator, IT IS HEREBY ORDERED AND DECREED THAT:

1. Insofar as the complaint requests custody of the subject minor child, Michael Scott Kolcun, same is denied.
2. That plaintiff grandmother is awarded visitation and temporary physical custody of the subject minor child, Michael Scott Kolcun, on the second Sunday of each month from 9:00 a.m. to 7:00 p.m. The plaintiff shall also have visitation and temporary physical custody of the subject minor child each December 27 from 9:00 a.m. to 7:00 p.m.
3. The plaintiff shall furnish all transportation necessary to the exercise of her visitation rights.
4. Should it be necessary for either party to cancel or modify the visitation as set out in this Order or as previously arranged, the party seeking cancellation or modification shall notify the other party as soon as he or she knows of the necessity which impels the cancellaiton of modification. Said modifications or cancellations shall not be proprosed except for good resons. Should a cancellation or modification be necessary, the parties shall attempt at once to arrange for alternative visits or to make alternative arrangements.
5. Each party shall teach said child to give to the other party that love and respect which is due a parent or grandparent from his or her child or grandchild.
6. Any person transporting the child shall make sure that the seat belts or other restraints are used in accordance with the law of Pennsylvania.
7. Neither party shall do or say antything 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 shallinstruct 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 free to make additional or alternative arrangements respecting the custodial and vistation 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 shallgovern.
9. Costs and fees of this Mediation, which are fixed at $102.00, and are assessed to the plaintiff. The deposit required for the apointment of the cusotdy mediator was made by the plaintiff. The deposit shall first be applied against the costs and the remainder remitted to the plaintiff.
10. Either party may move the Court for hearing de novo for thirty (30) days frm date hereof. If neither party so moves, this Order shall be considered permanent.

By the Court,
Gordon R. Miller, J

Oct. 5, 1992 Copies of order to Atty's Pineo, Walton and Keenan

Sept. 17, 1996 Order filed. AND NOW, September 13, 1996, the Court has reviewed the Petition for Emergency Relief from Abuse filed by the Petitioner, who is a Plaintiff in this custody action.

This Court does not have jurisdiction over this matter in a Protection from Abuse setting and, therefore, the caption is not correct.

Since this child has live in California for approximately one (1) year, California under the Uniform Child Custody Jurisdiction Act clearly has jurisdiction (23 Pa.C.S.A. 5334).

The only way Pennsylvania gets jurisdiction is under Section 5344(a)(3)(ii). The child is in Pennsylvania visiting his grandparents pursuant to an agreement with the natural mother, who is the Defendant in this action. The child, apparently, has disclosed to his grandparents just recently that there have been prior incidents of physical abuse by his stepfather in California. Normally, physical presence in a State does not give that State jurisdiction. However, a combination of physical presence and an emergency created by subjected or threatened mistreatment or abuse does give a Court of this Commonwealth jurisdiction.

While we believe that if the allegations in the Petition are true, there may be abuse, we also believe that there should be appropriate authorities as well as the natural mother who would protect this child in California.

The parties have represented that there is no current proceeding or Court Order in existence in any other jurisdiction.

We believe that California may be a more convenient forum if the issue of forum nonconveniens is ever raised. We will expect that if there is an action in California, the California Court would be required to contact this Court in accordance with the Uniform Child Custody Jurisdiction Act.

Accordingly, it is ORDERED as follows:

1. The Petition for Emergency Relief is granted, and the child shall remain with the Petitioner, Barbara J. Kolcun, until further Order of Court.
2. The child shall be permitted to talk to his natural mother on the telephone and his natural mother shall be permitted to contact him by telephoning and in writing at reasonable times during daylight or early evening hours.

Continued on Page 481

1992

733.

ELIZABETH A. WORDEN

vs.

DARRYL B. WORDEN

Filed Aug. 5, 1992
@ 2:36 p.m.

Tax & entry	$50.50
state	5.00
sheriffs costs	25.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

1 copy (plff)
3 copies (sheriff)

ORDER:

And now, this 5th day of August, 1992, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions:
Temporary custody of gregg shall be returned to plaintiff. Defendant shall not contact plaintiff or go to her residence Neither party shall leave crawford County.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for Aug. 20, 1992, at 3:30 P M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. MIller, J.

Aug. 7, 1992, Sheriffs Return filed. SERVED Darryl B. Worden personally on Aug. 6, 1992, at 11:27 a.m. by handing to him a copy ofthe Protectionfrom Abuse at his place of employment Harmony Forge in Harmonsburg, Crawford County, Pa.
So answers, Dale A. Collins, Dep. sheriff
Robert M. stevens, sheriff

Aug. 24, 1992, ORDER filed. AND NOW, Aug. 20, 1992, this matter is before the court on plaintiff's petition for relief under the Protection From abuse Act regarding herself and the minor child Gregg Jeffrey Worden.

The court hears testimony and it appears to the court that htis is a custody matter thats gotten blown out of proportion.

The court does not believe that the defendant is a threat to the pl aintiff nor to the minor child, but exercised bad judgment in attempting to regain custody of the minor child.

Accordingly, the temporary order in this matter entered by Judge Gordon R. Miller on Aug. 5, 1992 is rescinded and this matter is dismissed with the costs to the county.

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

Aug. 24, 1992, copies mailed to Police Dept., given to County Control, Attys. G. Sullivan and J. MIllin.

Barbara J. Walton

734.

8/5/92--- $150.00
deposited by plff.

9-23-92 Pd Plff
Bal of med Fee 65.00

Pd Comm 10-12-92
Ch#7106 Mediator
Fee 76.00

MARLENE UNGER

vs.

RICHARD MORTENSEN

Filed Aug. 5, 1992
@ 2:36 p.m.

Tax & entry paid $50.50
state paid 5.00
William Pineo, mediator
Pro Co Pd 10-12-92 Ch#7107 Gov

COMPLAINT FOR CUSTODY
1 copy (atty); 1 copy (mediator)

ORDER:

You, Richard Mortensen, have been sued in Court to obtain custody of ----

You are Ordered to appear for a hearing before William Pineo 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 visi tation 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

Date: Aug. 4, 1992

BY THE COURT,
Anthony J. Vardaro, J

ORDER:
And Now, Aug. 5, 1992, this matter is referred to Wm. Pineo, Esq. child custody mediator. Pending mediation preceedings the child is to REMAIN IN THE TEMPORARY CUSTODY OFTHE MOTHER Marlene Unger, with reasonable visitation to the father.

By the court,
Anthony J. Vardaro, J.

Aug. 6, 1992, copies of above 2 orders to Attys. Walton and Pineo.

Sept. 9, 1992 AFFIDAVIT OF SERVICE, filed. And Now, September 4, 1992, comes Lisa M. Sherretts, secretary to Barbara J. Walton, Esq. and avers as follows:

1. A true and correct copy fo the Complaint for Custody was mailed to the Defend ant via Certified Mail, return receipt on or about August 7, 1992.

2. That the Defendant signed the return card on August 13, 1992 and in accordance with Pa. R.C. P. 412 service of the Complaint was made as is evidenced by the United States Postal Service Return Receipt (Certified No. P 899097856) attached hereto as Exhibit "A".

I VERIFY that athe statements made in this Affidavit are true and correct. I understand that false statements fherin are made subject tot he penalties of 18 Pa. C.S.§4904, relating to unsworn falsification to authorities.

Sept. 22, 1992 TEMPORARY ORDER FILED. AND NOW, this 17th day of Sept., 1992, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator,

IT IS HEREBY ORDERED AND DECREED THAT:

1. The paraties shall share legal and physical custody of the subject minor child, Cody Mortensen.

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 shall have primary physical custody of Cody from Friday, Sept. 18, 1992, at 5:00 p.m. until the following Friday at 5:00 p.m. The mother shall have physical custody of Cody for a like period and the parties shall thereafter alternate the weekly periods.

b. The parent not having primary physical custody shall have the right to telephone Cody ar 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 shal be arranged as follows:

a. 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 at Christmas Day at 7:00 p.m. For Christmas, 1992, the father shall have the first period and the mother, the second, the parties shall thereafter alternate.

b. There shall be two Thanksgiving holiday visitation periods, the first beginning on the Wednesday preceding Thanksgiving at 5:00 p.m. and ending Thanksgiving Day at 4:00 p.m. and the second beginning Thanksgiving Day at 4:00 p.m. and ending Thanksgiving Day at 9:00 p.m. For Thanksgiving, 1992, the mother shall have the first period and the father, the second, and the parties shall thereafter alternate the periods.

c. The other holidays to be observed are New Years Day, memorial Day, Independence DAy, Labor Day, and Easter. Holiday visitation shall be between the hours of 9:00 a.m. and 8:00 p.m., except for Independence Day, when the holiday visitation shall be extended to 11:00 p.m. so that the child may watch the fireworks. The mother shall have visitation and temporary physical custody for New Year's Day, 1993, and the parties shall thereafter alternate the holiday periods.

d. 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.

e. The provisions of this paragraph shall take precedence over the other provisions of this order relating to the custodial or visitation periods.

5. Should it be necessary for either party to cancel or modify the visitations as set out in this Order or 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 t 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 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.

RECORD CONTINUED ON
PAGE 499.....

1992

William J. Gregg

734A.

Rubinate & Marks
~~William C. Gallishen~~, withdrawn
for John M. Hartzell,
t/d/b/a Tri-County
Pest Control

Thomas,Truax,Spadafore
and Walker
William L. Walker
for Rose Hoover

Rubinate & Marks
Alfred L. Benedict
for John M. Hartzell,
t/d/b/a Tri-County
Pest Control

LAWRENCE C. LOWE AND CAROL A. LOWE, HIS WIFE

vs.

ROSE HOOVER, A WIDOW, AND JOHN M. HARTZELL, t/d/b/a TRI-COUNTY PEST CONTROL

Filed Aug. 6, 1992
@ 11:16 a.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	62.60
Pro Co pd 7-29-93	15.00
Pro.Co. Pd 11/1/93	5.00

COMPLAINT

2 copies (atty)

Sept. 4, 1992 Sheriff's Return filed.SERVED Rose Hoover personally on August 21, 1992 at 2:10 PM by handing a copy of the Complaint to her at her residence 493½ Randolph Street, Meadville, Crawford County, PA.

SERVED John M. Hartzell by deputizing the Sheriff of Venango County,PA as per his Affidavit of Service attached.. Served on August 27, 1992 at 8:00 PM.

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

Nov.19, 1992 Appearance of Rubinate and Marks by William C. Gallishen, Esquire for John M.Hartzell, t/d/b/a Tri-County Pest Control, defendant, filed.

Dec. 7, 1992, Answer, New Matter and New Matter Pursuant to Rule 2252(d) filed.

Jan. 14, 1993 Reply to New Matter Pursuant to Rule 2252 (d) filed by Defendant, John M.Hartzell, filed.

Jan. 14, 1993 Answer, New Matter and New Matter Pursuant to Rule 2252 (d) filed.

Jan. 25, 1993 Reply To New Matter Of Defendant Rose Hoover filed.

July 29, 1993 upon praecipe of Plaintiffs attorney to appoint Arbitrators, the following Arbitrators have been appointed. ~~Joan Mason,~~ Chairman Alan Shaddinger
Jeffrey Millen
Harry White

Sept. 3, 1993 Arbitrators take qualifying oath.

Sept. 8, 1993, Notice of Hearing Before Board of Arbitrators filed.

Sep. 16, 1993 Praecipe for Withdrawal of Appearance of William C. Gallishen, Esquire for John M. Hartzell, t/b/d/a Tri-County Pest Control and Praecipe for Entry of Appearance of Rubinate and Marks by Alfred L.Benedict, Esquire, Attorney for Defendant, John M. Hartzell, t/d/b/a Tri-County Pest Control filed.

Nov. 1, 1993 Upon Praecipe of William J.Gregg, Esquire, Plaintiffs' Attorney, the above case marked settled and discontinued of record. (2 copies Atty.)

284B

1992

1992

Edgar M. Snyder &
Assoc iates, PA
James D. Belliveau

735.

JAMES MILLER

vs.

MARK A. McSWEENEY

Filed Aug. 6, 1992
@ 11:58 a.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's costs	31.00

SUMMONS IN A CIVIL ACTION

Issued (sheriff)

Aug. 13, 1992 Writ Return filed. NOT FOUND as to Defendant Mark A. McSweeney. He has moved from address of 206 Conneuat St., Linesville, Crawford Co., PA. in April of 1992, no forwarding address known.
So answers,

Robert M. Stevens, Sheriff

286

1992

MaZZOTTA, McCague &
Assoc. PC
Donald S. Mazzotta
William T. Molczan

736.

GENERAL MOTORS ACCEPTANCE
CORPORATION

vs.

JAMES LENER AND TERRY LENER

Filed Aug. 6, 1992
@ 12:50 p.m.

Tax & entry paid	$50.50
state paid	5.00
sheriffs costs	36.00
Pro Co pd 10-13-92	9.00

COMPLAINT IN CIVIL ACTION- ASSUMPSIT

2 copies (atty)

Aug. 21, 1992, Sheriffs Return filed. SERVED James Lener on Aug. 20, 1992 at 4:12 p.m. by handing a copy of the complaint to Terry Lener, his wife and authorized agent, inthe sheriff's office, Crawford County courthouse, Meadville, pa. Signed acceptance of service attached.

SERVED Terry Lener personally on Aug. 20, 1992, at 4:11 p.m. by handing to her a copy of the complaint inthe sheriff's office, Crawford County Courthouse, Meadville, Pa.

So answers, Dale A. collins, Dep. SHeriff
Robert M. stevens, Sheriff

And Now, Oct. 13, 1992 at 11:53 a.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 in the amount of Two thousand, seven hundred five dollars and two cents, with interest accruing on the total balance at the rate of 12.00% from date of Judgment.

L - 93, 163

Debt: 2,705.02
Judgment
Barbara H. King, Pro.

1992

pro se

737.

VIRGINIA F. TYLER

vs.

KEVIN S. TYLER

Filed Aug. 6, 1992
@ 2:28 p.m.

Tax & entry paid	$50.50
state paid	10.00
state paid	5.00
Pro.Co. pd 11/12/92	9.00

COMPLAINT IN DIVORCE

1 copy (plff)

August 11, 1992 Affidavit of Service filed. Virginia F. Tyler, being duly sworn according to law, deposes and says on Aug. 7, 1992, she placed a certified copy of the above Divorce Complaint in the U.S. mail, addressed as follows:

Kevin S. Tyler
R D # 2 Box 22
Springboro, PA 16435

Said Divorce Complaint was mailed certified mail, being certified mail item number P 724 954 560. The signture card for said certified mail item was returned to Virginia F. Tyler, as having received same on Aug. 11, 1992. Said signature card is attached hereto and made a part hereof.

FURTHER DEPONENT SAITH NOT.

Virginia F. Tyler

Aug. 17, 1992 Affidavit of Consent of defendant filed.

Aug. 17, 1992 Affidavit of Consent of Plaintiff filed.

Nov. 12, 1992 Upon Praecipe of Virginia F.Tyler, Plaintiff for Review Under 3301 (c) of the Divorce Code this case moved to Court.

Nov. 20, 1992 Memorandum filed. November 19, 1992. This matter is before the Court on a Praecipe by the Plaintiff for review requesting a 3301 (c) divorce.

The complaint in this matter was filed on August 6, 1992 and the affidavit of consent of the Plaintiff is dated August 12, 1992 and filed August 17, 1992. The affidavit of consent of the Defendant is dated August 13, 1992 and filed August 17, 1992.

Pennsylvania Rule of Civil Procedure 1920.42 (b) requires tht the affidavit of consent in both cases must have been executed 90 days or more after the filing of the complaint and then filed within 30 days of the date it is executed.

In this case, both affidavits were signed too soon and this divorce cannot be granted at this time. This file is returned to the Prothonotary so that the parties may file new affidavits of consent if they wish to have this divorce go through now that the 90 days have passed since the complaint was filed.

Once those affidavits have been filed, this matter may be praeciped to the Prothonotary again so that the Court may review the same.

BY THE COURT;
Anthony J.Vardaro, J.

Nov. 20, 1992 Copy of the Memorandum to Plft. & Deft.

Dec. 2, 1992, Affidavit of Consent of plaintiff filed.

Dec. 2, 1992, Affidavit of Consent of defendant filed.

Dec. 10, 1992 Upon Praecipe of Plaintiff. Virginia F. Tyler, for Review under §3301 (C) of the Divorce Code this case moved to Court.

D I V O R C E D E C R E E F I L E D

Dec. 16, 1992 AND NOW, December 16, 1992, it is hereby ordered and decreed that **V I R G I N I A T Y L E R ,** plaintiff, and **K e v i n T y l e r ,** 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.

1992

Sulvia L. Dratler

738.

MARGIE B. CLOYD

vs.

JOHN CLOYD

Filed Aug. 6, 1992
@ 2:58 p.m.

Tax & entry paid $50.50
state paid 5.00

COMPLAINT FOR CUSTODY

1 copy (atty)

Aug. 26, 1992 Affidavit of Service filed. Joanna L.Reynolds, 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 a secretary at the office of Barrett and Dratler,965 S.Main Street, Meadville, Pennsylvania, 16335.

2. A true and correct copy of a Complaint for Custody was hand delivered to the Defendant by the affiant.

3. The Complaint for Custody was had delivered to the Defendant at 965 S. Main Street, Meadville, Pennsylvania 16335 on August 11, 1992.

Aug. 13, 1992 Joanna L.Reynolds

Aug. 26, 1992 Agreement andConsent Custody Order and Order filed. AND NOW, this 26 day of August, 1992, upon consideration of the foregoing attached Agreement and Consent Custody Court Order, entered in to between the parties, an Order is hereby entered in accordance with the terms of the attached Agreement and Consent Custody Court Order.

Per Curium,
Gordon R. Miller, J.

Aug. 26, 1992 Copy of Order to Sylvia L.Dratler, Esquire.

1992

William Kuhar

739.

Dennis g. Kuftic

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

vs.

TIMOTHY M. O'DONNELL

Filed Aug. 7, 1992
@ 9:10 a.m.

Tax & entry paid $50.50
state paid 5.00

APPEAL FROM ORDER OF SUSPENSION OF MOTOR VEHICLE OPERATING PRIVILEGES

3 copies (atty)

ORDER:

AND NOW, to wit, this 7 dayof Aug. 1992, upon consideration of the foregoing petition, a supersedeas is hereby ordered barring any recall, suspension, concellation or revocation ofthe operating privileges of thedft., until a full hearing can be heard on this matter.

Furthermore, the defendant's counsel is directed to serve the petition and this order on the Sec. of Trans.

So ordered.

Hearing is set for Oct. 28, 1992 at 11:00 a.m. in C. R. No. 1 or 2.

Gordon R. Miller J.

Aug. 7, 1992, copies of order to Dennis Kuftic, esq. by Pro.

Oct 28, 1992 Stipulation filed.

290

1992

Davis Reilly
Reed J. Davis, Esq.
Timothy J. Snodgrass,

740

CHRYSLER CREDIT CORPORATION

vs.

ROBERT J. WOLFGANG

Filed August 7, 1992
@ 11:16 AM

Tax & entry paid	50.50
User's fee paid	5.00
sheriffs costs	25.00
Pro Co Pd 9-22-92	9.00

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

Aug. 21, 1992, Sheriffs Return filed. SERVED Robert J. wolfgang personally on Aug. 12, 1992 at 11:40 a.m. by handing a copy of the complaint to him at his residence, Rt. 18, Box 147, Harmonsburg, Crawford County, Pa
So answers, Dale A. collins, Dep. sheriff
Robert M. Stevens, sheriff

And Now, Sept. 22, 1992 at 11:47 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 Six thousand five hundred sixty and ninety cents, with interest thereon at the rate of 13.50% per annum from 9/19/92 plus costs.
Judgment entered 9-22-92 Debt: $6,560.90
W - 141 JUDGMENT
Barbara H.King, Prothonotary

1992

James H. Jospeh, PC

741

Jones,Gregg,Creehan & Gerace
Andrew F.Adomitis

MARK W. ANDERSON, SUSAN K. ANDESON and L. LOUISE ANDERSON

vs.

LIGHTHOUSE COVE OWNERS" ASSOCIATION and HERBERT E. FORSE

Filed August 7, 1992
@ 1:58 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Pro.Co.pd 1/7/93	9.00

SUMMONS IN CIVIL ACTION
Issued Sheriff

Sept. 15, 1992 Sheriff's Return filed. Summons returned to Prothonotary's Office unserved on 9-15-92. No instructions or advance check received by Sheriff's Office.
So answers, Robert M. Stevens, Sheriff

Oct. 26, 1992 Writ of Summons reissued.

Nov. 19, 1992 Praecipe for Rule to File Complaint filed. issued Atty.

And Now, Jan. 7, 1993 at 12:00 P.M. upon Praecipe of Defendant's Attorney judgment of Non Pros is hereby entered against the Plaintiff for failure to file complaint.

A-204;A-153; A-103;

Judgment of Non Pros
Barbara H. King
Prothonotary

1992

Legal Services
R.Christopher Brode

742

ANGELA BUNDY

vs.

ALLEN PELTON

Filed August 7, 1992
@ 3:12 PM

Tax & entry Pd 9-8-92 50.50 ✓
User's Fee Pd 9-8-92 5.00
Sheriff's Costs 26.60
Pro Co Pd 9-8-92 9.00 ✓
Pro Co Pd 12-21-92 5.00 ✓

Sept. 8, 1992
Rec'd from Dft
Sheriff's costs
$26.60

Paid Sheriff Costs
9-9-92
Ck# 7035
26.60

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 7th day of August, 1992, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Defendant shall not contact the Plaintiff. He shall not go to her house. Custody of the Child shall be returned to Plaintiff till further court 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 of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for August 21, 1992, at 3:30 P. M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

Aug. 11, 1992 Sheriff's Return filed. SERVED Alan Pelton personally on August 11, 1992 at 9:25 AM at his re sidence, r.D. #4, Box 551, Fountain House Trailer Park, Saegertown, Crawford County, PA.
So answers,

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

Aug. 25, 1992 ORDER filed. AND NOW, Aug. 21, 1992, the matter is before the Court on Plaintiff's Petition for Protection Under the Protection From Abuse Act.

At the time of hearing, the defendant appears without counsel, bu the plaintiff does not appear. Her mother is in the courtroom and advises that she was mixed up on the date and has no transportation availabel to appear this day.

The Court notes that the Temporary Order has already been in effect in excess of 10 days, and accordingly, hearing with respect to plaintiff's Petition is rescheduled for Aug. 28, 1992 at 3:30 p.m. in Courtroom No. 1 or nO. 2 at the Crawford County Courthouse.

The defendant is present this day, and therefore, no notice will be necessary to him with respect to this date, but the Prothonotary is advised to forward a copy of this Order by regular mail to the plaintiff at 230 McClelland St., Cambridge Spring, Pa.

The temporary ex parte Order entered by Judge Gordon R. Miller on Aug. 7, 1992 is rescinded.

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

Aug. 25, 1992 copies given or mailed to Plf, Dft., Titusville PD & Co. Ctrl.

Aug. 27, 1992 Motion to Continue and Order filed. AND NOW, this 26 day of August, 1992, upon Petitioner's Motion for Continuance, it is hereby Ordered that the hearing presently scheduled for August 28, 1992 at 3:30 p.m. is continued to Sept. 4, 1992 at 3:30 o'clock p.m.

Anthony J.Vardaro, J.

Aug. 27, 1992 Copy of Order to Atty,.Brode and Defendant.

Sept. 8, 1992 ORDER filed. AND NOW, Sept. 4, 1992 this matter is before the Court on Plaintiss's petition for relief under the protection from Abuse Act.

The parties appear, with the Plaintiff being represented by counsel and the Defendant without counsel. The Defendant indicates that he wishes to proceed without counsel.

The parties have reached an agreement without admission of the allegations of the petition on the part of the Defendant.

Accordingly, we enter the followign ORDER:

1. The Defendant shall not assault, abuse, harass, or threaten the Plaintiff or the minor child named in the petition.
2. The Defendant shall not go to the Plaintiff's residence or her employment unannounced, or to any school where she is enrolled for an educational program, except as provided in this order.
3. The Plaintiff shall have primary physical custody of the minor child pending further order of court in this proceeding and the Defendant shall have visitation and temporary custody with the childe eevery other Thursday from 6:00 p.m. beginning on Sept. 10, 1992. The Defendant may go to the home of the Plaintiff for the purpose of receiving custody of the child and bringing the child back, but he shall not go to the door, but shall wait outside and the child will be brought to him, and when he returns the child, someone will come out to call the child inside.
4. The Defend ant is cautioned that if he is invited to Plaintiff's residence, he should not go to the Plaintiff's residence without an amendment of this order insofar as it shall be presumed he is in vilation of this order if he is at her residence.

CONTINUED ON PAGE 292A

1992

ANGELA BUNDY
VS.
ALLEN PELTON

CONTINUED FROM PAGE 292
of Record
A. D. 1992 - 742

****

%. The Defendant may contact the Plaintiff by telephone for the purpose of discussing visitation or any emergencies regarding the child, so long as he does not harass or threaten her in doing so.

6. The Plaintiff may go to the Defendant's residence for the prupose of obtaining certain items by notifying the Defendant 24 hours in advance of her intention to do so. She shall have done so within one month from the date of this order.

Those items include the child's stuffed animals; some toys; blue couch; entertainment center; set of four plates, bowls, coffee cups and saucers; big and small pitchers; the genuine crib and a light colored crib; set of four peach colored forks, spoons andknives; other cooking utensils; blue mink comforter; miscellaneous clothes; wooden wall shelf; brass and glass vanity; maroon shower curtain; and bath towels.

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

8. A copy of this order shall be delivered to the Police Department in the jurisdiction where the Plaintiff resides, and to County Control. A copy of this order shall also be mailed to the Defendant, who is unrepresented, at his address by regular mail, his address being RD 4, Box 551, Fountainhouse Trailer Park, Saegertown, Pa.

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 court costs in this matter in the amount of $91.10 to the Prothonotary on the first floor of the Crawford County Courthouse by the close of business at 4:30 p.m. on Tuesday, Sept. 8, 1992.

11. This order shall remain in full force and effect through Sept. 3, 1993. BY ORDER OF THE COURT,
Anthony J. Vardaro, J.

Sept. 8, 1992 copies distributed.

Dec. 21, 1992 Praecipe to Discontinue Action in the above case by Angela S. Bundy, Plaintiff, filed.
Dec. 21, 1992 Copy of Order to Corry State Police and County Control.

292

-b-

1992

1992

743

KIMBERLY L. McARDLE

vs.

GREGORY D. MATTY

Filed August 7, 1992
@ 4:17 PM

Tax & entry pd. 8/21/92 50.50
User's fee pd. 8/21/92 5.00
Sheriff's Costs pd. 46.12
Pro Co pd 8-21-92 9.00

Received from Defendant 8-21-92 Sheriff Costs $46.12

Paid Sheriff 8-21-92 Sher. Costs Ch. # 7001 $46.12

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 7th day of August, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff ~~or any of the minor children named in the Petition.~~

2. Special Conditions: Defendant shall not contact Plaintiff in any way. Defendant shall not go to Plaintiff's residence or place of work. Defendnat shall return Plaintiff's Keys to her.

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

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

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

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

7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.

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

Hearing is here by set for August 21, 1992, at 3:30 P.M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

Aug. 20, 1992 Sherriff's Return and Affidavit of Service filed. SERVED the within Protection from Abuse on August 13, 1992 at 9:10 A.M. upon Gregory D.Matty, Defendant, at Perryopolis Boro, FAyette County by handing to Gregory D. Matty, personally a true and correct copy thereof and made known to him the contents therein.
So ans. Norman Santore
Sheriff Fayette County.
See Affidavit of Service endorsed hereon by Sheriff of Fayette County, Pennsylvania, which is part of this return.
So answers: Robert M. Stevens, Sheriff, Crawford County, PA.

Aug. 25, 1992 ORDER filed. AND NOW, Aug. 21, 1992, this matter is before the Court on plaintiff's Petition for Relief Under the Protection From Abuse Act.

The parties appear without counsel and the defendant is advised that he has a right to have an attorney present, but indicates that he admits some of the allegations of the Petition and wishes to proceed.

ACCORDINGLY, the following Order is entered:

1. The defendant shall not assault, abuse, harass or threaten the plaintiff.

2. The defendant shall not contact the plaintiff in any manner and shall not go to the plaintiff's residence or place of employment.

3. The defendant is cautioned that if he should be invited to the plaintiff's residence, that he shall not go to the plaintiff's residence because there shall be a presumption that if he isat the plaintiff's residence without a modification of this Order, that he is presumed to be in violation of the Order.

4. This Order may be enforced without a Warrant of Arrest by any law enforcement officer havign reasonable grounds to believe that it has been violated.

5. A copy of this Order shall be delivered to the police Depts in the jurisdiction where the plaidntiff resides and to County Control and the Prothonotary shall mail a copy of this Order to the defendant at RD 1, Box 361, Perryopolis, Pa. 15473.

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 and a jail sentence of up to 6 months.

7. The defendant shall pay costs in this matter forthwith to the Prothonotary of Crawford Conty in the amount of $110.62.

8. This Order shall remain in full force and effect through Aug. 20, 1993.

9. By agreement of the parties, the plaintiff shall not contact the defendant in any manner.

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

Aug 25, 1992 gave copies to Linesville PD, Co Ctrl., Plf. & Dft.

294

1992

Knox, McLaughlin,
Gornall & Sennett, PC
Timothy M. Sennett

744

Theodore H. Watts

PATTERSON-ERIE CORPORATION

vs.

ZONING HEARING BOARD OF
CAMBRIDGE SPRINGS BOROUGH

Filed August 10, 1992
@ 1:15 PM

Tax & entry paid	50.50
User's Fee paid	5.00

NOTICE OF APPEAL
1 copy (atty)

Oct 30, 1992 Transcrip of June 17, 1992 Hearing along with Exhibits, filed.

Nov. 2, 1992 Upon Praecipe of Attorney Timothy M. Sennett, the above captioned matter is place on the next available Argument List.

ON DECEMBER, 1992 ARGUMENT LIST

Feb. 2, 1993 MEMORANDUM AND ORDER filed. ORDER: AND NOW, Feb. 1, 1993 the decision of the Cambridge Springs Zoning Board made July 20, 1992 is hereby set aside and the decision of the Zoning Officer reinstated.

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

Feb. 2, 1993 copies given to Watts & Sennett

1992

Mary Ann Kirkpatrick

745

MARGIT NICHOLS CHMURA

vs.

MICHAEL FRANCIS CHMURA

Filed August 10, 1992
@ 2:23 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro.Co. pd 1/5/93	9.00

COMPLAINT IN DIVORCE
1 copy (atty)

Aug. 13, 1992 AFFIDAVIT OF SERVICE filed. And Now, August 13, 1992, comes Contance L. Deitman being duly sworn according to law, deposes and sets forth as follows:

1. That she is the legal secretary of Atty. for Margit Nichols Chmura, 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 tobe forwarded by Certified Mail, P 899 085 777; postmarked Aug. 10, 1992, to the last known address of the Defendant, Michael Francis Chmura, PO Box 342, Meadville, Pa. 16335.

3. That the Defendant, Michael Francis Chmura, on Aug. 11, 1992, 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.

Dec. 1, 1992 Affidavit of Consent of Margit Nichols Chmura, Plaintiff, filed.

Dec. 29, 1992 Affidavit of Consent of Defendant filed.

Jan.5, 1993 Upon Praecipe of Plaintiff Attorney, Mary Ann Kikrpatrick, for Review Under Section 3301 (c) of the Divorce Code this case moved to Court.

DIVORCE DECREE FILED

Jan.8, 1993 AND NOW, January 6, 1993, it is ordered and decreed that MARGIT NICHOLS CHMURA, plaintiff, and MICHAEL FRANCIS CHMURA, 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.

1992

Pepicelli, Youngs & Youngs
Chrisotpher J. Youngs

746

DONNA J. MOOK

vs.

LEON W. MOOK

Filed August 10, 1992
@ 4:07 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 10-22-92	9.00

COMPLAINT IN DIVORCE
2 copies (Atty)

Aug. 10, 1992 Plaintiff's Affidavit Under Section 3301(d) of the Divorce Code filed.

Sept. 10, 1992 AFFIDAVIT OF SERVICE, filed. Christopher J. Youngs, hereby certifies that he is the Attorney for the Plaintiff Donna M. Mook, in the within action and that a copy of the Divorce Complaint was sent by certified mail, return receipt requested, deliver to addressee only, to th eDefendant, Leon W. Mook, at 10780 1/2 Etter Rd., Waterford, Pa 16441 on Agu. 10, 1992 and was received by teh Defendant on Aug. 11, 1992. The receipt for the certified mail and the return receipt are attached hereto marked Exhibit "A". I understand that false statements herein are made subject to the penalties of 18 PA. C.S. Section 4004 relating to unsworn falsification to authorities.
1 copy (atty)

Sept. 10, 1992 NOTICE OF INTENTION TO REQUEST ENTRY OF DIVORCE DECREE, filed.
2 copies (atty)

Oct 16, 1992 PROOF OF SERVICE filed. Christopher J. Youngs, Esq. certifies that he is the Attorney for the Plaintiff Donna M. Mook, in the within action and that a copy of the Plaintiff's Affidavit under Section 3301D and the Notice of Intention to Request Entry of Divorce Decree were sent by certified mail, return receipt requested, deliver to addressee only, to the Defendant, Leon W. Mook, at 10780 1/2 Etter Rd., Waterford, Pa 16441 on Sept. 10, 1992 and were received by Defendant on Sept. 12, 1992. The receipt for the certified mail and the return receipt are attached hereto marked Exhibit "A". I understand that false statements herein are made subject to the penalties of 18Pa.C.S. §4904 relating to unsworn falsification to authorities.

Oct 16, 1992 Upon praecipe of Plaintiff attorney to transmit record, case moved to Court.

D I V O R C E D E C R E E F I L E D

Oct. 26, 1992 AND NOW, Oct. 22, 1992, it is hereby ordered and decreed that **D O N N A J . M O O K ,** Plaintiff, and **L E O N W . M O O 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.

BY THE COURT:
Anthony J. Vardaro, J.

1992

747

EMMALINE Y. EDWARDS

vs.

CLIFFORD L. EDWARDS

Filed Aug. 11, 1992
@ 9:26 a.m.

Tax & Entry	50.50
User's Fee	5.00
sheriffs costs	18.00
Pro.Co. pd 1/28/93	5.00 ✓

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

ORDER: And Now, this 11 the day of August, 1992, upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

1. The Defendant shall n ot assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.

2. Special Conditions: Defendant may not go to home of the Plaintiff. Defendant may remove clothing from 539 Terrace Street at any time between 8:00 a.m. and 8:00 p.m.. Custody of the child is awarded to mother until further hearing.

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

4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to Conty 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 tha tthis is and 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 Aug. 24, 1992, 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,
P Richard Thomas, S.J.

Aug. 26, 1992 ORDER filed. AND NOW, Aug. 24, 1992, at the time fixed for hearign in this matter, the plaintiff advised the Court by telephone that she was takign someone to the doctor or hospital in Erie and could not attend the hearing.

Therefore, this matter is continued until Aug. 31, 1992 at 3:30 p.m. in Courtroom No. 1 or 2 of the Crawford County Courthouse. In the meantime, temporary abuse order of Aug 11, 1992 shall remain in full force and effect.

A copy of this order shall be mailed by the Prothonotary to the plaintiff at 539 Terrace St., Meadville, Pa. 16335.

The plaintiff is advised that if she does not appear at the hearing on August 31st, this matter shall be discontinued and the temporary order previously entered vacated.

The defendant appeared in person and was advised in the change in date. Therefore, a copy of this order need not be given to him.

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

Aug. 26, 1992 copies mailed to Plf & Mdvl. PD, and copy given to Co. Ctrl.

Sept. 1, 1992 ORDER filed. AND NOW, Aug. 31, 1992, after hearing the Court is satisfied by the fair weight and preponderance fo the evidence that the Defendant has engaged in abuse as defined by the Act and that the Plaintiff is entitled to relief. Aacordingly, it is ORDERED as follows:

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

2. Sole possession of the parties home at 539 Terrace St., Meadville, Pa. is awarded to the Plaintiff. The Defendant shall not go to that residence for any purpose nor shall he contact the Plaintiff directly. He may contact the Plaintiff indirectly through lawyers or other family members who may carry back and forth information and messages. He may contact the Plaintiff in writing by letter sent through the United States Mails or delivered by somebody other than himself provided that the mail and letters do not contain any threatening or abusive language. The Defendant shall not be within one Hundred yards of the Plaintiff's home.

3. The Plaintiff shall package up all of the Defendant's clothing and take it to the Defendant's mother's home within the next 48 hours and there the Defendant may pick up his clothing at his mother's home.

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 Meadville City Police Dept., County Control and the Defendant care of Catrice Monique Edwards, Walker Drive, William Gill Village, Meadvilel, Pa. 16335.

6. This Order shall remain in full force and effect for a period of 12 months from this date, that is until Aug. 30, 1993.

7. Costs shall be paid by Crawford County.

8. The plaintiff shall not invite the Defendant to her home. If she does invite the Defendant to her home the Defendant shall not go because he is being ordered in this Order to stay away from her home. If he should go to her home even if invited by her he may be held in contempt of court for violating this Order. The only way this Order may be changed is by a further court proceeding on motion or petition of either party in accordance with Crawford County Motions and Petitions practice.

9. The Defendant is reminded tha tthis 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 6 months.

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

Sept 1, 1992 copy given to Co. Ctrl & MPD
Sept.3, 1992 copy sent to Plf. & Dft.

(RECORD CONTINUED ON MARGIN)

Record Continued....
Sept. 2, 1992, NOT KNOWN as to the service of the Protection from Abuse on Defendant Clifford L. Edwards. Plaintiff said she would serve the paper herself and the Sheriff office was never informed as to the servise.
So answers,
Robert M. Stevens
Sheriff

Jan. 28, 1993 Upon Praceipe of Emmaline Y. Edwards, Plaintiff, the above case marked discontinued of record. Jan. 28,1993 Copy to Meadville City Police and County Control

1992

748

Culbertson,Weiss,
Schetroma & Schug, P.C.
Kemp C.Scales

MATTHEW W. BLIZNESKY

vs.

MICHAEL A. DAVIDSON

Filed Aug. 11, 1992
@ 10:55 a.m.

Tax & Entry pd	50.25
User's Fee pd	5.00
Pro.Co. Pd 9/1/92	9.00

APPEAL OF DEFENDANT FROM DECISION OF
DISTRICT JUSTICE RONALD A. COLE,SR.

Aug. 13, 1992 Proof of Service of Notice of Appeal and Rule to File Complaint filed.

And Now, Sep. 1, 1992 at 11:09 A.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 do.

B-111

JUDGMENT OF NON PROS
Barbara H. King
Prothonotary

1992

Cusick, Madden, Joyce and McKay James E. Douglas	DEBORAH S. LUIKART and DOUGLAS E. LUIKART, wife and husband	PRAECIPE FOR WRIT OF SUMMONS Issued Sheriff
749	vs.	Aug. 27, 1992 Writ Returned. SERVED Janice Lynn Wilson McKinney personally on Aug. 19, 1992 at 3:30 p.m. by handing a copy of of the Summons to her at her residence R. d. #3, Box 698 Meadville Pa. Crawford County. So answers, DaleA. Collins, Dep. Sheriff Robert M. Stevens, Sheriff
	JANICE LYNN WILSON	Sept. 1, 1992 Notice of Service Of Plaintiffs' First Request For Production of Documents filed.
	Filed Aug. 11, 1992 @ 11:38 a.m.	June 29, 1993 Complaint filed. June 29, 1993 Certificate of Service of Interrogatories, filed. June 29, 1993 CERTIFICATE OF SERVICE of Notice of Deposition of Janice L. Wilson, filed.
	Tax & Entry pd 50.50 User's Fee pd 5.00 sheriffs costs 30.00	

1992

Betti Peterson-Muth

750

IN THE MATTER OF
PETITION FOR CHANGE OF
NAME OF:
CASSANDRA ANN LIVERMORE

Filed Aug. 11, 1992
@ 4:10 p.m.

Tax & Entry Paid 8-27-92 50.50
User's Fee Pd 8-27-92 5.00
Certificate of Liens
pd 9-29-92 5.00

PETITION FOR CHANGE OF NAME

Aug. 11, 1992 ORDER filed. AND NOW, this 10th day of August, 1992, a hearing in the above-captioned matter is scheduled for the 30th day of September, 1992, in Courtroom No. 1 or 2 at 1:30 p.m.

Notice of said hearing is to be given to Marty Bernarding at his last known address by certified mail, return receipt requested. Notice shall also be given by publication in the Crawford County Legal Journal and the meadville Tribune.

FOR THE COURT,
Imogene Yetman, Crt. Adm.

Aug. 12, 1992 copy to B. Peterson-Muth

Sept. 30, 1992 Affidavit of Service filed. Bettie J. Peterson-Muth, Esq., being duly sworn according to law, deposes and says that she is the attorney for petitioners and that she did mail atrue and correct copy of the Petition for Change of Name of CASSANDRA ANN LIVERMORE to MARTY BERNARDING, natural father of Cassandra Ann Livermore. The true and correct copy was mailed by certified mail, restricted delivery, return receipt requested, to Marty Bernarding at his last known address, R.D. #4, Cochranton, PA 16314. The signed receipt is attached hereto as Exhibit ""A.

Bettie J. Peterson-Muth

Sept. 30, 1992 Decree filed. AND NOW, this 30th day of September, 1992, upon hearing of the within Petition and upon motion of Bettie J. Peterson-Muth, attorney for petitioners, and upon presentation of proof of publication of notice as required by law together with proof that there are no jugments or decrees of record or any other matter of like effect against CASSANDRA ANN LIVERMORE, and it appeairn gthat there is no legal objection to the granting of the prayer ofthe petition.

IT IS ORDERED AND DECREED that the name of CASSANDRA ANN LIVERMORE be and is hereby changed to CASANDRA ANN BROWN.

BY THE COURT,
Robert L. Walker, J

Oct. 5, 1992 Copies of decree to Atty. Muth

1992

Culbertson, Weiss, Schetroma & Schug, P.C.
Kemp C. Scales

751

PATRICIA S. COOL

vs.

KARIAH McDONALD, FLAVIA MAY ROSSITER, GEORGE FREMONT McDONALD, KIT CARSON McDONALD, ABRAHAM LINCOLN McDONALD, RALPH WELLING McDONALD, NANNIE E. COREY, LUCINDA LANDON, and THE SURVIVING SPOUSE, if any, of GLADYS STEVENS SEBERRY, their unknown heirs, devisees, and assigns, and all persons claiming any right, title or interest

Filed Aug. 11, 1992
@ 4:13 p.m.

Tax & Entry	pd	50.50
User's Fee	pd	5.00
Pro.Co. pd 12/29/92		9.00

COMPLAINT IN ACTION TO QUIET TITLE

August 21, 1992 Motion for Service Pursuant to Special Order of Court for Service of Complaint to Quiet Title by Publication filed. And Now, this 21 day of August, 1992, upon consideration of the Motion filed by counsel for t he Plaintiff, and in reliance upon the Affidavit concerning the status of the defendants, their 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 Defendants, their 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 Defendants, their heirs and assigns generally, to respond to the Complaint to Quiet Title within twenty (20) days from the date of said publication or be forever barred from asserting any right, title, interest, claim or demand whatsoever in, to or against that certain tract of land described in said Complaint.

By The Court:
Anthony J. Vardaro, J.
August 21, 1992 Copy of the Order to Kemp C.Scales, Esq.

nov. 24, 1992 Motion for Judgment in Actionto Quiet Title, Affidavit of Service by Publication and Order filed. AND NOW, this 23rd day of November, 1992, upon presentation of the foregoing motion and due consideration thereof, it is hereby ordered and decreed that the Defendants,s their heirs, devisees, personal representatives, successors, and assigns, are forever barred form asserting any right, title lien or interest inconsistent with the claim of the Planitiff, as set forthin the Complaint in this case, of, in or to the parcel of land described in the Complaint which description is hereby incorporated by reference and form impeaching, denying or in any way attacking the title ofthe Planitiff in this property; from issuing or continuing any action attacking the same and form encumbering, mortgaging or conveying the same or any part hereof; unless the Defendants, their heirs, devisees, personal representatives successors and assigns take such action as is her ein directed within thirty (30) days form the entry of this judgment.

It is further ordered and decreed that if no petition to open or set aside this Judgment is presented by the Defendant, their heirs, devisees personal representtives or assigns within (30) days from and after the entry of this Judgment, the Prothonotary, on praecipe of the Plaintiff, shall enter final judgment in favor of the Plaintiff.

M-103, 73, 103, 13 143, R-65; C-124; L-103; S-74

Per Curiam,
Gordon R. Miller, J
Nov. 25, 1992 Copy of order put in box for Atty. Scales

And Now, Dec.29, 1992 at 3:48 PM upon praecipe of Plaintiff's attorney, final judgment is hereby entered in this case, in favor of the plaintiffs and against the defendants, pursuant to the foregoing Order of Court.

M-103; R-65; M-73; M-103; M-13; M-143; C-124; L-103; S-74:

FINAL JUDGMENT
Barbara H. King
Prothonotary

1992

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

752

MARTHA L. BABCOCK

vs.

ANTHONY E. BABCOCK

Filed Aug. 12, 1992
@ 9:52 a.m.

Tax & Entry	pd	50.50
User's Fee	pd	15.00
State	pd	10.00
2 add'l counts	pd	30.00
Pro Co	pd 8-24-94	9.00

COMPLAINT IN DIVORCE
1 copy (atty)

Aug. 20, 1992, Acceptance of Service filed. I, ANthony E. Babcock, dft. in this action, hereby accept personal service of the complaint in divorc eon the 20 day of Aug. 1992, at the law office of James R. Irwin, Esq. located at 360 Chestnut St, Meadville Pa. 16335. Anthony E. Babcock.

Jan. 14, 1993 Affidavit of Consent by Martha L. Babcock, Plaintiff, filed.

Jan. 22, 1993 Affidavit of Consent of Defendant filed.

Mar. 19, 1993 Stipulation to Entry of Custody Order and Order filed. AND NOW, this 15th day of March, 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. Legal and physical custody of the parties' two minor children shall be shared between the mother, Martha L. Babcock and the father, Anthony E.Babcock.
2. The natural father shall have liberal visitations with the aforementioned minor children at times mutually agreed upon between the parties.
3. The natural mother shall have physical custody of the aforementioned minor children at all other times unless designated in this agreement.
4. 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.
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 children.
6. 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 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 children's estimation.
7. 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.

Mar.23, 1993 Copy of Order to Atty. Irwin & Defendant.

Jun.7, 1994 Stipulation and Property Settlement Agreement, filed.

July 7, 1994, Affidavit of Consent of plaintiff filed.

Aug. 19, 1994 Affidavit of Consent of Defendant, filed.

Aug. 19, 1994 Upon praecipe of Defendant attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Aug. 26, 1994 AND NOW, this 25 day of August, 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, MARTHA L. BABCOCK, and Defendant, ANTHONY E. BABCOCK, 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 June 6, 1994, shall be incorporated in this decree and order by reference as fully as thought he 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 Property Settlement Agreement.
2. This Honorable Court shall retain jurisdiction of this matter.

BY THE COURT:
Anthony J. Vardaro, J.

October 1, 2004 - See Computer for further entries

1992

Gerald Sullivan

753

Barbara Walton

VERONE D. ROSE

vs.

I. GREGORY ROSE

Filed Aug. 12, 1992
@ 9:56 a.m.

Tax & Entry pd 9-8-92	50.50
User's Fee pd 9-8-92	5.00
Sheriff's costs	40.00
Pro Co pd 9-8-92	9.00

Sept 8, 1992 Recd from Dft. $40.00 Sheriff's cost

Sept 8, 1992 Paid Robert M. Stevens Sheriff's Cost Ck # 7037

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

ORDER: And now, this 12th day of August, 1992, upon review of the petition of Plainitff, the Court enters the following Temporary Order.

1. The defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.

2. Special Conditions: Plaintiff to have exclusive custody of residence and custody of children. Defendant may go to residence to remove clothing upon giving 24 hour advance telephone notice to Plaintiff. Each party granted custody of automobile in their possession. Defendant may not remove any firearms from residence until further order ofCourt.

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

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

5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.

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

7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.

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

Hearing is hereby set for Aug. 21, 1992, at 9:00 a.m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defemdamt os advosed je ,au retaom a lawyer to replresent him at said hearing if he so desires but he is not required to do so.

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

Aug. 13, 1992 Sheriff's Return filed. SERVED I. Gregory Rose personally on Aug. 12, 1992 at 2:00 PM by handing him a copy of the Protection from Abuse at the residence, RD # 2, Box 897, Spartansburg, Crawford County, PA.
So answers,

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

Aug. 24, 1992 ORDER filed. AND NOW, Aug. 21, 1992, after a full formal hearing in this case where both parties were represented by counsel, the Court is satisfied that the Plaintiff has porven by the preponderance of the evidence the allegations contained in her complaint and, therefore,ORDERS as follows:

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or the minor children named int he Petition.

2. Until further Order of Court exclusive possession of the marital residence at R.D. #2, Box 897, Spartansburg, Pa., is awarded to the Plaintiff. The Defendant shall not go to that residence except when specifically invited by the Plaintiff and then remain only for the period of time that he is so invited, and he may go to that residence for the prupose of picking up or returning his children during visitations.

3. The Defendant may also go to the Plaintiff's residence one time within the next week at a time to be arranged between the parties to pick up any remaining personal belongigns that he has there.

4. During exchanges of personal belongings or exchanges of visitation, the parties shall not argue with each other and they shall not argue with each other in the presence of the children.

5. Until further Order of Court, the parties shall jointly share legal custody of the children with primary physical custody being with the Plaintiff, their mother. The Defendant shall have the following visitation rights:

A. He shall have the right to have the children in his custody on the first, second and fourth weekends of each month commencing with tomorrow, Aug. 22, 1992 between the hours of 10:00 a.m. on Saturday and 10:00 a.m. on Monday. The parent receiving the children shall be responsible for providing transportation. When the Defendant picks the children up at the Plaintiff's home ge shall unless invited into the home by the Plaintiff simply sound a horn or otherwise call attention to the fact that he is present and he shall remain at or near his vehicle. The children shall leave the home and go to the Defendant's vehicle.

B. For these purposes the first weekend of each month shall be the weekend where Saturday and Sunday both occur in the same month.

C. The Defendant shall take the children to Sunday School every Sunday that the children are in his custody.

D. The Defendant's right to visit his children on these occasions is conditioned upon him having a decent place to take them and an appropriate place for them to sleep.

E. The Defendant shall also have the right to take his children into his custody every Tuesday and Thursday between the hours of 10:00 a.m. and 1:00 p.m. He shall provide the transportation on those ocxcasions.

F. In the event that at the time the Defendant is entitled to a visitation he does not appear within 30 minutes after the time he is scheduled to pick the children up, the Plaintiff may assume that he is not coming and that that visitation period is cancelled. In that event no substitute visitation shall be provided unless the parties agree.

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 Pe. State Police at the Corry Barracks and to CountyControl.

8. This Order shall remain in full force and effect for 1 year, that is until Aug. 20, 1993, unless modified or terminated by further order of Court.

CONTINUED ON PAGE 504

304

1992

Mazzotta, McCague & Associates, P.C.
Donald S. Mazzotta
William T. Molczan

754

GENERAL MOTORS ACCEPTANCE CORPORATION

vs.

WILLIAM J. YOUNG d/b/a YOUNG & ASSOCIATES

Filed Aug. 12, 1992
@ 11:16 a.m.

Tax & Entry pd	50.50
User's Fee pd	5.00
Sheriff's Costs	34.00
Pro Co Pd 9-21-92	9.00

EX1992-95

COMPLAINT - CIVIL ACTION
1 copy Sheriff

Aug. 17, 1992 Sheriff's Return filed. SERVED William J. Young personally on August 14, 1992 at 11:06 AM by handing a copy of the Complaint to him at this residence, 515 Oakview Drive, Conneaut Lake, Crawford County, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

And Now, Sept. 21, 1992 at 1:03 p.m. upon praecipe of plaintiff's 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 Three thousand, four hundred fifteen dollars and four cents, with interest accruing on the total balance of $3,415.04 at the rate of 6.0% from date of Judgment.
Judgment entered - 9-21-92 Debt: $3,415.04
Y - 183, 206 JUDGMENT
Barbara H. King, Prothonotary

1992

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

755

Donald E. Lewis

SAINT VINCENT HEALTH CENTER

vs.

CAROL GOOD

Filed Aug. 12, 1992
@ 11:23 a.m.

Tax & Entry	pd	50.50
User's Fee	pd	5.00
Sheriff's Costs		30.00
Pro Paid 11/30/92		9.00
Pro.Co. pd 8/4/93		5.00

CIVIL ACTION
1 copy Sheriff

Aug. 13, 1992 Sheriff's Return filed. SERVED Carol Good on August 13, 1992 at 10:15 AM by handing copy of Complaint to Martha Good, adult in charge of residence, at R.D.#2, Box 121, Linesville, Crawford County, PA.

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

And Now, Nov. 30, 1992, at 2:32 p.m. upon praecipe of plff. attorney, upon stipulation of the parties, JUDGMENT is hereby entered in favor of the plaintiff and against the defendant, in the amount of Six Thousand Five Hundred Eighty Seven and 80/100 Dollars, withint. until paid in full and costs incurred.
Judgment entered - 11/30/92
G - 36
Debt --- $6,587.80
Int. until paid
JUDGMENT
Barbara H. King, Prothonotary

Dec. 3, 1992, Notice of entry of judg. to dft. atty.

Aug. 4, 1993 Upon Praecipe of Lawrence C.Bolla, Esquire, the above judgment, debt, interest and costs on the above case is hereby discharged of record.

1992

Wayne H. Hundertmark

756

ARTHUR L. IVES

vs.

SHARON IVES

Filed Aug. 12, 1992
@ 11:26 a.m.

Tax & Entry	pd	50.50
User's Fee	pd	5.00
State	pd	10.00
Pro.Co. pd 12/10/92		9.00
Pro.Co. pd 10/7/93		5.00

COMPLAINT IN DIVORCE
1 copy (atty)

Aug. 31, 1992 Proof of Service of Complaint filed. The undersigned, being first duly sworn according to law, deposes and says that:

1. Your deponent is counsel for the plaintiff in the above case.
2. The Complaint filed in the above case was served upon the defendant pursuant to Pennsylvania Rules of Civil Procedure by certified mail with restricted delivery and return receipt requested addressed to said defendant at the last known address of said defendant following: 601 East Main Street, Apartment No. 8, Youngsville, PA 16371.
3. Attached hereto is the following exhibit: The receipt of certified mail delivery signed by the defendant.

Wayne H. Hundertmark

Dec. 10, 1992 Affidavit of Consent by Arthur L. Ives, Plaintiff, filed.

Dec. 10, 1992 Affidavit of Consent by Sharon Ives, Defendant, filed.

Dec. 10, 1992 Upon Praecipe of Plaintiff's Attorney to transmit record, case moved to Court.

Jan. 28, 1993 Memorandum and Order filed. The planitiff filed a praecipe to transmit the record in this case to the Court for the entry of a divorce. We are returning the record to the Prothonotary for further proceedings consistent with this memorandum.

Attached to the praecipe to transmit the record was a separation agreement that apparently the parties intered into on August 11, 1992. That agreement contained provisions regarding custody and support of minor children, equitable distribution of marital property.

Accompanying the plaintiff's praecipe was a form order of court that is siply a divorce decree. The Court believes the plaintiff has given us mixed signals. Does the plaintiff wish that the separation agreement be merged or incorporated into the decree? (23 Pa.C.S.A. 3105). If not why was the agreement attached to the praecipe in the first place?

If the plantiff does want the divorce decree to include the agreement the Court does not have the power to do that until an amended complaint or petition raising support, custody and equitable distribution is filed. This Court only has jurisdiction to determine and grant decrees as to matters raised by the pleadings or by a subsequent petition (23 Pa.C.S.A. 3104(a), 3323(b); Pa. R.C.P. 1920.11, 1920.13.)

Therefore the record is being returned to the Prothonotary's Office so that the plaintiff can decide what he desires to do and properly advise the Court by filing another praecipe to transmit setting forth his desires and intentions.

BY ORDER OF COURT,
Gordon R. Miller,

Jan. 28, 1993 Copies mailed to Huntertmark

Feb. 18, 1993 Upon praecipe of Plaintiff Attorney, Wayne H. Hundertmark, 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

March 3, 1993 AND NOW, this 1st day of March, 1993, it is ORDERED AND DECREED that:

1. **A R T H U R L . I V E S ,** Plaintiff, and **S H A R O N I V E S ,** Defendant, are hereby divorced from the bonds of matrimony.

2. This Decree constitutes a final Order as to all matters and claims pending in this action, and the Court retains jurisdiction of the parties in the subject matter for the purposes of enforcement only.

BY THE COURT,
Gordon R. Miller, J.

Oct.7, 1993 Notice of Election to Retake Maiden Name of Sharon Ives to be known as SHARON TAYLOR, filed.

1992

William J. Madden

757

Michael L. Fitzpatrick

ROBIN LYNN MORGAN, now ROBIN LYNN MILLER

vs.

CRAWFORD COUNTY and CRAWFORD COUNTY FAIR ASSOCIATION

Filed August 13, 1992
@ 10:34 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	37.00
Pro.Co. pd 2/2/94	5.00
Pro.Co. pd 4/8/94	6.00

4-13-94 Refunded 5.00 overpayment on discontinuance Chtt

JURY TRIAL DEMANDED

WRIT OF SUMMONS
Issued Sheriff

Aug. 26, 1992 Sheriff's Return filed. SERVED Crawford County on August 14, 1992 at 2:19 PM by handing a copy of the Summons to Ivan G. Rose, County Commissioner, in the Sheriff's Office, Crawford County Courthouse, Meadville, PA.
SERVED Crawford County Fair Association on August 14, 1992, at 2:20 PM by handing a copy of the Summons to Ivan G. Rose, County Commissioner, in the Sheriff's Office, Crawford County Courthouse, Meadville, PA.
So answers,

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

Sept. 28, 1992 Appearance of Michael L. Fitzpatrick for Defendants filed.

Sept. 28, 1992 Notice Of Service of Interrogatories and Request For Production of Documents filed.

Feb. 2, 1994 Upon Praecipe of William J. Madden, Esquire, Attorney for Plaintiff, the above matter marked settled and discontinued upon payment of the costs by the defendants, filed.

Apr. 8, 1994 Upon Praecipe of William J. Madden, Esquire, Attorney for Plaintiff, the above matter settled and discontinued of record.

1992

Kathleen R. Nelson

758

Christopher R. Brode

THOMAS E. CALVIN

vs.

DENISE CALVIN

Filed August 13, 1992
@ 11:26 AM

Tax & entry paid	50.50
User's Fee paid	5.00
John Fuller, Mediator	150.00
Pro Co Pd 11-20-92 Ch# 7187	9.00

Received from Plaintiff 8-31-92 Mediation Dep. $150.00

10-14-92 Paid Plf Med. Bal Refund Ch# 7110 7565 66.00

11-20-92 Paid Comm. Med Fee Ch# 7186 75.00

9-22-93 Rec from Plf Med. Fees 75.00

10-26-93 Pd Co Med Fee Ch# 7874 75.00

COMPLAINT FOR CUSTODY
1 copy (atty)

Aug. 31, 1992 Motion for Appointment of Custody Mediator and Order filed. AND NOW, Sept. 3, 1992, John Fuller is hereby appointed Child Custody Mediator in the above-captioned matter.
Gordon R. Miller, J.
Sept. 10, 1992 Copy of the Order given to Attys. Nelson & Fuller.

Oct 13, 1992 ORDER filed. AND NOW, Oct 12, 1992, after mediation conference before John Fuller, Esq., IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of April Calvin and Alyssa Calvin 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, medicial treatment and religious instruction of the subject children.

II. Physical custody fo April Calvin and Alyssa Calvin shall be with their mother, subject to the following conditions:

A. The father shall be entitled to visit and take the chidlren into his custody every other weekend from 4:00 p.m. on Friday to 7:00 p.m. on Sunday, beginning Oct. 9, 1992.

In addition, the father shall be entitled to have the children in his custody every Tuesday and Thursday evening from 4:00 p.m. to 7:00 p.m.

B. Holidays shall be defined as Christmas, Easter & 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.

C. Beginning with the Summer of 1993 and each Summer thereafter, the children shall be in the custody of the father for a period of 2 weeks in June; 2 weeks in July and 2 weks in August. Unless the parties agree otherwise, the father's weeks shall be the first two weeks of each month. During the Summer, there shall be no week end or evening visits for either parent.

D. Transportation of the children on week ends, holidays and Summer visits shall be provided as follows: The father shall provide all transportation on weekend visits. The mother shall pick up the children at the conclusion of the evening visits. Otherwise, transportation shall be equally divided.

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. The mothe agrees and is therefore ordered to provide the father a minimum of 30 days notice prior to any project change of residence. The parties stipulate and therefor, it is further ordered that Crawford County will retain jurisdiction of this case, even if the mother and the children reside elsewhere.

III. This sorder is a temporary order but shall become a permanent order unless exceptions thereto are filed by either party within 30 days of the date hereof.

IV. Cost of the mediation conference 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.
Oct 20, 1992 copy to J. Fuller, K. Nelson, C. Brode, Plf & Dft

1992

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

759

Gerald Sullivan

Aug 13, 1992 $150.00 deposited by plaintiff for mediation

DARRYL B. WORDEN

vs.

ELIZABETH A. WORDEN

Filed August 13, 1992
@ 3:21 PM

Tax & entry paid 50.50
User's Fee paid 5.00
William Pineo, mediator

PETITION FOR CUSTODY (UCCJA)
2 copies (atty)

ORDER:
8/13/92 Motion denied. Hearing jduge may set seperate date for do novo cusotdy hearing or refer to custody meidator after ruling on abuse matter on August 20, 1992.
P. Richard Thomas, S.J.

Aug. 24, 1992, ORDER filed. AND NOW, Aug. 20, 1992, this matter is before the court accompanying a protection From Abuse action filed by the respondent in this matter as the plaintiff and the Petitioner in this matter as the defendant.

Senior Judge P. Richard Thomas has previously entered an Order on Aug. 13, 1992, indicating that the Judge ruling with regard to abuse matter should enter an order with respect to a request by the pl aintiff/father in this action.

After hearing the abuse action we enter the following order:

1. This matter is referred for mediation to William Pineo Esq. The court noting that the pre-mediation deposit has already been made by plaintiff.

2. pending mediation and further order of court, primary custody ofthe minor child Gregg Jeffrey Worden shall remain with the mother/defendant, with the father to have visitation every other weekend with weekends to be from Fri . at 6;00 p.m. until Sun. at 6:00 p.m. Those visitations shallcommence on Aug. 21, 1992 and every other weekend thereafter. For the purpose of those visits the father shall pick up the child at the home of the mother at 6:00 p.m. on Fri. and the mother shall then pick up the child on Sun. at 6;00 p .m. at the end ofthe visit at the father's home.

3. during such exchanges with respect to the chld there shall be no bad words or actions between the parties and they shall not blacken the character of one another to either of the minor children.

4. pending further order of court and mediation, the minor chld Wayne Wordenshall remain in the primary custody of his father, the pl aintiff in this action.

The defendant/mother shall visit with Wayne at times and places to be arranged between her and Wayne, the court noting that we encourage some visitation to occur between this teenager and his mother.

5. the Parties may telephone one anther for the purpose of arranging visitations with respect to wayne and each party shall have reasonable rights to telephone the child in the primary custody of the other party so that ea ch may have continuing contact with both children pending further order of court.

6. The court notes that it has not heard extensive testimony with regard to the custody issue and this order should not be intended to influence the decision of a child custody mediator not a judge of this court hearing a custody action de novo with respect to this matter.

BY ORDER OFTHE COURT,
Anthony J. Vardaro, J.

Aug. 24, 1992, copies of order given to Attys. Millin and Sullivan, and Pineo.

Sept. 25, 1992 Stipulation and Consent To Entry of Custody Order and Order filed. AND NOW, this 24th day of September, 1992, upon presentation ofthe Stipulation and Consent of the parties, attached hereto, and affer consideration of same, it is hereby ORDERED, DIRECTED and DECREED that:

1. Legal Custody of the parties' two minor children shall be shared between the mother, Elizabeth Worden and the father, Darryl Worden.

2. The natural father, DArryl Worden shallhave primary physical custody of the aforementioned minor children.

3. The matural mother, Elizabeth a. Worden, shall have physical custody ofthe aforementioned minor children eight (8) days each month, said eight days shall correspond with the days she is not working.

4. Holiday visitation shall be arranged by mutual argeement between the parties.

5. The parties shall split responsibility for transportation with the party receiving the children in the exercise of his or her rights picking up the children at th ehome of the other.

6. The children shall not be left inthe company of James Chamberlain, unless Mother is present. Under no circumstances shall mr. Chamberlain be used as a child casre provider.

7. Each party shall teach said child to give to the other party that love and respect which is due a parent form his or her children.

8. Neither pa rty shall use illegal drugs or be under the influence of alcohol at any time when said party has the casre and custody of the subject minor children.

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

10. Neither party shall do or say anthing to blacken the character of the other in the childme's estimation. Each party shall treat the other in a polite and respectful manner when in the childme'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 it were to be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which, this orde rshall govern.

12. Except in emergency situation, each party shall give the other at least Twenty-four (24) hours, notification when he or she will not be exercising a scheduled visitation.

BY THE COURT,
Gorodh R. Miller, J

Sept. 25, 1992 Copies of orde rput in box for Atty's Irwin and Sullivan

Davis Reilly
Richard J. Parks
Reed J. Davis

760

INTEGRA NATIONAL BANK/NORTH
successor by merger to
Pennbank

vs.

C & K WELL MANAGEMENT, INC

Filed August 14, 1992
@ 8:42 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's costs	50.00
Sheriff's Costs	34.00
Pro. Co. Pd 1/13/93	9.00
Pro Co pd 1-26-93	5.00

COMPLAINT IN CIVIL ACTION

Sept. 4, 1992 Notice, of Hearing for Seizure of Property, Motion for Issuance of Writ of Seizure, Order of Court filed. AND NOW, to wit, this 31 day of August, 1992, upon motion of Davis Reilly, a professional corporation, Attorneys for Plaintiff, it is hereby ORDERED AND DECREED that a hearing on Plaintiff's Motion for Issuance of Writ of Seizure be and hereby is set for the 1st of October, 1992 at 3:00 o'clock p.m. in theCourt of Common Pleas of Crawford County Courthouse, Courtroom No. 1or 2, Meadville, Pennsylvania 16335.

For the Court:
Imogene Yetman, Court Administrator

Sept. 10, 1992 Copy of Order to Attys. Park and Davis.

Sept. 4, 1992 Notice, Petition and Order of Court Directing Defendant to Appear and Testify filed. AND NOW, this 10 day of Sept., 1992, upon consideration of the foregoing Petition and upon Motion of Davis Reilly, a professional corporation, Attorneys for Plaintiff, it is hereby ordered and decreed that a representative of the Defendant, C & K Well Management, Inc., appear before the Court of Common Please of Crawford County, Crawford County Courthouse, Meadville, Pennsylvania 16335, on the 1st day of October, 1992, at 3:00 o'clock p.m. to testify under oath as to the whereabouts of the collateral pledged to Plaintiff and if a Writ of Service has been issued, to deliver the same unto the Sheriff, all pursuant to P.R.C.P. 1081 (3).

By the Court:
Anthony J.Vardaro, J.

Sept. 10, 1992 Copy of the Order to Attys. Parks and Davis.

Sept. 16, 1992 Sheriff's Return filed. NOT FOUND as to Defendant C & K Well Management,Inc. Several attempts were made to the James Simmons ressidence, RD # 1, Box 143A, Titusville, Crawford County, PA. On Sept. 16, 1992, a neighbor telephoned the Sheriff's Office and reported that James Simmons was possibly in Florida and would not return for another month.
So answers,

Robert M. Stevens, Sheriff

Oct. 20, 1992 Complaint Reinstated.

Oct 23, 1992 SHERIFF'S RETURN, filed. SERVED C & K Well Management, Inc. on Oct. 21, 1992 at 10:50 AM by handing a copy of the Complaint in Replevin to Sherryl Tracy, Person in Charge of the Office at C & K Well Management, Inc. Route 8, Centerville, Crawford County, Pa.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

And Now, Jan. 13, 1993 at 11:53 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 defendant for failure to file an answer in the above-captioned matter, for possession of a Komatsu Crawler Tractor, Model #D68E.1 S/N #1142 and a Komatsu 6D125-1 Diesel Engine S/N #25469 and all attachments, additions and accessories or the value of said collateral in the sum of Thirty Six Thousand and no/100 Dollars with interest, costs, attorney fees and damages for the unjust retention of the collateral.

"C-186"
Entered Jan. 18, 1993
Richard J. Parks, Esquire

Debt	$36,000.00
Interest	
Judgment	
Barbara H. King	
Prothonotary	

Jan. 26, 1993 Upon praecipe of Plaintiff attorney the above captioned matter is settled and discontinued of record.

1992

Northwest Legal Services
Christopher Brode

761

8-21-92 Rec 40.00 from dft Balance 4.50

LISA PALMIERO

vs.

JEFFREY RALPH BRENOEL

Filed August 14, 1992
@ 9:14 AM

Tax & entry	50.50
User's Fee	5.00
Sheriff's costs	25.00
Pro.Co. pd 8/21/92	5.00

August 21, 1992, Upon Praecipe of Plaintiff, Lisa Palmiero, the above number and term is hereby marked Discontinued.
Aug. 21, 1992 Copy to County Control & Meadville Police Dept. & Atty, Brode.

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 13 day of August, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Defendnat shall not go to plaintiff's residence nor place of employment, not shall he contact plaintiff's family or friends
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for August 17, 1992, at 1:30 P.M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

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

August 14, 1992 Sheriff's Return filed. SERVED Jeffrey Ralph Brenoel personally on Aug. 14, 1992 at 9:25 AM at Crawford County Courthouse, Second Floor, Meadville, PA.
So answers,
Robert M. Stevens, Sheriff

Aug. 19, 1992 Order Filed. AND NOW, August 17, 1992 at the time fixed for hearing in this matter, the Plaintiff appeared with counsel. The Defendant appeared without counsel, was advised as to the nature of the proceedings, and he indicated that he understood them. He was advised of his right to counsel and that the Court would continue this atter for a reasonable time to allow him to get counsel. He understood that and agreed to proceed without counsel.

The parties have agreed and stipulated that the Court may enter the following order, but the Defendant does not admit to the facts contained in the petition. Nonetheless, based upon the agreement of the parties it is ordered as follows:

1. The Defendant shall not assault, abuse, harass, or threaten the Plaintiff.
2. The Defendant shall not go to the Plaintiff;s residence or place of employment or school that she may attend for further education or training. In fact,the Defendant shall not go within 100 yards of these places nor shall he be within 100 yards of the PLaintiff unless by mere happenstance they happen to be close to each other, whereupon the Defendant shall immediately, after realizing that the Plaintiff is also present, remove himself to a distance of at least 100 yards from the Plaintiff.
3. The Defendant shall have no contact with the Plaintiff except by mail or through counsel.
4. The Defendant shall pay the folloiwng sums to the Plaintiff within 90 days from this date: $80 representing lost wages for 2½ days and reasonable and necessary medical bills incurred on July 11, 1992 for emergency room treatment.
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. A copy of this order shall be delivered to the Meadville City Police Department, to County Control, to counsel for the Plaintiff, and to the Defendant by regular mail at Lot 1, Town & Country Trailer Court, Conneaut Lake Road, Meadville, Pennsylvania.
7. This order shall remain in full force and effect for 1 year, or until August 16, 1993 unless modified or terminated by further order of this court.
8. The Defendant is avised that he should not contact the Plaintiff or violate this order even if she asks him to. He runs the risk that even if she invites him to her place or to contact her, that he will be in violation of a court order and could suffer the consequences and penalties imposed by law. In the event the Plaintiff desires that the Defendant resume contact with her, neither party shall violate this order but shall rather file an appropriate motion or petition in keeping with the Crawford County Rules of Court to obtain a modification or amendment of this order.
9. Both parties shall seek appropriate mental health counseling and, if the mental health counselors believe it is appropriate and reasonable, shall sheek joint mental health counseling. If any mental health counselor believes that joint mental health counseling is apopropriate, that mental health counselor shall put that opinion in writing. In that event, the Defendant and Plaintiff may contact each other during joint mental health counseling sessions and at no other time.
10. The Defendant shall pay record court costs in the amount of$89.50 no later than September 15, 1992. He shall pay that directly to the Prothonotary of Crawford County in the Crawford County Courthouse. If he fails to pay costs in full, appropriate contempt of court proceedings may be commenced by the Plaintiff or the Prothonotary.
11. The Defendant is reminded that this is an order of Court, and violation of this order may 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.

Aug. 19, 1992 Copy of the Order to County Control, Meadville City Police Department, Atty.Brode, and Defendant.

1992

Daniel F. Cusick

762

Karen L. Hughes for
Seelar Elevator, Inc.

Thomas, Truax,
Spadafore & Walker
R. Charles Thomas
City of Meadville
Housing Authority

ANNIS MULCHIN

vs.

CITY OF MEADVILLE HOUSING AUTHORITY and SEELAR ELEVATOR, INC.

Filed Augusut 14, 1992
@ 1:29 PM

Tax & entry	Pd 8-18-92	50.50
User's Fee	Pd 8-18-92	5.00
Sheriff's Costs	Pro Co pd 2-23-93	37.00 / 7.00 ✓

WRIT OF SUMMONS
Issued Sheriff

Sept. 4, 1992 Affidavait of Service filed. SERVED the within Summons on August 24, 1992, at 1139 hrs. upon Seelar Elevator,Inc. at 202 G. DAniel Baldwin Building, 1001 State Street, Erie County, Erie, Pennsylvania by handing to Pat Finney, Administrative Assistant a true and correct copy thereof and made known to him the contents therein.

Robert N.Michel, Sheriff Erie County
Brenda Rufini, 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,
CrawfordCounty, PA.

Sept. 4, 1992 Sheriff's Return filed. SERVED City of Meadville Housing Authority on August 19, 1992 at 1:15 PM by handing a copy of the Summons to Susan Aleksiewicz, Administrtive Assistance at the business, 1120 Market Street, Meadville, Crawford County, PA.

SERVED Seelar Elevator, Inc. by deputizing the Sheriff of Erie County,PA, as per hs Affidavit of Service attached. Served on August 24, 1992.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Sept. 9, 1992 Appearance of Karen L. Hughes, Attorney for Defendant, Seelar Elevator, Inc. filed.

Sept. 9, 1992 Upon Praecipe of Defendant attorney for Seelar Elevator, Inc., Rule entered upon plaintiff to file a Complaint.

Sept. 24, 1992 Service of Rule to file Complaint upon Daniel F. Cusick, Esq., accepted on Sept. 18, 1992 by Missy Gaubor filed.

Oct. 6, 1992 Complaint filed.

Jan. 14, 1993 Answer, New Matter and New Matter Pursuant to Rule 2252 (d) filed.

Feb. 12, 1993 Reply to New Matter Pursuant to Rule 2252(d), filed.

Feb. 18, 1993 Notice of Service of Interrogatories filed.

Mar. 8, 1993 Notice Of Service Of Interrogatories and Request For Production of Documents filed.

Mar. 19, 1993 Appearance of Thomas, Truax, Spadafore & Walker by R. Charles Thomas for City of Meadville Housing Authority filed.

Apr. 8, 1993, Answer of the City of Meadville Housing Authority to the Plaintiff's Complaint filed. 2 copies (atty)

Apr. 8, 1993, Reply of Defendant, city of Meadville Housing Authority, To the New Matter of Seelar Elevator, Inc. filed. 2 copies (atty)

May 7, 1993 Plaintiffs' Reply to Defendant Meadville Housing Authority's New Matter and Plaintiff's Reply to New Matter in the Form of a Crossclaim Against Defendant, Seeler Elevator, Inv., Pursuant to Rule 2252 of the Pennsylvania Rules of Civil Procedure, filed.

May 12, 1993 Reply To New Matter pursuant to Rule 2252(d) of City of Meadville Housing Authority, filed.

Aug. 13, 1993, Notice of Service of Interrogatories filed.

Jul. 31, 1995 Notice of Deposition of Annis Mulchin, filed.

Sept. 9, 1996 Certificate of Readiness Sept. 9, 1996 Certificate of Readiness by Plaintiff filed.

Jan. 6, 1997 Praecipe for Appearance by Gigler, Joyal & Soom by Daniel R. Gigler, Esquire for Defendant, Seelar Elevator, Inc., filed.

Jan. 17, 1997 Notice of Videotape Deposition by Defendant, Seeler Elevator, filed.

Jan. 29, 1997 Order filed. AND NOW, January 27, 1997, it is ordered as follows:
1. This case shall be tried the second week of the vivil jury term. At the moment, jury selection may take place on February 10 but that is subject to change.
2. A pretrial conference is scheduled for Tuesday, February 4, 1997 at 9:00 a.m. in Courtroom No. 1.

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

1-29-97 Distributed all counsel

Feb 4, 1997 Notice to Attend trial scheduled Feb 18, 1997, mailed to Executive Director City of Meadville Housing Authority, 1120 Market Street, Meadville, PA 16335, filed.

Feb 3, 1997 Notice of Deposition of Dr. Dennis G. Cole, MD, filed.

Feb. 3, 1997 Notice of Deposition by Plaintiff filed.

Continued Page 312-A.

1992

762

ANNIS MULCHIN
VS.
CITY OF MEADVILLE HOUSING AUTHORITY and SEELAR ELEVATOR, INC.

CONTINUED FROM PAGE 312

OF RECORD

A. D. 1992 - 762

****

Feb. 5, 1997 Pre-Trial Order filed. AND NOW, February 4, 1997, after a pre-trial conference with all counsel present the Court enters the following order:

1. All discovery is completed, some medical depositions for use a trial are yet to be taken, and all parties are ready for trial. The trial will tentatively take place during the week of February 17, 1997. The exact date of trial is uncertain because of the number of cases ahead of this case. It is anticipated that this case shall take three to four days to try. The Court Administrator will notify counsel by 4:30 p.m. on February 7, 1997 of the date for jury selection.

2. Description of the case.

This is a fall down case where the plaintiff, who was a resident at Holland Towers, claims that as she was leaving an elevator with a basket of laundry in her hands, she tripped because the elevator came to rest several inches below the floor. She claims that the elevator did not level with the floor that she was going to.

Holland Towers is owned and operated by the City of Meadville Housing Authority. The Housing Authority had a maintenance contract with Seelar Elevator Inc. for maintenance to the elevator.

(SEE PAPERS FILED)

BY THE COURT
Gordon R. Miller, P.J.
2-5-97 MAILED Gigler & Moore & DISTRIBUTED Thomas

Jan. 27, 1997 Pretrial Statement of Defendant, Seeler Elevator, Inc. filed.

Feb. 18, 1997 Upon praecipe of Plaintiff Attorney to settle and discontinue or satisfy-verdicts, judgements, executions, awards, decrees, equity, liens, counterclaims or crossclaims and plaitiff's case or as to garnishee only, D.S.B., M.L. & Claims filed.

312
-B-

1992

763

DONALD A. ABBOTT

vs.

ATTORNEY PAUL ALLEN

Filed August 14, 1992
@ 3:27 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	31.00

WRIT OF SUMMONS
Issued Sheriff

Sept. 16, 1992 Writ Return filed. SERVED Attorney Paul Allen on September 9, 1992 at 2:40 PM by handing a copy of the summons to Valerie Turner, Secretary and Adult in Charge, at his place of busiess, 231 Chestnut Street, Meadville, Crawford County, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

1992

William B. Moore

764

MICHAEL D. LEGNOSKY

vs.

REGINA L. HULLEY

Filed August 14, 1992
@ 4:00 PM

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

COMPLAINT IN DIVORCE
1 copy (atty)

Sept. 25, 1992 Acceptance of Service filed. AND NOW, this 3rd day of September, 1992, I, REgina L. Hulley, the defendant in the above captioned action, hereby accept service of the Complaint in Divorce under Section 3301(c) of the Divorce Code.

Regina L. Hulley

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 9/25/92 . We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonably delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.

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

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

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

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

By the Court,
Date: 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)

1992

Bukac & Toomey
Terry Toomey

765
William Gregg
& Kathleen Nelson
Kathleen Nelson

RODGER L. MONTGOMERY

vs.

RUBY J. MONTGOMERY

Filed August 17, 1992
@ 9:15 AM

Tax & entry	Pd 9-14-93	50.50 ✓
User's Fee	Pd-9-14-93	5.00
Sheriff's Costs		25.00
Pro. Co.	Pd 9-14-93	9.00 ✓

9-14-93 Rec Sheriff's Cost from dft 25.00
9-14-92 Pd Sheriff Ck# 7778 25.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 17 day of August, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Plaintiff is granted sole possession of the former marital residence at R.D. #5 Box 509 Meadville. The Defendant shall not go to said residence at any time for any purpos
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for August 24, 1992, at 3:30 P. M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

Aug. 18, 1992 Sheriff's Return filed. SERVED Ruby J. Montgomery on August 17, 1992 at 2:55 PM by handing a copy of the Protection from Abuse to her at the Sheriff's Office, Crawford County Courthouse, Meadville, PA.
So answers,

Robert M. STevens, Sheriff

Aug. 24, 1992 Stipulation Entry of Protective Order and Order of Court filed. AND NOW, this 24th day of August 1992, upon consideration of the Stipulation to the Entry of this Protective Order, it is hereby ORDERED, ADJUDGED and DECREED as follows:

1. The Defendant, Ruby J. Montgomery, consents to the enry of this Protective Order and agrees to be bound by its terms without necessarily admitting the allegations of the Plaintiff's Complaint seeking relief.
2. The Defendant,Ruby J. Montgomery, shall not assault, abuse, harass or threaten the Plaintiff.
3. The Defendant, Ruby J. Montgomery, shall not go to the former marital residence, now the residence of the Plaintiff, located at R.D.#5, Box 509, Meadville, Union Township, Crawford County Pennsylvania 16335 at any time or for any purpose.
4. This Order of Court may be enforced without a warrant of arrest by any law enforcement officer having reasonable grounds to believe that it has been violated.
5. This Order shall remain in full force and effect for one year from this date or until August 23, 1993 unless modified or terminated by further Or der of Court.
6. A copy of this Order shall be delivered to the Police Department in the jurisdiction where the Plaintiff resides, the Pennsylvania State Police, and to Crawford County Control. The Prothonotary shall have the responsibility of delivering a copy of the Order to the Pennsylvania State Police and to Crawford County Control. The Plaintiff shall have the responsibility to lodge a copy of this Order with the Police Department, if different, in the juridsiction where Plaintiff lives.
7. All record costs shall be paid by the Defendant, Ruby J. Montgomery, no later than September 24, 1992.

By Order of the Court:
GordonR. Miller, P.J.

August 24, 1992, Copy of Order to Penna. State Police, Crawford County Control, Terry Toomey,Esq and Kathleen R. Nelson, Esq.

1992

Shafer,Swick, Bailey, Irwin & Stack
Charles J. Swick
Jeffrey K. Millin

766

William J. Gregg
R.Charles Thomas

LAUREL I. PETERSON

vs.

CLARENCE P. HORNER
ELAINE C. HORNER, his wife

Filed August 17, 1992
@ 11:45 AM

Tax & entry paid 50.25
User's Fee paid 5.00
Pro.Co.pd 1/7/93 9.00
Pro. Co. pd 6-21-93 9.00

APPEAL OF DEFENDANT FROM DECISION OF DISTRICT JUSTICE GEORGE W. HERZBERGER, III

Aug. 17, 1992 Rule entered upon plaintiff to file a complaint issued.

Aug. 19, 1992 Proof of Service filed.

Sept. 16, 1992 Complaint filed. (2 copies atty.)

And Now, Jan. 7, 1993 at 3:36 PM upon praecipe of plaintiff's attorney, with notice of Intention to file Default Judgment attached, judgment is hereby entered in favor of the plaintiff and against the defendant for want of an answer and damages are assessed at the sum of Eight Thousand Nine Hundred Eighty-Nine and 55/100 Dollars, plus costs and interest fromSeptember 16,1992.

H-34
Entered on 1/12/93
Abstract to Atty.Swick and Millin

Debt $8,989.55
Int. from Sept.16,1992
Judgment
Barbara H. King
Prothonotary

EX 1993-13

And Now, June 21, 1993 at 1:30 p.m. Upon praecipe of plaintiff's attorneys Shafer, Swick, Bailey, Irwin & Stack and asks this Honorable Court to enter judgment against the above named defendant ELAINE C. HORNER in the sum of $8,989.55, plus interest from Sept. 16, 1992 and cost of suit for failure to file an Answer.

Entered June 21, 1993
H - 54

Debt: $8,989.55, plus interst from 9-16-92 plus costs
JUDGMENT
Barbara H. King, Pro.

Aug. 16,1993 Motin for Sanctions and RULE filed. RULE. AND NOW, this 13 day of August, 1993 upon Consideration of the foregoing Motion for Sanctions, a Rule is issued upon Defendant, Clarence P. Horner to show cause, if any there be, why the relief requested in the within Motion should not be granted.

This Rule should be returned by the 24th day of Augst, 1993 at 10:00 o'clock A.M. in Courtroom nubmer 1, Court of Common Pleas, Crawford County, Pennsylvania. A copy of this Rule shall be served uponWilliam J.Gregg, as attorney for the Defendant and R. Charles Thomas,as attorney for the Defendant.

BY THE COURT:
Anthony J. Vardaro, J

Aug. 20, 1993 Copy of Order to Atty. Swick, Millin, Gregg & Thomas

Aug. 25, 1993 ORDER filed. AND NOW, August 24, 1993, at the time fixed for hearing and/or argument to dispose of the Plaintiff's motion for sanctions, all counsel were present and agreed to the following order. Accordingly, it is ordered as follows:

1. The Defendant, Clarence P. horner, is ordered and directed to cooperate with the Sheriff of Crawford County or his deputy so that the Sheriff of Crawford County may make an appropriate levey in accordance with the Rules of Court and the law. Clarence P. Horner shall do nothing to interfere wtih a proper levy. He shall not permit or direct others to interfere with the Sheriff or his deputy in making an appropriate levy.

2. The Defendant, Clarence P. Horner, shall pay $80.00 to Jeffrey K. Millin, Esquire, within thirty days from this date which said sum representing one half of service for the preparation and filing of the pending motion for sanctions.

3. Counsel for the Plaintiff advises that the interrogatories were just answered this date and therefore does not intend to proceed to obtain addition sanctions on that basis. The Plaintiff shall have the right in accordance with the rules to seek additional relief and additional sanctions after reviewing the answrs to interrogatories and this Order shall not prevent the Plaintiff from doing so.

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

Aug. 25, 1993 copies dist. to Millin, Gregg & RCT

Jan. 11, 1994 Motion forContinuance and ORDER filed. AND NOW, this 10th day of January, 1994, upon consideration of the foregoing Motion, it is hereby rescheduled for the 11th day of February, 1994 in Courtroom number 1 at 3:00 o'clock p.m.

BY THE COURT:
Gordon R. Miller, J.

1-13-94 Copy of Order to Attys. Swick, Millin, GRegg & Thomas

Feb. 3, 1994 Settlement Agreement, filed.

1992

Mason & Mason
Joan D. Mason

767

JOHN K. CARPENTER

vs.

LINDA LEE CARPENTER

Filed August 17, 1992
@ 1:09 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 12-31-92	9.00
Pro Do pd 3/18/93	5.00

COMPLAINT IN DIVORCE, CUSTODY, EQUITABLE DISTRIBUTION
4 copies (atty)

Sept. 8, 1992 Affidavit of Service of Joan D.Mason, Esquire, Attorney for Plaintiff filed.

Dec 2, 1992 AFFIDAVIT OF CONSENT OF PLAINTIFF, filed.

Dec. 2, 1992 AFFIDAVIT OF CONSENT OF DEFENDANT, filed.

Dec 31, 1992 Upon praecipe of Plaintiff attorney to transmit record, case moved to court.

D I V O R C E D E C R E E F I L E D

Jan. 11, 1993 Stipulation and DIVORCE DECREE filed. AND NOW, this 4th day of January, 1993, the court orders and decrees as follows:

1. DIVORCE:

Upon consideration of the pleadings and Affidavits filed in the above-captioned case, this court hereby grants an absolute divorce from the bonds of matrimony to the above-named parties, on the grounds that the marriage is irretrievably broken and ninety (90) days have elapsed from the date of the filing of the Complaint, and an Affidavit has been filed by each of the parties, evidencing that each of the parties consents to the divorce pursuant to Section 3301(c) of the Pa. Divorce Code.

2. CUSTODY:

A. The parties hereto shall share legal and physical custody of the two minor children, Kari Lynn Carpenter, age nine (9) years, born Feb. 3, 1983, and Ryan Scott Carpenter, age seven (7), born April 1, 1985. Each parent shall have access to medical, educational and other documents and information relating to said children, and each parent shall have the right to participate in major decisions regarding the lives of the children.

B. In light of the father's current working schedule, which keeps him out of town during the weekdays, mother shall have the children from 6:00 p.m. Sunday evening through 6:00 p.m. Friday evening, and father shall have the children from 6:00 p.m Friday evening through 6:00 p.m. Sunday evening, every other week. On alternate weekds the children shall remain with mother. Hours shall be adjusted by mutual agreement, if need be, in light of father's work schedule.

C. The parties shall alternate Thanksgiving Day and Christmas Day of each year, such that one parent will have the children Thanksgiving Day, and the other parent Christmas Day, each year. The hours shall be from 9:00 a.m. to 8:00 p.m., unless expanded by mutual agreement of the parties.

D. The following remaining holidays shall be alternated between the parties, with the hours again to be from 9:00 a.m. to 8:00 p.m., unless expanded by mutual agreement between the parties: Easter Sunday, Memorial Day, July 4th, Labor Day and New Years Day.

E. The children shall be with their father on Father's Day, and with their mother on Mother's Day, same hours noted above to prevail unless mutually expanded. Holidays shall supersede the usual visitation schedule.

F. This Order is meant to provide a basic guideline for sharing of the children between the parents, and is subject to change by mutual agreement between the parties. It is intended to establish a minimum period of time for the children to be with their father, and is in no way meant to restrict his contact with them to the schedule set forth above.

3. DEBTS AND OBLIGATIONS:

A. Plaintiff shall assume full responsibility for the following joint debts;

a. Integra (Pennbank) - Installment loan, current balance approximately $2,130.00.

b. Marine Midland Bank Mastercard, approximate balance $1,100.00.

c. Discover Card, approximate balance $889.00.

d. Montgomery Wards, approximate balance $762.00.

e. Avco, approximate balance $1,000.00.

Defendant shall assume full responsibility for the following bills and accounts: Carlisle's Kaufmans, Fashion Bug, and American Express.

B. Defendant releases any interest she had in the 1990 Dodge pickup truck which Plaintiff has traded in. Defendant shall pay any debt owed on the 1991 Honda Civic.

4. VEHICLES:

A. Defendant shall retain the 1991 Honda Civic. Plaintiff shall transfer title to said vehicle in accordance with this paragraph, as soon as possible, and permissible by the lender.

B. Plaintiff shall retain teh 1967 Joyco pop-up tent camper, which is currently titled to both parties. Defendant shall immediately transfer any right, title and interest she may otherwise have in said camper, to the Plaintiff.

5. TANGIBLE PERSONAL PROPERTY:

Any items remaining at the prior marital residence located at RD # 1 Townville, are the sole and separate property of the Plaintiff, John K. Carpenter, without any further claim from the Defendant. Defendant shall retain those items she removed when she left said residence, without any further claim from the Plaintiff.

6. PENSION AND RETIREMENT BENEFITS:

The Defendnat has significant and valuable pension and retirement benefits through her employment with Greenleaf Corporation, which she shall be entitled to retain, free and clear of any claim from the Plaintiff. Likewise, the Plaintiff makes no claim to any funds that Defendant may have through the Greenleaf Credit Union, and Defendant will remain responsible for any debt which she is paying through the Greenleaf Credit Union.

7. LIFE INSURANCE:

The parties hereto shall divide any current life insurance, such that each may retain any portion of the policy insuring his or her individual life, and may cash in said portion.

8. WAIVER OF FILING OF DOCUMENTS:

Neither party hereto shall require the other party hereto to file an Inventory and Appraisement nor an Income and Expense Statement, 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. The Defendant is aware of her right to separate legal counsel. She acknowledges this Decree, and the Consent Support Agreement being executed simultaneously herewith, as being fair and acceptable to her, in all contexts.

9. WAIVER OF CLAIMS:

Neither party hereto shall make any claims against the other party hereto, except for enforcement of the rights and responsibilities set forth in this Decree.

BY THE COURT,
Gordon R. Miller, J.

Mar. 18, 1993 Notice of Election To Retake Prior Name filed.
Linda Lee Carpenter
TO BE KNOWN AS:
Linda Lee Vickers

1992

Tamera Ochs Rothschild

768

JOYCE M. DALY

vs.

ROBERT E. DALY

Filed August 18, 1992
@ 11:59 AM

Tax & entry paid	50.50
User's fee paid	5.00
State paid	10.00
Pro Co Pd 11/24/92	9.00

COMPLAINT IN DIVORCE
2 copies (atty)

Aug. 24, 1992 Certificate of Service and Affidavit of Return of Service filed. On August 19, 1992, I mailed a certified copy of a Divorce Complaint in the above captioned matter by Certified Mail No. P 327 536 639 Ret urn Receipt Requested, Restricted Delivery, postage prepaid, to the Defendant, Robert E. Daly, addressed as follows: Robert E.Daly
R.D.#2
Union City, PA 16438

Defendant signed a return receipt upon delivery,August 20, 1992. The receipts are attached hereto and marked as"Exhibit A".

I make this statement pursuant to 18 Pa. C.S.Section 4904 relating to unsworn falsification to authorities and understand that false statements may subject me to criminal penalties under that statute.

Roeder & Rothschild
Tamera Ochs Rothschild,Esq.
Aug. 21, 1992 Attorneys for Plaintiff

Nov. 24, 1992, Affidavit of Consent of plaintiff filed.

Nov. 24, 1992, Affidavit of Consent of defendant filed.

Nov. 24, 1992, Upon praecipe of plaintiff attorney, to transmit the record, this case moved to court.

DIVORCE DECREE FILED

Dec. 3, 1992 AND NOW, this 2nd day of December, 1992, it is ORDERED, ADJUDGED AND DECREED that **JOYCE M. DALY**, plaintiff, and **ROBERT E. DALY**, Defendant, are divorced from the bonds of matrimony. No claims have been raised by the parties to this action for hwich a final order has not yet been entered.

BY THE COURT:
Gordon R. Miller, j.

1992

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

769

MARINE MIDLAND BANK

vs.

SAMUEL A. NAPLES, JR., and
ANNE NAPLES

Filed August 18, 1992
@ 1:19 PM

Issued Sheriff

Pro King paid	15.00
Plff on origs.	173.86
sheriffs costs	50.00
Pro.Co. pd 10/1/92	9.00
Sat. Pd 6/22/93	5.00

WRIT OF REVIVAL

of

A. D. 1989 - 31

Writ of Revival indexed against the defendants in favor of the plaintiff, in the sum of Two Thousand Four Hundred Ninety seven and 23/100 Dolalrs with interest form feb. 15, 1980 and costs

Debt---$2,497.23
Int. from 2/15/80
N-151-11
Barbara H. King, Pro

Aug. 27, 1992, Sheriffs Return filed. (Writ Returned) SERVED Samuel A. Naples, personally on Aug. 21, 1992 at 2:20 p.m. byhanding a copy fo the writ of revival to him at his residence 632 Warren Ave, Meadville, Crawford County Pa.

SERVED Anne Naples, now Kleffel, personally on Aug. 21, 1992, at 2:45 p.m. by handing a copy of the writ ofRevival to her at her place of Employment, Channellock, 1306 S. Main st. Meadville, Crawford County Pa.

So answers, Dale A. collins, Dep. sheriff
Robert M. stevens, Sheriff

And Now, Oct. 1, 1992 at 11:54 A.M. upon Praecipe of Plaintiff's attorney, with notice of intention to file Default Judgment attached, judgment is hereby entered in favor of the plaintiff and against the defendants for want of an answer and the same is liquidated at the sum of Two thousand Four hundred Ninety-Seven and 23/100 dollars, plus interest and cost of suit.

	Debt $2,497.23
N-151; 11	Int.from Feb.15, 1980
Entered on Oct. 8, 1992	Judgment
Abstract to Atty.Bolla	Barbara H.King
	Prothonotary

June 22, 1993 Upon Praecipe of Lawrence C. Bolla, Esquire, Attorney for Plaintiff, Judgment in the above entitled case satisfied of record.

1992

Shafer, Swick, Bailey, Irwin & stack
Louis J. Stack

770

Karen L. Hughes

MAURA MORGAN, by and through her parents and natural guardian, MICHAEL MORGAN and GLORIA MORGAN

vs.

HENDIRK DeKRUIF and DAGMAD DeKRUIF

Filed Aug 18, 1992
@ 3:27 p.m.

Tax & Entry Pd. 50.50
User's Fee Pd. 5.00

PRAECIPE FOR WRIT OF SUMMONS
Issued Atty.

Sept. 18, 1992 Acceptance of Service filed. I accept service of the Writ of Summons on behalf of the Defendants and certify that I am authorized to do so. Karen L. Hughes

Sept. 18, 1992 Petition For Settlement of Minor's Claim filed.

Sept. 18, 1992 Order filed. AND NOW, this 18 day of September 1992 upon presentation ofthe Petition for Settlement of the Minor's Claim, it is hereby ordered that the settlement of the action i the sum of $10,000.00 in exchange for a general release is hereby approved. The funds shall be depositied in an account for the benefit of the minor and proof filed within 30 days.

By the Court,
Anthony J. Vardaro, J

sept. 18, 1992 Copies of order to Atty's STack & Hughes

1992

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

771

IN RE: MICHAEL A TAGGART

Filed Aug. 18, 1992
@ 4:17 p.m.

Tax & Entry pd 50.50
User's Fee pd 5.00

PETITION FOR CHANGE OF NAME
1 copy (atty)

Oct. 1, 1992 Motion for Final Decree for Change of Name filed.

Oct. 1, 1992 Affidavit of Non-Liens filed.

Oct. 1, 1992 Decree for Change of Name filed. AND NOW, this 1st day of October, 1992, upon hearing of the within Petition and upon motion of Shafer, Swick, Bailey, Irwin & Stack, Attorneys for the Petitoner (s), and upon presentation of proof of publication of notice as required by law together with prooof that there are no judgments or decrees of record or any other matter of like effect against the Petitioner(s), and it appearing that there is no legal objection to the granting of the prayer of the petition.

IT IS ORDERED AND DECREED that the name of the Petitioner(s) be and is hereby changed to MICHAEL A. FORD-TAGGART.

BY THE COURT:
Gordon R. Miller, J.

Oct. 7, 1992 Copy of the Order to Charles J. Swick, Esq.

1992

Barbara J. Walton

772

Aug. 18, 1992 depost of $150.00 pd by Plf.

KENNETH DELP

vs.

DELORIS ELSLAGER

Filed Aug. 18, 1992
@ 4:27 p.m.

Tax & Entry Pd 50.50
User's Fee Pd 5.00

COMPLAINT FOR CUSTODY
MOTION TO APPOINT MEDIATOR

Aug 18, 1992 NOTICE AND ORDER TO APPEAR, filed. You, DELORIS elsager, have been sued in Court to obtain custody of ERIC MICHAEL FENSTERMAKER

YOU ARE ORDERED to appear for a hearing before Bruce Smith, 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.

Date: Aug. 18, 1992 BY THE COURT:
Anthony J. Vardaro, J.

Aug. 21, 1992 copy to B. Walton & Dft.

Sept. 3, 1992 Affidavit of Service filed. And Now, September 2, 1992, comes Lisa M. Sherretts, secretary to Barbara J. Walton, Esq., and avers as follows:

1. A true and correct copy ofthe Complaint for Custody was mailed to the defendant via certified Mail, return receipt on August 20, 1992.

2. That the Defendnat signed the return card on August 22, 1992 and in accordance with Pa. r.C.P. 412 service of the Complaint was made as is evidenced by the United state Postal Service REturn Receipt (Certified No. P 899097885) 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. Lisa M. Sherretts

Sept 22, 1998 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 9/3/1992. 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 objectioins 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.

Date: Sept 22, 1998 Anthony J. Vardaro, J.

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.

1992

Mayerson, Munsing, Corchin, Rosato & Ostroff, P.C. Jonathan Ostroff 773	MILDRED FOX and JANE FOX vs. JOHN DOE Filed Aug. 19, 1992 @ 11:50 a.m. Tax & Entry Pd 50.50 User's Fee Pd 5.00	PRAECIPE FOR SUMMONS issued atty

774

PETITION FOR INVOLUNTARY TREATMENT
of
RAYMOND FILLAK

Filed Aug. 19, 1992

INVOLUNTARY TREATMENT PETITION

Aug. 19, 1992 PETITION FOR INVOLUNTARY TREATMENT, filed.

Sept. 2, 1992 REPORT OF MENTAL HEALTH REVIEW OFFICER and ORDER filed. ORDER: And now, Sept. 2, 1992, upon consideration of the petition filed at the above number and term, and other relevant matter, and after a review of the report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said Raymond Fillak be committed to Warren State Hospital for treatment for a period not to exceed 90 days.

This order shall take effect on Sept. 8, 1992.

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

Sept. 4, 1992 copy to MH/MR, Barrett, WSH

Dec. 8, 1992 PETITION FOR INVOLUNTARY TREATMENT, filed.

Jan. 8, 1993 REPORT OF MENTAL HEALTH REVIEW OFFICER and ORDER filed. ORDER: And now, Jan. 7, 1993, upon consideration of the petition 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 Raymond Fillak be committed to Warren State Hospital for treatment for a period not to exceed 180 days.

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

Jan. 13, 1993 cooy to Barrett, MH/MR, WSH

July 6, 1993 Petition For Involuntary Treatment, filed.

July 20, 1993 Report of Mental Health Review Officer and Order, filed. ORDER: And now, July 19, 1993, upon consideration of the petition filed at the above number and term, and other relevant matter, and after a review of the report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED tht the said Raymong Fillak be committed to Warren State Hospital for treatment for a period not to exceed 180 days.

This ordr shall take effect on this date.

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

July 27, 1993 copy to Barrett, WSH, MH/MR

Dec. 29, 1993 Petition For Involuntary Treatment, filed.

Jan. 27, 1994 Report of Mental Health Review Officer and Order, filed. ORDER: AND NOW, this 26th day of January,1994, upon consideration of the Petition filed at the above number and term, and other relevant matter, and after a review of the Report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said Raymond Fillak be committed to the Warren State Hospital for treatment for a period not to exceed 180 days from January 19,1994.

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

Jan. 28, 1994 copy to Barrett, Africa, WSH, MH/MR

Jul. 11, 1994 Mental Health Procedures Act of 1976 (Sections 304 and 305), filed.

July 27, 1994 Report Of Mental Health Review Officer and Order, filed. And now, July 27, 1994, upon consideration of the petition filed at the above number and term, and other relevant matter, and after a review of the report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said Raymond Fillak be committed to Warren State Hospital for treatment for a period not to exceed 180 days.

This order shall take effect on N/A.

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

Aug 2, 1994 copy to Barrett, WSH, MH/MR

Dec. 28, 1994 Petition for Involuntary Treatment. Mental Health Procedures Act of 1976 (Sections 304 and 305) filed.

Jan. 27, 1995 Report of Mental Health Review Officer and Order, filed. And now, January 27, 1995, upon consideration of the petition filed at the above number and term, and other relevant matter, and after a review of the report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said Raymond Filliak be committed to Warren State Hospital for treatment for a period not to exceed 180 days.

This order shall take effect on N/A.

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

Jan. 27, 1995 copy to WSH, MH/MR, Barrett

Jun. 26, 1995 Mental Health Procedures act of L976 (Sections 304 and 305), filed.

Jul 26,1995 Report of Mental Health Review Officer and Order, filed. And now, July 26th 1995 upon consideration of the petition filed at the above number and term, and other relevent matter, and after a review of the report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said Raymond Fillak be committed to Warren State Hospital for treatment for a period not to exceed 180 days.

This order shall take effect on N/A.

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

July 26, 1995 copy to WSH, MH/MR & Barrett

Dec 27, 1995 Mental Health Procedures Act of 1976 (Sections 304 and 305), filed.

Jan 26, 1996 Report of Mental Health Review Officer and Order of January 25, 1996 committing Raymond Fillak to Warren State Hospital for treatment for a period not to exceed 180 days from January 9, 1996.
Jan 26, 1996 sent Africa, MH/MR, WSH

7-15-96 Mental Health Procedures Act of 1976 (Sections 304 and 305) filed.

Continued on Page 477

1992

Culbertson, Weiss,
Schetroma & Schug
John B. Brautigam

775

ERIE INSURANCE EXCHANGE

vs.

MARK McSWEENEY

Filed Aug. 19, 1992
@ 4:00 p.m.

Tax & Entry Pd	50.50
User's Fee Pd	5.00
sherif fs costs	31.00

PRAECIPE FOR ISSUANCE OF WRIT OF SUMMONS
issued Sheriff

Aug. 25, 1992 Writ returned. NOT FOUND as to defendant Mark McSweeney. He moved to 179 Walker Drive, Meadville, Pa. and has previously moved from that address. Post Office has no forwarding address.
So answers, Robert M. Stevens, sheriff

Sept. 18, 1992 Writ Reissued.

Feb. 22, 1993 SHERIFF'S RETURN filed. Summons returned to Prothonotary Feb. 22, 1993. Sheriff's Office received no instructions for service or advance costs for service.
So answers, Robert M. Stevens, Sheriff

1992

William J. Gregg	COLLEEN DIANN ROACH	COMPLAINT IN DIVORCE, CHILD CUSTODY, SUPPORT AND EQUITABLE DISTRIBTION
776	vs.	Aug. 24, 1992 AMENDED COMPLAINT IN DIVORCE AND NOTICE TO THE DEFENDANT, filed. 1 copy (atty)
	STEVEN PATRICK ROACH	Feb. 3, 1993 Complaint Reinstated. Mar. 11, 1993 Complaint Reinstated. Mar. 12, 1993 Complaint Reinstated. May 13, 1993 Complaint Reinstated.
	Filed Aug. 20, 1992 @ 11:00 a.m.	
	Tax & Entry pd 50.50 User's Fee pd 15.00 State Pd 10.00 2 add'l counts Pd 30.00 Pro Co Pd. 8/16/93 9.00	June 8, 1993 Affidavit of Service filed: Steve Gibson, being first duly sworn, deposes and says; that he is, and was at all times hereinafter mentioned, a duly appointed, qualified and acting Deputy Sheriff in and for the county of Clark, State of Nevada, a citizen of the United States, over the age of twenty-one years and not a party to, nor interested in, the above entitled action; that on the 26th day of May, 1993, at the hour of 9:25 a.m affiant as such Deputy Sheriff served a copy of Notice to the Defendant, Amended Complaint under Sect. 3301C or 3301D of the divorce code, Notice to Defendantissued in the above action upon Steven Patrick Roach, the defendant named therein, by delivering to and leaving with said defendant, personally at Cosmo's Italian Restaurant, 32 E. Fremont St., Las Vegas, within the County of Clark, State of Nevada, said copy of same as above. Dated this 28th day of May, 1993. Steve Gibson, Deputy Sheriff July 16, 1993 Moiton For Withdrawal of Counts and Order filed. AND NOW, this 13th day of July, 1993, the herein Motion is granted. By theCourt, Gordon R. Miller, J July 19, 1993 Copy of order to Atty. Gregg Aug. 16, 1993, UPon praecipe of plaintiff attorney, with Notice of intention and defendant's counter-affidavit (and Service) attached, with praecipe for review, this case moved to court. DIVORCE DECREE FILED Aug. 24, 1993 AND NOW, August 23, 1993, it is ordered and decreed that COLLEEN DIANN ROACH, plaintiff, andSTEVEN PATRICK ROACH, defendant, are divorced from the bonds of matrimony. The court retains jurisdiction of any claims raised by the parties to this action for whicha final order has nto yet been entered. BY THE COURT: Anthony J. Vardaro, J.

1992

James R. Irwin
Cathy M. Lojewski

777

WILLIAM P. LYONS

vs.

LINDA L. LYONS

Filed Aug. 20, 1992
@ 11:57 a.m.

Tax & Entry Pd	50.50
User's Fee Pd	10.00
State Pd	10.00
1 Add'l Count Pd	15.00
1 Add'l Count pd 9-21-92	15.00
State pd 9-21-92	5.00
Pro Co. pd. 10-28-94	9.00

COMPLAINT UNDER SECTION 3301(d) OF THE DIVORCE CODE AND EQUITABLE DISTRIBUTION OF MARITAL PROPERTY
3 copies (atty)

Aug. 20, 1992 AFFIDAVIT UNDER SECTION 3301(d) OF THE DIVORCE CODE, filed.

Sept. 21, 1992 Petition for Related Claims Under Divorce Code - Alimony, Alimony Pendente Lite, Attorney's Fees, Costs and Expenses, filed.

May 27, 1994 Upon praecipe of Shafer, Swick, Bailey, Irwin & Stack, By James R. Irwin,Attorney, appearance for plaintiff,filed.

Sep.16, 1994 Affidavit of Service filed. Sandra K. Batista, being duly sworn, deposes and says: That a true and attest copy of the complaint in Divorce was served upon the Defendant Linda L. Lyons at 118 West Main Street, Apt. 4, Titusvillle, PA 16354 by United States Mail,Certified Mail, REstricted Delivery, REturn REceipt requested,on September 3, 1992. Defendant Linda L. Lyons personally accepted service of theComplaint in Divorce on September 5, 1992 as evidenced by the attached receipt.
September 12, 1994 Sandra K. Batista

Oct. 28, 1994 Upon Praecipe of plaintiff attorney for Review under Section 3301(d) of Divorce Code , case moved to court.

DIVORCE DECREE FILED

Nov. 2, 1994 AND NOW, this 2nd day of November, 1994, it is ordered and decreed that WILLIAM P. LYONS, plaintiff, and LINDA L. LYONS, Defendant, are divorced from the bonds of matrimony.

It is further ordered that the parties ' Separation and Property Settlement Agreement dated August 5, 1994, 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.

Oct.11, 1995, Affidavit of Consent of defendant filed.

328

1992

Dunlavey, Ward & Pagliari
Robert C. Ward
Raymond A. Pagliari

778

Thomas,Truax,Spadafore
& Walker
R. Charles Thomas

DENNIS R. ERIE

vs.

BRIAN C. MONAGHAN

Filed Aug. 20, 1992
@ 12:03 p.m.

Tax & Entry Pd	50.50
User's Fee Pd	5.00
Sheriff's Costs	46.00
Pro Co pd 10-7-93	6.00

COMPLAINT
2 copies (atty)

Sept. 29, 1992 Sheriff's Return filed. SERVED the within Comp. on 9-10-1992, at 1:10 P.M., upon Brian C. Monaghan at above address by handing to Tracy Winterhalter person in charge a true and correct copy thereof and made known to her the contents therein.
So answers, Eugene L. Coon Sheriff
I hereby deputize the Sheriff of allegheny County, Pennsylvania to serve the within Complaint according to law.
So answers, Robert M. Stevens, Sheriff

Oct. 26, 1992 Appearance of Thomas, Truax, Spadafore & Walker by R. Charles Thomas, Esquire for Brian C. Momaghan, Defendant.

Nov. 6, 1992 Preliminary Objections filed.

Nov. 30, 1992 AMENDED COMPLAINT, filed.

Dec. 24, 1992 Notice of Default filed.

Dec. 29, 1992 Answer to Amended Complaint and New Matter filed.

Jan. 19, 1993 Reply To New Matter filed.

Mar. 30, 1993 Notice of Service of Interrogatories, filed.

July 6, 1993 Motion to Disqualify R. Charles Thomas, Esquire and the Lawfirm of Thomas, Truax, Spadafore & Walker as Defense Counsel and Order, filed. ORDER: AND NOW, this 6th day of July, 1993, upon consideration of the Motion to Disqualify, a Rule is hereby issued upon defense counsel to show cause why the requested relief should not be granted.

RULE RETURNABLE the 16th day of July, 1993 at 10:15 a.m. befor the Honorable Gordon R. Miller, P.J.
BY THE COURT,
Anthony J. Vardaro, J.
July 8, 1993 copy to R. Ward & R.C. Thomas

July 16, 1993 Answer to Motion toDisqualify Counsel filed.

July 20, 1993 ORDER filed. AND NOW, July 16, 1993, after informal hearing and argument with regard to the Plaintiff's Motion to Disqualify R. Charles,Thomas in the law firm of Thomas, Truax, Spadafore and Walker, and it now appearing that the last time the plaintiff consulted with David Truax, Esquire of that law firm was approximately seven years ago on an unrelated matter, the plaintiff's motion is DENIED insofar as we so not find that there is a conflict of interest with respect to a former client within the meaning of Rule 1.0.
BY THE COURT,
Anthony J. Vardaro, J.
July 21, 1993 copies dist to Truax, Thomas, & Pagliari

Oct. 4, 1993 Upon praecipe of plaintiff's attorney the above-captioned matter is settled and discontinued of record.

1992

Ferguson & Spataro
John F. Spataro

779

Peters, Lindsay,
Lewis & Gagliotti
Brian J. Lindsay

DIANA R. STRAUB

vs.

TRAVIS Q. STRAUB

Filed Aug. 20, 1992
@ 1:07 p.m.

Tax & Entry Pd	50.50
User's Fee Pd	5.00
State Pd	10.00
1 Add'l Count pd	15.00
User's Fee paid	5.00
Pro. Co. pd 9/30/93	9.00

COMPLAINT IN DIVORCE
1 copy (atty)

Feb. 1, 1993 Affidavit of Consent of Plaintiff filed.

Feb. 3, 1993 Affidavit of Consent of Defendant filed.

Mar. 1, 1993 Answer To Complaint Counterclaim for Equitable Distribution filed.

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 Defendant, and that as such I am authorized to make this verification; that I did on the 28th day of June, 1993, send to the above named Plaintiff's attorney, John F. Spataro, Esquire, by First Class Mail, a true and correct copy of the Answer to Complaint filed at the above term and number.

Aug. 23, 1993, Affidavit of Consent of Plaintiff filed

Sep. 23, 1993 Consent Custody Order and ORDER filed. AND NOW, uponpresentation and consideration of the foregoing, and the parties hereto having executed same, the foregoing agreement is entered as an Order of this Court.
September 21, 1993 BY THE COURT:
Gordon R. Miller, J.
9-30-93 Copy of Order to Attys. Spataro & LIndsay

Sep. 30, 1993 Stipulation filed.

Sep. 30, 1993 Upon Praecipe of Brian J. Lindsay, Esquire, Attorney for Defendant to transmit record, case moved to Court.

DIVORCE DECREE FILED

Oct. 8, 1993 CONSENT DECREE filed. AND NOW, this 8th day of October, 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 parties, on the groudns 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 field 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.

2. Equitable Property Determination and Distribution

Personalty

The wife shall have sole and exclusive possession of any and all furnishings, appliances and personalty currently in her possession and husband shall have sole and exclusive possession of any and all furnishings, appliances and personalty currently in his possession.

Profit Sharing and Deferred Salary

Wife, Diana R. Straub, shall be entitled to receive an amount equal to one-half (½) of Husband's profit sharing and salary deferral by Husband's employer, Dad's Products Company of Meadville, PA. as of Dec. 31, 1992. The combined one-half (½) values of the profit sharing and salary deferral plans equals $15,852.15. The parties shall cooperate with Dad's Products Company, Inc. in the preparation and execution of a Qualified Domestic Relations Order (QDRO) that satisfies Dad's Products and that directs payment of the above recited amount and that is consistent with this Decree.

Dad's Products Company of Meadville, PA. shall calculate the correct amount and shall issue a check payable to Diana r. Straub for her share of the profit sharing plan and salary deferral plan, and said check shall be sent directly to Diana R. Straub at her address which is 1046 Wickford Court, Chesapeake, Virginia, 23320.

Husband shall also pay all taxes or penalties on whatever amounts are paid to Wife, and Husband shall execute any and all documents necessary to accomplish the above payment to Wife. Original copies of the QDRO, executed by the attorneys for the parties shall be submitted to this Corut for review and signature with one original copy becoming a part of the permanent record in this case.

Liabilities

Wife agrees to hold Husband harmless and indemnify him from any and all liabilities arising from any obligations or debts owed to the Meadville Medical Center, Mahoning National Bank and AVCO Consumer Discount Company.

Further, Wife shall hold husband harmless and indemnify him from any and all liabilities incurred by Diana Straub since July 1, 1992 to the present and Diana Straub shall assume liabilitiy for an indemnify Husband from all liabilities arising from uninsured medical or dental costs expenses incurred prior to July 1, 1992.

Child Custody

This has been resolved through the entry of a consent order on Sept. 23, 1993.

BY THE COURT:
Gordon R. Miller, J.

Oct. 21, 1993, QUALIFIED DOMESTIC RELTATIONS ORDER CONCERNING PROFIT SHARING AND SALARY DEFERRAL AND ORDER filed. ORDER: IT IS SO ORDERED this 18th day of Oct. 1993.
Gordon R. MIller, J.
Dated 10/12/93

Oct. 28, 1993, copies to Attys. John Spataro and B. LIndsay.

330

1992

Robert J. Felton

780

KIMBERLY J. BERNARD

vs.

RANDALL L. BERNARD

Filed Aug. 21, 1992
@ 9:08 a.m.

Tax & Entry	pd	50.50
User's Fee	pd	5.00
State		10.00
Pro Co	pd 10-15-92	9.00

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

Sept. 11, 1992 Affidavit of service filed. I, Robert J. Felton esquire, Attorney at Law, 144 West Spring STreet, Titusville, Pennsyvlania, do hereby certify that, in my capacity as attorney for the Plaintiff in the above-captioned matter, served a certified copy of the Divorce Complaint in this matter on August 22, 1992, by sending defendant the same by certified mail No. P 327 536 205, return receipt requested. A complaint was mailed to the defendant on Friday, August 21, 1992, as reflected in the receipt for mailing and the return receipt attached hereto. Robert J. Felton

Oct 15, 1992 Upon praecipe of Plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

AND NOW, Oct. 22, 1992, it is ordered and decreed that **KIMBERLY J. BARNARD**, plaintiff, and **RANDALL L. BERNARD**, 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.

1992

William J. Gregg
Kathleen R. Nelson

781

JEFFREY R. WILLISON

vs.

JEANETTE M. WILLISON

Filed Aug. 21, 1992
@ 10:18 a.m.

Tax & Entry	pd	50.50
User's Fee	pd	15.00
State	pd	10.00
2 add'l counts	pd	30.00
Pro Co	pd 10-28-93	9.00

COMPLAINT UNDER SECTION 3301(c) OF THE DIVORCE CODE, EQUITABLE DISTRIBUTION AND CUSTODY
1 copy (atty)

Sept. 2, 1992 AFFIDAVIT OF SERVICE filed. Kathleen R. Nelson, Esq. being duly sworn according to law, deposes and says that the following facts in support of her Affidavit of Service are true and correct to the best of her knowledge, information and belief:

1. That the Affiant is the Attorney for the Plaintiff in the above-captioned action.

2. That a true and correct copy of the Complaint in Divorce and Notice ot Defend were sent by certified mail to the Defendant, Jeanette M. Willison, on Aug. 24, 1992.

3. The registered mail was sent to Jeanette M. Willison at c/o Corwin Crego, Box 705, Centerburg, Ohio 43011. The sender's receipt is attached hereto.

4. That the Defendant received said certified mail on Aug. 26, 1992. Said Return Receipt card P 360 670 051 is attached hereto, signed by Jeanette M. Willison, and made a part hereof.

Sept. 3, 1992 Stipulation and Consent Custody Order filed. AND NOW, this 2nd day of September, 1992, upon Stipulation of the parties to this action, the following Order is her eby entered.

1. Legal custody of JOEL J. WILLISON and SARA M. WILLISON shall be shared between the parties hereto, with each parent entitled to records relating to the children held by a third party including, but not limited to , school and medical records. Both parents shall be entitled to equal input with regard to the health, education, relgious instruction, and other important decisions regarding the children.

2. Physical custody of Joel J. Willison and Sara M. Willison, shall be with their mother Jennette M. Willison, subject to the following conditions:

a) The father shall be entitled to reasonable visitation rights, including overnight visits, holiday visits, weekend visits and extended summer visits, as agreed upon from time to time between the father and the mother.

b) This order is entered without prejudice to the right of either pa rty to request a mediation conference at some time in the future for the purpose of obtaining a more specific visitation s chedule between the children and the children's father.

3. Neither of the parents shall do or say anything in an attempt to turn the children ag ainst the other parent, but on the other hand shall do everything on the power of ea ch to foster a favorable and loving attitude on the part of the chidlren towards both parents.

4. Neither father nor mother shall expose the chidlren to any pe rson or situation which may be harmful to the children's health or well being.

5. Both parents agree to inform the other immediately of any serious illness or injury affecting the children.

BY THE COURT,
Gordon R. Miller, J

sept. 9, 1992 Copy of order put in box for atty. Nelson

Oct. 6, 1993 Affidavit of Consent of Defendant filed.

Oct. 6, 1993 Affidavit of Consent of Plaintiff filed.

Oct. 15, 1993 Motion for Withdrawal of count in Divorce and ORDER filed. AND NOW, this 15th day of October, 1993, the above Motion is granted.

Gordon R. Miller, J.

Oct. 25, 1993 Copy of Order to Atty. K. Nelson.

Oct. 28, 1993 Upon praecipe of plaintiff's attorney to transmit records, case moved to Court.

DIVORCE DECREE FILED

Nov. 8, 1993 AND NOW, November 5, 1993, it is ordered and decreed that JEFFREY R. WILLISON, Plaintiff, and JEANETTE M. WILLISON, Defendant, are divorced from the bonds of matrimony.

The court retains jurisdictions 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.

pro se

782

Christopher Brode

LESLIE TAR

vs.

SHIRLEY M. MANROSS
CHARLES N. MANROSS

Filed August 21, 1992 @ 11:15 AM

Tax & Entry	50.~~50~~ 25
User's Fee	5.00
Sheriff's Costs	30.00
Arb paid 10/28/93	15.00

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

Aug. 21, 1992 Rule entered upon Plf. to file Complaint issued.

Aug. 21, 1992 AFFIDAVIT TO PROCEED IN FORMA PAUPERIS, filed.

Aug. 24, 1992 Proof of Service of Notice of Appeal and Rule to File Complaint filed.

Aug. 27, 1992 Complaint filed.

Oct 2, 1992 DEFENDANT'S ANSWER AND NEW MATTER TO PLAINTIFF'S COMPLAINT, filed.

Mar. 9, 1993 Notice of Deposition of Brad Hughes, filed.

May 7, 1993 Upon praecipe of plaintiff, Writ to join add'l. defendant filed.

May 25, 1993 SHERIFF'S RETURN filed. SERVED Charles Manross personally on May 24, 1993 at 2:45 PM by handing a copy of the Writ to Join Additional Defendant to him in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, Pa.
So answers, Carole Stefanucci, Deputy Sheriff
Robert M. Stevens, Sheriff

June 4, 1993, Complaint Against Additional Defendant Charles N. Manross filed.

July 6, 1993, Motion for summary Judgment filed.

July 12, 1993 Upon Praecipe of Leslie Tar, M.D., Plaintiff, the above captioned matter is placed on the next available Argument List.

ON AUGUST, 1993 ARGUMENT LIST

Aug. 30, 1993 Plaintiff's Answers To New Matters Brought Forth by Defendant filed.

Sep. 17, 1993 Memorandum and ORDER filed. AND NOW, September 17, 1993, it is ordered as follows:
1.Plaintiff;s motion for summary judgment is denied in its entirety.
2.The plaintiff's complaint to join Charles N. Manross is stricken for the reasons set forth in the attached memorandum.

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

9-20-93 Copies Dist. to Tar & Brode. 9-22-93 Copy mailed to Charles N. Manross

Oct. 28, 1993, Upon praeicpe of plaintiff, for reference to the arbitrators, the following arbitrators are appointed:
~~Alan Pepiceili, Esq~~ Glenn Thompson, ESq.
~~Russell Schetroma~~ William Pineo
~~Joan Mason~~ William Walker

Dec. 17, 1993 Arbitrators take qualifying oath.

Jan. 25, 1994 DECISION OF ARBITRATORS filed. And now, the 25th day of January, 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 FOR THE DEFENDANT.
Glenn Thompson, Chairman
William Walker
William Pineo

Jan. 28, 1994 Copies to Pltf., Atty.Brode.

1992

Greenlee, Derrico, Posa & Rodgers Belinda Dunmire Attwood	VERMANDER-JASLOW, INC.	COMPLAINT IN CIVIL ACTION 1 copy Sheriff
783	vs.	Sept. 16, 1992 Sheriff's Return filed. NOT FOUND as to Defendant C & K Well Management, Inc. Several attempts were made to the James Simmons residence, RD # 1, Box 143A, Titusville, Crawford County, PA. On Sept. 16, 1992, a neighbor telephoned the Sheriff's Office and reported that James Simmons was possibly in Florida and would not return for another month. So answers, Robert M. Stevens, Sheriff
	C & K WELL MANAGEMENT, INC. Filed Aug. 21, 1992 @ 1:45 p.m. Tax & Entry pd 50.50 User's Fee pd 5.00 Sheriff's costs 50.00	

1992

Ely & Smith
Edwin R. Smith

784

JADE STERLING STEEL CO.

vs.

LINDERSON, INC.

Filed Aug. 21, .1992
@ 1:56 p.m.

Tax & Entry pd	50.50
User's Fee pd	5.00
sheriffs costs	42.00
Pro Co pd 12/24/92	9.00

COMPLAINT
1 copy Sheriff

Aug. 27, 1992, sheriffs return filed. SERVED Linderson, INc. Aug. 24, 1992, at 2:43 p.m. by handing a copy of the complaint to Robert stamp, Pres. of Linderson Inc. at his place ofresidence, 736 North Perry st. titusville, Crawford County, Pa.
So answers, dale a. collins, dep. sheriff
Robert M. stevens, Sheriff

Sept. 16, 1992 Default Notice filed.

Dec. 24, 1992, 11:37 a.m., AND NOW upon Praecipe of Plaintiff Attorney, with copy of Notice of Intention to file default judgment attached, judgment is hereby entered in favor of plaintiff and agaisnt Defendant for failure to file an answer and damages are assessed as follows: Principal balance due, Three thousand one hundred thirty-one and 00/100 together with interest and costs of suit.

Debt $3,131.00
L-183 Judgment
Judgment entered 12/24/92 Barbara H. King, Pro.
Dec. 30, 1992 Notice of entry of judgment to Defendant.

EX1993-18

785

PATRICIA A. VANDERHOOF

vs.

DONALD L. VANDERHOOF

Filed Aug. 21, 1992
@ 2:42 p.m.

Tax & Entry Pd 8-27-92 50.50
User's Fee Pd 8-27-92 5.00
Sheriff's Costs 25.00
Pro Co Pd 8-27-92 9 cy

Received from defendant 8-27-92 Sheriff $25.00 Costs

Paid Sheriff 8-28-92 Ck # 700 25.00

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

ORDER:

And now, this 21st day of August, 1992, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions:
The Plaintiff shall have possession of the marital residence and custody of the minor 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 of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for August 27, , 1992 at 3:30 P. M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

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

August 25, 1992 Sheriff's Return filed. SERVED Donald L.Vanderhoof personally on August 21, 1992 at 3:40 PM by handing a copy of the Protection from Abuse to him at his residence, R.D.#5, Box 178, Dutch Hill Road, Meadville, Crawford County, PA.
So ansers,
Dale A. Collins, Deputy Sheriff
Robert M.Stevens, Sheriff

Sept. 1, 1992 ORDER filed. AND NOW, Aug. 27, 1992, this matter is before the Court on plaintiff's Petition for Relief Under the Protection From Abuse Act.

Both parties appear with counseland the Court is advised that there is an agreement 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 the minor natural child or step-child named in the petition.

2. The defendant shall not go to the plaintiff's residence which is the marital residence in which the plaintiff is granted possession during the term of this Order except that the defendant may go for the purpose of exchanging custody of the child of the parties as set forth in this Order.

In all other respects, the defendant is cautioned that if he shall go to the marital home for any other reason even upon invitation of the plaintiff, it shall be presumed that he is in violation of this Order. If he wishes to go to the marital residence upon invitation of the plaintiff, he should petition the Court for a modification of this Order before doirg so.

3. The plaintiff shall have temporary primary custody of the minor child Evan pending any further Order of Court, with the defendant to have partial custudy of the said minor child each month for the second, third and fourth full weekend of such month starting with Friday, August 28, 1992.

Said weekends shall begin on Friday at 4:00 p.m. and end on Sunday at 4:00 p.m.
Additionally, the defendant shall have partial custody each Tuesday beginning Sept. 1, 1992 at 4:00 p.m. until 8:00 p.m.

For such visitations, whether they be weekends or week days, the defendant shall be responsible for providing all transportation and may go to the marital residence for the purpose of picking up the child and returning the child with respect to each such visit.

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 plaintiss 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. Costs in this matter in the amount of $89.50 shall be paid by the defendant forthwith.

8. This Order shall remain in full force and effect through August 26, 1993.

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

Sept. 1, 1992 Copy of Order mailed to PASP; copy given to Attys. Barbara Walton,Gerald Sullivan and County Control.

Aug. 17, 1993 Copy of Order Faxed to PASP.

786

REBECCA SCHRECKENGOST

vs.

WILLIAM SCHRECKENGOST

Filed Aug. 21, 1992
@ 2:52 p.m.

Tax & Entry Pd 8-28-92 50.50
User's Fee Pd 8-28-92 5.00
Sheriff's Costs 25.00
Pro Co. 8-28-92 Pd 9.00

Received from deft 8-28-92 Sheriffs Costs 25.00

8-28-92 Paid Sheriff 25.00 Ck # 7011

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

ORDER:

And now, this 21st day of August, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions:
The Plaintiff shall have custody of the minor girls 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 of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for August 27 , 1992 at 3:30 P. M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

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

Aug. 25,1992 Sheriff's Return. SERVED William Schreckengost personally on August 21, 1992 at 3:22 PM by handing a copy of the Protection from Abuse to him at his residence, 1201 South Main Street, Meadville, Crawford County, PA.
So Answers,
Dale A. Collins, Deputy Sheriff
Robert M.Stevens,Sheriff

Sept. 1. 1992 ORDER filed. AND NOW, Aug. 27, 1992, this matter is before the Court on plaintiff's Petition for Relief Under the Protection From Abuse Act.

The plaintiff appears represented by counsel and the defendant appears without counsel. He indicates that he understands his right to counsel and wishes to proceed and the parties have agreed to an Order without admission by the defendant or the allegations in the petition.

ACCORDINGLY, IT IS ORDERED as follows:

1. The defendant shall not assault, abuse, harass or threaten the plaintiff or any of the minor children named in the petition at any time or at any place.
2. The defendant shall not go to plaintiff's residence at any time. He is cautioned that if he is invited to plainiff's residence by the plaintiff, he shall not go to that residence because it shall be presumed that he is in violation of this Order if he is at plaintiff's residence even upon invitation unless or until this Order is modified. Therefore, he should seek a modification of this Order if he is invited to the plaintiff's residence before doing so.
3. The plaintiff shall have temporary physical custody of the minor children named in the petition pending further Order of this Court in this action or any other action.
4. The plaintiff may go to the former marital residence at 1201 South Main St. at Noon on Aug. 28, 1992 to remove personal belongings of hers and the children and the defendant shall in no way harass her in her efforts to do so.
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. A copy of this Order shall be delivered to the Police Departments in the jurisdiction where the plaintiff resides and to County Control. Additionally, the Prothonotary shall send a copy of this Order to the defendant by regular mail at 897½ Market St., in the City of Meadville.
7. The defendnat 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 costs in this matter in the amount of $89.50 by the close of business of the Prothonotary of Crawford County on Aug. 28, 1992.
9. This Order shall remain in full force and effect through Aug. 26, 1993.

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

Sept. 1, 1992 Copy of Order mailed to Meadville Police Dept., defendant; copy given to County Control and Atty. Sullivan.

1992

Thomas, Truax
Spadafore & Walker
Gregory A. Keenan

787

TIMOTHY BOSSARD

vs.

CINDY WAID

Filed Aug. 21, 1992
@ 3:52 p.m.

IN FORMA PAUPERIS

COMPLAINT FOR PARTIAL CUSTODY
1 copy (atty)

Aug. 21, 1992 Petition to Proceed in Forma Pauperis and Order filed. ORDER: AND NOW, upon presentation and consideration of the within Petition, the Plaintiff is authorized to proceed with this Complaint For Partial Custody In Forma Pauperis.
Aug. 19, 1992 By The Court,
Anthony J. Vardaro, J.
Aug. 24, 1992 copy to G. Keenan

Oct.6, 1992 Petition for Entry of Agreement and Consent Custody Order filed. AND NOW, this 8 day of October, 1992, the Court orders as follows:

Timothy Bossard and Cindy Waid, 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, Pennsyvlania, shall 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 that each is aware of their right to confer with independent legal counsel for review of this matter, prior to entry into agreement, stipluation and court order.

1. The parties, Timothy Bossard (father)and Cindy Waid. (mother), are the natural parents of the minor child, Timothy Bossard,age two.

2. The parties agree that primary physical custody of the minor child shall be with his mother.

3. The parties agree that the father shall have partial custody of the minor child as follows:

(a) Father shall have the right of partial custody of the minor child on Thursday of each week. In the event that the father obtains full time employment that requires him to work on each Thursday, the Father shall have the right of partial custody with the minor child on one day per week, with said day being either Saturday or Sunday of each week as is mutually agreed upon between the parties.

(b) Father's partial custody of the minor child will occur between 9:00 a.m. and 9:00 p.m. If Father is 30 minutes late for his scheduled visit, the visit shall be deemed forfeited and no alternative visit shall be scheduled.

(c) The parties agree that they will confirm which day the father shall have partial custody no later than 6:00 p.m. Thursday of each week preceeding a visitation scheduled to take place either on a Saturday or a Sunday, as is provided for in 3 (a).

(d) The parties agree to alternate holidays with the minor child with the exception of Thanksgiving, Christmas and Easter. On these holidays, the father will be entitled to exercise his partial custody of the minor child between the hours of 10:00 a.m. and 3:00 p.m. on each of the aforereferenced holidays. The remaining holidays with the minor child will be alternated between the parties. Since the next holiday to be observed is Labor Day, the parties shall agree as to which parent shall spend Labor Day with the minor child and the parent who does not spend Labor Day with the minor child shall spend the next upcoming holiday with the minor child. The parties will continue to alternate holidays as they arise subject to changes in the rotation arrived at my mutual agreement. The Father's visitation hours shall be from 9:00 a.m. to 6:00 p.m.

(e) The above mentioned holiday visitation schedule notwithstanding, the minor child shall spend Father's Day with his fat her from 9:00 a.m. to 9:00 p.m. and Mother's Day with his mother during the samehours.

(f) 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.

(g) Neither party shall use illegal drugs or be under the influence or alcohol at any time when said party has the care and custody of the subject minor child. Father agrees that he shall consume no alcoholic beverages of any type within eight hours prior to the next scheduled visitation period. 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 in which the child is being transported or in the bedroom of the child.

(h) Father agrees to provide mother with a current phone number and address where he is residing so that contact between the parties may be readily made in the event of an emergency and/or to discuss visitation. This shall be provided before any visitations take place.

(i) Any person transporting the child shall make sure that seatbelts or other restraints are used in accordance with the law of Pennsylvania. The father agrees to pick up the minor child at mother's residence at the onset of any period of partial custody. Mother agrees to pick up the minor child from fat her's residence or father's parents' residence at the end of any period of partial custody of the child with father. Father agrees that he may only pick up or otherwise transport the minor child while he is in possession of a valid Pennsylvania driver's license, another responsible adult, accompanied by father, shall be authorized to pick and otherwise transport the minor child.

(j) 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 to do likewise and also not to disparage the other party in the child's estimation.

(k) 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 arrangments shall be by mutual consent only, in the absence of which this Consent Order shall govern,

By the Court
Anthony J. Vardaro, J.

Oct. 6, 1992 Copy of the Order to Gregory A. Keenan, Esquire

1992

Donald E. Lewis

788

WILLIAM FRANK RIORDAN

vs.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

Filed Aug. 21, 1992
@ 3:51 p.m.

Tax & Entry	pd	50.50
User's Fee	pd	5.00
Pro.Co. pd 1/12/93		30.00
User's fee pd		5.00

PETITION FOR WRIT OF SUPERSEDEAS
4 copies (atty)

Aug. 21, 1992 Motion and Order filed. ORDER: AND NOW, this 20th day of August, 1992, upon Motion by the Appellant, a hearing is set on said Appeal for the 10th day of December, 1992, at 9:00 a.m. in Courtroom No. 1 or 2 of the Crawford County Courthouse, Meadville, VPa.

Further, notice of said Appeal and of this Order of Court are tobe given forthwith by Appellant's attorney to the appropriate representatives of the Appellee by forwarding a true and correct coy fo same to the Appellee by First Class, U.S. Mail, postage prepaid.

Finally, said Appeal shall act as a superseadeas to Appellee's suspension of Appellant's operating privileges.

BY THE COURT,
Anthony J. Vardaro, J.

Aug. 24, 1992 copy to D. Lewis & Dept. of Trans.

Aug. 21, 1992 Notice of Appeal of William Frank Riordan, filed.

Dec 21, 1992 MEMORANDUM AND ORDER filed. ORDER: AND NOW, Dec. 21, 1992, the Appellant's petition for writ of supersedeas (appeal from license suspension) is denied and the one year suspension imposed by the Department of Transportation is affirmed. William Frank Riordan, the Appellant, is directed to surrender his operator's license to the Department by mail not later than 31 days after the filing of this Memorandum and Order.

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

Dec. 21, 1992 copies mailed to Kuhar & given to Lewis

Jan. 12, 1993 Notice of Appeal, Order for Transcript, and Certificate of Service filed.

Jan. 29, 1993 Notice of Docketing Appeal Docket No. 0144 C.D. 1993 Filed Date: 1-12-93.

Feb. 23, 1993 Transcript of Proceedings at Time Of License Suspension Appeal filed.

Feb. 24, 1993 Notice of Filing of Transcript, filed.

Mar. 10, 1993 PETITION FOR WRIT OF SUPERSEDEAS and ORDER, filed. ORDER: AND NOW, March 8, 1993, upon presentation adn consideration of the foregoing petition, and appeal having been filed with the Commonwealth Court, said Appeal shall act as a supersedeas to Appellee's suspension of Appellant's operating privileges.

BY THE COURT:
Gordon R. Miller, J.

Mar. 11, 1993 copy to D. Lewis

Apr. 14, 1993 Certificate of Contents of Remanded Record and Notice of Remand Under Pennsylvania Rules of Appellate Procedure 2571 and 2572 (e) filed.

Apr. 14, 1993 Notice of the above-captioned matter has been withdrawn discontinued and ended, filed.

1992

Mary Ann Kirkpatrick
Ferguson & Spataro
John F. Spataro

789.

NATHAN D. DURHAM

vs.

DEBORAH L. DURHAM

Filed Aug. 21, 1992
@ 4:01 p.m.

Tax & Entry	paid	$50.50
state paid		10.00
state paid		5.00
Pro Co	pd 10-31-94	9.00
Pro Co	pd 5-10-95	5.00

COMPLAINT IN DIVORCE

1 copy (atty)

Mar. 15, 1993 Appearance of Mary Ann Kirkpatrick, Esquire for Nathan D. Durham, Plaintiff, filed.

Mar. 18, 1993 Affidavit of Service, filed. I, the undersigned, being duly sworn according to law, depose and say tht 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 Aug. 27, 1992. The Defendant acknowledged service on Sept. 2, 1992, by accepting delivery on that date as evidenced by the attached signed return receipt. John F. Spataro

Mar. 18, 1993 Affidavit of Consent of Plaintiff, filed.

AUG. 22, 1994, Plaintiffs Affidavit Under Section 3301(d) of the Divorce Code filed.

Oct. 27, 1994 Upon Praecipe of Plaintiff's 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: As to a 3301(d) divorce: There is no indication that the 3301(d) affidavit was properly served on the responding party.
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

Nov. 1, 1994 copies dist. to Kirkpatrick

Mar. 2, 1995 Affidavit of Service of 3301(D) Affidavit and Counter Affidavit, filed.

Mar. 22, 1995 Affidavit of Service filed. And Now, March , 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 Nathan D. Durham, Plaintiff in the above-captioned matter.
2. That on information furnished her by the Plaintiff, she caused the Notice of Intention to Request Entry of a Divorce Decree, the defendant's Counter-Affidavit and a copy of the Plaintiffs Affidavit Under Section 3301(d) of the Divorce Code to be forwarded by Certified Mail, P 100 657 066; postmarked March 10, 1995, to the last known address of the Defendant, Deborah L. Durham, P.O. box 494.
3. That the Defendant, Deborah L. Durham, on March 13, 1995, personally signed the return receipt card which was affixed to the above-mentioned documents in the above-matter and which is attached hereto.
4. Service of the documents against Defendant is therefore effected in accordance with Pennsylvania Rules of Civil Procedure. Constance L. Deitman

Apr. 13, 1995 UponPraecipe of Mary Ann Kirkpatrick, Esq. Attorney for Plaintiff, to transmit record, Case moved to Court.

DIVORCE DECREE FILED

April 27, 1995 AND NOW, April 26, 1995, it is hereby ordered and decreed that NATHAN D. DURHAM, Plaintiff, and DEBORAH L. DURHAM, 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.

May 10, 1995 Notice of Election to Retake Maiden Name, filed. **Deborah L. Durham** TO BE KNOWN AS: **Deborah L. Gunsallus.**

1992

790.

Paul D. Shafer

NIKI PEACE

vs.

DAVID JEWELERS

Filed Aug. 24, 1992
@ 11:35 a.m.

Tax & entry paid $50.25
state paid 5.00

APPEAL OF DEFENDANT FROM JUDGMENT OF MAGISTERIAL DISTRICT 30-3-02

Aug. 24, 1992, Rule entered upon plaintiff to file complaint issued.

Aug. 26, 1992, Proof of Service filed.

Sept. 14, 1992 Complaint filed.
Sept. 14, 1992 Certificate of Service filed. I, Niki Peace, do hereby certify that I have,this 9th day of September, 1992 served a true and correct copy of the within Complaint by United States First Class Mail, Certified Mail, Return Receipt Requested upon the Defendant as follows:

Niki Peace

Sept. 24, 1992 Preliminary Objections to Complaint and Demurrer-Failure to State a Cause of Action filed.

1992

Barbara J. Walton

791.

SUE ANN NESBITT

vs.

WILLIAM NESBITT

Filed Aug. 24, 1992
@ 12:23 p.m.

Tax & entry paid	$50.50
2 counts paid	30.00
state paid	15.00
state paid	10.00

COMPLAINT IN DIVORCE, CUSTODY, EQUITABLE DISTRIBUTION

2 copies (atty)

Sept. 28, 1992 Acceptance of Service filed. I accept service of the Complaint in Divorce on behalf of William Nesbitt and certify that I am authorized to do so.

William Nesbitt

Oct. 5, 1992 MOTION TO APPOINT CHILD CUSTODY MEDIATOR, PETITION FOR SPECIAL RELIEF and ORDER filed. ORDER: And now, October 5, 1992, the requested relief is granted as follows:

1. Temporary custody of the minor child, ERIN NESBITT is granted to the mother SUE ANN NESBITT. That there shall be no visitation with the father, WILLIAM NESBITT until further order of Court.

2. Pending mediation hearing and in view of the circumstances surounding the removal of the child from the Commonwealth of Pennsylvania, the parties are ordered that neither shall remove the child from the state. Violation of this Order could lead to sanctions for Contempt of Court or Arrest.

2. Attorney William Gregg, Esq. is ordered to either, hold the proceeds of the Teifer Avenue house located in Conneaut Lake, PA in escrow or in the alternative issue two equal checks, one to each party. Such disbursement to both parties will only occur if both agree. Otherwise Attorney Gregg shall hold the fund until further order of Court.

3. The Plaintiff shall deposit $150. with the Court Administrator forthwith. At which time a Custody Mediator shall be appointed.

4. If the Plaintiff desires Attorney's Fees further hearing shall be requested. Anthony J. Vardaro, J.

Oct. 6, 1992 copy to B. Walton & B. Gregg

Aug. 3, 1993 Motion to Dismiss and ORDER filed.AND NOW, this 2 day of August, upon consideration of the within Motion,the Plaintiff's request to dismiss is denied. Said Motion will be granted if the Plaintiff attaches Defendant's Consent as Required by Pa. Rules of Civil Procedure.

BY THE COURT,
Anthony J.Vardaro, J.

Aug. 4, 1993 Copy of Order to Atty. Walton & Defendant.

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 8/3/93 . 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

April 27, 1998 Motion To Maintain Open Status of Case and ORDER OF COURT filed. AND NOW, this 22 day of April, 1998, this case shall remain in good standing with the Court until further notice from Court unless the Defendant objects within the time provided by local rule.

By the Court
Anthony J. Vardaro, J.

April 28, 1998 DISTRIBUTED to Atty. Walton.

1992

Barbara J. Walton

792.

Thomas,Truax,
Spadafore & Walker
R. Charles Thomas

Peters,Lindsay,Lewis &
Gagliotti
Brian J. Lindsay

KENNETH KEBORT

vs.

KATHY J. KEBORT

Filed Aug. 24, 1992
@ 12:23 p.m.

Tax & entry paid	$50.50
2 counts paid	30.00
state paid	10.00
state paid	15.00
Pro Co pd 3-29-93	9.00

Pro Co Pd 10-26-93 ch#7895 9.00

William Pineo, Mediator

8-20-93 Received from dft $150.00 fined deposit

10-25-93 Pd dft Bal fined dept (chk to Lindsay) Ck# 7872 40.00

10-26-93 Pd Co Med Fee Ch# 7874 $10.00

12-21-93 Rec from Plff $5.00 fined fee

12-29-93 Pd Co #7983 51.00

COMPLAINT IN DIVORCE, CUSTODY, EQUITABLE DISTRIBUTION

2 copies (atty)

Sept. 9, 1992 AFFIDAVIT OF SERVICE, filed. And Now September 9, 1992 comes Barbara J. Walton and swears that a true and correct copy of the Complaint for Divorce, was personally served upon Defendant, Kathy J. Kebort, by me, pursuant to Pa. R.C. P. 400(b) on August 24, 1992.

Dec. 8, 1992, Affidavit of Consent of Plaintiff filed.

Jan. 13, 1993 Motion to Accept Property Settlement Agreement in Settlement of Claims For Custody and Equitable Distribution filed.

Jan. 13, 1993 MEMORANDUM filed. AND NOW, Jan. 8, 1993, the Court has before it a motion to accept property settlement agreement, etc. filed on behalf of the Plaintiff in this divorce action.

Essentially, the paraties have entered into a property settlement and consent agreement dated Aug. 26, 1992 which appears to resolve a custody dispute and an equitable distribution matter.

We note first of all the document does not clearly establish that the parties intended for it to be a Court order and secondly what the Plaintiff is asking for is essentially a bifurcation of these coutns from the divorce action. This is not the appropriate way to seek a bifurcation and the request will nto be granted.

Accordingly, we enter the following Order: AND NOW, Jan. 8, 1993, Plaintiff's motion to acept property settlement agreement, etc. is denied.

BY THE COURT:
Anthony J. Vardaro, J.

Jan. 13, 1993 Copy of Memorandum given to Atty. Walton.

Jan. 21, 1993 Motion To Set Hearing To Disqualify Attorney and ORDER filed. AND NOW, this 20th day of January, 1993, Motion allowed. Hearing to Disqualify Attorney is set for Feb. 23rd, 1993, at 9:00 a.m. o'clock in courtroom number 1 or 2 of the Crawford County Courthouse located in Meadville, PA.

By the Court:
Gordon R. Miller, J.

Jan. 22, 1993 Copy of Order to Attys. Barbara Walton and R. Charles Thomas.

Jan. 29, 1993 Answer to Motion for Disqualification filed.

Feb. 19, 1993 Motion To Continue Hearing to Disqualify Attorney and Order filed. And Now, February 19, 1993, Motion allowed. Hearing to Disqualify Attorney is continued to March 12, 1993, at 4:00 p.m. O'clock, in Courtroom 1 or 2 of the Crawford County Courthouse located in Meadville, Pennsylvania

By the Court:
Gordon R. Miller, J

Mar. 1, 1993 Copies of order to Atty's Walton and Thomas

Mar 10, 1993 Affidavit of Consent of Defendant filed.

Mar. 26, 1993 Order filed. AND NOW, March 26, 1993, after review of Plaintiff's moiton to disqualify attorney and defendant's answer to motion for disqualification of attorney, oral argument and informal hearing, said motion is denied.

BY THE COURT,
Anthony J. Vardaro, J

Mar. 26, 1993 Copies dist. to Walton and Thomas

Mar. 29, 1993 Upon praecipe of plaintiff attorney to transmit records, case moved to Court.

DIVORCE DECREE FILED

April 5, 1993 AND NOW, April 5, 1993, it is ordered and decreed that **KENNETH KEBORT**, Plaintiff, and **KATHY J. KEBORT**, 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.

Property

July 16, 1993, Motion to Approve Settlement and Custody Agreement and Order filed. ORDER: AND NOW, this 14 day of July 1993, motion allowed. Hearing on Plaintiffs motion for Approval of Property Settlement and Custody is scheduled for Aug. 5, 1993 at 10:30 a.m. in C. R. No. 1 or 2 of the Crawford County Courthouse, in Meadville, Pa.

For the Court,
Gordon R. Miller, J.

July 19, 1993, copies of order to Attys. Walton and R. C. Thomas.

Aug. 3, 1993 Motion to Continue and ORDER filed. AND NOW, this 3rd day of August, 1993, motion allowed. Hearing on Motion to Accept Agreement is re-scheduled for August 4, 1993 at 9:15 a.m. in Courtroom 1 or 2 of the Crawford County Courthouse, located in Meadville, Pennsylvania.

FOR THE COURT:
Ann A. Walker, Court Administrator

Aug. 4, 1993 Copy of Order to Attys. Walton & Thomas.

Aug. 4, 1993 Appearance of Peters, Lindsay,Lewis & Gagliotti by Brian J. Lindsay,Esquire for Kathy J.Kebort, Defendant, filed.

Aug. 4, 1993 Answer to Count II of Plaintiff's Complaint filed. (2 copies Atty.)

Continued on Page 342A

KENNETH KEBORT
VS.
KATHY J. KEBORT

CONTINUED FROM PAGE 342
of Record
A. D. 1992 - 792

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Aug. 13, 1993 ORDER filed. AND NOW, August 13, 1993, upon consideration of the Plaintiff's motion to approve settlement and custody agreement, said motion is denied insofar as we have previously indicated in our order of January 8, 1993, we do not believe the document clearly establishes that the parties intended for it to be a court order.

However, in doing so, we note that the document which is headed property settlement and consent custody agreement dated August 26, 1992 and signed by the parties would appear to be enforceabel pursuant to 23 Pa. C.S.A. § 3105(a) even though it has not been merged or incorporated into the divorce decree.

Obviously, as set forth in 23 Pa. C.S.A. § 3105(b), the portion of the agreement pertainign to custody and visitation and child support is always subjec tto modification.

BY THE COURT,
Anthony J. Vardaro, J.

Aug. 13, 1993 copies dist. to Lindsay & Walton

Aug. 20, 1993 Petition for Contempt and ORDER filed. And Now, this 20th day of August, 1993, Petition for Contempt is scheduled for Aug. 30, 1993, at 9:15 a.m. o'clock in courtroom number 1 or 2 of the Crawford Co. Courthouse located in Meadville, PA.

For the Court:
Ann A. Walker, Court Administrator

Aug. 20, 1993 Copy of Order to Atty. B. Walton; Aug. 25, 1993 Copy to Atty. Lindsay.

Aug. 25, 1993 Motion for Special Relief and order filed. AND NOW,this August 25, 1993 Argument and Hearing is set for August 30,1993 at 9:15 A.M. Court Room 2. FAther shall keep custody of both children pending the hearing with mother to have temporary custody from Friday, Aug.27, 1993 at 6 p.m. to Sunday August 29, 1993 at 6 P.M. The parent receiving the children shall transport.

BY THE COURT:
Anthony J.Vardaro, J.

Aug. 27, 1993 Copy of Order to Attys. Walton & Lindsay.

Sept. 2, 1993 ORDER filed. AND NOW, Aug. 30, 1993, this matter comes before the Court on the Defendant's Motion for Special Relief and also on the Plaintiff's Petition for Contempt.

Essentially, the parties entered into a written property settlement and Consent Custody Agreement on Aug. 20, 1992, which document was filed with the Court, but not merged with the Divorce Decree.

Pursuant to the Divorce code, as amended in 1990, we believe this agreement is enforceable pursuant to 23 Pa. C.S.A., 3105(a).

Apparently, when the children had a summer visit with the defendant mother in June and July of 1993, she chose to unilaterally keep Justin, the older child, because apparently, the plaintiff is not the natural father of Justin, but has adopted Justin.

In any event, this matter ended up in court in August of 1993, and on Aug. 4, 1993, the parties attempted to enter into an oral agreement pending mediation.

They do not agree as to the contents of that oral agreement and it was never signed by both parties in writing.

The defendant mother has not petitioned for mediation and we would expect that mediation should occur within thirty (30) days.

THEREFORE, we believe that since school is coming and this matter requires further attention through mediation, we will require that the parties pending mediation, abide by the property settlement and Consent Custody Agreement as it pertains to custody, which was dated Aug. 20, 1992, and is filed of record.

So long as the paraties both comply with the terms of that Agreement pending mediation, we will decline to hold any party in contempt at this time.

If such compliance does nto occur, this order is without prejudice to either party to request further hearing with respect to contempt.

BY THE COURT,
Anthony J. Vardaro, Judge

Sept. 2, 1993 Copy of Order distributed to Atty. B. Walton and B. Lindsay.

Sept. 7, 1993 Mction for Appointment of Custody Mediator and ORDER filed. AND NOW,this September 7, 1993, William Pineo, is herebyappointed Custody Mediator in the above entitled action.

BY THE COURT:
Anthony J.Vardaro, J.

Sept. 9, 1993 Copy of Order to Attys. WAlton, Thomas, Lindsay and Pineo.

Oct. 25, 1993 Temporary Order filed. ANDNOW, this 25 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. The parties shall share legal and physical custody of the subject minor children, Justin and Joshua Kebort.

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.a. The father shall have primary physical custody of the subject minor children from 5:00 p.m of August 21 of each year until 5:00 p.m. of June 15 of the following year. The mot her shall have primary physical custody of the subject minor children from 5:00 p.m of June 15 of each year until 5:00 p.m of the following August 21.

b. The parent not having physical custody shall have the right of visitation and temporary physical custody on the first three full weekends of each month from Friday at 5:00 p.m.until Sunday at 7:00 p.m.

c. Each party shall have the right to designate a 10 day period each summer during which he or she shall have temporary physical custody and visitation of subject minor children and during which no visitation need be accorded the other party. Each party shall notify the other by May 30 of each year of the period he or she wishes to select.

d. The parent not having physical custody shall have the right to t elephone the children 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: Each year, the mot her shall have temporary physical custody and visitation with her children from noon of the day before the beginning of school vollowing the Christmas vacation.

For 1993, and in alternate years thereafter, the mother shall have temporary physical custody from 9:00 p.m. Christmas Eve until noon of Christmas Day and from 4:00 p.m. of Christmas Day until noon of December 26. The father shall have visitatioon and temporary physical custody on Christmas Day from noon until 4:00 p.m.

In even numbered years, the father shall have visitation and temporary physical custody from noon of Christmas Eve until noon of Christmas Day and from 4:00 p.m of Christmas Day until noon of December 26. The mother shall have visitation and temporary physical custody on Christmas Day from noon until 4:00 p.m.

b. Thanksgiving: There shall be one visitation period, beginning at 5:00 p.m. of the Wednesday preceding Thanksgiving and ending at 5:00 p.m. of the Sunday folllowing thanksgiving. The father shall have visitation during the Thanksgiving visitation period for 1993, and the parties shall thereafter alternate this holiday.

The father shall have the right to take any child old enough to enjoy the experience hunting on the opening day of antlered deer season. The opening day visitation period shall begin at 5:00 p.m. on the Sunday after Thanksgiving and end at 8:00 p.m. the following day. The father will make arrangements with the mother by FRiday evening at 8:00 p.m.

Continued to Page 342 B

Continued from Page 342 A Kebort vs. Kebort AD 1992 - 792

c. The other holidays to be ovserved are Easter, Memorial Day, Independence and Labor Day. Holiday visitation shall be between the hours of 9:00 a.m. and 8:00 p.m., except for Independece Day, when the holiday visitation shall be extended to 11:00 p.m. so that the children may watch the fireworks. For 1994, the father shall have visitation and temporary physical custody for Memorial Day and Labor Day, and the mother for Independence Day and Easter. For 1995, the mother shall have visitation and temporary physical custody for Memorial Day and Labor Day, and the father for Independence Day and Easter, and the parties shall thereafter alternate the holiday visitation periods.

d. 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. 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 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.

7. Each party shall teach said children to give to the other party that love and respect which is due a parent from his or her children.

8. Neither party shall use illegal drugs or be under the influence of alchohol 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 trasnported or in the bedroom of the children.

9. Neither party shall do or say anything to black en 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 freidns to do likewise and also not to disparage the other party in the children's estimation.

10. The parties are free to make additional or alternative arrangements respecting the custodial and visitation periods and are strongly encouraged to do so if that would be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which this order shall govern.

11. In working out the arrangements, the parents are to do the negotiating themselves and not to delegate this function to any other person, including the children, relatives or friends.

12. The parties will toegether discuss and plan the children's extra-curricular and sports activities, and the parent having physical custody of the children shall see that the children attend the planned activities. Both parents shall cooperate in seeing that the proper equipment is provided and that the children's clothing and so forth is sent with the children on visitations or changes inphysical custody.

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.

14. 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.

15. Either party may move the Court for a hearing de novo within ten (10) days fromdate hereof. If neither party so moves, this Order shall be considered permanent.

By the Court,
Anthony J. Vardaro, J.

11-4-93 Copies to Attys. Pineo, Walton & Lindsay.

Dec. 10, 1993 Emergency Petition For Special Relief, and Order, filed. ORDER: And Now, December 10, 1993 the hearin on this is set for December 13,1993 at 10:00 a.m. Gordon R. Miller, P.J.

Dec. 15, 1993, ORDER filed. AND NOW, Dec. 13, 1993, we have before us an emergency petition for special relief at this number presented by plaintiff in Motions Court on Dec. 10, 1993 which was set for hearing this day by Judge Miller at Motions Court.

We do not believe that the defendant has had adequate notice to prepare for this hearing, nor do we believe that there is time for the ocur tto hear this matter today, so a ccordingly we will reschedule the hearing for Jan. 4, 1993 at 1:30 p.m. in C. R. No. 2 of the Courthouse.

Pending that hearing, the temporary order entered on Oct. 25, 1993 shall be in full force and effect, with the exception that pending further order of court, the defendant shall not allow at any time the children to be inthe company of TerryThompson, so long as an order at AD 1993 - 1242 is ineffect, which forbids such contact between Terry Thompson and the minor children.

BY ORDER OFTHE COURT,
Anthony J. Vardaro, J.

Dec. 16, 1993, copies dist.to Brode and County Control + Barbara Walton.

Jan. 5, 1994 Order filed. AND NOW, January 4, 1994, this matter is before the Court with respect to an emergency Petition for Special Relief filed by the Plaintiff. A Temporary Order was entered after mediation on October 25, 1993 with respect to custody and temporary custody of the two minor children, Justin and Joshua Kebort.

The emergency petition for Special Relief was brought by the plaintiff with respect to certain allegations concerning Joshua and mother's fiance, Terry Thompson.

By agreement of the parties, the Order of October 25, 1993 shall remain in full force and effect with the following amendments:

1. Both parties agree that each of them, as well as both children, shall receive counseling on an ongoing basis for a period of time, which counseling will not end until both parties agree that is shall end or until further Order of Court.

2. the defendant agrees that in order for her fiance Terry Thompson to remain during periods of temporary custody with the children, he shall be required to immediately enroll in parenting classes through the Center for Families in Change and continue with such classes until he receives an appropriate certificate indicating that he has satisfactorily completed the same.

3. Until further Order of Court, which shall not take place until at least the said Terry Thompson has received such parenting class certificate, the defendant shall be required to be present whenever Mr. Thompson is with Joshua.

4. In all other respects inconsistent with this Order, the Order of October 25, 1993 shall remain in full force and effect.

BY THE COURT,
Anthony J. Vardaro,

Jan. 11, 1994 Copies of order to atty. Walton, Brode and Irwin

1992

Apple and Apple PC
Marylouise Wagner

793.

EASTERN ASSOCIATES, INC. A COLLECTION AGENT OF NATIONAL CREDIT UNION ADMINISTRATION AS LIQUIDING AGENT FOR LTL FEDERAL CREDIT UNION

vs.

KEITH W. NEWTON

Filed Aug. 24, 1992
@ 1:20 p.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	37.00

COMPLAINT IN A CIVIL ACTION

1 copy (sheriff)

Sept. 4, 1992 Sheriff's Return filed. NOT FOUND as to Defendant Keith W. Newton. The address of 314 North Kerr Street, Titusville, Crawford County, PA, is the home of Defendant's ex-wife. He does not live there and is believed to live on Clay Street, Kane,PA. Keith W. Newton,Jr., his son, did live there at one time.
So answers, Dale A. Collins, Deputy Sheriff
Robert M.Stevens, Sheriff

344

1992

Rowley, Wallace, Keck,
Karson & St. John
Christopher J. St. JOhn

794.

ROBIN LYN STEWART

vs.

ROBERT PAUL STEWART

Filed Aug. 24, 1992
@ 1:40 p.m.

Tax & entry paid	$50.50
3 counts paid	45.00
state paid	10.00
state paid	20.00
Pro Co pd 2-24-93	9.00

COMPLAINT IN DIVORCE, CUSTODY AND/OR VISITATION EQUITABLE DISTRIBUTION OF PROPERTY, ALIMONY PENDENTE LITE, COUNSEL FEES, AND EXPENSES

1 copy (atty)

Sept. 14, 1992 GENERAL APPERANCE FILED. Enter my general appearance in the above-captioned divorce action. I hereby accept service of and acknowledge receipt of a certified copy of the original Complaint filed in the above action. Robert Paul Stewart

Feb. 24, 1993 Affidavit of Consent of Plaintiff, filed.

Feb. 24, 1993 Affidavit of Consent of Defendant, filed.

Feb. 24, 1993 Upon praecipe of Plaintiff attorney to transmit record, case moved to Court.

March 8, 1993 ORDER filed. AND NOW, this 5 day of March, 1993, it is hereby ordered as follows:

1. A Decree in Divorce shall be entered divorcing the plaintiff, Robin Lyn Stewart, and the defendant, Robert Paul Stewart, from the bonds of matrimony which now exist between them.

2. Distribution of marital property, the establishing of alimony and the payment of counsel fees and expenses, and the establishing of custody and/or visitation shall be done pursuant to the terms of the Agreement dated Feb. 12, 1993, entered into between the parties, which is filed of record and shall be incorporated into the Decree in Divorce.

BY THE COURT:
Anthony J. Vardaro, J.

DIVORCE DECREE FILED

March 8, 1993 AND NOW, March 5, 1993, the Court having heard this case and having fully considered and proceeded to determine the same as to law and justice appertain, Do Sentence and Decree that Robin Lyn Stewart be divorced and separated from the nuptial ties and bonds of matromony heretofore contracted between her, the said Robin Lyn Stewart, the Plaintiff, and the said Robert Paul Stewart, 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 marriage, 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 Settlement Agreement dated Feb. 12, 1993, and entered into between the parties, as included in this matter is incorporated herein by reference and made a part of this Decree, and each and every provision thereof is binding upon the parties as though fully set forth herein.

BY THE COURT:
Anthony J. Vardaro, J.

1992

Shafer, Swick, Bailey,
Irwin & Stack
James R. Irwin
~~Blystone & Blystone~~ withdrawn
~~Curtis E. Blystone~~

795.

Mary Ann Kirkpatrick

DONNA I. SAPUTO

vs.

ANTHONY J. SAPUTO

Filed Aug. 24, 1992
@ 1:54 p.m.

Tax & entry paid	$50.50
state paid	10.00
2 counts paid	30.00
state paid	15.00
1 Add'l Count Pd 10-21-92	15.00
State Paid Pd 10-21-92	5.00
Wm. Pineo, mediator	77.00
Sylvia Dratler, Master	
Pro Co Pd 10-26-93 Ck 7875	9.00
Pro Co paid	9.00
Sheriff	35.00
Pro Co Pd 8-14-98	9.00
John Foner, mediator	245.54

7-8-93 Rec from Deft mediation Deposit $150.00
10-14-93 Pd Deft Balmed Dep Ck# 7848 (Ck# Kirkpatrick) 102.50
10-26-93 Pd Co Med Fee Ck# 7874 38.50
11-12-93 Received from Plf & deft (Escrow acct) Masters Fees 750.00
11-16-93 Pd Master Dratler Ck# 7904 750.00
5-20-94 Rec from deft Masters 978.75
6-7-94 Rec from Plf Med Fee 38.50
8-16-94 Pd Dratler masters Fees Ck# 8502 978.75
9-12-94 Pd Co-1 38.50 #8549
6-11-98 Rec'd from deft Med Fee 200.00
8-14-98 pd Dft $72.73 Ck 12218
pd Co $118.27 Ck 12212

COMPLAINT IN DIVORCE, EQUITABLE DISTRITUTION OF PROPERTY, ALIMONY, ALIMONY PENDENTE LITE, COUNSEL FEES, COSTS, AND EXPENSES

1 copy (atty)

Sept. 4, 1992 Motion for Leave to Refile and Reserve Complaint in Divorce Endorsed with Appropriate Notice and Order filed. AND NOW, this 4 day of September, 1992, upon presentation and consideration of paintiff's motion for leave to refile and reserve the Complaint in Divorce for the purpose having the same properly endorsed with Notice to Defend and Claim Rights, leave of Court is so granted and the plaintiff may refile and reserve the Complaint in Divorce properly endorsed with Notice to Defend and Claim Rights.
Anthony J.Vardaro, J.

Sept. 4, 1992 Copy of Order to Atty.Blystone.
Sept. 4, 1992 Compalint in Divorce filed.

Sept. 10, 1992 Affidavit of Service filed.
1. The undersigned, Curtis E. Blystone, is attorney for the Plaintiff, Donna I. Saputo, in the above action in divorce.
2. On September 4, 1992, affiant mailed a true and attested copy of the Cmplaint in Divorce in the above cpationed action, endorsed with Notice to Defend and Claim Rights, to the defendant, Anthony J. Saputo, addressed to his mailing address of R.D. #8 Box 74, Meadville, Pennsylvania 16335, by certified mail item No. P 063 586 885 as indicated by the "REceipt for Certified Mail" attached hereto. Said item of certified mail was restricted for delivery to the addressee only.
3. The aforesaid item of certified mail was delivered to the defendant, Anthony J. Saputo, personally on September 8, 1992 as indicated by the return receipt attached hereto and signed by the dfendant per sonally.
I hereby verify that the statements made in this affidavit are true and correct to the best of my knowledge, information and belief. I understand that false statements made herein are subject to the penalties of 18 Pa.C.S. No. 4904 relating to unsworn falsification to authorities.
Curtis E. Blsytone

Sept. 15, 1992 Appearance of Mary Ann Kirkpatrick, attorney for Defendant filed.

**Sept 29, 1992 Petition for Alimony Pendente Lite, Counsel Fees and Costs and Expenses and for Special Relief and Order filed: AND NOW this 25 day of September, 1992, upon presentation of plaintiff Donna I. Saputo's Petition for Alimony Pendente Lite, Counsel Fees costs and Expenses and for Special Relief, a rule is hereby granted upon defendant Anthony J. Saputo to show cause why the relief requeste therein should not be granted.
Returnable for hearing on the 6th day of October, 1992, at 2:30 p.m. prevailing local time, in Court Room No. 1, Crawford County Courthouse, Meadville, Pennsylvania.
Counsel for the plaintiff shall serve a copy of this order upon Defendant Anthony J. Saputo in accordance with Local Rule L206B4.
By the Court,
Gordon R. Miller, Judge
Oct 2, 1992 Copies of order put in Attys. Blystone and Kirkpatrick's boxes.**

Oct. 6, 1992 Inventory of defendant filed.

Oct.7, 1992 Counter-Claim for Divorce filed.

Oct. 23, 1992 Motion For Continuance, Nunc Pro Tunc, of Hearing on Petition For Alimony Pendente Lite, Counsel fees, Costs and Expenses, and For Special Relief and ORDER filed. AND NOW, this 21 day of October, 1992, upon motion of plaintiff, Donna I. Saputo, hearing on plaintiff's Petition for Alimony Pendente Lite, Counsel Fees, Costs and Expenses, and for Special Relief, originally scheduled for Oct. 6, 1992 at 2:30 P.M., is hereby continued, nunc pro tunc, to a date and time to be scheduled upon further motion of either party.
For the Court,
Imogene Yetman, Court Administrator
Oct. 28, 1992 Copy of Order to Attys. Curtis Blystone and Mary Ann Kirkpatrick.

Nov. 6, 1992 Appearance of Shafer, Swick, Bailey, Irwin & Stack by James R.Irwin, Esquire, for Donna Saputo, Plaintiff, filed.

Jan. 13, 1993 Affidavit of Consent of Defendant, filed.

Jan. 13, 1993 Affidavit of Consent of Anthony J. Saputo filed.

Apr 1, 1993 Affidavit of Consent of Plaintiff, filed.

**July 8, 1993, Motion to Schedule Mediation and Order filed.
ORDER: AND NOW, July 7, 1993, WILLIAM PINEO, ESQ. is appointed child custody mediator and shall schedule mediation.
By the Court,
Anthony Vardaro, J.
July 12, 1993, copies of order to Attys. Pineo, Irwin Blystone, and Kirkpatrick**

Aug. 10, 1993 Request for Hearing and ORDER filed. AN DNOW, this 10th day of August, 1993 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 3rd day of September, 1993 at 3:15 o'clocl p.m. in Courtroom No. 1 or 2 of the Crawford County Courthouse, Meadville, Pennsylvania.
FOR THE COURT:
Ann A. Walker, Court Administrator
Aug. 16, 1993 Copy of Order to Attys.Irwin, Blystone, Kirkpatrick & Pineo.

Aug. 17, 1993, Defendant's Response to Plaintiff's Request for Alimony, Alimony Pendente Lite, Counsel Fees and Expenses, filed.

Aug. 20, 1993 Income and Expense Statement of Defendant filed.

Continued to Page 509

1992

John S. Kookogey

796.

BRENDA L. WAGNER

vs.

WILLIAM L. WAGNER

Filed Aug. 24, 1992
@ 2:27 p.m.

Tax & entry paid	$50.50
state paid	10.00
state paid	5.00
Pro.Co. pd 2/23/93	9.00

COMPLAINT IN DIVORCE UNDER SECTION 201(c)

1 copy (atty)

Feb. 23, 1993 Affidavit of Service filed. Personally appeared before me, a Notary Pulbic,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 William L. Wagner, the Defendant, personally at 4:50 P.M. on August 28, 1992, at his place of residence, 514 North Washington Street, Titusville, Pennsylvania by reading the same to him and making known the contents of same and leaving a true and attested copy with him.

Richard E.Lydick

Feb. 23, 1993 Affidavit of Consent by William L.Wagner, Defendant, filed.

Feb. 23, 1993 Affidavit of Consent by Brenda L.Wagner, Plaintiff, filed.

Feb. 23, 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

March 5, 1993 AND NOW, March 3, 1993, it is ordered and decreed that **B R E N D A L . W A G N E R** , plaintiff, and **W I L L I A M L . W A G N E R** , 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.

1992

John S. Kookogey

797.

MARY JANE HILLER

vs.

JOHN S. HILLER

Filed Aug.2 4, 1992
@ 2:27 p.m.

Tax & entry paid	$50.50
state paid	10.00
state paid	5.00
Pro Co Pd 12/16/92	9.00

COMPLAINT IN DIVORCE UNDER SECTION 201(c)

1 copy (atty)

Dec. 16, 1992, Affidavit of Service filed. Personally, appeared before me, a notary public in and for said state and county, at Titusville, Pa. Richard E. Lydick, a duly qualified Constable in and for the State of Pa. who being duly sworn according to law, deposes and says that he served a true and attested copy fo the Complaint in Divorce, the same having been certified by Prothonotary Barbara H. King, on John S. Hiller, the dft, personally at 9:55 a.m. on Aug. 26, 1992 at 144 West Spring St. Titusville, Pa. 16354, by reading the same to him and making known the contents of same and leaving a true and attested copy with him Richard E. Lydick.

Dec.16, 1992, Affidavit of Consent of plaintiff filed.

Dec. 16, 1992, Affidavit of Consent of defendant filed.

Dec. 16, 1992, upon praecipe of plaintiff attorney, to transmit the record, this case moved to court.

Feb. 5, 1993, DIVORCE DECREE filed.

AND NOW, December 18, 1992, it is ordered and decreed that May Jane Hiller, plaintiff, and John S. Hiller, 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.

1992

798.

EDITH E. BORTNER

vs.

BRIAN D. GROSSMAN

Filed Aug. 24, 1992
@ 3:04 p.m.

Tax & entry	Pd 10-5-92	$50.50 ✓
state	Pd 10-5-92	5.00
sheriffs costs		35.00
Pro Co	Pd 10-5-92	9.00 ✓

10-5-92
Received from defendant Sheriffs costs 35.00

10-5-92
Paid to Sheriff
Ck# 7093 35.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT
3 copies (sheriff)
1 copy (atty)

ORDER:

And now, this 24 day of August, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions:----------
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for August 31, , 1992 at 3:30 aM., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, Judge

Aug.2 7, 1992, Sheriffs Return filed. SERVED Brian D. Grossman personally on Aug. 26, 1992 at 11:45 a.m. by handing a copy of the protection from Abuse to him at 386 willow St. Meadville, Pa. Crawford County.
So answers Robert M. stevens, sheriff

Sept. 1, 1992 ORDER filed. AND NOW, Aug. 31, 1992 this matter is before the Court on Plaintiff's petition for relief under the Protection from Abuse Act.

Both parties appear without counsel and the Defendant agrees to p roceed without admitting the allegations of the petition, and 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 Defendant shall be permitted to go to the home of the Plaintiff to remove his personal belongings at noon on Sept. 13, 1992.
3. The Plaintiff shall have temporary physical custody of the minor child Adrian, and the Defendant shall have visitation, to be arranged by calling the Plaintiff for a mutually convenient tiem. In calling the Plaintiff, the Defend ant shall not in any way harass or threaten her.
4. 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.
5. The Defendant shall not go to the home of the Plaintiff, and even if he is invited, he shall not do so. If he is at the home of the Plaintiff, it shall be presumed that he is in violation of this order unless this order is amended prior to him doing so.
6. A copy of this order shall be delivered to the Police Dept. in the jurisdiction where the Plaintiff resides, and to County Control. Additionally, a copy shall be m ailed to the Plaintiff at 420 Willow St., Apr. C, Meadville, Pa. and to the Defendant at 386 Willow St., Meadville, Pa. 16335.
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 and a jail sentence of up to six months.
8. The Defendant shall pay costs in this matter in the amount of $99.50 by paying one-half of the amount on or before Sept. 21, 1992 and the balance on or before Oct. 2, 1992 to the Prothonotary of Crawfor dCounty on the first floor of the courthouse in Meadville, Pa.
9. This order shall remain in full force and effect through Aug. 30, 1993.

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

Sept. 1, 1992 copy mailed to MCP & given to County Control. Sept. 3, 1992 copy mailed to Plf. & Dft.

Oct. 5, 1992 Order filed. AND NOW, October 2, 1992, both parties appear in Motion court without counsel and the Court is advised by the Plaintiff that the parties wish to get back together again and she requests that the provisions of the protection from abuse order entered by the Court on August 31, 1992 be terminated.

Accordingly, that order is terminated as of this date with the exception being that the Defendant shall pay all court Costs as previously required in that order.

A copy of this order shall be sent to the police department in the jurisdiction where the Plaintiff resides and to County Control.

BY THE COURT,
Anthony J. Vardaro, J

Oct. 5, 1992 1 copy each to Pltf., deft. County Control and Meadville City Police

1992

David W. Pickens

799.

Thomas,Truax, Spadafore & Walker
R. Charles Thomas

3-18-94 Received from Ptf Nominal Bond 100 in general Acct.

DARLENE C. GAINES

vs.

ARTHUR E. WYGANT AND MARY F. WYGANT, HIS WIFE

Filed Aug. 24, 1992
@ 4:30 p.m.

Tax & entry	Pd 8-27-92	$50.50
state	Pd 8-27-92	5.00
Sheriff's Costs		31.00
Pro Co pd 3/9/94		30.00
User's Fee paid		5.00
Pro. Co. Pd 8-1-96		9.00

COMPLAINT IN EJECTMENT AND APPLICATION FOR PRELIMINARY INJUNCTION

August 24, 1992 Complaint In Ejectment And Application For Preliminary Injunction and ORDER filed. AND NOW, this 20 day of August, 1992, in consideration of Plaintiff's motion for a hearing date, it is hereby ordered that a hearing has been scheduled for the 28 day of September, 1992, at 10:30 A.M., in Courtroom 1 for the Court to consider plaintiff's request for a preliminary injunction. Plaintiff must serve the defendant and give proper notice of this hearing.

By the Court
Anthony J. Vardaro, J.

Aug. 31, 1992 Copy of Order to Atty. David Pickens, copy mailed to defendants.

Sept. 3, 1992 Sheriff's REturn filed. SERVED ARTHUR E. WYGANT personally on August 31, 1992 at 1:20 PM by handing a copy of the Notice to Defend, Complaint in Ejectment, and Application for Preliminary INjunction to him at his residence, 672 Williamson Road, Meadville, Crawford County, PA.
SERVED Mary F. Wygant on August 31, 1992 at 1:21 PM by handing a copy of the Notice to Defend, Complaint in Ejectment, and Applicaiton for Preliminary Injunction to ARthur Wygant, Adult in Charge at the residence, 672 Williamson Road, Meadville, Crawford County, PA.
So answers,

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

Sept. 9, 1992 Appearance of Thomas, Truax, Spadafore and Walker by R. Charles Thomas, Esquire for Arthur E. Wygant and Mary F. Wygant, defendants filed.

Sept. 21, 1992 Motion to Withdraw Request for Preliminary Injunction and Order filed. AND NOW, this 18 day of September, 1992, inconsideration of Plaintiff's motion to withdraw request for preliminary injunction, it is hereby ordered that the Plaintiff's motion is granted and that the hearing which was scheduled for September 28, 1992 at 10:30 a.m. is cancelled.

For The Court
Imogene Yetman, Court Administrator

Sept. 21, 1992 Copy of the Order to Attys.Pickens and Thomas.

Oct. 14, 1992 Answer to Complaint in Ejectment, New Matter and Counterclaim filed.

Nov. 2, 1992 Reply To New Matter and Counterclaim filed.

Dec. 21, 1992 Certificate of Readiness and Praecipe to Place on Trial List filed.

ON TRIAL LIST FOR FEBRUARY 1993

Feb. 8, 1993, Pre-Trial Narrative of dfts. filed.

Feb. 8, 1993 Assignment Of Pretrial Conference Date filed. February 5, 1993, at the direction of the Court, a pretrial conference in the above matter is hereby set for February 9, 1993, at 4:00 p.m., before Judge Anthony J. Vardaro.

FOR THE COURT,
Imogene Yetman, CA.

Feb. 9, 1993 Copies of order to Atty's Pickens and Thomas

Feb. 17, 1993 Order filed. AND NOW, February 11, 1993, after the original defendants rest with respect to their counter-calim, the plaintiff moves for a compulsory nonsuit with respect to count one in treapass of the counter-claim, and the same is GRANTED.

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

Feb. 17, 1993 Copies dist. by court.

Mar. 3, 1993 Exhibits filed.

Mar. 25, 1993 Amendment to New Matter in the Defendants' Answer and New Matter to Plaintiff's Complaint, filed.

Mar. 25, 1993 Motion to Amend New Matter and Order, filed. ORDER: and now, this 11th day of February, 1993, upon presentation adn consideration of the within Motion the Defendants are authorized to amend the New Matter as set forth in their Answer to the Plaintiff's Complaint so as to allege a defense of laches and the Statute of Limitations which is 21 years.

BY THE COURT,
Anthony J. Vardaro, J.

Mar. 29, 1993 copy to D. Pickens, R.C. Thomas

Mar. 25, 1993 Findings of Fact, Discussion and Decree Nisi, filed. DECREE NISI: AND NOW, March 25, 1993, after non-jury trial in this matter, it is hereby ordered and decreed that the Plaintiff, Darlene C. Gaines, and her respective heirs, personal representatives and assigns, are forever barred from asserting any rights, title, lien or interest inconsistent with the claim of the Defendants to the land herein described to-wit:

ALL that certain piece or parcel of land situate in the Third Ward of the City of Meadville, formerly West Mead Twp., Crawford County, Pa., bounded and described as follows, to-wit:

On the North by Lot No. 6, in Block B., contracted for by Emma Bensin; on the East by the Williamson Rd., and fronting thereon forty (40) feet, measured along the West Line of said road; on the South by Lots Nos. 8 and 12, in Block B; and on the West by Lots Nos. 13 and 29 in Block B, and being Lot No. 7 in Block B, as indicated on the map of the Plan of Lots as laid out by the party of the first part (Edwin P. Robinson, Single) in West Mead Twp., designated "Grand View Addition", said lot having a depth of 231.45 feet along the North side thereof and 233.22 feet along the South side thereof, and a width at th West end thereof of 37.78 feet.

Plaintiff is further barred from in any way attacking the title of the Defendants in said property, from issuing or continuing any action and taxing the same and from encumbering, mortgaging, or conveying the same or any part thereof.

Continued on Page 454

1992

R. Charles Thomas
Thomas, Truax ,
Spadafore & Walker

800.

Dale,Woodard,Montgomery,
Greenfield & Pemrick
Keith M. Pemrick

RUBY M. WILLIAMS AND HAROLD V. WILLIAMS, HER HUSBAND

vs.

DAVID LAURIN NOEL AND NOEL'S GAS AND PETROLEUM, INC.

Filed Aug. 25, 1992
@ 10:33 a.m.

Tax & entry paid	$50.50
state paid	5.00
sheriff costs	36.00
Pro Co. pd 12/24/92	6.00
Pro Co pd 2-23-93	1.00

COMPLAINT

2 copies (atty)

Sept. 2, 1992, Sheriffs Return filed. SERVED david Laurin Noel on Aug. 27, 1992 at 10:25 a.m. by handing a copy of the complaint to Karen Noel, his wife at the residence 292 Prospect st. Meadville, Pa. Crawford County.

SERVED Noel's gas and Petroleum on Aug. 27, 1992 at 10:36 a.m by handing a copy of the complaint to Robert Noel, Owner, at Park Row in Kerrtown, Meadville, crawford county Pa.

So answers, Dale A. Collins dep. sheriff
Robert M. stevens, sheriff

Sept. 16, 1992 Appearance of Dale, Woodard, Montgomery, Greenfield & Pemrick By Keith M. Pemrick, attorney for defendants filed.

Oct. 1, 1992 Notice Of Service of INterrogatories and request For Production Of Documents directed to Plaintiff filed.

Oct. 1, 1992 Answer and New Matter filed.

Dec. 24, 1992 Upon Praecipe of Plaintiffs attorney, the above captioned case is marked settled and discontinued of record.

1992

pro se

801.

LINDA RUTH LeJEUNE

vs.

MICHAEL WILLIAM LeJUENE

Filed Aug. 25, 1992
@ 11:27 a.m.

Tax & entry paid	$50.50
1 count paid	15.00
state paid	10.00
state paid	10.00
Pro Co pd 12-11-92	9.00

COMPLAINT IN DIVORCE, CHILD CUSTODY AND SUPPORT

2 copies (plff)

Sept. 9, 1992 WAIVER OF RIGHTS DUE MILITARY PERSONNEL, AGREEMENT WITH THIS ACTION, AND ACKNOWLEDGEMENT OF RECEIPT OF SUMMONS, filed.

Dec. 11, 1992 ACCEPTANCE OF SERVICE, filed. I accept service of the Complaint in Divorce under Section 201c of the Divorce code. Michael William Lejeune

Dec 11, 1992 WAIVER, ACCEPTANCE OF SERVICE AND ENTRY OF GENERAL APPEARANCE, filed. Comes now the Defendant, Michael William LeJeune 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. Furthermore, Defendant hereby accepts and agrees with all the provisions and arrangements requested in the complaint in the above-captioned cause.
Michael William LeJuene

Dec 11, 1992 Affidavit of Consent of Defendant, filed.

Dec 11, 1992 Affidavit of Consent of Plaintiff, filed.

Dec 11, 1992 AFFIDAVIT REGARDING THE UNIFORM CHILD JURISDICTION ACT, filed.

Dec 11, 1992 Upon praecipe of Plaintiff to transmit record, case moved to Court.

Dec 30, 1992 MEMORANDUM filed. This is a divorce action filed pro se on Aug. 25,1992 requesting a divorce under Section 201(c) [now 3301(c)] as well as child custody, support and a count headed "Liabilities and Debts" which appears to be an equitable distribution count.

This action is now before the Court on a praecipe to transmit record and is defective in several ways.

First of all, Pa. R.C.P. 1920.12(c) requires that every complaint begin with the notice substantially in the form prescribed by Rule 1920.71. That notice is the notice to defend and claim rights and was not attached to the Plaintiff's complaint when it was filed nor apparently when it was served.

The Defendant is apparently in the military service and an appropriate waiver of his rights in that respect was filed on Aug. 31, 1992 and at that time he acknowledges receiving a notice to defend and claim rights and a complaint in divorce but we suspect that was just done as part of a pre-prepared form and in fact he never did receive a notice to defend and claim rights.

There was also a subsequent acceptance of service filed on Nov. 30, 1992 as well as another waiver, acceptance of service and entry of general appearance but it appears that was just duplicative of the first effort.

The parties next filed on Dec. 11, 1992 affidavits of consent with the Defendant's dated Nov. 30, 1992 and the Plaintiff's dated Oct 7, 1992.

In that regard, the Plaintiff's affidavit of consent is defective for two reasons. Pursuant to Pa. R.C. P. 1920.42(b)(1) and (2), the affidavit must not be executed until 90 days or more after the filing of the complaint and then it must be filed within 30 days of the date it is executed.

Finally, the counts for custody, support and equitable distribution have never been disposed of nor have they been withdrawn. Something must occur with respect to those counts before a praecipe to transmit is in order.

Accordingly, this file is returned to the Prothonotary for action by the Plaintiff consistent with this Memorandum.

BY THE COURT:
Anthony J. Vardaro, J.

Dec 30, 1992 copies mailed to Plf & Dft.

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 12/20/92. We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonable delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.

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

I If you object to the case being dismissed, you must put your objections in writing and follow Crawford County Civil Local Rule L206, LJA 1901E and LJA1901F, explaining why there has been a delay in your case and why it is not unreasonable. These written objections must be filed in the Prothonotary's Office on or before April 24, 1998. You must also give or send a copy of any objections you file to the other party or his or her attorney, and certify that you have done so when you file your objections with the Prothonotary.

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

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

By the Court,
Anthony J. Vardaro, J

Date: March 12, 1998

Mar 12, 1998 Copies mailed by Court Administrator's Office

May 6, 1998 Order Terminating Case as of May 4, 1998 filed.

352

1992

R. Christopher Brode

802.

Neil Rothschild

BEVERLY SUTTON

vs.

WILLIAM SUTTON

Filed Aug. 25, 1992
@ 12:09 p.m.

Tax & entry Pd 9-11-92 $50.50
state Pd 9-11-92 5.00
Sheriff's Costs
Pro Co Pd-9-11-92 48.00 9.00
Pro.Co. pd 9/11/92 5.00

Received from Defendant 9-11-92 Sheriff's Costs 48.00

Paid Sheriff Costs 9-14-92 Ck # 7042 48.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT
1 COPY (plff)
3 copies (sheriff)

ORDER:

And now, this 25th day of August, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions:
Defendant shall not contact plaintiff. Defendant shall not go to plaintiffs residence for any reason. Plaintiff shall not invite him there.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for **September 4, 1992**, at **3:30 PM.**, in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

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

Sep. 2, 1992 Sheriff's Return filed. SERVED William Sutton by deputizing theSheriff of Venango County, PA, as per his Affidavit of Service attached. Served on August 26, 1992 at 3:50 PM.
So answers, Robert M.Stevens, Sheriff

Sept. 8, 1992 ORDER filed. AND NOW, Sept. 4, 1992 this matter is before the Court on Plaintiff's request for relief under the Protection from Abuse Act.

Both parties appear with counsel and a formal hearing takes place.

The Court is satisfied that the Plaintiff has proven by a preponderance fo the evidence that the Defendant has committed abuse within the meaning of the act, and therefore, the following order is entered:

1. The Defendant shall not assault, abuse, harass, or threaten the Plaintiff.
2. The Defendant shall n ot go to the Plaintiff's residence at any time. He is cautioned that if he goes to the Plaintiff's residence, even upon invitation, he shall be in violation of this order, and he should seek to have this order modified if he is invited to the plaintiff's residence.
3. The Defendant shall be responsible for any medical bills that were incurred by the Plaintiff as a result of this incident and the same shall be provided by Plaintiff's counsel to Defend ant's counsel to forward to the Defend ant.
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 Department 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 and a jail sentence of up to six months.
7. The Defendant shall pay costs in this matter in the amount of $112.50 within 10 days of the date of this hearing, and his failure to do so shall be a contempt of this order, and the Prothonotary is directed to advise the Court if he does not pay costs within that time period.
8. This order shall remain in full force and effect through Sept. 3, 1993.
9. The Plaintiff shall be entitled to go to the marital residence which is in the possession of the Defendant at 12:00 noon on Saturday, Sept. 5, 1992 for the purpose of removing her clothes, a floor model television, and assorted glasses which she received as a gift, and the Defendant shall not harass or abuse or threaten her in any manner while she does so.

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

Sept. 8, 1992 copies to Brode & Co. Ctrl. Sept. 10, 1992 copies to MSP, Plf. & Dft.

Sept. 11, 1992 Upon Praecipe of Beverly Sutton,Plaintiff, the above case is marked action discontinued.

Sept. 11, 1992 Copy of above Praecipe given to County Control and mailed to MSP.

1992

Jorden and WHite
Harry Faber White

803.

THOMAS E. JACKSON d/b/a
JACKSON FABRICATION

vs.

SYDNEY HARRIS, d/b/a
SYDNEY HARRIS CONSTRUCTION
AND SUPPLIES

Filed Aug. 25, 1992
@ 12:07 p.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriffs costs	35.00
Pro Co pd 11-5-92	9.00

COMPLAINT

Sept. 2, 1992, Sheriffs return filed. SERVED Sydney Harris personally on Sept. 1, 1992 at 9:20 a.m. by handing a copy of the complaint to him at the sheriffs Office, Crawford County Court House, Meadville, Pa.
So answers, Diane Severo, dep. Sheriff
Robert M. stevens, Sheriff

Oct. 29, 1992 Default Notice filed.

And Now, Nov. 5, 1992 at 10:17 a.m., upon praecipe of plaintiff attorney judgment is here entered against the defendant in the above captioned matter because of the defendant's failure to file a responsive pleading. A 10-day default notice was sent to the aforeaid defendant on the 19th day of October, 1992. Enter judgment of $12,750.00 plus costs of suit and interest from judgment day.
Filed Nov. 5, 1992 Debt: $12,750.00
H - 154, 184 JUDGMENT
Barbara H. King, Prothonotary

Franklyn E. Conflenti
Cauley & Conflenti

804.

Culbertson, Weiss,
schetroma & Schug
E. Max Weiss
Randal Scot Moore

Henninger & Robinson
William C. Robinson
Melvin J. Scovill

~~Richard L. McMillan~~
for Melvin J. Scovill

THERESA MOSS, A MINOR, BY HER PARENT AND NATURAL GUARDIAN, JANICE SEELEY, AND JANICE SEELEY, INDIVIDUALLY AND IN HER OWN RIGHT

vs.

RANDAL SCOT MOORE, AND MELVIN J. SCOVILL

Filed Aug. 25, 1992
@ 1:46 p.m.

Tax & entry Pd 8-26-92 $ 50.50
state Pd 8-26-92 5.00
Sheriff's Costs 70.10

JURY TRIAL DEMANDED

COMPLAINT IN CIVIL ACTION

2 copies (sheriff)

Sept. 22, 1992 Sheriff's Return filed. SERVED the within Complaint in Civil Action on September 9, 1992, at 1:15 PM upon Melvin J. Scovill at his residence, R.D. #1, Fredonia, PA by handing to Ruth Scovill, adult family member with whom Melvin resides a true and correct copy thereof and made known to her the contents there in.
So answers, William H. Romine, Jr. Sheriff
I hereby deputize the Sheriff of Mercer County, Pennsyvlania to serve the within Complaint according to law.
So answer Robert M. Sheriff, Sheriff
SERVED RAndal Scot Moore per sonally on August 31, 1992 at 1:50 PM by handing to him a copy of the Complaint at his residence, 124 Smith Street, Cochranton, Crawford County, PA.
SERVED Melvin J. Scovill by deputizing the Sheriff of Mercer County Pa, as per his Affidavit of Service attached. Served on September 9, 1992 at 1:15 PM at R.D. #1, Fredonia, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Sept. 22, 1992 Appearance of Culbertson, Weiss, Schetroma & Schug, PC by E. Max Weiss for Defendant Moore filed.

Oct. 13, 1992 Appearance of Henninger & Robinson by William C. Robinson for Defendant Melvin J. Scovill filed.

Oct. 28, 1992 Upon praecipe of Atty. Richard McMillan, the above captioned matter is placed on the next available argument list.

1992 DECEMBER ARGUMENT LIST

Oct. 28, 1992 Preliminary Objections on behalf of Melvin J. Scovill filed.

Nov. 20, 1992 Appearance of Richard L. McMillan for Defendant Melvin J. Scovill.

Nov. 20, 1992 ORDER, filed. AND NOW, Nov. 19, 1992, upon praecipe of the attorney for Defendant Randal Scot Moore, the prliminary objections of that Defendant shall be argued concurrent with the argument on similar preliminary objections of Defendant Melvin J. Scovill on Dec. 1, 1992 at 10:00 a.m. in Courtroom No. 2 before the undersigned. BY THE COURT:
Anthony J. Vardaro, J.
Nov. 30, 1992 copy to F. Conflenti, N. Scalise, E. M. Weiss, R. McMillan, W. Robinson

December 2, 1992, Upon Praecipe of Richard L. McMillan, attorney for Melvin J. Scovill, appearance withdrawn.

Nov. 17, 1992 Praecipe of argument filed.

Nov. 17, 1992 Preliminary Objections of Defendant Moore, filed.

Feb. 11, 1993 ORDER filed. AND NOW, Feb. 10, 1993, after oral argument and review of the Plaintiffs' complaint filed in this matter, we find that the followign paragraphs of the Plaintiffs' complaint are broad "catch-all" allegations of negligence and must be stricken: 9.e), 9.f), 9.m), 9.n), 19.d), 19.e) and 19.J).

Additionally, we will strike 19.k) because although it does contain two specific allegations of negligence it is fashioned in such a manner that it leaves open the possibliity that the Plaintiffs may maintain that Defendant Scovill violated other provisions of the Pa. Motor Vehicle Code not made known to the Defendant in his filing of this complaint.

We will, however, allow the Plaintiffs to amend their complaint so that they provide a more specific pleading within 20 days of the date of this order.

In doing so, we note that at the time of oral argument the Plaintiffs maintain that they should be able to modify the paragraphs in question by adding "as herein described" language and while that has been allowed to some extent in this county [see Davis v. Meadville Medical Center, 21 Craw. L.J. 89 (1989)] we do not believe it is normally anappropriate way to comply with the requirements of Pa. R.C.P. 1019.

Normally that type of language may make the complaint be read to be so broad that arguably the Plaintiffs can later maintain that they can raise a theory of negligence that was not clearly pled in the first instance. There m ay be times when it is appropriate to make a reference to "as herein described in the other sub-paragraphs of the allegations of negligence" or something to that extent but it would seem to the Court that the better way to plead in compliance with Pa. R.C.P. 1019 is to set forth specific allegations of negligence in the appropriate sub-paragraphs without addign language that could raise any concern as to whether the door is left open for new theories of negligence.

We would also refer the parties to President Judge Gordon R. Miller's enumeration of the principal guiding lights for pleading as set forth in Moran v. Renn, et al., 22 Craw. L.J. 81 (1991). BY THE COURT:
Anthony J. Vardaro, J.
Feb 11, 1993 copies distributed by Court.

Feb. 18, 1993 Notice Of Service Of Interrogatories and Request For Production of Documents Directed To The defendant, Melvin J. Scovill filed.

Feb. 18, 1993 Notice Of Service of Interrogatories and Request For Production Of Documents Directied To The Defendant, Randal Scot Moore filed.

Feb. 24, 1993 Praecipe for Notification of Counsel's Change of Address, filed.

Feb. 25, 1993 Amended Complaint in civil Action filed.

Mar. 1, 1993 Certificate Of Service of Answers to Interrogatories and Request for Production of Documents filed.

Mar. 2, 1993 Answer and New Matter to Plaintiffs' Amended Complaint filed.

Continued on Page 354A

THERESA MOSS, A MINOR, BY HER PARENT AND NATURAL GUARDIAN, JANICE SEELEY, AND JANICE SEELEY, INDIVIDUALLY AND IN HER OWN RIGHT
VS.
RANDAL SCOT MOORE, AND MELVIN J. SCOVILL

CONTINUED FROM PAGE 354
of Record
A. D. 1992 - 804

****

Mar. 19, 1993 Answer and New Matter filed.

Mar. 19, 1993 Reply to New Matter, filed.

Mar. 23, 1993, Notice of Service of Interrogatories and Request for Production of Documents filed.

Mar. 23, 1993, Reply of Moore to scovill Cross-claim filed.

Mar. 26, 1993 Affidavit to Reply to New Matter, filed.

Mar. 26, 1993 Affidavit to Answer and New Matter, filed.

Mar. 26, 1993 Notice of Deposition of Janice Seeley, filed.

Mar. 26, 1993 Notice of Deposition of Theresa Moss, filed.

Mar. 26, 1993 Notice of Deposition of Randal Scot Moore, filed.

Apr. 26, 1993, Notice of Deposition of Melvin Scovill filed.

June 16, 1993 Verification of Amended Complaint in Civil Action, filed.

Aug. 20, 1993 Notice of Deposition of Melvin J. Scovil, filed.

Sept. 28, 1993 Plaintiffs' Verification of Answers To Interrogatories filed.

Nov. Plaintiffs' Reply to Defendant's New Matter and New Matter Pursuant to Pa. R.C.P. 2252(d) of Defendant Randal Scot Moore, filed.

Jan. 18, 1994 Notice of Deposition of James D. Harris filed.

Feb. 4, 1994, Plaintiffs' Reply to New MaTTER and New Matter Pursuant to Rule 2252(d) of defendant, Melvin J. Scovill, filed.

Feb. 18, 1994 Motion For Summary Judgment on behalf of defendant, Melvin J. Scovill, filed.

Mar. 21, 1994 Upon Praecipe of Richard L. McMillan, Esquire the Motion for Summary for Melvin J.Scovill, Defendant, in the above captioned matter is placed on the next available Argument List.

ON APRIL, 1994 ARGUMENT LIST

April 25, 1994 Deposition of Melvin Scovill filed.

April 25, 1994 Deposition of Randal Scot Moore filed.

April 25, 1994 Deposition of Theresa Moss filed.

April 21, 1994 Plaintiff's Response To Defendant's Motion For Summary Judgment filed.

Jul.25, 1994 Memorandum and Order and ORDER filed. AND NOW, July 25, 1994, the motion for summary judgment filed on behalf of Defendant Melvin J. Scovill is granted.

BY THE COURT:
Anthony J.Vardaro, J.

7-25-94 Copies dist.to Conflenti, McMillin & Weiss

354B

1992

Peters, Lindsay, Lewis
& Gagliotti
Brian J. Lindsay

805.

CHAD MICHAEL ZACHERL

vs.

FAUSTINA RHAE ZACHERL

Filed Aug. 25, 1992
@ 4:14 p.m.

Tax & entry paid	$50.50
state paid	10.00
state paid	5.00
pro co paid 12/16/93	9.00

COMPLAINT IN DIVORCE

2 copies (atty)

Sept. 3, 1992 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 authorited to make this verification; that i did on the 26th day of August, 1992, 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 1st day of Sept., 1992, receive a duly executed return receipt dated Aug. 29, 1992.

Brian J. Lindsay, Esq.

Nov. 25, 1992, Affidavit of Consent of plaintiff filed.

Dec. 10, 1993 Affidavit of Consent of Defendant filed.

Dec. 16, 1993, Upon praecipe of plaintiff attorney, to transmit the record, this case moved to court.

DIVORCE DECREE FILED

Jan. 5, 1994 AND NOW, December 30, 1993, it is hereby ordered and decreed that CHD MICHAEL ZACHERL, Plintiff, and FAUSTINA RHAE ZACHERL, 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.

356

1992

Peters, Lindsay, Lewis
& Gagliotti
Brian j. Lindsay

806.

DONALD LEE HAYNES

vs.

DEBRA DARLENE HAYNES

Filed Aug. 25, 1992
@ 4:14 p.m.

Tax & entry paid	$50.50
state paid	10.00
state paid	5.00
Pro.Co. pd 12/17/92	9.00

COMPLAINT IN DIVORCE

2 copies (atty)

Sept. 3, 1992 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 ~~for~~ the above named Plaintiff, and that as such I am authorized to make this verification; that I did on the 26th day of August, 1992, 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 1st day of Sept., 1992, receive a duly executed return receipt dated Aug. 28, 1992.

Brian J. Lindsay, Esq.

Dec 1, 1992 AFFIDAVIT OF CONSENT OF DEFENDANT, filed.

Dec. 1,1992 AFFIDAVIT OF CONSENT OF PLAINTIFF, filed.

Dec. 17, 1992 Upon Praecipe of Plaintiff Attorney to transmit record, case moved to Court.

D I V O R C E D E C R E E F I L E D

Dec. 30, 1992 AND NOW, December 29, 1992, it is hereby ordered and decreed that **D O N A L D L E E H A Y N E S , S R . ,** and **D E B R A D A R L E N E H A Y N E S ,** 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.

1992

807.

COURT OF COMMON PLEAS
CRAWFORD COUNTY
ORDER TO SELECT JURORS

Filed Aug. 26, 1992
@ 10:30 a.m.

ORDER FOR EIGHTY-FIVE PERSONS TO COME AND SERVE
AS JURORS FOR TRIALS COMMENCING OCTOBER 12,1992

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 come and serve as jurors inthe court of common pleas, to be hled at the court house in Meadville, Pa. commencing Oct. 12, 1992, at 9:00 a.m.

You the sheriff shall make an appropriate return as to how you have executed this order onthe day and date aforesaid.

BY ORDER OF, the Hon. Gorden R. Miller, Pres. Judge at Meadville, , this 26th day of Aug. 1992.

Barbara H. King,
Prothonotary

(Panel of 80 Jurors from Apr. 1992 term to be used; 5 drawn)

Nov. 2, 1992 ORDER for 85 Jurors. I do hereby make return that I have summoned the 85 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 Monday, October 12, 19 . So answers Robert M. Stevens, Sheriff

R. Christopher Brode
NW Legal Services

808.

ROBERTO FONTANEZ

vs.

DAVEEN STRITZINGER

Filed Aug. 26, 1992
@ 11:50 a.m.

Indigent Filing
John Fuller, mediator 150.00
Pro Co 9.00

COMPLAINT FOR CUSTODY

2 copies (atty)

ORDER OF COURT:

You, Daveen Stritzinger, dft, have been sued in court to obtain custody/partial custody of the minor child, Fedrick J. Stritzinger.

You are ordered to appear in person at the time and place selected by JOHN FULLER, CUSTODY MEDIATOR.

If you fail to appear as provided by this order, an order for custody, partial custody or visitation may be entered against you or the court may issue a warrant for your arrest.

The Crawford Countysheriff's dept. is directed to serve a certified copy of theis complaint and order upon the dft. In the alternative, this petition and order may be served by any competent adult or by cert. mail.

Plaintiff is allowed to proceed without payment of court costs reserving to the court the right to impose costs.

You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or teleph one 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

August 21, 1992

BY THE COURT,
Anthony J. Vardaro, J.

Aug. 26, 1992, Praecipe and Affidavit to Proceed In Forma Pauperis and Order filed.

ORDER: AND NOW, Aug. 25, 1992, 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 plff. 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 improv ement in hs financial circumstance that would permit him to pay the costs incurred inthis action and shll be responsible for doing so upon an improvement of financial condition.

BY THE COURT,
Anthony j. vardaro, J.

Sept. 10, 1992 Proof of Service filed. I hereby certify that a copy of the foregoing Order and Custody Petiion was served upon Defendant Daveen Stritzinger, 1401 Water Street, Conneautville, PA 16406, by Certified Mail, Return Receipt Requested onSeptember 1, 1992.

R.Christopher Brode, Esq.

Nov. 6, 1992 ORDER filed. AND NOW, November 5, 1992, after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Fred J. Stritzinger shall be shared between the mother and the father, theplaintiff 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 Fred J. Stritzinger shall be with his mother, subject to the following conditions:

A. The father shall be entitled to visit the child at the home of the mother, every Saturday in November and December of 1992 from 10:00 a.m. on Saturday to 12:00 Noon on Saturday, beginning November 7, 1992.

B. Beginning in January of 1993, and for a period of two months thereafter, the father shall be entitled to visit and take the child into his custody every Saturday from 10:00 a.m. until 4:00 p.m., beginning on January 2, 1993.

C. Beginning in March of 1993, the father shall be entitled to visit and take the child into his custody every other weekend from 10:00 a.m. on Saturday morning until 4:00 p.m. on Sunday afternoon.

D. 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 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 6:00 p.m. Holiday visits shall not begin until 1993.

E. Beginning with the Summer of 1993, the child shall be in the custody of the father for a period of two, ono-consecutive two (2) week periods. The father shall give the mother at least thirty (30) days notice of the dates of the Summer visits.

F. Transportation of the child on weekends, holidays and Summer visits shall be equally divided as follows: the parent receiving custody of the child shall provide transportation, that is, the father shall pick up the child at the beginning of a visit and the mother shall pick up the child at the end of a visit.

G. 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.

H. 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.

I. Both parents agree to inform the other immediately of any illness orinjury regarding the child and both parents agree to furnish the other witha current telephone number.

J. The father shall not consume alcohol or illegal drugs when the child is in his custody.

K. When the father visits the child at the mother's residence, he shall not be accompanied by anyone without the mother's permission.

L. There shall be no angry exchanges between the parties when custody is exchanged.

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 in full by Crawford County.

Gordon R. Miller, P.J.

Nov. 13, 1992 copy to C. Brode, C. Blystone, J. Fuller, Plf. & Dft.

1992

Joseph C. Barnhart

809.

KEITH A. WANZER

vs.

HEATHER D. WANZER

Filed Aug. 26, 1992
@ 11:58 a.m.

Tax & entry paid	$50.50
state paid	10.00
state paid	5.00

COMPLAINT IN DIVORCE

1 copy (atty)

Dec 18, 1992 Acceptance of service and Entry of Appearance Pr Se and Affidavit of Consent of Defendant, field. I, Heather D. Wanzer, do hereby acknowledge that I have this date received a true and correct copy of a Complaint in divorce as filed in the above-captioned matter.

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 12/18/92 . We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonably delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.

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

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

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

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

By the Court,
Date: 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)

360

1992

Richard R. Morelli
Dallas W. Hartman

810.

Meyer, Unkovic & Scott
William F.Ward
Ronald L.Hicks,Jr.

BARBARA SEIVER

vs.

EASTMAN KODAK
DAVE DIETRICH

Filed Aug. 26, 1992
@ 1:38 p.m.

Tax & entry paid	$50.50
state paid	5.00
Arb. paid 12/18/96	15.00
Pro Co pd 12-31-96	6.00

JURY TRIAL DEMANDED

SUMMONS IN A CIVIL ACTION

Issued (atty)

Sept. 14, 1992 Appearance of Meyer, Unkovic & Scott by William F. Ward, Esquire for Eastman Kodak Company and Dave Dietrich, filed.

June 6, 1994 Complaint filed.

June 28, 1994 Preliminary Objections to Plaintiff's Complaint filed.

July 5, 1994 Upon praecipe of defendants attorney, this case placed on next argument list.

ON OCTOBER 1994 ARGUMENT LIST

July 18, 1994 Memorandum of Law in Opposition to Preliminary Objections, filed.

July 18, 1994 Plaintiff's Response to Preliminary Objections, filed.

Aug. 26, 1994 Notice of Service of Plaintiff's First Set of Interrogatories addressed to Defendants, And Plaintiff's First Request For Production And Copying of Documetns Addressed to Defendants, filed.

Sep. 12, 1994 Memorandumand Order and ORDER filed.AND NOW, September 9, 1994, it is ordered as follows:

1. The preliminary objections of Dave Dietrich to strike the complaint for defective service are granted and the complaint is stricken.
2. Summary judgment is entered in favor of Dave Dietrich and against the plaintiff by reason of the passing of the statute of limitations whichwere never tolled as to Dave Dietrich.
3. The preliminary objections of Eastman Kodak in the nature of a more specific pleading is granted and the plaintiff shall file an amended complaint to more specifically plead special damages in paragraphs 13(c), 13(e), 17(c) and 17(e) of her complaint. Said amended complaint shall be filed within twenty (20) days from the dat e of this order.
4. The preliminary objections of EastmanKodak to strick paragraphs 13(f) and 17(f) is granted and said paragraphs are hereby stricken from the complaint.
5. In all other respects the preliminary objections of Eastman Kodak are denied.

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

9-12-94 Copies given to Attys. Morelli & Hicks

Sept. 27, 1994, Amended Complaint filed. 1 copy (atty)

Oct. 20, 1994 Response to Motion to Transfer To Arbitration on behalf of plaintiff, filed.

★ Oct. 25, 1994, Defendant's Answer and New Matter to Amended Complaint filed.

Oct. 24, 1994, Motion to Transfer to ARbitration for Argument filed.

Oct. 24, 1994, Upon praecipe of defendant Eastman Kodak, Motion placed on next argument list.

ON ARGUMENT LIST FOR NOVEMBER 1994

★

Oct. 28, 1994 Plaintiff's Reply To New Matter, filed.

Dec. 2, 1994 Memorandum and Order filed. ORDER. AND NOW, November 30, 1994, the defendant's motion to compel arbitration is denied without prejudice to the defendant to make a similar request if there are sufficient facts established of record or by discovery that would bring this matter within the arbitration limits.

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

12-2-94 Dist.to Morelli & Hicks

Aug. 14, 1996 Praecipe for Entry of Appearance by Dallas W. Hartman, P.C. by Richard R. Morellit, Esq., for Plaintiff filed.

Dec. 11, 1996, Motion for Judgment of Non Pros filed.

Dec. 11, 1996, Upon praecipe of dft. attorney, above motion placed on next argt. list.

ON ARGUMENT LIST FOR JANUARY 1997

Dec. 11, 1996, Upon praecipe of plaintiff attorney, for reference to the arbitrators, the following arbitrators are appointed:

Alan Shaddinger, Ch.
Joseph Tinko
Keith Button

Dec. 17, 1996 Objections to Praecipe For Arbitration, filed.

Dec. 17, 1996 Upon Praecipe of Attorneys for Defendant, this case placed on next Argument List.

O N J A N U A R Y 1 9 9 7 A R G U M E N T L I S T

Dec 30, 1996 Upon praecipe of plaintiff attorney the above captioned matter is marked settled, ended and discontinued of record.

1992

The McDonald Group
Daniel J. Pastore
for George L. Shimek, Jr.

811.

Christopher Ferry
for Randy Ferry

RANDY FERRY
GEORGE L. SHIMEK, JR.

vs.

GEORGE SHIMEK
RANDY FERRY

Filed Aug. 26, 1992
@ 3:37 p.m.

Tax & entry paid	$50.25
state paid	5.00
Pro Co pd 3-19-93	6.00

JURY TRIAL DEMANDED

APPEAL OF DEFENDANT FROM JUDGMENT OF
WAYNE E. HANSON, DISTRICT 30-3-01

Aug. 26, 1992, Rule entered upon George L. Shimek, jr. to file complaint issued.

Aug. 28, 1992 Proof of Service filed.

Sept. 14, 1992 Complaint filed.

Oct. 16, 1992 Answer, New Matter and Counterclaim filed.

Nov. 6, 1992 Reply to New Matter and Counterclaim, with New Matter filed.

Dec. 31, 1992 Reply to the New Matter to Counterclaim filed.

Mar. 18, 1993 Upon praecipe of plaintiff attorney the above-captioned matter is settled and discontinued with prejudice.

William B. Moore

812.

IN RE:
CHANGE OF NAME OF
REBECCA SUE WALLACE

Filed Aug. 26, 1992
@ 3:45 p.m.

Tax & entry paid $50.50
state paid 5.00

PETITION FOR CHANGE OF NAME

1 copy (atty)

ORDER:

AND NOW, to-wit: Aug. 26, 1992, upon motion fo William B. Moore, esq. atty. for petitioner above named, it is ordered and decreed that the within be heard on the 8th dayof Oct 1992, at L:30 p.m. in C. R. No. 1 or 2, of the Crawford CountyCourt House, Meadville, Pa.; and that notice of the filing of the within petition and of the aforesaid hearing date be published one time inthe Meadville Tribune and the Crawford County Legal Journal, and to L. Marvin Wallace, the nonpetitioning parent, by Cert. Mail, Return receipt requested. Anthony J. VArdaro, J.

Oct 8, 1992 AFFIDAVIT OF SERVICE, filed. William B. Moore, being duly sworn according to law, deposes and sys that:

1. He is an attorney authorized to practice law within the Commonwealth of Pennsylvania.

2. He is the attorney for the Petitioner in the above captioned matter.

3. On the 15th day of September, 1992, he deposited in the United States mails, by certified mail, return receipt requested, postage prepaid, certified mail number P 738 509 577 as evidenced by the receipt attached hereto and made a part hereof, a notice to L. Marvin Wallace, natural father of Rebecca Sue Wallace, of the hearing date, a copy of which is attached hereto and made a part hereof, in the above captioned matter.

4. The said Article was delivered to L. Marvin Wallace at his last known address at R. D. 1, Hadley, Pennsylvania 16130, on the 16th day of September, 1992 and received by David L. Miller, as evidenced by the return receipt for certified mail number P 738 509 577 attached hereto and a part hereof.

Oct 8, 1992 Certificate of No Liens, filed.

Oct 8, 1992 Proof of Publication, filed.

Oct. 13, 1992 Decree filed. AND NOW, October 8, 1992 this matter is before the Court on a petition for change of name filed by REbecca Sue Wallace, a minor, by her mother and natural guardian Robin Sue Arbuckle. The natural father, L. Marvin Wallace, appears and objects to the change of change of name.

It appears from the testimony elicited at the hearing that the natural father has had no contact with the child since shortly after birth and has not supported the child financially.

Therefore, in the Court's discretion, it is believed that there would be no further estrangement of the relationship between the child and her father if the Court grants this petition, and accordingly, after hearing with respect to the peititon and mtoion of William B. Moore, esq., Attorney for the Petitioner, and upon presentation of proof of publication of notice as required by law, together with proof that there are no judgments or decrees of record or any other matter of like effect against the petitionerm and it appearing that there is no proper legal objection to the the granting of the prayer of the petition, and it is in the best interest of the child to grant the relief requested;

IT IS HEREBY ORDERED AND DECREED that the name of the Petitioner, REbecca Sue Wallace, is her eby changed to Rebecca Sue ARbuckle.

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

5 copies Atty. Moore

1992

Barbara J. Walton

813.

ROBIN L. BROWN

vs.

ERICK T. BROWN

Filed Aug. 26, 1992
@ 4:19 p.m.

Tax & entry paid	$50.50
1 count paid	15.00
state paid	10.00
state paid	10.00

COMPLAINT IN DIVORCE, CUSTODY

2 ocpies (atty)

Oct. 7, 1992 Affidavit of Service, filed. And Now, Oct. 5, 1992, comes Lisa M. Sherretts, secretary to Barbara J. Walton, Esq., and avers as follows:

1. A true and correct copy of the Complaint for Custody was mailed to the Defendant via Certified Mail, return receipt on Aug. 28, 1992.

2. That the Defendant signed the return card on Sept. 18, 1992 and in accordance with Pa. R.C. P. 412 service of the Complaint was made as is evidenced by the United States Postal Service Return Receipt (Certified No. P 899097882) 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.

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 10/7/92 . We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonably delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.

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

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

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

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

By the Court,
Anthony J. Vardaro, J

Date: March 12, 1998

Mar. 12, 1998 copies mailed by Court Administrator's Office

Barbara J. Walton

814.

Mary Ann Kirkpatrick

DIANNE PATTERSON

vs.

THOMAS KLEIN

Filed Aug. 26, 1992
@ 4:19 p.m.

Tax & entry paid $50.50
state paid 5.00

John Fuller, Mediator
Pd Cr 12-29-93 ch#7881 9.00
John Fuller, Mediator 150.00
Pro Co 9.00

11-15-93 Rec from dft med. deposit $150.00
12-24-93 Pd dft (Kirkpatrick) ch#7988 66.00
12-24-93 Pd Co ch#7983 75.00
1-18-94 Rec from plf med. fee 75.00
3-22-94 Pd Co #8179 75.00

COMPLAINT FOR CUSTODY

2 copies (atty)

Sept. 9, 1992 AFFIDAVIT OF SERVICE, filed. And Now, September 9, 1992, comes Lisa M. Sherretts, secretary to Barbara J. Walton, Esq. and avers as follows:

1. A true and correct copy of the Complaint of rCustody was mailed to the Defendant via Certified Mail, return receipt on August 28, 1992.

2. That the Defendant signed the return card on September 1, 1992, and in accordance with Pa. R.C. P. 412 service of the Complaint was made as is evidenced by the United States Postal Service return Receipt)Certified No. P 899097883) 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.

Nov. 25, 1992 Consent Custody Agreement, Stipulation, Order, Praecipe to Transmit the Record and Order of Court filed. And Now, this 24th day of November, 1992, upon the review of the attached Consent Custody Order of the parties regarding their child, it is hereby ORDERED that the Consent Custody Order is approved and shall be incorporated into this Order as if more fully set forth herein. However any support action or support enforcement shall be brought before the Deomestic Relations Section.

Gordon R. Miller, J.

Dec. 2, 1992 Copy of Order to Barbara J.Walton, Esq.

Nov. 15, 1993 Petition to Modify Custody and Not ice and Order to Appear filed. You, Dianne R. Patterson,have been sued in Court toobtain custody of Breanne Nicole Klein.

You are ORDERED to appear in person at such t ime and place as will be deteermined 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.

Date: 11/12/93 Gordon R. Miller, J.

Nov. 17, 1993 Copy of Order to Attys. Walton,Kirkpatrick & Fuller. (1 copy Atty, 1 copy Med.)

Nov. 23, 1993 Affidavit of Service filed. And Now, November 23, 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 Thomas Klein, Defendant in the above-captioned matter.

2. That on information furnished her by the Defendant, she caused a copy of the Petition to Modify Custody to be forwarded by Certified Mail, P 100 657 005; postmarked November 16, 1993, to the last known address of the Plaintiff, Dianne R. Patterson, 675 Hickory St., Meadville, PA 16335.

3. That the Plaintiff, Dianne R. Patterson, on November 17, 1993, personally signed the return receipt card which was affixed to the Petition in the above-matter and which is attached hereto.

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

Constance L. Deitman

Dec. 28, 1993 ORDER filed. AND NOW, December 28th, 1993 after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Breanne N. Klein shall be shared between the mother and the father, the plaintiff and defendant herein, that is, each parent shall be entitled to full access sto school records, medical arecords 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 tratment and religious instruction of the subject child.

II. Physical custody of Breanne N. Klein shall be with her mother, subject to the following conditions:

A. The father shall be entitled to visit and take the child into his custody one week each month from 1:00 o'clock p.m. on the first Sunday of each month to 1:00 o'clock p.m. on the following Sunday, beginning January 2, 1994.

B. Holidays shall be defined as Christmas 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 every Thanksgiving, from 6:00 o'clock p.m. on Wednesday evening (day before Thanksgiving) until 6:00 o'clock Op.m. on the Sunday following Thanksgiving. In addition the father shall have the child for two (2) days after Christmas which unless otherwise agreed on shall be from 10:00 o'clock a. m. on December 27 until 6:00 o'clock p.m. December 28.

C. Beginning in 1994 father shall be entitled to have the child for one (1) week to correspond to father's vacation from work. Father shall give mother at least thirty (30) days notice of this vacation-visit.

D. Transportation of the child on week-visits, holidays and other visits shall be equally divided with the father (or a responsible adult) picking up the child at the beginning of a visit, and the mother (or responsible adult) picking up the child at the conclusion of a visit.

E. Neither mother nor father shall say or do anything in an attempt to turn the child agaisnt 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. Reasonable telephone contact (no more than once a day) shall be permitted with the non custodial parent.

H. Neither parent shall remove the child from the Commonwealth of Pennsylvania without the consent of the other parent.

CONTINUED ON PAGE 364A

1992 TERM

Dianne Patterson
vs.
Thomas Klein

CONTINUED FROM PAGE 364
of Record
A. D. 1992 - 814

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III. This order is a temporary order but shall become a permanent order unless exceptions sthereto are filed by either party within ten (10) days of the date hereof.

IV. Cost of the mediation conference shall be equally divided between the parties. The Prothonotary of Crawford County is hereby directed to refund one-half (½) of the deposit paid in advance by the Defendant less the cost of the custody order. Gordon R. Miller, P.J.

Jan. 7, 1994 copy to J. Fuller, M.A. Kirkpatrick, B. Walton, Plf. & Dft.

364
-6-

1992 TERM

1992

Elderkin, Martin,
Kelly & Messina
Craig A. Markham

815.

Natalie Dwyer Haller

BETTY J. POWELL

vs.

MEADVILLE MEDICAL CENTER

Filed Aug. 27, 1992
@ 11;47 a.m.

Tax & entry paid	$50.50
state paid	5.00
sheriffs costs	25.00
Pro.Co. pd 2/15/95	6.00

JURY TRIAL OF 12 DEMANDED

COMPLAINT

1 copy (atty)

Sept. 2, 1992, Sheriffs Return filed. SERVED Meadville Medical Center on Aug. 27, 1992, at 3:15 p.m. by handing a copy of the Complaint to Nan cy Blystone, admin. Assistant at Meadville Medical Center 751 Liberty st. Meadville, crawford County, Pa.
So answers, Dale A. Collins, Dep. sheriff
Robert M. stevens, Sheriff

Oct 29, 1992 ANSWER TO PLAINTIFF'S COMPLAINT, filed.

Nov 5, 1992 CERTIFICATE OF SERVICE OF INTERROGATORIES TO DEFENDANT (FIRST SET), filed.

Feb 8, 1993 Notice of Taking of Deposition of Lisa White, filed

Feb. 25, 1993 Notice of Deposition of Lisa White, filed.

Mar. 3, 1993 Notice of Deposition of Lisa White filed.

Mar. 29, 1993 Certificate of Service of Interrogatories (Second Set) filed.

Apr. 27, 1993, notice of Service of Answers to Interrogatories and Response to Request for Production (Second Set) filed.

Aug. 20, 1993 Notice of Deposition of Ruth McNamara, Hilda Bauer, Sandy Griffing, Brian Groover, Martha A. Thaler and Peggy McKinley, filed.

Nov. 5, 1993, Plaintiffs Notice Pursuant to Local Rule 302A(2) for Completion of Discovery filed.

Jan. 5, 1994 Notice of Oral Deposition of Zeline Euler, R.N., Risk Manager of Meadville Medical Center, filed.

Jun. 21, 1994 Certificate of Readiness filed.

ON OCTOBER, 1994 Trial List

Aug. 5, 1994 Notice of Taking Deposition Upon Oral Examination, filed.

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

1. All discovery is completed and there is a deposition scheduled by the Plaintiff with Dr. John P.Scullin this day. This case should be ready for trial on October 17, 1994 in the morning. The parties have been alerted that they may be required to pick a jury on October 10, 1994 and they will be notified by the Court Adminstrator if that becomes the case. It was also brought to the Court's attention this day that an expert retained by the Defendant in August 1994 has just indicated recently to counsel for the Defendant that he or she will not be in a position to provide a report nor to give an expert opinion in this case. As a result, the Defendant is attempting to retain another expert and may have an expert available at trial. In the event the Defendant is not above to do so, the Defendant's attorney may be requesting a continuance and that should be done at the earliest possible time for the Court to consider.

At this conference,we have indicated that if that occurs as an alternative to continuing this case to the February 1995 term of civil court, it may be possible to picka jury panel from this civil panel or from of the criminal panels brought in for the November 1994 term of court with the understanding this case would be tried at the end of November 1994 or into December 1994. Again those issues willbe explored if this becomes a problem. We note that in discussing this issue the attorney for the Plaintiff has indicated that he does not have a report from the Defendant's expert physical therapist and that apparently will be forthcoming today prior to the deposition of Dr. Scullin but, in the event the Defendant is permitted to use a new expert, there may be problems in that Dr.Scullin's deposition has already been taken and counsel for the Plaintiff may have had different questions for Dr. Scullin based on the Defendant's new expert. Again, those issues would have to be dealt with if they become issues and should be brought to the Court's attention at the earliest possible date.

2. Desription of the case. This case begaon on September 10, 1990 when the Plaintiff fell during a physical therapy session at the Meadville Medical Center. She had beenreceiving physical therapy treatments in connection with a right leg fracture that occurred on June 6, 1990. The Plaintiff alleges that the physical therapist used a procedure during the Plaintiff's physical therapy session that was not appropriate and further did so withut having aides available to catch the Plaintiff is she began to fall. The Defendant maintains that the procedure used by the physical therapist was in accordance with the accepted standards of care for physical therapists.

3. **Legal issues.** It appears that any legal issues in this case will revolve around what damages are recoverable if the Defendant is indeed liable. Specifically, as has been noted, the Plaintiff was already being treated for injuries sustained as a result of a June 6, 1990 incident and apparently based on Dr. Scullin's report it would appear that he will testify that it is his opinion that the Plaintiff's "...pain, discomfort and loss of motion in the right knee would not be any more than 50% attributable to the September 10, 1990 accident."

4. **Stipultions.** It appears that the parties are discussing a stipulation with regard to the medical bills and, in the event they are not able to reach such a stipulation, they may bring the matter to the attention of the Court for a ruling. It appears that there will be limited use of medical records in this matter and, in the event the parties are not agreeable with respect to any such exhibits if indeed there are any, they may bring that to the attention of the Court.

5. **Witnesses.** Plaintiff at this time apparently will call the Plaintiff, her daughter, Dr. John Scullin by videop tape deposition, Carol S. Galletta,P.T.M.P.H., as an expert witness, and possibly Lisa White, the physical therapoist involved in this matter. The Defendant will call Lisa White as well as Brian Groover, a physical therapy aide, and Cathy Petty as an expert witness.

In the event after taking Dr.Scullin's deposition the parties believe that the Court needs to rule on any objections, they will be brought to the Court's attention in advance and a copy of the transcript of the deposition will be provided to the Cout in advance.

Continued to Page 515

1992

816.

CHRISTINE RICE

vs.

STEVEN CORNER

Filed Aug. 27, 1992
@ 11:54 a.m.

Tax & entry	$50.50
state	5.00
Sheriff's Costs	41.50

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

1 copy (plff)
3 copies 9sheriff)

ORDER:

And now, this 26th day of August, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions:
Defendant shall not contact plaintiff and he shall not go to plaintiff's residence. Temporary custody ofthe child is awarded to plaintiff.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for **Sept. 9** , 92 at **3:30 p** M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller J.

Sep. 3, 1992 Sheriff's Return and Affidavit of Service filed. SERVED t he within Petition for Protection from Abuse on August 28, 1992, at 1430 hrs. upon Steven Corner at Room 205, PerryHall, Penn State Behrend, Erie County,Erie, Penna. by handing to Steven Corner a true and correct copy thereof and made known to her the contents therein.

Robert N. Michel, Sheriff Erie County
William Parker, Deputy Sheriff

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

So answers:

Robert M. Stevens, Sheriff, Crawford County, PA

Sept. 11, 1992 ORDER Filed AND NOW, September 9, 1992, at the time fixed for hearing in this matter, the defnednat did not appear, but the court is satisfied that he was properly served in Erie County on August 28, 1992. The Court required the plaintiff to procedue evidence in support of her petition. The Court is satisfied that the plaintiff has carried her burden of proof and that the defnednat has engaged in abuse as that term is devined bythe Act.

ACCORDINGLY, it is ORDERED as follows:

1. That defnednat shall not assault, abuse, harass or threaten the plaintiff or the minor child.
2. The defendant shall not go the plaintiff's residence. He shall not contact the plaintiff by telephone, but shall be permitted to contact the plaintiff in writing or through others since they are the parents of a child.
3. Custody of the minor child is awarded to the plaintiff with not visitation rights in the defendant until further Order of Court. The defendant is advised that he has a right to seek custody or visitation in an appropriate cusotdy or visitation proceeding in a court of competent jurisdiction. Once a custody or visitation Order is entered in a custody or visitation proceeding, themthe provisions of this Order with respect to custody and visitation shall no longer be in effect. The purpose ofthe custody and visitation provisions in this Order are temporary only until such itme as custody and visitation is decided in another proceeding.
4. This Order shall remain in full force and effect for one (1) year fomr this date.
5. A copy of this Order shall be delivered to the Pennsyvlania State POlice at the Meadville Substation and to County Control by the Prothonotary. Furthermore, a copy of this Order shall be mailed to the defendant by regular mail at Room 205 Perry Hall, Behrend Campus of Penn State University, Erie, Pennsylvania, 16535.
6. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe that it has been violated.
7. 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. Because the plaintiff is on Public Assistance and the defendnat is a full-time student, costs are waived and shall be paid for by Crawford County.

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

Sept. 11, 1992 Copies mailed to Pa. S.P. & dft. given: Co Control and Atty. Brode

1992

Murphy, Taylor & Trout, PC
Kathleen Richards Ryding
Gary D. Bax

817.

Dickie, McCamey & Chilcote PC
Stephen M. Houghton
Jennifer M.Huber

RALPH SMITH

vs.

JASLYN, INC.,
BYRON HAWK, AND
GREENTREE TRANSPORTATION COMPANY

Filed Aug. 27, 1992
@ 11:57 a.m.

Tax & entry Pd 9-2-92 $50.50
state Pd 9-2-92 5.00

Pro.Co. Pd 12/28/94 $7.00

JURY TRIAL DEMANDED

CASE TRANSFERRED FROM THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PA., PER ORDER OF COURT-8/19/92

ORDER OF COURT:
AND NOW, to wit this 19 dayofAug. 1992, upon agreement of counsel and pursuant tot he Motion of defendants for the transfer of the within action from the court ofCommon Pleas of Allegheny County to the Court of Common Pleas of Crawford County, the Prothonotary is hereby directed to transfer the within case, costs to be borne by the plaintiff. By the Court,
BIGLEY, J.

ALLEGHENY COUNTY ENTRIES:
June 3, 1992, Complaint in Civil Action filed.

June 16,1992, Sheriffs Return filed.

July 10, 1992, Appearance of Stephen M. Houghton, Esq. on behalf of defendants filed.

July 10, 1992 Preliminary Objections filed. (brief)

Aug. 19, 1992, Motion for Voluntary Transer of Venue and order filed. (Signed by Judge Bigley; see order above)

CRAWFORD COUNTY ENTRIES:

Sept. 8, 1992 Appearance of Murphy, Taylor & Trout, P.C. BY Gary D. Bax, Attorney for plaintiff filed.

Sept. 8, 1992 Notice of Service of First Set of Interrogatories and Request for Production of Documents to Defendants filed.

Mar. 3, 1993 Answer and New Matter filed.

Feb. 4, 1994, Plaintiff's Reply to New Matter filed.

March 24, 1994 Motion To Compel Authorizations Of Federal Tax Returns filed.

March 24, 1994 Upon praecipe of Defendants attorney, this case placed on next available argument list.

ON APRIL 1994 ARGUMENT LIST

March 30, 1994 Answer to Motion to Compel Authorizations For Federal Tax Returns on behalf of plaintiff filed.

Apr. 28, 1994 Memorandum and Order filed. AND NOW, April 27, 1994, t he defendants' motion to compel discovery is granted. The plaintiff is ordered and directed to furnish to counsel for the defendants true and correct copies of his Federal Income Tax returns for the years 1988, 1989, 1990 and 1991.
Information contained on said tax returns shall not be disclosed by the defendants to any non-party or non-witness without further Order of Court or written consent of the plaintiff.
Said information shall remain confidential and shall only be used for reasonable and necessary purposes connected to this litigation.
Copies of these tax returns that may be destroyed by the defendants or their counsel shall be shredded and discarded in shreds.
The plaitiff shall comply with his request within thirty (30) days from this date.
BY ORDER OF COURT
Gordon R. Miller,P. J.
5-3-94 Copy of Order to Attys. Bax & Huber & Houghton

Dec. 28, 1994 Upon Praecipe of Gary D. Bax, Esquire, Attorneys for Plaintiff, the above-referenced docket Settled and Discontinued of record, with the Plaintiff to bear his own costs.

1992

Bruce A. Barrett

818.

J WOOD, DIVISION OF WHITE CONSOLIDATED INDUSTRIES, INC.

vs.

GARY G. LEWANDOWSKI, individually and d/b/a KEYSTONE KITCHENS

Filed Aug. 27, 1992
@ 3:10 p.m.

Tax & entry paid	$50.50
state paid	5.00
sheriffs costs	31.00
Pro.Co. pd 1/15/93	5.00

COMPLAINT

2 copies (sheriff)

Sept. 2, 1992, Sheriffs Return filed. SERVED Gary G. Lewandowski on Aug. 31, 1992 at 2:40 p.m. by handing a copy of the complaint to Gloria Lewandowski, his wife and Salesperson, at his place of business, Keystone Kitchens, 900 Park ave Meadville, Crawford County, Pa.

SERVED Keystone Kitchens on Aug. 31, 1992 at 2:41 p.m. by handing a copy fo the complaint to gloria Lewandowski, salesperson at the place of business, 900 Park Ave Meadville, Crawford County, Pa.

So answers, Dale a. collins, dep. sheriff
Robert M. stevens, sheriff

Jan. 15, 1993 Upon Praecipe of Plaintiff's Attorney, Bruce A. Barrett, Esquire, this case is marked discontinued of record.

1992

Peters, Lindsay, Lewis and Gagliotti

Brian J. Lindsay

819.

R. Charles Thomas

8/27/92 Deposit of $150.00 paid by plff.

10-31-92 Pd pltf Refund med fee Ck# 7148 41.00

11-20-92 Pd Comm - Med fee Ck# 7186 100.00

JOHN S. EAKIN

vs.

PATRICIA L. EAKIN

Filed Aug. 27, 1992
@ 3:34 p.m.

Tax & entry paid	$50.50
state paid	5.00
John Fuller, mediator	200.00
Pro Co Pd 11-20-92 ent 7187	9.00

COMPLAINT FOR CUSTODY

2 copies (atty)

ORDER:

You, **Patricia L. Eakin, dft.** , have been sued in Court to obtain custody of **Sondra Marie Eakin.**

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 visi tation 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

Aug. 25, 1992.

BY THE COURT,
Anthony J. Vardaro, J

Sept. 3, 1992 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 31st day of August, 1992, send to the above named Defendant, by Certified Mail, Return Receipt Requested, a true and correct copy of the Child Custody Complaint filed at the above term and number; and that I did on the 3rd day of Sept., 1992, receive a duly executed return receipt dated Sept. 2, 1992.

Brian J. Lindsay, Esq.

Sept. 23, 1992 MOTION FOR SPECIAL RELIEF and ORDER, filed. ORDER: AND NOW, this 23rd day of September, 1992, the herein Motion for Special Relief is hereby granted with said visitation to resume starting this Saturday the 26th day of September, at 9:00 a.m. until 6:00 p.m. Sunday the 27th day of September, with said visitation to take place every other weekend after,until such matters are heard before Mediator, John Fuller, on Oct. 22, 1992, at 10:00 a.m. The Plaintiff shall abide strictly by the times above. Anthony J. Vardaro, J.
Sept. 23, 1992 copy to B. Lindsay J. Fuller & Dft.

Oct 28, 1992 ORDER filed. AND NOW, Oct. 28, 1992, after mediation conference before John Fuller, Edq., IT IS SORDERED AND DECREED AS FOLLOWS, TO-WIT,

I. Legal custody of Sondra Marie Eakin 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 treatmetn and religious instruction of the subject child.

II. Physical custody of Sondra Marie Eakin shall be with her 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 Oct. 23, 1992. Inasmuch as the father works every other weekend and his schedule of weekends is only known to him a month in advance, he shall furnish the mothe his schedule at least 20 days in advance, and his visits with his daughter shall take place on the weekends he is not working.

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 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 child shall be in the custody of the father for a period of two, non-consecutive severn (7) day periods. The father shall give the mother at least 60 days notice of the dates of the Summer visits.

D. Transportation of the child on weekends, holidays and Summer visits shall be provided by the mother. There shall be no angry exchanges between the parents when custody is transferred, nor at any time in the presence of the child.

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 orsituation 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. The father shall be entitled to call the child on the telephone, provided that there shall not be more than 2 calls a week, and the calls shall not be m ore thant 15 minutes in duration.

III. This order is a temporary order but shall become a permanent order unless exceptions thereto are filed by either party within 30 days of the date hereof.

IV. Cost of the mediation conference will be equally divided between the parties. The Prothonotary of Crawford County is hereby directed to refund the amount of $50.00 of the deposit paid in advance by the Plaintiff, less the cost of the custody order.

Anthony J. Vardaro, J.
Nov. 5, 1992 copy to R.C. Thomas, B. Lindsay, J. Fuller, Plf. & Dft.

Nov 6, 1992 REQUEST FOR DE NOVO HEARING and ORDER filed. ORDER: this 5th day of November, 1992, the above Request for Hearing De Novo is hereby granted and shall be scheduled on 11th day of December, 1992, at 9:00 a.m. at the Crawford County Courthouse in Court Room 1 or 2.

FOR THE COURT:
Imogene Yetman, Crt. Adm.

Nov. 12, 1992 copy to B. Lindsay & R.C. Thomas

RECORD CONTINUED ON PAGE 495.....

370

1992

Peters, Lindsay,
Lewis & Gagliotti
Brian J. Lindsay

820

MARCIE L. ALBAUGH

vs.

DONALD T. ALBAUGH, SR.

Filed August 28, 1992
@ 8:57 AM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 2/24/93	9.00

COMPLAINT IN DIVORCE
2 copies (atty)

Sept. 2, 1992 ACCEPTANCE OF SERVICE filed. I, Donald T. Albaugh, Sr., the above named Defendant, hereby accept service of the Complaint in the above action.

Feb. 24, 1993 Affidavit of Consent of Defendant filed.

Feb. 24, 1993 Affidavit of Consent of Plaintiff filed.

Feb. 24, 1993 Upon praecipe of Plaintiff Attorney the above case is moved to court.

DIVORCE DECREE FILED

March 3, 1993 AND NOW, Feb. 24, 1993, it is hereby ordered and decreed that **MARCIE L. ALBAUGH**, Plaintiff, and **DONALD T. ALBAUGH, 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.

1992

821

BILLIE ALLEN et al

vs.

JAMES GROSS

Filed August 28, 1992
@ 10:55 AM

Tax & entry paid 50.25
User's Fee paid 5.00

APPEAL OF DEFENDANT FROM DECISION
OF DISTRICT JUSTICE RON COLE

Aug. 28,1992 Rule entered upon plaintiff to file a complaint issued.

Sept. 2, 1992 Proof of Service of Notice of Appeal and Rule To File Complaint, filed.

1992

822

FRANK REICHART

vs.

MAUREEN BREITFELDER

filed August 28, 1992
@ 11:46 AM

Tax & entry paid	15.00
Plff. on orig.	9.25
Sheriff's Costs	30.00

WRIT OF REVIVAL

of

A.D. 1992 - 822

Writ of Revival indexed against the defendants in favor of the plaintiff, in the sum of Nine Hundred Eighty-four and 50/100 Dollars with interest and cost of suit.

Debt ---$984.50
B---115

Barbara H. King, Pro

Issued Sheriff

Sept. 16, 1992 Sheriff's Return filed. NOT FOUND AS TO Defendant Maureen Breitfelder. She does not live at 307 Spring Street, Cambridge Springs,PA; This is her house but she rents it out. She is no longer employed at Weaver Real Estate,possibly now employed at Holland Metro in Edinboro, PA.

So answers, Robert M. Stevens, Sheriff

1992

Elderkin, Martin,
Kelly & Messina
William J. Kelly

823

~~John R. Gavin~~ Withdrawn

Richard W. Kooman, II
Terry R. Heeter
Robert W. Schneider
and Barbara E.
Schneider

Cusick, Madden, Joyce
and McKay
Donald R. McKay
Peter C. Acker
for Jeffrey A. & Sheila
Schneider, t/d/b/a
Sheila's Hair Salon

ANNA MAE MCCANDREW and
JAMES F. MCCANDREW, her
husband

vs.

JEFFREY A. SCHNEIDER and
SHEILA SCHNEIDER, husband
and wife, t/d/b/a SHEILA'S
HAIR SALON
and Robert W. Schneider and
Barbara E. Schneider

✓ Filed August 28, 1992
@ 1:26 PM

Tax & entry paid	50.50
User's Fee paid	5.00
sheriffs costs	43.00
sheriffs costs	43.00
Pro. Co. pd 9/29/94	6.00
Pro Co. pd 10/28/94	9.00

JURY TRIAL DEMANED

COMPLAINT IN CIVIL ACTION
1 copy (atty)

✓ Sept. 2, 1992, Sheriffs Return filed. SERVED Jeffrey a. Schneider on Sept. 1, 1992 at 2:04 P.M. by handing a copy fo the complaint to sheila Schneider, his wife and adult in charge at Sheila's Hair Salon, located at the intersection of North Petroeleum and Walnut sts. titusville, Crawford County, Pa.
SERVED sheila Schneider personally on Sept. 1, 1992 at 2:03 p.m. by handing her a copy of the complaint at sheila's Hair Salon located at the intersection of N. Petroleum and Walnut sts. Titusville, Crawford County, Pa.
So answers, Dale A. Collins, Dep. Sheriff
robert M. Stevens, sheriff

✓ Sept. 11, 1992 Appearance of John R. Gavin for defendants, filed.

✓ Sept. 15, 1992 Notice of Service of Interrogatories and Request For Production of Documents addressed to Defendants (First Set) filed.

✓ Oct. 14, 1992 Answer and New Matter filed.

✓ Nov. 2, 1992 Demand for Jury Trial filed.

✓ Nov. 2, 1992 Reply To New Matter filed.

✓ Feb 2, 1993 Notice of Service of Interrogatories and Request for Production of Documents (Second Set), filed.

Apr. 5, 1993, Notice of Deposition of Arthur D. Deininger, M.D. filed. (Not in file) 10/6/94

✓ May 6, 1993 Notice of Taking Depositions Upon Oral Examination of Sheila Schneider and Jeffrey A. Scheider, filed.

✓ June 28, 1993 Amended Notice of Taking Depositions Upon Oral Examination, filed.

✓ June 28, 1993 Amended Complaint, filed.

✓ June 28, 1993 Stipulation Approving the Filing of Amended Complaint, filed.

✓ July 8, 1993, Sheriffs Return filed. SERVED Robert W. Schneider personally on June 30, 1993 at 2:20 p.m. by handing a copy of the Amended Complaint to him at his residence, 509 W. Spruce St. Titusville, Crawford County, Pa.
SERVED Barbara E. Schneider on June 30, 1993 at 2:21 p.m. by handing a copy of the Amended Complaint to Robert W. Schneider Adult in charge at the residence, 509 W. Spruce St. Titusville, Crawford County, Pa.
So answers, Scott D. Young, Dep. Sheriff
Dale A. collins, Ch. Dep. Sheriff
Robert M. Stevens, Sheriff

✓ Sept. 14, 1993 Appearance of Richard W. Kooman, II by Terry R. Heeter for Robert W. Schneider and Barbara E. Schneider filed.

Sept. 29, 1993 Answer, New Matter and New Matter Under Rule 2252(d) on behalf of Robert W. and Barbara E. Schneider, Defendants, filed.

Oct. 20, 1993 Reply To New Matter filed.

✓ Oct. 28, 1993 Notice to Complete Discovery filed.

✓ Mar. 25, 1994 Withdrawal of appearance of John R. Gavin for Defendnats, Jeffrey A. and Sheila Schneider, t/d/b/a Sheila's Hair Salon, filed. APPEARANCE of Cusick, Madden, Joyce and McKay by Donald R. McKay and Peter C. Acker for Jeffrey A. and Sheila Schneider, t/d/b/a Sheila's Hair Salon, filed.

✓ June 21, 1994 Certificate of Readiness, filed.

ON OCTOBER, 1994 TRIAL LIST

✓ Aug. 26, 1994 Notice of Videotape Deposition for Use at Trial, filed.

✓ Sep. 19, 1994 Notice of Taking Deposition Upon Oral Examination of Kathy Trapp, filed.

✓ Sep. 19, 1994 Notice of Taking Deposition Upon Oral Examination of Donna Etheridge, filed.

✓ Sep. 29, 1994 Upon Praecipe of William J. Kelly, Esquire and Craig A. Markham, Esquire, Attorneys for Plaintiffs, the action against the Defendants, Robert W. Schneider and Barbara E. Schneider, is marked discontinued of record.

✓ Oct. 5, 1994 Stipulation filed.

✓ Oct. 6, 1994 PRE-TRIAL ORDER filed. AND NOW, October 4, 1994 after a 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 the trial shall take place during the week of October 10, 1994. Jury selection shall take place on Monday, October 10, 1994 with trial to follow the trial in the case of English v. Leech Industries, Inc. It is anticipated that the actual trial will begin on Wednesday, October 12, 1994. It is anticipated that this case shall take three days to try.
2. Description of the case.
This is a personal injury action arising out of a fall down that occurred on August 21, 1991 when the wife-plaintiff, Anna Mae McCandrew. fell on property that was under the control of Jeffrey A. Schneider and Sheila Schneider, his wife, and being operated as Sheila's Hair Salon. She fell while

Continued to Page 517

374

1992

Kathleen R. Nelson

824

CAMERSON D. WRIGHT, t/d/b/a CONNEAUTVILLE FARMERS EXCHANGE

vs.

JOHN R. PORTER and LEWIS C. PORTER

Filed August 28, 1992
@ 2:29 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	26.00
Pro Co pd 9/17/92	5.00

COMPLAINT IN CIVIL ACTION
1 copy (Sheriff) 1 copy (atty)

Sept. 14, 1992 Sheriff's Return filed. NOT SERVED as per instruction from Attorney Kathleen R. Nelson during a telephone conversation on September 8, 1992.
So answers, Robert M.Stevens,Sheriff

Sept. 17, 1992 Upon praecipe of Plaintiff Attorney the above-referenced matter is marked settled and discontinued of record.

1992

Watts and Pepicelli
Christopher D. Ferry

825

~~Ronald J. Susmarski~~ ?
withdrawn

DEBORAH J. FULLER

vs.

MARK GUERIN and KAREN GUERIN

Filed August 31, 1992
@ 9:27 AM

Tax & entry paid	50.25
User's Fee paid	5.00
Pro Co pd 10-29-92	15.00
Pro Pd 4/29/93	5.00

APPEAL OF DEFENDANT FROM APPEAL OF
DECISION OF DISTRICT JUSTICE WAYNE E. HANSON

Aug. 31, 1992 Rule entered upon plaintiff to file a complaint issued.

Aug 31, 1992 Proof of Service of Notice of Appeal and Rule to File Complaint, filed.

Sept. 10, 1992 Return Receipt Cards filed. Return REceipt Card addressed, received and signed by Plaintiff, Deborah J. Fuller and Return REceipt Card addressed to District Magistrate Wayne E. Hanson; received and signed by Judy Meola, Secertary Both received on the delivery date of September 1, 1992.

Sept. 21, 1992 Complaint filed.

Oct. 9, 1992 Answer and CounterClaim filed.

Oct. 29, 1992 RESPONSE TO COUNTERCLAIM, filed.

Oct 29, 1992 Upon praecipe of Plaintiff attorney for appointment of Arbitrators, the following Arbitrators are appointed.
R. Charles Thomas, Chr.
Barbara Walton
Louis Stack

Dec/ 8, 1992, Arbitrators Take the Qualifying Oath.

Mar. 15, 1993 Return of Service of Subpoena Filed.

Mar. 25, 1993, Motion to withdraw Appearance filed. (Susmarski-no order)

Mar. 25, 1993, Notice of Arbitration Hearing filed.

Mar. 25, 1993, DECISION OF ARBITRATORS filed in which they find in favor of the plaintiff and award plaintiff the sum of $340.00 plus interest at the local rate from Aug. 17, 1992. We find in favor of the plaintiff and against the defendants on the defendants counterclaim.
Decision entered
Mar. 25, 1993
G - 114, 104
DECISION OF ARBITRATORS
Barbara H. King,
Prothonotary

Mar. 25, 1993, copies of Decision to Atty. Ferry and dfts.

Apr 12, 1993 Withdrawal of Appearance of Ronald J. Susarski for Defendant, filed.
ORDER: AND NOW, to-wit, this 12 day of April, 1993, it is hereby Ordered, Adjudged and Decreed that Petitioner, Ronald J. Susmarski, Esquire, is permitted to withdraw as Counsel for Defendants, Mark and Karen Guerin. Gordon R. Miller, p.J.
Apr. 14, 1993 copy to C. Ferry & R. Susmarski

Apr. 26, 1993, UPon praecipe of plaintiff attorney, the above captioned case is hereby settled and discontinued of record.

376

1992

Hayt, Hayt & Landau
Arthur Lashin

826

FORD MOTOR CREDIT COMPANY

vs.

GEORGE D. BOYER and BESSIE A. BOYER a/k/a BESSIE ANN BOYER

Filed August 31, 1992
@ 1:32 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	35.00
Pro.Co. pd 10/8/92	9.00
Satisfaction Pd. 9/4/96	5.00

COMPLAINT IN CIVIL ACTION
2 copies (Sheriff)

Sept. 4, 1992 Sheriff's Return filed. SERVED George D. Boyer personally on September 3, 1992 at 10:47 AM by handing a copy of the Complaint to him at his residence, R.D.#3,Cambridge Springs, Crawford County, PA.
SERVED Bessie A.Boyer personally on September 3, 1992 at 10:46 AM by handing a copy of the Complaint to her at her residence, R.D.#3, Cambridge Springs, Crawford County, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M.Stevens, Sheriff

And Now, Oct. 8, 1992 at 11:13 A.M. upon Praecipe of Plaintiff's Attorney, with notice of intention to file Default judgment attached, judgment is hereby entered in favor of plaintiff and against the defendants for want of an answer and the damages are assessed at the sum of Seven Thousand Four hundred Eighty-two and 61/100 Dollars plus interest and cost of suit.

Debt	$7,482.61
Interest	407.93

B-74; 24
Entered on 10-8-92
Judgment
Barbara H. King
Prothonotary

Abstract to Atty. Lashin

Aug. 28, 1996 This Lien satisfied
(see paper filed)

1992

MacDonald, Illig,
Jones & Britton
Susan Fuhrer Reiter

827

Robert X. Medonis

GRAND VALLEY MANUFACTURING CO., INC.

vs.

SHARON STEEL CORPORATION

Filed August 31, 1992
@ 1:44 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	42.70
Pro Co 11-17-92	9.00

COMPLAINT IN CIVIL ACTION
2 copies (Sheriff)

Sept. 18, 1992 Sheriff's Return field. SERVED the within Complaint on September 11, 1992, at 11:15 AM, upon Sharon Steel Corporation at Sharon Steel, Roemer Blvd., farrell, PA by handing to M. G. Sander, General Counsel, person in charge a true and correct copy thereof and made knwon to him the contents therein.
So answers, Willim H. Romine, Jr. Sheriff
Anthony J. Hnida, 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

Sept. 28, 1992 Defendant's Preliminary Objections and Motion for More Specific Pleading filed.

Sept. 28, 1992 Upon Praecipe of AttorneyRobert X. Medonis, the above captioned matter is place onthe next available Argument List.

ON NOVEMBER, 1992 ARGUMENT LIST

Oct. 6, 1992 Amended Complaint filed.

Oct 13, 1992 Verification filed.

Nov 4, 1992 AFFIDAVIT OF SERVICE, filed. Before me, the undersigned, a Notary Public in and for said County and State, personally appeared SUSAN REITER, ESQ., and beign duly sworn according to law, states that a true and correct copy of the Amended Complaint was served upon counsel for the defendant on the 12th day of October, 1992, by regular United States Mail, postage prepaid, addressed to Robert X. Medonis, Esq.

Nov. 18, 1992 Order filed. AND NOW, November 16, 1992, the Court received a letter from Robert X. Medonis, Esquire, attorney for the defendant, indicating that the plaintiff filed an amended complaint curing the preliminary objections.
Said letter does not comply with the Crawford County Rules regarding motions. Nonetheless the Court will accept the letter anddirects the Prothonotary to file the letter with this order.
The preliminary objections have now been disposed of any the defendant shall file an appropriate response to the amended complaint within the time required by the rules.
BY ORDER OF COURT,
Gordon R. Miller, P. J.
Nov. 19, 1992 Copy of the Order to Attys. Reiter and Medonis.

And Now, Nov. 17, 1992 at 4:20 p.m., upon praecipe of plaintiff's attorney judgment is hereby entered in favor of the plaintiff and against the defendant above named for failure to file an Answer as follows: Amount claimed in Complaint Twenty Two Thousand Eight Hundred Thirteen Dollars and Thirty cents.
S - 184
Debt: $22,813.30
JUDGMENT
Barbara H. King, Prothonotary

1992

Watts & Pepicelli
Alan L. Pepicelli

828

Marsh, Spaeder, Baur, Spaeder & Schaaf
John B. Fessler
Montgomery Ward & Co. Inc.

Marsh, Spaeder, Baur, Spader & Schaaf
John B. Fessler
for Samuel, Damian & George Stephen Zamias and STAD Assoc. & Mdvl Mall

MARY S. LOPER

vs.

MONTGOMERY WARD & CO., INC. a Corporation; GEORGE D. ZAMIAS, an Individual, and SAMUEL C. ZAMIAS, DAMIAN G. ZAMIAS and/or STEPHEN G. ZAMIAS, t/d/b/a STAD ASSOCIATES, a Pennsylvania General Partnership, Collectively t/a/d/b/a MEADVILLE MALL

Filed August 31, 1992
@ 3:41 PM

Tax & entry paid	50.50
User's Fe epaid	5.00
Sheriff's Costs	122.50
Pro Co pd 9-10-96	6.00

WRIT OF SUMMONS
Issued Sheriff
1 copy (atty)

Oct. 2, 1992 Certificate Of Service filed. Alan L. Pepicelli Esquire, hereby certifies that he is the attorney for the Plaintiff in the above-captioned case and that a copy of Writ of Summons in Civil Action was sent by certified mail, return receipt requested, to the defendant, Montgomery Ward & Co., Inc. at Montgomery Ward Plaza, Chicago, Illinois 60671, on September 2, 1992 and was received by the same on September 8, 1992. A copy of the certified mail receipt and the eturn receipt are attached hereto as exhibit "a". Alan L. Pepicelli

Oct. 27, 1992 Sheriff's Return filed. SERVED Montgomery Ward & Co., Inc. on September 2, 1992, at 1:50 PM by handing a copy of the Summons to Clifford Peters, Store Manager at Montgomery Wards, Meadville Mall, Meadville, CrawfordCounty,PA.

SERVED Montgomery Ward & Co., Inc. by deputizing the Sheriff of Dauphin County Pa, as per his Affidavit of Service attached.Served onSeptember 10, 1992.

SERVED George D. Zamias by deputizing the Sheriff of Cambria County, PA, as per his Affidavit of Service attached. Served on September 14, 1992.

SERVED Stephen G. Zamias, t/a/d/b/a Stad Associates by deputizing the Sheriff of Cambria County,PA, as per his Affidavit of Service attached. Served on September 14, 1992.

SERVED Damian G.Zamias t/a/d/b/a Stad Associates by deputizing the Sheriff of Cambria County, PA, as per his Affidavit of Service attached. Served on September 14, 1992.

SERVED Samuel C. Zamias t/a/d/b/a Stad Associates by deputizing the Sheriff of Cambria County, PA, as per his Affidavit of Service attached. Served on September 14, 1992.

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

Nov. 29, 1993, Complaint in Civil Action filed. 4 copies (atty)

Dec. 1, 1993 Notice of Service filed.

Dec. 15, 1993, Notice of Service of Requests for Production ofn Documents and Interrogatories filed.

Dec. 20, 1993 Appearance of Marsh, Spaeder, Baur, Spaeder & Schaaf by John B. Fessler for Montgomery Ward & Company, Inc. filed.

Dec. 28, 1993 Notice of Serving Interrogatories, filed.

Dec. 28, 1993 Notice of Serving Requests For Productionof Documents, filed.

Jan. 5, 1994 Appearance of Marsh, Spaeder, Baur, Spaeder & Schaaf by John b. Fessler, Esquire for George Zamias, an individual; and Samuel C. Zamias, Damian G. Zamias, and/or Stephen G. Zamias, t/a/d/b/a STAD Associates, a Pennsylvania General Partnership, collectively t/a/d/b/a Meadville Mall.

Feb. 1, 1994 Answer and New Matter filed.

FEb. 14, 1994, STIPULATION of parties filed.

Feb. 18, 1994 Reply to New Matter,filed.

Apr. 4, 1994 Notice of Service of Answers to Interogatories Directed to Defendants (First Set) filed.

June 24, 1994 Notice of Service of Answers to Interrogatories filed.

Nov.16, 1994 Notice of Deposition, filed.

Nov. 30, 1994 Notice of Rescheduled Depositions of Montgomery Ward & Company, Inc., filed.

May 5, 1995 Notice To Complete Discovery filed.

Nov 29,1995 Certificate of Readiness, filed.

ON TRIAL LIST FOR February 1996

Dec. 20, 1995 Motion to Continue and Order filed. AND NOW, this 19 day of December, 1995, upon consideration of the within Motion and accompanying Consent filed by the Defendants, the within case is continued to be placed on the April Trial List
Dec. 20, 1995 Faxed A. Pepicelli & Fessler

ON APRIL 1996 CIVIL TRIAL LIST

Mar 5, 1996 Notice of Deposition of Spiro N. Papas, M.D., filed.

March 28, 1996 Defendants' Motion For Trial Continuance and ORDER filed. AND NOW, to-wit, this 29 day of March, 1996, upon consideration of the within Motion and accompanying Consent filed by the plaintiff, the within case is continued and will be placed on the next civil trial list, which is October of 1996.

BY THE COURT:
Anthony J. Vardaro, J.

March 29, 1996 Order FAXED Attys. FEssler, Pepicelli.

Apr. 1, 1996 Notice of Reschedule Deposition of Spiro N. Papas, M.D. filed.
Cont. on Margin

Sept 4, 1996 Upon praecipe of plaintiff attorney the above-captioned case is marked settled and discontinued of record.

1992

Pepicelli, Youngs & Youngs
Christopher J. Youngs

829
In error
~~Joseph F. Kulwicki~~

JON E. MOWRIS and
JEFFREY B. MOWRIS

vs.

SIDNEY HARRIS, t/d/b/a
SIDNEY HARRIS CONSTRUCTION
AND SUPPLIES

Filed August 31, 1992
@ 5:05 p.m.

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	25.00
Pro Co pd 11-12-92	15.00

COMPLAINT IN CIVIL ACTION
4 copies (atty)

Oct. 12, 1992 Sheriff's Return filed. SERVED Sidney Harris personally on September 28, 1992 at 3:59 PM by handing a copy of the Complaint to him in the Sheriff's Office,Crawford County Courthouse, Meadville, PA.
So answers, Carole Stefanucci, Deputy Sheriff
Robert M. Stevens, Sheriff

Nov. 9, 1992 Certification of Notice and Service and Order filed. AND NOW, this 9 day of November, 1992, Plaintiff's motion to consolidate is granted. The prothonotary may enter this Order under both of the cases mentioned above. Hereinafter, all documents concerning both cases may be filed under the case at A.D.1992-830.
BY THE COURT.
Anthony J.Vardaro, J.

Nov. 12, 1992 Copy of the Order to Attys. Youngs & Bacallao, and Kulwicki.

Nov. 12, 1992 Upon praecipe of Plaintiff attorney for appointment of Arbitrators the following Arbitrators are appointed.
Jeffrey A. Millin, Chr.
Sylvia Dratler
M. Dan Mason

Jan. 4, 1993 Arbitrators take Qualifying Oath.

feb. 5, 1993 Decision of Arbitrators filed in which they find that this matter should be remanded to the Court as their are issues prematurely beofre the Board.
DECISION OF ARBITRATORS

Feb. 5, 1993 Copies given to Kulwicki & Bacallao

380

1992

Pepicelli, Youngs & Youngs
Christopher J. Youngs

Andrew S. Bacallao

830
In error
~~Joseph F. Kulwicki~~

ANNA MAE MOWRIS, t/d/b/a
MOWRIS TREE SERVICE

vs.

SIDNEY HARRIS, t/d/b/a
SIDNEY HARRIS CONSTRUCTION
AND SUPPLIES

Filed August 31, 1992
@ 5:05 PM

Tax & entry paid	50.50
User's Fe epaid	5.00
Sheriff's Costs	25.00
~~Pro Co pd 11-12-92~~	~~9.00~~
Pro Co pd 11-12-92	15.00
Pro Co pd 1-27-93	9.00

COMPLAINT IN CIVIL ACTION
4 copies (atty)

Oct. 12, 1992 Sheriff's Return filed. SERVED Sidney Harris personally on September 28, 1992 at 4:00 PM by handing a copy of the Complaint to him in the Sheriff's Office, Crawford County Courthouse, Meadvile, PA.
So answers, Carole Stefanucci, Deputy Sheriff
Robert M.Stevens, Sheriff

Nov. 9, 1992 Certification of Notice and Service and Order filed. AND NOW, this 9 day of November, 1992, Plaintiffs' motion to consolidate is granted. The Prothonotary may enter this Order under both of the cases mentioned above. Hereinafter, all documents concerning both cases may be filed under the case at A.D.1992-830.
BY THE COURT.
Anthony J. Vardaro, J.
Nov. 9, 1992 Copy of the Order to Attys. Youngs, Bacallao & Kulwicki.

Nov. 12, 1992 Upon praecipe of plaintiff attorney for appointment of Arbitrators, the following Arbitrators are appointed.
Jeffrey K. Millen, Chr.
Sylvia Dratler
~~Douglas Ferguson~~ M. Dan Mason

Jan. 4, 1993 Arbitrators take Qualifying Oath.

Jan. 25, 1993 Answer in Civil Action filed.

Feb. 5, 1993 decision of Arbitrators filed in which they find that this matter should be remanded to the Court as their are issued prematurely before the Board.
DECISION OF ARBITRATORS

Feb. 8, 1993 Copies given to Kulwicki & Bacallao

And Now, Jan. 27, 1993 at 12:02 p.m. upon praecipe of plaintiff's attorney judgment is hereby in favor of the plaintiff and against the defendant in the above captioned matter in the amount of Nine Thousand eigaht hundred seven dollars and fifteen cents, plus record costs, because of the Defendant's failure to file a responsive pleading. A 10-day default notice was sent to the aforesaid Defendant on the 14th day of January, 1993. The action at A.D. 1992-829 has been consolidated with A.D. 1992-830 by order of Court on Nov. 9,1992.
Judgment entered Jan. 27,1993 Debt: $9,807.21 plus record costs
H - 154, 184 JUDGMENT
Barbara H. King, Pro.

EX1993-9

1992

Thomas, Truax,
Spadafore & Walker
Gregory A. Keenan

831

Frank L. Kroto, Jr.

GARY E. BEEBE

vs.

LUCILLE BEEBE

Filed September 1, 1992
@ 8:57 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 6-21-93	5.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
1 copy (atty)

Sept. 16, 1992 Affidavit of Service Of Complaint in Divorce filed. Gregory A. Keenan, Esq., being duly sworn according to law, deposes and says that on Sept. 2, 1992, 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, Lucille Beebe, at Defendant's last kniwn address of RD 7, Arthur St., Meadville, PA 16335, by Certified Mail No. P 899 093 403 postage prepaid, restricted delivery, return receipt requested, and that attached hreto is a duly executed return receipt card showing date of delivery as Sept. 3, 1992.
Gregory A. Keenan, Esq.

JUne 21, 1993 Upon praecipe of plaintiff attorney the above-captioned matter is marked discontinue of record.

July 16, 1993 Motion For Exclusive Use Of The Marital Home, filed.

July 16, 1993 ORDER filed. AND NOW, July 16, 1993,counsel for the parties appear in Motion Court and by agreemetn Defendant's motion for exclusive use of the marital home is stricken at this number and term due to the fact that this action has been previously discontinued by the Plaintiff. BY THE COURT:
Anthony J. Vardaro, J.
July 20, 1993 copy to G. Keenan, F. Kroto

Nov. 24, 1993, Action for Declaratory Relief filed.

Nov. 29, 1993, Motion for Stay of De Novo Support Hearing and Order filed. AND NOW, this 29 day of Nov. 1993, upon consideration fo Plaintiff's Motion for a stay of Proceedings pending the curt's issuing a ruling on Plaintiff's action for declaratory Relief, said Motion is hereby granted. and this matter is stayed generally to be reset on motion of either party.
By the court,
Anthony J. vardaro, J.
Dec. 3, 1993, copies of order to Attys. Keenan and Kroto.

Dec. 15, 1993 Answer and Counterclaim for Declaratory Relief filed.

Jan. 11, 1994 Motion to Modify Case Number and ORDER filed. AND NOW, this 7th day of January, 1994, upon consideration of Plaintiff's MOtion to modify the case filing number in this matter, said motion is hereby granted and the Court directs the Prothonotary to re-file Plaintiff's Action for Declaratory Relief and Defendant's Answer and Counterclaim thereto under an original case file number. The Prothonotary shall assign a separate number to this action and file all past and future matters at the new number and term.
By The Court:
Gordon R. Miller, J.
1-13-94 Copy of Order to Attys.Keenan & Kroto, Jr.

Transferred to AD 1994 - 34 Per Court Order

382

1992

Thomas, Truax,
Spadafore & Walker
Gregory A. Keenan

832

DAVID H. TITUS

vs.

LOUISE R. TITUS

Filed September 1, 1992
@ 8:57 A.M.

Tax & entry paid	50.50
User's Feepaid	5.00
State paid	10.00
Pro.Co.pd 12/29/92	9.00

COMPLAINT IN DIVORCE
1 copy (atty)

Sept. 16, 1992 Affidavit of Service of Complaint In Divorce filed. Gregory A. Keenan, Esq., being duly sworn according to law, deposes and says that on Sept. 2, 1992, 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, Louise R. Titus, at Defendant's last known address of RD 2, Cochranton, PA 16314, by Certified Mail No. P 063 588 846, postage prepaid, restricted delivery, return receipt requested, and that attached hereto is a duly executed return receipt card showing date of delivery as Sept. 3, 1992.

Gregory A. Keenan,Esq.

Dec. 29, 1992 Affidavit of Consent by Louise R. Titus, Plaintiff, filed.

Dec. 29, 1992 Affidavit of Consent by David H.Titus, Defendant, filed.

Dec. 29, 1992 Upon Praecipe of Plaintiff Attorney to transmit record, case moved to Court.

D I V O R C E D E C R E E F I L E D

Jan. 5, 1993 AND NOW, December 31, 1992, it is Ordered and Decreed that **D A V I D H . T I T U S ,** plaintiff, and **L O U I S E R . T I T U S ,** Defendant, are Divorced from the bonds of matrimony.

By the Court:
Gordon R. Miller, j.

1992

Kathleen R. Nelson

833

TRACY L. ARTHUR TOTH

vs.

GERALD E. TOTH

Filed September 1, 1992
@ 11:19 a.m.

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 4/16/93	9.00

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

Sept. 10, 1992 AFFIDAVIT OF SERVICE, filed. Kathleen R. Nelson, esq. being duly swonrn 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 fo the Complaint in Divorce and Notice to Defend were sent by certified mail to the Defendant, Gerald E. Toth, on Sept. 2, 1992.

3. The registered mail was sent to Gerald E. Toth at R.D. 4, Penn Lake Village, Conneatu Lake, Pa. 16316. The sender's receipt is attached hereto.

4. That the Defendant received said certified mail on Sept. 4, 1992. Said Return Receipt card P 360 670 063 is attached hereto, signed by Gerald E. Toth, and made a part hereof.

Apr. 14, 1993 Affidavit of Consent of Plaintiff, filed.

Apr. 14, 1993 Affidavit of Consent of Defendant, filed.

April 16, 1993, Upon praecipe of plaintiff attorney, for review, this case moved tocourt.

D I V O R C E D E C R E E F I L E D

April 23, 1993 STIPULATION and DECREE filed. AND NOW, this 22nd day of April, 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 parties, evidencing that each consents to the divorce, pursuant to Section 3301 (c) of the Divorce Code.

II. TANGIBLE PERSONAL PROPERTY:

A. Mobile Home: The parties are the owners of a 1986 Victorian Mobile Home situate in the Penn Lake Village Trailer Court, RD # 4, Conneaut Lake, PA. The parties agree that the said mobile home shall be sold as soon as possible and the partaeis further agree to sign an Agreement of Sale, the Certificate of Title, and any and all other documentation required in order to convey the mobile home to buyers satisfactory to both parties. The parties shall cooperate in arriving at a sale price for the mobile home, but in no event shall said price be an amount less thatn the total sum owed to Marine Bank fo the loan on the mobile home and to the Sadsbury Township tax collector for all taxes due from the parties.

B. Vehicles: The plaintiff shall set over, transfer, and assign to the Defendant, all of her right, title, and interest in a 1991 Chevrolet pick up truck. At the same time, Defendnat shall set over, transfer and assign to Plaintiff, all of his right, title and interest in and to the 1987 Oldsmobile Cutlass automobile.

Each party agrees to execute a bill of sale to the other transferring title to said items to the other and shall execute any certificates of title, assignments of title, sales and use tax return or other documents reasonably requried to transfer title to any of the assets listed.

C. Personal Proeprty: The parties hereto shall each retain those items of personal property such as jewelry, clothing, personal effects, household goods, furniture, and bank accounts now in his or her possession.

III. DEBTS AND OBLIGATION

A. Plaintiff's Obligations: Plaintiff shall be solely responsible for the loan with Marine Bank which is secured by the 1987 Oldsmobile Cutlass automobile and shall hold the Defendant harmless in regard to same.

B. Defendant's Obligations: Defendant shall be solely responsible for the vehicle loan with the Exchange Bank, which is secured by the 1991 Chevrolet pick up truck and shall hold the Plaintiff harmless in regard to same.

C. Debts to be Paid Upon the Sale of the 1986 Victorian Mobile Home: Upon the sale of the 1986 Victorian mobile home, the following debts shall be paid before any distribution is made to the parties:

Montgomery Ward Acct. No. 018103915
Discover Card Acct. No. 6011002620103812
Sears Charge Account No. 556054688287
Conneaut Lake Veterinary Clinic
Marine Bank Account No. 023006300169093
Pamela Ferguson, Sadsbury Township Tax Collector

After the above-named debts are paid and before a distribution of the remaining proceeds is made to the parties, the following deductions shall be made from the share of each party:

Plaintiff	Defendant
1) 1993 Real Estate Taxes;	
2) $1,200 representing Plaintiff's share of the marital portion of the total owed on the Discover account;	$1,200 representing Defendant's share of the marital portion of the total owed on the Discover account;
3) Sears account balance;	
4) Montgomery Ward account balance;	
5) Conneaut Lake Veterinary Clinic bill;	

IV. CUSTODY:

The parties are the parents of one minor child, to-wit: William Charles Toth, born Feb. 9, 1993, and currently age 5 years. In regard to custody of the minor child, the parties agree as follows:

RECORD CONTINUED ON PAGE 456.....

834

Bruce Barrett

PETITION FOR INVOLUNTARY TREATMENT

OF

MARY E. PORFILIO

Filed September 1, 1992 @ 11:30 a.m.

INVOLUNTARY TREATMENT PETITION

Sept. 1, 1992 PETITION FOR INVOLUNTARY TREATMENT FILED.

Sept. 11, 1992 REPORT OF MENTAL HEALTH REVIEW OFFICER and ORDER filed. ORDER: And now, Sept. 9, 1992, upon consideration of the petition filed at the above number and term, and other relevant matter, and after a review of the report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said Mary E. Porfilio be committed to Warren State Hospital for treatment for a period not to exceed 90 days.

This order shall take effect on Sept. 14, 1992.

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

Sept. 11, 1992 copy given to MH/MH. Sept. 14, copy to Barrett & WSH

Dec 8, 1992 PETITION FOR INVOLUNTARY TREATMENT, filed.

Jan. 6, 1993 Results of Examination and Determination of Need for Continued Treatment, filed.

Feb 24, 1993 Petition For Involuntary Treatment, filed.

Mar. 3, 1993 Report of Mental Health Review Officer, Recommendation and Order filed. And Now, March 2, 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 Mary E. Portfilio be committed to Warren State Hospital for treatment for a period not to exceed 90 days.

This order shall take effect on March 4, 1993.

BY THE COURT,
Gordon R. Miller, J.

Mar. 3, 1993 Copy of Order to Atty. Barrett, MH/MR

1992

835
385

PETITION FOR INVOLUNTARY TREATMENT

OF

CAROL E. OBERRATH

Filed September 1, 1992
@ 11:30 a.m.

INVOLUNTARY TREATMENT PETITION

Sept. 1, 1992 PETITION FOR INVOLUNTARY TREATMENT FILED.

Sept. 11, 1992 REPORT OF MENTAL HEALTH REVIEW OFFICER and ORDER filed. ORDER: And now, Sept. 9, 1992, upon consideration of the petition filed at the above number and term, and other relevant matter, and after a review of the report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said Carol E. Oberrath be committed to Warren State Hospital for treatment for a period not to exceed 90 days.

This order shall take effect on Sept. 21, 1992.

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

Sept. 11, 1992 copy to MH/MR. Sept. 14, 1992 copy to Barrett & WSH

Dec 8, 1992 PETITION FOR INVOLUNTARY TREATMENT, filed.

Jan. 8, 1993 REPORT OF MENTAL HEALTH REVIEW OFFICER and ORDER filed. ORDER: And now, Jan. 7, 1993, upon consideration of the petition filed at the above number and term, and other relevant matter, and after a review of the report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said Carol Oberrath be committed to Warren State Hospital for treatment for a period not to exceed 180 days.

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

Jan. 13, 1993 copy to Barrett, MH/MR, WSH

1992

Peterson & Gula
Richard A. Peterson

836

Pro Se

DEBRA L. CARBAUGH

vs.

CARL RONALD CARBAUGH

Filed September 1, 1992
@ 1:35 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 12/23/92	9.00

COMPLAINT IN DIVORCE, CHILD CUSTODY
no copies

Sept. 18, 1992 Appearance of Carl Ronald Carbaugh, Defendant filed.

Dec. 23, 1992 Affidavit of Consent of Plaintiff filed.

Dec. 23, 1992 Affidavit of Consent of Defendant filed.

Dec. 23, 1992 Upon Praecipe of Plaintiff attorney for Review Under Section 3301(c) of Divorce Code, this case moved to Court.

D I V O R C E D E C R E E F I L E D

Dec. 31, 1992 AND NOW, December 30, 1992, it is ordered and decreed that **D E B R A L . C A R B A U G H ,** plaintiff, and **C A R L R O N A L D C A R B A U G H ,** 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.

Dec. 31, 1992 ORDER filed. AND NOW, this 30 day of December, 1992, upon consideration of the attached Motion and Stipulation, IT IS HEREBY ORDERED AND DECREED:

1. Legal and primary physical custody of William R. Carbaugh, born May 29, 1986, and Travis L. Carbaugh, born June 29, 1988, shall be placed with Plaintiff/Wife.

2. Defendant/Husband shall have partial custody and visitation rights as follows:

a. Weekends: Alternate weekends from Friday at 6:00 p.m., until Sunday at 6:00 p.m. commencing December 11, 1992.

b. Weekdays: One weekday evening per week from 5:00 p.m. to 8:00 p.m. The day on which visitation will take place is Wednesday. If the partaies cannot agree, the day on which visitation will take place is Wednesday.

c. Holidays: For visitation there are seven holidays: 91) New Years Day; (2) easter; (3) Memorial Day; (4) July 4th; (5) Labor Day; (6) Thanksgiving; (7) Christmas Day. In the odd-numbered yers, the mother shall have the children on the odd-numbered holidays and the father shall have visitation on the even-numbered holidays. In the even-numbered years, the father shall have the odd-numbered holidays and the mother the even-numbered holidays. Christmas Eve shall be spent with whichever parent does not have the child(ren) on Christmas Day. Hours for holiday visitation shall be from 9:00 a.m. to 5:00 p.m., except Christmas Eve, which shall be from 5:00 p.m. to 10:00 p.m. if visitation is with the non-residential parent.

d. Mother's Day and Father's Day: Mother's Day shall be spent with the mother and Father's day spent with the father, regardless of which parent is entitled to the weekend. Hours for visitation shall be from 9:00 a.m. to 5:00 p.m.

e. Extended times for visitation: The non-residential parent shall be entitled to four weeks visitation during the child(ren)'s summer vacation from school. If the parties cannot agree on the times, visitation shall be as follows: The last two weeks in June, commending June 17 and the first two weeks in August, commencing August 1. Further, the non-residential parent shall be entitled to visitation from 9:00 a.m. on Dec. 27th to 6:00 p.m. on December 31, unless the non-residential parent also has visitation on New Years Day, in which case visitation shall extend to 5:00 p.m. on January 1. During periods of visitation the non-custodial parent will assure that the child attends all school, athletic, social, religious, medical, dental appointments and activities providing the custodial parent provides notice of same.

f. Cancellation: The non-residential parent shall give the residential parent at least 48 hours notice of visitation is to be cancelled, unless there is an emergency. Visitation time cancelled by the non-residential parent is forfeited and shall nto be made up. Visitation cancelled by the residential parent is not forfeited and shall be made up at the earliest possible time. (example: if weekend visitation is cancelled by the residential parent due to illness of the child, it shall be made up on the next weekend).

g. Waiting: The children and residential parent have no duty to await the visiting parent for more than 30 minutes of the visitation time. A parent who is late forfeits companionship for that period, unelss there is an emergency.

h. Address and Phone Numbers: Each parent must, unless the court orders otherwise, keep the other informed of his or her current address and telephone number and an alternate telephone number in the event of an emergency.

i. Clothing: The residential parent is responsible for providing sufficient appropriate clothing for every visitation period. All clothing sent by the residential parent must be returned immediately after the visitation period.

j. Transportation: The non-residential parent has responsibility for picking up and returning the children. No person transporting the children may be under the influence of drugs or alcohol.

k. Car Seat: For any and all children required by law to ride in a car seat, the parents shall transfer the car seat with the child as visitation exchanges occur.

l. Illness or Injury of a Child: IF a child becomes ill or injured, warranting the giving of medication or consultation with doctor or dentist, each parent must notify the other parent as soon as possible. If the child is ill while with the residential parent prior to a scheduled visitation period, the parent must contact the other parent and discuss the advisability of whether the visitation period should take place with the best interests of the child as the primary consideration. If the parents agree that the child should go for the visitation period, then the residential parent must provide instructions and sufficient medication to last during the visitation period to the other parent. The non-custodial parent must care for the child as directed and notify the other parent if the child's condition worsens.

m. Telephone Access: Both children and parents must be allowed reasonable communicatin by telephone at reasonable times, regardless of with whom the child is currently residing. If it is the child calling a parent, the party with whom the child is residing at the time of the call shall bear the expense, unless the children are permitted to telephone the other parent collect. If the parties' cannot agree, telephone access shall be at least twice a week during the hours that a child is normally awake.

n. Moving: The residential parent shall nto be permitted to move their residence farther than 100 miels from their current residence, without the prior written consent of the other parent, or permission of the court.

BY THE COURT:
Anthony J. Vardaro, J.

Jan. 5, 1993 Copy of Order mailed to Atty. Peterson.

1992

Pepicelli, Youngs & Youngs
Andrew S. Bacallao

837

In Re: PETITION FOR CHANGE OF NAME

OF

LESLIE MARIE MALONE

Filed September 1, 1992
@ 3:45 PM

Tax & entry paid 50.50
User's Fee paid 5.00

PETITION FOR CHANGE OF NAME

Order:

AND NOW, this 28 day of August, 1992, upon presentation of the attached Petition for Change of Name, hearing on said Petition is set for the 29 day of Oct., 1992, at 1:30 o'clock p.m. in Courtroom No. 1 or 2 in the Crawford County Courthouse, Meadville, Pennsylvania.

Notice of filing of the within Petition, and of the aforesaid date for hearing, shall be published in the Meadville Tribune and the Crawford County Legal Journal.

PER CURIAM,
Anthony J. Vardaro, J

Oct. 29, 1992 Proof of Publication filed.

Oct 30, 1992 ORDER filed, AND NOW, Oct. 29, 1992 at the time fixed for hearing in this matter, it appears that all of the requirements have been met and there are no objectors. The Court will sign a decree submitted by counsel for the petitioner after counsel for the petitioner also files a proper lien search covering the records of Crawford County, Pennsylvania and a proof of publication from the Crawford County Legal Journal.

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

Nov. 5, 1992 copy to A. Bacallao

Nov. 16, 1992 Affidavit by Andrew S.Bacallao filed.

Nov. 16, 1992 DECREE filed. AND NOW, this 13th day of November, 1992, upon presentation of the Petition for Change of Name, and required information requested by order of Judge Miller on October 29, 1992, the name of the minor child Leslie Marie Malone, shall be and hereafter will be Leslie Marie D'Amico.

PER CURIAM,
Gordon R. Miller, J.

Nov. 18, 1992 Copy of Decree to Atty.Bacallao

388

1992

Louis P. Vitti &
Assoc., PC
Louis P. Vitti

838

CORESTATES BANK, N.A.,
TRUSTEE FOR PENNSYLVANIA
HOUSING FINANCE AGENCY,
Assignee of LIBERTY MORTGAGE
CORPORATION

vs.

CARLA L. CORNELL, married

Filed September 2, 1992
@ 11:06 a.m.

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	28.00
Pro.Co. pd 10/7/92	9.00

COMPLAINT IN MORTGAGE FORECLOSURE
1 copy (sheriff)

Sept. 14, 1992 Sheriff's Return filed. SERVED Carla L.Cornell personally on September 9, 1992 at 12:20 PM by handing her a copy of the Complaint in Mortgage Foreclosure in theSheriff's Office, Crawford County Courthouse, Meadville, PA.
So answers, Carole Stefanucci, Deputy Sheriff
Robert M. Stevens, Sheriff

And Now, October 7, 1992 at 11:50 A.M. upon Praecipe of Plaintiff's Attorney, ~~with notice of Intention to file Default judgment attached~~ (IN ERROR) 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 Thirty-Three Thousand NIne Hundred Eighty-Seven and 21/100 Dollars, plus interest and costs.

C-34
Entered Oct. 7, 1992
Abstract to Atty.Vitti

Debt	$33,987.21
Interest	
Judgment	
Barbara H. King	
Prothonotary	

EXECUTION 1992 - 96

1992

Mary Ann Kirkpatrick

839

Ann Gamble

RICHARD JAMES SWOBODA

vs.

PATRICIA HART SWOBODA

Filed September 2, 1992
@ 2:30 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 10/12/92	15.00
User's Fee paid	5.00
~~Bruce Smith, master~~ withdrawn Kathleen Nelson, Master	
Pro.Co.pd 3/30/94	9.00

Costs continued:
1 Add'l ct. pd 5/6/94 $15.00
User's Fee pd 5/6/94 5.00
Pro.Co. pd 6/14/94 5.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
1 copy (atty)

Sept. 10, 1992 Affidavit of Service filed. And Now, September 8th, 1992, comes Constance L. Deitman being duly sworn according to law, deposes and sets forth as follows:
1. That she is the legal secretary of Attorney for Richard James Swcboda, Plaintiff in the above-captioned matter.
2. That o;n information furnished her by the Pl aintiff, she caused a certified copy of the Complaint in Divorce to be forwarded by certified Mail, P 899 085 780; postmarked September 3, 1992, to the last kno;wn address of the Defendant, Patricia Hart Swoboda 26 Greenwood drive, Oil City, PA 16301.
3. That the Defendnat, Patricia Hart Swoboda, on September 4, 1992 personally signed the return receipt card whcih 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 Pennsyvlania Rules of Civil Procedure.
Constance L. Deitman

Oct. 6, 1992 Petition For Related Claims Under Divorce Code filed. (Alimony, Alimony Pendente LIte, Attorney's Fees, Costs and expenses)

Oct. 12, 1992 Inventory of Plaintiff filed.

Oct. 13, 1992 Plaintiff's Answer to Defendant's Petition for Alimony, Alimony Pendente Lite, Attorney's Fees, Costs and Expenses filed.

July 29, 1993 Affidavit of Consent by Richard James Swoboda, Plaintiff, filed.

Jan. 17, 1994 Notice to the Defendant filed.

Feb. 2, 1994, Income and Expense Statement of plaintiff filed.

Feb. 2, 1994, Motion to Appoint Master and Order filed. ORDER: AND NOW, Feb. 2, 1994, BRUCE SMITH, ESQ. is papponted master in respect to the following claims: Divorce, Alimony, distribution of property, counsel fees, costs and expenses.
Deposit required: By Plaintiff $500.00 By defendant $400.00
If not filed already the parties are ordered to file their pretrial statements within thirty (30) days from this date. By the court,
Anthony J. Vardaro, J.
Feb. 8, 1994, copies of order to Attys. Kirkpatrick, A. Gamble and Bruce Smith.

Feb. 3, 1994, ORDER filed. AND NOW, Feb. 2, 1994, this matter is before the court on a motion for appointment of master in divorce ifled by the plff.
This is a 1992 divorce and the defendant has not yet filed her income and expense statement. and inventory and appraisement.
Accordingly, defendant is ordered to do so within 30 days of this date of this order.
BY THE COURT,
Anthony J. Vardaro, J.
Feb. 8, 1994, copies to Attys. Kirkpatrick, Gamble and Bruce smith.

Feb. 11, 1994 Motion To Vacate Appointment Of Master In Divorce and Order, filed. Order; AND NOW, this 10 day of February, 1994, the within Motion is allowed, and Kathleen Nelson, Esquire, is appointed Master in respect to the following claims: divorce, alimony, distribution of property, counsel fees, costs, and expensesl. The previous Order of February 2, 1994, will continue in all other respects.
BY THE COURT:
Anthony J. Vardaro, J.
Feb. 16, 1994 copy to K. Nelson, M.A. Kirkpatrick, A. Gamble

March 16, 1994 Notice of Pre-Trial Conference filed.

March 30, 1994 Affidavit of Consent of Defendant filed.

Mar. 30, 1994 Upon Praecipe of Mary Ann Kirkpatrick, Esquire, Attorney for Plaintiff, to transmit record, Case moved to Court.

April 19, 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 (1963); Fox v. Thompson, 327 Pa. Super. 39, 546 A.2d 1146 (1988).
___A proper return or proof of service has not been filed.
___The custody mediator fees have not been paid.
___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.
___The paraties are asking that an agreement be incorporated into the decree yet:
___There is no written indication of record that both parties agree to the incorporation of the agreement into the decree.
_X_ The agreement disposes of economic or other issues not raised by the pleadings or petition. The court does not have jurisdiction over matters not properly raised in the proceedings to date. 23 Pa. C.S.A. 3104(a), 3323(a); Pa. R.C.P. 1920.11, 1920.13; i.e child support
___Properly completed 3301(c) consents have not been filed of record. Pa. R.C.P. 1920.42.
___As to a 3301(d) divorce:

RECORD CONTINUED ON PAGE 488.....

390

1992

840

Gerald Sullivan

PENNSYLVANIA ELECTRIC CO.
and ROBERT McSPARREN, SR.

vs.

WILLIAM CANCILLA

Filed September 3, 1992
@ 11:01 AM

Indigent Filing 50.25
.50

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

Sept. 3, 1992 Rule entered upon Plaintiff to file a complaint issued.

Sept. 3, 1992 Upon praecipe of defendant To Proceed In Forma Pauperis filed.

Sept 3, 1992, Proof of Service filed.

And Now, Sept. 28, 1992 @ 3:14 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.
P-183

JUDGMENT OF NON PROS
Barbara H. King
Prothonotary

1992

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

841

MARINE BANK

vs.

JOEL L. TURK and YVONNE
R. TURK

Filed September 3, 1992
@ 11:16 AM

Tax & entry paid	50.50
User's fee paid	5.00
Sheriff's Costs	86.00
Pro Co pd 11-4-92	9.00

CIVIL ACTION
2 copies (Sheriff)

Oct. 22, 1992 Sheriff's Return filed. SERVED Joel L. Turk personally on September 30, 1992 at 11:58 AM by handing a copy of the Complaint to him at the residence, 524 West Spruce Street, Titusville, Crawford County, PA.

SERVED Yvonne R. Turk onSeptember 30, 1992 at 11:59 AM by handing a copy of the Complaint to Joel Turk, her husband, at their residence, 524 West Spruce Street, Titusville, Crawford County,PA.

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

And Now, Nov. 4, 1992 at 1:09 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 Six thousand six hundred nineteen and thirty cents, plus interest from Sept. 4, 1992 and all costs of suit.

Filed 11-4-92
T - 94, 174

Debt: $6,619.30
JUDGMENT
Barbara H. King, Prothonotary

EX1994-84463
Revived to AD1996-1012

1992

Davis Reilly
Reed J. Davis

842

MELLON BANK, N.A.

vs.

LINDA J. PARKER and RONNIE O. PARKER

Filed September 3, 1992
@ 11:29 a.m.

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	39.00
Sheriff's Costs	25.00
Pro Co pd 6/17/93	5.00

COMPLAINT IN CIVIL ACTION
2 copies (sheriff)

Sept. 14, 1992 Sheriff's Return filed. NOT FOUND as to Defendants Linda J. Parker and Ronnie O. Parker at address of P.O.Box 711, Titusville, Crawford County, PA. They have moved and left no forwarding address.
So answers, Robert M. Stevens, Sheriff

May 4, 1993 Complaint Reinstated.

May 26, 1993 Sheriff's Return filed. SERVED Ronnie O. Parker personally on May 14, 1993 at 10:22 AM by handing him a copy of the Complaint in the Sheriff's Office, Crawford County Courthouse, Meadville, PA.
NOT SERVED as to Defendant Linda J. Parker as per a telephone call from Attorney's Reilly's Office on May 18, 1993. They had received payment in full.
So answers, Carole Stefanucci,
Deputy Sheriff
Robert M. Stevens,
Sheriff

June 17, 1993 Upon praecipe of Plaintiff Attorney the above captioned matter is marked settled and discontinued of record.

1992

Ferguson & Spataro
JohnF. Spataro

843

GLENN A. WILLMARTH

vs.

DEBRA L. WILLMARTH

Filed September 3, 1992
@ 11:38 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

COMPLAINT IN DIVORCE, CUSTODY

Sept. 15, 1992 Answer and New Matter filed.

Apr. 30, 1993 Affidavit of Consent by Debra L.Willmarth,Defendant, filed.

Apr. 30, 1993 Affidavit of Consent by Glenn A. Willmarth, Plaintiff, filed.

May 12, 1993 Upon praecipe of Plaintiff attoreny to transmit record, case moved to Court.

May 12, 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 September 8, 1992. The Defendatn acknowledged service on September 9, 1992, by accepting delivery on that date as evidenced by the attached signed return receipt.
Date: May 18, 1993 John F. Spararo

May 18, 1993 MEMORANDUM filed. The Court has reviewed this file pursuant to the plaintiff's praecipe to transmit the record for a final divorce decree. We will not grant to final divorce because issues raised by the pleadings, to-wit: equitable distribution, alimony, alimony pendente lite, counsel fees, costs and expenses, have not been disposed of or withdrawn.
The file is returned to the Prothonotary for proceedings consistent with this memorandum. BY ORDER OF COURT
Gordon R. Miller, P.J.
May 24, 1993 copy to J. Spataro, R. Beighley

June 2, 1993, STIPULATION between counsel for plff and dft dismissing counts in divorce filed.

June 2, 1993, Upon praecipe of plaintiff attorney, this case is resubmitted tothe court.

DIVORCE DECREE FILED

June 8, 1993 STIPULATION AND FINAL DECREE, AND NOW, this 8th day of June, 1993, it is ORDERED and DECREED that Glenn A. WILLMARATH, Plaintiff and Debra L. WILLMARTH, Defendant, are divorced from the bonds of matrimony.
IT IS FURTHER ORDERED AND DECREED AS FOLLOWS:

CHILD CUSTODY

Custody of the parties minor child, Amber Marie Willmarth, shall be shared, both with respect to legal custody and physical custody, however, Defendant shall have primary physical custody of said child subject to liberal visitations and partial custody by Plaintiff.

BY THE COURT,
Gordon R. Miller, J.

394

1992

Bukac & Toomey
Terry Toomey

844

ELLEN PETE

vs.

JOSEPH PETE

Filed September 3,1992
@ 1:06 PM

Tax & entry paid	50.50 ✓
User's Fee paid	5.00
State paid	10.00
Pro.Co. pd 11/6/92	9.00 ✓

COMPLAINT IN DIVORCE
1 copy (atty)

Sept. 3, 1992 Plaintiff's Affidavit Under 3301(d) of the Divorce Code filed.

Sept. 21, 1992 Acceptance of Service and Entry of Appearance Pro Se filed. I, Joseph Pete, defendant in the above-captioned divorce action do hereby enter my appearance pro se. FURTHER, I do hereby acknowledge service of the Plaintiff's Complaint in Divorce and of Plaintiff's Affidavit under ¶3301(d) of the Divorce Code on the date written below.
Date: Sept. 14, 1992 Joseph Pete

Sept. 21, 1992 Defnedant's Counter-Affidavit Under Section 3301(d) of the Divorce Code filed.

Nov. 6, 1992 Upon Praecipe of Plaintiff Attorney for Review under Section 3301 (d) of the Divorce Code this case moved to Court.

D I V O R C E D E C R E E F I L E D

Nov. 19, 1992 AND NOW, November 18, 1992, it is hereby ordered and decreed that **E L L E N P E T E**, Plaintiff, and **J O S E P H P E T E**, 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:
Anthony J. Vardaro, J.

1992

845

David L.Hancock
for Paul Messenger,
Appellant

DALE E. McDONALD, SR. and
PAUL MESSENGER

vs.

PAUL MESSENGER and DALE E.
McDONALD, SR.

Filed September 3, 1992
@ 1:50 P.M.

Tax & entry paid 50.25
User's Fee paid 5.00

APPEAL OF DEFENDANT FROM DECISION OF
DISTRICT JUSTICE RONALD A. COLE, SR.

Sept. 3, 1992 Rules entered upon plaintiff to file a complaint issued.

Sept. 9, 1992 Proof of Service of Notice of Appeal and Rule to File Complaint filed.

1992

Barbara J. Walton

846

Ferguson & Spataro
Douglas W. Ferguson

TAMARA L. POWELL

vs.

DANIEL E. POWELL

Filed September 3, 1992
@ 2:24 PM

Tax & entry paid	50.50 ✓
User's Fee paid	10.00
1 Add'l Count paid	15.00 ✓
State paid	10.00
William Pineo Mediator	
Pro Co Pd 12-15-92 Ch#7223 9.00	
Pro.Co. pd 2/17/93	9.00 ✓

9-25-92 Received from Plaintiff Mediation deposit $150 cr

11-19-92 Pd Pltf Bal Refund Med Deposit 90.00 cc Ch# 7183

12-15-92 Pd Comm med fee ch#7222 5.00

12-4-92 Received from Dft Med Fee 51.00

9-22-93 Pd Co. ch#7794 med fee 57.00

COMPLAINT IN DIVORCE, CUSTODY
2 copies (atty)

Sept. 25, 1992 MOTION TO APPOINT CHILD CUSTODY MEDIATOR and NOTICE AND ORDER TO APPEAR, filed. ORDER: You DANIEL POWELL have been sued in Court to obtain custody of ERIC POWELL AND ALLAN POWELL.

YOU ARE ORDERED to appear for a hearing before William Pineo, 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 agaisnt you or the court may issue a warrant for your arrest.

Dated: 9-23-92 BY THE COURT:
Gordon R. Miller, P.J.

1 copy (Med.) 2 copies (atty)

Oct. 8, 1992 Appearance of Ferguson & Spataro by Douglas W. Ferguson, Esquire for Daniel E.Powell, Defendant filed.

Oct. 23, 1992 Affidavit of Service filed. 1. A true and correct copy of the Complaint for Custody filed inthe above-captioned matter was served upon the Defendant DANIEL POWELL, by certified mail, restricted delivery, persuant to Pa. R.C.P. 412 onSept.8, 1992, as is evidenced by th United States Postal Service Return Receipt (Certified No. P 899097878) attached hereto as Exhibit A.
Date: Oct. 22, 1992 Barbara J.Walton,Esq.

Nov. 18, 1992 TEMPORARY ORDER filed. AND NOW, this 17th day of November, 1992, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator.

IT IS HEREBY ORDERED AND DECREED THAT:

1. The parties shall share legal and physical custody of the subject minor children, Eric and Allen Powell.

2. The parties shall share with each other any and all information which each may have regarding the health, education, and the major events in the life of the subject minor children. Health care, school personnel, and other care providers are hereby authorized to release to either party any and all confidential information which they may have regarding the subject minor children.

3a. The father shall have primary physical custody of the subject minor children.

b. So long as the mother is not working, she shall have temporary physical custody and visitation each week from Monday at 5:00 p.m. through Thursday at 5:00 p.m.

c. If the mother has obtained work, then the mother shall have temporary physical custody and visitation each week from Saturday at 5:00 p.m. through Monday at 5:00 p.m.

d. 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. There shall be two Christmas holiday visitation periods, the first beginning Christmas Eve at 4:00 p.m. and ending Christmas Day at 9:00 a.m. and the second beginning Christmas Day at 9:00 a.m. and ending Christmas Day at 7:00 p.m. The father shall have the first period each year and the mother, the second.

b. There shall be two Thanksgiving holiday visitation perids, the first period beginning Thanksgiving Day at 9:00 a.m. and ending thanksgiving Day at 7:00 p.m. and the second beginning at 9:00 a.m. of the Sunday following Thanksgiving and ending at 7:00 p.m. of the same day. The mother shall have the children for the first period each year, and the father, the second.

c. The other holidays to be observed are Memorial Day, Independence Day, and Labor Day. Holiday visitation shall be between the hours of 9:00 a.m. and 8:00 p.m., except for Independence Day,when the holiday visitation shall be extended to 11:00 p.m. so that the children may watch the fireworks. The mother shall have visitation and temporary physical custody for Memorial Day 1993, and the parties shall thereafter alternate the holiday periods.

d. 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. The provisions of this paragraph shall take precedence over the other provisions of this order relating to the custodial or visitation periods.

5. During the school summer vacation, each parent shall have the right to designate a 17-day period during which he or she shall have exclusive physical custody of the children. Each of the parties shall notify the other by Memorial Day of the summer periods he or she wishes to select. Said period shall, if possible, include the party's vacation from work.

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 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.

7. The parties shall split reaponsibility for transportation with the party receiving the children in the exercise of his or her rights picking up the children at the home of the other.

8. Each party shall teach said children to give to the 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 ehen said party has the care and custody of the subject minor children. The parties are cautioned that recent medical research has indicated that tobacco smoke is injurious to the health of growing children. Therefore, neither party shall smoke tobacco or permit others to do so in a closed automobile in which the children are being transported or in the bedroom of the children.

10. Any person transporting the children shall make sure that the seat belts or other restraints are use din accordance with the law of Pennsylvania.

11. Neither party shall do or say anything to blacken the character of the other in the children's estimation. Each party shall treat the other in a polite and respectful manner when in the children's presence and each party shall instruct his or her relatives and friends to do likewise and also not to disparage the other party in the children's estimation.

12. Neither party shall expose the children to the company of persons to whom they are not related by blood or marriage between the hours of 8:00 p.m. and 8:00 a.m.

CONTINUED ON PAGE 396A

TAMARA L. POWELL
VS.
DANIEL E. POWELL

CONTINUED FROM PAGE 396
of Record
A.D. 1992 - 846

****

L#. The parties are free to make additional or alternative arrangements respecting the custodial and visitation periods and are strongly encouraged to do so if that would be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which this Order shall govern.

14. Costs and fees of this Mediation, which are fixed at $102.00 are divided equally between the parties. The deposit required for the appointment of the custody mediator was made by the mother. The Prothonotary shall first apply the deposit against the mother's share of costs and shall remit the reminder of the deposit to her. The father shall pay his share of costs tothe Prothonotary of Crawford County.

15. Either party maymove the Court for a hearing de novo for 30 days from date hereof. If neither party so moves, this Ordr shall be considered permanent.

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

Nov. 23, 1992 copy to W. Pineo, B. Walton, D. Ferguson, Plf. & Dft.

Dec. 10, 1992 Affidavit of Consent by Daniel E. Powell, Defendant, filed.

Feb. 17, 1993 Affidavit of Consent by Tamara Powell, Plaintiff filed.

Feb. 17, 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

March 5, 1993 AND NOW, March 1, 1993, it is hereby ordered and decreed that **T A M A R A P O W E L L ,** plaintiff, and **D A N I E L E . P O W E L L ,** 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.

396
-b-

1992

1992

Barbara J. Walton

847

STEPHEN BURGER

vs.

RENEE D. BURGER

Filed September 3, 1992
@ 2:24 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 3-10-93	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
2 copies (atty)

Sept. 25, 1992 Affidavit of Service filed. And Now, September 24, 1992, comes Lisa M.Sherretts, secretary to Barbara J.Walton, Esq. and avers as follows:

1. A true and correct copy of the Complaint for Custody was mailed to the Defendant via Certified Mail, return receipt on September 4, 1992.

2. That the Defendant signed the return card on September 8, 1992 and in accordance with Pa. R.C.P. 412 service of the Complaint was made as is evidenced by the United States Postal Service Return Receipt (Certified No.P 899097857) 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 t he penalties of 18 Pa.C.S.§4904, relating to unsworn falsification to authorities.

Lisa M.Sherretts
Secretary to Barbara Walton

Mar 10, 1993 Stipulation and Consent to Entry of Property Settlement Agreement, filed.

Mar 10, 1993 Affidavit of Consent of Defendant, filed.

Mar 10, 1993 Upon praecipe of Plaintiff attorney to transmit record, case fmoved to Court.

Mar. 12, 1993 Affidavit of Consent of Divorce of Plaintiff filed.

Mar. 22, 1993 **DIVORCE DECREE FILED.**

AND NOW, March 17, 1993, it is ordered and decreed that Stephen, plaintiff and Renee D. Burger, defendant, are divorced from the bonds of matrimony.

AND IT IS FURTHER ORDERED, ADJUSGED AND DECREED, that terms, provisions and conditions of a certain property settlement agreement between the parties dated March 3, 1993, are hereby incorporated in this decree and dorder 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, J

1992

Barbara J. Walton

848

John Gagliotti

$150.00 deposited on Sept. 3, 1992 by pltf.

10-29-92
Paid Atty Walton for Pltf Mediation refund Ck# 7140 $150 cc
12-30-92 Ck# 7246

ROBERT E. SHREFFLER

vs.

MARY GIBSON

Filed September 3, 1992
@ 4:00 p.m.

Tax & entry paid	50.50 ✓
User's Fee paid	5.00
William Pineo, Mediator	
Pro.Co. pd 10/20/92	9.00 ✓

COMPLAINT FOR CUSTODY
1 copy (atty); 1 copy (med)

ORDER:

You, Mary Gibson , have been sued in Court to obtain custody of

You are Ordered to appear for a hearing before William Pineo Child Custody Mediator, at such time and place as he shall designat e

If you fail to appear as provided by this Order, an Order for custody, partial custody or visi tation 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.

Plaintiff's Attorney
BARBARA J. WALTON, ESQ.
1111½ Park Avenue
Meadville, PA 16335
Telephone: (814) 336-4132

Court Administrator
Crawford County Courthouse
Meadville, PA 16335
Telephone: 814-336-1151 Ext 298

BY THE COURT,
Gordon R. Miller, J

And Now, September 2, 1992, this matter is referred to William Pineo, esq., child custody mediator. Motion allowed, temporary custody of the minor children is given to Plaintiff in this matter until hearing and further order of court.

By the court;
Gordon R. Miller, J

Sept. 28, 1992 Acceptance of Service filed. I accept service of the Custody Complaint on behalf of Mary Gibson and certify that I am authorized to do so.

John P. Gagliotti

Oct. 20, 1992 Upon Praecipe of Plaintiff Attorney to transmit record, case moved to court. Motion for Refund of Mediation Deposit filed. Motion to Accept Child Custody Settlement Agreement and enter it as settlement of Plaintiff's Complaint for Custody filed.

Oct. 28, 1992 Motion To Accept Child Custody Settlement Agreement and Enter It As Settlement of Planitiff's Complaint for Custody and Order filed. AND NOW, October 28, 1992, the motion to Accept child Custody Settlement is allowed. The Child Custody Settlement Agreement is hereby entered as a Order of Court settling the issues raised in the Child Custody Complaint.

By the Court:
Anthony J. Vardaro, J

Oct. 30, 1992 Copies of order to Atty's Walton and Gagliotti

Oct. 28, 1992 Motion for Refund Of Mediation Deposit and Order filed. AND NOW, October 28, 1992, this Court orders that the Prothonotary's Office refund to Plaintiff's attorney for plaintiff the amount of $150.00 which is the full amount of Plaintiff's mediation deposit so long as the mediator has not requested payment for any time he has involved in the matter.

By the Court:
Anthony J. Vardaro, J

Oct. 30, 1992 Copies of order to Atty's Walton, Gagliotti and Pineo

1992

Barbara J. Walton

849.

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

$150.00 paid by plff
mediation deposit

10-31-92 Pd Med
Dupp Refund to Pltf.
Ck# 7147 50

11-20-92 Received
from deft Med.
Fee 50.00

11-20-92 Pd
Comm Med Fee
Ck# 7186 50.00

MENDI R. HARVEY

vs.

DANIEL C. SHAY, JR.

Filed Sept. 3, 1992
@ 4:02 p.m.

Tax & entry paid	$50.50
state paid	5.00
John Fuller, mediator	100.00
Pro Co Pd 11-20-92 Ck#7181	9.00

COMPLAINT FOR CUSTODY AND MOTION TO APPOINT
CHILD CUSTODY MEDIATOR

1 copy (atty)
1 copy (mediator)

ORDER:
AND NOW, Sept. 2, 1992, this matter is referred to JOHN FULLER, ESQ. CHILD CUSTODY MEDIATOR.
The child shall remain with the plaintiff until further order of court. By the court,
Gordon R. Miller, J.

ORDER:

You, Daniel c. Shay Jr. , have been sued in Court to obtain custody of Justin shay, Age 4.
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 visi tation 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

9/2/92

BY THE COURT,
Gordon R. Miller, J.

Oct 1, 1992 Appearance of Shafer, Swick, Bailey, Irwin & Stack by James R. Irwin for Defendant, filed.

Oct. 9, 1992 AFFIDAVIT OF SERVICE, filed. And Now Sept. 29, 1992 comes Paul L. Walton and swears that a true and correct copy of the Complaint for Custody, and Motion for Appointment to Mediator, was personally served upon Defendant, Daniel C. Shay, Jr., by him, pursuant to Pa. R.C. P. 400(b) on Sept. 3, 1992.

Oct. 28, 1992 ORDER filed. AND NOW, Oct. 28, 1992, after mediation conference before John Fuller, Esq., IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Justin Shay 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 Justin Shay shall be with his mother, Mendi R. Harvey, subject to the following conditions:

A. The father, Daniel C. Shay, Jr., shall be entitled to visit and take the child into his custody every other Saturday from 9:00 a.m. to 9:00 p.m. and every other Sunday from 9:00 a.m. to 9:00 p.m., beginning Oct. 24, 1992. The father must be present at all times during these visits.

B. Major 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, as follows: Thanksgiving from 2:00 pm to 8:00 p.m.; on Christmas from 12:00 noon until 8:00 p.m, and on Easter, from 12:00 Noon until 8:00 p.m. The remainder of these holidays, the child shall be in the custody of the mother.

C. Minor holidays shall be defined as Memorial Day, 4th of July, Labor Day and the child's birthday. In 1993 and odd years thereafter, the child shall be in the custody of the father on the child's birthday (10:00 a.m. to 8:00 p.m.) and 4th of July (10:00 a.m. to 4:00 p.m.) and in the custody of the mother on Memorial Day and Labor Day. In 1994 and even years thereafter, the child shall be in the custody of the father on Memorial Day and Labor Day from 10:00 a.m. until 8:00 p.m. and in the custody of the mother on the child's birthday and the 4th of July.

D. Transportation of the child on week ends and holiday visits shall be equally divided as follows: The parent receiving custody shall provide transportation. The parents shall use an approved car seat for the child.

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 parent sagree to inform the other immediately of any illness orinjury regarding the child and both parents agree to furnish the other with a current telephone number.

H. Neither parent shall use illegal drugs or be under the influence of alcohol when the child is in their custody.

III. This order is a temporary order but shall become a permanent order unless exceptions thereto are filed by either party within 30 days of the date hereof.

IV. Cost of the mediation conference in the amount of $100.00 shall be equally divided between the parties. The Prothonotary of Crawford County is hereby directed to refund the sum of $100.00 of the $150.00 deposit paid in advance by the Plaintiff, less the cost of the custody order.

Anthony J. Vardaro, J.

Nov 6, 1992 copy to B. Walton, J. Irwin, J. Fuller, Plf. & Dft.

400

1992

Barbara J. Walton

850.

R. Christopher Brode

$150.00 mediation deposit paid by plff.

11-16-92 Refunded mediation deposit Brd. Ck# 7175 145.00

CAROL CORNELL

vs.

CANDACE CORNELL AND BRIAN KELLER

Filed Sept. 3, 1992
@ 4:02 p.m.

Tax & entry paid. $50.50 ✓
state paid 5.00
John Fuller mediator

Pro Co Pd 11-20-92 Ck# 7187 5.00

COMPLAINT FOR CUSTODY AND MOTION FOR CHILD CUSTODY MEDIATION

1 copy (atty)
1 copy (mediator)

ORDER:

AND NOW, Sept. 2, 1992 this matter is referred to JOHN FULLER, ESQ. CHILD CUSTODY MEDIATOR.

Motion allowed, temporarycustody of the minor children is given to the plff. in this matter to maintain the status quo until the hearing.

By the Court,
Gordon R. Miller, J.

ORDER:

You, **Candice Cornell & Brian Keller** have been sued in Court to obtain custody of **Amber Cornell and Ashley Cornell**

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 visi tation 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

9/2/92

BY THE COURT,
Gordon R. Miller, J.

Sept. 28, 1992 Acceptance of Service filed. I accept service ofthe Custody Complaint on behalf of Candace cornell and Brian Keller and certify that I am authorized to do so.

R. Christopher Brode

Oct.9, 1992 Motion to Dismiss Complaint for Custody and Order filed. AND NOW, this 8 day of October, motion allowed and this matter is dismissed provided all costs have been paid.

By the Court:
Anthony J.Vardaro, J.

Oct. 9, 1992 Copy of Order to Attys. Walton & Brode.

Nov. 13, 1992 Motionfor Refund of Mediation Deposit and Order filed. AND NOW, November 13, 1992, this Court orders that the Prothonotary's Office refund to Planitiff's attorney for plaintiff the amount of $150.00 which is the full amount of Plaintiff's mediation deposit, less a $5.00 discontinuance fee which the prothonotary may hold.

By the Court:
Gordon R. Miller, J

Nov. 18, 1992 Copies of order to Atty's Waltonand Brode

1992

Peters, Lindsay,
Lewis and Gagliotti
Brian J. Lindsay

851.

JOYCE A. SAMPSON

vs.

JOE A. SAMPSON, SR.

Filed Sept. 3, 1992
@ 4:10 p.m.

Tax & entry paid	$50.50
state paid	5.00
state paid	10.00
Pro Co pd 3-17-93	9.00

COMPLAINT IN DIVORCE

3 copies (atty)

Oct. 6, 1992 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 14th day of September, 1992, send to the above named Defendant, by Certified Mail, Return Receipt Requested, a true and correct copy of the Complaint in Divorce filed at the above term and number; and that I did on the 1st day of October, 1992, receive a duly executed return receipt dated Sept. 30, 1992.

Feb. 16, 1993 Affidavit of Consent by Joyce A. Sampson, Plaintiff filed.

March 8 1993 Affidavit of Consent of Defendant filed.

Mar 17, 1993 Upon praecipe of Plaintiff attorney to transmit reocrd, case moved to Court.

March 25, 1993, FINAL DIVORCE DECREE filed.

AND NOW, March 22, 1993, it is hereby ordered and decreed that JOyce A. Sampson Plaintiff and Joe A. Sampson, 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,
Judge

402

1992

Brian J. Lindsay

852.

CHERYL LYNN BARR

vs.

JEFFREY SCOTT BARR

Filed Sept. 4, 1992
@ 11:00 a.m.

Tax & entry Paid 9-30-92 ~~$50~~ 30.50 .50
state 5.00

Sheriff's Costs ~~25.00~~ 14.50

9-31-92
Received from defendant Sheriff's cost $14.50

9-30-92 Paid Sheriff Ck# 7086 $14.50

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies (sheriff)
1 copy (plff)

ORDER:

And now, this 4 day of Sept., 1992, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions:

---

3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for **September 9, 1992**, at 3:30 P.M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,

Anthony J. Vardaro, J.

Sept. 4, 1992 Sheriff's Return filed. SERVED Jeffrey Scott Barr on September 4, 1992 at 11:58 AM by handing a copy of the Protection from Abuse to Nancy Napoli, his girlfriend and Adult in Charge, at his temporary residence, 222 Walnut Street, Crawford County, Meadville, PA.
So answers,
Edgar D. Householder, Chief Deputy
Robert M. Stevens, Sheriff

Sept. 11, 1992 ORDER filed. AND NOW, Sept. 9, 1992, after hearing in this matter, the Court finds that the plaintiff has carried her burden of proof not with respect to verbal abuse or outher touching, but with respect to an incident where the defendant pushed her at the top of three stairs, causing her to go down the stairs but not causing her to fall or get hurt.

ACCORDINGLY, it is ORDERED as follows:

1. The defendant shall not assault,abuse, harass or threaten the plaintiff or Ann Burrows in any way.
2. The defendant shall not go to the plaintiff's residence unless she invites him there and he shall leave even if invited immediately when asked to leave. The defendant may contact the plaintiff in other ways by letter or telephone, provided he does it in a non-threatening and non-abusive way.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer havidng reasonable grounds to believe that it has been violated.
4. A copy of this Order shall be delivered to the Meadville City police Department and to County Control by the Prothonotary. A copy of the Order shall also be sent to the defendant at Lot #3, Asbury West, Meadville, Pennsylvania, 16335 by the Prothonotary by regular mail.
5. This Order shall remain in full force and effect for one (1) year from this date until modified or terminated by further Order of Cfourt. If the plaintiff desires to terminate this Order, she shall file an appropriate petition or motion with the Court to modify or terminate it.
6. The Court finds that the defendant has the ability to pay some of the court costs, but not all of the court costs. Accordingly, he is ordered to pay $50.00 to apply on the court costs by making payment to the Prothonotary's Office on the first floor of the Courthouse no later than Sept. 30, 1992.
7. The defendant is reminded that this is an Order of Court and may be punishable bya fine of up to $1,000.00 or a jail sentence of up to six (6) months.

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

Sept. 11, 1992 copies sent to Co. Ctrl, MCPD & given to B. Lindsay. Sept. 14, copy sent to Dft.

1992

Joseph W. Tinko

853.

SUSAN M. BERNOSKY

vs.

ANTHONY P. BERNOSKY

Filed Sept. 4, 1992
@ 2:13 p.m.

Tax & entry paid	$50.50
state paid	10.00
state paid	5.00
Pro.Co.pd 12/29/92	9.00
Pro pd 9/17/97	$5.00

COMPLAINT IN DIVORCE

1 copy (atty)

sept. 16, 1992 Acceptance of Service filed. I, Anthony P. Bernosky, the undersigned and defendant, hereby accept service of the Complaint Under the Divorce Code, 23 Pa.C.S.A. section 3101 et seq. inthe above-captioned case.
Date: Sept. 8, 1992 Anthony P. Bernosky

Sept. 16, 1992 Affidavit of Service filed. Before me, a Noarty Public of the Commonwealth of Pennsylvania, on this 16th day of September, A.D. 1992, comes Joseph W. Tinko, Esquire, the undersigned affiant who, after being duly sworn according to law, deposes and says as follows:
That 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 serve dont he defendant, Anthony P. Bernosk by personal delivery, on September 8, 1992 at 379 Chestnut Street, Meadville, Pennsylvania, as evidenced by the Acceptance of Service signed by the defendant, Anthony P. Bernosky, which is attached hereto as Exhibit "A" and incorporated herein by this reference as if fully set forth.
Date: 9-16-92 Joseph W. Tinko

Dec. 7, 1992 Affidavit of Consent of Anthony P. Bernosky, Defendant, filed.

Dec. 23, 1992, Affidavit of Consent of ~~defendant~~ PLAINTIFF filed.

Dec. 29, 1992 Upon Praecipe of Plaintiff Attorney to transmit record, case moved to Court.

D I V O R C E D E C R E E F I L E D

Dec. 31, 1992 AND NOW, December 30, 1992, it is hereby ordered and decreed that **S U S A N M . B E R N O S K Y ,** plaintiff, and **A N T H O N Y P . B E R N O S K Y ,** 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.

Sept. 17, 1997 Notice of Election to Retake Maiden Name filed.
TO BE KNOWN AS: SUSAN M. CLARK.

1992

pro se

854.

~~Gibbs & Craze, L.P.A.~~
~~Nathan P. Cochran~~

ASHBY BRENEMAN
Box A
Bellefonte, Pa. 16823

vs.

MR. AND MRS. RICHARD ELLIOTT
396 Harbor Rd.
Conneaut, Ohio 44030

Filed Sept. 4, 1992
@ 2:42 p.m.

Indigent filing

Sheriff's Costs $27.00

JURY TRIAL DEMANDED

COMPLAINT IN CIVIL ACTION

4 copies (plff)

Sept. 4, 1994 Order filed.
ORDER:
AND NOW, Sept. 3, 1992, upon consideration of plaintiff's petition to proceed in forma pauperis pursuant to Pa. R.C.P. 240 the plaintiff is granted leave to so proceed without prejudice to the right of the court to require the plaintiff to pay costs in the future if his financial circumstances shall so permit.

BY THE COURT,
Anthony J. Vardaro, J.

Oct. 13, 1992 Motion For Extension Of Time A Responsive Pleading and Order filed. AND NOW, upon the motion of Nathan P. Cochran, it is hereby ORDERED and DECREED that the above named Defendants be granted a sixty day extension of time in which to file a responsive pleading, without waiver of any preliminary objection or defense.

BY THE COURT,
Anthony J. Vardaro, J

Oct. 20, 1992 Copies mailed to Atty. Cochran and Plaintiff

Dec. 10, 1992 Preliminary Objections filed.

Jan. 26, 1993 Motion for Extension of Time to File a Responsive Pleading filed.

Jan. 28, 1993 ORDER filed. AND NOW, January 26, 1993, after receipt and review of the plaintiff's motion for extension of time to file a responsive pleading it is ordered as follows:

1. Although parties do not always file a response to preliminary objections the defendant is granted leave of court to file an answer or other responsive pleading to the defendants' preliminary objections in these cases. The plaintiff shall have until March 1, 1993 to file such a response (see Pa. R.C.P. 1017).

2. The Court will not now appoint counsel for the plaintiff in these civil actions since these are not cases where the plaintiff is entitled to the appointment of counsel in a civil case. He shall feel free to contact Northwest Legal Services, 231 Chestnut St., Meadville, Pa. 16335 to see if it will give him services in this case.

3. The plaintiff is obligated to follow the law and all of the rules of civil procedure. Since there are local rules of civil procedure which the plaintiff must follow and since he is proceeding informs pauperis the Prothonotary of Crawford County is ordered and directed to send a true and corect copy of the current Crawford County Civil Rules of Court ot the plaintiff (without a binder) at his current address B.T. 6398 W.W.R-18, Box A, Bellefonte, Pa. 16823. The Prothonotary shall not charge the plaintiff for said rules. The defendant must comply with said rules in any future filings. For instances he has filed his motion for extension of time to file a responsive pleading in violation of the local rules regarding notice to opposing counsel or parties of the filing of said motion. See for instance Rule L206 of the Crawford County Civil Rules of Court governing motions and petitions practice in Crawford County.

BY ORDER OF COURT
Gordon R. Miller, PJ.

Jan. 29, 1993 copy of Order of Local Rules mailed to Breneman & copy of order to Atty Cochran.

Mar. 5, 1993 Responsive Pleading to the Preliminary Objections Submitted by the Defendants in the above Captioned Matter - dated the 8th and 9th day of December, 1992 filed.

May 21, 1993 Upon Praecipe of Defendants attorney this case placed on next Argument List.

ON JUNE 1993 ARGUMENT LIST

Sep. 8, 1993 MEMORANDUM AND ORDER filed. AND NOW, September 3, 1993, it is ordered as follows:

1. The defendants' demurrers and motions for judgment are denied.
2. The "complaint" is stricken in its entirety.
3. Preliminary objections with respect to jurisdiction and service at 1992-855 and 1992-856 are sustained and the plaintiff shall serve on the defendants with any amended complaint in the manner required by the Pennsylvania Rules of Civil Procedure. Service by mailing shall not be appropriate.
4. The plaintiffs must individually identify each director and the capacity in which he is suing them in the 1992-856 case.
5. The plaintiff is given 45 days to file amended complaints in these actions.

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

9-8-93 Copies mailed toPlft & Cochran

Oct. 7, 1993 Motion for Extension ofTime and Order for Discovery and ORDER filed. AND NOW, upon Motionof Ashby Breneman,it is hereby ORDERED and DECREED that the above named Plaintiff be grant ed a thirty (30) day extension affixed to t he forty-five (45) day time limit ordered by this Honorable Court and ORDER and DECREE Leave for Plaintiff to File Discovery upon Defendant(s). 30 days from this date. October 6, 1993

BY THE COURT,
Gordon R. Miller

10-14-93 Copy of Order to Plft & Atty. Cochran

Nov. 8, 1993 Amended Complaint filed.

Dec. 10, 1993 Motion For Extension Of Time To File A Responsive Pleading and Order, filed. ORDER: AND NOW, upon the motionof Nathan P. Cochran, it is hereby ORDERED and DECREED that the above named Defendants be granted a forty five day extension of time in which to file a responsive pleading, without waiver of any preliminary objection or defense. A copy of this order shall be served upon the Plaintiff by couonsel for Defendants.
Date: December 9, 1993

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

12-10-93 Copy dist to Cochran

Continued to Page 404 A

Ashby O.Breneman
vs
Mr. and Mrs. RichARD Elliott

Continued from Page 404
of record
AD 1992 - 854

****

12 Dec. 13, 1993 Sheriff's Return filed. SERVED Richard Elliott by Certified Mail at his last known address of 376 Harbor Road, Conneaut, OH 44030, on November 18, 1993, as per signed Return Receipt attached.
SERVED Mrs. Richard Elliott by Certified Mail at her last known address of 376 Harbor Road, Conneaut, OH 44030, on November 18, 1993, as per signed Return REceipt attached.
So answers, Robert M. Stevens,Sheriff

13 Jan. 24, 1994 Preliminary Objections To Amended Complaint, filed.

14 Jan. 24, 1994 Upon Praecipe of Defendants Attorney, this case is placed on next Argument List.

ON FEBRUARY 1994 ARGUMENT LIST

15 Feb. 7, 1994 ORDER filed. AND NOW, this 3rd day of February, 1994, the defendants having filed preliminary objectiions to the plaintiff's amended complaint, and praeciped for "argument" of the same by submission of the issue to the court on briefs, it is ordered as follows:
1) The court will accept this matter for decision on briefs, and the Court Administrataor shall not schedule an oral argument in this matter; and
2) The plaintiff shall have until February 28, 1994 to file with the court any brief he may wish to submit in response to the defendants' preliminary objections and brief; and
3) The Court Administrataor shall mail a copy of this order to plaintiff and to counsel for defendants forthwith.
BY THE COURT,
Gordon R. Miller, P.J.

Feb. 3, 1994 copies dist by Ct. Adm. Office

16 Mar. 2, 1994 Motion for An Extension of Time to File a Responsive Pleading in Re To Preliminary Objections of Civil Action at Law 1992 -854 filed.

17 Mar. 2, 1994 ORDER filed. AND NOW, March 1, 1994, the plaintiff's motion for an extension of time to file a responsive pleading to preliminary objections is denied as the plaintiff is not required to file a responsive pleading to the preliminary objections filed in the case.
BY ORDER OF COURT
Gordon R. Miller, P. J.

3-7-94 Copy of Order to Atty. Cochran and Pltf.

18 May 6, 1994 ORDER filed. AND NOW, May 2, 1994, upon receipt and review of the defendants' preliminary objections to the plaintiff's amended complaint the demurrer is granted as to all three counts and the amended complaint is dismissed and judgment is entered on behalf of all defendants.
The plaintiff's amended complaint was a second attempt on the part of the plaintiff to state an appropriate cause of action against the defendants. He miserably failed to do so. We write no opinion or memrorandum. We adopt much of the arguments and law set forth in counsel's brief in support of the defendants' preliminary objections which were filed on January 24, 1994 with the prothonotary.
The Prothonotary shall forward a true and correct copy of this Order to the plaintiff so that he is aware of the fact that we have dismissed this action.
BY ORDER OF COURT
Gordon R. Miller, P.J.

5-5-94 Copies dist.to Cochran & Breneman

19 Jun. 6, 1994 Notice of Appeal to The Superior Court filed.

20 Jun. 15, 1994 Return of Notice of Superior Court Appeal for the following defects. When the corrections have been made, please return the NOtice of Appeal for processing.
PROOF OF SERVICE (x) Complete name and address for all counsel, trial court judge and court reporter. Identification of representation for multiple paarties, filed.

21 Sep. 12, 1994 Attorney Motion to Withdraw from Representation of Named Defendants Dewitt, Ryder, and Elliot Due to Attorney Moving to Another State, and ORDER filed. AND NOW, 9-8-,1994, upon receipt and review of Attorney for Defendant s' Motion to withdraw from representation of named Defendants Mr. and Mrs. Robert Dewitt, Mr. and Mrs. Michael Ryder, Mr. and Mrs. Richard Eilliot in this matter, it is ordered that Attorney for Defendants be allowed to withdraw from representation.
BY ORDER OF COURT
Gordon R. Miller, P.J.

9-13-94 Copies Mailed Pltf & Atty.Cochran

22 Sept. 29, 1994 Opinion In Support Of Order Pursuant To Pa.R.A.P. 1925, filed.
Sept. 29, 1994 copies to Breneman & Elliot

23 Oct. 18, 1994 Amended Notice of Appeal, filed. (copies mailed 10-18-94)

Oct. 26, 1994, Notice of Appeal Docketing at Superior Court Docket No. Assigned 01813PGH94 filed.

FEb. 14, 1995 Certificate of Contents of Remanded Record and Notice of Remand, filed.

FEb. 14, 1995 "ORDER OF COURT filed. The appealable order in this case was dated May 2, 1994 and was entered on the docket on May 6. The last day to file an appeal was therefore June 6, 1994 (June 5 being a Sunday). The appeal was not filed until June 7. The appeal is therefore quashed sua sponte as untimely.
Date: December 2, 1994 PER CURIAM"
Eleanor R.Valeche,Deputy Prothonotary

1992

pro se

855.

Gibbs & Craze Co.,LPA
~~Nathan P. Cochran.~~
Withdrawn

ASHBY BRENEMAN
Box A
Bellefonte, Pa. 16823

vs.

MR. AND MRS. MICHAEL RYDER
R. D. #6, Stewart Rd.
Mercer, Pa. 16137

Filed Sept. 4, 1992
@ 2:55 p.m.

Indigent filing

Sheriff's Costs	$25.00
Sheriff's Costs	20.00

JURY TRIAL DEMANDED

✓COMPLAINT IN CIVIL ACTION

4 copies (plff)

✓ORDER:
AND NOW, Sept. 3, 1992, upon consideration of plaintiff's Petition to proceed in forma pauperis pursuant to Pa. R.C.P. 240 the plaintiff is granted leave to so proceed without prejudice to the right of the court to require the plaintiff to pay costs in the future if his financial circulstances shall so permit.
BY THE COURT,
Anthony J. Vardaro, J.

✓Oct. 13, 1992 Motion For Extension Of Time To File A Responsive Pleading and Order filed. AND NOW, upon the motion of Nathan P. Cochran, it is hereby ORDERED and DECREED that the above named Defendants be granted a sixty day extension of time in which to file a responsive pleading, without waiver of any preliminary objection or defense.
BY THE COURT,
Anthony J. Vardaro, J

Oct. 13, 1992 Copies mailed to Atty. Cochran and Plaintiff
(See original filed at A.D. 1992 - 854)

✓Dec. 10, 1992 Preliminary Objections filed.

✓Jan. 26, 1993 Motion for Extension of Time to File a Responsive Pleading filed. (See Original filed at AD 1992 - 854)

✓Jan. 28, 1993 ORDER filed. AND NOW, Jan. 26, 1993, after receipt and review of the plaintiff motion for extension of time to file a responsive pleading it is ordered as follows:

1. Although parties do not always file a response to preliminary objections the defendant is granted leave of court to file an answer or other responsive pleading to the defendants' preliminary objections in these cases. The plaintiff shall have until March 1, 1993 to file such a response (See Pa.R.C.P. 1017).
2. The Court will not now appoint counsel for the plaintiff in these civil actions since these are not cases where the plaintiff is entitled to the appointment of counsel in a civil case. He shall feel free to contact Northwest Legal Services, 231 Chestnut St., Meadville, Pa. 16335 to see if it will give him services in this case.
3. The plaintiff is obligated to follow the law and all of the rules of civil procedure. Since there are local rules of civil procedure which the plaintiff must follow and since he is proceeding informa pauperis the Prothonotary of Crawford County is ordered and firected to send a true and correct copy of the current Crawford County Civil Rules of Court to the plaintiff (without a binder) at h is current address B.T. 6398 W.W. R-18, Box A, Bellefonte, Pa. 16823. The Prothonotary shall not charge the plaintiff for said rules. The defendant must comply with said rules in any future filings. For instance he has filed his motion for extension of time to file a responsive pleading in violation of the local rules regarding notice to opposing counsel or parties of the filing of said motion. See for instance Rule L206 of the Crawford County civil Rules of Court governing motions and petitions practice in Crawford County.

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

Jan. 29, 1993 Copy of Order & Local Rules mailed to Breneman & copy of order to Atty Cochran
See original filed at A.D. 1992 - 854

✓Mar. 5, 1993 Responsive Pleading to the Preliminary Objections submitted by the Defendants in the Above Captioned Matter - Dated the 8th and 9th day of December, 1992, filed. (See original filed at AD 1992-854).

✓**May 21, 1993 Upon Praecipe of Defendants attorney, this case placed on next Argument List.**

ON JUNE 1993 ARGUMENT LIST

✓Sep. 8, 1993 MEMORANDUM AND ORDER filed. AND NOW, September 3, 1993, it is order as follows:

1. The defendants' demurrers and motions for judgment are denied.
2. The "complaint" is stricken in its entirety.
3. pReliminary objections with respect to jurisdiction and service at 1992-855 and 1992-856 are sustained and the plaintiff shall serve on the defendants with any amended complaint in the manner required by the Pennsylvania Rules of Civil Procedure. Service by mailing shall not be appropriate
4. The plaintiffs must individually identify each director and the capacity in which he is suing them inthe 1992-856 case.
5. The plaintiff is given 45 days to file amended complaints in these actions.

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

9-8-93 Copies mailed toPlft. & Cochran. See Memorandum filed at AD 1992-854.

1-24-94 Dept Brief filed

✓Oct. 7, 1993 Motion for Extension of Time and Order for Discovery and ORDER filed. AND NOW, upon the MOtion of Ashby Breneman, it is hereby ORDERED and DECREED that t he above named Plaintiff be granted a thirty (30) day extension affixed to the forty-five (45) day time limit ordered by this Honorable Court and ORDER and DECREE Leave for Plaintiff to File Discovery upon Defendant (s). 30 days from this date October 6, 1993.

BY THE COURT,
Gordon R. Miller

10-14-93 Copy of Order to Pltf & Atty. Cochran. See Original filed at A.D.#1992 -854

✓Nov.8, 1993 Amended Complaint filed.

✓Dec. 13, 1993 Sheriff's REturn filed. NOT FOUND as to Defendants Mr. and Mrs. Michael Ryder as per an Affidavit of "Not Found" returned from Mercer County Sheriff's Office. Not at R.D.#6 Mercer, PA, per post office.
So answers,
Robert M. Stevens, Sheriff

Continued toPage 463

pro se

856.

Gibbs & Craze Co., LPA
~~Nathan P. Cochran~~
withdrawn

ASHBY BRENEMAN
Box A
Bellefonte, Pa. 16823

vs.

MR. AND MRS. ROBERT DeWITT

vs.

LAKERIDGE BAPTIST ACRES, INC. doing business as SHEPHERD HILLS MINISTRIES, INC.

vs.

BOARD OF DIRECTORS
R. D. #4
Box 64A, Shreves' Ridge Rd.
Union City, Pa. 16438

Filed Sept. 4, 1992
@ 3:03 p.m.

INdigent filing

Sheriff's Costs $32.00

JURY TRIAL DEMANDED

✓ COMPLAINT IN CIVIL ACTION

4 copies (plff)

✓ ORDER:
AND NOW, Sept. 3, 1992, upon consideration of plaintiff's petition to proceed in forma pauperis pursuant to Pa. R.C.P. 240, the plaintiff is granted leave to so proceed without prejudice to the right of the court to require the plaintiff to pay costs in the future if his financial circumstances shall so permit.

BY THE COURT,
Anthony J. Vardaro, J.

✓ OCt. 13, 1992 Motion For Extension Of Time To File A Responsive Pleading and Order filed. AND NOW, upon the motion of Nathan P. Cochran, it is hereby ORDERED and DECREED that the above named defendants be granted a sixty day extension of time in which to file a responsive pleading, without waiver of any preliminary objection or defense.

BY THE COURT,
Anthony J. Vardaro, J

Oct. 20, 1992 copies mailed to Atty. Cochran and Plaintiff
(See original filed at A.D. 1992 - 854)

✓ Dec. 10, 1992 Preliminary Objections filed.

✓ Jan. 26, 1993 Motion for Extension of Time to File a Responsive Pleading filed. (See original filed at AD 1992 - 854)

✓ Jan. 28, 1993 ORDER filed. AND NOW, January 26, 1993, after receipt and review of the plaintiff's motion for extension of time to file a responsive pleading it is ordered as follows:

1. Although parties do not always file a response to preliminary objections the defendant is granted leave of court to file an answer or other responsive pleading to the defendants' preliminary objections in these cases. The plaintiff shall have until March 1, 1993 to file such a response (See Pa. R.C. P. 1017).

2. The Court will not now appoint counsel for the plaintiff in these civil actions since these are not cases where the plaitniff is entitled to the appointment of counsel in a civil case. He shall feel free to contact Northwest Legal Services, 231 Chestnut, St., Meadville, Pa. 16335 to see if it will give him services in this case.

3. The plaintiff is obligated to follow the law and all of the rules of civil procedure. Since there are local rules of civil procedure which the plaintiff must follow and since he is proceeding informa pauperis the Prothonotary of Crawford County is ordered and directed to send a true and correct copy of the current Crawford County Civil Rules of Court to the plaintiff (without a binder) at his current address B.T. 6398 W.W.R-18, Box A, Bellefonte, Pa. 16823. The Prothonotary shall not charge the plaintiff for said rules. The defendant must comploy with said rules in any future filings. For instance he has filed his motion for extension of time to file a responsive pleading in violation of the local rules regarding notice to opposing counsel or parties of the filing of said motion. See for instance Rule L206 of the Crawford County Civil Rules of Court governing motions and petitions practice in Crawford County.

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

Jan. 29, 1993 Copy of Order & Local Rules mailed to Breneman & copy of Order to Atty. Cochran
See A.D. 1992 - 854 for original filing.

✓ Mar. 5, 1993 Responsive Pleading to the Preliminary Objections submitted by the Defendants in the Above Captioned Matter - Dated the 8th and 9th of December, 1992, filed. (See Original filed at AD 1992-854).

✓ May 21, 1993 Upon Praecipe of Defendants attorney, this case placed on next Argument List.

ON JUNE 1993 ARGUMENT LIST

✓ Sep. 8, 1993 MEMORANDUM AND ORDER filed. AND NOW, September 3, 1993, it is ordered as follows:

1. The defendants' demurrers and motions for judgment are denied.
2. The "complaint' is stricken in its entirety.
3. Preliminary objections with respect to jurisdiction and service at 1992-855 and 1992-856 are sustained and the plaintiff shall serve on the defendants with any amended complaint in the manner required by the Pennsylvania Rules of Civil Procedure. Service by mailing shall not be appropirate.
4. The plaintiffs must individually idetnify each director and the capacity in which he is suing them in the1992-856 case.
5. The plaintiff is given 45 days tofile amended complaints in these actions.

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

9-8-93 Copies mailed to Plft. & Cochranton. See Memorandum filed at AD 1992-854.

3-9-94 Brief filed by Dft's atty.

✓ Oct. 7, 1993 Motion for Extension of Time and Order for Discovery and ORDER filed. AND NOW, upon Motionof Ashby Breneman, it is hereby ORDERED and DECREED that the above named Plaintiff be granted a thirty (30) day extension affixed to the forty-five (45) day time limit ordered by this Honorable Court and ORDER and DECREE Leave for Plaintiff to File Discovery upon Defendant (s). 30 days from this date. October 6, 1993

BY THE COURT,
Gordon R. Miller

10-14-93 Copy of Order to Pltf & Atty.Cochran. See Order Filed at AD 1992-854

✓ Nov.8, 1993 Amended Complaint, filed.

Continued to Page 406 A

Ashby O.Breneman
vs.
Mr. and Mrs. Robert DeWitt
vs.
Lakeridge Baptist Acres, Inc.
doing business as Shepherd Hills
Ministries, Inc.
vs.
Board of Directors

Continued from Page 406
of Record
AD 1992 - 856

****

Dec. 13, 1993 Sheriff's REturn filed. NOT FOUND as to Defendants Mr. and Mrs. Robert DeWitt at address of R.D.#4, Box 64A, Union City,PA. As per Union City Post Office they have moved to somewhere in Kentucky.

So answers,

Robert M.Stevens, Sheriff

Jan. 18, 1994 Reissuance or Reinstatement, filed.

Feb. 18, 1994 Motion for an Order to Defense Counsel to Accept Original Process of Civil Action 1992 - 856, filed.

Feb. 18, 1994 ORDER filed. AND NOW, February 17, 1994, upon receipt and review of the plaintiff's Motion for an Or der to Defense Counsel to Accept Original Process, it is ordered as follows:

1. The plaintiff shall file another praecipe to reinstate the amended complaint.
2. The plaintiff shall serve the amended complaint upon the defendants, Robert DeWitt, Mrs. Robert DeWitt, and LakeRidge Baptist Acres, Inc. d/b/a/ Shepherd Hills Ministries, Inc. by serving a true and correct copy of the amended complaint upon Nathan P. Cochran, Esquire, the attorney who has already entered his appearnce on behalf of said defendants in this action.
3. No order is made with respect to service on John Doe 1, John Doe 2 and John Doe 3 et al.

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

Feb. 23, 1994 Copy of Order to Pltf. & Atty. Cochran

Mar. 9, 1994 Notice to Plead. Preliminary Objections to Amended Complaint, filed.

March 9, 1994 Upon Praecipe of Nathan P. Cochran, Esquire, Attorney for Defendants, the above captioned matter is placed on the next available Argument List.

ON APRIL, 1994 ARGUMENT LIST

Mar. 9, 1994 Reinstatement of Amended Complaint filed.

Mar. 31, 1994 Upon praecipe of Plaintiff, the above captioned matter of Plaintiff's Response to Defendant's Preliminary Objections is place on the next available argument list.

ON MAY, 1994 ARGUMENT LIST

Apr. 5, 1994 Praecipe for Motion to Deny Counsel to Proceed Ex Parte on the above captioned Civil Action- Law, filed.

Apr. 14, 1994 ORDER filed. AND NOW,April 11, 1994, upon receipt and review of the defendant's preliminary objections to the plaintiff's amended complaint the demurrer is granted as to all three counts and the amended complaint is dismissed and judgment is entered on behalf of all defendants.

T he plaintiff's amended complaint was a second attempt on the part of the plaintiff to state an appropriate cause of action against the defendants. He miserably failed to do so. We write no opinion or memorandum. We adopt much of the arguments and law set forth in counsel's brief in support of the defendants' preliminary objection which was filed on March 9, 1994 with the Prothonotary.

The Prothonotary shall forward a true and correct copy of the Order to the Plaintiff so that he is aware of the fact we have dismissed this action.

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

4-15-94 Certified copy of Order mailed to Pltf. & Atty. Cochran

May 11, 1994 Notice of Appeal To Superior Court of Pennsylvania from Court Order dated April 11, 1994 filed.

May 16, 1994 Return Notice of Appeal from the Superior Court for further processing filed.

Sep.12, 1994 Attorney Motion to Withdraw from Representation of Named Defendants Dewitt,Ryder and Elliot Due to Attorney Moving to Another State and ORDER filed. AND NOW, 9-8-1994, upon receipt and review of Attorney for Defendants' Motion to withdraw from representation of named Defendants Mr. and Mrs. Robert Dewitt, Mr. and Mrs. Michael Ryder, Mr. and Mrs. Richard Eilliott in this matter, it is ordered that Attorney for Defendants be allowed to withdraw from representation.

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

9-13-94 Copies mailed Pltf & Atty. Cochran

Sept. 29, 1994 Opinion In Support Of Order Pursuant To Pa.R.A.P. 1925, filed.
Sept. 29, 1994 copies to Breneman & Dewitt

Oct. 18, 1994 Amended Notice of Appeal, filed.

1992

Theodore H. Watts
Watts and Pepicelli PC

857.

LAURA J. McGEE

vs.

TERRY L. McGEE

Filed Sept. 4, 1992
@ 4:12 p.m.

Tax & entry paid	$50.50
1 count paid	15.00
state paid	10.00
state paid	5.00
Pro.Co. pd 12/3/92	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION

2 copies (atty)

Sept. 11, 1992 Affidavit of Service filed. I. Laura J. McGee hereby certify that a copy of the Complaint in Divorce was served upon the Defendant Terry L. McGee, by hand delivering same to him at the Crawford County Courthouse on September 4, 1992 at 4:30 PM I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities. Laura J. McGee

Dec. 3, 1992 Affidavit of Consent by Laura J. McGee, Plaintiff, filed.

Dec. 3, 1992 Affidavit of Consent by Terry L. McGee, Defendant, filed.

Dec. 3, 1992 Upon Praecipe of Plaintiff Attorney to transmit record, case moved to Court.

Dec. 15, 1992, MEMORANDUM filed. (Gordon MIller, Judge)
Dec. 15, 1992, copies to Atty. Watts.

Dec. 21, 1992 Upon praecipe of Plaintiff Attorney to transmit record, case moved to Court.

D I V O R C E D E C R E E F I L E D

Jan. 5, 1993 AND NOW, January 4, 1993, it is ordered and decreed as follows:

1. Laura J. McGee, plaintiff, and Terry L. McGee, defendant, are divorced from the bonds of matrimony.

2. The terms, provisions and conditions regarding equitable distribution of marital property contained in the post nuptial agreement dated December 1, 1992, signed by the parties, and filed simultaneously herewith are incorporated into this decree by reference as fully as though the same were set forth herein at length. Since the post nuptial agreement includes matters not raised by the pleadings or petitions in this case regarding support, custody and visitation, only those provisions dealing with equitable distribution of marital property are included in this degree. Those paragraphs to-wit: 3,4,5,10,12, 14 and 15 are incorporated into this decree. The Court does not have jurisdiction over the other matters. Those portions of said agreement which are incorporated into this decree and order shall not merge with but shall survive this decree and order.

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

408

1992

Theodore H. Watts
Watts & Pepicelli

858.

Fuller, Kinnunen,
Petruso, Gamble,
Fabian & Hall
John D. Petruso

Culbertson,Weiss,
Schetroma & Schug
Alan R. Shaddinger

ALBRIGHT TOOL AND MANUFACTURING, INC. Appellant

vs.

ZONING HEARING BOARD OF BLOOMING VALLEY BOROUGH, Appelle

Blooming Valley Borough, Intervenor

Filed Sept. 4, 1992
@ 4:12 p.m.

Tax & entry paid $50.50 ✓
state paid 5.00

APPEAL FROM THE DECISION OF THE BLOOMING VALLEY BOROUGH ZONING HEARING BOARD

1 copy (atty)

Sept. 8, 1992 Writ and Copy of Appealed mailed to Mark Nicherson
Sept. 23, 1992 Notice of Intervention filed.

Sept. 25, 1992 Motion to Remand for Hearing filed.

Sept. 25, 1992 Order filed. AND NOW, September 23, 1992, upon consideration of the Appellee's mtoion to remand for hearing, in light of the fact that the Appellant is opposed to the motion, argument is scheduled to determine whether or not this matter should be remanded and this matter is to be placed o nthe October 1992 civil argument list.

BY THE COURT:
Anthony J. Vardaro, J

Sept. 25, 1992 Copies of orde rput in box for Atty's Watts and Shaddinger

Nov. 12, 1992 Order filed. ANDNOW,November 5, 1992, upon motion of the Appellee, Zoning Hearing Board of Blooming Valley Borough,to remand for hearing and, after haring, argument of each party including the Intervenor[1] pursuant to Section 1005-A of the Pennsylvania Municipalities Planning Code [53 P.S.§ 11005-A], the Court remands this matter to the Zoning Hearing Board of Blooming Valley Borough for the purpose of conducting a hearing consistent with the provisions of Section 908 of that Code [53 P.S. §10908] including making appropriate finds of fact and a written decision with respect to this matter.

The Board should consider all issues previously raised by the Appellant as well as any issues that may have been raised before this Court that were not previously raised before the Board.

[1] Note that Blooming Valley Borough has intereved in this matter presumably pursuant to Section 1004-A of the Pennsylvania Municipalities Planning Code [53 P.S. § 1004-A] and has been added to the caption in this matter. However, at the time of oral argument, the attorney for the Appellant noted that he was unaware of the Borough intervening in this matter and a review of the file indicates that that there was a notice of intervention filed on September 23, 1992 but there was no accompanying proof of service as required by Section 1004-A. We will not address the validity of the intervention at this point insofar as it has not been raised other than in the oral arguments as indicated.

BY THE COURT:
Anthony J.Vardaro, J.

Nov.12, 1992 Copies given to Attys.Watts, Shaddinger & Petruso.

In Error ~~Apr. 6, 1994 Praecipe for Replacement on Argument List, filed.~~

~~ON ARGUMENT LIST FOR April 1994~~

1992

Olin, Neil &
Haltrecht
Edward J. O'Brien

859

MONTGOMERY WARD CREDIT CORPORATION, Successor in interest to MONTGOMERY WARD & CO., INC.

vs.

JOSEPH C. BORKOWSKI and
ETHEL J. BORKOWSKI

Filed September 8, 1992
@ 11:36 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff;s Costs	36.00
Pro Co pd 12-7-92	9.00

COMPLAINT IN CIVIL ACTION
2 cpies (Sheriff)

Sept. 14, 1992 Sheriff's Return filed. SERVED Joseph C. Borkowski personally on September 10, 1992 at 12:50 PM by handing to him a copy of the Complaint in the Sheriff's Office, Crawford County Courthouse, Meadville; PA.

NOT FOUND as to Defendant Ethel J. Borkowski. According to Joseph C.Borkowski they have divorced and she is now remarried; her new name and address are unknown.

So answers, Carole Stefanucci, Deputy Sheriff
Robert M. Stevens, Sheriff

Dec 7, 1992 @ 1:18 p.m. And Now, upon praecipe ofPPlaintiff's attorney judgment is hereby entered in favor of the plaintiff and against the defendants for want of an answer and assess damages for Five thousand seven hundred seventy-seven dollars and two cents.

B - 94 Debt: $5,777.02

JUDGMENT
Barbara H. King, Pro.

Dec. 11, 1992 Notice of entry of judgment sent to Dft.

EX1993-8

410

1992

Jack L. Cherkin, Esq. PC
Dominic D. Salvatori

860

Thomas, Truax,
Spadafore & Walker
R. Charles Thomas

KATHRYN M. STEPCHUCK

vs.

JOHN MCDANIEL d/b/a
PENN LAKE PROPERTIES, INC.
JOHN A. McDANIEL and
PATRICIA McDANIEL, his wife

Filed September 8, 1992
@ 11:56 AM

Tax & entry paid	50.50 ✓
User's Fee paid	5.00
Sheriff's Costs	33.00
Pro Co pd 12-7-92	15.00 ✓
Pro Co pd 1-19-94	6.00 ✓

JURY TRIAL DEMANDED

COMPLAINT IN CIVIL ACTION
2 copies (Sheriff)

Sept. 16, 1992 Sheriff's Return filed. SERVED John McDaniel personally on September 10, 1992 at 1:48 PM by handing a copy of the Complaint to him at Box 587, Cochranton, Crawford County, PA.
SERVED Penn Lake Properties on September 10, 1992 at 1:49 PM by handing a copy of the Complaint to John McDaniel, Owner, at Box 587, Cochranton, Crawford County, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M.Stevens, Sheriff

Oct 7, 1992 Appearance of Thomas, Truax, Spadafore & Walker by R.Charles Thomas for Defendant, filed.

Dec 7, 1992 Upon praecipe of plaintiff attorney for appointment of Arbitrators, the following Arbitrators are appointed.
Harry F. White, Chr.
Andrew S. Bacallao
Charles J. Swick

Jan. 15, 1993 Answer and New Matter To Plaintiff's Complaint filed.

Feb. 5, 1993 Arbitrators Take Qualifying Oath.

Mar 12, 1993 Reply to Defendant's New Matter, filed.

Apr 2, 1993 Motion For Leave To Amend and Order. ORDER: AND NOW, this 2nd day of April, 1993, upon consideration of the foregoing Motion, it is hereby ORDERED, ADJUDGED and DECREED that Plaintiff be permitted to amend her Complaint in the above-captioned matter, as follows: The ad damnum clause be and hereby is amended to read:
WHEREFORE, Plaintiff, Kathryn M. Stepchuck, demands judgment of Defendant in a sum in excess of the jurisdictional limits of Arbitration.
BY THE COURT,
Gordon R. Miller, P.J.
Apr. 7, 1993 copy to D. Salvatori & R.C. Thomas

Apr. 2, 1993 Motion to Strike Praecipe to Transfer to Arbitration and Order, filed. ORDER: AND NOW, this 2nd day of April, 1993, upon consideration of the foregoing Motion, it is hereby ORDERED, ADJUDGED and DECREED that Plaintiff's Praecipe for Arbitration is hereby stricken. Either party shall be free to praecipe this case forjury trial when appropriate in accordance with local rules.
BY THE COURT,
Gordon R. Miller,P.J.
Apr. 7, 1993 copy to D. Salvatori, R.C.Thomas, H. White, A. Bacallao, C. Swick

June 18, 1993 Amended Complaint in Civil Action filed.

June 18, 1993 Notice of Service of Interrogataories filed.

Sept. 15, 1993 Answer and New Matter To Plaintiff's Amended Complaint filed.

Nov. 15, 1993 Motion to Compel Discovery and ORDER OF COURT filed. AND NOW,to-wit, this 15 day of November, 1993, upon consideration of the foregoing Motion to Compel Discovery, it is hereby Ordered, Adjudged and Decreed that the Defendant is to Answer the Int errogatories and fully respond to Plaintiff's Request for Production within ten days of the date of this Order. Failure to respond within ten (10) days will preclude the Defendant from any offers of evidence as to contested issues of liability for any purpose at trial.
BY THE COURT:
Anthony J. Vardaro, J.
11-17-93 Copy of Order to Attys. Salvatori & Thomas

Nov.16, 1993 Motion for Leave to Amend and ORDER OF COURT, filed. AND NOW, this 15 day of November, 1993, upon consideration of the foregoing Motion, it is hereby ORDER,ADJUDGED and DECREED that Plaintiff be permitted to amend her Complaint in the above-captioned matter to conform to the allegations stated in Defendant's Answer and to amend the caption to read as follows:
JOHN R. MCDANIEL d/b/a
PENN LAKE PROPERTIES
JOHN A. McDANIEL AND PATRICIA McDANIEL, His Wife
BY THE COURT,
Anthony J. Vardaro, J.
11-18-93 Copy of Order to Attys. Salvatori & Thomas

Dec. 1, 1993, Notice of Deposition of John Langowski filed.

Dec. 1, 1993, Notice of deposition of Rosemary Fera filed.

Dec. 1, 1993, Notice of Deposition of John McDaniel filed.

Jan. 19, 1994 Upon praecipe of Defendant's attorney this case is marked settled and discontinued of record.

1992

Richard C. Schomaker

861

Thomas,Truax,Spadafore
& Walker
R. Charles Thomas

JOHN PETRUSO for
THOMPSON

CYNTHIA L. THOMPSON and
ERIC THOMPSON, her husband

vs.

JOSEPH SIMONETTE
VS
ERIC THOMPSON, Add'l deft

Filed September 8, 1992
@ 12:05 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Prothonotary paid	6.00
Pro Copd 9-4-96	1.00

COMPLAINT IN CIVIL ACTION
1 copy (Sheriff)

Sept. 16, 1992 SERVED Joseph Simonette personally on Sept. 15, 1992 at 9:53 AM by handing a copy of the Complaint to him at his residence, Box 31, Walnut St., Harmonsburg, Crawford County, PA.
So answers,

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

Nov. 10, 1992 Appearance of Thomas, Truax, Spadafore and Walker by R. Charles Thomas, Esquire, for Joseph Simonette, Defendant, filed.

Jan. 11, 1993 Answer to Plaintiffs' Complaint & New Matter filed.

March 5, 1993 Reply of Additional Defendant to Defendant's New Matter filed.

May 27, 1994 Motion to Compel Discovery and ORDER filed. AND NOW, this 27th day of May, 1994, upon consideration of the within Motion a Rule is granted upon the Plaintiffs to show cause if any they have, why the relief sought should not be granted.
Hearing to be held on the 10th day of June, 1994, Crawford County Courthouse, Meadville, PA. in Court Room 1 1 or 2 at 1:00 p.m.

By the Court:
Gordon R. Miller, J.

5-27-94 Faxed to Petruso & Thomas, mailed to Schomaker.

June 13, 1994 Motion to Cancel Hearing on Defendant's Motion to Compel Discovery and ORDER OF COURT filed. And now, June 13, 1994 upon Motion of Defendant's counsel the hearing scheduled for June 10, 1994 at 1:00 PM is cancelled.

BY THE COURT,
Anthony J. Vardaro, J.

June 14, 1994 Copy of Order Faxed to Attys. Thomas and Schomaker.

Oct. 10, 1995, Upon praecipe of plaintiffs attorneys, this case placed on next trial lsit.

ON TRIAL LIST FOR FEBRUARY 1995 (Jury)

Jan. 26, 1996 Motion to Strike Case from TrialList and ORDER filed. AND NOW, this 26 day of January, 1996, upon presentation and consideration of the within Motion,this case is strickent from the February TrialList all by reason of the failure of thePlaitniffs' counsel to comply with Local Rules as set forth in the Motion but by Agreement of parties it shall be placed on April 1996 Trial List.
1-26-96 Faxed Thomas, Richard C. Schomaker & Petruso

ON APRIL, 1996 TRIAL LIST

May 13, 1996 Upon praecipe of Richard C. Schomaker, in the above captioned case is marked settled and discontinued of record.

412

1992

Susan D. O'Connell

862

ALLSTATE INSURANCE COMPANY as subrogee for JAMES L. HUGHES, JOYCE HUGHES, and DENISE HUGHES and JAMES L. HUGHES, an individual

vs.

MONA L. KNIGHT nad CHARLES P. KNIGHT

Filed September 8, 1992
@ 1:33 PM

Tax & entry paid	50.50 ✓
User's Fee paid	5.00
sheriffs costs	26.00
Pro.Co. pd 2/19/93	9.00 ✓
Cert Pd 4-26-93	2.00 ✓

COMPLAINT IN CIVIL ACTION
2 copies (Sheriff)

Sept. 25, 1992, Sheriffs Return filed. Carl B. Nord, Dep. Sher- of Lawrence Co. and Robert L. Clark, Sheriff of Lawrence County, states that he was unable to find Charles P. Knight dft. therein named, after having made inquiry at R. D. #2, Volant, Pa. the last known residence and whereabouts of dft. He is now deceased.

Carl B. Nord, Dep. sheriff

SERVED the within complaint on Sept. 21, 1992 at 3:25 p.m. upon Mona L. Knight at Box 277 Rt. 108 Harlansburg Rd. New Castle, Pa. by handing to her, personally a true and correct copy thereof and made known to her the contents therein.

Carl B. Nord, Sheriff, Lawrence County

I hereby deputize the Sheriff of Lawrence County, Pa.

Robert M. Stevens, SHeriff, Crawford Co.

Feb. 11, 1993 Default Notice filed.

And Now, Feb. 19, 1993 at 2:42 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, Mona L. Knight for want of an answer and the same is liquidated at the sum of Nine Thousand Two Hundred and 69/100 Dollars.

K-113
Entered 2-19-93
Atty.O'Connell

Debt $9,200.69
Judgment
Barbara H. King
Prothonotary

1992

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

863

Barbara J.Walton

MICHELE E. KOMAR

vs.

ROLAND J. KOMAR

Filed September 9, 1992
@ 10:22 am

Tax & entry paid	50.50
User's Fee paid	25.00
4 Add'l Counts paid	60.00
State paid	10.00
Pro Co. 8-9-94	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)

Oct. 2, 1992 Appearance of Barbara J. Walton, Esquire for Roland J. Komar, Defendant, filed.

Oct. 26, 1992 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 September 9, 1992. The Defendant acknowledged service on September 10, 1992 by accepting delivery on that date as evidenced by the attached signed return receipt.

James R. Irwin,Esquire

Jun. 24, 1994 Affidavit of Consent by Michele E.Komar, Plaintiff, filed.

Jul. 18, 1994 Affidavit of Consent by Roland J.Komar, Defendant, filed.

Aug. 2, 1994 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Aug. 17, 1994 AND NOW, August 15, 1994, it is ordered and decreed that MICHELE E. KOMAR and ROLAND J. KOMAR are divorced from the bonds of matrimony.

AND IT IS FURTHER ORDERED, ADJUDGED and DECREED, that the terms, provisions, and conditions of a certain property settlement agreement between the parties which is undated but signed by the plaintiff on June 23, 1994 and signed by the defendant on June 21, 1994 are hereby incorporated in this decree and order by reference as fully as though the same were set forth herein at length.

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

Mar. 20, 1996 ORDER filed. AND NOW, March 18, 1996,the Court received a document entitled "Retirement Plan for Hourly Rated Employees of Channellock Inc., Qualified Domestic Relations Order."

This document was not accompanied by any petition,or motion nor was there any stipulation attached.

Since this filing makes no sense to the Court and since the Court should not have to review the file in this case to see why this document is now being presented, the document shall be returned to counsel for the plaintiff as being an inappropriate filing.

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

3-20-96 Faxed Irwin, given Walton

Mar. 27, 1996 Motion for Entry of Qualified Domestic Relations Orders, filed.

Mar. 27, 1996 Qualified Domestic Relations Order Employee Stock Ownership Plan of Channellock, Inc. filed. AND NOW, this 27 day of March, 1996, it appearing to the Court that:

BY THE COURT:
Anthony J.Vardaro,J.

3-29-96 Faxed Irwin & Walton (Backup)

Mar. 27, 1996 Retirement Plan for Hourly Rated Employees of Channellock Inc., Qualified Domestic Relations Order filed.

BY THE COURT:
Anthony J.Vardaro, J.

3-29-96 Faxed Irwin & Walton (Backup)

414

1992

pro se

Joseph C. Barnhart

864

MICHAEL R. DeWITT

vs.

WENDY S. DeWITT

Filed September 9, 1992
@ 11:44 am

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro.Co. pd 1/19/94	9.00
Pro Co pd 2/18/94	5.00

COMPLAINT IN DIVORCE
no copies

Dec. 22, 1992 ACCEPTANCE OF SERVICE AND ENTRY OF APPEARANCE PRO SE, filed. I, Wendy S. DeWitt, do hereby acknowledge that I have this date received a true and correct copy of a Complaint in divorce as filed in the above-captioned matter.

Jan. 4, 1993 Affidavit of Consent by Michael R.DeWitt, Plaintiff, filed.

Jan. 11, 1994 Affidavit of Consent to Divorce by Wendy S. DeWitt, Defendant, filed.

Jan. 19, 1994 Upon Praecipe of Joseph C. Barnhart, Esquire, Attorney for Plaintiff to transmit record, Case moved to Court.

DIVORCE DECREE FILED

Jan. 25, 1994 AND NOW, this 24 day of January, 1994, IT IS ORDERED AND DECREED THAT, MICHAEL R. DEWITT and WENDY S. DEWITT 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.

Feb. 18, 1994 Notice of Election To Resume Prior Name filed. Wendy S. DeWitt TO BE KNOWN AS Wendy S. Wagner

1992

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

865

MARINE BANK

vs.

BLAINE M. WAGNER

Filed September 9, 1992
@ 12:01 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	33.00
Pro Co pd 2-11-93	9.00

COMPLAINT IN CIVIL ACTION
1 copy (Sheriff)

Oct. 15, 1992 Sheriff's Return filed. NOT FOUND as to Defendant Blaine M. Wagner. Three trips were made to his residence,at Box 644, Townline Road, Meadville, Crawford County, PA, with notes to call the Sheriff's Office. A friend telephoned in saying he was out of town with his father who was inthe hospital Defendant never did respond.
So answers, Robert M. Stevens, Sheriff

Oct. 28, 1992 Motion For Leave To Serve By Publication In Accordance With Pa. R.C.P. 430 and ORDER filed. AND NOW, to-wit, this 28 day of October, 1992, upon consideration of the foregoing Motion and Attorney's Affidavit, leave is granted to serve the Defendant, Blaine M. Wagner, in the within case by publication of a Notice of the facts set forth in the Complaint by publication oen time in the Crawford County Legal Journal and one time in The Meadville Tribune.

Anthony J. Vardaro, J.

Oct. 28, 1992 Copy of Order given to Atty. Michael JanJanin.

Feb. 11, 1993 Pursuant ot Court Order for service by publication and no response or appearance being filed thereto, you are directed to enter judgment in favor of the plaintiff, Marine Bank, and against the Defendant, Blaine M. Wagner, in the amount of $5,726.81, plus interest thereon until paid in full, plus the costs incurred as a result of this action.

Judgment Entered 2-11-93
W - 23

Debt. $5,726.81 plus interest and costs
JUDGMENT
Barbara H. King, Pro.

Barbara J. Walton

866

Joan D. Mason

Bruce A. Barrett

DONALD L. VANDERHOOF

vs.

PATRICIA A. VANDERHOOF

Filed September 9, 1992
@ 2:18 PM

Tax & entry paid	50.50 ✓
User's Fee paid	10.00
1 Add'l Count paid	15.00 ✓
State paid	10.00
~~John Fuller, Mediator~~	
W. Pineo, Mediator	102.00
pro co 3/6 93 Ch#7386	9.00 ✓
Pro Co pd 9-18-97	5.00 ✓
Pro Pd 9-15-97-5.00 ✓	

10-1-92
Received from Plaintiff Mediation deposit $150

1-4-93 Pd Pltf. Bal. of Med Dep Ch# 7261 90.00

1-13-93 Received from deft Mdt fee 5.00

3-16-93 Pd Co Com Ch# 7385 Med Fees $102.00

COMPLAINT IN DIVORCE, CUSTODY
2 copies (atty)

Sept. 28, 1992 Affidavit of Service filed. And now, September 28, 1992, comes Lisa M. Sherretts, secretary to Barbara J. Walton, Esq., and avers as follows:

1. A true and correct copy of the Complaint for Custody was mailed to the defendant via Certified Mail, return receipt on September 10, 1992.

2. That the Defendant signed the return card on September 11, 1992 and in accordance with Pa. R.CP. 412 service of the Complaint was made a sis evidenced by the United States Postal Service Return REceipt (Certified No. P 899097875) 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.

Lisa M. Sherretts

Oct. 1, 1992 Motion to Appoint Child Custody Mediator and Order filed. YOU, PATRICIA A. VANDERHOOF, have been sued in Court to obtain custody of EVAN VANDERHOOF.

YOU ARE ORDERED to appear for a hearing before JohnFuller, 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.

Oct. 6, 1992 Copy of the Order to Atty. Walton. And Atty.Fuller.

Oct 6, 1992 MOTION TO VACATE APPOINTMENT OF MEDIATOR and ORDER, filed. ORDER: AND NOW, Oct. 5, 1992, after consideration of the within M otion, IT IS HEREBY ORDERED AND DECREED that the appointment of John Fuller, Esq. as Custody Mediator is hereby vacated and William Pineo, Esq. is hereby appointed as Custody Mediator in his place.

Date: 10-5-92 Anthony J. Vardaro, J.

Oct 12, 1992 copy to B. Walton J. Fuller, W. Pineo

Dec 31, 1992 TEMPORARY ORDER filed. AND NOW, this 31st day of December, 1992, after Mediation in the above referenced matter and upon the recommendation 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, Evan Vanderhoof.

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 the subject minor child. The father shall have temporary physical custody and visitation each weekend, except for the first full weekend of each month, from Friday at 4:00 p.m. through Sunday at 7:00 p.m. The father shall also have visitation and temporary physical custody one evening each week from 4:00 p.m. through 9:00 p.m. The father shall designate which evening he wishes to select one week in advance and said designation will not change unless the father notifies the mother of the change also one week in advance. The father shall also have primary physical custody each summer from 4:00 p.m. of June 15 through 4:00 p.m. of Augustl. During the father's summer custodial period, the mother shall have visitation on alternate weekends beginning on the second Friday after June 15 from 4:00 p.m. Friday through 7:00 p.m. Sunday.

b. The parent not having physical custody of the subject minor child shall have the right to telephone him at reasonable times and for reasonable lengths of time and such conversation will not be unreasonably monitored by the parent having physical custody.

4. Holiday visitation shall be arranged as follows:

a. Christmas: The mother shall have visitation and temporary physical custody with the subject minor child each year from noon of Christmas Eve until2:00 p.m. of Christmas Day. The father shall have visitation and temporary physical custody from 2:00 p.m. of Christmas Day unti 7:00 p.m. of Christmas Day and from 4:00 p.m. of December 27 until 4:00 p.m. of Jan. 2.

b. Thanksgiving: The father shall have visitation and temporary physical custody each Thanksgivign from the Wednesday precedign Thanksgiving at 4:00 p.m. through Thanksgiving Day at 6:00 p.m. and the mother shall have temporary physical custody and visitation from Thanksgiving Day at 6:00 p.m. through 6:00 p.m. of the following Monday.

c. 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 and temporary physical custody for Memorial Day 1993, and the parties shall thereafter alternate the holiday periods.

d. 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.

e. The provisions of this paragraph shall take precedence over the other provisions of this order relating to the custodial or visitation periods.

5. Should it be necessary for either party to cancel or modify the visitations as set out in this Order or 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 tht love and respect which is due a parent from his or her children.

CONTINUED ON PAGE 416A

DONALD L. VANDERHOOF
VS.
PATRICIA A. VANDERHOOF

CONTINUED FROM PAGE 416
of Record
A. D. 1992 - 866

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*. Neither party shall use illegal drugs or be under the influence of alcohol at any time when said party has the care and custody of the subject minor child. The parties are cautioned that recent medical research has indicated that tobacco smoke is injurious to the health of growing children. Therefore, neither party shall smoke tobacco or permit others to do so in a closed automobile in which the child is being transported or in the bedroom of the child.

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

10. Neither 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 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 finxed at $102.00, are divided equally between the parties with a share of each being assessed to his 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 father. The deposit shall first be applied against the father's share of costs and the remainder shall be refunded to him.

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

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

Jan. 6, 1993 copy to W. Pineo, B. Walton, J. Mason, Plf. & Dft.

Feb. 9, 1993, Affidavit of Consent of plaintiff filed.

Sept 11, 1997 Upon praecipe of defendant attorney the above action is marked discontinued of record.

Sept. 15, 1997, Upon praecipe of plaintiff, this case discotninued of record.

416
-6-

1992

1992

Barbara J. Walton

867

William F. Scarpitti

IVAN GREGORY ROSE

vs.

VERONE D. ROSE

Filed September 9, 1992
@ 2:21 PM

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	161.83
Pro Co Pd 11-20-92 ch#7187	9.00
Pro.Co. pd 12/16/92	9.00

9-24-92 Received from Plaintiff mediation deposit $150.00

10-31-92 Pd Ivan G Rose Plty Refund-medd ch# 7145 19.62

11-20-92 Pd Comm ch# 7186 med. fee 121.38

11-25-92 Received from dft - bal fee 40.45

12-15-92 Pd Comm med fee ch# 7222 40.25

COMPLAINT IN DIVORCE, CUSTODY, EQUITABLE DISTRIBUTION
2 copies (atty)

Sept. 22, 1992 Affidavit of Service filed. And Now, September 22, 1992, comes Lisa M. Sherretts, secretary to Barbara J. Walton, Esq., and avers as follows:
1. A true and correct copy of the Complaint for Custody was mailed to the Defendant via Certified Mail, return receipt on September 10, 1992.
2. That the defendant signed the return card on September 11, 1992 and in accordance with Pa. R.C.P. 412 service of the Complaint was made as is evidenced by the United States Postal Service Return Receipt (Certified No. P 899097874) 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. Lisa M. Sherretts

Sept 24, 1992 MOTION TO APPOINT CUSTODY MEDIATOR and ORDERS, filed. ORDER: You, Verone D. Rose, have been sued in Court to obtain custody of Adam Gregory Rose, G. Robert Ivan Rose, Garrett Richard Rose.

You are ORDERED to appear for a hearing before Bruce Smith, 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.

Gordon R. Miller, P.J.

ORDER: And Now, Sept. 23, 1992, this matter is referred to Bruce Smith, child custody mediator, By the Court:
Gordon R. Miller, P.J.
Sept. 24, 1992 1 copy (atty) 1 copy (mediator)
Sept. 25, 1992 mailed copy to Dft.

Sept. 28, 1992 Answer To Complaint In Divorce and Counter-Claim filed.

Oct. 28, 1992 TEMPORARY ORDER OF COURT, filed. AND NOW, this 28th day of October, 1992, after Mediation and upon recommendation of the Child Custody Mediator, it is hereby ordered and decreed that:

1. The natural parents of Adam, age six, born Sept. 22, 1986, G. Robert Ivan, age four, born Dec. 21, 1987, and Garrett, age one, born Oct. 31, 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 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 mothe, Verone D. Rose. Regular visitation and temporary custody of the children shall be granted to the Plaintiff father, Ivan Gregory Rose. Physical custody for the plaintiff father shall be as follows:

a. The children shall be available to visit in the home of the natural father on the first, second, fourth, and fifth (where applicable) weekend of each month, beginning immediately, from 5:00 p.m., prevailing time, Friday, through 6:00 p.m., prevailing time, Sunday. For the purposes fo this paragraph, a weekend shall be those days in the month wherein Friday, Saturday, and Sunday are in the month in question. Additionally, the father shall have the opportunity to take the children into his temporary physical custody every Monday and Wednesday from 4:00 p.m. through 7:00 p.m, prevailing time.

b. Beginning with the month of June, 1993, the father shall have the opportunity to take the children into his temporary physical custody the first two full weeks of June and July each summer. In the event that one of these two-week periods does not coincide with his two-week vacation perido, he may, upon a written notice of 30 days to the mother, change two of the weeks to coincide with his two-week vacation period. The said vacation m ust take place in the months of June, J uly, and August each summer.

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., prevailign tiem. All other holidays shall be shared by the parents. Those shared holidays shall include New Year's Day, Easter Day, Memorial Day, 4th of July, Labor Day, Thanksgiving Day, and Christmas Day. Also included in the holiday visitation will be the children's birthdays. On those holidays, the children shall be with the mother until 1:00 p.m., previaling time, and shall them be with the father from 1:00 p.m. throguth 9:00 p.m., prevailing time. If one of the holidays falls on the father's weekend or other temporary custody period, the mother will then have the children from 8:00 a.m. through 1:00 p.m., prevailing time, on that holiday.

d. The father whall p ick up and return the children to the mother's residence. Anytime the father is more than thirty minutes late for a scheduled transfer of custody, that transfer and the resulting partial custody shall be considered waived until the next day at the same time, uless prior satisfactory arrangements have 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 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 character or which would be commonly thought of as dangerous to their physical person. For the purposes of this paragraph, a bar or tavern, where the primary source of income is not from food, would be considered such an environment into which the children are not to be taken.

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, 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 or her children. Neither of the parents (nor any adult coming into regular contact with the child) will do or say anything to blacken the character of either parent in the eyes of the children.

Continued on Pg. 453

Mary Ann Kirkpatrick
~~Barbara J. Walton~~
withdrawn

868

James R. Irwin

JOSEPH BIZZARRO

vs.

LAURA NEWHARD

Filed September 9, 1992
@ 2:24 PM

Tax & entry paid 50.50
User's Fee paid 5.00
John Fuller Mediator
Pd Pro Ch#722312-15-92 gov

Sept 30, 1992 $150.00 Dep by Dft.

12-9-92 refund to Laura Newhard in amount $66.00 Ck # 7216

12-15-92 Pd Comm Med Fee Ck# 7222 75.00

9-7-93 Received from Plt's med fee 75.00

9-22-93 Pd Co. Ch#7794 Mediation 75.00

COMPLAINT FOR CUSTODY
2 copies (atty)

Sept. 14, 1992 Appearance of James R. Irwin for Defendant, filed.

Sept 30, 1992 PETITION TO APPOINT A CHILD CUSTODY MEDIATOR AND TEMPORARY RELIEF PENDING MEDIATION and ORDER filed. ORDER: AND NOW, this 25th day of September, 1992, it is ordered that all parties in the above captioned case and their counsel shall appear for a mediation conference before the Mediator, John Fuller, at a time to be set by the Mediator in the Crawford County Courthouse, with the child Custody Mediator as Required by Rule 31(e) of the Court of Common Pleas of Crawford County, Pennsylvania.

It is further ordered and decreed that pending final determination by the Court, the child shall be returned to the custody of the Defendant/Mother with Plaintiff/Father having daily visitations from 3:15 p.m. until 4:45 p.m. and 2 hours each Saturday and Sunday.

Further is it ordered that the child not be removed from the jurisdiction of the Court by either party hereunder, under possible punishment for Contempt of Court. By the Court:
Gordon R. Miller, P.J.

Oct 6, 1992 copy to B. Walton, J. Irwin & J. Fuller

Nov.4, 1992 Affidavit of Serivce filed. And Now, November 2, 1992, comes Lisa M.Sherretts, secretary to Barbara J.Walton,Esq. 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 September 10, 1992.

2. That the Defendant signed the return card on September 11, 1992 and in accordance with Pa. R.C.P. 412 service of the Complaint was made as is evidenced by the United States Postal Service Return Receipt (Certified No.P 899097973) attached hereto as EXhibit A.

Lisa M. Sherretts

Nov. 16, 1992 Appearance of Mary Ann Kirkpatrick for Defendant filed.

Nov. 20, 1992 Notice of Withdrawal of Appearance of Barbara J. Walton, Esq. attorney for Plaintiff, filed.

Dec. 9, 1992 Order filed. AND NOW,December 8,1992, after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Brandon Bizzaro 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 full in important decisions affectin ghe child such as the education, medical treatment and religious instruction of the subject child.

II. Physical custody of Brandon Bizzaro shall be shared by the parents under the following conditions:

A. The father shall be entitled to visit and take the child into his custody from 3:15 p.m. to 5:00 p.m. every Wednesday, Thursday and Friday, beginning the date of this Order.

B. The father shall be entitled to visit or take the child into his custody from 3:15 on Sunday until 5:00 p.m. on Tuesday, each week, beginning the date of this Order.

C. Except for the times listed in paragraph A and B, above, the child shall be in the physical custody of the mother.

D. The mother and father shall continue to use a common babysitter.

E. 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 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.

F. Transportation of the child on custody exchanges shall be equally divided with the parent receiving custody providing transportation.

G. Neither mother nor father shall say or do anything in an attempt to turn the child against the other parent or the parents' family, 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.

H. 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.

I. Both parents agree to inform the other immediately of any illness or injury regarding the child and both parents agree to furnish the other with a current telephone number.

III. This order is a temporary order but shall become a permanent order unless exceptions thereto are filed by either party within thirty (30) days of the date hereof.

IV. Cost of the mediation conference shall be equally divided between the parties. The Prothonotary of Crawford County is hereby directed to refund one-half (½) of the deposit paid in advance by the Defendant, less the cost of the custody order.

Anthony J. Vardaro, Judge

Dec. 10, 1992 Copy of Order given to Plaintiff. Dec. 14, 1992 Copy of the Order to Attys. Kirkpatrick and Irwin.

Jan. 8, 1993 Motion for Custody Hearing De Novo - Custody and Order, filed. ORDER: And,

Now, Jan. , 1993, hearing on this matter is scheduled for March 23, 1993, at 1:30 P.M. in courtroom 1 or 2 of the Crawford County Courthouse in Meadville Pa. By/for the Court:
Imogene Yetman, Ct. Adm.

Jan. 18, 1993 Copy of Order to Attys. Kirkpatrick & Irwin.

Jan. 18, 1993 Reassignment of Hearing Date. January 13, 1993: Hearing in the above captioned matter heretofore set for March 23, 1993, is hereby reset for March 29, 1993, at 1:30 P.M. in Courtroom 1 or 2.
FOR THE COURT:
Imogene Yetman, Corut Administrator

Jan. 18, 1993 Copy of Order to Attys. Kirkpatrick and Irwin.

Continued on Page 418A

IVAN GREGORY ROSE
VS.
VERONE D. ROSE

CONTINUED FROM PAGE $L&
of Record
A. D. 1992 - 867

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Apr. 2, 1993 ORDER filed. AND NOW, April 1, 1993 after a formal hearing it is ordered as follows:

1. Legal custody of Brandon Bizzaro 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.

2. Primary physical custody of Brandon Bizzaro (child) shall be the defendant, his mother.

3. The plaintiff, the child's father, shall have the right to visit and take his child into his custody from 3:15 p.m. evry Sunday and return the child at 7:00 p.m. the following Tuesday.

4. The mother and father shall continue to use a common babysitter.

5. 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 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.

6. Transportation of the child on custody exchanges shall beequally divided with the parent receiving custody providing transportation.

7. Neither mother nor father shall say or do anything in an attempt to turn the child against the other parent or the parents' family, 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.

8. 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.

9. 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.

10. Since the parties clearly do not communicate and function well together the Court is ordering counseling with Kathy Berkey. The parties shall contact Kathy Berkey within seven (7) days from the date of this Order and arrange for an initial interview and follow up sessions. Counseling shall continue so long as (a) Kathy Berkey believes counseling is no longer necessary; or (b) both parties sign an agreement in writing, witnessed by their attorneys, that they believe counseling is not necessary and they believe that there is an appropriate level of parental cooperation between them; that communications are at appropriate level; and that they are capable of making rational decisions in the best interest of the child after considering each other's wishes and desires. There shall be at least three counseling sessions before the parents may jointly agree that counseling should be discontinued. The cost of counseling shall be shared equally with each party paying his and her share on time and at a time that Kathy Berkey requests payment.

11. The parties shall endeavor to decide which doctor the child shall be treated by. Since primary physical custody of the child is with the mother, the mother shall have the final word on the identity of the doctor.

12. The Court finds that both parents seem like caring, competent and dedicated parents. The father's physical surroundings seem more pleasing. The mother does have custody of a sibling to Brandon, has more child care experience, has been the primary caretaker and did not take certain minor things under her control such as changing physicians, type of milk the child takes, etc.

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

Apr. 2, 1993 copies of order to Attys Kirkpatrick & Irwin

Apr 2, 1993 Exhibits filed.

4/8
-b-

1992

1992

R. Christopher Brode

869

CANDACE CORNELL

vs.

CAROL CORNELL

Filed September 9, 1992
@ 2:38 PM

Indigent Filing

COMPLAINT FOR RETURN OF CUSTODY AND REPLEVIN

ORDER:

AND NOW, September 4, 1992, counsel for both parties appear in Motion Court with respect to the Plaintiff's complaint for return of custody and replevin.

It appears tha ton September 3, 1992 in a companion case entitled Carol cornell v. Candace Cornell and Brian Keller, Judgme Gordon R. Miller entered an Order appointing John Fuller, Esquire, child custody meidator, and maintaining the children with carol Cornell to keep the status quo.

We therefore decline to enter a contradictory Order in this matter as it appears that the mediaiton should b eheld soon.

With respect to the Plaintiff's replevin claim in this matter, if that is not resolved through the custody proceeding, the Plaintif may proceed with that action through compliance with the Pennsylvania Rules of Ci vil Procedure concerning replevin.

BY THE COURT,
Anthony J. Vardaro, J

Sept. 9, 1992 Copy of orde rput in Atty's Brode and Walton's box.

sept. 9, 1992 Upon praecipe of Plaintiff Attorney To Proceed IN Forma Pauperis filed.

Sept 22, 1998 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 9/9/1992. 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 objectioins 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.

Date: Sept 22, 1998 Anthony J. Vardaro, J.

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.

420

1992

870

REBECCA LYNN WELSH

vs.

JAMES KYLE WELSH

Filed September 9, 1992
@ 3:34 PM

Tax & entry	pd 9-21-92	50.50 ✓
User's Fee	pd 9-21-92	5.00
Sheriff's Costs		49.90
Pro Co. pd. 9-18-92		9.00 ✓

Received from Defendant 9-18-92 Sheriff's Costs 49.90

Paid Sheriff 7054 9-21-92 Chk # Sheriff's Costs 49.90

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy (atty) Plaintiff

ORDER:

And now, this 9th day of September, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Defendant shall not contact Plaintiff in any way. Plaintiff is awarded possession of the residence and custody of the child. Defendant shallhave an opportunity to go pick up his personal belongings at a time to be decided by the parties
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for September 18, 1992, at 3:30 P M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

Sept. 17, 1992 Sheriff's Return filed. SERVED the within Notice, Petition for Relief Under Protection from Abuse Act, temporary Abuse Order on September 11, 1992, at 5:04 PM upon James Kyle Welsh at place of employment, Perkin's Rest., Greenville, PA by handing to James Kyle Welsh personally a true and correct copy thereof and made known to him the contents therein.
So answers,
William H. Romine, Jr. Sheriff
Ronald L. Clark, Deputy Sheriff

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

Sept. 21, 1992 Order filed. AND NOW, September 18, 1992, this matter is before the Court on Plaintiff's Request for Relief Under the Protection From Abuse Act. Both parties appear represented by counsel and indicate that they have agreed to an Order without admission of the allegations of the petition on the part of the defendant.

ACCORDINGLY, it is ordered as follows:

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 possession of the marital residence at R.D. #1, Atlantic.
3. The defnednat shall not go to that residence under any circumstances except as set forth in this Order and he is advised that if he is at the residence without further Order of Court, it shall be presumed that he is in vi olation of this Order even if he is invited to the residence by the plaintiff. If he should be invited to the residence by the pl aintiff, the parties should seek a modification of this Order before the defendant goes to the residence at any time.
4. Notwithstanding the above Orde,r the defnednat may go to the martial residence with his friend David Reitter on September 19, 1992 between the hours of 7:00 p.m. and 9:00 p.m. for the sole purpose of obtaining his personal belongings, which shall include the keys to his place of employement. During such visit to the marital property, he shall not in any way assault, abuse, harass or threaten the plaintiff.
5. Temporary physical custody of the minor child Jamie Lynn shall be with the pl aintiff pending any further Order of Court in this action or any other appropriate custody action.

The defendant shall have visitation each and every wednesday from 8:00 a.m. until 8:00 p.m. at the home of his parents and shall likewise have visitation at the same location on alternate weekends beginning on Friday, September 18, 1992 at 6:00 p.m., with each weekend being from Friday at 6:00 p.m. until the following Sunday at 6:00 p.m.

During all such visitations, the plaintiff shall provide transportation both ways.

6. 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.
7. A copy of this Order shall be delivered to the Police Departments in the jurisdiction where the plaintiff resides and to County Control.
8. The Defendant is remineded that this is an Orde rof court and violationof this Order may be punishable by a fine of up to $1,000.00 and a jail sentence of up to six (6) months.
9. The defnednat shall pay costs in this matter in the amount of $114.40 by the colse of business at the Office ofthe Prothonotary in the crawford County Courthosue on October 2, 1992.
10. This Order shall remain in full force and effect through September 17, 1993.

BY ORDER OF THE COURT,
Anthony J. Vardaro

Sept. 21, 1992 Copies of order put in box for atty's Brode and Thomas

1992

Barrett & Dratler
Bruce A. Barrett

871

HIGHWAY EQUIPMENT COMPANY

vs.

C & K WELL MANAGEMENT, INC.

Filed September 10, 1992
@ 3:54 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's costs	50.00
Sheriff's Costs	50.00
Pro King paid	9.00

COMPLAINT IN CIVIL ACTION
1 copy (Sheriff)

Sept. 16, 1992 Sheriff's Return filed. NOT FOUND as to Defendant C & K Well Management, Inc. Several attempts were made to the James Simmons residence, RD # 1, Box 143A, Titusville, Crawford County, PA. On Sept. 16, 1992, a neighbor telephoned the Sheriff's Office and reported that James Simmons was possibly in Florida and would not return for another month.
So answers,

Robert M. Stevens, Sheriff

Nov. 4, 1992 Complaint reinstated.

Nov. 13, 1992 SHERIFF'S RETURN, filed. SERVED C & K Well Management, Inc. on Nov. 10, 1992 at 11:53 AM by handing a copy of the Complaint ot Cheryl Tracey, Secretary at place of business, Route 8, Centerville, Crawford County, Pa.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

And NOw, Dec. 17, 1992 @ 2:03 PM upon praecipe of plaintiff's attorney, with Notice of Intention to File Default Judgment attach, judgment is hereby entered in favor of the planitiff and against the defendant for want of an answer and the damages are assessed at the sum of Four Thousand Eight Hundred and two and 75/100 plus interest and cost of suit.

C-186
judgment entered 12/17/92

Debt $4,802.75
Service Charges from 11/14/89
Judgment
Barbara H. King, Pro
Prothonotary

422

1992

Culbertson, Weiss,
Schetroma & Schug
David L. Hotchkiss

872

NANCY J. MANGILO

vs.

ANTHONY MANGILO

Filed September 11, 1992
@ 10:23 A.M.

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count paid	15.00
State paid	10.00
1 Add'l Count pd 11-10-94	15.00
User's Fee paid 11-10-94	5.00
Pro Co pd 11/10/94	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION

Nov. 9, 1994 Affidavit of Service filed. And now, November 8, 1994, comes Sharon D. Servero, who being duly sworn according to law, deposes and sets forth as follows:
1. That she is an adult individual who resides at 961 Leslie Road Meadville, Crawford County, Pennsylvania, 16335.
2. That she caused a certified copy of the Complaint in Divorce to be served on the Defendant by handing him a copy at his place of business, at 665 HighlandAvenue, Meadville, Pennsylvania, on September 11, 1992, at 2:00 o'clock p.m.
3. Service of the complaint against the Defendant is therefore effected in accordance with Pennsylvania Rules of Civil Procedure.
Sharon D. Severo

NOv. 9, 1994 Answer and New Matter to Plaintiff's Complaint filed. (Alimony)

Nov. 9, 1994 Affidavit of Consent of Plaintiff filed.

Nov. 9, 1994 Affidavit of Consent of Defendant filed.

Nov. 9, 1994 Upon praecipe of Plaintiff Attorney for Review Under Section 3301(c) of the Divorce Code, this case moved to court.

Nov. 10, 1994 **STIPULATION AND DECREE FILED.**

And Now, this 10 day of November, A.D., 1994, upon Stipulation of the parties to this action, the Court Orders and decrees as follows:
I. Divorce. Upon consideration of the pleadings and Affidavits filed in the above captioned case, this Court hereby grants an absolute divorce form the bonds of matrimony to the above named parties upon the grounds that the marriage is irretrievably broken, 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. Assets and Liabilities. The paraties agree to the aprrove Schedule "A" attached hereto as being a complete and accurate schedule of their valuable property and liabilities.
III. Income. The parties agree and approve the copy of their joint 1993 IRS form 1040 as being an accurate statement of their income.
IV. Real Estate. Nancy J. Mangilo is the title owner of residential real estate at R.D. #9, Box 466, Meadville, Vernon Township, Crawford County, Pennsylvania, which she holds by Deed recorded at Crwaford County Record Book 214, Page 845. Said real estate is hereby awarded and distributed to the Plaintiff, Nancy J. Mangilo, and Anthony Mangilo shall hereafter have no interest therein.
Anthony Mangilo is the title owner of real estate situate at 665 Highland Avenue, Meadville, Pennsylvania, containing a shop and dwelling apartment, which he holds by deed recorded at Crawford County Deed Book 557, Page 880. Said real estate is hereby awarded and distributed to Anthony Mangilo and Mancy J. Mangilo shall hereafter have no interest therein.
V. Personal Proerty. The Plaintiff shall retain as her sole and separate property all of those items of personal property such as jewelry, clothing and personal effects now in her possession, her 1993 Pontiac Bonneville, and all furniture and other contents and personal property wich is currently situate in the residence at R.D. #9, Box 466, Meadville, Pennsylvania.
The Defendant shall be entitled to retain those items of personal property such as jewelry, clothing and personal effects now in his possession, along with his 1993 POntiac Grand Prix.
VI. Employment Benefits. Defendant shall no longer be entitled to any further benefits to which Nancy J. Mangilo is entitled from her employer.
VII. 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:
Mortgage on residence at R.D. #9, Meadville, Pa.-Integra Bank
Loan on 1993 Pontiac Bonneville - Mellon Bank
Integra Card Services Visa Account
Sears Account
Montgomery Wards Account
Fashion Bug Account
Kaugmanns Account
b. Defendant's Obligations: Defendant shall be solely responsible for the following marital debts and obligations, and shall hold the Plaintiff harmless in regard to same:
Integra Bank - mortgage payment
Integra BAnk - car payment
Marine Midland Bank - Visa payment
VIII. Alimony. Plaintiff shall pay alimony for the benefit of the Defendant, of definite duration, for a period of twelve months, beginning the month of December, 1994, and ending January, 1996, or until the Defendant shall marry, whichever shall first occur, as follows:

Payee	Monthly payment
Integra Bank	$338.92 - mortgage payment
Integra BAnk	$207.12 - car payemnt
Marine Midland Bank	$ 50.00 - visa payment

BY THE COURT,
Anthony J. Vardaro, J

1992

Gregory Keenan
R. C. Thomas

873

KLEIN, HARRY and JEAN

VS.

PAGE TREE SERVICE, INC.

Filed September 11, 1992
@ 11:18 AM

Tax & entry paid 50.25
user's Fee paid 5.00

APPEAL OF DEFENDANT FROM DECISION OF
DISTRICT JUSTICE WILLIAM CHISHOLM

Sept. 11, 1992 Rule entered upon Plaintiff to File a Complaint Issued.

Sept. 24, 1992 Proof of Service of Notice of Appeal filed.

Dec. 9, 1992 Motion To Strike Appeal filed.

Dec. 9, 1992 Order filed. AND NOW, December 7, 1992, upon presentationand consideration of the Pl aintiff's motion to strike a rule is entered upon the Defendant to show cause, if any he has, why the relief requested shall not be granted.
This Rule is returnable on the 25th day of January, 1993, at 10:00 a.m. in Courtrooom No. 2, Crawford County Courthouse.
BY THE COURT:
Anthony J. Vardaro, J

Dec. 9, 1992 Copies of order to Atty' Thomas and DEfendant

Jan. 19, 1993 ORDER filed. And now, Jan. 19, 1993, argument IN THE ABOVE CAPTIONED MATTER SCHEDULED FOR Jan. 25, 1993, at 10:00 a.m., i shereby reset by the court for the same date, however the time is changed to 1:00 P.M. For the Court,
Imogene Yetman

Jan. 19, 1993 copy put in box for R.C. Thomas and copy mailed to Dft.

Feb. 4, 1993 Memorandum and Order filed. AND NOW, February 3, 1993, a hearing is set in this matter for the fole purpose of determining what was told to the Defendant with regard to his appeal when he appeared in the office of the Prothonotary on September 10, 1992.
Said hearing is set for March 30, 1993, at 3:30 P.M. in courtroom No., Crawford County Courthouse
Prior to that hearing date, the Defendant shall go to the office of the Prothonotary to identify the individual to whom he spoke and that individual shall make herself available for appearance at the time of the aforesaid hearing.
BY THE COURT:
Anthony J. Vardaro, J

Feb. 4, 1993 Copies of Memorandum & order mailed to Deft and given to Thomas

Apr. 2, 1993, ORDER filed. AND NOW, March 30, 1993, after hearing with respect to whether the defendant was misled in some manner by the Prothonotary's office in filing his appeal in an untimely manner in this case, the court isconvinced that the defendant has not proven that he was in fact so misled by the Prothonotary's Office and accordingly the plaintiffs petition to strike appeal filed on Dec. 7, 1992 is GRANTED and the Prothonotary is directed to strike the appeal filed by the defendant at this number and term.
BY ORDER OFTHE COURT,
Anthony J. Vardaro, J.

Apr. 2, 1993, copies to Atty. Keenan and defendant.

APPEAL STRICKEN
Barbara H. King,
Prothonotary

1992

Joseph F. Kulwicki 874	RENETTA BIVENS, Guardian of the Estate of MINNIE L. HALL vs. LESTER PALMER and NORMA PALMER, t/d/b/a WILLIAMS CAFE Filed September 11, 1992 @ 2:19 PM Tax & entry paid 50.50 ✓ User's Fee paid 5.00	WRIT OF SUMMONS Issued Sheriff Feb. 22, 1993 SHERIFF'S RETURN filed. Summons returned to Prothonotary Feb. 22, 1993. Sheriff's Office received no instruction or advanc costs for service. So answers, Robert M. Stevens, Sheriff

1992

Tamara Ochs Rothschild

875

9/11/92 Plaintiff deposited $150.00

10-21-92 Pd Pltf-Refund Mediation Fee Bal 64.84

11-9-92 Received from defendant 20.00 Mediation payment

11-20-92 Pd Comm Med Fee Ch#7186 $76.16

11-20-92 Pd Comm Med Fee Ch# 7186 20.00

12-8-92 Received from deft Med payment 20.00

12-15-92 Pd Comm Med Fee Ch# 7222 20.00

1-11-93 Received from deft Med payment 10.00

2-3-93 Received from deft Med payment $26.15

Pd CC Com 3-16-93 Med Payment Ch# 7385 36.15

Continued on Page 451

KEVIN S. CHRISTY

vs.

STEPHANIE JO CHRISTY

Filed September 11, 1992
@ 3:27 PM

Tax & entry Pd 9-11-92 50.50
User's Fee Pd 9-11-92 5.00
Bruce Smith Mediator 152.31
Pr Co Pd 11-20-92 Ch#7187 9.00

COMPLAINT FOR CUSTODY
1 copy atty; 1 copy med.

ORDER:

You, Stephanie Jo Christy , have been sued in Court to obtain custody of Brian Scott Christy

You are Ordered to appear for a hearing before Bruce Smith 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 visi tation 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: sept. 9,1992

Sept. 18, 1992 Certificate of Service and Affidavit of Return of Service Filed.On September 15, 1992, I mailed a certified copy of the Custody Complaint and NOtice and Order to Appear in the above captioned matter by Certified Mail No. P 327 536 643 REturn Receipt Requested, Restricted Delivery, postage prepaid, to the Defendant, St ephanie Jo Christy, addressed as follows:

Stephanie Jo Christy
851½ WestSpring Street
Titusville, PA 16354

Defendant signed a return receipt upon delivery September 16, 1992. The receipts are attached hereto and marked as "Exhibit A".

I make this statement pursuant to 18 Pa.C.S. Section 4904 relating to unsworn falsification to authorities and understand that false statements may subject me to criminal penalties under that statute.

Date: September 17, 1992 Tamera Ochs Rothschild, Esq.

Oct 21, 1992 TEMPORARY ORDER OF COURT, filed. AND NOW, this 20th day of October, 1992, after Mediation and upon recommendation of the Child Custody Mediator, it is hereby ordered and decreed that:

1. The natural parents of Brian Scott Christy, age three, born Feb. 21, 1989, the parties to this action, shall share legal custody of the said minor child. Said joint legal custody being shared shall entitle both of the parents to equal access to any records relating to the child held by a third party, including, but not limited to, school and medical records, and shall also entitle both parents to equal input with regard to the educational and religious upbringing of the child, as well as to any elective surgery.

2. Primary physical custody of the child shall remain with the defendant natural mother, Stephanie Jo Christy. Regular visitation and temporary custody of the ch ild shall be granted to the plaintiff father, Kevin S. Christy. Physical custody for the plaintiff father shall be as follows:

a. The child shall visit the home of the natural father on the second and fourth weekends of each month, beginning immediately, from Friday at 6:00 p.m., prevailing time, through Sunday at 4:00 p.m., prevailing time. The father shall also have the opportunity to take the child into his temporary custody every Monday and Wednesday between the hours of 3:00 and 6:00 p.m., prevailing time.

b. Beginning with the month of June, 1993, the father shall have the opportunity to take the child into his temporary physical custody during the first two full weeks of each m onth of the summer months (beging June, July and August).

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 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 each year. On those holidays, the child shall be with the mother until 2:00 p.m., prevailing time, and shall then be with the father from 2:00 p.m. until 9:00 p.m., prevailing time. If one of the holidays falls ona father's weekend, then the mother will have the child from 2:00 p.m. through 9:00 p.m., prevailing time on that holiday.

d. The father shall pick up and return the child to the mother's residence. Anytime the father is more than thirty minutes late for a scheduled transfer of custody, that transfer and the resulting partial custody shall be considered waived and shall not occur unless satisfactory arrangements have been previously made with the mother.

3. The parent havign custody of the child at anytime shall notify the other parent as soon aspossible 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 themselves and/or the child's schedule, they may adjust the physical custody arrangements accordingly and are encouraged to do so by mutual consent and agreement.

6. Each of the parents and any grandparetn or adult coming into regular contact with the child shall teach the child involved in this case to develop and display that natural love and respect due a parent from his or her child. None of the adults coming into regular contact with the child will do or say anything to blacken the character of either parent in the eyes of the child.

7. Neither of the parents having primary physical custody of the child shall drink more than two ounces of alcohol in any twenty-four hour period when the child is in his or her primary physical custody.

8. This Order shall not prejudice the right of either party to request further Mediation of 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. For the purpose of this paragraph, the mother shall tive a written notice of thirty days to the father of any intention to move from Crawford County on a more or less permanent basis during which time the father shall be entitled to request further Mediation.

1992

876

DEBORAH CASTILE

vs.

GEORGE EDWARDS

Filed September 11, 1992
@ 4:00 PM

Tax & entry	50.50
User's Fee	5.00
Sheriff's Costs	30.00
Pro Co pd 9/16/92	5.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 11 day of September, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions:

3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for September 18, 1992 , at 3:30 P M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

Sept. 14, 1992 Sheriff's Return filed. SERVED George Edwards personally on September 14, 1992 at 9:10 AM at his place of employment, Heatrix, 1272 South Main Street, Meadville, Crawford County, PA 16335.
So Answers,

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

Sept. 16, 1992 Upon praecipe of Plaintiff Attorney the above action is marked settled and discontinued of record.

1992

Mazzotta, McCague & Associates, PC.
J. Michael McCague

877

INTEGRA NATIONAL BANK/ NORTH

vs.

DONALD E. ENGLISH and CHERYL S. ENGLISH

Filed September 14, 1992 @ 11:40 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	43.00
Pro. Co. pd 11/6/92	9.00
Pro Co pd 1-15-98	5.00

COMPLAINT IN CIVIL ACTION
2 copies Sheriff

Sept. 22, 1992 Sheriff's Return filed. SERVED Cheryl S. English on September 15, 1992 at 2:58 PM by handing a copy of the Complaint to Vickie Lee Scott, Adult in Charge at the residence, 602 East Walnut Street, Titusville, Crawford County, PA. SERVED Donald E. English personally on September 16, 1992 at 11:35 AM by handing him a copy of the Complaint in the Sheriff's Office Crawford County Courthouse, Meadville, PA
So answers, Dale A. Collins, deputy Sheriff
Robert M. Stevens, Sheriff

And Now, Nov.6, 1992 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 failue to file an Answer and the same is liquidated at the sum of Twenty Thousand Six hundred and 37/100 dollars, plus interest and cost of suit.

E-43; 33

Entered on 11/12/92
Atty. McCague

Debt	$20,600.37
Int. from 8/20/92 through 10/28/92	330.51
Judgment	
Barbara H. King	
Prothonotary	

EX1993-20

Dec 30, 1997 Upon praecipe of plaintiff attorney this matter is marked satisfied of record.

428

1992

Purcell, Krug, & Haller
Leon P. Haller

878

SCG MORTGAGE CORPORATION

vs.

RICHARD E. STERLING and
IRENE STERLING

Filed September 14, 1992
@ 1:20 PM

Tax & entry paid	50.50
User's fee paid	5.00
Sheriff's Costs	83.00
Pro Co. pd.10/28/92	9.00

COMPLAINT IN MORTGAGE FORECLOSURE
3 copies Sheriff

Oct. 15, 1992 Sheriff's Return filed. SERVED Richard E. Sterling by deputizing the Sheriff of Erie County, PA, as per his Affidavit of Service attached. Served on September 28, 1992 at 30 Bridge Street, Union City, PA.

SERVED Irene Sterling by deputiziang the Sheriff of ERie County, PA, as per his Affidavit of Service attached. Served on September 28, 1992 at 30 Bridge Street, Union City, PA.

NOT SERVED aS TO THE Tenant that resides at R.D.#1, Box 57, Centerville, PA. The house is vacant.

So answers, Robert M. Stevens, Sheriff

Oct. 28, 1992, 11:22 a.m., AN DNOW upon Praecipe of Plaintiff Attorney, with Non-Military Affidavit 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	$19,375.98
Interest (Per diem of $5.04 from 9/1/91 to 9/1/92 at 9.50%)	1,844.64
Late Charges ($8.48 per month to 9/92)	93.28
Escrow Deficit	-0-
5% Attorney's Commission	$1,065.70
TOTAL	$22,379.60**

**Together with any additional interests and late charges at the rates indicated above from 9/92 based on the contract rate, and other charges and costs to the date of the Sheriff's Sale.

S-145,85
Judgment entered 10-28-92

Debt $22,379.60
Interest (see paper filed)
Judgment
Barbara H. King, Pro.

10-30-92 Notice of judgement mailed defendant.

EX1992-102

1992

Ferguson & Spataro
John F. Spataro

829

John P. Gagliotti

LEONARD"S AUTO SERVICE

vs.

DEWEY WAGNER

Filed September 14, 1992
@ 2:04 PM

Tax & entry paid 50.25
User's Fee paid 5.00

APPEAL OF DEFENDANT FROM DESICION OF
DISTRICT JUSTICE GEORGE HERZBERGER, III

Sept. 14, 1992 Rule entered upon Plaintiff to File a Complaint Issued.

Sept. 28, 1992 Verification of Service filed. I, John P. Gagliotti, Esquire, attorney for the Plaintiff in the above captioned action, verify that I did mail a certified copy of the Notice of Appeal from District Justice Judgment to District Justice George W. Herzberger, III, by United States First Class Mail, postage prepaid, Certified Mail, postage prepaid, Certified Mail, #P147 765 672, return receipt requested on September 16, 1992. I make this verification with notice that willful false statements made herein are subject to the penalties to perjury under Section 4904 of the Pennsylvania Crime Code, relating to unsworn falsification to authorities. John P. Gagliotti

Sept. 28, 1992 Vertification of Service filed. I, John P. Gagliotti, Esquire, attorney for the Plaintiff in the above captioned action, verify that I did mail a certified copy of the Notice of Appeal from District Justice Judgment to Leonard's Auto Service, by United States First Calss Mail, postage prepaid, Certified Mail, #P147 765 674, return receipt requested dated September 18, 1992. I make this verification with notice that willful false statements made herein are subject to the penalties of perjury under Section 4904 of the Pennsylvania Crime code, relating to unsworn falsification to authorities.
John P. Gagliotti

Oct. 2, 1992 Complaint filed.

Nov. 17, 1992 Answer to Complaint and Counterclaim of John P,. Gagliotti,Esquire for Defendant, filed.

430

1992

880

John P. Gagliotti

T. K. TIRE

vs.

DEWEY A. WAGNER

Filed September 14, 1992
@ 2:04 PM

Tax & entry paid 50.25
User's Fee paid 5.00

APPEAL OF DEFENDANT FROM DECISION
OF DISTRICT JUSTICE GEORGE HERZBERGER, III

Sept. 14, 1992 Rule entered upon Plaintiff to file a Complaint Issued.

Sept. 28, 1992 Verification of Service filed. I, John P. Gagliotti, Esquire, attorney for the Plaintiff in the above captioned action, verify that I did mail a certified copy of the Notice of Appeal from District Justice Judgment to T. K. Tire Service, by United States First Calss Mail, postage prepaid, Certified Mail, #P147 765 673, return receipt requested, dated September 17, 1992. I make this verification with the notice that willful false statements made herein are subject to the penalties of perjury under Section4904 of the Pennsylvania Crime Code, relating to unsworn falsification to authorities.

John P. Gagliotti

Sept. 28, 1992 Verification of Service filed. I, John P. Gagliotti, Esquire, attorney for the Plaintiff in the above captioned action, verify that I did mail a certified copy of the Notice of Appeal from District Justice Judgment to District Justice George W. Herzberger, III, by United States First Class Mail, postage prepaid, Certified mail, #P147 765 672, return receipt requested, on September 16, 1992. I make this verfiication with notice that willful false statements made herein are subject to the penalties of perjury under Section4904 of the Pennsylvania Crime Code, relating to unsworn falsification to authorities.

John P. Gagliotti

1992

Robert J. Fall

881

BANK ONE

vs.

ANNA MAE MUNNO

Filed September 14, 1992
@ 2:18 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	50.00

COMPLAINT IN CIVIL ACTION
1 copy (Sheriff)

Oct. 16, 1992 Complaint reinstated.

Nov. 20, 1992 Sheriff's Return filed. NOT FOUND as to Defendant Anna Mae Munno. Several attempts were made to Defendant's residence, defendant was never home. Several attempts to contact her via telephone were also made at various times during the day with no one ever being home.
So answers, Robert M.Stevens, Sheriff

1992

Kathleen R. Nelson

882

PAUL D. PITTSENBARGER, JR.

vs.

MICHELLE D. PITTSENBARGER

Filed September 15, 1992
@ 11:28 AM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro. Co. pd 3/2/93	9.00

COMPLAINT IN DIVORCE
1 cpy (atty)

Sept. 29, 1992 Affidavit of Service filed. Kathleen R. Nelson, Esq., being duly sworn according to law, deposes and says that the following facts in support of her Affidavit of Service are true and correct to the best of her knowledge, information and belief:

1. That the Affiant is the Attorney for the Plaintiff in the above-captioned action.
2. That a true and correct copy of the Complaint in Divorce and Notice were sent by registered mail to the defendant, Michelle D. Pittsenbarger on September 17, 1992.
3. The registered mail was sent to Michelle D. Pittsenbarger at R.D. #1, box 344a-1, Springboro, PA 16435. The sender's receipt is attached hereto.
4. That the defendant received said registered mail on September 23, 1992. Said Return Receipt card P 360 670 059 is attached hereto, signed by Michelle D. Pittsenbarger, and made part hereof.

Kathleen r. Nelson

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

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

Mar. 2, 1993 Upon Praecipe of Plaintiff Attorney to transmit record, case moved to court.

DIVORCE DECREE FILED

March 12, 1993 AND NOW, March 10, 1993, it is ordered and decreed that **PAUL D. PITTSENBARGER**, plaintiff, and **MICHELLE D. PITTSENBARGER**, 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 nto been withdrawn by the party making the claim.

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

1992

Akman & Associates, PC
Lloyd E. Wilson

883

DEBRA K. BICKEL

vs.

JAMES A. BICKEL

Filed September 15, 1992
@ 12:01 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pd 9-18-92 kCo	30.00
State pd 9-18-92	10 cc

COMPLAINT UNDER THE DIVORCE CODE
1 copy (atty)

Sept. 15, 1992 Motion For Special Relief and Order filed. And now, this 17 day of September, 1992, upon consideration of the foregoing motion, a Rule is issued to James A. Bickel to show cause, if any, why he should not be compelled to return to Petitioner's children all proper ty belonging to Petitioner's chidlren. Argument/hearing in the above matter is set for October 29, 1992 at 11:00 a.m. in Courtroom 1 or 2. The motion does not comply with the Crawford County Civil Rules with respect to motions practive. the parties are advised that all future mtoions, petitions or filings must conform to the local rules or they will be returned without further action.
By Order of the Court,
Gordon R. Miller, J
Sept. 22, 1992 Copy of order mailed to Atty. Wilson

Oct. 28, 1992 MOTION TO DISCONTINUE and ORDER, filed. ORDER: AND NOW, this 28th day of October, 1992 upon consideration of the foregoing motion it is ORDERED ADJUDGED and DECREED that as of the date below the action above captioned is dismissed and the parties hereto may pursue this matter further in the Court of Common Pleas, Venango County, Pennsylvania.
BY THE COURT:
Anthony J. Vardaro, J.

Nov.2, 1992 copy to L. Wilson

1992

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

884

RONALD A. LAUDENSLAGER

vs.

PATRICIA L. LAUDENSLAGER

Filed September 15, 1992
@ 1:08 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 1-6-93	9.00
Pro Co pd 11-9-94	5.00

COMPLAINT IN DIVORCE, EQUITABLE PROPERTY DETERMINATION AND DISTRIBUTION, CHILD CUSTODY
1 copy (atty)

Sept. 15, 1992 Affidavit of Acceptance of Service filed. I. Patricia L. Laudenslager, Defendant in the above captioned action, being duly sworn according to law, do hereby stat that I accepted service of a true and correct copy of the Complaint in Divorce, on September 15, 1992 at the law office of James R. Irwin, 360 Chestnut Street, Meadville, Pennsylvania 16335.

Patricia L. Ladenslager

Sept. 25, 1992 Stipulation and Consent To Entry of Custody Order and Order filed. AND NOW, this 24th day of September, 1992, upon presentation of the Stipulation and Consent of the parties, attached hereto, and after considerationof same, it is hereby ORDERED, DIRECTED and DECREED that:

1. Legal and physical custody of the parties' two minor children shall be shared between the mother, Patricia L. Laudenslager and the father, ronald A. Laudenslager.

2. The natural mother, Patricia L. Laudenslager, shallhave primary physical custody ofthe children from August 15th at 8:00 p.m. until June 15th at 8:00 a.m. each year. The natural fther, Ronald Laudenslager shallhave cusotdy of the aforementioned minor children from June 15th through August 15th every year.

3. It is acknowledged by and between the parties that it is the MOther's intention to temporarily relocste to the state of Florida for the purpose of securing better employment.

It is agreed that during this period the father shall be the primary physical custodian of the parties' minor children.

Should Mother remainin Florida beyond April 1, 1993 or decide to make Florida her permanent home, then the summer custodial period from June 15, 1992 through August 15, 1992 previously granted to Father shall become Mother's custodial period for 1992.

In the event Mother returns form Florida prior to April 1, 1992 the custodial periods previously set forthin Paragraph 2 shall apply.

Should the mtoher's stay in Florida be temporary, it is the parties intent to abide by the custodial provisions set forthin Paragraph 2.

4. Each parent shall have liveral vistiations with said minor children while in the custody of the other parent. Said vistiations shall be agreed upon between the parties and shall be consistent with the bes tinterest of the chidlren.

5. Each party shall teach said chidlren to give to the other party that love and respect which is due a parent from his or her children.

6. Neither party shall use illegal drugs or be under the influence of alcohol at any time when said party has the care and custody of the subject minor children.

7. Neither party shall do or say anything to balckenthe character of the other inthe children's estimation. Each party shall reat the other in a polite and respectful manner when inthe children' presence and each party shall instuct his or her relatives and friends to do likewise and also not to disparage the other party in the children's estimation.

BY THE COURT,
Gordon R. Miller, J

Sept. 28, 1992 Copy of order put in box for Atty' Irwin

Dec 21, 1992 Affidavit of Consent of Plaintiff, filed.

Dec. 29, 1992 Affidavit of Consent by Patricia L. Laudenslager, Defendant, filed.

Jan. 6, 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

Jan. 13, 1993 AND NOW, this 12 day of January, 1993, it is ordered and decreed that **R O N A L D A . L A U D E N S L A G E R ,** plaintiff, and **P A T R I C I A L . L A U D E N S L A G E R ,** defendant, are divorced from the bonds of matrimony.

It is further ordered that the parties' Separation and Property Settlement Agreement dated Sept. 15, 1992, is incorporated herein and made a part hereof and shall be fully enforceable under the provisions of the Divorce Code.

The issue of child custody has been resolved as evidenced by a Stipulation to Entry of Custody Order filed at the above number, dated September 25, 1992.

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

Nov. 9, 1994 Notice of Election to Retake Maiden Name, filed. **Patricia L. Laudenslager** TO BE KNOWN AS: **Patricia L. Gerber.**

1992

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

885

STARLITE DIVERSIFIED, INC.

vs.

WES-MAR, INC.

Filed September 15, 1992
@ 2:58 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Pro Co pd 12-16-93	6.00

COMPLAINT IN CIVIL ACTION
1 copy (atty)

Sept. 21, 1992 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 certified by the Prothonotary of Crawford County, Pennsylvania on the above named Defendant by certified mail, return receipt requested, dated September 15, 1992. The Defendant acknowledged service on September 17, 1992 by accepting delivery on that date as evidenced by the attached signed return receipt.

Sept. 21, 1992 James R. Irwin, Esquire

Oct. 16, 1992 Motion for Permission to File Amended Complaint filed.

Oct. 16, 1992 Order and Amended Complaint filed. AND NOW, this 16 day of October, 1992, the Plaintiff is granted permission to file the attached amended Complaint.

BY THE COURT,
Anthony J. Vardaro, J

Oct. 21, 1992 Copy of order to Atty. Irwin

Feb 10, 1993 Uponpraecipe of Plaintiff attorney the above captioned case is settled and discontinued of record.

1992

Devine & Kuftic
David R. Devine

886

ANNE MCBRIDE-MUMFORD

vs.

W. D. YODER and DAWN YODER, husband and wife, ROSE M. FRISINA, DOMINIC FRISINA, WALTER W. TRBOVICH and NELLE TRBOVICH, husband and wife, DOMINIC FRISINA, SAM FRISINA, FRANK and BETTY FRISINA, JOHN CUSUMANO, RAY J. and MARY JANE TAFT, husband and wife, and VERNON TOWNSHIP

Filed September 15, 1992
@ 4:10 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	36.00

ACTION FOR DECLARATORY JUDGMENT
15 copies (atty)

Sept. 25, 1992 SHERIFF'S RETURN, filed. SERVED Dawn Yoder personally on Sept. 22, 1992 at 12:50 p.m. by handing her a copy of the Action for Declaratory Judgment at her residence, 852 Hank St, Meadville, Crawford County, Pa.

SERVED Wallace D. Yoder on Sept. 22, 1992 at 12:51 p.m. by handing a copy of the Action for Declaratory Judgment to Dawn Yoder, his wife, at their residence, 852 Hank St, Meadville, Crawford County, Pa.

so answers, Shawn D. Ashbaugh, Deputy Sheriff
Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Oct. 9, 1992 CERTIFICATE OF MAILING, filed.

1992

pro se

887

John P. Gagliotti

KENNETH OSBORN

vs.

PAUL WRIGHT

Filed September 15, 1992
@ 4:10 PM

Indigent Filing
Sheriff's Costs 13.00

✓RECEIVING AND PURCHASING STOLEN PROPERTY
CIVIL ACTOIN
1 copy (Sheriff)

✓Sept.15, 1992 Motion To Appeal In Forma Pauperis filed.

✓Sept. 15, 1992 Order filed. AND NOW, September 14, 1992, upon reciept of the p laintiff's Motion to Appeal Informa Pauperis it is ordered as follows:
1. Even though said filing does not come close to complying with the Pennsylvania Rules of Civil Procedure, the Court will consider said filing as a petition under Pa.R.C.P. 240.
2. The plaintiff is given leave of court to proceed informa pauperis.
3. The plaintiff is under a continuing obligation to inform this Court of any improvement in his financial circumstances which would permit him to pay court costs.
4. Therefore the Prothonotary shall accept what appears to be a complaint without the payment of costs and the Sheriff shall serve the defendant without the payment of cost and made an appropriate return of service. BY ORDE ROF COURT,
Gordon R. Miller, P.J.

✓Sept. 28, 1992 Sheriff's REturn filed. SERVED the within Civil Action - Law on September 21, 1992 at 2:25 P.M., upon Paul Wright at 660 County Line Rd., Greenville, PA by handing to Paul Wright personally a true and correct copy thereof and made known to him the contents therein.
So answers, William H. Romine, Jr., Sheriff
Eric A. Garrett, Deputy Sheriff

I hereby deputize the Sheriff of Mercer County, Pennsylvania to serve the within Complaint according to law.
So answers, Robert M. Steven, Sheriff

✓Oct. 15, 1992 answer and New Matter filed.

✓October 21, 1992 Answer & New Matter by plaintiff filed. (1 copy plaintiff)

✓Feb. 17, 1993 Motion For Judgment and or Trial Date Be Ordered filed.

✓Feb. 17, 1993 Order filed. AND NOW, February 11, 1993, after a review of the plaintiff's moiton for Judgment and/or Trial Date Order be set it is ordered as follows:
1. Said moiton is denied. The plaintiff is not enttiled to judgment seince the defendant has filed an Answer and New Matter.
2. The Motion for Trial Date Order is denied as the planitiff is not proceedings properly. He asks for money damages and an accounting, all of which can be heard on the law side of the court. Since the amount he is seeking is within the arbitrationlimits the case must first be referred to arbitrators.
3. The Prothonotary is ordered and directed to send the plaintiff an appropriate praecipe for reference to arbitration so that he may complete it and return it; and to furnish the plaintiff with a true and correct copy of the current Crawford County Civil Rules of Court (without a binder) at no costs to the plaintiff since he is proceeding informa pauperis. The plaintiff is advised that he must comply with all rules of Court even thought he is not represented by counsel. All filings must conform to the rules of court or will be returned. He must initially follow the arbitration rules set forth in the Crawford County local civil rules.
BY ORDER OF COURT.
Gordon R. Miller,J

Feb. 22, 1993 Copies to Atty. Gagliotti and plaintiff

✓Mar 1, 1993 Upon praecipe of Plaintiff to appoint Arbitrators, the following Arbitrators have been appointed.
~~Joan Mason, Chr.~~ Peter Blystone, Chr.
~~Alan Pepicelli~~ Christopher D. Ferry
Gregory Keenan

Mar. 26, 1993 Arbitrators take qualifying oath.

✓May 27, 1993, Defendants Motion for Summary Judgment filed.

✓May 27, 1993, Upon praecipe of plaintiff attorney, for argument, defendants Motion for Summary Judgment placed on next argument list.

ON ARGUMENT LIST FOR JUNE 1993

✓June 11, 1993 ORDER filed. AND NOW, June 9, 1993 this matter has come to the attention of the Court at the request of the Court Administrator and in response to a praecipe for argument filed by the defendant for disposition of his motion for summary judgment. Counsel for defendant attached exhibits to his motion for summary judgment which we believe he wants us to be considered in disposing of the motion for summary judgment. The Court will not consider those exhibits because they are not included in the matters which the Court must consider under Pa.R.C.P. 1035 (a). According it is ordered as follows:
1. The defendant shall have twenty (20) days from this date to file any depositions, answers to interrogatories, admissions on file and supporting affidavits if he desires to do so in support of his motion.
2. The defendant shall serve a true and correct coipy of his motion for summary judgment,brief and any supporting affidavit upon the plaintiff and file a proof of service indicating the date and manner upon which service was made.
3. The plaintiff shall have twenty (20) days after service of the motion, brief and affidavits if any, in which to file a counter affidavit or affidavits. Said counter affidavit or affidavits shall strictly conform to Pa.R.,C.P. 1035.
4. Thereafter the defendant shall file a praecipe for argument to bring this matter to the attention of the Court. The Court may hold an argument or may decide the motion without an argument.

Continued to Page 507

pro se

888

~~Peters, LIndsay, Lewis & Gagliotti~~
John P. Gagliotti

KENNETH OSBORN

vs.

CLAYTON ARMOUR

Filed September 15, 1992
@ 4:11 Pm

Indigent Filing
Sheriff's Costs 13.00
Pro Se Pd 6-23-95 320.00
Pro. Co. Pd. 5/21/98 $9.00
Subpoena 4.00
Subpoenas 10.00
Photocopying 1.50
Sheriff 214.00

RECEIVING AND PURCHASING STOLEN PROPERTY
COMPLAINT IN CIVIL ACTION
1 copy (Sheriff)

Sept. 15, 1992 Motion To Appeal In Forma Pauperis filed.

Sept. 15, 1992 Order filed. AND NOW, September 14, 1992, upon reciept of the p laintiff's Motion to Appeal Informa Pauperis it is ordered as follows:
1. Even though said filing does not come close to complying with the Pennsylvania Rules of Civil Procedure, the Court will consider said filing as a petition under Pa.R.C.P. 240.
2. The plaintiff is given leave of court to proceed informa pauperis.
3. The plaintiff is under a continuing obligation to inform this Court of any improvement in his financial circumstances which would permit him to pay court costs.
4. Therefore the Prothonotary shall accept what appears to be a complaint without the payment of costs and the Sheriff shall serve the defendant without the payment of cost and made an appropriate return of service.

BY ORDE ROF COURT,
Gordon R. Miller, P.J.

Sept. 15, 1992 Motion For Order of Court Directing Sheriffs Department to Make Service Upon Defendant in the above Catpioned case matter filed.

Sept. 28, 1992 Sheriff's Return filed. SERVED the within Civil Action - Law on September 21, 1992, at 1:50 PM, upon Clayton Armour at Box 27, Sheakleyville, PA by handing to Clayton Armour personally 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

Oct. 6, 1992 Answer and New Matter filed.

Oct. 9, 1992 Verification of Service filed.
Oct. 9, 1992 Defendant's Verification to Defendant's Answer to New Matter filed.

Oct 22, 1992 Reply to New Matter, filed. 1 copy (Plf)

Feb. 17, 1993 Motion For Judgment and or Trial Date Order be Set filed.

Feb. 17, 1993 Order filed. AND NOW, February 11, 1993, after a review ofthe plaintiff's Motionfor Judgment and/or Trial Date Order be set it is ordered as follows:
1. Said Motion is denied. The Plaintiff is not entitled to jdugment since the defendant has filed an Answer and New Matter
2. The Motion for Trial Date Order is denied as the plaintiff is not proceeding properly. He asks for money damages and an accounting, all of which can be heard on the law side ofthe court. Since theamount he is seeking is within the arbitrationlimits the case must first be ferred to arbitrators.
3. The Prothonotary is ordered and directed to send the plaintiff an appropriate praecipe for reference to arbitration so that he may complete it and return it. The planitiff is advised that he must comply with all rules of Court even though he is not represented by counsel. All filings must conform to the rules of court and will be returned. He must initially follows the arbitration rules set forthinthe Crwaford County local civil rules.

BY ORDER OF COURT,
Gordon R. Miller, J

Feb. 22, 1993 Copies to Atty. Gagliotti and plaintiff

Mar 1, 1993 Upon praecipe of Plaintiff to appoint Arbitrators, the following Arbitrators have been appointed. ~~Gary Fabian~~, Chr. John Petruso
Bruce Smith
Harry White

Mar. 10, 1993 Arbitatrators Take Qualifying Oath.

14 May 27, 1993, Defendant's Motion for Summary Judgment filed.

May 27, 1993, Upon praecipe of defendant counsel, Motion for Summary Judgment placed on next argument list.

ON ARGUMENT LIST FOR JUNE 1993

16 June 15, 1993 ORDER filed, AND NOW, June 9, 1993, this matter has come to the attention of the Court at the request of the Court Administrator in response to a praecipe for argument filed by the defendant seeking argument and disposition on his motion for summary judgment. Even though the defendant filed no affidavits in support of his motion for summary judgment (Pa.R.C.P. 1035) and even though a responding party need not file a formal response or counter affidavit (Moore v. Gates, 398 Pa. Super. 211, 580 A.2d 1138 (1990) app. denied 527 Pa. 617 590 A.2d 758) we believe the plaintiff should have an opportunity to do so. Therefore it is ordered as follows:
1. The defendant shall serve a true and correct copy of his motion for summary judgment and brief in suppor tof his motion for summary judgment on the plaintiff.
2. The plaintiff shall have twenty (20) days after receipt of the same to file any affidavit in opposition to the motion for summary judgment, if he so desires.
3. The plaintiff is cautioned that he must strictly adhere to Pa.R.C.P. 1035 if he files an affidavit.
4. Thereafter the defendant shall file a praecipe to schedule this case for argumetn. The Court may dispose of the motion without an argument or it may set it for argument in July.
5. The arbitration shall not be held until the motion for summary judgment is decided.

BY ORDER OF COURT
Gordon R. Miller, P.J.
June 15, 1993 copies distributed to Gagliotte & Osborn. June 22, 1993 copy to Fabian.

Cont on Pg. 460

1992

Thomas, Truax,
Spadafore & Walker
William L. Walker

889

ESTATE OF STEPHEN SOMPLE

vs.

FRANK HELMANTOLER and LOSSIE HELMANTOLER his wife, their heirs and assigns

Filed September 16, 1992
@ 11:16 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Pro Co pd 2/2/93	9.00

COMPLAINT IN ACTION TO QUIET TITLE
no copies

Sept. 21, 1992 Motion To sErve By Publication and Order filed. AND NOW, upon motion of William L. Walker, attorney for plaintiff in the above captioned matter, leave is hereby granted to serve Frank Helmantoler and Lossie Helmantoler, his wife, defnednats, their heirs 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 the Crawfor dCounty Legal Journal, one time and requiring the said defendants to plead within twenty (20) days from the last date of pu publication thereof.
BY THE COURT:
Date: 9-18-92
Gordon R. Miller, J
sept. 22, 1992 Copy of order put in box for Atty. Walker

Dec. 16, 1992 Motion for Judgment and Final Order filed. AND now, this 15 day of December, 1992, upon presentation of the foregoing Motion and due consideration therof, it is hereby ordered and decreed that the defendants, Frank Helmantoler and Lossie Helmantoler, his wife, their heirs and assigns are forever barred from asserting any right, title, lein, or interest inconsistent with the claim of the plaintiff as set forth in the Complaint in this case, or in any way attacking the title of the plaintiff in said property; from issuing or continuing any action and attacking the same and from encumbering, morgaging or conveying the same or any part thereof; unless the defendants, their heirs and assigns take such action as 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 judgment or satisfy this decree is presented by the defendants, their heirs and assigns within thrity (30) days from and after the entry of this decree, same shall be final. If such action is not taken within said thirty (30) day priod, the Prothonotary shall enter judgment.
BY THE COURT:
Anthony J. Vardaro, J.
Dec. 18, 1992 Copy of Order to Atty. Walker

Dec. 16, 1992 Affidavit filed. William L. Walker, Esquire, being duly sworn according to law deposes and says that he is a member of the law firm of Thomas, Truax, Spadafore and Walker which firm is counsel for the plaintiff in the above captioned case, and as such, makes this Affidavit on behalf of said plaintiff, that on September 18, 1992, your Honorable Court entered an order in said case directing that service of the Complaint be made on the defendants, Frank Helmantoler and Lossie Helmantoler, his wife, their heirs and assigns by publication in the Meadville Tribune and Crawford County Legal Journal one time; that service was made by publication in accordance with said order as appears by proof of publication attached hereto; more than twenty days have elapsed from the date of the last publication of said notice and that the said defendants, Frank Helmantoler and Lossie Helmantoler, his wife, their heirs and assignes, have not appeared nor filed an Answer to said Complaint.
William L.Walker, Esquire

And Now, Feb. 2, 1993 @ 11:57 AM, upon praecipe of plaintiff's attorney, final jdugemnt is hereby entered in this case, in favor of the plaintiffs and against the defendants, pursuant to the foregoing Order of Court.
H-61-101

FINAL JUDGMENT
Barbara H. King
Prothonotary

440

1992

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

890

MARQUETTE SAVINGS
ASSOCIATION

vs.

CHARLES D. HUSSING and
CYNTHIA L. HUSSING, his
wife

Filed September 16, 1992
@ 1:26 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	35.00
Sheriff's Costs	43.00
Pro Co pd 11-10-92	9.00

COMPLAINT IN MORTGAGE FORECLOSURE
2 copies Sheriff

Sept. 25, 1992 SHERIFF'S Return, filed. SERVED Charles D. Hussing on Sept. 19, 1992 at 2:45 p.m. by handing a copy of the Complaint in Mortgage Foreclosure to Cynthia L. Hussing, his wife, at their residence, RD 1, Box 242K, Raleigh Lane, Espyville, Crawford County, Pa.

SERVED Cynthia L. Hussing personally on Sept. 17, 1992 at 2:46 p.m. by handing a copy of the Complaint in Mortgage Foreclosure at her residence, RD 1, Box 242K, Raleigh Lane, Espyville, Crawford County, Pa.

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

Oct. 21, 1992 Sheriff's Return filed. SERVED Charles D. Hussing on October 20, 1992 at 2:55 PM byhanding a copy of the Complaint to Cynthia L.Hussing,his Wife, at their residence, R.D.#1, Box 242K, Raleigh Lane, Espyville, Crawford County, PA.

SERVED Cynthia L.Hussing personally onOctober 20, 1992 at 2:54 PM by handing a copy of the Complaint to her at the residence, R.D.#1, Box 242K, Raleigh Lane, Espyville, Crawford County,PA.

So answers, Robert M.Stevens, Sheriff

And Now, No. 10, 1992 at 3:54 p.m. uponpraecipe of plaintiff's attorney judgment is hereby entered in favor of the plaintiff and against the defendants in the sum of Fourteen thousand, eighty-seven dollars and ten cents, with costs plus interes tfrom Sept. 20, 1992 at the rate of 9.5% for failure to file an answer within twenty days of service of the complaint.

H - 33, 33 Debt: $14,087.10
JUDGMENT
Barbara H. King, Prothonotary

EX 1992 - 101

1992

Joseph Altomare

891

Thomas, Truax,
Spadafore & Walker
R. Charles Thomas

MARTHA J. THOMPSON, PAUL E. THOMPSON, BARBARA A. KEMP, and LEONARD M. KEMP, JR.

vs.

STATE FARM INSURANCE, SARA N. WRIGHT and CYNTHIA L. WILSON

Filed September 16, 1992
@ 1:34 PM

Tax & entry paid	50.50 ✓
User's Fee paid	5.00
Sheriff's Costs	77.00
Pro Co pd 4-23-96	30.00 ✓
User's fee pd 4-23-96	5.00
Pro Co pd 6-12-96	9.00 ✓

Jury Trial Demanded

COMPLAINT IN CIVIL ACTION
3 copies (Sheriff)

2 Oct. 2, 1992 Appearance of Thomas Truax, Spadafore and Walker by R. Charles Thomas for Defendants filed.

3 Oct 6, 1992 SHERIFF'S RETURN, filed. SERVED State Farm Insurance on Sept. 17, 1992 at 1:29 PM by handing a copy of the Complaint to Carla Jackson, Receiptionist at place of business, RD 4, Box 3, Meadville, Crawford County, Pa.

SERVED Sara N. Wright personally on Sept. 17, 1992 at 1:30 PM at her place of employment, State Farm Insurance, RD 4, Box 3, Meadville, Crawford County, Pa.

SERVED Cynthia L. Wilson by deputizing the Sheriff of Venango County, Pa. as per his Affidavit of Service attached. Served on Sept. 25, 1992 at 4:53 PM at RD 5, Titusville,Pa.

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

Sheriff's Return: I hereby deputize the Sheriff of Venanto County, Pa. to serve the within Cimplaint according to law. The defendants alleged address is R.D. 5, Titusville, Pa. 16354.

Robert M. Stevens, Sheriff, Cr. Co., Pa

SERVED the within Complaint on 25 Sep. 92, 1992, at 4:53 p.m., upon Cynthia L. Wilson, at RD5, Titusville, Pa. 16354 by handing to Cynthia L. Wilson, in person a true and correct copy thereof and made known to her the contents therein.

Gene Price, Sheriff, Venango Co., Pa.

4 Nov 5, 1992 PRAECIPE FOR ARGUMENT LIST, filed.

ON ARGUMENT LIST FOR DECEMBER 1992

5 Nov 5, 1992 Prliminary Objections, filed.

6 Mar. 3, 1993 Memorandum and Order filed. AND NOW, March 2, 1993, it is ordered as follows:
1. The defendants' demurrer to Count IV of the plantiffs' complaint is granted.
2. The defendant's mtoion to strike paragraphs 21(b), (c), (d), (e) of the plaintffs' complaint is denied.
3. Counts I, and II of the plaintiffs' complaint are stricken and the plaintiffs are given twnety (20) days from this date to file an amended complaint so that each cause of action shall be stated in a separate count (Pa.R.C.P.1020(a)).

BY ORDER OF THE COURT,
Gordorn R. Miller

Mar. 3, 1993 Copies given to Altomare andThomas

7 Mar 11, 1993 Certificate of Service of: Answers to Plaintiff's First Request for Production of Documents to Defendant State Farm Ins.; Answers to Plaintiffs' First Set of Interrogatories to Defendant State Farm Ins.; Answers to Plaintiffs' First Request for Production of Documents to Defendant Sara N. Wright; Answers to Plaintiffs' First Set of Interrogatories to Defendant Sara N. Wright; Answers to Plaintiffs' Request for Admissions to Defendant Cyntha L. Wilson and Answers to Plaintiffs' First Set of Interrogatories to Defendant Cynthia L. Wilson.

8 Mar. 16, 1993 Motion to Compel Discovery Respnses filed.

9 Mar.16, 1993 Praecipe for Argument List filed.

ON ARGUMENT LIST FOR APRIL 1993

10 Mr. 17, 1993 First Amended Complaint, filed.

11 Apr 1, 1993 Certificate of Mailing of Interrogatories and Requests for Production, filed.

12 May 12, 1993 Answer to First Amended Complaint, filed.

13 June 11, 1993, MEMORANDUM AND ORDER FILED.
ORDER: AND NOW, June 11, 1993, it is ordered as follows:

1. Within thirty (30) days from this date State Farm shall properly respond and answer to interrogatory number 1.

2. Within thirty (30) days from this date state Farm shall fully answer interrogatory number 9 and produce said documents to counsel for the plaintiffs.

3. Within thirty (30) days from this date State Farm shall fully and completely answer interrogatory number 11 with respect tointernal documents wihich establish policy with respect the settlement of tort claims from June 23, 1991 to the present and make such information available to counsel for the plaintiffs. This shall only include documents that have been or should have been communicated to the State Farm region that covers and controls its Meadville office.

4. Within thirty (30) days from this date State Farm will answer interrogatory number 12 in that they shall andfully and completely identify the requested documents and communications made by its agents and any such documented communications made by non-agents. State Farm, however, shall not produce said documments and communications (unless it is willing to do so voluntarily) reserving unto the plaintiffs however, the right to seek additional releif and discovery orders from the court. State Farm also is ordered to identify and produce the names of the requested claimants.

5. Within thirty (30) days form this date State Farm shall fully and completely answer interrogatory number 13 as to alleged misrepresentations that occurred in the State Farm region that covers, governs and controls the Meadville Claims office and to make the said information available to plaintiff's counsel. Plaintiffs ahve the right to request such information from other regions if plaintiffs later produce information which indicates suc h a request will not impose an unreasonable burden on State Farm.

6. Within thirty (30) days from this date State Farm is ordered and directed to fully and co...

Record Continued on Pg. 489

442

1992

Davis Reilly
Richard J. Parks

892

INTEGRA NATIONAL BANK/NORTH
SUCCESSOR BY MERGER TO
Pennbank

vs.

RAYMOND J. HEIGHES and
CHRISTINA G. HEIGHES

Filed September 16, 1992
@ 1:43 pM

Tax & entry paid	50.50 ✓
User's Fee paid	5.00
Sheriff's Costs	43.00
Pro Co Pd 10-27-92	5.00 ✓

COMPLAINT IN CIVIL ACTION
2 copies Sheriff

Oct. 1, 1992 Sheriff's Return filed. SERVED Raymond J. Heighes personally on September 28, 1992 at 2:02 PM by handing him a copy of the Complaint in Mortgage foreclosure inthe Sheriff's Office, Crawford County Courthouse, Meadville, PA.
SERVED Christina g. Heighes on September 28, 1992 at 2:03 PM by handing a copy of the Complaint in Mortgage Foreclosure to Raymond J. Heighes, her Husband 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
Robert M. Stevens, Sheriff

Oct. 27, 1992 Upon praecipe of Plaintiff attorney the above captioned action is marked settled and discontinued of record.

1992

893

MELODY BEISH

vs.

WAYNE E. BEISH

Filed September 16, 1992
@ 3:57 PM

Tax & entry	50.50
User's Fee	5.00
Sheriff's Costs	25.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 Copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 16 day of September, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Defendant shall not call or go to Plaintiffs home. Temporary custody 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 of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for September 22, 1992 , at 3:30 P.M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

Sept. 17, 1992 Sheriff's Return filed. SERVED Wayne E. Beish personally on September 16, 1992 at 4:20 PM by handing a copy of the Protection from Abuse to him at his residence, 125 Columbia Avenue, Meadville, Crawford County, PA.
So answers,

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

Sept. 29, 1992 Order filed. AND NOW, September 22, 1992, after a formal hearing, the Court is not satisfied that the plaintiff has carried her burden of proof in proving that the defendant has engaged in abuse as that term is defined by the Act.

Accordingly, the petition is dismissed and the temporary abuse order entered September 16, 1992 is hereby terminated.

A true and correct copy of this order shall be sent by the Prothonotary to the police department where the temporary order was sent and a copy shall be delivered to County Control.

In view of the fact that the plaintiff has modest income, the County shall pay the costs.

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

Sept. 29, 1992 Copy of the order given to Attys. Walton & Thomas. Copy of the order mailed to County Control and Pa. State Police

1992

Pro se

894

David W. Pickens

JAMES H. ANDERS

vs.

WILBUR A. MILLER

Filed September 16, 1992
@ 4:16 PM

Tax & entry paid	50.50
Sheriff's Costs	25.00
Pro.Co.pd 10/27/92	9.00
Pro Co pd 11/16/92	50.50
Pro Co pd 1-29-93	15.00
Pro Co Pd 9-23-93	5.00
Pro Co pd 1-17-94	30.00
User's Fee pd 1-17-94	5.00

4-20-1993 Received from Pltf $220 refund of arbitrator fee

4-20-1993 Pd CC Comm Refund arbitrator fee $220.00 Ch# 7487

✓ COMPLAINT IN CIVIL ACTION
2 copies (plaintiff)

✓ Sept. 23, 1992 Sheriff's Return filed. Served Wilbur A. Miller personally on September 21, 1992 at 12:15 PM at the Sheriff's Office, crawford County Courthouse, Meadville, PA
So answers, Carole Stefanucci, Deputy Sheriff
Robert M. Stevens, Sheriff

✓ Oct. 5, 1992 Reply to Complaint, filed.

✓ And Now, Oct. 27, 1992 at 10:09 AM upon praecipe of Plaintiff, with notice of Intention to File default judgment attached, judgment is hereby entered in favor of the plaintiff and against the defendant for want of an answer and the same is liquidated at the sum of Ninety-five and 45/100 dollars, plus court costs.

M-208	Debt	$95.45
Entered Oct. 27, 1992	Judgment	
Notice to Defendant	Barbara H. King	
Abstract to Plaintiff	Prothonotary	

✓ Nov. 16, 1992 Motion To Strike Off Judgment filed.

✓ Nov. 17, 1992 Amended Answer, New Matter and Counter-Claim filed.

✓ Nov.17, 1992 Certificate of Service by David W. Pickens,Esquire, filed.

✓ Nov. 18, 1992 Order filed. AND NOW this 16 day of November, 1992, upon consideration of foregoing Motion to Strike and after appearance of both parties at Motions Court where they agreed that an Answer had been timely filed, the Judgment in this matter is hereby stricken. Plaintiff is allowed 20 days in which to respond to Defendant's Amended Answer, New Matter and Counter-Claim.
By theCourt
Anthony J.Vardaro, J

Nov. 19, 1992 Copy of the Order to Atty. Pickens.

✓ Nov. 20, 1992 Certficate of Service filed. I hereby certify that a true and correct copy of the foregoing AMENDED ANSWER, NEW MATTER AND COUNTER-CLAIM in the above referenced case has been served upon James H. Anders, R.D.#7,Springs Road, Meadville, PA 16335 by United States First-Class mail,postage prepaid on this 19th day of November, 1992.
David H. Pickens, Esquire

✓ Nov. 23, 1992 Motion to Reinstate the Default Judgment filed.

✓ Dec. 2, 1992 Order filed. AND NOW, November 23, 1992, upon presentation of a motion to reinstate a default judgment that had been previously stricken, said motion is DENIED.
BY ORDER OF THE COURT,
Gordon R.Miller, P.J.

Dec.8, 1992 Copy of Order Mailed to Plaintiff and given to Atty. Pickens

✓ Dec. 7, 1992 Motion to Strike the Counterclaim as falsely provided to the Judge and Order filed. AND NOW this 7th day of December, 1992 the Plaintiff's Motion to Strike the Counterclaim is granted without prejudice. The court does this based on the agreement of counsel for defendant not based on fraud.
By the Court
Gordon R. Miller

Dec. 9, 1992 Copy of Order mailed to Plaintiff and given to Atty. Pickens.

✓ Dec 14, 1992 Consent to File Amended Answer, New Matter and Counter-Claim of James H. Anders, filed.

✓ Dec 14, 1992 Amended Answer, New Matter and Counter-Claim, filed.

✓ Dec. 16, 1992 Certificate of Service of Amended Answer, New Matter and Counter-claim and Consent To file filed.

✓ Jan. 14, 1993 Certificate of Readiness filed.

✓ Jan. 29, 1993 Upon praecipe of Plaintiff James H. Anders for appointment of Arbitrators, the following Arbitrators are appointed.
Douglas Ferguson, Chr.
Christopher Ferry
~~John Gagliotti~~ Gary Fabian

✓ Jan. 29, 1993 MOTION TO STRIKE CERTIFICATE OF READINESS and ORDER filed. ORDER: AND NOW, this 29th day of January, 1993, upon consideration of the foregoing Motion to strike Certificate of Readines, the same is hereby granted and the Certificate of Readiness is stricken, without prejudice to either party to praecipe for appointment of a Board of Arbitrators.
By the Court:
Anthony J. Vardaro, J.

Feb. 2, 1993 copy to Pickens & Anders

✓ Feb. 2, 1993 Arbitrators Take qualifying Oath.

✓ Arp. 13, 1993 Decision of Arbitrators And now, the 13th of April, 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 and against the plaintiff on the plaintiff's complaint and in favor of the plaintiff and against the defendant on the defendant's counterclaim.
Douglas Ferguson, Chr.
Christopher Ferry
Gary Fabian

Apr 13, 1993 copies made by chairman & distributed by Prothonotary

✓ Apr. 20, 1993 Notice of Appeal filed.

Apr. 20, 1993 Copy to Atty.Pickens

✓ Apr. 26, 1993, Certificate of Readiness filed. (praecipe)

ON OCTOBER 1993 TRIAL LIST

Continued on Margin

✓ Aug. 18,1993 Praecipe to Discontinued the counter-claim of the defendant discontinued.

Continued on Page "462"

[redacted]

1992

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

895

KATHLEEN S. WOODBURN

vs.

JON MARSHALL WOODBURN

Filed September 17, 1992
@ 9:37 AM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro.Co. pd 12/29/92	9.00

COMPLAINT IN DIVORCE
1 copy (atty)

Sept. 21, 1992 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 September 17, 1992. The Defendant acknowledged service on September 19, 1992 by accepting delivery on that date as evidenced by the attached signed return receipt.
Sept. 21, 1992 James R.Irwin, Esquire

Dec 21, 1992 Affidavid of Consent of Plaintiff, filed.

Dec. 29, 1992 Affidavit of Consent by Jon Marshall Woodburn, Defendant filed

Dec. 29, 1992 Upon praecipe of Plaintiff Attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Dec. 31, 1992 AND NOW, December 29, 1992, it is hereby ordered and decreed that **KATHLEEN S. WOODBURN**, plaintiff, and **JON MARSHALL WOODBURN**, 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.

1992

~~Cauley & Conflenti~~
~~William J. Begley~~
Cheryl L. Esposito
Seymour A.Sikov
896

DONNA WINGER and DANIEL WINGER, her husband

vs.

Quinn, Buseck, Leemhuis Toohey & Kroto
John M. Quinn, Jr.
Meadville Medical Center

MEADVILLE MEDICAL CENTER, DAVID DUNN, M.D., EDWARD FINE, M.D. and ROBERT A. DRISCOLL, M.D.

~~J. Douglas Murphy~~ withdrawn
~~for Dfts. David W. Dunn~~
~~Edward M. Fine and~~
~~Robert A. Driscoll~~

Filed September 17, 1992
@ 10:56 AM

Knox, McLaughlin, Gornall & Sennett, PC
Mark E. Mioduszewski
Dunn & Fine

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	50.00

Trushel, Klym & Olszewski
Edward D. Klym for
Robert A.Driscoll,M.D.

JURY TRIAL DEMANDED

WRIT OF SUMMONS
Issued Sheriff

Sept. 22, 1992 Writ Return filed. Served Meadville Medical Center on September 18, 1992 at 8:50 AM by handing copy of Summons to NAncy Blystone, Administrative Assistant, at their place of business, 751 Liberty St., Meadville, Crawford County, PA.
Served Robert A. Driscoll, M.D. personally on September 18, 1992 at 9:00 AM at his place of business, 751 Liberty Street, Meadville Crawford County, PA.
Served Edward Fine, M.D. on September 18, 1992 at 9:08 AM by handing copy of Summons to Carol Morris, Receptionist, at his place of business, 381 Chestnut Street, Meadville, Crawford County, PA.
Served David Dunn, M.D. on September 18, 1992 at 9:09 AM by handing copy of Sumons to Carol Morris, receptionist, at his place of business, 381 Chestnut Street, Meadville, PA
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Collins, Sheriff

Oct. 5, 1992 Appearance of Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc. by John M. Quinn, Jr. for Meadville Medical Center filed.

Oct. 5, 1992 UPon praecipe of Atty. Quinn Rule is hereby issued for Plaintiff To file A Complaint Issued.

Oct. 28, 1992 Appearance of J. Douglas Murphy for Defendants David W. Dunn, M .D., Edward M. Fine, M.D., and Robert A. Driscoll, M. D., filed.

Oct. 28, 1992 PRAECIPE FOR A RULE TO FILE A COMPLAINT, filed.
Oct. 28, 1992 issued Plf. atty

Nov 5, 1992 PRAECIPE FOR NOTIFICATION OF COUNSEL'S CHANGE OF ADDRESS, filed.

Jan. 11, 1993 Complaint in Civil Action on Behalf of Plaintiffs filed.

Mar. 11, 1993 Appearance of Knox, McLaughlin, Gornall & Sennet, P.C. by Mark E. Mioduszewski for David Dunn, M.D. and Edward Fine, M.D. filed.

Mar. 12, 1993 Withdrawal of Appearance of J. Douglas Murphy for Defendants David W. Dunn, M. D. and Edward M. Fine, M. D. filed.

May 11, 1993 Appearance of Trushel, Klym & Olszewski by Edward D. Klym, Esquire for Robert A. Driscoll, M.D., filed.

May 12, 1993 Withdrawl of Appearance of J. Douglas Murphy for Robert A. Driscoll, filed.

June 28, 1993 Meadville Medical Center's Preliminary Objection To Plaintiff's Complaint filed.

June 28 1993 Upon praecipe of Defendant Medical Center's Attorney the above matter is placed on the next available Argument List.

1993 JULY ARGUMENT LIST.

July 2, 1993 Preliminary Objections of Defendants, David Dunn, M.D. and Edward Fine, M.D. filed.

July 2, 1993 Praecipe for Argument LIst, filed.

July 8, 1993 Notice of Service of Interrogatories, filed.

Aug. 23, 1993 Upon Praecipe of William J. Begley, Attorney for Plaintiffs, appearance withdrawn. And...appearance of Cheryl L. Esposito, Attorney for plaintiffs filed.

Oct.6, 1993 Notice of Service of Plaintiff's First Set of Interrogatories Directed to Defendants David Dunn, M.D., Edward Fine, M.D. and Robert A. Driscoll, M. D. filed.

Oct. 6, 1993 Notice of Service of Plaintiff's First Request for Production of Documents Directed to Defendant, Meadville Medical Center, filed.

Oct. 22, 1993, MEMORANDUM AND ORDER filed. ORDER: AND NOW, Oct. 22, 1993, plaintiffs are directed to amend their complaint with respect to paragraphs 46(a), (b) (with respect to filaure to properly treat aneurysm only), (f), (l), (m), (n), (t), (v) and (w) (with respect to failure to provide proper treatment only). All other preliminary objections of defendant MMC are dismissed.
Plaintiffs are directed to amend their complaint with respect to Paragraphs 27(a), (i), (k), (l), (m), (o) and (p). All other preliminary objections of Defendants dunn and Fine are dismissed.
Plaintiffs are directed to amend their complaint with respect to Paragraph 35(m) and Defendant Driscoll's objection to Paragraph 35(e) is denied.
All such amendments shall occur within 20 days of the date of this order.
BY THE COURT,
Anthony J. Vardaro, J.
Oct. 22, 1993, copies dist. to all counsel of record.

Continued on page 446A

Nov. 9, 1993 Plaintiff's First Amended Complaint in Civil Action, filed.

Nov. 29, 1993, NOtice of Service of Answers to Interrogatories Directed to Defendant, Robert A. Driscoll, M.D. FILED.

Dec. 3, 1993 Defendant's, Meadville Medical Center, Answer to Plaintiffs' Complaint, filed.

Dec. 8, 1993 Answer and New Matter To Plaintiffs' First Amended Complaint filed.

Dec. 23, 1993 Reply to New Matter of Defendant,Meadville Medical Center, filed.

Jan. 6, 1994 Reply To New Matter of Robert A. Driscoll, M.D. filed.

Donna Winger and Daniel Winger, her husband

vs.

Meadville Medical Center et al

Record continued from page 446

of record

A.D. 1992 - 896

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Jan. 11, 1994 Answer and New Matter to Plaintiff's First Amended Complaint filed.

Jan. 14, 1994 Defendant Meadville Medical Center's Reply to New Matter of Defendants Dunn and Fine, filed.

Jan. 26, 1994 Reply to New Matter of Defendants, David Dunn, M.D. and Edward Fine, M.D., filed.

Jul. 5, 1994 Notice of Deposition of Sylvaia Mesarch, Meadville Medical Center Medical Records Director, filed.

Oct. 23, 1995, Response to Motion of Plaintiffs counsel to Withdraw Appearance filed.

Oct. 25, 1995, Response to Motion of Plaintiffs' counsel to withdraw Appearance filed.

Oct. 26, 1995, Response to Motion of Plaintiff counsel to withdraw Appearance filed.

Oct. 30, 1995, Motion to Withdraw Appearance of Franklyn E. Conflenti, Esq. now deceased, and the law firm of Cauley and Conflenti as counsel for record for the plaintiffs and order of court filed. ORDER: AND NOW, to-wit this 27 day of Oct. 1995, upon motion of Seymour a. Sikov, Esq. court-appointed Admin. of the law firm of Cauley and Conflenti or Franklyn E. Conflenti, Esq. now deceased, and of the other members of said law firm be and are hereby permitted to withdraw its and their appearances of record as counsel for the plffs, the Prothonotary of this court hereby being directed to strike the name of this law firm from and of the members thereof the record as counsel fo r the plffs.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that plaintiffs be and are hereby given ninety (90) days from the date of this order to obtain new counsel to represent them in the within action, all proceedings to be stayed during that period of time; thereafter, counsel for the dfts. may take such action as they deem necessary and appropriate to proceed with this matter.

This order is without prejudice to the dfts. to, if necessary, in the future move to exclude certain time periods from delay damages undertaken. Antyony J Vardaro J.

Oct,. 31, 1995, copies mailed to attys. sikov, Quinn, Klym, Mioduszewski.

Nov. 2, 1995, Amended REsponse to Motion of Plaintiffs' Counsel to Withdraw Appearance filed.

Nov. 2, 1995, Amended REsponse to Motion of Plaintiffs' Counsel for Leave to Withdraw Appearance filed. (on behalf of dfts. Dunn and Fine)

Nov. 16, 1995 Amended Response to Motion of Plaintiffs' Counsel to Withdraw Appearance filed.

Nov. 16, 1995 ORDER filed. AND NOW, November 16, 1995, the motion of Robert M.Driscoll, M.D. to exclude from the calculation of delay damages pursuant to Pa. R.C.P. 238. The period of time from the date of Attorney Conflenti's death to the date when new counsel appears for the plaintiff is denied without prejudice to file said motion or to raise said matter at a later, more appropriate time.

We believe the issue of delay damages should be treated when they normally become an issue.

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

Nov. 16, 1995 Copy mailed Attys.Sikov, Mioduszewski, Quinn, Jr.

Mar. 22, 1996 Notice of Service of Expert Interrogatories, filed.

May 6, 1996 Praecipe for Argument List filed. (not placed on Arg. list because brief was not filed at this time)

May 6, 1996, Motion for Sanctions filed.

Brief filed May 28, 1996

May 15, 1996 Praecipe for Argument List filed.

May 15, 1996 Motion for Sanctions filed.

May 15, 1996 Brief in Support of Motion for Sanctions filed.

June 7, 1996, Motion on Behalf of Defendants, David Dunn, M.D., and Edward Fine, M.D., for Sanctions, filed.

June 7, 1996, Upon praecipe of counsel for David Dunn and Edward Fine, M.D.'s, this above motion placed on next Argument List.

ON ARGUMENT LIST FOR JULY 1996

June 25, 1996 Memorandum and ORDER filed. AND NOW, June 25, 1996, upon consideration of Motions for Sanctions filed by each Defendant, it is ordered and directed that the Plaintiffs within 90 days of service of a copy of this Order and attached Memorandum upon them, shall answer all outstanding discovery and shall specifically provide each of the Defendants, through their counsel, the name of any expert or experts they intend to call at trial and shall provide a written report for each such expert.

If the Plaintiffs have not done so by that deadline, unless there is further Order of Court prior to that 90 day deadline, at the expiration of the same, this case will be dismissed with prejudice upon the filing of a Certificate of Service or Sheriff's Affidavit as to the date of service of this Order and attached Memorandum upon the Plaintiffs and upon filing of a Certification by counsel for each Defendant that the discovery responses required by the Order have not been provided within the 90 day time limit.

Counsel for the Defendant shall arrange to serve a copy of this Order and the attached Memorandum upon the Plaintiffs by Certified mail, return receipt requested, addressee only, at R.D. #1, Box 133A, Cochranton, PA 16314. If a return receipt is not obtained containing the signature of at least one of the Plaintiffs, the Defendants shall arrange to have a copy of this Order and the attached Memorandum personally served upon the Plaintiffs by the Sheriff of Crawford County or one of his Deputies.

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

6-25-96 MAILED Kisak, Mioduszewski, Llym, & Pltfs.

CONTINUED ON PAGE 446-B

1992 TERM

896	DONNA WINGER AND DANIEL WINGER, her husband VS. MEADVILLE MEDICAL CENTER, DAVID DUNN, M.D., EDWARD FINE, M.D., and ROBERT A. DRISCOLL, M.D., defendants	CONTINUED FROM PAGE 446-A OF RECORD A. D. 1992 - 896

July 11, 1996 Affidavit in Support of Certified Mail Receipt filed on behalf of Defendant filed.

Oct. 9, 1996, Affidavit in Support of Certified Mail Receipt filed.

Oct. 9, 1996, Motion to Dismiss Filed on Behalf of Defendant, Meadville Medical Center, filed.

Oct. 9, 1996, Upon praecipe of attorneys for Meadville Medical Center, Motion to dismiss placed on next argt. list.

ON ARGUMENT LIST FOR NOVEMBER 1996

Oct. 16, 1996 Motion to Dismiss on behalf of Defendant, Robert A. Driscoll, M.D., filed.

Oct. 16, 1996 Upon Praecipe of defendant attorney on behalf of Robert A. Driscoll, M.D., this case placed on next Argument List.

O N N O V E M B E R 1 9 9 6 A R G U M E N T L I S T

Oct. 22, 1996 Motion On Behalf of Defendants, David Dunn, M.D. and Edward Fine, M.D. to Dismiss filed.

Oct. 22, 1996 Upon Praecipe of Mark E. Mioduszewski, attorney on behalf of defendants, David Dunn, M.D. and Edward Fine, M.D., this case placed on next Argument List.

Oct. 31, 1996 Order filed. AND NOW, to-wit, this 30 day of October, 1996, upon due consideration of Defendant, Robert a. Driscoll, M.D.'s Motion to Dismiss, it is hereby ORDERED, ADJUDGED and DECREED that Plaintiffs' above-captioned action against Defendant, Robert A. Driscoll, M.D., is dismissed with prejudice.
Anthony J. Vardaro, J.
10-31-96 FAXED All Counsel & MAILED Pltfs.

Oct. 31, 1996 ORDER filed. AND NOW, to-with this 30 day of October, 1996, upon due consideration of the motion of the defendants, David Dunn, M.D. and Edward Fine, M.D., to dismiss, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the plaintiffs' above captioned action against the defendants, David Dunn, M.D. and Edward Fine, M.D., is dismissed with prejudice.
BY THE COURT:
Anthony J. Vardaro, J.
10-31-96 FAXED All counsel & MAILED Pltfs.

Oct. 31, 1996 Order filed. AND NOW, to-wit, this 30 day of October, 1996, upon due consideration of Defendant, Meadville Medical Center's, Motion to Dismiss, it is hereby ORDERED, ADJUDGED and DECREED that Plaintiffs' above-captioned action against Meadville Medical Center is dismissed with prejudice.
Anthony J. Vardaro, J.
10-31-96 FAXED All Counsel & MAILED Pltf.

1992

Dale, Woodard, Montgomery, Greenfield & Pemrick
Raymond S. Woodard

897

Culbertson, Weiss, Schetroma & Schug
E. Max Weiss

WILLIAM M. WINDSCHMITT and BECKY L. WINDSCHMITT, his wife

vs.

ELAINE A. DUNCAN

Filed September 17, 1992
@ 2:06 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	28.00
Pro Co pd 5/22/97	6.00

WRIT OF SUMMONS
Issued Sheriff

Feb. 22, 1993 SHERIFF'S RETURN, filed. Summons returned to Prothonotary Feb. 22, 1993. Sheriff's Office received no instructions for service.
So answers. Robert M. Stevens, Sheriff

Feb. 25, 1993 Writ of Summons reissued.

Mar. 30, 1993 SHERIFF'S RETURN filed. SERVED Elaine A. Duncan personally on March 8, 1993 at 2:06 PM by handing her a copy of the Summons at the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, Pa.
So answers, Diane Severo, Deputy Sheriff
Robert M. Stevens, Sheriff

Mar. 20, 1996 Complaint filed.

Apr. 1, 1996 Appearance of Culbertson, Weiss, Schetroma and Schug, PC by E. Max Weiss for Defendant filed.

April 9, 1996 Notice of Service of Interrogatories and Request for Production of Documents filed.

Apr. 11, 1996 Answer and New Matter filed.

May 15, 1996 Reply to New Matter filed on behalf of Plaintiffs filed.

May 15, 1997 Upon praecipe of Plaintiff Attorney the above-captioned action is marked settled and discontinued of record.

1992

Brian j. Lindsay (filed brief)

~~Robert J. Felton~~ withdrawn

~~Mark D. Richmond~~

~~Christine Fuhrman Konzel~~ WITHDRAWN

898 Roeder & Rothschild

Tamera Ochs Rothschild

James R. Irwin

LEON CARL SAXTON

vs.

KATHY J. SAXTON

Filed September 17, 1992
@ 2:17 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
3 Add'l Counts pd	45.00
User's fee paid	15.00
Bruce Smith, Mediator	202.33
Pro co Pd 5-20-93 Ck#7505	9.00
~~Bettie Peterson Muth, Master~~ withdrawn	
Pro Co pd 12-20-94	9.00
Pro Co pd 1-20-95	5.00

3-23-93 Received dft mediator fees dft. 150 ad

4-26-93 Pd Ltf Refund Check Filed Fee Ck#7505 79.00

5-20-93 Pd CC Com. Ck# 7559 Med Fee 67.00

5-25-93 Received from Pltf Med Fees 135.33

6-28-93 Pd CC Com Ck#7634 Med Fee 135.33

2-28-94 Received from Pltf (all Master Fees for Pltf & dft) 1850.00

11-7-94 Pd Pltf Refund #8653 855.00

11-7-94 Pd Master #8654 195.00

COMPLAINT IN DIVORCE
1 copy (atty)

Oct. 16, 1992 affidavit of Service filed. I. Robert J. Felton, Esquire, Attorney at Law, 144 West Spring Street, P.O. Box 648, Titusville, Pennsylvania, do hereby certify that, in my capacity as attorney for the plaintiff in the above-captioned matter, served a certified copy of the DIVORCE complaint in this matter on September 18, 1992, by sending defendant the same by certified mail no. P. 066 497 402, return receipt requested. A complaint was mailed to the defnedant on Thursday, September 18, 1992, as reflected in the receipt for mailing and the return receipt attached hereto. Robert j. Felton

Mar. 11, 1993 Petition For Related Claims Under Divorce Code filed. (Equitable Distribution,Alimony, Alimony Pendente Lite, Counsel Fees, costs and Expenses, Custody)

Mar. 23, 1993 Motion For Hearing Defendant's Claim For Custody and Order, filed. ORDER: AND NOW, this 15th day of March, 1993, Bruce L. Smith is hereby appointed custody mediator to hold such mediation conferences as he may deem appropriate and to make a report thereon together with his recommendations to the court.
Gordon R. Miller, P.J.

Mar. 24, 1993 copy to R. Felton, B. Smith

Mar. 24, 1993, Appearance of Brian J. Lindsay, attorney for Plaintiff filed.

Mar. 26, 1993 Petition for Special Relief, filed.

Mar. 26, 1993 Order filed. AND NOW, March 26, 1993, the Defendant is ordered and directed to return to the custody of the Plaintiff father the minor child, Calvin Lee Saxton, at 5:00 P.M. on Sunday, March 28, 1993. The father shall pick up the child at mother's residence at that time.

Thereafter, pending a temporary order as a result of mediation in this matter, the said child shall remain in the primary physical custody of his father with the Defendant mother to be afforded reasonable visitation by telephone and each weekend beginning on Friday at 5:00 P.M. through Sunday at 5:00 P.M.

For such temporary custody exchanges, the party receiving custody of the child shall pick up the child at the other party's residence.

This order is only intended to remain in effect pending a temporary order as a result of mediation and our decision with regard to this matter should not be construed by a mediator or by a Judge hearing this matter de novo if that should occur as any indication of o ur feelings concerning the ultimate dispositton of this matter it only being our intention to maintain the status quo as we understood it to be prior to March 7, 1993. BY THE COURT:
Anthony J. Vardaro, J.

Mar. 26, 1993 copies distributed to Lindsay & Gamble

Apr. 14, 1993 Affidavit of Consent of Defendant, filed.

Apr. 22, 1993 TEMPORARY ORDER OF COURT, filed. AND NOW, THIS 19th day of April, 1993, after Mediation and upon recommendation of the Child Custody Mediator, it is hereby ordred and decreed that:

1. The natural parents of Christopher Saxton, age thirteen, born Nov. 22, 1979, and Calvin Lee Saxton, born Jan. 22, 1984, 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 imput with regard to the educationsl 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 father, Leon Carl Saxton. Regular visitation and temporary custody of the children shall be granted to the defendant mother, Kathy J. Saxton. Physical custody for the defendant mother shall be as follws:

a. With regard to the child, Christopher, he shall be available to visit in the home of the natural mother on the second Saturdayof May, 1993, from 9:00 a.m. through 8:00 p.m., prevailing time. Beginnign in June, 1993, full weekend visitation on the second weekend of each month shall also apply to Christopher, with the more extensive visitation on the first, second, and fourth weekend of each month being recommend for the younger child, Calvin.

b. The child, Calvin, shall be available to visit with the mother durign the first, second, and fourth weekends of each month from 5:00 p.m., previling time, Friday, through 7:00 p.m., prevailing time, Sunday.

c. Beginning with the summer of 1993, the child, Calvin, shall spend the first two full weeks of each month of June, July, and August with the mother without interruption from or visitation with the father. During the first full week of July, 1993, the child, Christopher, shall also be in the custody of the mother; however, the other periods of summer visitation shall not appply to Christopher for 1993 and shall not apply to any other summers without modification of this Order.

d. Holiday visitation shall have priority over other regular 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. These days shall begin at 8:00 a.m. and end at 8:00 p.m., prevailing time. The children shall spend the beginning of the Easter recess until 2:00 p.m., prevailing time, Easter Sunday, with the mother and the rest of the Easter recess with the father. With regard to Thanksgiving, the children shall be with the mother form 3:00 p.m., prevailing time, the day before Thanksgiving until 8:00 p.m., prevailinga time, the day after Thanksgiving. At that time, they shall return to the father for the balance of the weekend. With regard to Christmas, beginnign in 1993, the children shall be with the mother from 5:00 p.m., prevailing time, on December 24 until 2:00 p.m., prevailing tiem, on Christmas Day. At that time, they shall return to the custody of the father until December 28 at noon, prevailing time, at which time they shall return to the mother's home through the end of the Christmas recess. With regard to the other holidays, including New Year's Day,

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LEON CARL SAXTON
VS.
KATHY J. SAXTON

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Memorial Day, the 4th of July, and Labor Day, the children shall spend new Year's Day and Memorial Day with the mother and the 4th of July and Labor Day with the father during odd-numbered years. These holidays shall be reversed in even-numbered years. These days shall run from 8:00 a.m. through 8:00 p.m., prevailing time.

e. The parent receiving the children shall be required to go to the other parent's residence and provide transportation to his or her 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 either child 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 character or which would be commonly thought of as dangerous to their physical persons. This prohibition shall extend to taverns where to primary source of income is from the sale of alcoholic beverages, but not to restaurants which have a sideline to sell alcohol with the primary source of income coming from food.

5. The parents are encouraged to discuss arrangements for physical custody of the children; and, if the parties mutually agaree 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, any grandparent, or 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 or her child or children. This natural love and respect shall extend to the development of such love and respect for grandparents. No adult coming into regular contact with the children will do or say anthing to blacken the character of either parent, grandparent, or boyfriend or girlfriend of either parent in the eyes of the children.

7. Neither parent having primary physical custody of the children shall drink more than two ounces of alcohol in any twenty-four hour period. Neither parent shall allow any adult to consume more than two ounces of alcohol in the living quarters where the children will be staying while in his or her custody.

8. This Order shall not prejudice the right of either party to request further Mediation if there are changed curcumstances in the lives of the parties or the children or in the event that the best interest of either 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 either 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 67% by the plaintiff father **and 33% by** the defendant mother. Any amount in excess of the father's or mother's share of the cost of Mediation held by the Prothonotary of Crawford County under Local Rules shall be refunded or him or her after the court has signed this Temporary Order.

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, J.

May 3, 1993 copy to B. Lindsay, A. Gamble, B. Smith, Plf. & Dft.

May 12, 1993 Request for De Novo Hearing and Order, filed. ORDER: AND NOW, this 10th day of May, 1993, the above Request for Hearing De Novo is hereby granted and shall be scheduled on the 27th day of May, 1993, at 2:00 p.m., in Courtroom 1 or 2 at the Crawford County Courthouse.

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

May 13, 1993 copy given to Lindsay. May 17, 1993 copy to B. Smith

May 27, 1993 Motion to Reschedule De Novo Hearing and Order filed. AND NOW, this 26th day of May, 1993, the De Novo hearing is rescheduled for the 25th day of June, 1993, at 9:15 A.M., in Courtroom 1 or 2 at the Crawford County courthouse

FOR THE COURT,
Ann A. Walker, C.A.

June 2, 1993 Copies of order to Atty's Lindsay, Gamble and Smith

June 18, 1993 Motion to Withdrawal as Counsel and Order, filed. ORDER: And now, June 18, 1993, granted in so far as the Plaintiff's attorney has represented in accompanying letter that hte Plaintiff is aware of this Motion and has obtaifned other counsel.

Anthony J. Vardaro, J.

June 24, 1993 copy to R. Felton, B. Lindsay, B. Smith

June 21, 1993 Motion To Withdraw Request for De Novo Hearing and Order, filed. ORDER: AND NOW, this 21 day of June, 1993, the Motion to Withdraw Request for De Novo Hearing is hereby granted. Anthony J. Vardaro, J.

June 24, 1993 copy to B. Lindsay, B. Smith

July 22, 1993 Affidavit of Consent of Plaintiff, filed.

Nov. 15, 1993 Inventory andAppraisement of Leon Carl Saxton, filed.

Dec. 10, 1993 Petition For Contempt For Violation of Custody Order and Orders filed. Legal proceedings have been brought against you alleging you have wilfully disobeyed an order of court for (custody) (partial custody) (visitation) If you wish to defend against the claim set forth in the following pages, you may but are not required to file in writing with thecourt 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, December 28, 1993, at 1:30 o'clock p.m., in Courtroom 2, Crawford County courthouse, Meadville, Pennsylvania.

IF YOU DO NOT APPEAR IN PERSON, THE COURT MAY ISSUE A WARRANT FOR YOUR ARREST.

If the court finds that you have wilfully failed to comply with its order for (custody) (partial custody) (visitation), you may be found to be in contempt of court an doommited to jail, fined or both.

YOU SHOULD TKAE 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, Crwaford County Courthouse Meadville, PA 16335 Telephone No. (814)336-1151, ext 298.

BY THE COURT:
Anthony J. Vardaro, J

Rule To Show Cause Why Petition For contempt For Violation of Custody Order Should Not Be entered filed. AND NOW, this 9 day of December, 1993, upon Petition of Kathy J. Saxton, Petitioner, and upon consideration of the within Petition for Contempt for Violation of Custody Order, a rule to show cause why an order granting the relief requested in said Petition should not be entered against Respondent, Leon Carl Saxton.

A hearing to show cause is set for the 28th day of December, 1993, in Court Room No. 2 of the Crawford County Courthouse, 903 Diamond Square, Meadville, Pennsylvania, at 1:30 p.m. o'clock

BY THE COURT,
Anthony J. Vardaro, J

Dec. 16, 1993 Copies of order to Atty's Lindsay, Smith and Rothschild.

Dec. 23, 1993 Motion to Continue and ORDER filed. AND NOW, this 22nd day of December, 1993, the Hearing set for December 28, 1993 at 1:30 P.m.is set for the 28th day of January, 1994, in Court Room No.2 of the Crawford County Courthouse, 903 Diamond Square, Meadville, Pennsylvania at 1:30 P.M. o'clock.

BY THE COURT:
Anthony J. Vardaro, J.

1-5-94 Copy of Order toAttys. Lindsay, Smith & Rothschild.

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-b-

1992

Leon Carl Saxton
vs.
Kathy J. Saxton

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Dec. 17, 1993 Motion for Appointment of Master in Divorce, filed.

Jan. 4, 1994 Memorandum and Order, filed. ORDER: AND NOW, January 4, 1994, the motion of the Plaintiff for appointment of master in divorce is denied. Both parties shall file an income and expense statement within 30 days of this date and the Defendant shall file an inventory and appraisement within 30 days from this date.

Thereafter, either party may move the Court for the appointment of a master. BY THE COURT,
Anthony J. Vardaro, J.

Jan. 11, 1994 copy to B. Lindsay & T. Ochs-Rothschild

Jan.6, 1994 Budget Information of Leon Carl Saxton,Plaintiff, filed.

Feb. 2, 1994 ORDER filed. AND NOW, January 28, 1994, this matter is before the Court on a Petition filed for contempt for violationof a custody Order by the Petition/Defendant in this action.

After informal hearing, which includes formal testimony from both children, we decline to hold the Plaintiff/Respondent in contempt of court. However, it is obvious to this Court that there needs to be some adjustments, at least temporarily, with respect to the Order entered after mediation on April 19, 1993. Since the time of that Order, the parties have reached a point where the mother has not been visiting with the children since approximately July of 1994. Since the time of that Order, the parties have reached a point where the mother has not been visiting with the children since approximately July of 1993.

We will enter a temporary Order this day to take the place of the Order of April 19, 1993 for the time being, and that Order of April 19, 1993 is suspended but not abandoned by this Court.

Accordingly, we will first adopt as part of our temporary Order to remain in effect until our next review Paragraphs 1, 3,4,5,6, and 7 of the temporary Order of April 19, 1993.

Additionally,with respect to Paragraph 1, any School District in which the boys are students are ORDERED and DIRECTED to comply with the requirements of this joint custody order requiring that they share all records pertaining to both children equally with both parents.

Additionally, with respect to Paragraph 6, we ORDER and DIRECT that the parties at no time discuss any domestic relations disputes that they are having with one another in front of the children, and they shall direct each and every other person with whom they have contact and whom they may influence, likewise, not to do so since it is clearly not in the best interest of these children to be concerned with any disputes that their parents may be having as a result of their dissolution of their marriage.

Pending further Order of Court, primary physical custody of the children shall remain with their father, Leon Carl Saxton. Regular periods of temporary custody of the childrenshall be granted to the Defendant/Mother, Kathy J. Saxton, as follows:

1. Beginning on January 30, 1994, the natural mother shall have custody of both children beginning at 1:00 p.m. and continuing until 3:00 p.m. and such arrangement shall continue every other Sunday for a total of three (3) visits.

After the last of those three visits,there shall not be a visit on the next Sunday,and the following Sunday, mother shall have the first of three (3) visits from 1:00 p.m.until 5:00 p.m. again, every other Sunday.

At the conclusion of the third visit, the following Sunday will not be a visitation Sunday, but the following Sunday after that mother shall have temporary custody of the children from 10:00 a.m. until 6:00 p.m.,which shall continue every other Sunday for two (2) visits, including the first visit.

So that it is clear, the Court contemplates a total of eight (8) visits with a visit to occur every other Sunday beginning January 30, 1994.

In addition to those periods of temporary custody, in the event Mother's Day falls on a Sunday, which is not a normal period of temporary custody for mother, she shall have a period of temporary custody on Mother's Day from 3:00 p.m. until 7:00 p.m.

2. For each and every period of temporary custody, father shall drop the children off at mother's residence and remain outside in the car until the children have gone into mother's residence.

Likewise, at the end of each visit, mother shall drop the children off and remain in the car at father's residence and wait until the children have gone bac k into father's residence.

During such exchanges, the parents shall have not contact whatsoever with one another nor shall they procure anyone else to have any contact with the other parent.

3. No party at any time shall exercise any excessive physical abuse and the children shallnot have marks of any kind on their bodies from any sort of discipline.

The Court cannot direct the manner in which parents discipline their children, but we would note that we do not think it is appropriate to inflict any physical punishment on children at this age.

4. No party shall expose any part of their body to the children in such an in appropriate manner and each parent shall respect the privacy of the children with respect to their bodies.

5. Father shall this day provide his current telephone number to mother and shall shall be permitted to call the children two (20) times per week and speak to them for fifteen (15) minutes each time. That fiteen minutes shall be a total and shall be shred between the two children.

When mother calls, she shall ask for the children, and the parties shall not have any other conversation,but father or whoever answers at father's residence shall put the children on the telephone line immediately, and mother shall not have any words with anyone other than to ask that the children be put on the line.

The parties shall not use this telephone opportunity to discuss nor argue about any of the problems that they are having with respect to their marital dissolution.

In the event father's telephone number changes,he shall notify mother of that change within twenty-four (24) hours, and likewise, in the vent that mother's telephone number changes, she shall notify father of her telephone number within twenty-four (24) hours so the parties may be in contact at all times with respect to the children if necessary and only with respect to the children.

6. By mother's agreement during the period of these eight (8) periods of temporary custody, the mother's friend, Rick Clingerman, shall not be present, and this is ordered because we believe it will halp in the transition period of re-establishing a relationship with the boys and not because we make any determination that Rick Clingerman would be inappropriate to be around the boys.

7. Father is DIRECTED to make sure that any mail that arrives at the residence from the mother for the boys is forwarded directly to the boys in a prompt manner without being opened.

8. The mother is DIRECTED to expore any and all available programs for counseling for both herself and the boys that may aid in helping her to develop a more effective relationship with both children, whether such possible programs may be offered within the school or outside the school, and shall take advantage of all such programs, the Court recognizing that the only problem with doing so may be the cost of such programs, and she shall make every effort to find programs that are eith cost free or fit within her budget.

Inthe event that mother and children are involved in such cousneling, and the counselor deems it advisable that father get involved,he is DIRECTED to participate as required.

9. The Court notes as we have indicated we decline to hold the Father/Plaintiff in contempt this day, but he is advised that this is an Order of Court, and father shall at all times cooperate in seeing to it that the boys go for all periods of temporary custody with their mother, and in the event that he does not do so, we would certainly consider contempt proceedings in the future.

10. The Court Administrator of Crawfore County is DIRECTED to schedule a hearing in this matter on or about May 15, 1994 before the undersigned for the purpose of reviewing this Order to determine how things have worked and what should be done in the future on an ongoing basis.

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1992 TERM

Leon Carl Saxton
vs.
Kathy J. Saxton

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This will be an informal review hearing, but the parties are DIRECTED to have both children available so that the Court may discuss with them the matter as it has proceeded.

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

2-2-94 Copies dist.to Ann Walker by Ct., Also to Rothchild & Lindsay.

Feb.3, 1994 Certificate of Service filed. On February 2, 1994, I mailed a true and correct copy of Defendant's Inventory and Income and Expense statement by U.S.First Class regular mail, postage prepaid, to Plaintiff's Counsel of record, addressed as follows: Brian J. Lindsay, Esq.,
Peters, LIndsay, Lewis & Gagliotti
311 Walnut Street, Meadville, PA 16335

I make this statement pursuant to 18 Pa. C.S.Section 4904 relating to unsworn falsification to authorities and understand that false statements may subject me to criminal penalties under that statute.
Date: February 2, 1994
Tamera Ochs Rothschild, Esq.

Feb. 3, 1994 Inventory of Defendant, Kathy J. Saxton, filed.

Feb. 3, 1994 Crawford County,Pennsylvania Domestic Relations Section Budget Information, filed.

Feb. 8, 1994 Motion for Appointment of Master in Divorce and ORDER APPOINTING MASTER FILED. AND NOW, FEbruary 8, 1994, Bettie Peterson Muth, Esquire is appointed Master in respect to the following claims:
Divorce, Alimony, Counsel Fees, Costs & Expenenses & Eq. Distribution
Deposit required: By Plaintiff $ 700 ; By Defendant $350 ;
PER CURIAM,
Anthony J. Vardaro, Judge

Feb. 9, 1994 Copy of Order to Attys. Lindsay, Rothschild & Peterson-Muth.

Feb. 8, 1994, ORDER filed. ANDNOW, this 7 dayof Feb. 1994 the Court Administrator having been directed by the curt to set a review hearing in the above matter, hereby sets May 20, 1994 at 3:00 p.m. in C. R. No. 2, Crawford County courthouse, Meadville, Pa.
FOR THE COURT,
Ann A. Walker, Ct. Adm.
Feb. 9, 1994, copies dist. to Lindsay and Rothschild.

Feb. 11, 1994 Petition For Special Relief and Order filed. AND NOW, February 11, 1994, upon presentation and consideration of the foregoing Petition for Special Relief, a Rule is entered upon the Defendant to show cause, if any she has, why the prayer of the Plaintiff should not be granted.
THIS RULE IS RETURNABLE ON February 25, 1994, in Courtroom No. 1 or 2 of the Crawford County Courthouse, Meadville Pennsylvania at 9:15 o'clock A.M.
BY THE COURT,
Gordon R. Miller, J

Feb. 11, 1994 Copies dist. to attys. Walton and White

Feb. 28, 1994 Motion to Withdraw of Brian J. Lindsay, Esquire, Counsel for Defendant, and ORDER filed. AND NOW, this 28 day of February, 1994, the Motion to Withdraw is granted.
BY THE COURT:
Anthony J. Vardaro, J.

3-3-94 Copy of Order to Attys. LIndsay,Rothschild & Peterson-Muth

Feb. 28, 1994 ORDER filed. AND NOW, February 25, 1994, this matter is before the Court on Plaintiff's Petition for Special Relief. The petition regards problems that have arisen subsequent to our January 28, 1994 Order with sregard to creating visitation with both children and their mother.

After informal hearing, as well as formal testimony from Chris Saxton, the older child, we decline to grant the relief requested. But in order to help the parties to better comply with our Order of January 28, 1994, the followisng Order is entered:

1. During any telephone conversations between the naturall mother and the children, there shall be no conference call used and there shall be no person other than the other child on any extension phone, it being the Court's clear intention that conversations take place between mother and one or both boys and nothing else.

2. No party shall threaten to record any telephone conversation nor shall any party record any telephone conversation.

3. Neither party may discussd any terms of this Court Order nor the prior Court Order of January 28, 1994, nor any other Court Order directly with either child. If the parties have questions with respect to the Court Orders or if a child asks the parties questions with respect to a Court Order, the parties shall consult his or her respective attorney and shall not directly talk to the child unless it is upon advice of the attorney, with the attorney specifically indicating what can be said.

4. The parties shall recognize that when the children are in the home of the other party, they are subject to the supervision of that party and no party shall lead the chidlren in any way to believe that they do not have to obey their other parent.

5. No party shall in any way lead either child to believe that they do not have to comply with the terms and conditions of our Order of January 28, 1994, this Order or any other Order entered by this Csourt. BY THE COURT,
Anthony J. Vardaro, J

Mar. 3, 1994 copy to M. Richmond & T. Rothschild

Mar. 21, 1994 Appearance of Christine Fuhrman Konzel, Esquire, for Leon Carl Saxton, Plaintiff, filed.

Apr. 15, 1994 Motion For Contempt Of Custody Order and Request for Expedited Hearing Date filed.

Apr. 15, 1994 Order filed. AND NOW, April 14, 1994, upon consideration of the Defendant/Movant's motion for contempt and request for expedited heairng, the hearing currently scheduled for May 20, 1994 at 3:00 p.m. in Courtroom No. 2 at the Crawford County Courthouse is rescheduled for April 28, 1994, at 10:00 a.m. in Courtroom No. 2, Crawford County Courthouse.
In addition, a rule is entered upon the Plaintiff to show cause, if any he has, why he should not be held in contempt of this Court.
Said rule is returnable for hearing and argument at the same time and place set forth above for the review hearnig.
Pending this hearing, defendant's visitation with Christopher shall be temporarily suspended.
BY THE COURT,
Anthony J. Vardaro, J

Apr. 15, 1994 Copies dist. by Judge's Secretary

Apr. 29, 1994 ORDER filed. AND NOW, April 28,1994, this matter is once again before the Court this time on a motion for contempt of a custody Order and request for expedited hearing dat e filed by the Defendant/Mother.

The parties appear in court today represented by counsel and they agree to the entry of the following Order without an adjudication by the Court with respect to any contempt on behalf of the Plaintiff/Father.

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Accordingly, we enter the following Order:

1. This Order is intended to supplement our January 29, 1994 and February 25, 1994 Orders and those Orders shall remain in full force and effect to the extent that they are not modified specifically by this Order.

2. Effective this date, the Plaintiff/Fat her will immediately make an effort and become involved in counseling with the children either through the agency in which they are currently involved if that is possible or in some other manner so long as the intent of the counseling and purpose of the counseling is to aid everyone including both parties and the children in coping with the changing family circumstances. It is our intent that this counseling will make everything smoother with both parents as well as the significant others in the lives of each of the parents.

3. Effective immediately Plaintiff/Father will make arrangements for Christopher to become involved in a mental health evaluation and thereafter to participate in any and all mental health counseling that may be deemed necessary by professionals involved. The initial contact shall occur through the Meadville Medical Center, Mental Health Center and if counseling is appropriate, such counseling if possible may take place through a satellite office in Titusville with respect to the Meadville Medical Center, Mental Health Center. If that is not possible, then it will be necessary for Christopher to go directly to t ne Meadville Medical Center, Mental Health Center and that can occur during school hours if necessary. Likewise, if the counseling takes place in Titusville that,too, can take place during school hours.

4. So that our previous Orders are very clear, father currently has a significant other in his life who is Lori and mother has a significant other in her life who is Rick. All terms and conditions of this Order as well as our previous Orders shall extend to those individuals and specifically we note that no person including the parents or either one of their significant others shall interfere in any way with telephone calls between either child and the other parent and no party shall listen into those calss or tape record those calls or threaten in any way to tape record those calls. The purpose of telephone calls is for the parent not having custody of the child to be able to talk to the child freely without interference with any party whatsoever and the Court expects that will occur.

5. Effective on Sunday, May 1, 1994, Calvin shall visit with the Defendant/Mot her from 10:00 a.m. until 6:00 p.m. and during that visitation RickClingerman shall not be present. Calvin shall next visit with the Defendant/Mother on Sunday,May 8, 1994 from 10:00 a.m. until 6:00 p.m. and likewise, Mr. Clingerman will not be present. During any transportation with regard to those visits, Mr. Clingerman may be in the car.

6. Beginning on May 13, 1994 at 6:00 p.m. Calvin shall go to Defendant/Mother for a period of temporary physical custody with Defendant/Mother beginning on May 27, 1994 at 6:00 p.m. and ending on May 29, 1994 at 6:00 p.m. During these two periods of temporary physical custody,Mr. Clingerman will only be present each day from 5:00 p.m. until 12:00 noon the following day.

7. Beginning on the weekend of Friday,June 10, 1994 at 6:00 p.m., the Defendant/Mother shall have temporary physical custody of Calvin from 6:00 p.m. that day until 6:00 p.m. on June 12, 1994 and thereafter every other weekend for the same time period with no restrictions concerning whether Mr.Clingerman is present.

8. In entering this Order with respect to restrictions concerning Mr. Clingerman, we again note as we noted in our January 28, 1994 Order, while there have been some allegations of alleged abuse with respect to Mr. Clingerman, we have not found that to be the case and the only reason that we are imposing these continuing restrictions is to help introduce Mr. Clingerman into the visits with Calvinand the Defendant/Mother in a way that will most benefit nurturing of the relationship between Calvin and his mot her.

9. At this time all visitations with Christopher and the Defendnt/Mother will be suspended. They will resume again on June 26, 1994 from 2:00 p.m. until 6:00 p.m. and shall likewise continue every other Sunday thereafter until further Order of Court. These visitations will not resume if on or before June 15, 1994 any mental health counselor with whom Christopher is receiving treatment provides counsel for the parties in writing with an opinion that Christopher should not begin visiting with the Defendant/Mother again at thattime. If that occurs, and any party is not satisfied with that result, they may ask the Court for further hearing.

10. With respect to the weekends beginning May 13, 1994 and May 27, 1994, in addition to Mr.Clingerman being permitted to be within the home during the time periods indicated,he shall be permitted to participate in any transportation of Calvin with respect to those periods of temporary physical custody.

11. With respect to the Plaintiff/Father's participation in counseling, it is our specific intention and Order that Christopher and Calvin both continue with the support counseling they are now receiving and it is that counseling that father should become involved in, in some form.

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

4-29-94 Copies dist.to Rothchild & Richard. 5-3-94 Copy of Order to Attys. Smith & Peterson-Muth

May 4, 1994, AMENDED ORDER filed. AND NOW, Apr. 28, 1994, this matter is once again before the court this time on a motion for contempt of a custody order and request for expedited hearing date filed by the defendant/mother.

The parties appear in court today represented bycounsel and they agree to the entry of the following order without an adjudicaton by the court with respect to any contempt=on behalf of the plaintiff/father.

Accordingly, we enter the following order;

1. This order is intended to supplement our January 29, 1994 and Feb. 25, 1994 orders and those orders shall remain in full force and effect tothe extent that they are not modified specifically by this order.

2. Effective this date, the plaintiff/father will immediately make an effort and become involved in counseling with the children either through the agency inwhich they are currently involved if that is possible or in some other manner so long as the intent of the counseling and purpose of the counseling is to aid everyone including both parties and the children in coping with the changinf family circumstances. It is our intent that this counseling will make everything smoother with respect to the chidren and their relationship with both parents as well as the significant others in the lives of each of the parents.

3. Effective immediately plaintiff/father will make arrangements for Christopher to become involved in a mental health evaluation and thereafter to participate in any and all mental health counseling that may be deemed necessary by the professionals involved. The initial contact shall occur through the Meadville Medical Center, Mental Health Center and if counseling is appropriate, such counseling if possible may take place through a satellite office in Titusville with respect to the Meadville Medical center, Mental Health Center. If that is not possible, then it will be necessary for Christopher to go directly to the Meadville Medical Center, Mental Health Center and that can occur during school hours if necessary. Likewise, if the counseling takes place in Titusville, that, too, can take place during school hours.

4. So that our prev ious orders are very clear, father currently has a significant other in his life who is Lori and mother has a singnificant other is her life who is Rick. All terms and conditions of this order as well as our prev ious orders shall extend to those individuals and specifically we not that no person shall extend to those individuals and specifically we note that no person including the parents or either one of their significant others shall interfere in any way with telephone calls between either child and the other parent and no party shall listen into those calls or tape record those calls or threaten in any way to tape record those calls. The purpose of telephone calls is for the parent not having custody of the child to be able to talk to the child freely without interference with any party whatsoever and the court expects that will occur.

5. Effective on Sun. May 1, 1994, Calvin shall visit withthe defendant/Mother from 10:00 a.m. until 6:00 p.m. and during that visitation Rick Clingerman shall not be present. Clavin shall next visit with the defendant/Mother on Sun. May 8, 1994, from 10:00 a.m. until 6:00 p.m. and likewise, Mr. clingerman will not be present. During any transportation with regard to those visits, Mr. Clingerman may be in the car.

6. Beginning on May 13, 1994, at 6:00 p.m. clavin shall go to defendant/Mother for a period of temporary physical custody which period shall end on Sun. May 15, 1995 at 6:00 p.m. There shall be another similar period of temporary physical custody with defendant/mother beginning on May 27, 1994 at 6:00 p.m. and ending on May 29, 1994 at 6:00 p.m. During these two periods of temporary physical custody, Mr. clingerman will only be present each day from 5:00 p.m. until 12;00 noon the following day.

Record Cont 448E

Leon carl Sa xton

vs.

Kathy J. Saxton

Record continued from page 448 D

of

AD 1992 - 898

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7. Beginning on the weekend of Fri. June 10, 1994 at 6:00 p.m. the defendant /mother shall have temporary physical custody of Calvin from 6;00 p.m. that day until 6:00p.m. on June 12, 1994 and thereafter every other weekend for the same time period with no restrictions concerning whether Mr. clingerman is present.

8. IN entering this order with respect to restrictions concerning Mr. Clingerman, we again note as wer noted in our Jan. 28, 1994, order, while thre have been some allegations of alleged abuse with respect to Mr. Clingerman, wer have not found that to be the case and the only reason that we are imposing these continuing restrictions is to help introduce Mr. Clingerman into the visits with Calvin and the defendant/mother in a way that will most benefit nurturing the the relationship between Calvin and his mother.

9. At this time all visitations with Christopher and the defendant/mother will be süspended. They will resume again on June 26, 1994 from 2:00 p.m. until 6:00 p.m. and shall likewise continue wvery other Sunday thereafter until further order of court. These visitations will not resume if on or before June 15, 1994 any mental health counsel or with whom Christopher is receiving treatment provides counsel for the parties in writing with an opinion that Christopher should not begin visiting with the defendatn/mother again at that time. If that occurs, and any party is not satisfied with that result, they may ask the court for further hearing.

10. With respect to the weekends beginning May 13, 1994, and May 27, 1994, in addition to Mr. Clingerman being permitted to be within the home during the time periods indicated, he shall be permitted to participate in any transportation of Calvin with respect to those periods of temporary physical custody.

11. With respect to the plaintiff/father's participation incounseling, it is our specific intention and order that Christopher and Calvin both continue with the support counseling they are now receiving and it is that counseling that father should become involved in, in some form.

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

May 4, 1994, copies dist. to Attys. rothchild and Richmond.

May 24, 1994 Pre-Hearing Conference Memo filed.

Jun. 6, 1994 Upon Praecipe of Mark W.Richmond, Esquire,Attorney for the Defendant, his appearance is hereby withdrawn.

Aug. 16, 1994 Upon Praecipe of Christine Fuhrman Konzel, Esquire, Attorney for the Defendant, his appearance is hereby withdrawn.

Aug. 24, 1994 Appearance of Shafer, Swick, Bailey, Irwin & Stack by James R. Irwin for Defendant, filed.

Sep. 9, 1994 Motion to Modify Custody Order filed.

Sep. 9, 1994 Rule to Show Cause filed. AND NOW, this 8 day of September, 1994, upon motion of Roeder & Rothschild, attorneys for Plaintiff/Movant, and on consideration of the within Motion to Modify Custody Order, it is hereby ordered the Defendant/Respondent show cause why, if any, the prayer of the within Motion should not be granted.

Rule returnable for hearing and argument on the 23rd day ofSeptember, 1994, at 3:30 o'clock p.m., by Judge Vardaro in Court Room No. 2 of the Crawford County Courthouse, Meadville, Pennsylvania. If Defendant consents to the Motion to Modify Custody Order, the hearing and argument may be cancelled by motion of either party upon the filing on a signed consent.

BY THE COURT:
Anthony J. Vardaro

9-9-94 Faxed to Attys. Rothchild & Irwin

Sept. 23, 1994 Stipulation For Entry of Modified Custody Order and AMENDED COURT ORDER filed. AND NOW, Sept. 22, 1994, upon Movant's Motion to Modify Custody Order, it is hereby ORDERED that Kathy J. Saxton, Defendant/ Mother, discontinue visitation and custody of the children, Christopher Saxton and Calvin Lee Saxton.

Gordon R. Miller, J.

Sept. 23, 1994 Order FAXED to Attys. Rothchild and Irwin.

Nov. 1, 1994 Motion to Withdraw Request for Appointment of Master in Divorce and ORDER filed. AND NOW, this 31 day of October, 1994, the appointment of Bettie Peterson Muth, Esq. as master in the abovecaptioned divorce action is hereby withdrawn. The Prothonotary of Crawford is ordered to pay Attorney Muth her fees and refund the sum of $855 to the Plaintiff for unused Master's Fees in this matter, less any costs due to Prothonotary.

BY THE COURT:
Anthony J. Vardaro, J.

Nov. 1, 1994 Order FAXED Attys. Irwin, Muth, Rothchild.

Nov. 1, 1994Motion to Withdraw Request for Appointment of Master in Divorce , filed.

Nov. 30, 1994 Motion toWithdraw Count I and Count II of Defendant's Petition forRelated Claims under Divorce Code, and ORDER OF COURT filed. AND NOW, this 30th day of November, 1994,upon presentation of the foregoing Motion,it is hereby ORDERED that Count I - Equitable Distribution and Count II -Alimony, Alimony Pendente Lite, Counsel Fees, Costs and Expenses of Defendant's Petition for Related Claims under Divorce Code are hereby withdrawn.

Gordon R. Miller, Judge

11-30-94 Faxed Rothschild & Irwin

Dec. 16, 1994 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Dec. 22, 1994 AND NOW, this 21 day of December, 1994, it is ordered and decreed that LEON CARL SACTON, Plaintiff, and KATHY J. SAXTON, Defendant, are divorced from the bonds of matrimony.

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

Jan. 20, 1995 Notice of Resumption of Maiden Name Upon Divorce filed. Kathy J. Saxton TO BE KNOWN AS Kathy J. Webber

448
F

1992 **TERM**

1992

Robert J. Felton

899

MARIE H. SAXTON

vs.

PHILIP L. SAXTON

Filed September 17, 1992
@ 2:17 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro.Co. pd 11/25/92	9.00

COMPLAINT IN DIVORCE
1 copy (atty)

Oct. 16, 1992 Affidavit of Service filed. I, Robert J. Felton esquire, Attorney at Law, 144 West Spring Street, P.O. Box 648, Titusville, Pennsylvania, do hereby certify that, in my capacity as attorney for the plaintiff in the above-captioned matter, served a certified copy of the Divorce Complaint in this matter on September 18, 1992, by sending defendnat the same by certified mail No. P 066 497 405, return receipt requested. A complaint was mailed to the defendant on Thursday, September 17, 1992, and was accepted by Brenda Armstrong, as reflected in the receipt for mailing and the return receipt attached hereto.

Robert J. Felton

Nov. 25, 1992 Upon praecipe of Plaintiff Attorney to transmit record, case moved to court.

D I V O R C E D E C R E E F I L E D

Dec. 3, 1992 AND NOW, December 2, 1992, it is ordered and decreed that **M A R I E H . S A X T O N ,** plaintiff, and **P H I L I P L . S A X T O N ,** defendant are divorced from the bonds of matrimony.

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

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

450

1992

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

900

MARINE BANK

vs.

DONALD L. VOGEL and JUDITH I. VOGEL, his wife

Filed September 17, 1992
@ 2:30 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	33.00

COMPLAINT IN MORTGAGE FORECLOSURE,

Oct. 12, 1992 Sheriff's Return filed. SERVED Donald L. Vogel personally on Septrember 21, 1992 at 3:27 PM by handing him a copy of the Complaint in Mortgage Foreclosure at his residence, Route 285, Box 571,Cochranton, Crawford County, PA.

SERVED Judith I, Vogel personally on September 21, 1992 at 3:28 PM by handing a copy of the Complaint in Mortgage Foreclosure to her at the residence, Route 285, Box 571,Cochranton, Crawford County, PA.

So answers,

Shawn D. Ashbaugh, Deputy Sheriff
Dale A. Collisn, Deputy Sheriff
Robert M.Stevens, Sheriff


FRONT

1992

KEVIN S. CHRISTY
VS.
STEPHANIE JO CHRISTY

CONTINUED FROM PAGE 425
of Record
A.D. 1992 - 875

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9. The Court of Common Pleas of Crawford County, Pennsylvania, shall retain jurisdiction of this matter so long as either of the parents or the child resides in the Court's jurisdiction and for at least six months from the date of this Temporary Order.

10. The fee for Child Custody Mediation shall be paid 50% by the plaintiff father and 50% by the defendant mother, and 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:
Anthony J. Vardaro, J.

Oct 21, 1992 copy mailed to Atty Rothschild. Oct 27, 1992 copy to C. Brode B. Smith, Plf. & Dft.

JAMES H. ANDERS
VS.
HENRY F. GRAYGO, JR. t/d/b/a
H.F. GRAYGO & ASSOCIATES

CONTINUED FROM PAGE 249
of Record
A. D. 1992 - 699

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✓Feb. 5, 1993 Memorandum and Order filed. ORDER: AND NOW, Feb. 5, 1993, the defendant's motion for summary judgment is granted.
BY ORDER OF COURT
Gordon R. Miller, P.J.

Feb. 5, 1993 Judge's Sec. mailed copies of order.

✓feb. 8, 1993 Notice Of Appeal of Plantiff To the Superior Court of Pennsyvlania filed.

Feb. 22, 1993 Notice of Superior Court of Pennsylvania of Official Docket Docket #00264PGH93

Oct. 6, 1993 Judgment filed. ON CONSIDERATION WHEREOF, it is now here ordered and adjudged by this Court that the judgment of the Court of Common Pleas of CRAWFORD County be, and the same is hereby AFFIRMED.
BY THE COURT:
Eleanor R. Valecko
Deputy Prothonotary

10-11-93 Copy of JUdgment to Plft & Atty.Shaddinger

Oct. 6, 1993 Certificate of Contents of Remanded Record and Notice of Remand under Pennsylvania Rules of Procedure 2571 and 2572 filed.

IVAN GREGORY ROSE
VS.
VERONE D. ROSE

CONTINUED FROM PAGE 417
CRAWFORD County of Record
A.D. 1992 - 867

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&. Neither of the parents, when they have primary physical custody of the children, shall drink more than two ounces of alcohol in any twenty-four hour period.

8. Neither of the parents having primary physical custody of the children shall be involved in any overtly sexual acts when the children are in their presence. Handholding and an occasional hug shall not be considered overtly sexual acts.

9. This Order shall not prejudice the right of either party to request further Mediation if there are changed circumstances in the live sof 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 th is paragraph, either parent shall give a written notice of 30 days to the other parent of any intention to move from the Crawford-Erie Counties area if said move is to be on a, more ofr less, permanent basis. During that period, either parent may be entitled to request further Mediation.

10. The Court of Common Pleas of Crawford County, Pennsylvania, shall retain jurisdiction of this matter so long as either of the parents or the children reside in the Court's jurisdiction and for at least six months from the date of this Temporary Order.

11. The fee for Child Custody Mediation shall be paid 75% by the plaintiff father and 25% by the defendant mother. Any amount in excess of the father's 75% cost of Mediation held by the Prothonotary under Local Rules shall be refunded to him.

12. This Order shall be a Temporary Order, but shall become a permanent Order unless exceptions are filed by either party within 30 days from the date of this Temporary Order.

BY THE COURT:
Anthony J. Vardaro, J.

Nov. 9, 1992 copy to B. Walton, W. Scarpitti, B. Smith, Plf. & Dft.

Dec. 10, 1992 Affidavit of Consent by Verone D. Rose, Defendant, filed.
Dec. 10, 1992 Affidavit of Consent to Divroce by I. Gregory Rose, Plaintiff, filed.

Dec. 16, 1992 Upon Praecipe of Plaintiff Attorney to transmit record, case moved to Court.

D I V O R C E D E C R E E F I L E D

Dec. 18, 1992 DECREE AND ORDER filed. AND NOW, this 18th day of December, 1992, 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 I. GREGORY ROSE and VERONE D. ROSE are hereby divorced from the bonds of matrimony, and all the duty, rights, and claims acorded 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 agreement between the parties dated Nov. 20, 1992 and attached to this Decree and Order as Exhibit "A" is hereby incorporated into this Decree and Order by reference as if the same were set forth herein at length. Said Agreement shall not merge with but shall survive this Decree and Order.

BY THE COURT:
Gordon R. Miller, J.

DARLENE C. GAINES
VS.
ARTHUR E. WYGANT AND MARY P. WYGANT, HIS WIFE

CONTINUED FROM PAGE 349
of Record
A. D. 1992 - 799

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With respect to the claim of the Plaintiff against the Defendants for alleged damages to the tree, we find for the Defendants and aginst the plaintiff.

If there are no motions for post-trial relief made pursuant to Pa. R.C.P. 227.1, the Prothonotary may enter this decree nisi as a final decree upon praecipe of either party pursuant to Pa. R.C.P. 227.4(c).

BY THE COURT,
Anthony J. Vardaro, J.

Mar. 25, 1993 copies distributed by Court.

✓Mar. 25, 1993 Motion to Amend New Matter and Order, filed. ORDER: AND NOW, this 11th day of February, 1993, denied in light of similiar order signed this day granting this relief.

BY THE COURT,
Anthony J. Vardaro, J.

Mar. 29, 1993 copy to D. Pickens, R.C. Thomas

✓Mar. 25, 1993 Motion For Directed Verdict and Order, filed. ORDER: AND NOW, this 11 th day of February, 1993, after argument, the Defendants' Motion for directed verdict is denied.

BY THE COURT,
Anthony J. Vardaro, J.

Mr. 29, 1993 copy to D. Pickens, R.C. Thomas

✓Apr. 8, 1993 Motion for New Trial and Order, filed. ORDER: AND NOW, this 6th day of April, 1993, this matter shall be placed on the May, 1993 Argument List. The parties may have such portion of the record they deem necessary transcribed at the expense of the requesting party.

Anthony J. Vardaro, J.

Apr. 14, 1993 copy to D. Pickens, R. C. Thomas

ON ARGUMENT LIST OF May 1993

✓May 6, 1993 Motion to Request Transcription of Record, filed.

✓May 24, 1993 Order filed. AND NOW, May 19, 1993, the above captioned matter being set for argument on June 1, 1993 with respect to the Plaintiff's motion for a new trial and the Plaintiff having requested a transcript which cannot be completed by that date, this matter is continued by the Court. The Court Administrator is directed to set it for Argument at the first available argument list after the Official Court Reporter estimates he will have the transcript completed but in no event later than theAugust 1993 argument list.

BY THE COURT,
Anthony J. Vardaro, J.

May 24, 1993 Copies Circulated by Judge's Secretary.

✓May 28, 1993 Assignment of Argument Date filed. AND NOW, May 27, 1993: The Court Administrator having been directed by the Court to schedule an argument date in the above matter, hereby sets argument for August 20, 1993, at 1:30 P.M., in Courtroom 2.

FOR THE COURT,
Ann A.Walker, Court Administrator

May 28, 1993 Copies given to Judge by Ct. Adm. May 28, 1993 Copies dist. to Attys. Thomas & Pickens and W.Podurgiel.

✓Aug. 17, 1993, Motion to Continue and Order filed. And Now, Aug. 16, 1993, the above captioned matter being set for argument on Aug. 20, 1993, with respect tothe plaintiff's motion for a new trial and the plaintiff having requested a transcript which cannot be completed by that date, this matter is continued by the Court. The Official Court Reporter is directed to file the trans cript by O ct. 25, 1993. The Court Administrator is directed to set it for argument at the first available argument list thereafter.

BY THE COURT,
Anthony J. Vardaro, J.

Aug. 23, 1993, copies of order to Attys. D. Pickens, R. C. Thomas. & Walter Podurgiel, Ct. Reporter.

✓Sept. 28, 1993 Transcript of Proceedings Proceedings Requested at Time of Hearing filed.

✓Feb. 9, 1994, MEMORANDUM AND ORDER filed. ORDER: AND NOW, Feb. 7, 1994, the plaintiff's motion for a new trial is denied and the Prothonotary is directed to enter final judgment in this matter in favor of the defendants.

Final Judgment entered 2/9/94
G -

FINAL JUDGMENT

BY THE COURT,
Anthony Vardaro, J.

Feb. 9, 1994, copies to Attys. pickens, R. C. Thomas and Gregory Keenan.

✓Mar. 9, 1994 Notice of Appeal of Plaintiff from Order dated February 7, 1994 to SuperiorCourt of Pennsylvania filed.

✓Mar. 18, 1994 Notice of Superior Court Docketing, Docket #00382PGH94, filed.

✓Mar. 18, 1994 Application for Supersedeas, Determination of Nominal Bond and Request for Order Maintaining Status Quo and ORDER filed. AND NOW, this 18 day of March,1994, upon consideration of the forgoing Application for Supersedeas, Determination of Nominal Bond and Request for Order Maintaining Status Quo, it is hereby ORDERED:

1. A nominal bond of $1.00 shall be sufficient to secure a supersedeas in this matter, with the condition that the Plaintiff shall not enter upon the land nor procure anyone else to do so during the appeal.
2. The parties are hereby directed to maintain the status quo with respect to their use of the property which is the subject of this action.

BY THE COURT:
Anthony J. Vardaro, J.

3-22-94 Copy of Order to Attys. Pickens & Thomas

✓Mar. 18, 1994 Application for Diminution of Transcription and ORDER filed. AND NOW, this 18 day of March, 1994, upon consideration of the forgoing Application for Diminution of Transcription, it is hereby denied.

BY THE COURT
Anthony J.Vardaro, J.

3-22-94 Copy of Order to Attys. Pickens & Thomas

✓Apr. 19, 1994 Transcript of Proceedings at Time of Nonjury Trial filed.

Jan. 31, 1995 Certificate of Contents of Remanded Record and Notice of Remand Under Pennsylvania Rules of Appellate Procedure 2571 and 2572, filed.

Jan. 31, 1995 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.

DATED: DECEMBER 19, 1994
2-1-95 Copy mailed to Pltf & given to Attys. Thomas & Keenan

BY THE COURT:
Eleanor R.Valecho, Deputy Prothonotary

July 26, 1996 Praecipe for Entry of Final Decree by Defendants filed.

1992

DARLENE KUBANCEK CUTTER
VS.
JAMES WILLIAM CUTTER

CONTINUED FROM PAGE 207
of Record
A. D. 1992 - 657

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Apr. 12, 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 16, 1993 AND, NOW, April 16, 1993, it is ordered and decreed that **D A R L E N E K U B A N C E K C U T T E R**, Plaintiff, and **J A M E S W I L L I A M C U T T E R**, 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 parties' Memorandum of Agreement is incorporated herein and made a part hereof and shall be fully enforceable under the provisions of the Divorce Code.

By the Court:
Gordon R. Miller, J.

TRACY L. ARTHUR TOTH

VS.

GERALD E. TOTH

RECORD CONTINUED FROM PAGE 383

OF

AD 1992 - 833

A. Legal Custody: Legal custody of William Charles Toth shall be shared beteen the parties hereto with each parent entitled to full access of medical records, educational records, and other important records and each parent shall be entitled to take part in important decisions affecting the child, e.e. the child's education, medical treatment and religious instruciton.

B. Physical Custody: Physical custody of the minor child shall be with his mother, Tracy L. Arthur Toth, Plaintiff herein with Father entitled to visitation with the child as follows:

1. Father shall be entitled to have the child in his custody during the second and fourth weekend of each month, from Friday at such time as Father shall return from his place of employment until Sunday at 6:00 p.m. Father shall have such weekday visitation with the minor child as can be agreed upon between the parties hereto.

2. Holidays shall be defined as Easter, Thanksgiving, Christmas Eve, Christmas Day, Memorial Day, the Fourth of July, Labor Day, and the child's birthday. The parties shall alternate the holidays on a yearly basis.

3. Transportation - the parties shall share the responsibility for transportation of the child during visitations with the paraty receiving custody of the child providing for his transportation.

4. 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.

5. Neither parent shall expose the child to any person or situation which may be harmful to the health or weel being of the child.

6. The parties are free to make additional or alternative arrangements regarding the custodial and visitation periods and are strongly encouraged to do so if that would be convenient for the parties. Said arrangement shall be by mutual consent only in the absence of which this Order shall govern.

V. EXPENSES OF ENFORCEMENT: In the event that violation of this Decree occurs, the violating party is to pay the reasonable attorney fees and court costs and related expenses incurred by the non-violating party to obtain enforcement of its terms.

By the Court:
Gordon R. Miller, J.

1992

Corey T. Dick ~~and Shawn E. Musselman~~
vs.
Nicole E. Ernst and
Michael C.Ernst
****

Record continued from page 125
Of
AD 1992 - 575
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BY THE COURT:
Anthony J. VArdaro, Judge

Consented to by: Robert W. Lape, Jr. for plffs.
James R. Irwin, for dft.
Apr. 29, 1993, copies of order to Attys. Lape, Paul Allen and Thomas Arthur James Jr.

14 Apr. 26, 1993, Answer to Motion for Protective Order filed.

15 Apr. 30, 1993 Certificate of Service of Answer to New Matter filed.

16 Apr. 30, 1993 Defendant's Answer To New Matter filed.

17 May 19, 1993 PETITION FOR GUARDIAN AD LITEM and ORDER, filed. ORDER: AND NOW, to wit, this 19 day of May, 1993, upon Petition of Defendant, Karen Johnson, Esquire, is appointed Guardian Ad Litem/attorney for Brittan T. Ernst, the minor child who is subject to the above-captioned matter.
Pursuant to Pa.R.C.P. 1915.11(a) the Court reserves the right to assess the fees and costs of the Guardian upon one or more parties to this action.
BY THE COURT:
Anthony J. Vardaro, J.
May 24, 1993 copy to R. Lape, Jr., P. Allen, T. A. James, Jr., K. Johnson

18 June 3, 1993 Upon Praecipe of Plaintiff Attorney, Robert W. Lape, Jr., Esquire, the Action as to the Plaintiff, Shawn Musselman is marked discontinued of record.

19 June 3, 1993 Answer to Petition forGuardian Ad Litem filed.

20 June 28, 1993 MEMORANDUM AND ORDER filed. ORDER: AND NOW, June 24, 1993, after a conference with counsel in Chambers it appearing that with respect to a custody action at A.D. No. 1992-575 the Plaintiff, Shawn Musselman, has praeciped to discontinue this action with respect to him and no party objects, that action shall be discontinued with respect to him and hereafter that caption shall read Corey T. Dick, Plaintiff, vs. Nicole E. Ernst, Defendant until modified pursuant to the joinder required by this order.
Insofar as the Court has learned that Michael C. Ernst may have physical custody of the minor child in question in that custody action, pursuant to Pa. R.C.P. 1915.6(a)(1), the Plaintiff is directed to join MIchael C. Ernst in this action in the manner set forth in that rule within ten days of the date of this order.
Hearing and argumetn is scheduled with respect to the current pending motion for protective order in that custody action and with respect to the petition for involuntary termination of parental rights filed by Nicole E. Ernst with both to occur before the undersigned in Courtroom No. 2 of the Crawford County Courthouse on August 11, 1993, at 1:30 p.m.
BY THE COURT:
Anthony J. Vardaro, J.
June 29, 1993 copies distributed to James, Allen, Lope & Johnson

21 July 8, 1993, Motion for Continuance and order filed. ORDER: AND NOW, this 7 day of july 1993, the motion for continuance in the above captioned case is hereby granted.
By the Court,
Anthony J. Vardaro, J.
NEW HEARING DATE:
Aug. 19, 1993 at 1:30 p.m.
July 12, 1993 copies of order to Attys. Lape, Allen, James, K. Johnson and Pineo.

22 June 8, 1993, ORDER AND NOTICE filed. A complaint has been filed in the court of common pleas of Crawford County, concerning custody, partial custody, and visitation of the following child: Brittan Tyler Ernst.
The court has learned you may have a legal interest in custody, partieal custody, or visitation of the child named.
A hearing will be held in courtroom No. 2 of the Court of Common Pleas, Meadville, Pa on Aug. 19, 1993 at 1:30 p.m. If you wish to have custody, partial custody, or visitation of the child or wish to present evidence to the court on those matters, you should appear at the place and time on the date above.
If you have the child in your possession or control, you must appear and bring them to the courthouse with you.
If you wish to claim the right of custody, partial custody, or visitation, you may file a counterclaim.
If you fail to appear as provided by this order or to bring the child, an order for custody, partial custody, or visitation may be entered against you or the court may issue a warrant for your arrest.
You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.
Court Adm., Courthouse, Meadville, Pa. 16335 814 336-1151, ext. 298
BY THE COURT,
Anthony J. Vardaro, J.
July 12, 1993, copies of order to Attys. Lape, Allen, James K Johnson and pineo.

23 Aug.12, 1993 Petition for Contempt of Court and Rule filed. AND NOW, this 11 day of August, 1993, upon consideration of the within Petition for Contempt of Court and upon motion of Robert W. Lape, Jr.,Esquire, Attorney for Petitioner/Plaintiff, a Rule is hereby granted on the Respondent/Defendant to show cause why the prayer of the within Petitioner/Plaintiff should not be granted.
Rule returnable the 19th day of August, 1993, at 1:30 o'clock p.m., Courtroom No.2, Meadville,Crawford County, Pennsyvania.
BY THE COURT:
Anthony J.Vardaro, J.
Aug. 19, 1993 Copy of Rule to Attys.Lape, Jr: Allen, James, Jr. & Johnson.

24 Aug. 19, 1993 Acceptance of Service by Michael C.Ernst, filed.

25 Aug. 19, 1993 Answer to Petition for Contempt filed.

26 Aug. 30, 1993 Petition for Blood Test, filed.

27 Sept. 28, 1993 Memorandum and Order filed. AND NOW, September 24, 1993, the Plaintiff Corey T. Dick, the Defendants Nicole E. Ernst and Michael C. Ernst and the minor child, Brittan Tyler Ernst, shall submit to blood tests at the earliest practicable date.
Plaintiff may make arrangements through the Crawford County Domestic Relations Office for such blood testing to occur through an agency used by the department and the costs of such testing shall be paid in advance by the Plaintiff.
BY THE COURT
Anthony J. Vardaro, J

Sept. 28, 1993 Copies dist. to Lape, Allen & James

Continued of Record to Page 511

JOHN CHAMBERLAIN and AMANDA TAPPER, Co-executors of the ESTATE OF THEODORE J. HECKER
VS.
ROBERT WESCHLER d/b/a HEARING CONSERVATION SERVICES and JEFFREY DAVIS

CONTINUED FROM PAGE 209

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June 28, 1993 Memorandum and Order, filed. ORDER: AND NOW, June 24, 1993, it is ordered and decreed as follows: Plaintiffs' motion for judgment on the pleadings is denied as premature. In accord with Vogel, this Court had intended to allow Defendant 20 days to plead to Paragraph 17 of the amended complaint in the form of a responsive answer to Paragraph 17 and after such time consider the pleadings closed.

Due to the fact that Defendant has, subsequent to argumetn, filed its answer to the amended complaint, new matter and counterclaim to which a response is required, we shall grant Plaintiffs 20 days from the date of this order to reply to the new matter and counterclaim.

Plaintiffs' motion for judgment on the pleadings is denied without prejudice to re-assert such motion after the pleadings are closed.

BY THE COURT:
Anthony J. Vardaro, J.

June 29, 1993 copies distributed to Eckert & Keenam

July 12, 1994, Notice of Arbitrators Hearing filed.

Aug. 25, 1994 Decision of Arbitrators filed. And now, the 25th day of Aug., 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 and against Defendant, Robert Weschler d/b/a hearing Conservation Services, in the amount of $5,214.00 plus record costs, $125.50, plus $180.00 interest, or a total of $5,519.50. Provided that this judgmetn will deemed paid in full upon payment by Defendant to Plaintiff as follows: (1) $766.66 on Sept. 26, 1994, $766.66 on Oct. 26, 1994, and $766.66 on Nov. 28, 1994. Judgment is entered in favor of Jeffrey Davis. Judgment is entered against Defendant on all counter-claims. (see paper filed).

Victor J. Kinnunen, Chairman
Sylvia L. Dratler
Brian J. Lindsay

W-141,H-184
Date filed -
8/25/94.

DECISION OF ARBITRATORS
Barbara H. King,
Prothonotary

Aug. 25, 1994 Order FAXED to Attys. Eckert and Keenan.

1992

THE JOHN DEERE INDUSTRIAL EQUIPMENT COMPANY
VS.
HAROLD E. GRAVES

CONTINUED FROM PAGE 274
of Record
A. D. 1992 - 724

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Aug. 25, 1993 Reply Of The John Deere Industrial Equipment Company To Defendnat's Motion To Sever, filed.

Aug. 25, 1993 Motion To Sever and Order, field. ORDER: And Now, August 25, 1993 motion denied.
Anthony J. Vardaro, J.

Aug 27, 1993 copy to J. Bukac & L. Reinhold

Aug. 25, 1993 ORDER filed. AND NOW, to-wit, this 25th day of August,1993, IT IS HEREBY ORDERED: THAT A HEARING ON THE MOTION OF THE JOHN DEERE INDUSTRIAL EQUIPMENT COMPANY FOR A WRIT OF SEIZURE WILL BE HELD: ON: THE 15th DAY OF September, 1993; AT: 3:00 P.M.: IN: COURTROOM 2; OF: THE CRAWFORD COUNTY COURTHOUSE MEADVILLE, COMMONWEALTH OF PENNSYLVANIA.
BY THE COURT
Anthony J. Vardaro,J.

Aug. 27, 1993 copy to J. Bukac & L. Reinhold

Sep. 13, 1993 Upon Praecipe of Attorney Lawrence G. Reinhold, Esquire, Plaintiff's motion to withdraw from consideration the plaintiff's motion for a writ of seizure in this action filed.

Kenneth Osborn
vs.
Clayton Armour

CONTINUED FROM PAGE 438
of Record
A. D. 1992 - 888

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Oct. 6, 1994 Plaintiffs' Response to Defendants' Motion and Brief for Summary Judgment, filed.

Mar.28,1995 ORDER filed. AND NOW,March 27, 1995, the defendant's motion for summary judgmentis denied as there appears to be a factual dispute as to when the plaintiff learned of the alleged wrongdoing in this case and whether or not the discovery rule applies.
This matter shall proceed to arbitration.
BY THE COURT
Gordon R. Miller,P. J.

3-28-95 Copies dist.to Fabian, Gagliotti & Pltf.

Aor. 4, 1995 Motion toWithdraw as Chairman of Arbitration Board and ORDER filed. AND NOW, April 3, 1995,Gary A.Fabian, Esq., is granted leave to withdraw as Chairman of the Board of Arbitrators in this matter, and John Petruso, Esq., is apopointed in his place.
BY THE COURT
Gordon R. Miller, J.

4-5-95 Copy dist. to Pltf., Attys. Fabian, Petruso, Gagliotti, Smith & White

April 20, 1995 Notice of Arbitration Hearing on Wednesday, May 3, 1995, filed.

Apr. 25, 1995 Service of Subpoenia Duces Tecum filed.

Apr.25, 1995 ORDER filed. AND NOW, April 26, 1995, after receipt and review of a motion for order directing service of subpoena duces tecum for the appearance of Eric Sell the plaintiff has not shown a particularized need for Eric Sell and therefore the Court is inclined to deny the motion.
However, for the efficient administration of justice we will hold an ex parte hearing on the 27th day ofApril, 1995 at 2:45 o'clock p.m. incourtroom No. 1 of the Crawford County Courthouse for the plaintiff to appear and set forth on the record a particularized need for the expenditure of public funds to bring another incarcerated person from Mercer to Meadville for this hearing.
BY THE COURT
Gordon R.Miller,P.J.

4-26-95 Dist. by Court

May 1, 1995 ORDER filed. AND NOW,April 27, 1995, after the Court has received and reviewed the defendant's "Mostion for Order Directing Service of Subpoena Duces Tecum by Sheriff's Department for Apperance of Witness Eric Sell," and after an ex parte hearing to enable the plaintiff to particularize his need for this witness, it appears that the defendant has essentially admitted that he acquired the Ford tractor and buggy, but that he acquired it through Rose Monsour, who made represenatations to him that caused him to believe she had the authority to sell those goods to him, the plaintiff maintains that Eric Sell will testify that he actually delivered a blade to the tractor that belonged to the tractor from the Monsour/Osborn residence to Clayton Armour.
The plaintiff could not give any details as toexactly what Eric Sell would say and how Eric Sell would help his case except to say that Eric Sell would testify as to when he told the plaintiff that the items went down to Armour's and that might justifywhy the plaintiff filed a lawsuit when he did.
ACCORDINGLY, in order to give the plaintiff appropriate access to the courts, itis ORDERED as follows:
1. A Writ of Habeas Corpus Ad Testificandum is hereby issued , ordered and directed to Eric Sell to appear on May 3, 1995, at an arbitration hearing in the Green Room of the Crawford County Courthouse to testify on behalf of the plaintiff.
2. The Sheriff of Crawford County is ORDERED and DIRECTED to determine if Eric Sell is at the State Correctional Institutionat Mercer or the Mercer County Jail. And if he is, the Sheriff of Crawford County is ORDERED and DIRECTED to bring Eric Sell to the Crawford County Jail in time toappear on May3, 1995 to testify in this matter.
3. Whether or not Eric Sellwearsstreet clothes or prison garb is left to the discretion of the Sheriff since this will not be a jury trial and the Arbitrators will not be affected by the fact that Eric Sell may, in fact, be incarcerted.
4. In the event that Eric Sell is not in the Mercer County Jail or the State Correctional Institution at Mercer, the Sheriff may disregard this Order.
5. If the Sheriff bring Eric Sell to this hearing,the Sheriff shallreturn Eric Sell after the hearing to the place where he was obtained as soon as the Sheriff is able to make the transportation.
BY THE COURT,
Gordon R. Miller,President Judge

5-1-95 Copies to Sheriff, Pltf, Deft's Atty-Gagliotti &Atty.Petruso

May 3, 1995 Decision of Arbitrators, filed. And now, the 3rd dayof May, 1995, we the undersigned Arbitrators chosen in this case, after having been duly sworn and having heard the evidence and allegations of the parties find in favor of the plaintiff and against the defendant in the amount of $4,000.00.
John D. Petruso, Chr.
Bruce Smith
Harry White

May 3, 1995 Faxed Gagliotti, given Osborn

June 23, 1995 Appeal of Arbitrators' Decision filed.

June 23, 1995 Motion for Allowance Nunc Pro Tunc Appeal of Decision of Arbitrators and ORDER filed. AND NOW, this 23rd day of June, 1995, the upon the Defendant's motion for allowance of appeal nunc pro tunc, the motion is granted and Defendant shall from this date to effectuate a timely appeal of this matter. Forthwith.
BY THE COURT,
P. Richard Thomas, S. J.

June 23, 1995 Order FAXED Atty. Gagliotti, distributed to Osborn.

Aug. 15, 1995, Defendant's Motion to Quash Appeal From Judgment of Dist. Justice, filed.

Aug. 15, 1995, ORDER: AND NOW, Aug. 14, 1995, the plaintiff's motion to quash the appeal from arbitrators is denied as the dft. was granted leave of court to file an appeal nunc pro tunc by Judge P.Richard Thomas on June 23, 1995.
bY THE COURT,
Gordon R. Miller, P.J.
8/15/95 dist. to Osborn and Gagliotti.

Jan. 5, 1996 Praecipe for Dismissal of Appeal for Lack of Prosecution, filed.

Feb. 18, 1997 Motion for Clarification and Correction of Court Order denieing defendants motion to Quash Appeal from Arbitrators decision and Order filed. AND NOW, February 18, 1997 this Motion is Denied.
Gordon R. Miller, J.
2-18-97 FAXED Gagliotti & MAILED Osborn

31 Apr 18, 1997 Praecipe for the Entry of Judgment: And comes plaintiff Kenneth Osborn under the Act of 1836 for the entry of Judgment on the award of arbitration board May 3, 1995.
Date: 4-9-97 Ken Osborn
Judgment
Barbara H. King, Prothonotary

Record Continued on Page 460 (a)

S29052

KENNETH OSBORN

vs.

CLAYTON ARMOUR

RECORD CONTINUED FROM PAGE 460

OF

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April 28, 1998 Upon praecipe of defendant's attorney, judgment entered against Plaintiff for failure to file a Complaint within twenty days from filing of an appeal of arbitrators' decision, filed.

Aug. 19, 1998 Praecipe for Dismissal of Appeal of Plaintiff, filed.

34 Aug. 19, 1998 ORDER filed. AND NOW, August 19, 1998, the Court has reviewed three recent filings and files the following memorandum to explain the present status of the case. All three filings were called "praecipe" which are requests to the Prothonotary not of the Court.

1. The Plaintiff filed a praecipe for judgment on April 9, 1997. That is improper since the Defendant, who was the unsuccessful party before the arbitrators, was granted leave to file notice of appeal and has paid the costs. Therefore the Plaintiff cannot enter judgment against the Defendant. See 42 Pa CSA 7361(d).

2. The Defendant filed a praeciipe to enter judgment on April 28, 1998. Once again that praecipe has no effect because there is no basis upon which to enter judgment against the Defendant once the Defendant has taken an appeal from an adverse decision of the arbitrators.

3. The Plaintiff filed a praecipe to dismiss the appeal alleging that there was no notification that the appeal had been taken. We don't know if there was notification to the Plaintiff or not, however an appeal was in fact taken.

Neither party can now obtain a judgment against the other. The next step would be for one of the parties to place the case on the civil trial list. That matter is governed by Crawford Co. Civil Rule L302 which must be followed exactly.

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

Aug. 19, 1998 FAXED Atty. Gagliotti; Copy to Osborn.

Set 16, 1998 Certificate of Readiness, filed.

ON TRIAL LIST FOR February 1999

Jan 18, 1999 Petition For Transportation To Civil Hearings, filed.

Jan 18, 1999 ORDER: AND NOW, Jan 15, 1999 The Court disposes of two matters filed by the plaintiff as follows:
1. The plaintiff filed a "praecipe for dismissal of appeal." That filing is improper and the plaintiff will not be granted relief. See our Order of Aug 19, 1998.
2. The plaintiff's petition for transportation to civil hearings is granted under the following conditions:
(see paper filed)
Gordon R. Miller, P.J.
Jan 18, 1999 Faxed Gagliotti - Dist Osborn & Sheriff

38 Jan 18, 1999 Praecipe for Dismissal of Appeal, filed.
Feb. 1, 1999 Motion for an Evidnetiary Hearing filed.
Feb. 3, 1999 Order Filed. And Now, Jan 25, 1999 pretrial conference in this case is scheduled for Wednesday Feb. 3, 1999 at 10 o'clock am in Courtroom No. 1.
By the Court
Gordon R. Miller, PJ
2/3/99 Dist.

41 Feb. 4, 1999 Pre-Trial Order filed. And now, Feb. 4, 1999 after a pre-trial conference with the plaintiff and counsel for the defedndant the Court enters the following order:
1. The parties are ready for trial. The trial is tentatively scheduled for the 18th and 19th of Feb. 1999 at the end of the current two week civil trial term. The aprties will be notified when jury selection will take place. Jury selection will not take place on Monday, Feb. 8, 1999.
It is anticipated that this case will take one day to try.
2. Description of the case. This is a conversion action. The plaintiff maintains that he owned a buggy and tractor which were located at his residence in the southern part of Crawford County. He was incarcerated for a long period of time and his paramour, Rose Monsour, resided at his residence. The plaintiff claims that Rose Monsor, without authority sold the buggy and tractor to the defendant. He claims that the defendant knew that these itmes belonged to the plaintiff, that Rose MOnsour did not have the right to sell these itmens to the defendant and therefore the defendant converted said itmes to his own use unlawfully. The plaintfif seeks damages in the amount of $4000.
The defendant maintains that he purchased thes itmes lawfully from Rose Monsour and that Rose Monsour held herself out as having authourity to sell the items because the defendant needed the money, and /or that Rose Monsour had actual authori to sell the itmes.
3. Factual issues legal/issues. A factual and legal issue in this case is whether or not the plaintiff's claim is barred by the statute of limitations governing lawsuits in conversion.
4. Jury trial/non-jury trail. The plaintiff requested a jury trial in one of his pleadings. The defendant did not demand a jury trial. At the pre-trial conference held in this case the plaintiff now waives his right to a jury trial. We deny the plaintiff's motion to withdraw his demand for a jury trial since the defendant does not consent to that. We do not have a right to grant the plaintif's motion to withdraw his demand for a jury trail unless the defendant consents. Pa.RC. P. 1007.1(c)(i); Recht v City of Pittsburgh, PaCMWLTH, 545A.2d 450(1988); McFarlane v Hickman, 342 Pa. Super 240, 492A. 2d 740,743(1985)
5. The palintiff's case in chief: a. Witnesses The plaintiff intends to call himself as a witness together with Eric Sell and possibly a dealer in tractor equipment to testify as to the value of the tractor and possibly, the buggy.
b. Exhibits. The plaintiff has not indicated that he will use any exhibits.
6. The defendant's case in chief: A. Witnesses The defendant intends to call Rose Monsour and himself as a witness.
b. Exhibits. The defendant has not indicated that he will use any exhibits. We assume he will be using the receipts that were signed by Rose Monsour when the defendant purchased the buggy and tractor.
7. Each party shall be entitled to four preemptory challenges.
8. The defendant filed two motions for an evidentiary hearing. He believes that Judge Thomas had no right to grant the plaintiff leave to file an appeal nunc pro tunc. The plaintiff's motion for evidentiary hearing is denied. We cannot now revisit Judge Thomas' order. Furthermore, if it turns out that the plaintiff did attempt to take an appeal on the twentieth day and was turned downby the Prothonotary, then Judge Thomas would have had the right to permit the plaintiff to appeal nunc pro tunc because if the Prrothonotary wrongfully refused to accept the appeal there would be a breakdown in the Court system and the time for the taking of an appeal can be extended
By the Court
Gordon R. Miller, PJ

2/4/99 Dist by Judges chambers

Cont 460 B

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(b)

Feb. 16, 1999 Return of Service of subpoena on Rose Monsour, filed.

Feb. 23, 1999 Order filed. And Now, Feb. 16, 1999 on the Plaintiff's Motion to Continue this case until April said motion is granted because apparently the Sheriff was confused The Sheriff believed that he was not obligated to serve the Plaintiff's subpoenas because the Palintiff had not made a down payment nor had the Plaintiff given him instructions on the service of the subpoenas. With respect to the down payment, the Plaintiff had been given the right to proceed informa pauperis and therefore the Sheriffff's insistence that a check accompany the subpoenas is not correct. On the other hand, the Sheriff is correct that he need not serve anybody for the Palintiff or any other party without adequate instructions on where to find the persons to subpoena.
Accordingly, it is ordered as follows:
1. This case is continued to the April 1999 Term of Civil Jury Trails.
2. The Plaintiff is not entitled to any further continuances.
3. The Plaintiff shall prepare his case long before he gets to the Crawfor County jail. We will not go through this type of proceeding again.
4. The Palitniff shall obtain subpoenas from the Prothonotary becasue the current subpoenas are no logner valid because they list the trail date as feb. 16. The Plaintiff must obtain new subpoenas. The Palintiff shall deliver the subpoenas with detailed instructions on when and where to lcoate the persons to be subpoenaed to the Sheriff no later than March 15, 1999 which will give the Sheriff approximately one month to serve the eprsons with the subpoena especially, those person who are in another county like Mercer County. The Sheriff shall attempt service of the subpoenas and shall keep tradlof his miles and costs and shall submit those to the Prothonotary in the event that the Plaitntiff recovers because certain costs may be ta xed to the Plaintiff.
5. Until further Order of Court the Plaintiff is permitted ot proceed informa pauperis.
6. The Sheriff of Crawford County shall return the Plaintiff to SCI Mercer. The Sheriff shall retrieve the Palintiff from the SCI Institution from which he is then housed and have the Plaintiff brought to the Crawford County Jail by Wednesday, March 31, 1999 so that he will be available for Pretrial conferences and trial. The Plaintiff need nto attend the Call of the List.
7. Teh subpoenas shall state the persons to be subpoenaed shall appear on April 12, 1999 at 9 am in Courtroom No. 3 of the Crawford County Courthouse. At that time the Plaintiff shall be brought to Courtroom No. 3 and we will have a record and defense counsel shall be present and we will determine what, if anything these witnesses know about this case and excuse them if they cannot be of any help. We encourage the Plaintiff in the meantime to contact these witnesses by mail or telephone to find out what they are going to say so he does not subpoena persons who have absolutely nothing to add to this case. W e are not pleased with the long arm of the law bringing persons to the Coruthouse when they have nothing to offer in a case We think that may be an abuse of the process.

By Order of the Corut
Gordon R. Miller, PJ

2/23/99 Dist Gagliotti, Sheriff & Pltf

44 March 4, 1999 Motion for Trial Date Change and ORDER filed. AND NOW, to wit, this 3rd day of March, 1999 the enclosed Motion is hereby granted. The subpoenas shall state that the witnesses shall appear on April 12, 1999, the first day of trial.

By the Court:
Gordon R. Miller, J.

March 8, 1999 Order Distributed to Atty. Gagliotti and plaintiff with 11 subpoenas.

March 19, 1999 Crder filed. And Now, March 17, 1999 upon receipt and review of the plaintiff's motion for order directing Sheriff to make service on witnesses it is ordered as follows:
1. Said motion is granted and the sheriff shall make service of the subpoenas on the various witnesses who are located in Crawfod County and deputize the Sheriff of other counties for service on persons outside of Crawfcrd County.
2. The Sheriff shall keep a record of the costs and expenses incurred in serving these subpoenas and shall file the same of record in this case. We may assess service costs upon the plaintiff if he receives a money judgment in this case or may assess service costs upon the plaintiff if he receives a money judgment in this case or may assess the costs upon the defendant a judgment is entered against him. We reserve the right to assess the costs of service of these subpoenas on one or the other of the parties in this case.
3. If it turns out that a ptrticular witness has absolutely no knowledge about this particular instance we reserve the right to sanction the plaintiff for abusing the subpoenas process.

By the Court
Gordon R. Miller, PJ

3/19/99 Dist. Sheriff, Gagliotti & pltf

March 19, 1999 Motion for Order of the Court Directing Sheriff to make service upon Witness's in the above Captioned Cause of Action Filed.

April 9, 1999 Sheriff's Return Filed. Served Wholesale Tractor by handing the subpoena to John Newhard, owner on March 26, 1999 at 3:15 PM at 16068 St Hwy 198 Saegertown, PA
Served Tom Battellino personally on March 26, 1999 at 10:40 AM at 76 Mead Ave, Meadville, PA
Served Dwight Andrews personally on March 29, 1999 at 10:57 AM at 12737 Tower Rd, Conneautville, PA
Served James Stritzinger personally on march 26, 1999 at 2:50 PM at 15101 E Road Atlantic, PA
Served Mrs. Mable Stritzinger personally on March 26, 1999 at 2:51 PM at 15101 E. Road Atlantic, PA
Not Found as to Mr. Erik Sell at Box 1072 Hadley PA incomplete address
Not found as to Mr. Noah D. Miller at Atlantic Kennard Rd Atlantic, PA incomplete address.
Not found as to Mr. Allen Hart at 20883 State Hwy 285, Cochranton, PA made 3 attempts as of April 9, 1999.
Served Mrs. Jeannette Thompson by Deputizing the Sheriff of Mercer Co affidavit of service forthcoming, this was served on April 5, 1999 at 110 Thompson Rd, Hadley, PA
So Answers

Scott D. Young, Chief Deputy
Dale A. Collins, Deputy
Robert M. Stevens, Sheriff

April 12, 1999 Statement from Allan Hart filed.

April 12, 1999 Motion for Pollygraph examiner and order filed. And Now to with this 12 day of April 1999 the enclosed Motion is denied.

By the Court
Gordon R. Miller, J.

April 14, 1999 Motion for Continuance or Delay Filed.

51 April 15, 1999 Question from Jurors at time of Jury Trial Filed.

Con't on 460-C

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(c)

1992

S30410

Kenneth Osborn
vs
Clayton Armour

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52 April 15, 1999 Exhibits Filed.

April 15, 1999 Verdict Filed. And Now, April 12, 1999 Jury Drawn and April 14, 1999 @ 9:29 AM Jury Sworn as follows:

1. John A. Smith
2. Marilyn Bowser
3. James Buzza
4. Gladys Caldwell
5. Jean Bennett
6. Robert Elm
7. Linda Geisler
8. Marvin Loper
9. Kimberly Lybarger
10. William Greco
11. Charles Button
12. Sharon Price

Alt. LuAnn Knickerbocker
Denise Powell

twelve good and lawful persons who upon their solemn oath which they have taken and at least 10 of them say, April 15, 1999 at 2:34 PM: And Now, this 15th day of April 1999 at 2:34 o'clock PM we the jury impaneled to try this case find in favor of Defendant.

John A. Smith, Foreperson

April 15,1 999 Order filed. And Now, April 14, 1999 the plaintiff's Motion to continue this case or to delay the case to serve Debbie Sell and Eric Sell especially Eric Sell, is denied.
We believe the Plaintiff has had ample opportunity to obtain these witnesses. It also appears that Plaintiff's sister, Jeanette Thompson, is the mother of Debbie Sell and there is no reason why Debbie Sell and Eric Sell could not come on their own without a subpoena.

By Order of The court
Grodon R. Miller, PJ

4/15/99 Dist Pltf & Gagliotti

April 19, 1999 Transcript of Portions of Proceedings at the Time for a Jury Trial Filed.

Apr 20, 1999 Motion for Appointment of Counsel and Order filed. And Now, to wit, this 20 day of April 1999 cthe the enclosed Motion for counsel is hereby: denied.

By the court
Gordon R. Miller, J.

4/20/99 Faxed Gagliotti mailed Osborn

May 4, 1999 Post Trial Relief and Order filed. And Now, to with this 3rd day of May 1999 the enclosed Motion for transcript is granted. The court reporter shall prepare an original + 1 copy. They shall send the copyto the plaintiff and the orginal to the udnersigned judge. The Plaintiff shall have 15 days from receipt of teh transcript to advance any new or detailed reasons in support of his motion for new trial. Thereafter we shall decide the motion without briefs or argument.

By the Court
Gordon R. Miller, J.

5/4/94 Faxed Gagliotti & Mailed Pltf.

58 May 18, 1999 Motion for return to state institution and Order filed. And Now, to-wit this 17th day of May 1999 the enclosed motion for return is granted. The sheriff may return the Plaintiff at the Sheriff's Convenience.

By the Court
Grodon R. Miller, J

5/18/99 Faxed Atty Gagliott, Sheriff adn Mailed (Pltf) Osborn

Sept. 7, 1999 Motion to Withdraw request for Transcript and ORDER filed. AND NOW, to wit, this 7th day of September, 1999, the enclosed Motion for: is granted.

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

Sept. 9, 1999 FAXED Atty. Gagliotti, mailed Osborn.

60 Sept. 13, 1999 Transcript of Proceedings at Time of Jury trial Part II of II filed.

FOR FURTHER DOCKET ENTRIES SEE COMPUTER 1992 30888 AD 1992 888

1992

CHARLES J. LARSON, JR.
VS.
BETH and ALLAN GRANT

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June 23, 1993 Upon praecipe of Plaintiff's attorney to appoint Arbitrators, the following Arbitrators are appointed.
John Fuller~~David Hotchkiss~~, Chr.
William Gorman
William Moore

July 26, 1993 Notice of Intention to Offer Documents, filed.

July 26, 1993 Certificate of Service of Notice Of IntentionTo Offer Documents upon Defendants filed.

July 27, 1993 Arbitrators Take Qualifying Oath.

Oct. 19, 1993 Notice of Intention to Offer Documents on behalf of plaintiff, filed.

James H. Anders
vs.
Wilbur A. Miller

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Sept. 27,1993 Pre-trial Narrative, filed.

Oct. 21, 1993, ORDER filed. AND NOW, Oct. 15, 1993, at the close of the plaintiff's case, the Defendant's motion for compulsory non-suit is GRANTED for the reasons that the plaintif f's case in chief, the evidence presented therein, and all reasonable inferences that come from that evidence, all in the light most favorable to the palintiff, do not show fraud or misrepresentation by clear, precise and indubitable evidence, and further more, the insurance application which the plaintiff signed clearly indicates that the premium of $400 was an estimate.
THEREFORE, JUDGMENT IS ENTERED ON BEHALF FO THE DEFENDANT AND against the p laintiff.
BY ORDER OF THE COURT,
Gordon R. MIller, P.J.

Oct. 22, 1993, copies distributed to Mr. anders and Pickens.

Oct. 22, 1993 Motion for Summary Judgment, filed.

Oct. 22, 1993, Motion to Withdraw Compulsory Non-Suit, Post Trial Motions and Order filed. ORDER: AND NOW, Oct. 22, 1993, upon presentation of two motions by the defendant, to-wit: "Motion to withdraw Compulsory Nonsuit" and "Post Trial Motions," the court will treat said motions as MOtions for Post Trial Relief under Pa. R.C.P. 227.1, and hereby schedules an argument on said MOtions for Nov. 30, 1993 in reg. Argt. Court at a time to be scheduled by the Ct. Adm.
BY THE COURT,
Gordon R. Miller, P.J.

Oct. 22, 1993, copies dist. to Anders, Pickens and Ct. Adm.

Oct. 29, 1993 Notice of Deposition of Robert E. Fraker, Agent of State Farm, filed.

Nov. 4, 1993 Deposition by Interrogatories, filed.

Dec. 20, 1993 Memorandum and Order filed. AND NOW, December 17, 1993, for the reasons set forth in the attached memorandum the plaintiff's motions for post trial relief and to remove the compulsory nonsuit are denied.
BY ORDER OF COURT,
Gordon R. Miller, J

Dec. 20, 1993 Copies dist. to Anders & Pickens

Dec. 30, 1993 Rule to Show Cause filed.

Dec. 30, 1993 order filed. AND NOW, December 29, 1993, upon review and consideration of the within "Rule to Show Cause" the plaintiff's request, which we will call a motion, is denied without further action. BY ORDER OF COURT
Gordon r. Miller, P.J.

1-10-94 Copy of Order to Anders & Atty. PIckens.

Jan. 5, 1994 Exception To Court's Opinion That "As A Practical Matter There Would Be Nothing to Prevent The Plaintiff From contacting Keystone" On the Basis of Keystone's Letter to Plaintiff. (and Motion to Remove compulsory Nonsuit) filed.

Jan. 5, 1994 Order filed. AND NOW, December 29, 1993, the plaintiff's exceptions filed this date are denied and dismissed without further proceeding. BY ORDER OF COURT,
Gordon R. Miller, P.J.
Jan. 5, 1994 Copies dst. to Pickens & Anders

Jan. 17, 1994 Notice Of Appeal of Plaintiff of Order entered December 17, 1993, To the Superior Court of Pennsylvani filed.

Jan. 18, 1994 ORDER filed. AND NOW, January 18, 1994,upon review and consideration of the plaintiff's "Application for Order for Diminution of Transcription" under Pa. R.A.P. 1922b said application is denied. The appellate court must have a transcript of the plaintiff's case in chief that was presented in this nonjury trail because it was based upon that testimony that this Court granted the defendant's motion for compulsory nonsuit.
BY ORDER OF COURT
Gordon R. Miller, P. J.

1-18-94 Copies dist. to Pickens & Anders

Jan. 24, 1994 Notice of Superior Court Docketing, Docket #00100PGH94, filed.

Jan. 31, 1994 Transcript of Proceedings Taken At Time Of Non Jury Trial, filed.

Mar. 4, 1994, ORDER OF COURT certified from the record of the Superior Court of Pennsylvania filed.
ORDER OF COURT: Upon consideration of the Petition to Change Defendant's Title the caption on appeal shall be set forth above.
Per Curiam,
Date: March 1, 1994

Nov. 29, 1994 Certificate of Contents of Remanded Record and Notice of Remand Under Pennsylvania Rules of Appellate Procedure 2571 and 2572, filed.

Nov. 29, 1994 Notice of Status of Petition for Allowance of Appeal and/or Cross-Petition and/or Petition for Extension of Time/or to File Petition for Allowance of Appeal Nunc Pro Tunc, filed.

Nov. 29, 1994 Notice of Status of Petition for Allowance of Appeal and/or Cross-Petition and/or Petition for Extension of Time/or to File Petition for Allowance of Appeal Nunc Pro Tunc, filed.

Nov.29, 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:
Dated: June 24, 1994
Eleanor R.Valecko, Deputy Prothonotary
11-30-94 Copy to Plft & Deft.

1992

Pro Se

Gibbs & Craze Co.
Nathan P.Cochran

Ashby Breneman
vs.
Mr. and Mrs.Michael Ryder

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✓Jan.18, 1994 Reissue and/or Reinstatement filed.

✓Feb. 25, 1994 SHERIFF'S RETURN, filed. SERVED Mr. and Mrs. Michael Ryder by deputizing the Sheriff of Mercer County, PA, as per his Affidavit of Service attached. Served on February 15, 1994. Served Charles Toth, Adult in Charge at residence.
So answers, Robert M. Stevens, Sheriff

✓Mar. 9, 1994 Preliminary Objections to Amended Complaint filed.

✓Mar. 9, 1994 Upon Praecipe of Nathan P. Cochran, Esquire,Attorney for Defendants, the above captioned matter is placed on the next available Argument list.

ON APRIL, 1994 ARGUMENT LIST

✓Apr. 15, 1994 ORDER filed. AND NOW, April 15, 1994, upon receipt and review of the defendants' preliminary objections to the plaintiff's amended complaint the demurrer is granted as to all three counts and the amended complaint is dismissed and judgment entered on behalf of the defendants
The plaintiff's amended complaint was a second attempt on the part of the plaintiff to state an appropriate cause of action against the defendants. He failed miserably to do so. We write no opinion or memorandum. We adopt much of the arguments and law set forth in counsel's brief in support of t he defendants' preliminary objections which was was filed on March 9, 1994 with the Prothonotary.
The Prothonotary shall forward a true and correct copy of this Order to the plaintiff so that he is aware of the fact that we have dismissed this action.
BY ORDER OF COURT
Gordon R. Miller, P. J.

✓ May 11, 1994 Notice of Appeal To Superior Court of Pennsylvania From Court Order of April 11, 1994 filed.

✓May 16, 1994 REturn Notice of Appeal from Superior Court for further processing, filed.

✓Sep. 12, 1994 Attorney Motion to Withdraw from Representation of Named Defendants Dewitt, Ryder, and Elliot Due to Attorney Moving to Another State and ORDER filed. AND NOW, 9-8-,1994, upon receipt and review of Attorney for Defendants' Motion to withdraw from representation of named Defendants Mr.and Mrs. Robert DeWitt, Mr.and Mrs. Michael Ryder, Mr. and Mrs. Richard Elliot in this matter, it is ordered that Attorney for Defendants be allowed to withdraw from representation.
BY ORDER OF COURT
Gordon R. Miller, P.J.
9-13-94 Copies mailed Pltf & Atty.Cochran

✓Sept. 29, 1994 Opinion In Support Of Order Pursuant To Pa.R.A.P. 1925, filed.
Sept. 29, 1994 copies to Breneman & Ryder

✓Oct. 18, 1994 Amended Notice of Appeal , filed.

GERALD MARTIN
VS.
TINA MARTIN (PRICE)

CONTINUED FROM PAGE 99
of Record
A.D. 1992 - 549

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Aug 13, 1997 Petition to Modify Existing Child Custody Order and Orders: ORDER: You, Gerald Martin have been sued in Court to obtain custody, partial custody or visitation of: Jered R. Martin, age 8, born 6/9/89.

You are ORDERED to appear in person at such time and place as will be determined by the Child Custody 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 complaitn or petition that has been filed recently.

Date: Aug 13,1997 Anthony J. Vardaro, J.

AND

ORDER: AND NOW, this 13 day of August, 1997, 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.

Application must be made by the Plaintiff within fifteen (15) days after he/she filed the Complaitn in this action; and the application must be made by the Defendant within fifteen (15) days after he/she was served with the Complaint.

Each party is required to complete the seminar within forty-five (45) days after he/she makes application.

Anthony J. Vardaro, J.

Aug 14, 1997 Faxed Spataro & Hatheway
Aug 14, 1997 Faxed Thomas

Aug 28, 1997 Certificate of completion of the Seminar for Separating Parents for Tina Martin (Priace), filed.

Sept 2, 1997 Affidavit of Service: I, Edward J. Hatheway, Esq., after duly sworn according to law, do hereby certify that I did on August 15, 1997, send tot he Plaintiff, Gerald Martin, by Restricted Mail, a certified copy of the Defendant's Petition to Modify Existing Child Custody Court Order, an application form for the Seminar for Separating Parents and a brochure explaining about the Seminar; and that I did receive a duly-executed return dated August 21, 1997. Copies of the mailing receipts are attached to this Affidavit of Service indicating as such.

Sept 16, 1997 ORDER: AND NOW, this 15th day of SEPTEMBER, 1997, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediataor.

IT IS HEREBY ORDERED AND DECREED THAT:

1) The parties shall share legal and physical custody of the subject minor child, Jered R. Martin, born June 9, 1989.

12) The father shall attend the seminar for separating parents within thirty (30) days of this Order. Should father fail to attend the course, he shall be subject to contempt of court proceedings which could result in imprisonment or a fine or both.

13) Costs and fees of this Mediation, which are fixed at $240.00 ($60.00/hrs. x 4 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.

14) The $200.00 deposit required for the appointment of the Custody Mediator was made by the mother. The entirety of said amount shall be applied to the costs and fee of this case. The father shall, within thirty (30) days of the date of this Order, pay to the mother the sum of $75.50, reimbursing the mother for his share of the costs and fees of the mediation. The father shall, within thirty (30) days of the date of this order, pay tot he Prothonotary of Crawford County the sum of $49.00, representing his proportionate share of the fees and costs of this mediation.

(FOR COMPLETE ORDER SEE PAPER FILED) Gordon R. Miller, P.J.

Sept 17, 1997 Faxed Spataro & Hatheway
Oct 7, 1997 sent Plf & Dft

September 10, 2002 - See Computer for further entries.

Karen A. Kasemer
vs.
Patrick G. Kasemer

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The attorney for the Defendant shall, at the same time, request that Mr. Pritchard review his appraisal based on the information supplied and, if he deems it to be appropriate, issue a revised appraisal within 60 days. The Defendant shall pay for any work involved by Mr. Pritchard with regard to this consideration and possible revised appraisal without prejudice to the Master to appropriately allocate the fees for the same in his discretion at the time of the Master's Hearing.

The attorney for the Defendant shall instruct Mr. Pritchard to provide a copy of the revised appraisal or any correspondence whereby he chooses not to revise the appraisal to counsel for both parties and, upon being notified that the same has been issued by Mr. Pritchard, counsel for either party may contact the Master to reschedule the Master's hearing and set a new date for pre-trial statements to be filed.

If Mr.Pritchard determines that his original appraisal was accurate, the parties shall be bound by the valuation set forth in the same. If he issues a revised appraisal, the parties shall be free at the time of the Master's hearing to present both appraisals issued by John Pritchard into evidence before the Master and they also may present any evidence deemed relevant by the Master at the time of the Master's hearing toward the issue of which appraisal is the accurate valuation of the real estate in question. Such testimony may include, but is not limited to, testimony by Mr. Pritchard with respect to that issue so long as said testimony is deemed relevant by the Master.

Thereafter, the Master may determine as part of his findings what valuation by the agreed upon appraiser, John Pritchard, is the proper evaluation for the real estate in question and the parties may not, at the time of the Master's hearing present any evidence with regard to valuation other than that which came from JohnPritchard as set forth above.

In granting this continuance of the Master's hearing, we note that the Defendant has not complied with the provisions of Crawford County Civil Local Ru le L1920.51C(6) requiring that said request be made first to the Master but, under the circumstances, we believe it is appropriate to grant continuance.

Finally, we note that the Master may still hear testimony as agreed upon by the parties and, as set forth in Paragraphs 3a and b of the memorandum of Master's pre-hearing conference, specifically relating to whether or not the property in question is pre-marital property and what is the valuation of husband Defendant's interest in such property.

BY THE COURT:
Anthony J. Vardaro, J.

1-21-94 Copies dist. by Judge's Secretary

Mar. 18, 1994 Notice of Master's Hearing filed.

Mar. 18, 1994 Memorandum of Master's Pre-Hearing Conference, filed.

Mar. 18, 1994 Upon Praecipe of Douglas W. Ferguson, Esquire,Attorney for Plaintiff to transmit record, case Moved to Court.

DIVORCE DECREE FILED

March 18, 1994 STIPULATION and DECREE. AND NOW, March 18, 1994, upon consideration of the foregoing Stipulation, the Court enters the following Decree:

1. DIVORCE

The necessary Affidavits of Consent to Divorce under Section 3301(c) of the Divorce Code having been filed, it is hereby Ordered and Decreed that, KAREN A. KASEMER, Plaintiff, and PATRICK G. KASEMER, Defendant, are divorced from the bonds of matrimony.

2. EQUITABLE DISTRIBUTION - REAL ESTATE

A. Karen A. Kasemer is hereby awarded all right, title and interest in the parties marital home located at 923 Beechwood Dr., Meadville, PA. Patrick G. Kasemer shall transfer all of his right, title and interest in the aforesaid marital home to Karen A. Kasemer by quitclaim deed within fifteen (15) days from the date of this Decree.

B. Patrick G. Kasemer is hereby awarded all right, title and interest to a certain vacant lot located at Lamont Heights in West Mead Township, Crawford Co., PA. Karen A. Kasemer shall transfer all right, title and interest in the aforesaid vacant lot to Patrick G. Kasemer by quitclaim deed within fifteen 915) days from the date of this Decree. In addition thereto Patrick G. Kasemer shall be responsible for the outstanding payment of a certain balance on a loan and or mortgage with Marine Bank, now by merger, PNC on the vacant lot having an approximate balance of $10,200.00.

C. Patrick G. Kasemer is hereby awarded all right, title and interest in the real estate currently titled in his name and that of his brother, Gregory A. Kasemer as set forth in Crawford Co. Deed Book 466, Page 486 upon which is located a certain business known as Fountain House Mobile Home Park.

3. EQUITABLE DISTRIBUTION - CASH PAYMENT

Patrick G. Kasemer shall pay to Karen A. Kasemer the one time lump sum of $25,000.00 with said sum to be paid within fifteen 915) days from teh date of the entry of this Decree through counsel for the Plaintiff, Karen A. Kasemer.

4. EQUITABLE DISTRIBUTION - PARTNERSHIP INTEREST

Patrick G. Kasemer is hereby awarded all right, title and interest he may have in a certain partnership known as Fountain House Park which he operates in conjunction with his brother, Gregory A. Kawemer including but not limtied to accoutns receivable, inventory, goodwill and everything else associated with Patrick G. Kasemer's interest in the partnership known as Fountain House Park.

5. EQUITABLE DISTRIBUTION PERSONAL PROPERTY

The personal property that each of the parties has in their possession at the present time shall become their sole and exclusive property of that party except for the following:

KAREN A. KASEMER

a. All IRA's with Paine Weber presently titled in her own name having an approximate value of $2,000.00 at the time of the parties separation.
b. A certain 1990 Ford Thunderbird automobile.

PATRICK G. KASEMER

a. A certain IRA with Paine Weber currently in the name of Patrick G. Kasemer having an approximate value of $3,000.00 at the time of the parties separation.
b. A certain 1985 Buick Regal automobile.

6. ALIMONY

Patrick G. Kasemer shall pay to Karen A. Kasemer alimony in the sum of $972.22 per month commending on the first day of the month following the entry of this Decree in Divorce and each and every month thereafter for thirty-six (36) consecutive months. Said payment of alimony by Patrick G. Kasemer to Karen A. Kasemer shall be non-modifiable whether or not Karen A. Kasemer shall remarry or cohabitate with another as defined by the Divorce Code of 1980 as amended. The parties agree that the entire amount being paid to wife, pursuant to this paragraph, is a separate maintenance periodic payment, included and intended to be included in the income of the wife within the meaning and intent of Section 71 of the U.S Internal Revenue Code of 1954 and deductible from the husband's gross income, pursuant to the provision of Section 215 of the United States Internal Revenue Code of 1954. Wife agrees that all said payments shall be includable as income to the wife and her applicable tax returns and that she shall pay such taxes as may be required by reason of such inclusion. In the event of the death of either party husband's obligation for support under this paragraph

RECORD CONTINUED ON PAGE 466.....

shall terminate. All payments of alimony as set forth herein shall be paid directly to the wife, and in the event said payments are not made in a timely fashion, any and all reasonable attorney's fees incurred by Karen A. Kasemer necessary to collect said alimony shall be paid by Patarick G. Kasemer.

7. LIFE INSURANCE

Husband shall maintain insurance on his life in a principle amount not less than the outstanding balance due and owing under Paragraph 6 of this Order, naming wife a irrevoable beneficiary and continuing said insurance in effect until such time as all payments have been made pursuant to Paragraph 6 of this Order.

8. COUNSEL FEES AND COSTS

Each party shall be solely responsible for their respective attorney's fees with the exception of all previous amounts awarded by the Court of Common Pleas of Crawford Co. in favor of wife and against husband.

9. MASTER'S FEES

All Master's fees due and owing to the Court appointed Master, Gary Fabian, Esquire, shall be paid equally by Karen A. Kasemer and Patrick G. Kasemer.

10. MISCELLANEOUS

A. The Plaintiff and Defendant will sign, execute and acknowledge any and all documents necessary to effectuate this settlement including but not limited to deeds, titles to motor vehicles and forms to banks to transfer IRA accounts.

B. A certain Spousal Support Order for the benefit of Karen A. Kasemer and payable by Patrick G. Kasemer at 1992-544 shall terminate upon teh entry of this Decree in Divorce with the exception of any arrearages due and owing as of the date of the final entry of this Divorce Decree. The portion of the Order at DR 1992-544 with regard to the support of the parties minor children shall not be effected by this Decree.

BY THE COURT:
Anthony J. Vardaro, J.

Apr. 13, 1994 Approval of Payment of Master Fee Pursuant to Crawford County Local Rule L1920.51B(5), filed.

Apr. 13, 1994 Approval of Payment of Master Fee Pursuant to Crawford County Local Rule L1920.51B(5), filed.

1992

Patricia A.Jacobs
vs
JohnR. Jacobs

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of Record
AD 1992 - 709

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Jul. 5, 1994 Petition for Review of Marital Assets and ORDER filed. AND NOW, this 1 day of July, 1994, upon Petition of the Plaintiff in the above captioned action, a hearing is scheduled for the 21st day of July, 1994, at 11:00 A.M. in Courtroom 2 at the Crawford County Courthouse, Meadville, Pennsylvania. The Defendant is Order at the time of hearing to produce all PNC Bank Statements for account no. 10-5900-1490 since the date of the parties separation.

BY THE COURT:
Anthony J. Vardaro, J.

7-5-94 Faxed to Attys.Gregg & Kirkpatrick

Jul. 25, 1994 Motion to Withdraw Petition for REview of Marital Assets and ORDER filed. AND NOW, this 21st day of July, 1994, upon Plaintiff's Motion the Petition to Review Marital Assets is hereby withdrawn and the hearing scheduled for July 21, 1994, at 11:00 a.m., is hereby cancelled.

Gordon R. Miller,J.

7-25-94 Faxed to Atty. Kirkpatrick, given toAtty. Gregg.

1992

DEBORA J. JEFFRIES

VS.

JAMES JAY JEFFRIES

RECORD CONTINUED FROM PAGE 51

OF

AD 1992 - 501

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DIVORCE DECREE FILED

Oct. 27, 1994 AND NOW, this 26th day of October, 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 DEBORA JEFFRIES, Plaintiff, and JAMES J. JEFFRIES, 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:
Gordon R. Miller, J.

Bruce L. Hall

vs.

Cheryl Marie Hall

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of record

A.D. 1992 - 705

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Oct. 22, 1997 Petition for Entry of Agreement and Order filed. AND NOW, this 24 day of October, 1997, upon stipulation of the aprties to this action, the following Order is hereby entered.

1. Cheryl Marie Hall shall have sole legal custody of the subject minor children, Shalean Yvonne Hall and Ryan Colby Hall. Each parent shall be entitled to full access to medical records, educational records and other important records pertaining to the subject minor children. The parties shall share physical custody of the subject minor children as set forth under paragraph 2.

2. Primary physical custody of the subject minor children shall be with their mother, Cheryl Marie Hall. The father, Bruce L. Hall, shall be entitled have partial custody of the subject minor children on alternating weekends throughout the year, commencing on the first full weekend subsequent to this Consent Agreement being entered as an Order of Court. The parties shall agree between themselves on a weekly basis as to what time father's alternating weekend custody shall commence and end for the particular weekend. As well as what time the party providing transportation for said weekend shall arrive for and depart wtih the subject minor children.

3. Holiday Visitation: The holidays subject to this paragraph are Christmas, Thanksgiving, Easter July 4th, Memorial Day and Labor Day. The parties agree to alternate custody of the subject minor children on the holidays identified in this paragraph. Mother shall be entitled to custody on the first holiday that will arise subsequent to the entry of this Consent Custody Order. Therefore, mother shall have custody of the subject minor children on Easter in 1997. Father shall have custody of the subject minor children on the next identified holiday which follows Easter and the parties will thereafter alternate custody of the minor childrenon each identified holiday in the order that it occurs.

4. Mother's and father's Day: Mother shall have custody of the minor children each Mother's Day from the hours of 9:00 a.m. until 9:00 p.m. Father shallhave custody of the minor children every Father's Day during the same time period.

5. Children's Birthdays: The party who has custody of the minor children on the date of the birthday of the children shall be entitled to custody of that child on the child's birthday. The parties are free to agree to a modification of the birthday privision if both parties wish to do so and that non-custodial party provides transportation.

6. Transportation: The parties agree to share the transportation responseibilies necessary to effectuate the terms of this agreement. The specific transportation responsibilities will be resolved by mutual agreement between the parties.

7. It is expressly agreed that all persons who are charges with transporting the subject minor children will see to it that seat belts or other appropriate child restraint devices are used in accordance with the laws of Pennsylvania.

8. The parent having custody of the children shall notify the other parent as soon as possible in the event of injury to or illness of the child requiring medical treatment.

9. Neither party shall use illegal drugs or be under the influence of alcohol at any time when the party has the care and custody of the subject minor children. Neither party shall smoke tobacco nor permit others to do so in a closed automobile in which the children are being transported, or in the bedroom of the children.

10. Each party shall teach the minor children to give to the other party that love and respect which is due a parent from his or her children. Furthermore, niether party shall do or say anything to blacken the character of the other in the children's estimation. Each pa rty shall treat the other in a polite and respectful manner when in the children's presence and each party shallinstruct his or her relatives and friends to do likewise and not to disparage the other party in the children's estimation.

In addition to the foregoing, the parties that each will stree to the minor children the imporatance of obtaining an appropriate education. Both parties will encourage the minor children to respect the school system and the faculty members, and both paraties shall discourage the minor children from missing school without an appropriate excuse.

The parties hereto agree to keep the other informed of the children's progress throughout the school year and to make known to the other parent any areas of specific achievement or problems which warrant the attention and/or intervention of the parties hereto.

11. Should it be necessary for either party to cancel or modify the visitations as set out in this Order, or as priviously arranged, the party seeking cancellation or modification shall notify the other party as soon as he or she knowns of the necessity which compels the cancellation or modification. Should a cancellation or modification be necessary, the parties shall attempt at once to arrange for alternative visits or to make alternative arrangements.

12. The parties are free to make additional or alternative arrangements regarding the custodial and visitation periods and are strongly encouraged to do so if that would be proper and convenien Said arrangements shall be by mutual consent only, in the absence of which this Order shall govern.

By the Court,
Anthony J. Vardaro

10-24-97 Faxed Keenan

Nov 5, 1997 Certificate of completion of the Seminar for Separating Parents for Bruce Hall, filed.

AS OF FEBRUARY 22, 2000 - ANY FILINGS INVOLVING THIS CASE MAY NOW BE FOUND ON THE COMPUTER

Bruce L. Hall

vs.

Cheryl Marie Hall

Record continued from page 469

of record

A.D. 1992 - 705

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Oct. 23, 1997 Order filed. AND NOW, OCtober 21, 1997, this matter comes before the Court on the Defendant's Petition for Civil Contempt for Disobedience of a Court Order. The plaintiff does not appear, and essentially, this matter involves our refusal to enter a Consent Custody Agreement in our Order of June 16, 1997 becuae the plaintiff has failed to complete the seminar for separating parents.

He was mailed notice of this hearing and the defendant represents that in talking to him, it was clear that he was aware of the hearing and was not particularly interest in taking the seminar for separating parents.

Based on the current record, the petition for entry of the agreement of the parties regarding custody is granted and the Consent Custody Agreement is made an Order of Court per request of the defendant.

The plaintiff is directed to take the seminar for searating parents so that he has completed the same no longer than 60 days from this date.

If he fails to do so, and a proper certificate indicating that he has completed the seminar is not on file in the Prothonotary's Office within 60 days, the Prothonotary is directed to issue a Bench Warrant for the plaintiff's detention in the Crawford County Correctional Facility. He shall be bondable by posting the sum of $1,000.

In the event he is arrested and placed in the Crawford County Correctional Facility and does not post bond, the officials at the crawford County Correctional Facility shall promptly notify the Court Administrator so we may hold a hearing within 72 hours.

The Prothonotary is directed to send a copy of this Order to Joan D. Mason, Esquire, counsel of record for the plaintiff, and to the plaintiff directly by Certified Mail, Return Receipt Requested, at 1230 Star Route, Meadville, Pennsylvania 16335.

If the plaintiff does not claim that Certified Mail and it is returned to the Prothonotary, the Prothcnotary is directed to arrange for the plaintiff to be personally served by the Sheriff of Crawford County and the costs of that service shall be borne by the plaintiff.

BY THE COURT,
Anthony J. Vardaro, J

10-23-97 Distributed Keenan, Pltf., Jail, Ct. Adm.

Douglas W. Ingalls

vs.

Lucia T. Ingalls

Record continued from page 215

of

AD 1992 - 665

(copy)

Sept. 26, 1994, Motion to Amend Complaint, Order, and Amended Complaint filed. ORDER: AND NOW, this 26 day of Sept. 1994, upon presentation and consideration fothe within Motion, the plaintiff is authorized to file an Amended Divorce Complaint in this case pursuant to the provisions of Sect. 3301(d) of the Div. Code and twenty (20) days after the service of the Amended Complaint upon the dft. by plff, and upon the filing of the documents required pursuant to 1920.46 of the Pa. Rules of Civil Procedure,t he Master heretofore appointed, to-wit, David W. Pickens, Esq. shall proceed to perform his duties as Master.

BY THE COURT,
Gordon R. Miller, J.

9/26/94 copies to Thomas and Irwin.

Dec. 7, 1994 Motion for Sanctions and ORDER filed. AND NOW, this 7th day of December,1994, upon presentation and consideration of the within Motion, it is ordered as follows:

1.) The defendant shall file an inventory and make a deposit of $250 within 20 days and an income and expense statement.

2.) The plaintiff shall comply with RCP 1920.56 within 10 days.

BY THE COURT,
Gordon R.Miller,J.

12-7-94 Faxed toAttys. RCT, Irwin & Pickens

Dec. 9, 1994 Notice of Scheduled Pre-Hearing Conference filed.

Dec. 22, 1994 Income & Expense Statement of Defendant filed.

Dec. 22, 1994 Defendant's Inventory filed.

Dec. 30, 1994 Notice of Scheduled Pre-Hearing Conference filed.

Feb. 16, 1995 Notice of Scheduled Pre-Hearing Conference, filed.

Feb. 28, 1995 Summary of Pre-hearing Conference, filed.

Mar. 15, 1995 Inventory and Appraisesment of Douglas W. Ingalls, filed.

Mar. 15, 1995 Income and Expense Statement of Douglas W.Ingalls, Plaintiff, filed.

Apr. 19, 1995, Plaintiff's Pre-Trial Narrative and Plaintiff's INcome and Expense Statement filed.

May 2, 1995 Notice of Scheduled Master's Hearing filed.

May 22, 1995 Affidavit of Consent of defendant filed.

May 31, 1995, Notice of Filing Master's Report filed.

May 31, 1995, MASTER'S REPORT AND RECOMMENDATION filed.

Aug 3, 1995 Affidavit of Service, filed. Before me, a Notary Public, in and for said State and County, personally appeared David J. Mack, Esq., who, first being duly sworn according to Law, deposes and says that he served the Complaint in Divorce, at the above term and number on the Defendnat, LUCIA T. INGALLS, at her address, RD# 1 Box 23C Cambirdge Springs, PA 16403 by Certified Mail, Return Receipt Requested, Restricted Delivery, Certificate No. P373 436341 the same being served on the said Defendant as of July 30, 1992 as will appear by reference to the attached return receipt signed by Defendant on that date.

Aug 3, 1995 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Aug. 14, 1995 AND NOW, August 11, 1995, it is ordered, adjudged and decreed as follows:

1. The parties hereto are divorced from the bonds of matrimony.

2. The parties shall receive the property as set forth below, which consists of all of the marital property of the parties set forth in the Master's Report and Recommendation:

Wife:

Personal property with Wife	$ 1,369
Husband's 401(K)/Savings Plan	48,430
Lord Credit Union Accounts	422
300 shares of Spectrum	825
100 shares of CG&T	0
2,500 shares Meditec	0
John Hancock Life Ins.	4,736
Diamond Ring	4,100
One half of each child's savings bonds	3,100
1988 Honda	5,400

Husband:

Marital residence	41,060
Personal property with husband	5,676
100 shares of CG&T	0
2,500 shares of Meditec	0
One half of each child's savings bonds	3,100
22 caliber hand gun	20
35 m/m Pentax camera	20
Fishing boat, now snowmobile	200
Radial arm saw	50
Jar silver coins & certificates	150
Lathe	50
Chisels, wood maul, hand hatchet	12
1990 Ford 150 XLT Truck	2,422

RECORD CONTINUED ON PAGE 500.....

1992

1992

Seco/Warwick Corporation
vs
Voegele Company, Inc. and
Seal-Dry/USA, Inc.
vs.
Apache Building Products
Company

Continued from Page 111
of Record

AD 1992 - 561

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Nov. 28, 1994 Notice of Service of Seal-Dry/USA, Inc.'s First Set of Interrogatories & First Request for Production of Documents Directed to Seco/Warwick Corporation, filed.

Nov.28, 1994 Notice of Service of Seal-Dry/USA, Inc.'s First Set of Interrogatories & First Request for Production of Documents Directed to Voegele Company, Inc. filed.

Jul 24, 1995 Upon praecipe of plaintiff attorney the above-captioned case is settled and discontinued of record.

1992

1992

Albert Michael Rossi, Jr.

vs.

Pamela M. Rossi

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Record continued from page 191

of

AD 1992 - 641

July 10, 1996 AGREEMENT BETWEEN PARTIES filed.

July 10, 1996, Affidavit of Consent of plaintiff filed.

July 25, 1996 Waiver of Notice of Intention To Request Entry of A Divorce Decree Under Section 3301(c) of the Divorce Code of Defendant filed.

July 25, 1996 Affidavit of Consent of Defendant filed.

July 26, 1996 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Aug. 2, 1996 AND NOW, the 2nd day of August, 1996, it is ordered and decreed that ALBERT MICHAEL ROSSI, Jr., Plaintiff, and PAMELA M. ROSSI, Defendant, are divorced from the bonds of matrimony.

An agreement entered into between parties on May 6, 1996, is incorporated in this divorce decree.

The Court retains jurisdiction fo 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.

1992

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774 IN RE: FILLAK, RAYMOND
REspondent

CONTINUED FROM PAGE 324
OF RECORD A. D. 1992 - 774

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Aug. 7, 1996 Report of Mental Health Review Officer and ORDER filed. AND NOW, this 7th day of August, 1996, upon consideration of the Petition filed at the above number and term, and after a review of the Report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that hte said Raymond Fillak be committed to the Warren State Hospital for a treatment period not to exceed 180 days from July 9, 1996.
BY THE OCURT,
Gordon R. Miller, P.J.

Jan. 31, 1997 Report of Mental Health Review Officer and ORDER filed. AND NOW, this 29th day of January, 1997, upon consideration of the Petition filed at the above number and term, and after a review of the Report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said Raymond Fillak be committed to the Warren State Hospital for a treatment period not to exceed 180 days form January 14, 1997.
BY THE COURT,
Gordon R. Miller, P.J.

Jan. 31, 1997 Mental Health Procedures Act of 1976.

July 24, 1997 Mental Health Procedures Act of 1976 (Sections 304 and 305), filed.

July 24, 1997 Report of Mental Health Review Officer and Order: AND NOW, this 23rd day of July, 1997, upon consideration of the Petition field 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 Raymond Fillak be committed to the Warren State Hospital for a treatment period not to exceed 180 days from July 14, 1997. Gordon R. Miller, P.J.
July 31, 1997 sent WSH given Barrett and MH/MR

Jan. 29, 1998 Mental Health Procedures Act of 1976 (Sections 304 & 305) filed.

Jan. 29, 1998 Report of Mental Health Review officer, Findings of Fact, Recommendation and Order filed. AND NOW, this 28 day of January, 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 Raymond Fillak be committed to the Warren STate Hospital for a treatment period not to exceed 180 days from January 13, 1998.
BY THE COURT,
Gordon R. Miller,

Feb. 20, 1998 Copies to MH/MR and Warren State Hospital

1992

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1992

732. BARBARA KOLCUN VS. CARLA PERRINE

CONTINUED FROM PAGE 282 OF RECORD

A. D. 1992 - 732

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3. Neither party shall do anything to blacken the character of the other or blacken the character of the stepfather or do anything to turn the child against a parent, stepparent or grandparent.

4. The child shall not be removed from this Commonwealth without further Order of Court.

5. The Court is treating this as a petition for Modification of a current Pennsylvania custody Order, and accordingly the Petitioner is ORDERED and DIRECTED to comply with the Crawford County Civil Rules regarding modification petitions and file a motion for the appointment of a custody mediator within five (5) business days so that this matter proceeds in a normal manner that a modification Petition proceeds in.

The parties will be excused from attending the seminar for separating parents as is required by the Crawford County Civil Rules since this involves grandparents and a California mother.

6. The Petitioner shall serve a true and correct copy of the Petition for Emergency Relief and this Order on the natural mother by first class mail to her last know address, return-receipt requested and file an appropriate proof of service.

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

9-17-96 FAXED Walton, Keenan & DeVore

Sept. 16, 1996 Petition for Emergency Relief filed.

Sept. 16, 1996 Request for Mediation and Appointement of Mediator and Order filed. You, Carla christenson, Defendant, have been suedin court to obtain custody, partial custody or visitation of the child: Michael Scott Kolcun.

You are ordered to appear in persona t such time and place as will be determined by the Meidator: Kathleen Nelson, Esquire, 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 FYOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELPHONE THE FOFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Court Adminsitrator
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 schedule conference or hearing.

by the court
Bordon R. Miller, J

Date: 9-23-96

A complaint has been filed in the Court of Common Pleas of Crawford County concerning custody, partial custody and/or visitation of the following child: Michael Scott Kolcun.

The Court has learned that you claim custody, partial custody or visitation rights with respect to the child named.

A mediation will be held in this matter at a date and time to be determined by the mediator. If you wish to assert your claim to custoyd, partial custody or visitation rights with respect to the child or wish to present evidenced to the Court on those matters, you should petitionthe Court, wtihin twenty (20) days from the date hereof, for leave to intervene in the proceedings.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO RO TELPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Court Administraotr
Coruthosue
Meadville, PA 16335
Telephone No: (814) 333-7498

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BY THE COURT
Gordon R. Miller, J

Date: 9-23-96

9-24-96 Faxed Pineo, Walton, Keenan, DeVore & Nelson

Oct. 2, 1996 Affidavit of Service by Plaintiff Attorney filed. I, Bernadette M. DeVore, Esquire, after being duly sworn according to law, do depose and say that: I am the attorney of record for the above named Plaintiff; that I did on the 18th day of September, 1996, cause to be sent to the above named defendant, by Certified Mail, Addressee Only, Return Receipt requested, a true and correct copy of the Petition for Emergency Relief and September 13, 1996 Order thereon filed at the above term and number; and that I did on the 23rd day of September, 1996, receive a duly executed return receipt dated September 20, 1996.

Bernadette M. DeVore, Esquire
Attorney for Plaintiff

Nov. 6, 1996, Motion to Continue Custody Mediation and order filed. ORDER: AND NOW, Upon consideration of dft's Motion in this mater to take palce on Nov. 7, 1996 at 10:00 am said motion is granted and mediation in this matter is continued pending disposition of Dft's Preliminary Objections to Plaintiff's Petition for Emer. Relief/Petition for a modification fo Pa. Custody Order. By the Court:

Anthony J. Vardaro, J.

11/20/96 faxed to Devore and Keenan.

Nov. 6, 1996, Preliminary Objections for Petition for Emer. Relief and order filed. ORDER: AND NOW this 19 dayof Nov. 1996 upon consideration fo the Preliminary Objections raised by dft. a Rule is hereby entered against plff. to show cause if any she may have, why the relief requested by dft. should not be granted.

Rule returnable this 20 day of Dec. 1996 at Courthouse Rm. No. 2, at 1:15 p.m.

By the court,
Anthony J. vardaro, J.

11/20/96 faxed toDevore and Keenan.

Nov. 20, 1996, Acceptance of Service filed. I, Bernadette DeVore, Esq. hereby accept service of the Preliminary Objections filed.

Bernadette DeVore Esq.

11/11/96

Nov. 22, 1996, Answer to Preliminary Objections filed.

CONTINUED Pg. 482

732	Karen K. Buchanon, et al vs. Barbara Kolcun vs Carla (Perrine) Christenson	CONTINUED FROM PAGE 481 OF RECORD A. D. 1992 - 732

Dec. 6, 1996 Petition to Intervene Under Rule 2327 and Rule 1915.6(b) of the Pennsylvania Rules of civil Procedure and Order filed. AND NOW, in consideration of Petitioner's request to Intervene, this Court hereby sets the 20th day of December. 1996, at 1:15 P.M. in Courtroom 2 to hear testimony and argument on Intervention.
FOR THE COURT,
Ann A. Walker
12-17-96 FAXED DeVore, Lindsay & Keenan

Dec. 24, 1996 Order filed. AND NOW, December 20, 1996, President Judge Gordon R. Miller having directed that the motion of counsel to withdraw be referred to the undersigned after said motion was presented in motion court, after informal discussion and argument, counsel's Motion to Withdraw is granted.
BY THE COURT,
Anthony J. Vardaro, J.
12-24-96 Lindsay, DeVore, Keenan

Dec. 24, 1996 Order filed. AND NOW, December 20, 1996, this matter comes before the Court on Preliminary Objections filed on behalf of Carla Perrine Christenson and with respect to a Petition to Intervene filed on behalf of Karen K. Buchanon and Carl LeRoy Buchanon as maternal grandparents.
At this time, the respondent Carla Perrine Christenson is residing in the State of California where her husband is in the military. She has been represented in these proceedings by Gregory Keenan, Esquire, and this day, he presents a motion to withdraw his appearance and indicates that his client essentially cannot afford to pay a retainer and indicates she cannot afford air transportation from California to Pennsylvania for attending this hearing and is not present.
There is some disagreement among counsel as to whether or not she, in fact, is unable to afford counsel and to appear, but in order to give her an opportunity to litigate these issues since she is the natural mother of this child, we are going to continue this matter generally, which both of the issues currently before the Court to be heard on March 3, 1997, at 9:15 o'clock a.m. in Courtroom No. 2 of the Crawford County Courthouse before the undersigned.
We are granting the Motion to Withdraw Appearance by counsel for Miss Christenson, but Gregory A. Keenan, Esquire, is directed to serve a copy of this Order upon Miss Christenson, together with a copy of the Order which allows him to withdraw his appearance.
The respondent Carla Perrine Christenson is warned that no further continuance will be granted, and if she wishes to litigate this matter in Pennsylvania, she should appear with or without counsel on March 3, 1997.
Pending that hearing or any further Order of Court, the Order entered by President Judge Gordon R. Miller dated September 13, 1996 shall remain in full force and effect.
We note that the Court has scheduled a full day of court time for the hearing and argument on March 3, 1997, and in the event the respondent does not intend to return to Pennsylvania to litigate this matter, she is encouraged to contact the Court Administrator's Office to advise the Court of that so that we may be able to determine the extent of a hearing that will be necessary at the time on March 3, 1997.
BY THE COURT,
Anthony J. Vardaro, J.
12-24-96 DISTRIBUTED DeVore, Lindsay & Keenan

Dec. 24, 1996 Motion to Withdraw Appearance by Gregory A. Keenan Esq., and Order filed. AND NOW, December 20, 1996 at 9:23 A.M. in Motion Court this motion shall be heard by the hearing judge at 1:15 today.
Gordon R. Miller, J.
12-24-96 FAXED DeVore & Keenan & Lindsay

Feb 7, 1997 Order: AND NOW, Feb 7, 1997, upon finding that counsels for the parties have not as of this date received an earlier copy of an order resetting the above argument from March 3, 1997, due to a court conflict, this duplicate Order scheduling the hearing for Thursday, March 27, 1997, at 9:15 a.m. is to be faxed by the Prothonotary to all attorneys of record. Ann A. Walker, C.A.
Feb 10, 1997 DeVore, Lindsay, Keenan

Apr 4, 1997 ORDER: AND NOW, March 27, 1997, this matter comes before the Court for argument with regard to Preliminary Objections filed by the defendant. The defendant's counsel withdrew, with leave of Court, on Dec. 20, 1996, and the defendant does not appear at this time nor does counsel appear for her.
We have not received a brief in support of her Preliminary Objections, and at this time, upon motion of the plaintiff, the defendant's Preliminary Objections are dismissed.
The plaintiff's counsel, as well as counsel for the petitioners, who wish to intervene in this action, indicate that there is no objection to the intervention and apparently it is represented that the defendant does not object to the intervention. THEREFORE, without objection, Karen K. Buchanon and Carl Leroy Buchanon may be parties to this action.
It is further ordered and directed that this matter may now proceed to mediation before Kathleen Nelson, Esquire, and any Order staying mediation is rescinded. Anthony J. Vardaro, J.
Apr 4, 1997 Mailed Dft. and Dist DeVore, Lindsay, Nelson

June 6, 1997 Order filed. AND NOW, June 5, 1997, after Mediation and upon the recommendation of the Child Custody Mediator, it is Ordered and Decreed as follows:
1. Legal and physical custody of the subject minor child, Michael Scott Kolcun, is awarded to his maternal grandparents, Karen K. Buchanon and Carl LeRoy Buchanon, pursuant to 23 Pa.S.C.A. §5313(b)(3).
2. Visitation between the subject minor child and his Mother, Carla Perrine Christenson, shall be arranged upon the express written agreement of Mr. and Mrs. Buchanon and Mrs. Christenson. Visitation between the minor child and his paternal grandmother, Barbara Kolcun, is encouraged and shall be arranged upon the agreement of Mr. and Mrs. Buchanon and Mrs. Kolcun.
3. The cost of the mediation conference is divided equally between Barbara Kolcun and Karen K. and Carl Leroy Buchanon. The deposit paid in advance by Barbara Kolcun shall first be applied to her share of the costs and the remainder refunded to her, less the cost of the Court's Order.
4. This Order is a Temporary Order but shall become a Permanent Order unless a request for a Hearing de Novo is filed by any party within twenty days of the date hereof.
BY THE COURT:
Anthony J. Vardaro, J.

6-9-97 FAXED DeVore, Lindsay, Nelson

6/26/97 MAILED Buchanon

1992

1992

1992

1992

1992

Richard James Swoboda

VS.

Patricia Hart Swoboda

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___There is no indication that the 3301(d) affidavit was properly served on the responding party.
___There is no showing that the proper notice required by 1920.42(c) (1) in the form provided by 1920.73 to a party who is unrepresented or to counsel of a represented party was properly mailed or delivered; and/or a copy of said notice is not attached to the praecipe to refer or submit.
__X__Other: The complaint filed in this matter does not include the language required pursuant to Pa. R.C.P. 1920.45(a) regarding counseling specifically as set forth in Pa. R.C.P. 1920.12(a)(8). This flaw can be corrected by an affidavit placed on the record by the Plaintiff verifying that he in fact was advised of his right to counseling as required by those rules.
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.

April 21, 1994 Copy of Order to Attys. Mary Ann Kirkpatrick, Ann Hansen Gamble.

April 26, 1994 Petition For Payment of Master's Fees and ORDER filed. AND NOW, this 26 day of April, 1994, upon Petition of Kathleen R. Nelson, Esquire, the Master in the above referenced case, each party is ordered to pay the sum of $32.50 to Kathleen R. Nelson, Esquire, (total $65) representing the Master's fee for services rendered within 30 days of this date.

5-18-94 Rec. from Atty 32.50 check endorsed to atty Nelson by Pro. Fuller ck# 0041163

BY THE COURT:
Anthony J. Vardaro.

April 28, 1994 Copy of Order distributed to Attys. K. Nelson, M.A. Kirkpatrick, A. Gamble.

May 6, 1994, Affidavit of plaintiff filed.

May 6, 1994 Petition for Additional Claims, filed.

May 10, 1994, Plaintiff's Waiver filed.

May 11, 1994, UPon praecipe of plaintiff attorney, for review, this case moved to court. 1 copy (atty)

May 23, 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 etnered at this time because: Other: The affidavit signed by Richard James Swoboda onApril 26, 1994 and filed on May 6, 1994 is not an affidavit within the meaning of the law. See definition of "affidavit" containing within Pa. R.C.P. 76.
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

May 23, 1994 Copies mailed Gamble & Kirkpatrick

May 25, 1994 Upon Praecipe of Plaintiff's Attorney, this case is moved to court.

6-1-94 Rec from Atty 32.50 endorsed to Kathleen Nelson ck # 3502 (Kirkpatrick)

DIVORCE DECREE FILED

June 2, 1994 And Now, June 1, 1994, it is ordered and decreed that RICHARD JAMES SWOBODA, plaintiff, and PATRICIA HART SWOBODA, 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.

1. Equitable Distribution:
Wife shall receive the following assets:
Marital residence located at 26 Greenwood Dr., Oil City, PA.
1989 Suburban automobile or proceeds of its sale/trade-in.
Household goods in her possession.

Husband shall receive the following assets:
Retirement accounts in his name.
Checking and saving accounts in his name.
1986 Chrysler automobile.
Household goods in his possession.

Wife shall be responsible for the following liabilities:

Sears	$2,500.00
Bankamerica	3,000.00

Husband shall be responsible for the following liabilities:

Associated National Bank	$7,000.00
MBNA (Visa)	$5,000.00
SIMON (Visa)	$2,000.00
Finance Company	$ 500.00

2. Alimony, Alimony Pendente Lite, Child Support, Court Costs and Counsel Fees: Each party shall be solely liable to pay his and her own counsel fees, costs and expenses related to this divorce. Neither party shall be entitled to receive alimony or alimony pendente lite.
The parties agree that husband shall pay to wife the sum of $1,100.00 per month as child support for the parties' two minor children, Danielle and Jonathan for a reasonable time until the former marital residence is sold.
After a reasonable period of time to allow the residence to be sold, husband shall pay to wife the sum of $800.00 per month as child suppor for the parties' two minor children, Danielle and Jonathan.
When daughter Danielle graduates from high school, child support for remaining child, Jonathan, shall be $400.00 per month which shall terminate when Jonathan graduates high school.
The provisions for child support shall be subject to modification based upon changed circumstances.
3. Dependent Exemptions: Wife shall have the right to claim the parties' son, Nikolaus, as a dependent exemption for federal income tax purposes and husband shall have the right to claim Danielle and Jonathan. Each party shall sign all documents necessary to effect these arrangements.

By the Court:
Anthony J. Vardaro, J.

Jun. 14, 1994 Notice of Election to Retake Maiden (or prior) name of Patricia Hart Swoboda, to be known as Patricia Ann Hart, filed.

Martha J. Thompson et al

vs.

State Farm Insurance et al

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and completely answer interrogatory number 14 if the complaints relate to a person's dissatisfaction with State Farm's negotiation and/or settlement of a claim due to fraudulent activity or bad faith conduct and make said documents and communications available for inspectin by plaintiff's counsel.

7. Within thirty (30) days from this date State Farm is ordered and directed to fully and completely answer interrogatory number 15 and is required to make available for inspectin by plaintiff's counsel only such matters that directly pertain to fraudulent ac tivity and bad faith conduct or claims of fraudulent activity and/or bad faith conduct.

8. Within thirty (30) days form this date State Farm shall fully and completely answer interrogatory number 16 but shall not be required to produce or make avaILABLE SUCH information for inspection until further order of court for the reasons set forth in the accompanying memorandum.

9. PlaINTIFF"S MOTION to compet State Farm to respond to interrogatory number 17 is denied.

10. Within thirty (30) days from this date sara Wright shall fully and completely respond to interrogatory number 11 but is not required to produce or make available for inspection any information revealed in said answer until further order of court.

11. the plaintiff's motion to compel a response to interrogatory number 12 directed to Sara Wright is denied.

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

June 11, 1993, Copeis dist. to Altomare and Thomas.

14 **July 7, 1993, Plaintiffs' Reply to New Matter filed.**

15 July 13, 1993 Certificate of Service filed. This is to certify that Amended Answers to Plaintiffs' Interrogatories directed to the Defendant, State Farm Insurance, and Amended Answers to Interrogatories directed to the Defendant, Sara N. Wright, were personally delivered to the Office of Attorney Joseph E. Altomare,Esquire,at 379 Chestnut Street, Meadville, Pennsylvania, on July 13, 1993. By: R.Charles Thomas, Esquire, Attorney for Defendants

16 Jan. 3, 1994 Motion For Sanctions and Order, filed. ORDER: AND NOW, this 3rd day of January, 1994, upon consideration of the within Motion, a Rule is granted upon the Plaintiffs to show cause, if any they have, why the relief sought should not be granted.

Hearing to be held on the 25th day of January, 1994, Crawford County Court House, Meadville, Pennsylvania, at 1:00 p.m.

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

Jan. 3, 1994 (1 copy Atty)

17 **May 5, 1994, Notice Pursuant to Local Rule L302A(2)(a) filed.**

18 May 31, 1994 Notice to Complete Discovery filed.

19 Aug. 25, 1994 Certificate of Readiness filed.

ON OCTOBER, 1994 TRIAL LIST

20 Sept. 6, 1994 Motion for Severance, filed.

21 Sept. 6, 1994 ORDER filed. AND NOW, this 2nd day of September, 1994 upon presentation and consideration of the motion for severance said motion is granted and it is ordered as follows:

1. There shall be two separate jury trials with the issues between Martha J. thompson and paul E. Thompson, plaintiffs and Cynthia L. Wilson, defendant, to be tried before one jury in a separate trial. The issues between Barbara A. Kemp and Leonard M. Kemp, Jr., plaintiffs and State Farm Insurance, Sara N. Wright and Cynthia L. Wilson, defendants, shall be tried before a separate jury.
2. The trial in the case of Thompson v. Wilson shall take place first.
3. The trial in the case of Kemp v. State Farm, Weight and Wilson shall be further bifurcated with the liability portion heard first and the damage portin heard once liability is determined. BY THE COURT
Gordon R. Miller, P.J.

Sept. 6, 1994 copies dist to Altomare, Thomas & Ct. Adm.

22 Oct. 3, 1994 Pre-Trial Narrative of Cynthia L. Wilson in the Case of Thompson vs. Wilson, filed.

23 Jan. 31, 1995 Motion For Continuance and ORDER filed. AND NOW, this 30 day of January, 1995, upon Motion of Defendants' counsel and it further appearing that Plaintiffs' counsel does not oppose the continuance of this trial, it is ordered that the jury trial be continued until the April 1995 Term of Civil Court and that this case be removed from the February Civil Trial List.

BY THE COURT,
Gordon R. Miller, J.

Jan. 31, 1995 Order FAXED Attys. Altomare and Thomas.

24 Apr. 6, 1995 PRE-TRIAL ORDER filed. AND NOW, April 6, 1995, after pre-trial conference with counsel present the Court enters the following order:

1. The parties are prepared for trail in the case of Kemp v. the defendants and the trial shall commence on Tuesday, April 18, 1995 at 9:00 o'clock a.m. in Courtroom No. 1. Jury selection may take place on Monday, April 10, 1995. Counsel shall be available no later than 9:45 on April 10 for jury selection. It is anticipated that this case will take three days to try.
2. Alll discovery is completed except that the defendant, State Farm,has not answered interrogatories numbered 12, 14 and 16. To complicate matters, however, the plaintiffs did not raise this prior to the pre-trial conference and in fact placed the case on the trial list which is tantamount to representing that all discovery had been completed. Nonetheless State Farm is ordered and directed to answer interrogatories number 12, 14 and 16 and to serve those answers upon counsel for the plaintiffs no later than 4:30 o'clock p.m. on Tuesday, April 11, 1995.
3. This case involves an automobile accident that occurred on June 23, 1991 at approximately 11:30 o'clock a.m. at the intersection of Central Avenue and Kerr Street in Titusville. The plaintiff, Barbara A.Kemp was operating a motor vehicles in an easterly direction on Central Avenue in the City of Titusville. As she proceeded through an intersection with Kerr Street her vehicle was struck on the driver's side by a motor vehicle operated by Cynthia L. Wilson in a southerly direction on Kerr Street.

Wilson was insured by State Farm Insurance Company and a few days after the accident Sara N.Wright, a claims relpresentativ of State Farm, met with the Kemps. As a result of that meeting the Kemps signed a general release. State Farm and Wilson claim that said release releases Wilson, State Farm's policyholder, from all liability as a result of this accident. The Kemps claim that the release is not enforceable or binding because it was procured through fraud. They believe they only settled their property damage claim.

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Martha J.Thompson, Paul E. Thompson, Barbara A.Kemp and Leonard M.Kemp, Jr.
vs
State Farm Insurance, Sara N. Wright & Cynthia L.Wilson

Continued from Page 489 of record

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4. Issues.

a. Whether or not Cynthia Wilson was negligent and if so, whether her negligence was the proximate cause of the accident.

b. Whether or not Barbara A.Kemp was negligent and if so, whether her negligence was the proximate cause of the accident.

c. Whether or not the release obtained by State Farm in favor of Wilson is binding or whether it was obtained fraudulently.

d. Whether or not State Farm is vicariously liable for the actions of Sara N.Wright in obtaining the release if the release is not enforceable and binding.

e. Whether or not character evidence as to Sara N. Wright is admissible at trial.

f. Whether or not Barbara A. Kemp is precluded from recovering certain damages as a result of the fact that she sustained a second accident in November 1992.

5. Trial Briefs.

The parties shall submit trial briefs on any matters they wish to brief no later than the close of business on April 13, 1995. Theyare ordered to submit trial briefs on the issues of vicarious liability of Wright and the admissability of character evidence as to Wright.

6. This trial has already been bifurcated. The issues of liability of Wilson and the effect of the release will be presented to the jury first. The damage claim as to Wilson, if the release is not effective,and the damages, if any, owed by State Farm and/or Wright shall thenbe sumbitted to the jury in the second portion of the trial.

7. The defendants have intheir possession the original release, medical authorization and cancelled check. They shall bring those original documents totrial so that theyare available to be be admitted into evidence by either party.

8.There are no outstanding pretrial motions.

9. The plaintiffs, Kemps, claim the following damages are due from Wilson:

a. Pain and suffering, past,present and future of Barbara A.Kemp.

b. Loss of life's pleasures, embarrassment, humiliation and disability of Barbara A.Kemp.

c. Loss of consortium by Leonard M.Kemp, Jr.

10. The plaintiffs, Kemps, claim the following damages against State Farm and Wright if the release is not effective:

a. Punitive damages.

b. Attorneys fees, prorated between the tort claim against Wilson and the fraud claim against State Farm and Wright.

11. Wilson, through her isnurance carrier,State Farm, owes an additional $500 to the Kemps for property damage. The Court will mold the verdict and add $500 to the vverdict when the verdict is rendered by the jury. That will not be sumbitted to the jury for the jury's findings.

12. Under the Motor Vehcile Financial Responsibility Act the Kemps were eligible to receive benefits under said Act and they are precluded fromrecovering the amount of benefits paid or payable under the Act. 75 Pa.C.S.A,. 1722.

13. The plaintiffs' case in chief:

a. Witnesses:

i. The plaintiffs intend to call all the witnesses listed on their pretrial narrative except Paul E.Thompson.

ii. Andrea J.Richards,D.O.,klwhose testimony will be presented by video tape.

The plaintiffs may call rebuttal witnesses as to the character or reputation of Sara N.Wright.

b. Exhibits:

The plaintiffs will use all of the exhibits listed in their pretrial narrative except the record of medical payments.

14. The defendants' case in chief:

a. Witnesses:

The defendants intend to call all of the witnesses listed on their pretrial narrative.

b. Exhibits.

The defendants intend to introduce all of the exhibits listed ontheir pretrial narrative.

15. Counsel shall prepare and exchange written voir dire questions no later than 4:30 o'clock p.m. on Friday,April 7, 1995. All objections toproposed voir dire questions shall be brought to the attention of the Court prior to jury selection. After the Court has asked questions of the jury panel, counsel shall be permitted to read or paraphrase their own voir dire questions. The Court will permit counsel to supplement voir dire questions if said questions are reasonably necessary to make further inquiry on matters raised by voir dire of the Court and other counsel.

16. The plaintiffs shall be entitled to four preemptory challenges and the defendants shall be entitled to four preemptory challenges as a group.

17. Cousnel shall submit requested points for charge as soon as practicable but no later than the close of the presentation of allevidence.

18. Counsel desiring to submit a proposed verdict slip or special jury findings shall do so prior to the start of trial.

19. If the parties have not already done so they shall prenumber all exhibits and provide true and correct copies of all exhibits to opposing counsel nolater than 4:30 o'clock p.m. on Friday, April 7, 1995.

20. Fourteen jurors shallbeselected.

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

4-6-95 Faxed to Altomare, given Thomas.

25 Apr. 12, 1995 ORDER filed. AND NOW,April 10, 1995 after a formal hearing on the continuing discovery dispute regarding Interrogatories 12 and 14 that were initially addressed to and propounded of State Farm, the Court held a hearing to determine whether or not those interrogatories could be answered intime for trial. Originally State Farm objected to those interrogatories, and after an argument, we entered an order on June 11,1993 requiring Interrogatories 12 and 14 to be answered.

As to Interrogatory 12, which seeks an identification of all documents and communications regarding any tort claims settled by Sara Wright within 60 days after there was a loss onthat claim limited to a three year period predating June 23, 1991, State Farm did not fully answer the Interrogatories. It indicated the documents and communication would be in the claim file. Claim files are maiantained by claim number. The information on closed claims would be in the dead storage facility in Concordville. Meadville would have sent approximately 3100 files that would be among 1.3 to 1.4 million files located at Concordville. State Farm further indicated it would be burdensome to manually review those claim files.

Continued to Page 490 A

Martha J.Thompson, Paul E. Thompson, Barbara A.Kemp and Leonard M.Kemp, Jr.
vs.
State Farm Insurance, Sara N. Wright & Cynthia L. Wilson

Continued from Page 490 of Record

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If that is the only way to access this information, then State Farm be be absolutely right. Counsel for the Plaintiffs questions whether there may be other avenues available to obtain the documents and communications referred to in Interrogatory 12 rather than going through the files. Quite possibly and without knowing exactly, there may be records on all claims that Sara N.Wright handed for a particular period of time that might be in personnel files, merit pay files,etc. There may be final records,especially with respect to claims that were settled by check, that may yield an easier way to obtain this information. The question becomes whether or not State Farm has exhausted all possible avenues to obtain that information or whether simply manually going through the claim files is the only way that information could be accessed.

Interrogatory 14 sought an identity of all communications made to the Pennsylvania Insurance Commission for a three year period ending June 23 of 1991, relating to dissatisfaction with State Farm's negotiations and settlement of any claim against its insurance. The amended answer simply indicates that the information is not maintained at the local office and the records of the Pennsylvania Insurance Commission are public and readily available to the Plaintiffs. That is not a proper answer.

As indicated above with respect to Interrogatory 12, there may be a way to access this information short of going through each claim file that may be in dead storage in Concordville. The point is,that if there is another avnue to obtain the information sought in Interrogatories 12 and 14, then State Farm should avail itself of that avenue and provide the information.

Accordingly, it is ordered as follows:

1. The Defendant State Farm is ordered and directed to make a reasonable and best effort to determine whether or not there are other way of obtaining the information sought in Interrogatories 12 and 14, other than manually going through each dead claim file. It is ordered and directed to search out and seek other avenues of obtaining that information. If it is able to obtain that information through other avenues, it shall do so. If not, it shall report its conclusions.

2. At all events, the Defendant State Farm shall file a written response to this order by 11:30 on Friday,April 14, 1995. If the response is that the information can be accessed, and obtain, then State Farm shall obtain that information and submit it in its response. If the answer is that there is no other way of accessing this information and obtaining this information, it shall briefly indicate the efforts it made to determine if there was another way to access this information, and briefly all of the efforts it expended in trying to find such an avenue.

The response shallbe signed by Mr.Thomas and someone at State Farm who is reasonably and morally certain of the contents of the response.

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

4-12-95 dist.Altomare & Thomas

26 April 17, 1995 Plaintiff's Points For Charge filed.

27 April 18, 1995 ORDER filed. AND NOW, April 17, 1995, it is ordered as follows:

1. If the jury makes a factual determination that Sara Wright obtained a release from Barbara A. Kemp and Leonard M. Kemp, Jr. by fraud and further determined that she was acting within the scope of her employment for State Farm Insurance Co., her employer, at the time, then State Farm, as master, would be vicariously liable for the actions of Sara Wright under the doctrine of respondeat superior. For this purpose the scope of employment includes an act which (1) must be of the kind that Sara Wright was employed to perform; (2) must occur substantially within the authorized time, space and limits or her employment; and (3) must be actuated by a purpose to serve her master, State Farm, at least in part. Shuman Estate v. Weber, 276 Pa. Super 209, 419 A.2d 169 (1980). It is not necessary that the act be specifically authorized to fall within the scope of employment. It is sufficient if the act was clearly incidental to State Farm's businesss in adjusting claims against its insureds.

2. The allegation that Sara Wright engaged in fraud does not place her character or reputation at issue. Therefore evidence of her good character or reputation is inadmissable in this trial unless her character or reputation is directly an issue or somehow relevant to the nature of the proceedings and, furthermore, where character is an issue, evidence of good character is not admissible unless and until Sara Wright's character is attacked by evidence to the contrary. Hepps v. Philadelphia Newspapers Inc., 506 Pa. 304, 485 A.2d 374 (1984) rev'd. 475 U.S. 767, 89 L.Ed. 2d 783, 106 S.Ct. 1558, and cert. den. and appeal dismissed 475 U.S. 1134, 90 L.Ed. 2d 330, 106 S.Ct. 1784; Greenberg v. Aetna Insurance Co., 427 Pa. 494, 235 A.2d 582 (1967).

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

April 18, 1995 Copies given to Attys. Thomas and Altomare.

28 April 18, 1995 Motion To Amend Answer and New Matter and ORDER filed. AND NOW, this 18th day of April, 1995, upon presentation and consideration of the within Motion, said motion is granted.

BY THE COURT,
Gordon R. Miller, J.

April 18, 1995 Copies given to Attys. Thomas and Altomare.

29 April 18, 1995 Plaintiffs' Motion to Discontinue as against Cynthia Wilson Only, filed.

30 April 18, 1995 ORDER filed. AND NOW, April 18, 1995 the Plaintiff's motion to discontinue as to Cynthia Wilson only is granted. And this action is discontinued as to Cynthia Wilson but not discontinued as to any other defendants.

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

April 18, 1995 Copy of Order given to Attys. Thomas and Altomare.

RECORD CONTINUED ON PAGE 490 B.....

Martha J. Thompson, Et al

vs.

State Farm Insurance, Sara Wright, and Cynthia L. Wilson

Record Continued from page 490 (a)

OF

AD 1992 - 891

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31 April 18, 1995 Plaintiffs' Pretrial Memorandum of Law on Issues of Vicarious Liability and Character Evidence filed.

32 April 18, 1995 Motion For Protective Order and ORDER filed. AND NOW, this 10th day of April, 1995, upon presentation and consideration of the within Motion the said motion is denied. See our Order entered simultaneously herewith in response to a motion to strike Certificate of Readiness.

BY THE COURT,
Gordon R. Miller, J.

April 18, 1995 Copies given Attys. Thomas and Altomare.

33 April 18, 1995 Motion To Strike Certificate of Readiness and For Continuance of Trial and ORDER filed. AND NOW, this 10th day of April, 1995, upon presentation and consideration of the within Motion the Certificate of Readiness heretofore filed by the Plaintiffs is denied. We require the defendants to use their best efforts to answer said interrogatories in the time set by our pre trial order. Failing that we may not enforce the discovery order. WE shall hold a hearing this date at 2:00 p.m. to receive evidence as to the efforts necessary to comply with the discovery order.

BY THE COURT,
Gordon R. Miller, J.

April 18, 1995 Copies given Attys. Thomas and Altomare.

34 April 20, 1995 Oral Deposition of Dr. Andrea J. Richard filed.

35 April 20, 1995 ORDER filed. AND NOW, April 18, 1995 the parties have agreed that the issues of entitlement to and amount of attorney's fees that the Plaintiffs shall recover shall not be submitted to the jury. Plaintiffs and Defendants cannot agree on the amount of attorney's fees to present to the jury, would require testimony by Plaintiffs' counsel, and possibly the introduction of another lawyer, although that is not certain in fee cases. Therefore, in the event that the jury concludes that the actions of Wright and/or State Farm amount to fraud, the Court will hold a bench trial to decide the issues of entitlement to and amount of attorney's fees and the verdict then molded accordingly.

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

April 20, 1995 Copy given to Attys. Thomas and Altomare.

37 April 21, 1995 AND NOW, April 10, 1995, jury selected and April 18, 1995 jury sworn at 1:38 p.m. as follows:

	1. Gary McChesney		7. Betty McCormick
	2. Walter Hogue		8. John Kerr
	3. Diana Samec		9. Susan Treacy
	4. James Hopkins		10. William Martin
	5. Kevin Field	**	11. Robert Davis
**	6. Mary Ann Karns		12. Mark Wilson

Alternate:Evelyn Tepley

** Mary Ann Karns was excused from Jury duty at 4:30 p.m. on 4/20/95 and replaced by Alternate Evelyn Tepley, 4/20/95.
** Denise Nail was excused from jury on 4-18-95 and replaced by Alternate Robert Davis on 4/18/95.

twelve good and lawful persons who upon their solemn oath which they have taken and at least 10 of them say April 21, 1995 at 4:00 p.m. they find that Sara N. Wright defrauded the plaintiffs? _____Yes ___X___ NO.

James Hopkins,
Jury Foreman

36 Apr. 19, 1995, ORDER filed. AND NOW, Apr. 10, 1995, another pre-trial conference will be held on Mon. April 17, 1995, at 1:30 p.m. in C. R. No. 1 before the undersigned Pres. Judge to make a final review of allpre-trial matters. Counsel is reminded of the trial briefs that we ordered in the pre-trial order.

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

Apr. 19, 1995, copies to Attys. Thomas and Altomare.

38 Apr. 25, 1995 Plaintiffs' Motion For Post Trial Relief filed.

39 Jun. 26, 1995 Transcript of Testimony of Barbara M. Kemp taken at Time of Jury Trial on April 19, 1995, filed.

40 July 18, 1995 Transcript of Proceedings taken at the time of trial filed.

41 Jan. 11, 1996 UponPraecipe of R. Charles Thomas, Esquire, to place this case on the next available Argument List in connection with Plaintiffs' Motion for Post Trial Relief.

ON FEBRUARY, 1996 ARGUMENT LIST

EXHIBITS ON TOP OF FILE CABINET I

42 Feb. 26, 1996 Transcript of Certain Proceedings Take At Time of Jury Trial filed.

43 Mar. 20, 1996 Memorandum and Order Sur Plaintiffs' Post Trial Motions and Order filed. AND NOW, March 20, 1996 for the reasons set forth in the attached memorandum, the plaintiffs' motion for post-trial relief is denied.

BY THE COURT,
Gordon R. Miller, J

Mar. 20, 1996 copies to Altomare & Thomas

44 Apr. 19, 1996 Appeal of Plaintiff's of Order Dated March 20, 1996 to the Superior Court of Pennsylvania filed.

45 April 25, 1996, Notice of Superior Court Docketing at #00746PGH96 filed.

46 June 6, 1996 And Now, upon praecipe of defendant attorney judgment has been entered in this case in favor of the Defendants and agaisnt the Plaintiffs pursuant tot he verdict of the jury entered in this case on the 21st day of April, 1995.
K - 22, 102
T - 132, 202

JUDGMENT
Barbara H. King, Pro.

Continued on Page 496 B

Beverly Donnell Haun
vs
Robert Vernon Haun

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of Record
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The alimony pendente lite checks beginning on February 15,1993 shall be made to the order of the Plaintiff but forwarded to her counsel at 941 Federal Court in Meadville, Pennsylvania.

This Order is entered without prejudice to the Master to make an ultimate allocation with respect to this matter as part of the divorce proceedings before the Master and ultimately before the Court if that becomes necessary.

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

Jan. 29, 1993Copy of Order to Atty.Kirkpatrick and mailed to Defendant. Copy to Atty. Ferguson.

Feb. 9, 1993, Affidavit of Service filed. And Now, Feb. 9, 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 Atty. for Bevery Donnell Haun, Plff.

2. That on information furnished her by the plff. she caused a copy of the Order of Jan. 26, 1993 regards plff's petition for alimony, counsel fees, costs and expenses to be forwarded by Cert. mail, P 899 085 765 postmarked Feb. 3, 1993 to the last known address of dft. R. D. #2, Box 191, Centerville, Pa. 16404.

3. That the dft. on Feb. 6, 1993 personally signed the ret. rec. card which was affixed to the order in the above matter and which is attached hereto.

4. Service of the order against defendant is therefore effected in accordance with Pa. Rules of Civil Procedure. Constance L. Deitman.

Feb. 22, 1993 Affidavit of Consent of Defendant filed.

May 7, 1993 Upon praecipe of Plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

May 14, 1993 STIPULATION and FINAL DECREE, AND NOW, this 12th day of May, 1993, the Court Orders and Decrees that:

DIVORCE

BEVERLY DONNELL HAUN, Plaintiff and ROBERT VERNON HAUN, Defendant are divorced from the bonds of matrimony.

EQUITABLE DISTRIBUTION

The marital property of the parties is awarded to the Plaintiff and Defendant as follows:

1. The Plaintiff, Beverly Donnell Haun shall become the sole and exclusive owner of the following property:

a. All personal property currently in her possession; and a certain bowling ball and ceramic Easter and Christmas decorations.

b. Any and all pension benefits, profit sharing, 401K plans, etc. through her current place of employment, Dr. Bittman, M.D;

c. The sum of $15,000.00 shall be paid by the Defendant, Robert Vernon Haun to the Plaintiff, Beverly Donnell Haun in the following manner: the sum of $10,000.00 upon the entry of this Decree in Divorce with said proceeds to be payable by the Defendant through her attorney, Mary Ann Kirkpatrick, Esq; the sum of $5,000.00 which shall be paid within sixty (60) days from the date of this Decree with said payment to be paid by the Defendant, Robert Vernon Haun to the Plaintiff, Beverly Donnell Haun through her attorney, Mary Ann Kirkpatrick, Esq.

2. The Defendant is awarded as his sole and exclusive property the following items:

AUTOMOBILES

a. All right, title and interest in a certain 1961 Chevrolet automobile;
b. All right, title and interest in a certain 1978 Jeep Cherokee;
c. All right, title and interest in a certain 1969 International Dump Truck;
d. All right, title and interest in a certain 1992 Geo.
e. All right, title and interest in a certain 1978 Chevrolet Blazer.
f. All right, title and interest in a certain 1974 GMC Jimmy.

3. The Defendant, Robert Vernon Haun shall become the sole and exclusive owner of a certain parcel of real estate currently titled in the name of Beverly J. Haun and Robert V. Haun as will appear among the records of Crawford Co. in Record Book 121, Page 1049. The Plaintiff, Beverly Donnell Haun shall execute a certain quitclaim deed for the aforementioned real estate located in Richmond Township, Crawford Co., PA. transferring all of her right, title and interest in the aforesaid property to the Defendant, Robert Vernon Haun. The plaintiff shall also execute in favor of the defendant, Robert Vernon Haun, any and all documents necessary to transfer a certain oil and gas lease presently on the property in joint names to the defendant, Robert Vernon Haun. Said deed shall be executed by the Plaintiff upon the entry of this Decree in Divorce and delivered in appropriate form properly executed and acknowledged to the Defendant through his attorney, Douglas W. Ferguson, Esq., upon the payment of all sums due and owing to the Plaintiff as set forth herein.

4. The Defendant shall be solely responsible and hold the Plaintiff harmelss with regard to any and all monies due and owing with regard to a certain joint obligation to General Motors Acceptance Corp. with regard to a car loan of a 1992 Geo automobile.

5. The Defendant shall be solely responsible and hold the Plaintiff harmless with regard to a certain joint obligations at Lord Federal Credit Union Corporation having a balance of approximately $1,000.00.

6. The Defendant shall become the sole and exclusive owner of a certain 1969 New Moon trailer located on the parties jointly owned property in Richmond Township, Crawford Co., PA. The Plaintiff, Beverly Donnell Haun shall execute any and all documents including a Certificate of Title to said trailer transferring the same to the Defendant, Robert Vernon Haun.

7. Defendant shall be solely responsible and hold the plaintiff harmless with regard to a certain joint savings at Conrail Credit Union having an approximate balance of $101.00.

8. The Defendant shall be the sole and exclusive owner of a certain antique kerosene lamp which he received from his grandmother.

COUNSEL FEES, COSTS EXPENSES

9. The Court's Order of Jan. 26, 1993 with regard to the payment of attorney's fees, costs and expenses by the Defendant, Robert Haun to the Plaintiff, Beverly Donnell is hereby terminated. The Defendant, Robert Vernon Haun shall pay as counsel fees, costs and expenses to the Plaintiff's attorney, Mary Ann Kirkpatrick, Esq. the total sum o $2,000.00 within sixty (60) days of the date of this Decree with said sums to be paid directly to Mary Ann Kirkpatrick, Esq. less credit for $45.00 previously paid by Robert Vernon Haun pursuant to the Court's Order of Jan. 26, 1993.

ALIMONY PENDENTE LITE AND SPOUSAL SUPPORT

10. The Court's Order of Jan. 26, 1993 with regard to payment of alimony pendente lite beginning Feb. 15, 1993 is hereby terminated. The Court's Order of March 1, 1993, with regard to spousal support at DR 1993-36 is hereby terminated. The Defendant, Robert Vernon Haun shall not be required to make any payments with regard to the Courts' Orders of Jan. 26 1993, and March 1, 1993, with the exception of those payments he had made to the date of this Decree and any payments received by the Plaintiff after the date of the decree shall be refunded to the Defendant.

RECORD CONTINUED ON PAGE 492.....

~~Glaser F. Burkhardt, Jr. and Dorothy E. Burkhardt, his wife~~

~~vs.~~

~~David Paul Burkhardt~~

~~vs.~~

~~Amy Jean Burkhardt~~

~~Record continued from page 493 of record)~~

~~A.D. 1992 - 55~~

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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.

6. Each of the parents and the grandparents shall teach the c hild involved in this case to develop and express that natural love and respect due a parent or grandparent from his or her child. Neither of the parents (nor any of the grandparents) will do or say anything to blacken the character of either parent or grandparent in the eyes of the child.

7. This Order shall not prejudice the right of either party to request further Mediation if there are changed circumstances in the lives of the parties or the child or in the event that the best interest of the child would be served by further Mediation. Such changed circumstances would include the father of the child establising a residence separate from his parents, whether in Georgia, Meadville or some other location.

8. The Court of Common Pleas of Crawford County, Pennsylvania shall retain jurisdictionof 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.

~~9. The fee for Child Custody Mediation shall be paid 50% by the County of Crawford on behalf of the defendant mother and 50% by the father. The father shall receive credit for the $150.00 paid to the Prothonotary by his parents; and, if that amounts exceed one-half of the total~~ cost of Mediation, ~~the balance shall be refunded by the Prothonotary to the father's parents~~ udner the ~~Local Court Rules.~~

~~10. This Order shall be a Temporary Order, but shall become a permanent Order unless exceptions are filed by either party within thirty days fromthe date of this Temporary Order.~~

~~BY THE COURT,~~
~~Gordon R. Miller,~~

~~Nov. 23, 1992 Copies of order to Atty's Lindsay, Brode and Smith~~

In Error

BEVERLY DONNELL HAUN VS. ROBERT VERNON HAUN AD 1992 - 731

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MISCELLANEOUS

11. The Plaintiff and Defendant shall execute within thirty (30) days of the entry of this Divorce Decree any and all documents necessary to effectuate the terms and conditions of this Decree including but not limited to signing of motor vehicle titles, deeds, or other documents.

12. Neither party shall harass, abuse or annoy the other and neither party shall contact the other.

13. If either party shall breach any portion of this agreement, he or she shall be liable to the other for all reasonable counsel fees, costs and expenses in obtaining enforcement of the agreement. Any monies due and owing from either party to the other which remain unpaid owing under this Decree after the date said money is due and owing shall accrue interest at the rate of 10% per annum on the unpaid balance until paid in full.

This Order shall become effective immediately.

BY THE COURT:
Gordon R. Miller, J.

May 20, 1993 Notice of Election to Retake Prior Name: BEVERLY J. DONNELL HAUN to be known as BEVERLY J. DONNELL.

1992

AMY E. BALDWIN
VS.
RONALD L. BALDWIN

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May 8, 1996 CERTIFICATE OF COMPLETION of separating parents seminar, filed.

Charles Irwin Exley

vs.

Silvia Smock Exley

RECORD CONTINUED FROM PAGE 106

OF

AD 1992 - 556

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C. That the parties are possessed of various and sundry items of personalty and those items have already been divided by the parties and each party be the sole and exclusive owner of those items already in their respective possession, except for the following items which shall be returned to husband within ten days of the date of this decree, said items including:

i) United States Navy documents belonging to husband;

ii) Personal clothing or personal equipment and other memorabilia belonging to husband.

D. The parties re indebted to Meadville Area Federal Credit Union. Husband shall assume and be responsible for the payment of all liabilities that the parties owe to the Credit Union and shall indemnify and hodl wife harmelss from any obligation or indebtedness incurred prior to May 31, 1992. Husband shall make a diligent effort and shall have a continuing obligation to refinance or satisfy the parties' obligation to Meadville Area Federal Credit Union.

E. That each of the parties has certain pension or retirement benefits available to them. Each of the parties shall become the sole and exclusive owner of all pension and retirement benefits to which each may be entitled.

F. The parties have been separated since May 31, 1992, and, any accumulations of capital or intangible property by either of the parties, since the date of separation, shall remain the sole and exclusive property of that party who accumulaed those assets.

3. Defendant's Counterclaim for Alimony Pendente Lite Counsel Fees and Costs

A. There shall be no award of either alimony pendente ltie, counsel fees and costs in this case.

BY THE COURT,
Anthony J. Vardaro, J.

1992

JOHN S. EAKIN

Vs.

PATRICIA L. EAKIN

RECORD CONTINUED FROM PAGE 369

OF

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Dec. 14, 1992 ORDER filed. AND NOW, December 11, 1992, the matter is before the Court for de novo hearing. The Court listens to the postulations of the proof that would be presented by each party and the Court notes that numerous witnesses have been summoned by both sides and a de novo custody hearing addressing the qualifications of each parent to be a relatively full-time custodial parent would take excessive time. Attorney Thomas is due in another courtroom on a long protracted mtter at 10:30 this date, and therefore, it is impossible for the Court to take a day or two at this time to listen to numerous witnesses whose testimony would go to the qualifications of each parent to be primary custodial parent. ACCORDINGLY, we continue the de novo hearing on the primary custodial issue as it exists today for a period of three months, after which either parent may petition the Court for a full de novo hearing dealing with the respective qualifications of each parent to be the primary custodial parent.

In the meantime, the Order entered on the recommendation of the Custody Mediator Oct. 28, 1992 is continued generally, subject to the following modifications by this Court:

In II-A, the father's visits with the child every other weekend is modified to the extent that the visits will commence Friday at 7:00 p.m. instead of 6:00 p.m. The Sunday visits shall terminate at 6:00 p.m.as already provided.

In Paragraph B, dealing with Christmas, Easter and Thanksgiving holidays, the Court modifies said agreement with relation to the Christmas visits as follows: For Christmas 1992, the father shall be entitled to have custody of the child on December 24, 1992 from 10:00 a.m. until December 25, 1992 at Noon. In 1993, and in every year thereafter, the parents will alternate these hours between them. In the years that the parent has the child from Noon on Christmas Day, that visit shall terminate at 8:00 p.m. Christmas night.

With relation to Paragraph II-A, requiring the father to give twenty-days advance notice of his projected four-week work schedule, the father advises that he does not always receive that notice of his schedule that far in advance. ACCORDINGLY, we modify the twenty-one day provision and direct that when the father learns of his projected four-week work schedule , that within twelve (12) hours of that time, he place in the mail a written copy or a written schedule of said work schedule so the mother will have full knowledge of the same.

The father has problems with the sixty-day advance notice provision contained in Paragraph II-C, as the purpose of that paragraph was to allow the father to take his non-consecutive seven-day visitation periods when he will not be attending his full-time schooling. ACCORDINGLY, the sixty-day notice provision is rescinded, but the father is required to notify the mother in writing within forty-eight (48) hours of the time he obtains a school schedule of the two seven-day periods he wishes to have visitations with the child.

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

Dec. 15, 1992 Copy of Order to Attys. Brian Lindsay, R. Charles Thomas and John Fuller.

July 9, 1993 Petition for Contempt and Order, filed. ORDER: AND NOW, July 6, 1993, upon presentation and consideration of the foregoing Petition, a Rule is entered upon the Defendant to show cause, if any she has, why the prayer of the Plaintiff should not be granted.

THIS RULE IS RETURNABLE ON Aug. 2, 1993, in Courtroom No. 1 or 2 of the Crawford County Courthouse, Meadville, Pa. at 3:30 p.m.

BY THE COURT:
Anthony J. Vardaro, J.

July 14, 1993 copy to B. Lindsay, R.C. Thomas, J. Fuller

July 13, 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 12th day of July, 1993, send to the above named Defendant's attorney, R. Charles Thomas, Esquire, by First Class Mail, a true and correct copy of the Petition for Contempt filed at the above term and number.

Aug. 4, 1993 ORDER filed. AND NOW, August 2, 1993, after a formal hearing, the Court is not satisfied that the defendant wilfully violated the Court Order in this instance, she claims that her child was sick to her stomach and had a temperature of upwards of 102 to 103 degrees; that daughter was taken to a doctor; that the daughter did not go to school; that the daughter had medication prescribed by a physician; and that the next day at 10:00 o'clock a.m., she contacted the plaintiff and indicated the daughter would come, and the next day,she did take the daughter over at 10:00 o'clock after receiving a call from the plaintiff.

ACCORDINGLY, the plaintiff's Petition for contempt is DISMISSED.

The plaintiff claims that he could have adequately taken care of the daughter, given her condition and his abilities. The Court does not feel that that is the mainfocus in this case. The main focus is whether or not the defendnat wilfully violated a Court Order. We believe that her actions were reasonable and did not constitute a wilful disregard of a Court Order under all of the facts of this case.

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

Aug. 4, 1993 Copies dist. to Fuller, RCT & Lindsay.

James R. Rumbaugh
vs.
Jennifer Hanlon

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July 7, 1994 TEMPORARY ORDER OF COURT, filed. AND NOW, this 7 day of July, 1994, after additional Mediation and upon recommendation of the Child Custody Mediator, it is hereby ordered and decreed that:

1. The natural parents of Brianna Lynn Rumbaugh, age two, born December 26, 1991, the parties to this action, shall share legal custody of the said minor child. Said joint legal custody being shared shall entitle both of the parents to equal access to any records relating to the child held by a third party, including, but not limited to, school and medical records, and shall also entitle both parents to equal input with regard to the educational and religious upbringing of the child, as well as to any elective surgery.

2. Primary physical custody of the child shall remain with the natural mother, Jennifer Hanlon, who will soon marry and become Mrs. Darren Carter. Mr. & Mrs. Carter shall be permitted to take the child out of the jurisdiction of this court and even to the country of Germany should Darren Carter's commitment and membership in the United States Army require him to move out of the jurisdiction of this court. It is anticipated that Mr. Carter will be stationed in Germany beginning July 11, 1994. It is also anticipated that the defendant mother and Mr. Carter will be married prior to that time. Regular visitation and temporary custody of the child shall be granted to the plaintiff father, James R. Rumbaugh. Physical custody for the plaintiff father shall be as follows:

a. The mother and/or stepfather shall bring the child to the Titusville area at least annually during Darren Carter's annual leave from the United States Army. The defendant mother shall deliver physical custody of the child to the plaintiff father within twenty-four hours of arriving in the Titusville area and shall not retake physical custody of the child more than twenty-four hours prior to departing the Titusville area to return to her husband's duty station.

b. At any other time that the child is in the Titusville area with the mother, the child shall be delivered to the father by the mother for a visit within twenty-four hours of the mother's arrival. The child shall not be picked up by the mother for return to her home prior to twenty-four hours before she is scheduled to leave. In the event that the molther and child come to visit with the plaintiff's mother (the child's grandmother), the child shall spend one-half of the time with the plaintiff father and his family. The cost of transporting the child by air or otherwise shall be equally shared by the plaintiff father and defendant mother. For example, if air fare for the child sitting on the mother's lap is $400.00 for the mother and $0.00 for the child, one-half of the mother's air fare (or $200.00) would be paid by the father. In the event that the mother is required to pay $400.00 for her ticket and $300.00 for the child's ticket, the father would be responsible for $150.00.

b. Immediately upon arriving at the stepfather's duty statin, the mother will, in writing by mail, provide her telephone number and mailing address to the father.

c. The plaintiff father shall be permitted to contact the child by telephone at his expense up to two times per week and to speak with the child for up to one hour each time.

3. The parent havign 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 her development or to the development of her character or which would be commonly thought of as dangerous to her physical person.

5. The parents are encouraged to discuss arrangements for physical custody of the child; and, if the parties mutually agree to 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. This paragraph assumes that there will be large geographical distances between the homes of the plaintiff father and defendant mother.

6. Each of the parents and any grandparent, stepparent, or adult coming into regular contact with the child shall teach the child involved in this case to develop and express the natural love and respect due a parent, stepparent, or grandparent from a child. Neither of the parents (nor any adult coming into regular contact with the child) will do or say lanything to blacken the character of either parent, either stepparent, or any grandparent in the eyes of the child. It shall be the obligation of the mother at the time of surrendering the child to the father for visits to also provide sufficient clothing and other accoutrements for the father's care of the child. If the child is taking medication or has a special diet, the mother shall also provide those items to the father.

7. Neither parent nor any stepparent may consume or possess alcoholic beverages or illegal drugs while the child is in his or her care and custody durign rthe period of time when any or part of the family unit is under the age of twenty-one (21). Thereafter, no more than two ownces of alcohol in any twenty-four period will be consumed by a parent or stepparent in the presence of the child when custody is in that home. Neither parent may smoke in the same room where the child is located, nor shall they permit anyone to do so.

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 or within ten miles of the City of Titusville and for a least six months from the date of this Temporary Order.

10. The fee for Child Custody Mediation shall be paid by the County fo Crawford on behalf of the plaintiff father and defendant mother because neither party to this case is employed or has income.

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.

July 13, 1994 Faxed to Irwin Gamble, Smith, mailed to Plf. & Dft.

July 18, 1994 Exception And Motion For Hearing De Novo and Order, filed. AND NOW, this 18th day fo July, 1994, a hearing de novo in the above captioned matter is set for the 23rd day of August 1994, at 9:15 o'clock A.M.

Gordon R. Miller, P.J.

July 18, 1994 Faxed to Irwin, Gamble & Smith

Aug. 24, 1994 ORDER filed. AND NOW, August 23, 1994, this matter is before the Court for a de novo custody hearing. The parties are represented by counsel and have reached an agreement which we will now make a Court Order.

Specifically, to the extent that it is not modified by this Order, the Temporary Order of July 7, 1994 shall remain in full force and effect.

That Order is modified as follows:

1. The Defendant has not married Darren Carter sa of July 6, 1994 and herein after the caption should indicate that the Defendant is known as Jennifer Carter.

The Defendant's husband is currently stationed in Germany and it is anticipated that she will join him in approximately three weeks.

2. Paragraph 2 (b) of the Order is modified with respect to the language at the bottom of page two which currently indicates "int he event that the mother and child come to visit the Plaintiff's mother..." which should in fact state and is modified to state "in the event that the mother and child come to visit the Defendant's mother...".

3. To clarify this Order we note that there is also an item 2(b) on page three and that shall beocme 2 (c) and the paragraph after it shall become 2 (d). Additionally, we will now add paragraph 2(e) which will state as follows:

RECORD CONTINUED ON PAGE 496 -a-.....

2(e). Each year if the natural mother/Defendant has not returned the child to the area for a visit with the father or notified the father of when in that yer the visit will occur by July 1 of that year he may upon one (1) weeks notice to the mother go to Germany to get the child and bring the child back to the United States where the child shall remain until the mother comes back to obtain custody of her in Crawford County. Thereafter, the mother may return the child to Germany if that is where she will be returning, but the same provision will apply each and every year thereafter if the mother is overseas.

In the event the mother does not go to Germany to live or in the event that at some point she returns to Crawford Co. the father's current schedule of temporary physical custody on alternate weekends shall immediately come into effect again. These weekend visits shall begin on Friday at 4:00 p.m. and end on the following Sunday at 6:00 p.m.

In the event that the mother either does not go to Germany or in the event that she returns to Crawford Co. at some time the parties shall alternte visits with the child with respect to December 25th and December 26th being the child's birthday.

Also in the event that the mother does not go to Germany or returns to Crawford Co. at some point, at that time the father shall be entitled to extended summer visits with the same being two (2) weeks out of each summer month with summer months defined as June, July and August.

With respect to all of the aforesaid periods of temporary custody, the father's mother or wife can pick up the child and then the natural mother will pick up the child to return the child to her custody once the period of temporary physical custody has been completed.

3. To clarify the terms and conditions of the Order of July 7, 1994, the parties agree that the leave for the mother's husband is anticipated in each case to be approximately thirty (30) days.

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

Aug. 24, 1994 Copies distributed to Attys. Gamble and Irwin.

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-6-

_____TERM

Martha J. Thompson, et al

vs.

State Farm Ins., Sara Wright and Cynthia L. Wilson

Record continued from page 490B

of

AD 1992 - 891

Mar. 18, 1997, MEMORANDUM AND JUDGMENT certified from the docket of the Superior Court of Pa. filed. JUDGMENT: ON CONSIDERATION WHEREOF, it is now here ordered and adjudged by this court that the judgment of the court of common pleas of crawford county be, and the same is hereby AFFIRMED. By the Court:

Hudock, Ford Elliott and Hester JJ

Mar. 18, 1997, Certificate of Contents of Remanded Record and Notice of Remand filed. (record, 4 transcripts, judgment order and opinion)

1992

James F. Rumbaugh, a minor,
by his guardian and next friend,
Jean B. Rumbaugh

vs,

Jennifer Hanlon, a minor, and
Kathleen R. Nelson, Esq. her
Guardian ad Litem

RECORD CONTINUED FROM PAGE 70

OF

AD 1992 - 529

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9. The Court of Common Pleas of Crawford County, PA. shall retain jurisdiction of this matter so long as either of the parents or the child resides in the Court's jurisdiction and for at least six months from the date of this Temporary Order.

10. The fee for Child Custody Mediation shall be paid 50% by the plaintiff father and 50% by the defendant mother through her parents. Any amount in excess of the father's one-half of the cost of Mediation held by the Prothonotary of Crawford County 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:
Anthony J. Vardaro, Judge

Dec. 9, 1992 Copy of Order to Atty. Bruce Smith; Dec. 15, 1992 Copy given to Atty. Ann Gamble; Dec. 17, 1992 copy given to Atty. Kathleen Nelson and Atty. James Irwin.

Dec 18, 1992 MOTION FOR HEARING DE NOVO and ORDER, filed. ORDER: AND NOW, this 17 day of December, 1992, Hearing De Novo in the above captioned matter is hereby set for the 18th day of February 1993, at 1:30 p.m.

For The Court,
Imogene Yetman, Crt. Adm.

Dec. 24, 1992 copy to A. Gamble

Feb. 23, 1993 DeNovo Custody Hearing Order filed. AND NOW, February 18, 1993, after open discussion in court between the parties, their counsel and the Court, and after a chambers conference with counsel, the Court believes the matter can resolved without going into an extensive custody and visitation hearing.

It appears now a very informal arrangement providing that the father have two (2) weekend visits a month and apparently these have gone without particular difficulty. Accordingly, we are going to expand the number of weekend visits so that the father will next have the child on the weekend of February 26-28, 1993, and every other weekend thereafter.

It shall be the responsibility of the father to pick up the child and return the child and in picking up and returning the child he is DIRECTED by the Court to make the pick up at the front door unless he is specifically invited to enter the house of the mother for receipt of the child.

The hours of the weekend visits shall be from 4:00 p.m. Friday until Sunday at 7:00 p.m.

DDring the school spring vacation period, the father may have the child for five (5) consecutive days during this vacation period commencing at 9:00 a.m. and ending on the fifth day at 6:00 p.m. It shall be the responsibility of the father to advise the mother at least two (2) weeks in advance of the five days that he chooses to have the child, and the Court DIRECTSthat at least the majority of these days be during the period of time when the father is on his school vacation period.

The Court believes that during the months of June, July andAugust the father shall have one (1) consecutive calendar week in each of the months where he has exclusive possession of the child.

In the month of June, 1993, the father may designate the week of June 13, 20 or 27 as his one-week continuous visitation period, with the hours to be 9:00 a.m. Sunday until Saturday at 9:00 p.m.

In addition, during the month of June, 1993, the father may have one (1) other weekend visit as described aforesaid, but said weekend visit cannot precede or immediately follow the one-week period.

During the months of July andAugust, the father may designate a similar one-week consecutive visitation period, and he may have one (1) other weekend visit nonconsecutive to the designated week.

The Court urges the parties to attempt to resolve in an amicable way the visitation periods for the months of September and into the future and if the same cannot be amicably resolved, either party may move the Court for a review hearing.

It shallbe the obligation of the mother in surrendering the child for the aforesaid visits to surrender sufficient clothing and other acrudiments for the father's care of the child. It shall, likewise, be the obligation of the mother to keep the father advised as to the diet of the child so that the child's eating routine may continue on the same with the father.

Each parent shall keep the other notified of any change in condition of the health of the child and if the child receives any injuries or is confined to a hospital for any purpose.

The Court notes the mother has a medical card for use of the child, and in the event the child becomes ill or needs medcial attention while in the custody of the father, the mother will make the necessary arrangements to use her medical card for the care of said child.

Neither parent may consume or possess alcoholic beverages or illegal drugs while the child is in their care and custody and neither person may smoke in the same room where the child is located nor shall they permit other persons to do so.

The father by June 10th shall notify the mother of the exact weeks and weekends he intends on utilizing during the months of July and August.

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

Feb. 23, 1993 Copies of Order Mailed to Attys. Gamble and Smith and given to Atty. Nelson.

Aug 20, 1993 Petition for Payment of Attorney Fees and ORDER filed. AND NOW, this 11 day of August, 1993, upon Petition of Kathleen R. Nelson, esq., Guardian ad Litem for Jennifer Hanlon, a minor, in the above referenced case, the sum of $350.00 shall be paid for services rendered. The Court Administrator shall make payment to Kathleen R. Nelson,Esq., through an appropriate account and the Prothonotary shall tax this amount as costs to minor petitioner's parent's to then be reimbursed to Court account once paid.

BY THE COURT:
Anthony J. Vardaro, J.

Aug. 20, 1993 Copies of Order distributed by the Court.

June 6, 1994 Petition To Modify and Order filed. You, Jennifer Hanlon, have been sued in Court to obtain custody of Brianna Lynn Rumbaugh.

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 CANT GEL LEGAL HELP.

Court Administrator
Courthouse
Meadville, PA 16335
(814) 336-1151, Ext. 298

Date: 6/6/94

Anthony J. Vardaro, J

June 7, 1994 Faxed to Nelson, Gamble and Smith

Continued on Page 496

Nancy Dronko
vs
Gregory L.Dronko

Continued fromPage 129
of Record
A.D. 1992 - 579

Nov.6, 1992 Petition for Contempt under Pa.Rule of Civil Procedure 1915.12 and Notice and Order to Appear filed. Legal proceedings have been brought against you alleging youhave willfully disobeyed an order of court for custody.

If you wish to defend against the claim set forth in the following pages, you may but are not required to file in writing with the court your defenses or objections.

Whether or not you file in writing with the court your defenses or objections, youmust appear in person in court on 22 day of December, 1992 at 10:00 A.M. in Courtroom No. 1or 2, Crawford County Courthouse, DiamondSquare, Meadville, Pa.

Court Administrator,
Courthouse
Anthony J.Vardaro, J.

Nov. 16, 1992 Copy of Order to Attys. Walton & Irwin & Fuller.

Nov. 10, 1992 Request for Hearing DeNovo and order filed. AND NOW, this 6th day of November, 1992 upon presentation and consideration of the foregoing Request for Hearing ahearing is scheduled with the Court of CommonPleas of Crawford County, Pennsylvania, on the 22 day of Dec., 1992 at 10:00 o'clock a.m. in Courtroom No. 1 or 2 of the Crawford County Courthouse, Meadville, Pennsylvania.

The Court:
Imogene Yetman, Court Adminsitrator

Nov. 16, 1992 Copy of the Order to Attys. Irwin & Walton.andFuller.

Nov. 25, 1992, Petition for Emergency Hearing filed.

Nov. 25, 1992, ORDER filed. AND NOW, Nov. 25, 1992, upon presentation and consideration of the within petition it is ordered as follows:

1. A rule to show cause is hereby entered and directed to the plaintiff to show cause if any she has why the prayer of said petition should not be granted. Said rule is returnable for hearing and/or argument at 9:30 a.m. on Tures. Dec. 15, 1992.

2. The de novo hearing and other matters heretofore scheduled for Dec. 22, 1992 shall also be heard on Dec. 15, 1992 at 9:30 a.m. Thus the hearing on Dec. 22, 1992 is hereby cancelled and rescheduled for Dec. 15, 1992.

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

Nov. 25, 1992, copies given to attys. Walton and Irwin.

Dec. 16, 1992 Order filed. AND NOW, December 15, 1992, after an informal hearing, where both parties were present with counsel, it is ORDERED as follows:

1. The defendant's contempt petition is not disposed of, but rather is continued generally and shall be heard at any time wtihin the next six (6) months on motion or petition of the defendant, If no further action is taken on that petition by June 15, 1993, said petition shall be dismissed with prejudice.
2. The Order of October 28, 1992 shall remain in full force and effect except as modified as herein.
3. Paragraph II-A is modified by extending the time when the father returns the child to 7:00 o'clock p.m.
4. Paragraph II-B is modified by extending the time for which the father must return the child to 7:00 o'clock p.m.
5. A new paragraph shall be inserted between Paragraph II-B and II-C of the October 28, 1992 Order, which said paragraph shall provide as follows: When the child reaches two years of age, the father shall be entitled to take his child with him for four days and three nights. The four days shall coincide with the days the mother is working. He shall return the child at 7:00 o'clock p.m. on the last day ofthe week that the mother works, In the event that the mother does not work four consecutive days each week, then the periods of time when the father shall have the right to take his child with him overnight shall be from 8:00 a.m. on the first day that the mother works and ending at 7:00 o'clock p.m. on the last day the mother works for days in a row during a week, the father shall have the child from 8:00 o'clock a.m. on the first day she works until 7:00 o'clock p.m. on the last day she works. As soon as the mother knows her work schedule, she shall advise the father within forty-eight hours after she receives her work schedule. He shall pick up the child at 8:00 o'clock a.m. on the first morning of the week that the mother works.
6. Paragraph II-2 is deleted in its entirety andin its place, the following is substituted: The parties shall share transportation on a 50-50 basis, with the parent receiving the child having the responsibiliy of providing transportation. Exchanges shall occur in a public place. For the moment, that public place shall be the Saegertown Plaza. No unpleasantries, harsh or loud language shall be used during the transfers. The transfers of custody shall be pleasant and harmonious. If the parties want to get involved in longer discussions about the child or more heated d iscussions about the child, those discussions shall not take place furing custody exchanges.
7. Paragraph II-H is modified by adding thereto the following provision: The parties shall continue counseling with Stuart Rothman, or nay other person or entity that they agree upon, which said counseling shall be in the nature of family counseling to aid and assist them in better dealing with each other on any issue, especially issues involving the child.

At no time shall the child be left alone. At no time shall the child be left along with the mother's ten-year-old daughter. Unless absolutely necessary because of the temporary absence of the father shall the dealings between the parties involve the father's girlfriend. The parties shall deal with each other on matters involving the child between themselves, relatives or counselors, but no boyfriends or girlfriends.

The child shall be with his mother on Mother's Day and the father on Father's Day between the hours of 10:00 o'clock a.m. and 7:00 o'clock p.., unless the mother works on Mother's Day.

8. The mother apparently receives four weeks vacation each year. She shall be entitled to have her child in her custody for two consecutive weeks during which the father shallhave no visitation or custody rights so that the mother may take whatever trip or trips she desires. During the remaining two weeks of the mother's vacation, the father shall only have daytime and not overnight visitations between the hours of 8:00 o'clock a.m. and 7:00 o'clock p.m. The parties shall work out which weeks these visitations rights will apply to. The father shall also have two weeks furing the year when he may have the child constantly, provided the child has reached two years of age, so that he may take trips with the ch ild if he desires. During these vacation periods, if the party having custody of the child does not leave town or go on a trip, then the parent not having custody shallhave the right to call the child twice a week and talk for at least fifteen minutes with the child.
9. The parties shall endeavor to agree on the identity and place of medical treatment. If they cannot agree, then the c hild shall continue to be treated by Dr. Matthews and her associates since they have treated the child up to this point.

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

Dec., 16, 1992 Copies given to Atty.s Fuller, Irwin and Walton

Jan. 12, 1993 Motion to Clarify Order, filed.

Jan. 12, 1993 Order filed. After an informal meeting with counsel the plaintiff's motion to clarify the order filed this date is denied. Until further order of court the child may spend one over-night per week pursuant to paragraph II(b) of the Oct. 28, 1992 order as modified by the Order of Dec. 15, 1992.

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

Date: Jan. 12, 1993
Jan 18, 1993 copy to Fuller, Irwin & Walton

Continued on page 498 A

Nancy Dronko

s.

Gregory Dronko

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of record

A.D. 1992-579

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Jan. 26, 1993 Petition For Contempt and Order filed. AND NOW, January, 19, 1993, Motion allowed. Hearing on the above matter is set for February 25, 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:
Imogene Yetman, CA..

Jan. 27, 1993 Copies of order to Atty's Walton and Irwin

Jan. 26, 1993 Emergency Motion to Modify Visitation and Order filed. AND NOW, this 21 day of January, 1993, motion allowed. Heraing on Plaintiff's Emergency Motion to Modify Visitation is scheduled for February 25, 1993, at 11:00 a.m. o'clock in courtroom 1 or 2 of the Crawford County Courthouse located in Meadville, Pennsylvania

By the Court,
Anthony J. Vardaro, J

Jan. 27, 1993 Copies of order to Atty's Walton and Irwin

Feb. 25, 1993 Motion for Continuance and Order filed. AND NOW, this 25th day of February, 1993 upon presentation and consideration of the within Motion this hearing is rescheduled for the 5th day of April, 1993 at 3:30 p.m. inCourtroom No. 1 or 2 of the Crawford County Courthouse.

FOR THE COURT:
Ann A. Walker, Court Administrator

Mar. 5, 1993 Copy of Order to Attys. Walton & Irwin, & Atty. Fuller.

Mar. 12, 1993 Motion To Withdraw Appearance and Order filed. AND NOW, this 11th day of March, 1993, upon prsentation 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 abovecaptioned case.

Gordon R. Miller, J

Mar. 15, 1993 Copies of order to Atty's Irwin, Walton and Fuller

Mar. 25, 1993, Petition to Have Defendant Submit to a Mental Examination, Urinalysis and Blood Test filed.

Mar. 25, 1993, ORDER filed. ADN NOW, Mar. 24, 1993, upon presentation of the above motion, the defendant appears pro se at Motion Court and objects to the relief sought.

This matter is sc heduled for a contempt hearing on Apr. 5, 1993 at 3:30 p.m. and this matter shall also be heard at that time.

BY THE COURT
Anthony J. Vardaro, J.

Mar. 25, 1993, copy to Ct. Adm., Mar. 26, 1993, copies to Atty. Walton and mailed to dft.

Apr. 7, 1993 Order filed. AND NOW, April 7, 1993 after a formal hearing on the plaintiff's petition to have defendant submit to examinations and tests and plaintiff's emergency motion to modify visitation the custody orders of October 28, 1992 and December 15, 1992 it is ordered as follows:

1. Legal custody of JOhn Frank Dronko (child) shall be shared between the mother and father, that is each parent shall be entitled to full access to school records, medical records and other important records and each parent shall be entitled to take part fully in important decisions affecting the child such as the education, medical treatment and religious instructionof the child.

2. Physical custody of the child shall be with his mother subject to the following conditions:

a. The father shall be entitled to visit and take the child into his cusotdy each Tuesday and Wednesday form 7:30 o'clock a.m. on Tuesday until 5:00 o'clock p.m. on Wednesday; and shall be entitled to visit and take his child into his custody every Thursday and Friday from 7:30 o'clock a.m. to 5:00 o'clock p.m. each day.

b. When the child reaches two years of age the father shall be entitled to visit and take the child into his custody from 7:30 o'clock a.m. on Tuesday until 5:00 o'clock p.m. on Friday.

c. Holidays shall be defined as Christmas, Easter and Thanksgiving. Custody ofthe child shall be shared on these holidays and, in the absence of an agreement to the contrary, in the absence of an agreement to the contrary, the child shall be in the custody of the mother on these holidays from 8:00 o'clock a.m. until 2:00 o'clock p.m. andin the custody of father from 2:00 o'clock p.m. until 7:00 o'clock p.m. Holiday visitations shall take priority over all other visitations.

d. The child shall be with his mother on Mother's Day and father on Father's Day between the hours of 10:00 o'clock a.m. and 7:00 o'clock p.m.

e. Mother shall be entitled to have her child in her custody for two consecutive weeks during her vacation period during which the father shall have no visitation or custody rights. During the remaining portions of the mother's vacation the father shall have daytime vistiations only and no overnight visitations. The daytime visitations shall be between the hours of 8:00 o'clock a.m. and 5:00 o'clock p.m. The father shall also have two weeks during the year when he may have the child constantly after the child has reached two years of age so that he may take trips with the child if he desires. During any of these vacation periods, if the party having custody of the child doe snot go on a trip or leave the area, then the parent not having custody shallhave the right to call the child twice a week and talk for at least fifteen (15) minutes with the child.

f. Transportation of the child for visitations shall be provided as follows. When the father is to receive the child the mother shallhave the child available at the Saegertown Plaza and the father shall pick the child up there. When the mother is to receive the child the father shall have the child at the Dairy Isle store in Blooming Valley and the mother shall pick the child up there. No unpleasantries, harsh or loud language, or arguing or bickering shall occur during the transfers. The transfers of custody shall be pleasant and harmonious. No person shall video tape, photograph or record these exchanges. If the parties want to get involved in longer discussions about the child or more heated discussions those discussions shall not take place during child custody exchanges nor at any time while the child is present.

Continued on Pg. 498B

3. 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 his/her power to foster a favorable and loving attitude onthe part of the child towards both parents.
4. 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.
5. Both parents agree to inform theother immediately of any illness or injury regarding the child and both parents agree to furnish the other with a acurrent telephone number.
6. The father shall continue counseling with Deborah Gregg as long as she recommends it. The father shall complete parenting classes at Center for Families in Change and the father shall completely abstain from the use of alcohol or illegal drugs, when the child is in his custody.
7. The parties shall counsel with Stewart Rothman or any other person or entity that the agree upon or, if they cannot agree, that their attorneys agree upon, which said counseling shall be in the nature of family counseling to aid and assist them in better dealing with each other on any issue, to assist them in resolving conflicts and to cause them to work harmoniously for the best interests of the child. These sessions shall commence within three months form the date of this order.
8. At no time shall the child be left alone. At no time shall the child be left alone with the mother's ten year old daughter. Unless absolutely necessary because of the required temporary absence of the father shall the dealings between the parties shall not involve the father's girlfriend, Bonnie Wiant. Neither party shall involve Bonnie Wiant in any exchanges or passing of information. The parties shall deal with each other on matters involving the child between themselves, relatives or counselors, but not through boyfriends or girlfriends unless absolutely necessary.
9. The parties shall agree on the identity and place of medical treatment. If they cannot agree then the child shall continue to be treated by Dr. Matthews and her associates since they have treated the childup to this point.
10. The father continues to want more time with his child. He should be reminded that, because he does not work and the mother does, he really hasmore time with the child than them other under the current order. The Court will resist any expansion of the father's custody and visitation rights unless, of course, it is clearly in the child's best interest to do so.
11. The plaintiff's petition for testing, etc. is denied.

BY ORDER OF COURT,
Gordon R. Miller,

Apr. 7, 1993 Copies to Atty's Walton and Muth

January 5, 1993 Petition for Contempt and Motion to Modify Custody and Order filed: Legal proceedings have been brought against you alleging you have wilfully disobeyed an Order of Court for Custody.

If you wish to defend against the claim set forth in the following pages, you may but are not required to file in writing with the Court your defenses or objections.

Whether or not you file in writing with the Court your defenses or objections, you must appear in person in Court on Feb 2nd 1994 at 10:00 am in Courtroom 1 at the CRawford Court Courthouse, Meadville, Pennsylvania.

IF YOU DO NOT APPEAR IN PERSON, THE COURT MAY ISSUE A WARRANT FOR YOUR ARREST.

If the court finds you you have wilfully failed to comply with its order for custody, you may be found to be in contempt of court and committed to jail, fined or both.

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

Court Administrator
Crawford County Courthouse
Meadville, Pa 16335
Telephone 336-1151 ext 298
BY ORDER OF THE COURT,
Gordon R. Miller, J.

Jan 11, 1994 Copies of order distributed to Attys Walton and Irwin.

Jan. 31, 1994 Motion To Continue Hearing and Order filed. AND NOW, January 31, 1994, the hearing scheduled for February 2, 1994 is hereby continued to March 7, 1994 at 10:30 a.m. in Courtroom No. 1.

FOR THE COURT,
Ann A. Walker, CA

Feb. 2, 1994 Copies fo order to Atty's Walton and Muth

Feb. 28, 1994 Praecipe for Cancellation of Hearing and ORDER filed. AND NOW, this 23rd day of February, 1994, comes the Plaintiff,by and through her Attorney,Barbara J.Walton,Esquire, and asks that the hearing on Petition for Contempt, currently scheduled for March 7, 1994 at 10:30 a.m. be cancelled as the parties have resolved their differences.

AND NOW,February 25, 1994, the hearing scheduled for March 7, 1994 is hereby cancelled.

By the Court:
Anthony J. Vardaro, J.

3-3-94 Copy of Order to Attys. Walton & Peterson-Muth

Sept. 29, 1994 Petition To Modify Custody and Order, filed. YOU, GREGORY DRONKO, have been sued in Court to obtain shared custody of JOHN FRANK DRONKO.

You are ORDERED to appear in person at such time and place as will be determined by the Mediataor 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 Cfourt 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 LAWYER 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:
Date: 9-23-94 Gordon R. Miller, P.J.
Sept. 29, 1994 Faxed Fuller, Walton, Muth.
Oct. 6, 1994 Faxed Irwin

RECORD CONTINUED ON PAGE 498 (C).....

NANCY DRONKO
VS.
GREGORY DRONKO

RECORD CONTINUED FROM PAGE 498 (C)
OF
AD 1992 - 579

Dec. 20, 1994 CUSTODY ORDER filed. AND NOW, Dec. 16, 1994 after mediation conference, and pending efforts by the parties and their counsel to produce a consent custody order, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. The parties shall abide by th eprior Order of Court dated April 7, 1993, unless they mutually agree otherwise.

II. This Order is entered without prejudice to the right of either party to request a further mediation conference in the event the parties are unable to arrive at an agreement regarding the child's schooling.

III. Cost of the mediation conference shall be equally divided. The Prothonotary of Crawford County is hereby directed to return to Plaintiff a portion of the deposit made by Plaintiff, less the cost of the custody order.

Anthony J. Vardaro, Judge

Jan. 4, 1995 Order FAXED Attys. B. Walton, B. Muth, J. Fuller; copy sent plf. & defdt.

may 21, 1997
Certificate of completion of the Seminar for Separating Parents for Gregory L. Dronko, filed.

June 23, 1997 Petition to Modify Custody, Order and Notice and Ntoice and Order to Appear filed. AND NOW, this 27th day of June, 1997, it is ordered and decreed that the parents in this matter shall in this matter shall satisfactorily complete the Seminar for Separating Parents in accordance with Crawford County civil Rule L1930. Application for the seminar may be obtained at the Center for Family Service, 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.

BY THE COURT:
Gordon R. Miller, J

6-27-97 FAXED Muth, Spataro & DISTRIBUTED Walton & Gamble

NOTICE AND ORDER TO APPEAR: You, Nancy Dronko, have been sued in Court to modify custody, partial custody or visitation of the child(ren): John Dronko, date of birth, July 7, 1991.

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.

(SEE PAPERS FILED)
BY THE COURT:
Date: June 27, 1997
Gordon R. Miller, J.

6-27-97 FAXED Spataro, Muth. DISTRIBUTED Gamble & Walton

July 15, 1997 Affidavit of Mailing filed. Ann Hansen Gamble, being duly sworn according to law, deposes and says that she is an attorney at Law, duly authorized to practive law in the Commonwealth of Pennsylvania and that on July 3, 1997, she sent a certified copy of the Petition for Modification of Custody Order, to the Plaintiff by certified mail, return receipt requested to Nancy Dronko, P.O. box 321, Saegertown, PA 16433, the defendant's last known address. The said receipt being attached hereto.

Ann Hansen Gamble

Aug 18, 1997 ORDER: AND NOW, this 15 day of August, 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, John Frank Dronko, born on July 7, 1991.

13) Costs and fee 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 divided equally between the parties with a share of each being assessed to him or her as costs in this case.

14) The $200.00 deposit required for the appointment of the Custody Mediator was paid by the father. The deposit shall be applied against the fees and costs of this case. The mother shall pay to the father within thirty (30) days of the date of this Order the sum of $75.50, representing her share of the fees and costs of this case that were advanced by the father. The mother shall, within thirty (30) days of the date of this Order pay to the Prothonotary of Crawford County the sum of $49.00 representing the balance due on her share of the fee and costs of this case.

(FOR COMPLETE ORDER SEE PAPER FILED)
Anthony J. Vardaro, J.

Aug 19, 1997 Faxed Spataro, Lindsay & Gamble
Aug 26, 1997 sent Plf. & Dft.

Oct. 29, 1997 Plaintiff's Seminar for Separating Parents certificate filed. (Plff)

Oct. 22, 1997 Bench Warrant Return filed.

Oct. 23, 1997 Order filed. AND NOW, October 21, 1997, the Plaintiff having been incarcerated on a warrant issued by the Office of the Prothonotary for failure to complete the Seminar For Separating Parent,s hearing is hereby set for Wednesday, October 22, 1997, at 9:15 AM via video conferencing between CCCF and CR #2, Crawford County Courthouse.

FOR THE COURT,
Ann A. Walker, C.A.

12-23-97 Distributed Lindsay & Gamble

Oct. 23, 1997 Order filed. AND NOW, October 22, 1997, this matter comes before the Court insofar as in our Order of August 15, 1997 in this custody matter, we required that the plaitiff, who is Mrs. Dronki in this action, take the seminar for separating parents or an equivalent seminar within 60 days from the date of this Order. She fails to do so, and as a result, a Bench Warrant was issued by the Prothonotary and she was placed in the Crawford County Correctional Facility.

At this time, Mrs. Dronko who is represented by counsel, indicates that she intended to take the seminar and had, in fact signed up and paid for, but due to the various problems in her life, did not do so.

It is ORDERED AND DIRECTED that she be released form custody forthwith and that she be required to take the next available seminar for separating parents.

If a certificate of completion of the seminar for separating parents is not on file withthe Prothonotary within 45 days form this date, the Prothonotary shall issue a Bench Warrant once again ofr the detention of the plaintiff in this case, and at that time, if she is detained, the Crawford County Correctional Facility shall promptly notify the Court Administrator so a hearing can set.

BY THE COURT,
Anthony J. Vardaro, J

10-23-97 Distributed Lindsay & Gamble

June 30, 1998 Certificate for Seminar Completion of plff. filed.

Cont on Pg 498D

Nancy Dronko

vs.

Gregory Dronko

Record continued form page 498C

of record

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Oct. 28, 1997 Order filed. AND NOW, October 27, 1997, the defendant has filed a Motion for Claraification of the August 15, 1997 Custody Order.

That Order provides that the mother shallhave the child from Friday at 5 o'clock p.m. until the commencement of classes on Monday morning during the school year. The mother would transport the child to class on Monday morning and when school is out at the end of the day of MOnday, the child would go to live with the father until later in the week.

There appear to be 6 days during the school year when the child would not be doing to school on Monday. They are December 1, 15 and 29; January 19; April 13; and May 25, for this school year.

The father is disabled and is not working and believes he is entitled to have the child on Monday morning at the time school would start on the days when school is not in session on that Monday.

The mother believes that she would take those days off and be with the child.

It appears that clarification is appropraite. However, the undersigned Judge did not fashion this Custody Order and does not know what the Custody Meidator had in mind and therefore, what he would have recommeded in his overall scheme of solving this case on those MOndays when the child is not in school.

The Mediator's letter of August 11, 1997 gives a partial clue. He appears to be trying to maximize the amount of time a parent is not working. For instance, he has given the child to the father during the week when the father is not working and to the mother on the weekend when the mother is not working. We do not known what the Mediator wouldhave done had he known the mother could take the Mondays off when the child was out of school.

ACCORDINGLY, the Mediator shall schedule a conference within the next 30 days for this one issue only. This is not a modification petition. He shall file a recommeded Order. The only request for hearing denovo that the Court would entertain would be on the narrow issue of these Mondays.

BY THE COURT,
Gordon R. Miller J

10-28-97 Distributed Lindsay, Gamble & Spataro

June 22, 1998 PETTITION TO MODIFY CUSTODY AND ORDER AND NOTICE FILED. AND NOW, this 22 day of June 1998 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 St, Meadville, PA 16335; the Prothonotary at the Crawford County Courthouse; or the Court Administrator at the Crawford County Courlthouse.

Application for attendance at the seminar must be made by the plaitniff or peitioner within 15 days after the pleading or petition is filed; and by the Defendant or respondent within 15 days after he or she is served with the pleading or petition.

THE SEMINAR MUST BE COMPLETED WITHIN 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.

Ir either party has any questions about this seminar he/she should consult an attorney or refer to the Crawford County Civil Rules of Court that are available in the Prothonotary's Office and in the Crawford County Law Library or contact the Center for Family Services, inc.

BY THE COURT
ANTHONY J. VARDARO, J.

Notice and Order to appear. You have been sued in Court to obtain custody, partial custody or visitation of your child(ren).

You are Ordered to appear in person at such time and place as will be determined by the Mediator J. Spataro, Esq. for a mediation conference. The Mediator shall send you a Notice of the Hearing by Mail to the address listed on the complaitn or petition that has been filed recently.

If you fail to appear as provided by this Order, an Order for custody, partial custody or visitation may be entered against you or the Court May issue a warrant for your arrest.

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

Court Administrator, Courthouse
Meadville,PA 16335
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 Ameaicans 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.

BY THE COURT
Anthony J. Vardaro

date 6/22/98
6/24/98 FAXED LINDSAY, GAMBLE, SPATARO

Sept 1, 1998 ORDER: AND NOW, this 28 day of August, 1998, 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, John Frank Dronko, born on July 7, 1991.

2) The parties shall share with each other any and all information which each may have regarding the health, education, and major events in the life of the subject minor child. Health care, school personnel, and other care providers are hereby authorized to release to either party any and all confidential information which they may have regarding the subject minor child.

3) The mother shall have primary physical custody of the child, subject to the partial custody rights of the father as follows: (see paper filed)

4) thru 12) (see paper filed)

13) Costs and fees of this Mediation, which are fixed at $300.00 ($60.00/hr. x 5.0 hrs.) and the $9.00 Court Order filing fee are to be paid as follows:

a) The mother has paid the $200.00 necessary for the appointment of a child custody mediator. The entirety of said sum shall apply to the cost and fees of this case.

b) The balance of the costs and fees shall be paid by Crawford County for the reason that the father's only source of income diability.

Cont. on Pg. 498E

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Nancy Dronko
vs.
Gregory Dronko

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14) and 15) (see paper filed)

Anthony J. Vardaro, J.

Sept 3, 1998 Faxed Spataro, Lindsay, Gamble
Sept 30, 1998 sent Plf & Dft

October 21, 1998 Motion for Hearing DeNovo and Order filed. And Now, this 20th day of October 1998 hearing de novo in the above captioned matter is hereby set for the 29th day of December 1998 at 9:15AM in Courtroom #1 of the Crawford County Courthouse, Meadville, PA

Ann A. Walker, Ct. Admin.

10/22/98 Faxed Lindsay & Gamble

Jan. 26, 1999, Motion to Continue and order filed. ORDER: AND NOW, this 22 day of Jan. 1999 motion is granted an this matter set for hearing on 31st day of Mar. 1999 at 9:15 a.m. in C. R. No. 2 ,Courthouse, Meadville, Pa.
The order dated Aug. 28, 1998 shall remain in full force and effect until such time as the order is modified or terminated by court. BY THE COURT,
Gordon R. Miller, J.

1/27/99 faxed to Lindsay and Gamble

Apr. 6, 1999 Order filed. AND NOW, March 31, 1999 after a partial hearing, this matter is continued until June 2, 1999 at 9:00 a.m. in Courtroom No. 2 before the undersigned. The whoe day shall be allocated for this h earing.
BY ORDER OF THE COURT,,
Anthony J. Vardaro, J

4/6/99 Distributed Lindsay, Gamble & Ct. Adm.

April 6, 1999 Exhibits filed.

May 24, 1999 Testimony of Nancy Dronko Take at Hearing on March 31, 1999 filed.

June 4, 1999 Order Setting Hearing filed. And Now, June 4, 1999 after extensive hearing in the above on June 3, 1999 and further hearing being required this matter is set for a period of two hours only on Wednesday July, 21, 1999 at 9 am CR #2 Crawford County Courthouse.

For the Court
Joseph Shuttleworth, ct Admin

5/4/99 Faxed Lindsay & Gamble

June 7, 1999 Exhibits Filed

July 21, 1999 Transcript of Proceedings of John Dronko at time of Hearing June 2, 1999 Filed.

August 26, 1999 Memorandum and Order filed. And now, this 26 day of Augsut 1999 fro DeNovo Custody Hearing, it is oredered and directed as follows:
1. The parties shall share legal and physical custody of the subject minor child John Frank Dronko born on July 7, 1991.
2. The parties shall share with each other any and all information which each may have regarding the health, education and major events in the life of the subject minor child. Health care, school personnel and other care providers are hereby authorized to release to either party any and all confidential information inwhich they may have regarding the subject minor child.
3. The mother shall have primary physical custody of the child subject to partal physical custody rights of the father as follows:
a. The father shall be entitled to take the child into his care and custody on the first, second, fourth and when there is a fifth weekend with a weekend herein defeind as including a Friday, from Friday lt 4 pm until Sunday at 6 pm.
b. The father shall be entitled to have the child in his care and custody each summer beginning at 4pm on June 15 and continuing until 6 pm on August 15.
During that summer period, the mother shall be entitled to partial physical custody of the hcild every other weekend from Friday at 4 pm until Sunday at 6 pm with the first such weekend to begin on the second Friday after June 15.
4. Holiday custody shall be arranged as follows:
a. Christmas: The father shall have temporary physical custody of the hcild beginning at noon on Christmas Day and continuning until 6 pm on Dec. 31st.
b. Thanksgiving: The father shall have temporary physical custody of the child commencing on Thanksgiving Day at 3 pm and continuining until Sunday at 6 pm.
c. Easter: The Easter holiday shall be divided into two segments with the First segment beginning at 6 pm on the Friday before Easter and concluding at noon on Easter Sunday and the second segment beginning at noon on Easter Sunday and concluding the day and concluding the day before school is to resume at 6 pm.
For the year 2000 and each even numbered year thereafter this arrangement shall be alternated such haht the father has the first segment and the mother has the second segment. For each odd numbered year the mother shallhave the first segment and the fahter shall have the second segment.
d. Spring break: If the child has a Spring Break of at least three days in duration, the father shall have temporary physical custody beginning at 4 pm on the last day the child is in shcool and continuing until 6 pm on the day before on the day before the child returns to school.
e. The child shall spend Father's Day with his father from 9 am until 7 pm and Mother's Day with his mother during the same hours.
5. The provisions of this paragraph shall take precedence over any other provisions of this Order relating to custody.
6. The parties shall share 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 teh other. Any person transporting the child shall make sure that seatbelts or other restraints are used in accordance with the laws of the Comm of PA
7. Each party sahll 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 sahll 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 caustioned that medical research has indicated that tobacco smoke is injurious to he health of growing children. Therefore, neither party shall smoke tobacco nor permit others to do so in a closed automobile inwhich the child is being transported or in a bedroom of the child.
9. Neither party shall do or say anything to blacken the character of the other inthe 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 freiends to do likewise and also not to disparage the other party in the child's estimation.
10. The mother shall diligently attend to the child's educational needs and shall not enroll the child in a private school without the express prior consent of the father. The motehr shall see to it that the child attends school. The mother shall keep the father informed of all educational defelopments involving the child and shall participate in all educational programs recommended by the child's instructors.
The motehr shall keep the father informed of events int he child's life and school and outside of school which may be attended by the fater and shall give him as much notice as possible of all such events.
11. Either party may telephone the child at reasonable times and for reasonable lenghts of time when the child is in the

CONTINUED ON PAGE 498F

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Nancy Dronko
vs
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CUSTOdy of the other party. It will be presumed reasonable for a paretn to place a t4elephone call every other day, but not including Wednesdays between the hours of 7 pm and 8 pm. In addition, the parties shall encourage the child to send e-maild on a frequent basis to the otehr parent who isnot in custody of the child.

12. The parties are free to make additional alternative arrangements regarding the custody 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 i in the absence of which this Order shall govern.

13. Eitehr party may request a review of this Order upon any material change in circumstances. This Court shall retain jurisdiction over this custody case until such time as this Court affirmatively relinquishes jurisdiction to another venue. All petitions for modifications shall be filed in this court.

By the court
Anthony J. Vardaro, J.8/26/99 Dist Gamble & Lindsey

3/14/01 ANY FILINGS INVOLVING THIS CASE MAY NOW BE FOUND ON THE COMPUTER

1992

MARLENE UNGER
VS.
RICHARD MORTENSEN

RECORD CONTINUED FROM PAGE 284
OF
AD 1992 - 734

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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 eencouraged 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 $152.00, are divided equally between the parties. 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 plaintiff mother. The deposit shall be disposed of as follows:

The Prothonotary shall apply the deposit first against the mother's share of costs. The remainder of the deposit shall be refunded to the mother.

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

By the Court,
Gordon R. Miller, j.

Sept. 23, 1992 Copy of Order to Attys. Barbara Walton, Wm. Pineo; copy mailed to plaintiff and defendant.

March 16, 1998 Petition For Special Relief and ORDER filed. AND NOW, this 16 day of March, 1998, upon consideration of the Petition for Special Relief presented this date, this Court hereby orders as follows:

1. That primary physical physical custody of minor child, Cody Mortensen, is placed with his father, Richard Mortensen, until further Order of Court.

2. That, in the event mother Marlene Unger, also known as Marlene Elwell, returns to the Crawford Co. area and desires to see minor child, Cody Mortensen, she shall be entitled to do so only at the discretion of the child's father, Richard Mortensen.

3. That Marlene Unger, also known as Marlene Elwell, has a right to petition this Court for special relief or for the appointment of a child custody mediator in the event she disagrees with the terms of this Order.

BY THE COURT:
Anthony J. Vardaro, J.

March 16, 1998 Order DISTRIBUTED to Attys. Lindsay and Walton.

Mar. 11, 1998 Affidavit of Service filed. I, Brian J. Lindsay, Esq. do hereby certify that I did on Mar. 10, 1998 send to plff. atty Barbara Walton Esq. by first class mail, copy of Pet. for Special Relief and notice. Brain J. Lindsay

AS OF JANUARY 6, 2000 - ANY FILINGS INVOLVING THIS CASE MAY NOW BE FOUND ON THE COMPUTER

DOUGLAS W. INGALLS

VS.

LUCIA T. INGALLS

RECORD CONTINUED FROM PAGE 471

OF

AD 1992 - 665

3. With respect to husband's pension, the marital property component (covertur fraction) of the pension is 67.86/100ths of the projected monthly benefit at normal retirement based upon husband's salary on April 14, 1992 ($689.21). If husband retires or his employment is terminated before the normal retirement age, the fraction, which determines the marital property component, shall be adjusted as necessary to reflect the total number of months worked to earn the benefit. The portion fo the pension awarded to wife, $355.45 per month, is 76% of the marital property component of the monthly benefit as described above, subject to such actuarial adjustments as might be necessary based upon the wife's age, sex, benefit form selected, or the date upon which she elects to put the Plan into pay status. Husband is awarded the remaining 24% of the marital property component, as defined in this Order, as well as 100% of the nonmarital portions of the pension. Wife shall be entitled to the same pro rata share of the marital portion of the following:any early retirement incentive based upon years of service during the marriage; any preretirement benefits that might become available; and any surviving spouse benefits that might become available. The present value of such payments to wife is $14,468.

4. Husband shall assume liability for the loans secured by a first and second mortgage on the marital residence and the loan secured by the Ford truck and will hold wife harmless with respect to the same. Husband will assume full responsibility for the credit union loan and all other marital debt as set forth herein, to the extent not otherwise provided for and hold wife harmless with respect to the same.

5. Attorney for wife shall prepare a Qualified Domestic Relations Order making wife an alternate payee with respect to husband's Lord Corp. pension within 30 days of this Decree. To the extent necessary, he will also prepare documents necessary to accomplish transfer of the Lord Corp. 401(k)/Savings plan to wife within 30 days of this Decree.

6. Within 30 days from the date of this Decree the parties shall sign all necessary documents to transfer the title to real estate and motor vehicles and any other documents necessary for the transfer of ownership of assets as provided for hereunder.

7. Husband shall pay to Wife's attorney the sum of $588 within 30 days of the date of this Decree.

8. From the deposits paid into the court, the prothonotary shall pay the Reporter's fee of $350.00 forthwith to Lorraine Dallas, 820 Ravine St., Meadville, PA 16335.

9. The prothonotary shall pay over the remainder of any master's deposits to the county forthwith as a portion of the Master's Fee.

10. The parties shall pay the remaining costs in the amount of $967.50: Husband shall pay $532.13 and Wife shall pay $453.37 before a divorce decree will be delivered to them.

10. The parties shall pay the remaining costs in the amount of $967.50: Husband shall pay $532.13 and Wife shall pay $435.37 before a divorce decree will be delivered to them.

11. Husband shall pay wife alimony of $250 per month for 24 months commencing with the date of the divorce decree.

12. All claims for alimony, alimony pendente lite, counsel fees, costs and expenses raised in the record, which are not resolved by this decree are dismissed.

BY THE COURT:
Anthony J. Vardaro, J.

Apr. 16, 1996 Petition for Review and Modification of Custody Order and ORDER AND NOTICE filed. AND NOW, this 15 dayof April,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, Meadvilel, Pennsylvania 16335; the Prothontoary at the Crawford County Courthouse; or the Court Administrator at the Crawford County Courthouse. (See Order filed)

BY THE COURT,
Anthony J.Vardaro, J.

Faxed
4-16-96 Thomas, Irwin & Fuller

Apr.22, 1996 Motion to Dismiss Petition for Review and Modification of Custody Order on Ground that Court Lacks Jurisdiction filed.

Apr.22, 1996 ORDER filed. AND NOW, April 19, 1996, after argument in Motion Court at which time both parties were represented by counsel, the defendant's Motion to Dismiss Petition for Review and Modification of Custody Order on Grounds That This Court Lacks Jurisdiction is granted.

We find that pursuant to the provisions of 23 Pa. C.S.A. §5364 and 23 Pa.C.S.A. §5344, ERie County is the home county of the child and it is undisputed that it has been the home county of the child since August 1993.

Additionally,it appears that the only significant contact with Crawford County is that the original custody order

Additionally, it appears that the only significant contact with Crawford County is that the original custody order was entered in Crawford County and the plaintiff continues to reside in Crawford County and as such plaintiff's periods of temporary physical custody with the children are exercised in crawford County. We do not believe that under those circumstances it is in the best interest of the child for this Court to assume jurisdiction as opposed to the home county.

The Order entered by this Court referring this matter back to mediation is rescinded and the Prothonotary is directed to return the deposit paid by the plaintiff, less any court costs, to him.

This Order of course is without prejudice to the plaintiff to file an appropriate motion to modify in Erie County.

BY THE COURT:
Anthony J,. Vardaro,J.

4-23-96 Faxed Thomas & Arduini

May 8, 1996 Certificate of Completion of Separating Parents seminar, filed.

May 24, 1996 Qualified Domestic Relations Order filed. AND NOW, this 24th day of May, 1996 is is appearing to the Court that:

1. The parties herto were formerly husband and wife, having been divorced on August 11, 1995, by this Court at the above number.

CONTINUED ON PAGE 514

MADELEINE SVIDUNOVICH
vs.
NICHOLAS E. SVIDUNOVICH

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9. This order shall remain in full force and effect through May 18, 1993, with the understanding that any subsequent custody orders made inthe custody proceeding shall supersede the visitation and custody arrangements set forth in this order.

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

May 26, 1992Copy of Order given to Co. Control, Police Department, Plaintiff & Defendant

Aug. 5, 1992, ORDER (RE: PETITION FOR CONTEMPT FILED BY DEFENDANT IN CUSTODY CASE) filed. (See order typed at AD 1991 - 11)

Aug. 11, 1992, copies of above order to County control, Meadville City Police, defendant, Atty. Nelson, and B. Lindsay.

May 17, 1993 Complaint For Indirect Criminal Contempt For Violation of Protection From Abuse Order, filed.

May 17, 1993 ORDER filed. AND NOW, May 17, 1993, the Plaintiff appears with a complaint for indirect criminal contempt for violation of protection from abuse order with respect to an order entered on May 19, 1992. This order is set to expire tomorrow.

The Plaintiff alleges various acts of contempt on the part of the Defendant beginning on Jan. 5, 1993 and continuing to date.

Accordingly, this matter is scheduled for a hearing with respect to the alleged contempt on the part of the Defendant with said hearing to be on Monday, May 24, 1993 at 11:00 A.M. in Courtroom NO. 1, 2 or 3 of the Crawford County Courthouse.

Due to the fact that the alleged contempt wuld have occurred during such time that the order of May 19, 1992 was in effect, pending the contempt hearing the terms and conditions of the original order of May 19, 1992, as well as the terms and conditions of an order of Aug. 4, 1992 entered by Judge Gordon R. Miller shall remain in full force and effect.

The Prothonotary is directed to serve a copy of the Plaintiff's complaint together with a copy of this order upon the Defendant at RD 4, Box 754 Brown Hill Rd., Meadville, Pa. 16335 by certified mail, return receipt request, addressee only, so that he is aware of this hearing and the Prothonotary shall also by regular mail provide a copy of this order to County Control and to the Meadville City Police Dept. insofar as the Plaintiff's address is 681 State St., Meadville, Pa. 16335.

BY THE COURT:
Anthony J. Vardaro, J.
Date: May 17, 1993
May 17, 1993 copies of order (cert) to Dft. Reg. mail to MCPD & given to Co. Control

May 25, 1993 Order filed. AND NOW, May 24, 1993, at the time scheduled for hearing, both parties have appeared without counsel. The Defendant has indicated that he has no idea what this hearing relates to. A check of the records would indicate that while the Prothonotary sent him a copy of the Order scheduling the hearing as required by the Order of May 17, 1993, the Prothonotary neglected to forward a copy of the Plaintiff's Complaint, which was also required by the Order of May 17, 1993. This case is, therefore, countinued to give the Defendant an opportunity to prepare his defense and is rescheduled for June 9, 1993 at 1:30 o'clock p.m. in a courtroom to be assigned by the Court Administrator. The Protection From Abuse Order currently in force is continued in full force and effect until further Order of Court.

The Court strongly urges that both parties arrange to have counsel present at the hearing. If the Defendant feels that he is unable to afford counsel, he should contact the Public Defender's Office for an assignment of counsel, which the Court DIRECTS since this case could involve substantial imprisonment for contempt if the allegations of the Petition are found to be true.

Copies of this Order shall be sent by regular mail.

The Prothonotary shall immediately make a copy of the Complaint and affidavit supporting the Complaint filed in this case and deliver it to the Defendant this date.

BY ORDER OF THE COURT,
Robert L.Walker, S.J.
May 25, 1993 Copy of the Order to Plaintiff, Defendant, County Control, Public Defender's Office and Meadville Police Dept.

June 9, 1993 CONSENT ORDER filed. AND NOW, this 9th day of June, 1993, upon consent of the parties hereto the Court hereby enters the following Order:

1. The Defendant shall not assault, abuse, harass, or threaten the Plaintiff, Madeleine Svidunovich, in any manner.
2. The Defendant shall not go to the residence of the Plaintiff at any time except in the exercise of his custodial visitation rights per Order of this Court at AD 1991-11. If the Defendnat appears at residence of the Plaintiff other than in the exercise of his custodial visitation rights, it shall be presumed by the police agency that his presence at the Plaintiff's residence is not invited and he shall be in contempt of this Order.
3. The Defendant shall not telephone the Plaintiff at any time or for any reason whatsoever. In the event that the Defendant needs to contact the Plaintiff in regard to an emergency matter involving the parties minor children, he shall contact Rita Linz, the maternal grandmother of the minor children, who will relay the Defendant's message to the Plaintiff. This provision shall in no way restrict the minor children from contacting their mother during their visitation periods with their father; however, the father shall not be permitted to talk to the mother during a conversation between the children and their mother.
4. The court makes no finding in regard to the complaint for Contempt of May 17, 1993, filed by the Plaintiff relating to the prior Order of May 19, 1992.
5. This Order shall remain in full force and effect through May 17, 1994.

Robert L. Walker, S.J.
June 9, 1993 Copy of Order given to Atty. B. Lindsay,(Plf., Dft., MCPD, Co. Control on 6/17/93).

March 14, 1994 NOTICE OF HEARING filed. To: Nicholas E. Svidunovich, Defendant

1. You are hereby Ordered to appear for hearing on April 22, 1994, at 10:30 A.M., in Courtroom 1 or 2, at the Crawwford Co. Courthouse, Meadville, PA 16335.
2. You have been charged by Madeleine Svidunovich with violating the Protection from Abuse Consent Order entered by Senior Judge Robert L. Walker on June 9, 1993.

To protect your rights, you should have a lawyer represent you at this hearing. If you do not have a lawyer the Crawford County Lawyer's Referral Service will give you information about finding one. Contact:

Court Administrator
Crawford County Courthouse
Meadville, PA 16335
(814) 336-1151, ext. 298

If you do not have the money to hire a lawyer, you must apply within 48 hours at the office of the Public Defender of Crawford Co. Courthouse, Meadville, PA., (814) 724-4636.

BY THE COURT:
Anthony J. Vardaro, J.
March 16, 1994 Copy of Order to Attys. Nelson and Lindsay.

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1992

Karen A. Consla
vs.
William A. Consla, Jr.

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she shall be permitted to take items of marital property as that would be defined by the Divorce Code that the parties agree she may take. If the parties cannot agree, then she shall leave those items on the property until further agreement or further Order of Court.

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

June 9, 1992 copy to Mdvl. City Police and Co. Ctr. June 15, 1992 copy in box for B. Walton and G. Keenan

Lehuanne Obert

vs.

Richard E. Brown

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of

A.D. 1992 - 481

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July 9, 1992 Complaint For INdirect Criminal Contempt For Violation of Protection From Abuse Order filed.

July 9, 1992 Order filed. AND NOW, July 9, 1992 the Defendant appears before the Court with respect to a contempt proceeding filed in Magistrate Vogan's office on July 8, 1992. That proceedinq alleges indirect contempt of the Court's Protection from Abuse Orde rof June 5, 1992.

Bond has been sent by District Justice Vogan at $5,000 and the Court in reviewing the complaint for indirect contempt believes on its fact it does not allege ocntempt and therefore after exploring this matter with the Defendant, does not believe a $5,000 bond is appropriate.

Accordingly, the Defendant is released on his own recognizance subject to the following terms and conditions:

1. that he appear for a hearin giwth respect to this matter on July 21, 1992 at 3:30 p.m. in Court-room No. 1 or 2 of the Crawford County Courthouse.

2. That he not go upon the residence of the Plaintiff at any time prior to further order of Court or the hearing on July 21, 1992 an d that he does not contact the Plaintiff in any manner pending that hearing.

3. That he not be released until he shall go to that residence accompanied by a Deputy Sheriff of Crawford County to remove whatever personal items he needs to remove from that residence as well as items he needs to do his work apparently acress the roa dform that residence. He is cautioned that he should not, when woring across the orad, go to the residence of the Plaintiff nor at any time shall he contact the Plaintiff in any manner which would be in violation of the June 5, 1992 order entered by Judge Gordon R. Miller.

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

July 9, 1992 Copies of order distributed by Judge's Secretary

July 21, 1992 Upon praecipe of Plaintiff this action is discontinued of record.

July 27, 1992 ORDER filed. AND NOW, July 21, 1992, at the time fixed for the contempt hearing in this matter, the plaintiff, once again, comes to court and wants all these proceedings dropped. The Court is unhappy with the way these parties have used the Protection From Abuse actions in the past, called for the services of the Pennsylvania State Police and this Court, and yet the Court will respect theplaintiff's wishes.

ACCORDINGLY, it is ORDERED as follows:

1. The plaintiff shall go to the Prothonotary's Office and sign a settlement of discontinuance, whereupon, this action shall be settled and discontinued and the contempt proceedings dissolved without any further action.

2. A copy of this Order shall be delivered to the Pennsylvania State Police and to County Control.

3. The defendant shall pay court costs in the amount of $94.50 in the following manner: $35.00 forthwith and the balance of $59.50 no later than Aug. 21, 1992. He shall pay tht amount to the Prothonotary of Crawford County. If he fails to do so, the Prothonotary may file a motion with the Court to hold further contempt proceedings on account of the defendant's willful failure to pay court costs.

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

July 27, 1992 copy given to Co. Control. Aug. 4, 1992 copy mailed to PSP, Plf. & Dft.

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1992

VERONE D. ROSE
VS.
I. GREGORY ROSE

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of Record
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9. The Defendant shall pay costs in the amount of $104.50 by paying the same to the Prothonotary on or before Sept. 22, 1992. Failure to pay the costs as ordered may result in contempt of court proceedings.

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 6 months.

11. The Defendant shall not consume alcoholic beverages withing 8 hours prior to picking up his childrne and shall not dirnk to excess while the children are with him.

12. While the children are in the custody of the Plaintiff there shall be no unrelated adult male staying in her house between the hours of 11:00 p.m. and 8:00 a.m.

13. The children shall not be removed by either party from the Commonwealth of Pennsylvania.

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

Aug 25, 1992 copies mailed to Atty Sullivan & Walton, Co Control and mailed to Corry PSP.

Dec 3, 1992 MOTION TO SET ASIDE PROTECTION FROM ABUSE ORDER, field.

Dec. 3, 1992 ORDER filed. AND NOW, Dec. 3, 1992, upon receipt and review of the plaintiff's motion to set aside the Protection from Abuse order the order of Aug. 21, 1992 is hereby vacated and terminated.

A true and correct copy of this order shall be delivered by the Prothonotary to the Pennsylvania State Police at the Corry barracks and County Control.

Paragraph 9 obligating the defendant to p ay court costs in this case remains without change or modification.

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

Dec 3, 1992 1 copy (atty Plf); 1 copy County Control; 1 copy Corry St. Police

LUCILLE GLANCY
vs.
THOMAS M. EAKIN

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

10. Neither party shall do or say anthing 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 that would be proper and convenient. Said arrangements shall be by mutual consent only, the absence of which this Order shall govern.

12. Either party may request a review of this Order during the summer preceding the subject minor child's entry into school in order to make any adjustments.

13. Costs and fees of this Mediation, which are fixed at $152.00, are divided equally between the parties. The father's share is assessed to him as costs in this case. The mediator notes that the mother is proceeding in forma pauperis and is indigent. Her share is assessed to Crawford County. 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 in connection withis filing at A.D.1992 - 465. The deposit shall be disposed of as follows:

After his share of the mediation costs have been deducted from said deposit, the remainder shall be refunded to him.

15. Etiehr 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,
Anthony J. Vardaro, J.

Aug. 28, 1992 Copy of the order to: William Pineo, Esq. andR. Christopher Brode, Esq., Copy of Order mailed to Defendant.

Sep. 2, 1992 Amended Temporatry Order filed. AND NOW, September 2, 1992, in light of the fact that it has been brought to the Court's attention that the Defendant never paid the $150 deposit in connection with his filing at A.D.no. 1992-465 contrary to Paragraph 14 of the Temporary Order of August 28, 1992, the Temporary Order of August 27, 1992 is hereby amended to the extebt that it shall require the Defendant to pay one-half of the mediation costs which amount shall be $76.

This amount shall be paid within ten days of this Order.

In all other respects the Temporary Order of August 27, 1992 is affirmed.

BY THE COURT:
Anthony J. Vardaro, J.

Sep. 2, 1992 Copy of the Order to William Pineo, Esq., R. Christopher Brode, Esq. and Deft.

Aug. 11, 1993 Motion In Custody For Return To Mediation and Order, filed. ORDER: You, Thomas M. Eakin, defendant, have been sued in court to obtain primary physical custody of the child Thomas J. Eakin.

You are ordred to appear as provided by this order or to being the child, an order for custody, partial custody or visitation may be entered against you or the Court may issue a warrant for your arrest.

Service shall be effectuated by U.S. First Class Mail, Certified, in the alternative the Crawford County Sheriff's Department shall be directed to serve a certified copy of this Complaint and Order up the you.

Plaintiff is allowed to proceed without payment of Court costs reserving the right to impose costs, reserving the Court the right to impose costs.

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

BY THE COURT,
Anthony J. Vardaro, J.

Aug 11, 1993 (1 copy atty)

Sep. 2, 1993 Proof of Service filed. I hereby certify that a copy ofthe foregoing Order and Custody Petition was served upon Respondent, Thomas M.Eakin, at 1201 Pennsylvania Avenue, Meadville,PA 16335, byU.S.First Class Mail on August 30, 1993 as evidenced by the attached cover letter.

0-2-93

R. Christopher Brode,Esq.

Nov. 12, 1993 TEMPORARY ORDER filed. AND NOW, this 12th day of November 1993, after Mediation in the above referenced matter and upont he 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, Thomas J. Eakin.

2. The parties shall share with each other any and all information which each may ahve regarding the heatlh, education, and the major events in the life of the subject minor child. Health care, school eprsonnel, and other care providers are hereby authorized to release to either party any and all confidential information whcih 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 visitation and temporary physical custody on alternate weekends from Friday at 6:00 p.m through Sunday at 6:00 p.m. The father will also have visitation and temporary physical custody each summer for three one-week periods, not to be taken consecutively. The father will arrange with the mother, by May 31, which periods he wishes to select.

4. Holiday visitation shall be arranged as follows:

a. Christmas: There shall be two Christmas holiday visitation periods, the first beginning Christmas Eve at 4:00 p.m. 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 6:00 p.m. For Christmas 1993, the father shall have the first period and the mother, the second, and the parties shall thereafter alternate.

b. The other holidays to be observed are Memorial Day, Independence Day, Labor Day, Thanksgiving and Easter. Holiday visitation shall be between the hours of 9:00 a.m. and 8:00 p.m., except for Independence Day, when the holiday visitation shall be extended to 11:00 p.m. so that the child may watch the fireworks. The father shall have visitation for Thanksgiving Day, 1993, and the parties shall thereafter alternate the holiday periods.

c. 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.

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Helen A. Smith
vs
Timothy S. DeVore

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A. D. 1992 - 707

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Jan. 20, 1993 Stipulation and Consent Amendment and Order filed. AND NOW, January 18, 1993 upon presentation and consideration of the foregoing, and the parties hereto having executed same, the foregoing Agreement is entered as an Order of this Court.

BY THE COURT:
Gordon R. Miller, J.

Jan. 20, 1993 Copy of Order to Attys. Bacallao, Lindsay, Fuller & Spadafore, Jr.

Feb. 22, 1993 Withdrawal of appearance of Brian J. Lindsay for Defendant and Order filed. ORDER: AND NOW, this 18th day of February, 1993, this Honorable Court hereby grants the withdrawal of Brian J. Lindsay, Esq., as counsel of record for the above captioned action.

Anthony J. Vardaro, J.

Mar. 2, 1993 copy to B. Lindsay, A. Bacallao, E. Spadafore, J. Fuller

Kenneth Osborn
vs.
Paul Wright

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5. The arbitrator shall not hold a hearing until the motion for summary judgment is disposed of.

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

June 10, 1993 Copy given to Atty.Blystone. June 15, 1993 Copy of Order to Atty.Gagliotti & Plaintiff.

✓Sep.8, 1994 Notice of Intent to file Praecipe for Default, filed.

✓Jan. 27, 1995 Praecipe Requesting Vacation of Board of Arbitrators filed.

✓Jan. 27, 1995 Order filed. AND NOW, January 24, 1995, after receipt and review of the plaintiff's "Praecipe Requesting Vacation of the Board of Arbitrators" it is ordered as follows:
1. The Court is not required to respond to a "praecipe" for that is a request of the Prothonotary and not of the Court.
2. However, the plaintiff is proceeding pro se and we will not get into semantics over the difference between a praecipe and a motion.
3. The plaintiff's request to vacate the Board of Arbitrators is denied.
4. The Court, sua sponte, hereby dismisses the defendant's Motion for Summary Judgment since the defendant has not complied with our Order of June 9, 1993 and we cannot grant summary judgment simply based upon the pleadings inthis case since the pleadings evidence a substantial issue as to the material fact to-wit: whether or not the statute of limitations has in fact run.
5. The arbitrators may proceed to hold a hearing now that the motion for summary judgment has been disposed of. The arbitrators are advised that the plaitiff does have another suit pending before this Court and a jury trial may be hald in February of 1995. We would hope that the plaintiff need only be transported to Crawford County once and that the civil jury trial may be held in February of 1995. We would hope that the plaintiff need only be transported to Crawford County once and that the civil jury trial and this arbitration could take place at about the same time.

BY THE COURT,
Gordon R. Miller, J

Jan. 27, 1995 Faxed Blystone, given Gagliotti & mailed Osborn

✓Feb. 27, 1995 Praecipe for Substitute Arbitrator filed.
2-28-95 Faxed to Atty.Blystone

✓Mar. 2, 1995 Memorandum, filed.
Mar. 3, 1995 copies dist to Osborn, Blystone, Gagliotti, Warden & Sheriff

✓Mar. 22, 1995 DECISION OF ARBITRATORS filed in which they find in favor of the ddefendant and against the plaintifff.

DECISION OF ARBITRATORS
Barbara H. King
Prothonotary

O-104;
3-22-95 Faxed to Atty. Gagliotti, given Plaintiff at Jail.

✓Apr. 6, 1995 Appeal from Decision of Arbitrators, filed.

✓Jul 18, 1995 Appeal for trial de novo date, filed.

✓Jul 18, 1995 ORDER filed. AND NOW, July 17, 1995, the Prothonotary is ordered and directed to place this case on the October civil trial list.
Plaintiff has demanded a jury trial. The next session of civil jury trials will take place in October 1995.
A true and correct copy of this order shall be forwarded to all parties.
The parties are reminded of the Crawford County Civil Rules that govern pretrial narratives, the Call of the Civil Trial List and other relevant matters.

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

July 18, 1995 copies dist to Osborn, Gagliotti & Sheriff

✓Aug. 19, 1995 Application for continuance of trial by Jury filed.

✓Aug. 19, 1995 ORDER filed. AND NOW, August 17, 1995,the plaintiff's motion to continue the jury trial is granted since there is no objection by the defendant. This trial is continued from the October 1995 term of civil jury trials to the January 1996 term of civil jury trials.

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

8-29-95 Dist. to Osborn & Gagliotti

✓Aug. 29, 1995 AMENDED ORDER filed. AND NOW, August 25, 1995,the order of August 17, 1995 is amended. This trial is continued to the February 1996 term of civil jury trials.

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

8-29-95 Dist. to Osborn & Gagliotti

✓Aug. 29, 1995 Response to Motion, filed.

✓March 6, 1996 Petition For Transportation to Civil Trial Hearings, filed.

✓March 6, 1996 ORDER filed. AND NOW, March 6, 1996, it appears that through a breakdown in the system our Order of August 25, 1995 continuing the civil jury trial in this case to Feb. 19, 1996 was not carried out.
Even though the next term for civil jury trials is April 1996 we are continuing this case to the following civil term that is set for Oct. 1996 in order to give the plaintiff an adequate period of time to prepare. Therefore the trial in this case is continued to Oct. 1996. The Prothonotary is directed to place this case on the Oct. 1996 trial list.
If the plaintiff is still incarcerated at that time he shall file a motion with the Court in August or September of 1996 for a court order directing his transportation back to Crawford Co. so that he may participate in the trial.

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

March 6, 1996 Order FAXED and given Atty. Gagliotti; mailed pltf.

✓Oct 11, 1996 Petition For Transportation to Trial Hearings, filed.

✓Oct 11, 1996 ORDER: AND NOW, Oct. 11, 1996, it appearing that the plaintiff's petition for Transportation to his civil trial at the above number and term did not reach the court in a manner that would allow the Sheriff adequate time to transport the plaintiff from the State Correctional Inst. at Gaterford, it is Order and Directed athat this matter is continued sua sponte to be the first case listed for trial and the first case tried in one of the courtrooms in the February, 1997 term of civil court.
The Sheriff of Crawford County is directed to go to the State Correctional Inst. at Graterford and return the

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1992

WALTER DUNN AND GEORGE DUNN

VS.

DAVID DUNN, al

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OF

AD 1992 - 597

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The Court Administrator or the Prothonotary is directed to list this matter for argument on the next available argument list so that the parties may argue the following issues: the Defendant's preliminary obejctions as filed on Jan. 12, 1993 as they relate to the undue influence count pled as Count 3 in the plaintiffs' amended and restated complaint and with respect to the Defendant's res judicata argumetn concerning the Court's granting of demurrers with respect to Count 1 of the Plaintiffs' original complaint and partially with respect to Count 2 of the Plaintiffs' original complaint.

We also note that Coutn 4 of the appeal from probate petition to set aside will and petition for assessment of damages amended and restated as filed in the probate action concerns the same undue influence allegations and those will likewise be argued at the time set for argumetn on the next available argument list.

With respect to the briefing schedule, we note that in the civil action a brief has already been filed by the Defendants and in the probate action a brief has already been filed on behalf of the Respondent, David Dunn.

The Plaintiffs in the civil action who are the Petitioners in the probate action shall file appropriate briefs at least five days prior to the date set for argument.

BY THE COURT:
Anthony J. Vardaro, J.

Aug. 17, 1993 Copies of Order distributed by Court.

ON ARGUMENT LIST FOR OCTOBER 1993

Sept. 8, 1993, ORDER filed. AND NOW, Aug. 30, 1993, the court having entered an order on aug. 13, 1993, setting argument of various matters in the above captioned cases for the next available argument list, and it now appearing that at the time set for the next aVAILABLE ARGUMENT list, the undersigned will be attending the National Judicial College, and will not be again available to hear this matter until Oct. 25, 1993, the date set for the Oct. argument list, the various matters set for argument by the courts order of Aug. 13, 1993, shall be heard on Oct. 25, 1993 at 9:15 a.m. in C. R. No. 2 of the Crawford County courthouse, as part ofthe courts regular Oct. argument list. The briefing schedule set forth in the order of Aug. 13, 1993 shall remain in effect.

BY THE COURT,
Anthony J. Vardaro, J.

Sept. 13, 1993, copies of order to Jos. Valentino and Paul Shafer, attys.

Jan. 13, 1994 Memorandum and Order filed. AND NOW, January 12, 1994, after review of the record and consideration of consels' arguments, Defendants/Respondents' preliminary objections in the nature of a demurrer and/or motion to strike are denied with respect to Counts I and IV of the amended appeal from probate and also denied with respect to Count III of the amended ocmplaint in the civil action except that Count III in the civil action alleging undue influence is transferred to merge with the same count already filed in thea probate action and is therefore sricken from the civil aciton.

Any other preliminary objections raised by the Defendants in either action have been previously dealt with in our orders of May 5, 1993 an daugust 13, 1993.

BY THE COURT:

Jan. 13, 1994 Copies dist. to Shaer, Millin & Reed

Mar. 15, 1994 Answer and New Matter to Amended Complaint, filed

Apr 28, 1995Upon praecipe of Plaintiff's attorney the above-captioned case is settled and discontinued of record with prejudice.

1992

Donna I.Saputo
vs.
Anthony J.Saputo

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AD 1992 - 795

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Aug. 25, 1993 Motion to Appoint Master and Order Appointing Master filed. And Now, August 24, 1993, Sylvia L.Dratler, Esq. is appointed master in respect to the following claims:
Equitable Distribituion, Alimony, Counsel fees, closts & expenses
Deposit required: By Plaintiff $250 ; By Defendnat $500
If not filed already the parties are ordered to file their pretrial statements within thirty (30) days from this date.

By the Court:
Anthony J.Vardaro, J.

Aug. 26, 1993 Copy of Order to Attys. Irwin, Blystone, Kirkpatrick, Pineo & Dratler.

Aug. 25, 1993 ORDER filed. AND NOW, August 25, 1993, this matter is before theCourt on a motion for appointment of master in divorce filed by the Defendnat.
This is a 1992 divorce and the Plaintiff has not yet filed her income and expense statment and inventory and appraisement.
Accordingly, Plaintiff is ordered to do so within 30 days of the date of this Order.

BY THE COURT:
Anthony J. VArdaro, J.

Aug. 25, 1993 Copies dist. to Dratler, Kirkpatrick & Irwin, Pineo &Blystone.
Sep. 23, 1993 Motion for Leave to Withdraw Appearance Filed.
Sep. 23, 1993 ORDER filed. AND NOW, this 21st day of September, 1993, upon presentation and consideration of the foregoing MOtion and accompanying Certification of Attorney, the law firm of Blystone and Blystone is hereby granted leave to withdraw its appearance on behalf of the plaint iff in the above-captioned matter.

BY THE COURT:
Gordon R. Miller, Judge

Sept.30, 1993 Copy of Order to Attys: Irwin, Blystone,Kirkpatrick, Pineo & Dratler

Oct.6, 1993 Upon Praecipe of Attorney Curtis E. Blystone, his appearance is hereby withdrawn on behalf of Donna I. Saputo, Plaintiff, filed.

Oct. 13, 1993 TEMPORARY ORDER, filed. AND NOW, this 12th day of October, 1993, after Mediation in the above reference matter and upon the recommendations of the Child Custody Mediataor,

IT IS HEREBY ORDERED AND DECREED THAT:

1. The parties shall share legal and physical custody of the subject minor children, Stephanie and Nicole Saputo.

2. The parties shall share with each other any and all information which each may have regarding the health, education and the major events in the life of the subject minor children. Health care, school personnel, and other care providers are hereby authorized to release to either party any and all confidential information which they may have regarding the subject minor children.

3a. The mother shall have primary physical custody of the subject minor children.

b. Beginning August 20, 1993, the father shall have visitation on alternate weekends from 4:45 p.m. on Friday to 8:00 p.m. on Sunday durign the months of September through May. During the months of Juen, July and August, the weekend visistation will be extended to 9:00 p.m. Sunday.

c. Ojn those weekends when the father does not have visitation under the preceding subparagraph, he shall have visitation from Friday at 4:45 p.m. through 8:00 p.m. During the months of June, July and August, both the Friday visits and the Monday visits will be extended to 9:00 p.m.

d. The father shall also have visitation and temporary physical custody for two non-consecutive one-week periods to be taken during the summer. The father shall give the mother one month's notice of the period he wishes to select.

e. 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 abe unreasonably monitored by the parent having physical custody.

4. Holiday visitation shall be arrangd as follows:

a. Christmas: There shall be two Christmas holiday visitation periods, the first beginning at 2:00 p.m. December 24 and ending at 2:00 p.m. Christmas Day; and the second beginning at 2:00 p.m. Christmas Day and ending at 2:00 p.m. December 26. In even numbered years, the mother shall have the first period, and the father, the second; and in odd numbered years, the father shall have the first period, and the mother, the second.

b. Thanksgiving: The father shall have visitation and temporary physical custody each Thanksgiving from 3:00 p.m. to 9:00 p.m.

c. Easter: In even numbered years, the father shall have visitation and temporary physical custody from 2:00 p.m. Holly Saturday to 2:00 p.m. Easter Sunday. In odd numbered years, the mother shall have visitation and temporary physical custody during the same hours.

d. Memorial Day and Labor Day: If the father has temporary custody and visitation for the whole of the preceding weekend (under Paragraph 3 above), then his period of temporary physical custody and visitation shall extend to 2:00 p.m. on said holidays. If not, the father shall have visitation and temporary physical custody from 2:00 p.m. to 8:00 p.m. on said holidays.

e. Independence Day: In even numbered years, the father shall have temporary physical custody and visitation from 2:00 p.m. Independence Day until 10:00 a.m. of July 5. In odd numbered years, the mother shall have temporary physical custody and visitation during the same hours.

f. The children shall spend Father's Day with their father from 9:00 a.m. to 8:00 p.m., and Mother's Day with their mother, during the same hours.

g. 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 cancellationor 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 children in the exercise of his or her rights picking up the children at the home of the other.

7. Each party shall teach said children to give to the other party that love and respect which is due a parent from his or her children

8. Neither party shall use illegal drugs or be under the 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 or growing children. Therefore, neither party shall smoke tobacco or permit others to do so in a closed automobile in which the children are being transported or in the bedroom of the children.

9. any person transporting teh children shall make sure that the seat belts or other restraints are used in accordance with the law of Pennsylvania.

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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. Neither party shall use coarse or profane language in the presence of the children.

12. The parties are free to make additional or alternative arrangements respectinga 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 $77.00, are divided equally between the parties with a share of each being assessed to him or her as costs in this case.

14. The deposit required for the appointment of the custody mediator was made by the father. The deposit shall first be applied against the father's share of costs and the remainder 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.

15. Either party maymove the Court for a hearing de novo for thirlty (30) days from date hereof. If neither party so mvoes, this Order shall be considered permanent.

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

Oct. 20, 1993 copy to W. Pineo, J. Irwin, M.A. Kirkpatrick, PLf. & Dft.

Oct. 29, 1993Contempt Petition and ORDER filed.And Now, October 26, 1993, hearing on Defendant's Contempt Petition is scheduled for Nov. 4, 1993, at 10 A.M. o'clock in court room 2 or 3 in the Crawford County Courthouse in Meadville, PA.

For the Court:
Ann A. Walker, Court Administrator

10-29-93 Copy to: Mary Ann Kirkpatrick, Esq. & James Irwin, Esq. dist. by Court.

Oct. 29, 1993 Petition for Special RElief filed.

Oct.29, 1993 RULE TO SHOW CAUSE filed. AND NOW, this 29 day of October, 1993, upon consideration of the within Petition for Special Relief, a Rule is granted upon Respondent, Anthony J. Saputo, to show cause why the relief requested in said Petition should not be granted.

RULE RETURNABLE, with hearing thereon on the 4th day of November, 1993, at 10:00 a.m. in Courtroom No. 1 or 2 or 3 of the Crawford County Courthouse, Meadville, Pennsylvania.

BY THE COURT:
Anthony J. Vardaro, J.

10-29-93 Copies to Attys. Kirkpatrick & Irwin dist. by Court.

Oct. 29, 1993 Petition for Special RElief and ORDER filed. And, Now, October ___, 1993, hearing on Defendant's Petition for Special Relief is scheduled for Nov. 4, 1993 at 10 A.M. o'clock in courtroom 2 or 3 in the Crawford County Courthouse in Meadville, PA.

For the Court:
Ann A. Walker, Court Administrator

10-298-93 Copy to : Atts. Kirkpatrick & Irwin dist.by Court.

Nov. 1, 1993 Income and Expenses of Donna I, Saputo, Plaintiff, filed.

Nov. 1, 1993 Inventory of Donna i. Saputo, filed.

Nov. 5, 1993 ORDER filed. AND NOW, November 4, 1993 the matter is before the Court on a contempt petition and petitions for special relief filed by both parties. The Court listens to input from counsel and makes the following ORDER:

1. On the contempt petition for failure to file inventory, the matter is now moot as an inventory has been filed. Counsel for the Defendant requests counsel fees in the amountof $165 expended to force the filing of the inventory. The Court grants said request and the Plaintiff is directed to pay directly to counsel for the Defendant the sum of $165 on or before November 20, 1993.

2. The parties mutually agree that auctioneer and appraiser Bruce Nicolls will make an appraisal of all personal property at the respective residences of the parties. This appraisal will include virtually all of the personal property in the residence ofthe Plaintiff Donna Saputo at R.D.#9, Box 457, Mercer Pike, Meadville, PA (telephone 333-9206). The Defendant husband resides at the home of his parents at R.D.#8, Box 74, Meadville, PA (telephone 763-4432) and both parties admit that virtually all of the normal household property is property of the Defendant's parents and will not be subject to appraisal. However, there may be personal items of the Defendant in the household.

A probelm arises by virtue of the Defendant's tool making trade in attempting to inventory and place avalue on various tools necessary in this skilled occupation. Apparently the Defendant manufactured during his apprenticeship and in various employment situations a number of "tools" necessary to pursue his trade and is contending that these are non-marital property. He admits that during the marriage he acquired a radius dresser and a wooden tool box. The appraiser will attempt to list all of the premarital "tools" and the "tools" acquired after the marriage and establish a value thereof and the Court leaves to the master the authority to designate which of the above items may constitute marital property.

3. The parties mutually agree that the appraisal by Nicolls shall attempt to establish values as "fair current market value". The parties agree that the appraisal by Nicolls is not binding on the parties or the master and each may, through evidence of t heir own appraiser, attempt to convince the master that the firgures on the Nicolls appraisal are inaccurate.

4. The parties mutually agree that the appraisal fee presented by Nicolls shall be paid without dispute by both parties arranging to withdraw the amount necessary to pay the bill from a joint escrow account at Northwest Savings Bank, Meadville, PA and both agree that within 3 days of the presentation of the Nicolls bill they will sign the necessary withdrawal slips at said institution.

5. A petition for special relief arises, the problem arising because marital property, a jointly owned '87 Toyota automobile was damaged beyond repair ina recent accident. The Court recognizes the Plaintiff is in need of transportation for herself and her children and a dispute arises as both parties apparently have agreed that the $4,000 offered by State Farm Insurance is adequate compensation for the lost vehicle.

Both parties and their counsel argue to the Court alternative solutions to the immediate problem of providing the wife transportation with the husband contending that now is the appropriate time to title a newly acquired vehicle in the wife's name in return for which she would release any interest in a Harley-Davidson marital property motorcycle in the husband's possession. For a variety of reasons, the Court does not believe this to be an equitable solution and accordingly, we direct both parties to endorse the $4,000 check and other related documents and the entire $4,000 must be used by the wife to provide alternate transportation.

In the ultimate disposition of this case by the master, the master will consider that as of the date the wife acquires new transportation there shall be a $4,000 marital equity in the property.

The parties mutually agree that any new transportation acquired by the wife shall be exclusively in her name.

6. The Court denies the request of the Defendant hsuband at ths time that clarification of the marital interest in the Harley-Davidson motorcycle be considered and terminated.

7. Anot her issue is payment of the initial down payment on the master's fee ordered by the Court by order dated August 25, 1993 in the amount of $750. The parties mutually agree tht this $750 shall come from the aforesaid escrow account and both parties agree that on or before November 10, 1993 they will sign the necessary withdrawal slips at Northwest Bank to procure the $750 which will be paid to Sylvia L. Dratler, Master. The payment of this sum and the proportion paid by each party shall be taken into consideration by the master in making ultimate distribution.

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8. Counsel for the Plaintiff complains that the inventory tentatively filed by the Defendant is not verified. The Court listens to argument on this issue and it is obvious that both parties in this case particularly after the appraisal made by appraiser Nicolls will be filing amended inventories. Accordingly, we will not direct the Defendant to file a verification of his admittedly sketchy inventory of personal and marital assets at this time.

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

11-5-93 Copies dist. to Attys.Millin, KIrkpatrick & Dratler

Nov. 19, 1993, Inventory of Defendant filed.

Dec. 1, 1993 Income and Expense Statement of Anthony J. Saputo, filed.

Dec. 23, 1993 Notice of Hearing Before Master, filed.

Feb. 18, 1994 Motion To Reschedule Master's Hearing and Order, filed. ORDER: And , Now, February 18, 1994, the Master's Hearing scheduled for February 10, 1994, at 10:00 a.m. is now rescheduled for Monday, March 7,1994 at 10:00 a.m. o'clock in Green Room of the Crawford County Courthouse in Meadville, Pa. S. Dratler.

Mar. 7, 1994 Proof of Service filed

Apr. 4, 1994 Master's Exhibits filed.

Apr. 4, 1994 Master's Report filed.

Apr. 4, 1994 NOtice of Filing Master's Report filed.

April 4, 1994 Certification, filed.

Apr. 13, 1994 Motion for Master's Fees and ORDER filed. AND NOW, this 12 day of April, 1994, upon consideration of the within Motion, Master's fees are hereby set at $2000.00 + 107.50 for Court Reporter. Total $2107.50, less $750 paid for total of $1357.50, of that amount the Plaintiff shall pay $678.75 within 30 days and Defendant shall pay $678.75 within 30 days.

BY THE COURT,
Anthony J. Vardaro, J.

4-14-94 Copy of Order to Attys. Millin, Kirkpatrick & Dratler

Apr. 14, 1994 Plaintiff's Exceptions To Master's Report filed.

Apr. 14, 1994 Defendant's Exceptions To Master's Recommendation filed.

May 20, 1994 Upon praecipe of Plaintiff's attorney to transmit records, case moved to Court.

June 1, 1994 MEMORANDUM filed. The Court has reviewed this matter and is inclined to approve the stipulation and sign the final decree that the parties have submitted. However the Prothonotary advised that the plaintiff still owes $38.50 in the custody portion. We will not grant the decree until that is paid.

The plaintiff, or the parties, shall take this matter up with the Prothontoary and make certain that all outstanding sums are paid on the custody action. When that is done the party making payment shall certify, in writing, to the Court that the custody costs have been paid in full and the Corut will reconsider signing the final decree.

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

Date: May 31, 1994
June 1, 1994 Copies given to Attys. Irwin and Kirkpatrick.

DIVORCE DECREE FILED

June 17, 1994 STIPULATION and FINAL DECREE. AND NOW, this 13th day of June, 1994, it is Ordered and Decreed that DONNA I. SAPUTO, plaintiff and ANTHONY J. SAPUTO, Defendant, are divorced from the bonds of matrimony.

IT IS FURTHER ORDERED AND DECREED AS FOLLOWS:

EQUITABLE DISTRIBUTION

1. The Plaintiff shall retain the marital tangible property currently in her possession totaling $3,404.00;
2. The Plaintiff shall be awarded the proceeds from the car insurance in the sum of $4,000.00';
3. The Plaintiff shall retain $311.36 cash surrender value of her life insurance policy;
4. The Plaintiff is awarded $889.24 of the Joint Venture Pension;
5. The Plaintiff is awarded $4,714.93 in Escrow Account No. 43-01-16394 at Northwest Savings Bank, plus any accrued interest on said amount;
6. The Defendant shall retain the tangible marital property currently in his possession totaling $1,765.00;
7. The Defendant is awarded the 1977 Chevy Monte Carlo having a value of $2,400.00;
8. The Defendant is awarded the 1986 Harley Davidson Motorcycle, having a value of $3,650.00;
9. The Defendant is awarded the life insurance policy having a cash surrender value of $886.00;
10. The Defendant is awarded teh Pennco Pension and the remaining portion of the Joint Venture Pension after the plaintiff's portion of $889.24 has been deducted;
11. All marital property in the possession of the parties is awarded to the party currently in possession of said property.

MARITAL DEBTS

12. Marital debts shall be divided as follows:

Plaintiff is to assume the following debts:

Honda Car loan	$125.00/month
Kaufmanns	100.00
Hornes	100.00
Penneys	100.00
Carlisles	400.00
Sugar Plum Shoppe	110.00
Ring	800.00

Defendant is to assume the following debts:

Northwest Savings Bank Loan	$4,529.00
Master Card	533.00
Sugar Plum Shoppe	80.00

ALIMONY

13. The plaintiff's request for alimony is denied.

COUNSEL FEES

14. Each of the parties shall pay their own counsel fees.

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COSTS AND EXPENSES

15. The Plaintiff shall pay the sum of $903.75 of the Master's Fees and Stenographic expenses and the Defendant shall pay the sum of $1,203.75 of said Master's Fees and Stenographic Expenses.

16. As the parties have previously deposited the sum of $750.00 from a jointly owned escrow account, the plaintiff will be credited with having paid $525.00 of the previously paid $750.00 deposit, leaving a balance due and owing by Plaintiff in the amount of $378.75. The Defendant, whose portion of the Master's Fees and Expert Fees is $1,203.75 shall be credited with having paid on his behalf $225.00 of the $750.00 deposit, and shall be responsible for and pay the sum of $978.75 as his remaining portion fo the unpaid Master's Fees and Stenographic Expenses.

17. The parties shall pay all sums of money and execute all documents necessary to effectuate the mandates of this Order within thirty (30) days of this date.

BY THE COURT:
Gordon R. miller, J.

Jul. 20, 1994 Motion For .. The Master moves the court to release Master's fees as per Court Order dated April 12, 1994, on the above-captioned matter.
And Now, July 18, 1994 ORDER OF COURT. The above Motion allowed.
Gordon R. Miller, J.
7-28-94 Copy to Attys. Irwin, Kirkpatrick & Dratler

July 28, 1994 Order filed. AND NOW, July 27, 1994, the Prothonotary has called to the Court's attention the fact that athe plaintiff apparently hasnot complied with the Order of April 12, 1994 by paying an additional $678.75 toward Master's fees.
We apparently misunderstood the record. On May 31, 1994 we issued a Memorandum refusing to sign the final decree until until $38.50 had been paid by the Plaintiff in the custody portion of the case. Had we realized at that time that the plaintiff had not paid the additional Master's fees we would have included that as a reason to withhold granting a final decree.
Accordingly, the Court, sua sponte, issues a rule to show cause directed to the plaintiff to show cause why she should not be held in contempt of Court and punished accordingly for failure to comply with the Order ofApril 1 12, 1994 and made payment of the balance ofthe Mster's fees. Said rule is returnable for hearing and/or argument on the 15th day of August, 1994 at 1:00 o'clock p.m. in courtroom NO. 1 of the Crwaford County Courthosue
BY THE COURT,
Gordon R. Miller, J

July 28, 1994 Faxed Dratler given Irwin & Kirkpatrick

Aug. 15, 1994, ORDER filed. ORDER: AND NOW, Aug. 10, 1994, the court has received information that the parties have complied with prior orders directing the payment of Master's fees. Therefore the hearing set for Aug. 15, 1990 is hereby cancelled.
The Prothonotary is ordered and directed to pay the balance of the sums on deposit, to-wit: $978.75 to Sylvia Dratler, Esq. the master in this case. She apparently received $378.75 directly from plaintiff soshe will have received $1,357.50 referred to in the order of April 12, 1994.
BY THE COURT,
Gordon R. Miller, p.J.
Aug. 16, 1994, copies dist to Dratler (w/check) Irwin and Kirkpatrick.

May 26, 1995 Qualified Domestic Relations' Order filed. AND NOW, this 24th day of May, 1995,it is appearing to the Court that:

1. The parties hereto were formerly husband and wife, having been divorced on June 13, 1994,by this Court at the above number;
2. ANTHONY J. SAPUTA (Social Security No. 170-48-5684), hereinafter referred to as "Defendant" or "Participant", is employed by Joint Venture Tool and Mold, Inc. and is a participant in the Joint Venture Tool and Mold, Inc. 401 (k) Profit Sharing Plan, account number being 170-48-5684;
3. DONNA I. SAPUTO (Social Security No.171-58-7605), hereinafter referred to as "Plaintiff", or "Alternate Payee" has raised claims for, inter alia, equitable distribution of marital property pursuant to the Pennsylvania Divorce Code, 23 P.S.Section 101, et seq.;
4. Plaintiff's current and last known mailing address is R.D.#9, Box 457, Meadville, PA 16335;
5. Defendant's current and last known mailing address is R.D.#8 Meadville, Pennsylvania 16316;
6. The balance of the aforementioned account on December 31, 1992 was $3,441.74.

IT IS ORDERED, ADJUDGED AND DECREED as follows:

1. A portion of the aforementioned Joint Venture Tool and Mold, Inc. Profit Sharing Plan account bearing account No.170-48-5684 is marital property subject to distribution by this Court.
2. The sum of $889.24 from the accountis awarded to the Alternate Payee, and shall be transferred into an IRA Account in her name at Northwest Savings Bank, said account being IRA AccountNo. 43-53-302. The Participant, Anthony J. Saputo, is awarded the remainder of the account, plus interest earned on the remainder of the account.
3. The manner of payment is theimmediate lump sum payment to the immediate lump sum payment to the aforementioned account upon receipt of an executed copy of this Order. This transfer will be considered a tax free rollover of the benefits distributed,provided that the balance to the credit of the Alternate-Payee is distributed or paid within one (1) year of receipt.
4. The Plan to which this Order applies is the Joint Venture Tooland Mold,Inc. Profit Sharing Plan, or any successor Plan.
5. The Altlernate Payee, Donna I,Saputo,shall have all legal rights to the IRA Account into which the funds are deposited as a result of this Qualified Domestic Relations Order.
6. Any reasonable costs incurred bythe Plan Administrator toeffectuate the terms and provisions of this Qualified Domestic Relations' Order shall be assessed against the parties such that the Alternate Payee pays 11/24, or 45.8% of the cost, and the participant pays the balance of the cost.
7. The parties shall promptly notify, Joint Venture Tool and Mold, Inc. Profit Sharing Plan of any change in their addresses from those set forth above in this Order.
8. The parties shall promptly submit this Order to Joint Venture Tool and Mold, Inc. Profit Sharing Plan for determination of its' status as a Qualified Domestic Relation's Order.
9. Neither party shall not encumber,transfer, pledge, or in any way dispose of any portion of this pension until such time as the Account Administrator has qualified this Order.

This Order does not require thePlanto provide any type or form of benefit,or any option, not otherwise provided under the Plan; this Order does not require the Plan to provide increased benefits (determined on the basis of actuarial value) to the Alternate Payee that are not available to the Participant under the Plan; and this Order does not require the payment of benefits to an Alternate Payee that are required to be paid to another Altlernate Payee under order previously determined to be a Qualified Domestic Relations Order.
It is intended that this Order shall qualify as a Qualified Domestic Relations' Order under the Retirement Equity Act of 1984. The Court retains jurisdiction to amend this Order as might be necessary to establish
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or maintain its' status as a Qualified Domesitic Relations' Order under the Retirement Equity Act of 1984.

BY THE COURT:
Gordon R.Miller, J.

5-26-94 Faxed Irwin & Kirkpatrick. 5-30-95 Copy to Atty.Irwin

June 11, 1998 PETITION TO MODIFY EXISITNG CHILD CUSTODY COURT ORDER AND ORDER AND NOTICE FILED. AND NOW, this 12 day of June, 1998 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 teh Center for Family Services, Inc. at 996 S. Main St., Meadville, PA 16335; the Prothonotary at the Crawford County Courthouse; or the Court Administrator at the Crawford County Courlthouse.
Application for attendance at the seminar must be made by the plaintiff or petitioner within 15 days after the pleading or petition is filed and by the defendant or respondent within 15 days after he or she is served with the pleading or petition.
THE SEMINAR MUST BE COMPLETED WITHIN 45 DAYS AFTER APPLICATION. FAILURE TO ATTEND THE SEMINAR MAY RESULT IN SANCTIONS, INCLUDING CONTEMPT OF COURT, A DISMISSAL OF THE ACTION OR A DELAY IN THE PROCEEDINGS UNLESS ATTENDANCE IS WAIVED BY ORDER OF COURT.
If either party has any questions about this seminar he/she should consult an attorney or refer to the Crawford County Civil Rules of Court that are available in the Prothonotary's Office and in the Crawford County Law Library or contact the Center for Family Services, Inc.

BY THE COURT, ANTHONY J. VARDARO, J.

NOTICE AND ORDER TO APPEAR: YOU, Donna I. Saputo have been sued in Court regarding your children, Stephanie R. Saputo and Nicole L Saputo. You are ordered to appear in person for a Child Mediation Conference at the Crawford Counkty Courthouse in Meadville, PA 16335 before John Fuller, Esq. Child Custody Mediator. The date and time of the Child mediation Conference will be scheduled by the Child Custody Mediator. The Child C ustody Mediator chosen in your case will contact you and inform you of the date and time of the child Mediation Conference.
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, 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 accommondations 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 Corut. You must attend the scheduled conferen e or hearing.

BY THE COURT
Date 6/12/98 ANTHONY J. VARDARO, J.
6/18/98 FAXED FULLER, HATHEWAY, KIRKPATRICK & IRWIN

June 24, 1998 SHERIFF'S RETURN FILED. SERVED DONNA SAPUTO personally on June 23, 1998 at 3:46PM at Penna Ave Meadville, PA 16335
So answers,

Shawn E. Ashbaugh, Deputy
Robert M. Stevens, Sheriff

June 25, 1998 SHERIFF'S AFFIDAVIT OF SERVICE FILED.

July 20, 1998 Certificate of completion of the Seminar for Separating Parents for Anlthony J.Saputo, filed.

Aug 14, 1998 ORDER: AND NOW, this 13th day of August, 1998, after a mediation conference in the above-captioned custody action, it is ordered and decreed as follows:

I. The parties shall continue to abide by the terms of the Order of Court dated Oct 12, 1993, pending further Order of Court, and neither party shall argue with the other or use loud, profane or otherwise inappropriate language in the presence of the children.

I II. Both Donna I. Saputo and Anthony J. Saputo shall submit no later than Aug 14, 1998 to a blood toxicology screen to include marijuana, THC, cocaine (includign crack cocaine) and alcohol, by Meadville Medical Center. The parties are to report to the outpatient lab between 7:30 a.m. and 6:30 p.m., Monday through Friday, or Saturday between 8:00 a.m. and 12:00 noon, the results of which evaluation shall be made available to the Court, the Child Custody Mediator and Counsel for the parties. After receipt of the drug and alcohol evaluation a further order shall be made with respect to custody of Stephanie and Nicole Saputo.

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. The fees (240.00) and costs ($9.00 court order filing fee and $5.54 for certified postage) in this case are to be paid as follows:

A. The father has deposited with the Prothonotary the requested $200.00 which shall be partially applied toward the fee and costs. The Prothonotary is hereby directed to refund to father $72.73.

B. The mother shall within thirty (30) days of the date of this order pay the Prothonotary $127.27 representing her share of the fees and costs.

V. Any party who has not completed the seminar for separating parents within 30 days shall face contempt charges.

Gordon R. Miller, P.J.

Aug 14, 1998 Faxed Hatheway, J. Mason & Fuller

Sept. 10, 1999 Notice of Election To Retake Maiden Name filed. Donna I. Saputo TO BE KNOWN AS: Donna I. Stellato.

Oct. 7, 1999 Petition For Modification of Partial Custody/Visitation Order filed

FOR FURTHER ENTRIES-PLEASE SEE COMPUTER AS OF SEPTEMBER 28, 1999.

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Nicole Elisse Ernst and
Michael Ernst

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Sep. 29, 1993 Defendant's Answer to Petition for Blood Test, filed.

Oct. 21, 1993 Notice of Appeal to the Superior Court of Pennsylvania, filed.

Oct. 21, 1993 Order for Transcript, filed.

Oct. 26, 1993 Petition Fro Stay Pending Appeal on behalf of defendant,filed.

Nov. 1, 1993 Answer to Petition For Stay Pending Appeal filed.

Nov. 3, 1993 Notice of Superior Court Docket # 01679PGH93 filed.

Nov. 5, 1993 ORDER filed. AND NOW, this 4 day of November, 1993, upon application of Petitioners/Defendants, the Order of Sept. 24, 1993, entered in this matter is hereby stayed until final disposition of the appellate courts of the Commonwealth of PA. or until further order of Court.

By the Court:
Anthony J. Vardaro, J.

Nov. 10, 1993 Copy of Order to Attys. Paul Allen, Thomas James, Jr., Robert W. Lape, Jr.

November 18, 1993 Transcript of Proceedings Taken at Time of Hearing Thursday, August 19, 1993 Volume 1 of 2 filed.

November 18, 1993 Transcript of Proceedings Take at Time of Hearing Thursday, August 19, 1993 Volume 2 of 2 filed.

Aug. 5, 1994 Exhibits filed.

Jan. 18, 1995 ORDER filed. AND NOW, January 17, 1995,theSuperior Court having remanded this matter to this Court for proceedings consistent with its opinion of January 9, 1995,evidentiary hearing is set in this matter for Marchl0, 1995, at 9:15 A.M. in Courtroom No. 2, Crawford County Courthouse, before the undersigned for the purpose of the Court hearing testimony to determine whether CoreyT.Dick's actions from the time of the birth of the child in question until March 24, 1992 amounted to an abandonment of his potential parental responsibilities to a degree that allowed an uncontested father/child relationship to develop between Michael E. Ernst and Brittan Tyler Ernst.

BY THE COURT:
Anthony J.Vardaro,J.

1-18-95 Faxed to Attys.James, Johnson & Allen, mailed Lape

Feb. 22, 1995 Certificate of Contents of Remanded Record and Notice of Remand under PA. Rules of Appellate Procedure 2571 and 2572, filed.

Feb. 22, 1995 Superior Court of PA. Pittsburgh District, JUDGMENT filed. ON CONSIDERATION WHEREOF, it is now here ordered and adjudged by this Corut that the judgment of the Court of Common Pleas of Crawford County be, and the same is hereby order reversed and case remanded to the trial court for proceedings consistent with this Opinion. Juerisdiction relinquished.

BY THE COURT:
Eleanor R. Valecko
Deputy Prothonotary

March 2, 1995 Copy mailed to Attys. Lape, Jr., Thomas James, Jr.; copy FAXED to Atty. Allen and Atty. Johnson.

Mar. 3, 1995 ORDER filed. AND NOW, this 3 day of March, 1995, the Motion for Continuance in the above captioned case is hereby Granted, and the hearing reset for May 22,1995 at 1:30 p.m. in Courtroom #2.

By the Court:
Anthony J.Vardaro, J.

3-6-95 Faxed Johnson, Allen & Thomas James, mailed Lape.

Apr. 3, 1998 Memorandum and Order filed. This matter was remended to the trial court for the scheduling of an evidentiary hearing and on January 17, 1995, we did so. That hearing was to be held on March 10, 1995, but a motion was filed by plaintiff's counsel indicating that a resolution was being reached inthis matter and the parties apparently have not reached a rresolution.

In the meantime we have recieved various correspondence and participated in various correspondence with regard to the payment for services to the guardian ad litem who we appointed in this matter.

Insofar as there does not seem to be any movement toward a resolution in this matter, further hearing is scheduled for the 9th day of June, 1998, at 8:45 o'clock a.m., in Courtroom No. 2 before the undersigned.

The parties to this actionand their counsel shall appear at that time, as shall the guardian ad litem. We will then datermine if this case is going to be settled or if further hearing should be scheduled to resolve the issue that was returned to this court for hearing by the Superior Court.

In the event the parties do resolve thism atter and it is discontinued of record, and the guardian ad litem is paid in full prior to the time of that hearing, a party may file amtoion to cancel this hearing.

BY THE COURT,
Anthony J. Vardaro, j

4/3/98 Distributed Johnson, Lape, James

June 10, 1998 Affidavit of Counsel filed.

June 12, 1998 ORDER filed. AND NOW, June 11, 1998, based upon a Stipulation For Final Order dated June 2, 1998, filed at this No. and Term, this custody case shall be considered withdrawn and discontinued due to the stipulation of Corey T. Dick and the previous withdrawal of Shawn E. Musselman.

BY THE COURT,
Anthony J. Vardaro, J.

June 12, 1998 FAXED Attys. Robert Lape, Jr., C. Youngs, Thomas James, Jr.

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VS.

THOMAS M. EAKIN

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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 to 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 necesity 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 paraties shall split responsibility for transportation with the paraty 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 doso 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 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 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 $277.00, are divided equally between the parties. The mediator notes that the mother is proceeding in forma pauperis and no deposit was required. The mediator also notes for the court that the father's household is extremely short of money and therefore the costs and fees of this mediation are assessed to Crawford County.

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

By the Court,
Gordon R. Miller, J.

Nov. 22, 1993 Copy of Order to Attys. Wm. Pineo, R. Christopher Brode, B. Lindsay, Plf. and Dft.

1992 TERM

Madeleine Svidunovich

vs.

Nicholas E. Svidunovich

Record continued from page 501

of record

A.D. 1992 - 454

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Apr. 4, 1994 Affidavit of Service filed. AND NOW, this 4th day of April, 1994, 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 Hearing was sent by certified mail to the Defendant, Nicholas E. Svidunovich, onMarch 24, 1994.
3. That athe Defendant received said certified mail on March 26, 1994. Said Return Receipt Card P 238 202 449 is attached hereto, signed by Nicholas E. Svidunovich and made a part hereof.

Kathleen R. Nelson

Apr. 13, 1994 Motion for Continuance of Protection from Abuse Hearing and ORDER filed. The contempt hearing in this matter is continued to May 20, 1994 at 1 o'clock p.m. Court Room 1 or 2.

BY THE COURT,
Anthony J. Vardaro, J.

4-14-94 Copy of Order to Attys. Youngs, & Nelson

May 20, 1994 ORDER filed. AND NOW, May 20, 1994, both parties have appeared before this Court, together with their respective counsel. After an informal discussion with the parties and their counsel, the Court enters the following Order, to which the parties and their respective counsel have orally stipulated:

The protection from abuse orders entered on May 19, 1992, and June 9, 1993, at the above case number are VACATED.

BY THE COURT,
Gordon R. Miller, J.

5-20-94 Copies dist. to Youngs & Nelson

514

1992 TERM

665. DOUGLAS W. INGALLS, Plaintiff
VS.
LUCIA T. INGALLS, Defendant

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2. Douglas W. Ingalls, (170-42-1953), hereinafter referred to as "Plaintiff" or "Participant", is employed by Lord Corporation and is a participant in the Lord Corporation Salaried Employees' Pension Plan;

3. Lucia T. Ingalls (188-44-1630), hereinafter referred to as "Defendant", or Alternate Payee" has raised cliams for, inter alia, equitable distribution of marital property pursuant to the Pennsylvania Divorce Code, 23 P.S.Section 101, et seq.;

4. Plaintiff's current and last know mailing address is R.D. #1, Cambridge Springs, Pennsylvania, 16403

5. Defendant's current and last know mailing address is 3108 Washington Avenue, Erie, Pennsylvania 16508;

IT IS ORDERED, ADJUDGED, AND DECREED as follows:

1. A portion of the aforementioned Pension Plan is marital property subect to distribution by this Court.

2. The portion awarded to the Defendant/Alternate Payee is the sum of $355.45 per month, payable for the life of the Alternate Payee and commencing at the Alternate Payee's normal retirement age of 65, subject to acturial adjustments as might be necessary based upon Alternate Payee's age, sex, benefit for selected, or the date upon which she elects to put the Plan into pay status. The Plaintiff/Participant, Douglas Ingalls, is awarded the remainder of the account.

3. The term of said payments is for the Alternate Payee, a number of years certain, or a lump sum payment, the term to be selected by the alternate payee from any payment option available to her from Lord Corporation Pension Plan at the time the retirement benefit is in pay status. Payments are to commence at the retirement date chosen by teh alternate payee, but in no event earlier than the earliest retirement date provided under the Plan.

4. In the event that Lord Corporation Salaried Employee's Pension Plan provides the option to the participant to elect to obtain benefits at the earliest retirement age, as if the participant had retired on that date even if the participant has not actually retired or separated from service.

5. The Plan to which this Order applies is the Lord Corporation Pension Plan, or any successor Plan.

(Please see file for remainder of ORDER)

BY THE COURT:
Gordon R. Miller, J.
5-24-96 FAXED Thomas & Irwin.

May 24, 1996 Qualified Domestic Relations ORDER filed. AND NOW, this 24th day of May, 1996, by agreement of the parties, this Order is made to effect a Qualified Domestic Relations Order pursuant to the parties' Stipulation and Final Decree executed by the Court on August 11, 1995.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED AS FOLLOWS:

1. Plaintiff-Participant, Douglas W. Ingalls', interest in the Lord Corporation 401(k)/Savings Plan in the amount of $48,430.00, plus any accumulated interest thereto shall be irrevocably assigned to Defendant-Alternate Payee, Lucia T. Ingalls, as herein provided by a Qualified Domestic Relations Order; and that

2. The last known name and mailing address of Plaintiff-Participant, douglas W. Ingalls, is R.D. #1, Cambridge Springs, Pennsylvania;

3. Plaintiff-Participant, Douglas W. Ingalls, has the Social Security Number of 170-42-1953;

4. The last known name and mailing address of Defendant-Alternate Payee, Lucia T. Ingalls, is 3108 Washington Avenue, Erie, Pennsylvania;

5. Defendant-Alternate Payee, Lucia T. Ingalls, has the Social Security Number of 188-44-1630;

(Please see file for remainder of ORDER)

IT IS INTENDED that this Order shall qualify as a Qualified Domestic Relations Order under the ERISA, Section 206(d)(3). 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 ERISA, Section 201(d)(3).

IT IS SO ORDERED.

BY THE COURT:
Gordon R. Miller, J.

5-24-96 FAXED Thomas & Irwin

May 24, 1996 Motion for Entry of Qualified Domestic Relations Order filed.

May 5, 1998 Notice of Election To Retake Maiden Name: **Lucia T. Ingalls** TO BE KNOWN AS: **Lucia Teresa Bonaminio.**

Betty J. Powell
vs
Meadville Medical Center

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6. Voir dire. The court will conduct the initial voir dire and counsel will, prior to 4:30 P.M. on Friday, October 7, 1994, exchange proposed voir dire questions so that if they are not agreeable to both counsel that matter can be brought to the Court's attention prior to the time of jury selection. Counsel would be permitted to read or paraphrase their own voir dire questions as agreed upon or as allowed by the Court and they may supplement their voir dire questions if said questions are reasonably necessary to make further inquiry on matters raised by voir dire of the Court and other counsel.

7. Peremptory challenges. The Plaintiff shall have four peremptory challenges and the Defendant shall have four peremptory challenges. Twenty-two jurors will be called with the last two remaining jurors being the alternates.

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. References with respect to standard instructions may be made by the number of that instruction. 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.

BY THE COURT:
Anthony J.Vardaro, J.

10-5-94 Faxed to Attys. Markham & Haller

✓ Oct. 10, 1994 Motion For Continuance, filed.

✓ Oct. 12, 1994 ORDER filed. AND NOW, October 10,1994, upon consideration of the Defendant's motion for a continuance, said motion is granted to the extent that a jury will be picked this day and this case will begin on December 12, 1994 at 9:00 A.M. in Courtroom No. 2 of the Crawford County Courthouse.

With respect to whether Plaintiff will be entitled to reimbursement for an additional deposition of Dr. Scullin based on the Defendant's new expert report, we will defer decision on that to determine whether that becomes necessary and if so, we will make an appropriate ruling.

BY THE COURT:
Anthony J. Vardaro, J.

Oct. 13, 1994 copoies dist to Markam & Haller

✓ Nov.28, 1994 Second Supplemental Pre-Trial Narrative, filed.

✓ Dec. 6, 1994 Plaintiff's First Supplemental Pretrial Narrative, filed.

Feb. 15, 1995 Upon Praecipe of Craig A. Markham,Esquire,Attorney for Plaintiff, the above matter is marked settled and discontinued of record.

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defendant to Crawford County sufficiently prior to the call of the Trial List for that atrial term which is scheduled for January 27, 1997.
Anthony J. Vardaro, J.
Oct 11, 1996 Dst. Gagliotti, Sheriff, Ct. Adm and Mailed Plf.

✓Jan. 17, 1997 Order filed. AND NOW, January 16, 1997, the plaintiff's motion to continue the trial from the February trial list is granted, even though the plaintiff has not followed the Crawford County Civil Rules. He did not serve a copy of the motion on opposing counsel.

The Court contracted opposing counsel and opposing counsel has no objection to this continuance.

Accordingly the trial will be continued from February 1997 to April 1997.

The Sheriff of Crawford County is directed to go t the State Correctional Institution at Graterford and return the defendant to Crawford County prior to the Call of the Civil Trial List for April which is now scheduled for March 31, 1997 to assure the plaintiff's attendance at the Call of the Trial List and the trial term.

The Superintendent at SCI Graterford shall release the defendant to the Sheriff of Crawford County pursuant to this order.

It appears that the defendant's current address is: A.P 8910
Box 244
Graterford, Pa. 19426-0244

BY THE COURT
Gordon R. Miller, P.J.
1-17-97 MAILED Osborn & DISTRIBUTED Sheriff & Aug Ct & Gagliotti

✓Jan. 23, 1997 Motion for Continuance filed.
1-23-97 MAILED Osborn

✓Feb. 21, 1997 Motion to Continue Case to Next Trial Term by Defendant and Order filed. AND NOW, this 26th day of February, 1997, upon the Defendant's motion to continue this matter to June or October Civil Jury Trial List, the motion is granted and this matter is continued to the October, 1997 Civil Trial List.

The Sheriff of Crawford County is directed to go to the State Correctional Institution at Graterford and return Plaintiff to the Crawford County Correctional Facility prior to the Call of the List for October scheduled for October 13, 1997, so as to insure Plaintiff's attendance at the Call of the civil Trial List and the trial term.

The Superintendant at SCI Graterford shall release the Plaintiff to the Sheriff of Crawford County pursuant ot this order.

BY THE COURT
Gordon R. Miller, P.J.
2-24-97 FAXED Gagliotti & MAILED Osborn

✓Sept 30, 1997 ORDER: AND NOW, Sept 29, 1997, this case is called for trial. The Plaintiff appeared personally at the call of the trial list. Defense counsel did not appear.

The Plaintiff indicated he would like to settle this case; therefore, the Defendant is ordered and directed to determine the terms under which he would settle the case and to convey those terms of the Plaintiff within 5 business days from this date. That settlement offer shall be in writing and shall be sent to the Plaintiff who is currently incarcerated in the Crawford County Prison.

The pretrial conference in this case is scheduled for 10:00 a.m. on Wednesday, Oct 8, 1997, in Courtroom No. 1.

A copy of this order shall be delivered to the Sheriff for transport purposes. Gordon R. Miller, P.J.
Sept 30, 1997 Dist Plf, Gagliotti & Sheriff

✓Oct. 13, 1997 Letter dated October 13, 1997 from Plaintiff to Judge Gordon R. Milelr, filed.

✓Oct. 16, 1997 ORDER filed. And Now, Oct. 10, 1997 this actin is dismissed and judgment is entered in favor of the dft. against the plff. because this action is barred by the 2-year statute of limitations governing conversion actions.

The plaintiff is advised that this is a Final Order and he has a right to take an appeal from this order within 30 days from this date.

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

10/16/97 Dist. to Gagliotti and plff.

✓Nov. 10, 1997 Notice of Appeal to Superior court of Pa. of order entered on 10th day of Oct. 1997, filed.

✓Nov. 17, 1997 Amended Notice of Appeal filed.

✓Nov. 20, 1997 Notice of Appeal returned from Superior Court filed.

✓ Nov 25, 1997 Amended Notice of Appeal returned from Superior Court.

✓Nov. 20, 1997 OPINION PURSUANT TO PA.R.A.P. 1925 filed. GORDON R. MILLER, P.J. On October 10, 1997 immediately prior to a civil jury trial we dismissed this action and entered judgment in favor of the defendant and against the plaintiff because the plaintiff's action was barred by the two year statute of limitations governing conversion actions.

We received a notice of appeal that has been filed by the plaintiff. We write this opinion in support of our Oct. 10, 1997 order pursuant to PA.R.A.P. 1925.

On Sept. 15, 1992 the plaintiff filed suit against the defendant claiming that the defendant purchased an Arabian horse form Rose Monsour when in fact thehorse was owned by the plaintiff. This is essentially an action for the conversion of the plaintiff's personal property by the defendant that is the deprivation of the plaintiff's right of property in, or use or possession of, his horse without his consent and without lawful justification. SIEVENSON V EXCNOMY BANK OF AMBRIDGE, 413 PA. 442, 197 A.2d 721 (1964); NORRITON EAST REALTY CORP v CENTRAL-PENN NAT. BANK, 435 PA. 57,257 A.2d 637 (1969).

The plaintiff does not allege when the conversation occured in his original complaint. The defendant, in paragraph 18 of his Answer and New Matter alleges that the transaction giving rise to the Plaintiff's cause of action occured in May and June of 1986. The defendant raised the applicable statute of limitations (41 Pa.C.S.A. 5524 (3)) as an affirmative defense in New Matter. (Defendant's Answer 19).

In plaintiff's Reply to New Matter he does not set forth exactly when the occurence occurred. He indicates that he is not aware of when the conversion occured because he was incarcerated over a long period of time.

The defendant ultimately filed a motion for summary judgment claiming that the plaintiff's action was barred by the applicable statute of limitations. We originally denied the motion for summary judgment on Jan. 24, 1995 because we believed, at that time, there was not a factual basis established on the record for us to conclude that the statute of limitations had in fact run.

Immediately prior to trial we conducted an evidentiary hearing in order to determine the relevant facts surrounding the possible running of the statute of limitations. Clearly the plaintiff could have taken the defendant's deposition and uncoverd the facts that were ultimately uncovered and then used that deposition as a basis for filing a subsequent motion for summary judgment. (PA.R.C.P. 1035.1 et.seq.).

Quite frankly with our workload in Crawford County, we were not inclined to go through an extensive jury trial simply to come back around to th e threshold question as to whether or not there was a factual basis to conclude that the statute of limitations had in fact run.

At the evidentiary hearing it was crystal clear that if there was a conversion of the plaintiff's horse by the defendant it occureed on May 11, 1986 when the Arabain mare was purchased for $300.

It was also clear that the plaintiff learned about the loss of teh horse and that the defendant, or his wife, Carolyn Wright, had purchased the horse on Feb. 7, 1990 at the very latest.

On May 16, 1989 the plaintiff wrote to his friend Roger Chess indicating that a friend of Chess' was in possession of the plaintiff's stolen Arabian mare. The plaintiff asked Mr Chess to arrange for the return of the horse to the plaintiff's pasture. (Pretrial hearing-Defendant's Ext. A There may be some thought that the plaintiff knew at that time of the identity of the person who bought the Arabian Mare.

CONTINUED ON PAGE 516 A

KENNETH OSBORN
vs
Paul Wright

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Nonetheless the plaintiff admitted receiving pretrial hearing - defendant's Exhibit B which was a Feb. 7, 1990 letter from Carolyn and Paul Wright indicating that they had purchased the horse.

An action for conversion of personal property is controlled by a two year statute of limitations. 42 Pa.C.S.A. 5524 (3).

Since the plaintiff knew about the loss of his horse and knew who had purchased the horse as of Feb. 7, 1990 a lawsuit brought on Sept. 15, 1992 was beyond the two year statute of limitations.

BY THE COURT
Gordon R.Miller

Date: Nov. 19, 1997
11/20/97 FAXED Gagliotti & Mailed Csborn

December 15, 1997 Superior Court Docketigg filed. Docketed at 02462PGH97

July 21, 1998 Certificate of contens of Remanded record and Notice of Remand filed. (record; Sup. Ct. Judg. order and opinion)

July 21, 1998, MEMORANDUM AND ORDER Certified from Superior Court of Pa. filed. JUDGMENT: ON CONSIDERATION WHEREOF, it is now here ordered and adjudged by this court that the judgment ofthe court of Common Pleas of Crawford county be, and the same is hereby affirmed. BYTHE COURT,
McEwen, PJ Cavanaugh, and Brosky JJ

Anna Mae McCandrew and
James F. McCandrew, her husband
vs
Jeffrey A. Schneider and
Sheila Schneider, husband and
wife, t/d/b/a Sheila's Hair Salon

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of Record

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navigating a step down from a vestibule into the salon proper. The defendants, Robert W. Schneifer and Barbara E. Schneider, have already been released and shall not participate in this trial.

3. Factual issues.
   a. Whether or not the defendants were negligent and, if so, whether their negligence was a substantial factor in causing the accident.
   b. Whether or not Anna Mae McCandrew was negligent and, if so, whether her negligence was a substantial factor in causing the accident.
   c. If the plaintiffs are entitled to recover, what is the amount of the damages they are entitled to receive?

4. Legal issues.
   a. Whether or not the defendants were negligent and,if so, whether their negligence was a substantial factor in causing the accident.
   b. Whether or not Anna Mae McCandrew was negligent and,if so, whether her negligence was a substantial factor in causing the accident.

5. Disposition of pre-trial motions.
There are no pre-trial motions pending before the Court.

6. The plaintiffs claim the following damages:
   a. Medical bills to the date of trial.
   b. Possibly future medical bills.
   c. Pain and suffering, past, present and future.
   d. Loss of consortium.
   e. Replacement services.
   f. Loss of life's pleasures.
   g. Disfigurement and scarring.
   h. Embarrassment, humiliation and inconvenience.
   i. Diminution of future earning capacity.
   Mrs. McCandrew is not claiming aggravation of a pre-existing hip conditon.

7. The plaintiffs' case in chief:
   a. Witnesses.
   The plaintiffs intend to call the witnesses listed in their pre-trial narrative except forDr. Griffin, Jeffrey Schneider and custodians of records and billings.
   b. Bills.
   The plaintiffs shall prepare a list of bills they are claiming they are entitled to receive as a result of thisoccurrence.
   c. Exhibits.
   The plaintiffs intend to use the exhibits referred toin their pretrialnarrative.

8. The defendants case in chief:
   a. Witnesses.
   The defendants intend to call two witnesses, to-wit: Jeffrey A. Schneider and Sheila Schneider.
   b. Exhibits.
   The defendants intend to introduce all of the exhibits listed in their pre-trial narrative.plus excerpts from Sheila Schneider's appointment book showing the dates upon which Anna Mae McCandrew came to the beauty salon prior to the date of the accident.

9. Stipulations.
   a. The parties will stipulate that if Dr. Griffin were called as a witness in this case he would testify that all of the medical bills incurred in Florida were as a result of the accident in question and were fair,customary and reasonable charges for those services.
   b. The parties will stipulate to the introduction of an appropriate life expectancy table if the plaintiffs are able to present evidence upon whichthe jury could conclude that they will suffer damages into the future. The life expectancy table shall be used for Anna Mae McCandrew only.
   c. The parties will stipulate as tothe exact provisions of the Titusville Building Code that were in existence at the time of the accident and are relevant to the flooring or step in question.

10. All counsel shall prepare and exchange written voir dire questions no later than 4:30 o'clock p.m. on Friday, October 7, 1994. All objections to proposed voir dire questions shall be brought to the attention of the Court before the selection of a jury on October 10, 1994. After the Court has asked questions of the jury panel counsel shall be permitted to read or paraphrase their own voir dire questions. The Court will permit counsel to supplement their voir dire questions if said questions are reasonably necessary to make further inquiry on matters raised by voir dire of the Court and other counsel.

11. Each party shall be entitled to four preemptory challenges. A total of 14 jurors will be slected. Therefore ach party shall have an additonal preemptory challenger that will apply to the selection of two alternates.

12. Counsel shall submit requested points for charge and any proposed verdict slip or special jury finds or interrogatories to the Court prior to the start of trial with the understanding that those are merely suggested and counsel reserve the right to make changes and submit final points and/or verdict slip no later than the close of the presentation of all of the evidence.

13. If the parties have not already doe so they shall pre-number all exhibits, and provide true and correct copies of all exhibits,as pre-numbered, to opposing counsel no later than 4:30 o'clock p.m. on Friday,October 7, 1994.

14. The parties agree that Anna Mae McCandrew was a business invitee as to both Jeffrey A. Schneider and Sheila Schneider.

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

10-6-94 Faxed to Kelly & Acker

10-6-94 Mailed copies to Attys. Kelly & Acker

Oct. 10, 1994 Stipulation filed.

Oct. 10, 1994 Stipulation filed.

Oct. 10, 1994 Oral Deposition of William D. Fritz, M.D., filed.

RECORD CONTINUED ON PAGE 518.....

518

1992 TERM

MCCANDREW VS. SCHNEIDER RECORD CONTINUED FROM PAGE 517 OF AD 1992 - 823

Oct. 12, 1994 Motion For Compulsory Nonsuit on behalf of Defendants, filed.

Oct. 13, 1994 Trial Memorandum Regarding Medical Expert Testimony Which is Based Upon Medical Records on behalf of Plaintiffs, filed.

Oct. 13, 1994 Motion For Directed Verdict And Points For Charge on behalf of Defendants, filed.

Oct. 13, 1994 Trial Brief on behalf of Defendants, filed.

Oct. 13, 1994 Proposed Questions for Voir Dire on behalf of Plaintiffs, filed.

Oct. 13, 1994 Motion for Voir Dire Examination on behalf of Defendants, filed.

Oct. 13, 1994 Trial Memorandum Regarding Inadmissibility of Evidence Concerning Absence of Previous Accidents on behalf of Plaintiffs, filed.

Oct. 13, 1994 Motion for Binding Instructions and Requested Points for Charge on behalf of Plaintiffs, filed.

Oct. 13, 1994 Trial memorandum Regarding General Matters on behalf of Plaintiffs, filed.

Oct. 13, 1994 Trial memorandum Regarding the Testimony of Plaintiffs' Medical Expert Concerning Prognosis on behalf of Plaintiffs, filed.

Oct. 14, 1994 ORDER filed. AND NOW, October 13, 1994, the Defendant's motion for conpulsory nonsuit is DENIED.
BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

Oct. 17, 1994 Copy of Order mailed to Attys. Acker and Kelly.

AND NOW, October 10, 1994, Jury selected and sworn, Oct. 11, 1994 at 10:24 a.m. as follows:

1. Michael Gibson
2. Richard Dailey, Sr.
3. Kathy Woods
4. Steven Harvey
5. Betty Jo Callen
6. Daniel Clark
7. Richard Bernarding
8. Kenneth Harrold
9. Louis Noel
10. William Fuller
11. Barbara Hays
12. James Chace

Alternate Timothy Wheeler

twelve good and lawful persons who upon their solemn oaths which they have taken and at least 10 of them say: We, the jury empaneled in the above captioned case, hereby find as follows: Do you find that Defendants, Jeffrey A. Schneider and Sheila Schneider, husband and wife, t/d/b/a Sheila's Hair Salon, were negligent? No.
Kathy Y. Woods, Jury Foreperson

Oct. 28, 1994 Upon praecipe of defendants attorney, judgment is hereby entered because no timely post-trial motion has been filed. Judgment is therefore entered in favor of the Defendants and against the Plaintiffs upon the verdict of the jury returned and entered of record on Oct. 13, 1994.

S-201,153,181
Judgment entered - 10/28/94.

JUDGMENT
Barbara H. King,
Prothonotary

Excludes one lot of AISLEA