CRAWFORD COUNTY

APPEARANCE DOCKET

BOOK 297
Vol. 4

Jan 1994

PIRRELLO ENTEPRISES INC.
Scanned June 2017

1994

Bernstein & Bernstein
Nicholas D. Krawec

1.

ARTEC, INC., a Vermont Corporation

vs.

KENNETH I. FOSS

Filed December 30, 1993
@ 2:26 PM

Tax & entry paid 15.00
Pltf. on Orig.
Sheriff's Costs 28.00
Pro Co pd 2-28-94 9.00

WRIT OF REVIVAL

of

D.S.B. 1989 - 362

Writ of Revival indexed against the defendants in favor of Artec, Inc, a Vermont Corporation the plaintiffs, in the sum of One Hundred Sixty-One Thousand Four Hundred Seventy-seven and 89/100 Dollars plus interest and cost of suit.

Debt----------
Int. from 7/4/89
Barbara H. King, Pro
F-106
Issued Sheriff

Jan. 27, 1994 SHERIFF'S RETURN, filed. NOT FOUND as to Defendant Kenneth I. Foss at address of 110 Foreman Street, Conneaut Lake, Crawford County, Pa. Moved from address and left no forward. May possibly be in prison somewhere.
So.answers, Robert M. Stevens, Sheriff

Feb. 28, 1994 Judgment of Revival issued against the above named Defendant, of the Judgment entered at No. 1989-362, in the amount of Two Hundred seven thousand Ninety-five and 40/100, including interest from 12/19/93 to 3/19/94 on $161,477.89.
Entered 12-28-94 Debt: $207,095.40
F - 106 Barbara H. King, Pro.

2

1994

Bernstein & Bernstein
Charles E. Bobinis
Nicholas D. Krawec
Hollie A. Bernstein

2.

KLASEN OIL COMPANY, INC.

vs.

KAMAL J. SINGH, AMANDEEP SINGH and HARINDER SINGH individually and as partners trading and doing business as JOLLY TRUCK CENTER, a possible partnership

Filed December 30, 1993
@ 2:37 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	38.00
Sheriff's Costs	23.00
Sheriff's Costs	32.00
Sheriff's Costs	18.00
Pro Co pd	9.00

COMPLAINT IN CIVIL ACTION
4 copies Sheriff

Jan. 17, 1994 SHERIFF'S RETURN, filed. NOT FOUND as to all Defendnats, Kamal J. Singh, Amandeep Singh, Harinder Singh and Jolly Truck Center at RD 1, Exit 12, Corsica, Jefferson County, Pa. They are out of business, as per Affidavitsreceived from Jefferson County which are attached.
So answers, Robert M. Stevens, Sheriff

RETURN: I hereby deputize the Sheriff of Jefferson County, Pennsylvania to serve the within Complaint according to law. The defendants alleged address is RD 1, Exit 12, Corsica, PA 15829.
Robert M. Stevens, Sheriff, Crawford Co.

SERVED Jolly Truck Center not found (out of business)/Harinder Singh not found (address unknown)/Amandeep Singh not found (also known as Lolly Singh, address is 110 Hunters Pint, Greensburg, Pa. 15601, Westmoreland Co.)/Kamal J. Singh not found (has business at Exit 11 off I-80 Route 322, Clarion County,Pa.
Harry E. Dumple, Sheriff
Jefferson County

Feb. 22, 1994 Complaint reinstated.

Mar. 11, 1994 SHERIFF'S RETURN, filed. NOT FOUND as to Defendant Kamal J. Singh. Attempted service by Certified Mail at the address of 106 Hillside, Wharton North, NJ 07885, mail was returned by post office marked "Not deliverable as addressed".
So answers, Robert M. Stevens, Sheriff

Mar. 28, 1994 Complaint Reinstated

Apr. 29, 1994 Complaint Reinstated.

May 19, 1994 SHERIFF'S RETURN, filed. SERVED Kamal J. Singh, Amandeep Singh and Harinder Singh by deputizing the Sheriff of Venango County, PA, as per his Affidavits of Service attached. Served all three defendants on May 10, 1994 at 8:42 AM by serving Randell Micheal, Agent in Charge, at R.D. #1, Box 97, Harrisville, PA.
So answers, Robert M. Stevens, Sheriff

Before me the undersigned authority, personally appeared Edward E. Sharp - Deputy Sheriff who being duly sworn according to law, deposes and says that on the 10th day of May, 1994 at 8:42 A.M. he served the within NOTICE TO DEFEND-COMPLAINT-VERIFICATION, filed at AD 1994-2, Crawford County, Pennsylvania, upon defendant Kamal J. Singh, Amandeep Singh and Harinder Singh i/a/a/p/t/a/d/b/a Jolly Truck Center, a possible partnership at defendant's place of employment located at R.D. #1, Box 97, Harrisville, PA and by making known the contents thereof to Randell Micheal/Agent-in-Charge/Office Administrator and handing to and leaving with him the certified copy of the said Writ received from Robert M. Stevens-Sheriff Crawford County. Edward E. Sharp - Deputy Sheriff
Gene Price, Sheriff of Venango County

June 1, 1994 SHERIFF"S RETURN, filed. NOT FOUND as to Defendant Harinder Singh. Attempted service by deputizing the Sheriff of Butler County, PA. As per Affidavit of Not Found attached, the address given of R.D.#1, Box 97, Harrisville, PA 16038 is located in Venango County, PA.
So answers, Robert M. Stevens, Sheriff

July 8, 1994 And Now, upon praecipe of plaintiff's attorney judgment is hereby entered against the defendants above named, in teh dafault of an Answer, in the amount of Nine Thousand Eight Hundred Three and 95/100.
Entered 7-8-94
S - 13, 83, 103, 181

Debt: $9,803.95
JUDGMENT
Barbara H. King, Pro.

EX1994-53

1994

Devine & Kuftic
Dennis G. Kuftic

3.

DEBRA M. VESLEY

vs.

DANIEL L. VESLEY

Filed December 30, 1993
@ 2:37 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 5-2-95	9.00

COMPLAINT IN DIVORCE
1 copy atty.

Jan. 28, 1994 Affidavit of Return of Service, filed. R. H. Hallock, , being duly sworn according to law, deposes and says:
1. He is a competent adult, age 59 years, who is not a party to the above action.
2. On 1-11-94, at 09:20 a.m. service of a Complaint in Divorce in the above action was made by the undersigned by handing to Daniel L.Vesley, who is Defendant.
3. Service occurred at 1300 Courthouse Rd., Stafford, VA 22555, which is the Defendants, Stafford County Jail where the Defendant is currently incarcerated.
4. SErvice of this original process was made in the manner provided by the law and Local Rules of Stafford County, Virginia, for service in an action in any of our courts of general jurisdiction.
Jan. 11, 1994 R. Hallock, Process Service, Dep.Sheriff

Apr. 3, 1995 Motion to Amend Complaint, filed.

Apr. 3, 1995 Amended Complaint in Divorce and Order filed. And NOW,to-wit, this 3rd day of April, 1995, uponconsiderationof the witin Motion, it is hereby ORDERED, ADJUDGED and DECREED that the Motionto Amend Complaint is granted and Plaintiff is granted leave to file the Amended Complaint in Divorce.
Gordon R.Miller, J.
4-4-95 Faxed Atty.Kuftic, Mailed copy to Deft.

Apr. 4, 1995 Plaintiff;s Affidavit Under Section 3301(d) of the Divorce Code,filed.

Apr 26, 1995 Affidavit of Consent of Plaintiff, filed.

Apr 26, 1995 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

May 8, 1995 AND NOW, May 5, 1995, it is ordered and decreed that DEBRA M. VESLEY, plaintiff, and DANIEL L. VESLEY, 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.

4

1994

4.

William J. Gregg

LITTLE GIANT

vs.

ROBERT H. SHELLHAMMER

Filed December 30, 1993
@ 2:47 PM

Tax & entry	50.50
User's Fee	5.00

STATEMENT OF OBJECTION TO ORDER OF DISTRICT JUSTICE MADE UNDER RULE 420 OF THE PENNSYLVANIA RULES OF CIVIL PROCEDURE FOR DISTRICT JUSTICES BY DEFENDANT

1994

Pepicelli, Youngs
& Youngs, PC
Christopher J. Youngs

5.

12-30-93 $150.00
dep-by Atty.

EDWARD M. MULLEN

vs.

KATHLEEN A. KROLL MULLEN

Filed December 30, 1993
@ 3:26 PM

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

PETITION FOR CUSTODY AND VISITATION
1 copy atty, 1 copy mediator

Order:

You, Kathleen A. Kroll Mullen, Defendant, have been sued in Court to obtain custody of the child: Anna Kateri Mullen.

You are ordered to appear in person for a conference at such time and place as may be set by Bruce L. Smith, Child Custody Mediator.

If you fail to appear as provided by this Order, an Order for custody may be entered against you or the 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: 1-3-94

Feb. 22, 1994 Praecipe to Reinstate Petition for Custody and Visitation, filed.

Apr. 4, 1994 Sheriff's Return filed. NOT FOUND as to Defendant Kathleen A. Kroll Mullen at address of R.D. #2, Box 2317, Union City, Crawford County, PA. Attempted service onthree separate occasions, left notes after finding no one at home, and we have never received any response to those notes.
So answers,

Robert M. Stevens, Sheriff

Apr. 7, 1994 Praecipe to Reinstate Petition for Custody and Visitation, filed.

6

1994

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

6.

SHERRI A. SEMAI

vs.

JOHN EDWARD SEMAI

Filed January 3, 1994
@ 3:31 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro.Co.pd 4/6/94	9.00

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

Jan. 5, 1994 Acceptance of Service of Complaint in Divorce filed. AND NOW, this 3 day of January, 1994, 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.

John Edward Semai

Apr. 6, 1994 Affidavit of Consent of Defendant, filed.

Apr. 6, 1994 Affidavit of Consent of Plaintiff, filed.

Apr. 6, 1994 Upon Praecipe of John D. Petruso, Esquire, Attorney for Plaintiff to transmit record, case moved to Court.

DIVORCE DECREE FILED

April 13, 1994 AND NOW, April 11, 1994, it is ordered and decreed that SHERRI A. SEMAI, plaintiff, and JOHN EDWARD SEMAI, 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.

1994

Quinn, Buseck,
Leemhuis, Toohey,
& Kroto, Inc.
Richard A. Blakely

7.

JACOB LECHTNER and CAROL LECHTNER, husband and wife

vs.

C. B. REEMELIN, LEE ROOT and KATHRYN M. ROOT, their spouses, if any, heirs, assigns, and all persons claiming title to, through or under them

Filed January 3, 1994
@ 3:41 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Pro.Co. pd 2/3/95	9.00

COMPLAINT IN ACTION TO QUIET TITLE
2 copies atty.

Feb. 16, 1994 Motion For Leave To Service By Publication and Order filed. AND NOW, to-wit, this 16 day of February, 1994, upon consideration of the foregoing Motion and Attorney's Affidavit leave is granted to serve the Defendant(s) in the within case by publication of a notice of the facts set forth in the Complaint, one 91) time in a newspaper of general circulation and in the Crawford County Legal Journal, and requiring the Defendant(s) to plead thereto within (20) days pursuant to Pennsylvania Rules of Civil Procedure and Crawford County Local Rules.

Anthony J. Vardaro, J

Feb. 17, 1994 Copy of order to Atty. Blakely

Dec. 29, 1994 Motion For Judgment For Want of Appearance and Answer and Order, filed. AND NOW, to-wit, this 28 day of December, 1994, upon consideration of the foregoing Motion and Affidavit, and it appearing that service has been made on the above-named Defendants pursuant to the Rules of Civil Procedure, and it further appearing that no Appearance has been entered nor Answer made to the Complaint by or on behalf of the above-named Defendants, C.B. Reemelin, Lee Root, and Katharyn M. Root, their spouses,if any, their heirs, assigns, and all persons claiming title to, through or under them, in the property described in said Complaint;

THEREFORE, judgment is hereby givenfor the Plaintiffs, Jacob Lechtner and Carol Lechtner, husband and wife, against the Defendants, C.B. Reemelin, Lee Root, and Katharyn M. Root, their apouses, if any, their heirs, assigns, and all persons claiming title to, through, or under them, and generally against all persons, and it is hereby ORDRED and DECREED that the said Defendants, their heirs,assigns, and all persons claiming title to, through, or under them, and all other persons, be and are hereby barred from asserting any righat, lien, claim, title, or interest in and to the following premises:

All that certain piece or parcel of land situate in Bloomfield Township, Crawford County, Commonwealth of Pennsylvania, bounded and described as follows:

All that certain pieceor parcel of land situate in Bloomfield Township, Crawford County, Commonwealth of Pennsylvania, and being Lot No. 304 according to the Plan or Map of Camp Marcresan at Canadohta Lake in said township, made for E.P. Lee, said Map having been filed in the Office of the Recorder of Deeds of Crawford County, Pennsylvania.

The title ofthe Plaintiff, Jacob Lechtner and Carol Lechtner, husband and wife, is hereby declared valid and indefeasible as against C.B. Reemelin, Lee Root, and Kathryn M. Root, their spouses, if any, their heirs, assigns, and all persons claiming title to, through, or under them, unless the Defendant(s) or any persons claiming by or through them shall bring an Action of Ejectment within thirty (30) days from the entry of this judgment. Anthony J. Vardaro, J.
Jan. 5, 1995 copy sent to Blakely
R - 32, 105

And Now, FEb. 3, 1995 at 12:59 PM upon Praecipe of Plaintiff's Attorney, final judgment is hereby entered in this case, in favor of the plaintiffs and against the defendants, pursuant to the foregoing Order of Court.
R-32; R-105; R-105;

FINAL JUDGMENT
Barbara H.King
Prothonotary

1994

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

8.

Barbara Walton

Jan. 4, 1993 $150.00 deposited by Plaintiff

4-29-94 Pd Plff Med Refund Ck# 8270 45.00

6-22-94 Pd Co Med Fee. Ck#8355 76.00

BRIAN W. DEVIES

vs.

MICHELLE D. PITTSENBERGER

Filed January 4, 1994
@ 11:38 AM

Tax & entry paid	50.50
User's Fee paid	5.00
W. Pineo Mediator	152.00
Pro Co Pd 6-22-94 #8356	9.00

PETITION FOR CUSTODY (UCCJA)

Jan. 11, 1994 ORDER filed. AND NOW, this 10th day January, 1994, it is ordered that all parties in the above captioned case and their counsel shall appear for a mediation conference before the Mediator, William Pineo, at a time to be set by the Mediator in the Crawford County Courthouse with the Child Custody Mediator as Required by Rule L1915.26A et. seq. of the Court of Common Pleas of Crawford County, 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, P.J.

Jan. 13, 1994 copy to W. Pineo, J. Irwin & Dft.

Feb. 10, 1994, Acceptance of SErvcie filed. I, Barbara Walton, atty. for dft in above action, being duly sworn according to law, do hereby state that I accepted ser. of a true and correct copy of the Petition for custody on Feb. 8, 1994 byfirst class mail, addressed to me at my office. Barbara walton, Esq.

Apr. 29,1994 TEMPORARY ORDER, filed. AND NOW, this 29th day of April, 1994, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator.

IT IS HEREBY ORDERED AND DECREED THAT:

1. The parties shall share legal and physical custody of the subject minor child, Jeremy Pittsenburger.

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 a. The father shall have the right of visitation and temporary physical custody each Saturday afternoon from 1:00 p.m. to 5:00 p.m. and each Wednesday afternoon during the same hours. Should the father be called back to work, he may select another four hour period to be arranged in accordance with his work schedule.

Starting with the second full weekend of May, 1994, the father shall have visitation and temporary physical custody on the last three weekends of each month from Friday at 6:00 p.m. through Sunday at 6:00 p.m.

For the summer of 1994, the father shall also have visitation and temporary physical custody for a one-week period for each month during the months of June, July and August, and the weekend visitations shall be suspended.

Beginning August 15, 1994, the mother shall have primary physical custody from August 15 of each year until June 15 of the followsing year, and the father shall have physical custody from Juen 15 through the following August 15. The party not having physical custody shall have visitation and temporary physical custody for the first three full weekends fo each month from Friday at 6:00 p.m. through Sunday at 6:00 p.m.

b. The party not having physical custody shall have the right to telephone the subject minor child at reasonable times and for reasonable lengths of time and such conversations will not be unreasonably monitored by the parent having physical custody.

4. Holiday visitation shall be arranged as follows:

a. Christmas: There shall be two Christmas holiday visitations, the first beginning on Christmas Eve at noon and ending Christmas Day at noon, and the second beginning Christmas Day at noon and ending December 26 at noon. For Christmas, 1994, the mother shall have the first period, and the father, the second and the parties shall thereafter alternate. The father shall also have temporary physical custody and visitation each year from December 26 at noon until New Year's Day at 6:00 p.m.

b. Thanksgiving: There shall be two Thanksgiving visitation periods, the first beginning on the Wednesday preceding Thanksgiving at 3:00 p.m. and ending Thanksgiving Day at 2:00 p.m., and the second beginning on Thanksgiving Day at 2:00 p.m. and ending on the Friday followisng Thanksgiving at 6:00 p.m. For Thanksgiving, 1994, the father shall have the first period, and the mother, the second, and the parties shall thereafter alternate.

c. Easter: There shall be two Easter visitation periods, the first beginning on Holy Sataurday at 6:00 p.m. and ending Easter Sunday at 1:00 p.m., and the second beginning on Easter Sunday at 1:00 p.m. and ending Easter Sunday at 6:00 p.m. The mother shall have the first period each year and the father, the second.

d. The other holidays to be observed are Memorial Day, Independence Day, and Labor Day. Holiday visitation shall be between the hours of 9:00 a.m. and 8:00 p.m., except for Independence Day, when the holiday visitation shall be extended to 11:00 p.m. so that the child may watch the fireworks. The mother shall have visitation and temporary physical custody for Memorial Day, 1994, and the parties shall thereafter alternate the holiday periods.

e. The child shall spend Father's Day with his father from 9:00 a.m. to 7:00 p.m., and Mother's Day with his mother durign the same hours.

f. The provisions of this paragraph shall take precedence over the other provisions of this order relating to the custodial or visitation periods.

5. The parties are free to make additional or alternatiave 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 consetn only, in the absence of which this order shall govern.

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 seking 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.

CONTINUED ON PAGE 8A

Brian W. Devies
vs.
Michelle D. Pittsenberger

CONTINUED FROM PAGE 8
of Record
A.D. 1994 - 8

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

8. Each party shall teach said child to give to the other party that love and respect which is due a parent from his or her children.

9. Neither party shall use illegal drugs or be under the influence of alcohol at any time when said party has the care and custody of the subject minor child. The parties are cautioned that medical research has indicated that tobacco smoke is injurious to the health of growing children. Therefore, neither party shall smoke tobacco or permit others to do so in the same room as the child, in a closed automobile in which the child is being transported, or in the beroom of the child.

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. Either party may request a review of this order two years from date hereof to make any adjustments.

12. Costs and fees of this Mediation, which are fixed at $152.00, are divided equally between the parties with a share of each being assessed to him or her as costs in this case.

13. The deposit required for the appointment of the Custody Mediator was made by the father. The deposit shall first be applied against the father's share of costs and the remainder, if any, shall be remitted to him. The mother shall pay her share of costs and fees to the Prothonotary of Crawford County within thirty (30) days of the date of this Order.

14. Either party may move the Court for a hearing de novo within ten (10) days from date hereof. If neither party so moves, this Order shall be considered permanent.

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

Apr. 29,1994 copy to ~~W. Pineo~~, J. Irwin, B. Walton, Plf.
May 4, 1994 copy to W. Pineo & Dft.

May 9, 1994 Motion for DeNovo Hearing and ORDER filed. And Now, May 6, 1994, hearing de novo is scheduled for June 8, 1994 at 1:30 p.m. in Courtroom 1 or 2.

For the Court,
Ann A.Walker, Court Administrator

5-9-94 Faxed copies to Attys.Walton & Irwin.

May 23, 1994 Motion for Continuance and ORDER filed. AND NOW, this 20th day of May, 1994 upon presentation and Consideration of the within Motion this hearing is rescheduled for the 24th day of June, 1994 at 2:00 o'clock p.m. in Courtroom No. 1 or 2 of the Crawford County Courthouse, but we don't look favorably on continuances of this nature unless counsel is to be in an appellate court.

BY THE COURT:
Gordon R. Miller, J.

5-23-94 Faxed copy to Attys.Irwin & Walton

June 24, 1994 Motion For Cancellation of Hearing and Order, filed. AND NOW, June 23,1994, the hearing scheduled for June 24, 1994 is hereby cancelled.

By the court:
Anthony J. Vardaro, J.

June 24, 1994 Faxed Irwin and given to Walton
June 28, 1994 Faxed Pineo

Apr 19, 1995 ORDER filed. AND NOW, April 17, 1995, the Plaintiff appears in Motion Court an essentially relates facrts to the Court indicating that the Defendant is in contempt of a custody order entered after mediation in 1994. He has nothing in writing to present to the Court and therefore nothing verified.

In order to give the Defendant an opportunity to be heard with regard to this matter, we will schedule hearing for May 25, 1995, at 3:30 p.m. in Courtroom No. 1 or 2, Crawford County Courthouse.

In order for that hearing to go forward, the Plaintiff shall file at least 15 days before that hearing and serve upon the Defendant by regular mail or personal service at least 15 days before the scheduled hearing, a petition for civil contempt for disobedience of that custody order in a form substantially in that set forth in Pa. R.C.P. 1915.12(c), a copy fo which form is attached to this order. Additionally, as that form requires, the petitionwill be verified by the Plaintiff.

Also, the petition shall have attached thereto the notice and order to appear set forth in the form at Pa.R.C.P. 1915.12(a) which is also attached to this order. We note for the Plaintiff that the petition will have the enclosed notice attache dto it when it is filed and when it is served upon the Defendant.

At lleast five days prior to the scheduled hearing, the Plaintiff shall file a proof of service in which he verifies that he has served the Defendant with the petition for civil contempt and with the attached notice and order to appear as required by this order.

If the Plaintiff fails to comply with any aspect of this order, this case will not go forward as scheduled.

A copy of this order and the original notice and order to appear shall be sent by regular mail by the Prothonotary to the Plaintiff at 4440 Old State Rosd, McKean, PA 16426 so that he may attach the original notice and order to appear to the original petition he files with the Court pursuant to this order.

BY THE COURT:
Anthony J. Vardaro, J.

Apr. 19, 1995 copies mailed to Plf & given to Irwin & Walton

May 8, 1995 Petition For Contempt and Order filed. Legal proceedings have been brought against you alleging you have willfully disoveyed an orderof court for custody.

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

Whether or not you file in writing with thecourt defenses or objections, you must appear in person in court on 25th day of May, 1995 at 3:30 P.M., in Courtroom No. 1 or 2, Crawford County Courthouse, Diamond Square, Meadville, Pennsylvania.

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

If the court finds you have willfully failed to comply with its order for custody you may be found to be found to be in contempt of court and committed to jail, fined or both.

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

Court Administrator
Courthouse
Meadville, Pa 16335
(814) 336-1151 ext. 298

B Y THE COURT
Gordon R. Miller, J

May 8, 1995 Faxed Irwin & Walton

May 26, 1995, ORDER filed. AND NOW, May 25, 1995, after partial informal hearing it appears that a more formal hearing is going to be required and (b) more time will be required. The hearing will be Tues. May 30, 1995 at 9:00 a.m. If the matter is not concluded within an hour, than the court will consider holding the balance of the hearing at noon on Tuesday.

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

5/26/95 copies dist. Irwin and Walton.

8
-b-

1994

Brian W. Devies
vs.
Michelle D. Pittensburger

Record continued from page 8 -a-
of record
A.D. 1994 - 8

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May 31, 1995 Order filed. AND NOW,May 30, 1995, after a formal hearing on the father's petition for Contempt, the court finds that the mother did violate the Custody Order of April 29, 1994 without proper legal cause, and therefore, holds her in contempt of court for those violations. The violations that we find occurred took place on Easter of 1995, and February 11, 1995, and Memorial Day, 1995. We note that there is some disagreement between the parties as to whether the father has exercised all of the visitation rights he is permitted to exercise under the Order and there certainly were times when the parties mutually agreed to a different arrangement than the Court Order provided. There is a dispute as to whether or not that occurred after January, 1995.

ACCORDINGLY, it is ORDERED as follows:

1. The mother shall pay $150 toward the father's attorney's fees. She shall pay that as soon as possible, but no later than July 15, 1995. This is not the full extent of the father's attorney's fees. We would normally order her to pay all of the father's attorney's fees, but in view of her economic status, we do not believe full payment would be legally appropriate.
2. To replace Easter, 1995, the father shall have the right to have his child and take his child into his custody on Easter Sunday, 1996, from 10 o'clock a.m. until 6 o'clock p.m.
3. If the mother fully and completely and in a timely fashion complies with this Ordre, and the Custody Order of April 29, 1994 for the next four months, no further proceedings shall be held on this matter for contempt and this Petition shall be dissolved.
4. There is a great deal of bitterness between the parties. We encourage the parties to work together for a common resolution of these problems and look out for the best interests of the child.
5. From this moment on, all exchanges of custody shall take place at the McDonald's Restaurant in Ebinboro, Pennsylvania. If the father has a pickup time and has not appeared within 30 minutes of the appointed time, the mother shall assume that that visitation has been canceled and she may go about her business, and no other period of substituted visitation shall be substituted therefor. This provision shall not apply if the parties mutually agree to another time for pickup and delivery.

BY THE COURT,
Gordon R. Miller,

May 31, 1995 dist to Irwin & Walton

June 10, 2004- See Computer for further entries.

1994

9.

JENNIFER MacPHERSON

vs.

ROBERT DENNIS

Filed January 4, 1994
@ 1:41 PM

Tax & entry	Pd 1-30-94	50.50
User's Fee	Pd 1-30-94	5.00
Sheriff's Costs	Pres Pd 1-30-94	25.00

1-30-94 Rec'd from dept Sheriff's Costs 25.00

1-30-94 PA Sheriff Ck #8582 25.00

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

Order:

And now, this 4th day of January , 1994 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Defendant shall move out. Sole possession of 180 Murray Road shall belong to Plaintiff. Defendant shall not contact Plaintiff in anyway. He shall not go to her residence or place of work.
3. This Order may be enforced without a warrant any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court Liability for payment or fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves ruling on allocation of fees and costs.

Hearing is hereby set for January 10, 1994 at 3:30 p. m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

Jan. 5, 1994 Sheriff's Return filed. served Robert Dennis personally on January 4, 1994 at 2:20 PM by handing him a copy of the Protection from Abuse in the Old Talon Building where he was working, Arch Street, Meadville, Crawford County, PA.

So answers,

Scott D. Young, Deputy Sheriff
Robert M.Stevens, Sheriff

Jan. 13, 1994 ORDER filed. AND NOW, January 10, 1994, the parties appeared in court without counsel. The Defendant has been to a PFA Hearing before and understands the procedure. Nonetheles the Court explained the procedure to him and he agreed that the Court can enter a Protection From Abuse Order against him, but he does not admit that he did the things alleged 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.
2. The Defendant shall not go to the Plaintiff's place of residence nor contact her in any way. In fact,he shall not be within one hundred (100) yards of her place of residence.
3. The Defendant shall be permitted to go to the Plaintiff's residence on Tuesday, January 11, 1994, at 3:30 o'clock p.m. for the purpose of picking up his personal belongings. He shall take a responsible adult person with him to make sure that the peace is kept. The Plaintiff shall have a right to have a responsible adult present to make sure the peace is kept. The Defendant shall remove his belongings without any disruption, harassment, arguing, bickering or fighting. If there is any disagreement about what the Defendant is entitled to take, the Defendant shall not take those items, but shall leave them there. The Plaintiff shall keep those items that are in dispute in safekeeping and shall not do anything to damage them or destroy them, so that the Defendant may bring an appropriate replevin action orother lawsuit to obtain a decision as to whether or not he is entitled to the property and if so, to get the property back.
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 and the Pennsylvania State Police. A copy shall be mailed to the Plaintiff at 180 Murray Road, No. 10C, and to the Defendant at R.D.#7, Meadville, Pennsylvania 16335.
6. This Order shall remain in full force and effect for one (1) years from this date unless modified or terminated by further Court Order.
7. The Defendant shall pay $89.50 in court costs within thirty (30) days from this date. If he fails to do so, he may be held in contempt of court and punished accordingly.
8. The Plaintiff shall do nothing to encourage or cause the Defendant to violate this Order. If she desires to renew her relationship with the Defendant and desires to have him come over to her house, she shall first appear in the Prothonotary's Office to sign a settlement and discontinuance and obtain a Court Order terminating this Order.

The Defendant is cautioned that he should not take the Plaintiff up on any offers to renew any sort of a relationship b ecause he may be in violation of this Order if he does so.

9. The Defendant is reminded that this is an Order of 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.

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

1-13-94 Copies dist.to Pltf, Deft.,Co. Control & Pa. S.P.D.

Oct. 3, 1994, Motion to Amend or Modify a Protection From Abuse Order and Order filed. ORDER: AND NOW, this 3 day of Oct. 1994, upon receipt and review of the within motion to amend the Protection from Abuse order of 1/10/94 the amendment and modification set for th in said motion are hereby approved and made a court order.

A true and correct copy of this order shall be delivered by Prothonotary to PSP, Meadville and to County Control.

Any paragraphs of the orig. order assessing costs on either party shall remain in full effect without change or modification.

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

10/3/94 copies ot PSP, County Control, mailed to plff and dft.

Continued to Page 519

10

1994

Watts & Pepicelli Christopher D. Ferry	OCCASIONS RESTAURANT, INC.	APPEAL FROM REFUSAL TO RENEW LIQUOR LICENSE 1 copy atty.
10.	vs.	Jan. 7, 1994 Supplemental Verification For Appeal From Refusal to Renew Liquor License, filed.
	PENNSYLVANIA LIQUOR CONTROL BOARD	Sep. 6, 1994 Upon Praecipe of Christopher D. Ferry, Esquire, Attorney for Plaintiff, the above action settled, discontinued and ended as to the Appellee of record.
	Filed January 4, 1994 @ 2:55 PM	
	Tax & entry paid 50.50 User's Fee paid 5.00 Pro.Co. pd 9/6/94 6.00	

1994

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

11.

MARQUETTE SAVINGS BANK
formerly MARQUETTE SAVINGS
ASSOCIATION

vs.

MUNDY MASTER BUILDERS, INC.

Filed January 5, 1994
@ 10:53 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriffs costs	25.00
Pro Co pd 4-15-94	6.00

COMPLAINT IN MORTGAGE FORECLOSURE
1 copy atty.

Feb. 4, 1994, Sheriff's Return filed. SERVED Mundy Master Builders, Inc. on Jan. 26, 1994 at 11:13 a.m. by handing a copy of the Complaint in Mortgage Foreclosure to Dawn Munteen, wife of the owner, Richard Muntean, at their residence, 516 Shadow Oaks, Meadville, Crawford County, Pa.
So answers, Scott D. Young, dep. Sheriff
Robert M. Stevens, sheriff

Mar. 15, 1994 Upon praecipe of Plaintiffs attorney the above captionedmatter is discontinued without prejudice.

12

1994

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

12.

MARQUETTE SAVINGS BANK
formerly MARQUETTE SAVINGS
ASSOCIATION

vs.

RICHARD D. MUNTEAN and
DAWN C. MUNTEAN, his wife

Filed January 5, 1994
@ 10:53 AM

Tax & entry paid	50.50
User's Fee paid	5.00
sheriffs costs	31.00
Pro Co pd 3-15-94	6.00
In Error ~~Pro Co pd 10-26-94~~	~~6.00~~

COMPLAINT IN MORTGAGE FORECLOSURE
2 copies atty.

Feb. 4, 1994, Sheriffs Return filed. SERVED Richard D. Muntean on Jan. 26, 1994 at 11:11 a.m. byhanding a copy of Complaint in Mort. Foreclosure to Dawn Muntean, his wife at their residence 516 Shadow Oaks, Meadville, Crawford County, Pa.

SERVED Dawn C. Muntean personally on Jan. 26, 1994 at 11:10 a.m. by handing a copy of the Complaint in Mortgage Foreclosure to her at the residence 516 Shadow Oaks, Crawford County, Meadville Pa.

So answers, Scott D. Young Dep. Sher.
Robert M. Stevens, Sher

Mar. 15, 1994 Upon praecipe of Plaintiff's attorney the above captioned matter is discontinued without prejudice.

In Error ~~Oct. 26, 1994 Upon~~

1994

13.

3-14-94
Rec from Doug Calvert
Sheriffs cost 43.50
3-15-94 Pd Sheriff
Ck# 8663 43.50

CHERIE CALVERT

vs.

DOUGLAS CALVERT

Filed January 5, 1994
@ 3:22 PM

Tax & entry	Pd. 3/14/94	50.50
User's Fee	Pd. 3/14/94	5.00
Sheriffs costs	Pd. 3/14/94	43.50
Pro Co	Pd. 3/14/94	9.00
Pro Co	Pd. 3/14/94	5.00

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

Order:

And now, this 5th day of January , 1994 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Defendant shall not contact Plaintiff in anyway. Defendant shall not go to Plaintiff's residence. Custody of the children is awarded to Plaintiff.
3. This Order may be enforced without a warrant any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court Liability for payment or fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves ruling on allocation of fees and costs. Hearing is hereby set for January 12, 1994 , at 3:30 p. m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

Jan. 7, 1994 Motion For Special Relief, filed.

Jan. 12, 1994 Sheriff's Return filed. SERVED Douglas Calvert personally be deputizing the Sheriff of Erie County, PA., as per a telephone call from Judy of the Erie Co. Sheriff's Dept. Defendant was served on Jan. 8, 1994 at 1:00 PM at his place of employment, Erie County Farms, 26th St., Erie, PA. Affidavit of Service forthcoming.
So answers,

Robert M. Stevens, Sheriff

Jan. 14, 1994 ORDER filed. AND NOW, January 12, 1994, this matter is before the Court on Plaintiff's Petition for relief under the Protecton From Abuse Act. Both parties appear without counsel and the Defendant is advised of his right to counsel and indicates that he wishes to proceed representing himself. The parties reach an agreement without admission of the accordingly, the following Order is entered:

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any minor child named in the Petition.
2. The Plaintiff shall have exclusive possession of the marital residence, and the Defendant shall not go to that residence except as provided herein after in this Order. He should not go to the residence for any other reason even if he is invited insofar as it shall be presemed by any police agency that the Defendant is in violation of this Order if he is at that residence.

If the parties should wish for the Defendant to be able to go to Plaintiff's residence, then before doing so, they shall seek a modification of this Order through this Court.

3. Apparently the parties have made arrangements through the Cochranton Police Department for the Defendant to remove items from the marital residence and it is agreeable to both of them that that arrangemetn continue with the Defendant being able to go to the marital residence so long as he is accompanied by a Cochranton Police Officer, and that police officer calls in advance to make arrangemetns for the Defendant to go to the residenc.
4. Pending any further Order of Court in this sproceeding or any other appropriate proceeding the Plaintiff shall have primary physical custody of the minor children with the Defendant to have temporary physical custody each Saturday from 7:00 p.m. through Sunday at 5:00 p.m. beginning on Saturday, January 22, 1994 and continuing each weekend thereafter.

The Defendant shall be responsible for transportation to and from said visits and he shall call in advance to alert the Plaintiff to say that he is coming so that he does not have to go up to the marital residence but can just wait out in the street for the children to come out to him, and he can bring the children back to the residence and allow them to go in without him going up to the residenc.e

5. The parties agree that they may wish to meet from time to time in apublic place and they are free to call one another for the purpose of arranging such visits provided that in doing so the Defendant shall at no time harass or threaten the Plaintiff through such telephone calls.
6. This Order may be enforced without a warrant of arrest by any law enforced having reasonable grounds to believe it has been violated.
7. A copy of this Order shall be delivered by the Prothonotary to County Control and Cochranton Police Department, insofar as the Plaintiff resides on West Adams Stret in Cochranton.

Additionally, the Prothonotary shall send a opy of this Order by regular mail to the Plaintiff at P.O. Box 510, Cochranton, Pennsylvania, and to the Defendant care of Charles Calvert, Sr., R.D. 1, Hartstown, Pennsylvania.

CONTINUED ON PAGE 501

1994

Pepicelli, Youngs & Youngs
Andrew S. Bacallao

14.
Barbara J. Walton

Jan. 4, 1994 $150.00 deposited by Plaintiff

2-9-94 Refunded mediation deposit $150.00 ck 8087

SHERI L. FOLMAR

vs.

JADY A. FOLMAR

Filed January 5, 1994
@ 4:03 PM

Tax & entry paid 50.50
User's Fee paid 5.00

COMPLAINT FOR CUSTODY

Jan. 21, 1994 Appearance of Barbara J. Walton, ESquire for Jady A. Folmar, Defendant, filed.

Jan. 21, 1994 Motion to Dismiss Custody Complaint for Lack of Jurisdiction and ORDER filed. AND NOW, this 21st day of January, upon consideration of the Within Motion, a hearing and or argument is hereby scheduled for February 4, 1994 at 3:00 in Courtroom 1 or 2.

BY THE COURT:
Gordon R. Miller, J.

1-21-94 Copy of Order to Attys. Bacallao & Walton.

Feb. 7, 1994, MEMORANDUM AND ORDER Filed. ORDER: AND NOW, Feb. 7, 1994, after a formal hearing held Feb. 4, 1994, and for the reasons set forth in the atta ched memorandum it is ordered as follows:

1. The defendants to dismiss the custody complainmt is hereby granted and said custody complaint is dismissed for lack of jurisdiction.

2. All prior orders entered in this matter are hereby vacated this date.

3. A true, correct and certified copy of the attached memorandum and all pleadings, motions and documents filed in this matter shall be forwarded by the Prothonotary of Crawford County to the Family, Court, Parish of East Baton Rouge, Louisiana in order to satisfy the general requirements of this Commonwealth to communicate the decisions of this court with a court that does in fact have jurisdiction over the matters raised in this action.

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

Feb. 7, 1994, copies to Attys. bacallao and Walton.

Feb. 7, 1994, ORDER ifled. AND NOW, Feb. 7, 1994, it is ordered that neither party shall remove the children from Crawford county until further order of court.

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

Feb. 8, 1994, copies of order to Attys. Bacallao and Walton.

Feb. 7, 1994, Exhibits (6 photos) filed.

Feb. 9, 1994 Motion to Return Custody Mediator's Fee and ORDER filed. AND NOW, this 9th day of February, 1994, the Prothonotary of Crawford County is directed to return the sum of $150.00 to Plaintiff's counsel, Pepicelli,Youngs and Youngs PC.

BY THE COURT,
Gordon R. Miller, J.

Feb.11, 1994 Copy of Order to Attys. Bacallao & Walton

1994

Paul E. Allen

~~Edward J. Hatheway~~ Culbertson

15.

Culbertson,Weiss,Schetroma and Schug
John B.Brautigam

PAUL HOLDER and DONNA HOLDER

vs.

THE MILLVILLE MUTUAL INSURANCE COMPANY

Filed January 5, 1994
@ 4:15 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Pro Co. pd 8/1/94	6.00

COMPLAINT IN CIVIL ACTION
3 copies atty.

Jan. 27, 1994 Appearance of Culbertson, Weiss, Schetroma and Schug by John B. Brautigam,Esquire, for The Millville Mutual Insurance Co., Defendant, filed.

Feb. 7, 1994 Notice of Praecipe for Entry of Default Judgment filed.

Feb. 11, 1994, Notice of Service of Interrogatories and Request for Production of Docements filed.

Feb. 11, 1994, Answer and New Matter filed.

Mar. 25, 1994 Motion For Leave To Withdraw Appearance and Order filed. AND NOW, March 25, 1994, upon presentation and consideration of the foregoing MotionFor Leave To Withdraw appearance is granted. BY THE COURT,
Anthony J. Vardaro, J

Mar. 28, 1994 Copies of order to Atty's Hatheway and Brautigam

July 11, 1994, Appearance of P aul E.Allen, attorney for plaintiffs, filed.

Aug. 3, 1994 Upon Praecipe of plaintiff attorney the above captioned case marked settled and discontinued of record.

1994

Ferguson & Spataro
Douglas W. Ferguson

16.

Joan Mason

WAYNE I. ANKENBAUER

vs.

KAROL L. ANKENBAUER

Filed January 6, 1994
@ 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 pd 5/19/98	9.00

2-12-97 Rec'd from plff 250.00 Master deposit
5-14-97 Rec'd from deft master fee 50.00
5-27-97 Rec'd from plff master fee 50.00
12-2-97 Rec'd master fee 130.00
12-8-97 Rec'd from plff 130.00
1-2-98 Pd Dallas master fee 180.00
1-2-98 Pd Conklin master fees 180.00
5-14-98 Rec'd from deft # 333.75 master fee
5-5-98 Rec'd from plff 333.75 master fee

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
1 copy atty.

Jan. 21, 1994 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 January 6, 1994. The defendant acknolwedged service on January 10, 1994, by accepting deliveryon that date as evidenced by the attached signed rreturn re ceipt.
Douglas W. Ferguson

Sept. 21, 1994, Affidavit of Consent of Plaintiff filed.

Sept. 21, 1994, Inventory and Appraisement of Wayne I. Ankenbauer plaintiff filed.

Sept. 21, 1994Income and Expense Statement of Wayne I. Ankenbauer filed.

Dec. 12, 1996, Affidavit Under sect. 3301(d) of the divorce code filed.

Jan. 10, 1997 Affidavit of Service filed. Douglas W. Ferguson, Esquire, being duly sworn according to law, deposes and says that he is the Attorney of Record for the Plaintiff, Wayne I. Ankenbauer, in the above captioned divorce. He further states that on January 9, 1997, he forwarded by rregular mail to the Defendant through her attorney, Joan mason, Esquire, a time-stamped copy of the Plaintiff's Affidavit Under Section 3301(d) of the Divorce Code.
And further your deponent sayeth not. Douglas W. Ferguson

Feb 12, 1997 Motion For Appointment of Master in Divorce and Order: AND NOW, Feb 19, 1997 DAVID PICKENS, ESQUIRE is hereby appointed Master in respect to the following claims:
If not filed already the parties are ordered to file their pre-trial statements within twenty (20) days from this date. The Defendant shall file her inventory within 30 days.
Anthony J. Vardaro, J.
Feb 19, 1997 Faxed Ferguson, Mason & Pickens

Feb 20, 1997 Notice of Scheduled Pre-Hearing Conference, filed.

Mar 27, 1997 Inventory and Appraisement of Defendant, filed.

Mar 27, 1997 Income and Expense Statement of Defendant, filed.

Apr 4, 1997 Summary of Pre-Hearing Conference and Scheduling Order, filed.

Apr 14, 1997 Notice of Scheduled Master's Hearing, filed.

May 29, 1997 Petition to Require Plaintiff to Sign Authorization and Consent by Defendant filed.
May 29, 1997 Memorandum and Order filed. AND NOW, May 23, 1997, the defendant's petition to require plaintiff to sign an authorization and consent is denied.
BY THE COURT
Gordon R. Miller, P.J.

June 4, 1997 ORDER: AND NOW, June 4, 1997, the Court enters the following preambles and order.
This is a divorce action where the Master's Hearing is scheduled for Juen 5 and 6, 1997. The Master had a Preliminary Conference and entered an Order directign inter alia athe Defendant to provide to Plaintiff and Plaintiff's counsel Defendant's Amended Pretrial Statement from her employer indicating the most recent value of her pension, the date of employment, and any other information necessary for a pensionm evaluation to make a determination to the present value of the pension.
The Plaintiff has filed a motion this date in Motions Court for sanctions alleging that the information has not been given to him on a timely basis. He gave notice of the filing of this motion to defense counsel around 11:10 a.m. yesterday.
Gordon r. Miller, P.J.
June 5, 1997 Dist Pickens, J. Mason & Ferguson
(FOR COMPLETE ORDER SEE PAPER FILED)

June 9, 1997 Order filed. AND NOW, June 9, 1997, the Defendant's Petition for Contempt is denied without a hearing. Said Petition was filed in Motion Court before the undersigned on June 6, 1997. We have now had an opportunity to review this file including President Judge Gordon R. Miller's Memorandum and Order of May 23, 1997 in which essentially the same issue the Defendant now raises was addressed.
She now argues that the Plaintiff should be held in contempt for failure to list a certain Navy pension as partially marital property on an inventory he filed on September 21, 1994 and a pretrial statement he filed on April 3, 1997.
The problem with that argument is that from those two filings it is obvious that the Plaintiff maintains that the pension was non-marital and if the Defendant disagrees, that issue would be litigated before the Master.
As Judge Miller's Memorandum notes, however, even at the late filing of the Defendant's inventory on March 27, 1997, she indicated that the pension in question was not non-marital property.
Under all of these circumstances, we do not find evidence of contempt that would even require us to schedule a hearing on this issue.
BY THE COURT:
Anthony J. Vardaro, J.
6-9-97 DISTRIBUTED Ferguson & Mason

Continued on Pg. 16A

June 4, 1997 Plaintiff's Motion for Sanctions Agaisnt the Defendant filed.

June 20, 1997 Petition for Contempt filed. (see order of June 9)

July 9, 1997 Notice of Scheduled Second Session of Master's Hearing, filed.

Sept. 10, 1997 Notice of Filing Master's Report filed.

Sept. 10, 1997 Stipulation as to Defendant's Pension at Meadville Medical Center filed.

Sept. 10, 1997 Master's Report and Recommendation filed.

Sept. 12, 1997 Exceptions to Master's Report and Recommendation filed.

Sept 15, 1997 Exceptions to Master's Report and Recommendations, filed.

Nov 21, 1997 Motion to Direct Payment of Reporter's Fees and Order: AND NOW, this 26th day of November, 1997, upon consideration of the foregoing motion, it is ordered and directed:
1. Wayne I. Ankenhauer and Karol L. Ankenhauer are directed to each pay an additional $130 deposit for reporter's fees to the Prothonotary, forthwith or facr contempt proceedings.
2. Upon receipt of the aforementioned sums, the Prothonotary is directed to pay Lois Konklin and Lorraine Dallas each $180 as their reporter's sitting fee.
3. The court reserves the right to change the allocatiion of the reporter's fees when a final determination is made in this matter.
Gordon R. Miller, P.J.
Nov 21, 1997 Faxed Ferguson, Pickens & J Mason

May 12, 1998 Upon praecipe of plaintiff attoney, this case moved to court.

ay 12, 1998 Joint Motion to Withdraw Exceptions to Master's Report and ORDER filed. And now May _____, 1998, the within Motion is allowed and all exceptions are withdrawn by consent of both plaintiff and defendant's counsel.

By the Court:
Gordon R. Miller, J.

DIVORCE DECREE FILED

May 22, 1998 AND NOW, May 21, 1998, 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:

This is a final decree and resolves all claims between these parties for alimony, alimony pendente lite (except to the extent either party has failed to comply with prior orders entered in this matter), equitable distribution, counsel fees, costs and expenses raised in the record or otherwise. In the event any such claims still exists, 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. (SEE PAPERS FILED FOR FURTHER INFORMATION).
BY THE COURT:
Gordon R. Miller, J.

1994

17.

WENDY A. WELLS

vs.

ROBERT E. SNOW

Filed January 6, 1994
@ 10:56 AM

Tax & entry Pd 3-30-94 50.50
User's Fee 3-30-94 5.00
Sheriff's Costs 25.00
Pro Co Pd 3-30-94 9.00

3-30-94 Rec. Sheriffs Costs from dft 25.00
3-30-94 Pd Sheriff Ch# 8193 25.00

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

Order:

And now, this 6 day of January , 1994 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: The Defendant shall not go to Plaintiff's residence nor to her place of employment
3. This Order may be enforced without a warrant any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court Liability for payment or fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves ruling on allocation of fees and costs.

Hearing is hereby set for January 12, 1994 , at 3:30 p. m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

Jan. 7, 1994 Sheriff's Return filed. served Robert E. Snow personally on January 6, 1993 at 11:50 AM by handing a copy of the protection fromAbuse to him in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, PA.

So answers,

Scott D. Young, Deputy Sheriff
Robert M. Stevens,Sheriff

Jan. 14, 1994 ORDER filed. AND NOW, January 12,1994, this matter is before the Court on Plaintiff's Petition for relief under the Protection From Abuse Act. Both parties appear without councel, and the Defendant is advised of his right to counsel and indicates that he attempted to get counsel, but the lawyer he wished to get is not available this day. Nonethe less, he wishes to go forward with the hearing and the parties agree to the following Order without admissio of the allegations of the Petition on the part of the Defendant.

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

2. The Defendant shall have no contact with the Plaintiff or any members of her family and shall not go to the Plaintiff's place of employment. Additionally, the Defendant shall not cause any person or persons to contact the Plaintiff or any members of her family on his behalf for any reason whatsoever.

3. The Defendant shall not go to Plaintiff's residence at RD 2, Box 1190, Conneaut Lake, Pennsylvania, except as herein after set forth in this Order. With the exception of the time set forth herein after in this Order, if the Defendant shall be at Plaintiff's residence, it shall be presumed that he is in violation of this Order even if he is invited to that residence by Plaintiff.

In the event that the parties wish for the Defendant to be able to go to Plaintiff's residence, they shall seek a modification of htis Order prior to the Defendant going to that residence, except for the purpose herein after set forth.

4. The Defendant will be having a hearing with respect to incidents arising out of the circumstances from which this petition was filed at District Justice Vogan's Office on January 19, 1994. At that time the Defendant shall bring to that hearing a list of items he believes he owns from the residence where the Plaintiff now resides, and at that hearing the parties will attempt to arrive at a time that the Defendant can come to the residence to remove such items that the Plainitff agrees belongs to the Defendant from that list.

When the Defendant comes to remove those items, he shall do so promptly and shall have in his scompany some law enforcement officer. Additionally, the Plaintiff may hve anyone present she wishes to have present when those items are removed. The parties will abide for the purposes of removing those items by whatever the Plaintiff believes to be the items the Defendant is entitled to, and the Defendant is advised that any other items he wishes he will have to seek custody of through other appropriate legal avenues.

5. This Order may be enforced without a warrant of arest by any law enforcement officer having reasonable grounds to believe it has been violated.

6. A copy of this Order shall be delivered by the Prothonotary to County Control and to the Pennsylvania State Police at Meadville, insofar as the Plaintiff's residence is within their jurisdiction at RD 2, Box 1180, Conneaut Lake, Pennsylvania.

Additionally, the Prothonotary shall send by regular mail a copy of this Order to the Plaintiff at RD 2, Box 1180, Conneaut Lake, Pennsylvania, and to the Defendant at RD 6, Box 850, Meadville, Pennsylvania.

7. The Defendant is sreminded that this is an Order of Court and violation of this Order may be punishable bya fine of up to $1,000.00 and a jail sentence of up to six (6) months.

CONTINUED TO PAGE 502

Bruce L. Smith

18.

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

TERESA E. BROWN

vs.

DALE A. BROWN

Filed January 6, 1993
@ 1:43 PM

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

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

Jan. 10, 1994 Acceptance of Service and Entry of Appearance, filed. SERVICE: AND NOW, this 10th day of January, 1994, I hereby accept service of a copy of the Complaint in Divorce filed in the above-captioned matter on behalf of the Defendant, as proper service thereof. John D. Petruso

APPEARANCE: of Fuller, Kinnunen, Petruso, Gamble, Fabian & Hall by John D. Petruso for Defendant, Dale A. Brown, filed. Jan. 10, 1994 (1 copy Atty)

Apr. 26, 1994 Affidavit of Consent of Plaintiff, filed.

Apr. 26, 1994 Affidavit of Consent of Defendant, filed.

Apr. 26, 1994 Upon praecipe of Plaintiff's attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

April 28, 1994 AND NOW, April 28, 1994, it is ordered and decreed that TERESA E. BROWN, plaintiff, and DALE A. BROWN, defendant, are divorced from the bonds of matrimony.

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

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

1994

Schneider, Gelb,
Goffer & Hickey, PC
Euguene F. Hickey, II

19.

MORRISON"S CUSTOM MANAGEMENT
CORPORATION OF PENNSYLVANIA

vs.

CAMP COLANG, INC.

filed January 6, 1994
@ 2:09 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	37.00
Pro Co. pd 3/23/94	9.00
~~Sheriff's Costs~~	~~41.00~~

C-182
Judgment entered
3/23/94.

COMPLAINT IN CIVIL ACTION
3 copies Sheriff

Jan. 18, 1994 SHERIFF'S RETURN, filed. SERVED Camp Colang on January 14, 1994 at 2:08 PM by handing a copy of the Complaint to Jill Dowling, Wife of the owner of Camp Colang, Gregory Dowling, at their residence, 334 West Walnut Street, Titusville, Crawford County, Pa. Camp Colang is out of business so service was made upon the owner.
So answers, Scott D. Young, Deputy Sheriff
Robert M. Stevens, Sheriff

March 23, 1994, 11:00 A.M., AND NOW upon Praecipe of plaintiff Attorney, with copy of Notice of Intention to file default judgment attached, judgment is hereby entered in favor of Plaintiff and against Defendant for failure to file an answer and damages are assessed as follows:
Principal balance due, Twenty-eight thousand four hundred ~~seventy-nine~~ dollars and 73/100 Dollars, together with interest at the rate of one and one-half (1-1½%) per month as well as attorneys fees and costs as indicated in Plaintiff's Complaint.

Debt $28,479.73
Judgment
Barbara H. King, pro.

In Error
Nov. 15, 1994 SHERIFF'S RETURN, filed. SERVED James A. Custead on November 4, 1994 at 10:10 AM by handing a copy of the Complaint for Mandatory Injunction to Rhona M. Custead, Mother and Authorized Agent, at the mother's residence, on Pettis Road, Cochranton, Crawford County, PA. Acceptance of Service attached.
So answers, Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

1994

Shapira, Hutzelman, Berlin & May
Stephen H. Hutzelman

20.

Knox, McLaughlin, Gornall & Sennett,
William C. Wagner
for Wasson Electric

Shafer, Swick, Bailey, Irwin & Stack
James R. Irwin
Jeffrey K. Millin
Raymond A. Schetlin, ind. and d/b/a Schetlin Contracting

FOREMOST SIGNATURE INSURANCE COMPANY

vs.

RAYMOND A. SCHETLIN, individually, and d/b/a SCHETLIN CONTRACTING and WASSON ELECTRIC

Filed January 6, 1994
@ 2:09 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	36.00
Pro.Co. pd 4/11/95	5.00

COMPLAINT IN CIVIL ACTION
2 copies Sheriff

Jan. 17, 1994 SHERIFF'S RETURN, filed. SERVED Raymond A. Schetlin on January 11, 1994 at 11:58 AM by handing a copy of the Complaint to Maxine Schetlin, Secretary at the business of Schetlin Contracting, RD 2, Canal Road, Conneautville, Crawford County, Pa.

SERVED Wasson Electric on January 11, 1994 at 12:11 PM by handing a copy of the Complaint to Marlene Lyda, Secretary at the business, RD 2, Box 272, Conneautville, Crawford County, Pa.

So answers, Scott D. Young, Deputy Sheriff
Robert M. Stevens, Sheriff

Jan. 24, 1994 Appearance of Knox McLaughlin Gornall & Sennett, P. C. by William C. Wagner, Esquire, Attorney for Wasson Electric, Defendant, filed.

Feb. 11, 1994, Defendant's answer filed.

FEb. 16, 1994 Appearance of Shafer, Swick, Bailey, Irwin & Stack by James R. Irwin and Jeffrey K. Millin for Raymond A. Schetlin, Individually, and d/b/a Schetlin Contracting filed.

Feb. 22, 1994 Answer and New Matter filed.

Feb. 24, 1994 Wasson Electric's Reply to New Matter of Raymond A. Schetlin, filed.

Mar. 8, 1994, Reply to New Matter filed.

Mar. 24, 1994 Wasson Electric's Cross Claim/New Matter against Raymond A. Schetlin, individually and d/b/a Schetlin Contracting filed.

Mar. 31, 1994 Reply To New Matter of Wasson Electric filed.

Apr 11, 1994 Verification to Reply to New Matter of Wasson Electric, filed.

Apr. 11, 1995 Upon Praecipe of Stephen H.Hutzelman, Esquire, Attorney for Plaintiff, the within suit is Settled, Discontinued, Ended and costs paid, filed.

1994

Mason & Mason
Joan D. Mason

21.

CARL P. McCORMICK

vs.

JOAN L. McCORMICK

Filed January 6, 1994
@ 4:17 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro.Co. pd 8/31/94	9.00
Pro.Co. pd 8/31/94	3.00

COMPLAINT IN DIVORCE
2 copies atty.

Jan. 24, 1994 AFFIDAVIT OF SERVICE, filed. I, Joan D. Mason, Esquire, Attorney for the Plaintiff in the above entitled case, and being duly sworn according to law, depose and say that I did on January 11, 1994, mail to the above Defendant, Joan L. McCormick, by certified mail 1#P 966 074 014, return receipt requested, deliver to addressee only, a complaint in the above divorce action. Said notice was received by Joan L. McCormick on January 13, 1994, as indicated by the return receipt card which was returned to the office of the Plaintiff's attorney and is attached hereto.

Aug. 23, 1994 Affidavit of Consent by Joan L.McCormick, Defendant, filed.

Aug. 31, 1994 Affidavit of Consent by Carl P. McCormick, Plaintiff, filed.

Aug. 31, 1994 Affidavit of Consent by Carl P. McCormick, Plaintiff, filed.

Aug. 31, 1994 Upon Praecipe of Joan D. Mason, Esquire, Attorney for Plaintiff to transmit record, Case moved to Court.

DIVORCE DECREE FILED

Sept. 8, 1994 AND NOW, September 6, 1994, it is hereby ordered and decreed that CARL P. MCCORMICK, Plaintiff, and JOAN L. MCCORMICK, 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.

22

1994

22.

Edward Hatheway

CATHERINE O. DUBENKO

vs.

ALBERT DUBENKO

Filed January 7, 1994
@ 10:06 AM

Tax & entry 1-19-94 Pd 50.50
User's Fee 1-19-94 Pd 5.00
Sheriff's Costs 25.00
Pro Co Pd 1-19-94 5.00

1-19-94 Rec Sheriffs Costs from dft 25.00
1-19-94 Pd Sheriff Ck #8040 25.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

ORDER:

And now, this day of , 19 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

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

3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment or fees and costs will be determined by final court order.
7. The defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves Ruling on allocation of fees and costs. Hearing is hereby set for the , at m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF THE COURT,

Jan. 10, 1994 SHERIFF'S RETURN filed. SERVED Albert Dubenko personally on January 7,1994 at 2:27 PM by handing a copy of the Protection from Abuse to him at his residence, RD 3, Box 21, Cambridge Springs, Crawford County, Pa.
So answers,

Scott D. Young, Deputy Sheriff
Robert M. Stevens, Sheriff

Jan. 13, 1994 Reassignment of Hearing Dat e filed. Jan. 10, 1994: Hearing in the above captioned matter heretofore set for January 13, 1994, is hereby reset for January 18, 1994, at 3:30 P.M. in Courtroom 1 or 2.

The Temporary Order of January 7, 1993 shall remain in full force and effect until a hearing is held before the Court on the above date.

FOR THE COURT,
Gordon R. Miller

1-11-94 Copies dist. by Ct. Adm.

Jan. 19, 1994 MOtion to Vacate Protection From Abuse Order and ORDER filed. AND NOW, this 18th day of January, 1994 upon receipt and reveiw of the Plaintiff's motion to vacate and terminate the Protection from Abuse Order of January 7, 1994, said motion is granted and the Protection from Abuse Order is hereby **vacated** and **terminated.**

A true and correct copy of this Order shall be delivered by the Prothonotary to the appropriate police agency and to County Control.

Any provisions of the Protection from Abuse Order of January 7, 1994 assessing court costs shall remain in full force and effect without change or modification and the party or parties against whom costs were assessed shall remain obligated to pay the costs.

BY ORDER OF COURT
Anthony J. Vardaro, J.

1-21-94 Copy of Order to County Control, Mdvl. City Police, Pltf & Deft. & Atty. Hatheway

1994

Mary Ann Kirkpatrick

~~Barbara J. Walton~~

23.

RUTH L. WANKER

vs.

MICHAEL D. WANKER

Filed January 7, 1994
@ 1:57 PM

Tax & entry paid 50.50
User's Fee paid 5.00
~~William Pineo, mediator~~ Proof fd 3-21-95 ~~John Fuller, Mediator~~ withdrawn 9.00 ✓

1-5-95 Rec'd from Plff med-deposit 150.00
3-2-95 Med Refund #8971 27.50

3-10-95 Rec'd from Dft #113.50
3-21-95 Pd Co #9037 113.50
5-8-95 Pd Co 9167 113.50

COMPLAINT FOR CUSTODY
1 copy atty.

Jan. 18, 1994 Affidavit of Service filed. And Now, January 14, 1994, comes Barbara J. Walton, 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 January 10, 1994.
2. That the Defendant signed the return card on January 12, 1994 and in accordance with Pa. R.C.P. 412, service ofthe Complaint was made as is evidenced by the United States Postal Service Return Receipt (Certified No. P845923454) attached hereto as Exhibit "A".
I verify that the statements made in this Affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. 4904, relating to unsworn falsification to authorities. Barbara J. Walton

July 18, 1994 Consent Custody Agreement filed. STIPULATION AND CONSENT and CONSENT CUSTODY ORDER, filed. AND NOW, this 18th day of July, 1994, upon presenenation 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 parties shall have shared legal custody of the children AARON MICHAEL WANKER and ELYSE NICHLE WANKER, both born June 8, 1989. 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.

2. Primary physical custody of AARON and ELYSE WANKER shall be with the Mother, RUTH L. WANKER.

3. The Father shall have visitation every other weekend, from Friday morning at 10 a.m. until Sunday evening at 6 p.m.

The Father shall have additional periods of partial custody on Wednesdays. These periods shall be as follows: Until the children are in school, his visitations will begin at 10 a.m. Wednesday and continue until 6 p.m. Thursday. If they return home at 6 p.m., the Father shall have fed them a nutritious evening meal.

Once the children begin school, the Wednesday visits shall take place from 3 p.m., until 7 p.m., and the children should be fed an evening meal before their return. If the father is working second shift on Wednesday, he and the mother will make alternate arrangements for an evening visit.

The Father shall have additional periods of partial custody during the summer months as follows: In June, the Father may pick up the children at 10 a.m. on the first Saturday after school lets out and keep them two weeks until Sunday evening at 6 p.m. During that period of time, the Mother shall have a temporary visitation on the middle weekend from 10 a.m. Saturday till 6 p.m. Sunday.

The Father's summer visitations shall continue similarly in July and August, with the Father having the first full two weeks of primary custody and the Mother having the temporary custody during the middle weekend.

4. 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.

5. Holiday visitation shall be as follows: Mother's Day with the Mother from 9 a.m. to 7 p.m., and Father's Day with the Father, from the same hours.

Other holiday visitation shall proceed as follows: The parties shall alternate the following holidays: New Year's Day, Easter, Memorial Day, Fourth of July, Labor Day, Thanksgiving and Christmas, beginning in 1994 with the Mother having Labor Day.

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 nto be proposed except for good reason. Should a cancellation or modification be necessary, the parties shall attempt at once to arrange for alternate visits or make alternative arrangements.

7. Each party shall teach the children to give to the other party that love and respect which is due a parent from his or her child.

8. Any person transporting the children shall make sure that the seat belts or other restraints are used in accordance with the laws of PA. The party receiving the children shall provide transportation for visitations.

9. Neither party shall use illegal drugs or be under the influence of alcohol at any time which said party has the care and custody of the subject minor children. Neither party shall smoke tobacco or permit others to do so in a closed automobile in which the children are being transported or in the bedroom of the children.

10. Neither party shall do or say anything to blacken the character of the other in the children's estimation. Each party shall treat the other in a polite and respectful manner when in the 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.

11. The parties to this action agree that this Honorable Court retain jurisdiction of this matter.

By the Court,
Gordon R. Miller, J.

July 18, 1994 Copies of Order given Atty. Walton; copy mailed Dft.

Jan. 3, 1995 Appearance of Mary Ann Kirkpatrick, Esquire, Attorney for Ruth L.Wanker, plaintiff, filed.

Jan. 5, 1995 Motion and ORDER filed. And, Now, Jan. 4th, 1995, John Fuller is appointed custody mediator and shall promptly schedule mediation.

By the Court:
Gordon R. Miller, J.

Jan. 5, 1995 Order FAXED Attys. Walton, Kirkpatrick & Fuller.

RECORD CONTINUED ON PAGE 462.....

1994

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

KIMBERLY J. WERLEY

vs.

SCOTT R. WERLEY

COMPLAINT IN DIVORCE UNDER SECTION 3301(c) or 3301(d), EQUITABLE PROPERTY DETERMINATION AND DISTRIBUTION, COUNSEL FEES, EXPERT FEES, COSTS AND EXPENSES, CHILD CUSTODY, ALIMONY, ALIMONY PENDENTE LITE
1 copy atty.

24. withdrawn
~~Mary Ann Kirkpatrick~~

Thomas, Truax, Spadafore & Walker
R. Charles Thomas

→John Fuller, Mediator $210.00
Rec'd Pd 9-17-99 13.50

Filed January 7, 1994
@ 2:38 PM

Tax & entry paid	50.50
User's Fee paid	25.00
4 Add'l Counts paid	60.00
State paid	10.00
John Fuller, Mediator	150.00
Pro Co Pd 9-94	9.00
Pro Co pd 4-12-95	9.00
Pro Co Pd 3-21-97	1.00
Statehope pd 3-21-97	4.00
Pro Co Pd 2-18-98	9.00

Jan. 10, 1994 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, PA. on the above named Defendant by certified mail, addressee only, return receipt requested, dated Jan. 7, 1994. The Defendant acknowledged service on Jan. 8, 1994 by accepting delivery on that date as evidenced by the attached signed return receipt.
James R. Irwin, Esq.

~~Apr.~~ 14, 1994 Affidavit of Consent of Plaintiff filed.

Jun. 7, 1994 Motion to Appoint Mediator and ORDER filed. And Now, June 7, 1994, John Fuller is appointed custody mediator and will promptly schedule a mediation on the above-captioned matter.
By the Court:
Anthony J.Vardaro, J.
6-8-04 Faxed copy to Irwin & Fuller & Kirkpatrick

Jun. 29, 1994 Affidavit of Consent by Scott R. Werley, Defendant, filed.

July 22, 1994 ORDER filed. AND NOW, July 20, 1994 after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Jared Scott Werley, Alexandra Elizabeth Werley and Alyssa Kate Werley 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 affectinga the children such as the educatiion, medical treatment and religious instruction of the subject children.

II. Physical custody of Jared Scott Werley, Alexandra Elizabeth Werley and Alyssa Kate Werley 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 weekend except the first weekend of each month from 5:00 o'clock p.m. on Friday to 5:00 o'clock p.m. on Sunday, beginning July 22, 1994. The first week end shall be the weekend on which the first Friday falls.

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 tot he 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 holidlays from 1:00 o'clock p.m. until 7:00 o'clock p.m

C. Beginning with the Summer of 1995, the children shall be in the custody of the father for a period of one (1) week (seven consecutive days). The father shall give the mother 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 provided by the father.

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. Specifically, no one shall smoke in the children's presence and no one who is intoxicated shall be permitted to be in the children's presence.

G. Both parents agree to inform the other immediately of any illness or injury regarding the children and both parents agree to furnish the other with a current telephone number.

III. This order is a temporary order but shall become a permanent order unless exceptions thereto are filed by either party within ten (10) days of the date hereof.

IV. Cost of the mediation conference will be divided as follows: one-half (½) Crawford County one one-half (½) the Defendant. The Prothonotary of Crawford County is hereby directed to refund one-half (½) of the deposit paid in advance by the Defendant, Scott R. Werley, less the cost of the custody order. Anthony J. Vardaro, J.
July 25, 1994/Faxed Kirkpatrick, Irwin & Fuller

Aug. 1, 1994 Request For Hearing De Novo and Order filed. AND NOW, this 1st day of August, 1994 upon presentation and consideration ofthe foregoing Request for Hearing De Novo, a hearing is scheduled withthe Court of Common Pleas of Crawford County, Pennsylvania, on the 27th day of September, 1994 at 1:30 o'clock p.m. in Courtroom No. 1 or 2 of the Crawford County Courthouse, Meadville, Pennsylvania.
BY THE COURT,
Gordon R. Miller, J

Aug. 1, 1994 Faxed Kirkpatrick & Irwin

Sept. 27, 1994 Motion To Withdraw Request For Hearing De Novo and Order filed. AND NOW, this 23rd day of September, 1994 upon consideration ofthe foregoing motion, plaintiff's request for hearing do novo is hereby withdrawn.
BY THE COURT,
Gordon R. Miller, J

Sept. 27, 1994 Faxed Irwin& Kirkpatrick

Nov. 18, 1994 Motion for Leave to Withdraw Appearance of Mary Ann Kirkpatrick, Esquire, and ORDER filed. AND, NOW, November 16, 1994, 1994, Motion granted.
Gordon R. Miller, J.
11-22-94 Copy to Attys. Kirkpatrick, Irwin & Fuller.

Apr. 5, 1995 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

6-8-94 Rec from dept med. dep. 150.00
7-25-94 Rec'd from dept pal meddy Ch#8456 66.00
9-13-94 Pd Co Ch#8549 75.00
3-21-97 Rec'd from dept med fee 200.00
7-22-97 Pd dept Refund #11171 90.50
2-18-98 Pd #11670 Co 100.50
7-29-99 Rec'd Meddy from Scott Werley 200.00
9-17-99 Pd Co Med 97.15
9-17-99 Refunded dept 89.35

DIVORCE DECREE FILED

April 18, 1995 AND NOW, this 17th day of April, 1995, it is ordered and decreed that KIMBERLY WERLEY, Plaintiff, and SCOTT R. WERLEY, Defendant, are divorced from the bonds of matrimony.

It is further ordered that the parties' Separation and Property Settlement Agreement dated April 3, 1995 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.

Cont on Pg 24A

1994 TERM

Kimberly Werley
vs.
Scott R. Werley

CONTINUED FROM PAGE 24
of Record
A. D. 1994 - 24

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Sep 18, 1995 Petition For Contempt and Order, filed. ORDER: Legal proceedings have been brought against you alleging you hav ewillfully disobeyed an order of court.

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

Whether or not you file in writing with the court your defenses or objectiions, you must appear in person in court on the 27th day of Octobe, 1995 at 2:00 o'clock p.m. in Courtroom No. 1 or 2 of the Crawford County Courthouse.

Date: 9-15-95
Gordon R. Miller, P.J.

9-27-95 Faxed Irwin & Fuller

Sep 20, 1995 ORDER filed. AND NOW, this 20th day of September, 1995, it is hereby ORDERED, ADJUDGED AND DECREED that a Rule to Show Cause is hereby entered upon Defendant, Scott R. Werley, to show cause why he should not be held in contempt of Court.

Said Rule is returnable for hearing or argument on the 27th day of October, 1995, in Courtroom No 1 or 2 of the Crawford County Courthouse, Meadville, Pennsylvania at 2:00 o'clock P.M.

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

Sept 20, 1995 dist to Irwin
Sept. 27, 1995 sent to Dft. Faxed Fuller

Oct. 5, 1995, Certificate of Mailing of Notice and Order toAppear to Defendant filed.

Nov. 2, 1995, **O R D E R filed.** AND NOW, October 27, 1995, after an informal hearing on the Plaintiff's petition for contempt, the Court finds it a fact that the Defendant signed an agreement an April 1995 agreeing to pay up to $1500 in attorney's fees to James Irwin, Esquire no later than 2 months from the date of the divorce decree that was entered April 17, 1995. At the time the Defendant signed the separation agreement, he was earning approximately $440 net take-home pay per week. At or about the time the divorce decree was entered, he became unemployed and received unemployment compensation of $329 per week. That is slightly less than the amount of income he was earning while he was employed. He earned that until approximately 6 weeks ago when unemployment compensation expired and he began receiving $300 per week from a trucking company during a period of training. He now is gainfully employed for Smithway Transportation, but he does not know what his earnings will be. He has paid absolutely nothing on Mr. Irwin's bill.

He has no lawful excuse. He maintains that at the time he signed the agreement, he did not have the ability to carry out the agreement he signed. We find the Defendant in contempt of court. He is a competent adult and he is bound by what he signs. Furthermore, that agreement became a court order and he is bound by court orders.

We will give the Defendant one opportunity to purge himself from contempt and begin compliance with the order.

Accordingly, it is ordered as follows:

1. The Defendant shall pay James R. Irwin attorney's fees in the amount of $1265.50 in the following manner.
2. He shall pay $100 per month. The first payment shall be made on or before November 30, 1995 and a like amount shall be paid monthly thereafter until this is paid in full.
   a. If not paid sooner, all sums shall be paid in full by March 3, 1996.
3. In addition, thereto, the Defendant shall pay James R. Irwin interest at the rate of 6 percent per anum on all unpaid sums to be calculated from June 17, 1995.

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

Nov. 1, 1995 Copy placed in Atty. Irwin mailbox; mailed defdt.

Jan. 19, 1996, Petition of Plaintiff for Contempt filed.

Jan. 19, 1996, Order filed. Hearing set for 27 day of Feb. 1996 in C. R. No. 1 of Courthouse at 8:45 a.m.
Anthony J. Vardaro, J.

1/19/96 faxed to Irwin.

Mar. 6, 1996 ORDER filed. AND NOW, February 27, 1996 the Defendant is back before the Court ona contempt petition alleging that he has not complied withthis Court's contemtp order of October 27, 1995. No payments have been made under the divorce decree of April 17, 1995 or this Court's contempt order of October 27, 1995.

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

3-6-96 Irwin & Thomas (Backup)

June 7, 1996 ORDER filed. AND NOW, June 7,1996, upon consideration of the defendant's Motion For Retrun To Mediation, said motion is denied insofar as it is really a request for mediatoin for the purposes of custody modification and ACCORDINGLY, Loca Rule L1930 regarding the mandatory seminar for separating parents must be complied with.

BVY THE COURT:
Anthony J. Vardaro
6-7-96 DISTRIBUTED Irwin & Thomas

June 7, 1996 Motion for Return to Mediation filed.

Oct. 25, 1996 Certificate of completion of Separating Parents Seminar by SCOTT WERLEY filed.

Mar 21, 1997 Petition for Review and Modification of Custody Order and Order: AND NOW, this 20th day of March, 1997, upon presentation and consideration of the within Petition, this matter is returned to JOHN FULLER, Esquire, Custody Mediator, for further review and modification if appropriate. Plaintiff shall attend the parenting seminar forthwith.

Gordon R. Miller, P.J.

Mar 25, 1997 Faxed Irwin, Thomas & Fuller

Apr 23, 1997 Certificate of completion of the Seminar for Separating Parents for Kimberly Werley Flick, filed.

May 28, 1997 Petition for Contempt and Notice and Order to Appear filed. Legal proceedings have been brought against you alleging you have willfully disobeyed an order of court. If you wish to defend against the claim set forth in the following pages, you may but are not required to file in writing with the Court your defenses or objections.

Whether or not you file in writing with the court your defenses or objections, you must appear in person in court on the 7th day of August, 1997 at 10:15 O'clock .M. in Courtroom No. 1 or 2 of the Crawford County Courthouse.

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

If the court finds that you have willfully failed to comply with its order you may be found to be in contempt of court and committed to jail, fined or both.

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

Anthony J. Vardaro, J.
5-29-97 FAXED Thomas & Irwin

Cont on Pg 24B

KIMBERLY J. FLICK (WERLEY)
VS.
SCOTT R. WERLEY

CONTINUED FROM PAGE 24 A
of Record
A.D. 1994 - 24

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July 21, 1997 ORDER: AND NOW, July 21, 1997 after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Jared Scott Werley, Alexandra Elizabeth Werley and Alyssa Kate Werley 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 Jared Scott Werley, Alexandra Elizabeth Werley and Alyssa Kate Werley shall be with their mother, subject to the following conditions:

IV. The fees $210.00) and costs ($9.00 court order filing fee) are to be paid as follows:

A. The father has deposited with the Prothonotary the requested $200.00 which shall partially be applied toward the fees and costs representing his one-half share. The Prothonotary is directed to return to father $90.50.

B. Crawford County shall pay $109.50 representing mother's one-half share of the fees and costs.

Gordon R. Miller, P.J.

July 22, 1997 Faxed Irwin, Thomas & Fuller
(FOR COMPLETE ORDER SEE PAPER FILED)
July 25, 1997 Sent Plf & Dft

July 30, 1997 Motion to Withdraw Petition for Contempt and Order filed. AND NOW, this 31st day of July 1997, upon presentation and consideration of the within Motion, Plaintiff's Petition for Contempt is hereby withdrawn.
Gordon R. Miller, J.

Aug 22, 1997 Request For Hearing DeNovo and Order: AND NOW, this 22nd day of , 1997, upon consideration of Plaintiff's request for hearing de novo, a hearing is set for the 24th dayof October, 1997 at 1:15 p.m. in Courtroom No. 1 of the Crawford County Courthouse, Meadville, Pennsylvania. Ann A. Walker, C.A.
Aug 25, 1997 Faxed Thomas & Irwin
Sept 15, 1997 Faxed Fuller

October 29, 1997 MEMORANDUM AND ORDER FILLED: ORDER. AND NOW, October 28, 1997, it is ordered as follows:

1. The Order of July 21, 1997 is affirmed in all respects except as hereinafter modified.
2. Subparagraphs a and c of paragraph II are deleted and the following substituted in place of those deleted aubparagraphs:

a. The father shall be entitled to visit and take the children into his custody every weekend except the first weekend of each month from 5:00 o'clock p.m. on Friday to 5:00 o'clock p.m. on Sunday, except as hereinafter provided for summer visits. The first weekend of each month shall be the first weekend where both Saturday and Sunday appear in the same month.

. . . .

c. During the summer vacations from school the following provisions shall apply unless modified by the parties in writing. The parties shall meet at least sixty (60) days prior to the last day of school in June and come to an agreement on the summer visitations using the following directives from the court. For the purposes of summertime visitations, the weeks shall begin at 5:00 o'clock p.m. on Friday and end on 5:00 o'clock p.m. the following Friday. The weekend visitations shall commence at 5:00 o'clock p.m. on Friday evening and terminate at 5:00 o'clock p.m. the following Sunday evening. The Court does not know exactly when school will be out in June nor commence in August or September. We generally believe that the children should be with their mother for about seven days after school lets out in June and for about seven days prior to the start of school in August or September.

The children shall be in the custody of their father for a period of one week in June, two weeks in July and one week in August. They shall also be with their father for one weekend in June and one weekend in August. For all other periods of time the children shall be with their mother. The mother shall have at least two weeks of time where the father has no visitation rights so that the mother may take a vacation of up to two weeks to sepnd with the children.

The Court envisions that the parties would meet to go over the weeks that each party would have. If the parties cannot agree on the process, the father shall have the first right to pick the two weeks in July and the one week in June when he will have the children. Next, the mother would pick the two weeks that she would have the children without any visitation rights in the father. Next, the father would pick the one week in August when he would have the children and the one weekend in June and the one weekend in August when the children would be with him. We have attached hereto an example of a schedule using the summer of 1997 in order to assist the parties in understanding the Court's instentions.

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

Distributed Oct 29, 1997 Thomas & Irwin

FEb. 23, 1999 PETITION FOR MODIFICATION OF A PARTIAL CUSTODY ORDER AND Order and Notice filed. And Now, this 24 day of Feb. 1999 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 213 Center Street, Meadville, PA 16335; the Prothonotary at the Crawford CountyCourthouse; or the Court Administrator at the Crwford County Courthouse.
Application for attendance at the seminar must be made by the Defenant or Petitioner within 15 days after the Pleading or Petition is filed; and by the Plaintiff or Respondent within fifteen 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 coun ty Law Library or contact the Center for Family Services, Inc.

By the Court Anthony J. Vardaro, J.
2/25/99 Faxed Watson, Irwin & Thomas

August 4, 1999 Notice and Order to Appear Filed. You, Kimberly Flick have been sued in Court to (obtain)(modify) custody, partial custody or visitation of the children: _____.
You are Ordered to appear in person at such time and place as will be determined by Mediator Kathleen Nelson Esq. for a mediation conference. The Mediator shall send you a Notice of the hearing by mail to the address listed on the complaint or petition that has been filed recently.
If you fail to appear as provided by this Order, an Order for custody, partial custody or visitation may be entered against you or the Corut 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 Administrtor, Courthouse, Meadville, PA 16335 Phone:(814)333-7598.
Amerians with Disabilities Act of 1990 The Court of Common Pleas of Crawford County is required by law to comply with the Americans with Disabilites Act of 1990. For information about accessible facilities and reasonable accommodations available to disabled individuals having business before the Court, please contact the Court Administrators 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 of hearing.

By the Court
Anthony J. Vardaro, J
Faxed Irwin, Watson, Thomas & Nelson
Date 8/4/99

(RECORD CONTINUED ON PAGE 24 C)

S31761

KIMBERLY J. FLICK

VS.

SCOTT R. WERLEY

RECORD CONTINUED FROM PAGE 24 B

OF

AD 1994 - 24

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Sept. 16, 1999 TEMPORARY ORDER filed. AND NOW, Sept. 15, 1999, after Mediation and upon the recommendation of the Child Custody Mediator, it is Ordered and Decreed as follows:

1) Legal custody of the subject minor children, Jared Scott Werley, Alexandra Elizabeth Werley and Alyssa Kate Werley, shall be shared by the father and mother, the parties to this action, with each parent entitled to full access to any records relating to the children held by a third party including, but not limited to school records and medical records and each parent shall have equal input regarding important decisions affecting the children such as education, religious instruction and medical treatment.

2) Primary physical custody of Jared Scott Werley, Alexandra Elizabeth Werley and Alyssa Kate Werley shall be with their mother, with father being entitled to visitations. (see papers filed).

The cost of the mediation conference shall be divided equally between the parents. The deposit paid in advance by the father shall first be applied to his share of the costs and the remainder refunded to him, less the cost of the Court's Order.

This Order is a temporary Order but shall become a permanent Order unless either parent files a request for a Hearing De Novo within twenty days of the date hereof. (see papers filed).

BY THE COURT:
Gordon R. Miller, J.

Sept. 17, 1999 FAXED Attys. Irwin, Watson, Nelson.

24
-D-

1994

Mason & Mason M. Dan Mason	CECIL RAMPLEY and MARGARET RAMPLEY, His wife	COMPLAINT IN ACTION OF MORTGAGE FORECLOSURE 3 copies Sheriff
25.	vs.	Jan. 7, 1994 Affidavit of Non-Military Service of Defendants filed.
	JAMES K. FURRY, JR. and DEBORAH FURRY, his wife	Jan. 24, 1994 Upon Praecipe of W. Dan Mason, ESquire, Attorney for Plaintiff, the above captioned case settled and discontinued of record.
	Filed January 7, 1994 @ 3:15 PM	
	Tax & entry paid 50.50 User's Fee paid 5.00 Pro.Co. pd 1/24/94 5.00	

1994

Thomas, Truax, Spadafore & Walker R. Charles Thomas	EDWARD W. TINDALL vs. LINDA L. TINDALL Filed January 10, 1993 @ 9:00 AM Tax & entry paid 50.50 User's Fee paid 10.00 1 Add'l Count paid 15.00 State paid 10.00 Pro Co. pd 7/25/95 5.00	COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION 1 copy atty.
26.		July 21, 1995 Upon praecipe of plaintiff attorney, the above captioned case is discontinued of record.

1994

Nichols, Krill & Taggart
Kevin c. Jennings

27.

JODY RICE MOWRIS

vs.

CONNIE ANN CATALANO

Filed January 10, 1994
@ 4:08 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	28.00
Pro. Pd 8/4/94	6.00

WRIT OF SUMMONS
Issued Sheriff

Feb.3, 1994 Sheriff's Return filed. SERVED Connie Ann Catalano personally on January 31, 1994 at 2:30 PM by handing a copy of the Summons to her in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, PA.
So answers, Dale A. Collins,Chief Deputy
Robert M.Stevens, Sheriff

Aug.4, 1994 Upon Praecipe of Kevin C.Jennings,Esquire, Attorney for Plaintiff, the above entitled action, settled, discontinued and ended of record.

1994

Pepicelli, Youngs
& Youngs, PC
Andrew S. Bacallao

28.

IN RE: NAME CHANGE OF

JEFFREY SCOTT STEVENS

Filed January 10, 1994
@ 3:52 AM

Tax & entry paid 50.50
User's Fee paid 5.00

PETITION FOR CHANGE OF NAME

Order:

AND NOW, this 10 day of January, 1994, upon presentation of the attached Petition for Change of Name, hearing on said Petition is set for the 10 day of February, 1994 at 8:45 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 and the Crawford County Legal Journal.

BY THE COURT,
Anthony J. Vardaro, J

Jan. 11, 1994 Copy of order to Atty. Bacallao

Feb. 10, 1994, Proofs of Publication filed.

Feb. 11,1994 Affidavit, filed.

Feb. 14, 1994 ORDER filed. AND NOW, February 10, 1994, after due public advertising of the date, time and place of this hearing and there appearing no objections, the Court is satisfied that all of the legal requirements have been met and, therefore, it is ORDRED that the name of Geoffrey Scott Stevens is hereby changed to Geoffrey Scott Joslin, and from this moment forward shall be his legal name and he may henceforth be called and be known by that name.

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

Feb. 14, 1994 copies dist to Bacallao

1994

~~Mary Ann Kirkpatrick~~
Withdrawn

29.

James R. Irwin

REGINA CHICO DURICK

vs.

THOMAS WILLIAM DURICK

Filed January 11, 1994
@ 1:02 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. 9/15/97	9.00
Pro Pd 10/20/97	*5.00

COMPLAINT IN DIVORCE, ALIMONY PENDENTE LITE, REASONABLE COUNSEL FEES, COSTS and EXPENSES, EQUITABLE DISTRIBUTION
1 copy atty.

Jan. 12, 1994 Appearance of Shafer, Swick, Bailey, Irwin & Stack by James R. Irwin, Esquire for Thomas W. Durick, filed.

Jan. 17, 1994 Acceptance of Service filed. I accept service of the Divorce Complaint on behalf of Thomas William Durick and certify that I am authorized to do so.

James R. Iriwn, Esq.

Jan.31, 1994 Petition for Special Relief and RULE TO SHOW CAUSE, filed. AND NOW, this 31 day of January, 1994, upon consideration of the within Petition for Special Relief, a Rule is granted upon Respondent, Regina C.Durick, to show cause why the relief requested in said Petition should not be granted.

RULE RETURNABLE, with hearing thereon on the 22nd day of February, 1994, at 9:15 .m. in Courtroom No. 2 or the Crawford County Courthouse, Meadville, Pennsylvania, unless Judge Vardaro is engaged in a civil jury trial at that time, in which case this hearing shall be continued to March 10, 1994 at 1:30 p.m. in Courtroom #2. Anthony J.Vardaro, J.

2-2-94 Copy of Rule to Show Casue to Attys. Kirkpatrick & Irwin

Feb. 3, 1994, Answer to Petition for Special Relief filed.

Feb. 9, 1994, Proof of Service of Notice to Produce filed.

Feb. 11, 1994 Motion For Leave To File Request For Production Of Documents And To Conduct An Appraisal and Order, filed. ORDER: And Now, February 11, 1994, hearing on Plaintiff's Motion for Leave to File Request for Production of Documents and to Conduct an Appraisal is scheduled for 22 day of February, 1994, at 9:15 a.m. in Courtroom No. 2 of the Crawford County Courthouse, Meadville, Pennsylvania, unless Judge Vardaro is engaged in a civil jury trial at that time, in which case this hearing shall be continued to March 10, 1994 at 1:30 p.m. in Courtroom 2.

By the Court:
Anthony J. Vardaro, J.

Feb. 16, 1994 copy to M.A. Kirkpatrick & J. Irwin

Feb. 23, 1994 Motion For Continuance and Order, filed. ORDER: AND NOW, this 23 day of February, 1994 upon presentation and consideration of the within Motion this hearing is continued until the 10th of March, 1994 at 1:30 p.m. in Courtroom No. 2 of the Crawford County Courthouse, Meadville, Pennsylvania.

BY THE COURT:
Anthony J. Vardaro, J.

Feb. 25, 1994 copy to M.A. Kirkpatrick & J. Irwin

Mar. 15, 1994 Motion To Continue/Reschedule and Order, filed. And, Now, March 10, 1994, this matter is rescheduled for April 29, 1994 at 9:15 AM o'clock in courtroom 2 of the Crawford County Courthouse in Meadville, Pa.

By/For the Court:
Anthony J. Vardaro, J.

Mar. 17, 1994 copy to M.A. Kirkpatrick & J. Irwin

Mar. 17, 1994 copy to M.A. Kirkpatrick & J. Irwin

May 4, 1994 Affidavit of Consent by Thomas W.Durick, Defendant, filed.

May 4, 1994 ORDER filed. AND NOW, April 29, 1994, this matter is before the Court with respect to the Defendant's Petition for special relief requesting various relief.

After formal hearing and for the most poart with the agreement of the parties and otherwise by determination of t he Court, the following Order is entered without prejudice to the Master to make an ultimate determination as to what is appropriate with respect to all the issues addressed, it being the Court's intention only to address these issues in an interim manner with respect to the Petition for Special Relief.

1. The Defendant is awarded exclusive possessionof the marital home at 366 Edgewood Drive in Meadville,Pennsylvania, and shall remain in such possession until further Or der of Court.

2. On April 27, 1994, there was escrowed in a Northwest Savings Bank account requiring the signature of both counsel for the parties the sum of$91,860.22, which funds were part of $103,154.43 removed from various accounts by the Plaintiff on January 10, 1994. Therefore, at this time the Plaintiff has access to $11,294.21 of those funds or has in some manner either for her own benefit or for the benefit of both parties used some of those funds. As we have indicated, we will not try to make a determination as to which funds were appropriately martial or non-marital property at this time nor will be try to determine which funds were used for martial or non-marital bills, but in order to provide some amount of cash to each party, we will require that the sum of $11,294.21 be removed from the escrow account established at northwest Savings Bank within seventy-two (72) hours and that sum shall be provided to the Defendant. The remaining funds in that account shall remain in that account until the parties agree that they shall be removed or until further Order of Court.

3. With respect to marital property or non-marital property, again leaving that determination to the Master, which the Plaintiff removed from the martial home on or about January 10, 1994, and is in storage in Morgantown, West Virginia, the same shall remain stored at that location at the expense of the Plaintiff without prejudice again for the Master to determine whether those storage payments shall be allocated otherwise or in the alternative, the Plaintiff may arrange for that marital or non-marital property to be returned to the marital residence at 366 Edgewood Drive, Meadville, Pennsylvania. In either case, neither party shall in any way destroy, dispose of or otherwise cause any of that property to go into any other person's possession pending the outcome of this litigation

Continued to Page 511

1994

Blystone & Blystone
Curtis E. Blystone

30.

DOUGLAS J. HAZELTON

vs.

KIMBERLY K. HAZELTON

Filed January 11, 1994
@ 1:39 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 8-19-94	9.00

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

Jan. 11, 1994 Affidavit Under Section 3301(d) of the Divorce Code of Plaintiff

Jan. 24, 1994 Affidavit of Service filed. 1. The undersigned Curtis E. Blystone, is attorney for Douglas J. Hazelton, plaintiff in the above-captioned civil action.

2. On January 11, 1994, affiant mailed a true and correct copy of the Complaint, endorsed with Notice to Defend and Claim Rights to the defendant, Kimberly K. Hazelton, by certified mail, restricted for delivery to the addressee. posted at the Meadville, Pennsylvania, United States Post Office, and bearing Article No. P 100 658 014 as indicated by the attached receipt for certified mail.

3. The aforesaid certified mail article was delivered to the defendant, Kimberly K. Hazelton, on January 14, 1994, as indicated by the attached return receipt.

I verify that the statements made in this Affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 19 Pa. C.S. Section 4904, relating to unsworn falsification to authorities.

Curtis E. Blystone

Dated: January 21, 1994

Feb. 9, 1994, SUPPLEMENTAL AFFIDAVIT of Service filed.

Aug. 18, 1994 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Aug. 26, 1994 AND NOW, Aug. 23, 1994, it is ordered and decreed that DOUGLAS J. HAZELTON, plaintiff, and KIMBERLY K. HAZELTON, 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.

1994

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

31.

JOHN C. FLAUGH

vs.

REBECCA L. FLAUGH

Filed January 11, 1994
@ 2:15 pM

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

COMPLAINT IN DIVORCE UNDER SECTION 3301(c) or 3301(d)
2 copies (atty)

Jan. 24, 1994 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 January 11, 1994. The Defendant acknowledged service on January 20, 1994 by accepting delivery on that date as evidenced by the attached signed rreturn receipt.

James R. Irwin

May 18, 1994 Upon praecipe of Plaintiff's attorney the above captioned divorce action is discontinued of record.

1994

Barbara J. Walton

32.

MICHAEL REAGLE

vs.

KATHRYN REAGLE

Filed January 11, 1994
@ 2:15 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Pro Co. Pd. 7-6-94	9.00

COMPLAINT FOR CUSTODY
1 copy (atty)

Jan. 21, 1994 Affidavit of Service filed. And Now, January 19, 1994, comes Barbara J. Walton, 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 January 14, 1994.

2. That the Defendant signed the return card on January 18, 1994 and in accordance with Pa. R.C.P. 412, service of the Compalint was made as is evidenced by the United States Postal Service REturn Receipt (Certified No. P845923455) attached hereto as Exhibit "A".

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

Barbara J. Walton, Esquire,
Attorney for Plaintiff

Mar. 1, 1994, STIPULATION AND CONSENT CUSTODY ORDER filed. AND NOW, this 28 day of Feb. 1994, upon presentation of the stipulation and Consent of the parties, attached hereto and after consideration of the same, it is hereby ORDERED, DIRECTED AND DECREED that:

1. The parties shall have shared legal custody ofthe minor child, Donald J. Reagle. The parties shall share with each other any and all info 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 child.

2. Primary physical custody of the minor child shall be with the p laintiff/father.

3. the mother/defendant shall have liberal visitation as mutually agreed upon by the parties.

4. The subject minor child shall have the right to telephone the non-custodial party at reasonable times and for reasonable lengths of time and such conversations will not be unreasonably monitored by the party having physical custody.

5. should it be necessary for either party to cancel or modify the visitation as set out in this order or as previously arranged, the party seeking cancellation or modification shall notify the other party as soon as they know of the necessity which impets the concellation or modification. Said modifications or cancellations shall not be proposed except for good reason. Sould a concellation or modification be necessary, the parties shall attempt at once to arrange for alternate visits or make alternative arrangements.

6. Each party shall teach the child to give to the other party that love and respect which is due a parent from his/her child.

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

8. Neither party shall use illegal drugs or be under the influence of alcohol at any time which said party has the care and custody of the subject minor child. 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 gedroom of the child. Neither party shall expose the minor child to harmful situations or harmful people while having custody of the child.

9. Neither party shall do or say anything to blacken the character ofthe other in the child's estimation. Each party shall treat the other in a polite and respectful manner when inthe child's presence and each party shall instruct his or her relatives and friends to do likewise and also not to disparage theother party inthe child's estimation.

10. the parties to this action agree that this Honorable Court retain jurisdiction ofthis matter.

Anthony J. vardaro, J.

Mar. 7, 1994, copy of order to Atty. Walton.

33

1994

Mark D. Prather

33.

William J. Gregg

W. L. DUNN CONSTRUCTION

vs.

ALLAN SHEEHAN, et al

Filed January 11, 1994
@ 3:38 PM

Tax & entry paid	50.25
User's Fee paid	5.00
Pro Co pd 10-5-94	15.00
Pro Co pd 5/5/95	9.00
Pro.Co. pd 6/14/95	5.00
Pro.Co. pd 6/14/95	5.00

APPEAL OF DEFENDANT FROM DECISION OF
DISTRICT JUSTICE GEORGE W. HERZBERGER, III

Jan. 11, 1994 Rule entered upon the Plaintiff to file a Complaint issued.

Jan. 12, 1994 Proof of Service and Rule to File Complaint filed.

Mar. 25, 1994 Complaint filed.

Aug. 10, 1994 Answer to Plaintiff's Complaint and Counter-Claim, filed.

Sept. 2, 1994 Reply to Counterclaim, filed.

Oct. 5, 1994 Upon praecipe of Plaintiff's attorney to appoint Arbitrators, the following Arbitrators have been appointed

Victor J. Kinnunen, Chr.
~~Alan L. Pepicelli~~ ~~Christopher Ferry~~ John Brautigam
~~George Gray~~ Bill Jorden

Dec. 22, 1994 Arbitrataors take qualifying oath.

Mar. 2, 1995 Decision of Arbitrators, filed. And now, the 2nd day of March, 1995, we the undersigned Arbitrataors chosen in this case, after having been duly sworn and havign heard the evidence and allegations of the parties find in favor of Plaintiff in the amount of $8,000, and in favor of Defendants in the amount of $4,020 (12 months rent).

Victor J. Kinnunen, Chr.
John B. Brautigam
William Jordan

Mar. 2, 1995 copies dist to Gregg & Prather

May 2, 1995 Notice of Deposition of Alan Sheehan and James Sheehan, filed.

May 2, 1995 AND NOW, 10:38 a.m., upon praecipe of plaintiff attorney, judgment is hereby entered in favor of the plaintiff in the amount of $3,980.00, in the above captioned matter in accordance with decision of the Board of Arbitrators, plus $82.50 (magisterial) costs advanced by plaintiff, plus $40.00 interest through 3/1/95 at the legal rate, for a total of $4,102.50, entered theron.

S-13,200

DEBT- $4,102.50
JUDGMENT
Barbara H. King, Pro.

Jun. 14, 1995 Upon Praecipe of William J. Gregg, Esquire, Attorney for Defendants the counter-claim in the above-referenced case is marked settled and discontinued of record.

Jun. 14, 1995 Upon Praecipe of Mark D.Prather, Esquire, the above judgment satisfied of record.

34

1994

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

Thomas, Truax, Spadafore & Walker
Gregory A. Keenan

34.

Quinn,Buseck, Leemhuis,Toohey & Kroto
Frank L. Kroto, Jr.

GARY E. BEEBE

vs.

LUCILLE H. BEEBE

Filed January 11, 1994
@ 3:09 PM

Tax & entry Pd 1-14-94 50.50
User's Fee Pd 1-14-94 5.00
Pro.Co. pd 6/27/95 5.00

MOTION TO MODIFY CASE NUMBER

Order:
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

FILINGS FROM CASE A.D. 1992 - 831

Nov. 24, 1994 Action for Declaratory Relief filed.

Nov. 29, 1993 MotionFor Stay of De Novo Support Hearing and Order filed. AND NOW, this 29 day of November, 1993, upon consideration of Plaintiff's Motion for a Stay of Proceedings pending the Court's issuing a ruling on Plaintiff's Action for Declaratory Relief, said Motionis hereby granted, and the matter is stayed generally to be reset on mtoion 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.

NEW ENTRIES:

Jan. 17, 1994 Reply To Counterclaim For Declaratory Relief, filed.

Jan. 26, 1994 Certificate of Service of Reply to Counterclaim for Declaratory Relief, filed.

Jun. 27, 1995 UponPraecipe of James R.Irwin, Esquire,Attorney for Plaintiff, the above captioned case discontinued of records.

Jul. 6, 1995 Appearance of Shafer, Swick, Bailey,Irwin, Stack & Millin by James R. Irwin, Esquire,Attorney for Plaintiff, Gary E.Beebe, filed.

1994

Watts & Pepicelli
Alan L. Pepicelli

35.

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

ROBERT CHARLES GOSS, II, a Minor, by ROBERT C. GOSS and SHIRLEY A. GOSS, his Guardians; and ROBERT C. GOSS and SHIRLEY A. GOSS Individually

vs.

STEVEN JAMES PRICE

Filed January 11, 1994
@ 4:10 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	28.00
Pro Co pd 5/13/99	7.50
Pro Co pd 5/13/99	1.50

WRIT OF SUMMONS
Issued Sheriff

Jkan. 27,1994 SHERIFF'S RETURN, filed. SERVED Steven James Price on January 24, 1994 at 9:52 AM by handing a copy of the Summons to Maria Price, his Mother, at R.D. #5, Patricia Drive, Meadville, Crawford County, Pa.
So answers, Scott D. Young, Deputy Sheriff
Robert M. Stevens, Sheriff

Jan. 11, 1996 Complaint in Civil Action filed. (2 copys Atty.)

Jan. 25, 1996 Notice of Service filed Alan 1. Pepicelli, Esquire hereby certified that a certified copy of the original Complaint in Civil Action was served upon Steven J. Price, the above-captioned Defendant, via certified mail, return receipt requested, sent on January 15, 1996, to R.D. #5 Patricia Drive, Meadville, PA 16335, and received on January 19, 1996. A copy of the Receipt for Certified Mail and Return Receipt are attached hereto as Exhibit "A
Alan L. Pepicelli

Jan. 26, 1996 Appearance of Thomas, Truax, Spadafore, Walker and Keenan by R. Charles Thomas, Esquire for Defendant, Steven James Price, filed.

Feb 14, 1996 Notice of Service of First Set of Interrogatories and First Set of Requests for Production of Documents, filed.

Feb 14, 1996 Amended Complaint in Civil Action, filed.

Mar. 26, 1996 Notice of Deposition of Steven James Price filed.

May 16, 1996 Notice of Service that Answers to Requests for Production and Interrogatories filed.

Aug. 15, 1996, Answer to Amended Complaint in Civil Action filed.

Aug. 26, 1996 Reply to New Matter on behalf of Plaintiff's filed.

Feb. 11, 1998 NOTICE TO COMPLETE DISCOVERY ON BEHALF OF DEFT. FILED.

April 13, 1998 NOTICE OF SERVICE FILED

June 8, 1998 Motion to Withdraw and Order filed. AND NOW, this 8 day of June, 1998, upon presentation and considertion of the wthin Motion to Withdraw, Alan L. Pepicelli, Esquire, and Watts and Pepicelli PC, are hereby granted permission to withdraw as counsel for Plaintiffs in the above-captioned case.
BY THE COURT,
Anthony J. Vardaro, J

Fax Pepicelli & Thomas

May 12, 1999 Praecipe to Settle and Discontinue Filed. Upon Praecipe of Alan L. Pepicelli, Esq. Attorney for the Plaintiff the above-captioned case is marked settled and discontinued of record.

1994

Thomas, Truax,
Spadafore & Walker
William L. Walker

36.

NORTH AND SOUTH SHENANGO
JOINT MUNICIPAL AUTHORITY

vs.

ONTARIO, INC., a New York
Corporation

Filed January 12, 1994
@ 1:58 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	26.00
Pro.Co. Pd 12/20/95	5.00

WRIT OF SUMMONS
Issued Sheriff

Jan. 26, 1994 SHERIFF'S RETURN, filed. NOT FOUND as to Defendant Ontario, Inc. Attempted service at its last known address of 111 Marsh Road, Pittsford, NY 14534, forwarding address has expired according to post office. Returned certified mail attached. So answrs, Robert M. Stevens, Sheriff

May 4, 1995 Writ Reissued.

Dec. 19, 1995 Upon Praecipe of William L.Walker, Esquire this action is settled and discontinued with prejudice.

1994

Mary Ann Kirkpatrick

37.

3-8-94 Rec from deft Sheriffs costs 44.00
3-8-94 Pd Sheriff 44.00 Ck # 8147
7-6-94 Rec'd $5000.00 Bond from deft. in Bond drawer
7-19-94 Received from defendant Court ordered fine $250.00 in general fund
7-19-94 Pd Craw Co Comm Fine Ck#8452 $250.00

JAMES L. HUDDLESON

vs.

KAREN M. HUDDLESON

Filed January 14, 1994
@ 9:45 AM

Entry due Pd 4-13-94 50.00
Tax & entry Pd 3-8-94 ~~50~~.50
User's Fee Pd 3-8-94 5.00
Sheriff's Costs 44.00
Pro Co Pd 3-8-94 9.00

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

Order:

And now, this 14th day of January , 1994 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff ~~or any of the minor children named in the Petition.~~
2. Special Conditions: Defendant shall not contact Plaintiff. Defendant shall not go to Plaintiff's residence or place of work.
3. This Order may be enforced without a warrant any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court Liability for payment or fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves ruling on allocation of fees and costs. Hearing is hereby set for January 20, 1994, at 3:30 p. m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

Jan. 17, 1994 SHERIFF'S RETURN, filed. SERVED Karen M. Huddleson personally on January 14, 1994 at 2:28 PM by handing a copy of the Protection from Abuse to her at her residence, RD 4, Box 171, Centerville, Crawford County, Pa.
So answers,
Scott D. Young, Deputy Sheriff
Dale A. Collins, Chief Deputy
Robert M. Stevens, Sheriff

Jan. 26, 1994 ORDER filed. AND NOW, January 21, 1994, since the Crawford Couonty Courthouse was closed on January 19, 1994 the contempt hearing in this matter could not be held. Said hearing is hereby rescheduled and shall be held on the 31st day of January, 1994 at 3:30 o'clock p.m. in Courtroom No. 1 or 2 of the Crawford County Courthouse.

A copy of this order shall be mailed to James L. Huddleson, 101 A. Rd. 7, Arthur Street, Meadville, Pennsylvania 16335 and to Karen M. Huddleson, R.D. #4, Box 171, Centerville, Pennsylvania 16404.

Pending said hearing the temporary abuse order entered January 14, 1994 shall remain in full force and effect without change.
BY ORDR OF COURT
Gordon R. Miller, P.J.

Jan. 26, 1994 copies dist by Court.

Feb. 2, 1994 ORDER filed. AND NOW, January 31,1994, after a formal hearing before which the Court explained the proceedings to the Defendant and she understood it, she did represent herself pro se.

The Court finds that on, at least, one occasion, the Defendant did engage in abuse as that term is defined and interpreted under the Protection From Abuse Act. The parties seem far apart on custody and visitation, so the Court declines entering any Order with respect to that, leaving custody and visitation to be resolved between the parties or by a Court of competent jurisdiction. We also recognize that the parties should have communication with each other, because they are still married and are still the parents of two (2) children, although it appears that the Defendant does not want much to do with that. We have not heard enough with respect to the Plaintiff's conuct to know whether or not she has cause to take the position she has taken. Quite possibly that will be heard and resolved in a custody action.

As to the Protection From Abuse Act, we enter the following Order:

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff in any manner.
2. The Defendant shall not go the Plaintiff's place of residence, place of work or to his mother's residence. In fact, she shall not be within one hundred (100) yards of those places.
3. Until an appropriate Order is entered in a custody action, the parties shall bepermitted to contact each other in writing provided said writing is not abusive, harassing or threatening, and provided said writing does not contain any foul language.
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 and to the Pennsylvania State Police at Meadville and Corry.
6. This Order shall remain in full force and effect for one (1) year from this date, that is until January 30, 1995, unless modified or terminated by further Court Order.
7. The Defendant shall pay record court costs in the amount of $108.50 to the Prothonotary in the following manner, to-wit: At least one-half (1/2) within thirty (30) days from this date and the balance within sixty (60) days from this date. The Defendant is advised that if she fails to pay the costs as ordered, she may be held in contempt of court and punished further.
8. The Defendant is reminded that this is an Order of Court and vilation of this Order may be punishable by a fine of up to $1,000.00 and a jail sentence of up to six (6) months.

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

Feb. 2, 1994 copies dist. to Kirkpatrick, Corry & Meadville SPD, Co. Control.
Feb. 7, 1994 copy to Plf. & Dft.

Continued to Page 515

1994

Barbara J. Walton

38.

LEE CLEARY

vs.

DENNIS CLEARY

Filed January 14, 1994
@ 10:00 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 4-15-96	9.00

COMPLAINT IN DIVORCE, CUSTODY
2 copies (Atty.)

Jun. 8, 1995 Petition for Service Pursuant to Special Order of Court and ORDER filed. AND NOW,this 7 day of June, 1995,upon present of Plaintiff's Petition for Service Pursuant to Special Order of Court under Pa. R.C.P. Rule 430; it is hereby ORDERED, ADJUDGED and DECREED that service of process shall be by pulbication in the following legal publication and newspaper Cr.Legal Journal and Meadville Tribune one time each.

By the Court:
Anthony J. Vardaro,J.

6-8-95 Copies dist.to Walton

Jun.14,1995 Complaint reinstated.

July 11, 1995, Affidavit of SErvcie filed. And Now, July 11, 1995, comes Barbara J. Walton, and avers as follows:

1. A true and correct copy of the complaint in divorce under Section 3301(c) was published in the Meadville Tribune on June 21, 1995 as is evidenced by Proof of Publication attached hereto as Exhibit "A". Barbara J. Walton, Esq.

July 24, 1995 Affidavit of Service filed. And Now, July 20, 1995, comes Barbara J. Walton, and avers as follows:

1. A true and correct copy of the Complaint for Divorce under Section 3301(c) was published in the Crwaford County Legal Journal onJune 28, 1995 as is evidenced by the Proof of Publication attached hereto as Exhibit "A".

I VERIFY that the statements made in thisAffidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. 4904, relating to unsworn falsification to authorities. Barbara J. Walton

Aug. 10, 1995, Affidavit of Consent of Plaintiff filed.

Aug. 31, 1995 ORDER filed. This divorce matter has been referred to the Court for review and decree. The Court has reviewed the record and is returning the record to the Prothonotary. A finaldecree will not be entered at this time because:

x Properly completed 3301(c) consents have not been filed of record.Pa.R.C.P. 1920.42.

x As to a 3301(d) divorce:

x There is no indication that the 3301(d) affidavit was properly served on the responding party.

x 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.

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

BY ORDER OF COURT
Gordon R.Miller,J.

August 30, 1995
8-31-95 Faxed Walton

Aug. 31, 1995 Motion for Entry of Final Decree and AFFIDAVIT filed. BARBARA J. WALTON, being duly sworn according tolaw,deposes and says that she is the attorney for the Plaintiff herein,and that the Notice to Plead was served upon the Defendant by publication in the manner directed by your Honorable Court in accordance with governing rules of the Pennsylvania Rules of Civil Procedure, and that since the Notice was served as aforesaid, Defendant has neither appeared nor filed any answer or reponsive pleading thereto and that the time of filing of same has fully elapsed.

Augusut 24, 1995 Barbara J. Walton,Esquire

Oct. 30, 1995 Memorandum and Order filed. AND NOW, October 30, 1995, based on the fact that the Defendant's whereabouts continue to be unknown, the Plaintiff may file on appropriate 3301(d) affidavit and may thereafter serve that affidavit at the same time the required notice under 1920.42(c) (2) is served upon the Defendant both to be by publication once in The Meadville Tribune.

Thereafter, if the case is in a position to be brought before the Court by praecipe, the Plaintiff may do so.

BY THE COURT:
Anthony J. Vardaro, J.

Oct. 30, 1995 Copy placed in Atty. Walton's mailbox.

Oct. 30, 1995 Petition for Special Relief filed.

Oct. 30, 1995 AFFIDAVIT OF CONSENT filed.

Mar. 11, 1996 Affidavit Under Section 3301(d) of the Divorce Code of Plaintiff filed.

March 29, 1996 Affidavit of Service of Notice of Intention to REquest Entry of Divorce and Counter Affidavit on Defendant, filed.

Apr 12, 1996 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

April 16, 1996 AND NOW, this 16 day of April, 1996, 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 LEE CLEARY, Plaintiff, and DENNIS CLEARY, 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.

1994

Kiger, Messer &
Alpern
Philip A. Fabiano

39.

JOHN BRENIZER and GLADYS
J. BRENIZER, his wife

vs.

CORNELL MANUFACTURING, INC.

Filed January 14, 1994
@ 1:55 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	53.00

JURY TRIAL DEMANDED

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

Jan. 24, 1994 Notice to Defend filed.

Feb. 25, 1994 SHERIFF'S RETURN, filed. I hereby deputize the Sheriff of Bradford County, Pennsylvania to serve the within Complaint according to law. The defendants alleged address is R.D. #1, Box 18, Laceyville, PA 18623 Robert M. Stevens, Sheriff
Crawford County

Affidavit of Service: SERVED the within Complaint on February 10, 1994, at 2:05 PM, upon Cornell Manufacturing Inc. at RD1, Box 18, Laceyville, Tuscarora Township by handing to Kay Wilson, Executive Vice-President a true and correct copy thereof and made known to her the contents therein. Chris Flynn, Sheriff
Bradford County

40

1994

40.

RAYMOND R. PARRY

vs.

SAM A. NAPLES, JR.

Filed January 14, 1994
@ 3:52 PM

Tax & entry paid 9.00
Pltf. on orig. 15.50
Satisfaction pd. 8/2/96 5.00

AGREEMENT TO REVIVE

OF

DSB 476 Nov. 1978

The undersigned hereby agrees that judgment revival be indexed; prothonotary indexed same in favor of the plaintiff and against the defendants in the amount of Two Thousand Five Hundred and 00/100 dollars.

N-151

Judgment
Barbara H. King
Prothonotary

July 26, 1996 This Judgment Satisfied (see paper filed)

41-A

1994

Mary McKeen Houghton
Assistant U.S. Attorney

41-A

UNITED STATES OF AMERICA

vs.

MICHAEL J. KALUSTIAN and
KATHY KALUSTIAN, his wife

Filed January 17, 1994
@ 1:54 PM

Tax & entry pd 1-21-94 50.50
User's Fee pd 1-21-94 5.00
Sat pd. 8/24/94 - 5.00

PRAECIPE TO FILE LIS PENDENS, PURSUANT TO 42 Pa.C.S.A. 4304
1 copy atty.

And Now, Jan. 17, 1994 @ 1:54 PM upon praecipe of plaintiff attorney, this action is indexed against the defendant in the judgment index, for civil action now pending in the United State District Court for the Western District of Pennsylvania at Civil Action No. 94-17 Erie, as a lis pendens.
K-111-101 LIS PENDENS

Aug. 22, 1994, UPon praecipe of p laintiff attorney, the above Lis Pendens is hereby satisfied of record.

1994

1994

Barrett & Dratler
Bruce A. Barrett

41.

KIM D. ARMSTRONG

vs.

IDA J. ARMSTRONG

Filed January 14, 1994
@ 4:11 PM

Tax & entry paid	50.50
User's Fee paid	15.00
2 Add'l Counts paid	30.00
State paid	10.00
Pro.Co. pd 5/5/94	9.00

COMPLAINT UNDER SECTION 3301(c) OF THE DIVORCE CODE, EQUITABLE DIVISION OF MARITAL PROPERTY, CUSTODY
1 copy atty.

Feb. 11, 1994, Affidavit of service filed. I, Bruce Barrett Esq. being duly sworn, deposes and says the following vacts in support of this affidavit are true and correct:

1. The affiant is the atty. for plff. in above action.
2. A copy of the complaint was sent by cert. mail to the dft.
3. The cert. mail was sent to dft. at Box 24, sheakleyviller, Pa. 16151 on Feb. 4, 1994. the sender's receipt is attached hereto.
4. the dft. received said cert. mail on Feb. 8, 1994. Said receipt card no. 279 007 649 is attached hereto and signed by dft.
5. The ret. rec. car d was returned after signature to office of Atty. Barrett 965 So. Main sT. Meadville, Pa. on Feb. 9, 1994.

Bruce A. Barrett.

Mar. 24, 1994 Agreement and Consent Order filed. AND NOW, this 22nd day of March, 1994, it is hereby ordered and decreed that the attached Agreement is hereby adopted in its entirety as an Order of Court.

BY THE COURT,
Gordon R. Miller, J

Mar. 25, 1994 Copies of order Atty. Barrett

Apr. 21, 1994 Affidavit of Consent of Defendant, filed.

Apr. 21, 1994 Affidaviat of Consent of Plaintiff, filed.

May 4, 1994 Upon Praecipe of Bruce A. Barrett, Esquire, Attorney for Plaintiff to transmit record, case moved to Court.

DIVORCE DECREE FILED

May 11, 1994 AND NOW, May 9, 1994, it is ordered and decreed that KIM D. ARMSTRONG, plaintiff, and IDA J. ARMSTRONG, defendant, are divorced from the bonds of matrimony.

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

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

42

1994

Haller & Gates
John T. Haller, Jr.

~~Thomas, Truax, Spadafore & Walker~~
~~Gregory A. Keenan~~ Withdrawn

42.

Thomas J.Gravina

GERALD LANG

vs.

SHARON M. LANG

Filed January 17, 1994
@ 3:17 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State Pd 1-18-94	10.00
Pro Co. pd 1-5-95 (User's fee - $20.00) (Counts - $60.00)	80.00
master's dep pd 2-8-96 250.00 Pro Co Pd. 10/30/96	9.00

COMPLAINT IN DIVORCE

Feb. 9, 1994, Affidavit of Service filed. Gregory A. Keenan Esq. being duly sworn according to law, deposes and says that on Jan. 18, 1994, he sent a true and correct copy of Complaint in Divorce filed in above action to dft. at dft's last known address of 6441 Goldfinch Dr. Westerville, Oh. 43081, by cert. mail NO. P 100650572 postage prepaid, ret. rec. req rest del and that attached hereto is a duly executed ret.rec. card showing date of del as Jan. 22, 1994. Gregory A. Keenan Esq.

May 20, 1994 Affidavit of Consent by Gerald Lang, Plaintiff, filed.

Dec. 30, 1994 Answer to Plaintiff's Complaint Raising Joinable Claims, filed.

Jan. 18, 1995 Motion for Special Relief and Order, filed. And Now, January 18, 1995 it is ordered as follows:
1. A Rule To Show Cause is issued and directed to Plaintiff to show cause why this petition should not be granted. And Rule is returnable for hearing and argument on Tuesday, January 31, 1995 at 1:00 p.m. in Rm. 1.
2. The plaintiff is hereby enjoined and restrained from withdrawing amounts from the Plan until further order of court.
Gordon R. Miller, P.J.
Jan. 18,1995 Faxed Keenan & Gravina

Feb. 6, 1995 Motion To Discontinue Hearing on Rule To Show Cause and Order filed. AND NOW, this 2nd day of February, 1995, upon consideration of Plaintiff's Motion to Discontinue the hearing on the Rule to Show Cause entered agianst the Plaintiff in this matter, the Court finds that both parties, through counsel, are prepared to abide by the Court's Order dated January 18, 1995, insofar as it enjoins and restrains the Plaintiff from withdrawing any amount from his profit sharing plan with his employer, the hearing set to occur in this matter on January 31, 1995, at 1:00 p.m. in Courtroom No. 1 ishereby discontinued.
BY THE COURT,
Gordon R. Miller, J

Feb. 6, 1995 Faxed Keenan & Gravina

Feb. 16, 1995 Inventory and Appraisement of Sharon Lang, Defendant, filed.

Feb. 16, 1995 Notice of Service of Interrogatories, filed.

Apr 10, 1995 Motion For Leave to Withdraw Appearance and Order, filed. AND NOW, this 10 day of April, 1995, upon presentation and consideration of the foregoing Motion, Gregory A. Keenan, Esquire, is hereby granted leave to withdraw his appearance on behalf of the Plaintiff in the above captioned matter.
BY THE COURT
Anthony J. Vardaro, J.
Apr. 10, 1995 Faxed Keenan & Gravina

Apr. 19, 1995, Motion to compel Answers to Defendants Interrogatories Directed to Plaintiff and to Compel the Filing of an Inventory and Appraisement by the Plaintiff and Order filed. ORDER OF COURT: AND NOW, this 19 day of April 1995 upon motion of the dft. stating that the opposing party has failed to comply with Rules 1920.33 and Rule 1920.22 of the Pa. Rules of Civil Procedure, the p laintiff is hereby ORDERED AND DIRECTED to comply with the appropriate Rule of Civil Procedure within 30 days of the receipt of this order. If it is necessary for this court to issue a further order to obtain compliance with the Rules, said Order may contain a provision for payment of counsel fees and costs to the moving party and other sanctions provided by Rule 4019 of the Pa. Rules of Civil Procedure.
BY THE COURT,
Gordon R. Miller, J.

4/19/95 faxed to Keenan and Gravina

Aug. 18, 1995, Income and Expense Statement and Attached Income Tax Return filed. (of dft)

Oct. 6, 1995, Affidavit of Consent of defendant filed.

Jan. 19, 1996, Motion for Appointment of Master in Divorce and Order appointing master filed. ORDER: AND NOW Jan. 18, 1996 David Pickens Esq. is appointed master in respect tp the following Divorce, Alimony, Alimony Pendente Lite, Dist. of Property, counsel fees, costs and expenses. Deposit required:
By plaintiff: - 0 By defendatn $250.00, as a mpm refundable deposit see local rule L 1920.51B
If not filed already the parties are ordered to file their pretrial statements within thirty days from this date.
Per Curiam,
Gordon R. Miller, J.

1/19/96 faxed to Gravina.

April 8, 1996 Pre Trial Statement on behalf of defendant, filed.

April 19, 1996 Notice of Scheduled Pre-Hearing Conference, filed.

May 2, 1996 Notice of Arbitration filed.

May 3, 1996 Notice of Scheduled Master's hearing filed.

May 3, 1996 Summary of Pre-Hearing Conference filed.

Continued on Page 516

1994

43.

TONYA McCLELLAND

vs.

DENNIS McCLELLAND

Filed January 18, 1994
@ 10:50 AM

Tax & entry 1-31-94 50.50
User's fee 1-31-94 5.00
No Service by Sheriff
Dd Prd 1-31-94
Ret'd 2-7-96 5.00

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

Order:

And now, this 18th day of January , 1994 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Defendant shall not contact Plaintiff. Defendant shall not go to Plaintiff's residence. Custody of the child shall be with Plaintiff.
3. This Order may be enforced without a warrant any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court Liability for payment or fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves ruling on allocation of fees and costs. Hearing is hereby set for January 26, 1994 , at 3:30 p. m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

Feb. 2, 1994 Motion to Vacate Protection From Abuse Order and ORDER filed. AND NOW, this 31 day of January, 1994, upon receipt and review of the plaintiff's motion to vacate and terminate the Portection from Abuse Order of Dennis McClelland, 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 Pennsylvania State Police and to County Control.

Any provisions of the Protection from Abuse Order of January 26, 1994 asessing court costs shall remain in full force and effect without change or modification and the party or parties against whom costs were assessed shall remain obligated to pay the costs.

BY ORDER OF COURT
Gordon R. Miller, J.

2-4-94 Copy of Order to Pltf. , Pa. State Police & Co. Control

44

1994

Purcell, Krug & Haller
Leon P. Haller

44.

FBS MORTGAGE CORPORATION

vs.

MICHAEL L. YOHE and JODI M. YOHE

Filed January 18, 1994
@ 1:12 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	34.00
Sheriff's Costs	26.00
Pro Co. pd 9-13-94	9.00

COMPLAINT IN MORTGAGE FORECLOSURE
2 copies Sheriff
1 copy Atty.

Apr. 25, 1994 Complaint reinstated.

May 13, 1994 Complaint reinstated.

June 23, 1994 Sheriff's Return filed. SERVED the within Complaint in Mortgage Foreclosure onJune 15, 1994, at 6:30 P.M. upon Michael Yohe at Yohe Road, Bradford, McKean Co., PA by handing to him personally a true and correct cooy thereof and made known to him the contents therein
So answers, Donald D. Morey, Sheriff
I hereby deputize the Sheriff of McKean County, Pennsylvania to serve the within Complaint, Mtg. Foreclosure according to law.
Robert M. Stevens, Sheriff

SERVED the within Complaint in Mortgage Foreclosure on June 15, 1994, at 6:30 PM, upon Jodi Yohe at Yohe Road, Bradford, McKean Co, PA by handing to Michael Yohe to-wit: husband a true and correct copy thereof and made known to him the contents therein.
So answers, Donald D. Morey, Sheriff
I hereby deputize the Sheriff of McKean County, Pennsylvania to serve the within Complaint, Mtg. Foreclosure according to law.
Robert M. Stevens, Sheriff

July 1, 1994 Complaint Reinstated. (Sheriff)

July 28, 1994 Sheriff's Return filed. SERVED the wtihin Complaint in Mort. Forecl. on July 21, 1994, at 6:55 PM, upon Michael L. Yohe at Yohe Road Bradford, McKean Co. PA by handing to him personally a true and correct copy thereof and made known to him the contents therein.
So answers, Donald D. Morey, Sheriff
I hereby deputize the Sheriff of McKean County, Pennsylvania to serve the wtihin Complaint, Mtg. Foreclosure according to law.
Robert M. Stevens, Sheriff

SERVED the within Complaint in Mort. Forecl. on July 21, 1994, at 6:55 PM upon Jodi M. Yohe at Yohe Road, Bradford McKean Co., PA by handing to Michael Yohe, husband a true and correct copy thereof and made known to him the contents therein.
so answers, Donald D. Morey, Sheriff
I hereby deputize the Sheriff of McKean Young, Pennsylvania to serve the within Complaint, Mtg. Foreclosure according to law.
Robert M. Stevens, Sheriff

Sept. 13, 1994, 10:35 A.M., AND NOW upon Praecipe of plaintiff attorney, judgment is hereby entered in favor of Plaintiff and against Defendant for failure to file an answer and damages are assessed as follows:

Unpaid Principal Balance	$31,011.44
Interest (per diem of $8.92 from 11/1/92 to 1/1/94)	$ 1,614.52
Late Charges ($17.73 per month to 1/94)	$ 230.49
Escrow Deficit	$ 1,562.54
5% Attorney's Commission	$ 1,830.22
TOTAL	$36,249.21**

**Together with additional interest at the per diem rate indicated above from 1/1/94, based on the contract rate, and other charges and costs to the date of Sheriff's Sale.

Debt $36,249.21
Judgment
Barbara H. King, Prothonotary

Y-116,96
Judgment entered - 9/13/94

Sept. 14, 1994 Notice of judgment mailed defendants.

EXECUTION NO. 1994 - 61

Nov. 28, 1994 RETURN OF SERVICE, filed. I hereby certify that I have deposited in the U.S. Mails at Harrisburg, Pennsylvania on 9-28-94, a true and correct copy of the Notice of Sale fo Real Estate pursuant to PA R.C.P. 3129.1. Purcell, Krug & Haller

1994

Thomas, Truax,
Spadafore & Walker
Gregory A. Keenan

45.

JOHN M. JOLIET

vs.

MARY ANN JOLIET

Filed January 18, 1994
@ 2:34 PM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count paid	15.00
State paid	10.00
Pro.Co. pd 6/13/94	9.00

COMPLAINT IN DIVORCE, CUSTODY
1 copy atty.

Jan.28, 1994 Acceptance of Service, filed. I, Mary Ann Joliet, Defendant, accept service of the Complaint in Divorce,properly endorsed with a NOtice to Defend this 22nd day of January, 1994.
Mary Ann Joliet

Feb. 28,1994 Petition For Entry Of Agareement and Consent Custody Order, filed. ORDER: AND NOW, this 25 day of February, 1994, upon stipulation of the parties to this action, the following Order is hereby entered:

John M. Joilet and Mary Ann Joliet, the parties in the aboe captioned action, have agareed upon the matters set forth below and agree that the Court of Common Pleas of Crawford County, Pennsylvania, 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 conjunction with the entry of said Order and each has received an advance copy of this Consent Custody Order. They epresent that each is aware of their right to confer with independent legal counsel for review of this matter, prior to entry into agreement, Stipulation and Court Order.

1. The parties, John M. Joliet (Father) and Mary Ann Joliet (Mother), are the natural parents of the minor children, Susan Lu Joliet, Jennifer Mae Joliet and Nick James Joliet.

2. The parties shall share legal custody of the subject minor children, with each parent entitled to full access to medical records, educational records, and other important records,and each parent shall be entitled to take part in important decisions affecting the children, including those decisions involving the children's education, medical treatment and religious instruction. Health care providers, school personnel and other care providers are hereby authorized to release to either party any and all information which they may have regarding the subjedct minor children.

3. Primary physical custody of the subject minor children shall be with the mother, Mary Ann Joliet.

4. Father shall have partial custody of the subject minor children on every other weekend commencing on 6:00 p.m. Friday and continuing until 6:00 p.m. on the following Sunday. Father agrees to notify mother no later than the Wednesday immediately preceding his next scheduled week end of partial custody of his intent to exercise his right to partial custody on said week end. In the event that father does not notify mother of his intentions by the aforereferenced day, he will be deemed to have waived his right to partial custody of the subject minor children for that weekend.

5. That parties hereto agree that on Christmas, Thanksgiving, Easter and the minor children's birthdays, they will share custody with the minor children on said dates with the party who would normally have custody of the children on said dates having custody until 3:00 p.m., and the other party shall have custody on the aforesaid dates from 3:00 p.m. until 10:00 p.m. All holidays not specifically enumerated above will be alternated each year between the parties. The parties further agree that mother will have custody of the minor children on Mother's Day and father will have custody of the minor children on Father's Day.

6. The parties agree to equally share the responsibility for transportation as necessary to give effect to the provisions of this Consent Custody Order. Specifically, the parties agree that father shall pick up the subject minor children at the onset of any partial custody period, and mother shall pick up the subject minor children at the end of father's period of partial custody. The parties further agree that in the event father does not pick up the subject minor children within thirty (30) minutes of the agareed upon time, he will be deemed to have waived his right to partial custody for that scheduled period only.

7. The subject minor children shall have the right to telephone the parent not having custody at reasonable times and for reasonable lengths of time. Any such telephone call shall not be unreasonably monitored by teh parent having physical custody.

8. Should it be necessary for either party to cancel or modify the custody/partial custody provisions as set out in this agreement 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 modificaton. such modifications or cancellations shall not be proposed except for good reason. Should a cancellation or modification be necessary, the parties shall attempt at once to arrange for alternate visits or to make alternative arrangements.

9. Each party shall teach the minor children to give to the other party that love, respect and obedience which is due a parent from his or heer children.

10. Neither party shall use illegal dlrugs or be under the influence of alcohol at nay time when said party has the care and custody of the subject minor children.

11. Any person transporting the children shall make sure that seat belts or other restraints are used in accordance iwth the laws of Pennsylvania.

12. Neither party shall do or say anything to blacken the character of the other in the children's estimation. Each party shall treat the other in a polite and respectful manner when in the children's presence and each party shall instruct his or her relative sand friends to do likewise and also not to disparage the other party in the children's estimation.

13. The parties are free to make additional or alternative arrangements respecting the custodial 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 Court Order shall govern.

By the Court:
Anthony J. Vardaro, J.

Mar. 2, 1994 G. Keenan & Dft.

Jun. 13, 1994 Affidavit of Consent byJohn M. Joliet,Plaintiff, filed.

Jun. 13, 1994 Affidavit of Consent by Mary Ann Joliet, Defendant, filed.

Jun. 13,1994 Upon Praecipe of Gregory A. Keenan, Esquire, Attorney for Plaintiff to transmit record, case Moved to Court.

DIVORCE DECREE FILED

June 20, 1994 AND NOW, June 20, 1994, it is Ordered and Decreed that JOHN M. JOLIET, Plaintiff, and MARY ANN JOLIET, 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.

1994

Jack L. Cherkin, ESQ. Dominic D. Salvatori	JOYCE JEAN STEVENSON and CECIL STEVENSON, her husband	COMPLAINT IN CIVIL ACTION 1 copy atty.
46.	vs.	Feb. 2, 1994, Sheriffs Return filed. SERVED Margaret Holtzhauser personally on Jan. 28, 1994 at 11:10 a.m. by handing a copy of the complaint Interrogatories and Request for Production to her in the sheriffs office, Third Floor, Crawford County Courthouse, Meadville, Crawford County, Pa. so answers, barbara J. Bernoski, dep. Sheriff Robert M. Stevens, sheriff
	MARGARET HOLTZHAUSER	Feb. 10, 1994 Upon Praecipe of Dominic D. Salvatori, Esquire, Attorney for Plaintiffs, the above captioned matter marked settled and discontinued of record.
	filed January 18, 1994 @ 2:34 PM	
	Tax & entry paid 50.50 User's Fee paid 5.00 sheriffs costs 25.00 Pro.Co. Pd 2/10/94 6.00	

1994

MacDonald, Illig, Jones & Britton
David E. Holland

47.

FIRST WESTERN BANK, F.S.B., successor by merger to First Federal of Western Pennsylvania, successor by assignment from First Federal Savings and Loan Association of Erie

vs.

ROBERT G. DECKER and SANDRA I. DECKER

Filed January 18, 1994
@ 2:34 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 3-10-94	9.00

COMPLAINT IN MORTGAGE FORECLOSURE
2 copies Sheriff
1 copy atty.

Feb. 9, 1994 SHERIFF'S RETURN, filed. NOT FOUND as to Defendants Robert G. Decker and Sandra I. Decker at 634 Superior Street, Titusville, Crawford County, Pa. Residence is vacant, post office has no forwarding address.

POSTED the front door of the property located at 634 Superior Street, Titusville, Crawford County, Pa. on January 31, 1994 at 1:54 PM.

So answers, Scott D. Young, Deputy Sheriff
Robert M. Stevens, Sheriff

Feb. 11, 1994, Complaint Reinstated.

Feb. 25, 1994 SHERIFF'S RETURN, filed. SERVED Robert G. Decker personally on February 15, 1994 at 10:27 AM by handing a copy of the Complaint in Mortgage Foreclosure to her at the residence, 520 West Hemlock Street, Titusville, Crawford County, PA. So answers, Scott D. Young, Deputy Sheriff
Robert M. Stevens, Sheriff

And Now, March 9, 1994, upon praecipe of plaintiff's attorney judgment is hereby entered in favor of the Plaintiff and against the Defendant for failure to file an answer in the above-captioned matter in the amount claimed in the amount of Twenty-four Thousand Four Hundred Seventy-six and 39/100 plus interest at the rate of $5.82 per diem from January 15, 1994, late charges of $9.59 per month from February 1994 plus costs of suit, taxes, insurance premiums advanced by Plaintiff and for foreclosure and sale of the mortgaged premises.

Entered 3-9-94
D - 144

Debt: $24,476.39 plus interest late charges costs, etc.

JUDGMENT
Barbara H. King, Pro.

EX. 1994 - 18

March 22, 1994 Affidavit of Notice of Sheriff's Sale filed.

48

1994

Klett, Kieber, Rooney & Schorling
Robert P. Simons

48.

Swisher Law offices
C. Crady Swisher III

TELMARK, INC.

vs.

EVELYN F. CAMASI d/b/a CRAWFORD COUNTY RENTAL SERVICE

Filed January 18, 1994 @ 2:35 PM

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

Feb. 3, 1994 Sheriff's Return filed. SERVED Evelyn F. Camasi personally on January 28, 1994 at 10:01 AM by handing her a copy of the Complaint at Crawford County Rental Servcie, 370 Linden Street, Meadville, Crawford County,PA.
So answers, Scott D.Young, Deputy Sheriff
Robert M.Stevens, Sheriff

Apr. 19, 1994 Answer, New Matter, and Counterclaim, filed.

May 25, 1994, at 11:15 a.m., AND NOW upon Praecipe of Plaintiff Attorney, with copy of Notice of Intention to file default judgment attached, judgment is hereby entered in favor of Plaintiff and against Defendant for failure to file an answer and damages are assessed as follows:

Amount claimed in plaintiff's Complaint	$6,488.70
Less payments made by defendant	- 0 -
TOTAL	$6,488.70

(plus interest and costs)

Tax & entry paid	50.50
User's Fee paid	5.00
Sher iff's Costs	25.00
Pro Co. pd. 6/2/94	9.00
Tax & Entry pd 6/10/94	50.50

Debt $6,488.70
Judgment
Barbara H. King, Pro.

C-52
Judgment entered - 5/25/94

Jun 10, 1994 Petition to Open Judgment, filed.

July 11, 1994, Reply to New Matter and Answer to Counterclaim, filed.

Jul. 18, 1994 Upon Praecipe of C.Crady Swisher, III, Esquire, Attorney for Defendant,the above-captioned matter for argument of Petiton to Vacate Judgment and notify counsel of same, is placed on the next available argument list.

ON AUGUST, 1994 ARGUMENT LIST

1994

C. Barton Jones

49.

William G. McConnell

THEODORE T. VILLELLA and
ROSELLA VILLELLA

vs.

FIRST GENERAL SERVICES of
WESTERN PENNSYLVANIA, INC.

Filed January 18, 1994
@ 2:35 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	43.20

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

Feb. 25, 1994 SHERIFF'S RETURN, filed. WERVED First General Services of Western Pennsylvania, INc. by deputizing the Sheriff of Mercer County, PA, as per Affidavit of Service attached. Served on January 31, 1994 at 11:00 AM at 415 Dock Street, Sharon, PA. So answers, Robert M. Stevens, Sheriff
SERVED First General Services of Western Pennsylvania, Inc. at 415 Dock Street, Sharon PA 16146 on 1/31/94 at 11:00 AM to Linda Kralevich, General Manager, Adult in Charge. Sheriff
Mercer County

Feb. 25, 1994 Amended Complaint, filed.

Mar. 24, 1994 Acceptance of Service filed. I accept service of the within Amended Complaint, on behalf of my clients, Ted Koppel, d/b/a First General Services of Western Pennsylvania, Inc. and certify that I am authorized to do so.
Date: 3/18/94 William G. McConnell

Mar. 24, 1994 Answer To Amended Complaint, New Matter and Counterclaim filed.

Mar. 24, 1994 Certificate of Service of Acceptance of Service and Answer To Amended Complaint, New Matter and Counterclaim filed.

Apr. 15, 1994 Preliminiary Objections and Demurrer to Defendants Counter-Claim-Court Two, filed

May 25, 1994 Upon Praecipe of Plaintiffs attorney, this case placed on next Argument List.

ON JUNE 1994 ARGUMENT LIST

June 17, 1994 Motion For Continuance of Argument-Argument Court and Order filed. AND NOW, this 16 day of June, 1994, the argument heretofore set for June 27, 1994 is continued to the July argument list to be scheduled by the Court Administrator along with othermatters set for argument on that list. The movant shall file his brief on or before June 24, 1994, the regular "closing" day for the July argument list.
Anthony J. Vardaro, J

June 20, 1994 mailed Jones & McConnell

July 27, 1994 Memorandum and Order filed. AND NOW, Jluly 27, 1994, the plaintiff's preliminary objections are denied.
Plaintiffs shall file a responsive pleading to the defendant's New Matter and Counterclaim within twenty (20) days form the date of this order.
BY THE COURT,
Gordon R. Miller, j

July 27, 1994 copies dist. to Jones & McConnell

Aug. 24, 1994 Reply tp New Matter and Counter-Claims filed.

Sept. 7, 1994 Notice of Service of First Request For Production of Documents filed.

Sept. 16, 1994 Notice of Service of First Set of Interrogatories, filed.

oct. 31, 1994 Notice of Service Of Answers To Interrogatories on behalf of defendant, filed.

Barbra J. Walton

50.

KAREN M. PORTER-WILSON

vs.

DARRYL E. WILSON

Filed January 18, 1994
@ 3:18 PM

Indigent Filing

COMPLAINT IN DIVORCE UNDER SECTION 3301(c) OF THE DIVORCE CODE

Jan. 18, 1994 Affidavit of Attorney filed.

Jan. 18, 1994 Petition To Proceed In Forma Pauperis In A Divorce Action Pursuant To Pa. R.C.P. 1920.62 and Order filed. AND NOW, January 17, 1994, upon consideration of the petition filed by the Plaintiff in this action, and supported by an affidavit attached thereto, all being pursuant to Pa. R.C.P. 1920.62 the Plaintiff is granted leave to proceed in forma pauperis at this time.

The Plaintiff is directed to inform the Prothonotary's Office or the Court of any improvement in her financial circumstances that would permit her to pay the costs incurred in this action and shall be responsible for doing so upon an improvement of her financial condition.

BY THE COURT,
Gordon R. Miller,

Jan. 24, 1994 Copies of order to Atty. Walton

Feb. 2, 1994 Affidavit of Service filed. And Now, February 2, 1994, comes Barbara J.Walton, and avers as follows:

1. A true and correct copy of theComplaint for Divorce was mailed to the Defendant via Certified Mail, return receipt on January 26, 1994.

2. That the Defendant signed the return card on January 29, 1994 and in accordance with Pa. R.C.P.412,service of the Complaint was made as is evidenced by the United States Postal Service Return Receipt (Certified No. P845923456) attached hereto as Exhibit "A".

I VERIFY that the statements made in this Affidavit are true and correct. I understand that fales statements herein are made subject to the penalties of 18 Pa. C.S.§4904, relating to unsworn falsification to authorities.

Babara J. Walton,Esquire,Attorney for Plaintiff

Apr. 21, 1994 Affidavit of Consent of Karn M. Porter-Wilson, Plaintiff, filed.

May 20, 1994 Affidavit of Consent of Defendant, filed.

May 20,1994 Upon praecipe of Plaintiff's attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

June 1, 1994 AND NOW, May 26, 1994, it is ordered and decreed that KAREN M. PORTER-WILSON, plaintiff, and DARRYL E. WILSON, 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.

1994

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

51.

NORTHWEST SAVINGS BANK

vs.

ROBERT FABIAN and RAE JEAN FABIAN, his wife

Filed January 21, 1994
@ 12:15 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sher iff's Costs	66.40
Pro.Co. pd 3/9/94	9.00

COMPLAINT IN MORTGAGE FORECLOSURE
3 copies Sheriff

Mar. 7, 1994 Sheriff's Return filed. SERVED Robert Fabian by deputizing the Sheriff of Mercer County, PA, as per his Affidavit of Service attached. Served on February 16, 1994 at 500 Cressent Drive, Apt. #2, Hermitage, PA 16148.

SERVED R ae Jean Fabian personally on January 28, 1994 at 4:16 PM by handing a copy of the Complaint in Mortgage Foreclosure to her at 389½ Randolph Street, Meadville, Crawford County, PA.

POSTED the property locat ed at 127 Shippen Street, Meadville, Crawford County, PA, on January 28, 1994 at 9:40 AM by posting the front door of the residence.

So answers, Scott D. Young, Deputy Sheriff
Robert M.Stevens, Sheriff

And Now, Mar. 9, 1994 at 3:33 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 Fourteen Thousand Three Hundred and 11/100 Dollars, floreclosure of the mortgage, possession of the premises, with costs plus interest from November 30, 1993 at the rate of 13.50%.

F-143; F-143;
Entered on 3-9-94
Atty.Swick

Debt	$14,300.11
Int. from Nov. 30, 1993 at 13.50%	
Judgment	

Barbara H. King
Prothonotary

EXECUTION NO. 1994 - 20

Mar. 10, 1994 Affidavit of Service of Notice of Sale, filed.

1994

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

52.

MARQUETTE SAVINGS BANK
formerly MARQUETTE SAVINGS
ASSOCIATION

vs.

RICHARD A. GOODWILL and
CONNIE L. GOODWILL aka
CONNIE L. ENGLISH

and MARGARET CORLEY aka
MARGARET GOODWILL as terre
tenant

Filed January 21, 1994
@ 12:16 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriffs costs	50.00
Pro Co pd 3-1-94	5.00

COMPLAINT IN MORTGAGE FORECLOSURE
3 copies Sheriff

Feb. 4, 1994, Sheriffs Return filed. SERVED Richard A. Goodwill, on Jan. 31, 1994 at 1:06 p.m. by handing a copy of Complaint in Morg. Foreclosure to Margaret Goodwill, his wife, at their residence, R. d. #2, Peters Road, Saegertown, Crawford County Pa.

SERVED Connie L. Goodwill, a/k/a Connie L. english on Jan. 28, 1994 at 10:14 a.m. by handing a copy of Complaint in Mort. Foreclosure to her mother, also Connie English, at Middle Road, Meadville, Crawford County, Pa.

SERVED Margaret Corley, a/k/a Margaret Goodwill, personally on Jan. 31, 1994 at 1:04 p.m. by handing a copy of the Complaint in Mortgage Foreclosure to her at R. d. #2, Peters Road, Saegertown, Crawford County, Pa.

So answers, Dale A. Collins, Ch.Dep.
Robert M. Stevens, Sher.

Mar. 1, 1994 Uponpraecipe of Plaintiffs attorney the above captioned matter is discontinued without prejudice.

1994

Carl M. Moses

53.

LINDSAY TOTIN, a minor by JULIE I. TOTIN, as guardian and JULIE I. TOTIN, in her own right

vs.

BETHESDA CHILDREN'S HOME, LUTHERAN SOCIAL SERVICES and LAUREN BERNOSKI

Filed January 21, 1994
@ 12:16 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	31.00
Pro Co pd 8-1-95	6.00

WRIT OF SUMMONS
issued Sheriff

Jan. 31, 1994 SHERIFF'S RETURN, filed. SERVED Bethesda Children's Home on January 26, 1994 at 11:25 AM by handing a copy of the Summons to Gene Wisinski, Superintendant at Bethesda, R.D. #9, Box 84, Meadville, Crawford County, Pa.

SERVED Lutheran Social Services on January 26, 1994 at 11:29 AM by handing a copy of the Sumons to Gene Wisinski, Superintendant at business, R.D.#9, Box 84, Meadville, Crawford County, Pa.

SERVED Lauren Bernoski on January 26, 1994 at 11"30 AM by handing a copy of the Summons to Gene Wisinski, Superintendant at her place of employment, Bethesda Children's Home, R.D.#9, Box 84, Meadville, Crawford County, Pa.

So answers, Scott D. Young, Deputy Sheriff
Robert M. Stevens, Sheriff

Jul 31, 1995 Upon praecipe of plaintiff attorney the above-captioned case is settled and discontinued of record.

1994

Joseph C. Barnhart

54.

Fuller, Kinnunen, Petruso, gamble, Fabian and Hall
Ann Hansen Gamble

3-15-94 $150.00 Deposit
5-19-94 Pd plff 65.00 ck#8311
PLBs 6-23-94 #8399 76.00

RUSSELL L. SMITH

vs.

CATHY A. SMITH

filed January 21, 1994
@ 12:16 PM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count paid	15.00
State paid	10.00
WilliamPineo, Mediator	152.00
Pro Co Pd 4-23-94	9.00

COMPLAINT IN DIVORCE, CUSTODY
no copies

Feb. 11, 1994, Appearance of fuller, Kinnunen, Petruso, Gamble, Fabian and Hall, by ann Hansen Gamble, attorneys for the defendant, filed.

Mar. 15, 1994 Motion to Appoint Custody Mediator and ORDER OF COURT filed. You, Cathy A. Smith, Defendant, have been sued inCourt to obtain custody/partial custody of Philip C. Smith.

Wm. Pineo is appointed Custody Mediator and is hereby directed to hold such custody mediation deems appropriate and to make recommendations thereafter to this Court. The deems appropriate and to make recommendtions thereafter to this Court. The parties are ordered to appear before the Custody Mediator at such times as the prties are ordered to appear before the Custody Mediator at such times as the Mediator shall direct and tobring them the child, the subject of this action.

If you fail to appear as provided for 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: 3/11/94 BY THE COURT:
Gordon R.Miller
3-17-94 Copy of Order to Attys. Barnhart, Gamble & Pineo

May 18, 1994 TEMPORARY ORDER, filed. AND NOW, this 17th day of May,1994, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator,

IT IS HEREBY ORDERED AND DECREED THAT:

1. The parties shall share legal and physical custody of the subject minor child, Philip C. Smith.

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 regardinga the subject minor child.

3 a. The mother shall have primary physical custody of the subject minor child. Starting with the week of May 22, 1994, the father will have visitation and temporary physical custody on Mondays and Thursdays from noon to 5:00 p.m. Starting June 10, 1994, the foregoing schedule will be terminated, and instead, the father will have visitation and temporary physical custody each weekend, except for the last full weekend of each month, from Friday at 2:00 p.m. through Sunday at 5:00 p.m. A full week end is defined as a weekend in which Friday and Saturday occur within the same month.

b. The party not having physical custody shall have the right to telephone the subject minor child at reasonable times and for reasonable lengths of time and such conversations will not be unreasonably monitored by the parent having physical custody.

4. Holiday visitation shall be arranged as follows:

a. Christmas: There shall be two Christmas holiday visitation perids, the first beginning Christmas Eve at 2:00 p.m. and ending Christmas Day at 2:00 p.m., and the second beginning Christmas Day at 2:00 p.m. and ending December 26 at 2:00 p.m. For Christmas, 1994, the father shall have the first period and the mother, the second, and the parties shall thereafter alternate.

b. Thanksgiving: There shall be two Thanksgiving holiday visitation periods, the first beginning on the Wednesday preceding Thanksgiving at 2:00 p.m. and ending Thanksgiving Day at 2:00 p.m, and the second beginning Thanksgiving Day at 2:00 p.m. and ending the Friday following Thanksgiving at 2:00 p.m. For Thanksgiving, 1994, the mother shall have the first period, and the father, the second, and the parties shall thereafter alternate.

c. Easter: There shall be two Easter bisitation periods, the first beginning on Holy Saturday at 2:00 p.m. and ending Easter Sunday at 2:00 p.m., and the second beginning Easter Sunday at 2:00 p.m. and ending the Monday following Easter at 2:00 p.m. For Easter, 1995, the mother shall have the first period and the father, the second, and the parties shall thereafter alternate.

d. The other holidays to be observed are Memorial Day, Independence Day, and Labor Day. Holiday visitation shall be between the hours of 9:00 a.m. and 8:00 p.m., except for Independence Day, when the holiday visitation shall be extended to 11:00 p.m. so that the child may watch the fireworks. The father shall have visitation and temporary physical custody for Memorial Day, 1994, and the parties shall thereafter alternate the holiday periods.

e. The child shall spend Father's Day with his father from 9:00 a.m. to 7:00 p.m., and Mother's Day with his mother during the same hours.

f. The provisions of this paragraph shall take precedence over the other provisions of this order relating to the custodial or visitation periods.

5. 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 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 father shall provide all of the transportation necessitated by this order. Any person transporting the child shall make sure that the seat belts or other restraints are used in accordance with the laws of Pennsylvania.

8. Each party shall teach said child to give to the other party that love and respect which is due a parent from his or her children.

9. Neither party shall use illegal drugs or be under the influence of alcohol at any time when said party has the care and custody of the subject minor child. The parties are cautioned that medical research has indicated that tobacco smoke is injurious to the health of growing children. Therefore, neither party shall smoke tobacco or permit others to do so in the same room as the child, in a closed automobile in which the child is being transported, or in the bedroom of the child.

CONTINUED ON PAGE 54A

1994 TERM

Russell L. Smith
vs.
Cathy A. Smith

CONTINUED FROM PAGE 54
of Record
A. D. 1994 - 54

****

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. If the father intends to exercise his right of visitation and temporary physical custody at a place other than the sister and brother-in-law, with whom he now resides, he will give the mother 48 hours notice of the alternative arrangements.

12. Either party may request a review of this order in the summer precedign Philip's entry into school to make any adjustments.

13. 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 tis 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, if any, shall be remitted to him. The mediator notes for the Court that the mother is indigent and, therefore, her share shall be paid by Crawford County.

15. Either party may move the Court for a hearing de novo within ten (10) days from date hereof. If neither party so moves, this Order shall be considered permanent.

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

May 24, 1994 copy faxed to W. Pineo, J. Barnhart, A. Gamble, mailed to Plf. & Dft.

Jun. 1, 1994 Motion for Hearing De Novo and ORDER filed. AND NOW, this 31st day of May, 1994, hearing in the above captioned matter is now set for the 14th day of July, 1994, at 9:00 o'clock at a.m. in Courtroom 1 or 2 at the Crawford County Courthouse, Meadville,Pennsylvania.

Gordon R. Miller

6-1-94 Faxed Copy to ATtys. Barnhart, Gamble & Pineo

July 18, 1994 Stipulation and Order, filed. AND NOW, this 18th day of July, 1994, the parties hereto having stipulated and agareed, it is hereby ordred and decreed as follows:

The hearing set for July 14, 1994, is hereby discontinued, the parties hereto having resolved their disputed as follows:

1. In the event that the father is more than one half hour late to exercise his right to take the child, Philip C. Smith, into his custody, that visit or period of partial custody shall be deemed to be waived and no substitute period of physical custody may be substituted therefor without the consent of both the mother and the father.

2. The period of limited partial custody which was to have begun May 22, 1994, shall begin instead on July 11, 1994, and the broader schedule of visitation which was to have begun June 10, 1994, shall begin August 5, 1994.

3. The schedule of more extensive periods of physical custody shalll further be modified to provide as follows:

The father shall have the right to take the child into his temporary physical custody on the first, third and fifth weekend of each month from Friday at 2:00 p.m., through Sunday at 5:00 p.m. The weekends shall be counted by the month in which the Friday falls; if the Friday falls in one month and the Saturday falls in the next month, that will constitute the final weekend of the monthe in which the Friday falls. The father shall also be entitled to have the child in his custody from Tuesday at 2:00 p.m. through Thursday at 5:00 p.m., in the week prior to the mother's exercise of her second weekend with the child. This shall further be defined as from the Tuesday before the second Friday of each month until the thursday before the second Friday of each month.

4. The pick up and return of the child shall be made to the home of the mother, and the father shall deliver the child to any family member or competent adult who may be at the dwelling; it shall not be necessary for the mother to be present at the home at the time of the return of the child from the father.

5. In all other respects the temporary order dated May 17, 1994, is hereby ratified and confirmed in its entirety.

Gordon R. Miller, P.J.

July 18, 1994 Faxed Gamble & Barnhart

Feb. 7, 1996 Affidavit Under Section 3301 (d) of Divorce Code of Cathy A.Smith, Defendant,filed.

54
-6-

1994 TERM

1994

William L. Walker

55.

THE ANDOVER BANK

vs.

RICHARD J. LANG and DARLENE S. LANG, his wife

Filed January 21, 1994
@ 12:16 PM

Tax & entry paid	15.00
Pltf. on orig.	9.50
Sheriff's Costs	36.00

WRIT OF REVIVAL

of

DSB 1989 - 66

Writ of Revival indexed against the defendants in favor of The Andover Bank the plaintiffs, in the sum of Two Thousand Four Hundred Thirty and 94/100 Dollars

Debt---------- $2430.94
L-143-43
Barbara H. King, Pro

Issued Sheriff

Jan. 26, 1994 SHERIFF'S RETURN, filed. NOT FOUND as to Defendants Richard J. Lang and Darlene S. Lang at address of R.D.#2, Box 60B, Springboro, Crawford County, Pa. It is believed they moved to Texas approximately one year ago.
So answers, Robert M. Stevens, Sheriff

1994

Thomas, Truax,
Spadafore & Walker
William L. Walker

56.

DAVID A. KEAS t/a dba
EDGE TOOL AND DIE WORKS

vs.

OLD LINE PLASTICS, INC.

Filed January 21, 1994
@ 12:16 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	23.00
Pro pd. 4/26/95	5.00

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

Feb. 9, 1994 SHERIFF'S RETURN, filed. SERVED Old Line Plastics, Inc, by Certified Mail at its last known address of 1515-D Melrose Lane, Box 295, Forrest Hill, MD 21050, signed return receipt attached. Served on January 31, 1994.
So answers, Robert M. Stevens, Sheriff

Mar. 4, 1994 Answer, New Matter, and Counterclaim, filed.

March 30, 1994 Reply To New Matter and Answer to Counterclaim on behalf of plaintiff filed.

May 26, 1995, Upon praecipe of plaintiff attorney, the above captioned case is hereby marked settled and discontinued of record.

1994

57.

William J. Gregg

TAMMY S. KEENO

vs.

WILLIAM COULTER

filed January 21, 1994
@ 12:17 AM

Tax & entry paid 50.25
User's Fee paid 5.00

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

Jan. 21, 1994 Rules entered upon the Plaintiff to file a Complaint Issued.

Jan. 25, 1994 Proof of Service of Notice of Appeal and Rule to File Complaint, filed.

58

1994

William J. Gregg

58.

Paul E. Allen

WILLIAM COULTER

vs.

ELIZABETH FERLIN

Filed January 21, 1994
@ 12:17 PM

Tax & entry paid 50.25
User's Fee paid 5.00
Rec'd 5-18-94 5.00

APPEAL OF PLAINTIFF FROM DECISION OF
DISTRICT JUSTICE WAYNE E. HANSON

Jan.25, 1994 Proof of Service of Notice of Appeal and Rule to File Complaint, filed.

And Now, feb. 14, 1994, at 1:44 p.m., upon praecipe of defendant attorney, this appeal is stricken from the record, the plaintiff having failed to comply with Rule 1004A.
Appeal Stricken
2/14/94

APPEAL STRICKEN
Barbara H. King,
Prothonotary

59.

CHERYL G. ROSS

vs.

KEVIN L. ROSS

Filed January 21, 1994
@ 1:19 PM

Tax & entry	50.50
User's Fee	5.00
Sheriff's costs	$25.00

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

Order:

And now, this 21 day of January , 1994 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

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

2. Special Conditions: The Plaintiff shall have exclusive possession of marital home pending further order of court.

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

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

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

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

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

8. The court reserves ruling on allocation of fees and costs. Hearing is hereby set for January 28, 1994 , at 3:30 p. m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

Jsn. 25, 1994 Sheriff's Return filed. SERVED Kevin L. Ross personally on Jan. 21, 1994 at 4:00 PM by handing him a copy of the Proection from Abuse at his place of employment, JZ's Restaurant, Downtown Mall, Meadville, Crawford Co., PA.

So answers,

Scott D. Young, Deputy Sheriff
Robert M. Stevens, Sheriff

Feb. 1, 1994 ORDER filed. AND NOW, January 28, 1994 after a hearing,the Court is satisfied by the fair weight and preponderance of the evidence that the Defendant has engaged in physical abuse of the Plaintiff and threfore, we find in favor of the Plaintiff and order as follows:

1. The Defendant will not assault, abuse,harass, or threaten the Plaintiff in any way.
2. The Plaintiff, Cheryl Ross, shall have sole possession of the residence at 769 Garden Street, Meadville, Pennsylvania and the Defendant shall move out. The Defendant shall not go to that residence. The Defendant shall not go to the Plaintiff's place of work.
3. The Defendnat shall not contact the Plaintiff at all by any means, except that he may write to her, so long as the writing is not abusing or threatening.
4. The Plaintiff shall do nothing to cause the Defendant to violate this order and she shall not contact him unless she withdraws this protection from abuse order.
5. It appears that the Plaintiff does have some itmes that belong to the Defendant. The Plaintiff shall not destroy those items or damage those items or sell those items. She shall keep them in safekeeping so that the Defendant, if he wants to get those items, may file an appropriate lawsuit to get them back and if he wins in that lawsuit, the items will be in good condition.
6. The Plaintiff may contact the Defendant in person, by mail, or through others to arrange a time when the Defendant may come to pick up his personal belongings. When the Defendant does that, he shall pick up his personal belongings and shall not cause any trouble He shall not have had any liquor, beer, wine or alcohol to drink for at least 18 hours. He shall remove his items as promptly as possible and leave the premises. The Plaintiff has the right to have one or more responsible adults present to make sure that peace is kept. If there is an argument about what items the Defendant may take, the Defendant shall leave disputed items and not remove them until there is an agreement or court decision in an appropriate replevin action.
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 Meadville City Police Department and to County Control.
9. This order shall remain in full force and effect for one year; that is, until January 27, 1995.
10. The Defendant is reminded that this is an order of court and violation of this order in any way may be punishable by a fine of up to $1,000 and a jail sentence of up to 6 months.
11. Since both parties have limited incomes, the Court costs shall be paid by Crawford County.

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

2-1-94 Copies dist.to Pltf.,Deft., Co. Control & MCPD

Apr. 8, 1994 MOTION TO VACATE PROTECTION FROM ABUSE ORDER and ORDER, filed. AND NOW, this 7 day of April, 1994 upon receipt and review of the Plaintiff's motion to vacate and terminate the protection from Abuse Order of 1/28/94, 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 appropriate police agency and to County Control.

Any provisions of the Protection from Abuse Order of 1/28/94 assessing court costs shall remain in full force and effect without change or modification and the party or parties agaisnt whom costs were assessed shall remain obligated to pay the costs.

BY ORDER OF COURT
Anthony J. Vardaro, J.

Apr. 8, 1994 copies to Plf, Dft, Co Control & MCPD

1994

John A. Miller &
Associates, LTD.
John A. Miller

60.

Quinn,Buseck,Leemhuis,
Toohey & Kroto
John M.Quinn, Jr.
for Mead. Med. ctr.

~~J. Douglas Murphy~~
~~Law Offices~~ (withdrawn)
~~J. Douglas Murphy~~
~~for M. Susan MATTHEWS~~
Joel M.Snavely for
M.Susan Matthews

JOhn M Quinn
Quinn, Buseck,
Leemhuis, Toohey &
Kroto, Inc.
for dft. Liebentrit

Marsh, Spaeder, Baur
Spaeder & Schaaf
Francis J. Klemensic
for Susan Matthews MD

JENNI E. BURGER a Minor, by JAMES A. BURGER and MELINDA A. BURGER, her Parents and Guardians, and JAMES A. BURGER and MELINDA A. BURGER Individually

vs.

M. SUSAN MATTHEWS, M.D., FRANK LIEBENTRIT, M.D. and MEADVILLE MEDICAL CENTER

Filed January 21, 1994
@ 3:15 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	50.00
Pro Co pd 7-8-97	5.00

JURY TRIAL DEMANDED

WRIT OF SUMMONS
Issued Sheriff

Jan. 27, 1994 SHERIFF'S RETURN, filed. SERVED M. Susan Matthews, M.D. personally on January 25, 1994 at 10:00 AM by handing a copy of the Summons to her at R.D.#4, Box 322, Erie Street Ext., Saegertown, Crawford County, Pa.

SERVED Frank Liebentrit, M.D. on January 24, 1994 at 3:41 PM by handing a copy of the Summons to Nancy Blystone, Administrative Assistant at the Meadville Medical Center where defendant is employed, 751 Liberty Street, Meadville, Crawford County, Pa.

SERVED Meadville Medical Center on January 24, 1994 at 3:40 PM by handing a copy of the Summons to Nancy Blystone, Administrative Assistant, at 751 Liberty Street, Meadville, Crawford County, Pa.

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

Feb.9, 1994 Praecipe for Rule to File Complaint issued. (Issued Atty.)

Feb.9, 1994 Appearance of Quinn,Buseck, Leemhuis,Toohey & Kroto, Inc. by John M.Quinn, Jr.Esquire for Meadville Medical Center Defendant, filed.

Feb. 10, 1994, appearance of J. Douglas Murphy, attorney for defendant M. susan Matthews, MD. filed.

Feb. 10, 1994, Rule entered upon plaintiffs to file complaint in above action within 20 days, or suffer Judgment of non pros, issued. (on behalf of defendant M. susan Matthews, MD)

Feb. 14, 1994, Appearance of Quin, Buseck, Leemhuis, Toohey and Kroto, Inc. by John M. Quinn attorneys for defendant Frank Liebentrit, M.D. filed.

Feb. 14, 1994, Rule entered upon plaintiffs to file complaint issued. (on behalf of dft. Frank Liebentrit, M.D.) Issued (atty Quinn)

Mar. 3, 1994, Complaint filed. (TRIAL BY JURY DEMANDED)

Mar. 1994 Preliminary Objections, file d.

Mar. 14, 1994 Upon Praecipe of J.Douglas Murphy, Esquire and Joe M. Snavely, Esquire, Attorneys for M.Susan Matthews, M.D. Defendant, the above captioned matter is placed on the next available Argument List.

ON APRIL 1994 ARGUMENT LIST

Mar. 22, 1994 Praecipe for Argument, filed.

Mar. 22, 1994 Preliminary Objections of Defendants, Meadville Medical Center and Frank Liebentrit, M.D., filed.

Jul. 19, 1994 Certificate of Readiness filed.

ON OCTOBER, 1994 TRIAL LIST

July 26, 1994 Certificate of Service of Plaintiffs' First Set of Interrogatories and Requests for Production ofDocuments and Things Directed To Defendant Frank Liebentrit, M.C. filed.

July 26, 1994 Certificate of Service of Plaintiffs' First Set of Interrogatories and Request for Production of Documents and Thing Directed to Defendant Meadville Medical Center filed.

July 26, 1994 Certificate of Service of Plaintiffs' First Set of Interrogatories and Requests for Production of Documents and Things Directed to Defendant M. Susan Matthews, M.D. filed.

Aug. 16, 1994, MEMORANDUM AND ORDER filed. ORDER: AND NOW, Aug. 15, 1994, after consideration of the briefs and oral argument we make the following determinations.

The demurrer of all defendants to paragraph 31(b) will be treated as a motion to strike and the language: "the affection, society and", will be stricken from the complaint. The claim for loss of services in paragraph 31(b) will remain.

The demurrer of all the defendants to counts III and IV of the p laintiffs' Complaint is denied.

With respect the various motions to strike/motions for more specific pleading, we make the following determinations.

Regarding all of the defendants' objections to paragraphs 26, 26(1), 31, 31(c) 33 and 33 (h), the language: "including but not limited to", will be stricken from paragraphs 26, 31 and 33. In addition, paragraphs 26(1), 31(c) and 33(h) are stricken in their entirety. Leave to amend the complaint to make more specific allegations which were intended to be encompassed in the Stricken language is hereby granted.

Defendant Matthews and Liebentrit's objections to paragraphs 27(s), (t) and (u) and 28(f), (g) and (h), respectively, are denied.

Defendant Matthews' objection to the prefatory language of paragraph 27 is granted and the phrase: "generally and ", is stricken with leave to amended the complaint to specifically plead any allegations intended to be encompassed in the stricken language.

3-14-94 Dfts Brief in Support of Preliminary objections filed.

Continued on Page 60A

Defendant Matthews' objection to paragraph 27(n) is granted and the paragraph is stricken with leave to amend the complaint to specifically plead any allegations intended to be encompassed inthe stricken language.
Defendant Meadville Medical Center's objections to paragraphs 29(j), (m), (n), (o), (p) and (q) are denied.
An amended complaint filed pursuant to this order must be filed with the Prothonotary within 20 days of the date of this order. BY THE COURT:
Anthony J. Vardaro, J.
8/16/94 copies dist. to all counsel.

Nov. 30, 1994 Answer and New Matter, filed.

Jan. 18, 1995 Answer and New Matter of Defendant M. Susan Matthews, M.D., filed.

Jan. 20, 1995 Notice Of Service of Interrogatories and Request For Production of Documents filed.

Jan. 23, 1995 Plaintiffs' Reply to Defendants Liebentritt and Meadville Medical Center's New Matter on behalf of plaintiffs filed.

July 10, 1995, Plaintiffs' Reply to Defendant Matthews' New Matter filed.

Aug. 2, 1995 Certificate of Service of Plaintiffs' Objections to Defendants Meadville Medical Center and Frank Liebentritt M.D.'s Interrogatories to Plaintiffs and Request for Production of Documents, filed.

Nov. 15, 1995 Motion to Compel and for Attorneys' Fees, filed.

Nov.15,1995 Upon Praecipe of Joel M.Snavely,Esquire,Attorney for the Defendant, M.Susan Matthews,M.D., the above captioned matter is placed on the next available Argument List.

ON DECEMBER, 1995 ARGUMENT LIST

Dec. 13, 1995 Motion to Compel Discovery filed.

Dec. 13, 1995 Upon Praecipe of Jennifer L.Johnston, Esquire, Attorney for Defendants, the above captioned matter is placed on the next available argument list.

ON JANUARY, 1996 ARGUMENT LIST

Dec. 14, 1995 Certificate of Service of Response to Requests for Production of Documents (First Set), filed.

Dec. 14, 1995 Certificate of Service of Answers to Interrogatories to Plaintiffs (First Set), filed.

Dec. 14, 1995 Certificate of Service of Answers to Interrogatories to Plaintiffs (First Set) filed.

Dec. 27, 1995 Certificate of Service of Answers To Interrogatories To Plaintiffs and Request For Production of Documents filed.

Jan. 8, 1996 Motion to Compel Answers to Interrogatories and responses to Requests for Production of Documents

Jan. 11, 1996 Notice of Deposition of James A. Burger and Melinda A. Burger filed.

Feb. 26, 1996 Proof of Notice To Department of Public Welfare filed. Written notice of the commencement of this lawsuit was provided to the Commonwealth of Pennsylvania Department of Public Welfare, by letter forwarded by certified Mail, Return Receipt Requested, dated February 16, 1996.
A copy of this letter is attached as Exhibit 1.
The original executed return receipt is attached as Exhibit 2. John A. Miller,

May 7, 1996, Upon praecipe of Francis J. Klemensic, Esq., appearance of the Law offices of J. Douglas Murphy is withdrawn, and appearance of Francis J. Klemensic, of Marsh, Spaeder, Baur, Spaeder & Schaaf, if hereby entered on behalf of defendant M. susan Matthews, MD, only.

June 28, 1996 Memorandum and ORDER filed. AND NOW, June 28, 1996, it is ordered and directed that the parties proceed in a manner consistent with the attached Memorandum we have issued this day. BY THE COURT;
Anthony J. Vardaro, J.
7-1-96 MAILED All Counsel

Sept. 16, 1996 Certificate of Service of Supplemental Answers to Interrogatories to Plaintiffs and Requests for Production of Documents Served by Defendants Meadville Medical Center and Frank Liebentrit, M.D. by Richard J. Fidei filed.

Oct 2, 1996 AND NOW, Sept. 27, 1996, this matter comes before the Court in Motions Court with the Plaintiff seeking relief with regard to a Protection from Abuse Order that was entered by the Court. All parties appear Pro Se nobody has anything in writing, and we do not even have the caption available at the time these parties are arguing.
In order to give them an opportunity to pursue this matter themselves, if possible, we will schedule a hearing; but we will make it in about 10 days.
Accordingly, the hearing in this matter is set for Oct 10, 1996 at 3:30 p.m. in Courtroom No. 2 before the undersigned. If these parties resolve this matter prior to that, it shall be the burden of the Plaintiff to notify the Court that there will be no need for this hearing as promptly as possible. Anthony J. Vardaro, J.
10-2-96 Faxed MCPD & Co Control. Mailed Plf. & Dft.

In Error

Oct 2, 1996 Defendants' Motion For Protective Order and in Camera Inspection, filed.

Oct 2, 1996 ORDER: AND NOW, Oct 2, 1996, the Court Administerator having been directed by the court toschedule hearing on Defendant's Motion For Protective Order and in Camera inspection, the same is hereby set for Thursday, oct 10, 1996, at 1:00 p.m. in Courtroom #2, Crawford County Courthouse, Meadville, PA. Ann A. Walker, Crt. Adm.
10-2-96 copies mailed this date by S.White

RECORD CONTINUED ON PAGE 60 (b).....

60B

1994

JENNI E. BURGER, a minor by
JAMES A. BURGER AND MELINDA A. BURGER, ET AL

VS.

M. SUSAN MATTHEWS, M.D., FRANK LIEBENTRIT,M.D.,
and MEADVILLE MEDICAL CENTER

RECORD CONTINUED FROM PAGE 60 (a)

OF

AD 1994 - 60

****

Oct. 16, 1996, ORDER filed. AND NOW, Oct. 10, 1996, this matter comes before the Court on a motion filed by both Defendants for a protective order with regard to certain discovery that has been provided in court to Plaintiff's counsel this day.

It is ordered and directed that both Plaintiff's are precluded from contacting the witnesses, Mary Newhard, Jackie Hovis, Terri Tomczek themselves or throught anyone lese etc. This order shall remain in effect until further order of Court and hearing is set for October 17, 1996 at 1:30 p.m. in Courtroom No. 2. (SEE PAPERS FILED).

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

Oct. 16, 1996 Order FAXED Attys. J. Miller, R. Fidei, F. Klemensic, J. Quinn and J. Johnston.

Oct. 16, 1996 ORDER filed. AND NOW, Oct. 15, 1996, after a telephone conference with counsel for all parties, it is Ordered and Directed that the Defendants are not required to appear at a hearing set before the Court for Oct. 17, 1996, at 1:30 P.M. (SEE PAPERS FILED).

BY THE COURT:
Anthony J. Vardaro, J.

Oct. 16, 1996 Order FAXED Attys. J. Miller, R. Fidei, F. Klemensic, J. Quinn and J. Johnston.

oCT. 17, 1996, nOTICE TO pRODUCE dIRECTED to dft. M. Susan Matthews, M.D. filed.

Oct. 17, 1996,Notice to Produce Directed to dft. Meadville Medical Center filed.

Oct. 17, 1996, Notice to Attend directed to Dft. M. Susan Matthews, M.D. filed.

Oct. 18, 1996, AMENDMENT TO ORDER filed. And Now, Oct. 18, 1996 we note that our order of Oct. 15, 1996, on the second page, fourth line from the bottom, stated "...because we are now determining whether...." and it should have stated "...because we are not now determining whether...".

It is so amended and ina all other respects it shall remain as originally entered.

BY THE COURT,
Anthony J. VArdaro, J.

10/21/96 mailed to all counsel.

Oct. 30, 1996 Order filed. AND NOW, October 17, 1996 this matter comes before the court on a motion for a protective order filed by the Defendants. After hearing on this matter, first of all we note that both Plaintiffs have indicated in open court that they are not opposed to the general nature of an order being entered which will preclude them from having contact with the three witnesses Mary Newhard, Jackie Hoover, and Terri Tomczak with regard to matters concerning this case.

After hearing, it is ordered and directed, until further order of Court that neither Plaintiff James A. Burger nor Melinda A. Burger shall have contact with Mary Newhard, Jackie Hoover, and Terri Tomczak for the purpose of discussing this litigation or talking about this litigation in any manner, nor shall either of the Plaintiffs procure anybody else to do so.

This order is not intended to prohibit casual contact between the Plaintiffs or their family members with the witnesses or their family members with the witnesses or their famiy members, but if that casual contact should occur, the Plaintiffs shall make no effort to discuss this case or in any way harass or intimidate any of the witnesses.

It is the intention of the Defendant to schedule the deposition of Mary Newhard, Jackie Hoover, and Terri Tomczak and those depositions may be scheduled, and pursuant to Pennsylvania Rule of Civil Procedure 4012(2), it is directed that the Plaintiffs may not be present in the same room with the witness but they may be in an adjacent room and it shall be the duty and responsibility of the Defendants to provide an audio hookup to the room where the Plaintiffs have located so that they may listen to the deposition in its entirety in each case. Counsel for the Plaintiffs shall be afforded frequent breaks as needed during the course of the deposition to consult with his clients with regard to statements being made during the course of the deposition.

(FOR ENTIRE ORDER, SEE FILE FOLDER)
BY ORDER OF THE COURT,
Anthony J. Vardaro, J.
10-30-96 MAILED Quinn, Lent & Miller

Feb. 3, 1997 Motion to Withdraw Appearance as Counsel for Plaintiffs and Order filed. NOW, this 3 day of February, 1997, upon consideration of the foregoing John A. Miller, Esquire, Richard J. Fidei, Esquire, John A. Miller & Associates, Ltd., Miller & Fidei, P.C., and John A. Miller, P.C."s Motion to Withdraw Appearance as Counsel for Plaintiffs, it is hereby ORDERED that:

1. John A. Miller, Esquire, Richard J. Fidei, Esquire, John A. Miller & Associates, Ltd., Miller & Fidei, P.C., and John A. Miller, P.C. are authorized and permitted to immediately withdraw their appearance as counsel for plaintiffs in this action;
2. The appearance of John A. Miller, Esquire, Richard J. Fidei, Esquire, John A. Miller & Associates, Ltd., Miller & Fidei, P.C., and John A. Miller, P.C. as counsel for plaintiffs in this action is hereby withdrawn; and,
3. Plaintiffs are granted ~~ninety~~ (60) days from the date of the Order to seek and retain other counsel to represent them in this action and no further action shall be taken by the parties to this action with regard to discovery or other matters concerning this lititgation during this ~~ninety~~ (60) day time period without prior Order of Court.
4. After 60 days if nothing has occurred defense counsel may contact the Plaintiff to aid them in dismissing this action if they still wish to do so.

BY THE CORUT:
Anthony J. Vardaro, J.

2-3-97 FAXED Klimeusie, John A. Miller, J. Quinn

Feb. 5, 1997 Defendants' Motion for contempt of Court Order and Sanctions and Order filed. AND NOW, to-wit, this 4 day of February, 1997, it is hereby ORDERED, ADJUDGED, and DECREED that in light of the fact the Plaintiffs may be dismissing the lawsuit portion on this motion will be filed in abeyance to be set on Motion of the Defendants in the future if needed.

BY THE COURT:
Anthony J. Vardaro, J.

2-5-97 FAXED Klemensic, Quinn

Cont. on Pg. 60C

60	JENNI E. BURGER, A MINOR, BY JAMES A BURGER AND MELINDA BURGER, HER PARENTS AND GUARDIANS, AND JAMES A. BURGER AND MELINDA A. BURGER, INDIVIDUALLY	CONTINUED FROM PAGE 60-B OF RECORD A. D. 1994 - 60

Feb. 12, 197 John A. Miller, Esquire's, Richard J. Fidei, Esquire's, John A. Miller & Associates, LTD"S Miller & Fidei, P.C.'s and John A. Miller, P.C.'s Praecipe to Withdraw Appearance as Counsel for Plaintiffs filed.

Mar. 26, 1997 Exhibits filed.

Apr 28, 1997 Defendants' Motion To Compel Expert Report, filed.

Apr 28, 1997 ORDER: AND NOW, April 25, 1997, upon consideration of the Defendants' Motion To Compel Expert Report, the Court Administrator is directed to list the same for argument on the May 1997 Argument List.
Notice of this argument shall be provided to the plaintiffs by the Court Administrator at their address at 16267 Shady Acres Drive, Meadville, PA 16335. Anthony J. Vardaro, J.
Apr. 28, 1997 Dist Quinn & Klemensic & Ct. Adm. Mailed to Plf. by Ct. Adm.

June 2, 1997 ORDER: AND NOW, May 27, 1997, this matter comes before the Court on the Defendants' Motion to Compel Expert Reports.
This litigation has been ongoing for a period of time and the most recent activity has been the withdrawal of plaintiffs' counsel.
At the time plaintiffs' counsel withdrew, we had a discussion with the plaintiff Melinda Burger about the continuation of this lawsuit and she indicated in open court that she did not intend to go forward with this lawsuit.
We gave her an opportunity to make sure that that is what she wanted to do and to consult other counsel and she indicates today in a telephone conference that she did not do so, although apparently someone has been recommended to both her and her husband. We also have spoken with Mr. Burger, the husband plaintiff in this case, by telephone conference this day and he indicates that eh does not intend to go forward with this lawsuit.
Anthony J. Vardaro, J.
Juen 3, 1997 Mailed Klemensic, Quinn & Plf.
(FOR COMPLETE ORDER SEE PAPER FILED)

July 1, 1997 Affidavit of Francis J. Klemensic, Esquire, filed.

July 1, 1997 Affidavit of John M. Quinn, Jr., Esquire, filed.

July 1, 1997 Upon praecipe of attorney for Frank Liebentrit, M.D. and Meadville Medical Center, the above case is marked discontinued of record with prejudice for the failure of the Plaintiffs to file expert reports within 30 days of the Court's Order of May 27, 1997, as evidenced by the Affidavits of counsel supplied herewith by John M. Quinn, Jr., Esq. and Francis J. Klemensic, Esq.

1994

Jorden & White Harry Faber White, II	THOMAS J. PERKOSKI, JR. and DENISE PERKOSKI, his wife	WRIT OF SUMMONS Issued Sheriff
61.	vs.	Feb. 15, 1994 SHERIFF'S RETURN, filed. SERVED Lauren S. Bernoski personally on February 4, 1994 at 11:00 AM by handing a copy of the Summons to her at her residence, R.D.#1, Box 316, Saegertown, Crawford County, PA. So answers, Scott D. Young, Deputy Sheriff Robert M. Stevens, Sheriff
Philip M. P. Buttenfield	LAUREN S. BERNOSKI	Nov. 28, 1995 Notice of Service of Plaintiffs' First Set of Interrogatories filed.
	Filed January 21, 1994 @ 3:37 PM	Oct. 15, 1996, Appearance of Philip M. P. Buttenfield, attorney for defendant filed.
	Tax & entry paid 50.50 User's Fee paid 5.00 Sheriff's Costs 28.00 Pro Co pd 1-7-97 6.00	Oct. 15, 1996, Upon praecipe of defendant counsel, Rule entered upon the plaintiff to file complaint, issued. Jan 6, 1997 Upon praecipe of plaintiff attorney the above captioned action is hereby settled and discontinued of record.

1994

Jorden & White
Harry Faber White, II

62.

LORI E. CUMMINGS

vs.

RUDY J. CUMMINGS

Filed January 21, 1994
@ 3:34 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro.Co.pd 4/27/94	9.00

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

Feb. 1, 1994 Affidavit of Service filed. HARRY FABER WHITE II, Attorney for Plaintiff in the above captioned matter, being duly sworn according to law, deposes and says that he served the Notice to Defend and Complaint under Section 3301 (c) of the Divorce Code upon the Defendant, Rudy J. Cummings,by certified mail, return receipt requested on January 24, 1994, at the Defendant's Address, P,O.Box 38,Cambridge Springs,PA 16407. The Defendnt's acceptance of the same is attached hereto as Exhibit "A".
Jan. 27, 1994 Harry Faber White II, Esquire

Apr. 27, 1994 Affidavit of Consent by Lori E. Cummings, Plaintiff, filed.

Apr. 27, 1994 Affidavit of Consent by Rudy J. Cummings, Defendant, filed.

Apr. 27, 1994 Upon Praecipe of Harry Faber, White,II, Esquire, Attorney for Plaintiff to transmit record, Case moved to Court.

DIVORCE DECREE FILED

May 3, 1994 AND NOW, May 2, 1994, it is ordered and decreed that LORI E. CUMMINGS, Plaintiff, and RUDY J. CUMMINGS, 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.

February 21, 1995, Qualified Domestic Relations Order (Q.D.R.O.), Petition to Amend Pleading and Decree, and Stipulation and ORDER Filed. And Now, this 21st day of February, 1995, it is hereby ordered that the Pleadings in the above captioned matter are amended to include a clain for equitable distribution of property; and further, the Divorce Decree is hereby amended to provide for the Qualified Domestic Relations Order (Q.D.R.O.) distributing the Defendant's Five Thousand and No/100 dollars($5,000.00) from the Defendant's Retirement 401 (k) plan, all as is spelled out in the attached Stipulation and Request for Consent Qualified Domestic Relations Order (Q.D.R.O.).

BY THE COURT,
Anthony J. Vardaro, J.

Faxed 2-21-95 White

February 21, 1995, Qualified Domestic Relations Order Filed. And Now, this 27th day of January, 1995, upon consideration of the following matters, the Court does hereby make the following Order, intending same to be a QualifiedDomestic Relations Order:

1. The avove action in divorce was filed January 21, 1994. All parties were duly served and said proceeding has been conducted in accordance with the rules and laws pertaining thereto.

2. Defendant, Rudy J. Cummings, Social Security No.170-48-5899, currently resides at P.O. Box 38, Cambridge Springs, PA 16407. He is a participant in the Lord Corporation Employee 401 (k) Savings Plans, which are qualified retirement plans. As of January 21, 1994, the date the divorce action was filed, his accounts had combined balances of at least $5,000.00. For the purpose of this Order he shall be referred to as "Participant."

3. Plaintiff, Lori E. Cummings, Social Security No.180-52-1922, currently resides at R.D. 2, P.O. Box 276, Cambridge Springs, PA 16407. For the purpose of this Order she shall be referred to as "Alternate Payee."

4. The parties to this action have entered into an agreement dated January 10, 1994, for the equitable distribution of marital property pursuant to the PA Divorce Code, a portion of which includes Participant's accounts in the aforementioned qualified retirement plans, and the same is hereby determined as marital property subject to distribution by this Court. A copy of said agreement is attached hereto as Exhibit "A" and is incorporated herein.

5. Participant awards the money from Lord Corporation Employee 401 (k) "Long Term Income" Savings Plan, a qualified retirement plan.

6. The Alternate Payee has elected to remove and be paid the $5,000.00 amount due to her, as soon as possible, in accordance with this Order.

7. The Alternate Payee shall be solely responsible for the payment of such taxes as might be assessed or owing on funds distributed to her under the terms of this Order. It is the sole responsibility of the Alternate Payee to obtain independent advice or to otherwise determine her liability or obligation in this respect.

8. The Plan to which this Order is the Lord Corp. Employee 401 (k) "Long Term Income" Savings Plan, a qualified retirement plan. Reasonable fees and charges shall be paid by the Participant, Rudy J. Cummings. Any benefit distribution to the Alternate Payee is subject to the rules and regulations of the Internal Revenue Service.

9. The reasonable fees and charges resulting from processing of this Order shall be split equally between the Plaintiff, Lori E. Cummings and the Defendant, Rudy J. Cummings.

10. The parties shall promptly submit this Order to the Lord Corp. Employee 401 (k) "Long Term Income" Savings Plan for determination of its status as a Qualified Domestic Relations Order.

11. The parties shall, in writing, promptly notify the above plan Administrator of any change in their addresses fromthis set forth above in this Order.

12. The Lord Corp. Employee 401 (k) "Long Term Income" Savings Plan Administrator is directed, upon receipt of this Order, to pay the sum of $5,000.00 directly to the Alternate Payee.

It is intended that this Order shall qualify as a Qualified Domestic Relations Order. The Court retains jurisdiction to amend this Order as might be necessary to establish or maintain its status as a Q.D.R.O. under the aforementioned act.

BY THE COURT:
Anthony J. Vardaro, J.

Faxed 2-22-95 White

1994

Kathleen R. Nelson
~~Shafer, Swick, Bailey~~
~~Irwin & Stack~~
~~James R. Irwin~~
withdrawn

63.

Joseph D. Messina

CATHERINE ERICKSON

vs.

DENNIS H. ERICKSON

Filed January 21, 1994
@ 3:54 pM

Tax & entry paid	50.50
User's Fee paid	20.00
3 Add'l County	45.00
State paid	10.00
Pro Co pd 12-23-94	9.00

COMPLAINT IN DIVORCE UNDER SECTION 3301(c) or 3301(d), EQUITABLE PROPERTY DETERMINATION AND DISTRIBUTION, COUNSEL FEES EXPERT FEES, COSTS AND EXPENSES, ALIMONY, ALIMONY PENDENTE LITE
2 copies atty.

Jan. 31, 1994 Affidavit of Service filed I, JAMES R. IRWIN, Esquire, being duly sworn according to law, depose and say that I am the attorney of rrecord, 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 January 21, 1994. The Defendant acknowledged service on January 26, 1994 by accepting delivery on that date as evidenced by the attached signed return receipt.

James R. Irwin

Oct. 3, 1994, Upon praecipe of James R. Irwin, Esq., Motion to Withdraw Appearance and Order filed. ORDER: AND NOW, this 29 day of Sept. 1994 upon presentation and consideration fo the within Motion, Plaintiff's counsel, James R. Irwin, esq. is hereby authorized to withdraw his appearance on behalf of the plff. inthe above case.

Gordon R. Miller, J.
10/3/94 faxed to Irwin and Messina

Oct. 27, 1994 Affidavit of Consent of Defendant filed.

Oct. 27, 1994 Affidavit of Consent of Plaintiff filed.

Dec. 16, 1994 Motion For Withdrawal of Counts and Order, filed. AND NOW, this 16 day of December, 1994, the herein Motion is granted. BY THE COURT:
Anthony J. Vardaro, J.

Dec. 16, 1994 Faxed Nelson, Irwin, Messina

Dec. 19, 1994 Upon praecipe of plaintiff attorney to transmi record, case moved to Court.

DIVORCE DECREE FILED

Dec. 29, 1994 AND NOW, December 28, 1994, 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.

BY THE COURT:
Anthony J. Vardaro, J.

1994

~~Joan P. Weisel~~
(withdrawn)

64.

MARTIN M. THEISS

vs.

DARLENE S. THEISS

Filed January 21, 1994
@ 4:26 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
2 Add'l Counts paid	30.00
State paid	10.00
Pro.Co. pd 8/4/94	9.00

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

Feb. 4, 1994 Affidavit of Service filed. Before me, the undersigned authority, a Notary Public in and for the aforesaid Commonwealth and County, personally appeared JOAN P. WEISEL, who being duly sworn according to law, deposes and states that a true and correct copy of the Complaint Under Section 3301(d) or 3301(c) of the Divorce Code filed in the above-captioned matter was served upon the Defendant, Darlene S. Theiss, at R.D. 1 Box 10A Adamsville, PA 16110, by certified mail, return receipt requested pursuant to Pa. R.C.P. 404, on January 26, 1994, as is evidenced by the United States Postal Service Return Receipt (Certified No. P 744 895 144) attached hereto as Exhibit A.

Joan P. Weisel

May 24, 1994 Affidavit of Consent of Plaintiff filed.

May 31, 1994 Affidavit of Consent by Darlene Theiss, Defendant, filed.

June 28, 1994 Amended Complaint in Divorce, Equitable Distribution and Alimony, Alimony Pendente Lite, Counsel Fees Expenses filed.

Aug. 4, 1994 Affidavit of Service, filed. Before me, the undersigned authority, a Notary Public in and for the aforesaid Commonwealth and County, personally appeared Joan P. Weisel, who, being dully sworn according to law, deposes and states that a true and correct copy of the Amended Complaint in Divorce filed in the above-captioned matter was served upon the Defendant, DArlene S. Theiss, at R.D.1, Box 10A, Adamsville, PA 16110, by certified mail, return receipt requested, pursuant to PA. R.C.P. 404, on June 29, 1994, as is evidenced by the United States Postal Service Return Receipt (Certified No. P 744 895 143) attached hereto as Exhibit A.
August 1, 1994 Joan P. Weisel

Aug. 4, 1994 Upon Praecipe of Joan P. Weisel, Esquire, Attorney for Plaintiff, to transmit record, case moved to Court.

Aug. 15, 1994 ORDER filed. This divorce matter has been referred to the Court for review and decree. The Court has reviewed the record and is returning the record to the Prothonotary. A final decree will not be entered at this time because:

x Other The Amended complaint does not conform to the Rules. See Pa. R.C.P. 1920.1(b) and 1033.

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

BY ORDER OF COURT
Gordon R. Miller, J.

8-15-94 Copies dist. to Weisel.

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

DIVORCE DECREE FILED

Aug. 26, 1994, DECREE. 1. DIVORCE. Upon consideration of the pleadings and affidavits filed in the above-captioned case, this Court hereby grants an absolute divorce from the bonds of matrimony to the above-named parties, on the grounds that the marriage is irretrievably broken and nienty (90) days have elapsed from the date of filing of the Complaint, and an Affidavit has been filed by each of the parties, evidencing that each of the parties consents to the divorce pursuant to Section 33019c) of the PA. Divorce Code.

2. EQUITABLE PROPERTY DETERMINATION AND DISTRIBUTION: DIVISION OF DEBTS: The marital property and debts of the parties shall be divided and distributed as follows:

a. TANGIBLE PERSONAL PROPERTY: Of the tangible personal property acquired during the marriage, each party shall retain those items he or she now has in his or her possession.

b. DISPOSITION OF REAL PROPERTY. The wife shall receive $80,000.00 out of the proceeds of the same of the marital residence.

c. PENSION. The husband's US Steel/Carnegie Pension Fund shall continue to show the wife, Darlene S. Theiss, as the beneficiary. The wife shall be fully protected for her full share under the calculations affording her the maximum share and beneficiary options under the PA. Divorce Code and US Steel/Carnegie Pension Fund provisions.

3. CONSENT BY PARTIES: MARTIN M. THEISS, by his attorney, Joan P. Weisel, and DARLENE S. THEISS, by her attorney, Ruthanne Beighley, do hereby consent to the terms and conditions of this Divorce Decree:

Joan P. Weisel
Ruthanne Beighley

This Order shall be effective as of this 24th day of August, 1994.

BY THE COURT:
Gordon R. Miller, J.

Oct. 2, 1995, Petition for Contempt and Order filed. Rule to Show Cause Why Writ of Attachment Should Not be Issued for Civil Contempt: AND NOW, this 29 dayof Sept. 1995, upon consideration of the defendant's Petition for rule and adjudication of civil contempt, a Rule is hereby entered upon Martin M. Theiss, to show cause why defendants request should nto be granted, and an attachement and citation of contempt issue as requested by dft.

RULE RETURNABLE for hearing and argt. on the 30th day of Nov. 1995 at 3:00 p.m. in C. R. 1, 2 or 3 Courthouse, Meadville, Pa. BY THE COURT:
Gordon R. Miller, J.

10/2/95 faxed to Beighley and Weisel.

Continued on pg. 64A

Oct. 30, 1995 Upon praecipe of plaintiff attorney Joan P. Weisel, appearance withdrawn.

Oct. 30, 1995, Motion for Leave to Withdraw Appearance and order filed. ORDER: AND NOW, Oct. 27, 1995, said motion is denied as the attorney for plaintiff did not comply with local rule L10128.

By the Court,
Anthony J. Vardaro, J.

Oct. 31, 1995, copy faxed to Atty. Beighley, milae dto Atty. Weisel

Nov. 16, 1995 MOTION FOR LEAVE TO WITHDRAW APPEARANCE and ORDER filed. AND NOW, this 16th day of November, 1995, upon consideration of plaintiff's attorney's Motion for Leave to Withdraw Appearance, it is hereby ORDERED that the Motion be granted and plaintiff's attorney, Joan P. Weisel, Esquire, is granted leave to withdraw her appearance for the plaintiff in this matter.

The Prothonotary is directed to enter on the record the withdrawal of appearance of Joan P. Weisel on behalf of the plaintiff.

BY THE COURT:
Gordon R. Miller

11-17-95 FAXED R. Beighley; mailed J. Weisel.

Dec. 27, 1995 Memorandum of Modification andAddendum To Marriage Settlement Agreement filed.

64B

1994

1994

Peters, Lindsay,
Lewis & Gagliotti
Brian J. Lindsay

65.

William A.Kuhar, Jr.

J. Wesley Rowden for
Comm. of Pa.

TIMOTHY JAMES MILLER

vs.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

Filed January 21, 1994
@ 4:30 PM

Tax & entry Pd 1-25-94 50.50
User's Fee Pd 1-25-94 5.00
Pro Co pd 9/25/96 5.00

NOTICE OF APPEAL OF VEHICLE REGISTRATION PRIVILEGES

Jan. 21, 1994 Petiton for Writ of Supersedeas and ORDER filed. AND NOW, this 1st day of FEbruary, 1994, upon Motion by the Appellant, a hearing is set on said Appeal for the 29th day of April, 1994, at 9:15 o'clock A.M., in Courtroom No. 1 or 2 of the Crawford County Co urthouse, Meadville, PA.

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.

Finally, said Appeal shall act as a supersedeas to Appeal shall act as a supersedeas to Appellee's suspension of the Appellant's operating privileges.

BY THE COURT:
Gordon R. Miller, J.

2-4-94 Copy of Order to Attys. Lindsay & Kuhar, Jr.

Feb.7, 1994 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 Appellant, and that I did on the 26th day of January, 1994, send to the above named Commonwealth of Pennsylvania, Department of Transportation, Room 103,Transportation and Safety Building,Harrisburg, PA 17120, by Certified Mail, Return Receipt Requested, a true and correct copy of the Petition for Writ of Supersedeas filed at the above term and number; and that I did on the 7th day of February, 1994, receive a duly executed return receipt dated, February 1, 1994.

Feb. 11, 1994 Brian J. Lindsay, Esquire

Apr. 21, 1994 Request for An Appeal of Nunc Pro Tunc filed.

Apr. 21, 1994 ORDER filed. AND NOW, April 21, 1994, we have before us the Appellant's request for an appeal nunc pro tunc and a motion to quash that request filed by the District Attorney's office.

We will quash that request at this time due to the fact that it has been filed in the Civil Division under the same caption as a license suspension appeal which is not appropriate.

This Order is without prejudice to the Appellant Timothy James Miller to request to apppeal nunc pro tunc in a proper manner.

BY THE COURT:
Anthony J.Vardaro, J.

4-26-94 Copy of Order to Attys. Lindsay & Kuhar, Jr.

Apr. 21, 1994 Motion toQuash filed.

May 9, 1994 Motion to Continue and Order filed. AND NOW, this 18th day of April, 1994 upon consideration of the above Motion to Continue Appellant's Appeal Hearing the Court hereby continues this matter to the 12th day of July, 1994, at 2:15 o'clock p.m. in Courtroom No. 1 or 2 of the Crawford County Courthouse, Meadville, Pennsylvania.

BY THE COURT:
Anthony J. Vardaro, J.

5-9-94 Faxed copy to Atty. LIndsay. 5-12-94 Copy to Atty.Rowden & Kuhar, Jr.

Sept. 8, 1994 Upon motion of plaintiff attorney the above License Suspension Appeal is discontinued of record.

66

1994

66.

DEBRA JO JONES

vs.

CLYDE H. FAUST, III

Filed January 24, 1994
@ 10:25 AM

Tax & entry Pd 1-31-94 50.50
User's Fee Pd 1-31-94 5.00
Sheriff's costs 30.00
Pro Co Pd 1-31-94 5.00

1-31-94 Rec from dft Sheriff cost 30.00
1-31-94 Pd Sheriff Ck # 8059 30.00

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

ORDER:

And now, this 24 day of January , 19 94 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

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

3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment or fees and costs will be determined by final court order.
7. The defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves Ruling on allocation of fees and costs. Hearing is hereby set for the January 31, 1994 , at3:30 p.m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

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

Jan. 25, 1994 Sheriff's REturn filed. SERVED Clyde H. Faust, II personally on Jan. 24,1994 at 11:35 AM by handing a copy of the Protection from Abuse to him at his parent's residence, on the corner of Route 18 and Water St., Conneautville, Crawford Co., PA.
So answers,

Shawn E. Ashbaugh, Deputy Sheriff
Scott D. Young, Deputy Sheriff
Robert M. Stevens, Sheriff

Feb. 2, 1994 Motion to Vacate Protection From Abuse Order and ORDER filed. AND NOW,this 31st day of January, 1994 upon receipt and review of the plaintiff's motion to vacate and terminate the Protection from Abuse Order of January 24, 1994, said motion is granted and the Protection from Abuse Order is hereby vacated and terminated.

A true and correct copy of this Order shall be delivered by the Prothonotary to Pa. State Police and to County Control.

Any provisions of the Protection from Abuse Order of January 24, 1994 assessing court costs shall remain in full force and effect without change or modification and the party or parties against whom costs were assessed shall remain obligated to pay the costs.

BY ORDER OF COURT
Gordon R. Miller, J.

2-4-94 Copy of Order to Pltf., Pa. State Police & Co. Control

1994

Gerald Sullivan

67.

LINDA L. CLEVENGER

vs.

JOHN W. GUTHRIE

Filed January 24, 1994
@ 12:00 PM

Tax & entry Pd 2-15-94 50.50
User's Fee Pd 2-15-94 5.00
Sheriff's costs $25.00
Pro Co Pd-215-94 9.00

2-15-94 Received from Left Sheriff's cost 25.00
2-15-94 Pd Sheriff Ck#8103 25.00

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

Order:

And now, this 24th day of January , 1994 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Defendant shall not contact plaintiff nor the child in any way. He shall not go to her residence or place of work.
3. This Order may be enforced without a warrant any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court Liability for payment or fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves ruling on allocation of fees and costs. Hearing is hereby set for February 1, 1994 , at 10:00 a. m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

Jan. 25, 1994 Sheriff's Return filed. SERVED John W. Guthrie personally on Jan.24, 1994 at 1:13 PM by handing a copy of the Protection from Abuse to him at his place of employment, Faiver Manufacturing on South Main St., Meadville, Crawford County, PA.
So answers,

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

Feb. 2, 1994 ORDER filed. AND NOW, February 1, 1994, at the time set for hearing the parties and Plaintiff's counsel advise the Court the matter has been amicably resolved by way of a consent Order, and accordingly, the Court DIRECTS as follows:

1. The Defendant shall not assault, abuse, harass, stalk, or threaten the Plaintiff in any manner. He will not attempt to contact her at her residence or her home for any purpose.
2. The defendant will not go to the Plaintiff's residence in Mercer or anywhere else nor will he go to her place of employment for any purpose.
3. Possession of the mutual residence at 725 Baldwin Street will be surrendered to the Defendant February 6, 1994 at 12:00 noon. The Plaintiff shall be entitled to remove the furniture she brought into the relationship and the Defendant consents that she may have the same.
4. The parties mutually agree that this Order is entered without the Defendant admitting the allegations of the Petition.
5. This Order shall remain in full force and effect for aperiod of one (1) year, unless modified or terminated by further Court Order.
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 by the Prothonotary to County Control and the Pennsylvania State Police, Mercer Barracks.
8. The Defendant shall pay costs $89.50 to the Prothonotary's Office on or before March 1, 1994. If the Defend ant moves to another residence from his present residence at 724 Baldwin Street, Meadville, he will notify the Prothonotary's Office within twenty-four (24) hours of said move of his new address.
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.

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

Feab. 2, 1994 copies dist sto Sullivan, Dft., MCPS, Mercer SPD & Co. Control

1994

Apple & Apple
James S. Alter

68.

THOMAS REGIONAL DIRECTORY CO., INC.

vs.

JAMES CONWAY a/k/a J.C. CONWAY i/t/a/d/b/a CONWAY INFRARED SERVICES

Filed January 24, 1994
@ 1:50 PM

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

Feb.22, 1994 Sheriff's Return filed. SERVED James Conway, k/d/b/a Conway Infrared Services, personally on February 7, 1994 at 10:30 AM by handing a copy of the Complaint to him at R.D.#2, Box 84, Irish Road, Edinboro, Crawford County, PA.
So answers,

Scott D. Young, Deputy Sheriff
Robert M.Stevens, Sheriff

Mar. 24, 1994 And Now, upon praecipe of plaintiff's attorney judgment is entered against the Defendant(s) above-named in Default of an Answer, in the amount of Two Thousand Nine hundred Seventy-two and 53/100.
Entered 3-24-94 Debt: $2,972.53
C - 93, 183 JUDGMENT
Barbara H. King, Pro.

May 23, 1994 Upon Praecipe of James S. Alter, Esquire, Attorney for Plaintiff, the above-captioned Judgment is marked satisfied of record.

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	30.00
Pro Co pd 3-28-94	9.00
Pro.Co. pd 5/23/94	5.00

1994

J. Christopher Brode

69.

Brian J. Lindsay

VIRGINIA TERRILL and in behalf of minor child TERRY TERRILL, JR.

vs.

TERRY TERRILL SR.

Filed January 24, 1994
@ 2:48 PM

Tax & entry pd 2-4-94	50.50	✓
User's Fee pd 2-4-94	5.00	
Sheriff's Costs	37.00	
Pro Co pd 2-4-94	9.00	✓

Recd $37.00 sheriff's costs from dft.
Paid Sheriff costs $37.00 Ck #8078

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

Order:

And now, this 24th day of January , 1994 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions:Defendant shall move out. Sole possession of the home is awarded to Plaintiff. Defendant shall not contact plaintiff nor the child. Defendant shall not go to Plaintiff's residence or place of work.
3. This Order may be enforced without a warrant any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court Liability for payment or fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves ruling on allocation of fees and costs.

Hearing is hereby set for February 1, 1994 , at 10:45 a. m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

Jan. 26, 1994 Sheriff's Return filed. SERVED Terry Terrill, Sr. personally on January 25, 1994 at 1:50 PM by handing him a copy of the Protection from Abuse at his place of employment, Buffalo Steel, Inc., 106 W. Mechanic Street, Titusville, Crawford County, PA.

So answers,

Scott D. Young, Deputy Sheriff
Dale A. Collins, Chief Deputy
Robert M.Stevens,Sheriff

feb 2, 1994 ORDER filed. AND NOW, February 1, 1994, the parties appeared in open court, each with counsel, and entered into an agreement to resolve this matter. The defendant does not admit that he engaged in the conduct alleged by the plaintiff in the Petition, but does agaree that the following Order may be entered nonetheless.

THEREFORE, it is ORDERED as follows

1. The defendant shall not assault, abuse, harass or threaten the plaintiff or the minor child Terry Terrill, Jr.
2. The defendant shall not go the plaintiff's property nor shall he be within 100 yards of said property. That property includes the home where the parties' daughter lives.
3. The defendant shall not go to the plaintiff's place of work nor shall he be within 100 yards of the plaintiff's place of work, except that he shall have a right to go to her place of work for the purpose of visiting his mother so long as he has no contact with the plaintiff and other wise complies with this Order. His purpose in going to the plaintiff's place of work shall be solely to visit his mother of conduct other business thereand shall not be for the purpose of having any communication or confrontation with the plaintiff.
4. If by chance the plaintiff and defend ant are at the same public place such as a public event, store, et cetera, the defendant shall be permitted to conduct lawful business there but shall leaave from that location as soon as practicable and shall not engage in any conflict, communication or improper conduct with the plaintiff.
5. Primary physical custody of Terry Terrill, Jr. shall remain with the plaintiff. The defendant shall have such visitation rights in Terry Terrill, Jr. as Terry Terrull, Jr. agrees. The defendant shall not go tohis son's school, bus stop or any extracurricular activity. This provision with respect to custody and visitation shall remain in full force and effect until the parties enter into a written agreement to the contrary or until a contrary Order is entered by a court of competent jurisdiction in a custody or visitation matter.
6. The defendant apparently owns some personal property that is located at the plaintiff's residence. The plaintiff will keep that personal property in safekeeping and shall not damage, destroy or dispose of it in any way. She shall gather together his personal effects and deliver them to her daughter so that the defendant maypick those peersonal effects up from the daughter. That shall be accomplished within the next 20 days. Furthermore, the defendant shall have the right to go to the plaintiff's residence for the purpose of picking up his tools. He shall give the plaintiff five (5) days notice. That pickup shall be during daylight hours. There shall be no conflict between the parties at that time. If there is a disagreement as to what tools the defendant may pick up or as to the ownership or right to any tools, the defendant shall not take tools in which the ownership is disputed, but shall leave them with the plaintiff. The plaintiff shall keep said items in safekeeping so as to allow the defendant to bring a proper lawsuit to gain possession of the things he believes are rightfully his and so that those items shall be in good condition or in their current cndition should the defendant prevail in such a lawsuit and should the plaintiff be required to turn those items over tohim.
7. This Order may be enforced without a Warrant of Arrest by any law enforcemetn officer having reasonable ground to believe it has been violated.

CONTINUED ON PAGE 503

1994

Peters, Lindsay,
Lewis & Gagliotti
Brian J. Lindsay

70.

JONATHAN J. HOUT

vs.

DIANA LYNN HOUT

Filed January 24, 1994
@ 3:10 PM

Tax & entry paid	50.50
User's Fee paid	5.00
STate paid	10.00
Pro.Co. pd 7/13/94	9.00

COMPLAINT IN DIVORCE
1 copy pltf.

Feb.7, 1994 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 name Plaintiff, and that as such I am authorized to make this verification; that I did on the 1st day of February, 1994, 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 7th day of FEbruary, 1994, receive a duly executed return receipt dated,February 3, 1994.
February 7, 1994 Brian J. Lindsay,Esquire

June 28, 1994 Affidavit of Consent of Plaintiff filed.

June 28, 1994 Affidavit of Consent of Defendant filed.

Jul. 13, 1994 Upon Praecipe of Brian J. Lindsay, Esquire, Attorney for Plaintiff, to transmit record, Case moved to Court.

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

AND NOW, July 18, 1994, it is hereby ordered and decreed that Jonathan J. Hout, Planitiff, and Diana Lynn Hout, 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

1994

Thomas, Truax,
Spadafore & Walker
R. Charles Thomas

71.
Kathleen R.Nelson

DAVID ALLEN EMIGH

vs.

CHERYL J. EMIGH

Filed January 25, 1994
@ 2:52 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 1-20-95	9.00

COMPLAINT IN DIVORCE
1 copy atty.

Sept. 12, 1994 Complaint reinstated.

Nov.30, 1994 Appearance of Kathleen R.Nelson,Esquire for Cheryl J.Emigh,Defendant,filed.

Jan. 11, 1995 Affidavit of Consent of Defendant filed.

Jan. 17, 1995 Affidavit of Consent by David Allen Emigh, Plaintiff, filed.

Jan. 17, 1995Affidavit of Service of Complaint in Divorce filed. R.CHARLES THOMAS,Esquire, being duly sworn according to law,deposes and says that on September 13th, 1994, he sent a true and correct copy of theComplaint in Divorce, property endorsed with the Notice toDefend, filed in the above action to the Defendant, Cheryl J.Emigh, at Defendant's last known address of 21 Dunn Street,Box 24, Sandy Lake, PA 16145, by Certified Mail No. Z 070 388 787, postage prepaid, restricted delivery, return receipt requested and that attached hereto is a duly executed return receipt card showing date of Delivery as 9/14/94.
January 17, 1995 R. Charles Thomas, Esq.

Jan. 19, 1995 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

Jan. 27, 1995 Order filed. AND NOW, January 26, 1995, the Court refuses to review this matter on praecipe for review because Court costs are due and owing in a custody action invovling the same parties at 1994 - 970. Once those costs are paid then this matter shall be returned to the Court by the Prothonotary or on praecipe of an interested party for further review.
BY THE COURT,
Gordon R. Miller, J

Jan. 27, 1995 Copies given Thomas & Nelson

May 2, 1995 Upon Praecipe of Kathleen R.Nelson, Esquire, Attorney for Defendant to transmit record, case moved to Court.

DIVORCE DECREE FILED

May 9, 1995 AND NOW, May 8, 1995, it is ordered and decreed that 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:
Gordon R. Miller, J.

72

1994

Christopher J.Youngs

Pepicelli, Youngs
& Youngs, PC
Andrew S. Bacallao

72.

GUY C. JOHNSTON

vs.

EILEEN R. JOHNSTON

Filed January 25, 1994
@ 3:51 pM

Tax & entry paid	50.50
User's Fee paid	15.00
2 Add'l Counts paid	30.00
State paid	10.00
Pro Co pd 10-4-94	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION, CHILD CUSTODY
2 copies atty.

Jan. 31, 1994 Proof of Service filed. I hereby certify that a copy of Complaint In Divorce was served upon the Defendant Eileen R. Johnston, by mailing the same to her at R.D. #4, Box 521 Saegertown, PA 16433, by Certified Mail, Addressee ONly, Return Receipt Requested, Number P 100 650 670. Complaint was received on January 28, 1994, signed receipt attached hereto as Exhibit "A".
Andrew S. Bacallao

June 2, 1994 Affidavit of Consent of Plaintiff, filed.

Aug. 10, 1994 Motion to Withdraw Equitable Distribution and Custody Claims and ORDER filed. AND NOW, this 10 day of August, 1994, upon presentation and consideration of the foregoing Motion, the same is granted and the Equitable Distribution and Custody Claims are hereby withdrawn.
BY THE COURT,
Anthony J. Vardaro, J.

8-10-94 Faxed to C. Youngs

Sept. 20, 1994 Affidavit of Consent of Defendant filed.

Sept. 28, 1994 Upon praecipe of Plaintiff's attorney to transmit records, case moved to Court.

DIVORCE DECREE FILED

Oct. 7, 1994 AND NOW, October 5, 1994, it is ordered and decreed that GUY C. JOHNSTON, plaintiff, and EILEEN R. JOHNSTON, 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.

1994

Davis Reilly
Reed J. Davis

73.

THE HUNTINGTON ACCEPTANCE COMPANY

vs.

HAROLD E. ROCKWELL and
RHONDA E. HEATH

Filed January 26, 1994
@ 1:22 PM

Tax and entry paid	50.50
User's Fee paid	5.00
Sheriff;s Costs	113.47
Pro Co. pd	9.00
Pro Co pd 6/10/98	5.00

COMPLAINT IN CIVIL ACTION
2 copies Sheriff

Mar.7, 1994 Sheriff's Return filed. SERVED Harold E. Rockwell personally on February 19, 1994 at 6:35 AM by handing him a copy of the Complaint at his residence, R.D.#3,Box 223 A, Union City, Crawford County, PA.

SERVED Rhonda E. Heath on February 19, 1994 at 6:36 AM by handing a copy of the Complaint to Harold E. Rockwell, Husband at their residence, R.D.#3, Box 223A, UnionCity,Crawford County, PA.

So answers, Shawn E. Ashbaugh,Deputy Sheriff
Robert M. Stevens,Sheriff

May 17, 1994 Agreement and Stipulation For Entry of Judgment filed. Plaintiff shall enter a Judgment against the Defendant in the amount of Ten Thousand Five Hundred Thirty-Six Dollars and Ninety Cents ($10,536.90), The said Judgment shall bear simple interest at 6% per annum.

R-81;H-145
Judgment entered -
5/17/94.

JUDGMENT
Barbara H. King,
Prothonotary

June 10, 1998 This Judgment Satisfied. (See Paper filed)

74

1994

Thomas, Truax,
Spadafore & Walker
Gregory A. Keenan

74.

LORI E. TRYPUS

vs.

RICHARD M. TRYPUS

Filed January 26, 1994
@ 2:52 PM

Tax & entry paid	50.50
User'sFee paid	5.00
State paid	10.00
Pro Co paid	9.00
Pro Co pd 6/13/94	5.00

COMPLAINT IN DIVORCE
1 copy atty.

Feb. 25, 1994 Acceptance of Service filed. I, Richard M.Trypus, accept service of the Complaint in Divorce,properly endorsed with the Notice to Defend,this 23rd day of Feb., 1994.
Richard M. Trypus, Defendant

May 20,1994 Affidavit of Consent of Plaintiff, filed.

May 20, 1994 Affidavit of Consent of Defendant, filed.

Mlkay 20, 1994 Upon praecipe of Plaintiff's attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

June 1, 1994 AND NOW, May 27, 1994, it is Ordered and Decreed that LORI E. TRYPUS, Plaintiff, and RICHARD M. TRYPUS, 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.

June 6, 1994 Notice Of election To Retake Maiden Name filed. Lori E. Trypus TO BE KNOWN AS: Lori E. Gibson

1994

William E. Barney

75.

CORRY SAVINGS BANK formerly CORRY SAVINGS AND LOAN ASSOCIATION

vs.

DAVID A. COX a/k/a DAVID B. COX and HARRIET H. COX

Filed January 26, 1994
@ 3:11 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	124.00
Pro Co pd 3/9/94	9.00

COMPLAINT IN CIVIL ACTION
2 copies atty.

Mar. 7,1994, Sheriff's Return filed. SERVED David A. Cox, a/k/a David B. Cox by deputizing the Sheriff of Erie County, PA, as per his Affidavit of Service attached. SErved on FEbruary 9, 1994 at Corry Mfg., 519 West Main St., Corry, PA.

SERVED Harriet H. Cox by deputizing the Sheriff of Erie County, PA,as per his Affidavit of Service attached. SErved on February 9, 1994 at 14 Mohawk Curt,Corry,PA.

POSTED the property located in Sparta Township,Route 77 and200 onFebruary 4, 1994 at 2:33 PM.

So answers, Scott D. Young, Deputy Sheriff
Robert M. Stevens, Sheriff

And Now, Mar. 9, 1994 @ 1:07 PM upon praecipe of plaintiff's attorney,attorney, judgment is hereby entered in favor of the plaintiff and against the defendant for wnat of an answer and the damages are assessed at the sumof Sixty-four Thousand Fifty-six and 79/100 plus interest.

C-46-56 Debt $64,056.79
judgment entered 3/9/94 Judgment
Barbara H. King
Prothonotary

EX 1994 - 17

Mar. 18, 1994 Affidavit of Service of Notice of Sale, filed.

1994

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

76.

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

STEVEN GRZEGORZEWSKI and
BARBARA GRZEGORZEWSKI, his
wife

vs.

MICHAEL R. SHROCK

Filed January 26, 1994
@ 3:26 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	57.50
Pro.Co. pd 1/9/96	6.00

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

Feb. 23, 1994 Appearance of Culbertson, Weiss, Schetroma & Schug, P.C. by e. Max Weiss for Defendant, filed.

Mar. 7, 1994 Answer and New Matter filed.

May 31, 1994, Reply to New Matter filed.

May 31, 1994, Certificate of Service of above reply filed.

Jun. 3, 1994 Notice of Service of Interrogatories and Request for Production of Documents, filed.

Jul. 19, 1994 Sheriff's Return and Affidavit of Service filed. SERVED the within Complaint on February 3, 1994 at 1410 hrs upon Michale R. Shrock at 14 Cherry Street, Erie County, Union City, Pennsylvania by handing to Chrystal Schrock, his wife a true and correct copy thereof and made known to her the contents therein.

Robert N. Michel, Sheriff Erie County
Stephen Brandon, 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

Dec. 1, 1994 Notice of Deposition on Oral Examination Under Pa. R.C.P. No. 4007.1 of Steve Grzegorzewski and Barbara Grzegorzewski filed.

Mar 15, 1995 Notice of oral deposition of Steven Grzegorzewski and Barbara Grzegorzewski.

May 1, 1995 Notice of Service of Request for Production of Documents (Second Set), filed.

Jan. 8, 1996 Upon Praecipe of Emil M.Spadafore,Jr., Esquire,Attorney for Plaintiff, the above-captioned action is marked settled and discontinued of record.

1994

Jack H. Kudzma

77.

Timothy D. Appelbe

Meyer, Darragh, Buckler
Bebenek & Eck
Henry M.Sneath

DANIEL L. PHILSON, JR. by his parents and natural guardians, PATRICIA PHILSON and DANIEL PHILSON, SR. and in their own right

vs.

JEFFREY P. ESCHWEILER and JOANNE C. ESCHWEILER, his wife and DANIEL ESCHWEILER, a minor

Filed January 27, 1994
@ 12:00 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	44.00

JURY TRIAL DEMANDED

COMPLAINT IN CIVIL ACTION
5 copies atty.

Feb. 16, 1994 Appearance of Timothy D.Appelbe, Esq. for Jeffrey P.Eschweiler and Joanne C. ESchweiler, his wife and Daniel Eschweiler, a minor, Defendnts, filed.

Feb. 22, 1994 Sheriff's Return filed. SERVED Jeffrey P. Eschweiler personally on February 9, 1994 at 3:01 PM by handing a copy of the Complaint to him at his residence, 127 North Main St., Springboro, Crawford County, PA.
SERVED Joanne C.Eschweiler on February 9, 1994 at 3:03 PM by handing a copy of the Complaint to Jeffrey P. Eschweiler, her husband, at the residence, 127 North Main St., Springboro, Crawford County,PA.
SERVED DAniel Eschweiler on February 9, 1994 at 3:02 PM by handing a copy of the Complaint to Jeffrey P.Eschweiler, his Father, at the residence, 127 north Main St., Springboro, Crawford County, PA.
So answers,

Shawn E. Ashbaugh, Deputy Sheriff
Scott D.Young, Deputy Sheriff
Robert M. Stevens, Sheriff

Mar. 15, 1994 Answer and New Matter, filed.

Jun. 10, 1994 Notice of Deposition of Daniel L. Philson, Jr. filed.

Jun. 10, 1994 Notice of Deposition of Patricia Philson, filed.

Jun. 10, 1994 Notice of Deposition of Daniel Philson, Sr., filed.

Dec.7, 1994 Apperance of Meyer,Darragh, Buckler, Bebenek & Eck by Henry M. Sneath, Esquire for the Defendants, filed.

Sep. 1, 1995 Petition for Approval of Settlement and Distribution of Minor's Personal Injury Action and ORDER OF COURT filed.
AND NOW, to wit this 1st day of September, 1995, upon consideration of the foregoing Petition, it is hereby ORDERED as follows:
The settlement agreed to and recited in the foregoing Petition is hereby approved and it is herebyfurther ORDERED and directed that the proceeds of said settlement shall be distributed as follows:

(1) to:
PATRICIA PHILSON and DANIEL PHILSON, SR., parents and natural guardians of DANIEL L. PHILSON, JR., a minor and to be deposited in a savings account or other savings instrument in the name of the minor in a bank, building and loan association or savings and loan association deposits of which are insured by a Federal Governmeny Agency with the following provision: "no withdrawal can be made of any monies in this account until the minor, DANIEL L. PHILSON, JR., attains his majority, except as authorized by prior Order of Court". $2,121.19

(2) To: Jack H. Kudzma, Esquire	Attorneys fees	2,000.00
(3) To: Jack H. Kudzma, Esquire	Expenses	389.30
(4) To: Jack H. Kudzma, Esquire	For outstanding medical bills	1,489.51
	Total Distribution:	$6,000.00

It is further ORDERED that the Petitioner may execute an appropriate Release to effect settlement.

BY THE COURT:
Gordon R.Miller, J.

9-7-95 Copy to Attys. Kudzma, & Sneath

1994

78.

BRENDA LEE PETERS

vs.

WAYNE ALLEN PETERS

Filed January 27, 1994
@ 1:40 PM

Indigent Filing

~~John Fuller, Mediator~~ withdrawn

Sheriff's Costs 30.00
John Spartaro, Mediator 120.00
Pro Co 9.00

CUSTODY COMPLAINT

Order:

You, Wayne Allen Peters have been sued in Court to obtain custody of Joshua & Ashley.

You are ORDERED to appear in person at such time and place as will be determined by the Mediator JOHN FULLER for a mediation conference.

If you fail to appear as provided by this Order, an Order for custody, partial custody or visitation may be entered against you or the Court may issue a warrant for your arrest.

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: January 26, 1994

Gordon R. Miller,

AND NOW, this 26th day of January, 1994, the Court having appointed a custody mediator in this action for custody, and/or partial custody and/or visitation of a minor child or children it is ordered and directed as follows:

1. The plaintiff is allowed to proceed without payment of court costs reserving to the Court the right to impose costs at a later time.
2. The Prothonotary is ordered and directed to deliver a true and correct copy of this Order and any complaint or petition filed at the time this Order was entered and any required notice, with appropriate numbers of copies, to the Sheriff of Crawford County for service upon the defendant.
3. The plaintiff is ordered and directed to immediately go to the Sheriff's Office to give the Sheriff written instructions on when and where the defendant may be served.
4. The Sheriff of Crawford County is ordered and directed to serve a true and correct copy of the complaint or petition and order upon the defendant and make an appropriate return of service as required by the law. The Sheriff shall indicate the cost of service which said cost shall be paid by Crawford County and which said cost may be taxed as record costs and imposed as costs by the Court.

BY ORDER OF COURT,
Gordon R. Miller,

Jan. 27, 1994 Petition To Proceed In Forma Pauperis Pursuant To Pa. R.C.P. 240 and Order filed. AND NOW, January 26, 1994, upon consideration of the petition filed by the Plaintiff in this action, and supported by an affidavit attached thereto, all being pursuant to Pa. R.C.P. 240, the Plaintiff is granted leave to proceed in forma pauperis at this time.

The Plaintiff is directed to inform the Prothonotary's Office or the Court of any improvement in her financial circumstance that would permit her to pay the costs incurred in this action and shall be responsible for doing so upon an improvement of financial condition.

BY THE COURT:
Gordon R. Miller

Feb. 4, 1994 Copy of Order to Atty.Fuller, Pltf. & Deft. & Sheriff's Office

Feb. 22, 1994 Sheriff's Return filed. SERVED WAyne Allen Peters personally on February 15, 1994 at 8:58 AM by handing a copy of the Custody Complaint to him inthe Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville,PA.

So answers,

Diane Brittain, Deputy Sheriff
Robert M.Stevens, Sheriff

Mar. 16, 1994 ORDER filed. AND NOW, March 16, 1994 after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Joshua Allen Peters 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 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 Joshua Allen Peters shall be with his mother, subject to the following conditons:

A. The father shall be entitled to visit and take the child into his custody every other weekend from 12:00 o'clock noon on Saturday to 5:00 o'clock p.m. on Sunday, Beginning March 26, 1994.

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 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.

C. Transportation of the child on weekends and holidays shall be equally divied between the parties, as they agree from time to time.

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 foaster a favorable and loving attitude on the part of the child towards both parents.

E. Neither mother nor father shall expose the child to any person or situation which may be harmful to the child's health or well being.

F. Both parents agree to inform the other immediately of any illness or injury regarding the child and both parents agree to furnish the other with a current telephone number.

Continued of record to Page 78 A

1994

Brenda Lee Peters
vs.
Wayne Allen Peters

Continued from Page 78
of Record
AD 1994 - 78

****

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 County.

Gordon R. Miller, Judge

3-21-94 Copy to Pltf & Deft. & Atty. Fuller

Oct. 19, 1994 Petition For Emergency Relief filed.

Oct. 19, 1994 ORDER filed. AND NOW, Oct. 19, 1994, this matter comes before the Court in the nature of a petition for emergency relief. Specifically, the Defendant appears with counsel and indicates that the Plaintiff has now been incarcerated in the Crawford Co. Jail with respect to an alleged abuse involving a child not the subject of these proceedings. As a result of an Order entered after mediation on March 16, 1994, legal custody of the minor child Joshua Allen Peters was to be shared between the parties and there was a schedule for physical custody which essentially gave the Defendant/father the right to have the chidl in his custody every other weekend from 12:00 noon on Saturday to 5:00 p.m. on Sunday. The Order entered as a result of mediation did not address the other minor child Ashley Peters and it appears that that was inadvertent insofar as the original Complaint in this matter appears to have been intended to include Ashley and the Defendant maintains that he believed that Ashley was part of the Order entered on March 16, 1994 and that he has in fact had the periods of temporary physical custody indicated in that Order with both children.

Apparently in light of the Plaintiff's incarceration the children are currently with an individual only known to the Defendant as "Stretch" who is a female with whom the Plaintiff was apparently residing with the chidlren prior to her incarceration.

The Defendant further indicates that the Plaintiff's sister who currently resides in the State of New York apparently is intending to come this day to Crawford Co. to take the children into her custody and probably return the children to the State of New York.

Under the circumstances in this case we believe that it would be appropriate for the children to be in the custody of their natural father pending any further Order of Court and it is ORDERED and DIRECTED that the Defendant pending any further Order of Court shall have legal custody of both children, i.e., Joshua A. Peters and Ashley Peters and shall likewise have immediate physical custody of both children pending further Order of Court.

The Defendant shall be permitted to immediately take custody of both children and he may bring any law enforcement officer who is willing to aid him with him to be sure that he obtains such custody in a peaceful manner.

This matter is returned to Child Custody Mediator John Fuller for further hearing as soon as it may be scheduled in light of the fact that the circumstances have changed so drastically.

In light of the current financial situation of the Defendant as indicated in court this day, he will not be required to deposit the $150.00 required by our Local Rules in order for mediation to occur, but this is without prejudice to the Mediator or Court to determine that costs of mediation should be paid by one or both parties upon further analysis.

A copy of this Order shall be provided by the Prothonotary to the Plaintiff at the Crawford County Jail as well as to the Mediator, John Fuller.

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

Oct. 19, 1994 Order FAXED Pltf. at Jail, Atty. Fuller; copy given Atty. Keenan.

Jan. 31, 1995 ORDER filed. AND NOW, January 30, 1995, after consideration of the within Motion to Vacate, IT IS HEREBY ORDERED AND DECREED AS FOLLOWS, TO-WIT: John Fuller, Esquire is hereby granted leave to withdraw as custody mediator in the above-captioned custody case and John Spataro is hereby appointed as mediator in his place.

Gordon R. Miller, P.J.

Jan. 31, 1995 Faxed Fuller, Spataro, Lindsay & Keenan

Apr 13, 1995 TEMPORARY ORDER, filed. AND NOW, this 13 day of April, 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 father, Wayne Allen Peters, shall retain legal custody fo the subject minor children, Joshua Peters, born May 25, 1988 and Ashley Peters, born July 22, 1991. Mother shall not be entitled to legal custody at this time.

2) The father shall have primary physical custody of the minor children subject to the following:

Mother shall be entitled to a visitation period with the children in conformity with the visitation schedule which these parents have adhered to over the course of teh last two months.

3) 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 childrn.

4) Neither party shall use illegal drugs or be under the influence of alcohol at any tifme when said party has the care and custody of the subject minor child. The parties are cautioned that medical research has indicated that tobacco smoke is injurious to the health of growing children. Therefore, neither party shall smoke tobacco or permit others to do so in a closed automobile in which the child is beign transported or in the bedroom of the child.

5) Neither party shall do or say anything to blacken the character of teh other in the child's estimation. Each party shall treat the other ina polite and respectful manner when in the child's presence and each party shall instruct his or her relatives and friends to do likewise and also not to disparage the other party in the child's estimation.

6) Neither party shall be permitted or allowed to use corporal punishment against either child, except inlife threatening situations, such as when a child attempts to cross the street unassisted, plays with fire, or the like. Futhermore, the parties shall make certain that other persons do not impose corporal punishment on these children.

7) In light of the fact that the father did not attend the mediation conference and was apparently not advised by his attorney of the time and place of the conference, either party may request further mediation by contacting the child custody mediator directly. The mediator is John F. Spataro, 283 Walnut Street, Meadville, Pennsylvania, 16335, (814)336-2191.

8) In the event the child custody mediator schedules another mediation conference, both parties shall attend said conference and should any party fail to attend said conference, such failure will be addressed by the court accordingly

9) Costs and fees of this Mediation, which are fixed at $120.00 and the $9.00 Court Order filing fee, shall be paid by the County, by reason of the fact that neither parent is employed.

10) Either party may move the Court for a hearing de novo within ten (10) days from the date hereof. If neither party so mvoes, this Order shall be considered permanent.

BY THE COURT,
Anthony J. Vardaro, J.

Apr 25, 1995 Faxed Spataro, sent Plf. & Dft.

1994

1994

79.

BRENDA LEE PETERS

vs.

JOHNATHON CHARLES DICKERSON

Filed January 27, 1994
@ 1:56 pM

Indigent Filing

John Fuller, Mediator 150.00

CUSTODY COMPLAINT

Order:
You, Johnathon C. Dickerson have been sued in court to obtain custody of Brian Dickerson.
You are ORDERED to appear in person at such time and place as will be determined by the Mediator JOHN FULLER for a mediation conference.
If you fail to appear as provided by this Order, an Order for custody, partial custody or visitation may be entered against you or the Court may issue a warrant for your arrest.
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: January 26, 1994 Gordon R. Miller, J

AND NOW, this 26th day of January, 1994, the Court having appointed a custody mediator in this actionfor custody, and/or partial custody and/or visitation of a minor child or children it is ordered and directed as follows:
1. The Plaintiff is allowed to proceed without payment of court costs reserving to the Court the right to impose costs at a later time.
2. The Prothonotary is ordered and directed to deliver a true and correct copy of this Order and any complaint or petition filed at the time this Order was entered and any required notice, with appropriate numbers of copies, to the Sheriff of Crawford County for service upon the defendant.
3. The plaintiff is ordered and directed to immediately go to the Sheriff's Office to give the Sheriff written instructions on when and where the defendant may be served.
4. The Sheriff of Crawford Count is ordered and directed to serve a true and correct copy of the complaint or petition and order upon the defendant and made an appropriate return of service as required by the law. The Sheriff shall indicate the cost of service which said cost shall be paid by Crawford County and whcih said cost may be taxed as record costs and imposed as costs by the Court.

BY ORDER OF COURT,
Gordon R. Miller, J

Jan. 27, 1994 Petition To Proceed In Forma Pauperis Pursuant To Pa.R.C.P. 240 and Order filed. AND NOW, January 26, 1994, upon consideration of the petition filed by the Plaintiff in this action, and supported by an affidavit attached thereto, all being pursuant to Pa. R.C.P. 240, the Plaintiff is granted leave to proceed in forma pauperis at this time.
The Plaintiff is directed to inform the Prothonotary's office or the Court of any improvement in her financial circumstances that would permit her to pay the costs incurred in this action and shall be responsible for doing so upon an improvement of financial condition.

BY THE COURT:
Gordon R. Miller, J

Feb.4, 1994 Copy of Order to Atty.Fuller, Pltf.Deft. & Sheriff's Ofc

Feb. 15, 1994 SHERIFF'S RETURN, filed. SERVED Jonathon Charles Dickerson personally on February 11, 1994 at 11:03 AM by handing a copy of the Custody Complaint to him at his residence, 1098½ Park Avenue, Meadville, Crawford County, PA.
So answers,

Scott D. Young, Deputy Sheriff
Robert M. Stevens, Sheriff

Mar. 29, 1994 ORDER filed. AND NOW, March 28, 1994 after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Brian Robert Dickerson 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 Brian Robert Dickerson shall be with his mother, subject to the followsing conditions:

A. The father shall be entitled to visit and take the child into his custody every other weekend from 6:00 o'clock p.m. on Friday to 4:00 o'clock p.m. on Sunday, beginning March 25, 1994 and every Tuesday and Thursday from 5:00 o'clock p.m. to 8:00 o'clock p.m. beginning March 22, 1994.

B. Holidays shall be defined as Christmas, Easter, Thanksgiving, Memorial Day, July 4th and Labor Day. Custody of the child shall be alternated on the aforesaid holidays as follows:

In 1994 and on even numbered years thereafter the child shall be in the custody of the mother on Easter, Labor Day and Christmas, and in the custody of the father on Memorial Day, July 4th and Thanksgiving.

In 1995 and on odd numbered years thereafter the child shall be in the custody of the mother on Memorial Day, July 4th and Thanksgiving, and in the custody of the Father on Easter, Labor Day and Christmas.

When the father has custody of the child on Christmas it shall be for a period of three (3) days and when father has custody of the child at Thanksgiving it shall be for a period of six (6) days including the weekend.
The child's birthday shall be shared with the mother having custody until 1:00 o'clock p.m. and father having custody from 1:00 o'clock p.m. to 7:00 o'clock p.m.

C. Transportation of the child on weekends, holidays and Summer visits shall be equally shared between the mother and father.

CONTINUED ON PAGE 506

1994

Meyer,Darragh,Buckler,
Bebenek &Eck
Henry M.Sneath

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

80.

Watts and Pepicelli
Alan L. Pepicelli
For Dfts.

Dickie, McCamey &
Chilcote
Jennifer M. Kirschler
For Add'l Dfdts

Knox McLaughlin Gornall
& Sennett, P.C.
Mark E. Mioduszewski
for Kebert Const. Co.

HIGHLAND MUTUAL INSURANCE COMPANY

vs.

GARY McCLIMANS and MARK RHOADES d/b/a RHOMAC CONSTRUCTION COMPANY

vs.

Associated Contractors
of Conneaut Lake, Inc.
Add'l Defendant
Filed January 27, 1994
@ 3:03 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	31.00
Sheriff's Costs	25.00
Sheriff's Costs	38.00
Pro Copd 11-25 97	6.00

COMPLAINT IN CIVIL ACTION
2 copies Sheriff

Feb. 4, 1994, Appearance of Watts and Pepicelli PC, by Alan L. Pepicelli, attorneys for defendants filed.

Feb. 9, 1994 SHERIFF'S RETURN, filed. SERVED Gary McClimans personally on February 2, 1994 at 1:51 PM by handing a copy of the complaint to him at Rhomac Construction, 575 Randolph Street, Meadville, Crawford County, Pa.

SERVED Mark Rhoades on February 2, 1994 at 1:52 PM by handing a copy of the Complaint to Gary McClimans, co-owner, at Rhomac Construction, 575 Randolph Street, Meadville, Crawford County, Pa.

So answers, Scott D. Young, Deputy Sheriff
Robert M. Stevens, Sheriff

Apr. 29, 1994 Motionto Join Indispensalbe Party as Defendant and ORDER filed. AND NOW, April 28, 1994, and upon motion of the plaintiff, the motion is granted and plaintiff is given leave to amend its complaint to add Associated Contractors of Conneaut Lake, Inc. as a party defendant.

Anthony J.Vardaro, J.

5-3-94 Copy of Order to Attys. Petruso & Pepicelli

June 28, 1994 Amended Complaint filed.

July 12, 1994 SHERIFF'S RETURN, filed. SERVED Associated Contractors on July 6, 1994 at 10:12 AM by handing a copy of the Amended Complaint to Roberta Alexander, Secretary, at the place of business in Conneaut Lake, Crawford County, PA.

So answers, Scott D. Young, Deputy Sheriff
Robert M. Stevens, Sheriff

August 11, 1994 Preliminary Objections of Defendants, Gary McClimans and Mark Rhoades D/B/A RHOMAC Construction Co., filed.

Aug. 15, 1994 Appearance of Dickie, McCamey & Chilcote by Jennifer M. Kirschler, Esquire, Attorney for Associated Contractors of Conneaut Lake, Inc., additional Defendant, filed.

Aug. 15, 1994 Preliminary Objections to Plaintiff's Complaint, filed.

Aug. 15, 1994 Upon Praecipe of Jennifer M. Kirschler, Esquire, Attorney for Associated Contractors of Conneaut Lake, Inc., additional Defendant to place the Preliminary Objections to Plaintiff's Complaint is placed on the next available Argument List.

ON SEPTEMBER, 1994 ARGUMENT LIST

Aug. 31, 1994, Second Amended Complaint filed. 3 copies (sheriff, 1 copy (atty)

Sept. 13, 1994 Affidavit of Service, filed. John D. Petruso being duly sworn according to law deposes and says that as attorney for the plaintiff, herein, he served a true and correct copy of the complaint upon Frenchs', Inc., a defendant, by certified mail return receipt requested being certified article number P 384611475 which complaint was duly served on September 2, 1994, as evidenced by return receipt attached hereto showing delivery on said date and signature of Laurie Jordan as agent for defendant French's, Inc.

Sept. 13, 1994 Plaintiff's Verification of Second Amended Complaint, filed.

Sept. 13, 1994 Appearance of Knox McLaughlin Gornall & Sennett, P.C. by Mark E. Mioduszewski for defendant, Kebert Construction Company, filed.

Sept. 30, 1994 Answer of French's Inc., filed.

Oct. 4, 1994 SHERIFF'S RETURN, filed. SERVED Kebert Construction Company on September 7,1994 at 3:55 PM by handing a copy of the Second Amended Complaitn to Albert Alegretti, Secretary-Treasurer of the business, R.D.#6, Meadville, Crawford County, PA.

SERVED Robert C. Frost on September 8, 1994 at 9:17 AM by handing a copy of the Second Amended Complaitn to Mrs. Bobbie Frost, his Wife, at their residence, Richmond Lane, Conneaut Lake, Crawford County, PA. So answers, Dale A. Collins, Chief Deputy
Robert M. Stevens, Sheriff

Oct. 7, 1994 Answer Of Defendant, Kebert Construction, To Second Amended Complaint For Declaratory Judgment, filed.

Oct. 21, 1994 Answer To Plaintiff's Second Amended Complaint, filed.

Oct. 26, 1994 Notice of Default of Gary McClimans and Mark Rhoades, d/b/a/ Rhomac Construction Company filed.

Oct. 28, 1994 Answer, New Matter and Counterclaim of Gary McClimans and Mark Rhoades, d/b/a Rhomac Construction Co. to Plaintiff's Second Amended Complaint, filed.

Mar. 15, 1996 Appearance of Meyer, Darragh, Buckler, Bebenek & Eck by Henry M. Sneath, Esquire for the Plaintiff, Highland Mutual Insurance Company (in liquidation, by Order of the Commonwealth Court of Pennsylvania), filed.

Continued to Page 80 A

1994

	Highland Mutual Ins.Co. Pennsylvania Insurance Guaranty Assoc. vs Gary McClimans and Mark Rhoades d/b/a Rhomac Construction Co. vs Associated Contractors of Conneaut Lake, Inc., Add'l Deft.	Continued from Page 80 of Record AD 1994 - 80

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Mar. 28, 1996 Reply to New Matter and Answer and New Matter to Counterclaim of Gary McClimans and Mark Rhoades, d/b/a Rhomac Construction Company, filed.

Mar. 28, 1996 Verification in Support of Reply to New Matter and Answer and New Matter to Counterclaim of Gary McClimans and Mark Rhoades, d/b/a Rhomac Construction Company, filed.

June 21, 1996 Reply to New Matter of Pennsylvania Insurance Guaranty Association and ORDER filed.

Nov. 7, 1997 Upon praecipe of Plaintiff Attorneys the above-captioned action is marked discontinued as to all claims and all parties, pursuant to the written consen of all parties filed.

80.1
B

1994

1994

81.

PETITION OF: JEFFREY COLLIER

Filed January 27, 1994
@ 3:04 pM

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

Jan. 27, 1994 Mental Health Review Officer's Report and Order of Court filed. AND NOW, this 26th day of January, 1994, 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 envionment 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 shall begin on February 1, 1994 and trasportation will be provided by the Crawford County Sheriff's Office.

BY THE COURT,
Gordon R. Miller, J

Jan. 27, 1994 Copies dist. by Court.

May 11, 1994 Petition For Order of The Court, filed.

May 11, 1994 Report of Mental Health Review Officer and Order, filed. AND NOW, this 10th day of May, 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 teh Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said Jeffrey Collier be committed to the Warren State Hospital for treatment for a period not to exceed 180 days from April 12,1994.

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

May 13,1994 copy to MH/MR, WSH, T. Africa

82

1994

82.

Gale T. Mayorowski

GARY G. RANSOM

vs.

THE PENN WARRANTY CORPORATION

Filed January 28, 1994
@ 3:13 PM

Tax & entry paid 50.25
User's Fee paid 5.00
PMG Co pd 6-30-94. 15.00
Arb. 10-17-94 Arbitration Appeal 5.00. 220.00

10-17-94 Pd Comm Arbitration $2000

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

Jan. 28, 1994 Rule entered upon the Plaintiff to file a Complaint Issued.

Feb. 7, 1994, Proof of Service on Appeal filed.

Feb. 22, 1994 Complaint filed.

Mar. 11, 1994 Preliminary Objections, filed.

Apr. 26, 1994 StipulationAgainst Defendant's Insurance Status filed.

May 20,1994 Answer with New Matter, filed.

June 27, 1994 Upon praecipe of Plaintiff for appointment of Arbitrators, the following Arbitrators are appointed.
Bruce A. Barrett, Chr.
Lisa Youngs
Ross Prather

Aug. 5, 1994 Notice of Arbitrator's Hearing, filed.

Sept. 21, 1994 Notice Of Intent To Offer Documents at Hearing filed.

Sep. 30, 1994 Decision of Arbitrators filed in which they find in favor of the plaintiff in the sum of ($2,292.63) Two thousand two hundred ninety-two and 63/100, plus costs.
P-183
DECISION OF ARBITRATORS
Barbara H. King
Prothonotary

10-6-94 Decision of arbitrators mailed to Plft. & Atty. Mayorowski

Oct. 17, 1994 Notice Of Appeal From An Award Of The Board Of Arbitrators, filed.

Oct. 17, 1994 Cerificate of Service of Notice of Appeal From an Award of The Board of Arbitrators, filed.

3-11-94 Dept. Rec'd
Certificate of Service of Preliminary Objections
f.s.c.

81
A

1994

Michael G. Nelson

81A.

Watts & Pepicelli PC
Alan L. Pepicelli
for Dft Chmeical Fin Corp.

LORETTA E. FORTNEY

vs.

SUSAN A. BRADEN and CHEMICAL FINANCIAL CORPORATION

Filed January 28, 1994
@ 1:04 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	50.00
Sheriff's Costs	45.88
Pro Co pd 6-5-96	5.00

COMPLAINT SEEKING PARTITION WHERE MORTGAGE LIEN IS OUTSTANDING
3 copies atty.

May 12, 1994, Complaint reinstated.

June 23, 1994 Complaint reinstated.

July 12, 1994 SHIERIFF'S RETURN, filed. SERVE Susan A. Braden personally on JUne 30, 1994 at 11:50 AM by handing her a copy of the Complaint at Newt's Inn, Water Street, Conneautaville, Crawford County, PA.
So answers, Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

Aug. 12, 1994, Complaint reinstated.

Nov.23, 1994 Complaint reinstated.

Dec. 30, 1994 SHERIFF'S RETURN, filed. I hereby deputize the Sheriff of Chester County, Pennsylvania to serve the within Complaint according to law. The defendants alleged address is 1265 Drummer Lane, Suite 100, Wayne, PA 19087.
Robert M. Stevens, Sheriff Crawford County
SERVED the within Complaint on Dec. 19, 1994 at 11:50 a.m., upon Chemical Financial Corp. at Wayne, Pa. by handing to Mr. Molendyke a true and correct copy thereof and made known to def the contents therein. Sheriff Chester County

Jan. 3, 1995 Appearance of Watts and Pepicelli, PC by Alan L. Pepicelli, Esquire for Defendant Chemical Financial Corporation, filed.

Jan. 23, 1995 Certificate of Service of Notice of Default to Susan A. Braden, filed.

May 28, 1996 Upon praecipe of plaintiff attorney the within suit is marked settled and discontinued of record.

81
A

1994

1994

Ostroff & Kline
Jonathan Ostroff

83.

Thomas, Truax, Spadafore & Walker
R. Charles Thomas

JODY ROCKAFELLOW

vs.

CHRISTOPHER LOVELAND

Filed January 28, 1994
@ 3:13 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	29.00
Pro.Co. pd 8/24/94	5.00

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

Feb. 22, 1994 Sheriff's Return filed. SERVED Christopher Loveland personally on February 3, 1994 at 8:30 AM by handing a copy of the Complaint to him in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville,PA.
So answers, Carole Stefanucci,Deputy Sheriff
Robert M.Stevens, Sheriff

Mar. 14, 1994 Appearance of Thomas,Truax, Spadafore & Walker by R. Charles Thomas, Esquire,Attorney for Christopher Loveland, Defendant, filed.

Apr. 14, 1994 Answer and New Matter filed. (1 copy Atty.)

May 2, 1994 Plaintiff's Answer to New Matter filed.

May 4, 1994 Praecipe to Substitute Verification filed. I, Jody Rockafellow, hereby state that I am the plaintiff in this Action and verify that the statements made in the foregoing Plaintiff's Response to the New Matter of Defendant, Christopher Loveland are true and correct to the best of my knowledge, information and belief. I understand that the statements therein are made subject to the penalties of 18 Pa.C.S.Section 4904 relating to unsworn falsification to authorities.
Date 5/2/94 Jody Rockafellow

Aug. 24, 1994 Upon Praecipe of JonathanOstroff, Esquire,Attorney for Plaintiff, the above matter settled, discontinued ended, upon payment of costs only, filed.

1994

Mary Ann Kirkpatrick

84.

Joan Mason

JANET LOUISE TURNER SCHLOSSER

vs.

KEVIN EUGENE SCHLOSSER

Filed January 31, 1994
@ 9:37 PM

Tax & entry paid	50.50
User's Fee paid	15.00
2 Add'l Counts paid	30.00
State paid	10.00
Pro Pd 10/4/95	9.00
Pro Pd 10/25/95	$5.00

COMPLAINT IN DIVORCE, ALIMONY, ALIMONY PENDENTE LITE, REASONABLE COUNSEL FEES, COSTS AND EXPENSES AND EQUITABLE DISTRIBUTION
1 copy atty.

Feb. 11, 1994, Affidavit of Service filed. And now, feb. 10, 1994, comes Constance L. Deitman being duly sworn according to law, deposes and sets forth as follows:
1. the she is the legal sec. of Atty. for plaintiff.
2. That on information furnished her by plff, she caused a cert. copy of Complaint in divorce to be forwarded by cert. mail, P 100 657 027; postmarked Feb. 2, 1994 to last known address of defendant R. D. #1, Box 489A, Saegertown, Pa. 16433.
3. that the dft. on feb 3, 1994 personally singed the ret. rec. card which was affixed to the compalint in the above matter and which is attached hereto.
4. service of the complaint against dft. is therefore effected in accordance with Pa. Rules of Civil Procedure.
Constance L. Deitman.

Nov. 9, 1994 Affidavit filed. I have been advised that counseling is available and that I may have the right to request that the court require the parties to participate in counseling.
I verify that this statement is true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S.§ 4904, relating to unsworn falsification to authorities.
Date: 10-8-94 Janet Lousie Turner Schlosser

Nov. 14, 1994 Inventory of plaintiff, filed.

Nov. 18, 1994 Petition For Special Relief, Alimony Pendente Lite, Court Costs, Counsel Fees and Appraisal Fees and Order, filed. And Now, Novelmber 16, 1994 hearing on Plaintiff's Petition for Special Relief, Alimony Pendente Lite, Court Costs, Counsel Fees and Appraisal Fees is scheduled for December 13, 1994, at 2:00 o'clock p.m. in courtroom 1 or 2 of the Crawford County Court of Common Pleas in Meadville, PA 16335. By the Court:
Gordon R. Miller, P.J.

Nov. 18, 1994 Faxed to Kirkpatrick

Dec. 14, 1994 ORDER, filed. AND NOW, October 6, 1994, this matter is before the Court with regard to Plaintiff's Petition for Special Relief, alimony pendente lite, court costs, counsel fees, and appraisal fees. At the time set for hearing the Defendant does not appear, and counsel for the Plaintiff indicates that she believed that he was represented by counsel and, therefore, did not advise him of this hearing date.
Accordingly, this matter is continued to be heard on January 6, 1995 at 3:30 p.m. in Courtroom No. 1 or 2 at the Crawford County Courthouse.
Insofar as the Defendant may be represented by Attorney Joan Mason, she shall be served by teh Prothonotary with a copy fo this Order by facsimile and counsel for the Plaintiff shall serve a copy of this Order as well as the original Petition upon the Defendant pursuant to the Rules of Court.
BY ORDER OF THE COURT,
Anthony J. Vardaro, J.

Dec. 14, 1994 Faxed Joan Mason, given Kirkpatrick

Dec. 19, 1994 Proof of Service filed. I certify that I served a copy of the Petition for Special Relief, Alimony Pendente Lite, Court Costs, Counsel Fees and Appraisal Fees and the Order scheduling hearing on said Petition on the Defendant, Kevin Eugene Schlosser, at R.D. #1, Box 498A, Saegertown, PA 16433 by first class mail on December 16, 1994.
Mary Ann Kirkpatrick

Jan. 11, 1995 Order filed. AND NOW, January 6, 1995, this matter is before the Court with respect to the Plaintiff's petition for special relief, alimony pendente lite, court costs, counsel fees and appraisal fees.
Both parties appear represented by counsel and after negotiations, agreed to the entry of the following order at this time.
1. The Plaintiff shall have exclusive possession and use of the POntiac automobile and shall be responsible for all expenses associated wtih thata vehicle from this day until further order of court This Order shall not be binding upon the Master or the Court in the future with regard to disposition of this marital asset.
2. Pending the entry of a decree of divorce, the defendant shall continue to provide the Plaintiff's health insurance if it continues to provide the Plaintiff's health insurance if it continues to be available through his employment substantially under the terms as it os nov. This is without prejudice to the parties to seek a modification with respect to this matter if that becomes appropraite.
3. Insofar as the Defendant will not be receiving reimbursement for marriage counseling through hs insurance, there will be no need for him to forward it to the Plaintiff.
4. The Defendant intends to get real estate appraisals with regard to three apartment buildings purchased prior to the marriage, as well as real estate and a mobile home in which the parties resided as the marital residence. In fact, the Defendant has already had the mobile home appraised by William Shifflett, and the real estate thereunder appraised, and his counsel shall supply a copy of each of those appraisals to Plaintiff's counsel within seven (7) days of the date of this order.
The Defendantintends to have Mr. Urbanick appraise the three apartment buildings and in doing so, the appraisal shall at least reflect the value of each on May 19, 1990 andon October 29, 1994. Those appraisals shall be completed and a copy provided to Plaintiff's counsel on or before February 28, 1995 unless the parties agree to an extension in writing or there is further order of Court allowing an extension.
5. At this time, based on the agreements contained in this order, the Plaintiff withdraws her request to receive appraisal fees and counsel fees without prejudice to reaise that issue in the future.
6. The Planitiff intends to have appraisals done of the three apartment buildings, the marital mobile home and the real estate thereunder, and the Defendant shall arrange to amke all of those properties available within 30 days of the date Plaintiff's counsel reguests Defendant's counsel to do so. Plaintiff may send up to two appraisers out with respect to those properties, it being the Court's intention that apparently the Plaintiff may send up to two appraisers out with respect to those properties, it being the Court's intention that apparently the Plaintiff may use a different appraiser for personal property vs. real property or may in fact use the same appraiser, and sha should be permitted to do so.

Continued on Page 84A

1994

Janet Louise Turner Schlosser

vs.

Kevin Eugene Schlosser

Record continued from page 84

of record

A.D. 1994 - 84

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When the appraisal of the personal property takes place, both Plaintiff and Defendant may be present and neither should attempt to influence any appraiser with respect to the same.

7. Once the Plaintiff obtains written reports with respect to those appraisals, she, through her counsel, shall supply them to Defendant's counsel within 10 days of receipt of the same.

This order is likewise without prejudice to the Defendant to file any appropriate petition for special relief with respect to any issues that he normally would be able to do so.

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

Jan. 11, 1995 given Kirkpatrick & J. Mason

Apr. 27, 1995 Proof of Service of Interrogatories to the Defendant filed.

Jun. 2, 1995 Motion for Sanctions Pursuant to Pa.R.C.P. 4019 (a) and ORDER filed. And Now, May 31, 1995,hearing on Plaintiff's Motion for Sanctions is scheduled for June 30, 1995, at 1:00 P.M. in courtroom 1 or 2 of the Crawford County Courthouse in Meadville,PA.

For the Court:
Ann A.Walker, Court Administrator

6-5-95 Faxed to Attys.Kirkpatrick & J.Mason

June 30, 1995, Motion to Withdraw Request for Sanctions and order filed. ORDER: AND NOW, June 30, 1995, motion granted.

By the Court:
Anthony J. Vardaro, J.

6/30/95 faxed to Kirkpatrick and Mason.

Jul. 31, 1995 Motion to Schedule Hearing and ORDER filed. And, Now, July 26, 1995, hearing on Alimony, Alimony Pendente, Counsel Fees, Costs and Expenses is scheduled for Setpember 15, 1995, at 3:00 o'clock p.m. in Courtroom 1 or 2 of the Crawford County Courthouse in Meadville, Pa.

By the Court:
Gordon R. Miller, J.

7-31-95 Faxed to Kirkpatrick & J. Mason

Sep. 11, 1995 Income and Expense Statement of Janet Louise Turner Schlosser, Plaintiff, filed.

Sep 15, 1995 Affidavit of Consent of Plaintiff, filed.

Sep 15, 1995 Affidavit of Consent of Defendant, filed.

Sep. 21, 1995 ORDER filed. AND NOW,September 15, 1995 this matter comes before the Court for a hearing with regard to the Plaitniff's claim for alimony pendente lite, counsel fees, costs and expenses.

The parties appear, both represented by counsesl and indicate that they have resolved all of their marital disputes and that they will be agreeing to the entry of a divorce decree and will be filing affidavits of consent forthwith filed by a praecipe for review.

The parties agree that as part of the divorce decree there will be provisions as follows:

1. The Plaintiff wife will sign all jointly owned real estate as well as real estate which was the property of the husband prior to the marriage over to the husband, and the husband will be responsible for all liens with regard to that real estate.
2. Within 90 days, the Defendant husband will pay to the Plaintiff wife the sum of $15,000 in exchange for a deed from the Plaintiff wife to the Defendant husband for her interest in the marital residence. Thereafter, the Defendant husband will assume all liens and expenses that are related to the marital residence.
3. The Plaintiff wife will receive possession of the 1994 Pontiac automobile and she will be responsible for all liens with respect to that vehicle.
4. With respect toany liens that are being assumed by a party, that party shallbe solely responsible for that lien, even if it is inthe name of both parties,and the party accepting the lien will hold the other party harmless and indemnify that party for any costs for failure to pay any such lien, including attorney's fees and any expenses that result.
5. The Plaintiff wife shall keep her retirement with Dr. Joseph Cervone.
6. The Plaintiff wife shall retain the pop-up camper,the Wieder weight machine, her cycle helmet, and an Arens riding mower.
7. The Defendant husband shall retain all of the personal property in his possession and each party shall keep the bank accounts in that party's possession.
8. The Defendant husband will be entitled to keep his retirement account with Proform Tool Corporation.
9. The Plaintiff wife will keep in her possession all personal property which is currently in her possession that has not otherwise been accounted for in this order.
10. The parties agree that if a party breeches this agreement and is found to do so,that party shall pay all the costs and expenses that are incurred as a result of resolving that breech.
11. The Plaintiff wife will waive alimony, alimony pendente lite,counsel fees and costs.

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

9-21-95 Faxed Joseph, given Kirkpatrick & Mason

Oct. 4, 1995, Upon praecipe of plaintiff attorney, for review, this case moved to court.

Oct. 18, 1995 DIVORCE DECREE filed. AND, NOW, October 16, 1995, it is ordered and decreed that Janet Louise Truner Schlosser, plaintiff, and Kevin Eugene Schlosser, defendant, are divorced from the bonds of matrimony. The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.

IT IS FURTHER ORDERED:

Equitable Distribution:

1. Husband shall be the sole owner of the parties' jointly owned marital residence as well as the 3 pieces of real estate which are titled in his sole name and which were owned by him prior to marriage. Husband shall be solely liable for all mortgages, liens and encumbrances on the above parcels and shall hold Wife harmless thereon.

CONTINUED ON PAGE 84-B

84
-B-

1994

JANET LOUISE TURNER SCHLOSSER,
PLAINTIFF

VS.

KEVIN EUGENE SCHLOSSER,
DEFENDANT

CONTINUED FROM PAGE 84-A
OF RECORD
A.D. 1994 - 84

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2. On or before December 13, 19995, Husband shall pay to Wife the sum of $15,000. Wife shall sign and deliver to Husband a quit-claim deed giving him her interest in the marital residence in exchange for this payment.
3. Wife shall be the sole owner of the parties' 1994 Pontiac automobile and she shall be solely liable for all liens thereon and shall hold Husband harmless thereon.
4. Husband shall be the sole owner of his retirement account with Proform Tool Corporation and Wife shall be the sole owner of her retirement account with Dr. Joseph Cervone.
5. Wife shall be entitled to keep as her sole property all personal property now in her possession.
6. Husband shall be entitled to keep as his sole property all personal property in his possession except that he shall surrender to Wife forthwith: the pop-up camper and title, the Wieder weight machine, her cycle helmet and the Airens riding mower all of which are hereby awarded to Wife.

Alimony, Alimony Pendente Lite, Court Costs and Counsel Fees:
7. Wife shall not receive alimony pendente lite and/or alimony.
8. In the event that either party violates the terms of this decree, that party shall be liable to pay the attorney's fees, costs and expenses incurred as a result of resolving the breach.
9. Other than as provided above, each party shall pay his and her own counsel fees, costs and expenses.

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

Oct. 25, 1995, Notice ofElection to Retake Maiden Name filed.
TO BE KNOWN AS: JANET L. TURNER.

1994

85.	COMMONWEALTH OF PENNSYLVANIA vs. VARIOUS GAMBLING DEVICES, PARAPHERNALIA AND MONIES SEIZED Filed January 31, 1994 @ 11:23 AM Tax & entry pd 2-11-94 50.50 User's Fee pd 2-11-94 5.00	PETITION FOR FORFEITURE OF MONEY AND DESTRUCTION OF EVIDENCE 2 copies atty. Feb. 16, 1994 Motion For Order and Order filed. AND NOW, TO-WIT, this 16 day of February, 1994, upon consideration of the foregoing Motion, the Pennsylvania State Police is hereby authorized to dispose of and/or destroy the within identified evidence/contraband and forfeit the within identified monies to the Crawford County District Attorney. Authorization is further given that the one Brandt coin counter be retained by the Pennsylvania State Police, Bureau of Liquor Control Enforcement District Office #8, Erie. BY ORDER OF THE COURT Anthony J. Vardaro, J Feb. 18, 1994 Copy of order to District Attorney's Office

1994

Withdrawn
~~Barbara J. Walton~~

86.

Watts & Pepicelli
Christopher D.Ferry

JAMES L. BURGESS

vs.

CHARLES W. BURGESS and
VELMA ELLEN EALY

Filed January 31, 1994
@ 1:27 PM

Tax & entry paid 50.50
User's Fee paid 5.00

COMPLAINT FOR CUSTODY
1 copy atty.

Feb. 2, 1994 Emergency Petition For Special Relief, filed.

Feb. 7, 1994 ORDER FILED. AND NOW, February 2,1994 the attorney for the plaintiff, who is the grandfather of the child in question, appears in motion court with an emergency petition for special relief. Essentially, she indicates that apparently the defendant mother is receiving mental health treatment and the defendant father has abandoned the child and the child is currently with the plaintiff grandfather.

A custody action has been filed and apparently a mediation is pending

Accordingly, based on all of the circumstances, temporary physical custody of the child shall remain with the plaintiff James H. Burgess, pending the mediation conference

This order is entered for the intention of stabilizing the situation and should not be considered by the mediator as any direction with respect tod the ultimate outcome of this case.

The Court notes that the Defendants are in fact the natural parents of the child and the Plaintiff is the grandfather.

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

Feb 9, 1994 coopy to B. Walton & Dft.

Feb. 14, 1994, Affidavit of Service filed. And now, Feb. 11, 1994, comes Barbara J. Walton, and avers as follows:

1. A true and correct copy of complaint for custody was mailed to the dft. via Cert. Mail, ret. rec. on Jan. 31, 1994.

2. that the dft. signed the return card on feb. 8, 1994 and in accordance with Pa. R.C.P. 412, service ofthe complaint was made as is evidenced by the U.S. Postal Ser. Ret. rec. NO. P*$% 718804, attached hereto as Ex. "A".

I verify that the statements made in this affidavit are true and correct.

Barbara J. Walton, esq.

Mar. 24, 1995 Custody Order filed at A.D. 1995 - 174.

Jun. 26, 1995 Motion for Leave to Withdraw Appearance and ORDER filed. And Now,June 23, 1995, the motion for withdrawal of appearance is granted.

By the Court:
Anthony J.Vardaro,J.

6-26-95 Faxed Fuller, Ferry & Given Walton (original filed at AD 1995 -174)

1994

Barbara J. Walton

87.

$150.00 deposited by plff.

5-25-94 paid fee Refund Med. Dep 150.00 (B.Walton) #8322

JENNIFER L. TUPPER

vs.

GLENN F. TUPPER

Filed January 31, 1994
@ 1:27 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
Pro Co pd 5-11-94 15.00
User's fee pd 5-11-94 5.00
Pro.Co. pd 12/13/94 $9.00
Pro.Co. pd 12/28/94 $5.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION

Feb.7, 1994 Affidavit of Service filed. And Now, February 7, 1994, comes Barbara J.Walton, and avers as follows:

1. A true and correct copy of the Complaint for Divorce was mailed to the Defendant via Certified Mail, return receipt on February 2, 1994.

2. That the Defendant signed the return card on February 4, 1994 and in accordance with Pa. R.C.P. 412, service of the Complaint was made as is evidenced by the United States Postal Service Return Receipt (Certified No. P845718806) attached hereto as Exhibit "A".

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

Barbara J. Walton,Esquire

May 11, 1994, Petition for Additional Remedies, Appoint Mediator and order filed. 1 copy (mediator) 2 copies (sheriff)

NOTICE AND ORDER TO APPEAR:

You, Glenn F. Tupper, have been sued in court to obtain custody of Glenn F. Tupper, Jr.

You are ordered to appear in person at such time and place as will be determined by the mediator JOHN FULLER for a conference. If you fail to appear asprovided by this order, an order for custody, partial custody or visitation may be entered against you or the ocurt may issue a warrant for your arrest.

Until the time of the above hearing neither party shall remove the children from the state of Pa.

You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help. Ct. Adm - Crawford County Courthouse, Meadville, Pa. 16335, 814 336-1151 ext. 298

BY THE COURT,
Gordon R. Miller, J.

May 25, 1994 Motion for Refund of Mediation Deposit and ORDER filed. AND NOW, May 24, 1994, 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 Plaintff's mediation deposit.

BY THE COURT:
Gordon R. Miller, J.

5-25-94 2 copies Atty. Walton. 6-2-94 Faxed copy to Atty. Fuller.

July 12, 1994, Affidavit of Consent of plaintiff filed.

Dec.7, 1994 Property Settlement Agreement filed.

Dec. 13, 1994 Affidavit of Consent by Glenn F.Tupper, Defendant, filed.

Dec. 13, 1994 Upon Praecipe of Barbara J.Walton, Esquire, Attorney for Plaintiff to transmit record, case moved to court.

DIVORCE DECREE FILED

Dec. 20, 1994 AND NOW, this 15 day of December 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, JENNIFER L. TUPPER, and Defendant, GLENN F. TUPPER, 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 Dec. 7, 1994 shall be incorporated in this decree and order by reference as fully as though the same were set forth herein, at length.

1. Plaintiff and Defendant have reached an agreement as to the equitable distribution of property as provided in the Property Settlement Agreement.

2. This Honorable Court shall retain jurisdiction of this matter.

BY THE COURT:
Gordon R. Miller, J.

Dec.28,1994 Notice of Election To Retake Prior Name of Jennifer L.Tupper to be known as JENNIFER LEE BRIGGS, filed.

1994

88.

MARGARET A. DALE

vs.

JAMES J. DALE

Filed January 31, 1994
@ 3:01 PM

Tax & entry Pd 3-11-94 50.50
User's Fee Pd 3-11-94 5.00
Sheriff's Costs 16.00
PRO. CO. Pd-3-11-94 5.00

3-11-94 Rec from Aff Sheriff Cost 16.00
3-14-94 Pd Sheriff Ck# 8159 16.00

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

ORDER:

And now, this 31 day of January , 19 94 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

1. The defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions:The Plaintiff shall have exclusive possession of the marital house pending further order of court.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment or fees and costs will be determined by final court order.
7. The defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves Ruling on allocation of fees and costs. Hearing is hereby set for the February 7, 1994 , at3:30 p.m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

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

Feb. 4, 1994 Sheriff's Return filed. NOT FOUND as to Defendant, James J.Dale. Plaintiff could not furnish the Sheriff's Office with a good address on defendant,,possible at unknown hotel in Meadville, PA.
So answers,
Robert M. Stevens, Sheriff

Feb. 9, 1994, ORDER filed. And now, Feb. 7, 1994, at the time set for hearing on this abuse matter, the plaintiff appears and advises the curt she wishes to withdraw this action against her husband. Accordingly, the sheriff is directed to cease attempting service and the plaintiff is directed to apy costs in the Prothonotary's Office in such amount as they determine on or before Mar. 11, 1994.
Petition is DISMISSED.
BY ORDER OF THE COURT,
P. Richard Thomas, S. J.
Feb. 9, 1994, copies dist. to plff., dft. county control and PSP.

1994

Northwestern Legal Services
R. Christopher Brode

89.

Gregory Keenan

BETTY JO WOOLEY

vs.

MICHAEL SHAWN LUIKART

Filed February 2, 1994
@ 11:03 AM

Indigent Filing
William Pineo, Mediator
Pd Pd Cl 9-21-95 90cc

5-24-95 Recd from Dft. $150.00 med. deposit
8-1-95 Refunded Dft #9355 Med Dep 17.50
9-21-95 Pd Co #9462 132.50

(CUSTODY)

PETITION TO PROCEED IN FORMA PAUPERIS PURSUANT TO Pa. R.C.P. 240

Order:
AND NOW, February 1, 1994, upon consideration of the petition filed by the plaintiff in this action, and supported by an affidavit attached thereto, all being pursuant to Pa. R.C.P. 240 the plaintiff is granted leave to proceed in forma pauperis at this time.
The plaintiff is directed to inform the Prothonotary's office or the court of any improvement in her financial circumstance that would permit her to pay the costs incurred inthis action and shall be rresponsible for doing so upon an improvement of financial condition.
BY THE COURT
Gordon R. Miller, J
Feb. 4, 1994 Copy of order mailed to Pltf.

Feb. 2, 1994 Custody Complaint, Notice and Order to Appear and Order, filed. You, Michael S. Luikart have been sued in Court to obtain custody of Adrienne Wooley.
You are ORDERED to appear in person at such time and place as will be determined by the Mediator William Pineo for a mediation conference.
If you fail to appear as provided by this order, and Order for custody, partial custody or visitation may be entered against you or the Court may issue a warrant for your arrest.
Date: 2-1-94 Gordon R. Miller, P.J.
Feb. 10, 1994 copy to W. Pineo, Plf. & Dft.
ORDER: AND NOW, THIS LST DAY OF February, 1994, the Court having appointed a custody mediator in this action for custody, and/or partial custody and/or visitation of a minor child or children it is ordred and directed as follows:
1. The plaintiff is allowed to proceed without payment of court costs reserving to the Court the right to impose costs at a later time.
2. The Prothonotary is ordered and directed to deliver a true and correct copy of this Order and any complaint or petition filed at the time this Order was entered and any required notice, with appropriate numbers of copies, to the Sheriff of Crawford County for service upon the defendant.
3. The plaintiff is ordered and diected to immediately go to the Sheriff's Office to give the Sheriff written instructiions on when and where the defendant may be served.
4. The Sheriff of Crawford County is ordred and directed to serve a true and correct copy of the complaint or petition and order upon the defendant and make an appropriate return of service as required by the law. The Sheriff shall indicate the cost of service which said cost shall be paid by Crawford County and which said cost may be taxed as record costs and imposed as costs by the Court.
BY ORDER OF COURT
Gordon R. Miller, P.J.
Feb. 10, 1994 copy to W. Pineo, Plf. & Dft.

May 10, 1994 Motion To Amend Temporary Order and ORDER filed. AND NOW, this 9th day of May, 1994, upon consideration of the Mediator's Motion to Amend Temporary Order of April 20, 1994.
IT SI HEREBY ORDERED AND DECREED AS FOLLOWS:
1. Said motion is granted. Paragraph 14 of said order is deleted and Paragraphs 12 and 13 are amended to read as follows:
"12. Costs and fees of this mediation are fixed at $152. The Mediator notes for the court that the parties are both indigent and therefore costs will be paid by Crawford County.
13. 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."
2. In all other respects, the order of April 20, 1994, is hereby affirmed.
By the Court,
Gordon R. Miller, J.
May 10, 1994 Copies of Order faxed to Attys. Pineo and Keenan.

~~May 10, 1994 ORDER filed. AND NOW, May 9, 1994 after mediation conference before John Fuller, Esq., IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:~~
IN ERROR
I. Legal custody of Jeremiah Andrew Griffin shall be with his mother, Melissa E. Dieguez.
II. II. Physical custody of Jeremiah Andrew Griffin shall be with his mother, subject to the following conditions:
A. The Grandmother, Victoria Marska, shall be entitled to visit and take the child into her custody the third Saturday of each month from 1:00 o'clock p.m. to 5:00 o'clock p.m., beginning May 21, 1994.
B. Beginning with the month of November, 1994, the grandmother, Victoria marska, shall be entitled to visit and take the child into her custody the first and third Saturday of each month from 1:00 o'clock p.m. to 5:00 o'clock p.m.
C. Transportation of the child on Saturday visits shall be provided by the grandmother.
D. Neither mother nor grandmother shall say or do anything in an attempt to turn the child against the other, but on the other hand shall do everything in the power of each to foster a favorable and loving attitude on the part of the child towards both parties.
E. Neither mother nor grandmother shall expose the child to any person or situation which might be harmful to the child's health or well being.
F. Both mother and grandmother agree to inform the other immediately of any illness or injury regarding the child and both parties 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 paid by the Plaintiff, Victoria Marska.
Anthony J. Vardaro, Judge
~~May 11, 1994 Copy of Order faxed to Atty. H. White; May 13 1994 copies of Order distributed to Atty. Jack Grayer, Plf. and Dft.~~

Continued on page 457

90

1994

Mary Ann Kirkpatrick

90.

NORA HILDA ALVAREZ SANCHEZ

vs.

PABLO SANCHEZ

Filed February 3, 1994
@ 10:41 AM

Indigent Filing
Sheriff's Costs 20.00

COMPLAINT IN DIVORCE,

Feb. 3, 1994 Petition For Leave To Proceed In Forma Pauperis and Order filed. AND NOW, February, 1994, Plaintiff is permitted to proceed without payment of costs in this divorce with an on going duty to advise the court of any change in her financial status.
By the Court:
Gordon R. Miller, J

Feb. 4, 1994 Copy of order to Atty. Kirkpatrick

Feb. 3, 1994 Plaintiff's Affidavit Under Section 3301(d) of the Divorce Code filed.

Feb. 23, 1994 SHERIFF'S RETURN, filed. NOT FOUND as to Defendant Pablo Sanchez as per an Affidavit of "Not Found" returned from Cumberland County, Pa. No longer at S.C.I. Camp Hill, now in prison in Coal Township near Shamokin.
So answers, Robert M. Stevens, Sheriff

Feb. 28, 1994 Complaint reinstated.

Apr. 4, 1994 Sheriff's Return filed. SERVED the within Not & Comp In Divorce on March2 5, 1994, at 12:50 PM, upon Pablo Sanchez at SCI Coal Township 1 Kelly Dr., Coal Township PA by handing to him personally a true and correct copy thereof and made known to him the contents therein
So answers, Russell H. Wolfe, Sheriff

Apr. 14, 1994 Affidavit of Service filed. And Now, April 14, 1994, comes Mary Ann Kirkpatric Esq., attorney for Plaintiff and files this Affidavit of Service alleging in support thereof as follows:
1. On march 25th, 1994, the Defendant was served with a certified copy of the Complaint in Divorce as indicated by Shheriff's Return filed of record.
2. On March 25th, 1994, the Defendant was served with a certified copy of Plaintiff's Affidavit under Section 3301(d) as indicated by sheriff's Return filed of record.
Mary Ann Kirkpatrick

May 11, 1994 Plaintiff's Affidavit filed.

May 11, 1994 Upon praecipe of plaintiff attorney for Review under section 3301(d) of the Divorce Code, this case moved to court.

DIVORCE DECREE FILED

May 17, 1994 AND NOW, May 16, 1994, it is ordered and decreed that NORA HILDA ALVAREZ SANCHEZ, plaintiff, and PABLO SANCHEZ, 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.

Jun. 14, 1994 NOtice of Election to Retake Prior Name of NOra Hilda Alvarez Sanchez, to be known as Nora Hilda Alvarez, filed.

1994

William J. Madden, PC
William J. Madden

91.

Thomas, Truax,
Spadafore & Walker
R. Charles Thomas
for David A. Beck

EARL E. GREGORY, III and ROSEMARY GREGORY, husband and wife

vs.

DONALD E. BECK AND DAVID A. BECK

Filed February 2, 1994
@ 1:25 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	60.60
	7.50
Pro Co pd 11/15/1999	7.50
Pro co pd 11/15/1999	1.50

WRIT OF SUMMONS
Issued Sheriff

Mar. 10, 1994 Writ Return filed. I hereby certified and return that I have personally served Donald E. Beck, personally and as adult family member with whom David A. resides on 2/16/94 @ 2:10 p.m.
So answers, William H. Romine, Jr., Sheriff
SERVED Donald E. Beck and David A. Beck by deputizing the Sheriff of Mercer County, PA as per his Affidavit of Service attached. Both Defendant were served on March 16, 1994 at 103 Vine Avenue, Greenville, PA.
So answers, Robert M. Stevens, Sheriff

Mar. 18, 1994 Appearance of Thomas, Truax, Spadafore & Walker by R. Charles Thomas for Defendant David A. Beck filed.

May 7, 1996, Notice of Filing of Report of Dr. Elio D. Demeira filed.

June 28, 1996 Motion For Judgment of Non Pros and ORDER filed. AND NOW, this _____ day of June, 1996, upon consideration of the within Motion, a Rule is granted upon the Plaintiffs to show cause, if any they have, why the relief requested in the within Motion should not be granted.
Returnable for hearing and/or argument sec. leg. sec. reg..
BY THE COURT,
Gordon R. Miller, J.
June 28, 1996 Order FAXED R. Thomas; mailed W. Madden.

June 28, 1996 Upon Praecipe of Defendants Attorney, the above captioned action placed on the next Argument List, filed.

ON JULY 1996 ARGUMENT LIST

July 3, 1996, Response to Motion for Non Pros filed.

July 30, 1996 Order filed. AND NOW, July 29, 1996, the Defendant's Motion for Judgment of Non Pros is DENIED.
In the event of an appeal, we will write a Memorandum and Opinion in support of this Order pursuant to the Rules of Procedure.
BY THE COURT,
Gordon R. Miller, P.J.

7-31-96 mailed Madden, Distributed Thomas

8-9-96 Transcript of Proceedings at time of Argument on Defendants' Motion for Judgment of Non Pros filed.

Oct. 7, 1996 Complaint filed.

Oct. 7, 1996 Notice of Service of Interrogatories and Request For Productionof Documents filed.

Nov. 1, 1996 Notice of Default filed by Plaintiffs filed.

Nov 1, 1996 Notice of Default, filed.

Nov. 12, 1996 Answer and New Matter by Defendant Attorney filed.

Dec. 10, 1996 Reply to New Matter by Plaintiffs filed.

June 6, 1997 Notice of Service of Answers to Interrogatories and Response to Request for Production of Documents on behalf of Plaintiffs, filed.

June 19, 1997 Notice of Deposition of David A. Beck, filed.

June 19, 1997 Notice of Deposition of Donald E. Beck, filed.

October 27, 1998 Notice to Complete Discovery Filed on behalf of Plaintiffs filed.

June 3, 1999 Notice of Deposition of Robert W. Piston, MD Filed.

FOR FURTHER DOCKET ENTRIES SEE COMPUTER 1994 30091 AD 1994 91

1994

Dallas W. Hartman

92.

Culbertson,Weiss, Schetroma & Schug
Alan R.Shaddinger
for the City of Meadville, Defendant

Thomas,Truax,Spadafore, and Walker
Emil M. Spadafore,Jr.
for Richard E. Brown & Ivan and Florence McCool, Defendants

Knox, McLaughlin, Gornall & Sennett, P.C.
William C. Wagner
for Dfts McCool

SCOTT H. CARPENTER

vs.

RICHARD E. BROWN, IVAN and FLORENCE MCCOOL and CITY of MEADVILLE

Filed February 2, 1994
@ 1:26 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	100.00
Pro Co pd 7-27-95	6.00

COMPLAINT IN CIVIL ACTION
5 copies Sheriff

Feb. 25, 1994 Appearance of Culbertson, WEiss, Schetroma & Schug,P.C. by Alan R.Shaddinger,Esquire, for The City of Meadville, Defendant, filed.

Mar. 17, 1994 SHERIFF'S RETURN, filed. SERVED Richard E. Brown by deputizing the Sheriff of Erie County, PA, as per his Affidavit of Service attached. Served on February 16, 1994 at 36 Warden Street, Union City, PA.

SERVED Ivan McCool by deputizing the Sheriff of Venango County, PA, as per his Affidavit of Service attached. Served on Februry 14, 1994 at Star Route, Box 12, Cooperstown, PA.

SERVED Florence McCool by deputizing the Sheriff of Venango County, PA, as peer his Affidavit of Service attached. Served on February 14, 1994 at Star Route, Box 12, Cooperstown, PA.

SERVED the City of Meadville on February 9, 1994 at 9:38 AM by handing a copy of the Complaint to Ronald Rushton, City Clerk, at 984 Water Street, Meadville, Crawford County, PA.

No answers, Scott D. Young, Deputy Sheriff
Robert M. Stevens, Sheriff

RETURN: I hereby deputize the Sheriff of Erie County, Pennsylvania to serve the within Complaitn according to law. The defendants alleged address is 36 Warden Street, Union City, PA 16438.
Robert M. Stevens, Sheriff Cr. County

SERVED the within Complaint on Feb. 16, 1994, at 1339 Hrs., upon Richard E. Brown at 36b Warden St., Erie County, Union City, Pa. by handign to Kelly Stafford, Friend a tarue and correct copy thereof and made known to her the contents therein.
Robert N. Michel, Sheriff Erie Co.

AFFIDAVIT VENANGO CO: Before me the undersigned authority, personally appeared James H. Marshall - Deputy Sheriff who being duly sworn according to law, deposes and says that on the 14th day of February, 1994 at 10:50 A.M. he served the within Notice-Complaint-Verification upon defendant Ivan McCool and Florence McCool at defendant's residence located at Star Route, Box 12, Cooperstown, PA 16317 by making known the contents thereof to Florence McCool Adult Person in Charge/Wife/In Person and handisng and leaving with her the certified copy of the said Writ received from Robert M. Stevens-Sheriff Crawford County. James Marshall - Deputy Sheriff
Gene Price, Sheriff Venango County

Mar. 31, 1994 Appearance of Thomas, Truax, Spadafore & Walker by Emil M. Spadafore., Jr., Esquire for Richard E.Brown and Ivan and Florence McCool, Defendants, filed.

Apr. 6, 1994 Answer and New Matter of Defendant, City of Meadville, too Plaintiff's Complaint, filed.

April 22, 1994 Reply To New Matter of City of Meadville on behalf of defendants filed.

April 22, 1994 Answer on behalf of defendants filed.

May 19, 1994 Plaintiff's Reply to New Matter of Defendant City of Meadville, filed.

July 26, 1994 Notice of Service of Interrogatories and Requests for Production of Documents filed.

Nov. 23, 1994 Response To Petition To Tender Payment Into Court filed.

Nov. 23, 1994 Petition To Tender payment Into Court and Rule to Show Cause filed. AND NOW, this 22nd day of November, 1994, upon consideration of the foregoing Petition a Rule is issued upon the Plaintiff to show cause why, if any, the relief requested should not be granted. Rule for hearing and/or argument returnable the 14th day of December, 1994, at 9:00 o'clock a.m. in Court Room No. 1 or 2.
BY THE COURT,
Gordon R. Miller, J

Nov. 23, 1994 Faxed Shaddinger, Hartman & Spadafore

Dec. 20, 1994 ORDER filed. AND NOW, December 16, 1994, the petition of the defendnats' Brown and McCool to tender paymetn into court is hereby denied.
BY THE COURT
Gordon R. Miller, P.J.

~~Dec. 20~~1994 ~~Faxed Spadafore & Shaddinger~~
Dec. 20, 1994 Faxed to Spadafore & Shaddinger
Dec. 23, 1994 sent to Hartman

Jan. 18, 1995 Certificate of Service filed. I certify that a true and correct copy of Answers to Interrogatories and Requests for Production were served on the following:

William Wagner, Esquire
Knox,McLaughlin,Gornall & Sennett
120 West 10th Street
Erie,PA 16501

Dallas W.Hartman
Dallas W.Hartman,P.C.
2815 Wilmington Road
New Castle, PA 16105

William Shaddinger, Esquire
911 Diamond Square
Meadville,PA 16335
Date: 1-18-95

By United States first-class mail, postage prepaid.
Emil M.Spadafore,Jr.,Esquire

Jan. 19, 1995 Appearance of Knox, McLaughlin, Gornall & Sennett, P.C. by William C. Wagner, Esquire, for Ivan and Florence McCool, filed.

Jan. 31,1995 Certificate of Service of Defendant, City of Meadville's, Answers to Plaintiff's Interrogatories and Request for Production of Documents, filed.

Continued on page 92A

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-A-

1994

Scott H. Carpenter vs. Richard E. Brown al AD 1994 - 92

Feb. 14, 1995 Plaintiff's Request for Productionand copying of Documents Addressed to Defendants, Ivan and Florence McCool; Request Number 1 filed.

Feb. 14, 1995 Answers and Objections To Plaintiff's Interrogatories Addressed To Defendants, Ivan and Florence McCool, First Set filed.

Feb. 14, 1995 Notice of Service of Answers and Objections To Discovery and Responses to Request for Production of Documents filed.

Mar. 10, 1995 Notice of Deposition on Oral Examination Under Pa. R.C.P. No. 4007.1 of Richard E. Brown filed.

Jul 26, 1995 Upon praecipe of Richard R. Morelli, Esquire the above-entitled action is settled, ended and discontinued of reocrd.
July 27, 1995 certificate to Spadafore

92
-B-

1994

1994

William J. Gregg

93.

KATHRYN JANE REAGLE

vs.

MICHAEL LEWIS REAGLE

Filed February 2, 1994
@ 1:59 PM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count paid	15.00
State paid	10.00
Pro Co pd 6-28-94	9.00
Pro Co Pd 7/12/94	5.00

COMPLAINT UNDER SECTION 3301(c) OF THE DIVORCE CODE, EQUITABLE DISTRIBUTION
2 copies atty.

Feb. 10, 1994, Acceptance of Servcie filed. And Now this 8 day of Feb. 1994, comes Michael Lewis Reagle, dft. inthe above action and acknowledges that he received a true and correct copy of the divorce complaint which was filed on Feb. 2, 1994, in the above matter. Michael Lewis Reagle.

Feb. 28, 1994 Property Settlement Agreement, filed.

May 24, 1994 Affidavit of Consent of Defendant filed.

June 2, 1994 Affidavit of Consent of Plaintiff filed.

Jun. 13, 1994 MOtion to Withdraw Ancillary Count and ORDER filed. AND NOW, this 13 day of June, 1994, the within Motion to Withdraw Ancillary Count in the above captioned divorce action is hereby granted.
BY THE COURT;
Anthony J. Vardaro, J.
6-14-94 Faxed Copy to Attys. Gregg & Waltonn.

June 22, 1994 Upon praecipe of Plaintiff's attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

AND NOW, July 7, 1994, it is ordered and decreed that KATHRYN JANE REAGLE, Plaintiff and MICHAEL LEWIS REAGLE, 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.

July 12, 1994, Notice of Election toRetake Maiden Name filed.
TO BE KNOWN AS: KATHRYN JANE IRLAM.

1994

Pepicelli, Youngs and Youngs PC
Christopher Youngs
~~Thomas, Truax, Spadafore & Walker~~
~~Gregory A. Keenan~~ Withdrawn

94.

Bruce A. Barrett

JOHN R. SNEDEKER

vs.

DEDRA L. SNEDEKER

Filed February 2, 1994
@ 3:35 PM

Tax & entry paid	50.50
User's Fee paid	5.00
John Spataro, Mediator	222.00
Pro Co Pd 2-12-96	9.00

4-18-95 - Rec from Plf Medep 150.00
1-23-96 Rec from dft med fee 81.00
2-12-96 Pd Co. #9772 222.00

COMPLAINT FOR PARTIAL CUSTODY
1 copy atty.

Feb. 25, 1994 Affidavit of Service of Complaint for Custody, filed. Gregory A. Keenan,Esquire, being duly sworn according to law, deposes and says that onFebruary 16, 1994, he sent a true and correct copy of a Complaint for Custody, properly endorsed with the Notice to Defend, filed in the above action, to the Defendant, Dedra L. Snedeker, at Defendant's last known address of 598 Lord Street, Meadville, PA 16335, by Certified Mail No. P 100 650 570,postage prepaid, return receipt requested, restricted delivery and that attached hereto is a duly executed return receipt card showing date of delivery as February 17, 1994.
February 18, 1994 Gregory A. Keenan,Esquire

Sept. 14, 1995, Appearance of Christopher J. Youngs, of Pepicelli Youngs and Youngs, attorneys for plaintiff filed.

Sept. 18, 1995 Motion for Appointment of Mediator and Notice of Appointment and

Order:

You, Dedra L. Shedeker, Defendant , have been sued in Court to obtain custody of the children: Tate B. Snekeker.
You are ORDERED to appear in person at such time and place as will be determined by the Mediator, John Spataro for a mediation conference.

If you fail to appear as provided by this Order, an Order for custody, partial custody or visitation may be entered against you or the Court may issue a warrant for your arrest.

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

Court Administrator
Courthouse
Meadville, PA 16335
(814) 333-7498

BY THE COURT,
Gordon R. Miller, J.

Date: 9/15/95

Sept. 20, 1995 Order FAXED Attys. Spataro, Keenan,; given Atty. Youngs.

Sep. 27, 1995 Motion to Withdraw Appearance ofGregory A.Keenan, Esquire for Plaintiff and ORDER filed. ORDER. AND NOW, this 27th day of September, 1995, upon consideration of Plaintiff counsel's Motion for leave to withdraw his appearance, upon finding that the Plaintiff has retained Christopher J.Youngs, Esquire, to assume representation of Plaintiff in the above-captioned matter, leave to withdraw appearance is hereby granted.

BY THE COURT:
Gordon R. Miller, J.

9-27-95 Faxed Keenan & Youngs, 10-5-95 mailed copy to Deft.

Sep 29, 1995 Application Of Grandparents For Partial Custody Rights Under 23 Pa. C.S.A. Section 5312, filed.

Sep 29, 1995 Praecipe to Amend Prayer for Relief, filed.

Sep 29, 1995 Memorandum and Order, filed. AND NOW, September 28, 1995, for the reasons set forth in the attached memorandum the application of the grandparents for partial custody rights is denied without prejudice to refile the same once they have properly intervened in this action.

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

Sept 29,1995 Faxed Keenan, given Youngs

Dec. 29, 1995 O R D E R filed. AND NOW, this 28 day of December, 1995, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator,

IT IS HEREBY ORDERED AND DECREED THAT:

1) The parties shall share legal and physical custody of the minor child, Tate B. Snedeker, born January 21, 1992.

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 retain primary physical custody of the child, subject to the partial custody rights of the father as follows:

a. The father shall have the right of physical custody every other weekend from 5:00 p.m. Friday until 8:00 p.m. Sunday. Additionally, father shall have the right of physical custody every other Tuesday from 4:00 p.m. until 8:00 p.m. during the wee k the father does not have physical custody on the preceding weekend.

4) Holiday and vacation visitations shall be arranged as follows:

a. Christmas. For 1995 and 1996, the father shall have the right to take the child into his care and custody on Christmas Eve commencing at 12:00 noon and continuing until 8:00 p.m. Additionally he shall have the right to take the child into his custody on Christmas Day beginning at 6:00 p.m. and continuing until December 26 at 5:00 p.m.

Commencing in 1997 and for each odd numbered year thereafter, mother shall have the child on Christmas Eve beginning at 12:00 noon and continuing until 8:00 p.m. while father shall have the child from 8:00 p.m. on Christmas Eve until Christmas Day at 3:00 p.m., at which time mother shall resume having the care and custody of the child until 8:00 p.m. on December 26.

CONTINUED ON PAGE 474

1994

95.

Brian J. Lindsay

LINDA FRANCISCO

vs.

DIANE HANES

Filed February 2, 1994
@ 3:55 PM

Tax & entry paid	50.25
User's Fee paid	5.00
Pro Co pd 2-25-94	9.00

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

Feb. 2, 1994 Rule entered upon the Plaintiff to file a Complaint Issued.

Feb. 4, 1994, Proof of Service filed.

And now, Feb. 25, 1994, upon praecipe of defendants attorney judgment of Non Pros is hereby entered agaisnt the named plaintiff for failure to file a Complaint within twenty days after being ruled so to do.

F-104 JUDGMENT OF NON PROS
Barbara H. King, Pro.

Mar. 1, 1994, Affidavit of Service of Praecipe for Judgment of Non Pros filed.

96

1994

Watts & Pepicelli
Alan L. Pepicelli

96.

SUE ELLEN (LYDIC) BLAIR

vs.

DANIEL SLAYTON, and JAMES L. SLAYTON and PATRICIA SLAYTON his wife

Filed February 2, 1994
@ 4:19 PM

Tax & entry paid	50.50 ✓
User's Fee paid	5.00
Sheriff's Costs	50.00
Pro Co pd 3-4-96	6.00 ✓

WRIT OF SUMMONS
Issued Sheriff

Feb 15, 1994 SHERIFF'S RETURN, filed. SERVED Daniel Slayton on February 10, 1994 at 11:21 AM by handing a copy of the Summons to Patricia Slayton, his Mother, at the residence, R.D.#1, Venango, Crawford County, PA.

SERVED James L. Slayton on February 10, 1994 at 11:22 AM by handing a copy of the Summons to Patricia Slayton, his Wife, at their residence, R.D.#1, Venango, Crawford County, PA.

SERVED Pataricia Slayton personally on February 10, 1994 at 11:20 AM by handing her a copy of the Summons at her residence, R.D.#1, Venango, Crawford County, PA.

So answers, Shawn E. Ashbaugh, Deputy Sheriff
Scott D. Young, Deputy Sheriff
Robert M. Stevens, Sheriff

March 1, 1996 Upon praecipe of plaintiff attorney the above-captioned case is marked settled and discontinued of record.

1994

Roeder & Rothschild
Tamera Ochs Rothschild

97.

BARBARA J. METZGAR

vs.

JOHN L. METZGAR, SR.

Filed February 3, 1994
@ 11:45 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 1-9-95	9.00	✓

Pro ✓ 11/20/96 9 cc

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION OF MARITAL PROPERTY

Feb.9, 1994 Affidavit of Return of Service by Mail filed. On February 4, 1994, I mailed a true copy of the Divorce Complaint in the above captioned matter by Certified Mail No.P 266 226 913 Restricted Delivery to the Defendant,John L.Metzgar, Sr. Defendant signed a return receipt upon delivery February 7, 1994. The receipt attached hereto and marked as "Exhibit A" was returned by the post office on February 8, 1994.

I make these statements pursuant to 18 Pa.C.S. Sec. 4904 relating to unsworn falsification to authorities and understand that false statements may subject me to criminal penalties under that statute.
Date: February 8, 1994 Tamera Ochs Rothschild,Esq.

May 23, 1994 Affidavit of Consent of Plaintiff filed.

Jan. 4, 1995 Certificate of Service of Notic eof Intention to Request Entry of Divorce Decree, Defendnat's Counter-Affidavit Under Section 3301(d), Notice, Praecipe to Transmit and Praecipe to Transmit, filed.

Jan. 4, 1995 Plaintiff's Affidavit Under Section 3301(d) of the Divorce Code, filed.

Jan 4, 1995 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

Jan. 5, 1995 Defendant's Counter-Affidavit Under Section 3301(d) of the Divorce Code, filed.

Jan. 12, 1995 Order filed. This divorce matter has been referred to the Court for review and decree. The Court has reviewed the record and is returning the record to the Prothonotary. A final decree will not be entered at this time because:
Economic and other issues or counts have been raised in the pleadings or by petition which are not being disposed of by stipulation, withdrawal or hearing. To grant a divorce decree without a resolution of those other issues would be tantamount to an improper bifurcation.
Other The defendant's counter affidavit seeks a determination of return of relief.
The party may file a praecipe to refer the matter back to the Court when the record is in such a state that the parties are entitled to a final decree.

BY ORDER OF COURT,
Gordon R. Miller, J

January 10, 1995
Jan. 12, 1995 Faxed Rothschild

Apr. 11, 1996 Certificate of Service of Inventory of Barbara J. Metzgar filed.

Apr. 11, 1996 Inventory of Barbara J. Metzgar, Plaintiff filed.

Oct. 21, 1996, Affidavit of Consent of plaintiff filed.

Nov. 20, 1996, Marital Settlement Agreement filed.

Nov. 20, 1996, Waiver of notice of Intention to Request Entry of a Divorce Under 3301(c) of the Div. Code filed. (dft)

Nov. 20, 1996, Upon praecipe of plaintiff attorney, with affidavit of consent of defendant, and copy of plff's affidavit of consent, to transmit the record, this case moved to court.

DIVORCE DECREE FILED

Dec. 6, 1996 AND NOW, this 5th day of December, 1996, after review of the above-captioned case, and upon consideration of the pleadings and other documents filed threin, it is
ORDERED, ADJUDGED AND DECREED that:
1. The Plaintiff, BARBARA J. METZGAR, and Defendant, JOHN L. METZGAR, SR., are hereby divorced from the bonds of matrimony on the grounds of irretrievably breakdown of their marriage.
2. The parties have submitted herewith their settlement agreement voluntarily entered Oct. 7, 1996, (date), a copy of which is attached hereto, and said settlement agreement is hereby approved, adopted, confirmed and made a part of this Decree with the same force and effect as though fully set forth herein.
3. The effect of said agreement between the parties shall not be modified or amended except as provided therein and in accordance with 23 Pa. C.S.A. 3105.
4. This Decree constitutes a final Order as to all matters and claims pending in this action, and the Court retains jurisdiction of the parties and the subject matter for purposes of enforcement.

Gordon R. Miller, Judge

98

1994

Edgar Snyder &
Associates, PC
James D. Belliveau

98.

MacDonald, Illig, Jones
& Britton
Craig R. F. Murphey

PAUL HUDGINS and LINDA HUDGINS, individually and as the parents and natural guardian of TRACY D. HUDGINS a minor

vs.

SEAN BRENNEN, MICHAEL G. HAGEN and DAVID HAWK

Filed February 3, 1994
@ 11:46 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	41.00
Pro.Co. pd 8/9/94	6.00

WRIT OF SUMMONS
Issued Sheriff

Feb. 15, 1994, Appearance of MacDonald, Illig, Jones & Britton, by Craig R. F. Murphey, attorneys for defendants filed.

July 20, 1994 SHERIFF'S RETURN, filed. NOT FOUND AS TO Defendant Sean Brennen at address of 4424 Oakdale Street, Butler, Butler County, PA. Butler County Sheriff's Department's return of "Not Found:, he has moved to 3204 Crystal Spring, Hermatage, Tennessee 37076.

SERVED Michael G. Hagen by deputizing the Sheriff of Clarion County, PA, as per his Affidavit of Service attached. Serve on February 11, 1994 at 3:27 PM at the Clarion County Sheriff's Office, Main Street, Clarion, PA 16214.

SERVED David Hawk by deputizing the Sheriff of Clarion County, PA, as perhis Affidavit of Service attached. Served on February 9, 1994 at 10:50 AM at RD#2, Rimersburg, PA 16248.
So answers, Robet M. Stevens, Sheriff

Aug. 9, 1994 Upon Praecipe of James D. Belliveau, Esquire, Attorney for Plaintiff, the above captioned matter is marked satisfied, settle and discontinued of record.

1994

99.

THE FIRST NATIONAL BANK OF PENNSYLVANIA which merged into MARINE BANK, now by merger PNC BANK, NATIONAL ASSOCIATION

vs.

EDWARD Y ASHBAUGH
DEBORAH A. ASHBAUGH

Filed February 3, 1994
@ 2:41 PM

Tax & entry paid	9.00 ✓
Pltf. on orig.	14.50
Sat. Pd 5/6/96	5.00

AGREEMENT TO REVIVE

OF

DSB 1989 - 90

The undersigned hereby agrees that the judgment entered on February 13, 1989 to DSB 1989 - 90 be revived and the lien continued and authorized the prothonotary to enter and index a judgment of revival in the amount of Thirty Thousand and 00/100 Dollars plus cost.

Signed and dated this 31st day of January 19 94.

Debt $30,000.00
A-56-46

JUDGMENT
Barbara H. King
Prothonotary

May 3, 1996 This Judgment Satisfied.

(see paper filed)

100

1994

Quinn, Buseck,
Leemhuis, Toohey
& Kroto, Inc.
George Joseph

100.

Marsh, Spaeder, Baur,
Spaeder & Schaaf
John B. Fessler

RICHARD K. WASYL ~~and JOAN WASYL, HIS WIFE~~

vs.

EUGENE SZYMBIEWICZ and
~~UGOLOVIA SZYMBIEWICZ~~
UGOLINA SZYMKIEWICZ, his
wife

Filed February 4, 1994
@ 11:24 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	37.00
Pro Co pd 8-15-95	6.00

WRIT OF SUMMONS
Issued Sheriff

Feb. 15, 1994 SHERIFF'S RETURN, filed. SERVED Eugene Szymbiewicz personally on February 10, 1994 at 9:50 AM by handing a copy of the Summons to him at his residence, R.D.#1, Route 488, Cambridge Springs, Crawford County, PA.

SERVED LUgolovia Szymbiewicz personally on February 10, 1994 at 9:51 AM by handing a copy of the Summons at her residence, R.D.#1, Route 488, Cambridge Springs, Crawford County, Pa.

So answers, Shawn E. Ashbaugh, Deputy Sheriff
Scott D. Young, Deputy Sheriff
Robert M. Stevens, Sheriff

Mar. 3, 1994, Appearance of Marsh, Spaeder, baur, spaeder & Schaaf, by John b. Fessler, attorneys for defendants filed.

Mar. 3, 1994, Upon praecipe of attorneys for defendants, Rule entered upon plaintiff to file complaint issued. Issued (atty)

March 16, 1994 Rule to file Complaint filed.

Apr. 4, 1994 Complaint filed.

Apr. 20, 1994 Amended Complaint, filed.

April 21, 1994 Motion to Amend Caption and ORDER filed. AND NOW, this 20 day of April, 1994, upon consideration of the foregoing Motion to Amend the Caption, that Motion is hereby granted. The caption is hereby amended to read as follows:

RICHARD K. WASYL and JOAN WASYL, his wife, Plaintiffs	:	IN THE COURT OF COMMON PLEAS
	:	OF CRAWFORD COUNTY, PENNSYLVANIA
vs.	:	
EUGENE SZYMKIEWICZ and UGOLINA SZYMKIEWICZ, his wife,	:	
Defendants	:	NO. A.D. 1994 - 100

By the Court:
Anthony J. Vardaro, J.

April 21, 1994 Copy of Order to Atty. G. Joseph, April 26, 1994, copy mailed to Atty. J. Fessler.

Apr. 28, 1994 Notice of Serving Interrogatories, filed.

Apr. 28, 1994 Notice of Serving Requests for Production, filed.

Apr. 28, 1994 Answr and New Matter, filed.

May 11, 1994, Plaintiffs Reply to New Matter filed.

Jun. 14, 1994 NOtice of Service of Interrogatories and Request for Production of Documents Addressed to Defendants (First Set), filed.

June 24, 1994 Notice of Service of Answers to Plaintiffs' First Set of Interrogatories and Request for Production of Documents filed on Behalf of Eugene Szymkiewica and Ugolina Szymkiewicz, his wife filed.

July 7, 1994, Motion to File Second Amended Complant and Amend Caption filed.
ORDER: AND NOW, this 7 day of July 1994, upon consideration ofthe foregoing Motion to File Second Amended Complaint and Amend Caption, that motion is hereby GRANTED. the caption is hereby amended to read:

Richard K. Wasyl, plff	In the Court of Common Pleas of
vs.	Crawford County, Pennsylvania
Eugene Szymkiewicz and	
Ugolina Szymkiewicz, his wife	No. A.D. 1994 - 100

Anthony J. Vardaro, Judge
7/7/94, copies faxed to Attys. Joseph and Fessler.

July 7, 1994, Second Amended Complaint filed.

Aug. 18, 1994 Answer and New Matter to Plaintiff's Second Amended Complaint, filed.

Aug. 22, 1994, Plaintiffs reply to New Matter to Plaintiff's Second Amended Complaint filed.

May 5, 1995 Notice To Complete Discovery filed.

Aug 9, 1995 Upon praecipe of plaintiff attorney the above action is marked settled and discontinued of record.

1994

Barbara J. Walton

101.

APRIL J. SIMONS

vs.

RICKY A. SIMONS

Filed February 4, 1994
@ 2:32 PM

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

COMPLAINT IN DIVORCE
1 copy atty.

Feb. 10, 1994, Affidavit of Service filed. And Now, Feb. 10, 1994, comes barbara J. Walton, and avers as follows:

1. a true and correct copy of the Complaint for Div. was mailed to the dft. via cert. mail, ret. rec. on Feb. 8, 1994.

2. That the dft signed the ret. card on Feb. 9, 1994 and in accordance with Pa. R.D.P. 412, serivce fothe compalint was made as is evidenced by the U.S. POstal Ser. Ret. Rec. (#P845718809) attached hereto as exhibit "A"

That the dft. signed the ret. card on Feb. 9, 1994 and in accordance with Pa. R.C.P. I verify that the statements made in this affidavit are true and correct.

Barbara J. Walton, Esq.

May 6, 1994 Affidavit of Consent of Plaintiff, filed.

May 6, 1994 Affidavit of Consent of Defendant, filed.

May 6, 1994 Upon praecipe of Plaintiff's attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

May 13, 1994 AND NOW, this 12th day of May, 1994, upon presentation of the Stipulation and Consent of the parties, attached hereto, and after consideration of same, it is hereby ORDERED, DIRECTED AND DECREED that APRIL J. SIMONS, Plaintiff, and RICKY A. SIMONS, 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.

102

1994

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

102.

William L. Walker

LADDIE WALKER

vs.

TIMOTHY STEINBERG and
DEBBIE STEINBERG

Filed February 4, 1994
@ 3:36 PM

Tax & entry paid	50.25
User's Fee paid	5.00

APPEAL OF DEFENDANT FROM DECISION OF
DISTRICT JUSTICE HUBERT VOGAN

Feb. 4, 1994 Rule entered upon the Plaintiff to file a Complaint issued.

Feb. 8, 1994 Proof of Service of Notice of Appeal and Rule to File Complaint, filed.

Feb. 15, 1994, Complaint filed.

Mar. 1, 1994 Acceptance of Service, filed. I, the undersigned, being the attorney of record for the Defendants in this action, does hereby accept service of the complaint in this action this 24 day of February, 1994. William Walker

Mar. 9, 1994 Answer Containing New Matter and Counterclaim filed.

1994

Gerald Sullivan

103.

KAREN L. ENSWORTH

vs.

DeWAYNE VERGITH

Filed Feb. 7, 1994
@ 11:17 a.m.

Tax & entry	Pd 3-10-94	$50.50
state	Pd 3-10-94	5.00
Sheriff's Costs		25.00
Pro Co	Pd 3-10-94	9.00

3-10-94 Rec from deft Sheriff Costs 25.00
3-10-94 Pd Sheriff Ck#8156 25.00

PETITION FOR RELIEF UNDER THE PROTECTION FROM ABUSE ACT

3 copies (sheriff)
1 copy (plff)

ORDER: (Temporary)

And now, this 7 day of February , 1994, upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

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

---

3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment or fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves ruling on allocation of fees and costs.

Hearing is hereby set for February 14, 1994 , at 3:30 pm., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,

Anthony J. Vardaro, Judge

Feb. 9, 1994 SHERIFF'S RETURN, filed. SERVED DEWayne Vergith personally on February 7, 1994 at 1:19 PM by handing a copy of the Protection from Abuse to him at his residence on Lincoln Avenue, Meadville, Crawford County, Pa.
So answers,

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

Feb. 18, 1994 ORDER filed. AND NOW, February 14, 1994, at the time fixed for hearing in this matter, the plaintiff appeared with counsel. The defendant did not appear, although it appears that he was served by the Sheriff on February 7, 1994. The Court, after hearing the plaintiff, is satisfied that the plaintiff has proven her entitlement to a Protection From Abuse Order by the fair weight and preponderance of the evidence, and accordingly,we enter the following Order:

1. The defendant shall not abuse, assault, harass or threaten the plaintiff or her minor child nor shall he stalk her.
2. The defendant shall not go the plaintiff's place of work or place of residence. In fact, he shall not be within 100 yards of those places.
3. The defendant shall pay court costs in the amount of $89.50 to the Prothonotary of Crawford County in the Crawford County Courthouse no later than March 15, 1994.
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 t he Meadville City Police Department and to County Control by the Prothonotary.
6. A copy shall also be served on the defendnt by mailing it to him by REgular Mail at his address at Meadville Metals, Mead Avenue, Meadville, Pennsylvania.
7. This Order shall remain in full force and effect until modified or terminated by further Court Order or until February 13, 1995, whichever occurs first.
8. The defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine of up to $1,000 and a jail sentence up to six (6) months.

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

2-18-94 Copies dist. to Sullivan, Deft., Co. Control & MCPD

1994

Joan D. Mason
Mason and Mason

104.

Barbara J. Walton

STANLEY M. ZAZADO

vs.

KAREN I. ZAZADO

Filed Feb. 7, 1994
@ 2:47 p.m.

Tax & entry paid	$50.50
state paid	5.00
state paid	10.00
Pro.Co.pd 2/15/94 Add'l count	15.00
State Pd 2/15/94	5.00
William Pineo, Mediator	
Pro Co Pd 6-22-94	9.00
Pro Co pd 11-8-96	

2-17-94 Received from Pltf Med. deposit $150.00

6-22-94 Pd Co - Med. fee Ch#8355 $141.00

8-3-94 Rec from Pltf Med Fee 35.00

9-13-94 Pd Co Ch#8549 35.00

COMPLAINT IN DIVORCE

1 copy (atty)

Feb, 15, 1994 Petition for Additional Remedies filed.(2 copies Atty.)

Feb. 17,1994 Motion To Appoint Custody Mediator and Order, filed. ORDER: And now, Feb. 16, 1994, William Pineo is apponted custody mediator in the above case. By Order of the Court, Anthony J. Vardaro, J.
Feb. 18, 1994 copy to W. Pineo J. Mason

Feb. 18, 1994 Motion to Correct Divorce Complaint and ORDER OF COURT filed. And Now, February 22, 1994, Motion allowed. Anthony J.Vardaro, J.
2-25-94 Copy of Order to Atty. Mason

Feb. 23, 1994 Appearance of Barbara J. Walton for Karen I. Zazado, filed.

Mar. 3, 1994 Stipulation and TEMPORARY CUSTODY ORDER filed. AND NOW, this 3rd day of March, 1994, the parties shall abide by this order until such time as a further order of court is entered:

1. Physical custody of the children Ashley Nicole Zazado and Justine Michael Zazado shall be shared by the parties until such time as the mediation hearing takes place and an order is issued:

a. Mother shall have the children from Sunday at 8:00 p.m.until Thursday at 5:00 p.m., and father shall have the children from Thursday at 5:00 p.m. until Sunday at 8:00 p.m.

b. Father shall return the children to mother on Sunday at 8:00 p.m., and mother shall deliver the children to father at 5:00 p.m. onThursday.

c. Mother shall accommodate father by making the children available for appointments he makes for the children with health care providers, and other professionals who are either to evaluate or treat either child. Father shall give mother 24 hours advance notice of said appointments.

d. Each parent shall cooperate with the other in returning telephone calls and communicating with each other regarding the children, between now and the time of the custody mediation hearing.

e. This order shall take effect immediately.

f. Each parent is represented by counsel in this matter, and has had the benefit of counsel in arriving at this consent order. BY THE COURT, Gordon R. Miller, J.

3-8-94 Copy of Order to Attys. Mason & Walton & Pineo

Apr. 6, 1994 TEMPORARY ORDER filed. AND NOW, this 6 day of April, 1994, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediaator,

IT IS HEREBY ORDERED AND DECREED THAT:

1. The parties shall share legal and physical custody of the subject minor children, AShley and Justin Zazado.

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 infirmation which they may have regarding the subject minor children.

3. The mother shall have primary physical custody of the subject minor children. The father shall have temporary physical custody and visitation each week from Thursday at 6:00 p.m. through Sunday at 6:00 p.m.

4. Holiday visitation shall be arranged as follows:

a. Christmas: There shall be two Christmas visitation periods, the first beginning on Christmas Eve at noon and ending Christmas Day at 1:00 p.m., and the second beginning on Christmas Day at 1:00 p.m. and ending Christmas Day at 7:00 p.m. For Christmas, 1994, the father shall have the first period, and the mother, the second, and the parties shall thereafter alternate.

b. Thanksgiving: There shall be two Thanksgiving visitation periods, the first beginning on the Wednesday prceding Thanksgiving at 5:00 p.m. and ending Thanksgiving Day at 2:00 p.m., and the second beginning Thanksgiving Day at 2:00 p.m. and ending Thanksgiving Day at 7:00 p.m. For Thanksgiving, 1994, the mother shall have the first period, and the father, the second, and the parties shall thereafter alternate.

c. The other holidays to be observed are Easter, Memorial Day, Independence Day, and Labor Day. In even numbered years, the father shall have visitation and temporary physical custody for Memorial Day and Labor Day from 9:00 a.m. to 8:00 p.m., and in odd numbered years, he shall have visitation and temporary physical custody for Easter from 9:00 a.m. to 8:00 p.m. and on Independence Day from 9:00 a.m. to 11:00 p.m.

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 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 Pennsyvania.

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 to do so in the same room as the children, in a closed automobile in which the children are being transported, or in the bedroom of the children.

Continued to Page 104 A

Stanley M. Zazado
vs
Karen I. Zazado

Continued from Page 104
of Record
AD 1994 - 104

****

9. Neither party shall do or say anthing 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.

10. Neither party shall expose the children to persons of the opposite sex to whom he or she is not related by blood or marriage between t he hours of 9:00 p.m. and 8:00 a.m., and niether party shall expose the children to an imporoper disply of affection between himself or herself and a member of the opposite sex to whom he or she is not related by blood or marriage at any time.

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 $352.00 are divided equally between the parties with a share of each being asessed to him or her as costs in this case.

13. The deposit required for the appointment of the Custody Mediator was made by the father. The deposit shall first be applied against the father's share of costs and the remainder, if any, shall be remitted to him; if there is a balance due, the father shall remit it to the Prothonotary of Crawford County within thirty (30) days from the date of this order. The mediator notes for the Court that the mother is receiving public assistance, and therefore, her share of costs and fees is assessed to Crawford County.

14. 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.

4-11-94 Copy of Order to Attys. Pineo, Mason & Walton

Apr.13, 1994 Motion and ORDER OF COURT filed. April 12, 1994 Hearing de novo is scheduled for May 24, 1994 at 9:15 in Nov. 2 Courtroom.

Anthony J. Vardaro, J.

4-13-94 Copies dist.to Mason. 4-14-94 Copy of Order to Attys. Walton & Pineo

May 18, 1994 Motion For Continuance and Order, filed. AND NOW, this 17th day of May, 1994, upon presentation of the Motion for Continuance by the Defendant, same is hereby granted and the hearing is continued generally, to be reset upon motion of either party.

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

May 19, 1994 copies faxed to Walton & Mason. Also Pineo

Aug. 23, 1994 Affidavit of Service filed. I, Joan D. Mason,Esquire, Attorney for the Plaintiff in the above entitled case, and being duly sworn according to law, depose and say that I did on February 15, 1994, mail to the above Defendant, Karen I.Zazado, by certified mail #425 665 123, return receipt requested, deliver to addressee only, a complaint in the above divorce action. Said notice was received by Karen I. Zazado on February 22, 1994, as indicated by the return receipt card which was returned tothe office of the Plaintiff's attorney and is attached hereto.
Aug. 16, 1994

Joan E. Mason, Attorney for Plaintiff

Aug. 29, 1994 Affidavit of Consent of Plaintiff, filed.

Nov. 22, 1994 Affidavit of Consent of Defendant filed.

Jun. 2, 1995 Motion to Reschedule De Novo Hearing and ORDER filed. AND NOW, this 31st day of May, 1995, upon presentation of the Motion to Reschedule De Novo Hearing, it is hereby Ordered that the Hearing shall be rescheduled for the 12th day of July, 1995 at 9:15 o'clock A.M. in Courtroom Number 1 or 2, at the Crawford County Courthouse, Meadville,Pennsylvania 16335.

By the Court.
Gordon R. Miller,J.

6-5-95 Faxed Attys.Walton & J. Mason

Sept. 18, 1996 Affidavit Under Section 3301 (d) of the Divorce Code by Defendant filed.

Nov. 8, 1996 Notice of Intention to Request Entry of Divorce Decree Praecipe to Transmit Record Affidavit by Defendant filed.

Nov. 8, 1996 Counter-Affidavit under Section 3301 (d) of the Divorce Code by Plaintiff filed.

Nov. 8, 1996 Praecipe to Transmit the Record by Defendant Attorney filed.

Nov. 25, 1996 DIVORCE DECREE FILED.

ANDNOW, this 21 day of November, 1996, it is ordered and decreed that Stanley M. Zazado, Plaintiff, and Karen I. Zazado, Defendant, are divorced form the bonds of matirmony.
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

1994

1994

Elderkin, Martin, Kelly & Messina
William J. Kelly
Craig A. Markham

105.

Quinn,Buseck, Leemhuis, Toohey & Kroto Natalie Dwyer
John M. Quinn, Jr. Haller
for Mdvl. Med. Ctr. and C. Helgert, M.D.

~~J. Douglas Murphy~~
~~Robert C. Milsovic, MD~~

TERYL A. LESLIE AND RONALD LESLIE, HER HUSBAND

vs.

MEADVILLE MEDICAL CENTER, ~~ROBERT C. MILSOVIC, M.D.~~ AND CURTIS HELGERT, M.D.
Discontinued 5-26-96

Filed Feb. 8, 1994
@ 10:12 a.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	53.00
Pro.Co. pd 5/26/94	5.00
Pro Co pd 3-18-97	9.00

JURY TRIAL OF 12 DEMANDED

SUMMONS IN A CIVIL ACTION

Issued (sheriff)

(JURY TRIAL DEMANDED - JURY OF TWELVE)

Feb. 24 , 1994 Praecipe forRule to File Complaint issued. (Issued Atty.)

Feb. 24, 1994 Appearance of Quinn,Buseck, Leemhuis,Toohey & Kroto, Inc. by John M. Quinn, Jr. for Meadville Medical Center, Defendant, filed.

Feb. 25, 1994 SHERIFF'S RETURN, filed. SERVED Meadville Medical Center on February 10, 1994 at 3:13 PM by handing a copy of the Summons to Nancy Blystone, Administrative Assistant, at 751 Liberty Street, Meadville, Crawford County, PA.

SERVED Robert C. Milsovic, M.D., personally on February 10, 1994 at 3:17 PM by handing him a copy of the Summons at the Meadville Medical Center, 751 Liberty Street, Meadville, Crawford County, PA.

SERVED Curtis Helgert, M.D., personally on February 11, 1994 at 9:36 AM by handing a copy of the Summons to him at his place of business, R.D. #1, Box 605, Carpenter Road, Route 408, Townville, Crawford County, PA.
So answers, Scott D. Young, Deputy Sheriff
Robert M. Stevens, Sheriff

Mar. 17, 1994 Complaint filed.

March 24, 1994 Praecipe For Rule To File Complaint, filed.

March 24, 1994 Appearance of Quinn, Buseck, Leemhuis, toohey & Kroto, Inc. by John M. Quinn, Jr. for Curtis Helgert, M.D. filed.

Mar. 29, 1994 Appearance of J. Douglas Murphy for Robert C. Milsovic, M.D. filed.

Mar 31, 1994 Preliminary Objections, filed.

Mar. 31, 1994 Praecipe for Argument List, filed.

ON ARGUMENT LIST FOR APRIL 1994

May 11, 1994, Answer and New Matter of dfts. Mead. Med. Center and Curtis Helgert D.O. filed.

May 25, 1994 Certificate of Service of Interrogatories Directed to Defendants, Meadville Medical Center and Curtis Helgert, M. D., filed.

May 26, 1994 Upon Praecipe of Joel M. Snavely, Esquire , Attorneys for Defendant, the above-captioned action as to ROBERT C. MILSOVIC, M.D. Only is marked discontinued of record.

June 8, 1994 Reply to New Matter of Defendants, Meadville Medical Center and Curtis Helgert, M.D. filed.

Sept. 7, 1994 Notice of Taking Deposition Upon Oral Examination of Curtis Helgert, MD filed.

Sept. 7, 1994 Notice of Taking Deposition Upon Oral Examination of Gina Hilty filed

Feb. 7, 1995 Certificate of Service of Interrogatories Directed to Defendant, Meadville Medical Center (Second Set) filed.

July 5, 1995, Notice to CloseDiscovery Under Rule L302A(2) filed. TRIAL BY JURY OF 12 DEMANDED.

Nov. 29, 1995 Notice of Videotape Deposition For Use at Trial of John M. Hood, M.D, filed.

Dec. 21, 1995 Notice of Videotape Deposition for Use at Trial filed.

Jan. 4, 1996 Notice of Rescheduled Videotape Deposition for Use at Trial filed.

Aug. 21, 1996 Notice of Videotape Deposition for Use at Trial filed.

TRIAL BY JURY OF 12 DEMANDED

Aug. 22, 1996 Certificate of Readiness on behalf of Plaintiff filed.

TRIAL BY JURY OF 12 DEMANDED

Aug. 23, 1996 Notice of Videotape Deposition for Use at Trial filed.

Sept. 12, 1996, Motion for a Date Certain for Trial and order filed. ORDER: AND NOW, the 12 day of Sept. upon consideration of plaintiffs motion for a date certain for trial, it is hereby DENIED.
Anthony J. Vardaro, J.
9/12/96 faxed to Dwyer Haller and mailed to Markham.

Sept. 16, 1996, Motion for Trial Continuance and for a Date Certain for trial and order filed. ORDER: AND NOW, the 24 day of Sept. 1995 upon consideration of plaintiff's motion it is hereby ORDERED, ADJUDGED AND DECREED that said motion is granted.
This case is continued to the Feb. 1997 term of court.
2. Trial shall commence the 18 day of Feb. 1997 at 9:00 AM C.R. #2. Jury selection on 10th of Feb. 1997 at 9:00 a.m. C. R. #2. Anthony J. VArdaro, J. Faxed 9/25/96 Markham & Haller.

Continued On Page 489

1994

Edgar Snyder & Assoc.
Richard M. Rosenthal

106.

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

WAYNE BREESE AND THERESA BREESE

vs.

JEANIA J. PROSSER

Filed Feb. 8, 1994
@ 11:41 a.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	20.00
Sheriff's Costs	20.00
Pro Co pd 10-20-94	6.00

JURY TRIAL DEMANDED

COMPLAINT IN CIVIL ACTION

1 copy (atty)
1 copy (sheriff)

Mar. 14, 1994 SHERIFF'S RETURN, filed. NOT FOUND as to Defendant Jeania J. Prosser. Attempted service via deputizisng the Sheriff of Mercer County, PA. As per his Affidavit of Not Found, they attempted service at Box 2022A, Hadley, PA 16130, but were unable to located subject.
So answers, Robert M. Stevens, Sheriff

Apr. 21, 1994 Complaint reinstated. (Copy Sheriff)

May 19, 1994 SHERIFF'S RETURN, filed. SERVED Jeania J. Prosser by deputizing the Sheriff of Mercer County, PA, as per his Affidavit of Service attached. Served on May 2, 1992 at 17 Maple Drive, Greenville, PA.
So answers, Robert M. Stevens, Sheriff
SERVICE: Served Jeania J. Prosseer, 17 Maple Drive, Greenville on 5-2-94, at 1"30 P.M. Notice to Defend, Complaint.
William H. Romine, Jr., Sheriff Mercer County

June 10, 1994 Appearance of Culbertson, Weiss, Schetroma and Schug, P.C. by E. Max Weiss for Jeania J. Prosser, the Defendant.

Sept. 20, 1994 Notice of Service of Interrogatories and Request for Production of Documents Directed to Defendant, filed.

Oct. 20, 1994 Upon praecipe of Plaintiff's attorney the within-captioned matter is satified and discontinued of record.

1994

107.

ELISA GUIDA
1728 W. 8th St.
Erie, Pa. 16505

vs.

RICHARD A. KOLESAR
R.D. 3 Hogback Rd.
Cambridge Springs, Pa., 16403

Filed Feb. 8, 1994
@ 1:26 p.m.

Pro King paid	$15.00
plff on orig.	9.25
Sheriff's Costs	35.00
Pro county paid	9.00
Exemplification paid	10.00
Pro Co pd 3-19-97	5.00
Pro. Co. Pd 5-19-97	1.00

WRIT OF REVIVAL
of

DSB 1989 - 143
Issued (sheriff)

Writ of revival issued in favor of plaintiff and against the defendant in the amount of One Thousand One Hundred Forty Eight and 00/100 Dollars, with int. from 3/18/89, and court costs of $238.00.
Entered 2/8/94
K - 141

Writ of Revival
Barbara H. King,
Prothonotary

Mar. 25, 1994 Writ Reissued.

Mar. 30, 1994 Writ Return filed. SERVED Richard A. Kolesar on March 28, 1994 at 2:30 PM by handing a copy of theWrit of Revival to Beverly Kolesar, his Wife, at their residence, R.D. #3, Hogback Road, Cambridge Springs, Crawford County, PA.
so answers, Dale A. Collins, Chief Deputy
Robert M. Stevens, Sheriff

And Now, May 5, 1994, at 11:52 a.m., upon praecipe of plaintiff, with default notice attached, Judgment is hereby entered in favor of the plaintiff and against the defendant for want of an answer.
Judgment entered - 5/5/94
K - 141

Debt - $1,455
JUDGMENT OF REVIVAL
Barbara H. King, Pro
Prothonotary

Mar 19, 1997 This Judgment satisfied. (see paper filed)

1994

Edward J. Hatheway
Peters, Lindsay,
Lewis and Hatheway

108.

Joseph F.Kulwicki

EILEEN BLACKWELDER

vs.

STEPHEN BLACKWELDER

Filed Feb. 8, 1994
@ 2:25 p.m.

Tax & entry paid	$50.50
1 count paid	15.00
state paid	10.00
state paid	10.00
Pro.Co.pd 5/25/94	9.00

COMPLAINT IN DIVORCE, CUSTODY/VISITATION

2 copies (atty)

Feb. 24, 1994 Affidavit of Service, filed. I, Edward J. Hatheway, 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 8th day of February, 1994, send to the above named Defendant, by Certified Mail, Receipt No. P 251 385 225, Return Receipt Requested, a true and correct copy of the Complaint in Divorce filed at the above term and number; and that I did receive a duly executed return receipt dated February 14, 1994.

May 12, 1994 Waiver and Acknowledgment of Rights, filed.

May 25, 1994 Affidavit of Consent by Eileen Blackwelder, Plaintiff, filed.

May 25, 1994 Affidavit of Consent by Stephen Blackwelder, Defendant, filed.

May 25, 1994 Upon Praecipe of Edward J. Hatheway,Esquire, Attorney for Plaintiff, to transmit record, Case moved to Court.

Jun. 6, 1994 ORDER filed. This divorce matter has been referred to the Court for review and decree. The Court has reviewed the record andis returning the record to the Prothonotary. A final decree will not be entered at this time because:

x The parties are asking that an agreement be incorporated into the decree yet:
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.

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.

6-7-94 Copies dist.to Hatheway & Deft.

June 14, 1994 Upon Praecipe of plaintiff attorney for review under Section 3301(c) of Divorce Code, this case moved to court.

DIVORCE DECREE FILED

June 29, 1994 AND NOW, this 28 day of June, 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 the Plaintiff, EILEEN BLACKWELDER, and the Defendant, STEPHEN BLACKWELDER, are dissolved because the marriage is irretrievably broken. Plaintiff and Defendant are divorced from the bonds of matrimony.

AND IT IS FURTHER ORDERED, ADJUDGED, AND DECREED, that the terms, provisions and conditions of the Divorce Decree Agreement between the parties herein, dated June 9, 1994, shall be incorporated in this Decree and Order by reference as fully as though the same were set forth herein,at length.

1. 1. Legal custody of the minor child, Justin Blackwelder, shall be shared between the parties. Primary physical custody of Justin Blackwelder shall be with his mother, Eileen Balckwelder, with partial custody and visitation as provided in the Divorce Decree Agreement.

2. This Honorable Court shall retain jurisdiction of this matter.

BY THE COURT:
Anthony J. Vardaro, J.

1994

Edward J. Hatheway
Peters, Lindsay,
Lewis and Hatheway

109.
Barrett & Dratler
Bruce A. Barrett

GREGG A. FIDANZA AND KATHY FIDANZA

vs.

MONTE L. BAKER

Filed Feb. 8, 1994
@ 2:32 p.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's costs	27.00

COMPLAINT IN CIVIL LAW

2 copies (atty)
(sheriff)

Feb. 22, 1994 Sheriff's Return filed. SERVED Monte L.Baker personally on February 14, 1994 at 2:36 PM by handing a copy of the Complaint to him in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, PA.
So answers, Carole Stefanucci, Deputy Sheriff
Robert M. Stevens, Sheriff

Feb. 24, 1994 Preliminary Objections to Plaintiffs' Complaint, filed.

Mar. 11, 1994 Amended Complaint filed.

Mar. 16,1994 Preliminary Objections to Plaintiffs' Amended Complaint, filed.

Apr. 4, 1994 Preliminary Objections to Preliminary Objections filed.

May 25, 1995, Upon praecipe of plaintiff attorney, Preliminary Objections of plff. to dfts. Preliminary Objections placed on next Argument List.

ON ARGUMENT LIST FOR JUNE 1995

July 7, 1995, Motion for Continuance and order filed. ORDER OF COURT: AND NOW, July 6, 1995 the above motion is allowed,a nd argument reset for July 19, 1995 atl:00 p.m. in Courtroom No. 1 or 2. Gordon R. Miller, J.
7/7/95 faxed to Barrett and Hatheway.

Sept. 5, 1995, MEMCRANDUM AND ORDER filed.
ORDER: AND NOW, Sept. 1, 1995, the court orders as follows:
1. The plaintiffs' preliminary objections to the defendant's preliminaryobjections are denied.
2. The defendant's preliminary objections to the amended complaint are denied except:
(a) The estimate of $2,568.65 and the reference to exhibit "D" at Paragraph 5(C) of the amended complaint are stricken.
(B) The estimate of $10,000.00 at Paragraph 5 (E) of the amended complaint is stricken.
3/ The plaintiffs are given 20 days to amend their complaint to set forth proper estimates for the cost of buying and planting new trees, and the basis for the calculation of such estimates.
BY THE COURT
Anthony J. Vardaro, J.
9/5/95 copies dist. BArrett and Hatheway.

Sept 19, 1995 Motion for Extension of Time toFile Amended Civil Complaint and Order filed:
AND NOW, this 20th day of September, 1995, after presentation and consideration of the Plaintiffs' Motion for Extension of Time to File their Amended Civil Complaint is granted.
BY THE COURT
Gordon R. Miller, J
9-20-95 Faxed Barrett and Hatheway.

Oct. 9, 1995, Amended Complaint in Civil Law filed. 1 copy (atty)

Oct. 27, 1995 Answer to Amended Complaint filed.

Sept 15, 1997 Notice of Intent to Complete Discovery, filed.

Nov. 18, 1997 Plaintiffs' Certificate of Readiness filed.

October 14, 1998 Order setting Nonjury Trial Date filed. And Now, this 14 day of October1998 non jury trial in the above matter is hereby scheduled for Tuesday, November 24, 1998 at 9 AM CR #3, Crawford County Courthouse, Meadville, PA
For the Court
Ann A Walker, Court Administrator
Faxed Hatheway & Barrett

Jan. 8, 1999 Order filed. AND NOW, January 7, 1999, at a conference sheduled by the Court with counsel, the Court is concerned as to whether Act 10 of 1994 could be applied retroactively to this case regarding the illegal cutting of some 21 trees on the plaintiff's property. The Court is satisfied the Act of December 6, 1972 P. L. 1399, 1 Pa. C.S. 1926, which specifically provides that no statute shall be construed to the retroactive unless clearly and manifestly so intended by the General Assembly. This Court cannot find that the language of the aforesaid Act changing the measure of damages in unlawful timber cutting cases should be construed retroactively.
Counsel for plaintiff opines that it would be extremely difficult to procure witnesses or expert witnesses who could testify as to the value of the property before and after the cutting.
this Court has the option to render a decision without further argument or testimony, allow plaintiff the opportunity to convince the Court tha tthey can produce evidence of the difference in land value of the plaintiff's property before and after cutting or the Court may decide the case on the evidence at it now exists.
ACCORDINGLY, the Court fives consel until 4:30 p.m., January 27, 1999 to advise the Court whether the matter has been amicably resolved, whether the Court should grant a retrial to accord the plaintiffs the opportunity to present relevant evidence or tp decide the case without benefit of further input or argument from either counsel.
BY THE COURT,
P. Richard Thomas, S.J.
1-8-99 distributed Hatheway & Barrett

Cont on Page 488

pro se

110.

JULIE ANN WHITMAN

vs.

THOMAS GILBERT PRINGLE

Filed Feb. 8, 1994
@ 4:18 p.m.

Indigent filing
William Pineo, mediator 77.00
Pro Co 9.00

CUSTODY COMPLAINT

NOTICE AND ORDER:

You, Thomas Pringle, have been sued in court to obtain custody of Michael thomas Pringle.

You are ordered to appear in person at such time and place as will be determined by MediatorWILLIAM PINEO for a conference.

If you fail to appear as proveded 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 one or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.

Ct. Adm., Courthouse, Meadville, Pa. 16335, Tel. 336-1151, ext. 298.

Date: 2/8/94 Anthony j. vardaro, Judge

ORDER:

And Now, this 8 day of Feb. 1994, the court having appointed a custody mediator in this action for custody, and or partial custody of a minor child or children it is ordered and directed:

1. The plaintiff is allowed to proceed without payment of ocurt costs reserving to the court the ritht to impose costs at a later time.

2. the prothonotary is ordered and directed to deliver a true and correct copy of this order filed at thie time and any required notice, with approp. numbers of copies, to the sheriff of Crawford County for service upon the defendant.

3. The plaintiff is ordered and directed to immediately go to the Sheriffs office to give the cheriff writteninstructions on when and where the dft. may be servcie.

4. The sheriff is ordered and directed to serve a true and correct copy of the complainty orpetition and order upon the dft. and make an appropriate return of service as required by law. The sheriff shall indicate the cost of service which said cost shall be paid by Crawford County and which said costs may be taxed as record costs and imposed as costs by the court.

BYORDER OFTHE COURT,
Anthony J. Vardaro, J.

Feb 10, 1994, copy of complaint and orders to sheriff's office.

Feb. 8, 1994, Petition to Proceed in Forma Pauperis and Order filed. ORDER: AND NOW, Feb. 7, 1994, upon consideration of the petition filed by the p laintiff in this action, and supported by anaffidavit attached thereto, all being pursuant to Pa. R.C.P 240, the plff. is granted leave to proceed IFP at this time.

The plff is directed to inform the Pro';s Office or the court of any improvement in her financial circumstances that would permit her to pay the costs incurred in this action and shall be responsible for doing so upon an improvement of financial condition.

BY THE COURT,
Anthony J. Vardaro, J.

Feb. 15, 1994 SHERIFF'S RETURN, filed. SERVED Thomas Gilbert Pringle on February 11, 1994 at 1:17 PM by handing a copy of the Custody Complaint to Chester Pringle, his Authorized Agent, in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, PA. Signed Acceptance of Service attached. So answers,

Scott D. young, Deputy Sheriff
Robert M. Stevens, Shelriff

Apr. 8, 1994 TEMPORARY ORDER, filed. AND NOW, this 6 day of April, 1994, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator.

IT IS HEREBY ORDERED AND DECREED THAT:

1. The parties shall share legal and physical custody of the subject minor child, Michael Pringle.

2. The parties shall share with each other any and all information which each may have regarding athe 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 subject minor child. The father shall have visitation and temporary physical custody on the first three full weekends of each month from Friday at 3:00 p.m. to Sunday at 7:00 p.m.

4. Holiday visitation shall be arranged as follows:

a. The holidays to be observed are Michael's Birthday, Easter, Memorial Day, Independence Day, Labor Day, thanksgiving and Christmas. Holiday visitation shall be between the hours of 9:00 a.m. and 8:00 p.m., except for Independence Day, when the holiday 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, 1994, and the parties shall thereafter alternate the holiday periods.

b. 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.

c. The provisions of this paragaraph shall take precedence over the other provisions of this order relating to the custodial or visitation periods.

5. The mediator notes for the Court that both parties have changeable work schedules and will, therefore, need to make adjustments to the schedules provided in this order. For that reason, the parties are free to make additional or alternatiave 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 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.

CONTINUED ON PAGE 110A

Julie Ann Whitman
vs.
Thomas sGilbert Pringle

CONTINUED FROM PAGE 110
of Record
A. D. 1994 - 110

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

8. Each party shall teach said child to give to the other party that love and respect which is due a parent from his or her children.

9. Neither party shall use illegal drugs or be under the influence of alcohol at any time when said party has the care and custody of the subject minor child. The parties are cautioned that medical research has indicated that tobacco smoke is injurious to the health of growing children. Therefore, neither party shall smoke tobacco or permit others to do so in the same room as the child, in a closed automobile in which the child is being transported, or in the bedroom of the child.

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. Costs and fees of this Mediation, which are fixed at $77.00, are assessed to Crawford County. The mediator notes for the Court that both parties are indigent.

12. Either party may move the Court for a hearing de novo within ten (10) days from date hereof. If neither party so mvoes, this Order shall be considered permanent.

By the Court,
Anthony J. Vardaro, J.

Apr. 12, 1994 copy to W. Pineo, Plf. & Dft.

110
-6-

1994

1994

R. Christopher Brode
NW Legal Services

111.

LAURA SCHMIDT

vs.

DAVID SCHMIDT, FATHER
VS.
DAVID SCHMIDT, PATERNAL GRANDFATHER, AND MARY SCHMIDT HIS WIFE

Filed Feb. 8, 1994
@ 4:24 p.m.

INdigent filing
JOHN FULLER, Mediator

PETITION FOR CUSTODY

1 copy (atty)

ORDER OF COURT:

You, David Schmidt (father); David Schmidt (paternal grandfather) and Mary Schmidt, his wife, dfts., have been sued in court to obrain custody/partial custody of the minor children, Crystala Schmidt and David L. Schmidt.

You are ordered to appear in person at the time and place selected by JOHN FULLER, CUSTODY MEDIATOR. YOu are also ordered to bring the minor children with you to the mediation.

If you fail to appear as provided by this order or fail to bring the above said minor children, an order for custody, part. custody or visitation may be entered against you or the court may issue a warrant for your arrest.

The Crawford CountySheriffs Dept. is directed to serve a cert. copy of this complaint and order upon the dft.
In the alternative, this pet. and order may be served by any competent adult or by cert. mail.

Plff is allowed to proceed without payment of court costs reserving to the court the ritht to impose costs.

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

Ct. Adm. Crawford Countycourthouse, Meadville, Pa. 336-1151, ext. 298
2/7/94

BY THE COURT,
Anthony J. vardaro,J

Feb. 10, 1994, copy of order to mediator Fuller.

Feb. 10, 1994, Praecipe and Affidavit to Proceed IN Forma Pauperis, filed.

May 13, 1994 ORDER filed. AND NOW, May 11, 1994 after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Crystal Schmidt and David L. Schmidt shallbe with the paternal grandparents David Schmidt and Mary Schmidt.

II. Physical custody of CrystalSchmidt and David L. Schmidt shall be with their paternal grandparents, David Schmidt and Mary Schmidt, subject to the following conditions:

A. The mother shall be entitled to visit the children at the home of the paternal grandparents the first Saturday of each month from 1:00 o'clock p.m. to 4:00 o'clock p.m. beginning June 4, 1994.

B. Holidays shall be defined as Christmas, Easter and Thanksgiving. Custody of the children shall be with the grandparents on the aforesaid holidays but mother shall be entitled to visit the children at the grandparent's home on the aforesaid holidays from 1:00 o'clock p.m. to 4:00 o'clock p.m.

C. On the visits set forth in A. & B. above mother shall be entitled to take the children outside of the grandparent's home for a walk, a drive, a picnic or similar outing, provided the grandparents and children agree.

D. Neither mother nor father nor grandparents shall say or do anything in an attempt to turn the children against the other parent or grandparents, 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 grandparents.

E. Neither mother nor grandparetns shall expose the children to any person or situation which may be harmful to the children's health or well being.

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,provided that this order is entered without prejudice to the right of any of the parties to request a further medication conference at any time after January 1, 1995.

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

Anthony J.Vardaro, Judge

5-13-94 Copy faxed to Atty. Fuller, 5-17-94 Copy to Atty. Brode& Defts.

May 23, 1994 Motion forHearing DeNovo and ORDER filed. AND NOW, this 20th day of May, 1994, upon presentation and consideration of the within Motion, a Hearing DeNovo is scheduled in this matter for the 18th day of July, 1994, at 1:30 p.m.in the Court of Comm Pleas of Crawford County, Pennsylvania.

This Motion and Order shall be served upon the Defendants and/or the attorney of record by the Crawford County Sheriff Department or by regular U. S. mail.

BY THE COURT,
Gordon R. Miller, J.

5 -27-94 Faxed copy to Atty.Fuller. Copy to Atty. Brode.

Jul. 20, 1994 ORDER filed. AND NOW, July 18, 1994, at the time fixed for hearing in this matter counsel for the plaintiff appeared, but the plaintiff did not. Counsel moved for a continuance to locate his client, which said motion was opposed by all defendants. The father resides in North Carolina and made a special effort to come to this hearing. The petitioner grandparents planned to call about six witnesses.

The Court has no information as to why the plaintiff did not appear. She was advised by counsel of the date and time of this hearing several weeks ago, probably shortly after May 20, 1994, when the hearing was set.

There not appearing to any valid reason to continue the case, the motion to continue is DENIED and the Temporary Order of May 11, 1994 becomes final.

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

7-20-94 Gave copies to Atty.Brode. Mailed to Defts.

1994

112. R. Christopher Brode	WILLIAM G. COULTER vs. BRIAN DONAHUE ET AL Filed Feb. 9, 1994 @ 9:27 a.m, indigent filing	NOTICE OF APPEAL OF DEFENDANT FROM JUDGMENT OF D.J. MAGISTERIAL DISTRICT 30-3-01 Feb. 9, 1994, Praecipe and Affidavit to Proceed Informa Pauperis, filed. Feb. 10, 1994, Proof of Service filed. Mar. 8, 1994 Proof of Service filed. I hereby certify that a copy of a District Justice NOtice of Appeal was served upon the Appellee William Coulter, at P.O.Box 274, Conneaut Lake,PA 16316, by Certified U. S. Mail, Return Receipt Requested, on February 10, 1994. Date: 3-8-94 R.Christopher Brode,Esq. And Now, Mar. 9, 1994 at 2:20 P.M. upon praecipe of Defendant's Attorney judment of NonPros is hereby entered against the plaintiff for failure to file complaint. C-171; Judgment of Non Pros Barbara H. King Prothonotary

1994

Mary Ann Kirkpatrick

113.

SANDRA LEE WHISTLER STALLARD

vs.

RONALD PRESTON STALLARD

Filed Feb. 9, 1994
@ 9:56 a.m.

Tax & entry paid	$50.50
state paid	5.00
state paid	10.00

COMPLAINT IN DIVORCE

1 copy (atty)

FEb. 14, 1994, Affidavit of Service filed. And now, Feb. -- 1994, comes Constance L. Deitman being duly sworn according to law, d,eposes and sets forth as follows:

1. that she is the legal sec. of atty. for sandra Lee whistler Stallard, plff.

2. That on info furnished her by plff, she caused a cert. copy of Complaint in Divorce to be forewarded by cert. amil P 100 657 028 postmarked Feb. 10, 1994 to the last known address of dft. PO Box 1433 Meadville, Pa. 16335.

3. That the dft. on feb 11 or 12 1994 personally singed the ret. rec. card which was affixed tothe complaint.

4. Service ofthe Complaint is therefore effected in accordance with Pa. rules of Civil Procedure.

Constance L. Deitman.

Apr 11, 1996 Certificat of Service of Counter-Affidavit, 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 2/14/94 . 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)

1994

Gregory A. Keenan
Thomas, truax ,
Spadafore, Walker

114.

JACK VARDARO

vs.

LINDA L. VARDARO

Filed Feb. 9, 1994
at 1:11 p.m.

Tax & entry paid	$50.50
state paid	10.00
state paid	5.00
Pro Co pd 5-15-96	9.00

COMPLAINT IN DIVORCE

1 copy (atty)

Feb. 25, 1994 Affidavit of Service of Complaint in Divorce, filed. Gregory A. Keenan,Esquire, being duly sowrn according to law, deposes and says that on February 9, 1994, he sent a true and correct copy of a Complaint inDivorce, properly endorsed with the Notice to Defend, filed in the above action, to the Defendant, Linda L. Vardaro, at Defendant's last known addrss of 101 C Woodland Heights,ARthur Street, Meadville, PA 16335, by Certified Mail No. P 100 650 571 postage prepaid, return receipt requested, restricted delivery and that attached hereto is a duly executed return receipt card showing date of delivery as February 11, 1994.
February 14, 1994 Gregory A. Keenan, Esquire

Feb. 14, 1996, Motion to Amend Divorce Complaint and Order filed. ORDER: AND NOW, upon consideration of plaintiffs Motion to Amen Amend the Divorce Compalint so as to include an averment that the parties have lived separate and apart for a period in excess of two (2) years, pursuant to 23 Pa. C.S.A. 3301(d) and to change the address of the defendant leave to so amend is hereby granted.
Feb. 14, 1996, BY THE COURT,
Gordon R. Miller, J.

2/14/96 faxed to Keenan.

Feb. 14, 1996, Amended Complaint in Divorce filed. 1 copy (atty)

Mar. 27, 1996 Certificate of Service filed. I, Gregory A. Keenan, Esquire, attorney for Plaintiff in the above-captioned matter, ceritfy that I served a certified copy of the Amended Complanit in Divorce on the Defendant, Linda L. Vardaro, at 1709 Georgia Street, Vallejo, CA 94590, pursuant to R.C.P. 440(b). Gregory A. Keenan

Apr. 3, 1996 Amended Certificate of Service filed. I, Gregory A.Keenan, Esquire, attorney for Plainstiff in the above-captioned matter, hereby certify that I served a certified copy of the Amended Complaint in Divorce, at the above term and number, on the Defendant,Linda L.Vardaro, by first-class mail dated March 26, 1996, at 1709 Georgia Street, Vallejo, CA 94590, pursuant to Pa. R.C.P. 440(b).
By Gregory A.Keenan, Esquire

Apr. 4, 1996 Affidavit Under Section 3301(d) of the Divorce Code by Jack Vardaro, Plaintiff filed.

Apr. 18, 1996 Counter-Affidavit Under Section 3301(d) Of The Divorce Code of Defendant filed.

Apr 29,1996 Certificate of Service of Notice of Intention to Request Entry of Divorce Decree on the Defendant, filed.

May 8, 1996 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

May 24, 1996 Order filed. AND NOW, May 21, 1996, after the plaintiff has filed a 3301(d) affidavit and the defendant has denied one or more of the allegations set forth in the plaintiff's affidavit the Court hereby schedules a hearing to determine if the parties have in fact lived separate and apart for a period of at least two years and to determine if the marriage is irretrievably broken which said hearing is set pursuant to 23 Pa.C.S.A. 3301(d)(1)(ii).
Said hearing is hereby set for the 2nd day of July, 1996 at 11:00 o'clock a.m. in Courtroom No. 1 or the Crawford County Courthouse.
Counsel for the plaintiff shall serve a true and correct copy of this order upon the defendant bypersonal service or by first calss mail to her last known address by a certified mail return receipt requested. Counsel shall make certain that said notice is served upon the defendant at least twentry (20) days prior to the hearing.
BY THE COURT,
Gordon R. Miller, J

5-28-96 Faxed Keenan

June 5, 1996, Motion to Reschedule Hearing Set and Order filed. ORDER: AND NOW, this 5th day of June 1996, upon consideration of the plaintiff's Motion to Reschedule hearing, said motion is hereby granted and hearing rescheduled to June 28, 1996 at 3:00 p.m., C. R. No. 1 of courthouse.
The hearing has been set as a result of dft.. denying one or more of the allegations set forth in the plff's affidavit. The court is scheduling a hearing to determine if the parties have in fact lived separate and apart for a period of at least two years and to determine if the marriage is irretrievably broken.
Counsel for the plff. shall serve a true and correct copy of this order upon the dft. by personal service or by first class mail to her last known address by cert. mail, ret. rec. req. Counsel shall make certain that said notice is served upon the dft. at least 10 days prior to the hearing.
By the Court,
Gordon R. Miller, J.
6/5/96 faxed toKeenan.

June 12, 1996 Affidavit of Service by Thomas, Spadafore, Walker and Keenan by Gregory A. Keenan filed. Gregory A. Keenan, Esquire being duly sworn according to law, deposes and says that on June 6, 1996, he sent a true and correct copy of the Order rescheduling hearing in this matter for June 28, 1996, at 3:00 pm.m in Courtroom No. 1 of the Crawford County Courthouse to Linda Vardaro, at 1050 S. Main St. 1st Floor, Meadville, PA, by Certified Mail No. Z070 388 755, postage prepaid, return receipt requested and that attached hereto is a duly executed return receipt card showing date of delivery as June 7, 1996.
Gregora A. Keenan
Attorney for Plaintiff

RECORD CONTINUED ON PAGE 114 (a).....

JACK VARDARO

VS.

LINDA L. VARDARO

RECORD CONTINUED FROM PAGE 114

OF

AD 1994 - 114

****

DIVORCE DECREE FILED

July 2, 1996 AND NOW, June 28, 1996, it is ordered and decreed that JACK VARDARO, plaintiff, and LINDA L. VARDARO, defendant, are divorced from the bonds of matrimony.

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

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

July 2, 1996 ORDER filed. AND NOW, June 28, 1996, the Court having entered a divorce decree which retains jurisdiction of any claims raised by the paraties which have not been finally disposed of (Pa. R.C.P. 1920.76) and the defendant having filed a counter affidavit under 23 Pa. C.S.A. 3301(d) claiming economic relief in the nature of alimony, division of property, lawyers fees or expenses the Court hereby refers the economic issues to a Master.

In order to accomplish this the plaintiff is ordered and directed to file a motion for the appointment of a Master within thirty (30) days from the date of this order and to comply with all PA. and Crawford Co. Rules governing the same.

The Prothonotary shall send a true and correct copy of this Order to the defendant at her last known address, 1050 S. Main St., Meadville, PA 16335

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

July 3, 1996 Order mailed Deft., Distributed Atty. Keenan.

July 30, 1996 Motion To Vacate or Modify Order of Court filed.

July 30, 1996 Order filed. AND NOW, July 29, 1996,upon review and consideration of the planitiff's motion to vacate or modify the Court's Order of June 28, 1996 we hereby modify and supplement said order as hereinafter provided.

The Pennsylvania Rules of Civil Procedure set forth themanner in which the defendant may raise economic matters. She may raise economic matters by filing a counter claim or a subsequent petition (Pa.R.C.P. 1920.15).

In this case she filed a counter affidavit in the form provided for by Pa.R.C.P. 1920.72(e). Since she did that we believe she is raising economic issues although she has not done so in the matter required by the Rules.

We think she has properly preserved her right to raise economic matters since checking the box on the required form would have little meaning otherwise. We also agree with the Plaintiff that he should known which economic issues the defendant is raising.

Accordingly it is ordered as follows:

1. The Order of June 28, 1996 is amended and supplemented as follows:

2. The Defendant is ordered and directed to file a petition pursuant to Pa.R.C.P. 1920.15(b) and in compliance with the Crawford County Civil Rules regarding the fiilng of petitions and motions raising the economic issues she desires to raise. Said petition shall be filed within twenty (20) days from this date. If the defendant does not file said petition within twenty (20) days form this date the Court may well conclude that she has waived her right to raise economic matters in this action.

3. In the event that the defendant does file a petition raising economic matters then the Court will refer the economic issues to a Master upon the filing, by either party, of a motion for the appointment of a Master in keeping with the Pennsylvania Rules of Civil Procedure and the Crawford County Civil Rules of Court.

4. The Prothonotary shall send a true and correct copy of this order to David w. Pickens, Esquire, Master,and to the defendant at her last known address, 1050 SOuth Main Street, Meadville, Pennsylvania 16335.

BY THE COURT,
Gordon R. Miller, J

114 (b)

_____ TERM, 19

1994

Thomas, Truax ,
Spadafore, Walker
Gregory A. Keenan

115.

MICHAEL S. LUIKART

vs.

BETTY JO WOOLEY

Filed Feb. 9, 1994
@ 1:11 p.m.

Tax & entry paid $50.50
state paid 5.00

COMPLAINT FOR CUSTODY

1 copy (atty)

Feb. 25, 1994 Affidavit of Service of Complaint for Custody, filed. Gregory A.Keenan,Esquire, being duly sworn according to law, deposes and says that onFebruary 9, 1994,he sent a true and correct certified copy of a Complaint for Custody,properly endorsed with the Notice to Defend, filed in the above action, to the Defendant Betty Jo Wooley, at Defendant's last known address of 1351 Lincoln Avenue, Meadville, PA 16335, by Certified Mail No P 100 659 569 postage prepaid, return receipt requested, restricted delivery and that attached hereto is a duly executed return receipt card showing date of delivery as February 10, 1994.
Feb.10, 1994 Gregory A. Keenan,Esquire

Oct. 20, 1995, Memorandum and Order filed. AND NOW, October 18, 1995, after hearing de novo and upon making the aforesaid findings, this Court reinstates the temporary order dated July 31, 1995 as the official custody and visitation order of the Court. This Court also directs that neither parent may withdraw the child from the counseling now being undertaken and that said counseling will continue until the counseling agency believes termination is appropriate or until both parents mutually agree that counseling will be terminated and notify the counseling agency in writing of this fact.

We direct the Prothonotary to file a copy of this order in the father's action at A.D. 1994-115 and all future proceedings in this case will proceed in the case at A.D. No. 1994-89 with Betty Jo Wooley listed as Plaintiff.
BY THE COURT: P. Richard Thomas, S.J.

116.

Tamera Ochs Rothschild

ROY K. HATHEWAY

vs.

JANE GOODWIN

CUSTODY COMPLAINT

Filed Feb. 9, 1994
@ 4:17 p.m.

Indigent filing
Bruce Smith, mediator

NOTICE AND ORDER:
You, Jane Goodwin, have been sued in court to obtain custody of Austin Sommers.
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, part. custody or visitaion 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 alawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.
Ct. Adm Courthouse, Meadville, pa. 16335, 814 336-1151 Ext. 298
Date: 2/7/94 Anthony J. Vardaro, J.

ORDER: AND NOW, this 7 day of Feb. 1994, the court having appointed a custody mediator in this action for custody, and or parti. custody and or visitation of minor childor children it is ordered and directed as follows:

1. The plaintiff is allowed to proceed without payment of court costs reserving to the court the right to impose costs at a later time.
2. The Prothonotary is ordered and directed to deliver a true and correct copy of this order and any complaint or petition filed at the time this order was entered and any required notice, with appropriate numbers of copies, to the sheriff of Craw. County for ser. upon the dft.
3. The plff is ordered and directed to immediately go to the Sheriffs Office to give the Sheriff written instructions on when and where the dft. may be served.
4. The sheriff of Craw. County is ordered and directed to serv e a true and correct ocpy of complaint or petition and order upon the dft. and make a n appropriate return of service as required by law. The sheriff shall indicate the costs of service which said costs shall be paid by Craw. County and which said costs may be taxed as record costs and imposed as costs by the court.

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

Feb. 10, 1993, copy to Atty. Bruce Smith and Sheriff

Feb. 9, 1994, Petition to Proceed in Forma Pauperis and Order filed. ORDER: AND NOW, Feb. 7, 1994, upon consideration of the petition filed by plff 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.
The plff is directed to inform the Prothonotary's office or the court of any improvement in his financial circumstance that would permit him to pay the costs incurrec in this aciton and shall be responsible for doing so upon an improvement of financial condition.

BY THE COURT,
AnthonyJ. Vardaro, J

Feb. 15, 1994 SHERIFF'S RETURN, filed. SERVED Jane Goodwin personally on February 14, 1994 at 10:201 AM by handing a copy of the Custody Complaint to her at her residence, 962 Watson Street, Titusville, Crawford County, PA.
So answers,

Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

Feb. 25, 1994 Preliminary Objection to Plaintiff's Complaint and RULE TO SHOW CAUSE WHY CUSTODY COMPLAINT SHOULD NOT BE DISMISSED. filed. AND NOW, this 25 day of February, 1994, upon defendant's Preliminary Objection, a rule to show cause why an order granting the relief requested in said Preliminary Objection should not be entered and the Custody Mediation currently scheduled for March 2, 1994, at the law office of Bruce L. Smith,Esq., is continued until resolution of this issue.
A hearing to show cause is set for the 7th day of March, 1994, in Court Room 1 or 2 of the Crawford County Courthouse, 903 Diamond Square, Meadville, Pennsylvania, at 9:45 a.m. o'clock. A copy of this order shall be served upon the plaintiff and the mediator by the defendant's counsel forthwith.

BY THE COURT:
Anthony J.Vardaro, Judge

2-25-94 Judge's Secretary gave Atty. Rothschild copy of Rule. 3-1-94 Copy Mailed to Pltf.

Feb. 28, 1994 Certificate of Service filed. On February 25, 1994, I mailed a true and correct copy of the attached Rule to Show Cause Why Custody Complaint Should Not be Dismissed in the above captioned matter by U.S. First Class regular mail, postage prepaid, to Plaintiff, Roy K. Hathaway, and the appointed Custody Mediator, Bruce L. Smith, addressed as follows:

Roy K. Kathaway, Plaintiff
RD 2 Box 5A
Titusville, PA 16354

Bruce L. Smith, Custody Mediator
228 E. Central Avenue
Titusville, PA 16354

I make this statement pursuant to 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities and understand that false statements may subject me to criminal penalties under that statute.

Tamera Ochs Rothschild

Mar. 11, 1994 Memorandum and Order filed. AND NOW, March 9, 1994, the defendant's preliminary objections are sustained and the plaintiff's complaint in custody is dismissed for the reasons set forth in the attached memorandum.

BY ORDER OF COURT
Gordon R. Miller

Mar. 11, 1994 Copies dist. to Pltf. and Goodwin

1994

Robert J. Felton

117.

JAMES R. HENDERSON

vs.

DELORES C. MOTHERSHED

Filed February 10, 1994
@ 9:57 AM

Tax & entry paid	50.50
Users Fee paid	5.00
State paid	10.00
Pro Co pd 9-14-94	9.00

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

Mar. 10, 1994 Affidavit of Service filed. I, Robert J. Felton, Esquire, Attorney at Law, 116A West Spring Street, Titusville, Pennsylvania, do hereby certify that, in my capacity as attorney for the plaintiff in the above-captioned matter, served a certified copy of the Divorce Complaint in this matter on February 25, 1994, by sending defendant the same by certified mail no. P 380 584 957, return receipt requested. A complaint was mailed to the defendant on Thursday, February 10, 1994, as reflected in the copy of the receipt for mailing and the return receipt attached hereto. Robert J. Felton

Sept. 12, 1994 Affidavit of Consent of Defendant, filed.

Sept. 12, 1994 Affidavit of Consent of Plaintiff, filed.

Sept. 12, 1994 Upon praecipe of plaintiff's attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Sept. 19, 1994 AND NOW, Sept. 19,. 1994, it is hereby ordered and decreed that JAMES R. HENDERSON, Plaintiff, and DOLORES C. MOTHERSHED, 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.

118

1994

Jorden & White Harry Faber White, II	S. RESOURCES, INC.	COMPLAINT IN CIVIL ACTION 1 copy atty.
118.	vs.	Feb. 16, 1994 Affidavit of Service filed. Harry FAber White II, attorney for Plaintiff in the above captioned matter, being duly sworn according to law, deposes and says that he served the Notice to Defend and Complaint by certified mail, return receipt requested on February 14, 1994,on the Defendant BDB Energy Services, Inc., by C.E.O.William Shanabarger, at P.O.Box 4352, Y oungstown, OH 44515. The Defendant's acceptance of the same is attached hereto. Feb. 14, 1994 Harry Faber White II, Atty.for Pltf.
	BDB ENERGY SERVICES, INC.	
	Filed February 10, 1994 @ 1:23 PM	
	Tax & entry paid 50.50 ✓ User's Fee paid 5.00	

1994

Barbara J. Walton

119.

HILDA E. BAILEY and
RICHARD L. BAILEY

vs.

STEVEN DENMAN

Filed February 10, 1994
@ 1:53 PM

Tax & entry paid 50.50
User's Fee paid 5.00

COMPLAINT FOR CUSTODY
1 copy atty.

Feb. 14, 1994, Acceptance of SERvice filed. I accept service of the complaint for Custody on this 10th day of Feb., 1994.
Dated: 2/10/94 Steven Denman, Dft.

Feb. 16, 1994 Consent Custody Agreement and Order filed. AND NOW, this 15 day of February, 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 parties shall have shared legal custody of the minor child NIKITA DENMAN. 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 child.
2. Primary physical custody of the minor child shall be with the Maternal Grandparents/Plaintiffs.
3. The Father/Defendant shall have liberal visitation as arranged between the parties. Special care shall be taken to assure the father has time with the child on holiday, Father's Day and the child's birthday.
4. The subject minor child shall have the right to telephone the Father/Defendant at reasonable times and for reasonable lengths of time and such conversations will not be unreasonably monitored by the party having physical custody.
5. Should it be necessary for either party to cansel 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 they know of the necessity which impels the cancellation or modification. Said modifications or cancellations shall not be proposed except for good reason. Should a cancellation or modification be necessary, the parties shall attempt at once to arrange for alternate visits or make alternative arrangements.
6. Each party shall teach the child to give to the other party that love and respect which is due a parent from his/her child.
7. Any person transporting the child shall make sure that the seat belts or other restraints are sued in accordance with the laws of Pennsylvania.
8. Neither party shall use illegal drugs or be under the influence of alcohol at any time which said party has the care and custody of the subject minor child. 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. Neither party shall expose the minor child to harmful situations or harmful people while having custody of the child.
9. Neither party shall do or say anything to blacken the character of the other in the child's estimation. Each party shall treat the other in a polite and respectful manner when in the child's presence and each party shall instruct his or her relatives and friends to do likewise and also not to disparage theother party in the child's estimation.
10. The parties to this action agree that this Honorable Court retain jurisdiction of this matter.

Anthony J. Vardaro, J

Feb. 18, 1994 Copy of order to Atty. Walton

april 16, 2004 - See Computer for further entries.

1994

120.

LORI TURNER

vs.

THOMAS E. POWERS, II

Filed February 10, 1994
@ 2:16 PM

Tax & entry paid 50.25
User's Fee paid 5.00

2-17-94 Refunded filing fee
Ck #8104 55.25

APPEAL OF DEFENDANT FROM DECISION OF
DISTRICT JUSTICE WANYE E. HANSON

Feb. 10, 1994 Rule entered upon the Plaintiff to file a Complaint issued.

2-16-94 This case withdrawn by Pro Sey
reason of Rule 1002 of D J Rules Pa.
(See paper filed)

Feb. 18, 1994 Proof of Service filed.

1994

121.

THE FIRST NATIONAL BANK
of PA., now by merger
PNC BANK, NATIONAL
ASSOCIATION

vs.

WILLIAM A. YOUNG

Filed February 11, 1994
@ 1:59 PM

Tax & entry paid 9.00 ✓
Pltf. on orig. 14.50

AGREEMENT TO REVIVE

OF

DSB 1989 - 170

The undersigned hereby agrees that the judgment entered on March 30, 1989 to DSB 1989-170 be revived and the lien continued and authorized the prothonotary to enter and index a judgment of revival in the amount of Twenty Thousand Dollars and 00/100 plus cost.

Signed and dated this 13th day of January 19 94.

Debt $20,000.00
Y-

JUDGMENT
Barbara H. King
Prothonotary

Aug. 26, 1998 Subpoena returned. I, Bernie Teodorski, served Philip YOung, Sr. personally.
Date: 8/25/98, Bernie Teodorski

1994

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

122.

GLENN D. FOLMAR

vs.

AGNES M. FOLMAR

Filed February 11, 1994
@ 3:11 PM

Tax & entry paid	50.50
User's Fee paid	5.00
STate paid	10.00
Pro Co pd 4-18-94	9.00

COMPLAINT IN DIVORCE UNDER SECTION 3301(c) or 3301(d)
2 copies atty.

Feb. 23, 1994 Notice to the Defendant. Plaintiff's Affidavit Under Section 3301 (d) of the Divorce Code, filed.

Feb. 23, 1994 AFFIDAVIT OF SERVICE, filed. I, JAMES R. IRWIN, Esquire, being duly sworn according to law, depose and say that I am the attorney of record, and as such say that I served a true and correct copy of the Complaint in Divorce certified by the Prothonotary of Crawford County, Pennsylvania on the above named Defendant by certified mail, addressee only, return receipt requested, dated February 14, 1994. The Defendant acknowledged service on February 19, 1994 by accepting delivery on that date as evidenced by the attached signed return receipt.

Apr. 14, 1994 Upon praecipe of Plaintiff's attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

April 21, 1994 AND NOW, this 19th day of April, 1994, it is hereby ordered, adjudged and decreed that the marriage heretofore existing between GLENN D. FOLMAR and AGNES M. FOLMAR is hereby dissolved and the parties are hereby divorced and all legal duties, rights and claims of either of the parties to the other in pursuance of said marriage are hereby terminated.

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

1994

Devine & Kuftic
David R. Devine

123.

JOHN T. PENDER and
CHARLOTTE R. PENDER

vs.

OLIVE A. HYATT and JOHN DOE HYATT, CORA G. HYATT and JOHN DOE, her possible husband, NANCY F. BLYSTONE, CAROLINE S. KNERR and SARAH C. KNERR, their heirs, executors, administrators and assigns

Filed February 11, 1994
@ 4:00 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Pro Co. pd 6/28/94	9.00

COMPLAINT IN QUIET TITLE

Mar. 11, 1994 Petition for Order of Service by Publication in Quiet Title Action and ORDER filed. AND NOW, this 11th day of March, 1994, upon consideration of the attached Petition,it is hereby ordered that Defendants, OLIVE A. HYATT and JOHN DOE HYATT, CORA G. HYATT and JOHN DOE, NANCY F. BLYSTONE, CAROLINE S. KNEER and SARAH C. KNERR, their heirs, executors, administrators and assigns, be served by one publication in a newspaper of general circulation in Crawford County and by one publication in the Crawford County Legal Journal, pursuant to Pa. RCP §430.

Gordon R. Miller, J.

3-15-94 Copy of Order to Atty. Devine

May 18, 1994 Petition For Order In Action To Quiet Title and Order, filed. AND NOW, this 18th day of May, 1994, upon consideration of the attached Petition and above-referenced Action to Quiet Title, it is hereby ordered the Defendants, OLIVE A. HYATT and JOHN DOE HYATT, CORA G. HYATT and JOHN DOE, her possible husband, NANCY F. BLYSTONE, CAROLINE S. KNERR, and all persons claiming through Defendants, commence an Action in Ejectment within thirty (30) days; or,

1. be forever barred from asserting any right, title, lien, or interest in the premises herein described;

2. have Plaintiff's title to the premises herein described to be declared good, marketable, valid and indefeasible against Defendants and all others for all time;

3. the Defendants shall be forever barred from claiming any interest in the herein described real estate inconsistent with the interest or claim of the Plaintiffs;

4. enter a final Judgment that the Deed delivering the title to the Plaintiffs and dated the 18th day of November, 1993, and recorded November 19, 1993, in Crawford County Deed Book 212 at Page 67, be declared binding and valid on the Defendants.

Gordon R. Miller, P.J.

B - 121
D - 46
H - 35, 95, 125
K - 33

June 23, 1994 And now, June 23, 1994, 11:39 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
H-125,35,33, 96,121,95
Barbara H. King,
Prothonotary

Judgment entered 6/23/94.

124

1994

District Attorney J. Wesley Rowden	COMMONWEALTH OF PENNSYLVANIA	PETITION FOR FORFEITURE OF MONEY AND DESTRUCTION OF EVIDENCE
124.	vs.	Mar. 14, 1994 Motion for Order filed. Mar. 14, 1994 ORDER filed. AND NOW this 9th day of March, 1994, upon consideration of the foregoing MOtion, the Pennsylvania State police is hereby authorized and directed to dispose of and/or destroy the within identified evidence/contraband and forefeit the monies to the Crawford County District Attorney's Office. The Pennsylvania State Police may, at their discretion, render the programs inopperable and surrender said machines to the Crawford County Vo-Tech soley for the electonic componants use in supervised electonics instruction. By the Court, Gordon R. Miller 3-16-94 Copy of Order to Atty. Rowden
	CARIOUS GAMBLING DEVICES, PARAPHERNALIA and MONIES SEIZED	
	Filed February 14, 1994 @ 11:57 AM	
	Tax & entry Pd 2-18-94 50.50 ✓ User's Fee Pd 2-18-94 5.00	

1994

Joseph E. Altomare

125.

Shafer, Swick, Bailey, Irwin and Stack
Louis J. Stack
Jeffrey K. Millin

Vuono, Lavelle & Gray
Dennis J. Kusturiss
Con-Way Central Express Inc.

Tucker Arensberg
John B. Montgomery
for dft. Laurel Capital Corp.

FRANCESCO P. FRONCILLO, d/b/a SPARK TOOL

vs.

E. T. TECHNOLOGY, INC.
LAUREL CAPITAL CORPORATION and CON-WAY CENTRAL EXPRESS INC.

Filed February 14, 1994
@ 1:42 PM

Tax & entry paid 50.50
User's Fee paid 5.00
Pro. Pd 5/20/97 #609

Non Jury Trial

SECOND AMENDED COMPLAINT

Feb. 14, 1994Memorandum and Order filed. AND NOW, January 31, 1994, after argument on the preliminary objections of Defendants, E.T. Technology, Inc., Laurel Capital Corporation and Con-Way Central Express Inc., to Plaintiffs' amended complaint we find as follows:

With respect to the preliminary objections of Defendant E.T. Technology to this Court's assertion of personal jurisdiction over E.T. Technology, it is orverruled.

Defendants' preliminary objections pursuant to Pa. R.C.P. 1509(c) are granted and the case is certified to the law side of the court

Defendants' preliminary objecitons regarding permissive joinder are granted. Plaintiffs are directed to file two separate second amended complaints on the law side of the court. The Prothonotary of Crawford County is directed to include a copy of this order and accompanying memorandum at each of the new numbers and terms on the law side of the court.

Defendants' preliminary objections in the nature of a motion to strike Plaintiffs' claims for attorney's fees found in Paragraph c(iv.) of Counts I, II, IV and V, are granted and these paragraphs are hereby stricken.

The preliminary objection of E.T. Technology, Inc. inthe nature of a demurrer with respect to Counts II and V is denied.

The preliminary objection of E.T. Technology, Inc in the nature of a motion for more specific pleading with respect to Paragraphs 6 and 8 is granted.

The motion of Defendant E.T. Technology, Inc. for more specific pleading with respect to Paragraph 21 is granted.

The Motion of Defendant E.T. Technolgoy to strike for failure to comply with Pa. R.C.P. 1024 regarding verificationis granted without prejudice to the Plaintiffs to replead in the second amended complaints so long as the second amended complaints filed are properly verified.

The motion of Defendant E.T. Technology, Inc. to strike Paragraphs 36-40 is granted.

Defendant Laurel Capital Corporation's demurrer to Counts I and IV is denied.

The demurrer of Defendant Con-way Express Inc. to counts III and Vi is granted without prejudice to the Plaintiffs to replead these counts in their second amended complaints.

The Plaintiffs may file pleadings consistent with this order and accompanying memorandum within 20 days of the date of this order.

BY THE COURT,
Anthony J. Vardaro, J

Mar. 4, 1994, E. T. Technology, Inc.'s Answer and New Matter to Plaintiffs' Second Amended Complaint filed.

Mar. 9,1994 Answer, New Matter and New Matter Pursuant To Rule 2252(d) filed.

Mar. 28, 1994 Answer, New Matter and New Matter Pursuant to Rule 2252(d) to Plaintiff's Second Amended Complaint, filed.

Mar. 28, 1994 Reply to E.T. Technology, Inc's New Matter and New Matter Pursuant to Rule 2252(d), filed.

Mar. 28, 1994 Reply to Con-Way Central Express, Inc.'s New Matter and New Matter Pursuant to Rule 2252(d), filed.

Apr. 8, 1994 Reply To Laurel Capital Corproation's New Matter and New Matter Pursuant To Rule 2252(d) filed.

Apr. 8. 1994 Defendant, E. T. Technology Inc.'s Reply To Laurel Capital Corporation's New Matter filed.

Apr. 8, 1994 E. T. Technology Inc.'s Reply To Con-Way Central Express, Inc's New Matter filed.

Apr. 28, 1994 Reply To New Matter Pursuant To Rule 2252(d) and New Matter filed.

May 10, 1994 Plaintiff's Reply to Defendant Laurel Capital's New Matter, filed.

May 10, 1994 Plaintiff's Reply to Defendant E. T. Technology, Inc.'s New Matter, filed.

May 10, 1994 Plaintiff's Reply to Defendant Con-Way Central Express, Inc.'s New Matter, filed.

May 16, 1994 E. T. Technology, Inc.'s Reply to Con-Way Central Express, Inc.'s New Matter to New Matter Purusant to Rule 2252 (d), filed.

May 17, 1994 Amended Second Amended Complaint as to Count III only filed.

May 17, 1994 Stipulation Permitting Plaintiff to Amended Second Amended Complaint as to Con-Way Central Express, Inc. Only, filed.

Jun. 6, 1994 Notice Pursuant to Local Rule L302A (2)(a), filed.

Jun. 20, 1994 Answer, New Matter and New Matter Pursuant to Rule 2252 (d) in Response to Plaintiff's Amended Second Amended Complaint, filed.

July 28, 1994 Reply To New Matter and New Matter PUrsuant to Rule 2252(d) of Con-Way Central Express, Inc.'s Answer, new Matter and New Matter Pursuant to Rule 2252(d) in Response To Plaintiffs' Amended Second Amended Complaint filed.

Aug. 25, 1994 Certificat e of Readiness for Trial filed.

ON OCTOBER, 1994 TRIAL LIST

Continued to Page 463

1994

NON JURY TRIAL

Joseph E. Altomare

126.

Vuono, Lavelle & Gray
Dennis J. Kusturiss
Con-Way Central Express, Inc.

Shafer, Swick, Bailey, Irwin & Stack
Louis J. Stack
Jeffrey K. Millin
for E. T. Technology, Inc.

Tucker Arensberg
John B. Montgomery
for Laurel Capital Corporation
Gary P. Hunt for
Capital Laurel Corp.

JOHN M. REPKO and PAUL A. REPKO, partners t/a REPKO TOOL

vs.

E. T. TECHNOLOGY, INC., LAUREL CAPITAL CORPORATION and CON-WAY CENTRAL EXPRESS INC.

Filed February 14, 1994
@ 1:42 PM

Tax & entry paid	50.~~50~~ ✓
User's Fee paid	5.00

SECOND AMENDED COMPLAINT

Feb. 14, 1994 Memorandum and Order filed. AND NOW, January 31, 1994, after argument on the preliminary objections of Defendants, E.T. Technology, Inc., Laurel Capital Corporation and Con-way Central Express Inc., to Plaintiffs' amended complaint we find as follows:

With respect to the preliminary objections of Defendant E.T. Technology to this Court's assertion of personal jurisdiction over E.T. Technology, it is overruled.

Defendants' preliminary obejctions pursuant to Pa. R.C.P. 1509(c) are granted and the case is certified to the law side of the court.

Defendants' preliminary objections pursuant to Pa. R.C.P. 1509(c) are granted and the case is certified to the law side of the court.

Defendants' preliminary objections regarding permissive joinder are granted. Plaintiffs are directed to file two separate second amended complaints on the law side of the court. The Prothonotary of Crawford County is directed to include a copy of this order and accompanying memorandum at each of the new numbers and terms on th elaw side of the court.

Defendants' preliminary objections in the nature of a motion to strike Plaintiffs' claims for attorney's fees found in Paragraph c(civ) of Counts I, II, IV and V, are granted and these paragraphs are hereby stricken.

The preliminary objection of E.T. Technology, Inc. in the nature of a demurrer with respect to counts Ii and V is denied.

The preliminary objection of E.T. TEchnolgoy, Inc. in the nature of a moiton for more specific pleading with respect to Paragraph 6 and 8 is granted.

The motion of defendant E.T. technogoly, Inc. for more specific pleading with respect to Paragraph 21 is granted.

The motion of Defendant E.T. Technology to strike for failure to comply with Pa. R.C.P. 1024 regarding verfiication is granted without prejudice to the Plaintiffs to replead in the second amended complaints so long as the second amended complaints filed are properly verified.

The motion of Defendant E.T. Technology, Inc. to strike Paragraphs 36-40 is granted.

Defendant Laurel Capital Corporation's demurrer to Counts I and IV is denied.

The demurrer of Defendant Con-way Express Inc. to Counts III and VI is granted without prejudice to the Plaintiffs to replead these counts in their second amended complaints.

The Plaintiffs may file pleadings consistent with this order and accompanying memorandum within 20 days of the date of this order.

BY THE COURT:
Anthony J. Vardaro

Mar. 1, 1994 Notice of Removal filed.

Mar 1, 1994 Certificate of Service of Notice of Removal, filed.

Apr.15, 1994 MEMORANDUM ORDER filed. AND NOW, t his 11th day of April, 1994, after careful consideration of the submissions of t he parties,

It is hereby ORDERED that pursuant to 28 U.S.C. §1447 (c), this case be and hereby is REMANDED to the court of Common Pleas of Crawford County, Pennsylvania, forthwith.

BY THE COURT:
Donetta W. Ambrose,U.S.District Judge

4-19-94 Copy of Order to Attys. Altomare, Stack, Shafer, Kusturiss & Montgomery

Apr. 28, 1994 Answer, New Matter and New Matter PUrsuant to Rule 2252(d) filed.

Apr. 28, 1994 Reply To Laurel Capital Corporation's Affirmative Defenses and Crossclaims (new Matter) filed.

May 10,1994 Plaintiffs' Reply to Laurel Capital Corporation's Affirmative Defenses (New Matter), filed.

May 10,1994 Plaintiffs' Reply to Defendant Con-Way Central Express, Inc.'s New Matter, filed.

May 16, 1994 E. T. Technology, Inc.'s Answer, New Matter and New Matter Pursuant to Rule 2252 (d) filed.

May 16, 1994 Defendant E. T. Technology, Inc.'s Reply to Laurel Capital Corporation's New Matter, filed.

May 16, 1994 E. T. Technology, Inc.'s Reply to Con-Way Central Express, Inc.'s New Matter, filed.

May 17, 1994 Plaintiff's Reply to E.T. Technology, Inc.'s New Matter, filed.

May 17, 1994 Stipulation Permitting Plaintiff to Amended Second Amended Complaint as to Con Way Central Express, Inc., only, filed.

May 17, 1994 Amended Second Amended Complaint (as to Count III only), filed.

May 18, 1994 Stipulation on behalf of plaintiff, filed.

May 31, 1994, Reply to Affirmati ve Defenses of Defendant E.T. Technology, Inc.'a Reply to Laurel Capital Corporation's Crossclaim filed.

May 31, 1994, Reply to New Matter and New Matter Pursuant to Rule 2252(d) of Con-Way Central Express, Inc. filed.

Jun. 6, 1994 Notice Pursuant to LocalRule L302A (2)(a), filed.

Record Continued on Page 126(a)

John M. Repko and Paul A. Repko, partners t/a Repko Tool

vs.

E.T. Technology, Inc., Laurel Capital Corp., ET AL

RECORD CONTINUED FROM PAGE 126

OF

AD 1994 - 126

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June 23, 1994 Anser, New Matter and New Matter Pursuant to Rule 2252(d) to Plaintiff's Amended Second Amended Complaint, filed.

June 23, 1994 Reply To New Matter and New Matter Pursuant to Rule 2252(d) Filed by E.T. Technology, Inc., filed.

July 28, 1994 Reply To New Matter and New Matter Pursuant to Rule 2252(d) of Con-Way Central Express, Inc's Answer, New Matter and New Matter pursuant to Rule 2252(d) in Response to Plaintiffs' Amended Second Amended Complaint filed.

July 28, 1994 Reply To New Matter and New Matter pursuant to Rule 2252(d) of E.T. Technology, Inc filed.

Aug. 25, 1994 Certificate of Readiness for Trial filed.

ON OCTOBER, 1994 TRIAL LIST

Sep. 2, 1994 Motion to Amend Answer, Affirmative Defenses and Crossclaims, filed.

Sep.2, 1994 Motion to Continue Trial Date and ORDER OF COURT filed. AND NOW, to-wit, this 2nd day of September,1994, upon consideration of the foregoing Motion to Continue Trial Date, it is hereby ORDERED that the above-captioned is continued to the February trial list.

BY THE COURT:
Gordon R. Miller

9-2-94 Faxed copies to Altomare, Montgomery, Kusturiss, Stack & Millin

ON FEBRUARY, 1995 TRIAL LIST

Sept. 20, 1994 Amended Answer, Affirmative Defenses, Crossclaims and Counterclaim to Plaintiffs' Second Amended Complaint, filed.

Oct. 3, 1994, Amended Answer, AFFIRMATIVE Defenses, Crossclaims and Counterclaim to Plaintiffs' Second Amended Complaint filed.

Jan. 4, 1995 E. T. Technology, Inc's Motion To Compel Discovery, filed.

Jan. 4, 1995 Order filed. AND NOW, this 4 dya of January, 1995 upon consideration of E. T. Technology, Inc's Motion to Compel, it is hereby Ordered:
1. That the Plaintiff shall answer the interrogatories and produce the documents requested on or before the 16 day of January,1995,
2. That upon failure of the Plaintiff to answer interrogatoreis and produce documents requested, the Court will consider an appropriate Motion for Sanctions pursuant to Rule 4019.

By the Court:
Anthony J. Vardaro, J.

Jan. 4, 1995 Faxed Kusturisa, Altomare, Stack, DeGrodoble

Jan. 17,1995 Plaintiff's Answer to Defendant Laurel Capital Corporation's Counterclaim to Plaintiff's Second Amended Complaint and New Matter Pursuant to Rule 2252 (d) filed.

Jan. 25, 1995 E.T.Technology, Inc.'s Motion to Compel Discovery filed.

Jan. 25, 1995 ORDER filed. AND NOW, this 25 day of January, 1995 upon consideration of E.T.Technology, Inc.'s Motion to Compel,it is hereby Ordered:
1. That the Plaintiff shall answer the interrogatories and produce the documents requested on or before the 6 day of February, 1995.
2. That upon failure of the Plaintiff to answer interrogatories and produce documents requested, the Court will consider an appropriate Motion for Sanctions pursuant to Rule 4019.

By the Court:
Anthony J.Vardaro, J.

1-25-95 Faxed to Attys. Millin, Stack,Altomare, Montgomery &Kusturiss

Jan. 27, 1995 Defendant Laurel Capital Corporation's Pretrial Statement, filed.

Jan. 30, 1995 Motion for Trial Consolidation, filed

Feb. 14, 1995 Pre-Trial Order filed. AND NOW, February 8,1995,after pre-trial conference with all counsel present, the Court enters the following Order:
1. Except as hereinafter indicated, all discovery is completed, all parties are ready for trial and non-jury trial shall commence ona date certain tobe designated by the Court Administrator most likely during the month of April 1995. The Court Administrator shall set aside three consecutive days for these trials. In the event that trial will be scheduled later than April 1995, the Court Administrator shall contact each counsel to determine when there are conflicts in their schedules.
2. The Plaintiffs' motion to consolidate these cases is denied, however, they will be tried back to back with Repko to be tried first followed immediately thereafter by Froncillo.
3. As part of the discovery in these matters, Conway Central Express, Inc. has supplied the other parties with documents with regard toboth cases entitled "Excess Claims Investigations." There appears to be some confusion as to whether the complete documents were supplied and whether all "Excess Claims Investigations" and attachments were supplied and accordingly, Conway Central Express, Inc. is ordered and directed within 30 days to provide each of the other counsel with all documents representing such "Excess Claims Investigations" with respect to each case as well as any attachments to those documents with the same to be provided in a manner so that it is clear as to what pages and attachments belong to each of the "Excess Claims Investigations." Thereafter, within 15 days of receipt of the same, the Plaintiff maysubmit requests for admissions to Conway Central Express, Inc. only with respect to issues raised as a result of that discovery and specifically with regard to whether Conway Censtral Express, Inc. admits causing damage in each case to the equipment in question. With respect to any requests for admission served upon Conway Central Express, Inc., thereafter provisions of Pa.R.C.P.4014 shall apply.
When Conway Central Express, Inc. supplies this information,they shall attach a verification which shall also indicate that a diligent search of the records of the Defendant Conway Central Express, iNc. has been completed and that the documents in the nature of those requested being supplied are the only ones that have been found and are available tothe knowledge of the appropriate representatives of Conway Central Express, Inc.

Continued to Page 126 B

~~578~~
126-B-

1994

No further discovery may be attempted by any party without further order of court unless in the nature of a deposition already scheduled or agreed upon by the parties prior to the pre-trial conference.

4. With regard to the counerclaim of Laurel Capital Corporation, trial counsel, Toni L. DiGiacobbe, Esquire,will be permitted to testify as to counsel fees and the reasonableness of the same provided she is examined with respect to those matters by another attorney on behalf of Laurel Capital Corporation. This procedure can be modified to allow a narratigve testimony by Attorney DiGiacobbe with subsequent cross-examination if that arrangement is stipulated to by the Plaintiff in each case prior to trial.

The parties raise various legal issues which may be argued at the time of trial and any party is permitted to file any trial brief with respect to any issues either prior to trial or at the time of trial.

BY THE COURT:
Anthony J. Vardaro,J.

2-14-95 Copies dist. to Ct. Adm. & All counsel

Mar. 2, 1995 Motion for Summary Judgment filed by Defendant Laurel Capital Corporation, filed.

Mar. 8, 1995 ORDER filed. AND NOW, this 6th day of March, 1995, non-jury trials are hereby scheduled in the following cases on the dates and at the times set forth below:

# on February, 1995 Civil Trial List	(Abbrvd.) & Docket Number	Non-Jury Trial Date and Time; Courtroom
#26	John M. Repko and Paul A.Repko, partners t/a Repko Tool vs., E.T.Technology, Inc.,Laurel Capital Corporation and Con-Way Central Express, Inc. A. D. 1994 - 126	May 1, 2, 3, 1995 9:15 A.M., #2 (3 days)

FOR THE COURT,
Ann A.Walker,Ct. Administrator

3/7/95 Copies dist. by Ct. Adm.

Mar. 22, 1995 Plaintiff's Motion For Summary Judgment with Respect To Defendant Laurel Capital Corporation's Counterclaim filed.

Mar. 31, 1995, MEMORANDUM AND ORDER filed. ORDER: AND NOW, March 31, 1995, both of the above captioned cases scheduled to be tried non-jury on May 1, 2 and 3 1995 are now continued indefinitely to be rescheduled by the court once the preliminary matters have been properly brought before the court, argued and decided.

BY THE COURT,
Anthony J. VArdaro, J.

3/31/95 distributed to all counsel.

Apr. 13, 1995, Upon praecipe of defendant Laurel capital Corp., Motion for summary Judgment placed on next argument list.

ON ARGUMENT LIST FOR MAY 1995

Apr. 17, 1995, Supplemental Pretrial Statement filed.

June 6, 1995 Upon praecipe of Laurel Capital Corporation the above matter is placed on the next available argument list.

ON JULY 1995 ARGUMENT LIST

Jun. 26, 1995 Motion for Partial Summary Judgment filed.

Jun. 26, 1995 Upon Praecipe of Dennis J. Kusturiss, Esquire, the Partial Summary Judgment is placed on the next available Argument list.

ON JULY, 1995 ARGUMENT LIST

July 12, 1995, Statement of Material Facts by Defendant Con Way Central Express, Inc. in Support of Its Motion for Partial Summary Judgment filed.

Aug. 4, 1995 E. T. Technology, Inc's Response To Con-way Central express, Inc's Statement of Material Facts filed.

Aug. 9, 1995 Plaintiffs' Affidavit filed.

Aug. 23, 1995 Appearance of Tucker Arensberg by Gary P.Hunt, Esquire, for Laurel CapitalCorporation, Defendant, filed.

Aug. 24, 1995, Motion for Continuance and order filed. ORDER: AND NOW, this 22 day of Aug. 1995 argument on defendant Con-way Express' Motion for Partial Judgment previously scheduled for Aug. 28, 1995 is continued to the Sept. Argt. List at a time set by the Ct. Adm.

by the court,
Gordon R. Miller, J.

8/25/95 faxed to Altomare, Stack, Montgomery and Kusturiss.

Dec. 1, 1995 Certificate of Readiness filed.

ON FEBRUARY, 1996 TRIAL LIST

Dec. 13, 1995 MEMORANDUM AND ORDER filed. AND NOW, December 12, 1995, the motion for summary judgment filed by Laurel Capital Corporation is granted with respect to Count I of the second amended complaint of the Plaintiffs in both of these actions but it is denied with respect to Laurel Capital Corporation's counterclaim against each of the Plaintiffs.

BY THE COURT:
Anthony J. Vardaro, J.

12-13-95 Dist. to all counsel.

Dec. 13, 1995 JOINT MOTION TO STRIKE CERTIFICATE OF READINESS filed.

Dec. 13, 1995 MEMORANDUM and ORDER filed. AND NOW, this 13th day of December, 1995, upon consideration of the Joint Motion to Strike Plaintiffs' Certificate of Readiness and upon consent of all parties, it is hereby Ordered that the Certificate of Readiness of the Plaintiffs is stricken and may be re-filed once the preliminary matters have been decided.

By the Court:
Anthony J. Vardaro, J.

12-13-95 FAXED Stach, Shafer, Attomare, Montgomery, DiGiacobbe, Kusturiss.

(Record Continued on Page 126(C).

JOHN M. REPKO and PAUL A. REPKO, al

vs.

E.T. TECHNOLOGY, INC., AL

RECORD CONTINUED FROM PAGE 126 (C)

OF

AD 1994 - 126

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Jan. 18, 1996 MEMORANDUM AND ORDER filed. AND NOW, January 17, 1996, the Motion for Partial Summary Judgment filed by the defendant CCX is denied.

BY THE COURT,
Anthony J. Vardaro, J.

Jan. 17, 1996 Order distributed to Attys. Altomare, Shafer, Stack, Montgomery, DiGiacobbe, and Kusturiss. (copy in file drawer)

Jan. 23, 1996 Certificate of Readiness for Trial filed.

ON APRIL 1996 CIVIL TRIAL LIST

April 2, 1996 ORDER filed. AND NOW, April 1, 1996, at the time of the Call of the Trial List, all counsel mutually agree that a pretrial conference will be scheduled in this case before Judge Anthony J. Vardaro on April 12, 1996 at 3:30 p.m. Since the case is nonjury, if Judge Vardaro believes settlement negotiations should not be heard by him, he may schedule a further date before another judge for a settlement conference if court and counsel believe the same would be productive.

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

April 2, 1996 Copy to Attys. Altomare, Kusturiss, Stack, Millin, Montgomery, Hunt.

April 12, 1996 Motion for Summary Judgment filed.

April 18, 1996 Motion For Summary Judgment filed.

April 18, 1996 ORDER filed. AND NOW, April 17, 1996, the Court Administrator is hereby directed to schedule oral argument on the plaintiffs' motion for summary judgment with regard to the counterclaim of Laurel Capital Corporation on the May argument list, before the undersigned, at a specific time to be determined by the Court Administrator after the close of the May argument list.

BY THE COURT,
Anthony J. Vardaro, J.

April 18, 1996 Order FAXED all counsel.

Apr. 24, 1996, Assignment of NonJury Trial Date filed. And NOw, Apr. 22, 1996 having been directed by court to schedule non jury trials the same is hereby set for Mon. July 29, 1996 withe the trial of Repko vs. E. T. Technology et al to commence at 9:15 a.m. and the case of Froncillo vs. E. T. Technology, et al, to begin immediately following completion of the first trial before the Hon. Anthony J. Vardaro in C. R. No. 2, Courthouse Meadville, Pa.

FOR THE COURT, Ann Walker, Ct. Adm.

4/23/96 copies to Attys. Altomare, Kusturiss, Stack, Millin, Montgomery, and Hunt.

April 30, 1996 ORDER filed. AND NOW, April 30, 1996, Court does not find consolidating cases for trial appropriate. Cases scheduled for non-jury for four days beginning on July 29, 1996. (SEE PAPERS FILED).

BY THE COURT:
Anthony J. Vardaro, J.

May 1, 1996 Order Distributed Atty. Stack; Mailed Attys. Kusturiss, Altomare, Hunt.

May 16, 1996 Stipulations filed.

May 20, 1996 Motion for Reconsideration of Motion for Summary Judgment filed by Laurel Capital Corp. filed.

May 20, 1996 Brief in Opposition to Motion for Summary Judgment Filed by Defendant filed.

May 20, 1996 AFFIDAVIT SUPPORTING MOTION FOR RECONSIDERATION OF MOTION FOR SUMMARY JUDGMENT FILED BY DEFENDANT filed.

July 3, 1996 Memorandum and ORDER filed. AND NOW, June 26, 1996, the Motion of all Plaintiffs for Summary Judgment is denied and the Motion for Reconsideration of Motion for Summary Judgment filed by Laurel Capital Corp. in each case is denied.

BY THE COURT:
Anthony J. Vardaro, J.

7-3-96 DISTRIBUTED All Counsel.

July 8, 1996, ORDER filed. AND NOW, July 8, 1996 due to scheduling conflict of Argument court, trial scheduled to begin at 9:15 a.m. on that date will commence at 1:00 p.m. on Mon. July 29, 1996 in C. R. No. 2.

By the court, Ann A. Walker, Ct. Adm.

7/8/96 copies dist. by Holly

July 15, 1996 Motion for Leave to Take Deposition for use at Trial and/or for Production of Witness via Telephone and ORDER filed. AND NOW, this 15 day of July, 1996 Plaintiffs' Motion to permit the testimony of Walter Talons of Rochester, New York by telephonic communication at time of trial is granted. **Anthony J. Vardaro, J.**

7-15-96 FAXED Altomare, Montgomery, Kasturias, Stack & Millin

July 19, 1996 E. T. Technology, Inc's Motion For Leave To Take Deposition For Use At Trial and/or For Production of Witness Via Telephone and Order filed. AND NOW,this 19 day of July, 1996, upon consideration of E. T. Technology Inc's Mtoion to Permit the Bestimony of Beth Arthur of Maryland by telephone communication at the time of trial

By the Court,
Anthony J. Vardaro, J

7-19-96 Faxed Kusturiss, Stack Altomare & DiGiacobbe

Aug. 5, 1996 ORDER filed. AND NOW, July 31, 1996 after the completion of all testimony in this matter, the parties agree that the time period set in the Rules for the Court to decide this case shall be waived by all parties, and that the Plaintiff shall submit a brief with regard to the issues that Plaintiff perceives in this case, as well as any suggestions with regard to what the appropriate verdict shall be, on or before September 15, 1996, and all Defendants shall file a similar response on or before October 7, 1996.

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

8-5-96 DISTRIBUTED Starch Mailed Altomare & Hunt & Kusturiss

Aug. 5, 1996 EXHIBITS filed.

Sept 20, 1996 Transcript of Testimony Taken July 29, 1996 at NonJury Trial filed.

Continued on page 126 (D)

126
(D)

1994 TERM

Sept. 17, 1996, Motion for Extension of Time filed.

Sept. 17, 1996, Order filed. And Now, this 18 day of Sept. 1996 it appearing that all counsel for the above-captioned parties concur, the time within which post-trial briefs sahll be filed in the above matter shall be extended as follows:

a. Plaintiffs brief shall be due within 15 days of plaintiffs receipt from the ct. reporter of the transcript of proceedings, as ordered by the parties from the ct. reporter, in both the above captioned matter and its companion case; and

b. The briefs of dfts. and counter-claimant shall be filed within 23 days thereafter.

by the court:
Anthony J. VARDARO, J.

Faxed to parties counsel

Dec. 4, 1996, Motion to Amend Answer filed.

Apr 4, 1997 Memorandum and Verdict, filed.
Apr 7, 1997 Mailed Altomare, Hunt & Kusturiss and Dist Stack

1994

Jack E. Grayer

127.

Jorden & White
Harry Faber White, II

VICTORIA MARSKA

vs.

MELISSA E. DIEQUEZ

Filed February 14, 1994
@ 2:14 PM

Tax & entry paid	50.50
User'sFee paid	5.00
John Fuller, Mediator	
ProCo Pd 8-31-94	9.00

Bd.
2-14-94 $150.00 Ref
6-22-94 Pd Co. med fee
Chk#8355 150.00
8-31-94 Rec'd from Plf
med fee $50.00
9-13-94 Pd Co
Chk#8549 50.00

CUSTODY COMPLAINT
1 copy atty; 1 copy med.

Order:
You, Melissa E. Diequez, have been sued in Court to obtain custody of Jeremiah Andrew Griffin.
You are Ordered to appear in person at Crawford CountyCourthouse, Meadville, Pennsylvania 16335, on for a Conference before John Fuller, Esq. Child Custody Mediator. Time and date set by mediator.
If you fail to appear as provided by this Order, an Order for custody, partial custody or visitation may be entered against you or the Court may issue a warrant for your arrest.
You SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE, IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.
Court Administrator
Crawford County Courthouse
Meadville, PA 16335
Phone (814) 336-4132 ext. 298
2/11/94
BY THE COURT:
Anthony J. Vardaro, J

Mar. 15, 1994 Affidavait of Service, filed. I, Jack e. Grayer, depose and say the following:
1) That a tarue and attested copy of the Complaint was served on the Defendant on 2 March 1994 by first class mail as shwon by the Domestic Return Receipt.
2) An Amended Complaitn was served by first class mail on 3 March 1994.
I VERIFY THAT THE STATEMENTS MADE IN THIS AFFIDAVIT ARE TRUE AND CORRECT. I UNDERSTAND THAT FALSE STATEMENTS HEREIN ARE SUBJECT TO FALSIFICATION OF AUTHORITIES.
Date: 11 March 1994

May 10, 1994 ORDER filed. AND NOW, after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:
I. Legal custody of Jeremiah Andrew Griffin shall be with his mother, Melissa E. Dieguez.
II. Physical custody of Jeremiah Andrew Griffin shall be with his mother, subject to the following conditions:
A. The Grandmother, Victoria Marska, shall be entitled to visit and take the child into her custody the third Saturday of each month from 1:00 o'clock p.m. to 5:00 o'clock p.m., beginning May 21, 1994.
B. Beginning with the month of November, 1994, the grandmother, Victoria Marska, shall be entitled to visit and take the child into her custody the first and third Saturday of each month from 1:00 o'clock p.m. to 5:00 o'clock p.m.
C. Transportation of the child on Saturday visits shall be provided by the grandmother.
D. Neither mother nor grandmother shall say or do anything in an attempt to turn the child against the other, but on the other hand shall do everything in the power of each to foster a favorable and loving attitude on the part of the child towards both parties.
E. Neither mother nor grandmother shall expose the child to any person or situation which might be harmful to the child's health or well being.
F. Both mother and grandmother agree to inform the other immediately of any illness or injury regarding teh child and both parties 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 paid by the Plaintiff, Victoria Marska.

Anthony J. Vardaro, Judge
May 11, 1994 Copy of Order faxed to Atty. H. White; May 13, 1994 copies of Order distributed to Atty. Jack Grayer, Plf. and Dft.

May 19, 1994 Exceptions of the Defendant Melissa E. Dieguez to the Temporary Custody Order, filed.

May 27, 1994, Petition for Hearing De Novo and Order filed. ORDER: AND NOW, this 26 day of May, 1994, it is ordered that the hearing on the defendant's Petition for Hearing De Novo on Ex ceptions to the Temporary Custody Order of May 9, 1994 is s cheduled for the 21st day of July 1994 at 9:00 a.m. in C. R. No. 1 or 2 ofthe Crawford County Courthouse in Meadville, Pa.
BY THE COURT,
Gordon R. Miller, J.
May 27, 1994, copies to White; mailed to Grayer.

Jun. 29, 1994 Assignment of Hearing Date filed. AND NOW, June 28th, 1994, hearing in the above captioned case heretofore set for July 21, 1994 has been reset for August 15, 1994 at 9:15 A.M. in Courtroom No. 1 or 2, Crawford County Courthouse, Meadville, Pennsylvania.
FOR THE COURT,
Ann A. Walker, Ct. Administrator
6-29-94 Copies dist. to Grayer & White

Aug. 11, 1994 Motion For Continuance and Order filed. NOW this 10 day of August, 1994 a continuance in the above captioned matter is granted. Hearing reset for Oct. 25, 1994 at 1:30 PM in Ct. Rom 1 or 2, Crawford County Courthouse. Anthony J. Vardaro, J
Aug. 11, 1994 Faxed White mailed Grayer

Oct. 27, 1994 Motion To Withdraw Exceptions And A De Novo Trial and Order, filed. AND NOW, this 25 day of October, 1994 upon consideration of the foregoing Petition to Withdraw Exceptions and cancel Trial De NOvo, the exceptions of the Defendant are hereby withdrawn and the trial De Novo scheduled for October 25, 1994, at 1:30 p.m. i shereby cancelled.
BY THE COURT,
Anthony J. Vardaro, J.
Oct. 27,1994 Faxed White, mailed Grayer
Nov. 1, 1994 Faxed Fuller

RECORD CONTINUED ON PAGE 500.....

1994

Peters, Lindsay,
Lewis & Hatheway
Edward J. Hatheway

128.

ANNA MUIR BROWN

vs.

FRANCIS ALBERT BROWN

Filed February 14, 1994
@ 2:39 PM

Tax & entry paid 50.50 ✓
User's Fee paid 5.00

COMPLAINT TO QUIET TITLE
2 copies atty.

Feb. 14, 1994 Motion For Special Court OrderFor Notice By Publication PUrsuant To 42 PA. C.S.A. RCP 430 and Order filed. AND NOW, February 14, 1994, upon presentation and consideration of the foregoing Motion for Special Court Order for Notice by Publication pursuant to 42 Pa. C.S.A. RCP 430: said mtoion is granted.

BY THE COURT,
Gordon R. Miller, J

Feb. 15, 1994 Copy of order to Atty. Hatheway

Feb. 22, 1994 ORDER filed. AND NOW, February 18, 1994, upon oral motion of counsel for the plaintiff to establish the number of times the notice must be advertised it is ordered as follows. Said notice by publication shall be published on three occasions in theCrawford County Legal Journal and in the Meadville Tribune Newspaper.

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

2-24-94 Copy to Atty. Hatheway.

Mar. 21, 1994 Motion To Modify Service By Publication Court Order and Order filed. AND NOW, March 21, 1994, upon presentation and consideration of the foregoing Motion To Modify Service By Publication Court Order: Motion Denied.

BY THE COURT,
Anthony J. Vardaro, J

Mar. 22, 1994 Copy of order to Atty. Hatheway

1994

Jack L. Cherkin,
Dominic D. Salvatori

129.

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

AUDLEY D. STEVENS and
HELEN J. STEVENS, his wife

vs.

MELISSA A. WALLACE

Filed February 15, 1994
@ 10:58 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	35.00
Pro Co pd 5-11-95	6.00

COMPLAINT IN CIVIL ACTION

Mar. 21, 1994 Complaint Reinstated.

Apr. 7, 1994 Appearance of Thomas, Truax, Spadafore & Walker by Emil M. Spadafore, Jr., Esquire for Melissa A. Wallace, Defendant, filed.

Apr. 13, 1994 Sheriff's Return filed. SERVED Melissa A.Wallace personally on March 30, 1994 at 1:05 PM by handing a copy of the Complaint and Interrogatories to her at her place of employment, Bethesa Children's Home, R.D.#9, Box 84, Meadville, Crawford County, PA.

So answers, Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

Apr. 28,1994 Answer filed.

June 29, 1994 Certificate of Service of Answers to Interrogatories, filed.

July 29, 1994 Certificate of Service of Interrogatories and Request for Production, filed.

Oct. 11, 1994 Notice of Deposition of Melissa A. Wallace, filed.

Feb. 21, 1995 Certificate of Readiness filed.

Mar. 27, 1995 Motion For Sanctions filed.

Mar. 27, 1995 Motion To Continue filed.

May 9, 1995 Upon praecipe of plaintiff attorney the above-captioned case is settled and discontinued of record.

1994

Daniel J. Kuhn

130.

SUSAN A. STINE

vs.

PAUL J. STINE

Filed February 15, 1994
@ 12:23 PM

Tax & entry	Pd 3-8-94	50.50
User's Fee	Pd 3-8-94	5.00
Ssheriff's Costs	Rec'd Pd 3-8-94	18.00

3-8-94 Rec from dept Sheriff's Cost 18.00

3-8-94 Pd Sheriff
Check # 8147 18.00

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

ORDER:

And now, this 15 day of February , 1994 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

1. The defendant shall not assault, abuse, harass or threaten the Plaintiff ~~or any of the minor children named in the Petition.~~
2. Special Conditions: Defendant shall move out. Defendant shall not go to Plaintiff's residence of Laker Inn while Plaintiff is working there. He 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 or fees and costs will be determined by final court order.
7. The defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves Ruling on allocation of fees and costs.

Hearing is hereby set for the February 22, 1994 , at 3:30 p.m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

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

Feb. 16, 1994 SHERIFF'S RETURN, filed. Served Paul J. Stine personally on February 15, 1994 at 7:20 PM by handing a copy of the Protection From Abuse to him at 17509 Riley Siding Road, Union City, Erie County, PA 16438.
So answers,
Frank Whiteneck, Constable
Robert M. Stevens, Sheriff

Feb. 23, 1994 Motion for continuance and ORDER filed. AND NOW,February 22, 1994,after due consideration of the foregoing Motion for Continuance,it is Ordered, that the P.F.A.Hearing scheduled for this date, is continued until March 3, 1994 at 11:00 o'clock A.M. in Courtroom 1 or 2. Any existing Order shall remain in full force and effect until that Hearing.
Anthony J. Vardaro, J.
2-24-94 Copy of Order to Atty. Kuhn & Deft.

Mar. 4, 1994 ORDER filed. AND NOW, March 3, 1994 this matter is before the Court on Plaintiff's petition for protection under the Protection from Abuse Act. The Plaintiff appears with counsel and the Defendant appears without counsel and indicates that he wishes to proceed without counsel, after having been advised of his right to counsel.

The parties agree to the entry of 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 at any time or any place.
2. Both parties agree and it is therefore ORDERED that neither party shall contact the other party in any manner whatsoever.
3. Insofar as the parties work at the same place of employment, the Plaintiff apparently works on the second floor of the place of employment and the Defendant shall, at no time, go to the second floor of his place of employment but shall instead remain on the first floor.
4. The Defendant this day in Court supplied to the Plaintiff a list of items he wishes to obtain from the marital home. There is at least some agreement with respect to that list and the Plaintiff shall arrange for the items of personal clothing and ot her personal items in her possession belonging to the Defendant to be supplied to himby a constable within 10 days of the date of this order. Any items which she does not supply will have to be resolved in the pending divorce action.
5. The Plaintiff is awarded exclusive possession of the marital home located at R.D.#2, Box 2035, Union City, Pennsylvania and the Defendant shall not go to that residence. He is cautioned that even if he is invited to the residence he should not go to the residence insofar as any police agency shall presume that he is in violation of this order if he is at that residence. In the event that the parties at some time in the future wish for the Defendant to be able to go to the Plaintiff's residence at the marital home,they shall seek a modification of this order and the Defendant shall not go to that residence until such modification has been entered by the Court.
6. The Plaintiff works on a part-time basis at the Laker Inn in the Canadohta Lake area and the Defendant shall immediately leave that establishment if he is there to frequent on a social basis if the Plaintiff is working at that establishment.
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 State Police, Corry Barracks, insofar as the Plaintiff's residence is located at R .D.#2, Box 2035 UnionCity,Pennsylvania and a copy shall also be supplied to County Control.

Continued to Page 130 A

1994

SUSAN A. STINE
vs
PAUL J. STINE

Continued from Page 130
of Record
A.D. 1994 - 130

****

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 6 months.

10. The Defendant shall pay costs in this atter in the amount of $82.50 on or before March 8, 1994 at the office of the Prothonotary on the first floor of the Crawford County Courthouse, Meadville,Pennsylvania.

11. This order shall remain in full force and effect through March 2, 1994.

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

3-4-94 Copies dist. to Co. Control CSPD, Atty. Kuhn & Deft.

Mar. 24, 1994 Motion to Amend or Modify a protection from Abuse Order and ORDER filed. AND NOW, this 22nd day of March, 1994, upon receipt and review of the within motion to amend the Protection from Abuse Order of March 5, 1994, the amendment(s) and modification(s) set forth in said motion are hereby approved and made a Court Order.

A true and correct copy of this Order shall be delivered by the Prothonotary to State Police Corry Barracks and to County Control.

Any paragraphs of the original Order assessing costs on either party shall remain in full force and effect without change or modification.

BY ORDER OF COURT
Gordon R. Miller, J.

3-25-94 Copy of Order to Atty.Kuhn, Deft., Co.Control & Corry State Police

1994

1994

Tarasi & Johnson,PC
John A. Adamczyk

131.

LOUIS N. DEVITA, an individual, and DELORES M. DEVITA, his wife

vs.

PENN POWER, a corporation

Filed February 15, 1994
@ 1:35 PM

State Pd 4-14-94	.50 ✓
Tax & entry paid	50.~~00~~
User's Fee paid	5.00
Sheriff's Costs	44.20

WRIT OF SUMMONS
Issued Sheriff

Mar. 14, 1994 SHERIFF'S RETURN, filed. SERVED Penn Power by deputizing the Sheriff of Mercer County, PA, as per his Affidavit of Service attached. Served on March 1, 1994 at 2:30 PM at 3655 Route 18, Clark,PA.
So answers, Robert M. Stevens, Sheriff
SERVED Penn Power on 3/1/94 at 2:30 PM by handing a copy of the Writ of Summons to Tim Kilmore, Engineering Supervisor, Adult in Charge. William H. Romine Jr., Sheriff Mercer Co.

Evans, Portney & Quinn
Irving M. Portnoy

132.

Knox McLaughlin Gornall & Sennett, P.C.
Mark E. Mioduszewski
for Dft. P.W. Durkin

John B. Fessler for United Comm. Ind. Prog., United Cerebral Palsy of Crawford, Venango & Clarion Counties
Marsh, Spaeder, Baur, Spaeder & Schaaf

LARRY EDDY, ARLAND JORDAN, and JOSEPH TERREGINO

vs.

PATRICK W. DURKIN, UNITED COMMUNITY INDEPENDENCE PROGRAMS, a corporation, and UNITED CEREBRAL PALSY OF CRAWFORD, VENANGO & CLARION COUNTIES, a corporation

filed February 15, 1994
@ 1:35 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	93.00
Pro Pd 9/6/97	#609.

JURY TRIAL DEMANDED

WRIT OF SUMMONS
Issued Sheriff

Mar. 3, 1994, appearance of Marsh, Spaeder, Baur, Spaeder & Schaaf, by John B. Fessler, attorneys for defendants United Community Independence Programs, a corp. and United Palsy of Crawford, Venango and Clarion Counties, filed.

Mar. 3, 1994, Upon praecipe of attorneys for defendants United Cerebral Palsy of Crawford Venango and Clarion counties and United Community Independence Programs, Rule entered upon plaintiff to file complaint, issued. Issued (atty)

Mar. 21, 1994 Writ Return filed. SERVED the within Writ of Summons on March 9, 1994, at 1135 hrs. upon Patrick W. Durkin at SCI Albion, 10745 Route 18, Erie County, Albion, Pennsylvania by handing to Patrick W. Durkin a true and correct copy thereof and made known to him the contents therein.
So answers, Geradine Taylor, Deputy Sheriff
Robert M. Michel, Sheriff
I hereby deputize the Sheriff of Erie County, Pennsylvania to serve th ewithin Summons according to law.
so answers, Robert M. Stevens, Sheriff
SERVED Patrick W. Durkin by deputizing the Sheriff of Erie County PA as per his Affidavit of Service attached. Served on March 9, 1994 at SCI Albion, 10745 Route 18, Albion, PA.
SERVED United Community Independence Programs on February 17, 1994 at 9:49 AM by handing a copy of the Summons to Joan Cook, Secretary at business, 405 Finley Avenue, Meadville, Crawford County, PA.
SERVED United Cerebral Palsy of Crawford, Venango and clarion Counties on February 17, 1994 at 9:50 AM by handing a copy of the Summons to Joan Cook, Secretary at business, 405 Finley Avenue, Meadville, Crawford County, PA.
So answers, Scott D. Young, Deputy Sheriff
Robert M. Stevens, Sheriff

Apr. 5, 1994 Complaint in Civil Action filed.

Apr. 7, 1994 Written Appearance to Defend in the Case of Civil Division AD 1994-132, filed.

Apr. 11, 1994 Affidavit of Service filed. BEFORE ME, the undersigned authority, personally appeared, IRVING M. PORTNOY, ESQUIRE, who, being duly sworn according to law deposes and says that a true and correct copy of the Complaint in Civil Action was sent to Patrick W. Durkin, one of the Defendants, by Certified Mail, Restricted Delivery, Return Receipt Requested, on April 4, 1994, the Return Receipt of this mailing being attached hereto and made a part hereof, indicating the receipt ofthe Complaint by the said Defendant on April 5, 1994.
Irving M. Portnoy

Apr 25, 1994 Praecipe For Argument List, filed.

ON ARGUMENT LIST FOR May 1994

Apr. 25, 1994 Preliminary Objections, filed.

Apr. 25, 1994 Appearance of Knox McLaughlin Gornall & Sennett, P.C. by Mark E. Mioduszewski for Defendant, Patrick W. Durkin, filed.

May 17, 1994 Praecipe For Argument List, filed.

ON ARGUMENT LIST FOR JUNE 1994

June 23, 1994 Memorandum and Order filed. AND NOW, June 21, 1994, the preliminary objections filed to date by all defendants are dismissed except as hereinafter provided.
1. Any interested party intending to challange the competence of the plaintiffs so as to require the presence of a guardian ad litem, or any party already declared to be imcompetent desiring to have the status of incompetency terminated and restored to capacity must file an appropriate petition or pleading within twenty (20) days f from this date.
2. The preliminary objection of Patrick W. Durkin claiming that the plaintiffs' causes of action are not stated in separate counts as required by Pa.R.C.P. 1020 is granted. The Plaintiffs are givenleave of court to file an amended complaint within twenty (20) days from this date which said amended complaint shall comply with Pa.R.C.P. 1020.
3. The preliminary objections in the natur of a motionto strike is granted with respect to the following paragraphs and subparagraphs, wich are hereby stricken; paragraphs 23(r), (s), 34(p), 43(r), 29(c), 40(c), and 49(c).
4. the word "generally" that appears in paragraphs 17, 23, 34 and 43 is hereby stricken insuc hinstances.
5. The words "other severe and serious injuries: that appear in paragraphs 24, 26, 28, 35, 37, 39, 44, 46 and 48 are hereby stricken.
6. Plaintiffs are granted twenty (20) days from this date to file an amended complaint pleading with more specificity, if they are able to do so, the manner in which the plaintiff, Terregino, has been disfigured and other injuries that the plaintiffs have suffered as a result of this occurrence.
BY THE COURT,
Gorodn R. Miller, J

June 23, 1994 Copies mailed to Portnoy, Mioduszewski, Budde & Fessler

July 11, 1994, Defendants' Joint Motion for Release of Medical, Personal, Hospital and Personal Information, filed.

July 11, 1994, ORDER filed. AND NOW, July 8, 1994, after consideration of the foregoing motion and argument in motion court, said motion is denied insofar as it appears that no petition for the appointment of a guardian ad litem for any ofthe plaintiffs has been filed as contemplated by Judge Miller's June 1994 order in this matter.
We will grant the defendants an extension of 20 days to file such a petition and will allow

(RECORD CONTINUED ON PAGE 132A)

them to set forth only those facts which they are aware of in support of that petition and to not set forth the name of the proposed guardian ad litem with respect to any ofthe individuals in that petition.

Thereafter, apparently the defendatns will file a motion similar to the one we have denied this day and, by agreement of all counsel for the parties, that motion may be filed with the Court Administrator so that a hearing may be set to consider the same sometime prior to consideration by the court of the petition to appoint a guardian ad litem or guardian ad litems with respect to the plaintiffs.

Additionally, in light of the fact that the defendants maintain they do not have all the information they believe appropriate to file the petition for appointment of a guardian ad litem with respect to the plaintiffs, this order is without prejudice to them to file an amended petition if they do obtain more information through discovery.

BY THE COURT,
Anthony J. Vardaro, J.

July 11, 1994, copies to Portnoy, Fessler, and Mioduszewski.

July 15, 1994 Amended Complaint, filed.

July 20, 1994 Plaintiffs' Reply to Petition For The Appointment of a Guardian Ad Litem Filed by Defendants Patrick W. Durkin, United Independence Programs, and United Cerebral Palsy of Crawford, Venango & Clarion Counties, filed.

July 28, 1994 Defendants' Joint Motion For The Release of Medical, Hospital and Personnel Records of UCIP filed.

July 28, 1994 Petition For The Appointment of A Guardian Ad Litem filed.

July 28, 1994 AND NOW, July 27, 1994, pursuant to our order of July 8, 1994, the Defendants having filed a petition for the appointment of a guardian ad litem with respect to all three Plaintiffs and having further filed a joint motion for release of medical, hospital and personnel records of UCIP, we now set said joint motion for hearing on September 29, 1994, at 9:15 A.M. in Courtroom No. 2, before the undersigned.

Insofar as the joint moiton only seems to pertain to records within the possession of United Cerebral Palsy of Crawford Venango and Clarion Counties, one of the Defendants in this action, it does not appear that anyone will have to be served since this mtoion does involve only parties to this action.

BY THE COURT:
Anthony J. Vardaro, J

July 28, 1994 Copies dist. to Portnoy, Fessler, Mioduszewski

Aug. 8, 1994, Answer and New Matter of Defendant Patrick W. Durkin filed.

Aug. 11, 1994, Answer and New Matter to Amended Complaint filed on behalf of dfts. United Comm. Ind. Programs, United Cerebral Palsy of Crawford , Venango and Clarion Counties.

Aug. 15, 1994, Plaintiffs' Reply to New Matter Filed by Defendant Patrick W. Durkin filed.

Aug. 15, 1994, Reply of Defendant, Durkin, to New Matter of UCIP and United Cerebral Palsy Asserting Cross-claim filed.

Aug. 24, 1994, Plaintiffs Reply to New Matter Filed by Defendants United Community Independence Programs and United Cerebral Palsy of Crawford, Venango and Clarion Counties, filed.

Sep. 26, 1994 ORDER filed. AND NOW, September 26, 1994, due to the fact that there will not be a Judge available, the hearing set for September 29, 1994 at 9:15 A.M. in this matter is continued by the Court to October 28, 1994 at 2:30 P.M. in Courtroom No. 2 before the undersigned.

The purpose of the hearing will be to only consider the joint motion for release of medical, hospital and personnel records of UCIP.

BY THE COURT:
Anthony J. Vardaro,J.

9-26-94 Faxed to Attys. Portney & Mioduszewski & 9-27-94 to Fessler.

Dec. 15, 1994 Notice Of Serving Interrogatories

Dec. 15, 1994 Notice Of Serving Interrogatories filed.

Dec. 15, 1994 Notice of Serving Interrogatories filed.

Dec. 15, 1994 Notice of Serving Requests For Production filed.

Dec. 15, 1994 Notice of Serving Requests For Production filed.

May 3, 1995 Motion To Compel and Order filed. AND NOW, to-wit, this 3rd day of May, 1995, in consideration of the foregoing Motion, it is ORDERED, ADJUDGED and DECREED that plaintiffs, Larry Eddy, Arlen Jorden and Joseph Terregino, answer the Interrogatories and Request for Production of Documents directed to them wtihin the next twenty-five (25) days. If answers are not filed within that time,t he Court, upon motion, will impose the appropriate sanctions.

BY THE COURT,
Gordon R. Miller, J

May 3, 1995 Faxed Fessler, Budde & Portney

Aug 7, 1995 Defendants' Joint Motion For Medical Examination of the Plaintiffs and Order, filed. AND NOW, to-wit, this 4 day of August, 1995, upon consideration of the within Motion, it is hereby ORDERED, ADJUDGED and DECREED that the plaintiffs, Arland Jordan, Larry Eddy and Joseph Terregino, appear before Dr. Kay Anderson for an examination to determine their mental capacity, which examination will occur on the following dates and times: Arland Jordan - August 28, 1995, at 1:00 p.m.; Larry Eddy - August 29, 1:00 p.m.; and Joseph Tesrregino - August 30, 1995, at 1:00 pl.m., at the offices of Dr. Kay Anderson which are located at 402 Main Street, Saegertown, Pennsylvania. Counsel for Plaintiffs to receive a copy of any written reports submitted by Dr. Anderson.

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

Aug 7, 1995 Faxed Fessler, Portnoy & Mioduszewski

Oct. 27, 1995, Joint Supplemental Petition for Appointment of Guardian Ad Litem of Larry Eddy and order filed. ORDER: AND NOW, towit, this 27 dayof Oct. 1995, it is hereby ORDERED ADJUDGED, AND DECREED that a hearing will be set for the 3rd day of Jan. 1996, at 9:15 a.m. for hearing to be conducted on this Joint Supplemental Petition for the Appointment of a guardian ad litem of Larry eddy. it is further ORDERED that counsel for the plaintiff, Larry Eddy, wil be responsible for bringing Larry Eddy to said hearing.

Anthony J. Vardaro, J.

1 copy (atty) 10/30/95 copy to plff. atty.

CONTINUED ON PAGE 132B

132B

1994

Oct. 27, 1995, Joint Supplemental Petition for Appointment of Guardian Ad Litem of Joseph Terregino and order filed. ORDER: AND NOW, towit- this 27 day of Oct. 1995 it is hereby ORDERED, ADJUDGED AND DECREED athat a hearing will be set for the 3rd day of Jan. 1996 at 9:15 a.m. in C. R. No. 1, 2 or 3 for hearing to be conducted on this Joint Supplemental Petition for the Appointment of a guardian ad litem of Joseph Terregino. It is further ordered that counsel for the plaintiff Joseph Terregino, will be responsible for bringing Joseph Terregino to said hearing.

Anthony J. Vardaro, J.

1 copy (atty) = copy mailed to plff. atty.

Oct. 27, 1995, Joint Supplemental Petition for Appointment of Guardian Ad Litem of Arland Jordan and order filed. ORDER: AND NOW, TO WIT, THIS 27 DAY OF Oct. 1995, it is hereby ORDERED, ADJUDGED AND DECREED that a hearing will be set for the 3rd day of Jan. 1996 at 9:15 a.m. in C. R. No. 1, 2, or 3 for hearing to be conducted on this Joint Supplemental Petition for the appointment of a guardian Ad Litem of Arland Jordan. It is further ORDERED that counsel for the plaintiff, Arland Jordan, will be responsible for bringing Arland Jordan to said hearing.

Anthony J. vArdaro, J.

1 copy (atty and 1 copy mailed to plff. atty.

Jan. 4, 1996 ORDER OF COURT filed. AND NOW, to-wit, this 2nd day of January, 1996, it is hereby ORDERED, ADJUDGED and DECREED that with regard to the above-captioned matter:

1. Alathea B.Jorden will serve as guardian ad litem for Arland Jordan;
2. Katherine Eddy will serve as guardian ad litem for LarryEddy;
3. Counsel for Plaintiffs have 30 days from the date of this Order in which to obtain a guardian for Joseph Terregino; andf
4. The hearing scheduled to take place on January 3, 1996 regarding these matters is hereby canceled.

By the Court,
Gordon R.Miller, J.

1-4-96 Faxwed Portney, Mioduszewski, Fessler

Mar. 1, 1996 ORDER OF COURT filed. ORDER OF COURT. AND NOW, to-wit, this 29th day of February, 1996, it is hereby ORDERED, ADJUDGED and DECREED that with regard to the above-captioned matter:

1. Mary E. Terregino will serve as guardian ad litem for Joseph Terregino.

By the Court,
Gordon R. Miller,J.

3-4-96 Faxed Portnoy,Mioduszewski, & John F. Fessler

Mar 10, 1997 Notice of Service of Plaintiffs' Interrogatories Directed to Defendants, filed.

July 28, 1997 Petition for Leave to Settle and Compromise Action Involving an Incapacitated Person on behalf of Joseph Terregino, Plaintiff, filed.

July 28, 1997 Petition for Leave to Settle and Compromise Action Involving an Incapacitated Person by Larry Eddy, Plaintiff, filed.

July 28, 1997 Petition for Leave to Settle and Compromise Action Involving an Incapacitated Person by Arland Jordan, Plaintiff, filed.

July 30, 1997 Order filed. AND NOW, July 28, 1997, the Court reserves a ruling on whether or not to grant the Petition for Leave to Settle and Hereby schedules a hearing for August 20, 1997 at 11:15 a.m. in Courtroom No. 1 for the purpose of determining the appropriateness of the attorney's fees in this case.

BY ORDER OF THE COURT,
Gordon R. Miller, P.J.
7-30-97 MAILED All Counsel

Aug. 29, 1997 Upon praecipe of plaintiff attorney, the above captioned case is hereby marked settled and discontinued of record.

Aug 22, 1997 ORDER: AND NOW, to wit, this 22nd day of August, 1997, upon presentation of the foregoing Petition by Evans, Portnoy & Quinn, counsel for the subject incapacitated person, and upon due consideration and deliberation, it is ORDERED, ADJUDGED AND DECREED that the claim of the subject incapacitated person be settled for payment of the sum of $86,250.00 and that the settlement proceeds be distributed by counsel for the said person as follows: (see paper filed).

Gordon R. Miller, P.J.

Aug 22, 1997 Faxed all Counsel
(FOR COMPLETE ORDER SEE PAPER FILED)

Aug 22, 1997 ORDER: AND NOW, to wit, this 22nd dayof August, 1997, upon presentation fo the foregoing Petition by Evans, Portnoy & Quinn, counsel for the subject incapacitated person, and upon due consideration and deliberation, it is ORDERED, ADJUDGED AND DECREED that the claim of the subject incapacitated person be settled for paymetn of the sum of $90,000.00 and that the settlement proceeds be distributed by counsel for the said person as follows: (see paper filed).

Gordon R. Miller, P.J.

Aug 22, 1997 Faxed all counsel
(FOR COMPLETE ORDER SEE PAPER FILED)

Aug 22, 1997 ORDER: AND NOW, to wit, this 22nd dayof August, 1997, upon presentation of the foregoing Petition by Evans, Portnoy & Quinn, counsel for the subject incapacitated person, and upon due consideration and deliberation, it is ORDERED, ADJUDGED AND DECREED that the claim of the subject incapacitated person be settled for payment of the sum of $25,000.00 and that the settlement proceeds be distributed by counsel for the said person as follows: (see paper filed).

Gordon R. Miller, P.J.

Aug 22, 1997 Faxed all counsel
(FOR COMPLETE ORDER SEE PAPER FILED)

Sept. 4, 1997 Memorandum and Order filed.
9-5-97 MAILED Fessler & Portnoy
10-7-97 MAILED Mioduszewski

1994

Mary Ann Kirkpatrick

133.

Peters,Lindsay, Lewis
& Hatheway
~~Brian J. Lindsay~~
Ltd Liaison

Mediator Pd $150.00
2-15-94
4-6-94 Pd Plff Bal Med Dep
Ck#8216 40.00
6-22-94 Pd D Med Fee
Ck#8355 101.00

DUANE LEE BANKS

vs.

DANNIELLE ANDERSON

filed February 15, 1994
@

Tax & entry	paid	50.50 ✓
User's Fee	Paid	5.00
William Pineo, Mediator		202.00
Pro. Co. 6-22-94 pd		900 ✓

COMPLAINT FOR CUSTODY

Feb. 15, 1994 Notice and Order to Appear filed. You, Daneielle Anderson, have been sued in Court to obtain custody of Quentin Anthonio Manning, age 2, born October 30, 1991.

You are ORDERED to appear in person at such time and place as will be deteremined by the Mediator William Pineo for a mediation conference.

If you fail to appear as provided by this order, an order for custody,partial custody or visitation may be entered against you or the court may issue a warrant for your arrest.

Date 2/___/94 Anthony J. Vardaro, J

2-22-94 Copy of Order to Attys. Kirkpatric & Pineo & Deft.

Feb. 23, 1994 Affidavit of Service, filed. And Now, February 23, 1994, 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 Duane Lee Banks, Plaintiff in the above-captioned matter.

2. That on information furnished her by the Plaintiff, she caused a certified copy of the Complaint for Custody to be forwarded by Certified Mail, P 100 657 030; postmarked February 18, 1994, to the last known address of the Defendant, Dannielle Anderson, 493 Willow Street, Meadville, Pa. 16335.

3. That the Defendant, Dannielle Anderson, on February 19, 1994, personally signed the return receipt card which was affixed to the Complaint for Custody in the above-matter and which is attached hereto.

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

Apr. 6, 1994 TEMPORARY ORDER, filed. AND NOW, this 6 day of April, 1994, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator.

IT IS HEREBY ORDERED AND DECREED THAT:

1. The parties shall share legal and physical custody of the subject minor child, Quentin Manning.

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 aauthorized to release to either party any and all confidential information which they may have regarding the subject minor child.

3. The mother shall have physical custody of the subject minor child each week from Sunday at 6:00 p.m. through Thursday at 6:00 p.m. and the father shall have physical custody from Thursday at 6:00 p.m. through the following Sunday at 6:00 p.m.

4. Holiday visitation shall be arranged as follows:

a. Christmas: There shall be two Christmas visitation periods, the first beginning on Christmas Eve at noon and ending Christmas Day at 2:00 p.m., and the second beginning Christmas Day at 2:00 p.m. and ending December 26 at 6:00 p.m. For Christmas, 1994, the father shall have the first period and the mother, the second, and the parties shall thereafter alternate.

b. Thanksgiving: There shall be two Thanksgiving visitation periods, the first beginning on the Wednesday preceding Thanksgiving at 5:00 p.m. land ending Thanksgiving Day at 3:00 p.m., and the second beginning Thanksgiving Day at 3:00 p.m. and ending on the day after Thanksgiving at 6:00 p.m. For Thanksgiving, 1994, the mother shall have the first period and the father, the second, and the parties shall thereafter alternate.

c. Easter: There shall be two Easter visitation periods, the first beginning on Holy Saturday at 6:00 p.m. and ending Easter Sunday at 2:00 p.m., and the second beginning on Easter Sunday at 2:00 p.m. and ending on Easter Sunday at 6:00 p.m. For Easter, 1994, the mother shall have the first period and the father, the second, and the parties shall thereafter alternate.

d. The other holidays to be observed are Memorial Day, Independence Day, and Labor Day. Holiday visitation shall be between the hours of 9:00 a.m. and 8:00 p.m., except for Independence Day, when the holiday visitation shall be extended to 11:00 p.m. so that the child may watch the fireworks. The father shall have visitation and temporary physical custody for Memorial Day, 1994, and the parties shall thereafter alternate the holiday periods.

e. The child shall spend Father's Day with his father from 9:00 a.m. to 7:00 p.m., and Mother's Day with his mother during the same hours.

f. The provisions of this paragaraph 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 smodify 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 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. Any person transporting the child shall make sure that the seat belts or other restraints are used in accordance with the laws of Pennsylvania.

7. Each party shall teach said child to give to the other party that love and respect which is due a parent from his or her children.

8. Neither party shall use illegal drugs or be under the influence of alcohol at any time when said party has the care and custody of the subject minor child. The parties are cautioned that medical research has indicated that tobacco smoke is injurious to the health of growing children. Therefore, neither party shall smoke tobacco or permit others to do so in the same room as the child, in a closed automobile in which the child is being transported, or in the bedroom of the child.

9. 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.

Continued on Page 504

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1994

Frank, Bails, Kirk, Murcko & Toal, PC
Dusty Elias Kirk

134.

Karen S. Johnson

STEICO, INC. (SHEETZ, INC)

vs.

CRAWFORD COUNTY BOARD OF ASSESSMENT APPEALS

vs.

CRAWFORD COUNTY, CONNEAUT LAKE BOROUGH, CONNEAUT SCHOOL DISTRICT, Interested Parties

Filed February 15, 1994
@ 1:36 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Pro.Co.Pd 4/23/96	5.00

PETITION FOR APPEAL

Feb. 23, 1994 Notice of Appeal, filed.

Mar. 4, 1994 Answer to Assessment Appeal filed.

Mar. 7, 1994 Certificate of Service filed. I, Karen S. Johnson, Esquire, certify that a true and correct opy of the within Answer to Petition for Appeal from Real Estate Assessment has been served on the parties at the addresses listed below, by first class mail, postage prepaid on this 4th day of March, 1994.

Dusty Elias Kirk,Esquire
Thirty-Third Floor, Gulf Tower
Pittsburgh,PA 15219

Joseph J. Galbo, III
Chief Assssor
Crawford County Courthouse
Meadville,PA 16335

Charles J.Swick,Esquire
Solicitor, Borough of
Conneaut Lake
360 Chestnut Street
Meadville, PA 16335

George Joseph, Esquire
Solicitor, Conneaut
School District
2222 West Grandview Blvd.
Erie, PA 16506

Apr.23, 1996 Upon Praecipe of Dusty Elias Kirk, Esquire, Attorney for Plaintiff, the above-captioned case is marked settled and discontinued of record.

1994

Jorden & White
Harry Faber White, II

135.

Edward J. Hatheway

9-28-95 Pd To Dallas Lycoming Mun 175.00

10/16/95 - $301.25 Paid by dft. Marsha Willey

10/23/95 Recvd. from Pfaff's $278.75 (atty.)

DANNY L. WILLEY

vs.

MARSHA A. WILLEY

Filed February 15, 1994
@ 2:05 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co Pd 4-4-94	45.00
State Pd 4-4-94	15.00
Pd 12-15-94 Masters	250.00

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

Feb. 16, 1994 Acceptance of Service by the Defendant filed. AND NOW, this 15 day of FEbruary, 1994, comes the Defendant, Marsha A.Willey, and states that she accepted service of a Divorce Complaint under Sections 3301 (c) of the Divorce Code and a Notice to Defend and Claim Rights onthe 15 day of February, 1994, with the full force and effect of service under the Divorce Code of Pennsylvania.
Marsha A. Willey

Mar. 28, 1994 Answer and Counterclaim In Divorce Under The Divorce Code filed.

Apr. 26, 1994 Consent, Stipulationand Court Order filed. ORDER. AND NOW, this 26th day of April, 1994, it is hereby ordered, adjudged and decreed as follows:

1. Marsha A. Willey shall have exclusive possession of the marital home situate in Richmond Township, Crawford County, Pennsylvania,until further Order of this Court. However, Danny L. Willey shall be permitted to enter upon the remaining marital real estate consisting of land, barns and outbuildings at any time, provided Marsha A. Willey is then not present. Danny L. Willey shall give Marsha A. Willey two (2) hours notice of his intent to enter upon the marital real estate, barns and outbuildings as aforesaid.
2. Marsha A. Willey shall withdraw, settle and discontinue with prejudice a Petition for relief under the Protection from Abuse Act filed at A.D. No. 1994-357.
3. Nothing in this Order shall prevent Danny L. Willey and Marsha A. Willey from communicating by telephone or in any manner not involving a face to face discussion.
4. Danny L. Willey shall pay the monthly mortgage payments on the marital home and real estate which accrue during the term of this Agreement. Marsha A. Willey shall be responsible for and shall pay all other expenses relating to the ownership of the marital home, including but not limited to homeowner's insurance, all utility bills, and realestate taxes on the subject premises. Both parties shall be entitled to make any appropriate argument for credit for these payments at the time of the ultimate Master's Hearing.
5. In consideration of the payment of the monthly mortgage by Danny L. Willey during the entire term of this Court Order, Marsha A.Willey hereby waives and relinquishes any and all further claims for economic relief in the form of spousal support, alimony, alimony pendente lite, and contribution for any and all other types of expenses or costs.
6. Danny L. Willey shall be entitled to enter the marital home on Friday, April 22, 1994 to remove his personal affects, equipment and tools. The removal of the same shall not prejudice Marsha A. Willey from demanding appropriate credit for the same at the time of the ultimate Master's Hearing.
7. In order to effectuate this Agreement, Danny L. Willey has delivered all keys to the marital home to Marsha A. Willey as of this date and Marsha A. Willey shall deliver the extra set of keys for t he 1992 Chevrolet pick-up truck to Danny L.Willey, and shall also deliver to Danny L.Willey the payment book for the monthly mortgage.
8. The costs of this proceeding, believed to be approximately $94.50, shall be borne equally between Danny L. Willey and Marsha A.Willey.

BY THE COURT:
Wm. E. Pfadt, S. J. Specially Presiding

4-28-94 Copy of Order to Attys. White & Hatheway

Oct. 14, 1994 Affidavit of Consent Under Section 3301(c) of the Divorce Code of Plaintiff filed.

Oct. 19, 1994 Affidavit of Consent of Defendant, filed.

Dec. 15, 1994 Inventory of Danny L. Willey filed.

Dec. 15, 1994 Motion for Appointment of Master in Divorce and Order filed. AND NOW, this 16 day of December, 1994 David Pickens, Esquire is appointed Master in respect to the following claims: Distribution of Property. If not filed already the parties are Ordered to file their pretrial statements within thirty (30) days from this date. Both parties shall file inventories within 30 days. The Defendant's affidavit of consent was filed beyond 30 days of when it was dated so a new one should be filed within 30 days.
BY THE COURT,
Anthony J. Vardaro, J

Dec. 16, 1994 Faxed White, Pickens & Hatheway

Jan. 5, 1995 Affidavit of Consent of Defendant, filed.

Jan. 5, 1995 Income and Expense Statement of Marsha A. Willey, filed.

Jan. 6, 1995 Notice of Scheduled Pre-Hearing Conference set on Feb. 10, 1995 at 2:00 p.m., filed.

Jan.17, 1995 Budget Information Sheet for Danny L. Willey, Plaintiff, filed.

Feb. 10,1995 Pre-Trial Statement of Marsha A.Willey, Defendant, filed.

Feb. 16, 1995 Summary of Pre-Hearing Conference, filed.

March 17, 1995 Notice of Scheduled Master Hearing filed.

May 22, 1995 Master's Report and Recommendation filed.

May 22, 1995 Notice of Filing Master's Report, filed.

June 1, 1995, Plaintiff's Exceptions to the Master's Report and Recommendations filed.

Jul 28, 1995 Praecipe to List Exceptions for Argument and Plaintiff's Brief in Support of Master's Report and Recommendations, filed.

ON ARGUMETN LIST FOR August 1995

Continued on Page 477

1994

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

136.
Gregory Keenan

4-19-94 Rec from Pltf Med. Deposit #150.00
6-20-94 Pd Pltf & Bal Med Fee Ck#8386 52.20
9-13-94 Pd Co Ck#8549 88.80
8-15-96 Rec from deft mediation 150.00
10-28-96 Rec'd from pltf mediation 72.00
12-19-96 Pd Co 10433 $141.00 (72

VINCENT L. CROSE

vs.

REGINA L. CROSE

Filed February 15, 1994
@ 2:32 PM

Tax & entry paid 50.50 ✓
User's Fee paid 5.00
Bruce L. Smith, Mediator 177.59
Pro Co Pd 9-94 9.00
Pro.Co. pd 4/22/96 9.00
Pro Co Pd 12-19-96 9.00

PETITION FOR CUSTODY (UCCJA)
2 copies atty.

Feb. 23, 1994 Stipulation and Consent To Entry of Custody Order and Order filed. AND NOW, this 22 day of February, 1994, upon presentation of the Stipulation and Consent of the parties, attached hereto, and after consideration of same, it is hereby ORDERED, DIRECTED and DECREED that;

1. Legal and physical custody of the parties' minor child shall be shared between the mother, Regina L. Crose adn the father, Vincent L. Crose.

2. The parties shall share with each other any and all information which each may have regarding the health, education, and and the major events in the life of the subject minor child. Health care, school personnel, and other care providers are hereby authorized to release to either party any and all confidential information which they may have regarding the subject minor child.

3. The natural mother shall have primary physical custody of the aforementioned minor child during the child's regular school year. The natural father shall have temporary physical custody commencing the seventh (7th) day after the end of the child's school year until the seventh (7th) day prior tothe commencement of said child's next regular school year.

4. In addition to the custodial periods outlined in Paragraph 3 above, Father shall also be entitled to visit and take the child into his custody on any occasion when the child is in Crawford County, Pennsylvania, or any time he is at the child's primary residence, provided reasonable notice has been givento Mother.

5. Father shall provide the transportation in exercise of his custodial periods.

6. 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.

7. Neither party shall use illegal drugs or be under the influence of alcohol at any time when said party has the care and custody of the subject minor 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.

8. Neither party shall do or say anything to blacken the character of the other in the child's estimation. Each party shall treat theother 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 inthe child's estimation.

9. The parties are free to make additional or laternative 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,
Anthony J. Vardaro

Feb. 25, 1994 copy of order to atty. Irwin

Feb. 25, 1994 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 Custody certified by the Prothonotary of CrawfordCounty, Pennsylvania on the above named Defendant by certified mail, return receipt requested, dated February 12, 1994. The Defendant acknowledged service on February 19, 1994 by accepting delivery on that date as evidence dby the attached signed return receipt.

James R. Irwin

April 19, 1994 Petition To Modify Custody and ORDER filed. AND NOW, this 18 day of April, 1994, it is ordered that all parties in the above captioned case and their counsel shall appear for a mediation conference before Mediator Bruce Smith, 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 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 Court.

BY THE COURT:
Anthony J. Vardaro, J.

April 21, 1994 copy of Order to Attys. James Irwin, and Bruce Smith.

June 17, 1994 TEMPORARY ORDER OF COURT, filed. AND NOW, this 16 day of June, 1994, after Mediation and upon recommendation of the Child Custody Mediator, it is hereby ordered and decreed that:

1. The natural parents of Alisha M. Crose, age six, born December 2, 1987, the parties to this action, shall share legal custody of the said minor child. Said joint legal custody being shared shall entitled 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 electiave surgery.

2. Primary physical custody of the child shall remain with the natural father, Vincent L. Crose. Regular visitation and temporary custody of the child shall be granted to the natural mother, Regina L. Crose. Physical custody for the mother shall be as follows:

a. Beginning immediately for the summer of 1994 and each ensuing summer, the child shall primarily live with the mother from seven days after the end of the child's school year until seven days prior to the commencement of the child's next regular school year. During the summer months, the father shall have custody of the child returned to him on the second and fourth week ends of each month from Friday at 5:00 P.M., prevailing time, until Sunday at 7:00 p.m., prevailing time.

b. During the school year, running from sometime in September through sometime in June, the father shall have primary physical custody and the mother shall have visitation withs the child on the first, second, and fourth weekends of each month from 5:00 p.m., prevailing time, on Friday until 7:00 p.m., prevailing time, on Sunday.

CONTINUED ON PAGE 136A

Vincent L. Crose
vs.
Regina L. Crose

CONTINUED FROM PAGE 136
of Record
A. D. 1994 - 136

c. Each summer, beginning in 1995, the father shall also be entitled to interrupt the mother's temporary custody for two consecutive weeks to enjoy a summer vacation period with the child. The father shall give a written notice of fifteen (15) days to the mother of wlhen those two weeks shall occur.

d. 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. until 8:00 p.m., prevailing time. All other holidays shall be shared by the parents, those holidays being Easter Day, Memorial Day, 4th of July, Labor Day, Thanksgiving Day, Christmas Day, and New Year's Day each year. On those holidys the child shall be with the father until 2:00 p.m., prevailing time, and with the mother from 2:00 p.m. until 9:00 p.m., prevailing time. In the event that any of these holidays falls on a weekend when the mother would have temporary custody of the child, the fathe shall have the child from 2:00 p.m. until 9:00 p.m., prevailing time, on that holiday.

e. The father shall pick up and return the child to the mother's residence.

3. The parent having custody of the child at anytime shall notify the other parent as soon as possible in the event of 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 encourage 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 grandparent or other 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 or 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 of either parent or any grandparent in the eyes of the child.

7. Neither party shall use illegal drugs or be under the influence of alcohol at anytime 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 og 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.

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. For the purpose of this paragraph, either parent shall give written notice of thirty days to the other parent of the intention of moving more than twenty (25) miles from the City of Titusville, Crawford County, Pennsylvania, on a permanent basis. Either parent may request further Mediation as a result of such a move if for no other reason.

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 father and 50% by the County of Crawford on behalf on the mother who is on Public Assistance. Any amount in excess of the father's one-half cost of Mediation held by the Prothonotary under Local Rules shall be refunded to him.

11. This Order shall be a Temporary Order, but shall become a permanent Order unless exceptions are filed by either party within ten days from the date of this Temporary Order.

BY THE COURT:
Anthony J. Vardaro, J.

June 20, 1994 Copy given to Irwin w/check for Plf. June 20, 1994 Faxed to Rothschild & Smith
June 23, 1994 copy sent to Plf. & Dft.

Apr. 22, 1996 Petition for Entry of Agreement and CONSENT CUSTODY ORDER filed. AND NOW, this 19 day of April, 1996, upon stipulation of the parties to this action,the following Order is hereby entered. (See Papers filed)

BY THE COURT
Anthony J. Vardaro, J.

4-22-96 Faxed Keenan & Irwin (Backup)

Aug. 7, 1996 Petition to Waive Attendance at Seminar for Separating Parents by Defendant filed.

Aug. 14, 1996 ORDER filed. AND NOW, August 7, 1996 upon receipt and review of the Defendant's petition to waive the seminar attendance requirement, the Court clearly will not make her come from Michigan to Pennsylvania to attend the seminar here, but before we grant her request, she must sign an affidavit under oath that she has made a bona fide, good-faith search in and around the community where she lives to determine if a similar seminar for separating parents is given. If there is such a seminar given in and around where she resides, we will require her to attend that seminar, if that is similar to the seminar provided in Crawford County, which is tailored after the Families First Program in Atlanta.

If the Defendant certifies that after a good-faith, bona fide inquiry there are no such programs in and around where she lives, we will excuse her from attending the seminar or similar seminar.

BY ORDER OF THE COURT,
Gordon R. Miller, P.J.
8-15-96 DISTRIBUTED Irwin & Keenan

Aug. 14, 1996 Petition for Modification of Custody Order, Notice and Order to Appear and ORDER and Notice filed. You, Vincent L. Crose, have been sued in court to (obtain) (modify) custody, partial custody or visitation of the child(ren): Alisha M. Crose.

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.

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
Anthony J. Vardaro, J.
8-15-96 FAXED Spartaro, Keeenen & Irwin

AND NOW, this 14 day of August, 1996, it is ordered and decreed that the parents in this matter shall satisfactorily complete the Seminar for Separating Parents in accordance with Crawford County Civil Rule L1930. Applications for the seminar may be obtained at the Center for Family Services, Inc. at 996 S. Main Street, Meadville, Pennsylvania 16335; the Prothonotary at the Crawford County Court House; or the Court Administrator at the Crawford County Court House

BY THE COURT:
Anthony J. Vardaro, J.

CONTINUED ON PAGE 136-B

1994 TERM

136	VINCENT L. CROSE VS. REGINA L. CROSE	CONTINUED FROM PAGE 136-A OF RECORD A. D. 1994 - 136

Sept. 23, 1996 ORDER filed. AND NOW, this 23rd day of September, 1996, 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, Alisha M. Crose, born on December 2, 1987.

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 child shall remain in the primary physical custody of the father, subject to the partial custody rights of the mother as follows:

a. Beginning with the summer of 1997 and each ensuing summer there after, primary physical custody of the child shall be with the mother. Said custodial period shall commence seven days after the last day of school and shall conclude seven days prior to the first day of school for the child's next regular school year;

b. During the school year, father shall have primary physical custody of the child. Mother shall have the right to take the child into her care and custody one weekend each month commencing at 5:00 p.m. on Friday and ending at 7:00 p.m. on Sunday. Mother shall give to the father not less than seven days notice of the intention to exercise said visitation. Mother shall be permitted to have the child in any suitable location within Northwest Pennsylvania, provided that she advise the father of where the child will be for the weekend.

Costs and fees of this Mediation, which are fixed at $222.00 ($60.00/hr. x 3.7 hrs.) and the $9.00 Court Order filing fee are to be paid as follows:

The mother has paid the $150.00 fee for the appointment of the child custody mediator. All of the said amount shall apply to the mediation costs and fees in this case. The father shall, within thirty (30) days of the date of this Order pay to the Prothonotary of Crawford County the remaining balance due of $72.00.

(FOR REMAINDER OF ORDER, PLEASE SEE FILE FOLDER)

BY THE COURT,
Gordon R. Miller, J.
9-24-96 FAXED Spataro, Irwin & Keenan

Sept. 28, 1996 Certificate of Completion of Separating Parents seminar by Regina Crose filed.

Oct. 10, 1996, Request for Hearing filed.

Oct. 10, 1996, ORDER filed. And Now Oct. 10, 1996 upon presentation of Petitioners Request for DeNovo Hearing, the same is hereby set for Wed. Dec. 4, 1996 at 9:15 a.m. in C. R. No. 2, Courthouse, Meadville, Pa.

For the Court, Ann Walker, Ct. Adm.
10/10/96 faxed to Keenan, Irwin and Spataro.

Dec. 4, 1996, Motion to Withdraw Request for De Novo Custody Hearing and Order filed. ORDER: AND NOW, upon consideration of dft's request to withdraw her request for a de novo custody hearing, said motion is hereby granted.

By the Court,
Gordon R. Miller, J.
12/4/96 faxed to Irwin and Keenan

1994

Culbertson, Weiss,
Schetroma & Schug
Alan R. Shaddinger

137.

IN THEMATTER OF WEST FALLOWFIELD TOWNSHIP - VACANCY IN THE OFFICE OF AUDITOR

Filed February 16, 1994
@ 9:06 AM

Tax & entry paid 50.50
User's Fee paid 5.00

PETITION TO FILL VACANCY IN THE OFFICE OF WEST FALLOWFIELD TOWNSHIP AUDITORS
1 copy atty.

Feb.22, 1994 ORDER filed. And Now, this 22 day of February, 1994, upon consideration of the Petition of West Fallowfield Township to filla vacancy in the office of Township Auditor, it is hereby ordered that a hearing shall be held onFebruary 23 beginning at 9:15 o'clock A.M. in Courtroom 2 to consider the said Petition and take action as appropriate.

By the Court:
Anthony J.Vardaro, J.

2-22-94 Copy of Order to Atty. Shaddinger

Feb. 23, 1994 ORDER filed. And Now, this 22 day of February 1994, upon consideration of the Petition of West Fallowfield Township to fill a vacancy in the office of Township Auditor, it is hereby ordered that the Petition is granted and that pursuant to Section 420 of the Pennsylvania Second Class Township Code, 53 P.S. 65420, Cristi Saulsbery is hereby appointed to the office of West Fallowfield Township Auditor and to fill the vacant office, until the first Monday in January after the next municipal election.

By The Court:
Anthony J.Vardaro, J.

Feb. 25, 1994 Copy of Order to Atty. Alan Shaddinger.

1994

138.

ANNE G. LAROCHELLE, MD

vs.

ROSE F. CARTER

Filed February 16, 1994
@ 10:38 AM

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

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

Feb. 16, 1994 Rule entered upon the Plaintiff to file a Complaint issued.

Feb. 18, 1994 Proof of Service filed.

1994

Egli, Reilly,
Wolfson, Sheffey &
Schrum
Timothy D. Sheffey

139.

Fuller, Kinnunen,
Petruso, Gamble, Fabian
and Hall
Ann Hansen Gamble
for dft. Ruth Aversa

TELMARK, INC.

vs.

RAFFAELE J. AVERSA and
RUTH A. AVERSA, his wife

Filed February 16, 1994
@ 1:27 PM

Tax & entry paid	15.00
Pltf. on Orig.	130.40
Sheriff;s Costs	50.00
Pro Co pd 8-23-94	9.00

WRIT OF REVIVAL

of

A.D. 1988 - 813

Writ of Revival indexed against the defendants in favor of Telmark,Inc.
the plaintiffs, in the sum of Sixteen Thousand One Hundred twenty six and 62/100 plus interest and cost of suit.

Debt---------- $16,126.62
Interest from November 14, 1988 & January 11, 1989 (see paper)
Barbara H. King, Pro

A-144-144
Issued Sheriff

Mar. 7, 1994 Sheriff's REturn filed. SERVED Ruth A. Aversa on February 23, 1994 at 11:15 AM by handing a copy of the Writ of Revival to Tracey Foltz, Daughter, Adult in Charge,at 114 E. Bloss Street, Titusville, Crawford County, PA.
NOT FOUND as to Defendant Raffaele J. Aversa at address of Route 1, Box 65,Centerville, crawford County, PA. It is believed he moved out of the area a few years ago.
So answers, Shawn E. Ashbaugh,Deputy Sheriff
Robert M. Stevens, Sheriff

Mar. 8, 1994, Answer and New Matter to Writ of Revival filed. (of dft. Ruth Aversa)

Mar. 11, 1994 Certificate of Service of Answer and New Matter filed.

Aug. 18, 1994 And Now, upon praecipe of plaintiff's attorney judgment is hereby entered in favor of the above named Plaintiff and agaisnt RAFFAELE J. AVERSA, Defendant, for failure the file a response in the abaove-captioned matter within twenty (20) days from the date of service of Complaint and assess Plaintiff's damages at Sixteen Thousand Two Hundred Eighty-two and 02 plus interest accruing from the date of entry of judgment and additional costs of suit.
Entered 8-18-94 Debt: $16,282.02 plus interest and costs
A - 144 JUDGMENT
Barbara H. King, Pro.
8-23-94 Notice of entry of Judgment sent to Dft.

Aug 18, 1994 Certificate of Residence, filed.

Aug. 18, 1994 Assessment of Damages, filed.

Bruce A. Barrett

140.

PETITION FOR INVOLUNTARY TREATMENT VIA THE CRIMINAL JUSTICE SYSTEM
OF
CHARLES E. STILES

Filed Feb. 16, 1994

PETITION FOR INVOLUNTARY TREATMENT VIA THE CRIMINAL JUSTICE SYSTEM
Mental Health Procedures Act of 1976
(Sections 304 and 305 Via 403,404 or 405)

Feb. 22, 1994 MEMORANDUM, filed.

Mar. 15, 1994 Motion For Appointment of Expert and Order, filed. And now, March 11, 1994, the Court appoints Michael Tronetti to examine and assist the patient. The fees shall be paid by the Crawford County Mental Health/Mental Retardation Program. Mr. Stiles attorney shall arrange for this exam to occur as soon as possible. Gordon R. Miller, P.J.
Mr. 16, 1994 copy to B. Barrett

March 30, 1994, Motion For Appointment of Psychiatrist and ORDER OF COURT filed. And now, March 30, 1994, Dennis Borczon, M.D. is appointed to examine, assist and to testify, if necessary, on behalf of Charles E. Stiles. The fees shall be paid by the Crawford Co. Mental Health/Mental Retardation Program. This examination shall be performed as soon as possible. Defendant shall be transported to MMC Outpatient Mental Health this date at 4:15 P.M.

Gordon R. Miller, J.

April 4, 1994 Copy of Order to Atty. B. Barrett, MH/MR.

April 15, 1994 ORDER filed. AND NOW, April 14, 1994, the Court enters the following order in these cases based upon the following background.

At the criminal term the defendant is waiting sentence after a jury found him guilty of possession with intent to deliver (35 P.S. 780-113(a)(30); possession of a controlled substance (35 P.S 780-1139a)916); possession of drug paraphernalia (35 P.S 780-113(a)(32); and two coutns of recklessly endangering 918 Pa. C.S.A. 2705). The defendant failed to appear for sentencing and on Jan. 4, 1994 the Court revoked his bond, ordered his arrest and apprehension and ordered the defendant to be examined for mental illness to aid the Court in the determination of the sentence, all pursuant to 50 P.S. 7405.

The defendant was examined by Frank Yohe, M.D. at the meadville Medical Center. Dr. Yohe recommended that the defendant be evaluated at the Warren State Hospital.

In the meantime Doris Miller, RNC, Meadville Medical Center, filed a petition under teh mental Health Procedures Act for Court ordered involuntary treatment of the defendant 50 P.S. 7304. Prior to a hearing before the Mental Health Hearing Officer the defendant, through counsel, requested the Court employ another expert to assist him in connection with the hearing 50 P.S. 7304(d).

In the civil court commitment we ordered that the defendant be examined by Dennis Borczon, M.D. Dr. Borczon has not made an evaluation and makes the same recommendation that Dr. Yohe made.

At this point the defendant is awaiting sentence and the Court, having received the results of the examination can proceed to sentence the defendant.

However, if the petitioner proceeds on the civil court commitment the defendant may be made subject to inpatient examination and/or treatment for the time permitted by the Mental Health Procedures Act and said period of time shall be credited as time served on account of any sentence to be imposes 50 P.S. 7401(a)(b).

We will hold off the criminal sentencing in deference to the mental health proceedings because we believe the Mental Health Procedures Act requires that.

Therefore if the proceeding under the Mental health Procedures Act goes forward the Court will not sentence the defendant until he has completed the period of involuntary inpatient examination or treatment and been returned to the Crawford County Jail. If the civil court commitment is withdrawn or abandoned or does not result in an inpatient commitment then the Court is free to sentence the defendant on the criminal charges.

Accordingly it is ordered as follows:

1. The civil court commitment shall proceed in accordance with the law and a hearing before the mental health hearing officer shall be held.

May 11, 1994 Report Of Mental Health Review Officer, filed.

May 11, 1994 ORDER filed. AND NOW, May 10, 1994, the Court hving received and reviewed the report of the Mental Health Review Officer concluding that there has been no showing by clear and convincing evidence that the patient is severly mentally disabled and in need of treatment and a recommendation that the petition be dismissed and the patient be discharged from mental health procedures the Court does not now accept the recommendation of the review officer but rather sets a hearing denovo before the Court to determine whether or not the prayer of the petition for commitment should be granted or the matter dismissed.

The Court is not bouond to accept the recommendation of the mental health review officer. The Court has been involved in this case to a greater extent than it normally would be because this Court presided over a criminal trial involving the patient where he represented himself, and was concerned about the mental health of the defendant to the extent that we ordered an evaluation for sentencing purposes (50 P.S. 7405) We thereafter received a report from Dr. Yohe that the defendant was in need of mental health treatment and should be further evaluated at athe Warren State Hospital.

Since the recommendations of the review officer are simply recommendations and not binding on the Court and since the Court is still obligated to sentence the defendant and has a right to consider the defendant's mental health for sentencing purposes we believe that it is appropriate to hold a hearing so that the Court may determine whether or not the defendant should undergo involuntary mental health treatment and evaluation or whether we should simply sentence him to a correctional facility.

Accordingly the denovo hearing to dispose of the petition filed under the Mental Health Procedures Act shall be held on the 25th day of May, 1994 at 10:00 a.m. in Courtroom No. 1 of the Crawford County Courthouse.

Since this is a hearing all witnesses for petitioner of the patient who wish to be present shall appear live unless the parties stipulate that written reports may be received and considered by the Court. BY ORDER OF COURT: Gordon R. Miller, P.J.
May 11, 1994 all copies dist.

Continued to Page 140 A

1994

Commonwealth of Pennsylvania
vs
Charles Edwin Stiles, Jr.

Continued from Page 140
of record
AD 1994-140

****

May 27, 1994 ORDER filed. AND NOW, May 26, 1994, the motion of the District Attorney for the release of mental health record is denied in part and granted in part.

The report that Dr.Yohe prepared and submitted to the Court as a result of our Order for mental health evaluation for sentencing purposes (50 P.S. 7405) shall be given to the District Attorney.

As to any other records,which we believe only amounts to Dr. Borczon's report shall not be disclosed to the District Attorney without the written consent of Charles E. Stiles,Jr., We believe that all other records are confidential under 50 P.S. 7111 and cannot be cisclosed.

A copy of this Order shall be filed of record in the civil court commitment proceedings in the Prothonotary's office at No. 1994-140.

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

Apr 18, 1997 Mental Health Procedures Act of 1976 (Sections 304 and 305), filed.

June 9, 1997 FINDINGS AND RECOMMENDATION and ORDER filed. AND NOW, this 22nd of April, 1997 upon consideration of the petition filed at the above number and term, and other relevant matter, and after a review of the report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said Charles Stiles be committed to SCI Waymart for treatment not to exceed 180 days.

BY THE COURT
Anthony J. Vardaro, J.

June 24, 1997 Copy given Atty. B. Barrett, MH/MR.

1994

Mary Ann Kirkpatrick

141.

LAURIE LOU WORK CRISS

vs.

JACK RICHARD CRISS

Filed February 16, 1994
@ 4:18 PM

Tax & entry paid	50.50
User's Fee paid	5.00
STate paid	10.00
Pro.Co. pd 8/1/94	9.00

COMPLAINT IN DIVORCE
1 copy atty.

Mar. 1,1994 Affidavit of Service filed. And Now,February 28, 1994,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 Laurie Lou Work Criss,Plaintiff in the above-captioned matter.

2. That on information furnished her by the Plaintiff, she caused a certified copy of the Complaint inDivorce to be forwarded by Certified Mail, P 100 657 029; postmarked February 18, 1994, to the last known address of the Defendant, Jack Richard Criss, 899½ Liberty St., Meadville, PA16335.

3. That the Defendant, Jack Richard Criss,onFebruary 26, 1994, 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.

Feb. 28, 1994 Constance L.Deitman

Jun. 1, 1994 Affidavit of Consent by Laurie Lou WorkCriss, Plaintiff, filed.

July 11, 1994, Affidavit pertaining to Availibility of Counseling filed.

July 22, 1994 Affidavit of Consent of Defendant filed.

Aug. 1, 1994 Upon Praecipe of Mary Ann Kirkpatrick, Esquire, Attorney for Plaintiff to transmit record, case moved to court.

DIVORCE DECREE FILED

Aug. 9, 1994 AND NOW, August 8, 1994, it is hereby ordered and decreed that LAURI LOU WORK CRISS, plaintiff, and JACK RICHARD CRISS, 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.

142

1994

Peters, Lindsay,
Lewis & Gagliotti
Brian J. Lindsay

142.

SHARON LYNNE KELSO-ARTICE

vs.

TERRY LEE ARTICE

Filed February 16, 1994
@ 4:18 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro.Co. pd 3/28/94	9.00

COMPLAINT IN DIVORCE
1 copy atty.

Feb. 16, 1994 Plaintiff's Affidavit Under Section 3301(c) of the Divorce Code filed.

Feb.24, 1994 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 18th day of February, 1994, send to the above named Defendant, by Certified Mail, Return Receipt Requested, a true and correct copy of the Complait in Divorce and Plaintiff's Affidavit Under Section 3301(D) of the Divorce Code filed at the above term and number; and that I did on the 24th day of February, 1994, receive a duly executed return receipt dated, February 22, 1994.

Mar. 22, 1994 I, Brian J. Lindsay, Esquire, after being duly sworn according to law, do hereby certify that I am attorney of record for the above named Plaintiff, and that as such I am authorized to make this verification; that I did on the 18th day of March, 1994, send to the above named Defendant, by First Class United States Mail, the Notice of Intention to Request Entry of Divorce Decree and DEfendant's Counter-Affidavit Under Section 3301(d) of the Divorce Code. Brian J. Lindsay

Mar. 28, 1994 UponPraecipe of Brian J. Lindsay,Esquire, Attorney for Plaintiff to transmit record, Case moved to Court.

Apr. 8, 1994 ORDER filed. This divorce matter has been referred to the Court for review and decree. The Court has review the record and is returning the record to the Prothonotary. A final decree will not be ent ered at this time because:

x The custody mediator fees have not been paid. Defendant owes $63.50 at AD 1992 - 311.

x As to a 3301 (d) divorce:

x Other: The notice of intention to request entry of divorce decree does not give a specific date in the notice after which the Plaintiff can request the Court to enter a divorce decree.

The praecipe to transmit record was filed on March 18, 1994 and a praecipe cannot be filed until at least 20 days have expired from the date of the notice of intention of request entry of divorce decree has been mailed or delivered to the Defendant. Rule 192D-42 (c)(1)

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

BY THE COURT:
Anthony J.Vardaro, J.

4-8-94 Copies dist.to Lindsay & Deft.

May 16, 1994 Affidavit of Service filed. I, Brian J. Lindsay, Esquire, after being duly sworn according to law, do hereby certify that I am the attorney of record for the above named Plaintiff, and that as such I am authorized to make this verification; that I did on the 11th day of May, 1994, send to the above name Defendant, by Certified Mail, Return REceipt Requested a Notice of Intention to Request Entry of Divorce Decree and Defendant's Counter-Affidavit Under Section 3301(d) of the Divorce Code filed at the above term and number; and that I did on the 13th day of May, 1994, receive a duly executed return receipt dated May 12, 1994.
May 16, 1994 Brian J. Lindsay, Esquire

Jul. 6, 1994 UponPraecipe of Brian J. Lindsay, Esquire, Attorney for Plaintiff to transmit record, case moved to court.

July 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:

X As to a 3301(d) divorce:

X There is no showing that the notice of intention to request entry of divorce decree sent on May 11,1994 (pursuant to the Court's Memorandum of March 31, 1994) gave a specific date in the notice (see also form prescribed in Pa. R.C.P. 1920.73(a)) after which the Plaintiff could request the Court to enter a divorce decree. Not attached to praecipe pursuant to Rule 1920,42(c)(1).

BY THE COURT:
Anthony J. Vardaro, J.

July 19, 1994 Faxed to Lindsay
July 25, 1994 copy to Dft.

July 22,1994 Affidavit of Consent of Defendant, filed.

July 29, 1994 Upon praecipe of Plaintiff's attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Aug. 9, 1994 AND NOW, August 8, 1994, it is hereby ordered and decreed that SHARON LYNNE KELSO-ARTICE, Plaintiff, and TERRY LEE ARTICE, 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.

1994

Kemp C. Scales
John S. Kookogey

143.

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

LAURA L. MARVIN

vs.

GEORGE S. McPHETERES and WILMA McPHETERES, his wife, their heirs, personal representatives and assigns

Filed February 17, 1994
@ 10:00 a.m.

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	43.00

COMPLAINT IN QUIET TITLE
2 copies atty.

Mar.8, 1994 Sheriff's Return filed. SERVED George S. McPheters on February 23, 1994 at 11:40 AM by handing a copy of the Action to Quiet Title to Wilma McPheters, his Wife, at their residence, R.D.# 4, Lesh Road, Titusville, Crawford County,PA.
SERVED Wilma McPheters personally on February 23, 1994 at 11:42 AM by handing her a copy of the Action to Quiet Title at the residence, R.D.#4, Lesh Road, Titusville, Crawford County, PA.
So answers, Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

March 14, 1994 Appearance of Shafer, Swick, Bailey, Irwin & Stack By Jeffrey K. Millin, attorney for defendants filed.

Mar. 15, 1994 Answer, New Matter and Counterclaim, filed.

Mar. 31, 1994 Reply to New Matter and Counterclaim filed by Defendants filed.

Apr. 13, 1994 Verification to Answer and New Matter, filed.

July 1, 1994 CERTIFICATE OF SERVICE, filed. I certify that on June 30, 1994, I served a copy of the attached Certificate of Readiness by first-class mail on: Jeffrey K. Millin, Esq.,
Kemp c. Scales, Esq.

JUly 1, 1994 Certificate Of Readiness, filed.

ON TRIAL LIST FOR OCTOBER 1994

Oct. 24, 1994, Appearance of Kemp C.Scales, attorney for plaintiff filed.

Oct. 28, 1994 ORDER filed. AND NOW, this 27th of October, 1994, non-jury trials are hereby scheduled in the following cases on the dates and at the times set forth below:

#on October, 1994 Civil Trial List	(Abbrvd.) & Docket Number	Non-Jury Trial Date and Time; Courtroom
#28	Laura L. Marvin vs. George S. McPheteres and Wilma McPheteres, his wife, their heirs personal representatives and assigns AD 1994-143	December 1, 1994 1:30 PM.,#1 (½ day)

FOR THE COURT,
Ann A. Walker, Ct. Administrator
Oct. 31, 1994 Order FAXED Attys. Millin and Scales.

11-18-94 Petition Brief filed

Mar. 30, 1995 Memorandum and Decision filed. DECISION. AND NOW,this 29th day of March, 1995 the Court finds as follows:
1. We find in favor of the plaintiff and against the defendants on the plaintiff's Complaint to quiet title.
2. We find in favor of the plaintiff and against the defendants and hereby declare tht the plaintiff has title in fee simple to the parcel in question described as follows:
ALL That certainpiece or parcel of land being one-half acre and situate in Troy Twonship, Crawford County, Pennsylvania; Assessment No. 6110-67 bounded on the north by land now or formerly of McPheters; on the East by the Crawford/Venango County line and other line of Kowalewski now Marvin; on the South by the old Titusville Road and land now or formerlyof McPheters; and onthe West byland now or formerly of McPheters; said parcel being generally in the form of square and being or intended to be the same parcel, together with a spring of water located thereon, reserved in the deed of Joseph Armstrong, et al., to Chauncey H. White, dated March 20, 1865 and recorded in Crawford County Deed Book F3, page 224.
3. We find in favor of the plaintiff and against the defendants on the defendants' request for declaratory judgment.

BY THE COURT
Gordon R. Miller, P. J.
3-30-95 Copies dist.to Millin & Scales

Apr. 20, 1995, Motionto Modify Decision filed.

Apr. 20, 1995, ORDER filed. AND NOW, April 18, 1995 after receipt and review of a Motion to Modify Decision filed Apr. 10, 1995 paragraph 2 of the Order of Mar. 29, 1995 is stricken and the following is substituted therfore.
Paragraph 2 of the Order of court shall read as follows"
ALL that certain piece or parcel of land located in Troy Township, Crawford County, Pa. bounded and described as follows:
BEGINNING at a point on the Crawford County/Venango County line, said point being South one degree fifteen minutes zero seconds west (S 01° 15' 00" W) fifty-one and forty-two hundredths (51.42) feet from the center line of State Route 27, said point being the northeast corner of the parcel herein described; thence South one degree fifteen minutes zero seconds West (S 01° 15' 00 "W) along the said Crawford County/Venango County line and along the western line of other land now or formerly of Marvin one hundred eighty-nine and twenty-one hundredths (189.21) feet to a

Continued on Page 471

144

1994

William B. Moore

144.

ALBERT G. WEBER and MARIE C. WEBER husband and wife

vs.

THE LAKESHORE COMPANY, Its successors and/or assigns

Filed February 17, 1994 @ 11:05 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Pro.Co. Pd 7/14/95	9.00

COMPLAINT - ACTION TO QUIET TITLE

Feb. 23, 1994 Motion for Leave to Serve by Publication and Order filed. AND NOW, to-wit, this 22 day of February, 1994, upon consideration of the foregoing motion, the Plaintiffs are granted leave to make service of the foregoing Complaint upon the Defendant, The Lakeshore Company, their heirs and assigns, by publication once in the designated Legal Journal and once in the newspaper of general circulation so designatedboth in Monroe County.

PER CURIAM,
Anthony J. Vardaro ,

Feb. 24, 1994 copy of order to Atty. Moore

Jun. 8,1995 Affidavit, Motion and Final Order filed. FINAL ORDER. AND NOW, this 7 day of June, 1995, an Affidavit of Service of theComplaint with Nostice to Plead having been filed, and no answerhaving been made by the Defendant, this Court now, upon Motion of William B. moore, Esq., Attorney for the Plaintiffs, hereby Orders and Decrees that the Defendant above named, its successors and/or assigns be, and they are hereby, forever barred from asserting any right, lien, title, interest or claim in and to the certain piece or parcel of land hereinafter described:

ALL that certain piece or parcel of land situate in South Shenango Township, Crawford County, Pensnylvania, bounded and described as follows, to-wit:

Lot numbers two hundred twenty three (223) and two hundred twenty four (224) of a Planof Lots known as Shenango Lakes, and shown on the plot or plan thereof as duly recorded in the records of Crawford County,Pennsylvania, in Plan Book 4, page 25. Said lot numbers two hundred twenty-three (223) and two hundred twenty four (224) being more particularly bounded and described as follows: On the North by Lot number two hundred twenty-five (225), a distance of one hundred fifty (150) feets; on the east by Pine Drive a distance of one hundred fifty (150) feet; on the South by Ottawa Road a distance of one hundred fifty (150) feet and on the West by Lot number two hudnred twenty-two (222) feet a distance of one hundred fifty (150) feet.

BEING the same land conveyed to Plaintiffs herein by deed of Ralph L. LaFollette and Doris J.LaFollette, husband wife, dated September 16, 1989, and recorded in the office of the Recorder of Deeds of Crawford County in Record Book 76, page 697.

IT IS FURTHER ORDERED, ADJUDGED AND DECREES, that the Defendant, its successors and/or assigns, be, and they are hereby, forever barred from asserting any right, lien, title or interest in the aforementioned premises, inconsistent with the interest or claim of the Plaintiffs as set forth in the Plaintiff's Complaint; or from impeaching, denying, or in any way attacking the Plaintiffs' title to said property; from issuing or maintaining any action attaching the same or any part thereof,unless the Defendant shall enter and appearance and file an Answer to the Complaint,or Petition to open judgment within thirty (30) days after the entry of this Order. Upon the expiration of said thirty (30) days, it no action or contest of these proceedings is entered on behalf of the Defendant,then the Prothonotary of Crawford County, Pennsylvania,upon Praecipe of the Plaintiffs,shall enter a final judgment against the said Defendant, its successors and/or assigns.

PER CURIAM,
Anthony J.Vardaro,J.

6-14-95 Faxed to Atty. Moore

And Now, Jul. 14, 1995 at 3:39 PM upon praecipe of plaintiff's attorney, final judgment is hereby entered in this case, in favor of the plaintiff and against the defendants,pursuant to the foregoing Order of Court.

L-184;

FINAL JUDGMENT
Barbara H. King
Prothonotary

145.

SALINE JOY VARDAMASKOS

vs.

JEFFREY MARTIN THORNTON

Filed February 17, 1994
@ 2:51 PM

Indigent Filing
Bruce Smith, Mediator 159.24
Pro Co 9.00

CUSTODY COMPLAINT

Feb. 17, 1994 Petition to Proceed in Forma Pauperis Pusuant to Pa. R.C.P. 240 and Order, filed. ORDER: AND NOW, February 11, 1994, upon consideration of the petition filed by the Saline Vardamaskos in this action, and supported by an affidavit attached thereto, all being pursuant to Pa. R.C.P. 240, the Saline Vardamasko is granted leave to proceed in forma pauperis at this time.

The Saline Vardamaskos is directed to inform the Prothonotary's office or the Court of any improvement in his/her financial circumstances that wuld permit him/her to pay the costs incurred in this action and shall be responsible for doing so upon an improvemen of financial condition. BY THE COURT:
Anthony J. Vardaro, J.

Feb. 28, 1994 copy to Sheriff

Feb. 17, 1994 Custody Complaint and Order, filed. ORDER: AND NOW, this 23 day of February, 1994, the Court having appointed a custody mediataor in this action for custody, and/or partial custody and/or visitation of a minor child or children it is ordered and directed as follows:

1. The plaintiff is allowed to proceed without payment of court costs reserving to the Court the right to impose costs at a later time.

2. The Prothonotary is ordered and directed to deliver a tarue and correct copy of this Order and any complaint or petition filed at the time this Order was entered and any required notice, with appropriate numbers of copies, to the Sheriff of Crawford County for service upon the defendant.

3. The plaintiff is ordered and directed to immediately go to the Sheriff's Office to give the Sheriff writteninstructions on when and where the defendant may be served.

4. The Sheriff of Crawford County is sordred and directed to serve a true and correct copy of the complaint or petition and order upon the defendatn and make an appropriate return of service as required by the law. The Sheriff shall indicate the cost of seervice which said cost shall be paid by Crawford County and which said cost may be taxed as record costs and imposed as costs by the Court.

BY ORDER OF COURT
Anthony J. Vardaro, J.

Feb. 28,1994 copy to Sheriff

Mar. 14, 1994 SHERIFF'S RETURN, filed. SERVED Jeffrey Martin Thornton on March 9, 1994 at 3:10 PM by handing a copy of the Custody Complaint to Marlene Knapp, his Mother, at the residence of R.D.#2, Box 303, Guys Mills, Crawford County, PA.
So answers, lShawn E. Ashbsaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

7-8-94 Faxed Copy of Notice & Or der to Appear to Atty.Smith.

Aug. 11, 1994 TEMPORARY ORDER OF COURT, filed. AND NOW, this 10 day of August, 1994, after Mediation and upon recommendation of the Child Custody Mediator, it is hereby ordered and decreed that:

1. The natural parents of Atalanta Jade Vardamaskos, age two, born December 6, 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 imput 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 plaihtniff mother, Saline J. Vardamaskos. Regular visitation and temporary custody of the child shall be granted to the defendant father, Jeffrey M. thornton. Physical custody for the defendant father shall be as follows:

a. The child shall visit in the home of the natural father on the second and fourth weekends of each month, beginning immediately, from Friday at 6:30 p.m., prevailing tiem, until Sunday at 8:00 p.m., prevailing time.

b. During the months of June, July, and August each summer, beginning in 1995, the father shall have the opportunity to take the child into his temporary physical custody for two one-week periods (or seven consecutive days) upon a notice of fifteen days to the mother. The weeks will not be consecutive and will be separated by at least one week of custody for the mother, unless the mother otherwise agrees (upon request of the father).

c. Holiday visitation shall take priority over other scheduled visitation. The only two holidays of significant importance to the parties are Thanksgiving and Christmas. The father shall have the opportunity to have the child in his custody on Thanksgiving Day during odd-numbered years and on Christmas Day during even-numbered years. When the father does not have custody of the child on Thanksgiving or Christmas Day, he shall have custody of the child the followisng day. Thanksgiving and Christmas Days shall begin at 8:00 a.m., prevailing time, and shall end at 8:00 p.m., prevailing time.

d. Either parent may take the child out of Crawford County for one week at anytime, including the time covered by Thanksgiving or Christmas upon a notice of fifteen days to the other parent . In the case of the father, this shall be exercisable one time each year and shall be in addition to the one-week summer periods described above.

e. 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 until the next day at 8:00 a.m., prevailing time, unless satisfactory arrangements have been previously made with the mother.

3. The parent having custody fo 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 agaree to alternative arrangements to accommodate their and/or the child's schedules, they may adjust the physical custody arrangements accordingly and are encouraged to do so by mutual consent and agreement.

Continued on Page 455

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1994

Kathleen R. Nelson	BRENDA R. BONE	COMPLAINT UNDER SECTION 3301(a), 3301(c) or 3301(d) OF THE DIVORCE COMPLAINT, EQUITABLE DISTRIBUTION 1 copy atty.
146.	vs.	
	WALTER C. BONE, JR.	
	Filed February 17, 1994 @ 3:00 pm	
	Tax & entry paid 50.50 ✓ User's Fee paid 10.00 ✓ 1 Add'l Count paid 15.00 ✓ State paid 10.00 Pro Pd 11/6/95 9.00 ✓	

Mar. 11, 1994 Affidavit of Service filed. AND NOW, this 10th day of March, 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 Complaint in Divorce and Notice were sent by certified mail to the Defendant, Walter C. Bone, Jr., on February 28, 1994.

3. That the Defendant received said certified mail on March 7, 1994. Said Return Receipt Card P 238 202 453 is attached hereto, signed by Walter C. Bone, Jr., and made a part hereof.

March 10, 1994 Kathleen R. Nelson, Esquire

Sept. 26, 1995 Motion For Withdrawal of Count and ORDER filed. AND NOW, this 22nd day of September, 1995, the herein Motion is granted.

BY THE COURT:
Gordon R. Miller, J.

Sept. 26, 1995 Order FAXED Atty. Nelson.

Oct. 30, 1995, Affidavit of Consent of defendant filed.

Nov. 6, 1995, Affidavit of consent of plaintiff filed.

Nov. 6, 1995, Upon praecipe of plaintiff attorney, for review, this case moved to court.

Nov. 15, 1995 **DIVORCE DECREE** filed. AND NOW, November 15, 1995, 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 acton 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.

1994

146
13

1994

1994

Pepicelli, Youngs &
Youngs, PC
Lisa Pepicelli Youngs

147.

Northwestern Legal Serv.
R.Christopher Brode

FIRST NATIONAL BANK OF
PENNSYLVANIA

vs.

CHARLES A. LILLER and
IRENE M. LILLER

Filed February 17, 1994
@ 3:10 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	35.00
Pro Co. pd 8-1-94	9.00

COMPLAINT IN MORTGAGE FORECLOSURE
2 copies atty.

Feb. 17, 1994 Affidavit of Non-Military Service of Defendants filed.

Mar. 10, 1994 SHERIFF'S RETURN, filed. SERVED Charles A. Liller personally on February 25, 1994 at 11:41 AM by handing a copy of the Complaint in Mortgage Foreclosure to him in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville Pa.

SERVED Irene M. Liller personally on February 25, 1994 at 11:40 AM by handing a copy of the Complaint in Mortgage Foreclosure to her in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, Pa.
So answers, Robert M. Stevens, Sheriff

Mar. 23, 1994 Motion to Dismiss for Lack of Subject Matter Jurisdiction filed.

Apr. 12, 1994 Proof of Service filed. I hereby certify that a copy of the Preliminary Objections and Motion to Dismiss for Lack of Subject Matter Jurisdiction was served upon Plaintiff's attorneys, Pepicelli, Youngs and Youngs, at 363 Chestnut Street, Meadville, PA 16335, by U. S. First Class Mail on March 25, 1994.
Date: April 12, 1994 R. Christopher Brode, Esq.

June 24, 1994 Upon Praecipe of plaintiff attorney, this case placed on next Argument List.

ON JULY 1994 ARGUMENT LIST

Aug. 1, 1994 Motion To Withdraw Prelininary Objections and Order, filed. AND NOW, this 1st day of August, 1994, the Court orders that the Defendnts' Prelininary Objections dated March 23, 1994 be withdrawn based on the attached Motion. BY THE COURT,
Gordon R. Miller, P.J.

Aug 1, 1994 Faxed Brode & L Youngs

And Now, August 1, 1994 upon praecipe of Plaintiff attorney judgment is hereby entered against the Defendants for failure to file an Answer to the Plaintiff's Complaint. Judgment is entered in the amount of: Seven thousand one hundred sixty-two and 62/100, plus mortgage interest at 13.50% per annum from January 24,1994, and at all applicable times thereafter in accordance with the aforesaid mortgage and note, plus costs of suit.
L - 31, 81 Debt: $7,162.62 plus int. and costs
JUDGMENT
Barbara H. King, Pro.

Ex 1994 - 47

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1994

Prather, Prather
& Pineo
Mark D. Prather

148.

Halliday & Halliday
Michael Halliday

MARK D. PRATHER,
Administrator of the Estate
of CHARLES H. HOOD, Deceased

vs.

CHARLES A. HOOD

Filed February 18, 1994
@ 10:51 AM

Tax & entry paid	50.50
User'sFee paid	5.00
Sheriff's Costs	25.00
Pro.Co. pd 4/4/94	9.00

ACTION FOR DECLARATORY JUDGMENT
1 copy Sheriff

Mar. 8, 1994 Sheriff's Return filed. SERVED Charles A. Hood personally onFebruary 23, 1994 at 1:45 PM by handing a copy of the Complaint to him at his residence on Williamson Road, Meadville, Crawford County, PA.

So answers,

Shawn E.Ashbaugh, Deputy Sheriff
Robert M.Stevens, Sher iff

And Now, Apr. 4, 1994 upon Praecipe of Plaintiff's Attorney, with notice to file default judgment, judgment attached, judgment is hereby entered in favor of t he plaintiff and against the defendant in failing to file a responsive pleading within twenty (20) days following service (February 23, 1994), or within ten (10) days following ten day notice of default (Pa.RCP Rule 237.1)(mailed March 17, 1994).

H-271
Entered 4-4-94

Debt
Judgment
Barbara H. King
Prothonotary

Apr. 25, 1994 Motion For Hearing and Order, filed. NOW, this 25th day of April, 1994, a rule is granted upon defendant to show cause if any he has why a decree shall not be entered in the above case adjudicating any disputes between the parties. Returnable and for hearing on June 30, 1994 at 9:00 A.M. Courtroom No. 2.

Service of a true and correct copy of the within to be made upon the defendant forthwith and proof of service to be filed at the time of hearing. Per Curiam.

Anthony J. Vardaro, J.

Apr. 27, 1994 copy to M. Prather and Dft.

Apr. 27, 1994 Appearance of Halliday& Halliday by Michael Halliday,Esquire for Charles A. Hood, Defendant, filed.

Jul. 12, 1994 Memorandum and Final Decree filed. FINAL DECREE. AND NOW, July 7, 1994, a default judgment having been entered in this declaratory judgment action and after taking testimony, we enter the following final decree pursuant to Pa. R.C.P. 1511(b):

1. The Defendant shall be entitled to, within 60 days from this date, remove all sawmill equipment and approximately 12,000 board feet of wood currently located at a sawmill on one of the farms of the decedent and in return the Defendant shall pay to the estate the sum of$900 or, if he has not done so within 60 days, said amount may be deducted by the administrator from the share of the estate the Defendant is to receive as a beneficiary.

2. As part of this final decree, the Defendant is not entitled to remove any portion of a structure housing the sawmill which is pertinent to the real estate.

3. With respect to certain cattle in question, the estate shall be entitled to keep all proceeds from the sale of the 38 head already sold and within 60 days the Defendant may remove 32 head of cattle of his choice of the remaining 41 head. In the event the Defendant does not desire to keep any of the cattle, the administrator may sell the remaining 41 head and the Defendant shall receive proceeds in the amount of 40% of the total for the sale of all 79 head of cattle and the estate shall receive the remaining 60% from the proceeds of said sale.

This final decree is only intended to address the specific items we have indicated and is not intended to address any other matters which may be in dispute between the parties.

BY THE COURT:
Anthony J.Vardaro, J.

7-12-94 Faxed to Attys. Prather & Halliday.

7-15-94 Exhibits, filed.

1994

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

withdrawn ~~Bettie J. Peterson-Muth~~

149.

Culbertson,Weiss,
Schetroma & Schug
Russell L. Schetroma

RICHARD A. WOOD t/a WOOD GRAVEL CO.

vs.

P. SUNDBACK t/a MARSUN ASSOCIATES

Filed February 18, 1994
@ 1:22 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	29.00
Pro.Co. pd 5/18/95	6.00

COMPLAINT IN CIVIL ACTION
2 copies atty.

Mar. 8, 1994 Sheriff's Return filed. SERVED P. Sundback, t/a Marsun Associates, personally on February 28, 1994 at 10:19 AM at P.O.Box 2, Adamsville, Crawford County, pA.
So answers, Scott D. Young, Deputy Sheriff
Robert M. Stevens, Sheriff

May 20, 1994 Answer, New Matter and Counter-Claim/Set-Off of Defendant, filed.

stricken Co. Mar 27 1995 ~~Jan. 26, 1995 Notice of Intent to Complete Discovery on behalf of plaintiff, filed.~~

Jan. 26, 1995 Praecipe for Withdrawal of Appearance and Entry of Appearance, filed. Please enter the appearance of the firm Shafer, Swick, Bailey, Irwin, Stack & Millin, by Jeffrey K. Millin, Esquire, on behalf of the Plaintiff in this matter, and withdraw the appearance of Bettie J. Peterson-Muth.

Mar. 28, 1995 Motion To Strike Plaintiff's Notice of Intent to Complete Discovery and Order, filed. And Now, March 27, 1995, Plaintiff's Notice of Intent to Complete Discovery filed in teh above-captioned matter is hereby stricken from the record since it appears that the plaintiff does intend to file a response to the Defendant's New Matter and Counterclaim. Otherwise we would deny this motion. Gordon R. Miller, P.J.
Mar. 28, 1995 Faxed Shuffstall & Millin

May 16, 1995 Upon Praecipe of Jeffrey K.Millin, Esquire, the above-captioned case marked settled and discontinued of record.

May 16, 1995 Upon Praecipe of Russell L.Schetroma, Esquire,Attorneys for Defendant, the above captioned action of the set-off and counterclaim, is marked settled and discontinued of record.

Shapira, Hutzelman,
Berlin & May
Kathleen M. Koehler

150.

SECURITY PACIFIC FINANCIAL
SERVICE OF PENNSYLVANIA, INC.

vs.

GARY L. KERSTETTER and
KIMBERLY K. KERSTETTER a/k/a
KIMBERLY K. BROWN KERSTETTER
his wife

Filed February 18, 1994
@ 1:22 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	43.00
Pro Co. pd. 4/18/94	9.00
Pro pd 10/7/94	5.00

COMPLAINT AT LAW
1 copy Sheriff

Mar. 11, 1994 SHERIFF'S RETURN, filed. SERVED Gary L. Kerstetter on March 8, 1994 at 10:31 AM by handing a copy of the Complaint to Kimberly K. Kerstetter, his Authorized Agent, in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, Pa. Signed Acceptance of Service attached.

SERVED Kimberly A. Kerstetter, a/k/a Kimberly K. Brown Kerstetter, personally on March 8, 1994 at 10:30 AM by handing a copy of the Complaint to her in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville,Pa.

So answers, Carole Stefanucci, Deputy Sheriff
Robert M. Stevens, Sheriff

April 14, 1994, 1:45 p.m., AND NOW upon Praecipe of Plaintiff Attorney, with copy of Notice of Intention to file default judgment attached, ~~judgment attached,~~ judgment is hereby entered in favor of Plaintiff and against Defendant for failure to file an answer and damages are assessed as follows:

Amount claimed in Plaintiff's Complaint	$17,519.64
Interest from FEbruary 1994	87.60
Attorney's fees	$ 3,503.93
TOTAL	$21,111.17

Plus court costs of record.

K-74,104
Judgment entered -
4/14/94
4-18-94 Notice of judgment mailed to defendants.

Debt $21,111.17
Interest from Feb. 1994
Judgment
Barbara H. King, Pro.

Sept. 23, 1994, Motion for Court Approval of Alternate Service of Process, Affidavit and Order filed. ORDER: AND NOW, this 23 day of Sept. 1994, upon consideration of the foregoing motion, the plaintiff is hereby authorized to make service upon the defendants by the following:

1. PlaCING A LEGAL ADVERTISEMENT INTHE Crawford County Legal Journal summarizing the action.

2. Placing a legal advertisement inthe Titusville Herald, Titusville, Pa. giving a summary ofthe action.

Anthony J. Vardaro, J.

copy faxed to plff atty.

Oct. 3, 1994, upon praecipe of plaintiff attorney, the above captioned case in hereby satisfied of record.

1994

Kuhn & Kuhn
Daniel J. Kuhn

151.

SUSAN A. STINE

vs.

PAUL J. STINE

Filed February 18, 1994
@ 1:52 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co. pd 6-16-94	9.00
Pro Co pd 7-8-94	5.00

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

Feb. 25, 1994 Affidavit of Service, 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. P 890 981 998, 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 17509 Reilly Siding Road, Union City, PA 16438, and that the Defendant did receive the same on Fe. 23, 1994, as evidenced by the signed receipt attached hereto as Exhibit "A".

June 8, 1994 Affidavit of Consent of plaintiff filed.

June 8, 1994 Affidavit of Consent of defendant filed.

June 8, 1994 Upon praecipe of plaintiff attorney for Review under Section 3301(c) of Divorce Code, this case moved to Court.

DIVORCE DECREE FILED

June 20, 1994 AND NOW, June 20, 1994, it is hereby ordered and decreed that SUSAN STINE, Plaintiff, and PAUL J. STINE, 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.

July 8, 1994 Notice Of Election to Retake Maiden Name. SUSAN A. STINE to be known as SUSAN A. OWEN.

1994

Barbara J. Walton

152.

PATRICIA FERRY

vs.

STEVEN FERRY

Filed February 18, 1994
@ 1:52 PM

Tax & entry paid	50.50 ✓
User's Fee paid	25.00 ✓
4 Add'l Counts paid	60.00 ✓
State paid	10.00

COMPLAINT IN DIVORCE, CUSTODY, EQUITABLE DISTRIBUTION, REQUEST FOR ALIMONY PENDENTE LITE AND ALIMONY, REQUEST FOR COUNSEL FEES, COSTS AND EXPENSES
2 copies atty.

Mar. 8, 1994 Affidavit of Service filed. AND NOW, March 7, 1994, comes Barbara J. Walton, and avers as follows:
1. A true and correct copy of the Complaint for Divorce was mailed to the Defendant via Certified Mail, return receipt on February 25, 1994.
2. That the Defendant signed the return card on March 4, 1994 and in accordance with pa. R.C.P. 412, service of the Complaint was made as is evidenced by the United States Postal Service Return Receipt (Certified No. P845718810) attached hereto as Exhibit "A".
I VERIFY that the statements made in this Affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. 4904, relating to unsworn falsification to authorities. Barbara J. Walton

Mar. 12, 1998 Important Notice and Court Order filed. Out court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since 3/8/94 . 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)

1994

153.

PHILOMENA McLAURIN

vs.

RAHMAN ALI BURNETT

Filed February 18, 1994
@ 2:09 PM

Tax & entry	pd. 5/23/94	50.50
User's Fee	pd. 5/23/94	5.00
Sheriff's Costs	pd. 5/23/94	30.00
Pro. Co. Pd.	5/23/94	9.00
Pro Co. Pd.	5/23/94	5.00

5-23-94 Rec from Dept Sheriff's Cash 30.00
5-24-94 Pd Sheriff 30.00 Ck# 8316

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

Order:

And now, this 18 day of February , 1994 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: The Defendant shall not go to Plaintiffs residence nor shall he confront her in a public place
3. This Order may be enforced without a warrant any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court Liability for payment or fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves ruling on allocation of fees and costs. Hearing is hereby set for February 23, 1994 at 3:30 p. m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

Feb. 23, 1994 Complaint for Indirect Criminal Contempt for Violation of Protection From Abuse Order, filed.

Feb.23, 1994 Sheriff's REturn filed. SERVED Rahman Ali Burnett personally on February 22, 1994 at 10:20 AM by handing a copy of the protection from Abuse to him at 812 Forest Green, Apartment Building #6, Meadville, Crawford County, PA.
So answers,

Shawn E. Ashbaugh,Deputy Sheriff
Scott D. Young,Deputy Sheriff
Robert M. Stevens, Sheriff

Feb. 25, 1994 ORDER filed. AND NOW, February 23, 1994, this matter is before the Court on a Complaint for Indirect Criminal Contempt for violation of a Protection From Abuse Order. The defendant was served with a Temporary Order of this Court on February 22, 1994, and within a short period fo time thereafater, in violation of that Order,appeared at the home of the plaintiff and apparently engaged in a verbal exchange as well as a further verbal exchange at a doctor's office. Additionally, although there is some dispute with how it came about, the defendant removed the parties'daughter from the custody of the plaintiff. Inso far as there is a dispute with regard to that issue, we will only find the defendant in contempt at this time for going to the residence of the plaintiff and then to the doctor's office and confronting her in clear violation of the Temporary Protection From Abuse Order.

We note that the defendant is represented by counsel in these proceedings.

ACCORDINGLY, for his contempt, the defendant is sentenced to undergo imprisonment in the Crawford County Jail for a minimum term of 72 hours and a maximum term of 6 months, to be computed from Feb. 22, 1994 at 4:30 p.m.

He shall be automatically released at the expiration of his minimum term at about 4:30 p.m. on Feb. 25, 1994 to serve the balance of his minimum term on parole without any specific terms and conditions and without the supervision by the Adult Probation Dept., with the only specific requirement being that he obey the law and be of good behavior generally and that he comply with the Protection From Abuse Order entered this day.

BY THE COURT,
Anthony J. Vardaro, Judge

Feb. 25, 1994 ORDER filed. AND NOW, Feb. 23, 1994, this matter is before the Court on a Petition for Relief Under the Protection From Abuse Act. The defendant appears, represented by counsel and agrees to the entry of an Order for a period of one year.

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 nto go to the plaintiff's residence at 448 Poplar St., Meadville, PA., under any circumstances. The defendant is cautioned that even if he is invited to the residence of the plaintiff, he should not go to that residence because any police agency shall presume that he is in violation of this Order if he is at that residence. In the event the parties at some time in the future wish for the defendant to be able to go to the plaintiff's residence, they shall then file a motion to modify this Order before the defendant does go to that residence.
3. The defendant shall not confront the plaintiff t anytime in any public place.
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.

RECORD CONTINUED ON PAGE 505.....

Nichols, Krill & Taggart (withdrawn)
Kevin C. Jennings

154.

Peter J. Scanlon
National Fuel Gas Dist. Corp.

Edwin Allen Young
CRS, Inc. Def.

Baginski & Bashline
James R.Zeis for
United Parcel Serv.

BETZIE A. MEYRICK

vs.

NATIONAL FUEL GAS DISTRIBUTION CORPORATION, UNITED PARCEL SERVICE and CRS, INC.

Filed February 18, 1994
@ 3:17 PM

Tax & entry paid	50.50 ✓
User's Fee paid	5.00
Sheriff's Costs	28.00
Pro.Co. Pd. 8/26/96	8.00
Pro Co pd 5-14-98	9.00 ✓

JURY TRIAL DEMANDED

WRIT OF SUMMONS
Issued Atty.

Mar. 9, 1994 Acceptance of Service filed. I, hereby accept service of theWrit of Summons herein on behalf of Defendant, National Fuel Gas, and state that I am authorized to accept service on behalf of National Fuel Gas.
Dated: 2-5-94 ?

Mar. 15, 1994 Acceptance of Service of Writ of Summons, filed.

Mar. 17, 1994 SHERIFF'S RETURN, filed. SERVED United Parcel Service on March 14, 1994 at 11:45 PM by handing a copy of the Summons to Cindy Diatko, Center Manager, at Route 322, Meadville, Crawford County, Pa.
So answers, Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

Mar. 15, 1996 Complaint filed.

Apr. 1, 1996 Preliminary Objections fled.

Apr. 4, 1996 Appearance of Edwin Allen Young, Esquire for CRS, Inc., one of the defendants, filed.

Apr. 3, 1996 Defendant's Petition for Rule to Show Cause - Non Pros and ORDER GRANTING DEFENDANT'S PETITION FOR RULE TO SHOW CUASE - OF NON PROS filed. AND NOW, this 2nd day of April, 1996, after consideration of the Defendant's Petition, Rule is hereby granted upon Plaintiff to show cause why this matter should not be dismissed for nonpros, and a hearing is scheduled on Defendant's petition in Courtroom 1 or 2, to be held at 3:30 p.m., May 31,1996.
For the Court,
Ann A. Walker, Court Administrator
4-3-96 Faxed Jennings &Scanlon 4-10-96 Mailed Young

Apr. 17, 1996 Appearance of Baginski and Bashline by James R. Zeis, Esquire for United Parcel Service, Defendant, filed.

May 1, 1996, Petition for Reule to Show Cause - Non Pros - and Order filed. ORDER GRANTING DEFENDANT"S PETITION FOR Rule to show Cause - of Non Pros filed. AND NOW, this 1st day of May 1996 after consideration of the defendant's petition, Rule is hereby granted upon plaintiff to show cause why this matter should not be dismissed for non pros, and a hearing is hereby scheduled on defendant's petition before a judge to be held at 3:30 p.m. May 31, 1996.
By the Court,
Gordon R. Miller, J.
5/1/96 faxed to Jennings and Young.

May 17, 1996 Petition for Rule to Show Cause-Non Pros and ORDER filed. AND NOW, this 17th day of May, 1996, after consideration of the defendant's Petition, a Rule is hereby granted upon plaintiff to show cause why this matter should not be dismissed for non pros and a hearing is hereby scheduled on defendant's Petition before Judge Miller, to be held at 3:30 p.m., Friday, May 31, 1996.
FOR THE COURT:
Ann A. Walker, Ct. Admin.

FAXED James Zeis, Kevin Jennings, Peter Scanlon, Edwin Allen Young.

May 30, 1996 Plaintiff's Petition in Opposition to Defendants' Petition for Rule to Show Cause for Non-Pros, filed.

June 13, 1996 Memorandum and ORDER filed. AND NOW, June 13, 1996, for the reasons set forth in the attached memorandum the motions for judgment of non pros filed by all of the defendants are denied.
BY THE COURT
Gordon R. Miller, P.J.

June 21, 1996, Answer, New Matter and New Matter Under Rule 2252(d) filed.

June 21, 1996, Notice of Service of Request for Production of Documents filed.

June 21, 1996 Notice of Service of Interrogatories Directed to Plaintiffs filed.

July 1, 1996 Supplemental Verification by Edwin Allen Young, Esq., for CRS, Inc., Deft. filed.

July 10, 1996, Motion to withdraw Counsel and Order filed. ORDER: AND NOW, this 10 day of July 1996, upon hearing and consideration of the Petitioner's Motion to withdraw as counsel, it is hereby ORDERED that petitioners Kevin C. Jennings, Esq. and the law firm of nichols Krill and Taggert are hereby permitted to Withdraw their appearance as counsel for plff in above matter.
Gordon R. Miller, J.
7/10/96 faxed to Jennings, Scanlon, Young and Zeis.

July 24, 1996 Reply to New Matter by Defendant filed.

July 29, 1996 Default Notice filed.

Aug. 8, 1996 Answer, New Matter and New Matter Pursuant to Rule 2252(d) by Defendant, United Parcel Service, filed.

Aug. 8, 1996 Reply to New Matter by Defendant, United Parcel Service, filed.

Aug. 13, 1996 Reply to New Matter of UPS filed.

Continued On Page 478

1994

Pepicelli, Youngs
& Youngs, PC
Andrew S. Bacallao

155.

BRIAN K. CATALANO

vs.

TINA CATALANO

Filed February 18, 1994
@ 3:43 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro.Co. pd 8/3/94	9.00

COMPLAINT IN DIVORCE
2 copies atty.

Feb. 24, 1994 Certificate of Service, filed. I certify that the Complaint in Divorce filed in the above-captioned action was mailed to the Defendant, Tina Catalano, 525 EdwardsAlley, Saegertown, Pennsylvania 16433 by Certified Mail No. P100 650 663, Restricted Delivery/Addressee Only on February 18, 1994 and was received by Defendant on February 22, 1994 as evidenced by Certified Mail Receipt andDomestic Return Receipt,attached hereto as Exhibit A.
Date: FEbruary 24, 1994 By: Andrew S. Bacallao,
Attorneys for Plaintiff

June 8, 1994 Affidavit of Consent of plaintiff, filed.

June 30, 1994 Affidavit of Consent of Defendant, filed.

Aug . 3, 1994 Upon Praecipe of Christopher J. Youngs, Esquire, Attorney, to transmit record, case moved to Court.

DIVORCE DECREE FILED

Sept. 2, 1994 AND NOW, this 12th day of August, 1994, the Court orders and decrees as follows:

1. DIVORCE:

Upon consideration of the pleadings and affidavits filed in the above-captioned case, this Court hereby grants an absolute divorce from the bonds of matrimony to the above-named paraties, on the grounds that the marriage is irretrievably broken and the parties have each filed affidavits of consent.

BY THE COURT,
Gordon R. Miller, J.

1994

J. Christopher Brode

156.

MELODY FOSTER

vs.

JAMES R. BRADLEY

Filed February 22, 1994
@ 8:53 AM

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

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

ORDER:

And now, this 22 day of february , 1994 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

1. The defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: The Plaintiff shall have exclusive possession of the residence at 390½ Randolph Street, Meadville, pending further order of court. The Plaintiff shall have sole custody of the minor child pending further order of court.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment or fees and costs will be determined by final court order.
7. The defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves Ruling on allocation of fees and costs.

Hearing is hereby set for the February 25, 1994 , at 3:30 p.m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

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

Feb. 22, 1994 Sheriff's Return filed. SERVED James R. Bradley personally on February 22, 1994 at 9:20 AM by handing a copy of the Protectionfrom Abuse to him at his temporary place of custody in the Crawford County Jail, 360 Center Street, Meadville, Crawford County, PA.
So answers,
Shawn E.Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

Feb. 28, 1994 ORDER filed. AND NOW, February 25, 1994, this matter is before the Court onPlaintiff's Petition for Relief under the Protection From Abuse Act. The plaintiff appears with counsel and the defendant appears without counsel and indicates that he wishes to proceed without counsel.

The parties have reached an agreement with respect to an Order, with admission of the allegations of the petition on the part of the defendant.

ACCORDINGLY, it is ORDRED as follows:

1. The defendant shall not assault, abuse, harass or threaten the plaintiff or any minor child named in the petition. The defendant shall not go within 100 yards of the plaintiff. If the parties would be in the same public place, the party last entering shall immediately leave that public place so that the party first there is the party entitled to remain.
2. The defendant shall not contact the plaintiff by telephone or in any other manner. In the event of an emergency requiring the defendant to contact the plaintiff, the defendant's mother may be used as a liaison between the parties, but the defendant shall make no direct contact himself.
3. The mutual residence at 390 1/2 Randolph Street, Meadville, Pennsylvania is exclusively granted to the plaintiff during the term of this Order. The defendant shall not go to that residence except as indicated in this Order for any purpose, other than if he is invited to that residence by the plaintiff. In the event that the parties wish at some time in the future for the defendant to be able to go to that residence, they shall seeka modification of this Order prior to doing so insofar as it will then be presumed by any police agency that if the defendant is at the plaitniff's residence, he is in violation of this Order.
4. Pending further order of Court in this action or any other appropriate action, the minor child of the parties shall be in the primary physical custody of the plaintiff. The defendant shall have temporary custody every other weekend from Friday from 6:00 p.m. until the following Sunday at 6:00 p.m., with the exchanges of custody to take place at the Burger King on North Street in the City of Meadville. Those periods of temporary custody shall begin on March 4, 1994 at 6:00 p.m. until March 6, 1994 at 6:00 p.m., with the same schedule to be followed every other weekend thereafter.
5. The defendant continues to maintain certain personal property at the mutual residence of the parties and he may obtain such property upon 24 hours notice to the plaintiff, which notice shall be given through his mother to the plaintiff and when he arrives to obtain that property, he must be accompanied by a Meadville City Police Officer or other law enforcement officer in uniform.
6. This Order may be enforce dwithout a Warrant of Arrest by any law enforcement officer having reasonaable grounds to believe that it has been violated.
7. A copy of this Order shall be delivered to the Meadville Police Department insofar as the plaintiff's residence is within the City of Meadville and to County Control.
8. The Prothonotary shall send a copy of this Order by regular mail to the defendant in care of the Crawford County Jail if he is still incarcerated, or in the alternative, if he is not incarcerated, the Order may be sent to the plaitniff's address at 390 1/2 Randolph Street in Meadville and she will place that mail with the defendant's other personal property so that he may pick it up when he picks up such other personal property.

Continued on Page 156A

1994 TERM

Melody Foster
vs.
James R. Baradley

CONTINUED FROM PAGE 156
of Record
A. D. 1994 - 156

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9. The defendant is reminded that this is an Order of Court and violation ofthis Order may be punishable by a fine of up to $1,000 and a jail sentence of up to 6 months.

10. The defendant shall pay court costs in the amount of $89.50 to the Prothonotary of Crawford Countyon the First Floor of the Crawford County Courthouse in Meadville, Pennsylvania within 60 days of the date of this Order.

11. This Order shall remain in full force and effect through February 24, 1995.

BY THE COURT,
Anthony J. Vardaro, J.

Feb. 28, 1994 copies dist to dft. Co Control, Borde & Meadville CPD (FAX & mail)

Apr. 18, 1994 Motion to Amend or Modify a Protection From Abuse Order and ORDER filed. AND NOW, this 15 day of April, 1994, upon receipt and review of the within motion to amend the Protection from Abuse Order of February 23, 1994, the amendment(s) and modification(s) set forth in said motion oare hereby approved and made a Court Order.

A true and correct copy of this Order shall be delivered by the Prothonotary to proper Police Agency and to County Control.

Any paragraphs of the original Order assessing costs on either party shall remain in full force and effect without change or modification.

BY ORDER OF COURT
Anthony J. Vardaro, J.

4-18-94 Copy of Order Faxed to MCPD. 4-20-94 Copy of Order to Atty. Brode, Deft. Co. Control & MCPD

156

-6-

1994 TERM

1994

Gerald Sullivan

157.

Alan L. Pepicelli

PEGGY SUE MILLER

vs.

DAVID P. Mille,r Jr.

Filed February 22, 1994
@ 9:42 AM

3-1-94 Received from Dept. Sheriff's Costs 25.00

3-1-94 Pd Sheriff Chtt 8135 25.00

Tax & entry	Pd 3-1-94	50.50
User's Fee	Pd 3-1-94	5.00
Sheriff's Costs		25.00
Pro Co	Pd 3-1-94	9.00
Pro Co	Pd 6-28-94	5.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT
3 copies She;riff
1 copy Plaintiff

Order:

And now, this 22 day of February , 1994 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: The Plaintiff shall have possession of the marital home pending further order of court and Defendant may not go to that residence. Plaintiff shall have sole custody of minor children pending furthe rorder of court. She may allow Defendant
3. This Order may be enforced without a warrant any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police department in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court Liability for payment or fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves ruling on allocation of fees and costs. Hearing is hereby set for March 1, 1994 , at 3:30 p. m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

***to visit chidlren in her discretion.

Feb.23, 1994 Sheriff's Return filed. SERVED DAvid P. Miller, Jr., personally on FEbruary 22, 1994 at 6:00 PM by handing him a copy of the Protection from Abuse at his parents residence, 404 Chestnut Street, Meadville, Crawford County, PA. SErved by his father, David P. Miller, Sr., as per telephone call on FEbruary 23, 1994.
So answers,

Scott D. Young, Deputy Sheriff
Robert M.Stevens, Sheriff

Mar. 4, 1994 ORDER filed. AND NOW, March 1, 1994 the parties appeared in open court with counsel and entered into an agareement to settle this matter, and it is based upon that agreement that this Court enters the following order. In doing so,however, the Defendant does not admit that he engaged in the conduct set forth in the petition, but is willing to have a protection from abuse order entered anyway.

1. The Defendant shall not assault, abuse, harass, threaten or stalk the Plaintiff nor shall he assault, abuse, harass or threaten the minor children.
2. The Plaintiff shall have sole possession of the marital residence. The Defendant shall not go to that marital residence and in fact shall not be within 100 yards of that aresidence.
3. Temporary primary physical custody of the children is awarded to the Plaintiff, with the Defendant having the following visitation rights. The Defendant shall have a right to visit his children and take them into his custody every other weekend, from 6:00 o'clock p.m. on Friday to 6:00 o'clock p.m. on Sunday. The first weekend visitation under this arrangement shall take place on Friday, March 4, 1994. Transportation to and from these visitations shall be split, with the party receiving the children having the responsibility of providing the transportation. In the case of the Defendant, however, transportation shall be provided by one or both of his parents rather than by the Defendant. This provision with respect to custody and visitation shall remain in full force and effect until replaced by a custody or visitation order entered by a court of competent jurisdiction as provided for in the Protection From Abuse Act.
4. The Plaintiff shall keep the Defendant's personal belongings in good condition and will not destroy or damage them in any manner. The Defendant's parents shall have the right to go to the marital residence at an aranged time on Saturday, March 5, 1994 to pick up the Defendant's clothing and his exercise bike.
5. The Defendant shall have additional periods of visitation in his minor children, provided said additional periods of visitation are agreed upon between both parties.
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 Meadville City Police Department and to County Control.
8. This order shall remain in full force and effect for one year from this date; that is, until February 28, 1995, unless modified or terminated by further order of court.
9. The Defendant shall pay record court costs in the amount of $89.50 forthwith.
10. The Defendant is reminded that this is an order of court and violation of this order may be punishable by a fine of up to $1,000 and a jail sentence of up to 6 months.

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

Mar. 4, 1994 copies dist to Co Control, Sullivan & Faxed to MCPD
Mar. 9, 1994 copy to A. Pepicelli, Plf. & Dft.

June 30, 1994 Motion To Vacate Protection From Abuse Order and Order, filed. AND NOW, this 30 day of June, 1994 upon receipt and review of the Plaintiff's motion to vacate and terminate the Protection from Abuse Order of 3-1-94, said motion is granted and teh Protection from Abuse Order is hereby vacated and terminated.

A true and correct copy of this order shall be delivered by the Prothonotary to proper olice agencies and to County Control.

CONTINUED ON MARGIN

Any provisions of the Protection from Abuse Order of 3-1-94 assessing court costs shall remain in full force and effect without change or modification and the party or parties against whom costs were assessed shall remain obligated to pay the costs.
BY ORDER OF COURT
Anthony J. Vardaro, J.
6-30-94 Faxed City PD, Sullivan, Pepicelli & given to Co Control.

158

1994

Thomas, Truax,
Spadafore & Walker
William L. Walker

158.

ROBERT R. KINCAID and
DONNA KINCAID as Parents
and Natural Guardians of
SACHA KINCAID

vs.

STEPHANIE HANMORE

Filed February 22, 1994
@ 10:35 AM

Tax & entry paid 50.50
User's Fee paid 5.00

WRIT OF SUMMONS
Issued Sheriff

Mar. 16, 1994 Acceptance of Service filed. I, Stephanie Hanmore acept service of theWrit of Summons in Civil Action in the above-captioned case this ____ day of March, 1994.
Stephanie Hanmore

Mar. 23, 1994 Petition For Authority To Settle Claim and Order, filed. AND NOW, this 22 day of March, 1994, upon presentation and consideration of the within Petition, the Proposed settlement is approved, and it is ORDERED AND DECREED that Robert R. Kincaid and Donna Kincaid, as Parents and Natural Guardians of Sacha Kincaid, a minor, are hereby authorized to settle for the sum of $5,200.00 the claim of the said minor, Sacha Kincaid, agaisnt the Defendant, Stephanie Hanmore, for damages resulting from personal injuries sustained by the said Sacha Kincaid at the time, place and manner set forth in the foregoing Petition, and for the recovery of which an action has been brought at the above number and term and upon payment of the said amount by and for the above named Defendant, Stephanie Hanmore, her heirs, executors, administrataor and her insurance company, are released from any and all liabilities to the said minor, Sacha Kincaid, and Robert R. Kincaid, and in their own right for damages and injuries sustained by said minor, Sacha Kincaid, arisign outof the accident referred to in the foregoing Petition.

IT IS FURTHER ORDERED AND DECREED that the sum of $5,200.00 is to be paid as follows:

1. To Robert R. Kincaid and Donna Kincaid as Parents and Natural Guardians of Sacha Kincaid the sum of $4,450.00.

2. To William L. Walker, Esquire, the sum of $750.00 in full settlement of attorney fees in the aforesaid action.

And, upon receipt thereof, by them, your Petitioners as Parents and Natural Guardians of Sacha Kincaid are authorized and directed to settle and discontinue the above entitled action and execute such release as may be required by the Defendant and her insurance carrier.

BY THE COURT:
Anthony J. Vardaro, J.

Mar. 24, 1994 copy to W. Walker

1994

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

159.
Mary Ann Kirkpatrick

MICHAEL D. WANKER

vs.

RUTH L. WANKER

Filed February 22, 1994
@ 10:43 AM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 9-7-95	9.00

COMPLAINT IN DIVORCE
2 copies atty.

Feb. 25, 1994 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 vorrect copy of the Complaint in Divorce certified by the Prothonotary of Crawford County, Pennsylvania on the above named Defendant by certified mail, addressee only, return receipt requested, dated February 22, 1994. The Defendant acknowledged service on February 23, 1994 by accepting delivery on that date as evidenced by the attached signed return receipt.

May 24, 1994 Affidavit of Consent of Plaintiff filed.

Dec. 1, 1994 Affidavit of Consent by Ruth L.Wanker, Defendant, filed.

Jan. 3, 1995 Appearance of Mary Ann Kirkpatrick, Esquire for Ruth L.Wanker, Defendant, filed.

Aug 3, 1995 Affidavit of Consent of Defendant, filed.

Aug 31, 1995 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Sept. 11, 1995 AND NOW, September 8, 1995, it is ordered and decreed that MICHAEL D. WANKER, plaintiff, and RUTH L. WANKER, 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.

1994

C. Barton Jones

160.

SHIRLEY DEMMLER

vs.

JOHN HOWARD DEMMLER

Filed February 22, 1994
@ 10:49 AM

Tax & entry	50.50
User's Fee	5.00
Sheriff's Costs	38.00
Pro Co	9.00

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

ORDER:

And now, this 22 day of February , 19 94 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

1. The defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: The Defendant shall not go within 100 ft. of Plaintiff nor her dog or car or other property.
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.copy to Pa. State Police Meadville barricks
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment or fees and costs will be determined by final court order.
7. The defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves Ruling on allocation of fees and costs.

Hearing is hereby set for the March 2, 1994 , at 3:30 p.m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

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

Feb. 23, 1994 Sheriff's Return filed. SERVED John Howard Demmler personally on February 23, 1994 at 10:49 AM by handing a copy of the protection from Abuse to him at 139 Fitch Road, Hartstown, Crawford County, PA.

So answers,

Scott D. Young, Deputy Sheriff
Robert M.Stevens, Sheriff

Mar 4, 1994 ORDER filed. AND NOW, March 2, 1994, at the time fixed for hearing in this matter, the Plaintiff appeared with counsel and the defendant did not. The Court generally outlined Protection From Abuse actionsand proceedings, and the Defendant understood it. The parties negotiated a settlement that they both agree to and, therefore, the following Order is entered with the Defendant not admitting that he engaged in the conduct alleged in the Petition. It is, therefore, ORDRED as follows:

1. The Defendant shall not assault,abuse, haras sor threaten the Plaintiff in any manner nor shall he stalk her.
2. No later than Sunday, March 6, 1994, the Defendant shall vacate the marital residence and turn the marital residence over to the Plaintiff and from that point on the Plaintiff shall have sole and exclusive possession of the marital residence. From that point on, the Defendant shall not go to the marital residence, and in fact, shall not be within one hundred (100) yards of the marital residence.
3. The Defendant may remove his clothing and purely personal belongings as well as nay other items of personal property that the Plaintiff agrees he can take. He shall take nothing else. From that point on, allitems of personal property that are in the marital residence be they marital property or non-marital property, shall be kept by the Plaintiff in good condition and repair. She shall not destroy or dispose of any of those items without first contacting the Defendant so that the Defendant may protect his rights in the event of an equitable distribution of marital property as well as his rights in the event that it is determined that certain property is not marital property and solely his. The point of this paragraph is that neither party shall dispose of marital assets or non-marital property as a result of this Order.
4. The parties shall arrange a time this evening when the Plaintiff may remove the two (2) parrots that are at the marital residence where the Defendant is going to be residing for the next few days. They should do that with other responsible adults present and there shall be no arguing or bickering between anybody when that transfer of these pets takes place.
5. The Defendant shallnot go to the Plaintiff's place of employment. In fact, he shall not be within one hundred (100) yards of that place of employment.
6. In the event that the Defendant wishes to communicate with the Plaintiff, he may telephone and write to Attorney C. Barton Jones, attoreny for the Plaintiff, and Mr. Jones shall pass letters on to his client, the Plaintiff, as well as to let the Plaintiff know about phone calls in case the Plaintiff wants to return them. The Defendant shall not, however, abuse this privilege. For instance, he shall not call or write Mr. Jones to excess. The Court believes that two or three letters per week or two or three phone calls per week should be sufficient. We do not set a number on these, because the number of calls and letters depends upon the urgency, burt we do not expect the Defendant to abuse the right to contact his wife through Mr. Jones.
7. In the event that the Plaintiff desires to proceed with a divorce, she agrees to engage in reasonable periods of marriage counseling before bringing the divorce to a completion.
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 by the Prothonotary to County Control and to the Pennsylvania State Police at Meadville Barracks.

CONTINUED ON PAGE 160A

Shirley Demmler
vs.
John Howard Demmler

CONTINUED FROM PAGE 160
of Record
A. D. 1994 - 160

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10. This Order shall remain in full force and effect for a period of three (3) months from this date unless modified or terminated by further Court Order.

11. The Plaintiff shall have a right to file a Petition to extend this Order, provided the Petition sets forth facts under oath that would justify an extension.

12. Costs shall be paid by Crawford County.

13. The Defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine of up to $1,000 and a jail sentence of up to six (6) months.

14. Any mail or other valuable matters that are sent to the marital residence and received after the Plaintiff acquires sole possession of the marital residence shall be forwarded to the Defendant at 11046 Hartstown Road, Jamestown, Pennsylvania. The Defendant should take reasonable steps to have a change of address initiated so that mail may go directly to him and not to the former marital residence.

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

Mar. 4, 1994 copies faxed to Pa.S.P. & given to Co Control.
Mar 9, 1994 copy to C.B. Jones, Plf. & Dft.

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-b-

1994

1994

Northwestern Legal Serv.

Gerald Sullivan

161.

Pepicelli, Youngs & Youngs
Andrew Bacallao

TINA CATALANO

VS.

BRIAN CATALANO

Filed February 22, 1994
@ 11:04 AM

Tax & entry Pd 3-25-94 50.50
User's Fee Pd 3-25-94 5.00
Sheriff's Costs 25.00
Pro Lo Pd 3-25-94 9.00
Pro.Co. Pd 8-16-94 5.00

3-25-94 Rec from Deft Sheriff's Costs 25.00
3-25-94 Pd Sheriff Ck#8187 25.00

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

Order:

And now, this 22nd day of February , 1994 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Defendant shall not contact Plaintiff in any way. He shall not be within 100 yards of Plaintiffs residence or lplace of work, or Plaintiff's daughters day care c enter.
3. This Order may be enforced without a warrant any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court Liability for payment or fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves ruling on allocation of fees and costs.

Hearing is hereby set for March 3, 1994 , at 3:30 p. m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

Feb. 23, 1994 Sheriff's Return filed.SERVED Brian Catalano personally on February 23, 1994 at 8:50 AM by handing him a copy of the Protection from Abuse in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, PA.

So answers,

Scott D. Young, Deputy Sheriff
Robert M. Stevens, Sheriff

Mar. 4, 1994 ORDER filed. AND NOW, March 3, 1994, after a full formal hearing where both parties were represented by counsel, the evidence is clearly mixed, but the Court believes that the Plaintiff has proven by a fair preponderance of the evidence that the Defendant engaged in physical abuse as that is defined and meant by the Portection From Abuse Act. Accordingly, it is ORDERED as follows:

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff in any manner.
2. The Defendant shall not go to the Plaintiff;s residence or place of work or to the Plaintiff's daughter's day care center. In fact,he shall not be within one hundred (100) yards of those places unless legitimate social, financial or other business reasons take him to those places, in which case he shall be permitted to be within one Hundred (100) yards of those places solely for the purpose of carrying out his business purposes and not for the purpose of making any contact with the Plaintiff.
3. This Order does not prevent other types of civil, nonabusive, non-threatening, non-harassing contact between the parties such as by telephone or in writing unless the Plaintiff indicates to the Defendant that she does not want that to happen.
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 and to the Saegertown Police Department.
6. This Order shall remain in full force and effect for six (6) months from this date unless modified or terminated by further Court Order.
7. The Defendant shall pay record court costs in the amount of$89.50 no later than April 4, 1994. He is cautioned that if he fails to pay on time, the Prothonotary may bring contempt of court proceedings.
8. The Defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine of up to $1,000.00 and a jail sentence of up to six (6) months.

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

3-4-94 Copies dist. to Co. Control,SAegertown PD, Atty. Sullivan & Deft. & Atty. Bacallao

Mar. 31, 1994 Stipulation and Order Vacating Protection From Abuse Order and Discontinuing Action filed.

ORDER VACATING PROTECTION FROM ABUSE ORDER AND DISCONTINUING ACTION filed. AND NOW, March 30, 1994, after presentation and consideration of the foregoing Stipulation to Vacate Protection from Abuse Order and Discontinue Action it is ORDERED as follows:

1. The March 3, 1994 Protection from Abuse Order entered in this action is vacated.
2. The Prothonotary is directed to mark this action discontinued.
3. A copy of this Order shall be delivered by the Prothonotary to Crawford County Control and to the Saegertown Police Department.

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

4-5-94 Copy of Order to Attys. Sullivan, Bacallao, County Control & Saegertown Police Dept.

Louis P. Vitti &
Associ., P.C
Louis P. Vitti

162.

CORESTATES BANK, N.A.,
trustee for PENNSYLVANIA
HOUSING FINANCE AGENCY, f/k/a
PHILADELPHIA NATIONAL BANK,
Assignee of NORTHWEST MUTUAL
SAVINGS ASSOCIATION

vs.

SUZANNE L. EMERSON

Filed February 22, 1994
@ 1:02 PM

Tax & entry paid	50.50 ✓
User's Fee paid	5.00
Sheriff's Costs	37.00

COMPLAINT IN MORTGAGE FORECLOSURE
1 copy Sheriff

Mar. 14, 1994 SHERIFF'S RETURN, filed. NOT FOUND as to Defendant Suzanne L. Emerson at address of 517 West Walnut St., Titusville, Crawford County, PA. Defendant does own the property but resides at 10642 Belinda Lane, Apt. #8, Manassas, VA 22110.
So answers, Robert M. Stevens, Sheriff

Mar. 17, 1994 Complaint reinstated. (1 copy atty.)

163

1994

163.

DONALD RALPH SHEARER, III

vs.

ROBIN ELAINE SHEARER

Filed February 22, 1994
@ 2:06 PM

Tax & entry paid	10.50 ✓
User's Fee paid	5.00
Pro.Co. pd 2/22/94	5.00 ✓

CERTIFIED COPY OF DECREE OF DISSOLUTION OF MARRIAGAE
FROM COUNTY OF BERNALILLO, STATE OF NEW MEXICO

Feb. 22, 1994 Notice of Election toRetake MaidenName of Robin Elaine Shearer to be known as ROBIN ELAINE MITCHAM, filed.

164

1994



1994

Jorden & White
William T. Jorden

165.

GARY A. KNAPP

vs/

PITTSBURGH PLATE GLASS
INDUSTRY #8

Filed February 22, 1994
@ 4:05 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	25.00

WRIT OF SUMMONS
Issued Sheriff

fEb. 22, 1994 Request To Permit Entry Upon Designated Land In The Possession Or Control Of The Defendant filed.

Mar. 10, 1994 SHERIFF'S RETURN, filed. SERVED Pittsburgh Plate Glass Industry #8 on February 28, 1994 at 1:22 PM by handing a copy of the Summons to Bob Olenik, Adult in Charge at the business Kebert Industrial Park, Meadville, Crawford County, PA.
So answers, Scott D. Young, Deputy Sheriff
Robert M. Stevens, Sheriff

166

1994

Watts & Pepicelli Alan L. Pepicelli	CLEOTHA MOORE, Now by Marriage CLEOTHA MILLER	WRIT OF SUMMONS Issued Sheriff
166.	vs.	Mar. 11, 1994 SHERIFF'S RETURN, filed. SERVED Luella Kee on February 29, 1994 at 3:20 PM by handing a copy of the Summons to Jill Long, Social Worker, at Defendant's place of residence, Westbury United Methodist Community, 31 North Park Avenue, Meadville, Crawford County, Pa. So answers, Scott D. Young, Deputy Sheeriff Robert M. Stevens, Sheriff
	LUELLA KEE	
	Filed February 22, 1994 @ 4:06 PM	
	Tax & entry paid 50.50 ✓ User's Fee paid 5.00 Sheriff's Costs 28.00	

1994

167.

JAMES H. ANDERS

vs.

ROBERT and JULIA GILBERT

Filed February 23, 1994
@ 9:37 AM

Tax & entry paid	50.25
User's Fee paid	5.00
Pro.Co. pd 4/8/94	9.00

APPEAL OF PLAINTIFF FROM DECISION OF
DISTRICT JUSTICE HUBERT VOGAN

Feb. 24, 1994 Proof of Service of Notice of Appeal and rule To File Complaint, filed.

Feb. 28, 1994 Complaint filed.

Mar. 24, 1994 Notice of Default Judgment filed.

And Now, Apr. 8, 1994 at 9:49 A.M. upon Praecipe of James H. Anders, Appellant, with notice of Intention to file Default Judgment attached, judgment is hereby entered in favor of the Appellant and against the Appellees for want of an answer and the same is liquidated at the sum of Seven Hundred Sixty-Eight and 25/100 Dollars plus the fee for entering judgment.

G-141; G-91:
Entered 4/8/94
Abstract to Appellant

Debt $768.25
Judgment
Barbara H. King
Prothonotary

1994

Culbertson, Weiss, Schetroma & Schug
John B. Brautigam

168.

EMMA ALLENE GLECKL

vs.

KEITH FRANCIS GLECKL, SR.

Filed February 23, 1994
@ 1:00 pm

Indigent Filing

PETITION TO PROCEED IN FORMA PAUPERIS IN A DIVORCE ACTION PURSUANT TO Pa. R.C.P. 1920.62

Order:
AND NOW, February 23 , 19 94 , upon consideration of the petition filed by the Plaintiff in this action, and supported by an affidavit attached thereto, all being pursuant to Pa. R.C.P. 1920.62 the Plaintiff is granted leave to proceed in forma pauperis at this time.
The Plaintiff is directed to inform the Prothonotary's office or the Court of any improvement in his/her financial circumstance that would permit him/her to pay the costs incurred in this action and shall be responsible for doing so upon an improvement of his/her financial condition.

BY THE COURT:
Anthony J.Vardaro, J

Apr. 15, 1994 Complaint in Divorce filed.

April 22, 1994 Affidavit of Service filed. And Now, April 22, 1994, comes John B. Brautigam, Esquire, who being duly sworn according to law, deposes and sets forth as follows:
1. That he is the Attorney for Emma Allene Gleckl, Plaintiff in the above-captioned matter.
2. That on information furnished tohim by the Plaintiff, he caused a certified copy of the Complaint in Divorce to be forwarded by Certified mail No. P835 989 567, postmarked April 15, 1994, to the last known address of the Defendant, Keith Francis Gleckl, Sr., at 1611 Ligonier St., Latrobe, PA 15650.
3. That the Defendant, keith Francis Gleckl, Sr., on April 18, 1994, 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 PA. Rules of Civil Procedure.

John B. Brautigam, Esq.

Apr. 26, 1994 Plaintiff's Affidavit Under Section 3301(d) of the Divorce Code filesd.

May 4,1994 Acceptance of Service filed. I Accept service of the Plaintiff's Affidavit Under Section 3301 (d) of the Divorce Code.
April 30, 1994 Keith Francis Gleckl, Sr.

May 16, 1994 Notice of Intention to Request Entry of Divorce Decree, filed.

May 31, 1994, Acceptance of Service filed. I a ccept service ofthe Notice of Intention to Request Divorce Decree. Keith Francis Gleckl, Sr. Dated: May 18, 1994

May 31, 1994, Counter-Affidavit Under Section 3301(d) of the Divorce Code filed.

Jun. 7, 1994 Upon Praecipe of John B. Brautigam, Esquire, Attorney for Plaintiff, to transmit record,case moved to Court.

DIVORCE DECREE FILED

June 20, 1994 Decree and Order filed. And Now, June 14, 1994, it is ordered and decreed that EMMA ALLENE GLECKL, Plaintiff, and KEITH GLECKL, SR., Defendant, are divorced from the bonds of matrimony.

By The Court:
Gordon R. Miller, J.

1994

169.

VIVECA RENE LEONARD

vs.

JOE LOUIS LEONARD, III

Filed February 23, 1994
@ 1:01 PM

Indigent Filing

COMPLAINT IN DIVORCE, CHILD CUSTODY and SUPPORT

Feb. 23. 1994 Petition To Proceed In Forma Pauperis in A Divorce Action Pursuant to Pa. R.C.P. 1920.62 and Order filed. AND NOW, February 23 , 19 94, upon consideration of the petition filed by the Plaintiff in this action, and supported by an affidavit attached thereto, all being pursuant to Pa. R.C.P. 1920.62 the Plaintiff is granted leave to proceed in forma pauperis at this time.
The Plaintiff is directed to inform the Prothonotary's Office or thecourt of any improvement in her financial circumstances that would permit her to pay the costs incurred in this action and shall be responsible for doing so upon an improvement of her financial condition. BY THE COURT,
Anthony J. Vardaro, J

Feb. 23, 1994 Copy of order to Pltf.

Mar. 14, 1994 Certificate of Service filed. I hereby certify that a true and correct copy of the attached Complaint in Divorce was mailed by certified mail, restricted delivery on this 5 day of March, 1994, to Joe L. Leonard, III.
Viveca R. Leonard

Jul. 19, 1994 Affidavit Under Section 3301 (d) of the Divorce Code by Viveca Rene Leonard, Defendant, filed.

Aug. 26, 1994 AFFIDAVIT OF SERVICE, filed. Before me, the undersigned authority, personally approved VIVECA RENE LEONARD, Plaintiff, who, beging duly sworn according to law, deposes and says that on Aug. 11, 1994 he sent by Certified Mail, Return Receipt Requested, Restricted Delivery a true and correct copy of the Complaint in Divorce and Other Relief Under the Divorce Code of 1980 filed in the above-captioned case to the Defendant. Said Complaint was received by JOE LOUIS LEONARD, III, Defendant, on Aug. 15, 1994. The Return Receipt which was signed by the Defendant is hereto attached.

Sept. 26, 1994, Affidavit of Service filed. Before me, the undersigned authority, personally appeared Viveca Rene LeonaRD, PLFF. WHO BEING DULY SWORN deposes and says that on Sept 16, 1994 she sent by cert. mail, ret. rec. req. rest. del. a true and correct copy of the complaint in divorce and other relief under the divorce code of 1980 filed in above case, to the defendant. Said complaint was received by Joe Louis Leonard III dft. on Sept. 20, 1994 and is hereto attached. Viveca R. Leonard.
Date: Sept. 26, 1994

Oct. 5, 1994 Counter-Affidavit Under Section 3301(d) of The Divorce Code by Joe Louis Leonard, III, filed.

Oct. 5, 1994 Upon praecipe of Plaintiff to transmit record, case moved to Court.

Oct. 13, 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 showing that the proper noticed by 1920.42(c)(1) in the form provied 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. Other: The proposed decree regarding custody cannot be approved without a mediation conference and notice to defendant. Child support and alimony cannot be awarded since they were not raised by pleading or petition.
Either party may file a praecipe to refer the matter back to the Court when the record is in such a state that the parties are entitled to a final decree. BY ORDER OF COURT,
10-11-94 Gordon R. Miller, J
10/14/94 Copies mailed to Pltf & dft.

Oct. 27, 1994 Petition To Withdraw Grounds Fro Divorce and ORDER filed. AND NOW,October 27, 1994, this motion si denied. The attached notice indicates it is an uncontested motion but it later indicates it is "unknown" at to whether the Defendant consents and there is no "uncontested motion certification."
By the Court,
Anthony J. Vardaro, J.
Oct. 28, 1994 Copeis mailed to Pltf.

Nov. 2, 1994 Notice of Motion filed.

Nov.2, 1994 Amended Praecipe to Transmit record, case moved to court.

DIVORCE DECREE FILED

November 10, 1994 AND NOW, November 9, 1994, it is ordered and decreed that VIVECA RENE LEONARD, plaintiff, and JOE LOUIS LEONARD, 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. 21, 1994 Notice Of Election To REtake Maiden Name filed. Viveca Rene Leonard TO BE KNOWN AS: Viveca R. Jones

170

1994

Bukac & Toomey
Terry Toomey

170.

pro se

RAVONNE THOMAS

vs.

ROBERT L. THOMAS, SR.

Filed February 23, 1994
@ 2:41 PM

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

COMPLAINT IN DIVORCE
1 copy atty.

Feb. 23, 1994 Affidavit Under Section 3301(d) of the divorce Code of Plaintiff filed.

Mar. 28, 1994 Defendant's Counter-Affidavit Under Section 3301(d) of the Divorce Code, filed.

Mar. 28, 1994 Defendant's Acceptance of Service of Plaintiff's Affidavit, filed.

Mr. 28, 1994 Entry of Appearance Pro Ce and Acceptance of Service, filed. AND NOW, comes the Defendant, Robert L. thomas, Sr., who hereby accepts service of the Plaintiff's Complaint on the date indicated below, and further, hereby enters his appearance pro se.

Apr. 26, 1994 Upon praecipe of Plaintiff's attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

May 3, 1994 AND NOW, this 2nd day of May, 1994 it is ORDERED AND DECREED that RAVONNE THOMAS, Plaintiff, and ROBERT L. THOMAS, SR., Defendant are divorced from the bonds of matrimony.

BY THE COURT:
GORDON R. MILLER, J.

1994

William J. Gregg	INCEL E. ANDERSON	COMPLAINT IN CIVIL ACTION 2 copies atty.
171.	vs.	March 24, 1994 Sheriff's Return filed. SERVED PPG Industries, Inc. on March15, 1994 at 12:50 PM by handing a copy of the Complaint to Robert Olenik, Director of Human Resources, at Kebert Industrial Park, Meadville, Crawford County, PA. SERVED Cigna Employee Benefits Companies by deputizing the Sheriff of Allegheny County,PA, as per their Affidavit of Service attached. SErved on March 17, 1994 at 1:11 PM at One Catham Center, Fifth Floor, Pittsburgh,PA 15219. So answers, Shawn E. Ashbaugh, Deputy Sheriff Robert M. Stevens, Sheriff
	PPG INDUSTRIES, INC. and CIGNA EMPLOYEE BENEFITS COMPANIES	
	Filed February 23, 1994 @ 3:08 PM	
	Tax & entry paid 50.50 User's Fee paid 5.00 Sheriff's Costs 53.00	

172

1994

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

172.

Pepicelli, Youngs & Youngs
Christopher J. Youngs

SHERRY J. SHALLENBERGER

vs.

DAVID L. SHALLENBERGER

Filed February 23, 1994
@ 3:59 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 paid 12/21/98	9.00

COMPLAINT IN DIVORCE UNDER SECTION 3301(c) or 3301(d), EQUITABLE PROPERTY DETERMINATION AND DISTRIBUTION, CHILD CUSTODY
1 copy atty.

Feb. 23, 1994 Plaintiff's Affidavit Under Section 3301(d) of the Divorce Code filed.

May 12, 1994 Acceptance of Service filed. I Christopher J. Youngs, Attorney for the Defendant in the above captioned action, being duly sworn according to law, do hereby state that I accepted service of a true and correct copy of theComplaint in Divorce, on February 24, 1994 by First Class Mail addressed to me at my office at 363 Chestnut Street, Meadville, Pennsylvania 16335.

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 5/12/94 . We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonably delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.
If you do not object this this case being dismissed, you do not have to do anything. The case will be marked "dismissed with prejudice" in our records, and will be over forever.
If you object to the case being dismissed, you must put your object in writing and follow Crawford County Civil Local Rule L206, LJA 1901E and LJA 1901F, explaining why there has been a delay in your case and why it is not unreasonable. These written objections must be filed in the Prothonotary's Office on or before April 24, 1998. You must also give or sent a copy of any objections you file to the other party or his or her attorney, and certify that you have done so when you file your objections with the Prothonotary.
YOU MAY LOSE IMPORTANT RIGHTS IF YOUR CASE IS TERMINATED. YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP:
Court Administrator
Second Floor-Crawford County Courthouse
Meadville, PA 16335
(814) 333-7498

By the Court,
Date: March 12, 1998 Anthony J. Vardaro, J
Mar. 12, 1998 copies mailed by Court Administrator's Office

April 17, 1998 CERTIFICATE OF SERVICE FILED (ATTY FOR Pltf)

April 20, 1998 OBJECTION TO DISMISSAL PURSUANT TO CRAWFORD CUNTY RULE OF CIVIL PROCEDURE LJA 1901-E and ORDER FILED. AND NOW, this 16 day of April 1998, upon consideration of the Plaintiff's objection the Order dated March 12, 1998 is hereby rescinded and revoked and the parties shall be able to pursue their rights under the PA Divorce Code at the abovecaptioned number and term.

BY THE COURT
Anthony J. Vardaro, J

4/20/98 FAXED IRWIN & YOUNGS

Dec. 4, 1998 Motion To Withdraw Count from Complaint in Divorce and Order filed. AND NOW, this 3 day of December, 1998, upon presentation and consideration of the within Motion, Count 2 Equitable Property Distribution is hereby withdrawn fromthe Complaint in Divorce.

Anthony J. Vardaro, J

12/4/98 Faxed Irwin

Dec. 3, 1998 Affidavit of Consent of Defendant filed.

Dec. 3, 1998 Waiver of Notice of Intention To Request Entry of a Divorce Decree Under 3301(c) of the Divorce Code of defendant filed.

Dec. 3, 1998 Affidavit of Consent of Plaintiff filed.

Dec. 3, 1998 Waiver of Notice of Intention To Request Entry of a Divorce Decree Under 3301(c) of the Divorce Code of Plaintiff filed.

Dec. 3,1 998 Upon praecipe of Plaintiff Attorney To Transmit Record, this case moved to court.

Dec. 3, 1998 Stipulation and Consent Custody Order filed.

December 22, 1998 Certificate of Completion of Separating parents seminar filed, (David L. Shallenberger)

December 22, 1998 Certificate of Completion of Separating parents seminar Filed.(Sherry J. Shallenberger

DIVORCE DECREE FILED

December 29, 1998 AND NOW, this 29th day of Dec., 1998, it is ordered and decreed that SHERRY J. SHALLENBERGER, Plaintiff, and DAVID L. SHALLENBERGER, Defendant, are divorced from the bonds of matrimony.
The issue of child custody has been resolved by Stipulation and Consent Order at the abovecaptioned number.

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

1994

Thomas, Truax,
Spadafore & Walker
Emil M. Spadafore

173.

M. DAN MASON

DENISE R. REYNOLDS

vs.

RANDY RICE

Filed February 23, 1994
@ 4:08 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	45.60
Pro Co pd 3-20-96	15.00

COMPLAINT IN CIVIL ACTION
1 copy atty.

March 25, 1994 SHERIFF'S RETURN, filed. SERVED Randy Rice by deputizing the Sheriff of Venango County, PA, as per his Affidavi of Service attached. Served on March 7, 1994 at R.D.#1, Box 10, Venus, PA, by handing to Julie Buchard, Adult in Charge. So answers, Robert M. Stevens, Sheriff

Before me the undersigned authority, personally appeared Rhona L. McVay-Deputy Sheriff who beign duly sworn according to law, deposes and says that on the 7th day of March, 1994 at 10:07 A.M. he served the within Notice-Complaint-Release and Trust Agareement at No. AD 1994-173, Crawford County, Pa., upon defendant Randy Rice at Defendant's place of residence located at RD 1, Box 10, Venus, Pa. and by making known the contents thereof to Julie Buchard/Adult in Charge/Live In Girlfriend and handing to and leaving with her the certified copy of the said Writ received from Robert M. Stevens-Sheriff Crawford County.
Gene Price, Sheriff of Venango County

Apr. 26, 1994 Defendant's Answer & New Matter To Plaintiff's Complaint, filed.

May 19, 1994 Reply To New Matter, filed.

Mar 15, 1996 Upon praecipe of plaintiff attorney for the appointment of Arbitrators, the following Arbitrators have been appointed.

April 3, 1996 Arbitrators take Qualifying Oath, filed.

Jorden & White
William T. Jorden

George R.Gray

174.

Robert W.Deer

Robert W.Deer & Assoc.
Jesse A. Torisky

LINDA STEIGER

vs.

BRIAN BROWN

Filed February 23, 1994
@ 4:13 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	30.00
Sheriff's Costs	45.60

COMPLAINT IN CIVIL ACTION
2 copies atty.

Mar. 24, 1994 Sheriff's Return filed. NOT FOUND as to Defendant Brian Brown as per Affidavit of Not Found returned from Mercer County Sheriff's Office. Address of R.D.#1, Box 157A, Utica, PA falls in VEnango County.
So answers, Robert M. Stevens, Sheriff

Apr. 4, 1994 Writ Reissued. (Complaint Reinstated)

May 18, 1994 Notice of Default Judgment, filed.

June 29, 1994 SHERIFF'S RETURN, filed. I hereby deputize the Sheriff of Venango County, Pennsylvania to serve the within Complaint accordign to law. The defendants alleged address is R.D.#1, Box 157, Utica, PA 16362. Robert M. Stevens
Sheriff Crawford County

SERVICE: Before me the undersigned authority, personally appeared James H. Marshall - Deputy Sheriff who being duly sworn according to law, deposes and says that on the 13th day of April, 1994 at 3:48 P.M. he served the within Notice To Plead-Complaint-Verification, filed at No. A.D. 1994-174, Crawford County, Pennsylvania, upon defendant Brian Brown at defendant's place residence located at RD #1, Box 157, Utica, PA 16362 and by making known the contents thereof to Brian K. Brown, In Person and handing to and leaving with him the certified copy of the said Writ received from Robert M. Stevens-Sheriff of Crawford County.
James H. Marshall, Deputy Sheriff
Gene Price, Sheriff Venango County

Nov. 9,1994 Appearance of Robert W. Deer, Esquire for Brian Brown, Defendant, filed.

Nov. 18, 1994 Preliminary Objections, filed.

Nov. 18, 1994 Upon Praecipe of Robert W.Deer, Esquire, Attorney for Defendant, the above capationed matter is placed on the next available argument list.

ON JANUARY 3, 1995 ARGUMENT LIST

Dec. 1, 1994 Notice of Service of Interrogatories filed.

Dec. 7, 1994 Amended Complaint filed.

Dec. 9, 1994 Notice of Service of Interrogatories and Request for Production of Documents, filed.

Jan. 3, 1995 Answer and New Matter to Amended Complaint, filed.

Jan. 6, 1995 Notice of Deposition of Linda Steiger, filed.

Jan. 16, 1995 Notice of Deposition of Brian Brown filed.

Jan. 17, 1995 Motion to Compel Discovery filed.

Jan. 17, 1995 Certificate of Service filed. I hereby certify that on the 17th day of January, 1995, I served a true and correct copy of a MOTION TO COMPEL DISCOVERY, and BRIEF, on the following parties or counsel of record, by First Class,United States Mail, postage prepaid,pursuant to Pennsylvania Rules of Civil Procedure:
Robert W.Deer,Esq.
400 National Building
436 Boulevard of the Allies
Pittsburgh, PA 15219 By: George R.Gray,Esquire

Jan. 17, 1995 Upon Praecipe of George R.Gray, Esquire, Attorneys for Plaintiff, Linda Steiger, the above captioned matter is placed on the next available Argument list.

ON FEBRUARY, 1995 ARGUMENT LIST

Jan. 19, 1995 Preliminary Objections to Defendant's New Matter filed.

Jan.19, 1995 Certificate of Service filed. I hereby certify that on the 19thdayof January, 1995, I served a true and correct copy of PRELIMINARY OBJECTIONS TO (MOTION TO STRIKE) DEFENDANT'S NEW MATTER, and BRIEF, on the following parties or counsel of record,by First Class,United States Mail, postage prepaid, pursuant to Pennsylvania Rules of Civil Procedure:
Robert W. Deer,Esq.
400 National Building, 436 Boulevard of the Allies
Pittsburgh,PA 15219 By: George R.Gray, Esq.

Jan. 19, 1995 Upon Praecipe of George R. Gray, Esquire, the Plaintiff's preliminary objections toDefendant's new Matter is place on the next available Argument List.
ON FEBRUARY, 1995 ARGUMENT LIST

Jan. 26, 1995 Notice of Filing Answers to Defendant's Interrogatories,filed.

Feb 6, 1995 Notice of Service of Defendant's Supplemental Answer to Plaintiff's Interrogatories, filed.

Continued to Page 472

1994

Phillips & Galanter
Donald L. Phillips

175.

D. S. PETERMAN & CO., INC.

vs.

BEN E. WENGERD i/and t/a
WENGERD SHOE AND HARNESS

Filed February 24, 1994
@ 12:00 PM

Tax & entry paid	15.00
Pltf. on orig.	93.50
Sheriff's Costs	32.00
Pro Co pd 4-11-94	9.00
Pro Co pd 8-11-95	5.00

WRIT OF REVIVAL

of

AD 1992 - 145

Writ of Revival indexed against the defendants in favor of D. S. Petermian & Co., Inc.
the plaintiffs, in the sum of Four Thousand Seven Hundered Twenty-eight and 62/100 plus interest and cost of suit.

Debt---------- $4,728.62
Interest from March 18, 1992
Barbara H. King, Pro

W-23-183
Issued Sheriff

Mar. 11, 1994 SHERIFF'S RETURN, filed. SERVED Ben E. Wengerd i/ and t/a Wengerd Shoe and Harness, on February 28, 1994 at 2:02 PM by handing a copy of the Writ of Revival to Cora Wengerd, his wife, at the residence, R.D. #1, Atlantic, Crawford County, Pa. (Adamsville Road)
So answers, Scott D. Young, Deputy Sheriff
Robert M. Stevens, Sheriff

Apr. 11, 1994, And Now, upon praecipe of plaintiff's attorney judgment is hereby entered against the above named Defendant(s) in default of an answer sec. leg in the sum of Five Thousand Three Hundred Ten Dollars and 10/100 plus costs.
W - 23, 183 Debt: $5, 310.10
JUDGMENT
Barbara H. King, Pro.

Aug 7, 1995 Upon praecipe of plaintiff attorney the above referenced case is satisfied of record.

1994

Bruce L. Smith

176.

SUSAN M. SHRIVER

vs.

JACK L. SHRIVER

Filed February 24, 1994
@ 1:32 PM

Tax & entry paid	50.50
User'sFee paid	5.00
State paid	10.00
Pro Co pd 11-15-94	9.00

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

Mar. 2, 1994 Affidavit of Service filed. Bruce L. Smith, an Attorney at Law, being duly sworn according to law, deposes and says that onthe 25th day of February, 1994, he served the Complaint and Notice to Defend and Claim Rights in the above-captioned matter on the above-named Defendant by mailing a true and correct copy of said Complaint and Notice to Defend and Claim Rights to the Defendant at his residence at 310 N. Monroe Street, Titusville, Pennsylvania, 16354, and that the Complaint and accompanying Notice toDefend and Claim Rights were received by the Defendant on February 28, 1994,as evidenced by Return Receipt No, P-038 552 626 attached hereto, all pursuant to Pennsylvania Rule of Civil Procedure No. 412.
March 1, 1994 Bruce L. Smith, Esquire

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's attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Nov. 17, 1994 AND NOW, November 16, 1994, it is ordered and decreed that SUSAN M. SHRIVER, plaintiff, and JACK L. SHRIVER, 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.

1994

Barbara J. Walton

177.

SHARON ANN COOPER

vs.

DAREL RAY COOPER

Filed February 24, 1994
@ 2:01 PM

Tax & entry paid	50.50
User's Fee paid	15.00
2 Add'd Counts paid	30.00
State paid	10.00
Pro Co pd 5-24-95	9.00

COMPLAINT IN DIVORCE, CUSTODY, EQUITABLE DISTRIBUTION
1 copy atty.

Mar. 1, 1994 Affidavit of Service filed. And Now, FEbruary 28, 1994, comes Barbara J.Walton, and avers as follows:

1. A true and correct copy of the Complaint for Divorce was mailed to the Defendand via Certified Mail, return receipt on February 25, 1994.

2. That the Defendant signed the return card onFebruary 26, 1994 and in accordance with Pa.R.C.P. 412, service of the Complaint was made as is evidenced by the United States Postal Service REturn REceipt (Certified No. P845718811) 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.

Barbar J. Walton, Esquire

Nov. 17, 1994, Affidavit of Consent of plaintiff filed.

May 9, 1995 Property Settlement Agreement, filed.

May 15, 1995 Affidavit of consent by Darel Ray Cooper, Defendant, filed.

May 24, 1995 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

June 1, 1995 Stipulation and Consent To Entry of Order filed. It is the intention of the parties that the provisions of this Agreement without further notice to either party by entered by the Court of Common Pleas of Crawford County as an Order of Court. The parties hereto, agree that continuing jurisdiction shall be retained by said Court, however, the continuing jurisdiction of said and the parties may at any subsequent itme and from time to time, exercise and establish all right, liabilities, and duties relative to the subject of this Order and Decree by proceedings in any Court of competent jurisdiction. The contractual duties set forth herein, as well as the duties and remedies provided byr hereunder shall survive the incorporation of this Agreement into the Decree of Divorce.

In Witness Whereof, the parties, with the intent to be legally bound, have signed this Agreement on the date first written above.

BY THE COURT:
Gordon R. Miller, J

SIGNED: May 25, 1995

June 1, 1995 DIVORCE DECREE FILED.

AND NOW, this 25th day of May, 1995, upon presentation of the Stipulatin and Consent of the parties, attached herto, and after consideration of same, it is hereby ORDERED, DIRECTED AND DECREED that:

1. The bonds of marriage between Plaintiff, SHARON ANN COOPER, AND Defendant, DAREL RAY COOPER 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 May 8, 1995, shall be incorporated in this decree and order by reference as fully as though the same were set forth herein, at length, including the following:

1. The Husband shall become the sole and exclusive owner of the residential real estate situate at R.D. #2, Kreitz Road, Cambridge Springs, Crawford Counte, Pennsylvania. The parties shall execute a Quit Claim Deed for same. Husband agrees to assume the current mortgage on this home and will take necessary measures to have the Wife's name removed form this current mortgage. The Husband further agrees to hold wife harmless for any debts associated with the marital home.

2. The parties agree that any remaining joint debts incurred during the course of their marriage will be shared. The parties further agree to equally pay the remaining amounts due on the joint debts.

3. Each party shall retain his or her own pension through their respective employers and waive any right which they may now have or at any time in the future have to said pensions.

4. The parties agree to waive any right to make claim for alimony at this time or in the future.

5. The parties agree that the two (2) cemetary plots located in Mitchell's Cemetary, Cambridge Springs, Pennsylvania shall become the exclusive property of the Wife.

6. All other provisions of the Marriage Settlement Agreement dated May 8, 1995 are incorporated hereinand the parties are directed to comply with said agreement.

7. This Honorable Court shall retain jurisdiction over this matter.

BY THE COURT:
Gordon R. Miller, J

1994

178.

DIANE BRITTAIN

vs.

JOHN BRITTAIN

Filed February 24, 1994
@ 2:13 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro.Co. pd 3/5/96	9.00

COMPLAINT IN DIVORCE
1 copy Pltf.

Mar. 2, 1994 Affidavit of Service filed. I, the undersigned, being duly sworn according to law, depose and say that I served a true an dcorrect copy of the Complaint in Divorce certified by the Prothonotary of Crawford County, Pennsylvania, on the above named Defendant by certified mail, addressee only, return receipt requested, dated February 24, 1994. The Defendant acknowledged service on February 28, 1994 by accepting deliver on that date as evidenced by the attached signed return receipt
Diane Brittain

Mar. 1, 1996 Affidavit of Consent by Diane Brittain, Plaintiff, filed.

Mar. 1, 1996 Waiver of Notice of Intention to Request Entry of A Divorce Under Section 3301(c) of the Divorce Code by Diane Brittain, Plaintiff, filed.

Mar. 1,1996 Affidavit of Consent by John Brittain, Defendant, filed.

Mar. 1,1996 Waiver of Notice of Intention to Request Entry of a Divorce Under Section 3301(c) of the Divorce Code of John C.Brittain, Defendant,filed.

Mar. 1, 1996 Upon Praecipe of Diane Brittain, Plaintiff to transmit record, Case moved to Court.

DIVORCE DECREE FILED

March 7, 1996 AND NOW March 6, 1996, it is ordered and decreed that DIANE BRITTAIN, plaintiff, and JOHN BRITTAIN, 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.

1994

Thomas, Truax,
Spadafore & Walker
William L. Walker

179.

VALENTINE A. DOMINICK and
CAROL L. DOMINICK, his wife

vs.

ESTATE OF CHARLIE HUTCHINGS,
LEONARD L. HUTCHINGS, CAROL
JEAN HUTCHINGS, CHARLES J.
HUTCHINGS, JR., CHARLOTTE
ANN HUTCHINGS, theirs heirs
and assigns, and INA
HUTCHINGS, her heirs and
assigns

Filed February 25, 1994
@ 10:36 AM

COMPLAINT IN ACTION TO QUIET TITLE
2 copies atty.

Mar. 10, 1994 SHERIFF'S RETURN, filed. SERVED Robert S. Bailey personally on March 2, 1994 at 3"20 PM by handing him a copy of the Complaint in Action to Quiet Title in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, Pa.
So answers, Carole Stefanucci, Deputy Sheriff
Robert M. Stevens, Sheriff

Mar. 11, 1994 Motion to Permit Service by Publication and ORDER filed. AND NOW, this 11th day of March, 1994, upon consideration of the foregoing Motion and the attached Affidavit, the Court hereby authorizes servcie of the Complaint in the above-captioned action by publication pursuant to Pa. R.C.P. 430. The Plaintiff shall cause the publication of the Complaint one (1) time in the Crawford County Legal Journal and the Meadville Tribune.
BY THE COURT:
Gordon R. Miller, J.
3-15-94 Copy of Order to Atty.Walker

Tax & entry paid	50.50 ✓
User's Fee paid	5.00
Sheriff's Costs	25.00
Pro.Co. Pd 6/8/94	9.00 ✓

March 16, 1994 Acceptance of Service filed. I, Charlotte Ann Harris, formerly Charlotte Ann Hutchings, of 1850 Morningside Ave., Pgh, PA 15206, do hereby accept service of the Complaint in Action to Quiet Title in the above captioned matter.
Charlotte Ann Hutchings 3/14/94
Charlotte Ann Harris 3/14/94

May 4, 1994 Motion for Judgment or Order Pursuant to Pa. R.C,P. 1066 and ORDER filed. AND NOW, this 2nd day of May, 1994, upon consideration of the foregoing Motion, and the attached Affidavit of Service,the Court hereby orders that the Defendnats named in the Action to Quiet Title shall be forever barred from asserting any right, lien, title or interest in the land described in the action to quiet title, which is inconsistent with the intrest, claim or rights of the Plaintiffs in this action, unless the Defendant files and Answer to theComplaint within thirty (30) days of the date of this Order. If an Answer is not filed within thirty (30) days of this Order, the Prothonotary upon Praecipe of the Plaintiff shall enter finaljudgment.
BY THE COURT:
Gordon R. Miller,J.
5-10-94 Copy of Order to Atty. Walker

And Now, Jun. 8, 1994 at 2:40 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.
H-237; H-105: H-237:
H-237:H-237; H-85;
FINAL JUDGMENT
Barbara H. King
Prothonotary

1994

180.

PETITION FOR INVOLUNTARY TREATMENT OF

WALTER W. YOUNG

Filed February 25, 1994
@ 10:36 A.M.

PETITION FOR INVOLUNTARY EMERGENCY EXAMINATION AND TREATMENT
Mental Health Procedures Act of 1976
Section 302

Feb. 25, 1994 Application For Extended Involuntary Treatment, filed.

Mar. 16, 1994 Petition For Involuntary Treatment, filed.

Mar. 23, 1994 Report of Mental Health Review Officer and Order, filed. And Now, March 23, 1994, upon consideration of the petition filed at the above number and term, and other relevant matter, and after a review of the report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said Walter W. Young be committed to Warren State Hospital for treatment for a period not to exceed 90 days.

This order shall take effect on March 28, 1994.

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

Mar. 24, 1994 copy to MH/MR, WSH, B. Barrett

May 31, 1994, Petition for Order of court filed.

1994

Bernstein & Bernstein 181. Ferguson & Spataro John F. Spataro	GUARDIAN PROTECTION SERVICES, INC. vs. RUSSELL FOBES February 28, 1994 @ 12:04 PM Tax & entry paid 50.25 User's Fee paid 5.00 Sheriff's Costs 35.00 Pro.Co. pd 12/28/94 5.00	APPEAL OF PLAINTIFF FROM DECISION OF DISTRICT JUSTICE WAYNE E. HANSON Mar. 9, 1994 Complaint filed. Mar. 10, 1994 Proof of Service filed. Apr. 21, 1994 SERVED Russell Fobes personally on April 18, 1994 at 3:12 PM by handing a copy of the Complaint on Appeal to him at RD 1, Box 106, Sspringboro, Crawford County, PA. So answers, Shawn E. Ashbaugh, Deputy Sheriff Dale A. Collins, Chief Deputy Robert M. Stevens, Sheriff May 12, 1994, Answer, New Matter and Counterclaim filed. Dec. 28, 1994 Upon Praecipe of David B.Lingenfelter, Esquire, Attorney for Plaintiff, the above-captioned matter is marked Settled,Discontinue and End.

1994

Sikov and Love ~~CAULEY & CONFLENTI~~ initialed
John Patrick Lydon

182.

Thomas, Truax,
Spadafore and Walker
R. Charles Thomas

DEBRA RENE HOFFMAN and
KEVIN HOFFMAN, her husband

vs.

MARY LOU GILMORE

Filed February 28, 1994
@ 12:04 PM

Tax & entry paid	50.50 ✓
User's Fee paid	5.00
Sheriff's Costs	25.00
Pro.Co. Pd 3/21/96	6.00 ✓

WRIT OF SUMMONS
Issued Sheriff

Mar. 8, 1994 Sheriff's Return filed. NOT FOUND as to Defendant Mary Lou Gilmore at address of R.D.#2, Box 66, Saegertown, Crawford County, PA. She has moved to 1863 N.Frances Boulevard, Tucson, Arizona 85712-3562.
So answers, Robert M. Stevens, Sheriff

Mar. 10, 1994 Complant In Civil Action filed.

Apr. 14, 1994 Verification of Service of Complaint in Civil Action filed. I hereby verify that I mailed a copy of the Complaint filed in this matter to the Defendant Mary Lou Gilmore at the address of 1863 North France Boulevard, Tucson, ARizona, 85712-3562 by certified mail, return receipt requested. The Post Office return receipt reflects that service of the Complaint was made on March 14, 1994. I understand that false statements herein are subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn flasification to authorities.
John Patrick Lydon, Esquire

Apr. 20, 1994 Verification of Service of Ten-Day Notice of Default, filed.

Apr. 20, 1994 Verification of Service of Complaint, filed.

April 22, 1994 Appearance of Thomas, Truax, Spadafore and Walker, by R. Charles Thomas, Esquire, for defendant filed.

May 25, 1994 Answer and New Matter filed.

July 8, 1994 Plaintiffs' Reply to Defendant's New Matter, filed.

Feb. 22, 1995 Praecipe for Substitution of Counssel of law firm of Cauley and Conflenti as counsel for the Plaintiffs and Appearance of the law firm of Sikov and Love,P.A. as counsel of record for the Plaintiffs filed.

Apr. 12, 1995, verification of service of Interrogatories and Request for Production of Documents Directed to Defendant filed.

Apr. 12, 1995, Verification of Servcie of Plaintiffs' answers to Defendant's Interrogatories and Request for production of documents, filed.

Mar. 20, 1996 Upon Praecipe of Seymour A. Sikov, Esquire, Attorneys for Plaintiffs, the above-captioned action is settled and discontinued of record as same has now been resolved amicably.

1994

Roeder & Rothschild
Tamera Ochs Rothschild

183.

F. Walter Bloom, III

FRANCES D. NELSON

vs.

RICHARD W. NELSON

Filed February 24, 1994
@ 12:04 PM

Tax & entry paid	50.50
User's Fee paid	15.00
2 Add'l Counts paid	30.00
State paid	10.00
Bruce L. Smith, mediator	232.17
Pro Co Pd 6-22-94	9.00
Pro Pd 10/6/95	9.00

2/28/94 $150.00
deposited by Plaintiff
4-15-94 Pd Plff Refund
Ch# 8237 24.91
6-22-94 Pd Co med fee
Ch#8355 116.09
5-94 Rec from deft
med fee 20.00
8-15-94 Rec'd from deft
med fee 20.00
9-9-94 Rec'd from deft
med fee 20.00
9-13-94 Pd Co
Ch#8549 60.00
10-14-94 Rec from deft
Bal med fee 56.09
12-15-94 Pd Co, med fee
#8732 56.09

COMPLAINT IN DIVORCE, CUSTODY, EQUITABLE DISTRIBUTION OF MARITAL PROPERTY

NOTICE AND ORDER TO APPEAR:

You, richard w. Nelson, dft. have been sued in court to obtain custody of children, Emily R. Nelson and Matthew A. Nelson.

You are ordered tp appear in person at such time and place as will be determined by the Mediator Bruce L. Smith.

If you fail to appear as provided by this order, an order for custody, partial custody or visitation may be entered against y ou 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 below to find out where you can get legal help.

Court Adm. Crawford County courthouse, Meadville, Pa. 16335 Tele. No. 844 336-1151, ext. 298.

Date: Mar. 1, 1994 Gordon R. Miller, J

1 copy (atty) 1 copy (mediator)

Mar. 11, 1994 Affidavit of Return of Service By Mail filed. On March4, 1994, I mailed a true copy of the Divorce Complaint in the above cpationed matter by Certified Mail No. P 899 145 519 Restricted Delivery to the Defendant, Richard W. Nelson. Defendant signed a return receipt upon delivery March 5, 1994. The receipt attached hereto and marked as "Exhibit A" was returned by the post office on March 7, 1994.

I make these statements pursuant to 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities and understand that false statements may subject me to criminal penalties under that statute Tamera Ochs Rothschild

Mar 18, 1994 Certificate of Service of Notice and Order to Appear, filed.

Apr. 14, 1994 TEMPORARY ORDER OF COURT, filed. AND NOW, this 13 day of April, 1994, after Mediation and upon recommendation of the Child Custody Mediator, it is hereby ordered and decreed that:

1. The natural parents of Emily r. Nelson, age fifteen, born October 20, 1978, and Matthew A. Nelson, age eleven, born June 1, 1982, 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. The primary custodial parent shall photocopy the children's report cards and mail them to the non-custodial parent within three days of receipt.

2. Primary physical custody of the children shall remain with the natural mother, Frances D. Nelson. Regular visitation and temporary custody of the children shall be granted to the defendant father, Richard W. Nelson. Physical custody for the defendant father shall be as follows:

a. The children shall visit in the home of the natural father on the first, second, and fourth weekends of each month, beginning immediately, from 5:30 p.m., prevailing time, Friday, until 6:00 p.m., prevailing time, Sunday. The father shall also have the opportunity to take the children into his temporary physical custody every Wednesday between the hours of 5:00-8:00 p.m., prevailing time.

b. Beginning with the month of June, 1994, the father shall have the opporltunity to take the children into his temporary physical custody during the first two full weeks of each month of the summer, they being June, July and August.

c. Holidlay visitation shall take priority over other scheduled visitation. The parties are encouraged to agree as to holiday visitation; however, in the event that they cannot, the children shall spend Mother's Day with the mother and Father's Day with father. Those days shall be for periods from 8:00 a.m. until 8:00 p.m., prevailing time. During even-numbered years and teh same hours, the father shall have custody of the children on Easter Day, Labor Day, Christmas Day, and New Year's Day. During even-numbered years, the mother shall have custody of the children on Thanksgiving Day, the 4th of July, and Memorial Day. During odd-number years, these holidays shall be reversed between the parents. If one of the mother's holidays falls in a time period when the father would have the children, the mother shall have the children on that holiday from 2:00 p.m. until 9:00 p.m., prevailing time.

d. The parent receiving custody of the children shall pick up the children at the other parent's residence. Anytime the father is more than one hour late in a scheduled transfer of custody, that transfer and the resulting partial custody shall be considered waived for the balance of that day and shall not occur until the followsing day at 9:00 a.m., prevailing time, unless prior, satisfactory arrangements have been made with the mother. In the event that the father does not intend to exercise a weekend or mid-week visitation with the children, he shall give the mother a notice of twenty-four hours whenever possible and he has prior knowledge of his inability to exercise that temporary 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 the children requiring medical treatment. The parent having custody of the children at the time of injury or illness shall be the primary parent to seek treatment in the first instance.

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.

5. The parents are encouraged to discuss arrangements for physical custody of the children; and, if the parties mutually agree to alternative arrangemetns to accommodate their and/or the chidlren's schedules, they may adjust the physical custody arrangements accordingly and are encouraged to do so by mutual consent and agareement.

6. Each of the parents and any adult coming into regular contact with the children shalll teach the children 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 children) will do or say anything to blacken the character of either parent in the eyes of the children.

Continued on Page 507

1994

184.	VENIRE of 2nd Monday of April, 1994 Filed February 28, 1994 @ 2:36 PM	ORDER OF EIGHTY-FIVE PERSON TO COME AND SERVE FOR TRAIL TERM COMMENCING APRIL 11, 1994 Issued Sheriff Apr. 25,1994 Sheriff's Return filed. 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, April 11, 1994. So answers, Robert M. Stevens, Sheriff

1994

Kathleen R. Nelson

185.

DARREL R. GUINEY

vs.

BARBARA E. GUINEY

Filed February 28, 1994
@ 2:41 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 3-14-96	9.00
Pro Pd 6/19/96	5.00

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

Mar. 16, 1994 Affidavit of Service, filed. AND NOW, this 15th day of March,1994, Kathleen R. Nelson, Esquire, being duly sworn according to law, deposes and says that the followisng 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 copoy of the complaitn in Divorce and Notice were sent by certified mail to the Defendant, Barbara E. Guiney, on March 10, 1994.

3. That the Defendant received said certified mail on March 11, 1994. Said Return Receipt Card P 238 202 446 is attached hereto, signed by Barbara E.Guiney and made a part hereof.

Apr. 3, 1995 Motion For Withdrawal of Counts and Order filed. AND NOW, this 30th day of March, 1995, the herein Motion is granted

BY THE COURT:
Gordon R. Miller, J

Apr. 3, 1995 Faxed Nelson

Apr. 3, 1995 Affidavit of Consent of Plaintiff filed.

Nov. 1, 1995, Plaintiff's Affidavit Under Section 3301(d) of the Divorce Code filed.

March 11, 1996 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

March 15, 1996 AND NOW March 14, 1996, it is ordered and decreed that DARREL R. GUINEY, plaintiff, and BARBARA E. GUINEY, defendant, are divorced from the bonds of matrimony.

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

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

June 19, 1996, NOTICE OF ELECTION TO RETAKE MAIDEN NAME filed.

TO BE KNOWN AS: BARBARA E. SUMMERVILLE.

1994

Christopher Brode

186.

BEVERLY K. SIEG

vs.

PHILIP E. PRYSTALOSKI

Filed February 28, 1994
@ 3:18 PM

Indigent Filing

William Pineo, Mediator 102.00

CUSTODY COMPLAINT

Order

You, Philip Prystaloski have been sued in Court to obtain custody of Michael Sieg.

You are Ordered to appear in person at such time and place as will be determined by the Mediator John Fuller for a mediation conference.

If you fail to appear as provided by this Order, an Order for custody, partial custody or visitation may be entered against you or the Court may issue a warrant for your arrest.

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)336-1141, ext 298

Date: 2/28/94

Anthony J. Vardaro,

AND NOW, this 28 day of February, 1994, the Court having appointed a custody mediator in this action for custody, and/or partial custody and/or visitation of a minor child or children it is ordered and directed as follows:

1. The plaintiff is allowed to proceed without payment of court costs reserving to the court the right to impose costs at a later time.
2. The Prothonotary is ordered and directed to deliver a true and correct copy of this Order and any complaint or petition filed at the itme this Order was entered and any required notice, with appropriate numbers of copies, to the Sheriff of Crawford County for service upon the defendant.
3. The plaintiff is ordered and directed to immediately go to the Sheriff's Office to give the Sheriff written instructions on when an dwhere the defendant may be served.
4. The Sheriff of Crawford County is ordered and directed to serve a true and correct copy of the complaint or petition and order upon the defendant and make an appropriate return of service as required by the law. The Sheriff shall indicate the cost of service which said cost shall be paid by Crawford County and which said cist may be taxed as record costs and imposed as costs by the court.

BY ORDER OF COURT,
Anthony J. Vardaro, J

Feb. 28, 1994 Petition To Proceed In Forma Pauperis Pursuant To Pa. R.C.P. 240 and Order filed. AND NOW, February 28, 1994, upon consideration of the petition filed by the Beverly K. Sieg, Plaintiff, in this actic., and supported by an affidavit attached thereto, all being pursuant to Pa. R.C.P. 240, the Plaintiff is granted leave to proceed in forma pauperis at this time.

The Plaintiff is directed to inform the Prothonotary's office or the Court of any improvement in his/her financial circumstance that would permit him/her to pay the costs incurred in this action and shall be responsible for doing so upon an improvement of financial condition.

BY THE COURT:
Anthony J. Vardaro

Mar. 14, 1994 SHERIFF'S RETURN, filed. SERVED Philip Prystaloski personally on March 9, 1994 at 11:00 AM by handing a copy of the Custody Complaint to him at his place of visitation, R.D.#6, Tamarack Drive, Meadville, Crawford County, PA.

So answers,

Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

Mar. 14, 1994 SHERIFF'S RETURN, filed. SERVED Philip Prystaloski personally on March 9, 1994 at 11:00 AM by handing a copy of the Custody Complaint to him at this place of visitation, R.D.#6, Tamarack Drive, Meadville, Crawford County, PA.

So answers,

Shawn E. Ashbaugh, Deptuy Sheriff
Robert M. Stevens, Sheriff

June 3, 1994 Motion To Vacate and Order filed. AND NOW, June 2, 1994, after consideration of the within Motion to Vacate, IT IS HEREBY ORDERED AND DECREED AS FOLLOWS, TI-WIT: John Fuller, Esquire is hereby granted leave to withdraw as custody mediator of record for the Sieg vs. Prystaloski custody case and William Pineo is hereby appointed as mediator in his place.

Gordon R. Miller, J

June 3, 1994 faxed to Pineo & Fuller given to Brode

June 29, 1994 TEMPORARY ORDER, filed. AND NOW, this 28 day of June,1994, after Mediatiion 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, Michael Seig.
2. The parties shall share with each other any and all information which each may have regarding rthe 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 father shall have physical custody of the subject minor child. The mother shall have visitation and temporary physical custody every weekend except for the last full weekend of each month, from 6:00 p.m. on Friday to 6:00 p.m. on Sunday. A full weekend is defined in which Friday and Saturday occur within the same month. The mother shall also have temporary physical custody and visitation during the month of August, 1994.
4. Holiday visitation shall be arranged as follows:

a. Christmas: The mother shall have temporary physical custody each year, from noon of Christmas Day through noon of New Year's Day.

CONTINUED ON PAGE 186A

1994 TERM

Beverly K. Sieg
vs.
Philip E. Prystaloski

CONTINUED FROM PAGE 186
of Record
A. D. 1994 - 186

****

b. Thanksgiving: The mother shall have visitation and temporary physical custody each Thanksgiving from 9:00 a.m. until 3:00 p.m.

c. Easter: The mother shall have visitation and temporalry physical custody each Easter from 1:00 p.m. until 6:00 p.m.

d. The other holidays to be observed are Memorial Day, Independence Day, and Labor Day. Holidlay 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 Independence Day, 1994, and the parties shall thereafter alternate the holiday periods.

3. The child shall spend Father's Day with his father from 9:00 a.m. to 7:00 p.m., and Mother's Day with his mother during the same hours.

f. The provisions of this paragraph shall take precedence over the other provisions of this order relating to the custodial or visitation periods.

5. 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 visitations as set out in this order or as previously arranged, the party seeking cancellation ormodification shall notify the other partyl 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 alternatiave arrangements.

7. 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. Any person transporting the child shall make sure that the seat belts or other restraints are use din accordance with the laws of Pennsylvania.

8. 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.

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 child. The paraties are cautioned that medical research has indicated that tobacco smoke is injurious to the health of growing children. Therefore, neither party shall smoke tobacco or permit others to do so in the same room as the child, in a closed automobile in which the child is being transported, or in the bedroom of the child.

10. Neither party shall do or sany 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 estmation.

12. Costs and fees of this Mediation, which are fixed at $102.00, are divided equally between the parties. The father's share is assessed to him as costs in this case. The Mediator notes to the court that the mother is indigent and therefore her costs are assessed to Crawford County. The father shall pay his cost within (30) days of this date.

13. Either party may move the Court for a hearing de novo within ten (10) days from date hereof. If neither party so moves, this Order shall be considered permanent.

By the Court,
Anthony J. Vardaro, J.

July 7, 1994 Faxed copy to Pineo & Brode, sent copy to Plf. & Dft.

Jul. 7, 1994 Request for Hearing, filed. (2)copy Deft.)

Jul. 18, 1994 ORDER filed. AND NOW, July 14, 1994 the matter is before the Court on the above cross abuse petitions. The Court receives input from both parties, counsel for Beverly Sieg, and a representative from Children & Youth Services. Without hearing, the Court concludes that these cross abuse petitions are merely a procedural movement by each party attempting to secure an advantageous ruling which may enhance their position in the custody action involving minor child Michael, who currently is in the custody of the father Philip Prystaloski.

These parties for a lengthy period of time have been unable to agree on a custody and visitation schedule keyed toward the best interest of minor child Michael, age 4.

This Court believes the best interest of the parties and the child will be served by treating the abuse petitions and the recent custody action as one, primarily keyed toward a final order relating to custody and visitation of minor child Michael. Accordingly, we enter the following order:

1. The Court DISMISSES the two abuse petitions and directs the County to absorb the costs on each case.
2. The Court hereby sets a hearing on the custody petiton involving minor child Michael before the undersigned on August 8, 1994 at 1:30 p.m. in Courtroom No. 3. In the meantime, the Court awards weekend custody visits to mother on the weekends of July 22 - 24 and the weekend of July 29 - 31 between the hours of 7:00 p.m. Friday until 7:00 p.m. Sunday. It shall be the responsibility of the father Philip Prystaloski to produce the child and the necessary clothing and other child needs at the home of the mother at the time before desingated for said visits and to pick up the child at the end of said visits.
3. At the time of pick up and return, neither parent will use abusive language toward the other. Philip Prystaloski may not enter the residence of the mother Beverly Sieg for any purpose, even if specifically ivited to do so by the mother, and there shall be no confrontations, abusive language, or unkind comments made to each other during the exchange of the child.
4. During said visit, and for a period of 12 hours before the delivery of the child and pick up of the child, neither parent may consume alcoholic beverages of any kind.

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

7-19-94 Copies dist. to Pyrstaloski, Brode & C&Y

July 18, 1994 ORDER filed. AND NOW, JUly 14,1994 the matter is before the Court on the above cross abuse petitions. The Court receives input from both parties, counsel for Beverly Sieg, and a representative from Children & Youth Services. Without hearing, the Court concludes that these cross abuse petitions are merely a procedural movement by each party attempting to secure an advantageous ruling which may enhance their position in the custody action involving minor child Michael, who currently is in the custody of the father Philip Prystaloski.

These parties for a lengthy period of tiem have been unable to agree on a custody and visitation schedule keyed toward the best interest of minor child Michael, age 4.

This Court believes the best interest of the parties and the child will be served by treating the abuse petitions and the recent custody action as one, primarily keyed toward a final order relating to custody and visitation of minor child Michael. Accordingly, we enter the following order:

1. The Court DISMISSES the two abuse petitions and directs the County to absorb the costs on each case.
2. The Court hereby sets a hearing on the custody petition involving minor child Michael before the undersigned on August 8, 1994 at 1:30 p.m. in Courtroom No. 3. In the meantime, the Court awards wekend custody visits to mother on the weekends of July 22 - 24 and the weekend of July 20 - 31 between the hours of 7:00 p.m. Sunday. It shall be the responsibility of the father Philip Prystaloski to produce the child and the necessary clothing and other child needs at the home of the mother at the time before designated for said visits and to pick up the child at the end of said visits.
3. At athe time of pick up and return, neither parent will use abusive language toward the other. Philip Prystaloski may not enter the residence of the mother Beverly Sieg for any prupose, even if specifically invited to dos o by the mother, and there shall be no confrontations, abusive language, or unkind comments made to each other during the exchange of the child.
4. During said visit, and for a period of 12 hours before the delivery of the child and the pick up of the child, neither parent may consume alcoholic beverages of any kind.

P. Richard Thomas, S.J.

June 19, 1994 copies dist to Prystaloski, Brode & C&Y

Continued to page 186B

Aug. 11, 1994 ORDER filed. AND NOW, August 8, 1994, after a pro se custody petition filed by the mother of the children, theCourt held a hearing and notes the following: The mother of the child, Beverly Seig, is 25 years of age, has had a rather chaotic life in recent years, having produced four children born out of wedlock, two of which she claims not to know the fathers of the children. It is obvious that she has led a stressful life, has developed an antagonism toward Children and Youth Services and any agency attempting to interpose itself by Court Order or otherwise into her life and that she has difficulty coping with the normall streesses of raising children. Minor child Steven is in foster care under supervision of Children and Youth Services and minor child Michael is in relative full-time care and custody of the father, Philip Prystaloski. The two minor children Christopher and Brandon reside with her in her home in Asbury Manor.

By Order of Judge Anthony J. Vardaro, dated July 19, 1994, relating to a juvenile hearing regarding minor child Steven, Judge Vardaro required the mother to obtain a mental health evaluation as soon as possible and directed that Children and Youth Services cooperate with her in arranging for the same. Apparently, the mother is under some misapprehension about this requirement and believes it consists of taking just one test. The Court adopts Judge Vardaro's philosophy that in order to adequately handle the present case and the case already under Children and Youth Services supervision, and to aid the Court in determining the appropriate custody and visitation arrangments for minor child Michael, this Court likewise believes that a mental health evaluation of the mother is an absolute necessity to aid the Courts and the social agencies of this community in dealing with the mother and the four children involved.

In the present custody action, mother and her counsel advise that the immediate issue is more estensive visits between mother and minor child Michael. ACCORDINGINLY, until the Court receives the aforesaid evaluation, the Court believes physical custody of minor child Michael should remain with the father Philip Prystaloski, but that the mother should have daytime visits with the child so that the child has the opportunity to know that there is a mother in his life and developes some type of relationship with the mother.

In view of the fact a further hearing might be necessary upon the receipt of the mental health report, the Court will set visits between the mother and minor child Michael on the following schedule: For the first three (3) Saturdays of August, October and December, the fat her shall deliver minor child Michael to the mother's residence at 10 a.m. and pick up the child at 6 p.m. For the months of September, November and January 1995, the father shall deliver the child to the mother on the first and third Saturdays of said months, between said hours.

In view of t he upcoming Thanksgiving and Christmas holiday season and in the event a furthe hearing with additional visitationor custodial periods willbe considered, the Court decrees that in the absence of further Court Orders, the mother shall be entitled to have custody of the minor child Michael the day before Christmas between the hours of 10 a.m. and 7 p.m. and for Thanksgiving Day, between the hours of 10 a.m. and 7 p.m.

The Court hears testimony about the stress and arguments that occur when the mother in the past would come to the father's home to visit, and accordingly, it shall be part of this visitation Order that the mother may not go to the home of the father for any purpose

Likewise, in order to avoid confrontations and arguments between the parents when the father delivers and picks up the child, he may not enter the home of the mother for any purpose, and in this regard, the mother is to have the child ready, together with the necessary equipment to return the child to the father when he comes to pick up the child.

The mother is again directed by this Court to make an immediate appointment with the Mental Health Center and take with her a copy of this Order and a copy of Judge Vardaro's Order of July 19, 1994, for reveiw by the Mental Health CEnter.

Once the mental health report is received by the Court and counsel for both parties, the Court will entertain a motion from either party for reconsideration or modification in any respect of this Order.

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

8-11-94 Copies dist. to MMC Mental Health,C&Y, Attys. White & Brode

Oct. 14, 1994 Petition For Contempt and To Suspend Temporary Visits and ORDER filed. AND NOW, this 14th day of October, 1994, after a presentation of the foregoing Petition for Contempt and to Suspend Visitation, a hearing on the same is scheduled for 3rd day of November 1994, at 1:30 o'clock p.m. in Courtroom 3 before Judge Thomas.

For pickups the defendant shall not go to the Plaintiff's door unless the child does not appear at the outside of the door within 5 minutes of the time defendant appears.

BY THE COURT,
Gordon R. Miller, J.

Oct. 14, 1994 Order FAXED to Attys. Brode and Walton.

Oct. 31, 1994 Plaintiff's Answer petition for Contempt of Court and Attorney Fees and RULE TO SHOW CAUSE, filed. AND NOW, this 31 day of October, 1994, upon presentation and consideration of the foregoing Petition, a Rule is entered upon the Respondent to show cause, if any he has, why the prayer of the petitioner for the imposition of sanctions for contempt and attorney fees should not be granted.

The Petitioner requests that the Rule be returnable on November 3, 1994 at 1:30 p.m. which has been previously scheduled by the Court on the Defendant's Petition for Contempt unless the Court sets an alternative future date.

BY THE COURT,
Gordon R. Miller, J.

Oct. 31, 1994 Order FAXED Attys. Brode, Walton, White.

Nov. 22, 1994 ORDER filed. AND NOW,November 3, 1994 this bitterly contested child custody matter is back before the Court essentially on a contempt citation bybothparties. The Court hears testimony and as usual, the versions of the specific incidents testified to varies tothe greatest degree between the parties.

Evaluating the credibility of the witnesses, the Court finds that Beverly Sieg was in violation of the order to the extent that on certain visitation dates she did not have the child ready , was not present, and failed to return the child to the father with appropriate clothing or shoes. Accordingly, we find her in contempt but suspend any punishment for contempt at this time.

The order heretofore entered on August 8, 1994 providing for Saturday visits through January 1995 shall continue and each party is directed to strictly comply with the terms and conditions of that order regarding visits for minor child Michael.

A mental health evaluation is pending and the Court has no idea when the evaluation will be completed and a report sent to counsel and the Court. Accordingly, the terms and conditions of the August 8, 1994 order shall continue beyond January 1995 with the father to provide Saturday visits to the mother on the first and third Saturdays of every month thereafter in accordance with the conditions and hours set forth in the August 8,1994 order.

This Court strongly believes that in evaluating the best interest of the child in this case, a mental health evaluation is essential. At the time of the entry of the August 8, 1994 order, Court and counsel all envisioned that a mental healthevaluation wuld substantially aid counsel, Court, and the parties in establishing orders in the best interest of the child. However, the mentalhealth evaluation has been delayed because the mother Beverly Sieg apparently refuses tosign a standard release form presented to her by the Mental Health Center contending that there are provisions in there that she visualizes would deprive her of custody of the two children now in her sole custody in the event of certain adverse findings in the mental health report. The Court assumes that until the standard release is signed, there will be no mental health evaluation.

Accordingly, the court DIRECTS the Mental Health Center to forward a copy of said release forthwith to this Court and the Court will review the same.

If the Court finds nothing detrimental in the release that would automatically trigger the removal of her children from her upon certain findings inthe evaluation, the court will suspend the visitation rights according regard minor child Michael until further hearing can be held in this matter. In substance, the Court believes that a mental health evaluation is absolutely essential in this case and the Court will not permit the mother preventing said evaluation by failing to sign an appropriate release before the evaluation is done in accordance with the practice and procedures of the mental health center.

Continued to Page 186 C

If this Court decides to order Beverly Sieg to sign said release as presented and she refuses todoso,she is advised that this Court will undoubtedly after further hearing, substantially remove or modify visitation privileges with minor child Michael.

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

11-22-94 Dist'd to Brode, White & MMC

Nov.22, 1994 AMENDED ORDER filed. AND NOW,November 21, 1994, after confirmation with Marilyn Houser of the Mental Health Center that Plaintiff did in fact sign a standard release form so that a mental health evaluation can be done,the requirements with regard to that release onpage two of our November 3, 1994 order are now moot.

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

11-22-94 Dist.to Brode, White & MMC

186
D

1994

1994

187.

CATHY TRYPUS

vs.

JACK TRYPUS

Filed February 28, 1994
@ 3:48 PM

Tax & entry Pd 4-18-94 50.50
User's Fee Pd 4-18-94 5.00
Sheriff's Costs 25.00
Pro Co Pd 4-18-94 9.00

4-18-94 Rec from dft. Sheriff costs 25.00
4-18-94 Pd Sheriff Ck# 8246 25.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT
1 copy Pltf.
3 Copies Sheriff
1 copy West Mead Police

Order:

And now, this 28th day of February , 1994 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Defendant shall not contact Plaintiff in any way. Defendant shall not go to Plaintiff's residence. Defendant shall not be within 100 yards of her residence.
3. This Order may be enforced without a warrant any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court Liability for payment or fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves ruling on allocation of fees and costs. Hearing is hereby set for March 4, 1994 , at 3:30 p. m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

Mar. 2, 1994 Sheriff's Return filed. SERVED Jack Trypus personally on February 28, 1994 at 4:03 PM by handing him a copy of the protection fromAbuse at his temporary place of custody in the CrawfordCounty Jail, 360 Center Street, Meadville,Crawford County, PA.
So answers,
Scott D. Young, Deputy Sheriff
Robert M.Stevens, Sheriff

Mar. 7, 1994 ORDER filed. AND NOW, March 4, 1994, 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 understood his right to have counsel and indicates he does not wish to have counsel present.

He agrees to the entry of an Order without admission of the allegations of the Petition, and accordingly, the follwing 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 at any time go to the Plaintiff's residence at 406 Forest Green drive in Meadville nor shall he contact her in any manner whatsoever, nor shall he procure anyone else to contact her. The Defendant is specifically advised that if he is at that residence any police agency shall assume that he is in violationof this Order.

In the event
the event that the Plaintiff wishes for the Defendant to be able to go back to her residence, the parties shall before he does so request a modification of this Order.

3. This Order may be enforced without a warrant of arrest by any law enforcement officer having areasonable grounds to believe it has been violated.
4. A copy of this Order shall be delivered by the Prothonotary to County Control and the Pennsylvania State Police Barracks at Meadville insofar as the Plaintiff's residence is 406 Forest Green Drive in Meadville. Additionally, the Prothonotary shall send a copy of this Order by regular mail to the Plaintiff at 406 Forest Green Drive in Meadville, and to the Defendant either care of the Crawford County Jail or if he has been released from custody at 310 Asbury Manor, Meadville,Pennsylvanian.
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 (6) months.
6. The Defendant shall pay record court costs in the amount of $89.50 within ninety (90) days of the date of this Order. Additionally, he is advised this day that there is a bill at Forest Green for windows that he broke in the amount of $81.00, and he shall pay that within a period of forty-five (45) days unless arrangements can be made otherwise directly by him with Forest Green without jeopardizing his wife's place of residence.
7. This Order shall remain in full force and effect through March 3, 1995.

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

Mar. 7,1994 Copies dist to Co Control, MCPD, Plf. & Dft.

1994

188.	MEADVILLE HILLSIDE HOME vs. CEO COMPUTERS FiledFebruary 28, 1994 @ 3:56 PM Tax & entry paid 50.25 User's Fee paid 5.00	APPEAL OF DEFENDANT FROM DECISION OF DISTRICT JUSTICE WILLIAM CHISHOLM Feb. 28, 1994 Rule entered upon Plaintiff to file a Complaint issued. Mar. 9, 1994 Proof of Service filed. Mar. 29, 1994 Complaint filed. (3 copies atty.)

1994

~~Mary Ann Kirkpatrick~~ (withdrawn)

189.

Edward J. Hatheway

JAMES LEROY HUDDLESON

vs.

KAREN MARIE FRANCIS HUDDLESON

Filed March 1, 1994
@ 9:50 a.m.

Tax & entry paid	50.50
User's Fee paid	15.00
2 Add'l Counts paid	30.00
State paid	10.00
William Pineo, Mediator	177.00
Service Costs	45.00
Pro Co	9.00
Pro Co	9.00
Pro Co pd 8/9/99	13.50

3-7-94 Rec from Pltf Med. dep $150 cc
3-24-94 Rec'd Pltf bal med fee ck #8775 52.50 Kirkpatrick
6-15-94 Rec from deft Med fee 88.50

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION, CUSTODY
1 copy atty.

Mar. 10, 1994 Motion To Appoint Mediator and Order, filed. And, Now, March, 1994, William Pineo is appointed custody mediator and will promptly schedule a mediation on the above-captioned matter. By the Court:
Gordon R. Miller, P.J.
Mar. 14, 1994 M.A. Kirkpatrick, W. Pineo

Apr. 6, 1994 Appearance of Edward J. Hatheway for Defendant, filed.

Apr. 6, 1994 Answr and Counterclaim in Divorce, filed.

Apr. 11, 1994 Affidavit of Service filed. James M. Tidd, being duly sworn according to law, deposes and sets forth as follos:
1. That he/she is a competent adult.
2. That on information furnished him/her served a certified copy of the Divorce Complaint and a copy of the Motion to Appoint Child Custody Mediator in the above-matter upon Karen Marie Francis Huddleson at 0225 O'clock P.M., on 23 March 1994, at Titusville Hospital, Titusville, PA
3. That costs incured for this service were as follows:

a.) Service	$ 35.00
b.) Mileage	10.00
Total	45.00

4. Further Deponent Saith Not. James M. Tidd

May 4, 1994 TEMPORARY ORDER, filed. AND NOW, this 29 day of April, 1994, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator,

IT IS HEREBY ORDERED AND DECREED THAT:

1. The parties shall share legal and physical custody of the subject minor children, Michael and Brian Huddleson.

2. The parties shall share with each other any and all information which each may have regarding the health, education, and major events in the life of the subject minor children. Health care, school personnel, and other care providers are hereby authorized to release to either party any and all confidential information which they may have regarding the subject minor children.

3. The mother shall have primary physical custody of the subject minor children. The father shall have temporary physical custody and visitation on the first and third weekends of each month from Friday at 6:00 p.m. through Sunday at 6:00 p.m. The first weekend of the month is defined as that in which both Saturday and Sunday occur within the month. The father shall also have visitation and temporary physical custody for a one-week period each summer to begin on a Friday at 6:00 p.m. and end the second Sunday following at 6:00 p.m. The father shall give the mother three weeks notice of the summer visitation period he wishes to select.

4. Holiday visitation shall be arranged as follows:

a. Christmas: The father shall have visitation and temporary physical custody on the weekend preceding Christmas each year from Friday at 6:00 p.m. through sunday at 6:00 p.m.

b. Thanksgiving: The father shall have visitation and temporary physical custody each year on the weekend following Thanksgiving from Friday at 6:00 p.m. through the following Monday at 6:00 p.m. The father shall also have visitation and temporary physical custody with those of his children old enough tohold a Pennsylvania Hunting License for the opening day of doe season in Pennsylvania farom 6:00 p.m. of the day preceding the opening day of doe season until 6:00 p.m. of said opening day.

c Easter: The father shall have visitation and temporary physical custody each Easter Sunday from 1:00 p.m. until 6:00 p.m. The father shall also have visitation for Memorial Day weekend in those years where Memorial Day follows the father's regular weekend visitation. The Memorial Day weekend visitation shall be from Friday at 6:00 p.m. until 6:00 p.m. of Memorial Day.

d. The provisions f this paragraph shall take precedence over the other provisions of this order relating 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 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 responsibility for transportation. When the father is to receive the childre in the exercise of his visitation rights, he or his designated driver shall pick up the children at athe home of their mother. When the mother is receive the children back from the father, she shall pick them up at the home of the father's brother, Timothy Huddleson. Either party may designate as a driver to transport the children any adult person holding a valid driver's lciense. Any person transpsorting the children shall make sure that the seat belts or other restraints are used in accordance with the laws of Pennsylvania.

8. Each party shall teach said children to give to the other party that love and respect which is due a parent from his or her children.

9. Neither party shall do or say anything to blacken the character of the other in the children's estimation. Each party shall treat the other in apolite and respectful manner when in the chidlren's persence or when in public and each party shall instruct his or her relatiave sand friends to do likewise and also not to disparage the other party in the children's estimation.

10. Neither party shall use illegal drugs or be under the influence of alcohol at any time when said party has the care and custody of the subject minor children. The parties are cautioned that medical research has indicated that tobacco smoke is injurious to the health of growing children. Therefore, neither party shall smoke tobacco or permit others to do so in the same room as the children, in a closed automobile in which the children are being transported, or in the bedroom of the children.

Continued on Page 508

1994

Culbertson, Weiss, Schetroma & Schug
Glenn A.W. Thompson

190.

KLASEN OIL COMPANY, INC.

vs.

JAMES STANTON and RHONDA STANTON, d/b/a FRENCHTOWN STORE

Filed March 1, 1994
@ 11:29 AM

COMPLAINT IN CIVIL ACTION
1 copy atty.

And Now, April 4, 1994 at 4:17 P.M. upon praecipe of plaintiff's attorney, Glenn A. W.Thompson, Esquire, for entry of Judgment upon Admission, judgment is hereby entered in favor of Plaintiff and against defendants for the following relief admitted to be due by the Defendants' pleadings and damages are assessed in the amount of Three thousand one Hundred Seventy-seven and 88/100 Dollars, plus interest and costs.

S-95; S-145; F-184;
Entered 4/4/94
Atty. Thompson

Debt $3,177.88
Int. from 9/20/93
to 2/4/94(Included 262.38)
Judgment
Barbara H. King
Prothonotary

Tax & entry paid	50.50
User's Fee paid	5.00
Pro. Co. Pd 4/4/94	9.00
Pro.Co. pd 7/3/95	6.00

Apr. 4, 1994 Acceptance of Service Filed. I accept service of the Complaint filed (on behalf of Klasen Oil Company, Inc., in the above captioned matter and certify that I am authorized to do so).
3-3-94
James Stanton
Rhonda Stanton

Apr. 4, 1994 Answer of James Stanton and Rhonda Stanton to Plaintiff's Complaint, filed.

EX1995-48

June 26, 1995 Interrogatories to Garnishee filed.

Jun.30, 1995 This Judgment Satisfied. (See paper filed.)

1994

Thomas Dana Watson

191.

KARRELL W. SIVIK and
KATHLEEN W. SIVIK

vs.

EVELYN CAMASI, Individually and d/b/a CRAWFORD COUNTY RENTAL SERVICE

Filed March 1, 1994
@ 1:58 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	28.00

WRIT OF SUMMONS
Issued Sheriff

Mar. 31, 1994 Praecipe for Reissue/Reinstate Writ of Summons, filed. (copy Sheriff)

Apr. 14, 1994 Writ Return filed. ASERVED Evelyn Camasi i/d/b/a Crawford County Rental Service, on April 8, 1994 at 10:50 am by handing a copy of the Summons to Trina Holowid, Authorized Agent at 370 Linden Street, Meadville, Crawford County, PA. Signed Acceptance of Service attached.

So answers,

Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

1994

Peters, Lindsay,
Lewis & Hatheway
Edward J. Hatheway

192.

FULLER,KINNUNEN,
PETRUSO, GAMBLE,
FABIAN & HALL
Ann Hansen Gamble

ROBERT J. SHAY

vs.

BETHANY M. SHAY

Filed March 1, 1994
@ 3:54 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 7-11-94	9.00

COMPLAINT IN DIVORCE
2 copies Atty.

Mar. 4, 1994 Appearance of Fuller, Kinnunen,Petruso, Gamble, Fabian & Hall by Ann Hansen Gamble, Esquire for Bethany M.Shay, Defendant, filed.

Mar.10, 1994 Acceptance of Service filed, I, An Gamble, Attorney for the above named Defendant, hereby accept service of the Complaint in Divorce in the above action.
Date: March 3, 1994 Ann Hansen Gamble, Esquire

Apr. 29, 1994 Petition For Special and Injunctive Relief, filed

Jun. 1, 1994 Affidavit of Consent by Robert J. Shay, Plaintiff, filed.

June 28, 1994 Affidavit of Consent of Defendant filed.

July 11, 1994 Upon praecipe of Plaintiff's attorney to transmit record, case moved to Court.

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

AND NOW, July 18, 1994, it is ordered and decreed that Robert J. Shay, Plaintiff, and Bethany M. Shay, defendant, are divorced from the bonds of matirmony.
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

1994

Douglas J. Wright 193.	IN THE MATTER OF THE APPLICATIONOF THE COMMONWEALTH OF PENNSYLVANIA FOR AN ORDER FOR DISCLOSURE OF RECORDS CONCERNING ELECTRONIC COMMUNICATION SERVICE Filed March 2, 1994 @ 9:19 AM	APPLICATION FOR DISCLOSURE OF RECORDS CONCERNING ELECTRONIC COMMUNICATION SERVICE Order: So ORDERED this 2nd day of March, 1994 at 9:07 A.M. this matter is sealed until otherwise directed by the Court. BY THE COURT, Gordon R. Miller, J

1994

Pepicelli, Youngs
& Youngs, PC
Andrew S. Bacallao

194.

IN RE: NAME CHANGE OF
PAUL WILLIAM STEVENS

Filed March 2, 1994
@ 10:32 AM

Tax & entry paid 50.50
User's Fee paid 5.00

PETITION FOR CHANGE OF NAME

March 2, 1994 Order filed. AND NOW, htis 2 day of March, 1994, upon presenttion of the attached Petition for Change of Name hearing on said Petition is set for the 31st day of March, 1994 at 9:00 o'clock a.m. in Courtroom No 1 or 2 inthe Crawford County Courthouse, Meadville, Pennsylvania.

Notice of filing of the within Petition, andof the aforesaid date for hearing, shall be published in the Meadville Tribune and the Crawford County Legal Journal.

BY THE COURT,
Gordon R. Miller, J

Mar. 4, 1994 Copy of order to Atty. Bacallao

Mar. 31, 1994 Proofs of Publication filed.

Apr. 6, 1994 ORDER filed. AND NOW, March 31, 1994, upon hearing in the within matter, the Court grants the Petition of Paul William Stevens to change his name to PAUL ROBERT JOSLIN.

It is ORDERED AND DECREED: Hence forth, Paul William Stevens shall be known as PAUL ROBERT JOSLIN. He shall forthwith notify all creditors of his new name and furnish confirmation of his address.

BY THE COURT,
Anthony J.Vardaro, J.

4-11-94 Copy of Order to Atty. Bacallao

1994

Barbara J. Walton

195.

MARY J. KNIGHT

vs.

ROBERT KNIGHT

Filed March 2, 1994
@ 1:42 PM

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

COMPLAINT IN DIVORCE, CUSTODY
1 copy atty.

Mar. 12, 1998 Important Notice and Court Order filed. Our court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since 3/2/94 . We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonably delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.

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

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

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

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

By the Court,
Date: March 12, 1998 Anthony J. Vardaro, J
Mar. 12, 1998 copies mailed by Court Administrator's Office

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

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

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

1994

196.

Watts & Pepicelli
Alan L. Pepicelli

RICHARD T. CHERNICKY

vs.

CHARLES POWELL and MILDRED POWELL, his wife and HAROLD WILLIAM POWELL

Filed March 3, 1994
@ 1;23 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	42.00
Pro.Co. pd 4/7/94	6.00

COMPLAINT IN CIVIL ACTION
3 copies Pltf.

Mar. 17, 1994 SHERIFF'S RETURN, filed. SERVED Charles Powell personally on March 14, 1994 at 9:28 AM by handing a copy of the Action in Replevin to him at his residence, 889 Cussewago Road, Meadville, Crawford County, PA.

SERVED Mildred Powell personally on March 14,1994 at 9:30 AM by handing a copy of the Action in Replevin to her at her residence, 889 Cussewago Road, Meadville, Crawford County, Pa.

SERVED Harold William Powell on March 15, 1994 at 11:02 AM by handing a copy of the Action in Replevin to Mildred Powell, his Authorized Agent, at 889 Cussewago Road, Meadville, Crawford County, Pa. Acceptance of Service attached.

So answers, Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

Mar. 24, 1994 Appearance of Watts & Pepicelli by Alan L. Pepicelli for Defendants filed.

Apr. 7, 1994 Upon Praecipe of Richard T. Chernicky, Plaintiff the above-captioned case settled and discontinued with prejudice, filed.

1994

197.

DARIN ASHBAUGH

vs.

LONNIE HUNTER

Filed March 3, 1994
@

Tax & entry paid 50.25
User's Fee paid 5.00

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

Mar. 3, 1994 Rule entered upon the Plaintiff to file a Complaint issued.

Mar. 3, 1994, Proof of Service filed.

1994

Barbara J. Walton

198.

Ruthanne Beighley

DEBBIE HOFFMAN

vs.

STUART D. HOFFMAN

Filed March 4, 1994
@ 9:28 AM

Tax & entry paid	50.50
User's Fee paid	5.00
William Pineo, Mediator	177.00
Pro Co Pd 6-23-94	9.00
Pro Co Pd 12-15-94	9.00

COMPLAINT FOR CUSTODY

Order;

You, Stuart D. Hoffman, have been sued in Court to obtain custody of Anna Marie and Alex Paul Hoffman.

You are ORDERED to appear in person at such time and place as will be determined by the Mediator John Fuller for a mediation conference.

If you fail to appear as provided by this Order, an Order for custody, partial custody or visitation may be entered against you or the court may issue a warrant for your arrest.

Until the time of the above hearing neither party shall remove the children from the state of Pennsylvania.

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: 3/3/94

BYTHE COURT:
Gordon R. Miller, J

Mar. 7, 1994 Copies of order to Atty. Walton and Fuller

Mar 10, 1994 Affidavit of Service, filed. And Now, March 10, 1994, comes Barbara J. Walton, and avers as follows:

1. A tarue and correct copy of the Complaint for Custody was mailed to the Defendant via Certified Mail, return receipt on March 8, 1994.

2. That the Defendant signed the return card on March 9, 1994 and in accordance with Pa.R.C.P. 412, service of the Complaint was made as is evidenced by the United States Postal Service Return Receipt (Certified No. P845718814) attached hereto as Exhibit "A".

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

Mar. 15, 1994 MOtion to Vacate and ORDER filed. AND NOW,March 14, 1994,after consideration of the within Motion to Vacate, IT IS HEREBY ORDERED AND DECREED AS FOLLOWS, TO-WIT: John Fuller, Esquire is hereby granted leave to withdraw as custody mediator of record for the Hoffman vs. Hoffman custody case and William Pineo is hereby appointed as mediator in his place.

Gordon R. Miller, Judge

3-18-94 Copy of Order to Attys. Pineo, Walton & BEighley

June 2, 1994 TEMPORARY ORDER, filed. AND NOW, this 1 day of June, 1994, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator,

IT IS HEREBY ORDERED AND DECREED THAT:

1. The parties shall share legal and physical custody of the subject minor children, Alexei Paul and Anna Marie Hoffman. No determination is made with respect to either custody or visitation of the child, Andrew King, because he is not the child of Stuart D. Hoffman. The child's father has visitation rights under a previous court order and because the father was not named as a party to either of the above captioned actions.

2. The parties shall share with each other any and all information which each may have regarding the health, education, and major events in the life of the subject minor children. Health care, school personnel, and other care providers are hereby authorized to release to either party any and all confidential information which they may have regarding the subject minor children.

3. The father shall have primary physical custody of the subject minor children. The mother shall have temporary physical custody and visitation on alternate weekends, beginning with the weekend of May 28, 1994, from Friday at 5:00 p.m. through Sunday at 7:00 p.m. She shall also have visitation and temporary physical custody each week from Wednesday at 5:00 p.m. through Thursday mornign at 7:30 a.m.

4. Holiday visitation shall be arranged as follows:

a. Christmas: There shall be two Christmas holiday visitations, the first beginning on Christmas Eve at 3:00 p.m. and ending Christmas Eve at 9:00 p.m. and the second beginning on Christmas Eve at 9:00 p.m. and ending on Christmas Day at 9:00 p.m. The mother shall have the first period each year and the father, the second.

b. Thanksgiving: For Thanksgiving, the mother's normal Wednesday visitation period shall be extended to Thanksgiving Day at 1:00 p.m. each year.

c. Easter: There shall be two Easter holiday visitation periods, the first beginning on Holy Saturday at 9:00 a.m. and ending Holy Saturday at 8:00 p.m. and the second beginning on Holy Saturday at 8:00 p.m. and ending on Easter Sunday at 8:00 p.m. For Easter, 1995, the father shall have the first period and the mother, the second, and the parties shall thereafter alternate.

d. For each of the children's birthdays, there shall be two visitation periods. The first period shall begin on the day previous to the birthday at 4:00 p.m. and on the same day at 8:00 p.m. and the second period shall begin on the birthday itself at 4:00 p.m. and end on the birthday at 8:00 p.m. Both children will be subject to visitation on each of the birthday visitation dyas. In even numbered years, the mother shall have visitation and temporary physical custody with the children on Anna's birthday and on the day before Alexei's birthday; and the father shall have visitation and temporary physical custody with the children on the day before Anna's birthday and on Alexei's birthday. Parties will alternate that schedule in odd numbered years.

e. The other holidays to be observed are Memorial Day, Independence Day, and Labor Day. Holiday visitation shall be between the hours of 9:00 a.m. and 8:00 p.m., except for Independence Day, when the holiday visitation shall be extended to 11:00 p.m. so that the children may watch the fireworks. The father shall have visitation and temporary physical custody for Memorial Day, 1994, and the parties shall thereafter alternate the holiday periods.

f. 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.

CONTINUED ON PAGE 198A

$150.00 deposited by Plaintiff
6-22-94 Pd Plff per Walton Refund 52.50 Ck#8343
6-23-94 Pd Co 8329 88.50
6-29-94 Rec'd from deft mediation 88.50
9-1-94 Rec from Plff med deposit 150.00
Pd Co 9-13-94 Ck# 8549 88.50
11-14-94 refunded $40.00 to Plaintiff Ck #8666
12-15-94 Pd Co, med fee 101.00 #8732
12-22-94 Rec'd from deft med fee 101.00
12-30-94 $87.50 Co 101.00

Debbie Hoffman
vs.
Stuart D. Hoffman

CONTINUED FROM PAGE 198
of Record
A. D. 1994 - 198

****

g. the provisions of this p.aragraph shall take precedence over the other provisions of this order relating 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 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 fo the necessity which impels the cancellation ormodification. Said modifications or cancellations shall not be proposed except for good reasons. Should a cancellation or modification be necessary, the parties shall attempt at once to arrange for alternative visits or to make alternative arrangements.

7. Except for the mother's Wednesday visitation periods, 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. For the mother's Wednesday visitation periods, she shall provide all transportation and on Thursday morning, she shall deliver the subject minor children to their regularly scheduled daycare. Any person transporting the child shall make sure that the seat belts or other restraints are used in accordance with the law of Pennsylvania.

8. Each party shall teach said children to give to the other party that love and respect which is due a parent from his or her children.

9. Neither party shall use illegal drugs or be under the influence of alcohol at any time when said party has the care and custody of the subject minor children. The parties are cautioned that medical research has indicated that tobacco smoke is injurious to the health of growing children. Therefore, neither party shall smoke tobacco or permit others to do so in the same room as the children, in a closed automobile in which the children are being transported, or in the bedroom of the children.

10. Neither party shall do or say anything to blacken the character of the other in the children's estimatin. 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 elatives and friends to do likewise and also not to disparage the other party in the children's estimation.

11. 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 8:00 p.m. and 8:00 a.m. Nor shall either party expose the children to displays of romantic affection between themselves and any such person at any time.

12. Either party may request a review of this order two years from date hereof to make any adjustments.

13. Costs and fees of this Mediation, which are fixed at $177.00, are divided equally between the parties with a share of each being assessed to him or her as costs in this case.

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 wtihin 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 from date hereof. If neither party so mvoes, this Order shall be considered permanent.

By the Court,
Anthony J. Vardaro, J.

mailed

June 9, 1994 Faxed copy to R. Beighley, B. Walton. Copy in box for Pineo. Mailed copy to Plf. & Dft

Sep.1, 1994 Petition to Modify Custody and NOTICE AND ORDER TO APPEAR filed. YOU STUARD HOFFMAN, have been sued in Court to obtain shared custody of Alexei Paul and Anna Marie Hoffman.

You are ORDERED to appear in person at such time and place as will be determined by the Mediator William Pineo for a mediation conference.

If you fail to appear as provided by this Order, an Order for custody, partial custody or visitation may be entered against you or the Court may issue a warrant for your arrest.

Until the time of the above hearing neither party shall remove the children from the state of Pennsylvania.

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:
Anthony J. Vardaro, J.

9-2-94 Faxed to Attys. Beighley, given to Attys.Pineo & Walton.

Nov. 14, 1994 Motion for Special Relief filed.

Nov.14,1994 TEMPORARY ORDER Filed. AND NOW, this 10 day of November, 1994,after Mediation in the above referenced matter and upon the recommendtions 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 Alexei Paul and Anna Marie Hoffman.

2. The parties shall share with each other any and all information which each may have regarding the health, eduction, and major events inthe 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.a. From September 1st at 7:30 P.M.of each year throughJune 1st at 7:30 P.M. of the following year the father shallhave primary physical of the subject minor children. The mother shall have physical custody in alternate weeks,beginning withthe second Friday after September 1st,from Fridayat 7:30 P.M. through the followingTuesday at 7:30 P.M. For the current year the mother's weekend periods of custody and visitation shall begin with the weekend of November 18. The mother shall have primary physical custody from 7:30 P.M. on June 1st each year through 7:30 P.m. of the following September 1st, and the father will have visitation and temporary physical custody with his subject minor childre on alternate weekends,beginning withthe second Friday after the mother shall have taken primary physical custody of the children from Friday at 7:30 P.M. until the following Tuesday at 7:30 P.M. Each party shall have the right to designate a two week period for exclusive physical custody during which no visitation need be given to the other party. The party making such a designation shall notify the other party one month in advance. The exclusive periods may be taken at any time during the year except that they may not conflict with the holiday visitation arrangements set out in paragraph 4 below.

b. When either of the children shall have entered Kindergarten,the provisons of paragraph 3a. shall terminate and the following provisions will come into effect: The father will have primaryphysical custody eachyear from 7:30 P.M. of the day preceding the opening of the children's school session until 7:30 P.M. of the day after to the closing of school for the following Summer vacation. The mother shall have visitation and temporary physical custody on alternate weekends,beginning withthe second Friday after the father shall have taken custody of the subject minor children from Friday at 7:30 P.M. to Sunday at 7:30 P.M. The mother shall have primary physical custody each year from 7:30 P.M. of the day after the children's school shall have closed for the Summer vacation until 7:30 P.M. of the day previous to the reopening of school for the Fall session. During the mother's period of primary physical custody the father shall have temporary physicalcustody and visitation on alternate weekends beginning with the second Friday after the mother shall have taken physical custody from Friday at 7:30 P.M. until Sunday at 7:30 P.M. Each of the parties

Continued to Page 198 B

may designate a two week period of exclusive custody to be taken during the children's Summer vacation from school during which no visitation need be accorded the other party. The parties shall work out the Summer schedule by May 15th of each year.

c. The party not having physical custody of the subject minor childrenshall have the right to telephone them at reasonable times and for reasonable lengths of time. Such telephone calls will not be unreasonably monitored bythe custodial party. Said calls will be placed at such a time as to not interfere withthe children's meals or bedtimes.

4. Holiday visitation shall be arranged as follows:

a. Thanksgiving: The Thanksgiving holiday visitation period shall begin on the Wednesday preceding Thanksgiving at 7:30 P.M.and end on the Sunday after Thanksgiving at 7:30 P.M. The father shall have the children in residence during the Thanksgiving visitation period in even numbered years, and the mother, for odd numbered years.

b. Christmas: There shall be two Christmas holiday visitation periods,the first beginning at 7:30 P.M. Christmas Eve and ending at 7:30 P.M. on December 27th and the second beginning at 7:30 P.M. on December 27th and ending at 7:30 P.M. on January lst. 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.

c. The children shall spend the weekend of Father's Day from Friday at 7:30 P.M.to Sunday at 7:30 P.M. with their father and the weekend of Mother's Day during the same hours with their mother.

d. The provisions of this paragraph shall take precedence over the other privisions 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 modifictionshall notify the other party as soon as he or she knows of the necessity which impels the cancellation or modifiction.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. The Mediator notes for theCourt that the parties have agreed to meet and exchange thechildren in Grove City,Pennsylvania. The Court directs that this arrangement continue. Any person transporting the child shall make sure that the seat belts or other restraints are used in accordance withthe 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 partyshall use illegal drugs or be under the influence of alcohol at any time when said party has the care and custody ofthe subject minor children. The parties are cautioned that medical research has indicated that tobacco smoke is injurious to the health of growing children. Therefore, neither party shall smoke tobacco or permit others to do so in the same room as the children, 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 blacken the character of the other in the children's estimation. Each party shall treat the other ina polite and respectful manner when inthe children's presence and each party shallinstruct his or her relatives and friends to do likewise and alsonot todisparage 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, inthe absence of which this Order shall govern.

11. Neither party shall expose the children to the company of persons of the opposite sex towhom he or she is not related by blood or marriage between the hours of 8:00 P.M. and 8:00 A.M., nor shall either party expose the children to displays of romantic affection between themselves and any such persons at any time.

12. Either party may request a review of this Order upon a substantial change in the circumstances of either party or of the children.

13. Costs and fees of this Mediation, which are fixed at $202.00, are divded 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 withinten (10) days from date hereof. If neither party so moves,this Order shall be considered permanent.

By the Court,
Anthony J.Vardaro, J.

11-14-94 Faxed to Attys. Beighley, Walton & Pineo.

Nov. 14, 1994 ORDER filed. AND NOW, November 10, 1994,upon consideration of the Defendant's motion for speical relief, de novo hearing in this custody matter is set before the undersigned in Courtroom No.2 of the Crawford County Courthouse on November 22, 1994 at 1:15 P.M.

Pending that hearing, the order entered on November 10, 1994 as a result of a mediationconference of November 8, 1994 shall be in full force and effect.

BY THE COURT:
Anthony J.Vardaro, J.

11-14-94 Copies dist. by Judge's Secretary.

Nov. 22, 1994 Motiion For Continuance and Order, filed. AND NOW, this 22 day of November, 1994, upon presentation of the Motion to Continue DeNovo Hearing, by the Plaintiff, same is hereby granted and the Hearing DeNovo shall be rescheduled upon motion of either party.

By the Court:
Anthony J. Vardaro, J.

Nov. 29, 1994 Faxed to Walton & Pineo, sent to Beighley

Dec. 2, 1994 Proof of Service of Notice of Produce, filed.

1994

Barrett & Dratler
Bruce A. Barrett

199.

DEANNA L. BUTTRAY

vs.

MATTHEW M. BOWSER

Filed March 4, 1994
@ 10:10 am

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro.Co. pd 11/22/94	9.00

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

Mar. 9, 1994 Affidavit of Service filed. I, Bruce A. Barrett, Esquire, being duly sworn, deposes and says that the following facts in support of his Affidavit of Service are true and correct to the best of his knowledge, information and belief.

1. The affiant is the Attorney for the Plaintiff in the above captioned action.

2. A copy of the Compalint was sent by certified mail to the Defendant.

3. The certified mail was sent to the Defendant at R.D. #9, Box 590, Meadville, Pennsylvania 16335, on March 4, 1994. The Sender's receipt is attached hereto.

4. The Defendant received said certified mail on March 7, 1994. Said receipt card number 279 007 652 is attached hereto and signed by Matthew M. Bowser.

5. The return receipt card was returned after signature to the office of Bruce A. Barrett, Esq., 965 South Main Street, Meadville PA 16335, onMarch8, 1994. Bruce A. Barrett

Nov. 22, 1994 Affidavit of Consent by Deanna L.Buttray, Plaintiff,filed.

Nov. 22, 1994 Affidavit of Consent by Matthew M. Bowser, Defendant, filed.

Nov. 22, 1994 Upon Praecipe of Bruce A.Barrett, Attorney for Plaintiff to transmit record, case moved to Court.

DIVORCE DECREE FILED

Dec. 2, 1994 AND NOW, November 29, 1994, it is hereby ordered and decreed that DEANNA L. BUTTRAY, Plaintiff, and MATTHEW M. BOWSER, 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.

1994

John S. Kookogey
Kemp c. Scales

200.

Michael C.Colville
for United States of America

NORTHWEST CONSUMER DISCOUNT COMPANY, d/b/a TITUSVILLE CONSUMER DISCOUNT COMPANY

vs.

BRADLEY V. ONGLEY and SHARON J. ONGLEY, his wife and UNITED STATES OF AMERICA (Internal Revenue Service)

Filed March 4, 1994
@ 1:26 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	160.00
Pro Co pd.	9.00
Pro.Co. pd 6/1/94	9.00

COMPLAINT IN MORTGAGE FORECLOSURE
5 copies (atty)

Apr. 15, 1994 Answer of Defendant United States of America, filed.

Apr. 15, 1994 Complaint Reinstated.

May 27, 1994 Sheriff's Return filed. SERVED Bradley V.Ongley by deputizing the Sheriff of Venango County, PA, as per his Affidavit of Service attached. Served on May 9, 1994 at 391 W. State Street, Pleasantville, PA.

SERVED Sharon J. Ongley by deputizing t he Sheriff of Venango County, PA, as per his Affidavit of Service attached. Served on March 14, 1994 at 391 W.State Street,Pleasantville, PA.

SERVED the United States Department of Justice, United States Attorney, by deputizing the Sheriff of Allegheny County, PA, as per his Affidavit of Service attached. Served on March 21, 1994 at 633 U. S.Post Office Building and Courthouse, Pittsburgh,PA.

SERVED the Internal Revenue Service by deputizing the Sheriff of Erie County, PA, as per his Affidavit of Service attached. Served on March 11, 1994 at 1314 Griswold Plaza, Room 105, Erie, PA.

So answers, Robert M. Stevens, Sheriff

June 1, 1994 And Now, upon praecipe of plaintiff's attorney judgment is hereby entered in favor of the Plaintiff and agaisnt the Defendants for want of an Answer, and assess Plaintiff's damages as follows: Thirty-Seven Thousand Three Hundred Sixteen and 02/100 together wtih interest from date of judgment and costs of suit.

Entered 6-1-94 Debt: $37,316.02 plus interst and costs
O - 23, 153 JUDGMENT
Barbara H. King, Pro.

EX 1994-35

Jun. 6, 1994 Consent Judgment filed. AND NOW, to wit, this 6 day of June, 1994, it appearing that counsel for plaintiff and counsel for defendant, United States of America,have consented to the entry of the within Order on behalf of t heir respective clients, it is hereby ORDERED, ADJUDGED and DECREED that a judgment be entered in favor of the plaintiff and against the United States of America for foreclosure of the mortgage of plaintiff in the within cause and for sale of the mortgaged property of defendant(s) Bradley V. Ongley and Sharon J. Ongley.

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

Nothing contained in the within Order shall, in any way, be construed as entry of a monetary Judgment against the United States of America, but rather said judgment is limited to foreclosure and sale of the real estate of the aforesaid defendant (s) in the within proceeding.

BY THE COURT:
Anthony J.Vardaro, J.

6-13-94 Copy faxed to Atty.Kookogey & Faxed to Atty.Colville

1994

Bettie J. Peterson-Muth

201.

JAMES C. HUFF

vs.

ETHEL C. GEMBERLING HUFF

Filed March 4, 1994
@ 1:26 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 8-11-94	9.00

COMPLAINT IN DIVORCE
1 copy atty.

June 24, 1994 Affidavit of Service, filed. Bettie J. Peterson Muth, Esquire, being duly sworn according to law, deposes and says that she is the attorney for the Plaintiff, James C. Huff, and that she did serve a true and correct copy of the Complaint in Divorce filed in the above matter on Ethel C. Gemberling Huff by mailing a copy of said complaint on March 16, 1994, by Certified Mail, Restricted Delivery, Return Receipt Requested, to her last known address at 7007 Tama Road 38, Columbia, South Carolina 29209. Ethel C. Gemberling (Huff) signed the mail receipt on March 21, 1994. The signed receipt is attached hereto and marked as Exhibit "A".

June 24, 1994 Affidavit of Consent of Plaintiff, filed.

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

Aug. 11, 1994 Upon praecipe of Plaintiff attorney to transmit records, case moved to Court.

DIVORCE DECREE FILED

Aug. 26, 1994 AND NOW, August 23, 1994, it is ordered and decreed that JAMES C. HUFF, plaintiff, and ETHEL C. GEMBERLING HUFF, 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, J.

1994

202.

THE FIRST NATIONAL BANK OF PENNSYLVANIA, now by merger PNC BANK, NATIONAL ASSOCIATION

vs.

WILLIAM A. YOUNG
PATRICIA S. MURNIGHAN

Filed March 4, 1994
@ 1:26 PM

Tax & entry paid 9.00
Pltf. on orig. 14.50

AGREEMENT TO REVIVE

OF

DSB 1989 - 168

The undersigned hereby agrees that judgment revival be indexed; prothonotary indexed same in favor of the plaintiff and against the defendants in the amount of Twenty Thousand Dollars plus cost of suit.

Y-206; M-134
Judgment entered
3/4/94

Judgment
Barbara H. King
Prothonotary

Revived & AD1998-1220

1994

Ambrose, Friedman and Weichler
Philip B. Friedman

203.

CYNTHIA PARRA, INDIVIDUALLY AND ON BEHALF OF HER MINOR CHILDREN, JOSEPH PARRA AND BRIAN PARRA

vs.

SEAN BRENNEN, MICHAEL G. HAGEN AND DAVID HAWK

Filed Mar. 4, 1994
@ 1:26 p.m.

Tax & entry paid	$50.50
state paid	5.00
Pro Co paid	6.00
Sheriff's Costs	100.00

SUMMONS IN A CIVIL ACTION

Issued (sheriff)

Mar. 23, 1994 Petiton for Leave of Court to Settle and Discontinue and ORDER OF COURT filed. AND NOW, this 23 day of March, 1994 upon consideration of the petition filed with this Court and based upon the record of testimony taken at the hearing in open court upon said petition this date,it is hereby Ordered, Adjudged and Decreed that settlement of this case is approved in accordance with the following:

1.) The defendants shall pay to Cynthia Parra, mother and natural guardian of Joseph Parra, and Ambrose, Friedman and Weichler, her attorneys, the sum of Five Thousand ($5,000.00) Dollars. The law firm of Ambrose,Friedman and Weichler shall be compensated from those proceeds in the amount of One Thousand Two Hundred Fifty ($1,250.00) Dollars pursuant to the contingent fee agreement entered into between the plaintiff/petitioner and her counsel;

2.) The defendants shall pay to Cynthia Parra, mother and natural guardian of Brian Parra, and Ambrose,FRiedman and Weichler, her attorneys, the sum of Five Thousand ($5,000.00) Dollars. The law firm of Ambrose, Friedman and Weichler shallbe compensated from those proceeds in the amount of One Thousand Two Hundred Fifty ($1,250.00) Dollars pursuant to the contingent fee agreement entered into between the plaintiff/petitioner and her counsel;

3.) The defendants shall pay the court costs of this action;

4.) The plaintiff/petitioner shall execute appropriate releases upon the signing of this Order:

5.) The net proceeds payable to the plaitniff/petitioner on behalf of her minor children shall be deposited into a restricted account at a bank, building and loan association, or savings and loan association, deposits in which ware insured by a federal governmental agency. No withdrawal may be made from said account until the minor child attains age 18, unless authorized by Order of this Court. Proof of account to be filed within 30 days.

Anthony J.Vardaro, Judge

3-24-94 Copy of Order to Atty. Friedman.

Mar. 28, 1994 Upon praecipe of Plaintiff's attorney the above-captioned case is settled and discontinued of record.

Apr. 20, 1994 SHERIFF'S RETURN, filed. SERVED Michael g. Hagen by deputizing the Sheriff of Clarion County, Pa, as per his Affidavit of Service attached. Served on March 21, 1994 at his place of employment, rider Saw Mill, Rimersburg, PA.

SERVED David Hawk by deputizing the Sheriff of Clarion County, PA, as per his Affidavit of Service attached. Served on March 28, 1994 at RD 2, Rimersburg, PA.

NOT FOUND as to Defendant Sean Brennen at address of 4424 Oakdale Street, Butler, PA, as per Affidavit of Not Found returned from Butler County, PA, Sheriff's Office. Moved to Nashville, Tennessee per information received from his father.

So answers, Robert M. Stevens, Sheriff

Apr. 25, 1994 Affidavit filed.

1994

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

204.

BONNIE L. GROSS

vs.

COLLIN C. WEBB

Filed Mar. 4, 1994
@ 1:27 p.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	33.00
sheriffs costs	46.80
Pro Co. pd 8/24/94	9.00

COMPLAINT

1 COPY (sheriff)

March 25, 1994 SHERIFF'S RETURN, filed. NOT FOUND as to Defendant Collin C. Webb at address of 624 West Walnut Street, Titusville, Crawford County, PA. He has moved and left no forwarding address.
So answers, Robert M. Stevens, Sheriff

May 5, 1994, Complaint Reinstated.

May 27, 1994, Sheriffs Return filed. Before me the undersigned authority personally appeared Rhonda L. McVay, Dep. Sheriff who being duly sworn according to law, deposes and says that on the 23rd day of May 1994 at 9:10 a.m. she served the within Notice-Complaint-verification filed at AD 1994 - 204 Crawford County,Pa. upon dft. at dft's place of residence located at R. D. #1, Box 814, Seneca, Pa. 16346 by making known the contents thereof to Denise Kinnear/ adult in charge/live in girlfriend and handing to and leaving with her said writ received from Robert M. Stevens, Sheriff of Crawford County.
Rhonda L. McVay, dep sheriff
Gene Price, Sheriff

SERVED Collin C. Webb by deputizing the Sheriff of Venango County, Pa. as per his affidavit of service attached. Served on May 23, 1994 at R. D. #1, Box 814, Seneca, Pa. 16346.
So answers, Robert M. Stevens, Sheriff

Aug. 24, 1994, 11:42 A.M., AND NOW upon Praecipe of Plaintiff Attorney, with copy of Intention to file default judgment attached, judgment is hereby entered in favor of Plaintiff and against Defendant for failure to file an answer and damages are assessed as follows: Principal balance due, $8,524.13 plus costs.

W-36
Judgment entered -
Aug. 24, 1994

Debt $8,524.13
Judgment
Barbara H. King, Pro.

1994

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

205.

RITA A. TUCKER

vs.

HERMAN LEE TUCKER

Filed Mar. 4, 1994
@ 1:27 p.m.

Tax & entry paid	$50.50
state paid	5.00
state paid	10.00
Pro Co pd 6-30-94	9.00

COMPLAINT IN DIVORCE

1 copy (sheriff)

Mar. 15, 1994 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 March 10, 1994 she sent a certified copy of the Complaint in Divorce to the Defendant by certified mail, restricted delivery, postage prepaid, receipt requested, to Herman Lee Tucker, 119 E. Central Avenue, Titusville, Pennsylvania 16354, the Defendant's last known address. The said receipt being attached hereto.

June 27, 1994 Affidavit of Consent of Plaintiff, filed.

June 27, 1994 Affidavit of Consent of Defendant, filed.

June 27,1994 Upon praecipe of Plaintiff's attorney to transmit records, case moved to Court.

DIVORCE DECREE FILED

AND NOW, June 30, 1994, it is ordered and decreed that RITA A. TUCKER, plaintiff, and HERMAN LEE TUCKER, 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.

1994

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

206.

Dana Watson

JOSEPH E. CRAFT

vs.

ROSEANNE CRAFT

Filed Mar. 4, 1994
@ 2:44 p.m.

Tax & entry paid	$50.50
state paid	10.00
state paid	10.00
1 count paid	15.00
Sheriff's Costs	25.00
Pro.Co. Pd 3/28/96	9.00

COMPLAINT IN DIVORCE, EQUITABLE PROPERTY DETERMINATION AND DISTRIBUTION

2 copies (atty)

Mar. 17, 1994 SHERIFF'S RETURN, filed. SERVED Roseanne Craft personally on March 14, 1994 at 9:20 AM by handing her a copy of the Complaint in Divorce at her place of employment, Lainey's Hallmark Staore, Downtown Mall, Meadville, Crawford County, PA.
So answers, Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

Jun. 13, 1994 Affidavit of Consent by Joseph E. Craft, Plaintiff, filed.

Feb. 14, 1996, Motion to Withdraw Count 2 of Plaintiff's Complaint in Divorce filed.

Feb. 14, 1996, ORDER filed. AND NOW, this 14 day of Feb. 1996, upon presentation and consideration of Plaintiffs Motion, Count 2 of the Compalint in Divorce, regarding equitable property distribution is hereby withdrawn.
Gordon R. Miller, J.
2/14/96 faxed to Irwin and Watson.

Mar 5, 1996 Plaintiff's Affidavit Under Section 3301(d) of the Divorce Code, filed.

Mar 5, 1996 Waiver of Notice of Intention to Request Entry of Divorce Decree Under Section 3301(c) of the Divorce Code, filed.

Mar. 27, 1996 Notice of Intention to Request Entry of Divorce Decree and Praecipe of James R.Irwin, Esquire, Attorney for Plaintiff to transmit record, Case moved to Court.

DIVORCE DECREE FILED

March 28, 1996 AND NOW, this 28 day of March, 1996, it is ordered and decreed that JOSEPH E. CRAFT, Plaintiff, and ROSANNE CRAFT, Defendant, are divorced from the bonds of matrimony.

Divorce: Upon consideration of the pleadings and affidavit filed in the abovecaptioned case, this Court hereby grants an absolute divorce from the bonds of matrimony to the abovenamed parties, on the grounds that the marriage is irretrievably broken and the parties have lived separate and apart for a period of at least two (2) years pursuant to Section 3301(d) of the PA. Divorce Code, and that timely Notice of Intention to Request Entry of Divorce Decree pursuant to PA. Rules of Civil Procedure 1920.42 and 1920.73 has been given to the Defendant.
BY ORDER OF THE COURT
Anthony J. Vardaro, J.

1994

Watts & Pepicelli
~~Alan L. Pepicelli~~ withdrawn
~~David M. Nester~~ withdrawn

207.
Harding & Warren
Rebecca L. Warren
for Merle Fedders,
Defendant

CAROL LYNN BRUNOT

vs.

MERLE FEDDERS
JANE DOE

Filed Mar. 7, 1994
@ 2:34 p.m.

Tax & entry paid $50.50
state paid 5.00
Pro.Co.Pd. 10/20/94 $ 5.00

CIVIL ACTION COMPLAINT

3 copies (atty)

Mar. 31, 1994 Proof of Service filed. I hereby certify that a copy of the notice to defend and civil action complaint in the above captioned matter was posted by certified mail on or about March 15, 1994. The notice to defend and complaint were served by certified mail on or about March 19, 1994 upon Defendant Fedders at the above address. The certified mail return was received on or about March 29, 1994 and is attached hereto and incorporated herein by reference. David M. Nester

Apr. 12, 1994 Appearance of Harding & Warren by REbecca L. Warren, Esquire for Merle Fedders, Defendant, filed.

Apr. 21, 1994 Upon Praecipe of Rebecca L. Warren,esquire, the above captioned matter is placed on the next available Argument list.

ON MAY, 1994 ARGUMENT LIST

Apr. 21, 1994 Defendant Merle Fedders' Preliminary Objections to Plaintiff;s Complaint, filed.

May 26, 1994 Appearance of Watts and Pepicell by Alan L. Pepicelli, Esquire, Attorney for Carol Lynn Brunot, Plaintiff, filed.

Jun. 1, 1994 Motion to Continue Argument on Defendant's Preliminary Objections and ORDER filed. AND NOW, this 31st day of May,1994, upon presentation of the within Motion and Consent of counsel for Defendant, argument on said Defendant's Preliminary Objections is hereby scheduled for July Argument Court, at a time to be set. BY THE COURT,
6-1-94 Faxed Copy to Attys. Pepicell & Warren. Gordon R. Miller,J.

Jun. 15, 1994 Notice of Service filed. Alan L.Pepicelli, Esquire, hereby certfies that an original and two copies of First Set of Interrogatories,original First Set of Requests for Production of Documents and an original Request in Aid of Filing Amended Complaint to Permit Entry Upon Defendant's Premises were served upon counsel for Defendant, Rebecca L. Warren, Esquire, via regular U. S. mail sent to her offices at 38 West Third Street, Bloomsburg, PA 17815, on June 15, 1994. Alan L. Pepicelli

Jul. 13, 1994 Defendant Merle Fedders' Response to Plaintiff's Request to Permit Entry upon Defendant's (sic) premises, filed.

July 25, 1994 Motion To Continue Argument On Defendant's Preliminary Objections and Order, filed. AND NOW, this 22nd day of July, 1994 upon presentation of the within Motion and Consent of counsel for Plaintiff, argument on said Defendant's Preliminary Objections is hereby scheduled for August Argument Court, at a time to be set. BY THE COURT,
Gordon R. Miller, P.J.

ON AUGUST 1994 ARGUMENT LIST

Aug. 29, 1994 Motin To Continue Argument, filed.

ON ARGUMETN LIST FOR SEPTEMBER 1994

Aug. 31, 1994 Motion to Withdraw and ORDER filed. AND NOW, this 31 day of August, 1994, upon consideration of the within Motion, Alan L. Pepicelli, Esquire and Watts and Pepicelli PC, are hereby granted permission to withdraw as counsel for the Plaintiff in the above-captioned case. The attorney for Plaintiff shall send her a copy of this order forthwith.
BY THE COURT,
Anthony J. Vardaro, J.
8-31-94 Faxed to Attys.Pepicelli, Warren & Mailed Nester.

Aug. 31, 1994 Motion toWithdraw and ORDER filed. Upon consideration of David M.Nester's Motion to Withdraw as Counsel, the entire record in this matter, and it appearing that such relief should be granted, it is this 31 day of August, 1994.
ORDERED that David M. Nester's Motion to Withdraw as Counsel be and hereby is GRANTED. The Attorney for Plaintiff shall send her a copy of this order forthwith.
Anthony J. Vardaro,
By the Court
8-31-94 Faxed to Atty. Pepicelli & Mailed to Atty. Warren

Sep. 20, 1994 Reassignment of Argument Date filed. AND NOW, September 20, 1994, Argument in the above captioned matter heretofore set for September 26, 1994, is hereby reset for September 28, 1994, at 3:00 P.M., Courtroom No. 1, before the Honorable Gordon R. Miller, at the Crawford County Courthouse, Meadville, Pennsylvania. FOR THE COURT,
Ann A. Walker, Ct.Administrator
9-20-94 Copies mailed by Ct.Admin,

Oct. 11, 1994 ORDER filed. AND NOW, September 28, 1994, the Court on its own, continues the argument on Fedders' preliminary objections because it appears that the plaintiff, Carol Lynn Brunot is now unrepresented and has not been given notice of the argumetn and an opportunity to appear in person or by counsel.
Accordingly the argument is rescheduled for the 24th day of October, 1994 at 3:00 o'clock p.m. in Courtroom No. 1 of the Crawford County Courthouse. A true and correct copy of this Order shall be forwarded to Carol Lynn Brunot % of her employer,Quality Markets, Inc., 375 North Street, Meadville, Pa. 16335.
Ms. Brunot is advised that the argument will take place as scheduled whether or not she appears. She may have substantial rights at issue. If she desires to be represented by counsel

CONTINUED ON PAGE 456

1994

Knox McLaughlin Gornall
& Sennett, PC
Joanna K. Budde

208.

CINCINNATI INSURANCE COMPANY

vs.

JOHN E. ISALY

Filed Mar. 7, 1994
@ 3:17 p.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	25.00
Pro Co pd. 5/11/94-9.00	

COMPLAINT

1 COPY (sheriff)

Mar. 30, 1994 Sheriff's Return filed. SERVED John E. Isaly personally on March 28, 1994 at 8:20 AM by handing a copy of the Complaint to him at his temporary place of custody in the Crwaford County Jail, 360 Center Street, Meadville, Crawford County, PA.
So answers, Dale A. Collins, Chief Deputy
Robert M. Stevens, Sheriff

And now, May 11, 1994, at 1:09 p.m.upon praecipe of plaintiff attorney, with copy of default notice, cert. of mailing and verification attached, Judgment is hereby entered in favor of plaintiff and against the defendant for the sum of Four thousand Twenty and 07/100 Dollars, for failure to file answer.
Judgment entered
5/11/94
I - 91

Debt --- $4,028.07
Barbara H. King,
Prothonotary

May 13, 1994, notice of entry of judgment mailed to dft.

1994

Kevin C. Jennings

209.

Knox McLaughlin
Gornall & Sennett
Sue Beck

LESLIE WARNER

vs.

MICHAEL SCHELL

Filed Mar. 7, 1994
@ 3:17 p.m.

Tax & entry paid	$50.50
state paid	5.00
Pro Co pd 2-9-95	15.00

COMPLAINT

1 copy (aTTY)

Mar. 17, 1994 I, Sue Beck, Esquire, KNOX McLAUGHLIN GORNALL & SENNETT, hereby accept service of the Complaint on behalf of Defendant, Michael Schell, and state that I am authorized to accept service.

Mar. 31, 1994 Answer and New Matter filed.

May 16, 1994 Certidication of Service filed. A true and correct copy of the Reply to New Matter were served on May 13, 1994 on counsel of record by Frist Class Unites States Mail, postage prepaid.
Kevin C. Jennings, Esquire

Aug. 11, 1994 Notice To Complete Discovery within sixty days pursuant to Local Rule L302A(2) filed.

Dec. 19, 1994 Certificate of Readiness filed.

1995 February Civil Trial List

Jan. 31, 1995 ORDER filed. AND NOW, January 30, 1995, on oral motion of the Defendant, which counsel for the Defendant represents is agreed to by the Plaintiff and her counsel, this matter is stricken from the civil trial list, and shall be referred to arbitration within the next fifteen (15) days. One of the parties shall file a praecipe for reference to arbitration following the Crawford County Civil Rules governing arbitration, and the matter shall proceed accordingly.

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

Feb. 1, 1995 Order distributed to Attys. Beck and Jennings.

Feb. 3, 1995 Upon praecipe of plaintiff attorney for the appointment of Arbitrators, the following Arbitrators have been appointed.
Russell Schetroma, Chr.
William Peters
~~Joseph Barnhart~~ Bruce Barrett

Mar. 2, 1995 Arbitrators Take Qualifying Oath.

Apr. 5, 1995 Motion in Limine filed.

Apr. 5, 1995 Notice of Intention to Present Documents Pursuant to Rule 1305, filed.

Apr. 13, 1995, Notice of Hearing before Board of arbitrators filed.

Apr. 18, 1995, Notice of Intention to Present Documents filed.

Jul. 31, 1995 Decision of Arbitrators filed. And now, the 31st day of July, 1995, we the undersigned Arbitrators chosen in this case, after having been duly sworn and having heard the evidence and allegations of the parties fine for the Defendant and against the Plaintiff.
Russell Schetroma, Chairman
Bruce Barrett
Christopher D.Ferry

7-31-95 Faxed Attys. Beck & Jennings

1994

Mary Ann Kirkpatrick

210.

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

BEN ANDREW STALLSMITH

vs.

KATHY SUE WALLACE STALLSMITH

Filed Mar. 7, 1994
@ 4:02 p.m.

Tax & entry paid	$50.50
state paid	10.00
state paid	5.00
3 Add'l Counts paid	45.00
User's Fess paid	15.00
Pro Co pd 3-28-95	9.00

COMPLAINT IN DIVORCE

1 copy (plff)

Mar. 17, 1994 Affidavit of Service, filed. And Now, March 16, 1994, comes Constance L. Dietman being duly sworn according to law, deposes and sets forth as follows:

1. That she is the legal secretary of Attorney for Ben Andrew Stallsmith, Plaintiff in the above-captioned matter.

2. That on information furnished her by the Plaintiff, she caused a certified copy of the Complaint in Divorce to be forwarded by Certified Mail, P 100 657 035; postmarked March 11, 1994, to the last known address of the Defendant, Kathy Sue Wallace Stallsmith, Lot 65, Saegers Trailer Ct., Rt 322, Meadville, Pa.

3. That the Defendant, Kathy Sue Wallace Stallsmith, on March 12, 1994, 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.

May 17, 1994 Petition For Marriage Counseling filed.

May 17, 1994 Order filed. AND NOW, this 16th day of May, 1994, it is hereby ordered and decreed that the parties shall attend three (3) counseling sessions with David Glenn. It is further ordered and decreed that the present divorce proceedings are continued until such time as the above-named parties have attended at least three (3) counseling sessions. Further, it the parties have not reconciled wtihin the time periods required by 23 PA C. 3301 and 3302 that the above action shall proceed accordingly.

BY THE COURT:
Gordon R. Miller, J

5-17-94 Faxed to Irwin 5/20/94 Copy to Atty. Kirkpatrick

May 24, 1994 Plaintiff's Affidavit Under Section 3301(d) of the Divorce Code filed.

June 9, 1994 Affidavit filed. I have been advised that counseling is available and that I may have the right to request that the court require the parties to particiapte in counseling. I verify that this statement is true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. 4904, relating to unsworn falsification to authorities.

Ben Andrew Stallsmith

June 14, 1994 Defendant's Counter-Affidavit Under Section 3301(d) of The Divorce Code, filed.

June 28, 1994 Answer and Counterclaim in Divorce filed. (Equitable Property Distribution, Alimony, Alimony Pendente Lite Counsel Fees, Expert Fees, Costs and Expenses, and Child Custody)

July 15, 1994 AFFIDAVIT OF SERVICE, filed. Plaintiff's Affidavit under section 3301(d) in divorce was served by first class mail on Defendant to her attorney, James R. Irwin, Esq. on May 24, 1994. Mary Ann Kirkptrick

July 15, 1994 Income and Expense Statement, filed.

July 15, 1994 Inventory of Plaintiff, filed.

July 27, 1994 Petition For Indigent Party and Order filed. AND NOW, this 27 day of July, 1994 after consideration of the foregoing petition of Kathy S. Stallsmith, alleging indigency, Petitioner is hereby granted permission to proceed as an indigent without the payment of costs, with this Court reserving, however, the right to allocate costs to either party at the entry of a final order.

The Defendant has been questioned in open court under oath regarding her assets.

BY THE COURT:
Anthony J. Vardaro, J

July 27, 1994 Faxed Irwin & Kirkpatrick

July 27, 1994 Motion to Appoint Master and Order filed. AND NOW, Jluly 26, 1994, John F. Spataro, Esq., is appointed master in respect to the following claims: Divorce, Alimony Eq. Distr., Counsel Fees, Costs.

Deposit required: By Plaintiff $350.; By Defendant $250.
If not filed already the parties order ordered to file their pretrial statements within thirty (30) days from this date.

BY THE COURT:
Gordon R. Miller, J

July 27, 1994 Faxed Kirkpatrick, Spataro & Irwin

Aug. 9, 1994 Petition in Opposition to In Forma Pauperis Status and Order filed. And Now, August 1, 1994, hearing on Plaintiff's Petition in Opposition to In Forma Pauperis is scheduled for August 23, 1994 , at 11:30 a.m. o'clock in courtroom 1 or 2 of the Crawford County Courthouse in Meadville, PA.

BY the Court"
Gordon R. Miller, J

Aug. 9, 1994 Faxed Kirkpatrick and Irwin

Aug. 9, 1994 Verification Page for Petition In Opposition To In Forma Pauperis Status filed August 1, 1994 filed.

Continued on Page 210A

1994

Ben Andrew Stallsmith
vs.
Kathy Sue Wallace Stallsmith

CONTINUED FROM PAGE 210
of Record
A. D. 1994 - 210

****

Aug. 25, 1994 ORDER filed. AND NOW, August 23, 1994, this matter is before the Court on a Petition in opposition to in forma pauperis status filed by the Plaintiff with regard to our Order granting such status to the Defendant effective July 27, 1994.

By way of background, the Defendant appeared with her counsel in motions court on that day and presented a petition for indigent party pursuant to Pennsylvania Rule of Civil Procedure 1920.62 with regard to divorce actions asking to proceed in forma pauperis. That petition did not include the required affidavit, but since the Defend ant was present with her counsel we required she be sworn in and we inquired of her assets which we abelieved would have been covered pursuant to the required affidavit in open court. We were then satisfied that she qualified as a person entitled to proceed in forma pauperis and we allowed her to do so.

We did not know at that time that this apparently had been a divorce that has been contested to some extent since March of 1994 and we did not realize that counsel for the Plaintiff had not received a copy of the petition.

We note that in any event Plaintiff would not in our opinion have standing to contest whether or not we grant the in forma pauperis status to the Defendant, but the required affidavit should have been attached for purposes of keeping the record clean.

Accordingly, we will rescind our Order of July 27, 1994 granting in forma pauperis status to the Defendant without prejudice to her to file a new petition requesting that relief with the required affidavit attached. It will then be reviewed once again for the Court to make a determination as to whether that status should be granted.

We note that the attorney for the Plaintiff has made various arguments with regard to our review of that petition and we will consider those arguments including her argument as to whether soneone may be permitted to go to college and receive Public Assistance and avoid paying the costs of this litigation and likewise whether the Court has any discretion in controlling what type of litigation the Court will pay for and to the extent that the County will pay for litigation the Defendant and her counsel deem appropriate.

Finally, the counsel for the Plaintiff raises the issue that she wishes to have her client testify this day with respect to his ability to pay for costs in the event there is an effort to require him to do so if the Defendant is re-adjudged as being entitled to proceed in forma pauperis, and we will not hear that testimony as we feel it is premature at this point since there is no effort to require the Plaintiff to pay such costs.

Finally, we note that the Plaintiff has apparently presented a settlemetn offer late yestereday afternoon to the Defendant with regard to this matter, and if the Defendant does file another petition while that is being considered by the Court if this matter is resolved counsel should advise the Court so that it will not be necessary to decide this issue.

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

Aug. 26, 1994 copoies dist to Irwin & Kirkpatrick

Mar. 23, 1995 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

March 31, 1995 STIPULATION and DECREE filed. And Now, March 30, 1995, it is ordered and decreed that BEN A. STALLSMITH, plaintiff, and KATHY S. STALLSMITH, 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:

1. Alimony, Alimony Pendente Lite, Counsel Fees and Expenses:

Each party shall be solely liable for his and her own counsel fees, master's fees, costs and expenses except that husband shall pay to wife's attorney, James R. Irwin, Esq., the sum of $1,000.00 toward's wife's counsel fees, master's fees, costs and expenses.

2. Equitable Distribution:

Each party shall be the sole owner of household goods, furnishings and vehicles now in her or his possession or titled in her or his sole name.

Husband shall be the sole owner of his pension with Erie Bearings Company.

Husband shall pay to wife the sum of $10,000.00 between Sept. 1, and Sept. 15, 1999. In the event that such payment is not made, husband shall instead pay alimony to wife in the sum of $500.00 per month for a 24-month period beginning on Sept. 1, 1999. Such alimony is non-modifiable as to amount and duration and shall cease only upon the death of either party. Alimony shall be taxable to wife and deductibe to husband.

3. Child Custody:

Wife shall have legal and physical custody of the minor child, Sarah Joy Stallsmith; Father shall have the right to take the child for visits each Tuesday, Thursday and Sunday from after he completes his employment until 8 p.m. (9 p.m. when thre is no school the following day).

By the Court:
Gordon R. Miller, J.

210
-b-

1994

210A.

LINDY EHNOT

vs.

EUGENE GREEN

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

1 copy (plff)
3 copies (sheriff)
1 faxed to MCPD

ORDER:

And now, this 7 day of March , 19 94, upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

1. The defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Defendant will not contact plaintiff. Defendant shall not go to p laintiff residence. He wont be within 100 yards of the plaintiffs residence. Plaintiff gets sole possession of residence & custody of 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 or fees and costs will be determined by final court order.
7. The defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves Ruling on allocation of fees and costs. Hearing is hereby set for the MaRCH 16 1994 , at 3:00 p. m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF THE COURT,

Gordon R. Miller, J.

Filed Mar. 7, 1994
@ 3:30 p.m.

Tax & entry	$50.50
state	5.00
Sheriff	$47.60
Sheriff's Costs	57.60
Pro Co.	9.00

Mar. 16, 1994 SHERIFF'S RETURN, filed. SERVED Eugene Green by deputizing the Sheriff of Mercer County, PA. As per a telephone conversation on March 15, 1994, they served Eugene Green personally on March 11, 1994 at the Mercer County Jail. Affidavit of Service forthcoming. So answers, Robert M. Stevens, Sheriff

SERVED Notice to Defend , PFA, Temporary Abuse Order to Eugene Green at the Mercer County Jail, Mercer PA 16137 on 3/11/94 at 11:00 a.m. William H. Romine, Jr., Sheriff Mercer County

Mar. 18, 1994 ORDER filed. AND NOW, March 16, 1994, this matter is before the Court for a hearing with regard to the Plaintiff's Petition for Relief under the Protection From Abuse Act. The Plaintiff appears without counsel and the Defendant does not appear at this time.

Apparently, the Defendant is incarcerated in the Mercer County Jail and was served on March 11, 1994.

Obviously, the Defendant could not appear if he is incarcerated, and accordingly, at this time we will continue the Order entered by Judge Miller on March 7, 1994, as temporary Order in full force and effect pending any further hearing with regard to this matter.

The Defendant shall be serve with a copy of this Order by regular mail by the Prothonotary at the Mercer County Jail and we will schedule further hearing with regard to the Plaintiff's Petition upon written request for such hearing filed by the Defendant.

In the event the Defendant does not request further hearing, the temporary Ordr entered by Judge Miller on march 7, 1994 shall expire on March 15, 1995. BY ORDER OF THE COURT, Anthony J. Vardaro, J.

Mar. 18, 1994 copies to Plf., Dft., Co Control, MCPD

210B

1994

1994

Brian J.Lindsay

211.

Barbara J. Walton

MARY M. FERA-RIMER

vs.

FRANK L. RIMER

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

1 copy (plff)
3 copies (sheriff)
copy faxed to MCPD

ORDER:

And now, this 7 day of March , 19 94 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

1. The defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions:
   The defendant shall not go near nor telephone the plaintiff at home, work or any location.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment or fees and costs will be determined by final court order.
7. The defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves Ruling on allocation of fees and costs. Hearing is hereby set for the March 15, 1994 , at 3:00 p. m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

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

Filed Mar. 7, 1994
@ 4:06 p.m.

5-27-94 Rec from deft Sheriff's Costs

5-31-94 Pd Sheriff Ck#8330 25.00

Tax & entry	$50.50	$50.50 Pd 5-27-94
state	5.00	5.00 Pd 5-27-94
Sheriff's Costs	25.00	
Pro.Co.	9.00	9.00 Pd 5-27-94

Mar. 10, 1994 Sheriff's Return filed. SERVED Frank L. Rimer personally on March 9, 1994 at 4:12 PM by handing a copy of the Protection from Abuse to him in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, PA.
So answers,

Diane Brittain, Deputy Sheriff
Robert M. Stevens, Sheriff

Mar. 16, 1994 ORDER filed. AND NOW, March 14, 1994 this matter is before the Court on a request under the Protection from Abuse Act.

After formal testimony with both parties represented by counsel, we conclude that the actions of the Defendant constitute abuse within the meaning of the act insofar as we conclude that the Plaintiff was placed in fear of serious imminent body injury by physical menace due to the actions of theDefendant.

Accordingly, we enter the following ORDER:

1. The Defendant shall not assault, abuse, harass,or threaten the Plaintiff at any time or any place.
2. He shall not go near nor telephone the Plaintiff at home or work or any location.
3. T he Defendant is excluded from the marital residence for the term of this order and he shall not go to that residence ven if he is invited there by the plaintiff. If the Defendant is found at the marital residence, any police agency shall presume that he is in violation of this order. If the parties reconcile and the Plaintiff wishes for the defendant to go to the marital residence then they should seek a modification of this order before the Defendant does so.
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 Department 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 6 months.
7. The Defendant shall pay costs in the amount of$89.50 within 30 days from the date of this order.
8. This order shall remain in full force and effect through March 13, 1995.

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

3-16-94 Copies dist.to Attys.Lindsay, Walton, Co. Control & MCPD

Jun. 16, 1994 Motion to Amend or Modify a Protection From Abuse Order filed.

Jun. 16,1994 ORDER filed. AND NOW, June 16, 1994,the Court has before it a motion to amend or modify a protection fromabuse order filed by the Plaintiff.

She makes the said motion on the form intended to be signed by both parties for a consent modification but the Defendant has not signed the same.

Accordingly, a rule is entered upon the Defendant to show cause, if anyhe has, why the relief requested in Plaintiff's motion to amend or modify a protection from abuse should not be granted.

This matter is set for hearing and argument on the 21st day of June, 1994, at 3:00 o'clock p.m. in Courtroom No. 1 or 2, Crawford County Courthouse, Meadville, Pennsylvania.

If Defendant agrees with the proposed amendment and/or modification, he may sign the motion to amend or modify and the hearing with regard to this matter will not be necessary.

BY THE COURT:
Anthony J. Vardaro, J.

6-16-94 Court dist. Copies.

Continued to page 453

212

1994

Bruce A. Barrett
Barrett & Dratler

212.

SCOTT L. MARSH

vs.

CHRISTINE M. MARSH

Filed Mar. 8, 1994
@ 10:08 a.m.

Tax & entry paid	$50.50
state paid	10.00
state paid	5.00
Pro Co Pd 3-11-94	15.00
State Pd 3-11-94	5.00
Pro Co. pd 6-23-94	9.00

COMPLAINT UNDER SECTION 3301(c) OF THE DIVORCE CODE

1 copy (atty)

Mar. 15, 1994 Affidavit of Service filed. I, Bruce A. Barrett, Esquire, being duly sworn, deposes and says that the following facts in support of his Affidavit of Service are true and correct to the best of his knowledge, information and belief.

1. The affiant is the Attorney for the Plaitniff in the above captioned action.

2. A copy of theComplaint was sent by certified mail to the Defendant.

3. The certified mail was sent to the Defendant at R.D.#1, Box 74, Guys Mills, Pennsylvania 16327, on March 8, 1994. The sender's receipt is attached hereto.

4. The Defendant received said certified mail on March 11, 1994. Said receipt card number 279 007 657 is attached hereto and signed by Christine M. Marsh.

5. The return receipt card was returned after signature to the office of Bruce A. Barrett, Esq., 965 South Main Street, Meadville, PA 16335 , on Mar ch 14, 1994.

March 14, 1994 Bruce A. Barrett, Esquire

Mar. 31, 1994 Agreement and Consent Order filed. AND NOW, this 25th day of March, 1994, it is hereby ordered and decreed that that attached Agreement is hereby adopted in its entirety as an Order of Court.

BY THE COURT,
Gordon R. Miller, J

Apr. 5, 1994 Copy of order to Atty. Barrett

June 17, 1994 Affidavit of Consent of plaintiff filed.

June 17, 1994 Affidavit of Consent of defendant filed.

June 17, 1994 Upon praecipe of plaintiff for Review under Section 201(c) of Divorce Code, case moved to Court.

DIVORCE DECREE FILED

June 28, 1994 AND NOW, June 27, 1994, it is ordered and decreed that SCOTT L. MARSH, plaintiff, and CHRISTINE M. MARSH, defendant, are divorced from the bonds of matrimony.

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

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

1994

Ruthanne Beighley

213.

Barbara J. Walton

STUART D. HOFFMAN

vs.

DEBORAH L. HOFFMAN

Filed Mar. 8, 1994
@ 11:40 a.m.

Tax & entry paid	$50.50
state paid	10.00
state paid	15.00
2 counts paid	30.00
Sheriff's Costs	25.00
Pro Co pd 1-26-95	9.00
Pro Co. pd 2/21/95	5.00

COMPLAINT IN DIVORCE, CUSTODY, EQUITABLE DISTRIBUTION

1 copy (sheriff)
1 copy (mediator)

Mar. 30, 1994 Sheriff's Return filed. SERVED Deborah L. Hoffman personally on March 23, 1994 at 9:10 AM by handing a copy of the Complaint in Divorce and Complaint to Confirm Custody to her at her place of employment, Integra Bank, Chestnut Street, Meadville, Crawford County, PA.
So answers, Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

June 2, 1994 Temporary Order filed. (See original at A.D. 1994 - 198).

Sept. 9, 1994 Affidavit of Service, filed. And Now, September 8, 1994, comes Barbara J. Walton, and avers as follows:
1. A true and correct copy of the Petition to Modify Custody and Reappoint Mediator was mailed to the Plaintiff via Certified Mail, return receipt on Aug. 26, 1994.
2. That the Plaintiff signed the return card on September 3, 1994 and in accordance with Pa.R.C.P. 412, service of the Complaint was made as is evidenced by the United States Postal Service Return Receipt (Certified No. Z070383576) attached hereto as Exhibit "A".
I VERIFTY 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, elating ato unsworn falsification to authorities.

Jan. 3, 1995 Affidavit of Consent by Deborah L.Hoffman, Defendant, filed.

Jan. 18, 1995 Affidavit of Consent of Plaintiff, filed.

Jan. 20, 1995 Property Settlement Agreement filed.

Jan. 26, 1995 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

Jan. 27, 1995 DIVORCE DECREE FILED.

AND NOW, this 27 day of January, 1995, upon presentation of the Stipulation and Consent of the parties, attached hereto, and after consideration of same, it is hereby ORDERED, DIRECTED, AND DECREED that:
1. The bonds of marriage between Plaintiff,Stuard D. Hoffman, and Defendant, Deborah L. Hoffman, are dissolved because the marriage is irretrievably broken. Plaintiff and Defendant are divorced fromthe 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 January 20, 1995, shall be incorporated in this decree and order by reference as fully as though the same were set forth herein, at length, including the following:
1. The Husband shall be come the sole and exclusive owner ofthe residential real estate situate at R.D. #5, Nancy Drive, Meadville, Crawford County, Pennsylvania, andthe property located on Pearl Street, Cochranton, Crawford County, Pennsylvania. Wife shall cooperate in signing any documents required for this transfer of her interest in said properties. The Husband agrees to hold wife harmless for any debts associated with this ral estate including any purchase money obligations. Husband further agrees to refinance or sell both properties on or before August 1 1996 under such terms as would remove the wife's name from the current mortgage.
2. The parties agree that husband shall retain the 1994 Chrysler New Yorker currently being leased from Griffin Motors, Meadville, Pennsylvania. Husband shall have exclusive possession and control of this vehicle. Husband agrees to hold wife harmless for any debts associated with said vehicle.
3. The parties agree that any jointly owned credit cards shall be cancelled.
4. The parties waive any right they may now have or in the future have to any pension plan, retirement plan, IRA, or other type of employer provided or individually saved retirement funds of the other.
5. Each party waives any claim he or she may have at this time or in the future to make claim for alimony, support, alimony pendente lite, counsel fees, expenses or costs.
6. All other provisions of the Settlement Agreement dated January 20, 1995 are incorporated herein and the parties are directed to comply with said agreement.
7. This Honorable Court shall retain jurisidctionover this matter.
By the Court:
Gordon R. Miller, J

Feb. 21, 1995 Notice of Election To Retake Prior named filed. Deborah L. Hoffman to be known as: Deborah L. Winters.

Watts & Pepicelli
Alan L. Pepicelli

214.

Thomas, Truax,
Spadafore & Walker
R.Charles Thomas
for Gary & Rebecca Paden

Knox, McLaughlin,
Gornall & Sennett, PC
William C. Wagner
George Messersmith

CHERYL MESSERSMITH AND
GEORGE MESSERSMITH, HER
HUSBAND

vs.

GARY PADEN AND REBECCA PADEN,
HIS WIFE; AND DEAN DAIRY
PRODUCTS CO.

Filed Mar. 8, 1994
@ 1:05 p.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	147.00
Pro Co pd 10-9-97	6.00
Pro Co pd 6-30-98	1.00

SUMMONS IN A CIVIL ACTION

Issued (sheriff)

May 4, 1994 Sheriff's Return filed. SERVED Gary Paden and Rebecca Paden by deputizing the Sheriff of Mercer County, PA, as per his Affidavit of Service attached. Served on March 17, 1994, at 4611 Saranac Drive, Sharpsville, PA.

SERVED Dean Dairy Products by deputizing the Sheriff of Mercer County, PA, as per his Affidavit of Servcie attached. SErved on March 17, 1994 at 1858 Oneida Lane, Sharpsville, PA.

SERVED Dean Dairy Products by deputizing the Sheriff of Philadelphia County, PA, as per his Affidavit of Service attached. Served on March 22, 1994 at 1635 Market Street,Philadelphia,PA.

So answers, Robert M. Stevens, Sheriff

Nov. 4, 1994 Appearance of Thomas, Truax, Spadafore & Walker by R. Charles Thomas for Gary and Rebecca Paden.

Feb. 7, 1995 Complaint in Civil Action filed.

February 16, 1995, Notice of Service filed. I hereby certify that a certified copy of the Complaint in Civil Action, original Requests for Productions of Documents and an original and one copy of Interrogatories were served upon the above-captioned Defendants, Gary Paden and Rebecca Paden, his wife, by hand delivering the same to the law offices of R. Charles Thomas, Esquire, Old Post Office Building, Chestnut St., Meadville, Pennsylvania, attorney for said Defendants.

I hereby certify that a certified copy of the Complaint in Civil Action was served upon the above-captioned Defendant, Dean Dairy Products Co. via regular U.S. mail sent to C.T. Corporation System, 1635 Market Street, Philadelphia, PA 19103.

I hereby certify that a certified copy of the Complaint in Civil Action, original Requests for Productions of Documents and an original and one copy of Interrogatories were served upon the above-captioned Defendant, Dean DairyProducts Co. via certified mail, return receipt requested, at 1858 Oneida Lane, Sharpsville,Pennsylvania 16150. A copy of the Receipt and Return Receipt are attached hereto as Exhibit "A".

Alan L. Pepicelli, Esquire
Attorneys for Plaintiffs

Mar. 17, 1995 Answer and New Matter filed.

Apr. 10, 1995 Appearance of Knox, McLaughlin, Gornall & Sennett, PC by William C. Wagner for George Messersmith filed.

Apr. 25, 1995 Additional Defendant's Reply to New Matter Pursuant to 2252(d) filed.

Apr. 27, 1995 Notice of Service of Interrogatories and Request for Production of Defendants Gary Paden and Rebecca Paden filed.

Mar. 19, 1996 Notice of Service filed. AlanL.Pepicelli, Esquire, hereby certifies that an original Answers to Interrogatories and Requests for Production was served upon counsel for the Defendants,Gary Paden and Rebecca Paden,his wife,R.Charles Thomas, Esquire, via hand delivery to his offices at 296 Chestnut Sstreet, Meadville,Pennsylvania on March19, 1996.

A true and correct copy of the above documents were served upon counsel for Additional Defendant, George Messersmith,William C.Wagner, Esquire, via regular U. S.mail sent to his offices at 120 West Tenth Street, Erie, PA 16501-1461, on same date.

By Alan L.Pepicelli, Attorneys for Plaintiff

Mar. 27, 1996 Notice of Depositions of Gary Paden and Rebecca Paden filed.

July 22, 1996 Notice of Intent to Complete Disvoery filed.

Sept 26, 1997 Upon praecipe of plaintiff attorney the above-captioned case is marked settled and discontinued of record.

1994

Peters, Lindsay, Lewis
& Hatheway
Edward J. Hatheway
Joseph F. Kulwicki, III

215.

Culbertson,Weiss,
Schetroma & Schug
John B.Brautigam
for Martin E, Geer,
Defendant

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

for Joan O. Staudt

TIMOTHY L. MANROSS AND
VICKI L. MANROSS, HIS WIFE

vs.

MARTIN E. GEER AND
JOAN O. STAUDT

Filed Mar. 8, 1994
@ 1:10 p.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	75.00
Pro Co pd 1-26-96	5.00
Pro Co pd 2-20-96	1.00

SUMMONS IN A CIVIL ACTION

Issued (sheriff)

Apr. 11, 1994 Appearance of Culbertson, Weiss, Schetroma & Schug by John B. Brautigam, Esquire for Martin E. Geer, Defendant, filed.

Apr. 11, 1994 Praecipe for Rule to File Complaint issued.

Apr. 12, 1994 Sheriff's Return filed. SERVED Martin E. Geer by deputizing theSheriff of Warren County,PA, as per his Affidavit of Service attached. Served on March 24, 1994 at 9:00 PM at R.D.#1, Box 1331, Russell, PA.
SERVED Joan O. Staudt personally on March 11, 1994 at 10:11 AM by handing her a copy of the Summons to her at 1328 Pennsylvania Avenue, Meadville, Crawford County, PA.
So answers, Scott D. Young, Deputy Sheriff
Robert M. Stevens, Sheriff

Apr. 15, 1994 Certificate of Service filed. The undersigned hereby certified that a Rule to file Complaint was served by first class mail upon Joseph F. Kulwicki, Esquire and Edward J. Hatheway Esquire, Attorneys for Plaintiffs, on April 15, 1994, by forwarding them the original of said Rule. John B. Brautigam

May 16, 1994 Complaint filed. (2 copys atty.)

May 16, Certificate of Service of Interrogatories and Request for Production of Documents upon Defendant, Martin E. Geer, filed.

May 31, 1994 Preliminary Objectons of the Defendant,Martin E.Geer, filed.

May 31, 1994 Upon Praecipe of John B. Brautigam, Esquire, the above captioned matter on the Preliminary Objectons, is placed on the next available Argument list.
ON JULY, 1994 ARGUMENT LIST

Jun. 29, 1994 Preliminary Objections of the Defendant, Martin E. Geer, filed.)1 copy Atty.)

July 26, 1994 Order filed. AND NOW, July 25, 1994 after oral argument, the preliminary objection of the defnednat Martin E. Geer in the nature of a motion to strike complaint-misjoinder of causes of action are sustained and the plaintiff's complaint filed inthis action is stricken without prejudice to the plantiff to file an amended complaint at this number and term against on e defendant and an amended complaint at a new number and term against the other defendant, all within 20 days of the date of this order.
With respect to the service of the amended complaint at the new number and term,the plaintiff shall not be required to treat the same as original process but may serve the record attorney for the defendant at that case based upon the appearance at this number and term by process in a manner consistent with the Rules of Civil Procedure, the Court noting that original process has already been served and attorneys have entered appearances for both defendants.
The Plaintiff shall, however, be required to pay a fi ling fee to the Prothonotary for the case filed at the new number and term. The Prothonotary is directed to attach a copy of this order at this number and termand also at the new number and term when the Plaintiff files an amended complaint pursuant to this order.
BY ORDER OF THE COURT,
Anthony J. Vardaro, J

July 26, 1994 Copies dist. to Spadafore, Hatheway & Brautigam

Aug. 10, 1994 Amended Complaint, filed.(1 copy Atty.)

Aug. 17, 1994, Answer and New MaTTER TO Amended Complaint filed.

Aug. 17, 1994, Notice of Service of Interrogatories and Request for production of Documents filed.

Aug. 17, 1994, Notice ofServcie of defendant's Answers to Plaintiff's Interrogatories filed.

Oct. 6, 1995, Certificate of Service of Plaintiffs Answers to Interrogatories and Responses to Request for Production filed.

Jan. 5, 1996 Motion to Compel and ORDER filed. ORDER. And Now, this 5th day of January, 1996, upon consideration of Defendant's Motion to Compel, it is hereby ordered that Plaintiffs will provided to counsel for Defendant complete answers to Defendant's Interrogatories and that the Plaintiffs will provide a complete response to Defendant's Request for Production of Documents and Things within Twenty (20) days of the date of this Order
By The Court:
Gordon R.Miller,J.
1-5-96 Faxed Brautigam & Kulwicki

Jan 24, 1996 Upon praecipe of plaintiff attorney the above captioned matter is marked settled and discontinued of record with prejudice.

1994

216.

APPLICATION FOR EXTENDED
INVOLUNTARY TREATMENT

of

MERTON TERRILL

Filed March 8, 1994
@ 2:00 p.m.

APPLICATION FOR EXTENDED INVOLUNTARY TREATMENT
Mental Health Procedures Act of 1976
Section 303

Mar. 25, 1994 Petition for Involuntary Emergency Treatment and Order filed. The court finds that the patient is severly mentally disabled and in need of continued treatment. Accordingly the court orders that Merton Terrill receive: hospitalization, inpatient treatment as a severely mentally disabled person pursuant to the provision of the Mental Health Procedures Act of 1976 for a period not to exceed 90 days. At present, this treatment setting is the least restrictive setting appropriate for the patient.

By the Court,
Anthony J. Vardaro, J

Mar. 25, 1994 Copy of order to MH/MR

1994

pro se

217.

FRANK SHAFFER

vs.

SUSAN FULLER

Filed Mar. 8, 1994
@ 2:07 p.m.

Tax & entry paid $50.25
state paid 5.00

NOTICE OF APPEAL OF PLAINTIFF FROM JUDGMENT OF DISTRICT MAGISTRATE ROBERT LEONHART

Mar. 14, 1994 Proof of Service of Notice of Appeal and Rule to File Complaint, filed.

1994

Shafer, Swick, Bailey
Irwin & Stack
James R. Irwin
~~Mason and Mason~~
Joan D. Mason

218.

JOHN F. MANUEL

vs.

ANDREA M. MANUEL

Filed Mar. 8, 1994
@ 3:19 p.m.

Tax & entry paid	$50.50
state paid	10.00
state paid	5.00
Pro Co pd 3-15-94	15.00
State pd 3-15-94	5.00
Pro.Co.Pd 2/9/96	9.00

COMPLAINT IN DIVORCE

1 copy (atty)

Mar. 15, 1994 Petition for Additional Remedies, filed.

Apr. 5, 1994 Affidavit of Service filed. I, Joan D. Mason, Esquire, Attorney for the Plaintiff in the above entitled case, and being duly sworn according to law, depose and say that I did on March 17, 1994, mail to the above Defendant, Andrea M. Manuel, by certified mail #P 425 665 124, return receipt requested, deliver to addressee only only, a complaint and petition for additional remedies in the above divorce action. Said notice was received by Andrea M. Manuel on March 19, 1994, as indicated by the return receipt card which was returned to the office of the P Plaintiff's attorney and is attached hereto.

Joan D. Mason

Sept. 20, 1994 Appearance of Shafer, Swick, Bailey, Irwin * STack by James R. Irwin for Plaintiff filed.

Sept. 20, 1994 Affidavit of Consent of Plaintiff filed.

Dec. 2, 1994 Inventory of John F. Manuel, filed.

Jan. 5, 1995 Inventory of Andrea M. Manuel, filed.

Feb. 10, 1995 Petition for Special Relief and Order filed. AND NOW, this 10 day of February 1995, upon presentation of the Petition for Special Relief, it is hereby ORDERED that the Planitiff, JOhn F. Manuel shall file an Inventory and Income and Expense Statement within 30 days of the date of this order.

BY THE COURT,
Anthony J. Vardaro, J

Feb. 10, 1995 Faxed Walton & Irwin

June 27, 1995, Plaintiff's Income and Expense Statement filed.

Feb. 7, 1996 Affidavit of Consent to Divorce of Andrea M.Manuel, Defendant, filed.

Feb. 9, 1996 Separation and Property Settlement Agreement filed.

FEb. 9, 1996 Waiver of Notice of Intention to Request Entry of a Divorce Decree Under Section 3301 (C) of the Divorce Code of Andrea M. Manuel, Defendant, filed.

Feb. 9, 1996 Waiver of Notice of Intention to Request Entry of a Divorce Decree Under Section 3301 (C) of the Divorce Code of John F.Manuel, Plaintiff, filed.

Feb. 9, 1996 Upon Praecipe of James R.Irwin, Esquire, Attorney for Plaintiff to transmit record, Case Moved to Court.

Feb. 13, 1996, DIVORCE DECREE (FINAL) filed.

AND NOW, this 13 day of Feb. 1996, it is ordered and decreed that John F. Manuel, plaintiff and Andrea M. Manuel defendant, are divorced from the bonds of matrimony.

It is further ordered that the parties' Separation and Property Settlement Agreement dated Jan. 30, 1996, 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.

Sept. 24, 1996, Petition for Contempt and order filed. NOTICE AND ORDER TO APPEAR: Legal proceedings have been brought against you alleging you have wilfully disobeyed an order of court.

If you wish to defend against the claim set for th 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 Mon, Oct. 28, 1996 at 9:15 a.m. in C. R. No., 3 Courthouse, Meadville, Pa.

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, you may be found to be incontempt 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 help.

Court admin. Courthouse, Meadville, Pa. 16335 Tele: 814 336-1151.

By the Court,
Gordon R. Miller, J.
9/25/96 faxed to Walton and Irwin

Dec 2, 1996 ORDER: And Now, this 27th day of Nov., 1996, a consent order is presented to the court in resolution of a contempt matter which had been scheduled before the court on Oct 28, 1996, and the court finds and orders as follows:

1. The parties entered into a Separation and Property Settlement Agreement on Jan. 26, 1996. This Agareement provided, inter alia, at paragaraph 20, that the Plaintiff, John Manuel, would pay the balance of the parties' debt to the Internal Revenue Service, and would hold the Wife hamless therefrom.

2. That Mr. Manuel failed to make this paymetn prior to June 28, 1996, when the first petition for contempt was prepared. Upon assurances of Mr. Manuel that the matter was taken care of, the petition for contempt was never scheduled.

3. That Andrea Manuel was subsequently notified that money was still owed to the Internal Revenue Service, and so a second petition for contempt was prepared and filed, with the above hearing date set.

4. That Mr. Manuel indicated yet again that he had settled with the Internal Revenue Service, and the hearing did not take place.

5. Mr. Manuel is ordered to pay attys' fees in the amount of $150.00 to Petitioner's atty. within 5 days of the date this order is signed.

Cont on Pg. 218A

	John F Manuel vs. Andrea M. Manuel	CONTINUED FROM PAGE 218 of Record A.D. 1994 - 218

6. In the event it is discovered that the Internal Revenue Service account for 1993 has not been paid in full, Petitioner may bring this matter before the court again for additional snactions. Mr. Manuel may prove he has satisfied the debt by providing a letter from the Internal Revenue Service showing the debt has been satisfied.

Gordon R. Miller, P.J.

Dec 2, 1996 Faxed Walton & Irwin

218
-6-

1994

1994

Phillips & Galanter
Stephanie A. Murphy

219.

ALVON W. STAINBROOK

vs.

LINDA J. FERRY and DUSTY ALAN MATHENEY

Filed March 9, 1994
@ 1:48 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	35.00
Pro Co pd 11-1-94	9.00
Cert pd 3-7-95	2.00

COMPLAINT IN CIVIL ACTION
2 copies Sheriff

Mar. 16, 1994 SHERIFF'S RETURN, filed. SERVED Linda J. Ferry personally on March 14, 1994 at 9:59 AM by handing a copy of the Complaint to her at the residence, R.D.#5, Box 394, Meadville Crawford County, PA.

SERVED Dusty Alan Matheney on March 14, 1994 at 9:50 AM by handing a copy of the Complaint to Lisa Matheney, his Wife, at their residence, R.D. #5, Box 656, Meadville, Crawford County, PA. So answers, Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

Oct. 31, 1994 And Now, upon praecipe of plaintiff's attorney judgment is hereby entered against the above named Defendant(s), in dafault of appearance or pleading sec. leg. Pa.R.C.P. 1037 in the amount of One Thousand Three Hundred Sixty-four and 08/100 plus costs.
Entered 10-31-94 Debt: $1,364.08 plus costs
F - 104 JUDGMENT
M - 45 Barbara H. King, Pro.
11-1-94 Notice of entry of Judgment sent to Dfts.

220

1994

Thomas, Truax,
Spadafore & Walker
William L. Walker

220.

WILLIAM J. THOMPSON as parent and natural guardian for JESSICA THOMPSON

vs.

SUE A. THOMPSON

Filed March 9, 1994
@ 1:48 PM

Tax & entry paid 50.50
User's Fee paid 5.00

COMPLAINT IN CIVIL ACTION
1 copy atty.

Apr. 4, 1994 Petition For Authority To Settle Claim and Order filed. AND NOW, this 4 day of April, 1994, upon presentation and considerationof the within Petition, the proposed settlement is approved andit is ORDERED AND DECREED that William J. Thompson as Parent and Natural Guardianof Jessica Thompson, a minor, are hereby authorized to settle for the sumof $40,000.00 the claim of the said minor, Jessica Thompson, against the Defendant, Sue A. Thompson, for damages resulting from personal injuries sustained by the said Jessica Thompson at the time, place and manner set forth inthe foregoing Petition, and for the recovery of which an action has been brought at the above number and term andupon payment of the said amount by and for the above named Defendant, Sue A. Thompson, her heirs, executors, administrator and her insurance company, are released from and any all liabilities to the said minor, Jessica Thompson for damages and injuries sustained by said minor, Jessica Thompson, arising out of the accident referred to i in the foregoing Petition.

In addition, the Court hereby approves the payment of $15,000.00 in work loss of the parent and natural guardian.

IT IS FURTHER ORDERED AND DECRRED that the sum of $55,000.00 is to be paid as follows:

1. $10,000.00 to Attorney William L. Walker representing a 25% contingent fee in recovering the $40,000.00 payment in the third party claim.

2. $45,000.00 to the parents, William J. Thompson and Sue A. Thompson, as natural guardians of Jessica Thompson, said sum to be place in a blocked account at Integra Bank until such time as Jessica Thompson reaches the age of majority. Withdrawls from the account shall only be authorized by further order of court.

Anthony J. Vardaro, J

Apr. 6, 1994 Copy of order to Atty. Walker

Feb. 29, 1996 Petition to Release Money From Blocked Account and ORDER filed. AND NOW, this 28th day of Feb., 1996, upon consideration of the foregoing Petition it is hereby ordered and decreed that the Order of April 4, 1994, will no longer affect the disposition of the funds in the accounts referenced in the foregoing Petition.

1. Jessica Thompson, now eighteen (18) years of age, is entitled to the funds in the accounts referenced in this Petition without any restriction whatsoever.

2. That Integra Bank is here instructed to accept the direction of Jessica Thompson with respect to the funds in the accounts referenced in the foregoing Petition. *

BY THE COURT:
Gordon R. Miller, J.

* The Court has signed this Order on the assumption that Jessica Thompson is not an incapacitated person (20 PA CSA 5501) since there are no allegations or petitions to that effect although it appears she may have suffered head injuries on Nov. 21, 1986.

1994

Shafer,SWick, Bailey
Irwin &Stack
Jeffrey K. Millin

221.

Gregory A. Henry

R. F. SCHNEIDER PIPE &
SUPPLY CO.

vs.

BOB CUMMINS CONSTRUCTION CO.

Filed March 9, 1994
@ 1:49 PM

Tax & entry paid	50.25
User's Fee paid	5.00
Pro Co. pd 4/26/94	15.00
Pro Co pd 12-20-94	9.00

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

Mar. 9, 1994 Rule entered upon the Plaintiff to file a complaint issued.

Mar. 15, 1994 Proof of Service of Notice of Appeal and Rule to File Complaint, filed.

Mar. 15, 1994 Complaint filed.

Mar. 21, 1994 Vertification To Complaint filed.

Apr. 15, 1994 Answer and Counterclaim to Plaintiffs Complaint, filed.

Apr. 25,1994 Reply to Defendant's Counterclaim, filed.

April 26, 1994 Upon praecipe of plaintiff attorney for reference to Arbitrators the following are hereby appointed:

Douglas Ferguson, Chairman
Sylvia Dratler
Elizabeth Prather

May 5, 1994, Arbitrators Take the Qualifying Oath.

May 10, 1994 Verification to Reply to Defendant's Counterclaim, filed.

June 30, 1994 Notice of Arbitrator's Hearing, filed.

July 27, 1994 Notice Of Arbitrator's Hearing filed.

Oct. 12, 1994 Decision of Arbitrators. AND NOW, the 11th day of October, 1994, we the undersigned Arbitrators chosen in ths case, after having been duly sworn and having heard the evidence and allegatiions of the parties find in favor of the Plaintiff and against the Defendant on the Plaintiff's Complaint in the sum of $3454.56 plus interest at six (6%) percent on $3454.56 from August 1, 1993, plus costs at the Magistrate's office of $56.00. In favor ot the Defendant and against the Plaintiff in the sum of $532.00 on Count Two of the Defendant's Counterclaim against the Plaintiff. The Board finds against the Defendant and in favor of the Plaintiff on Count One of the Defendant's Counterclaim.

Douglas Ferguson, Chairman
Sylvia Dratler
Elizabeth Prather

Faxed copies to Ferguson & Millin & sent to Henry

Dec. 16, 1994 AND NOW, this 16 day of December, 1994, please enter judgment upon the decision of arbitrators in favor plaintiff against defendant in the sum of $3,454.56 plus interest at six (6%) percent on $3454.56 from August 1, 1993, plus costs at the Magistrate's office of $56.00 and court costs. This judgment is entered pursuant to the decision of arbitrators rendered on October 11, 1994 and file dOctober 12, 1994, there having been no timely appeal filed by defendant.

Entered 12-16-94
C - 22, 182

Debt: $3,454.56 plus int and costs
JUDGMENT
Barbara H. King, Pro.

12-20-94 Entry of Judgment sent to Dft.

222

1994

Thomas, Truax,
Spadafore & Walker
William L. Walker

222.

WILLIAM J. THOMPSON as parent and natural guardian for AMBER THOMPSON

vs.

SUE A. THOMPSON

Field March 9, 1994
@ 2:03 PM

Tax & entry paid 50.50
User's Fee paid 5.00

COMPLAINT IN CIVIL ACTION
1 copy atty.

Apr 4, 1994 Petition For Authority To Settle Claim and Order, filed. AND NOW, this 4 day of April, 1994, upon presentation and consideration of the within Petition, the proposed settlement is approved adn it is ORDERED AND DECREED that William J. thompson as Parent and Natural Guardian of Amber Thompson, a minor, are hereby authorized to settle for the sum of $14,500.00 the claim of the said minor, Amber Thompson, against the Defendant, Sue A. Thompson, for damages resulting from personal injuries sustained by the said Amber Thompson at the time, place and manner set forth in the foregoing Petition, and for the recovery of which an action has been brought at the above number and term and upon payment of the said amount by and for the above named Defendant, Sue A. Thompson, her heirs, executors, administrators and her insurance company, are released from and any all liabilities to the said minor, Amber Thompson for damages and injuries sustained by said minor, Amber Thompson, arising out of the accident referred to in the foregoing Petition.

IT IS FURTHER ORDERED AND DECREED that the sum of $14,500.00 is to be paid as follows:

1. $750.00 to Attorney William L. Walker representing a 25% contingent fee in recovering the $14,500.00 payment in the third party claim.

2. $131,750.00 to the parents, William J. Thompson and Sue A. Thompson, as natural guardians fo Amber Thompson, said sum to be place in a blocked account at Integra Bank until such time as Amber Thompson reaches the age of majority. Withdrawls from the account shall only be authorized by further order of court.

Anthony J. Vardaro, J.

Apr. 6, 1994 coopy to W. Walker & Dft.

1994

Quinn, Buseck,
Leemhuis, Toohey &
Kroto, Inc.
Paul F. Burroughs

223.
Thomas,Truax, Spadafore
& Walker
Emil M. Spadafore, Jr.

NORMAN SAUERS and MURRIEL SAUERS, his wife

vs.

DANIEL LEE DAUM

Filed March 9, 1994
@ 2:24 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	75.00
Pro Co pd 3/29/96	6.00

WRIT OF SUMMONS
Issued Sheriff

Apr. 4, 1994 Writ Return filed. SERVED the within writ of Summons, on March28, 1994, at 12:10 PM, upon Daniel Lee Daum at his residence, located RD #1, Box 98, Tionesta, PA 16353 by handing to Fred Daum, father an din charge at time of service a true and correc tcopy thereof and made known to him the contents therein.
So answers, Bern E. Smith, Sheriff
Victor R.Capell,e, Jr, Deputy Sheriff
I hereby deputize the Sheriff of Clarion County, Pennsylvania to serve the within Summons according to law.
so answers, Robert M. Stevens, Sheriff

Apr. 7, 1994 Appearance of Thomas, Truax, Spadafore, & Walker by Emil M. Spadafore, Jr. Esquire, Attorney for Daniel Lee Daum, Defendant, filed.

Apr. 7, 1994 Praecipe for Rule to File a Complaint issued.

Apr. 15, 1994 Certificate of Service filed. Emil M. Spadafore, Jr., Esquire, hereby certifies that he served a certified copy of a Rule to File Complaint on Paul F. Burroughs, Esquire, Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Boulevard, Erie, Pennsylvania, 16506, by first class mail, postage prepaid on the 15th day of April, 1994.
Date: 4/15/94 Emil M. Spadafore,Jr. Esquire

May 4, 1994 Complaint, filed.

Jun. 10, 1994 Preliminary Objections, filed.

June 21, 1994 First Amended Complaint, filed.

Jul. 14, 1994 Answer to First Amended Complaint Containing New Matter, filed.

July 26, 1994 Plaintiff's Reply to New Matter filed.

Aug. 24, 1994, Notice of Intent to Complete Discovery filed.

Aug. 24, 1994, Notice of Service of Interrogatories and Request for Production of Documents filed.

Oct. 3, 1994, Certificate of Service of Interrogatories served on plaintiff counsel filed.

6-10-94 Brief filed

Oct. 24, 1994, Motion to Object to 60 Day Notice to Complete Discovery and Ruled filed.
RULE TO SHOW CAUSE: AND NOW, this 24 day of Oct. 1994 a rule is hereby issued on Norman Sauers to show cause, if any he has, why the relief herein sought should not be granted.
Rule returnable on 22ned day of Nov. 1994 in C. R. No. 1, 2 or 3 at 11:30 a.m.
BY THE COURT,
Anthony j. Vardaro, J.
10/24/94 faxed to Spadafore and Burroughs.

Nov.15, 1994 Affidavit filed, I Paul F.Burroughs,Esquire,Attorney for the Plaintiffs, do hereby certify on the 14th day of November, 1994, true and correct copies of the Plaintiffs' Answers to Interrogatories and Requests for Production were forwarded to EmilM.Spadafore,Jr., Esquire, at his last known mailing address of 296 Chestnut Street,Meadville, Pennsylvania 16335
Paul F.Burroughs

Jul. 17, 1995 Notice of Intent to Complete Discovery filed.

Mar. 27, 1996 Upon praecipe of Plaintiff Attorney the above action is marked settled and discontinued of record.

1994

224.

BOB SHELDON TRENCHING CO.

vs.

MICHAEL D. FRYE
PATRICIA L. FRYE

Field March 9, 1994
@ 2:30 pm

WRIT OF REVIVAL

of

DSB 1985 - 206

Writ of Revival indexed against the defendants in favor of Bob Sholdon Trenching Co.
the plaintiffs, in the sum of Fifteen Thousand and no/100 plus interest.

Debt---------- $15,000.00
March 1, 1985
Barbara H. King, Pro

F-114-134

Issued

Tax & entry paid	15.00
Pltf. on orig.	9.50
Sheriff's Costs	50.00
Pro Co. pd 5/3/94	5.00

Apr. 13, 1994 Sheriff's Return filed. SERVED Michael D. Frye on April 7, 1994 at 5:10 PM by handing a copy of the Writ of Revival to Mark D. Frye, Authorized Agent, at R.D.#1, Pont Road, Springboro, Crawford County, PA. Acceptance of Service attached.

SERVED Patricia L. Frye on April 7, 1994 at 5:09 PM by handing a copy of the Writ of Revival to Mark D. Frye, Authorized Agent, at R.D.#1, Pont Road, Springboro, Crawford County, PA. Acceptance of Service attached.

So answers,

Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

May 3, 1994 Upon praecipe of plaintiff, the above captioned case marked satisfied and discontinued.

1994

Barbara J. Walton

225.

NANCY A. HILLIARD

vs.

MICHAEL MEYER

Filed March 10, 1994
@ 1:52 PM

Tax & entry paid 50.50
User's Fee paid 5.00

COMPLAINT FOR CUSTODY
2 copies atty.

Mar. 17, 1994 Affidavit of Service, filed. And Now, March 16, 1994, comes Barbara J. Walton, and avers as follows:
L. A true and correct copy of Complaint for Custody was mailed to the Defendant via Certified Mail, return receipt on March 12, 1994.
2. That the Defendant signed the return card on March 14, 1994 and in accordance with Pa. R.C.P. 412, service of the Complaint was made as is evidenced by the United States Postal Service Return Receipt (Certified No. P845718820) 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.

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 3/17/1994. We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonable delay". Your case appears to be inactive. Therefore, unless we hear from you in writing on or before Oct 23, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.
If you do not object to this case being dismissed, you do not have to do anything. The case will be marked "dismissed with prejudice" in our records, and will be over forever.
If you object to the case being dismissed, you must put your objections in writing and follow Crawford County Civil Local Rule L206, LJA 1901E and LJA1901F, explaining why there has been a delay in your case and why it is not unreasonable. These written objections must be filed in the Prothonotary's office on or before Oct 23, 1998. You must also give or send a copy of any objections you file to the other party or his or her attorney, and certify that you have done so when you file your objections with the Prothonotary.
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.

1994

Dallas W. Hartman, PC David P. Stankovich	LYNN PALMER	WRIT OF SUMMONS Issued Sheriff
226.	vs.	Apr. 18, 1994 Sheriff's Return filed. SERVED SAndra Nock, Alexis, Risk Management Service, by deputizing the Sheriff of Allegheny County, PA, as per his Affidavit of Service attached. SErved on March 29, 1994 at 2200 Oliver Building, 535 Smithfield Street, Pittsburgh, PA. UNSERVED as to Prentice Hall Corporation System. A return from Dauphin County Sheriff's Office indicated that Prentice Hall Corporation System would not accept service. Sheriff's Return of Dauphin County attached. So answers, Robert M.Stevens,Sheriff
	ALEXIS, RICK MANAGEMENT SERVICE, individually and trading and doing business as PRENTICE HALL CORPORATION SYSTEM: PRENTICE HALL CORPORATION SYSTEM: and SANDRA NOCK	Jan. 31, 1995 Upon Praecipe of Joanne M.Weber,Esquire, Attorneys for Plaintiff the above-referenced matter is marked settled, ended and discontinued of record.
	Filed March 10, 1994 @ 2:05 PM	
	Tax & entry paid 50.50 User's Fee paid 5.00 Sheriff;s Costs 32.00 Pro.Co. pd 1/31/95 5.00	

1994

Culbertson, Weiss, Schetroma & Schug
Kekmp C. Scales

227.

ORVAL C. JORDON and JOAN V. JORDON, husband and wife

vs.

GERTRUDE E. COTTON, NEIL COTTON, HARRIET KEYES, J. VICTOR KEYES and CAROL KEYES theirheirs, devisees, personal representatives and assigns, and all persons claiming any right, title or interest

Filed March 10, 1994
@ 3:48 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Pro Co pd 2-28-95	9.00

COMPLAINT TO QUIET TITLE

Nov. 14, 1994 Motion For Leave to Serve by Publication and Order, filed. And Now, this 14 day of November, 1994, upon consideration of the Motion filed by counsel for the Plaintiffs, and in reliance upon the Affidavit concerning the status of the Defendants, their heirs, devisees, personal representatives 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, devisees, personal representatives 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 gernerally, 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 the land described in said Complaint.

By the Court,
Anthony J. Vardaro, J.

Nov. 14, 1994 Faxed to Scales

Jan. 16, 1995 AFFIDAVIT OF SERVICE, filed. Before me, a Notary Public, appeared Kemp C. Scales, Esquire, who, after being duly sworn according to law, deposes and says:

1. that he is counsel for the Plaintiffs in the above-captioned case, and as such makes this affidavit on behalf of said Plaintiffs;

2. that on Nov. 14, 1994, this Court entered an Order in said case directing that service of the Complaint be made on the Defendants, GERTRUDE E. COTTON, NEIL COTTON, HARRIET KEYES,J. VICTOR KEYES, AND CAROL KEYES, their respective heirs, successors, devices, personal representatives and assigns,by publication in The Meadville Tribune and The Crawford County Legal Journal one time;

3. that service was made by publication on December 7, 1994, in The Meadville Tribune, and on Dec. 14, 1994, in The Crawford County Legal Journal in accordance with said Order, as appears by the proofs of publication attached hereto;

4. that all fees and expenses in connectiion with the publication of same have been paid in full by your Affiant on behalf of the Plaintiffs; and

4. that more than twenty (20) days have elapsed from the date of the last publication of said notice and that neither the said Defendants nor their respective heirs, successors, devises, personal representatives or assigns have appeared or filed an Answer to said Complaint.

Jan. 16, 1995 Motion For Judgment, filed.

Jan. 16, 1995 FINAL DECREE, filed. And Now, lthis 12th day of January, 1995, upon presentation of the foregoing Motion and due consideratiion thereof, it is hereby ORDERED and DECREED that the Defendants, GERTRUDE E. COTTON, NEIL COTTON, HARRIET KEYES, J. VICTOR KEYES, AND CAROL KEYES, their respective heirs, successors, devisees, personal representatives and assigns, are forever barred from asserting any rigaht, title, lien or interes inconsistent with the claim of the Plaintiffs, as set forth in the Complaint in this case, in the property described on Exhibit "A" attached hereto, or in any way attacking the tuitle of the Plaintiffs in said property, or from issuing or continuing any action attacking the same, or form encumbering, mortgaging or conveying the same or any part thereof,unless the aforesaid Defendants, or their respective heirs, successors, devisees, personal representatives and assigns, take such action as is herein directed within thirty (30) days after the entry of this decree. If is firther ORDERED and DECREED that if no Petitionto set aside this Decree is presented by the aforesaid Defendants, or their respective heirs, successors, devisees, personal representatives or assigns within thirty (30) days from 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, P.J.

C - 75, 12
K - 36, 86

And now, Feb. 17,1995, 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 - 75, 124
K - 36, 86, 96

FINAL JUDGMENT
Barbara H. King, Pro.

1994

John S. Kookogey

228.

ROBIN M. FYE

vs.

POLLY M. HIGBY, JAMAMINE BECKWITH, HERMAN JACKSON, HARRY JACKSON, LETA FRIDAY, LEO JACKSON, JR., REID JACKSON, NORMAN JACKSON, SHIRLEY BROSHER, JUNE BAILEY, ELAINE BUSBEE, HOWARD JACKSON RONALD JACKSON, JANET COLLINS RODNEY HERRING, JESSIE HERRING, JAMES HERRING, RALPH HERRING, Jr., VIRGIL O. HERRING, INEX ELDRED, WILLIAM H. JACKSON, JR., MARJORIE BREADS, RICHARD JACKSON, CONNIE BAUER, PAUL CAMPBELL, MARILYN SPENCER, ROBIN KUSIAK, RICKY JACKSON, TERRY JACKSON GENE JACKSON, DENNIS JACKSON RACHEL JORDANO, ELIZABETH HIGBY, BERNARDHIGBY, JR., ROBERT L. HIGBY, ANNETTE ECCLES, ANNA KENT, ELIZABETH KEISEL, MARGARET HIGBY, THOMAS HIGBY, PAUL HIGBY, VIRGINIA JONES, MARY LOU LARSON, JUDY CROOK, DOUGLAS HIGBY, GLEN HIGBY, JEAN HIGBY, KENNETH HIGBY, DALE HIGBY, CHRIS HIGBY, DAVID I. HIGBY, MARTIN HIGBY, MARY HIGBY, STEPHANEY GROSHNER, JOHN HIGBY, WILLIAM HIGBY, LARRY HIGBY, BARBARA JEWELL, RONALD HIGBY, DENNIS HIGBY, DARLENE MESSENGER, RICKY HIGBY, SANDRA HIGBY, ALLEN HIGBY, DOUGLAS HIGBY, MARIE WASSON, their heirs, personal representatives and assigns

Filed March 11, 1994
@ 12:30 PM

Tax & entry paid	50.50
User's Fee paid	5.00
sheriffs costs	32.00
Pro Co. pd 10/24/94	$9.00

COMPLAINT IN QUIET TITLE

May 18, 1994 Plaintiff's Petition for Leave to File an Amended Complaint, filed.

June 16, 1994 Complaint Reinstated.

July 12, 1994, Sheriff Return filed.
5/18/94 Complaint received from Crawford Co. Kemp C. Scales, Esq.
6/23/94 Received in Sheriffs office for service, Trans. #94.
paid $32.00
6/28/94 Sheriffs Return, under oath, filed. Dep. Sibel at 2:30 p.m. served Defendant. Served Kenneth Higby personally.
6/29/94 Invoice mailed to Crawford Co.
Lawrence R. Michaels, sheriff
Doylestown, Pa.

July 12, 1994 SHERIFF'S RETURN, filed. SERVE Kenneth Higby by deputizing the Sheriff of bucks County, Pa, as per his Affidavit of Service attached. Serve on June 28, 1994.
So answers, Robert M. Stevens, Sheriff
SERVED Kenneth Higby at 2:30 PM on 6-28-94.
Lawrence R. Michaels, Sheriff Bucks County

Aug. 1, 1994 Motion For Leave To Serve By Publication and Order filed. And Now, this 1st day of August, 1994, upon consid=eration of the Motion filed by counsel for the Plaintiff, and in reliance upon the Affidavit concerning the status of the Defendants Polly Higby, Martin Higby, Sandra Higby, Allen Higby and Douglas Higby, their heirs, personal representatives and assigns, filed by counsel for the Plaintiff, it is hereby Ordered that the Plaintiff shall obtain Service of the Complaint to Quiet Title filed in the above cpationed action against the Defendants Polly Higby, Martin Higby, Sandra Higby, Allen Higby and Douglas Higby, their heirs, devisees, personal representatives and assigns, generally, by single publication of the Legal Notice attached to said Motion in the Titusville Hearld and the Crawford County Legal Journal notifying the said Defendants, their heirs, devisees, personal representatives and assigns, generally, to respond to the Complaint to Quiet Title within twenty (20) days from the date of said publication.

By the Court,
Gordon R. Miller, J

Aug. 1, 1994 Faxed Scales

Sep. 20, 1994 Affidavit, filed.

Sept. 22, 1994, Motion for Judgment, Affidavit of Service of Polly Higby, Martin Higby, Sandra Higby, Allen Higby, and Douglas Higby by publication in the Titusville Herald and in the Crawford County Legal Journal (Proofs attached), Acceptance of Service of Jasamine Bechwith, Herman Jackson, Harry Jackson, Leta Friday, Leo Jackson Jr., Reid Jackson, Norma Ja ckson, Shirley Brosher, June Bailey, Elaine Busbee, Howard Jackson Ronald Jackson, Janet Collins, Rodney r. Herring, Jesse Herring, James Herring, Ralph Herring, Virgil O. Herring, Inez Eldred, William H. Jackson, Jr., Marjorie Breads, Richard E. Jackson, Connie Bauer, Paul W. Campbell, Marilyn Spencer, Robin Kusiak, Ricky Jackson, Terry Jackson, Gene Jackson, Dennis Jackson, Rachel Jackson Turner, Elizabeth Higby, Bernard Higby, Jr., Robert L. Higby, Annette eccles, Anna Kent, Elizabeth Keisel, Margaret Higby, Thomas Higby, Paul Higby, Virginia Jones, Mary Lou Larson, Judy Crook, Douglas Higby, Glen Higby, Jena Higby, Dale Higby, Chris Higby, David Higby, Mary Higby, Stephaney Groshner, John Higby, William Higby, Larry Higby, Barbara Jewell, Ronald Higby, Dennis Higby, Darlene Messenger, Ricky Higby, Douglas Higby, Marie wasson, Kenneth Higby, and Final Decree filed.
FINAL DECREE filed. AND NOW, this 21st day of Sept. 1994, upon presentation fo the foregoing motion and due consideration thereof, it is hereby ORDERED AND DECREED that all of the defendants above named and their heirs, devisees, personal representatives, and assigns, are forever barred from assertinf any right, title, lien or interest inconsistent with the claim of the plaintiff, as set forth in the complaint in this case, of, in, or any way attacking the title of the plaintiff 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 above named, and their heirs, devisees, 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 above named, and their heirs, devisees, personal representatives, and assigns, within thirty(30) days from and after the entryof this decree, the same shall be final. If such action is not taken within said thirty day period, the Prothonotary, on praecipe of the palintiff, shall enter final judgment.

PER CURIAM,
Gordon R. Miller, P.J.
Sept. 30, 1994, order faxed (copy) to atty. Kookogey.

Oct. 24, 1994 And now, October 24, 1994 at 10:07A.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

Judgment entered 10/24/94

1994

Barrett & Dratler
Bruce A. Barrett

229.

R. Christopher Brode

3-11-94 Ady pd $150.00 Med.

6-22-94 Pd Co med fee Ck# 8355 150.00

JOSEPH MADDEN and JANICE MADDEN, his wife

vs.

PATRICK MADDEN and ~~DEBORAH~~ DEBRA MADDEN, his wife

Filed March 11, 1994

Tax & entry pd 3-11-94	50.50
User's Fee pd 3-11-94	5.00
John Fuller, Mediator	150.00
Pro Co	9.00

COMPLAINT FOR VISITATION

Mar. 11, 1994 Complaint for Visitation and ORDER OF COURT filed. You, Patrick Madden & Deborah Madden, Defendants, have been sued in Court to obtaincustody and/or visitation of the minor children Danielle Madden and Amber Madden.

You are order to appear in person for a conference at such time and place as may be set by John Fuller, Child Custody Mediator. You are further ordered to bring with you the children named in this Order.

If you fail to appear as provided by this Order, an Order of Custody and/or Visitation may be entered against you or the Court may issue a warrant for your arrest.

BY ORDER of COURT,
Gordon R. Miller, J.

3-21-94 Copy of Order to Atty. Barrett & Defts. & Atty.Fuller.

Mar. 24, 1994 Affidavit of Service, filed. I, Bruce A. Barrett, Esquire, being duly sworn, deposes and says that the following facts in support of his Affidavit of Service are true and correct to the best of his knowledge, information and belief.

1. The affiant is the Attorney for the Plaintiffs in the above captioned action.

2. A copy of the Complaint was sent by certified mail to the Defendants.

3. The certified mail was sent to the Defendants at 853½ Water Street, Meadville, Pennsylvania 16335 on March 21, 1994. The Sender's receipt is attached hereto.

4. The Defendants received said certified mail on March 22, 1994. Said receipt card number 279 007 658 is attached hereto and signed by Patrick Madden and Deborah Madden.

5. The return receipt card was returned after signature to the office of Bruce A. Barrett, Esq., 965 South Main Street, Meadville, PA 16335, on March 23, 1994.

March 23, 1994 Bruce A. Barrett, Attorney for Plaintiffs

Mar. 31, 1994 Motion to Amend Caption and Order filed. AND NOW, March 30, 1994 the above motion allowed.
Gordon R. Miller, J

Apr. 5, 1994 Copy of order to Atty. Barrett

May 4, 1994 ORDER filed. AND NOW, April 29, 1994 after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal and physical custody of Danielle Madden and Amber Madden shall be with their parents Patrick Madden and Deborah Madden.

II. 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.

III. Costs of the mediation conference shall be paid by the plaintiff.

Anthony J. Vardaro, J.

May 4, 1994 copy to B. Barrett, C. Brode, Plf. & Dft. & Fuller

230

1994

Ferguson & Spataro
Douglas W. Ferguson

230.

Cathy Karn
~~Christopher Keeton~~ withdrawn

3-11-94 $50.00 Deposited by Plaintiff

5-11-94 refunded Pltf. $65.00 CK #8293

6-22-94 Pd Co (med fee) Ck# 8355 76.00

8-24-94 Rec from Pltf 150.00

11-22-94 Pd pltf 40.00 refund #8088

12-15-94 Pd Co, med fee 101.00 8732

JOSEPH HYDE

vs.

DONNA L. KEETON

Filed March 11, 1994
@ 4:50 PM

Tax & entry paid 50.50
User's Fee paid 5.00
William Pineo, Mediator 152.00
Pro Co pd 6-22-94 9.00 ✓
Pro Co Pd 12-15-94 9.00
Mediation Pd 8/24/94 150.00
William Pineo, Mediator

COMPLAINT FOR CUSTODY
1 copy mediator
1 copy atty.

Order:

You, Donna L. Keeton, Defendant, have been sued in court to obtain custody, partial custody or visitation of the child: Jessica Ann Hyde.

William Pineo, Esq. has been appointed Child Custody Mediator and you are ordered to appear in personfor a conference with Child Custody Mediator at such time and place as he directs. You are further ordered to bring with you the child if so required by the Child Custody Mediator.

If you fail to appear as directed by the Child Custody Mediator or to bring the child, an order for custody, partial custody or visitation may be entered against you or the court may issue a warrant for your arrest.

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

Court Administrator
Crawford County Courthouse
Meadville, Pennsylvania 16335
Telephone: 814 336-1151, ext. 298

BY THE COURT,
3/11/94 Gordon R. Miller, J

May 11, 1994 TEMPORARY ORDER, filed. AND NOW, this 10th day of May, 1994, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator,

IT IS HEREBY ORDERED AND DECREED THAT:

1. The parties shall share legal and physical custody of the subject minor child, Jessica Hyde.

2. The parties shall share with each other any and all information which each may have regardinga 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 a. The mother shall have primary physical custody of the subject minor child. The father shall have visitation and temporary physical custody each week, except for the first full week of each month, from Thursday at 5.00 p.m. through Sunday at 5:00 p.m. A full week is defined as one n which the entire week from midnight Saturday through midnight of the following Saturday occur within the same month. The father shall also have visitation and temporary physical custody for the first two full weeks of each month during the months of January, February and March of each year.

b. The parent not having physical custody shall have the right to telephone the subject minor child at reasonable times and for reasonable lengths of time 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 visitation periods, the first beginning on Christmas Eve at 5:00 p.m. and ending Christmas Day at noon, and the second beginning Christmas Day at noon and ending December 26 at noon. For Christmas, 1994, the mother shall have the first period, and the father the second, and the parties shall thereafter alternate.

b. Thanksgiving: There shall be two Thanksgiving holiday visitation periods, the first beginning on the evening before Thanksgiving at 5:00 p.m. and ending Thanksgiving Day at 2:00 p.m., and the second beginning Thanksgiving Day at 2:00 p.m. and ending on the day after Thanksgiving at noon. For Thanksgiving, 1994, the father shall have the first period, and the mother the second, and the parties shall thereafter alternate.

c. Easter: The father shall have visitation each Easter from 2:00 p.m. to 8:00 p.m.

d. The other holidays to be observed are Memorial Day, Independence Day, and Labor Day. Holiday visitation shall be between the hours of 9:00 a.m. and 8:00 p.m., except for Independence Day, when the holiday visitation shall be extended to 11:00 p.m. so that the child may watch the fireworks. The father shall have visitation and temporary physical custody for Memorial Day, 1994, and the parties shall thereafter alternate the holiday periods.

e. The child shall spend Father's Day with her father from 9:00 a.m. to 7:00 p.m., and Mother's Day with her mother during the same hours.

f. The provisions of this paragraph slhall take precedence over the other provisions of this order relating 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 visitations as set out in this order or as previously arranged, the party seeking cancellation or modification shall notify the other party as soon as he or she knows of the necessity which impels the cancellation or modificatiion. Said modifications or cancellations shall not be proposed except for good reasons. Should a cancellation or modification be necessary, the parties shall attempt at once to arrange for alternative visits or to make alternative arrangements.

7. The parties shall split responsibility for transportation with the party receiving the child in the exercise of his or her rights picking up the child at the home of the other. Any person transporting the child shall make sure that the seat belts or other restraints are used in accordance with the laws of Pennsylvania. The Mediator notes for the Court that the mother is presently without an automobile and therefore if she cannot provide transportation, she shall notify the father, who shall then provide it.

8. 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.

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 child. The parties are cautioned that medical research has indicated that tobacco smoke is injurious to the health of growing children. Therefore, neither party shall smoke tobacco or permit others to do so in the same room as the child, in a closed automobile in which the child is being transported, or in the bedroom of the child.

Continued on Page 230A

Joseph Hyde
vs.
Donna L. Keeton

CONTINUED FROM PAGE 230
of Record
A. D. 1994 - 230

10. Netither 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 to disparage the other party in the child's estimation.

11. Neither party shall remove the child from the Commonwealth of Pennsylvania for any reason without giving the other party 72 hours notice in writing of his or her intent to take the child out of the state.

12. Neither party shall expose the child to persons of the opposite sex to whom he or she is not related by blood or marriage between the hours of 8:00 p.m. and 8:00 a.m.

13. Costs and fees of this Mediation, which are fixed at $152.00, are divided equally between the parties. The mother's share shall be paid by Crawford County, the Mediator having noted that she is indigent and is represented by Northwestern Legal Services.

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, if any, shall be remitted to him.

Either party may move the Court for a hearing de novo within ten (10) days from date hereof. If neither party so mvoes, this Order shall be considered permanent.

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

May ~~16~~ 11, 1994 ~~copy~~ Faxed to W. Pineo, D. Gerguson, ~~C. Brode, Plf. & Dft.~~
May 16, 1994 copy to C. Brode, Plf. & Dft.

Aug. 24, 1994 Petition to Modify Custody and ORDER filed. AND NOW, this 24th day of August, 1994, upon the Petition of Joseph Hyde through his attorneys, FERGUSON & SPATARO, William Pineo, Esquire, is hereby appointed child custody mediator in this matter to decide the Plaintiff's Petition to Modify. The parties and their counsel shall attend the Mediation Conference scheduled by the child custody mediator and shall comply with all requests of the child custody mediator.

Pending the Mediation Conference the minor child, Jessica Ann Hyde, shall remain the in custody and control of the Plaintiff Father, Joseph Hyde, but shall not be removed from the Commonwealth of Pennsylvania by either party.

BY THE COURT:
Gordon R. Miller, J.

8-24-94 Faxed toAttys,.Pineo, Brode & Ferguson

Aug. 25, 1994 ORDER filed. AND NOW, August 24, 1994, the Court having entered an Order simultaneously herewith directing mediation and permitting the child to remain in the custody of the father until further Order of Court we not provide for visitation rights in the mother until further Order of Court.

The mother shall have the right to visit the child at the home of the father's mother at least four (4) hours per week at times to be arranged between the grandmother and the mother or for longer periods of time if the grandmother agrees. Furthermore, the mother shall have the right to take her child into her custody every Saturday between 10:00 o'clock a.m. and 7:00 o'clock p.m. provided that she takes the child to the home of the mother's father. This will temporarily give the mother an opportunity to see the child during the week at the home of the paternal grandmother and also give the mother the opportunity to have the child for most of one day each week at the home of the maternal grandfather.

The parties may agree to substitute another responsible adult for the maternal grandfather which said other responsible adult shall be present during the Saturday visitations between the mother and her daughter.

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

8-25-94 Copies dist. to Attys. Ferguson, Brode & Pineo.

Oct. 5, 1994, Request of R. Christopher Brode, of NW Legal services to Withdraw and Order filed. ORDER: AND NOW, THIS 5 day of Oct. 1994 upon presentation and consideration of the attached motion to Request Leave to Withdraw, said motion is granted by the court.

BY THE COURT,
Anthony J. Vardaro, J.

10/5/94 faxed to Brode and Ferguson.

Nov. 21, 1994 Temporary Order filed. AND NOW, this 18th day of November, 1994,after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator,

IT IS HEREBY ORDERED AND DECREED THAT:

1. Custody of the subject minor child, Jessica Ann Hyde,is hereby awarded to the father,Joseph Hyde, on condition that he and the child continue to reside with his mother.

2. The parties and the paternal grandmother shall share with each other any and all information which each may have regarding the health, education, and major events in the life of 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.a. The mother shall have visitation and temporary physical custody each weekend, except for the 4th full weekend of each month, from Friday at 5 P.M. to Sunday at 5 P.M. A full weekend is defined as one in which Saturday and Sunday occur within the same month.

b. The parent not having physical custody shall have the right to telephone the subject minor child at reasonable times and for reasonable lengths of time 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 visitation periods, the first beginning on Christmas Eve at 5:00 P.M.and ending Christmas Day at Noon, and the second beginning Christmas Day at Noon and ending December 26 at Noon. For Christmas, 1994, the mother shall have the first period, and the father the second, and the parties shall thereafter alternate.

b. Thanksgiving: There shall be two Thanksgiving holiday visitation periods, the first beginning on the evening before Thanksgiving at 5:00 P.M. and ending Thanksgiving Day at 2:00 P. M. and the second beginning Thanksgiving Day at 2:00 P.M. and ending on the day after Thanksgiving at Noon. For Thanksgiving, 1994, the father shall have the first period, and the mother the second, and the parties shall thereafter alternate.

c. Easter: The mother shall visitation each Easter from 2 P.M. to 8 P. M.

d. The other holidays to be observed are Memorial Day, Independence Day,and Labor Day. Holiday visitation shall be between the hours of 9:00 A.M.and 8:00 P.M., except for Independence Day, when the holiday visitation shallbe 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, 1995, and the parties shall thereafter alternate the holiday periods.

e. The child shall spend Father's Day with her father from 9:00 A.M. to 7:00 P.M. and Mother's Day with her mother during the same hours.

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 conssent only, in the absence of which this Order shall govern.

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.

Continued to Page 230 B

1994

7. The father shall provide all transportation necessary in carrying out this Order. The Mediator notes for the Court that the mother does not have an automobile nor a driver's license. Any person transporting the child shall make sure that the seat belts or other restraints are used in accordance with the laws of Pennsylvania.

8. Each party shall teach said child to give to the other party that love and respect which is due a parent from his or her children.

9. Neither party shall use illegal drugs or be under the influence of alcohol at any time when said party has the care and custody of the subject minor child. The parties are cautioned that medical research has indicated that tobacco smoke is injurious to the health of growing children. Therefore,neither party shall smoke tobacco or permit others to do so inthe same room as the child, in a closed automobile in which the child is being transported,or in the bedroom of the child.

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 inthe 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. Neither party shall remove the child from the Commonwealth of Pennsylvania for any reasonwithout giving the other party 72 hours notice in writing of his or her intent to take the child out of the state.

12. Neither party shall expose the child to persons of the opposite sex to whom he or she is not related by blood or marriage between the hours of 8:00 P.M. and 8:00 A.M.

13. Costs and fees of this Mediation, which are fixed at $202.00,are divided equally between the parties. The mother's share shall be paid by Crawford County, the Mediator having noted that she is indigent.

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 andthe remainder, if any,shall be remitted to him.

15. Either party may move the Court for a hearing de novo within ten(10) days from date hereof. If neither party so moves, this Order shall be considered permanent.

By the Court,
Gordon R.Miller,J.

11-28-94 Faxed to Attys. Pineo, Ferguson & Karn

As of November 15, 2000 any filings involving this case can be found on the computer.

1994

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

231.

AGWAY, INC.

vs.

LYMAN L. CURTISS, CHARLES S. or G. CURTISS: FRANCIS H. or W. GIBBS: WILLIAM B. STERRETT a/k/a W. B. STERRETT: JOHN L. MCKENNY a/k/a JOHN L. MCKINNEY and ADA D. MCKINNEY, his wife; RUFUS H. or W. STERRETT a/k/a R. H. or W. STERRETT: JOHN T. RUSSELL and ELIZABETH M. RUSSELL, his wife; JOHN J. CARTER and EMMA G CARTER, his wife; REUBEN L. RICE: JOSEPH C. ROBINSON a/k/a J. C. ROBINSON J. WILLIS WITHEROP a/k/a J. W. WITHEROP, his wife; and ROBERT FOGGAN, their heirs successors and assigns

Filed March 14, 1994
@ 8:50 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	342.00
Pro.Co. pd 5/24/94	9.00

COMPLAINT IN QUIET TITLE

Mar. 14, 1994 Affidavit of Whereabout Unknown filed.

Mar. 14, 1994 Motion for Service by Publication and ORDER filed. AND NOW, to-wit: March 14, 1994, upon consideration of the foregoing Motion,the Sheriff of Crawford County is ORDERED and DIRECTED to make service of the Complaint on the defendants, LYMAN L. CURTISS: CHARLES S. or G. CURTISS; FRANCIS H. or W. GIBBS: WILLIAM B. STERRETT a/k/a W.B. STERRETT; JOHN L. MCKENNY a/k/a JOHN L. MCKINNEY and ADA D. MCKINNEY, his wife; RUFUS H. or W. STERRETT a/k/a R. H. Or W. STERRETT: JOHN T. RUSSELL and ELIZABETH M. RUSSELL, His wife; JOHN J. CARTER and EMMA G. CARTER, his wife; REUBEN L. RICE; JOSEPH C. ROBINSON a/k/a J. C. ROBINSON: J. WILLIS WITHEROP a/k/a J.W. WITHEROP and ROSE B. WITHEROP, his wife; and ROBERT FOGGAN, t heir heirs, successors and assigns, by publication once in the Titusville Herald Newspaper, a newspaper of general circulation in Crawford Co unty, Pennsylvania, and in the Crawford County Legal Journal.

BY THE COURT
Anthony J. Vardaro, J

3-16-94 Copy of Order to Atty. Fabian

Apr. 20, 1994 SHERIFF'S RETURN, filed. SERVED by Publication once only in the Crawford County Legal Journal on Wednesday, March 30, 1994 as per proof of publication attached.

SERVED by publication once only in the Titusville Herald on Wednesday, March 30, 1994 as per proof of publication attached.

So answers, Robert M. Stevens, Sheriff

April 22, 1994 Affidavit on behalf of plaintiff filed.

April 22, 1994 Motion For Judgment and FINAL DECREE file. AND NOW, April 22, 1994, upon presentation of the foregoing Motion, and after due consideration thereof, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the defendants, Lyman L. Curtiss; Charles S. or G. Curtiss; Francis H. or W. Gibbs; William B. Sterrett a/k/a W. B. Sterrett; John L. McKenny a/k/a John L. McKinney and Ada D. McKinney, his wife; Rufus H. or W. Sterrett a/k/a R. H. or W. Sterrett; John T. Russell and Elizabeth M. Russell, his wife; John J. Carter and Emma G. Carter, his wife; Reuben L. Rice; Joseph C. Robinson a/k/a J.C. Robinson; J. Willis Witherop a/k/a J. W. Witherop and Rose B. Witherop, his wife; and Robert Foggan, their heirs, successors and assigns, are forever barred from asserting any right, title, lien or interest in the real estate described in paragraph No.3 of the Complaint in the above-entitled case inconsistent with the interest of the plaintiff as set forth in the Complaint, provided, however, that this Decree shall become final only, if the defendants, or any of them, fail to take any action as is 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 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.

BY THE COURT
Anthony J. Vardaro, J.

April 27, 1994 Copy of Order to Atty. Gary Fabian.

And Now, May 24, 1994 at 4:06 PM upon praecipe of plaintiff's attorney, final judgment is hereby entered in this case, in favor of the plaintiff and against the defendants, pursuant to the foregoing Order of Court.

FINAL JUDGMENT
Barbara H. King, Prothonotary

C-104; C-34; C-14;G-66;G-176;
S-175; M-93; M-13;S-145; R-91;
R-51; C-94; C-54; R-146; R-93;
W-95; W-145; F-143;

232

1994

Thomas Dana Watson	ROBERT C. SMITH	APPEAL OF PLAINTIFF FROM DECISION OF DISTRICT JUSTICE GEORGE W. HERZBERGER
232.	vs.	Mar. 14, 1994 Proof of Service filed. Mar. 29, 1994 Complaint Filed.
Thomas, Truax, Spadafore & Walker Emil M. Spadafore, Jr. for Keith Wayne Moore,	KEITH WAYNE MOORE and REBECCA MOORE	Apr. 7, 1994 Appearance of Thomas, Truax, Spadafore & Walker by Emil M. Spadafore, Jr.,Esquire, Attorney for Keith Wayne Moore, Defendant, filed.
	Filed March 14, 1994 @ 9:35 AM	Apr. 12, 1994 Answer Filed.
	Tax & entry paid 50.25 User's Fee paid 5.00	Oct. 2, 1995, Motion to Amend Answer and Rule filed. RULE TO SHOW CAUSE: AND NOW, this 29 day of Sept. 1995, a rule is hereby issued on Robert C. Smith to show cause, if any he has, why the relief herein soulght should not be granted. Rule returnable for hearing and argument on 26 day of Oct. 1995, in C. P. No 1, 2 or 3 at 11:30 a.m. by the court, Gordon R. Miller, J. 10/2/95 Faxed to Watson and Spadafore

1994

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

233.

Edward J. Hatheway

KANDICE L. O'DAY

vs.

GREGORY T. O'DAY

Filed March 14, 1994
@ 10:50 am

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
State pd.	5.00
Add'l Count pd	15.00

COMPLAINT IN DIVORCE UNDER SECTION 3301(c) or 3301(d),
2 copies atty.

Mar. 21, 1994 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 March15, 1994. The Defendant acknowledged service on March 15, 1994 by accepting deliveryon that date as evidenced by the attached signed return rreciept. James R. Irwin

Apr. 6, 1994 Answer and Counterclaim In Divorce, filed.
(Equitable Distribution)

Mov. 4, 1994 Affidavit of Consent by Kandice L. O'Day, 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 11/4/94 . We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonably delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.
If you do not object this this case being dismissed, you do not have to do anything. The case will be marked "dismissed with prejudice" in our records, and will be over forever.
If you object to the case being dismissed, you must put your object in writing and follow Crawford County Civil Local Rule L206, LJA 1901E and LJA 1901F, explaining why there has been a delay in your case and why it is not unreasonable. These written objections must be filed in the Prothonotary's Office on or before April 24, 1998. You must also give or sent a copy of any objections you file to the other party or his or her attorney, and certify that you have done so when you file your objections with the Prothonotary.
YOU MAY LOSE IMPORTANT RIGHTS IF YOUR CASE IS TERMINATED. YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP:
Court Administrator
Second Floor-Crawford County Courthouse
Meadville, PA 16335
(814) 333-7498

By the Court,
Date: March 12, 1998 Anthony J. Vardaro, J
Mar. 12, 1998 copies mailed by Court Administrator's Office

March 9, 1998 Motion To Withdraw Appearance and ORDER filed. ANDNOW, this 9th day of March, 1998, upon presentation and consideration of the within Motion, Plaintiff's counsel, James R. Irwin, esq., is hereby authorized to withdraw his appearance on behalf of the Plaintff in the abovecaptioned case.

Gordon R. Miller, J.

March 10, 1998 Order FAXED Attys. Irwin and Hatheway.

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)

234

1994

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

234.

RUSSELL S. VANDERSLICE

vs.

BRIAN K. ILIFF

filed March 14, 1994
@ 11:15 am

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	30.00
Pro Co pd 9-13-94	9.00
Cert 1d 11-21-94	20

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

March 25, 1994 SHERIFF'S RETURN, filed. SERVED Brian K. Iliff personally on March 17, 1994 at 3:55 PM by handing him a copy of the Complaint at his temporary place of custody in the Crawford County Jail, 360 Center Street, Meadville, Crawford County, Pa.
So answers, Dale A. Collins, Chief Deputy
Robert M. Stevens, Sheriff

In Error ~~June 27, 1994 Preliminary Objections, filed~~.

Sept. 12, 1994 And now, upon praeciple of plaintiff's attorney judgment is hereby entered agaisnt the Defendant for failure to enter an Appearance or file an Answr within twenty (20) days of service of the Complaint in the amount of Twenty-five Thousand Dollars and 00/100 plus interest.
Entered 9-12-94 Debt: $25,000.00 plus costs
I = 21 Barbara H. King, Pro.

As of August 21,2000 any filings involving this case can be found in the computer

1994

Rosen, Rosen & Bloom
Bruce T. Rosen

235.

3/14/95 $150.00
deposited by Plaintiff

6-30-94 Pd Plf Bal Med Dep
Ch#8415 115.00

8-10-94 Rec from dept
med fee 26.00

9-13-94 Pd Co
Ch#8549 52.00

JENNIFER LEE WESCOAT

vs.

SHAWN MICHAEL LAJOUNESS

Filed March 14, 1994
@

Tax & entry paid	50.50
User's Fee paid	5.00
William Pineo, Mediator	52.00
Pro Co Pd 9-94	9.00

COMPLAINT FOR CUSTODY

Mar. 29, 1994 Notice And Order To Appear, filed. You, Shawn Michael LaJouness, have been sued in Court to obtain custody of Kaycee Nicole Wescoat.

You are ORDERED to appear in person at such time and place as will be determined by the Mediator William Pineo for a mediation conference.

If you fail to appear as provided by this Order, an Orderfor custody, partial custody or visitation may be entered against you or the Court may issue a warrant for your arrest.
Date: Apr. 4, 1994 Anthony J. Vardaro, J.
Apr. 8, 1994 copy to B. T. Rosen & Dft.

May 11, 1994, Affidavit of Servcie filed. bruce T. Rosen, being first duly sworn according to law deposes and say that he did on Mar. 16, 1994 forward a true and correct copy of Complaint for custody filed at above no., to defendant which complaint was property env. and addressed to said dft. at R. D. #1, box 216A Blaine, Tn., 37709, del to the postmaster at Oil City, Pa. on said date as will appear by reference to Rec. No. P 292 181 900 marked Ex. "A" and made a part hereof; attached hereto and made a part hereof is the ret. rec. issued by postal authorities purporting to be signed by said dft. on Mar. 21, 1994 which is marked as Exhibit "B". Bruce T. Rosen, Esq.

June 29, 1994 TEMPORARY ORDER, filed. AND NOW, 28 day of June, 1994, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator.

IT IS HEREBY ORDERED AND DECREED THAT:

1. Legal and physical custody to the subject minor child, Kaycee Nicole Wescoat, is hereby awarded to her mother, subject to further proceedings as required herein.
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. Neither party shall remove the subject minor child from the jurisdiction of this court.
4. The mediator notes for the Court that the Father lives in Blaine, TN, and is represented by council from Knoxville, TN. The mediator is authorized to arrange for the father to participate in furlther mediation by telephone. When the mediation has been completed, the mediator will make further report and recommendations.
5. Costs and fees of tis mediation which are fixed at $52.00 are divided equally between the parties with a share of each being assessed to him or her as costs in this case.
6. 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. The remainder of the deposit shall be retained by the Prothonotary as security of the further costs to be expected in this case. The father shall pay his share to the Prothonotary within (30) days of this date.
7. Either party maymove the Court for a hearing de novo within ten (10) days from date hereof. If neither party so mvoes, this Order shall be considered permanent.

By the Court,
Anthony J. Vardaro, J.

July 5, 1994 faxed copy to Pineo; sent copy to Rosen, Munroe, Plf. & Dft.

1994

C. Barton Jones

236.

SHIRLEY S. DEMMLER

vs.

JOHN H. DEMMLER

Filed March 14, 1994
@ 1:14 PM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Counts paid	15.00
State paid	10.00
Pro Co 8-11-94	9.00
Pro co pd 9/28/94	5.00

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

Aug. 3,1994 AFFIDAVIT OF SERVICE BY MAIL PURSUANT TO Pa. R.C.P. 1920.4(a)(1)(ii), filed. I, C. Barton Jones, Esquire, being duly sworn according to law, deposes and says that he is the attorney for Plaintiff SHIRLEY S. DEMMLER, and that I did mail a tarue and correct copy of the Complaint in Divorce with a Count for Equitable Distribution, and Notice to Defend, filed in the above matter, to the Defendant by Certified Mail, Return Receipt Requested, on March 10, 1994. Which was signed for by teh Defendant at 1046 Hartstown Road, Jamestown, PA 16134 (see attached green card).
Date: August 2, 1994

Aug. 3, 1994 Affidavit of Consent of Plaintiff, filed.

Aug. 3, 1994 Affidavit of Consent of Defendant, filed.

Aug. 3, 1994 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

Aug. 15, 1994, ORDER filed. 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 review of the divorce complaint shows that it is lacking the averment required regarding the notification of the plaintiff concerning the availability of counseling pursuant to Pa. R.C.P. 1920.12(a)(8).

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.

BYTHE COURT,
Anthony J. Vardaro, J.

8/15/94 copies dist. to Jones and dft.

Aug. 22, 1994, Amended Complaint in Two Counts filed.

Sept. 13, 1994 Praecipe to Transmit Record, an Affidavit Concerning Counseling, an Affidavit of Service, an Acceptance of Service, & a Decree & Order,filed. UPON PRAECIPE OF PLAINTIFF ATTORNEY TO TRANSMIT RECORD, CASE MOVED TO COURT.

DIVORCE DECREE FILED

Sept. 19, 1994 AND NOW, this 19th day of September 1994, on the grounds of irretrievable breakdown, in the above case having been duly approved, the court, by virtue of the authority vested in it by law, decrees that SHIRLEY S. DEMMLER, and JOHN H. DEMMLER are hereby divorced from the bounds of matrimony, and all the duties, rights, and claims accorded to either of the said parties at any time heretofore, in pursuance of said marriage, shall henceforth cease and determine, and the said parties shall severally be at liberty to marry again as if they never had been married.

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

1) Real and Personal Property:

a) The Husband and Wife have entered into a Full Release in Lieu of Marriage Settlement Contract, which satisfactorily distributes their personal property among themselves. The Husband and Wife have settled all financial responsibilities. The Husband and Wife make no further claim on each others vehicles.

b) No claims on Pension or Retirement programs were made by either side.

c) A separate Cancellation Agreement nullifying the Article of Agreement that the Wife had with MEREDITH E. WAID and her daughter, SUSAN I. WAID, for the marital residence, has also been filed in the Recorder's Office. This Releases the Husband and Wife from any responsibility on said Article of Agreement.

d) Counsel for the Plaintiff was: C. Barton Jones, 306 Liberty St., Jamestown, PA 16134; Defendant was not represented by counsel, but had ample time to consult with an attorney.

BY THE COURT:
Anthony J. Vardaro, Judge

Sept. 26, 1994, Notice of Intention to Resume Prior Name filed.
To be Known as: SHIRLEY S. WOOD.

1994

Swanson, Bevevino
& Millin
Timothy R. Bevevino

237.

FIRST DEPOSIT NATIONAL BANK

vs.

PAUL I. HESS

Filed March 14, 1994
@ 1:16 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	28.00
Sheriff's Costs	28.00
sheriffs costs	25.00
Pro Co pd 11-2-94	9.00

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

Mar. 29, 1994 Sheriff's Return filed. NOT FOUND as to Defendant Paul I. Hess at address of R.D. #2, Box 286A, Conneautville, Crawford County, PA. The Conneautville Post Office had indicated he moved to Cambridge Springs, Crawford County, PA and upon contacting the Cambridge Springs Post Office, they indicated he does nto reside there.
So answers, Robert M. Stevens, Sheriff

June 22,1994 Complaint Reinstated.

July 15, 1994 SHERIFF'S RETURN: NOT FOUND as to Defendant Paul I. Hess at address given of 1701 Water Street, Conneautville, Crawford County, PA. He has moved and left no forwarding address with the post office.
So answers, Robert M. Stevens, Sheeriff

Aug. 12, 1994 Complaint Reinstated.

Aug. 23, 1994, Sheriffs Return filed. SERVED Paul I. Hess personally on Aug. 17, 1994, at 3:05 p.m. by handing a copy of the coimplaint to him inthe sheriff's office, Third Floor, Crawford County Courthouse, Meadville, Pa.
So answers Barbara J. Bernoski Dep. sher.
Robert M. Stevens, Sher.

Oct. 31, 1994 And Now, upon praecipe of plaintiff's attorney judgment is hereby entered in favor of the above named Plaintiff and against the Defendant, Paul I. Hess, for failure to file an Answer in the above action within twenty (20) days from the date of service of the Complaint and assess Plaintiff's damages at Four Thousand Three Hundred Two Dollars and 19/100.
Entered 10-31-94 Debt: $4,302.19
H - 136 JUDGMENT
Barbara H. King, Pro.

Dec. 23, 1994 Motion For Sanctions on behalf of plaintiff filed.

Dec. 23, 1994 Upon Praecipe of plaintiff attorney, the above case placed on next Argument List.

ON JANUARY 1995 ARGUMENT LIST

ORDER filed. AND NOW, this 30th day of January, 1995, it is hereby ORDERED, ADJUDGED and DECREED that Defendant is ordred to file Answers to the Interrogatories heretofore filed by Plaintiff to aid in discovery of assets within twenty (20) days of the date of this Order. In the event he fails to do so, the Court, upon Motion,will consider the imposition of other appropriate sanctions. Counsel shall serve a copy of this order on the defendant forthwith and file an appropriate return of service. BY THE COURT:
Gordon R. Miller, P.J.

Jan. 30, 1995 Faxed Bevevino

Feb. 9, 1995 PROOF OF SERVICE, filed. AMY M. PROBST, being duly sworn according to law,depose and says that she is employed in the offices of Swanson, Bevevino, Gilford and Stewart, P.C., Attorneys at Law, with offices at 311 Market Street, Warren, Pa., and that on Feb. 1, 1995, at the United States Post Office in Warren, Pa., she mailed to PAUL I. HESS by first-class mail a true and correct copy of the Order in the above-entitled case compelling Defendant to file an Answer to the Interrogatories heretofore filed by Plaintiff to aid in discovery of assets.

The certificate of Mailing is attached hereto, made a part hereof and marked Exhibit A.

April 22, 1996 Petition For a Rule To Show Cause and RULE filed. AND NOW, to-wit, this 19 day of April, 1996, upon consideration of the foregoing Petition and upon motion of Swanson, Bevevino, Gilford and Stewart, P.C, attorneys for the Petitioner, a Rule is granted upon the Defendant, PAUL I. HESS, to show cause why the relief prayed for in the attached Petition should not be granted.

Service of copies of this Petition and Rule shall be made by both first class mail, postage paid, and certified mail, return receipt requested. Plaintiff's counsel shall file an Affidavit of Service enclosing a Certificate of Mailing issued by the United States Post Office and a stamped copy of the receipt for certified mail issued by the U.S. Post Office.

RULE RETURNABLE AND HEARING: The 30th day of April, 1996, at 1:00 o'clock in Courtroom No. 1 or 2, Crawford Co. Courthouse, 903 Diamond Park, Meadville, PA.

BY THE COURT:
Anthony J. Vardaro, J.

April 22, 1996 Order FAXED Atty. Bevevino.

FEB. 18, 1998 SUGGESTION OF BANKRUPTCY FILED.

1994

Swanson, Bevevino
& Millin
Timothy R. Bevevino

238.

FIRST DEPOSIT NATIONAL BANK

vs.

ALOYSIUS KITTELL

Filed March 14, 1994
@ 1:19 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	25.00
Pro.Co. pd 5/9/94	9.00

placed on next argument list.

ON JUNE 1996 ARGUMENT LIST

July 3, 1996, Upon praecipe of plaintiff atty., Motion for Sanctions, withdrawn.

COMPLAINT IN CIVIL ACTION

Mar. 29, 1994 Sheriff's Return filed. SERVED Aloysius Kittell personally on March 17, 1994 at 10:44 AM by handing a copy of the Complaint to him at 380 Poplar Street, Meadville, Crawford County PA
So answers, Dale A. Collins, Chief Deputy
Robert M. Stevens, Sheriff

And Now, May 9, 1994 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 Five Thousand One hundred Forty and 14/100 dollars.

K-15;
Entered on 5-9-94
Atty.Bevevino

Debt $5,140.14
Int.(Included in above figure) 371.98

Judgment
Barbara H. King
Prothonotary

May 7, 1996 Motion for Sanctions filed.

May 7, 1996, upon praecipe of plaintiff attorney, above motion

1994

Dickie, McCamey & Chilcote
L.John Argento

James R. Steadman

239.

~~Steven N. Levy~~
withdrawn

9-6-96 Red from dept 320 on Arb appeal
9/6/96 Bd Commissioners Arb appeal 320
#10215

BOB SHELDON TRENCHING COMPANY

vs.

BERNARD WAGNER, i/a/d/b/a WAGNERCREST FARMS

Filed March 14, 1994
@ 1:25 pM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	25.00
Pro Co pd 4-17096	15.00

JURY TRIAL DEMANDED

COMPLAINT IN CIVIL ACTION
2 copies Sheriff

Mar. 25, 1994 SHERIFF'S RETURN, filed. SERVED Bernard Wagner on March 17, 1994 at 11:05 AM by handing a copy of the Complaint to Patricia Wagner, Adult in Charge at the residence, R.D.#6, Franklin Pike, Meadville,Crawford County, PA.
SERVED Wagnercrest Farms on March 17, 1994 at 11:06 AM by handing a copy of the Complaint to Patricia Wagner, Adult in Charge at the residence, R.D.#6, Franklin Pike, Meadville, Crawford County, PA.
So answers, Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

May 13, 1994 Answer to Complaint and Counterclaim filed.

Jun. 14, 1994 Appearance of Dickie, McCamey & Chilcote by L. John Argento, Esquire, Attorney for Bob Sheldon Trenching Company, on the Counterclaim only, filed.

Dec. 8, 1994 Answer to Counterclaim and New Matter Directed to Defendant, Bernard Wagner, i/a/t/d/b/a Wagnercrest Farms, filed.

Jan. 20, 1995 Notice of Service of Interrogatories (First Set) Directed to Defendant Bernard Wagner, i/a/t/d/b/a Wagnercrest Farms filed.

May 26, 1995, Notice of Service of Answers to Interrogatories (First Set) Directed to Defendant Bernard Wagner, i/a/t/d/b/a Wagnercrest Farms, filed.

May 26, 1995 Plaintiff's Motion to Compel Disocvery Directed to Defendant and ORDER OF COURT filed. AND NOW,this 26 day of May, 1995, uponconsideration of Plaintiff Bob Sheldon Trenching Company's Motion to Compel Discovery directed to Bernard Wagner, I/a/t/d/b/a Wagnercrest Farms, with respect to the counterclaim, it is hereby ORDERED, ADJUDGED and DECREED that said Motion is granted and that Defendant file full and complete responses to Plaintiff's First Set of Interrogatories within ten (10) days of the date of this Order or suffer other sanctions as this Court may deem appropriate.

BY THYE COURT:
Anthony J.Vardaro, J.

5-30-95 Faxed Argento,Steadman & Levy

Apr 15, 1996 Upon praecipe of plaintiff attorney to appoint Arbitrators, the following Arbitrators have been appointed. ~~Andrew Bacciloo, Chr.~~ Robert Felton, Ch.
T. Dana Watson ~~XXXXXXXXX~~ ~~John Cagliotti~~ ~~William Corman~~ ~~Christopher Youngs~~ ~~Joseph Kulwicki~~ Kemp Scales

5-29-96 Arbutrators take qualifying oath.

July 1, 1996 Notice of Arbitration Hearing scheduled for July 18, 1996 at 10:00 A.M. in the Orange Room, Third Floor, filed.

July 12, 1996 Notice of Rescheduled Arbitration Hearing to August 7, 1996 at 10:00 A.M. in the Orange Room, Third Floor, filed.

Aug. 7, 1996 Decision of Arbitrators filed. And now, the 7th day of August, 1996, we the undersigned Arbitrators chosen in this case, after been duly sworn and having heard the evidence and allegations of the parties find for the Plaintiff against the Defendant in the amount of $11,092.20 on Plaintiffs claim plus costs in chief and a nonsuit is granted against Defendant's counterclaim against Plaintiff.
Robert J. Felton, Chairman
Thomas Dana Watson
Bernadette M. DeVore.

8-7-96 FAXED Argenti. DISTRIBUTED by Mail George

Sept. 6, 1996 Notice of Appealing Arbitrator's Hearing by Defendant filed.

Sept. 16, 1996 Demand for Jury Trial by Plaintiff filed.

in favor of Dickie, McCamey & Chilcote, P.C., and against the Defendant, Bernard Wagner, 1/a/t/d/b/a Wagnercrest Farms representing the costs in preparing and presenting this Motion to Compel.
BY THE COURT
Gordon R. Miller,
4-9-99 Faxed Vavro & Levy

Apr. 9, 1999 Petition By Defendant's Counsel To Withdraw Appearance and Order filed. AND NOW, this 9th day of April, 1999,upon presentation in open court of the foregoing Petition By Defendant's Counsel To Withdraw Appearance and upon consideration thereof, it is ORDERED, ADJUDGED, and DECREED that the appearance of Steven N. Levy, Esquire as counsel of record for Defendant, Bernard Wagner, by hereby is withdrawn, and that the Prothonotary is instructed to so mark the docket.
It is further ordered that all proceedings are stayed for 60 days in order to give Defendant, Bernard Wagner, the opportunity to retain new counsel.
Counsel representing plaintiff has 20 days to object to this order by filing an written objection in motions court in accordance with local Rule L206. There objections shall be taken up in motions court and defendant shall also be notified so he can appear in person.
BY THEJ COURT:
Gordon R. Miller, J

4-9-99 copy to Levy & Varro

Apr. 9, 1999 Motion To Compel Discovery and For Sanctions Directed To Defendant Bernard Wagner 1/a/t/d/b/a Wagnercrest Farms and Order filed. AND NOW, this 9th day of April, 1999, upon consideration of the Motion to Compel Discovery and for Sanctions by Bob Sheldon Trenching Company as a Defendant on the Countercalim only, it is hereby ORDERED, ADJUDGED AND DECREED that said Motion is GRANTED and that DefendantWagner file full and complete responses to Interrogatory Nos. 6 within ten (10) days of the date of this Order or suffer the dismissal of its Counterclaim with prejudice.
It is further ORDERED, ADJUDGED and DECREED that the Defendant is in violationof this Court's prior order of May 26, 1995 and accordingly, attorney's fees in the amount of $250.00 is awarded

Con't on 494
Page

240

1994

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

240.

PENNWEST FARM CREDIT, ACA

vs.

H. JESSE HAAS and THE UNITED STATES OF AMERICA

Filed March 14, 1994
@ 2:10 pm

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	67.00
Pro Co Pd 5/10/94	9.00
Pro Pd 9/6/94	5/00
Pro.Co.pd 1/6/95	$5.00
Pro.Co.pd 6/23/95	5.00

Costs Continued
Pro Pd 10/22/96 - $6.00

COMPLAINT IN MORTGAGE FORECLOSURE
3 copies Sheriff

Apr. 18, 1994 SHERIFF'S RETURN, filed. SERVED H. Jesse Haas personally on March 17, 1994 at 2:05 PM by handing a copy of the Complaint in Mortgage Foreclosure to him at 1011 Main Street, Conneautville, Crawford County, PA.

SERVED The United States of America by deputizing the Sheriff of Allegheny County, PA, as per his Affidavit of Service attached. Served on March 25, 1994 at 633 U.S. Post Office & Courthouse Building, Pittsburgh, PA.

SERVED The U.S. Attorney General on March 21,1994, by Certified Mail at the Department of Justice, Tenth & Constitutional Avenue N.W., Washington, D.C. Return Receipt attached.

So answers, Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

I hereby deputize the Sheriff of Allegheny County, Pennsylvania to serve the within Complaint Mtg Foreclosure according to law. The defendants alleged address is 633 U.S. Post Office & Courthouse Bldg., Pittsburgh, Pa. Robert M. Stevens, Sheriff

SERVED the within Comp-Mgt Fore. on 3-25-94 at 12:45 p.m., upon U.S.A. at above by handing to _____ a true and correct copy thereof and made known to her the contents therein.
Eugene L. Cart, Sheriff Allegheny Co.

May 4, 1994 Answer of Defendant United States of America, filed.

And now, May 10, 1994, at 4:20 p.m. upon praecipe of plaintiff attorney, with copy of default notice and cert. of service attached, Judgment is hereby entered in favor of plaintiff and against the defendant H. Jesse Haas in the sum of Eighty Two Thousand Five Hundred Niney Eight and 95/100 Dollars with interest from Feb. 10, 1994 at 10.5% per annum for failure to file answer.

Debt --- $82,598.95
Int. from 2/10/94 at 10.5%

5/10/94
Judgment entered
H - 86

JUDGMENT
Barbara H. King,
Prothonotary

May 13, 1994, notice of entry of judgment mialed to dft.

May 17, 1994 Motion For Consent Judgment and Foreclosure Against United States of America and Consent Judgment Order, filed. AND NOW, to wit, this 13th day of May, 1994, it appearing that counsel for plaintiff and counsel for defendant, United States of America, have consented to the entry of the within Order on behalf of their respective clients, it is hereby ORDERED, ADJUDGED and DECREED that a judgment be entred in favor of the plaintiff and against the United States of America for foreclosure of the mortgage of plaintiff in the within cause and for sale of the mortgaged property of defendant(s) H. Jesse Haas, General Partner, Valley Pad & Paper Co.

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

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

U - 183
Judgment
May 23, 1994 copy to L. Stack

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

Sept. 1, 1994, WRiting filed wherein plff. releases from lien of above entitled judgment the following property, All those certain pieces or parcels of land situate in the Borough of Conneautville, County of Crawford, Pa. (for complete description, see paper filed)

Jan. 6, 1995 at 1:03 P.M. Writing filed wherein Plaintiff releases from the lien of the entitled judgment the following described property:
(For more complete description,See Release of Lien filed.)

Jun. 23, 1995 at 2:20 PM Writing filed wherein Plaintiff releases from the Lien of the above entitled judgment as to H. Jesse Haas, a/k/a Herbert Jesse Haas, Only, the following described property:
(For more Complete descritpion, See Partial Release of Judgment Lien filed.)

Oct. 16, 1996, Writing filed wherein plaintiff partially releases from the lien of the above judgment the following property: All those pieces or parcels of land situate in Conneautville Borough, Crawford County, Pa. (for complete description, see paper filed)

1994

Northwestern Legal Serv.
J.Christopher Brode

241.

MARY J. BOYDA

vs.

PAUL E. HARVEY

Filed March 14, 1994
@ 2:33 PM

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

8-15-94
2nd notice forfeiture fees returned unable to forward

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT
1 copy pltf.
3 copies Sheriff
1 copy MCPD (faxed)

Order:

And now, this 14th day of March , 1994 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Defendant shall move out. Sole possession at 28½ Echnoz Avenue is given to plaintiff. Defendant shall not contact Plaintiff & shall not go to Plaintiff's home.
3. This Order may be enforced without a warrant any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court Liability for payment or fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves ruling on allocation of fees and costs. Hearing is hereby set for March 22, 1994 , at 3:00 p.m. m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

Mar. 16, 1994 SHERIFF'S RETURN, filed. SERVED Paul e. Harvey personally on March 15, 1994 at 1:40 PM by handing a copy of the Protection from Abuse to him at the Meadville City Police Department, 984 Water Street, Meadville, Crawford County, PA.
So answers,
Randolph J. Detzel, Constable
Robert M. Stevens, Sheriff

Mar. 24, 1994 ORDER filed. AND NOW, March22, 1994, this matter is before the Court on Plaintiff's Protection from Abuse Act.

The defendant appears without counsel and indicates that he wishes to proceed without counsel and the parties have agreed to the following Order, with admission on the part of the defendant:

1. The defendant shall not assault, abuse, harass or threaten the plaintiff or any minor child named in the Petition.
2. The plaintiff shall have exclusive possession of 28½ Echnoz Avenue,Meadville,Pennsylvania and the defendnt, except as hereinafter set forth in this Order, shall not go within 100 yards of that residence. The defendnt shall also not go within 100 feet of the plaintiff or the minor child named in the Petition when they are in any public place away from the residence.
3. Finally, the defendant shall not go to the plaintiff's place of employment at the Meadville Medical Center unless he is in need of treatment at that facility.
4. The defendant is cautioned that he should not go to the plaitnff's residence if he is invited to that residence since any police agency shall presume that he is in violation of this Order if he is found at that residence. If matters should change that the prties wish to have the defendant able to go to that residence,they should seek a modification of this Order prior to the defendant doing so.
5. The defendant continues to have certain personal items at the plaintiff's residence and he shall be permitted to obtain those only by having his Parole Officer contact the plaintiff to arrange a time when both the plaintiff and his Parole Officer, Mark Weindorf, may go to the plaintiff's residence for the purpose of removing said items.
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 West Mead T ownship Police and the Pennsylvania State Police, as well as to County Control insofar as the plaintiff's address is 28½ Echnoz Avenue in Meadville, Pennsylvania.
8. Additionally, a copy of this Order shall be sent by Regular Mail by the Prothonotary to the defendant at 711 Arbor Circle, Franklin,Pennsylvania, 16323, insofar as he is unrepresented by counsel.
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 6 months.
10. The defendnt shall pay costs in this matter in the amount of $84.50 within 60 days of the date of this Order.
11. This Order shall remain in full force and effect through March 21, 1995.
12. Full custody of the minor child shall,pursuant to this Order,remain with the plaintiff without visitation on the part of the defendant and with no contact on the part of the defendant, but this Order is without prejufice to either party to file an appropriate action for custody and/or visitation.

BY THE COURT,
Anthony J. Vardaro, Judge

3-25-94 Copy of Order to Atty.Brode, Deft.,West Mead Twp. Police, Pa. State Police, Co. Control

242

1994

Jorden & White
William T. Jorden

242.

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

John G. Eidemueller Jr.
for Dept. of Publ Welfare
of the Com. of Pa.

LOUIS COX and MARY ANN COX
his wife

vs.

WILLIAM G. SESLER and
GREGORY P. SESLER, t/a
COMMONWEALTH REALTY
and the Department of Public
Welfare of theCommonwealth
of Pennsylvania,Defendants

Filed March 14, 1994
@ 3:26 pm

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	75.00
Sheriff;s Costs	48.50
Pro Pd 10/16/95	6.00

JURY TRIAL DEMANDED

COMPLAINT IN CIVIL ACTION
3 copies sheriff

Mar. 30, 1994 Sheriff's Return field. SERVED THE within Complaint on March 21, 1994, at 1315 Hrs., upon William G. Sesler at 109 East 10th Street, Erie County, Erie, Pennsylvania by handing to Linda Binney, Office Manager a true and correct copy thereof and made known to her the contents therein.
So answers, Robert N. Michel, Sheriff
Paul Greiner, Deputy Sheriff

I hereby deputize the Sheriff of Erie County, Pennsylvania to serve the within Complanit according to law.
SERVED the within Complaint on March 21, 1994, at 1315 Hrs. upon Gregory P. Sesler at 109 East 10th Street, Erie County, Erie, Pennsylvania 16501 by handing to Linda Binney, Officer Manager a true and correct copy thereof and made known to her the contents therein.
So answers, Robert N. Michel, Sheriff
Paul Greiner, Deputy Sheriff

I hereby deputize the Sheriff of Erie County, Pennsylvania to serve the wtihin Complaint according to law.
So answers, Robert M. Stevens, Sheriff

Apr. 4, 1994 Appearance of Knox, McLaughlin, Gornall & Sennett, PC by Wallace J. Knox for Defendants filed.

Apr. 13, 1994 Answer and New Matter, filed.

May 6, 1994 Reply to New Matter, filed.

June 22, 1994 Notice of Service of Answers To Defendants' Interrogatories filed.

Jul. 25, 1994 Motion to Add a Party Defendant, File and Amended Complaint, and Amend the Caption of the Action and ORDER OF COURT filed. AND NOW this 22nd day of July, 1994, following argument and consideration of plaintiffs' motion for leave to add a party defendant, amend the complaint, and amend the caption of the complaint to reflect the presence of the additional party defendant, it is hereby ORDERED ADJUDGED and DECREED as follows, to wit"

1. Plaintiffs are granted leave to add the Department of Publice Welfare of the Commonwealth of Pennsylvania as a party defendant in the captioned litigation.
2. Plaintiffs are granted leave to file an amended complaint, and to serve an amended complaint substantially in the form of Exhibit A to the MOTION TO ADD A PARTY DEFENDANT, FILE AN AMENDED COMPLAINT, AND AMEND THE CAPTION OF THE ACTION on all parties or counsel of record on or before the twentieth day following the date of this order.
3. All pleadings, and so forth, in this litigation shall bear the following amended caption:

LOUIS COX and :
MARY ANN COX, his wife, :
Plaintiffs, :
V : A.D. No. 1994-242
WILLIAM G. SESLER and :
GREGORY P. SESLER, t/a :
COMMONWEALTH REALTY, and :
the DEPARTMENT OF PUBLIC :
WELFARE of theCOMMONWEALTH :
OF Pennsylvania, :
Defendants

By the court,
Gordon R. Miller, J.

7-25-94 Faxed to Attys. Knox & Gray

July 28, 1994 Amended Complaint filed.

July 28, 1994 Certificate of Service filed. I hereby certify that on the 28th day of July, 1994, I served a true and correct copy of the first amended complaint on defednants SESLER, or counsel of record, by First Class, United States Mail, postage prepaid, pursuant to Pennsylvania Rules of Civil Procedure.
Jorden & White
George R. Gray

Aug. 19, 1994 Sheriff's Return filed. SERVED THE Department of Welfare on August 4, 1994 at 10:30 AM by handing a copy of the Complaint to Bernita Brown, Adminstrative Assistant at the business, 1084 Water Street, Meadville, Crawford County,PA.
SERVED Attorney General Ernest D.Preate,Jr. by deputizing the Sheriff of Dauphin County, PA, as per his Affidavit of Service attached. SErved on August 8, 1994 at the 16th Floor, Strawberry Square, Harrisburg, PA.
So answers, Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

Aug. 24, 1994, Appearance of John G. Eidemueller, Jr. attorneys for Com. of Pa. department of Public Welfare, filed.

Aug. 25, 1994 Preliminary Objections filed.

Aug. 25, 1994 UponPraecipe of John G. Eidemueller, Jr., Deputy Attorney General, the above captioned matter is placed on the next available Argument List.

ON SEPTEMBER, 1994 ARGUMENT LIST

Sep. 2, 1994 Answer of Defendants, William G. Sesler and Gregory P.Sesler, t/a Commonwealth Realty, to Plaintiffs' Amended Complaint and New Matter,filed.

Sept. 21, 1994, Certificate of Service of Brief Opposing Preliminary Objections filed.

RECORD CONTINUED ON PAGE 499.....

1994

Warren D. Ferry, PC

243.

MARK J. GERLACH, and SHARON, his wife and WDE INC., a corporation

vs.

ZURN INDUSTRIES, INC., a corporation

Filed March 15, 1994
@ 1:49 PM

Tax & entry paid 50.50
User's Fee paid 5.00

WRIT OF SUMMONS
Issued Sheriff

May 19, 1994 Complaint in Civil Action, filed.

June 27, 1994 Preliminary Objections, filed.

Jan. 19, 1995 Amended Complaint in Civil Action, filed.

Feb. 10, 1995 Preliminary Objections to Amended Complaint filed.

Apr. 3, 1995 Upon praecipe of Warren D. Ferry, Esquire, the preliminary objection sto the amended complaint filed on behalf of the defendant Zurn Industries, Inc. is placed on the next available Argument List.

ON MAY, 1995 ARGUMENT LIST

July 19, 1995 MEMORANDUM and ORDER filed. AND NOW, July 18, 1995, it is ordered as follows:

1. The defendants' demurrers to Counts I, III and V are denied.
2. The defendants' demurrers to Counts II, IV and VI are granted.
3. The defendants' motion to strike paragraphs 54 and 66 is granted.
4. The defendants' motion to strike paragraphs 31, 38 and 39 is granted.
5. The plaintiffs are given twenty (20) days from this date to file a second amended complaint, if they are able to do so, to restate or bring any causes of action for which demurrers and motions to strike have been granted by this Court.

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

July 20, 1995 Copy mailed to Attys. W. Ferry and Wm. Morton.

July 19, 1995 Motion to Withdraw Preliminary Objection to Venue and ORDER filed. AND NOW, this 7 day of July, 1995, in consideration of the Motion of Defendant to Withdraw its Preliminary Objection to Venue in this case in Crawford County, it is hereby ORDERED that the Defendant's Request to Withdraw its Preliminary Objection to Venue is granted. VEnue in this case shall remain in Crawford County.

Gordon R. Miller, J.

July 19, 1995 Copies dist. to Attys. Morton and Ferry.

Oct. 17, 1995 ANSWER to Amended Complaint in Civil Action and New Matter filed.

Dec. 18, 1995 Reply To New Matter filed.

July 10, 1997 Notice of Deposition of Donald F. Fessler, filed.

July 10, 1997 Notice of Deposition of Margot Hoetzel, filed.

July 10, 1997 Notice of Deposition of Thomas Hoetzel, filed.

Sept 25, 1997 Notice of Service of Defendnat's First Set of Interrogatories Directed to Plaintiffs and Defendant's First Set of Requests fro Production of Documents Directed to Plaintiffs, filed.

October 28, 1998 Motion to Compel Answers to Interrogatories and Requests for Production on behalf of Defendant Filed.

December 8, 1998 Upon Praecipe of William T. Morton, Esq. Attorney for Plaintiff the Above captioned matter is placed on the January 1999 Argument List.

JANUARY 1999 ARGUMENTS LIST

Jan. 28, 1999 Upon Praecipe of defendant attorney, this case removed from January 25,1999 Argument List, filed.

Feb. 17, 1999 Notice of Srrvice of Defendant's Second Set of Interrogatories Directed to Plaintiffs filed.

TO VIEW FURTHER ENTRIES AS OF OCTOBER 12, 1999 SEE COMPUTER

1994

Thomas, Truax,
Spadafore & Walker
Gregory A. Keenan

244.

DANIEL PAUL MIEHL

vs.

TINA MARIE MIEHL

Filed March 15, 1994
@ 2:20 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro.Co. pd 8/8/94	9.00

COMPLAINT IN DIVORCE
1 copy atty.

Mar. 28, 1994 Affidavit of Service, filed. Gregory A. Keenan, Esquire, being duly sworn according to law, deposes and says that on March 16,1994, 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, Tina Marie Miehl, at Defendant's last known address of P.O. Box 676, Linesville,PA 16424, by Certified Mail No. P 100 650 565 postae prepaid, return receipt requested, restricted delivery and that attached hereto is a duly executed return receipt card showing date of delivery as March 18, 1994.

Jul. 1, 1994 Affidavit of Consent by Tina Marie Miehl, Defendant filed.

Jul. 1, 1994 Affidavit of Consent by Daniel Paul Miehl, Plaintiff, filed.

Aug. 8, 1994 Upon Praecipe of Gregory A. Keenan, Esquire, Attorney for Plaintiff to transmit record, case moved to court.

DIVORCE DECREE FILED

Aug. 17, 1994 AND NOW, August 15, 1994, it is Ordered and Decreed that DANIEL PAUL MIEHL, plaintiff, and TINA MARIE MIEHL, 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.

1994

William J. Gregg

245.

IN RE: Name Change of DEREK THOMAS CHAMBERLAIN, an adult individual

Filed March15, 1994
@ 3:35 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Pro.Co. pd 3/17/94	5.00

PETITION FOR CHANGE OF NAME

AND NOW, this 10th day of March, 1994, upon consideration of said Petition, a hearing is hereby scheduled for the 31st day of March, 1994, at 8:45 a.m., in Court Rooml or 2, at the Crawford County Courthouse, Meadville, Pennsylvania.

Gordon R. Miller, J

Mar. 17, 1994 Copy of order to Atty. Gregg

Mar. 17, 1994 Praecipe to Review Indexes and Certificate issued.

April 11, 1994 Affidavit of Register & Recorder Antoinette R. Allegretti filed.

Apr. 11, 1994 Affidavit of Prothonotary Barbara H. King filed.

Apr. 11, 1994 Proof of Publication filed.

Apr. 11, 1994 Order filed. AND NOW, this 31 day of March, 1994, following hearing upon the Petition for Change of Name and having heard from the adult individual, it is determined that it will be in the best interest of the adult individual, Derek Thomas Chamberlain, to be known as Derek Thomas Ercolino, in as much as it is the name he so desires. Therefor, the Petition for Change of name is hereby granted and Derek Thomas Chamberlain shall be hence-forth known as Derek Thomas Ercolino.

BY THE COURT:
Anthony J. Vardaro, J

246

1994

Barrett & Dratler
Sylvia L. Dratler

246.

Shafer, Bailey,
Irwin & Stack
James R. Irwin

KATHY SUE FOLTZ

vs.

GORDON FOLTZ

Filed March 15, 1994
@ 4:04 PM

Tax & entry paid 50.50
User's Fee paid 5.00
Pro Co pd 4-6-94 9.00

COMPLAINT FOR CUSTODY
1 copy atty.

Mar. 18, 1994 Stipulation and Consent to Entry of Custody Order and Order, filed. ORDER: AND NOW, this 18th day of March, 1994, upon presentation of the Stipulation and Consent of the parties, attached hereto, and after consideration of same, it is hereby ORDERED, DIRECTED and DECREED that:

1. Legal and physical custody of the parties' two minor children shall be shared between the mother, Kathy S. Foltz and the father, Gordon Foltz.

2. The parties shall share with each other any and all information which each may have regarding the health, education, and the major events in the life of the subject minor children. Health Care, school personnel, and other care providers are hereby authorized to release to either party any and all confidential information which they may have regarding the subject minor children.

3. The natural mother shall have primaryphysical custody of the aforementioned minor children.

4. The natural father shall have liberal visitation with the cildren at times agreeable between the parties and in the best interest and general welfare of said children.

5. 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.

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. The parties are cautioned that recent medical reasearch has indicated that tobacco smoke is injurious to the health of growing children. Therefore, neither party shall smoke tobacco or permit others to dos o in a closed automobile in which the children is being transported or in the bedroom of the children.

7. 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 hi or her relatives and friends to do likewise and also not to disparage the other party in the children's estimation.

BY THE COUSRT:
Gordon R. Miller, P.J.

Mar. 18, 1994 copy to S. Dratler, J. Irwin, PLf. & Dft.

Mar. 29, 1994 Acceptance of Service I accept service of the Notice To Defend and Custody Complaint, in the above captioned amtter, on behalf of my client, Gordon Foltz.
Date: March 25, 1994,
James R. Irwin

1994

Specter Law Offices
Daphna Friedmann

247.

IN RE: BRITTANY B. JONES, a minor and BRADY ADDISON, a minor, by their parent and natural guardian, KELLY L. JONES

Filed March 16, 1994
@ 9:03 AM

Tax & entry paid 50.50
User's Fee paid 5.00

PETITION FOR APPROVAL OF A COMPROMISE SETTLEMENT AND DISTRIBUTION OF PROCEEDS
1 copy atty.

Order:

AND NOW, this 16 day of March, 1994, upon considertion of the Petition for Approval of a Compromise Settlement and Distributi of Proceeds the Petition is hereby granted. The settlement proceeds are to be distributed as follows:

Settlement Amount (Brady Addison) $1,000.00
Attorney's Fee . . . . . $ 333.33
Brady Addition $ 666.67
(Said amount to be deposited in an interest bearing federally insured savings bank in the name of Bradly Addison, only, until July 21, 2010 when he attains the age of 18 or further Order of Court) Proof of Deposit to be filed within 30 days.

TOTAL AMOUNT OF SETTLEMENT $1,000.00

Settlement Amount (Brittany Jones) $1,000.00
Attorney's Fee . . . . . $ 333.33
Brittany Jones . . . . . $ 666.67
(Said amount to be deposited in an interest bearing federally insured savings bank in the name of Brittany Jones, only, until November 25, 2006, when she attains the age of 18 or further Order of Court) Proof of deposited to be filed within 30 days.

TOTAL AMOUNT OF SETTLEMENT: $1,000.00

BY THE COURT:
Anthony J. Vardaro, J.

May 18, 1994 Proof of Deposit and Certificates, filed.

248

1994

Thomas, Truax,
Spadafore & Walker
Gregory A. Keenan

248.

BETTY F. EVANCHEC

vs.

STEPHEN J. EVANCHEC

Filed March 16, 1994
@ 11:55 am

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 7/18/95	5.00

COMPLAINT IN DIVORCE
1 copy atty.

March 28, 1994 Affidavit of Service, filed. Gregory A. Keenan, Esquire, being duly sworn according to law, deposes and says that on March 17, 1994, 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 teh Defendant, Stephen J. Evanchec, at Defendant;s last known address of 222 Conneaut Street, Linesville, PA 16424, by Certified Mail No. P 100 659 571 postage psrepaid, retaurn receipt requested, restricted delivery and that attached hereto is a duly executed return receipt card showisng date of delivery as March 18, 1994.

July 18, 1994 Affidavit of Consent of Plaintiff, filed.

July 18, 1995 Upon praecipe of Plaintiff Attorney the above action is marked settled and discontinued of record.

1994

Bacharach & Klein
Arnold I. Klein

249.

JARYD BOYER, a minor, by PAMELA BOYER, his parent and natural guardian, and PAMELA BOYER, individually

vs.

JAMES LUNDQUEST and CAROL LUNDQUEST, His wife

Filed March 16, 1994
@ 3:32 PM

Tax & entry paid 50.50
User's Fee paid 5.00

PETITION TO SETTLE A MINOR'S CLAIM AND APPROVE DISTRIBUTION PURSUANT TO Pa.R.C.P. 2039
1 copy atty.

and now, this 15 day of March, 1994, it is hereby ordered that the Petition to Settle a Minor's Claim is approved and that the settlement proceeds shall be distributed in the following manner:

1. Payment of counsel fees to the law firm of Bacharach and Klein inthe amount of $625.00;
2. Payment of filing fees in the amount of $55.50 to the law firm of Bacharach and Klein;
3. The payment of the settlement in the amount of $1,819.50 to Jaryd Boyer, a minor, to be deposited in the aminor's name in any federally insured savings account, certificate of deposit, money market certificate, or like insured investment with a notation that the funds are not to be withdrawn by Jaryd Boyer until he has attained the age of eighteen (18) years, or for payment of future expenses resulting form this accident; and
4. Proof of deposit shall be filed of record in thirty (30) days.

BY THE COURT,
Anthony J. Vardaro, J

250

1994

Bacharach & Klein
Arnold I. Klein

250.

JENNA BOYER, a minor, by PAMELA BOYER, her parent, and natural guardian, and PAMELA BOYER, individually

vs.

JAMES LUNDQUEST and CAROL LUNDQUEST, his wife

Filed March 16, 1994
@ 3:38 PM

Tax & entry paid 50.50
User's Fee paid 5.00

PETITION TO SETTLE A MINOR'S CLAIM AND APPROVE DISTRIBUTION
PURSUANT TO Pa.R.C.P. 2039
1 copy atty.

AND NOW, this 15 day of March, 1994, it is hereby ordered that the Petition to Settle a Minor's Claim is approved and that the settlement proceeds shall be distributed in the following manner:
1. Payment of counsel fees to the law firm of Bacharach and Klein in the amount of $1250,00;
2. Payment of filing fees inthe amount of $55.50 to the law firm of Bacharach and Klein;
3. The payment of the balance of the settlement in the amount of $3,694.50 to Jenna Boyer, a minor, to be deposited in the minor's name in any federally insured savings account, certificate of deposit, money market certificate, or like insured investment with a notation that the funds ar enot to e withdrawn by Jenna Boyer until she has attained the age of eighteen (18) years, or for paym payment of future expenses resulting from this accident; and
4. Proof of deposit shall be filed of record in thirty (30) days.

BY THE COURT:
Anthony J. Vardaro,

May 11, 1994, Certificate of Deposit that $3694.50 deposited at PNC Bank on May 4, 1994, filed.

May 11, 1994, Certificate of Deposit that $1,819.50 deposited at PNC Bank on May 4, 1994 filed.

1994

251.

KATHLEEN D. MOOK

vs.

DONALD R. MOOK

Filed March 16, 1994
@ 4:10 PM

Indigent Filing

William Pineo, Mediator
Mediation Costs 152.00
Pro Co 9.00

PETITION TO MODIFY VISITATION VENUE

Mat. 16, 1994 Petition To Proceed In Forma Pauperis -- for Petition to Modify Visitation Venue and Order filed. AND NOW March 10, 1994, upon consideration of the petition filed by the Plaintiff in this action, and supp;orted by an affidavit attached thereto, all being pursuant to Pa. R.C.P. 240, the Plaintiff is granted leave to proceed in forma pauperis at this time.

The Plaintiff is directed to inform the Prothonotary's office or the Court of any improvement in his/her financial circumstance that would permit him/her to pay the costs incurred in this action and shall be responsible for doing so upon an improvement of financial condition. Plaintiff shall serve a copy of the Petition to modify upon defendant by certified amil.

BY THE COURT:
Gordon R. Miller, J

Mar. 17, 1994 Copy of order to Plaintiff

Mar. 16, 1994 Notice and Order To Appear filed. You, Donald R. Mook, have been sued in Court to modify visitation venue of Ashley K. Mook.

You are ORDERED to appear in person at such time and place as will be determined by the Mediator Wm. Pineo for a mediation conference.

If you fail to appear as provided by this Order, an Order for custody, partial custody or visitation may be entered against you or the Court may issue a warrant for your arrest.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE, IF YOU DO NOT HAVE ALWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Court Administrator
Courthouse
Meadville, PA 16335
(814) 336-1151, ext. 298

Date: 3/17/94 Gordon R. Miller, J

Mar. 17, 1994 Copy of order to Pltf. and Atty. PIneo

June 13, 1994 Temporary Order filed. AND NOW, this 13 day of June, 1994, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator, IT IS HEREBY ORDERED AND DECREED THAT:

1. The parties shall share legal and physical custody of the subject minor child, Ashley Mook.

2. The parties shall share with each other any and all information which eacy 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 and any 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, on alternate weekends, beginning with the with weekend of June 4, 1994, from Saturday at 10:00 a.m. until Sunday at 5:00 p.m. The father shall also have the right of temporary physical custody and visitation for four periods of one week each, to be taken non-consecutively. He shall give the mother thirty (30) days notice prior to each week he in which he intends to exercise the visitation. The father shall also have the right to designate one evening each week for the purpose of doing something special with Ashley. The evening visitation will be from 5:00 p.m. to 8:00 p.m. The father shall give the mother 48 hours notice of the evening he wishes to select.

b. The subject minor child shall have the right to telephone the parent not having physical custody at reasonable times and for reasonable 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 visitation periods, the first beginning Christmas Eve at 10:00 a.m. and ending Christmas Eve at 8:00 p.m. and the second beginning Christmas Eve at 8:00 p.m. and ending Christmas Day at 2:00 p.m. For Christmas, 1994, the father shall have the first period and the mother, the second, and the parties shall thereafter alternate the periods.

b. There shall be two visitation periods with respect to Ashley's birthday. The first period will be from 3:00 p.m to 8:00 p.m of the evening before said birthday and the second period shall be from 10:00 a.m. to 8:00 p.m. on the day of the birthday, unless the party receiving the child on the birthday shall be working--in which case, the visitation shall be from 6:00 p.m. to 9:00 p.m. For 1994, the father shall have the first period, and the mother, the second, and the parties shall thereafter alternate.

c. The other holidays to be observed are Easter, Memorial Day, Independence Day, Labor Day and Thanksgiving. Holiday visitation shall be between the hours of 10:00 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 Independence Day, 1994, and the parties shall thereafter alternate the holiday periods.

d. The child shall spend Father's Day with (his/her) father from 9:00 a.m. to 7:00 p.m., and Mother's Day with (his/her) mother during the same hours.

e. The provisions of this paragraph shall tke precedence over the other provisions of this order relating 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 consnet only, in the absence of which this order shall govern.

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 necssity which impels the cancellation or modification. Said modifications or cancellations shall not be proposed except for good reasons. Should a cancellation or modification be necessary, the parties shall attempt at once to arrange for alternative visits or to make alternative arrangements.

7. The parties shall split responsibility for transportation with the party receiving the child in the exercise of his or her rights picking up the child at the home of the other. Any person transporting the child shall make sure that the seat belts or other restraints are used in accordance with the law of Pennsylvania.

8. 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.

9. Neither party shall use illegal drugs or be under the influence of alcohol at any time when said party has the

Continued on page - 460 -

252

1994

J. Christoplher Brode

252.

KELLY HARVEY

vs.

JAMES JONES

Filed March 17, 1994
@ 11:40 AM

Tax & entry Pd 6-6-94 50.50 ✓
User's Fee paid 6-6-94 5.00

Sheriff's Costs 25.00
Pro Co Pd 6-6-94 9.00 ✓

6-6-94 Rec from Dept Sheriff's costs 25.00
6-6-94 Pd Sheriff Ck #8347 25.00

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

ORDER:

And now, this 17th day of March , 19 94 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

1. The defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Defendant shall not contact Plaintiff in any way. Defendant shall not go to Plaintiff's residence.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment or fees and costs will be determined by final court order.
7. The defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves Ruling on allocation of fees and costs. Hearing is hereby set for the March 24, 1994 , at 3:00 p.m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

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

Mar. 21, 1994 Sheriff's Return filed. SERVED James Jones personally on March 18, 1994 at 12:10 PM by handing a copy of the Protection from Abuse to him in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville,PA.
So answers,
Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Mar. 28, 1994 ORDER filed. AND NOW, March 24, 1994, this matter is before the Court on Plaintiff's Petition for Relief Under the Protection From Abuse Act.

The defendant appears without counsel and having his right to counsel explained to him, chooses to go forward without counsel.

The parties agree to the entry of an Order without admission of the allegations of the Petition on the part of the defendant.

ACCORDINGLY, we enter the following Order:

1. The defendant shall not assault, abuse, harass or threaten the plaintiff or any minor child named in the Petition.
2. Once the plaintiff re-establishes a residence, she shall notify the defendant of that residence and he may be permitted to come to her house so long as he does so not having consumed alcoholic beverages and/or any drugs within 24 hours of his arrival at that residence and so long as he does not consume any alcoholic beverages and/or use any controlled substances or drugs while at that residence. In the event that the Plaintiff believes that the defendant has violated and provision of this Order with respect to drugs and alcohol or that he is threatening, harassing or annoying her or the minor child, she will be permitted to ask him to leave, and if he does not leave, and the police have to be called, he shall be subject to testing for drugs and alcohol in any manner the police deem appropriate.
3. The parties have a minor child together, and once the plaintiff establishes a residence, the defendant shall be permitted to visit with the child by calling to make arangements. When he does so, he shall likewise not be under the influence of alcohol or drugs, nor use alcohol or drugs while visiting with the child nor shall he assault, abuse, harass or threaten the plaintiff or the child. If he does so, the plaintiff may follow the same procedure set forth above.
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 Police Department and to County Control.
6. Additionally, the Prothonotary shall give a copy to plaintiff's counsel and shall mail by Regular Mail a copy to the defendant at 215 Willow Street in Meadville, Pennsylvania.
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 6 months.
8. The defendant shall pay court costs in this matter in the amount of $89.50 to the Prothonotary of Crawford County on the First Floor of the Crawford County Courthouse, with such payment to be $30 on April 5, 1994; $30 on May 5, 1994; and the remainder of $29.50 on June 5, 1994.
9. This Order shall remain in full force and effect for a period of one (1) year, thereby being through March 23, 1995.

BY THE COURT,
Anthony J. Vardaro, J.

Mar. 28, 1994 copies dist to Brode, MCPD (Fax & reg. mail), Dft & Co. Control

1994

Kathleen R. Nelson

253.

JEANNE M. BIGUSIAK

vs.

DAVID B. BIGUSIAK

Filed March 17, 1994
@ 21:41 AM

Tax & entry paid	50.50
User's Fee paid	15.00
2 Add'l Counts paid	30.00
State paid	10.00
Pro pd 11/27/96	9.00
Pro Co. Pd. 6/26/97	5.00

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

Apr. 22, 1994 Affidavit of Service filed.AND NOW, this 18th 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 theComplaint in Divorce and Notice were sent by certified mail to the Defendant, David B. Bigusiak, on March24, 1994.

3. That the Defendant received said certified mail on April 11, 1994. Said Return Receipt Card P 238 202 448 is attached hereto, signed by David B. Bigusiak and made a part hereof.

April 18, 1994 Kathleen R. Nelson, Esquire

July 26, 1996 Waiver of Notice of Intention To Request Entry of a Divorce Decree Under Section 3301(c) of the Divorce Code of Plaintiff filed.

July 26, 1996 Affidavit of Consent of Plaintiff filed.

October 21,1996 Marriage Agreement filed
October 14,1996

Filed b — October 21, 1996 Affidavit of cConsent DefenDANT Filed — October 21, 1996 Settlement Agreement

Nov 12, 1996 Waiver of Notice of Intention to Request Entry of Divorce Decree Under Section 3301(c) of the Divorce Code, filed. (Defendant)

Nov. 20, 1996, Upon praecipe of plaintiff attorney, to transmit the record, this case moved to court.

DIVORCE DECREE FILED

Dec. 4, 1996 AND NOW, December 3, 1996, it is ordered and decreed that the Plaintiff and Defendant named herein, are divorced from the bonds of matrimony.

The terms of a Marriage Settlement Agreement, dated June 16, 1994, and filed of record on Oct. 16, 1996, are incorporated into the herein Decree.

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

BY THE COURT:
Anthony J. Vardaro, J.

June 26, 1997 Notice of Election To Retake Maiden Name: **Jeanne M. Bigusiak** TO BE KNOWN AS **Jeanne M. Burger,** filed.

254

1994

Bruce L. Smith

254.

CONNIE L. BRITTAIN

vs.

PATRICK M. BRITTAIN

Filed March 17, 1994
@ 12:02 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 6-30-94	9.00

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

Apr. 7, 1994 Acceptance of Service filed. I, Patrick M. Brittain, the defendant in the within case, hereby accept service of a copy of the Complaint in Divorce filed in the above-captioned matter.
Date: March 19, 1994 Patrick M.Brittain

June 27, 1994 Affidavit of Consent of Defendant, filed.

June 27, 1994 Affidavit of Consent of Plaintiff, filed.

June 27, 1994 Upon praecipe of Plaintiff's attorney to trnamit records, case moved to Court.

DIVORCE DECREE FILED

July 7, 1994 AND NOW, July 6, 1994, it is hereby ordered and decreed that CONNIE L. BRITTAIN, Plaintiff, and PATRICK M. BRITTAIN, 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.

1994

255.

ALICE A. ASHBAUGH

vs.

FREDERICK C. ASHBAUGH

Filed March 17, 1994
@ 1:47 pm

Tax and entry	50.50
User's Fee	5.00

PETITION FOR PROTECTION FROM ABUSE

AND NOW, this 14 day of March, 1994, kupon review of the petition of plaintiff, the court enters the following Temporary Order:

1. The defendant shall refrain from abusing, harassing and threatening the plaintiff or placing her in fear of abuse in any place where she may be found.

OR Defendant is enjoined and prohibited from living at, entering, attempting to enter or visiting the residence of plaintiff located at a confidential address within this county, which address remains confidential to protect plaintiff from the danger of future abuse by defendant and any subsequent residence in which planitiff resides during the pendency of this order, and plaintiff is granted exclusive possession of the premises.

3. The defendant is prohibited from having any contact with the plaintiff, including, but not limited to, entering the place of employment, business or school ofthe plaintiff, talking to them at any time, telephoning them, writing to them or sending messages to them through family members or friends.

5. The defendant is directed to immediately relinquish the following weapons to the Venango County Sheriff's Office.

7. The defendant is ordered to provide the following additional relief: medical fees/prescription fees.

8. This order shall be enforced by any law enforcement agency in a county where a violation of this order occurs.

9. Law enforcement officers, the staff of the county registry of protection orders, and court personnel shall not disclose the address of the domestic violence program and any confidential address of plaintiff to the defendant, his counsel or any third party.

10. A copy of this order shall be served on the police departments in the jurisdiction whre plaintiff resides and is employed. A copy of this order shall be forthwith filed in the county registry of protection orders. The Sheriff or the Seneca State Police is directed to serve and file the aforementioned copies of this order without prepayment of costs. Said copies shall be certified.

11. This order shall remain in full force and effect until modified or terminated by this court.

12. A hearng shall be held on the day of , 19 at .m. in Courtroom No. of the Court of Common Pleas of Venango county, located at Franklin, Pennsylvania.

RAMIFICATIONS OF VIOLATING THIS ORDER

!#. THIS IS AN ORDER OF COURT, ANY VIOLATION OF THIS ORDER SHALL CONSTITUTE CONTEMPT OF COURT AND MAY BE PUNISHABLE BY A FINE UP TO $1000 AND A JAIL SENTENCE OF UP TO SIX MONTHS.

IF THIS ORDER EXCLUDES YOU FROM THE RESIDENCE OF THE ABUSED AND YOU RESUME RESIDENCE IN THAT DOMICILE, YOU MAY BE IN INDIRECT CRIMINAL CONTEMPT AND PUNISHED AS ABOVE, CONSENT OR INVITATION OF THE ABUSED PLAINTIFF TO THE RESUMPTION OR RESIDENCE SHALL NOT INVALIDATE THIS ORDER.

256

1994

Joseph C. Barnhart

256.

James R. Irwin

CHRISTINE L. BOYLE

vs.

LARRY A. BOYLE

filed March 17, 1994
@ 1:51 PM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count paid	15.00
State paid	10.00
Pro Co Pd 5-15-96	9.00

Kathleen Nelson, Mediator
228.14

COMPLAINT IN DIVORCE, CUSTODY

Mar. 31, 1994 Acceptance of Service filed. I accept service of the Complaint in Divorce on behalf of Larry A. Boyle, Defendant and certify that I am authorized to do so.
Date: 3/29/94 James R. Irwin

Nov. 8, 1995 Motion to Appoint Child Custody Mediator and NOTICE AND ORDER TO APPEAR filed.

You, Christine L.Boyle, have been sued in Court to obtain custody of Randy Boyle & Jeremy Boyle.

You are ORDERED to appear inperson at such time and place as will be determined by the Mediator Kathleen Nelson for a mediation conference.

If you fail to appear as provided by this Order, and Order for custody,partial custody or visitation may be entered against you or the Court may issue a warrant for your arrest. Court Administrator, Courthouse, Meadville, PA 16335. Phone (814) 336-1151 est 298.
Date: 11/1/95 BY THE COURT:
Gordon R.Miller, J.

11-9-95 Faxed Attys.Nelson, Irwin &Barnhart

Feb. 15,1996 Temporary Order filed. AND NOW,February 15, 1996, after Mediation and upon the recommendation of the Child Custody Mediator,it is Ordered and Decreed as follows:

11. The cost of the mediation conference shall be equally divided between the parties. The deposit paid in advance by the Father shall first be applied to his share of the costs and the remainder refunded to him, less the cost of the court order.

12. This Order is a Temporary Order but shall become a Permanent Order unless exceptions thereto are filed by either parent within twenty days of the date hereof.

BY THE COURT:
Anthony J.Vardaro, J.

2-16-96 Faxed Irwin, Gamble & Nelson (Backup)

11-9-95 Recvd from defdt. $150.00 mediation.

2-16-96 Pd deft $ med refund #9780 2.16.93

5-15-96 Pd Co #10041 14.07

9-10-96 Recd from Pltf - med fee 25.00

9-19-96 Pd Co #10244 25.00

10-2-96 Recd from Pltf med fee 50.00

10-15-96 Recd from Pltf Balance Pay Co - 14.07

1994

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

257.

FARMER'S NATIONAL BANK OF CONNEAUTVILLE, now by purchase, MARINE BANK

vs.

JOHN A. CHIZMAR

Filed March 17, 1994
@ 2:00 PM

Tax & entry paid	15.00
Pltf. on Orig.	151.57
Sheriff's Costs	30.00
Pro Co. pd 5/23/94	9.00

WRIT OF REVIVAL

of

A.D. 1990 - 257

Writ of Revival indexed against the defendants in favor of Farmer's National Bank of Conneautville now by purchase Marine the plaintiffs, in the sum of One Thousand Six Hundred Fourteen and 42/100 plus interest from March 23, 1982

C-32
Debt---------- $1,614.42
Int. from March 23, 1982
Barbara H. King, Pro

Issued Sheriff

Mar. 30, 1994 Writ Return filed. NOT FOUND as to Defendant John A. Chizmar at address of R.D. 31, Conneaut Lake, Crawford County, PA. Defendant is deceased as per notification from post office.
So answers, Robert M. Stevens, Sheriff

May 18, 1994, 12:01 P.M. AND NOW upon Praecipe of Plaintiff Attorney, with copy of Notice of Intention to file default judgment attached, judgment is hereby entered in favor of plaintiff and against the Defendants in the amount of $1,614.42 with interest from March 23, 1982 plus fees of $242.16 and the costs of this action.

C-92
Judgment entered 5/18/94

Debt $1,614.42
Interest from 3/23/82
Judgment
Barbara H. King, Pro.

May 23, 1994 Notice of judgment mailed defendant.

Removed to AD1998-176

258

1994

Barrett & Dratler Bruce A. Barrett	YELLOW FREIGHT SYSTEM, INC.	COMPLAINT IN CIVIL ACTION 1 copy Sheriff
258.	vs.	Mar. 30, 1994 Sheriff's Return filed. SERVED Frontier Foundries, Inc. on March 23, 1994 at 3:20 PM by handing a copy of the Complaint to Cam Austin, Vice-President of Administrations at the business, 221 South Perry Street, Titusville, Crawford County PA. So answers, Shawn E. Ashbaugh, Deputy Sheriff Robert M. Stevens, Sheriff
	FRONTIER FOUNDRIES, INC.	
	Filed March 18, 1994 @ 9:46 AM	April 4, 1994 UponPraecipe of Bruce A.Barrett, Esquire, Attorney for Plaintiff, the above-captioned action is discontinued of record.
	Tax & entry paid 50.50 User's Fee paid 5.00 Sheriff'scosts 37.00 Pro.Co. pd 4/4/94 5.00	

1994

David L. Hotchkiss

259.

Watts and Pepicelli PC
Christopher D. Ferry

Mar. 18, 1994 Dft. deposited proof of escrow account at Northwest Mutual Savings.

4-15-94
Costs $55.25
Dft. came in today to inform us she is working part-time. She will be making payments on costs.

REALTY GROWTH CORP.

vs.

ADEIJAE BYRD

Filed March 18, 1994
@ 10:15 am

Indigent Filing
Costs (see margin)

APPEAL OF DEFENDANT FROM DECISION OF DISTRICT JUSTICE WILLIAM CHISHOLM

Mar. 18, 1994 Rule entered upon the Plaintiff to file a Complaint Issued.

March. 18, 1994 Petition To Proceed In Forma Pauperis Pursuant To Pa. R.C.P. 240 and Order filed. AND NOW, March 18, 1994, upon consideration of the petition filed by the Plaintiff in this action, and supported by an affidavit attached thereto, all being pursuant to Pa. R.C.P. 240, the Plaintiff is granted leave to proceed in forma pauperis at this time.
The Plaintiff is directed to inform the Prothonotary's Office or the Court of any improvement in his/her financial circumstance that would permit him/her t pay the costs incurred in this action and shall be responsible for doing so upon an improvement of financial condition. BY THE COURT:
Anthony J. Vardaro, J

Mar. 21, 1994 Copy of order to Dft.

Mar. 18, 1994 Order filed. AND NOW, March 18, 1994, the Defendant appears in motions court with a notice of appeal form a District Justice judgment which she is prepared to file with the Prothonotary. We note that apparently the judgment was entered on February 18, 1994, and this may be the last day for th eappeal to be filed.
She appears before the Court with a petition to proceed in forma pauperis pursant to Pa. Rule of Civil Procedure 240, and after reviwing that Petition in open court we are allowing her to so proceed. The Prothonotary is DIRECTED to forthwith lodge her notice of appeal with respect to this matter.
She has appeared in motions court because the judgment entered at the District Justice level includes an Order of possession and accordingly, pursuant to District Justice Rule 1008, the appeal does not act as an automatic supersedeas.
District Justice Rule 1008(b) requires that either a bond be posted withthe Prothonotary conditioned for the payment of any judgment for rent and for damages growing out of the occupancy of the premises during the appeal period or in lieu of such a bond, this Court may allow rental payments becoming due during the appeal period to be deposited in an escrow account in a bank or trust company approved by the Court with such deposits to be applied toward the payment of any judgment of the kind mentioned above with respect to the appeal
Accordingly, we will allow an ascrow account to be created pursuant to that rule in lieu of a bond. The Defendant appears this day with the money to deposit into said account in the amount of $69.00 for her March, 1994 rent. She is DIRECTED to proceed to the PNC Bank, Integra Bank, Mellon Bank or Northwest Mutual Savings, and this day open an escrow account, wich shall have the specific condition that any payments made into it each month in the amount of $69.00 for the Defendant's rent or any other amount that may be due on a monthly basis for rent shall accumulate in said account not to be disbursed to any person or entity without further Order of Court.
The Defendant shall return this day to the Prothonotary's Office to file proof that said account has been created and that she has paid the sum of $69.00 into said acocunt for the March, 1994 rent.

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

Mar. 18, 1994 Copies given to Dft.

Mar. 21, 1994 Proof of Service filed.

Apr. 7, 1994 Complaint in Ejectment, filed.

June 1, 1994 Appearance of Watts and Pepicelli PC by Christopher D. Ferry for Defendant, filed

June 1, 1994 Answer With New Matter of Defendant, filed.

Oct. 21, 1994 Plaintiff's Reply To New Matter, filed.

Dec. 12,1994 Motion and ORDER filed. And,Now, this 12 day of December,1994, upon consideration of the foregoing Motion and the attached proposed Amendment to Plaintiff's Complaint,the Plaintiffs are hereby granted leave to amend the pleadings by filing the proposed Amendment to the Complaint.

Anthony J.Vardaro, J.

12-12-94 Faxed toAttys. Hotchkiss & Ferry

Sept. 24, 1999 Motion and ORDER filed. And Now, this 24 day of September, A.D. 1999, this Court, upon consideration of Plaintiffs' Motion, it is hereby ordered and decreed as follows:
1. Plaintiffs are hereby awarded all funds on deposit with Nrothwest Savings Bank at Account No. 43 01 16981(reg); Name: Adeijae S. Byrd; Customer NO: 173525058, expressly including the account balance at 04/03/95, $658.37, together with any later accrued interest, and Realty growth Corp. is authorized to claim and withdraw these monies. Northwest Savings Bank shall be entitled to rely on the authority conveyed by this Order to disburse and release the account balance to Plaintiff or Realty Growth Corp. or its authorized agents upon demand, and the Defendant and the Prothonotary of Crawford County are authorized and directed to perform such acts, and to execute and deliver such instruments as may reasonably be required, promptly upon demand, to result in paymetn and disbursement of the monies on deposit in the referenced bank account to Realty Growth Corporation.
2. All monies recovered from the referenced escrow account by the Plaintiffs shall operate as payment in full of the Defendant's debt.

Gordon R. Miller, J.

Sept. 24, 1999 FAXED Attys. Hotchkiss, Ferry.

1994

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

260.

SAINT VINCENT HEALTH CENTER

vs.

JAMES R. HARRINGTON, and
VIRGINIA HARRINGTON and
JONATHON HARRINGTON, a minor
and JAMES R. HARRINGTON and
VIRGINIA HARRINGTON, his
parents and natural guardians

Filed March 18, 1994
@ 11:30 AM

Tax & entry paid	15.00
Pltf. on orig.	197.62
Sheriff's costs	50.00
Pro.Co. pd 4/28/94	5.00

WRIT OF REVIVAL

of

A.D. 1990 - 520

Writ of Revival indexed against the defendants in favor of Saint Vincent Health Center the plaintiffs, in the sum of Four Thousand Sixty-seven and 21/100

H-94-104-94
Debt---------- $4,067.21
June 29, 1982
Barbara H. King, Pro

Issued Sheriff

April 18, 1994 Sheriff's Return filed. SERVED James R. Harrington personally on April 11, 1994 at 2:19 PM by handing him a copy of the Writ of Revival at his residence, RD # 2, Springboro, Crawford County, PA.

SERVED Jonathon Harrington on April 11, 1994 at 2:21 PM by handing a copy of the Writ of Revival to James R. Harrington, his Father, at the residence, RD # 2, Springboro, Crawford County, PA.

SERVED Virginia Harrington on April 11, 1994 at 2:20 PM by handing a copy of the Writ of Revival to James R. Harrington, her Husband, at the residence, RD # 2, Springboro, Crawford County, PA.

So answers,

Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

Apr. 28, 1994 Upon Praecipe of Lawrence C. Bolla, Esquire, Attorney for Plaitniff, above judgment, debt, interest and costs and hereby discharge the same of record.

1994

Watts & Pepicelli
Alan L. Pepicelli

261.

James E. Harvin

RAYE E. ROSE

vs.

ADHAM MARKETS, INC., a Corporation, t/a/d/b/a MEADVILLE COUNTY MARKET, a/k/a COUNTY MARKET: J.A.S. MARKETS, INC., a Corporation t/a/d/b/a MEADVILLE COUNTY MARKET, a/k/a COUNTY MARKET: and SALAMA ADHAM and/or E. A. ADHAM, a/k/a ERIC ADHAM, t/a/d/b/a ADHAM MARKETS, t/a/d/b/a MEADVILLE COUNTY MARKET, a/k/a COUNTY MARKET

JURY TRIAL DEMANDED

COMPLAINT IN CIVIL ACTION
4 copies Sheriff

May 2, 1994 SHERIFF'S RETURN, filed. SERVED Adham Markets, Inc. t/d/b/a Meadville County Market, a/k/a County Market, on March 23, 1994 at 9:15 AM at 660 Terrace Street, Meadville, Crawford County, PA. Served Missy Adham, Manager at the business.

SERVED J.A.S. Markets, Inc. a Corporation, by deputizing the Sheriff of Allegheny County, PA, as per his Affidaviat of Service attached. Served on April 11, 1994 at 1930 Spring Garden Avenue, Pittsburgh, PA.

SERVED Salama Adham on April 15, 1994 at 9:05 AM by serving Bob Price, Assistant Manager at his place of business, 660 Terrace Street, Meadville, Crawford County, PA. Business being County Market.

SERVED E.A. Adham a/k/a Eric Adham personally on March 23, 1994 at 9:30 AM at his residence, 786 Azalea Drive, Meadville, Crawford County, PA.

served Adham Markets, t/d/b/a Meadville County Market on March 23, 1994 at 9:16 AM by serving Missy Adham, Manager of business, 660 Terrace Street, Meadville, Crawford County, Pa.

So answers, Shawn E. Ashbaugh, Depty Sheriff
Robert M. Stevens, Sheriff

Filed March 18, 1994
@ 1:18 PM

Tax & entry paid	50.50
User;s Fee paid	5.00
Sheriff's Costs	102.00
Pro pd 8/20/97	6.00

May 2, 1994 Upon Praecipe of James E. Harvin, Attorney, appearance on behalf of defendants, filed.

June 23, 1994 Answers, New Matter and Set-Off Counterclaim To Plaintiff's Complaint filed.

Jul. 5, 1994 Affidavit to Defendants' Answer, New Matter and Set-Off Counterclaim, filed.

July 11, 1994, Plaintiff's Reply to New Matter and REsponse to Set-Off Counterclaim filed.

July 27, 1994 Notice of Service of Interrogatories and Request For Production of Documents filed.

Aug. 26, 1994 Notice of Service of Interrogatories Directed to Defendants (Second Set, filed.

Sept. 16, 1994 Notice of Service of Answers to Interrogatories Directed to Defendants (second set), filed.

Jan. 30, 1995 Notice of Service of Answers To Interrogatories Directed To Defendants (First Set) and Answers to Request For Production of Documents Directed To Defendant (First Set), filed.

Mar 28, 1995 Notice of Service of Answers to Interrogatories and aRsponses to Requests for Production of Documents, filed.

Dec. 21, 1995 MotionTo Compel Discovery filed.

Dec. 21, 1995 Praecipe For Argument List on the above mentioned matter filed.

1996 JANUARY ARGMENT LIST

Feb. 20, 1996 Notice of Depositions of Adham Markets, Inc., t/a/d/b/a Meadville County Market, a/k/a County Market filed.

Feb. 22, 1996 Amended Notice of Depositions of Adham Markets, Inc., t/a/d/b/a Meadville County Market, a/k/a County Market, filed.

Mar.20, 1996 Notice of Intent to Complete Discovery, filed.

July 1, 1996, Notice of Intent to Complete Discovery filed.

May 9, 1997 Notice of Deposition by John P. McGuinness, M.D. for Plaintiff filed.

July 10, 1997 Certificate of Readiness, filed.

Aug. 15, 1997 Upon praecipe of plaintiff attorney, the above captioned case is hereby marked settled and discontinued of record.

1994

Jorden & White
William T. Jorden

262.

Thomas, Truax,
Spadafore & Walker
R. Charles Thomas

SENECA MINERAL CO., INC.

vs.

BOARD OF SUPERVISORS OF
SADSBURY TOWNSHIP

Filed March 18, 1994
@ 2:00 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	25.00

COMPLAINT SEEKING WRIT OF MANDAMUS
1 copy sheriff
1 copy Atty.

Mar. 22, 1994 Preliminary Objections filed.

Mar. 22, 1994 Sheriff's Return filed. SERVED Board of Supervisors of Sadsbury Township on March 21, 1994 at 3:35 PM by handing a copy of the Complaint Seeking Mandamus to Richard E. Miller, Chairman of the Board of Supervisors, in the Sheriff's Office, Crawford County Courthouse, Third Floor, Meadville, PA.
So answers, Carole Stefanucci, Deputy Sheriff
Robert M. Stevens, Sheriff

Mar. 23, 1994 Motion for Peremptory Judgment Pursuant to Pa.R.C.P. No. 1098, filed.

Mar. 24, 1994 Certificate of Service of Interrogatories/First Set and Request For Production of Documents filed.

Mar. 24, 1994 Order filed. AND NOW, March 23, 1994 the attorney for the Plaintiff appears with the above motion in motion court.

Counsel for the defendant also appears and oppese the motion insofar as he has filed preliminary objections raising, among other issues, the Plaintiff's capacity to sue with regard to this matter. There are some concerns that a decision may be made in this matter insofar as by some time in the summer, the salt brine that is the sobject in question with respect to this matter will have to be taken into possession by the Defendant.

With that in mind, at this time we decline to enter a peremptory judgement pursuant to Pa. R.C.P. 1098, but in order to expedite this matter, we will schedule argument with respect to the Defendant's preliminary objections for April 5, 1994 at 11:30 a.m. in Courtroom No. 2 before the undersigned.

BY ORDER OF THE COURT,
Anthony J. Vardaro,

Mar. 24, 1994 Copies dist. to Jorden & Thomas

Apr. 14, 1994 Memorandum and Order filed. AND NOW, April 12, 1994, upon consideration of the Defendant's preliminary Objections, its preliminary objections in the nature of a lack of capacity to sue in sustained and the Plaintiff's complaint in mandamus is dismissed with prejudice.

BY THE COURT,
Anthony J. Vardaro, J

Apr. 14, 1994 Copies dist. to Jorden and Thomas

July 26, 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. 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:

There are costs in the amount of $140.96 owed by the Plaintiff for a custody action at 1991-900 which 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 otherissues would be tantamount to an improper befurcation.

As to a 3301(d) divorce;

There is no showing that the proper notice required by 1920.42(c)(1) in the form provided by 1920.73 to a pa rty 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. sent to attorney who was not of record.

Either par ty mail 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

July 26, 1994 Faxed Carney & Gamble

1994

Thomas, Truax,
Spadafore & Walker
Gregory A, Keenan

263.

HERBERT J. COMBS

vs.

CHERYL A. COMBS

Filed March 21, 1994
@ 2:20 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 7-12-94	9.00

COMPLAINT IN DIVORCE, CUSTODY
1 copy atty.

Mar. 28, 1994 Affidavit of Service, filed. Gregory A. Keenan, Esquire, being duly sworn according to law, deposes and says that on March 22, 1994, 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, Cheryl A. Combs, at Defendant's last known address of Apartment 203, South Main Arms, Union City, PA, 16438, by Certified Mail No. P 899 093 382, postage prepaid, return receipt requested, restricted delivery and that attached hereto is a duly executed return receipt card showing date of delivery as March 23, 1994.

July 12, 1994, Affidavit of Consent of plaintiff filed.

July 12, 1994, Affidavit of Consent of defendant filed.

July 12, 1994 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

July 18, 1994 AND NOW, July 18, 1994, it is Ordered and Decreed that HERBERT J. COMBS, Plaintiff, and CHERYLA A. COMBS, 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: Custody.

By the Court:
Gordon R. Miller, J.

1994

Phillips & Galanter
Stephanie A. Murphy

264.

MICHAEL R. WORLEY

vs.

TRACY B. HOVIS

Filed March 21, 1994
@ 2:21 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Pro Co paid	9.00
Costs 7-25-94	2.00
Pro Co pd 3-18-97	6.00

COMPLAINT IN CIVIL ACTION

Apr. 22, 1994 Verification of Service filed. I, Stephanie A. Murphy, certify that a copy of the Complaint was served upon Defendant, Tracy B. Hovis, at her address of 3020 S. Denmark Street, Dorsett, Ohio 44032 on March 31, 1994 by certified mail return receipt requested No. 385-418-566, the original receipt is attached hereto.

Stephanie A. Murphy, Esquire

May 12, 1994 And Now, upon praecipe of Plaintiff's attorney judgment is entered against the above named Defendant(s) TRACY B. HOVIS, in default of appearance or pleading sec, leg. Pa. R.c.P. 1037 in the amount of Two thousand six hundred forty-six and 63/100, plus costs.

Entered 5-12-94 Debt: $2,646.63 plus costs
H - 166 JUDGMENT
Barbara H. King, Pro.

Mar 17, 1997 Upon praecipe of plaintiff attorney the above-captioned jugment in this case is marked satisfied of record.

1994

Robert W. Feeman

265.

AGWAY, INC.

vs.

THOMAS J. SANDERSON and
CAROLYN SANDERSON, his wife

Filed March 21, 1994
@ 2:30 PM

Tax & entry paid	15.00
Pltf. on Orig.	146.62
Sheriff's Costs	37.00
Pro.Co. pd 4/11/94	5.00
Pro.Co. Pd 4/18/94	1.00

WRIT OF REVIVAL

of

A.D. 1989 - 260

Writ of Revival indexed against the defendants in favor of Agway, Inc.
the plaintiffs, in the sum of Eight Thousand Four Hundred Sixty-nine and 15/100 plus interest from February 23, 1989
S-163-33
Debt---------- %8.469/15
Int. from 2/23/89
Barbara H. King, Pro

Issued Sheriff

Mar. 31, 1994 SHERIFF'S RETURN, filed. SERVED Thomas J. Sanderson on March 25, 1994 at 1:49 PM by handing a copy of the Writ of Revival to Carolyn Sanderson, his Wife, at their residence, R.D.#2, Conneaut Lake, Crawford County,PA.
SERVED Carolyn Sanderson personally on March 25, 1994 at 1:48 PM by handing a copy of the Writ of Revival to her at the residence, R.D.#2, Conneaut Lake, Crawford County, PA.
So answers, Dale A Collins, Chief Deputy
Robert M. Stevens, Sheriff

Apr. 11, 1994 This Judgment Satisfied. (See paper filed.)

1994

Paul J. Carney, Jr.

266.

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

ROBERT D. BIMBER

vs.

FAITH E. BIMBER

Filed March 21, 1994
@ 2:32 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co. pd.6/13/94	15.00
User's Fee pd.	5.00
Pro. Co. pd 7/18/94	9.00

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

Mar. 21, 1994 Plaintiff's Affidavit Under Section 3301(d) of the Divorce Code filed.

Mar. 21, 1994 Notice Of Intention To Request Entry of Divorce Decree filed.

June 6, 1994 Petition for Related Claims, filed.

Jul. 18, 1994 Defendant's Counter-Affidavit Under Section 3301 (d) of the Divorce Code by Faith E.Bimber, Defendant, fled.

Jul. 18, 1994 Affidavit of Service of Plaintiff's Notice to Defendant and Plaintff's Under Section 3301 (d) of the Divorce Code, Notice of Intention to Request Entry of Divorce Decree and a Defendant's Counter-Affidavit Under Section 3301(d) of the Divorce Code and Complaint in Divorce Under Section 3301 (d) of the Divorce Code, filed. I, Paul J. Carney, Jr., attorney for the Plaintiff, Robert D. Bimber, hereby certify that a true and attested copy of the Complaint in Divorce Under Section 3301(d) of the Divorce Code, Defendant's Counter-Affidavit Under Section 3301 (d) of the Divorce Code, Notice to Defendant and Plaintiff's Affidavit Under Section 3301 (d) of the Divorce Code and Notice of INtention to Request Entry of Divorce Decree, time -stamped March 21, 1994 by the Clerk of Records, Prothonotary, Civil Division, in the above-captioned action, was served upon the Attorney for the Defendant, Ann Hansen Gamble, by Certified Mail, Return REceipt Requested, on March 31, 1994. The Return receipt is attached hereto and marked as Exhibit "A".
July 7, 1994 Paul J. Carney,Jr.,Esquire

Jul. 18, 1994 Upon Praecipe of Paul J. Carney, Jr., Esquire,Attorney for Plaintiff to transmit record, Case moved to Court.

Jul. 26, 1994 ORDER filed. This divorce matter has been referred to the Court for review and decree. The Court has reviewed the record and is returning the record to the Prothonotary. A final decree will not be entered at this time because:

X There are costs in the amount of $140.96 owed by the Plaintiff for a custody action at 1991-900 which have not abeen paid.

X Economic and oather 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.

X As to a 3301(d) divorce:

X There is no indication that the 3301(d) affidavit was properly served on the responding party. Apparently, the Defend ant has had an attorney involved in this matter but she did not appear by entry of an appearance or by the filing of any pleading in this matter until June 6,1994 and service of the complaint, Plaintiff's affidavit and Defendnat's counter-affidavit were accepted by Defendant's attorney on March 31, 1994.

X 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. Sent to attorney who was not of record.

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.

7-26-94 Faxed Carney & Gamble

Mar. 28, 1995 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

Apr. 5, 1995 ORDER filed. This divorce matter has been referred to the Court for review and decree. The Court has reviewed the record and is returing the record to the Prothonotary. A final decree will not be entered at this time because:

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

X As to a 3301(d) divorce:

X There is no indication that the 3301(d) affidavit was properly served on the responding party. Apparently, the Defendant has had an attorney involved in this matter but she did not appear by entry of an appearance or by the filing of any pleading in this matter until June 6, 1994 and service of the complaint, Plaintiff's affidavit and Defendant's counter-affidavit were accepted by Defendant's attorney on March 31, 1994.

X Since the Notice of intention to Request Entry of Divorce Decree was sent to an attorney who was not of record at the time it was sent, 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.

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.

Apr. 5, 1995 Faxed Gamble & mailed Carney

Apr. 10, 1995 Affidavit of Consent of Defendant filed.

Apr. 24, 1995, STIPULATION signed by counsel and parties filed.

Apr. 24, 1995, Affidavit of Consent of Plaintiff filed/

Continued on Page 266A

May 26, 1995, Upon praecipe of plaintiff attorney, to transmit the record, this case moved to the court.

June 9, 1995 ORDER, filed. AND NOW, Juen 9, 1995, this matter has come before the Court again upon the Plaintiff's praecipe to transmit record with respect to a 3301(c) divorce action.

We previously returned this matter to the Prothonotary without granting a divorce on April 4, 1995 for several different reasons includign the fact that economic and other issues or counts had been raised in the pleadings or by petition which had not been disposed of by stipulation, withdrawal or hearing.

We now have a decree that has been presented by the parties that would indicate that the only thing to be equitably divided is the Plaintiff/husband's pension and that can be accomplished by a qualified domestic relations order that has been presented to the Court also.

The decree goes on to indicate that the parties have resolved everything else and that all other claims in the marital estate or in the estate of one another have been withdrawn.

The problem now is that decree is not attached to any stipulation by the parties indicating that they are agreeable to the entry of the decree to resolve those issues. The only decree attached to a stipulation of the parties is one that was previously rejected by us dated Feb. 14, 1995.

Accordingly, this matter is once again returned to the Prothonotary without prejudice for it to be presented to the Court again once the indicated issue has been cleared up.

BY THE COURT:
Anthony J. Vardaro, J.

June 9, 1995 Faxed Carney & Gamble

Aug. 18, 1995, Upon praecipe of plaintiff attorney, to transmit the record, this case resubmitted tothe court.

DIVORCE DECREE FILED

Aug. 29, 1995 STIPULATION and DECREE filed: AND NOW, this 28 day of August, 1995 it is ORDERED and DECREED that ROBERT D. BIMBER, Plaintiff, and FAITH E. BIMBER, 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 pension of the Husband at Erie County Plastic Corporation shall be equally divided as of the amount payable as of Aug. 1, 1990, and that the same shall be accomplished by a Qualified Domestic Relations Order to be presented to the Court for entry hereafter.

Any and all other rights which the parties may have for equitable distribution of the marital estate have been resolved between the parties without the necessity of the intervention of the Court and as such, except for the pension which is the subject of a Qualified Domestic Relations Order, any and all other claims which either party may have in the marital estate or in the estate of the other are hereby withdrawn.

BY THE COURT:
Anthony J. Vardaro, J.

266
B

1994
~~1995~~

1994

Kathleen R. Nelson

267.

DEANNA M. COREY

vs.

ROBERT W. COREY

Filed March 22, 1994
@ 11:34 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 8/1/95	9.00

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

Jan. 5, 1995 Affidavit of Consent of Plaintiff, filed.

June 21, 1995 Motion For Withdrawal of Count and Order, filed.
AND NOW, this 20 day of June, 1995, the herein Motion is granted.
BY THE COURT:
Anthony J. Vardaro, J.
June 21, 1995 Faxed J.Mason & Nelson

July 21, 1995 Acceptance of Service filed. AND NOW, this 11th day of July, 1995, comes Robert W. Corey, Defendant in the above captioned matter and acknowledges that he received a true and correct copy of the Divorce Complaint which was filed on March 22, 1994, in the above captioned matter. Defendant received the copy of the Divorce Complaint onApril 20, 1994. Complaint was mailed to Defendant on April 19, 1994, by Certified and Restricted Mail, but an individual named Jamison M. Corey, Defendant's borth, was permitted to sign for the letter as the addressee/Defendant and Jamison M. Corey reside in the same household. Defendant received the ocpy of the complaint from his brother onApril 20, 1995.

robert W. Corey

July 21, 1995 Affidavit of Consent of Defendant filed.

Jul. 31, 1995 UponPraecipe of Kathleen R.Nelson, Esquire,Attorney for Plaintiff to transmit record, Case moved to Court.

DIVORCE DECREE FILED

Aug. 4, 1995 AND NOW, August 2, 1995, 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:
Gordon R. Miller, J.

1994

Jeffrey M. Thompson

268.

IN RE: APPEAL OF RONALD A. MILLER FROM DECISION OF BOARD OF ASSESSMENT APPEALS

Filed March 22, 1994
@ 11:37 AM

Tax & entry paid 50.50
User's Fee paid 5.00

ASSESSMENT APPEAL
1 copy atty.

Mar. 25, 1994 Proof of Service filed. The undersigned hereby certified that onMarch 24, 1994, a true and correct copy of the within Assessment Appeal was served on the below-named individuals and in the manner indicated, which service satisfies the requirements of the law of the Commonwealth of Pennsylvania" **Certified U.S. Mail, Postage Pre-paid, Return Receipt Requested:**

Crawford County Baord of Assessment Appeals (814) 336-1151
Courthouse
903 Diamond Park
Meadville, Pa 16335

Vernon Township (814)337-8126
RD 9, Box 763
Meadville, PA 16335

Crawford Central School District (814)724-3960
RD 9, Box 362
Meadville, PA 16335

Date 3/24/94 Jeffrey M. Thompason

Mar. 29, 1994 Answer to Assessment Appeal, filed.

Oct. 28, 1994 Stipulatiion and Order, filed. AND NOW, this 27 day of October, 1994, upon consideration of the within Stipulation, the same is hereby entered as an Order of this Court. The Chief Assessor, Joseph J. Galbo, III, is directed to make the appropriate adjustments to the assessment records and take whatever further action is required in order to effectuate this Order. All taxing bodies are directed to make any refunds to the taxpayer that this valuation may necessitate.

BY THE COURT:
Anthony J. Vardaro, J.

Oct. 31, 1994 Faxed Johnson & J. thompson

1994

269.

Bruce Barrett

PETITION FOR INVOLUNTARY TREATMENT

OF

JAMES P. GALFORD

Filed March 22, 1994
@ 3:20 PM

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

Mar. 29, 1994 Report of Mental Health Review Officer and Order, filed. And now, March 28, 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 James P. Galford be committed to Meadville Medical Center Inpatient Unit and Mayview State Hospital upon available bed space for treatment for a period not to exceed 90 days.

This order shall take effect upon execution of this order.

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

Mar. 30, 1994 copy to Barrett, WSH, MH/MR

Mar. 31, 1994. AMENDED ORDER filed. And Now, March 31, 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 James P. Galford be committed to Meadville Medical CenterInpatient Unit and Mayview State Hospital on Apri 18, 1994 or such other date as a bed becomes available for treatment for a period not to exceed 90 days.

This order shall take effect upon execution of this order.

BY THE COURT,
Gordon R. Miller, J.

3-31-94 Copy of Order to Atty.Barrett, Att. Hall, Mayview Hospital & MH/MR

Mar. 23, 1995Petition for Involuntary Treatment. Mental Health Procedures Act of 1976 (Sections 304 and 305), filed.

Mar. 27, 1995 Report of Mental Health Review Officer and ORDER filed. And now, March 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 James P. Galford, be committed to Mayview State Hospital, Adolescent unit for treatment for a period not ot exceed 90 days.

This order shall take effect on March 30, 1995.

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

Mar. 29, 1995 Given Hospital (MMC)
Mar. 30, 1995 given Barrett & MH/MR

1994

Mason & Mason
M. Dan Mason

270.

R. F. SCHNEIDER PIPE & SUPPLY CO.,

vs.

OWNER OPERATOR TRUCKING

Filed March 22, 1994
@ 3:46 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Pro Co pd 3-7-95	6.00
Sheriff's Costs	50.00

COMPLAINT IN CIVIL ACTION

Apr. 12, 1994 Affidavit of Service & Sheriff's Return filed. SERVED the within Complaint on March 29,1994 at 7:12 PM, upon Owner Operator Trucking at 2101 Caler St., Aliquippa,PA 15001 by handing to Rita Unis a true and correct copy thereof and made known to her the contents therein.
March 31, 1994 Frank Paligan, Jr.
Sheriff Beaver County
David M. Yasief, Deputy Sheriff
See Affidavit of Servcie endorsed hereon by Sheriff of Beaver County, Pennsylvania, which is part of this return.
So answers: Robert M. Stevens, Sheriff
Crawford County, PA

Jul. 5, 1994 Answer, Counterclaim and New Matter, filed.

July 20, 1994 Reply To Counterclaim and New Matter, filed.

July 21, 1994 Certificate of Service filed. The undersigned hereby certifies that a true and correct copy of the Plaintiff's Counterclaim and New Matter was served upon all counsel of record on July 20, 1994, by First Class Mail. M. Dan Mason

Nov.9,1994 Certificate of Service filed. The undersigned hereby certifies that on the 4th day November,1994, a copy of the within Notice was duly served on the following persons at their respective addreses as indicated, by First Class United States mail, postage prepaid,or by hand delivery.

Joseph J. Liberati, Esquire
Attorney for Defendant
Walmart Plaza, Suite 100
Monaca, PA 15061

Albert Unis,III
Defendant
2320 Sheffield Road
Aliquippa, PA 15001

Alan C. McElwain
R. F.Schneider Pipe and
Supply Co.
Route 18 North
Conneaut Lake, PA 16316

Don Osborne
R. F. Schneider Pipe and
Supply Co.
Route 18 North
Conneaut Lake, PA 16316

Bill Starzynski
R. F.Schneider Pipe and
Supply Co.
Route 18 North
Conneaut Lake, PA 16316

James McCleery, Court Reporter
1243 Liberty Street
Suite 306
Franklin, PA 16323

By: M.Dan Mason

Feb. 27, 1995 Upon praecipe of plaintiff attorney the above captioned matter is marked settled and discontinued of record.

271.

JODY LYNN SMOCK

vs.

JAMES ALLEN SIRAK

Filed March 22, 1994
@ 4:00 PM

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

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT
3 copies Sheriff
1 copy pltf.
1 Faxed MCPD

Order:

And now, this 22 day of March , 1994 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: The defendant shall not go to plaintiff's residence at 768½ Garden St., Meadville. The Plaintiff shall have sole cusotdy of the minor child pending further order of court.
3. This Order may be enforced without a warrant any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court Liability for payment or fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves ruling on allocation of fees and costs.

Hearing is hereby set for March 28, 1994 , at 3:30 p. m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

Mar. 25, 1994 Sheriff's Return filed. SERVED James Allen Sirak on March 23,1994 at 10:55 AM by handing a copy of the protection from Abuse to Jerry Sirak,Brother, at the residence, R.D.#3, Box 125, Cambridge Springs, Crawford County,PA. On March 24, 1994, a telephone call to the brother, Jerry Sirak, verified that he did give the Protection from Abuse to James Allen Sirak.

So answers,

Shawn E. Ashbaugh,Deputy Sheriff
Scott D. Young, Deputy Sheriff
Robert M. Stevens, Sheriff

Mar. 30, 1994 Order filed. AND NOW, March28, 1994 this matter is before the Court on Plaintiff's petition for relief under theProtection fromAbuse Act. Both parties appear without counsel, and the Defendant, having his right to counsel explained to him wishes to proceed without counsel and gree to the entry of an order without admissionof the allegations 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 Plaintiff's residence at 768½ Garden Street in Meadville or such other place as she may reside during the term of this Order for any reason. If he is at Plaintiff's residence, any police agency is to presume that he is in violation of tis order. Of the parties should want the Defendant to be able to go to the Plaintiff's residence, they should seek a modification of this order prior to him doing so.
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 Meadville City Police Department insofar as the Plaintiff currently resides at768½ Garden Street in Meadville, and to County Control. Additionally, the Prothonotary shall send a copy of this Order by regular mail to the Plaintiff at 768½ Garden Street in Meadville and to the Defendant at R.D. #3, Box 125, Cambridge springs, Pennsylvania.
4. The Defendnat is reminded that that this is an order of court and violationof this order may be punishable by a fine of up to $1,000 and a jail sentence of up to 6 months.
5. Insofar as the Defendant currently resides with his parents and is without income, costs in this matter shall be paid by the Court.
6. This order shall remain in full force and effect through March 27, 1995.

BY ORDER OF THE COURT,
Anthony J. Vardaro J

Mar. 30, 1994 Copies dist. to MCPD, Co Control, Pltf. and Deft.

Mar. 1, 1995 Complaint for Indirect Criminal Contempt for Violationof Protection From Abuse Order. Assignment of Hearing date filed. AND NOW, March 1, 1995, hearing the above captioned matter has been scheduled for March3, 1995 at 3:30 P.M. in Courtroom No.2 at the Crawford County Courthouse, Meadville, PA.

BY ORDER OF THE COURT,
Ann A.Walker,Ct.Administrator

3-2-95 Copies dist. by Court.

Mar. 6, 1995 ORDER filed. AND NOW, March 3, 1995, this matter is before the Court with respect to the Plaintiff's Complaint for indirect criminal contempt forviolation of a Protection From abuse Order.

Both parties appear without counsel. The Defendant has indicated that he expected Bruce Barrett,Esquire,tobe here on his behalf, and he is advised that this matter can be postponed ifhe wishes to have his counsel present. He indicates that he will go forward without counsel, and we proceed with a formal hearing.

After hearing the testimony, we are convinced that the Plaintiff has proven that the Defendant violated the Protection From Abuse Order of March 28, 1994, in that he specifically assaulted her inthe area of her eye, apparently causing at least redness to her eye and breaking her glasses.

Continued to
Page 467

272

1994

Peters, Lindsay,
Lewis & Gagliotti
Brian J. Lindsay

272.

KATHLEEN McCOY

vs.

WESLEY R. McCOY

Filed March 22, 1994
@ 4:26 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro. Co. Pd 7/7/94	9.00
Pro Co. pd 2-3-98	5.00

COMPLAINT IN DIVORCE,
1 copy atty.

Apr. 6, 1994 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 aut horized to make this verification; that I did on the 24th day of March, 1994, 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 6th day of April, 1994, receive a duly executed return receipt dated, April 1, 1994.
April 6, 1994 Brian J. Lindsay, Esquire

June 28, 1994 Affidavit of Consent of Defendant filed.

Jun. 29, 1994 Affidavit of Consent by Kathleen McCoy, Plaintiff, filed.

Jul. 7, 1994 Upon Praecipe of Brian J. Lindsay, Esquire, Attorney for Plaintiff to transmit record, case moved to Court.

DIVORCE DECREE FILED

July 15, 1994 AND NOW, July 14, 1994, it is ordered and decreed that KATHLEEN MCCOY, plaintiff, and WESLEY R. MCCOY, 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.

Feb. 3, 1998 Notice of Election to Retake Maiden Name. Kathleen McCoy to be known as: Kathleen Rydzaj, filed.

1994

Peters, Lindsay,
Lewis & Gagliotti
~~Brian J. Lindsay~~ withdrawn

273.

~~Paul E. Allen~~ Withdrawn
J. Wesley Rowden

ALBERT DUBENKO

vs.

~~CATHY DUBENKO~~
CATHERINE D. DUBENKO

filed March 22, 1994
@ 4:26 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Add'l Ct. pd 3-31-98	15.00
State Pd 3-31-98	5.00
Pro Co pd 4-30-98	9.00

COMPLAINT IN DIVORCE
1 copy atty.

Apr. 14, 1994 Appearance of Paul E. Allen, ESquire for Cathy Dubenko, whose real name is Catherine D. Dubenko, Defendant, filed.

May 18, 1994 Consent to Amendment of Complaint, filed.

May 23, 1994 Motion for Leave to File Amended Complaint and Order filed. AND NOW, this 20 day of May, 1994, uopn consideration of the foregoing Motion for Leave to File Amended Complaint, the same is granted and the Prothonotary is directed to accept for filing Plaintiff's amended complaint which is attached to the Motion. BY THE COURT,
Gordon R. Miller, J
May 23, 1994 Faxed copies to Allen and given Lindsay

Dec 6, 1995 Motion For Leave For Withdrawal of Counsel and Order, filed. AND NOW, December 6, 1995, the foregoing Motion for Leave for Withdrawal of Counsel (Paul E. Allen, Esq.) is granted. BY THE COURT,
Anthony J. Vardaro, J.
Dec 6, 1995 Faxed Allen & Lindsay

Apr 17,1997 Motion For Leave To Withdraw Appearance and Order: AND NOW, this 17 day of April, 1997, upon presentation and consideration of the within Motion, Plaintiff's cousnel, Brian J. Lindsay, Esquire, is hereby authorized and is given leave to withdraw his appearance on behalf of the Plaintiaff in the above captioned case. Anthony J. Vardaro, J.
Apr 18, 1997 Faxed Lindsay

Mar 20, 1998 Subsequent Petition for Equitable Distribution, filed.

Apr 30, 1998 Acceptance of Service: I, Cathy Dubenko, Defendant in the above captioned matter, hereby accept service of the Complaint in Divorce. Date: 11-29-95

Apr 30, 1998 Affidavit of Consent of Plaintiff, filed.

Apr 30, 1998 Waiver of Notice of Intention to Request Entry of Divorce Decree Under Section 3301(c) of the Divorce Code for Plaintiff, filed.

Apr 30, 1998 Affidavit of Consen of Defendant, filed.

Apr 30, 1998 Waiver of Notice of Intention to Request Entry of Divorce Decree Under Section 3301(c) of the Divorce Code for Defendant, filed.

Apr 30, 1998 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

May 21, 1998 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.
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); aluterback v. Lauterbach, 202 Pa Super. 260, 195 A.2d 159 (1963); Fox v. Thompson, 327 Pa. Super. 39, 546 A.2d 1146 (1988).
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 ot an improper bifurcation.
Date: May 18, 1998 Anthony J. Vardaro, J.
May 21, 1998 Dist Rowden
June 3, 1998 sent C. Dubenko

274

1994

Jorden & White William T. Jorden	VERONICA WOODCOCK	COMPLAINT IN CIVIL ACTION 2 copies atty.
	vs.	Apr. 5, 1994 Appearance of Marsh, Spaeder, Baur, Spaeder & Schaaf by Ritchie T. Marsh for Defendant filed.
274.	NATIONAL GRANGE MUTUAL INSURANCE COMPANY	May 25, 1994 Requests for Production of Documents and Records, filed. (1 copy Atty.)
		Aug. 9, 1994 Notice of Serving Interrogatories filed.
Marsh, Spaeder, Baur, Spaeder & Schaaf Ritchie T. Marsh	Filed March 23, 1994 @ 11:36 AM	Sept. 14, 1994 Defendant's Answer and New Matter To Defendant's Complaint, filed.
		Sept. 21, 1994 Answer To New Matter filed.
	Tax & entry paid 50.50 User's Fee paid 5.00	

1994

275.

Harry Faber White II

PODUSZLO RESIDENTIAL GAS SERVICE

vs.

ROBERT J. ACKERMAN

Filed March 23, 1994
@

Tax & entry paid 50.25
User's Fee paid 5.00
Rec'd pd 4-26-94 9.00

APPEAL OF DEFENDANT FROM DECISION OF DISTRICT JUSTICE GEORGE HERZBERGER, III

Mar. 23, 1994 Rule entered upon the Plaintiff file a complaint issued.

Mar. 24, 1994 Proof of Service filed.

Apr. 20,1994 Affidavit of Service, filed. HARRY FABER WHITE II, attorney for Defendant/Appellant in the above captioned matter, being duly sworn according to law, deposes and says that he served the Notice of Appeal and Rule to File Complaint by certified mail, return receipt requested on March 24, 1994, on the Plaintiff, Poduszlo Residential Gas Service at RD 2, Box 311, Cochranton, Pa. 16314 and on District Justiace George W. Herzberger, III, at 106 South Franklin Street, Cochranton, Pa. 16314 on March 28, 1994, in accordance with Pa.R.C.P.D.J. NO. 1005. The Return Receipts' are attached hereto.

And now, April 20, 1994 upon praecipe of defendants attorney judgment of Non Pros is hereby entered against teh named plaintiff for failure to file a Complaint within twenty days after being ruled so to do.

P - 181 JUDGMENT OF NON PROS
Barbara H. King, Pro.

1994

Joseph E. Altomare

276.

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

DAVID M. ENGLISH

vs.

LEECH INDUSTRIES, INC.

Filed March 23, 1994
@ 1:32 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	25.00
Pro Co Pd 11-2-94	9.00

JURY TRIAL

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

Mar. 31, 1994 SHERIFF'S RETURN, filed. SERVED Leech Industries, Inc. on March 25, 1994 at 1:16 PM by handing a copy of the Complaint to Thomas Leech, Owner, at the business, R.D. #7, State Road Hill, Meadville, Crawford County, PA.
So answers, Dale A. Collins, Chief Deputy
Robert M. Stevens, Sheriff

Apr. 14, 1994 Answer and New Matter to Complaint,filed.

July 8,1994 Notice Pursuant to Local Rule L302A(2)(a), filed.

Aug. 25, 1994 Certificate of Readiness for Trial filed.

ON OCTOBER, 1994 TRIAL LIST

Aug. 26, 1994 Return of Service of Subpoena to Jack Beebe, filed.

Aug. 26, 1994 Return of Service of Subpoena to Roger Wolff, filed.

Oct. 6, 1994 Defendant's Motion in Limine, filed.

Oct.6, 1994 Trial Memorandum, filed.

Oct. 6, 1994 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, all parties are ready for trial and the trial shall commence on Monday, October 10, 1994 at approximately 9:45 o'clock a.m. in Courtroom No. 1 of the Crawford County Courthouse. It is anticipated that this case shall take two days to try.

2. Description of the case.

This case centers around the termination of the plaintiff's employment for the defendant. The plaintiff was hired by the defendant from October 11, 1993 through January 11, 1994. After he was hired the defendant made an application for Veterans AdministrationAssiostance to retrain the plaintiff through the SMOCTA Program. The defendant terminated the employment claiming, inter alia, that the plaintiff did not want to be trained a a quality inspector as he was originally hired, that the plaintiff was insubordinate and did not follow instructions. Defendant claims that the plaintiff was an employee at will and could be terminated at any time.

Plaintiff claims that he was terminated because he complained to the Veterans Administration that he was not being ret rained in accordance with the SMOCTA Program. He claimed that the defendant, inretaliation, wrongfully terminated him.

3. Factual issues.

The factual issues center around the terms and conditions of the original employment and whether or not the defendant defrauded the plaintiff or the Veterans Administration.

4. Legal issues.

a. Whether or not the plaintiff was an employee at will.

b. Whether or not the termination of the plaintiff, if he was an employee at will, violated or threatened public policy.

c. Whether or not the plaintiff was a third party beneficiary to the arrangement between the Veterans Administration and the defendant.

d. Whether or not the defendant's conduct amounted to actionable fraud.

5. Pretrial motions.

The only pretrial motion pending before the Court is the defendant's motion in limine filed at the time of the pretrial conference. The defendant's motion in limine is granted so long as Robert Leech and Thomas Leech do not testify at trial. If they testify at trial the Court will review this matter and may change this ruling.

6. The plaintiff claims the following damages:

a. The full loss of training hours.

b. Punitive damages by reason of the defendant's fraudulent misconduct.

7. The plaintiff's case in chief:

a. Witnesses.
Plaintiff, Michael Leech, Jack Beebe and Roger Wolfe.

b. Exhibits.
The plaintiff intends to use relevant portions of the SMOCTA file and other demonstrative evidence.

8. The defendant's case in chief:

a. Witnesses.
The defendant intends to call all of the witnesses listed on page 5 of its pretrial narrative. It may not call Darrell Leech as a witness.It will guarantee the apperance of Michael Leech during the plaintiff's case in chief in case the plaintiff intends to call Michael Leech as his witness.

b. Exhibits.
The defendant intends to use all of the exhibits listed on page 5 and 6 of its pretrial narrative. Plaintiff claims that most of those exhibits are immaterial claiming that the work the plaintiff did for the defendant is not relevant to the issues in this case.

9. Stipulations.

The parties will stipulate as to the admissibility of the relevant portions of the SMOCTA file.

10. The defendant shall furnish to counsel for the plaintiff the following financial records of the defendant as of the fiscal year last ended as well as all quarters that have ended since the end of the last fiscal year up until the date of trial: balance sheets,profit and loss statements, cash flows, Federal and State Income tax returns. Those materials shall be furnished to counsel for the plaintiff no later than 4:30 o;clock p.m. on Friday, October 7, 1994.

11. Counsel for the plaintiff shall furnish to counsel for the defendant all wage records, salary records, etc. reflecting compensation paid to the plaintiff after he was terminated by the defendant.

12. 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 the jury on Monday, 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.

Continued to Page 276 A

1994

David M.English
vs
Leech Industries, Inc.

Continued from Page 276
of record
AD 1994 - 276

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13. Each party shall be entitled to four preemptory challenges. A total of 14 jurors shall be selected so each party shall be entitled to an additional preemptory challenge that would apply to the selection of two alternates.

14. If the parties have not already done 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 2:00 o'clock p.m. on Friday, October 7, 1994.

15. Counsel shall submit requested points for charge, any trial memorandums and proposed verdict slip or special interrogatories to the Court at the time of jury selection on October 10, 1994. They shall exchange these matters by furnishing copies to the other no later than 4:30 o'clock p.m. on October 7, 1994.

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

10-6-94 Faxed to Altomare & Stack. Copy to Att. Stack, and mailed copy to Atty. Altomare.

Oct. 18, 1994 Motion For Consent Judgment, filed.

Oct. 18, 1994 ORDER, filed. AND NOW, this 18th day of October, 1994, upon consideration of the parties' Motion for Consent Judgment, it is hereby ordered as follows:

Judgment is entered in favor of the Plaintiff, David M. English, and against the Defendant, Leech Industaries, Inc., for the sum of $3,000.00. Further, interest shall accrue at 6% per annum from the date of this judgment on any amount which is not paid by the Defendant within 90 days of this Order.

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

Oct. 18, 1994 Faxed Stack & Altomare

276
B

1994

1994

277.

Anthony J. Sciarrino

TAMMY BURGER

vs.

BRIAN VAUGHAN

Filed March 23, 1994

Tax & entry paid	50.25
User's Fee paid	5.00
Pro Co. pd 5/4/94	9.00
Photocopy of docket page	1.00

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

Mar. 23, 1994 Rule entered upon Plaintiff to file a Complaint Issued.

Mar. 28, 1994 Proof of Service of Notice of Appeal and Rule to File Complaint, filed.

Mar. 30, 1994 Proof of Service filed.

May 4, 1994 AND NOW, May 4, 1994 upon praecipe of defendants attorney judgment of NON PROS is hereby entered against the named Plaintiff for failure to file a Complaint within days after being ruled so to do.

JUDGMENT OF NON PROS
Barbara H. King
Prothonotary

1994

Wasson, Egan &
Wilson
William H. Burwell

278.

3/24/94 $150.00
deposited by Plaintiff
9-13-94 Pd Pltf
Bal Med Fee #8554 141.00
to Burwell

RICHARD E. FROST and
MARGARET E. FROST

vs.

FAITH ALICE FROST

Filed March 24, 1994
@ 11:16 am

Tax & entry paid	50.50	
User's Fee paid	5.00	
Pd 10-10-94	9.00	
Bruce L. Smith, Mediator		
sher. costs	44.00	

COMPLAINT FOR CUSTODY

Mar: 24, 1994 Custody Complaint and NOtice and Order to Appear filed.

You, FAITH FROST, have been sued in Court to obtain custody of Arthur Elton Frost.

You are ORDERED to appear in person at such time and place as will be deteermined by the Mediator Bruce L.Smith fpr 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: 3/28/94 Gordon R. Miller, J.

3-31-94 Copy of Order to Atty.Burwell & Deft.

Mar. 29, 1994 Grant of Custody and Consent to Entry of Order of Court Awarding Custody and ORDER filed. AND NOW,it appearing from Plaintiffs' complaint and Defendant's Consent to Entry of Order of Court Awarding Custody document filed in this matter that the parties are in agreement, the Plaintffs are awarded full legal and physical custody of the child Arthur Elton Frost (d.o.b 7/17/93).

BY THE COURT,
Gordon R. Miller

3-31-94 Copy of Order to Atty. Burwell & Deft.

Sept. 13, 1994 Petition For Return Of Master's Fee and Order, filed. AND NOW, this 9th day of September, 1994, the Prothonotary of Crawford County is directed to return the $150.00 filing fee to the Plaintiffs via a check to be mailed to Plaintiff's counsel made payable to the order of: "Richard E. and Margaret E. Frost", less any unpaid costs to date.

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

Sept. 13, 1994 Mailed w/check to Burwell
Sept. 15, 1994 sent to Dft.

August 10, 1998 PETITION TO PROCEED IN FORMA PAUPERIS PURSUANT TO PA. R.C.P. 240 And ORDER FILED. And Now, August 7, 1998 upon consideration of teh Petition filed by teh Defendnat in this action and supported by an affidavit attached hereto, all being pursuant to Pa.R.C.P. 240 the Defendant is granted leave to proceed in forma pauperis at this time.

The Defendant is directed to inform the Prtohonotary's Office or the Court of any improvement in her financial circumstance that would permit her to pay the costs incurred in this action and shall be responsible for doing so upon an improvement of financial condition.

BY THE COURT
GORDON R. MILLER, J.

August 10, 1998 PETITION FOR MODIFICATION OF CUSTODY ORDER AND NOTICE AND ORDER TO APPEAR AND ORDER AND NOTICE FILED. You, Richard E. Frost and Margaret Frost have been sued in Court to modify custody partial custody or visitation of the child: Arthur Frost.

You are ORDERED to appear in person at such time and place as will be determined by Mediator Kathleen Nelson for a mediation conference. The Mediator shall send you a Notice of the hearing by mail to the addres 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 visittion may be entered against you or the Court may issue a warrant for your arrest.

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

Court Administrator, Courthouse
Meadville,PA 16335
Telephone No: (814)333-7498

AMERICANS WITH DISABILITIES ACT OF 1990 The Court of Common pleas of Crawford County is required by law to comply with the Americans with Disabilities Act of 1990. For information about accessible facilities and reasonable accommodations available to disabled individuals having business before the Court please contact the Court Administrator's Office. Allarrangements 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
Date August 7, 1998 Gordon R. Miller

ORDER AND NOTICE FILED. AND NOW, this 7th day of Augsut 1998 it is ordered and decreed that the parents in this matter shall satisfactorily complete the Seminar for Separating Parents in accordance with Crawfrod County Civil Rule L1930. Applicaitons 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 Courthouse. Application for attendance at the seminar must be made by the palintiff or petitioner within 15 after the pleading or peition 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 THE 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 shoujld 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.

Sept. 3, 1998 Sheriffs return filed. Served Richard Frost, personally on Aug. 19, 1998 at 1:45 p.m. in Sheriffs office.

So answers, Shawn E. Ashbaugh Dep
Robert M. Stevens, Sher.

September 9, 1998 Motion to Waive Requirement for Attendance at Seminar for Separating Parents and Order Filed.And Now, this 9th day of September 1998 upon consideration of plaintiffs' Motion to be excused form the requirement that they attend the Seminar for Separating Parents, said Motion is hereby granted.

By the Court
Anthony J. Vardero, J.

9/9/98 Faxed Keenan

continued on page 278 - A

Richard E. Frost and
Margaret E. Frost
and
Faith Alice Frost

continued from page 278
of record
AD 1994 - 278

****

September 10, 1998 TEMPORARY ORDER FILED. AND NOW, September 10,1998 after Mediation and upon the recommendation of the Child Custody Mediator it is Ordered and Decreed as follows:
1. Legal and physical lcustody of the subject minor child, Arthur Elton Frost, shall be with the Plaintiffs, Richard E. Frost and Margaret E. Frost, the maternal grandparents of the child.
2. Mother shall be entitled to visit with the child in the home of the grandparents from December 15, each year.
3. The parties are encouraged to make additional or alternative arrangements regarding visitation of the child and may modify the herein arrangements if such modifications are by mutual consent and in writing and signed by both parties only; otherwise, the provisions contained herein shall govern and this Order shall be followed completely as it is written.
4. EAch party shall furnish the other party with a current addres and telephone number.
5. Plaintiffs/grandparents,Richare E. Frost and Margaret E. Frost are hereby ordered to register for, and complete, the Seminar for Separating parents as required by Crawford Couty Civil Rule L1930 within sixty days from this Order, or in the alternative, receive a waiver from this Court regarding their attendance at the Seminar for Separating parents, or shall be subject to the sanctions permitted by rule and law including contempt fines and possible incarceration.
6. Defendant/mother, Faith Alice Frost is hereby Ordered to register for, and complete the seminar for Separating Parents as required by CRawford County Civil Rule L1930 within 60 days from this Order or int he alternative receive a waiver from this Court regarding her attendance at teh Seminar for Separating Parents or shall be sujbect to the sanctions permitted by rule and law including contempt, fines and possible incarceration.
7. The cost of the mediation conferencence shall be divided equally between the parties with the mother's share to be
7. The cost of the mediation conferencence shall be divided equally between the parties with the mother's share to be borned by Crawford County as she was granted leave to proceed in forma pauperis by this Corut on August 7, 1998.
8. This order is a temporary Order but shall become a permanent Order unless either parent files a request for a Hearing DeNovo within 20 days of the date hereof.

By the Court
Gordon R. Miller, J.

9/10/98 Faxed Nelson & Keenan 9/29/98 Copy Pltf & Deft

November 12, 1998 Crder Filed. And Now, Nov. 10, 1998 it has come to the Court's attention that the defendant has not attended the Seminar for Separating Parents as is required by Crawford County Civil Rule L 1930. Therefore a rule to show cause is entered and directed to the defendant to show cause if any she has why the defendant should not be held in contempt of Court and sanctioned or punished accordingly for failure to comply with Seminar requirements.
Said rule is returnable for hearing and or argument on the 29th day of Dec 1998 at 8:45 o'clock AM in Courtroom 1 of the Crawford County Courthouse. The defendant is required to attend said hearing. A true and correct copy of this order shall be sent to the defendant at her last known address of record by certified mail, return receipt requested.

By the court
Gordon R. Miller, P.J.

11/12/98 Cert Mail to Deft.

Dec 30, 1999 ORDER: AND NOW, Dec 29, 1998, the Defendant appeared in Court in response to a rule to show cause why she should not be held in contempt for failing to comply with the local rule regarding attendance at the seminar for separating parents. She clearly has not attended and her reasons are not acceptable to the Court.

However, it appears that the purpose for which we require parents to attend this seminar really do not apply in this case. The purpose of the seminar is to instaruct parents on the effect of custody and family litigation on children and the welfare of children. This Defendant is the mother of a six year old child who lives with her parents. She has not seen the child in over a year and contends that she does not have the ability to have the child at her home.

Since there does not appear to be any relationship between the mother and child or the mother and the maternal grandparents, there really i sno reason to require this Defendant to attend a seminar that deals with the effects of litigation on children. Accordingly, it is ordered as follows:

1. We find, as a fact, that the Defendant is in contempt.
2. We withold punishment, and in fact, hereby excuse the Defendnat from the seminar requirement.
3. In the event that either party files any other document in this case; such as, petition to modify, petition for hearing, petition to enforce current Order, petition for contempt, et cetera, and this case becomes more active, we then will require the Defendant to attend the seminar in Crawford County or a similar seminar in the county in which she lives.
4. A copy of this Order shall be sent to the Center for Family Services. Gordon R. Miller, P.J.

Jan 7, 1999 sent Ptfs, Dft & Center for Family Ser.

1994

Joseph C. Barnhart

279.

ALFRED J. SHETLER

vs.

TRISHA L. SHETLER

Filed March 24, 1994
@ 11:20 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 9/22/94	9.00

COMPLAINT IN DIVORCE, CUSTODY
no copies

May 11, 1994, complaint reinstated.

Aug 1, 1994 Affidavit of Service, filed. Before me, the undersigned officer, personally appeared JOSEPH C. BARNHART, ESQ., attorney for the above-captioned Plaintiff, who being duly sworn according to law, did depose and say that he did serve a certified copy of a Complaint in Divorce upon the above-named Defendant at her mailing address of 330 West Spruce Street, Titusville, Pennsylvania 16354, by United States Certifie dMail, Restricted Delivery, evidenced by postal Return Receipt #P 853 732 318, purportedly signed by said Defend ant and dated May 26, 1994, attached hereto and incorporated herein by reference.

Aug. 17, 1994 Plaintiff's Affidavit of Consent Under Section 3301 (c) of the Divorce Code, filed.

Aug. 17, 1994 Defendant's Affidavit of Consent Under Section 3301 (c) of the Divorce code, filed.

Aug. 25, 1994 Type of Pleading: Motion for Entry of Child Custody Stipulation and Order of Court.

Aug. 25, 1994 ORDER filed. AND NOW, this 24 day of August, 1994, the foregoing Stipulation of the parties in the above-captioned matter, as executed by the parties respectively on July 29, 1994, and August 15, 1994, is hereby approved by the Court and incorporated herein as an Order of Court.

BY THE COURT:
Anthony J. Vardaro, J.

Aug. 25, 1994 Faxed Altomare

Sep.22, 1994 Upon Praecipe of Joseph C. Barnhart,Esquire,Attorney for Plaintiff to transmit record, case moved to Court.

DIVORCE DECREE FILED

Oct. 3, 1994 AND NOW, this 30 day of September, 1994, IT IS ORDERED AND DECREED THAT, ALFRED J. SHETLER and TRISHA L. SHETLER 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.

280

1994

Mattleman, Greenberg,
Shmerelson, Weinrith
& Miller
Andrew D. Clearfield

280.

ASSOCIATES CONSUMER
DISCOUNT COMPANY f/k/a
SIGNAL FINANCE

vs.

DOUGLAS E. COX
MARGARET A. COX

Filed March 24, 1994
@ 11:25 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	38.00
Pro Co. pd 6/28/94	5.00

COMPLAINT IN CIVIL ACTION
4 copies Sheriff

Apr. 12, 1994 Sheriff's Return filed. SERVED Douglas E. Cox personally on March 31, 1994 at 12:55 PM by handing a copy of the Complaint to him in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, PA.

NOT FOUND as to Defendant Margaret A. Cox. According to co-defendant, Douglas E.Cox, they are now divorced and he is unsure of her whereabouts.

So answers, Barbara J. Bernoski,Deputy Sheriff
Robert M. Stevens, Sheriff

June 23, 1994 Upon praecipe of plaintiff attorney, the above captioned litigation marked settled and discontinued of record.

1994

Halliday & Halliday
Michael Halliday

281.

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

BOBBIE JO RICHARDS

vs.

ALMA E. AYERS

Filed March 24, 1994
@ 12:45 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	27.00
Pro Co pd 12-21-94	6.00

COMPLAINT IN CIVIL ACTION
1 copy atty.

Apr. 8, 1994 Appearance of Thomas, Truax, Spadafore & Walker by R. Charles Thomas for Defendant filed.

Apr. 8, 1994 Jury Demand and Response Statement filed.

Apr. 14, 1994 Sheriff's Return filed. SERVED Alma E. Ayers, on March 30, 1994 at 10:55 AM by handing a copy of the Complaint to Jackie Caszah, Authorized Agent, at R.D. #3, Mill Street, Conneaut Lake, Crawford County, PA. Signed Acceptance of Service attached.
So answers, Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

May 23, 1994 Answer and New Matter, filed.
1 copy atty

June 10, 1994 Plaintiff's Reply to New Matter, filed.

Aug. 24, 1994, Certific ate of Service of Plaintiffs Answers to Defendant's Interrogatories and Response to Request for Production of Documents, filed.

Sep. 16, 1994 Certificate of Service of Plaintiff's First Set of Interrogatories Directed to Defendant and Request for Production of Documents file. Notice is hereby given that the Plaintiff, Bobbie Jo Richards, by her counsel, HALLIDAY & HALLIDAY,P.C., served the original and two copies of Plaintiff's First set of Interrogatories Directed to Defendant and the original and one copy of Plaintiff's Request for Production of Documents, upon counsel for the Defendant, by First Class United States Mail, on the 8th day of September, 1994, addressed as follows:

R. Charles Thomas, Esquire
Thomas, Truax, Spadafore, WAlker & Keenan
296 Chestnut Street
Meadville, PA 16335
By Michael Halliday, Esquire

Dec. 21, 1994 Upon praecipe of defendant attorney the above-captioned case is settled and discontinued of record.
12-21-94 Cert. & Costs given to Thomas

1994

Mary Ann Kirkpatrick

282.

BROOKE SAMUEL HARRISON

vs.

MICHELE ANN McMANAMA HARRISON

filed March 25, 1994
@ 9:50 AM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 9-22-94	9.00
Pro co pd 10/7/94	5.00

COMPLAINT IN DIVORCE
1 copy atty.

Apr. 11, 1994 AFFIDAVIT OF SERVICE, filed. And Now, April _____, 1994, Constance L. Deitman beign duly sworn according to law, deposes and sets forth as follows:

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

2. That on information furnished her by the Plaintiff, she caused a certified copy of the Complaint in Divorce to be forwarded by Certified Mail, P 100 657 037; postmarked March 25, 1994, to the last known address of the Defendant, Michele Ann McManama Harrison, Rt. 1, Box 494, Apt. 21, Seneca, PA 16346.

3. That the Defendant, Michele Ann McManama Harrison, on March 28, 1994, personally signed the return receipt card which was affixed to the Complaint in the above-matter and which is attached hereto.

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

Jul. 1, 1994 Affidavit of Consent by Brooke Samuel Harrison, Plaintiff, filed.

Sept. 9, 1994 Affidavit of Consent of Plaintiff, filed.

Sept. 16, 1994 Affidavit of Consent of Defendant, filed.

Sept. 19, 1994 Upon praecipe of Plaintiff's attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Sept 27, 1994 AND NOW, September 22, 1994, it is ordered and decreed that BROOKE SAMUEL HARRISON, plaintiff, and MICHELE ANN MCMANAMA HARRISON, defendant, are divorced from the bonds of matrimony.

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

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

Oct. 4, 1994, Notice of election to retake prior name filed.
TO BE KNOWN AS: MICHELE ANN McMANAMA.

1994

283.

Joseph M. Joseph

BRENDA RENEE SMITH

vs.

TODD GARLAND SMITH

Filed March 25, 1994
@ 11:40 AM

Tax 7 entry	50.50
Ucser's Fee	5.00
Sheriff's Costs	43.20

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

Order:

And now, this 25 day of March , 19 94, upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

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

3. This Order may be enforced without a warrant any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court Liability for payment or fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves ruling on allocation of fees and costs.

Hearing is hereby set for April 4, 1994 , at 3:30 p. m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

Mar. 31, 1994 Sheriff's Return filed. SERVED Todd Garland Smith by deputizing the Sheriff of Mercer County, PA, as per his Affidavit of Service attached. Served on March 28, 1994, at 216 Vernon Road, Greenville, PA.

So answers,

Robert M.Stevens, Sheriff

Apr. 7, 1994 ORDER filed. AND NOW, April 4, 1994, at the time set for hearing on this abuse matter, the defendant and his counsel appear, but the plaintiff fails to appear. Neither the Court, defendant or his counsel have received any indication as to the reason for the absence of the plaintiff Brenda Renee Smith. The Court proceeds on the assumption that a hearing date and time was given to the plaintiff at the time the Temporary Order was signed March 25, 1994 by Judge Anthony J. Vardaro.

ACCORDINGLY, the plaintiff having failed to appear, the Petition is DISMISSED and the plaintiff if DIRECTED to pay costs in this case within 10 days of receiving a bill therefor from the Prothonotary's Office addressed to P.O. Box 1278, Meadville, Pennsylvania, 16335.

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

Apr. 8, 1994 coopies dist to Plf, Atty Joseph & Co. Control

1994

Pepicelli, Youngs & Youngs, PC
Christopher J. Youngs

284.

THOMAS J. HALL

vs.

SUZANNE HALL

Filed March 25, 1994
@

Tax & entry paid	65.50
User's Fee paid	10.00
State paid	10.00
Pro. Co. pd 7/13/94	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
1 copy atty.

Mar. 25, 1994 Defendant's Acceptance of Service filed. I, Suzanne Hall, certify that I am the Defendant in the above-captioned divorce action and that on March 25, 1994, I have accepted service of the Complaint in Divorce filed in this case.
Suzanne Hall

Jun. 29, 1994 Affidavit of Consent by Thomas James Hall, Plaintiff filed.

Jun. 29, 1994 Affidavit of Consent by Suzanne Hall, Defendant, filed.

Jul. 13, 1994 Upon Praecipe of Christopher J. Youngs, Esquire, Attorney for Plaintiff, to transmit record, case moved to court.

July 20, 1994 ORDER filed. This divorce matter has been referred to the Court for review and decree. The Court has reviewed the record and is returning the record to the Prothonotary. A final decree will not be entered at this time because:

X 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.

Either party may file a paraecipe to refer the matter back to the Court when the record is in such a state that the parties are entitled to a final decree. BY ORDER OF COURT
Date: July 20, 1994 Gordon R. Miller, P.J.
July 20, 1994 Faxed Chris Youngs.

July 20, 1994 Motion To Withdraw Economic Claims, filed.

July 20, 1994 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

July 25, 1994 Motion to Withdraw Economic Claims and ORDER filed. AND NOW, this 25th day of July, 1994, the foregoing Motion to Withdraw Economic Claims has been granted by this Court.

BY THE COURT,
Gordon R. Miller, J.

Aug. 2, 1994 Copy of Order to Atty. Youngs, copy mailed Dft.

DIVORCE DECREE FILED

Aug. 1, 1994 AND NOW, this 25th day of July, 1994, 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 the parties have each filed affidavits of consent.

BY THE COURT,
Gordon R. Miller, J.

1994

Barbara J.Walton

285.
Thomas,Truax,Spadafore & Walker
R. Charles Thomas

DESIREE ALLEN

vs.

RONALD ALLEN

Filed March 25, 1994
@

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

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT
3 copies Sheriff
1 copy Pltf.
faxed copy to MCPD

Order:

And now, this 25 day of March , 1994 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

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

2. Special Conditions: The Plaintiff shall have exclusive custody of the minor child pending further order of court. Defendant may visit only as agreed upon by and in a manner designated by Plaintiff.

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

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

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

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

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

8. The court reserves ruling on allocation of fees and costs. Hearing is hereby set for April 4, 1994 , at 11:30 a. m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

Mar. 29, 1994 Sheriff's Return filed. SERVED Ronald Allen personally on March 28, 1994 at 10:03 AM by handing a copy of the Protection from Abuse tohim at his residence, R.D. #2, box 386, Valley Road, Meadville, Crawford County, PA.
So answers,

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

Apr. 7, 1994 Order filed. AND NOW, April 4, 1994, this matter is before the Court on an Abuse Petition, withthe defendant contending that there are inadequate grounds for the granting of an Abuse Petition. The defendant wishes to contest the abuse portionof the Petition and the court lacks the time this date to go into a full-blown abuse hearing.

ACCORDINGLY, the hearing is CONTINUED on the abuse issue until May 18, 1994 at 9:00 a.m. in Courtroom No. 1,2 or 3.

In the meantime, the Court deems it necessary to award temporary child and spousal support and to make arrangements for payment of the mortgage to protect the equity in the jointly owned property.

ACCORDINGLY, commencing with the week of April 3, 1994, and until further Order of Court, the defendant shall be required to pay direct to his wife child support in the amount of $80 each and every week.

There is a mortgage payment of approximately $400 per month due on the jointly owned residence and the Court is advised that the husband has paid the April mortgage payment. The husband shall be responsible for timely paying the May mortgage payment and the Court reserves the right to require the plaintiff spouse to make reimbursement to the husband with relation to these two payments after hearing.

The Court awards temporary spousal support to maintain the wife until she returns to work, and accordingly, onthe 15th of April andon the 15 of May, in addition to the aforesaid child support payments, the defendant will pay on each said date $150 as temporary spousal support.

Temporary occupancy of the marital home is awarded to the wife and child and the Court reserves the right to change such occupancy order after further hearing on May 18, 1994. It shall be the wife's responsibility to pay the ulitily bills and supply fuel and other necessities for thehouse duringher occupancy and she may not remove any marital property therefrom without the written consent ofthe husband.

The parties mutually agree that the husband will vacate the premises by 10:00 a.m. April 6, 1994 and he will surrender the keys to the premises to the wife on or before said time. The wife may move in immediately.

As far as a joint credit card obligation of approximately $77 a month, the court directs that the husband pay the same for the month of April and May and responsibility for future payments will be considered at the continued hearing.

Neither party shall remove any marital property fromthe residence.

It appears that a support petition has been filed seeking spousal and child support withthe Domestic Relations Division and a hearing thereon before a Hearing Officer is scheduled for May 17, 1994 at 1:00 p.m. In view of the fact the Court is going to hear this matter de novo, including the entry of an Order relating to spousal and child support, the court directs the Domestic Relations Section to continue the hearing currently scheduled for May 17, 1994.

To add further complications, the husband is now contesting his paternity of the child. Both husband and wife consent to proceed with blood tests, seeking solution of the paternityissue, andit shall be the responsibility of the husband to contact the Domestic Relations Section to ascertain their rules, regulations and requirements and to pay any costs thereof to procure thenecessary paternity blood tests.

The father shall be entitled to reasonable visits with his chid not less frequently than once a week, and the parties are directed to make arrangements for said visits at thehome of the wife's mother.

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

Apr. 7, 1994 Copies dist. to Brode, Thomas, Dom Rel. Co Contral and faxed MCPD

Continued on Page 451

286

1994

R. Christopher Brode

286.

ROLANDA KAY CHANEY

vs.

SCOTT EARL WEAVER

Filed March 28, 1994
@

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

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT
3 Copies Sheriff
1 copy Plaintiff
Faxed copy to MCPD

ORDER:

And now, this 28th day of March , 19 94 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

1. The defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Defendant shall not contact Plaintiff in any way. He shall not follow her around. He shall not be within 100 yards of Plaintiffs home Sole possession of 756 Garden is given to Plaintiff. Defendant shall move out immediately.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment or fees and costs will be determined by final court order.
7. The defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves Ruling on allocation of fees and costs.

Hearing is hereby set for the April 5, 1994 , at 3:30 p.m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

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

Mar. 29, 1994 Sheriff's Return filed. SERVED Scott Earl Weaver personally on March 29, 1994 at 8:45 AM by handing a copy of the Protection from Abuse to him at 756 Garden Street, Meadville Crawford County, PA. Given until 12:00 Noon to be out of the residence.
so answers,
Shawn E. Ashbaugh, Deputy Sheriff
Scott D. Young, Deputy Sheriff
Robert M. Stevens, Sheriff

Apr.7, 1994 ORDER Filed. AND NOW, April 5, 1994, this matter is before the Court on Plaintiff's Petition for relief under the Protection From Abuse Act.

The parties appear represented by counsel and they have agreed to the entry of the following Order without admission of the allegations of the Petition on the part of the Defendant:

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff.
2. The Plaintiff shall have exclusive possessionof the joint residence at 756 Garden Street in the City of Meadville. The Defendant shall not go to that residence under any circumstances even if he is invited to that residence. Any police agency called shall presume that if he is at that residence he is in violation of this Or der. If the parties wish for the Defendant to be able to go to the residence at 756 Garden Street in the City of Meadville in the future, they should seek a modification of this Order prior to the Defendant going to that residence.
3. The Defendant shall have no contact whatsoever with the Plaintiff including personal, telephone or mail contact. He shall, likewise, not procure anyone else to contact the Plaintiff for him unless it is through counsel. This shall also include the place of the Plaintiff's employment with respect to no contact.
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 and Meadville City Police Department.
6. The Defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine of up to $1,000.00 and a jail sentence of up to six (6) months.
7. The Defendant shall pay record court costs in the amount of $89.50 to the Prothonotary of Crawford County on the first floor of the Crawford County Courthouse within ninety (90) days of the date of this Order.
8. This Order shall remain in full force and effect for a period of six (6) months from this date.

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

4-7-94 Copies to Attys. Brode, Hatheway, Co. Control & Fax to MCPD

June 7, 1994 Motion to Amend or Modify A protection From Abuse Order and Order, filed. AND NOW, THIS & DAY OF June, 1994, upon receipt and review of the within Motion to Amend the Protection from Abuse Order of April 5, 1994, the amendments and modifications set forth in said motion are hereby approved and made a Court Order.

A true and correct copy of this order shall be delivered by the Prothonotary to the Meadville City Police, County Control, and to the parties. The copy should include the attached motion.

Any paragraphs of the original order assessing costs on either party shall remain in full force and effect without change or modification.

BY THE COURT,
Anthony J. Vardaro, J.

June 7, 1994 faxed to MCPD. Given Brode & Co. Control. June 14, 1994 copy mailed to Dft.

1994

R.Christopher Brode

287.

CATHI HOWARD

vs.

CALVIN JONES

Filed March 28, 1994
@ 3:39 PM

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

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

Order:

And now, this 28 day of March , 1994 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

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

3. This Order may be enforced without a warrant any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court Liability for payment or fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves ruling on allocation of fees and costs.

Hearing is hereby set for April 6, 1994 , at 11 a. m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

Mar. 29, 1994 Sheriff's Return filed. SERVED Calvin Jones personally on March 29, 1994 at 8:48 PM by handing a copy of the Protection from Abuse to him at 832 Liberty Street, Meadville, Crawford County, PA.
So answers,

Scott D. Young, Deputy Sheriff
Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

April 7, 1994 ORDER filed. AND NOW, April 6, 1994 at the time set for hearing, Plaintiff's counsel and her mother, Mrs. Phyllis Wolfe appear and advise the Court that the Plaintiff has a history of mental health treatment and was re-admitted on or about April 1, 1994 to the St. Vincent Mental Health Center with an unknown diagnosis and for an unknown period of commitment.

The Defendant appears and in an unsworn narrative orients the Court and Plaintiffs counsel to his version of the alleged event.

Counsel for the Plaintiff moves for a general continuance and the same is garanted with directs to counsel that when the Plaintiff is released from St. Vincent Mental Health Center, a new hearing, on motion,will be set.

This case is continued generally and the Defendant agrees that he will not contact Cathi Howard firectly or indirectly nor have other do so on his behalf. In the event the Plaintiff attempts to contact the Defendant, he shall not meet with her or discuss the case with her in any fashion and specifically request her to cease attempted contact with him in any manner.

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

Apr. 8, 1994 copies to Brode, Dft. Co Control & MCPD

R. Christopher Brode

288.

STACY A. SMOCK

vs.

WILLIAM JOHN SCHELL

Filed March 28, 1994
@ 3:30 PM

Tax & entry pd. 4/26/94 50.50
User's Fee pd. 4/26/94 5.00
Sheriff's Costs pd. 27.00
Pro. Co. Pd. 4/26/94 5.00

4-26-94 Rec from deft Sheriff's Cash 27.00
4-26-94 Pd Sheriff 27.00 Ck # 8265

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT
3 copies Sheriff
1 copy Plaintiff
faxed to Coch Boro PD

ORDER:

And now, this 28 day of March , 1994 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

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

3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment or fees and costs will be determined by final court order.
7. The defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves Ruling on allocation of fees and costs. Hearing is hereby set for the April 6, 1994 , at 9:15 a.m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

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

Mar. 29, 1994 Sheriff's Return filed. SERVED William John Schell personally on March 29, 1994 at 9:23 AM by handing a copy of the Protection from Abuse to him at R.D. #2, Box 181, Cochranton, Crawford County, PA.
So answers,

Shawn E. Ahsbaugh, Deputy Sheriff
Scott D. Young, Deputy Sheriff
Robert M. Stevens, Sheriff

Apr. 7, 1994 ORDER filed. AND NOW, April 6, 1994 this matter is before the Court on an abuse petition. The abuse apparently arose because of some ill advised threats made by the Defendant. In this regard, the Defendant agarees he will voluntarily surrender a Smith & Wesson 29-2 .44 magnum pistol to the Sheriff's office of Crawford County this date, with the conditions being that the pistol may not be reclaimed from the Sheriff without the consent of the Plaintiff Stacy A. Smock in this action, or upon termination of this order 6 months from this date.

The Plaintiff is working and the Defendant is a college student and the Court declines at this time to decide custody and visitation even on a temporary basis. The parties naturally are upset and nervous at the time of this hearing, but both seem to have the intelligence and desire to make custody and visitation arrangements in the best interest of the 2 year old child.

The Court directs the parties to meet forthwith or in the immediate future and with or without assistance of counsel to attempt to work out a custody and visitation arrangement that will accommodate the desires of both parents. If an agreement cannot be reached, either party may petition the Court to have the matter referred to a custody mediator in the normal child custody proceedings. In the meantime, the child shall remain in the custody of the Defendant with the child's primary residence at the Defendant's parents' home with convenient temporary custody and visitation accorded to the Plaintiff.

The Defendant agrees that while he denies being a threat or a dange to the Plaintiff, he will not threaten, harass, or annoy her in any fashion and he will not go to her place of employment unless he is specifically invited to do so by the Plaintiff. Likewise, the Defendant will not go to the residence of the Plaintiff unless specifically invited to do so.

This order shall remain in force and effect for a period of 6 months from this date.

In view of the peculiar circumstances of this case, the Court directs the County pay the costs in this case.

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

Apr. 8, 1994 copies to Brode, Dft, Sheriff's Off., Co. Control & Coch. BPD

Apr. 19, 1994 Notice of Hearing Form filed. 1. You are hereby ORDERED to appear for hearing on: DATE: 26 April 1994 TIME: 3:00 P.m. PLACE Crawford County Court.
You have been charged with the following: Harrassment in Violation of Order #1994-288.
4-20-94 Copy of Order to Atty.Brode & Deft.

Apr. 27, 1994 Motion to Vacate Protecton From Abuse Order and ORDER filed. AND NOW, this 27 day of April, 1994 upon receipt and review of the plaintiff's motion to vacate and terminate the Protection from Abuse Order of March 21, 1994, 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 proper police Agency and to County Control.

Any provisions of the Protection from Abuse Order of March 21, 1994 assessing Court costs shall remain in full force and effect without change or modification and the party or parties against whom costs were assessed shall remain obligated to pay the costs.

BY ORDER OF COURT
Anthony J. Vardaro, J.

4-27-94 Copy Co. Control, FAX Pa.S.P.D., Coch. P. D. Atty. Brode

1994

Bernstein & Bernstein
Charles E.Bobinis

289.

KLASEN OIL COMPANY INC.

vs.

PENN STATE TRUCK CENTRE, INC.

Filed March 28, 1994
@ 3:35 PM

Tax & entry paid	50.50
User's fee paid	5.00
Sheriff's Costs	20.00
Pro Co pd	9.00

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

Apr. 27, 1994 SHERIFF'S RETURN, filed. SERVED Penn State Truck Center, Inc. by deputizing the Sheriff of Venango County, Pa, as lper his Affidavit of Service attached. Served on April 6, 1994 at Exit 5, I-80, Emlenton, Pa.
So answers, Robert M. Stevens, Sheriff
Before me the undersigned authority, personally appeared James H. Marshall - Deputy Sheriff who being duly sworn according to law, deposes and says that on the 7th day of April, 1994 at 2:40 P.M. he served the within NOTICE TO DEFEND-COMPLAINT-EXHIBITS-VERIFICATIION filed at No. AD 1994-289, Crawford County, Pennsyl - vania, upon defendant PENN STATE TRUCK CENTRE, INC. at Defendant's place of business located at Exit 5, I-80, Emlenton, Pa and by making known the contents thereof to Gurpreet Sinbh/Agent-In-Charge/ Manager and handing to and leaving with him the certified copy of the said Writ received from Robert M. stevens-Sheriff of Crawford County. James H. Marshall - Deputy Sheriff
Gene Price, Sheriff of Venango County

June 3, 1994 And Now, upon praecipe of Plaintiff's attorney judgment is hereby entered against the defendant(s) above named, in the default of an Answer, in the amount of Four Thousand Four Hundred Seventy-Six Dollars and 64/100.
Entered 6-3-94 Debt: $4,476.64
P - 183 JUDGMENT
Barbara H. King, Pro.

EX1994-50

290

1994

Bernstein & Bernstein Charles E. Bobinis	KLASEN OIL COMPANY	COMPLAINT IN CIVIL ACTION 1 copy Sheriff
290.	vs.	Apr. 21, 1994 SHERIFF'S RETURN, filed. SERVED Penn State Auto Plaza by deputizing the Sheriff of Venango County, Pa., as per his Affidavit of Service attached. Served on April 6, 1994 at Exit 4, I-80, Clintonville, PA 16372. So answers, Robert M. Stevens, Sheriff
	PENN STATE AUTO TRUCK STOP PLAZA, INC.	June 2, 1994 And Now, upon praecipe of Plaintiff'a attorney judgment is hereby entered against the defendant(s) above named, in the default of an Answer, in the amount of Eight Thousand Forty-Six Dollars and 69/100. Entered 6-2-94 Debt: $8,046.69 P - 183 JUDGMENT Barbara H. King, Pro.
	Filed March 28, 1994 @ 3:50 PM	

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	20.00
Pro Co pd.	9.00

1994

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

291.

Jorden and White
Harry Faber White II

3/29/94 $150.00
deposited by Plaintiff
5-24-94 Pd Plff. Bal Med Leg
Ch# 8319 (Shafer) 4100
6-23-94 Pd Co #6399 100

ROBIN L. HUMES

vs.

JEFFREY NICHOL

Filed March 29, 1994
@ 1:16 PM

Tax & entry paid 50.50
User's Fee paid 5.00
Pro Co Pd 6-23-94
John Fuller, Mediator

PETITION FOR CUSTODY (UCCJA)
1 copy atty.

Mar. 29, 1994 Order filed. AND NOW, this 28th day of March 1994, it is ordered that all parties in the above cpationed 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 Crwaford County Courthouse wtih the Child Custody Mediator as Required by Rule L1915.26A et. seq. 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 from the jurisdiction of the Court by either party hereunder, undef possible punishment forContempt of Court.

3/28/94 BY THE COURT
1 copy atty. Gordon R. Miller, J

Mar. 30, 1994 Copy of order to Atty. Fuller

Arp 4, 1994 AFFIDAVIT OF SERVICE, filed. I, JAMES R. IRWIN, Esquire, being duly sworn according to law, depose and say that I served a true and correct copy of the Petition for Custody and Order Appointing a Mediator, certified by the Prothonotary of Crawford County, Pennsylvania, on the above named Defendant by certified mail, return receipt requested, dated March 29, 1994. The Defendant acknowledged service on March 21, 1994 by accepting delivery on that date as evidenced by the attached signed return receipt.

April 18, 1994 Appearance of Jorden And White by Harry Faber White, Attorney for Respondent filed.

April 21, 1994 COUNTERCLAIM FOR CUSTODY and NOTICE AND ORDER TO APPEAR filed. You, ROBIN L. HUMES, have been sued in Court to obtain custody of MEAGAN NICHOL and TYLER NICHOL in the attached Counterclaim.

You, are ORDERED to appear in person at such time and place as will be determined by the Mediator John Fuller for a medition 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 GO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, TO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Respondent/
Petitioner's Attorney:
Harry Faber White II, Esq.
JORDEN AND WHITE
966 South Main St.
Meadville, PA 16335
(814) 724-1771

Corut Administrator
Crawford County Courthouse
Meadville, PA 16335
(814) 336-1151, Ext. 298

4/20/94

By Order of Court,
Anthony J. Vardaro, J.

April 21, 1994 Copy of Order to Atty. J. Fuller; April 26, 1994 Copy of Order to Attys. James Irwin and Harry White.

May 23, 1994 ORDER filed. AN DNOW, May 20, 1994 after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Meagan Nichol and Tyler Nichol 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 MeaganNichol and Tyler Nichol shall be shared between their mother and father in the following manner.

A. 1. From June 1, 1994 to September 1, 1994 both children shall reside with their father, but visit their mother every weekend (from Friday at 7:00 o'clock p.m. to Sunday at 7:00 o'clock p.m.) except the second full weekend of each month.

2. From September 1, 1994 to June 1, 1995, both children shall reside with their mother, but visit their father every weekend (from Friday at 7:00 o'clock p.m. to Sunday at 7:00 o'clock p.m.) except the second full weekend of each month.

3.From June 1, 1995 to July 15, 1995, the children shall reside with their father, but visit their mother every weekend from Friday at 7:00 o'clock p.m. to Sunday at 7:00 o'clock p.m.

4.From July 15, 1995 to September 1, 1995, the children shall reside with their mother,but visit their father every weekend from Friday at 7:00 o'clock p.m.to Sunday at 7:00 o'clock p.m.

5.From September 1, 1995 to June 1, 1996, the children shall reside with their father but shall visit their mother every weekend (from Friday 7:00 o'clock p.m. to Sunday 7:00 o'clock p.m.) except the second full weekend of each month.

6.The non-custodial parent shall also be entitled to visit and take the children into his custody every Wednesday evening from 4:00 o'clock p.m. to 7:00 o'clock p.m.

7.In subsequent years the parents shall continue to alternate custody in the same manner provided above.

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 parent having custody at the time of the aforesaid holidays until 1:00 o'clock p.m. and in the custody of the other, non-custodial parent, on the aforesaid holidays from 1:00 o'clock p.m.until 8:00 o'clock p.m.

C.Transportaton of the children on weekends, holidays and Summer visits shall be equally divided between the parties with the parent who is 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.

Continued to Page 513

1994

Barbara J. Walton

292.

Mary Ann Kirkpatrick

KEVIN KINGENSMITH

vs.

SANDRA GAMBLE

Filed March 29, 1994
@ 1:29 PM

3/29/94 $150.00
deposited by Plaintiff

5-24-94 Pd Plff Bal med dep Chk# 8320 Callon 65.00
6-15-94 Rec from dept med file 76.00
6-23-94 Pd Co. #8399 $152.00

Tax & entry paid 50.50 ✓
User's Fee paid 5.00

William Pineo, Mediator
Pro Co Pd 6-23-94 90.00 ✓

COMPLAINT FOR CUSTODY

order;

You, Sandra Gamble, have been sued in Court to obtain custody of Christopher Gamble.

You are ORDERED to appear in person at such time and place as will be determined by the Mediator William Pineo for a mediation conference.

If you fail to appear as provided by this Order, an Order for Custody, partial custody or visitation may be entered against you or the Court may issue a warrant for your arrest.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE, IF YOU DO NOT HAVE ALAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Court Administrator
Crawford County Courthouse
Meadville, PA 16335
(814) 336-1151 ext. 298

BY THE COURT:
Date: 3/28/94 Gordon R. Miller, J
Mar. 30, 1994 Copies of order to Atty's Walton and PIneo

Apr. 4, 1994 Affidavit of Service filed. And Now, April 4, 1994, comes Barbara J. Walton, and avers as follows:

1. A true and correct copy of the Complaint for Custody and Motion to Appoint Mediator was mailed to the Defendant via Certified Mail return receipt on March 30, 1994.

2. That the Defendant signed the return card on March 31, 1994 and in accordance with Pa. R.C.P. 412, service of the Complaint was made as is dvidenced bythe United States Postal Service Return Receit (Certified No. P845718827) attached hereto as Exhibit "A".

I VERIFY that the statements made in this Affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. 4904, relating to unsworn falsification to authorities. Barbara J. Walton

Apr.13, 1994 Appearance of Mary Ann Kirkpatrick, Esquire, for Sandra Gamble, Defendant, filed.

May 23, 1994 Temporary Order filed. AND NOW, this 20th day of May,1994,after Mediation in the above referenced matter and upon the recommendations of the Child Cu stody Mediator, IT IS HEREBY ORDERED AND DECREED THAT:

1. The parties shall share legal and physical custody of the subject minor child, Christopher Gamble.

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 a. T he mother shall have primary physical custody of the subject minor child. The father shall have visitation and temporary physical custody each weekend from Saturday at noon until Sunday at 5:00 p.m. Starting with the weekend of June 3, 1994, the visitation schedule will terminate and the father shall instead have the right to designate one weekend per month when the father shall not have visitation, said weekend to be taken on one of the mother's weekends off from work. The mother shall notify the father of the weekend she wishes to select promptly after she has received her work schedule.

b. The father shall have the right of visitation and temporary physical custody each summer from 4:00 p.m. of June 15 through 6:00 p.m.of July 21. During the father's custodial period, the mother shall have the right of visitation and temporary physical custody for two weekends from Friday at 4:00 p.m. through Sunday at 6:00 p.m. The mother shall designate the weekends she wishes to select by May 31 of each year. Each party shall have the right to designate a two-week period during his or her portion of the summer during which visitation need not be accorded to the other party. The parties shall work out which two week periods are to be selected before May 31 of each year.

4. Holiday visitation shall be arranged as follows:

a. Christmas: There shall be two Christmas holiday visitationperiods, the first beginning at noon of Christmas Eve and ending at 1:00 p.m. of Christmas Day and the second beginning at 1:00 p.m.of Christmas Day and ending at 4:00 p.m. of December 26. For Christmas, 1994, the mother shall have the first period and the father, the second, and the parties shall thereaf ter alternate.

b. Thanksgiving: There shall be two Thanksgiving visitationperiods, the first beginning on the Wednesday preceding Thanksgiving at 4:00 p.m. and ending Thanksgiving at 3:00 p.m. and the second beginning on Thanksgiving Day at 3:00 p.m. and ending on the Friday after Thanksgiving at 4:00 p.m. For Thanksgiving, 1994, the father shall have the first period and the mother, 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 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. In even numbered years, the father shall have visitation and temporary physical custody for Memorial Day and Labor Day; and in odd numbered years, for Easter and Independence Day.

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. The parties are free to make additional or alternative arrangements respecting the costodial 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 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.

Continued to Page 292 A

1994

Kevin Klingensmith
vs.
Sandra Gamble

Continued from Page 292
of Record
AD 1994 - 292

****

Said modifications or cancellations shallnot be proposed except for good reasons. Should a cancellation or modification be necessary, the parties shall attempt at once to arrange for alternative visits or to make alternative arrangements.

7. 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. Any person thransporting the child shall make sure that the seat belts or other restraints are used in accordance with t he laws of Pennsylvania.

8. 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.

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 child. The parties are cautioned that medical research has indicated that tobacco smoke is injurious to the health of growing children. Therefore, neither party shall smoke tobacco or permit others to do so in the same room as the child, in a closed automobile in which the child is being transported, or in the bedroom of the child.

10. Neither party shall do or say antyhing 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. Either party may request a review of this order when Christopher shallbe ready to enter school to make any adjustments

12. Costs and fees of this Mediation, which are fixed at $152.00, are divided equally between the parties with a share of each being assessed to him or her as costs in this case.

13. The deposit required for the appointment of the Custody Mediator was made by the father. T he deposit shall first be applied against the father's share of costs and the remainder, if any, shall be remitted to him. The mot her shall pay her share of costs and fees to the Prothonotary of Crawford County within thirty (30) days of the date of this Order.

14. Either party may move the Court for a hearing de novo within ten (10) days from date hereof. If neither party so moves, this Order shall be considered permanent.

By the Court,
Gordon R. Miller,J.

6-1-94 Faxed copy to Attys.Walton, & Pineo. Dist. copy to Atty. Kirkpatrick

1994

Edgar Snyder & Associates, PC
Michael H. Rosenzweig

293.

Ernest D. Preate, Jr.
Brian H. Baxter

Thomas, Truax, Spadafore Walker & Keenan
R. Charles Thomas
for Add'l Deft.

NEWEL D. HERSHELMAN, as Administrator of the ESTATE OF PATRICIA J. HERSHELMAN, deceased, and individually and on behalf of PATRICIA ANN PECHIN, MARY NEWHARD, SUSAN E. KULL, LAURA SCHERMER and JOANNA L. MCCRACKEN

vs.

COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF TRANSPORTATION
Paatricia A. Pechin, Add'l Def.

Filed March 29, 1994
@ 1:30 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	25.00
Sheriff's Costs	25.00
Pro Pd 11/9/95	6.00

JURY TRIAL DEMANDED

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

Apr. 13, 1994 Sheriff's Return filed. SERVED Commonwealth of Pennsylvania, Department of Transportation, on April 4, 1994 at 11:45 AM by handing a copy of the Complaint to John T. Molke, Jr., Acting County Manager, at the business, located at State Routes 102 and 322, Meadville, Crawford Count y, PA.
So answers, Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

June 24, 1994 Appearance of Ernest D. Preate, Jr. Attorney General by Brian H. Baxter for Defendant filed.

July 15, 1994 Notice of Service of Request To Produce To Plaintiffs, filed.

July 15, 1994 Notice of Service Of Interrogatories To Plaintiffs, filed.

July 15, 1994 Preliminary Objections in the Nature of a Motion To Strike, filed.

July 15, 1994 Upon Praecipe of defendant's attorney, this case placed on next Argument List.

ON AUGUST 1994 ARGUMENT LIST

Aug. 5, 1994 Petition For Extension Of Time To Join Additional Defendant and Order, filed. AND NOW, to-wit, this 5th day of August, 1994, it is hereby ORDERED, ADJUDGE AND DECREED that leave of court is granted for the Commonwealth of Pennsylvania, Department of Transportation, to join Patricia A. Pechin as an additional defendant in the abaove-captioned case. BY THE COURT:
Gordon R. Miller, P.J.
Aug 5, 1994 Faxed Baxter, mailed Rosenzweig

Aug 11, 1994 Complaint to Join Additional Defendant and Order, filed. AND NOW, to-wit, this 5th day of August, 1994, it is hereby ORDERED, ADJUDGED AND DECREED tha tleave of court is garanted for the Commonwealth of Pennsylvania, Department of Transportation, to join Pataricia A. Pechin as an additional defendant in the above-captioned case. BY THE COURT:
Gordon R. Miller, P.J.

Aug. 5, 1994 Faxed Baxter & Roslenzwwig
1 copy Sheriff

Aug. 11, 1994 Complaint to Join Additional Defendant and Order, filed. AND NOW, to-wit, this 5th day of August, 1994, it is hereby ORDERED, ADJUDGED AND DECREED that leave of court is granted for the Commonwealth of Pennsylvania, Department of Transportation, to join Patricia A. Pechin as an additional defendant in the above-captioned case. BY THE COURT:
Gordon R. Miller, P.J.

Aug. 5, 1994 Faxed Baxter & Roslenzweig
1 copy Sheriff

Aug 30, 1994 Plaintiffs' First Amended Complaint in Civil Action, filed.

Aug. 30, 1994 Aug. 30, 1994 SHERIFF'S RETURN, filed. SERVED Patricia A. Pechin on August 17, 1994 at 8:40 AM by handing a copy of the Complaint to Join Additional Defendant to Rickie H. Pechin, her Husband and Authorized Agent, in the Sheriff's Office, Third Floor,Crawford County Courthouse, Meadville, Pa. Signed Acceptance of Service attached.
So answers, Barbara J. Bernoski, Deputy Sheriff
Robert M. Stevens, Sheriff

Sep. 12, 1994 Appearance of Thomas, Truax, Spadafore, Walker and Keenan by R. Charles Thomas, Esquire for Patricia A. Pechin, Additional Defendant, filed.

Sep. 15, 1994 Stipulation to Amend Caption, filed.

Oct. 30, 1995 Plaintiff's Second Petition for Approval of Settlement of Third-Party Liability Claim filed.
Nov 3, 1995 Faxed to Rosenzweig, RC Thomas

Nov. 6, 1995, Upon pr aecipe of plaintiff attorney, the above case is hereby marked settled and discontinued of record

294

1994

Lisa Pepicelli Youngs
for Lawrence Price

294.

John F. Spataro
for County

IN RE: TAX SALE TO LAWRENCE PRICE OF PARCEL 2308-021, FAIRFIELD TOWNSHIP, CRAWFORD COUNNTY PA.

Filed March 29, 1994
@ 1:30 PM

Tax & entry PA8-25-94 50.50
User's Fee PA8-25-94 5.00

PETITION AND RULE TO SHOW CAUSE FOR CONFIRMATION OF DISTRIBUTION OF PROCEEDS FROM TAX SALE

Mar. 29, 1994 Petition and Rule to Show Cause for Confirmation of Distribution of Proceeds from Tax Sale and ORDER AND RULE TO SHOW CAUSE, filed. AND NOW, this 30th day of March, 1994, upon consideration of t he within Petition, a rule to show cause is hereby entered upon the Commonwealth of Pennsylvania, Department of Revenue; Gary A. Billig, grandson of Mary Petroff; Janice Smith, granddaughter of Mary Petroff and daughter of Catherine Cornell; and all other heirs of the late Mary Petroff, to show cause as to why the proposed distribution submitted by the Tax Claim Bureau of Crawford County should not be approved by the Court. This rule shall be returnable on the 5th day of July, 1994, in Courtroom 1 or 2, Crawford County Courthouse, Meadville, Pennsylvania, at 9:15 a.m.

The Tax Claim Bureau is directed to produce a summary of the within petition and to publish same one time in the Meadville Tribune and in the Crawford County Legal Journal, along with a copy of this rule to show cause, which publication shall constitute service upon all of the heirs of the late Mary Petroff.

BY THE COURT,
Gordon R. Miller, J.

4-5-94 Copy of Rule to Attys.Youngs & Spataro

Jul. 5, 1994 Certificate of Service filed. AND NOW, this 5th day of July, 1994, comes the undersigned, John F. Spataro, ESq., Solicitor for Crawford County, who hereby certifies as follows:

1) A true and correct copy of the petition and rule to show cause filed in this matter, along with appropriate notices was served by certified mail, return receipt upon the following:

a. Commonwealth of Pennsylvania, Pa. Department of Revenue
Inheritance Tax Division, Office of Chief Counsel
Dept. of 281061, Harrisburg, PA 17128-1061

b. Mr. Gary A.Billig
447 Niles Road, Suite 9
Fairfield,OH 45014

c. Ms. Janice Smith
142 Hermann Road
Avon Lake, OH 44012

Attached hereto and made a part hereof are true and correct copies of the senders receipts and return receipts evidencing the mailing and receipt of the petition and rule to show cause which has been entered.

2) In accordance with this court's order of March 30, 1994, appropriate legal advertisements were published in the Meadville Tribune and in the Crawford County Legal Journal. Attached hereto and made a part hereof are the original proofs of publication issued by the Meadville Tribune and the Crawford County Legal Journal, showing that publication of the notice, petition and rule to show cause were published as follows:

OnApril 13, 1994 in the Crawford County Legal Journal and on April 11, 1994 in the Meadville Tribune.

John F. Spataro, Esquire

Jul. 5, 1994 ORDER filed. AND NOW, this 5th day of July, 1994, at a time scheduled for the return of the rule to show cause issued in this case, appearances were made by Attorney Lisa Pepicelli Youngs on behalf of Lawrence Price and Attorney John F. Spataro, Solicitor for Crawford County. No other persons appeared to show cause as to why the proposed distribution submitted by the Tax Claim Bureau should not be approved by this Court.

A Certificate of Service was filed by the Solicitor for Crawford County, evidencing service upon all interested parties in accordance with this Court's Order of March 30, 1994.

The Court is satisfied that service was affected upon all interested parties in accordance with this Court's Order of March 30, 1994. No objections have been raised by any party to the proposed distribution submitted by the Tax Claim Bureau.

Accordingly, it is ordered that the proceeds from sale of the subject premises be distributed as follows:

a. Reimbursement to the Tax ClaimBureau for all out of pocket expenses actually and reasonable incurred;

b. Payment to the Tax Claim Bureau of the $420.76 statutory reimburesment for costs;

c. Payment of $690.00 for satisfaction of Inheritance Taxes arising from the death of Mary Petroff and/or any interests held by her four daughters;

d. The balance to be held by the Tax Claim Bureau until such time as a claim is made by an authorized representative of the owner within three years from the date of sale. If no claim is made, then the balance shall be distributed to the taxing bodies in accordance with the provisions appearing in 72 P.S. 5860-205(d).

BY THE COURT,
Anthony J. Vardaro, J.

7-5-94 Faxed to Spataro & L. Youngs

1994

Donald E. Lewis

295.

GARY L. POWELL

vs.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

Filed March29, 1994
@ 1:35 PM

Tax & entry paid 50.50
User's Fee paid 5.00

Mar. 29, 1994 Notice of Appeal, Motion, Petition for Writ of Supersedeas and ORDER filed. AND NOW, this 30th day of March, 1994, upon Motion by t he Appellant, a hearing is set on said Appeal for the 2nd day of June, 1994, at 3:30 o'clock p.m., in Courtroom No.1 or 2 of the Crawford County Courthouse, Meadville, Pennsylvania.

Further, notice of said Appeal andof this Or der 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 supersedeas to Appellee's suspension of Appellant's operating privileges.

BY THE COURT:
Gordon R. Miller

4-6-94 Copy of Order to Atty. Lewis

June 3, 1994 Order filed. AND NOW, June 2, 1994 counsel for the petitioner agreeing that this appeal probably is not the appropriate remedy in this case, the appeal is DISMISSED. However the Court recommends to the Department that the suspensionimposed be stayed for a period of 3 months from the date of this order.

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

June 3, 1994 Copies dist. to Kuhar and Lewis

1994

Pepicelli, Youngs & Youngs, PC
Christopher J. Youngs

296.

Pepicelli,Youngs & Youngs
Christopher J. Youngs

Thomas,Truax,Spadafore & Walker
Gregory A. Keenan withdrawn

JEAN M. ANDERSON

vs.

MARK W. ANDERSON

Filed March 29, 1994
@

Tax & entry paid	50.50
User's Fee paid	15.00
2 Add'l Counts paid	30.00
State paid	10.00

In Forma Pauperis
~~William Pineo, Mediator~~ withdrawn
Kathleen Nelson, Mediator

Pro.Co. Ct.Order	9.00

COMPLAINT IN DIVORCE, ALIMONY, ALIMONY PENDENTE LITE, COUNSEL FEES, EXPENSES AND COSTS, EQUITABLE DISTRIBUTION
2 copies atty.

Apr. 7, 1994 Affidavit of Service filed. I, Christopher J. Youngs, Esq., counsel for the Plaintiff, Jean M. Anderson, hereby certify that I have served the Complaint in Divorce in the within captioned case by serving a copy of the same and making the contents thereof known to the Defendant, Mark W. Anderson, at 197 Overlook Drive, Jamestown, PA 16134, via Certified U. S. Mail, Return Receipt Requested. The P.S. Form 3811, Domestic Return Receipt, signed by Defendant is attached hereto as Exhibit "A".

By Christopher J. Youngs

May 31, 1995 REQUEST AND AFFIDAVIT TO PROCEED IN FORMA PAUPERIS and ORDER filed. AND NOW,May 31, 1995, upon presentation and consideration of the foregoing Affidavit to Proceed in Forma Pauperis, it is hereby ORDERED:

The Plaintiff, Jean M. Anderson, is hereby granted leave to proceed in forma pauperis in accordance with:

1. Pa.R.C.P., Rule 240 with respect to the Custody Complaint filed in this case, and

2. Pursuant to Pa.R.C.P., Rule 1920.62 with respect to the Divorce Complaint and related economic claims filed in this case.

The Plaintiff is hereby relieved of all costs for filing fees, custody mediator's fees, master's fees, stenographic charges and all other record costs. The Court specifically finds that the Plaintiff, Jean M. Anderson, is indigent and unable to pay any part of the costs of these actions.

This Order is subject to the provisions of Pa.R.C.P., Rule 1920.62 and 240, insofar as said Rules are applicable, with respect to the Plaintiff's continuing obligation to inform the Court of any improvement in her financial circumstances which will enable her to pay costs, and also with respect to the power of this Court to modify this Order and/or recoup fees and costs from the Defendant and/or any monetary judgment or settlement in these cases.

BY THE COURT,
Gordon R.Miller,J.

6-6-95 Faxed Pineo,C. Youngs & Keenan

Jun. 2, 1995 Complaint for Custody and ORDER OF COURT filed. You, MARK W. ANDERSON, Defendant, have been sued in Court to obtain custody of the children: Jarred Elizabeth A. Anderson,Joseph H. Anderson and Mark J. Anderson.

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, Crawford County Courthouse
Meadville,PA 16335 Telephone (814)333-7498

BY THE COURT,
Gordon R. Miller,J.

6-6-95 Faxed Pineo, C.Youngs & Keenan

Jun. 12, 1995 Affidavit of Service filed. I certify that the COMPLAINT IN CUSTODY filed in the above-captioned action was mailed to the Defendant, Mark W. Anderson, RR#1,Route 322, Hartstown, Crawford County, Pennsylvania 16131,by Certified Mail No. P 899 090 128, Restricted Delivery/Addressee Only on May 25, 1995 and was received by Defendant on June 10, 1995 as evidenced by Certified Mail Receipt and Domestic Return Receipt, attached hereto as Exhibit A.

Date: June 12, 1995

By Christopher J. Youngs,
Attorneys for Plaintiff

Jul 31, 1995 Motion to Continue and Order, filed. AND NOW, this 31st day of July, 1995, upon consideration of Defendant's Motion to Continue the Mediation Conference curently scheduled in this matter for Wednesday, August 2, 1995, at 10:00 a.m., said Motion is Granted, to be scheduled as soon as possible. No more continuances for the defendant.

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

July 31, 1995 Faxed Keenan & C. Youngs
Aug. 2, 1995 Faxed Pineo

Aug 11, 1995 Motion to Permit Resignation of Custody Mediator and for Appointment of Substitute Mediator and Order, filed. AND NOW, THIS 9th day of August, 1995, upon consideration of the foregoing Motion, the same is hereby granted and Mediator William Pineo is permitted to resign his appointment.

Kathleen Nelson, Esq. is appointed Mediator in the above referenced matter.

BY THE COURT,
Anthony J. Vardaro, J.

Aug 11, 1995 Faxed Pineo, Nelson, Keean & Youngs

Nov. 9, 1995 TEMPORARY ORDER filed. AND NOW, November 8, 1995, after Mediation and upon the recommendation of the Child Custody Mediator, it is Ordered and Decreed as follows:

1. Legal custody of the subject minor children, Elizabeth A. Anderson, Joseph H. Anderson and Mark J. Anderson, shall be shared by the Father and Mother, the parties to this action, with each parent entitled to full access to any records relating to the children held by a third party including, but not limited to school records and medical records and each parent shall have equal input regarding important decisions affecting the children such as education, religious instruction and medical treatment.

2. Primary physical custody of Elizabeth A. Anderson shall be with her maternal grandparents, Joseph and Anna Yalenty. Primary physical custody of Joseph H. and J. Anderson shall be with their mother, subject to the following conditions:

Continued on Page 495

1994

Pepicelli, Youngs
& Youngs, PC
Christopher J. Youngs

297.

RITA JANE BARRETT

vs.

JOHN M. BARRETT

Filed March 29, 1994
@

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro.Co.pd 6/10/94	9.00

COMPLAINT IN DIVORCE UNDER 3301(d) OF THE DIVORCE CODE,
2 copies atty.

Mar. 29, 1994 Affidavit Under 3301(d) of the Divorce Code of Plaintiff filed.

Apr. 20, 1994 Affidavit of Service, filed. I, Christopher J. Youngs, Esq., hereby certify that I have served the Complaint In Divorce in the within captioned case by personally handing a copy of the same and making the contents thereof known to the Defendant, John M. Barrett, this the 20th day of April, 1994.

Apr. 20, 1994 Defendant's Acceptance of Service, filed.

May 11, 1994, Notice of Intention to Request Entry of Divorce Decree, and Counter affidavit filed.

Jun. 10, 1994 Upon Praecipe of Christopher J. Youngs, Esquire, Attorney for Plaintiff to transmit record, case moved to Court.

June 20, 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 becuase: 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

June 20, 1994 Copies dist. to C. Youngs & dft.

June 23, 1994 Affidavit of Service of Section 3301(d) Affidavit, filed. I, Christopher J. Youngs, Esquire, hereby certify that the Plaintiff's Section 3301(d) Affidavit was personally served upon the Defendant, John M. Barrett, by handing a copy of said Affidavit to him at the time of service of the Complaint, April 20, 1994.
I understand that false statements herin are made subject to the penalties fo 18 Pa. C.S.A. Section 4904 relating to unsworn falsificatin to authorties.

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

DIVORCE DECREE FILED

June 29, 1994 AND NOW, June 29, 1994, it is hereby ordered and decreed that RITA JANE BARRETT Plaintiff, and JOHN M. BARRETT, 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.

1994

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

298.

JOHN D. WILLIAMS

vs.

DARLENE D. WILLIAMS

Filed March 30, 1994
@ 2:30 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 7-8-94	9.00

COMPLAINT IN DIVORCE UNDER SECTION 3301(c) or 3301(d)
2 copies atty.

Apr 4, 1994 AFFIDAVIT OF SERVICE, filed. I, JAMES R. IRWIN, Esquire, being duly sworn accordinga to law, depose and say that I am the attorney of record, and as 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 March 30, 1994. The Defendant acknowledged service on April 1, 1994 by accepting delivery on that date as evidenced by the attached signed return reciept.

July 7, 1994 Affidavit of Consent of Plaintiff, filed.

July 8, 1994 Affidavit of Consent of Defendant, filed.

July 8, 1994 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

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

AND NOW, July 18, 1994, it is hereby ordered and decreed that John D. Williams, Plaintiff, and Darlene D. Williams, Defendant, are divorced from the bonds of matrimony.

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

BY THE COURT,
Anthony J. Vardaro, J

1994

William Pineo

299.

Dickie, McCamey & Chilcote, PC
Richard D. Klaber

MARGARET E. RUDNAY

vs.

GENERAL ACCIDENT INSURANCE CO.

Filed March 30, 1994
@ 3:50 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	45.00
Pro Co pd 12/22/94	6.00

COMPLAINT IN CIVIL ACTION
4 copies atty.

May 9, 1994 SHERIFF'S RETURN, filed. I hereby deputize the Sheriff of Allegheny County, Pennsylvania to serve the within Complaint according to law. The defendants alleged address is Center City Tower, Pittsburgh, Pa. 15222.
Robert m. Stevens, Sheriff of Crawford County
SERVED the within Complaint on 4-15-94 at 2:55 p.m., upon General Acc. Ins. Co. at above by handing to John Deney Claim Super. a true and correct copy thereof and made known to him the contents therein. Sheriff Allegheny Co.

May 12, 1994, Appearance of Dickie, McCamey & Chilcote, PC by Richard d.Klaber, attorneys for defendant filed.
(JURY TRIAL DEMANDED)

Dec. 22, 1994 Upon praecipe of Plaintiff Attorney the above captioned case is marked settled and discontinued of record.

300

1994

Jorden & White
William T. Jorden

300.

WALTER J. LADNER

vs.

LESLIE D. HORN and SID KUHN & SONS

filed March 30, 1994
@ 4:28 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	75.00

WRIT OF SUMMONS

May 2,1994 SHERIFF'S RETURN, filed. I hereby deputize the Sheriff of Erie County, Pennsylvania to serve the within Summons according to law. The defendants alleged address is 11462 Eureka Road, Edinboro, Pa. 16412/business address 13521 Rt. 99, Edinboro, Pa. 16412. Robert M. Stevens, Sheriff Crawford Co

SERVED the within Summons on April 23,1994, at 1216 hrs. upon Leslie D. Horn at 11462 Eureka Road, Erie County, Edinboro, Pennsylvania by handing to Kris Horn, his wife a true and correct copy thereof and made known to her the contents therein.

SERVED the within Summons on April 23, 1994, at 1216 hrs. upon Sid Kuhn & Sons at The Place of Business, 13521 Route 99, Erie County, Edinboro, Pa. by handing to Bill Kuhn, Owner a true and correct copy thereof and made known to him the contents therein.

Robert N. Michel, Sheriff Erie County
Geraldine Taylor, Deputy Sheriff

1994

Jorden & White
William T. Jorden

301.

MICHAEL C. GALBRAITH and CHRISTINE M. GALBRAITH, his wife

vs.

LESLIE D. HORN and SID KUHN & SONS

Filed March 30, 1994
@ 4:28 PM

Tax & entry paid	50.50
Use'rs Fee paid	5.00
Sheiff's Costs	75.00

WRIT OF SUMMONS

May 2, 1994 SHERIFF'S RETURN, filed. I hereby deputize the Sheriff of Erie County, Pennsylvania to serve the within Summons according to law. The defendants alleged address is 11462 Eureka Road, Edinboro, PA 16412, business address is 13521 Route 99, Edinboro, Pa. 16412. Robert M. Stevens, Sheriff
Crawford County

SERVED the within Summons on April 23, 1994, at 1216 hrs. upon Leslie D. Horn/Sid Kuhn & Sons at the business, 13521 Route 99, Erie County, Edinboro, Pennsylvania by handing to Leslie D. Horn/Bill Kuhn, Owner a true and correct copy thereof and made know to him the contents therein.

Robert N. Michel, Sheriff Erie County
Geraldine Taylor, Deputy Sheriff

1994

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

302.

Michael C. Colville
for USof America

MERCER COUNTY STATE BANK

vs.

JAMES F. DUNKERLEY, JR. and MYRTLE M. DUNKERLEY, his wife, and THE UNITED STATES OF AMERICA, Defendants and PAT CORRETTI, terre tenant

Filed March 31, 1994
@ 11:05 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	75.00
Pro Co. pd 6/13/94	9.00
Pro Co pd 5-26-94	9.00

COMPLAINT IN MORTGAGE FORECLOSURE
4 copies atty.

May 9, 1994 SHERIFF'S RETURN, filed. SERVED James F. Dunkerley on April 14, 1994 by Certified Mail, Return Receipt Requested at his last known address of R.R.#2, Box 440, Cody, Wyoming 82414-9802. Return Receipt attached.

SERVED Myrtle M. Dunkerley on April 14, 1994 by Certified Mail, Return Receipt Requested at his last known address of R.R.#2, Box 440, Cody, Wyoming 82414-9802. Return Receipt attached.

SERVED the U.S. Attorney General on April 8, 1994 by Certified Mail, Return Receipt Requested to Department of Justice, 10th and Constitutional Avenue N.W., Washington, DC 20539. Return Receipt attached.

SERVED The United States of America by deputizing the Sheriff of Allegheny County, PA, as per his Affidavit of Service attached. Served on April 15, 1994 at 633 Post Office and Courthouse Building, Pittsburgh, PA 15219.

SERVED Pat Corretti, Tenant, personally on April 5, 1994 at 10:00 AM by handing a copy of the Complaitn in Mortgage Foreclosure to him at the mortgaged property located at R,.D.#2, Box 51, Guys Mills, Crawford County, PA.

So answers, Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

RETURN: I hereby deputize the Sheriff of Allelgheny County, Pennsylvania to serve the within Complaint, Mtg. Foeclosure according to law. The defendants alleged address is Aty. General Office, 633 P.O. and Courthouse Bldg., Pittsburgh, PA 15219.

Robert M. Stevens, Sheriff, Cr. Co.

SERVED the within Comp Mtg. Fore on 4-15-94 at 12:02 PM, upon U.S.A. at above by handing to Janet Newell (Sec) a true and correct copy thereof and made known to her the contents therein.

Sheriff Allegheny Co.

May 12, 1994, Answer of Defendant United States of America filed.

May 20, 1994 Motion For Consent Judgment and Foreclosure Against United States of America and Consent Judgment filed. AND NOW, to wit, this 18th day of May, 1994, it appearing that counsel for plaintiff and counsel for defendant, United States of America, have consented to the entry of the within Order on behalf of their respective clients, it is hereby ORDERED, ADJUDGED and DECREED that a judgment be entered in favor of the plaintiff and against the United States of America for foreclosure of the mortgage of plaintiff in the within cause and for sale of the mortgaged property of defendant(s) Myrtle Marie Dunkerley.

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

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

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

U - 183
JUDGMENT

June 6, 1994, 2:32 p.m., AND NOW upon Praecipe of Plaintiff Attorney, with copy of Notice of Intention to file default judgment attached, judgment is hereby entered in favor of Plaintiff and against Defendants, James F. Dunkerley, Jr. and Myrtle M. Dunkerley in the sum of $30,054.33, foreclosure of the mortgage, possession of the premises, with costs plus interest from 3/8/94 at rate of 8% per annum for failure to file an answer. Also judgement entered against Pat Corretti, terre tenant, for foreclosrue of the mortgage and judicial sale of mortgaged premises of the Defendants, James F. Dunkerley and Myrtle M. Dunkerley, and discharge the interest of Pat Corretti, terre tenant, in mortgaged premises.

Debt $30,054.33
D-93,113,U-134 Judgment
Judgment entered 6/6/94 Barbara H. King, Pro.
6-13-94 Notice of judgment mailed defendants.

EXECUTION NO. 1994 - 34

June 8, 1994 Affidavit of Service of Notice of Sale, filed.

1994

Don E. Lewis

303.

William A. Kuhar, Jr.

JOHN F. JANASZEK

vs.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

Filed April 4, 1994
@ 10:34 AM

Tax & entry paid	50.50
User's Fee paid	5.00

Apr. 4, 1994 Notice of Appeal, Motion, Petition for Writ of Supersedeas and ORDER filed. AN DNOW, this 6 day of April, 1994, upon Motion by the APPELLANT, a hearing is set on said Appeal for the 28th day of June, 1994, at 1:30 o'clock p.m., in Courtroom No. 1 or 2 of the Crawford County Courthouse, Meadville,Pennsylvania.

Further, notice of said Appeal and of this Order of Court are to be given forthwith by Appellant's attorney to the appropriate representatives of the Appellee by forwarding a true and correct copy of same to the Appellee by First Class,U. S. Mail, postage prepaid.

Finally, said Appeal shall act as a supersedeas to Appellee's suspension of Appellant's operating privileges.

BY THE COURT:
Anthony J. Vardaro, J.

4-11-94 Copy of Order to Atty. Lewis

July 7, 1994, Motion for Continuance and order filed. ORDER OF COURT: AND NOW, this 7 day of july 1994, upon consideration of the Motion for continuance it appearing that there is no objection to the continuance of this matter by counsel for dft., it is hereby ORDERED that a hearing on this matter is continued from Tues. June 28, 1994 at 1:30 p.m. to Sept. 29, 1994 at 1:30 p.m. in C. r. No. 1 or 2.

BY THE COURT,
Anthony J. vardaro, J.
July 13, 1994, copies to Attys. D. Lewis and Wm. Kuhar.

Oct. 5, 1994 ORDER filed, AND NOW, September 29, 1994, at the time set for hearing in this matter, the attorney for the Appellant moves for a continuance which is consented to by the Department and, accordingly, this matter is continued to be reset by the Court Administrator at the next available time scheduled for license suspension appeals.

BY THE COURT:
Anthony J. Vardaro, J.

Oct. 5, 1994 copies dist to Lewis & Kuhar

Jan. 24, 1995 Motion For Continuance and Order, filed. AND NOW, to-wit: This 23rd day of January, 1995, upon consideration of the foregoing Motion for Continuance, there having been no objection to the continuance of the de novo hearing on this operating privilege revocation appeal by counsel for the appellant, it is hereby ORDERED that the de novo hearign on this appeal that had been previously scheduled for December 15, 1994 at 11:00 a.m. and then postpond be held on March 30, 1995 at 11:00 a.m. in Courtroom No. 1,2 or 3 of the Crawford County Courthouse.

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

Jan. 24, 1995 Faxed Kuhar & Lewis

Mar. 31, 1995 Order filed. AND NOW, March 30, 1995 after hearing with regard to the appeal of a license suspension, the Court finds that the Department appropriately acted and the appeal is dismissed, and the suspension imposed by the Department is sustained.

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

Mar. 31, 1995 Dist. to Lewis & Kuhar

May 11, 1995 Exhibits filed.

1994

Don E. Lewis

304.

William A. Kuhar, Jr.

JOHN F. JANASZEK

vs.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

Filed April 4, 1994
@ 10:25 AM

Tax & entry paid 50.50
User's Fee paid 5.00

Apr. 4, 1994 Notice of Appeal, Motion and Petition for Writ of Supersedeas and ORDER filed. AND NOW, this 6 day of April, 1994, upon Motion by the Appellant, a hearing is set on said Appeal for the 28th day of June, 1994, at 1:30 o'clock p.m., in Courtroom No. 1 or 2 of the Crawford County Courthouse, Meadville, Pennsylvania.

Further, notice of said Appeal and of this Order of Court are to be given forthwith by Appellant 's attorney to the appropriate representatives of the Appellee by forwarding a true and correct copy of same to the Appellee by First Class, U. S.Mail, postage prepaid.

Finally, said Appeal shall act as a supersedeas to Appellee's suspension of Appellant's operating privileges.

BY THE COURT:
Anthony J. Vardaro, J.

4-11-94 Copyof Order to Atty. Lewis

Jul. 7, 1994 Motion for Continuance and ORDER OF COURT filed. AND NOW, to-wit: this 7 day of July, 1994, upon consideration of the foregoing Motion for Continuance, it appearing that there is no objection to the continuance of this matter by counsel for the defendant, it is hereby ORDERED that the hearing on this matter is continued from Tuesday, June 28, 1994 at 1:30 p.m. to September 29, 1994, at 1:30 p.m. in Courtroom No. 1 or 2 of the Crawford County Courthouse.

BY THE COURT:
Anthony J. Vardaro, J.

7-8-94 Faxed to Attys. Lewis, mailed to Kuhar

Oct. 5, 1994 ORDER filed. AND NOW, September 29, 1994, at the time set for hearing in this matter, the attorney for the Appellant moves for a continuance which is consented to by the Department and, accordingly, this matter is continued to be reset by teh Court Administrator at the next available time scheduled for license suspension appeals.

BY THE COURT:
Anthony J. Vardaro, J.

Oct. 5, 1994 copies dist. to Kuhar & Lewis

Oct. 20, 1994 ORDER filed. AND NOW, October 3, 1994, the Court Administrator having been directed by teh Court to schedule a hearing in the above matter, hearing is set for December 15,1994 at 11:00 A.M., in Courtroom No. 1, Crawford County Courthouse, Meadville, PA.

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

Oct. 20, 1994 Faxed Kuhar, given Lewis

Jan. 24, 1995 Motion For Continuance and Order, filed. AND NOW, to-wit: this 23rd day of January, 1995, upon consideration of the foregoing Motion for Continuance, there having been no objection to the continuance of the de novo hearing on this operating privilege revocation appeal by counsel for the appellant, it is hereby ORDERED that the de novo hearing on this appeal that had been previously scheduled for December 15, 1994 at 11:00 a.m. and then postponed be held on March 30, 1995, at 11:00 a.m. in Courtroom No. 1, 2 or 3 of the Crawford County Courthouse.

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

Jan. 24, 1995 Faxed Kuhar & Lewis

Mar. 31, 1995 Order filed. AND NOW, March 30, 1995 after hearing with regard to the appeal of a license suspension, the Court finds that the Department appropriately acted and the appeal is dismissed, and the suspension imposed by the Department is sustained.

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

Mar. 31, 1995 dist toLewis & Kuhar

May 11, 1995 Exhibits filed at A.D. 1994-303.

1994

Blystone & Blystone
Curtis E. Blystone

305.

JAMES E. STRITZINGER

vs.

KARLYN ALICE STRITZINGER

Filed April 4, 1994
@ 11:20 AM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd7-12 -94	9.00
Pro Co pd 7/27/94	5.00

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

Apr.7, 1994 Affidavit of Service filed.

1. The undersigned, Curtis E. Blystone, is attorney for James E. Stritzinger, plaintiff in the above-captioned civil action.

2. On April 4, 1994, affiant mailed a true and correct copy of the Complaint, endorsed with Notice to Defend and Claim Rights to the defendant, Karlyn Alice Stritzinger, by certified mail, restricted for delivery to the addressee, posted at the Meadville, Pennsylvania, United States Post Office, and bearing Article No. P 100 658 017 as indicated by the attached receipt for certified mail.

3. The aforesaid certified mail article was delivered to the defendant, Karlyn Alice Stritzinger, on April 5, 1994, as indicated by the attached return receipt.

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

Dated: April 7, 1994 Curtis E. Blystone

July 7, 1994 Affidavit of Consent of Defendant, filed.

July 7, 1994 Affidavait of Consent of Plaintiff, filed.

July 7, 1994 Upon praecipe of Plaintiff's attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

July 18, 1994, AND NOW, July 14, 1994, it is ordered and decreed that JAMES E. STRITZINGER, Plaintiff, AND KARLYN ALICE STRITZINGER, defendant, are divorced from the bonds of matrimony.

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

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

July 27, 1994 Notice of Election To Retake Maiden Name filed. Karlyn Alice Stritzinger TO BE KNOWN AS Karlyn Alice Williamson

306

1994

Law Office of Marianne C. Mnich
Susan D. O'Connell

306.

Peters, Lindsay, Lewis & hatheway
Edward J. Hatheway

ALLSTATE INSURANCE COMPANY as subrogee for JOHN R. and SUSAN MITCHELL, as individuals and as husband and wife and as parents and natural guardians of DAVID MITCHELL, a minor; and as parents and natural guardians for JENNIFER L. MITCHELL, a minor; and as subrogee for MICHELLE MITCHELL, a minor

vs.

STACY ANN WAID

Filed April 4, 1994
@ 1:26 pM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's costs	30.00
Sheriff's Costs	30.00
Arb paid 4/7/95	15.00

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

April 18, 1994 Sheriff's Return filed. NOT FOUND as to Defendant Stacy Ann Waid at address of RD # 3, Box 142, Conneautville, Crawford County, PA. She has moved and left no forwarding address.
So answers,
Robert M. Stevens, Sheriff

Aug. 1, 1994 Complaint Reinstated.

Aug. 19, 1994 Sheriff's Return filed. SERVED Stacy Ann Waid personally on August 12, 1994 at 2:10 PM by handing a copy of the Complaint to her in the Sheriff's Office, Third Floor, Crawford County Courthouse, 903 Diamond Park, Meadville, Crawford County, PA.
So answers, Carole Stefanucci, Deputy Sheriff
Robert M. Stevens, Sheriff

Sep. 15, 1994 Default Judgment filed.

Sept. 21, 1994 Answer filed.

April 7, 1995, Upon praecipe of plaintiff attorney, for reference to the arbitrators, the following arbitrators are appointed:
Louis Stack, Ch.
~~Mary Ann Kirkpatrick~~ David P. Truax ~~Harry White~~ ~~Alan Shaddinger~~ ~~Richard W. Roeder~~
Christopher YOungs

Jul. 27, 1995 Arbitrators take Qualifying Oath, filed.
7-27-95 Faxed O'Connell, Hatheway & Given Stack

Sept. 21, 1995 Notice of Intention to Introduce Documents Pursuant to PA R.C.P. No. 1305, filed.

1994

JURY TRIAL DEMANDED

Lamancusa & Cilli, PC
Carmen F. Lamancusa

307.

ILONA STAUB

vs.

MARION LEE HALL

Filed April 4, 1994
@ 1:57 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Pro.Co. pd 7/14/94	6.00

WRIT OF SUMMONS
Issued Attorney

Jul. 14, 1994 Upon Praecipe of Carmen F. Lamancusa, ESquire,. Attorney for Plaintiff, the above captioned matter marked settled and discontinued as to Plaintiff, Ilona Staub, filed.

1994

Lamancusa & Cilli, PC Carmen F. Lamancusa	MARY KAY STAUB and WALTER R. STAUB	WRIT OF SUMMONS Issued Atty.
308.	vs.	Jul. 14, 1994 UponPraecipe of Carmen F. Lamancusa, Esquire, Attorney for the Plaintiff, the above-captioned matter settled and discontinued as to Plaintiffs, Mary Kay Staub and Walter R. Staub, filed.
	MARION LEE HALL	
	Filed April 4, 1994 @ 1;58 PM	
	Tax & entry paid 50.50 User's Fee paid 5.00 Pro.Co. Pd 7/14/94 6.00	

1994

309.

TANYA MARIE BOYD

vs.

KERRY DENNIS BOYD

Filed April 4, 1994
@ 2:01 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro.Co.pd 6/13/94	5.00

COMPLAINT IN DIVORCE UNDER SECTION 3301(c) OF THE DIVORCE CODE
2 copies pltf.

Apr. 15, 1994 Acceptance of Service filed. I accept service of the Complaint in Divorce under Section 3301c of the Divorce Code
4-4-94 Kerry D. Boyd

Jun. 13, 1994 Praecipe of Tanya M. Boyd, Plaintiff, divorce procedure discontinued and complaint withdrawn.

310

1994

Edgar Snyder & Associates, PC John H. Eaton	LOIS ELAINE JONES, Administratix for the Estate of RAY H. DEETER, JR. deceased.	WRIT OF SUMMONS Issued Atty.
310.	vs.	
	ORVILLE F. HUBER, JR.	
	Filed April 4, 1994 @ 3:15 PM	
	Tax & entry paid 50.50 User's Fee paid 5.00	

1994

311.

RATONNA T. HILL

vs.

KENNETH COGGINS

Filed April 5, 1994
@ 2:34 PM

Tax & entry	50.50
User's Fee	5.00
Sheriff's costs	35.00

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

Order:

And now, this 5 day of April , 1994 , 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: Not contact Pl in any way or go to her home or wherever she is located for any purpose.
3. This Order may be enforced without a warrant any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court Liability for payment or fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves ruling on allocation of fees and costs.

Hearing is hereby set for April 11, 1994 , 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.

April 11, 1994 Sheriff's Return filed. SERVED Kenneth Coggins personally on April 7, 1994 at 2:25 p.m. by handing him a copy of the Protection from Abuse at the City Building, 984 Water St., Meadville, Crawford County, Pa.
So answers,

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

Apr. 14, 1994 ORDER filed. AND NOW, April 11, 1994, both parties appeared in open court without counsel. They were advised as to the nature of the PFA process and the defendant understood it. The Court engaged in a short settlement discussion. Both parties agreed to leave the other alone. The plaintiff believes she needs a Protection From Abuse Order so that she can prevent further abuse. The defendant does not believe that is necessary because he promises to leave t he plaintiff alone and he is fearful that if the plaintiff gets a Protection From Abuse Order, she will abuse it. Since the case was not settled, the Court entered into a full hearing, where the plaintiff and the defendant both testified. There were no other witnesses.

The Court finds that the two engaged in a mutual scuffle and that is not abuse as defined by the Act. If the defendant did grab a knife, he did not use it on the plaintiff in any threatening manner, and therefore, he did not cause physical abuse or attempt to cause physical abuse. Holding onto a knife is improper, but it is not physical abuse under the Act.

THEREFORE, based upon the evidence and especially the defendant's statment under oath that he will not abuse or bother the plaintiff, the Court finds that the Protection From Abuse Act has not been violated, and therefore, dismisses the Complaint without any further action.

The costs shall be paid by the County.

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

4-14-94 Copy mailed MCPD & given County Control. 4-18-94 Copy mailed to Pltf & Deft.

1994

Barbara J. Walton

312.

Joseph Kulawicki
Thomas A. Testi

Apr. 5, 1994 $150.00 deposited by Plff.

7-1-94 Pd Plff Ck#8416 45.00

9-13-94 Pd Co Ck#8549 76.00

LARRY R. CROSS

vs.

JOANNIE CROSS

Filed April 5, 1994
@ 2:46 PM

Tax & entry paid	50.50
User's Fee paid	5.00
William Pineo, Mediator Pro Co Pd 9-94	90

COMPLAINT FOR CUSTODY

Order:
YOU, JOANNIE CROSS, HAVE BEEN SUED in Court to obtain custody of Terrasa Lynn Cross.
You are ORDERED to appear in person at such time and place as will be determined by the Mediator Wm. Pineo, 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.
Until the time of the above hearing neither party shall remove the child form the state of Pennsylvania.
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 Couthouse
Meadville, PA 16335
(814) 336-1151, ext. 298
Date: 4/4/94

BY THE COURT,
Anthony J. Vardaro ,J

Apr. 11, 1994 Copies dist. to Atty.s' Walton and Pineo

Apr. 19, 1994 Affidavit of Service filed. And Now, April 19, 1994, comes Barbara J. Walton, and avers as follows:
1. A true and correct copy of the Motion to Appoint a Custody Mediator and Complaint for Custody was mailed to the Defendant via Certified Mail, return receipt on April 15, 1994.
2. That the Defendant signed the return card on April 18, 1994 and in accordance with Pa. R.C.P.412, service of the Complaint was made as is evidenced by the United States Postal Service Return Receipt (Certified No. Z070232933) 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 sub ject to the penalties of 18 Pa. C.S. §4904,relating to unsworn falsification to authorities.

Barbara J. Walton, Esquire

May 6, 1994 Upon praecipe of Joseph Kulwick, II, Esquire, appearance on behalf of defendant, filed.

May 11, 1994, certificate of service of Interrogatories filed.

June 13, 1994 Petition for Leave to Engage inDiscover and for Counsel Fees, Costs and Expenses, filed.

June 17, 1994 Answer to Complaint For Custody, filed.

June 16, 1994 Order filed. AND NOW, June 13, 1994,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 he has, why he should not be required to pay counsel fees, costs and expenses. Said Rule is returnable for hearing and argument on July 14, 1994, at 2 o'clock p.m., in Courtroom No. 1 or 2 of the Crawford County Courthouse.
2. The defendant is granted leave of court to engage in discovery in the natur of Interrogatories pursuant to the Rules of Civil Procedure. If additional discovery is desired, another petition or motion shall be filed. The plaintiff is ORDERED and DIRECTED to respond to Interrogatories already issued within 20 days from this date.

BY THE COURT,
Gordon R. Miller, J

June 16, 1994 Faxed Walton & Kulwicki

June 24, 1994 Motion To Reconsider Order and Order, filed. And Now, upon presentation of the Motion to Reconsider Order, it is hereby Ordred that the Motion to Reconsider Order is denied.

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

June 27, 1994 Faxed Kulwicki & Walton

Jun. 29, 1994 Temporary Order filed. AND NOW, this 28 day of June, 1994, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator,
IT IS HEREBY ORDERED AND DECREED THAT:
1. Legal physical custody of subject minor child, Terrasa Lynn Cross, is hereby ordered to her mother.
2. The parties shall share with each ot her 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.
3a. The father shall have visitation and temporary physical custody each Tuesday from 5:00 p.m. to 7:00 p.m. The visitation is for the purpose of reestablishing a parent-child relationship and therefore the father shall plan an activity, which will include dinner, especially for this purpose.
4. Holiday visitation shall be arranged as follows:
a. Christmas: The father shall have the right of visitation and temporary physical custody with his daughter each Christmas from 4:00 p.m. to 7:30 p.m.
b. The provisions of this paragraph shall take precedence over the other provisions of this order relating 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 encourgaged 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 visitations as set out in this order or as previously arranged, the party seeking cancellation or modification shall notify the ot her party as soon as he or she knows of the necessity which impels the cancellation of modification. Said modifications or cancellations shall not be proposed except for good reasons.

Continued to Page 312 A

1994

Larry R. Cross
vs
Joannie Cross

Continued from Page 312
of Record
AD 1994 - 312

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 father shall provide all of the transportation necessitated by the exercise of his visitation rights. Any person transporting the children shall make sure that the seat belts or other restraints are used in accordance with the laws of Pennsylvania.

8. Each party shall teach said child to give to the orther party that love and respect which is due a parent from his or her child.

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 child. T he parties are cautioned that medical research has indicated that tobacco smoke is injurious to the health of growing children. Therefore, neither party shall smoke tobacco or permit others to do so in the same room as the child, in a closed automobile in which the children are being transported, or in the bedrooms of the child.

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 ot her 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. Either party may request a review of this order six months from this date.

12. Costs and fees of this Mediation, which are fixed at $152.00, are divided equally between the parties. The fathers shares assessed to him as costs in this case. The Mediator notes to the court the mother is indigent and therefore her share is assessed to 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, if any, shall be remitted to him.

14. 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.

7-7-94 Faxed to Attys. Walton, Kulwicki & Pineo

Jul. 6, 1994 Notice ofFiling Answers to Interrogatories, filed.

Jul. 15, 1994 Petition for Contempt and NOTICE AND ORDER TO APPEAR, filed. Legal Proceedings have been brought against you alleging you have wilfully disobeyed an order of court for visitation.

If you wish to defnd 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 August 9, 1994, at 11:00 a.m., in Courtroom Number 1, Crawford County Courthouse, Meadville, Pennsylvania.

IF YOU DO NOT APPEAR INPERSON, THE COURT MAY ISSUE A WARRANT FOR YOUR ATTEST.

If the court finds that you have wilfully failed to comply with its order for visitation, you may be found tobe in contempt of court and committed to jail, fined or both.

YOU SHOULD TAKE THIS PAPER TO YOURLAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

BY THE COURT,
Gordon R. Miller, J.

7-15-94 Faxed to Attys. Walton& Kulwicki

Jul. 15, 1994 Rule to Show Cause Order filed. AND NOW, this 13th day of July, 1994, upon consideration of the enclosed Petition for Contempt, it is hereby entered ordering and directing the Defendant, Joannie Cross to show cause, if any she has, why said Petition for Contempt should not be granted. The said Rule to show Cause is returnable for hearing and/or argument on the 9th day of August, 1994, at 11:00 o'clock a.m. prevailing time, in Courtroom Number 1, in the Crawford County Courthouse located at 903 Diamond Park, Meadville, Pennsylvania.

By the Court:
Gordon R. Miller, J.

7-26-94 Faxed to Attys. Walton & Kulwicki

Jul. 29, 1994 Motion to Continue and ORDER filed. AND NOW, this 29 day of July, 1994, Hearing set Aug. 23, 1994 at 11:00 A.M.

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

7-29-94 Faxed to Attys.Kulwicki & Walton

July 26, 1994 Affidavit of Service filed. And Now, July 21, 1994, comes Barbara J. Walton, and avers as follows:

1. A true and correct copy ofthe Notice and Order to Appear was mailed to the Defendant via Certified Mail, return receipt on July 20, 1994.

2. That the Defendant signed ther eturn card on July 21, 1994, and in accordance with Pa. R.C.P. 412, service of the Complaint was made as is evidenced by the United States Postal Service Return Receipt (Certified No. Z070232960) attached hereto as Exhibit "A".

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

Barbara J. Walton

Aug. 10, 1994, MEMORANDUM AND ORDER filed. ORDER: AND NOW, Aug. 9, 1994, the defendants petition for counsel fees, costs and expenses is denied.

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

Aug. 11, 1994, copies dist., to Walton and Kulwicki.

Aug. 10, 1994, Exhibit filed. (in folder)

Aug.25, 1994 Motion to Continue and ORDER filed. AND NOW, this 22 day of August, 1994, the motion is granted and the hearing upon motion of either party.

BY THE COURT,
Gordon R. Miller, J.

8-25-94 Faxed to Attys. Kulwicki & Walton

Continued on Page 312B

Larry r. Cross
vs.
Joannie Cross

CONTINUED FROM PAGE 312 A
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Dec. 5, 1994 Motion To Reschedule Hearing On Petition For Coontempt and Order, filed. AND NOW, this 5 day of December, 1994, upon presentation of the Motion to Reschedule Hearing on the Petition for Contempt, it is hereby Ordered that the Hearing shall be rescheduled for the 30th day of December, 1994 at 9:15 o'clock, a.m. in Courtroom Number 1, at the Crawford County Courthouse, Meadville, Pennsylvania 16335.

By the Court:
Anthony J. Vardaro, J.

Dec. 6, 1994 Faxed Kulwicki, given Walton

Dec. 14, 1994 Affidavit of Service filed. And NOw, Dec. 13, 1994, comes Barbara J. Walton, and avers as follows:

1. A true and correct copy of the Motion to Reschedule Hearing on the Petition for Contempt was mailed to the Defendant via Certified Mail, return receipt on Dec. 7, 1994.

2. That the Defendant signed thereturn card on December 9, 1994, and in accordance with Pa. R.C.P. 412, service of the Complaint was made as is evidenced by the United States Postal Service Return Receipt (Certified No. Z070383628) attached hereto as Exhibit "A".

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

Barbara J. Walton, Esq.

DEc. 14, 1994 Motion To Withdraw and Order, filed. AND NOW, this 14th day of December, 1994, motion granted.

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

Dec. 14, 1994 Faxed Kulwicki, Walton, Pineo

Dec. 14, 1994 Motion to Continue and Order, filed. AND NOW, 14th day of December, 1994, upon consideration this motions denied.

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

Dec. 14,1994 Faxed Kulwicki, Walton, Pineo

Dec. 28, 1994 Appearance of Thomas A. Testi for Defendant filed.

Dec. 30, 1994 Appearance of Thomas A. Testi,Esquire,Attorney for Joannie Cross, Defendant, filed.

Jan. 5, 1995 ORDER filed. AND NOW, December 30, 1994, the parties appeared in court on the plaintiff's contempt petition, both having counsel and the matter was dealt with informally.

The mother moved to Grove City shortly after the mediation conference. She claims she did that in order to find a better environment and better school for her daughter. Among the reasons was the fact that she had a romantic interest in a man who lived in Grove City. While we believe she should have remained in the Meadville area, we do not now find that the move to Grove City was contemptuous or should affect her rights. This puts the father at a disadvantage because he does not drive. Since there is about a one-hour distance between the father and the child, Tuesday visitations during school periods are unrealistic.

ACCORDINGLY, it is ORDERED as follows:

1. The contempt petition is DISMISSED as we are not satisfied that the defendant willfully violated the prior Court Order, although she certainly tested it.

2. The Order of June 28, 1994 shall remain in full force and effect without change or modification except as hereinafater provided, to the extent that this Order is inconsistent with that Order, this Order shall prevail.

3. The father's visitations shall occur every Saturday between 1 o'clock p.m. and 3 o'clock p.m., unless the parties mutually agree to a difference time. If the father cannot exercise a visitation, he shall notify the defendant by telephone or in writing at least 72 hours prior to the visitation so that the mother and daughter may make alternate plans and, more improtantly, so that they do not have to make an unnecessary trip from Grove City to Meadville. The mother shall have the child available at 1 o'clock p.m. without fail. If the defendant is not present to receive teh child at 1 o'clock p.m., or within 10 minutes thereafter, the mother and child may consider that visitation to have been forfeited and no other visitation shall be substituted therefor. They need not wait more than 10 minutes for the father to appear.

Transportation shall be shared on a 50-50 basis. The father does not have an automobile and this Court urges him to obtain an automobile so that he may fulfill his transportation responsibilities and also may be have more meaningful visits with his daughter. In the event that the father does not obtain an automobile or transportation to fulfill his responsibility for providing transportation, 50 percent of the time, he shall (a), tell the defendant that he does not have the ability to provide transportation, whereupon, the mother shall provide the transportation; and (b), pay to the mother $30 for each time that the mother provided round-trip transportation from Grove City to Meadville when it is the father's responsibility to provide that transportation. Under these circumstances, the father need not pay for the transportation that the mother is obligated to provide, but at the time that he is to provide transportation, he has a choice of either providing that transportation in-kind or by paying the mother $30. The Court arrived at that at thirty cents per mile for seventy-five miles, plus $7.50 for the mother's time. This is, if anything, on the low side.

4. If the mother moves to a point further away from Meadville than Grove City, then she shall provide all of the transportation until further Order of Court.

5. At all times, these parties shall have the exact street address, mailing address and telephone number of the other party and they shall receive phone calls and correspondence from the other party, provided the phone calls and correspondence are not of a needlessly repetitive, harassing, threatening or abusing nature.

6. There shall be no arguing, anger or bitterness that takes place during an exchange or visitation. If these parties intend to use heated words or argue with each other, they shall do so outside the presence of their daughter.

BY THE COURT,
Gordon R. Miller, President Judge

Jan. 5, 1995 Order distritubed to Atty. B. Walton and T. Testi, Wm. Pineo.

1994

313.

DIANE YANACEK

vs.

STEVEN J. YANACEK

Filed. April 5, 1994
@

Tax & entry Pd 4-20-94 50.50
User's Fee Pd 4-20-94 5.00

Sheriff's Costs 25.00
Pro Co Pd 4-20-94 9.00
Pro.Co. pd 6/9/94 5.00

4-20-94 Rec from dept Sheriff's cost 25.00
4-20-94 Pd Sheriff 25.00
Ck#8252

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

Order:

And now, this 5 day of April , 1994 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

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

2. Special Conditions: The Plaintiff shall have exclusive possession of the marital residence at 172 Glenwood Ave., Meadville pending further order of Court. The Plaintiff shall have temporary excluding custody of the minor children pending further order of Court. ***

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

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

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

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

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

8. The court reserves ruling on allocation of fees and costs. Hearing is hereby set for April 13, 1994 , at 3:00 p. m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro. K

*** The Plaintiff shall allow defendant reasonable visitation.

Apr. 11, 1994 Sheriff's Return filed. SERVED Steven J. Yanacek personally on April 6, 1994 at 9:01 AM by handing a copy of the protection from Abuse to him at his place of employment, Smith Gray, Conneaut Lake Road, Meadville, Crawford County, PA.

So answers,

Shawn E. Ashbaugh, Deputy Sheriff
Acott D. Young, Deputy Sheriff
Robert M.Stevens, Sheriff

Apr. 15, 1994 ORDER filed. AND NOW, April 13, 1994, this matter is before the Court on a Petition for Relief filed under the Protection from Abuse Act filed by the Plaintiff.

Both parties appear without counsel and the Defendant is advised of his right to counsel and indicates he has consulted counsel and inteds to proceed this day without counsel.

There is some informal discussion with respect to the current temporary Order with the Defendant being of t he belief that the Plaintiff intended to agree to the termination of any Ordder at this number and term with respect to the Protection From Abuse matter in return for apparently some other concessions with regard to a divorce proceeding to be filed. The Plaintiff does not agree to drop this action, and after some discussions, the Defendant agrees to the entry of the following Order without admission of the allegations of the Petition:

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff at any time or any place.

2. The Plaintiff shall have exclusive possession of the marital residence at 172 Glenwood Avenue in Meadville, Pennsylvania, pending any further Order of Court. The Defendant shall have sole possession of that residence every other weekend so that he may have temporary custody of the children beginning at 6:00 p.m. on April 22, 1994 through 7:00 p.m. on April 24, 1994, and thereafter for like hours and days every other weekend.

3. Except for the period of time on every other weekend as set forth above that the Defendant shall have possessionof the marital residence, the exclusive possession awarded to the Plaintiff means that the Defendant shall not be at that residence for any purpose other than every other weekend as set forth above.

If the Defendant is at the marital residence any other time, the police agency called if that occurs shall presume that he is in violation of this Order.

If the parties wish for the Defendant to go to the marital residence at any other time, they should seek a modification of this Order prior to him doing so.

4. The Plaintiff shall have temporary primary physical custody of t he minor children pending any further Order of Court with the Defendant to have temporary periods of physical custody consistent with what we have outlined above beginning April 22, 1994 for that weekend and continuing every other weekend thereafter until further Order of Court in this proceeding or any other proceeding.

5. The Defendant shall pay to the Plaintiff the sum of $624.00 per month for child support payable in weekly installments of $144.00 per the agreement of the parties. This award of support as well as the custody arrangements are without prejudice to either party to file an appropriate action with respect to such issues.

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 by the Prothonotary to County Control and Meadville City Police Department. Additionally, the Prothonotary shall mail a copy by regular mail to the Plaintiff at 172 Glenwood Avenue in Meadville, Pennsylvania, and to the Defendant care of Betty Davison, R.D.#3, BAldwin Street Extension, Meadville, Pennsylvania.

Continued to Page 509

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

314.

Joan Mason

VIRGINIA T. ANTHONY

vs.

CLAIR R. ANTHONY

Filed April 5, 1994
@

Tax & entry paid	50.50
User's Fee paid	15.00
2 Add'l Counts paid	30.00
State paid	10.00
Pro. Co. Pd. 5/14/97	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.

Apr. 12, 1994 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. OnApril 5, 1994, he had deposited in the United State Mail by certified mail, return receipt requested, Certified Mail No. P 260 509 793 as evidenced by Certified Mail Receipt No. P 260 509 793 attached hereto and made a part hereof, a true and correct copy of a Complaint in Divorce addressed to Clair R. Anthony said Complaint naming Clair R. Anthony as the defendant in the above-captioned matter.
4. Service was obtained upon the defendant, Clair R. Anthony on April 6, 1994, as evidenced by Return Receipt for Certified mail No. P 260 509 793 attached hereto and made a part hereof, said receipt being signed by Clair R. Anthony.
FURTHER, DEPONENT SAYETH NOT. Gary A. Fabian

July 20, 1994, Inventory of Virginia T. Anthony filed.

Jan. 5, 1995 Income and Expense Statement of Plaintiff, filed.

Jan. 13, 1995 Motion to Compel Filing of Inventory and Filing of Income and Expense Statement and ORDER filed. AND NOW,this 13 day of January, 1995,it is ORDERED and DIRECTED that the defendent shall,not later than February 3,1995,file an inventory andfile an income and expense statement together with a copy of thedefendant's most recent federalincome tax return and pay stubs for the preceeding six (6) months.
BY THE COURT
Anthony j.Vardaro,J.
1-13-95 Faxed to Atty. Fabian, Mailed copy to Deft.

Feb. 3, 1995 Inventory andAppraisement of Defendant filed.

Feb. 3, 1995 Income and Expense Statement of Defendant filed.

Feb. 17, 1995 Motion To Permit Discovery and Order, filed. AND NOW, this 17th day of February, 1995, upon presentation of the foregoing motion it is hereby ordered that the plaintiff may proceed with depositions of the Defendant, various officials of PPG Industries, Inc. and/or any agency or individuals involved in the administration of defendant's employee benefits or shares of PPG stock. Said depositions may be by oral examination or by writton Interrogatories. or
BY THE COURT
Gordon R. Miller, P.J.
Feb. 17, 1995 faxed Fabian

Jan. 25, 1996 Certificate of Service of Planitiff's First Set of Interrogatories to Defendant filed.

Feb. 1, 1996 Certificate of Service of Plaintiff's Request for Production, filed.

April 18, 1996 Motion for Sanctions and ORDER filed. AND NOW, this 18th day of April,1996, the forgoing motion is scheduled for hearing and/or argument on the 29th day of April, 1996 in Court Room No. 1,2 or 3, at 9:15 o'clock A.M.
FOR THE COURT
Ann A. Walker, Court Administrator
April 18, 1996 Order FAXED Attys. Fabian and J. Mason.

April 18, 1996 Motion for Injunction and ORDER filed. AND NOW, this 18th day of April, 1996, Plaintiff's request for injunction pursuant to the Divorce Code 23 Pa. C.S.A. 3505(a) is scheduled for hearing and/or argument on the 29th day of April, 1996, at 9:15 o'clock A.M. at the Crawford County Courthouse, Meadville, PA. in Courtroom No. 1,2 or 3.
FOR THE COURT
Ann A. Walker, Court Adminsitrator
April 18, 1996 Order FAXED Attys. Fabian and J. Mason.

May 1, 1996 ORDER filed. AND NOW, April 29, 1996, Court permitts plaintiff to take oral deposition of defendant within the next 30 days. (SEE PAPERS FILED).
BY THE COURT,
P. Richard Thomas, S. J.
May 1, 1996 Order Distributed to Attys. Fabian, J. Mason.

July 15, 1996 Petition for Contempt and ORDER filed. AND NOW, this 12th day of July, 1996, hearing upon the request of the foregoing petition shall occur on August 6, 1996, at 11:00 o'clock a.m. in Courtroom No. 1 at the Courthouse at Meadville, Pennsylvania.
BY THE COURT
Gordon R. Miller, P.J.

Aug. 12, 1996 Motion for Continuance and ORDER filed. AND NOW, August 9, 1996, the hearing upon the Plaintiff's Petition for Contempt is continued generally.
BY THE COURT
Anthony J. Vardaro, J.
Aug. 12, 1996 Order FAXED Attys. Fabian and J. Mason.

Continued on Page 487

1994

John P. Gagliotti
MA. Kirkpatrick

315.

1-19-95 Rec'd from Plf med fee 150.00
4-27-95 Pd Master 20.00 #9133
5-27-95 Pd atty for Plf #9134 130.00

KARINA M. ARMSTRONG (Nellis)

vs.

JOHN H. ARMSTRONG

Filed April 5, 1994
@ 4:11 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Wm. Pineo, Mediator Pro Co 5-8-95 pd	9.00

COMPLAINT FOR CUSTODY

May 10, 1994 Motion to Have Custody Agreement Entered as Order of Court and CUSTODY AGREEMENT AND CONSENT DECREE filed. AND NOW, this 5th day of May, 1994, the Court enters the following Consent Decree betwen the Plaintiff/Mother, Karina M. Armstrong, and Defendant/Father, John H. Armstrong, the natrual parents of Justin Armstrong, age 9; and Eric Armstrong, age 8; who have entered into an agreement as to legal and physical custody of said minor children, which is as follows:

1 The parties are the Mother and Fat her, respective, of Justin Armstrong, age 9; and Eric Armstrong, age 8; whose date of births are October 10, 1984 and January 21, 1986 respectively.

2. Mother currently resides at 619 West Spring Street, Titusville Crawford County, Pennsylvania, 16354.

3. Father currently resides at P.O.Box 44, Slippery Rock, Butler County, Pennsylvania, 16057.

4. The parties have agreed as per the following:

a) Father and mother shall have joint legal custody of the subject minor children, Justin and Eric.

b) Mother shall have primary physical custody of the minor children;

c) Fat her shall have visitation of the minor children as follows:

One month summer visitation beginning on or about July 15, 1994 to August 15, 1994, and for all subsequent summers. Defendant shall solely be responsible for all transportation expenses relating to the summer visits, and any other subsequent visits.

d) In the year 1998 and thereafter,parties shall make inquiry of the children as to their wishes as to which party shall have primary physical custody of them. So long as the children's wishes are found to be sincere, parties will make every effort to accommodate those wishes. If the children desire to have Defendant as their primary custodian, then mother shall have same visitation rights as the fat her does currently, including the duty to pay transportation costs.

e) Although no privision is make for the Thanksgiving and Christmas holidays, parties are free to decide whether such a visitation will take place and where it shall take place.

f) When Father shall be in the Crawford County area, he shall have reasonable visitation with the children.

g) Mother and Father shall consult with each other involving all major decisions involving the child's health, education and welfare and have equal access to all school and medical information regarding the minor children.

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 a necessity which impels the cancellation or modification. Said modification or cancellation 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. This Order does not address the issues relevant to child support, including uninsured medical expenses incurred on behalf of the children.

7. Parties are free to make any additional or alternative arrangements respecting the custodial and visitation periods. Said arrangements shall be mutual consent only in the absence of which this Order shall govern.

Date: 3/7/94 Karina M. Armstrong
Date: 3/15/94 John H. Armstrong

BY THE COURT,
Gordon R. Miller, J.

5-10-94 Faxed Copy to Atty. GAgliotti. 5-11-94 Certified Copy to Plaintiff, copy mailed to Deft.

Jan. 19, 1995 Motion To Appoint Mediator and Order filed. AND NOW, January 18, 1995, Wm. Pineo is appointed custody mediator and will promptly schedule a mediation on the above-captioned matter.

BY THE COURT,
Gordon R. Miller, J

Jan. 19, 1995 Faxed Pineo, Kirkpatrick & Gagliotti

Jan. 31, 1995 Affidavit of Service of Motion to Appoint Mediator and Order Appointing Mediator, filed.

Feb. 22, 1995 Proof of Service filed. I certify that I served the attached Notice to Produce on John H. Armstrong, C/o of S.Sanford Kantz, Esq.,325 E.Washington St., New Castle, PA 16101 by first class mail on February 21, 1995.

By: Mary Ann Kirkpatrick,Esq.

Apr 20, 1995 Motion To Enter Consent Custody Order and Dispose of Mediation Fee Deposit, filed. **ORDER** And Now, April 19, 1995, Plaintiff's motion is granted and the Prothonotary is instructed to pay to Attorney Pineo the sum of $20.00 and to return the balance of $130.00 of custody mediation fee to Mary Ann Kirkpatrick, counsel for Plaintiff, less any costs due to Prothonotary.

By the Court:
Anthony J. Vardaro, J.

4-27-95 Faxed Kirkpatrick & Kantz

CONSENT CUSTODY ORDER And, Now, April 25, 1995, it is hereby ordered:

1. The parties shall share legal and physical custody of the subject minor children.

2. The parties shall share with each other any and all information which each may have regarding the health, education, and the major events in the life of the subject minor children. Health care, school personnel, and other care providers are hereby authorized to release to either party any and all confidential information which they may have regarding the subject minor children.

3. The children shall reside primarily with their mother during the school year and have alternate week end visits with father to Begin Friday at 5:00 p.m. until Sunday at 8:00 p.m. Beginning with the first full week after the close of the school year the children shall reside with their father for a full two-week period with said visitation beginning and ending on Sunday at 8:00 p.m. Mother and father shall then alternate full two-week periods of visitation during the summer months. However, mother's time with the children shall include the last full week of July each year.

Cont. on Page 459

1994

Barbara J. Walton

316.

PERRY MOORE, SR.

vs.

(SARA)
SRA M. MOORE

Filed April 6, 1994
@

Tax & Entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro co pd 8/16/94	9.00

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

Apr. 18, 1994 Affidavit of Service filed. And Now, April 15, 1994, comes Barbara J. Walton, and avers as follows:
1. A true and correct copy of the Complaint for Divorce was mailed to the Defendant via Certified Mail, return receipt on April 9, 1994.
2. That the Defendant signed the return card on April 14, 1994 and in accordance with Pa. R.C.P. 412, service of the Complaint was made as is evidenced by the United States Postal Service Return Receipt (Certified No. Z070232941) attached hereto as Exhibit "A".
I VERIFY that the statements made in this Affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. §4904, relating to unsworn falsification to authorities.

Babara J. Walton, Esquire

Jun. 10, 1994 Affidavit of Consent by Perry L. Moore, Sr., filed.

June 16, 1994 Affidavit of Service filed. And now, June 15, 1994, comesBarbara J. Walton, and avers as follows:
1. A true and correct copy ofthe Plaintiff's Affidavit of Consent to Divorce under Section 3301(d) was mailed to the Defendant via Certified Mail, return receipt on June 10, 1994.
2. That the Defendant signed the return card on June 11, 1994 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. Z070232961) attached hereto as Exhibit "A".
I VERIFY that the statement mad ein this Affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. 4904, relating to unsworn falsification to authorities.

Barbara J. Walton,

July 8, 1994 Affidavit of Service of Notice of Intention to Request Entry of Divorce Decree, filed.

Aug'. 9, 1994, Counteraffidavit Under Sect. 3301(d) filed.

Aug. 9, 1994, Upon praecipe of plaintiff attorney, to transmit the record, this case is hereby moved to court.
(Notice of Intention to request entry of divorce decree and counter-affidavit under section 3301(d) of the divorce code attached)

DIVORCE DECREE FILED

Aug. 23, 1994 AND NOW, this 17th 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 PERRY S. MOORE, SR., Plaintiff, and SARA M. MOORE, 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.

Sep.12, 1994 Motion toAmend Caption and ORDER filed. And Now, this 9th day of September, 1994, upon presentation of the Motion to Amend Caption, an amended Decree shall be prepared to correctly designate the Plaintiff as Perry L.Moore, Sr.

By the Court:
Gordon R. Miller, J.

9-12-94 Copies given Walton.

317

1994

Bernstein & Bernstein
Hollie A. Bernstein

317.

MYCOGEN PLANT SCIENCES formerly known as JACQUES SEED COMPANY, a division of AGRIGENETICS

vs.

GROVER HEFFERAN, JR.

Filed April 6, 1994 @
@ 11:25 am

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	27.00
Pro.Co. pd 7/22/94	5.00

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

Apr. 20, 1994 SHERIFF'S RETURN, filed. SERVED Grover Hefferan, Jr. personally on April 15, 1994 at 9:59 AM by handing a copy of the Complaint to him at RD 4, Cochranton, Crawford County, PA. So answers, Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

Jul. 22, 1994 Upon Praecipe of Hollie A. Bernstein, Esquire, Attorney for Plaintiff, the above captioned matter is settled and discontinued and End, filed.

1994

Swanson, Bevevino
& Millin, PC
Timothy R. Bevevino

318.

Ferguson and Spataro
John F. Spataro

FIRST DEPOSIT NATIONAL BANK

vs.

J. MARK HOFFMAN and SHARON M. HOFFMAN

Filed April 6, 1994
@ 11:25 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's costs	31.00
Pro.Co. pd 12/30/94	$6.00

COMPLAINT IN CIVIL ACTION
2 copies Sheriff

April 18, 1994 Sheriff's Return filed. SERVED J. Mark Hoffman personally on April 12, 1994 at 2:05 PM by handing a copy of the Complaint to him in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, PA.

SERVED Sharon M. Hoffman on April 12, 1994 at 2:04 PM by handing a copy of the Complaint to J. Mark Hoffman, Husband and Authorized Agent, in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, PA. Signed Acceptance of Service attached.

So answers,

Barbara J. Bernoski, Deputy Sheriff
Robert M. Stevens, Sheriff

May 4, 1994, Answer and New Matter filed.

May 23, 1994 Plaintiff's Response To New Matter and Counterclaim of Defendant filed.

Dec. 30, 1994 Upon Praecipe of John F.Spataro,Esquire,Attorney for Defendants, the above referenced matter is marked discontinued, with prejudice,the counterclaim filed by the Defendants, of record.

319

1994

MacDonald, Illig,
Jones & Britton
Richard J. Parks

319.

INTEGRA BANK/NORTH,
successor by merger to THE
PENNSYLVANIA BANK AND TRUST
COMPANY

vs.

JOHN MARK DONAHUE

Filed April 6, 1994
@ 11:33 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	31.00
Sheriff's costs	45.00
Pro Co pd 7-5-94	9.00

COMPLAINT IN CIVIL ACTION
2 copies Sheriff

Apr. 18, 1994 SHERIFF'S RETURN, filed. NOT FOUND as to Defendant John Mark Donahue at address of 1137 Water Street, Meadville, Crawford County, PA. He is no longer at this address and no longer at this address and no longer employed at Fibro tool in Meadville, PA.

POSTED the property of John Mark Donahue located at 1137 Water Street, Meadville, Crawford County, PA, on April 8, 1994 at 11:00 AM.

So answers, Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

May 18, 1994 Complaint Reinstated.

June 8, 1994 SERVED John Mark Donahue personally on June 6, 1994 at 9:02 AM at the Sheriff's Office, Crawford County Courthouse, Meadville, PA 16335.

So answers, Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

June 29, 1994 And Now, upon praecipe of Plaintiff's attorney judgment is hereby entered against the above named defendant, fro failure to file an answer n the above-captioned matter in the amount claimed in the complaint of Eight Thousand One Hundred Twenty-nine and 02/100 plus interest at the rate of $2.13 per day flrom April 14, 1994, plus costs of suit, taxes, insurance premiums advanced by Plaintiff and for foreclosure and sale of the mortgaged premises.

Entered 6-29-94 Debt: $8,129.02 plus interest and costs
D - 93 JUDGMENT
Barbara H. King, Pro.

EX1994-38

July 15, 1994 Affidavit of notice of Sheriff's Sale, filed.

1994

Mason & Mason
Joan D. Mason

320.

CINDY LOU TIRPAK

vs.

ANDREW M. TIRPAK

Filed April 6, 1994
@ 2:15 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, CUSTODY
1 copy atty.

May 2, 1994 Complaint in Divorce reinstated.

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 5/2/94 . We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonably delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.

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

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

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

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

By the Court,
Date: March 12, 1998 Anthony J. Vardaro, J
Mar. 12, 1998 copies mailed by Court Administrator's Office

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

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

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

1994

Watts & Pepicelli
Alan L. Pepicelli

321.

Grogan, Graffam,
McGinley & Lucchino
Dennis A. Watson
for Dfts. BRK Electronics Inc., Pittway Fire Safety,Inc. & Pittway Corp. BRK Brands, Inc., THL-FA Operating Corp. BRK Electronics

Jones,Gregg,Creehan & Gerace
Richard W. DiBella
Donald L. Best, Jr.
for Myron L. Carman & Dorothy B. Carman.

Wayman, Irvin & McAuley
Janet I. Steitz
for Assoc. Contractors of Conn. Lake, Inc.

Dickie, McCamey & CHilcote, PC George Monroe Schumann
for Lighthouse Cove Owners Assoc. & Conneaut Condominium Group, Inc.

~~Murphy, Taylor & Trout pC~~ withdrew
~~Arthur J. Murphy Jr.~~
~~for dft. Claw, Inc.~~

Grogan,Graffam,
McGinley & Lucchino
Dennis A. Watson
for Ademco, Inc. & Ademco Distribution,Inc.

William G. Boyle & Assoc.
William G. Boyle
for Dft. Milan Liptak

Weber, Goldstein,
Greenbert & Gallagher
by Kathleen Canty ESQ
John E. Nedlik Esq.
for Deft Claw, INc.

JUDITH A. ADAMS and ALAN L. ADAMS, her husband

vs.

CONNEAUT CONDOMINIUM GROUP INC., a Corporation; LIGHTHOUSE COVE OWNERS" ASSOCIATION, a Corporation; ASSOCIATED CONTRACTORS OF CONNEAUT LAKE, INC., a Corporation; CLAW, INC., a Corporation; MILAN MARTIN LIPTAK: MYRON L. CARMAN and DOROTHY B. CARMAN, his wife; BRK ELECTRONICS: BRK ELECTRONICS, INC. a Corporation PITTWAY FIRE SAFETY INC., a Corporation; THL-FA OPERATING CORP., a Corporation and PITTWAY CORPORATION, a Corporation

vs

Ademco, Inc. and Ademco Distribution, Inc., Add'l Defts.

Filed April 6, 1994
@ 3:28 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	102.00
Sheriff's Costs	458.50
Sheriff's Costs	250.00
Sheriff's Costs	30.00

Conneaut Condominium Group, I Inc., a Corporation; Lighthouse Cove Owners' Association, a Corporation; Associated Contractors Of Conneaut Lake, Inc., a Corporation; Claw, Inc., a Corporation; Milan Martin Liptak; BRK Electronics; BRK Electronics, Inc., a corporation; Pittway Fire Satety, Inc., a Corporation BRK Brands, Inc., a Corporation; THL-Fa Operating Corp. a Coporation; and Pittway Corporation, a Corporation

Additional Defendants

Myron L.Carman and Dorothy.B. Carman, Additional Defendants,

JURY TRIAL DEMANDED

WRIT OF SUMMONS
Issued Sheriff

Apr. 26, 1994 Certificate of Service filed. Alan L. Pepicelli, Esquire, hereby certified that he is the attorney for the Plaintiffs in thea above-captioned case and that a Writ of Summons in Civil Action was served uponthe following via certified mail, return receipt requested, as is evidenced by the attached return receipts, as follows:

BRK Electronics
780 McClure Road
Aurora, Illinois, PA 60504-2495

BRK Electronics, Inc.
780 McClure Road
Aurora, Illinoin 60504-2495

BRK Electronics, Inc.
c/o Corporation Trust Co
1209 Orange Street
Wilmington, Delaware 19801

Pittway Fire Safety, Inc.
c/o Corporation Trust Co.
1209 Orange Street
Wilmington, Delaware 19801

BRK Brands, Inc.
c/o Corporation Service Co.
1013 Centre Road
Wilmington, Delaware 19805

THL-FA Operating Corp.
c/o Corporation Service Co.
1013 Centre Road
Wilmington, Delaware 19805

Pittway Corporation
c/o Corporation trust Co.
1209 Orange Street

Myron L. Carman
12556 Melrose Circle
Fishers, Indiana 46038

Dorothy B. Carman
12556 Melrose Circle
Fishers, Indiana 46038

Alan Pepicelli

Apr. 25, 1994 Upon praecipe of Atty. Richard W. DiBella the following are joined as Additional Defendants: Conneaut Condominium Group, Inc., a Corporation; Lighthouse Cove Owners' Association, a Corporation; Associated Contractors Of Conneaut Lake, Inc., a Corporation; Claw, Inc. a Corporation; Milan Martin Liptak; BRK Electronics; BRK Electronics, Inc., a Corporation; BRK Brands, Inc., a Corporation; THL-FA Operating Corp., a Corporation, and Pittway Corporation, a Corporation.

Apr. 27, 1994 Upon praecipe of Attorney Richard W. DiBella the Addiotional Defendants are amended as follows: Conneaut Condominium Group, Inc., a Corporation; Lighthouse cove Owners' Association, a Corporation; Associated Contractors of Conneaut Lake, Inc., a Corporation; Claw, Inc., a Corporation; Milan Martin Liptak; BRK Electronics; BRK Electronics, Inc., a Corporation; Pittway Fire Safety, Inc., a Corporation; BRK Brands, Inc., a Corproation; THL-FA Operating Corp., a Corporation; and Pittway Corporation, a Corporation.

Apr. 28, 1994 Appearance of Grogan, Graffam, McGinley & LUcchino, P.C. by Dennis A. Watson for Defendants BRK Electronics, Inc. Pittway Fire Safety, Inc. and Pittway Corporation, filed.

Apr. 29, 1994 Praecipe for Issuance of Writ to Join Additional Defendants, filed. (Issued Sheriff)

May 9, 1994 Writ reissued.

May 11, 1994, Upon praecipe of counsel of defendant Associated Contractors fo Conneaut Lake, Inc, Rule to File Complaint entered upon the plaintiff to file complaint, issued.

May 27, 1994, Appearance of Dickie, McCamey & Chilcote, PC by George Monroe Schumann, Esq., attorneys for defendant Lighthouse Cove Owners' Association, filed.

May 27, 1994, Upon praecipe of defendant Lighthouse Cove Owners Association, Rule entered upon plaintiff to file complaint issued. (atty)

May 27, 1994, Appearance of grogan Graffam, McGinley & Lucchino, P.C., by Dennis A. Watson, Esq., attorneys for defendants BRK electronics, BRK Brands, THL-FA Operating Corp., filed.

June 9, 1994 Writ Reissued.

June 15, 1994 SHERIFF'S RETURN, filed. I hereby deputize the Sheriff of Philadelphia County, Pennsylvania to serve the within Writ to Join Add'l. Defendants according to law. The defendants alleged address is c/o C.T. Corporation System, 1635 Market St., Philadelphia, PA 19103.
Robert M. Stevens, Sheriff, Crawford County

NOT FOUND as to Ademco Inc., the above named defendant, within the County of Philadelphia, State of Pennsylvania, as of 5-13-94. John d. Green, Sheriff

SERVED AND MADE KNOWN TO Ademco Dist Inc., Defendant Company by handing a tarue and attested copy of the within Complaint, issued in the above captioned matter on 5-13-94, at 1:00 o'clock p.m. E.S.T. at 1635 Market St, 11th Fl., in the County of Philadelphia, State of Pennsylvania, to Rita Spear, Process Clerk. John D. Green, Sheriff

Jun. 15, 1994 Complaint in Civil Action, filed.

Continued on Page 321A

Judith A. & Alan L. Adams
vs.
Conneaut Condominium Group et al

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June 27, 1994 SHERIFF'S RETURN, filed. SERVED Conneaut Condominium Group, Inc. on May 20, 1994 at 10:00 AM by handing copy of Summons to A.W. DeCapua, TAreasurer, at residence, Aldina Dr., Conneaut Lake, Crawford Co.PA.
Not Found as to Conneaut Condominium Group in Allegheny County, affidavit attached.
Served Lighthouse Cove Owners Assoc. on April 18, 1994 by serving Marlene Braham, Officer.
Served Associated Contractors of Conneaut Lake, Inc, by serving George Ray, Controller, 4-14-94.
Served Claw, Inc., a Corporation on 4-14-94 by deputizing Sheriff of Lawrence Co., PA
Served Milan Martin Liptak 4-25-94 by deputizing Sheriff of Allegheny Co., PA
Served BRK Electronics, Inc., on 5-19-94 by deputizing Sheriff of New Castle Co., DEL.
Served THL-FA Operating Corp. on 5-18-94 by deputizing Sheriff of New Castle Co., DEL.
Served BRK Brands, Inc. on 5-18-94 by deputizing Sheriff of New Castle Co., DEL.
Served Pittway Corporation on 5-19-94 by deputizing Sheriff of New Castle Co., DEL.
Served Pittway Fire Safety, Inc. on 5-19-94 by deputizing Sheriff of New Castle Co., DEL.
Served BRK Electronics on 5-2-94 by deputizing Sheriff of Kane Co., Illinois.
Served BRK Electronics, Inc. on 5-2-94 by deputizing Sheriff of Kane Co., Illinois.
So answers, Robert M. Stevens, Sheriff

RETURN: I hereby deputize the Sheriff of Allegheny County, Pennsylvania to serve the within Summons according to law. The defendants alleged address is 1233 Grant Building, Pittsburgh, PA 15219-2203, also, c/o Leslie M. Hosack, CEO, 1589 Oakleaf Lane, Pittsburgh, PA 15237 and c/o James H. Joseph, Esq., Sec., 6030 Bunker Hill, Pittsburgh, PA 15206.
DID NOT SERVE Conneaut Condominium Group, Inc. at 1223 Grant Building, Pittsburgh, Pa. 15219-2203, Not at given address, also NO SERVICE AT c/o Leslie M. Hosack, CEO, 1589 Oakleaf Lane, Pittsburgh, PA 15237, NO ANSWER, and NO SERVICE at c/o James H. Joseph, Esq., Sec., 6030 Bunker Hill, Pittsburgh, PA 15206, ATTEMPTS-NO ANSWER. Eugene L. Coon
Sheriff, Allegheny Co.

RETURN: I hereby deputize the Sheriff of Lawrence County, Pennsylvania to serve the within Summons according to law. The defendants alleged address is 1929 East Washington, New Castle, PA (Place of business). Robert M. Stevens
Sheriff, Crawford Co.

SERVED the within Summons on April 14, 1994, at 10:50 AM upon Claw, Inc. a Corporation at 1929 E. Washington St., New Castle, Penns. by handing to Randy Clause, President a true and correct copy thereof and made known to him the contents therein. Donald T. Beck, Sheriff Lawrence Co.

RETURN: I hereby deputize the Sheriff of Allegheny County, Pennsylvania to serve the within Summons according to law. The defendants alleged address is 681 Washington Road, Pittsburgh, PA 15228. Robert M. Stevens
Sheriff, Crawford Co.

SERVED the within Defendant on April 25, 1994, at 11:35 AM upon Milan Martin Liptak at above by handing to him personally a tarue and correct copy thereof and made known to him the contents therein. John F. McCormick
Dep. Sheriff, Allegheny Co.

RETURN: I hereby deputize the Sheriff of New Castle County, Delaware to serve the within Summons according to law. The Defendants alleged address is c/o Corporation Trust Co., 1209 Orange St., Wilmington, Delaware 19801.
Robert M. Stevens, Sheriff, Crawford Co.

SERVED the within Summon and Complaint on May 19, 1994, at 10:00 AM upon BRK Electronics, Inc. at Corporation Trust Company,1209 Orange Street, Wilm. Del. 19801 by handing to Ellen Kinsler, Corporate Secretary a true and correct copy thereof and made known to the contents therein. Michael P. Walsh, Sheriff New Castle, Co.

RETURN: I hereby deputize the Sheriff of New Castle County, Delaware to serve the within Summons according to law. The Defendants alleged address is c/o Corporation Service Co., 1013 Centre Rd., Wilmington, Delaware 19805.
Robert M. Stevens, Sheriff, Crawford Co.

SERVED the within Summon and Complaint on May 18,1994, at 12:12 AM, upon THL-FA Operating Corporation at Corporation Trust Company, 1209 Orange Street, Wilmington, Del. by handing to Ellen Kinsler, Corporate Secretary a tarue and correct copy thereof and made known to the contents therein. Michael P. Walsh, Sheriff, New Castle, Co.

RETURN: I hereby deputize the Sheriff of New Castle County, Delaware to serve the within Summons according to law. The defendants alleged address is c/o Corporation Service Co., 1013 Centre Rd., Wilmington, Delaware 19805.
Robert M. Stevens, Sheriff Crawford Co.

SERVED the within Summon and Complaint on May 18, 1994, at 12:12 AM upon BRK Brands, Inc. a Corporation at Corporation Trust Company, 1209 Orange Street, Wilmington, Delaware by handing to Ellen Kinsler, Corporate Secretary a true and correct copy thereof and made known to the contents therein. Michael P. Walsh, Sheriff New Castle Co.

RETURN: I hereby deputize the Sheriff of New Castle County, Delaware to serve the within Summons according to law. The defendants alleged address is c/o Corporation Trust co., 1209 Orange St., Wilmington, Delaware 19801.
Robert M. Stevens, Sheriff, Crawford Co.

SERVED the within Summon and Complaint on May 19, 1994 at 10:00 AM upon Pittway Cor. at Corporatin Trust Co., 1209 Orange St., Wilm, Del. 19801 by handign to Ellen Kinsler, Corporate Secretary a true and correct copy thereof and made known to the contents therein. Michael P. Walsh, Sheriff, New Castle Co.

RETURN: I hereby deputize the Sheriff of New Castle County, Delaware to serve the within Summons accordign to law. The defendants alleged address is c/o Corporation Trust Co., 1209 Oranges St., Wilmington, Del. 19801.
Robert M. Stevens, Sheriff Crawford Co.

SERVED the within Summon and Complaint on May 19, 1994,at 10:00 AM, upon Pittway Fire Safety, Inc. at Corporation Trust Co., 1209 Orange St., Wilm., Del. 19801 by handing to Ellen Kinsler, Corporate Secretary a true and correct copy thereof and made known to the contents therein. Michael P. Walsh, Sheriff New Castle Co.

RETURN: I hereby deputize the Sheriff of Kane County, Illinois to serve the within Summons according to law. The defendants alleged address is 780 McClure Road, Aurora, Illinois 60504-2495 Robert M. Stevens, Sheriff Crawford Co

SERVED the within BRK Electronics/BRK Electronics Inc. on 5-2-94 , at 8:50 AM upon Mallory Clay at 780 McClure Rd., Aurora by handing to Mallory Clay a true and correct copy thereof and made known to the contents therein.
F. John Randall, Sheriff Kane Co. Il.

July 11, 1994, Appearance of Arthur J. Murphy, Jr. of Murpjy, Taylor and Trout PC , attorneys for defendant Claw, INc. filed.

Jul. 18, 1994 Appearance of Grogan, Graffam, McGinley & Lucchino by Dennis A. Watson, Esquire for Ademco, Inc. and Ademco Distribution, Inc., Defendants, filed.

July 20, 1994 SHERIFF'S RETURN, filed. Conneaut Condominium Group, Inc. NOT FOUND, as per Affidavit received from Allegheny County Sheriff, hereto attached.
SERVED Lighthouse Cove Owners' Assoc. on May 10, 1994 at 10:30 AM by serving Marlene Braham, Officer, at Apt. 305, Lighthouse Cove, Conneaut Lake, PA 16316
SERVED Associated Contractors of Conneaut Lake on May 3, 1994 at 10:42 AM by serving George Ray, Controller, at business, 644 Water St., Conneaut Lake, Crawford Co., PA.
SERVED Claw, Inc., a Corp. by deputizing Sheriff of Lawrence County, PA. Served 5-5-94.
SERVED Milan Martin Liptak by deputizing teh Sheriff of Allegheny Co. PA Served 5-18-94.
SERVED BRK Electronics by Certified Mail 5-6-94, Signed receipt attached.
SERVED BRK Electronics, Inc. a Corp. by Certified Mail 5-9-94. Signed receipt attached.
SERVED BRK Electronics Inc., a Corp by Certified Mail 5-6-94. Signed receipt attached.
SERVED Pittway Fire Safety, Inc., a Corp by Certificated Mail 5-9-94. Signed receipt attached.
SERVED BRK Brands, Inc., a Corp. by Certified Mail 5-6-94. Signed receipt attached.
SERVED THL-FA Operating Corp, a Corp by Certified Mail on 5-6-94. Signed receipt attached.

CONTINUED ON PAGE 321B

Judith A. & Alan L. Adams
vs.
Conneaut Condominium Group et al

CONTINUED FROM PAGE 321A
of Record
A. D. 1994 - 321

Certified Mail returned addressed to Pittway Corporation, stamped "Not Known". 5-6-94.
So answers,
Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

RETURN: I hereby deputize the Sheriff of Allegheny County, Pennsylvania to serve the within Amended Writ to Join Add'l Def's according to law. The defendants alleged address is 1223 Grand Building, Pittsburgh, PA 15219-2203.
Robert M. Stevens, Sheriff Crawford Co.

SERVED the within Amended Writ to Join A.D. on 5-16-94, at 1:30 p.m., upon Conneaut Condo Group at by handing to not at given address a true and correct copy thereof and made known to the contents therein.
Sheriff Allegheny County

RETURN: I hereby deputize the Sheriff of Lawrence County, Pennsylvania to serve the within Amended Writ to Join Add'l. Defs. according to law. The defendants alleged address is 1929 E. Washington, New Castle, PA.
Robert M. Stevens, Sheriff Crawford Co.

SERVED the within Amended Writ to Join Additional on May 5, 1994, at 11:35 AM, upon Defendant Claw, Inc., a Corp. at 1929 E. Washington St., New Castle, Penns. by handing to Jill Fry, Receptionist, person found in charge at time being a true and correct copy thereof and made known to her the contents therein. Donald T. Beck, Deputy Sheriff, Lawrence Co.
SERVED Milan Liptak on May 5, 1994 at 681 Washington Rd., Mt. Lebanon ; agent or person in charge of Defendant(s) office or usual place of business Susan Redding-int designer.
Eugene L. Coon, Sheriff

Jul. 20, 1994 Notice of Service filed.

Jul. 20, 1994 Notice of Service, filed.

July 22, 1994 Praecipe of Reissuance of Amended Writ to Join Additional Defendant Conneaut Condominium Group, Inc. (issued Sheriff)

Aug. 15, 1994, Appearance of George Monroe Schumann, of Dickie, McCamey & Chilcote, PC, attorneys for defendant Conneaut Condominium Group, Inc. filed.

Aug. 19, 1994 Sheriff's Return filed. SERVED A. W. DeCapua personally on August 17, 1994 at 10:30 AM by handing a copy of the Amended Writ to Join Additional Defendant to him at his residence, Aldina Drive, Conneaut Lake, Crawford County, PA.
So answers,
Shawn E. Ashbaugh, Deputy Sheriff
Dale A. Collins, Chief Deputy
Robert M. Stevens, Sheriff

Sept. 6, 1994 Appearance of William G. Boyle & Associates by William G. Boyle for Defendant Milan Liptak, filed.

Dec. 1, 1994 Answer, New Matter And New Matter Pursuant to Rule 2252 (d) filed.

Dec. 2, 1994 Answer, New Matter and New Matter Pursuant to Pa. R.C.P. 2252(d), filed.

Dec. 8, 1994 Answer,New Matter and New Matter Under Rule 2252 (d) filed.

Dec. 15, 1994 Substitution of Affidavit on behalf of Lighthouse Cove Owners' Assoc., filed.

Dec. 20, 1994 Defendants' Answer, New Matter and New Matter Pursuant to Pa. R.C.P. 2252(d) to Plaintiffs' Complaint, filed.

Dec. 28, 1994 Plaintiffs' Reply to New Matter of Defendant, Lighthouse Cove Owners' Assoc. filed.

Dec. 28, 1994 Plaintiffs' Reply to New Matter of Defendant, Assocaited Contractors filed.

Dec. 28, 1994 Plaintiffs' Reply to New Matter of Defendants, BRK Electronics, BRK Electronics, Inc., BRK Brands, Inc., THL-FA Operating Corp. and Pittway Corp., Self-Designated as "BRK Brands" and "Pittway" filed.

Dec. 28, 1994 Plaintiffs' Reply to New Matter of Defendants, Carman filed.

Dec. 28, 1994 First Request For production of Documents of BRK Electronics, BRK Electronics, Inc., BRK Brands, Inc. THL-FA Operating Corp. and Pittway Corp., Directed to Plaintiffs, Judith A. Adams and Alan L. Adams, filed.

Dec. 28, 1994 First Request For Production of Documents of BRK Electronics, BRK Electronics, Inc., BRK Brands, Inc. THL-FA Operating Corp. and Pittway Corp. Directed to Conneaut Condominium Group, Lighthouse Cove Owners Assoc., Associated Contractors of Conneaut Lake, Inc., Claw, Inc., and Myron and Dorothy Carman, filed.

Jan. 19, 1995 Answer, New Matter and New Matter Under Rule 2252 (d), filed.

Jan. 20, 1995 Plaintiffs' Reply to New Matter of Defendant, Conneaut Condominium Group Inc., filed.

Jan. 24, 1995, Reply of Defendants, Myron L. Carman and Dorothy B. Carman, to New MaTTER OF defendant, Associated Contractors of Conneaut Lake, Inc. filed.

Jan. 24, 1995, Reply of Defendants, Myron L. Carman and Dorothy B. Carman, to the new Matter of the defendant Lighthouse Cove Owners' Association, filed.

Jan. 24, 1995, Reply of Defendants, Myron L. Carman and Dorothy B. Carman, to New Matter of the defendant BRK Electronics, Inc. BRK Brands, Inc. THL-FA Operating Corp., and Pittway Corporation, filed.

Jan. 27, 1995 Substitution of Affidavit, filed.

Jan. 30, 1995 Answr on Behalf of Claw, Inc., a Corporation, New Matter and New Matter Pursuant to Rule 2252(d), filed.

Jan. 30, 1995 Reply of Defendants, Myron L. Carman and Dorothy B. Carman, to New Matter of the Defendant, filed.

Feb. 1, 1995 Notice of Service of Requests for Productiion, filed.

Feb. 7, 1995 Reply of Claw, Inc., a Corporation, To New Matter Of Associated Contractors of Conneaut Lake, Inc. Pursuant to Pa. R.C.P. 2252(d) filed.

Feb. 9, 1995 Substitution of Verification, filed.

Continued to Page 465

1994

Joseph F. Kulwicki

322.

BARBARA A. UNGER

vs.

CHARLES NEIL UNGER, JR.

Filed April 7, 1994
@ 11:55 AM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro.Co.pd 7/14/94	9.00
Pro Co pd 11-20-95	5.00

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

Apr. 15, 1994 Affidavit ofService filed. Carrie A.DAvis, be duly sworn according to law, deposes an dsays that she is an adult individual, sui juris, an employee of Joseph F. Kulwicki, III, Attorney for Plaintiff, and as such, on Tuesday, April 12, 1994, at approximately 10:45 a.m., she hand delivered a certified copy of the Divorce Complaint in the above matter to the Defendant Charles Neil Unger, Jr., at 891 Grove Street, Meadville, Crawford County, Pennsylvania.
FURTHER AFFIANT SAYETH NOT. carries A. Davis

Jul. 14, 1994 Affidavit of Consent by Barbara A. Unger,Plaintiff, filed.

Jul. 14, 1994 Affidavit of Consent by Charles Neil Unger, Jr., Defendant, filed.

Jul. 14, 1994 Upon Praecipe of Joseph F. Kulwicki, III, Esquire, Attorney for Plaintiff to transmit record, Case Moved to Court.

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

AND NOW, July 19, 1994, it is ordered and decreed that Barbara A. Unger, plantiff, and Charles Neil Unger, Jr., defendant, are divorced fromthe 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 as not been withdrawn by the party making the claim. Gordon R. Miller, J

Nov. 20, 1995 Notice of Intention to Resume Maiden Name: **Barbara A. Unger TO BE KNOWN AS Barbara A. Britton.**

32

1994

C. Barton Jones

323.

FRANK SHALLHAMMER and WALTER SHELLHAMER, d/b/a SHELLHAMMER BROS.

vs.

EVELYN L. ALLEN, CHARLES ROBINSON, and VIRGINIA ROBINSON

COMPLAINT IN CIVIL ACTION
no copies

Filed April 7, 1994
@ 1:25 PM

Tax & entry paid 50.50
User's Fee paid 5.00

error

1994

C. Barton Jones

323.

Barrett & Dratler
Bruce A. Barrett
for Charles Robinson & Virginia Robinson, defts.

Watts & Pepicelli
Christopher D. Ferry
for Evelyn L. Allen, Defendant

FRANK SHELLHAMMER and WALTER SHELLHAMMER, d/b/a SHELLHAMMER BROS.

vs.

EVELYN L. ALLEN, CHARLES ROBINSON and VIRGINIA ROBINSON

Filed April 7, 1994
@ 1:25 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	23.00
Sheriff's Costs	25.00
Pro Co pd 10-4-95	15.00
Pro.Co. Pd 2/27/96	5.00

COMPLAINT IN CIVIL ACTION
no copies

Apr. 20, 1994 Answer and Counter-Claim, filed.

June 1, 1994 SHERIFF'S RETURN, filed. SERVED Evelyn L. Allen by Certified Mail on May 24, 1994 at her last known address of 715 Bridge Street, Lowell, Massachusetts 01850. Return Receipt attached.
So answers, Robert M. Stevens, Sheriff

Jul. 5, 1994 Sheriff's REturn filed. Served Mrs. Evelyn Allen by Certified Mail on June 27, 1994 at her last known address, 715 Bridge Street, Lowell, Mass 01850. Signed return receipt attached.
So answers, Robert M. Stevens, Sheriff

Jul. 20, 1994 Appearance of Watts and Pepicelli by Christopher D. Ferry, Esquire, Attorney for Defendant, Evelyn L. Allen, filed.

Jul. 20, 1994 Answer of Defendant, Evelyn L.Allen, filed.

Aug. 15, 1994, Reply to Defendants Counter-claim filed.

Aug. 15, 1994, Upon praecipe of plaintiff attorney, Verification to Plaintiffs Response to New Matter of Defendant Eileen R. Shearer substituted.

Aug. 18, 1994 Upon Praecipe of Christopher D. Ferry, Esq., Answer of Defendant, Evelyn L. Allen and Verification, filed.

Feb. 22, 1995, Motion for First Stage Sanctions Under Pa. R.C.P. 4019 (a)(1)(i) filed.

Feb. 22, 1995, ORDER OF COMPLIANCE filed. AND NOW, this 22 day of Feb. 1995, a Motion for First Stage Sanctions against Defendant Evelyn L. Allen having been presented to this court, and it appearing that the subject interrogatories have not been responded to, it is the order of this court that Defendant make such responses within Ten (10) days after the date hereof, and failing that, upon motion had, said defendant may be made subject to one or more second stage sanctions as will be appropriate under Pa. R.C.P. 4019.
Anthony J. VArdaro, Judge
Feb. 22, 1995, faxed to Barrett, Ferry and Jones.

March 9, 1995 Certificate of Service on behalf of Evelyn L. Allen filed.

Sep 28, 1995 Upon praecipe of plaintiff attorney to appoint Arbitrators, the followisng Arbitrators have been appointed.

Harry White
~~Paul Shafer~~, Ch.
Brian Lindsay
Kathleen Nelson

Nov. 3, 1995, Arbitrators Take the Qualifying Oath.

Nov 14, 1995 Notice of Hearing of Arbitrators, filed.

Dec. 18, 1995 Decision of Arbitrators filed in which they find judgment for the plaintiffs and against all defendants joint and severally in the amount of 3,403.50 plus costs of suit and interest at 6% from Dec. 18, 1995. On Counterclaim, judgment for plaintiff and against def. Robinson et al
R-33=260 Decision of Arbitrators
Dec. 18, 1995 Faxed Barrett & Ferry, given Jones

Feb. 22, 1996 Upon Praecipe of C. Barton Jones, Esquire, Attorney for Plaintiffs, the above-captione judgment is satisfied of record upon payment of costs only.

1994

Barbara J. Walton

324.

KATHLEEN WHITE

vs.

JON H. WHITE

Filed April 7, 1994
@ 1:39 PM

Tax & entry paid	50.50
User's Fee paid	25.00
4 Add'l Counts paid	60.00
State paid	10.00
Pro. Co. 12-14-94 Pd	9.00
Pro Co pd 12-8-94	9.00

COMPLAINT IN DIVORCE, CUSTODY, EQUITABLE DISTRIBUTION, ALIMONY PENDENTE LITE, COUNSEL FEES, COSTS and EXPENSES
3 copies atty.

Apr. 19, 1994 Affidavit of Service filed. And Now, April 19, 1994, comes Barbara J. Walton, and avers as follows:

1. A true and correct copy of the Complaint for Divorce was mailed to the Defendant via Certified Mail, return receipt on April 9, 1994.

2. That the Defendant signed the return card on April 16, 1994 and in accordance with Pa.R.C.P. 412, service of the Complaint was made as is evidenced by the United States Postal Service Return Receipt (Certified No.P708507898) attached hereto as Exhibit "A".

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

Barbara J. Walton,Esquire

Jul. 20, 1994 Affidavit of Consent by Kathleen White, Plaintiff. filed.

Aug. 10, 1994 Consent Custody Agreement filed.

TO THE HONORABLE JUDGE OF SAID COURT:

AND NOW, this 5th 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 Parties shall have shared legal custody of the minor child, CHELSEA ANNE WHITE. 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.

2.Primary physical custody of the minor child shall be with the Mother/Plaintiff. The Father shall have temporary physical custody every other weekend from Saturday at 10 a.m. until Sunday at 7:00 p.m.

3.Holiday visitation shall be as the parties mutually agree upon.

4.The child shall spend Mother's Day with the MOther and Father's Day with the Father.

5.The parties are free to make alternative arrangements respecting the custodial and visitation periods provided a 24 hours notice is given. Each party will try to accomodate the other parent to allow visitations. The parties further agree that the pressence of the each parent is important in the child's life.

6.Each party shall teach the child to give to the other party that love and respect which is due a parent from his/her child.

7. Neither party shall use illegal drugs or be under the influence of alcohol at any time which said party has the care and custody of the subject minor child. Neither party shall expose the minor children to harmful situations or harmful people while having custody of the child.

8. 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.

9. The parties to this action agree that this Honorable Court retain jurisdiction of this matter.

Anthony J. Vardaro, J.

8-15-94 Copy to Atty. Walton & Deft.

Oct. 24, 1994 Petition To Withdraw Grounds for Divorce and Order filed. AND NOW, October 24, 1994 this motion is denied. The attached notice indicates it is an uncontested motion but it later indicates it is "unknown" as to whether the defendant consents and there is no "uncontested motion certification".

By the Court,
Anthony J. Vardaro, J

Oct. 24, 1994 Faxed Walton

Nov. 16, 1994 Petition To Withdraw Grounds For Divorce and Order, filed. AND NOW, upon presentation of the Petition for Withdrawal of Grounds for Divorce, it is hereby Ordered that the request for Equitable Distribution, Alimony Pendente Lite, Counsel Fees, Costs and Expenses are withdrawn.

By the Court:
Anthony J. Vardaro, J.

Nov. 16, 1994 Faxed Walton

Dec. 5, 1994 Affidavit of Consent of Defendant, filed.

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

DIVORCE DECREE FILED

Dec. 20, 1994 AND NOW, this 15th day of December, 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 KATHLEEN WHITE, Plaintiff, and JON H. 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.

BY THE COURT:
Gordon R. Miller, J.

June 6, 1996 ORDER filed. AND NOW, June 5, 1996, at the time the attached Emergency Petition for Special Relief was presented in Motions Court, it is ORDERED as follows:

1. The Emergency Petition for Special Relief is **DENIED.**

2. Until further hearing or mediation, this child shall not be without appropriate adult supervision, either provided by a parent or a responsible adult.

3. A copy of this Order and the father's Petition shall be sent to Children & Youth Services of Crawford County, Children and Youth Services of Crawford County shall send a Caseworker to the mother's home, hopefully within the next 3 days, to view that home and to make a cursory

Continued on Page 493

1994

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

325.

Culbertson, Weiss,
Schetroma & Schug
John B. Brautigam

Peters, Lindsay,
Lewis & hatheway
William F. Peters

WILLIAM L. BRAWLEY and
LAURIE S. BRAWLEY, his wife

vs.

NORBERT MILLER d/b/a
NORBERT MILLER CONSTRUCTION

Filed April 7, 1994
@ 2:04 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Pro.Co. Pd 1/17/95	$6.00

COMPLAINT IN CIVIL ACTION
1 copy atty.

May 24, 1994 Appearance of Culbertson, Weiss, Schetroma & Schug by John B. Brautigam and Peters, Lindsay, Lewis & Hatheway by William F. Peters for Defendants filed.

Oct. 4, 1994, Answer, New Matter and CounterClaim filed.

Nov. 3, 1994 Reply To New Matter and Answer to Counterclaim filed.

Nov. 9, 1994 Verification to Reply to New Matter and Answer to Counterclaim, filed.

Jan. 17, 1995 Upon Joint Praecipe of Jeffrey K.Millin, Esquire, Attorneys for Plaintiff and John B.Brautigam, Esquire, Attorneys for Defendant, the above entitled action and counterclaim settled and discontinued of record.

1994

Dennis G. Kuftic

326.

JULI KINNEY and DANNY KINNEY

vs.

SANDRA CHANDLER

Filed April 7, 1994
@ 3:03 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	40.00

WRIT OF SUMMONS
Issued Sheriff

Apr. 18, 1994 SHERIFF'S RETURN, filed. SERVED Sandra Chandler personally on April 14, 1994 at 2:19 PM by handing a copy of the Summons to her at 227 E. Main Street, Titusville, Crawford County, PA.
So answers, Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

Northwestern Legal Serv.
Gerald Sullivan

327.

Barbara J. Walton

MICHAELLE L. HUTCHISON

vs.

GERALD L. HUTCHISON

Filed April 7, 1994
@ 3:18 PM

Indigent Filing

John Fuller, Mediator $150.00

8-3-94 Rec from Deft 75.00 Med Fee

9-13-94 Pd Co Chk #8549 75.00

2-6-98 - Rec'd from Deft 200.00

4-28-98 Refunded Deft 200.00

PETITION TO PROCEED IN FORMA PAUPERIS PURSUANT TO Pa.R.C.P. 240
CUSTODY COMPLAINT

Order filed.

AND NOW, April 6, 1994, upon consideration of the petition filed by the Plaintiff in this action, and supported by an affidavit attached thereto, all being pursuant to Pa.R.C.P. 240, the Plaintiff is granted leave to proceed in forma pauperis at this time.

The Plaintiff is directed to inform the Prothonotary's Office or the Court of any improvement in his/her financial circumstances that would permit him/her to pay the costs incurred in this action and shall be responsible for doing so upon an improvement of financial condition.

BY THE COURT,
Anthony J. Vardaro, J

You, Gerald L. Hutchison, have been sued in Court to obtain custody of Gerald L. Hutchison.

You are ORDERED to appear in person at such time and place as will be determine dby the Mediator John Fuller for a mediation conference.

If you fail to appear as provided by this Order, an Order for custoy, partial custody or visitation may be entered against you or the Court may issue a warrant for your arrest.

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

Court Administrator
Courthouse
Meadville, PA 16335
(814) 336-1151, ext. 298

Date: 4/6/94

Anthony J. Vardaro, J

AND NOW, this 6 day of April, 1994, the Court having appointed a custody mediator in this action for custody, and/or partial custody and/or visitation of a minor child or children it is ordered and directed as follows:

1. The Plaintiff is allowed to proceed without payment of court costs reserving to the Court the right to impose costs at a later time.
2. The Prothonotary is ordered and directed to deliver a true and correct copy of this Order and any complaint or petition filed at the time this Order was entered and any required notice, with appropriate numbers of copies, to the Sheriff of Crawford County for service uponthe defendant.
3. The plaintiff is ordered and directed to immediately go to the Sheriff's Office to give the Sheriff written instructions on when and where the defendant may be served.
4. The Sheriff of Crawford County is ordered and directed to serve a true and correct copy of the complaint or petition and order upon the defendant and make an appropriate return of service as required by the law. The Sheriff shall indicate the cost of srevice which said cost shall be paid by Crawford County and which said cost may be taxed as record costs and imposed as costs by the Court.

BY ORDER OF COURT
Anthony J. Vardaro, J

Apr. 11, 1994 Copies to order to Pltf., Sheriff's Office and Atty. Fuller

Apr. 20, 1994 SHERIFF'S RETURN, filed. SERVED Gerald L. Hutchisonpersonally on April 14, 1994 at 1:50 PM by handing a copy of the Notice and Order to him at RD 1, Box 315, Fauncetown Road, Townville, Crawford County, PA.

So answers,

Shawn E. Ashbaugh, Deputy Sheriff
Dale A. Collins, Chief Deputy
Robert M. Stevens, Sheriff

Jul. 15, 1994 ORDER filed. AND NOW, July 15, 1994 after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Gerald L. Hutchison 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 Gerald L.Hutchison shall be with his mother, subject to the following conditions:

A. The father shall be entitled to visit and take the child into his custody every other weekend from 9:00 o'clock a.m. on Saturday to 5:00 o'clock p.m. onSunday, beginning June 16, 1994.

B. Holidays shall be defined as Christmas, Easter, Thanksgiving and the Fourth of July . Custody of the child shall be alternated on the aforesaid holidays.

In 1994 and even numbered years thereafter the child shall be in the custody of the mother on Thanksgiving Day and the second five (5) days of Christmas vacation, and in the custody of the father on Christmas Day and the first five (5) days of the child's Christmas vacation and on Easter Sunday.

On odd numbered years the child shall be in the custody of the mother on Easter Sunday, Christmas Day and the first five (5) days of Christmas vacation, and in the custody of the father on Thanksgiving Day and the second five (5) days of Christmas vacation.

The child shall be in the custody of father on t he Fourth of July, every year.

C. Beginning with the summer of 1995, the child shall be in the custody of the father for a period of one (1) week in June, one (1) week in July and one (1) week in August, each year. The father shall give the mother at least thirty (30) days notice of the dates of theSummer visits.

D. Transportation of the child on weekends, holidays and Summer visits shall be provided by the paternal grandmother.

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 t owards both parents.

Continued to Page 461

1994

Joyce & Joyce
John P. Joyce

328.

Peitragallo,Bosick
& Gordon
Robert J. Behling
For Taylor Hose Co.

Thomas, Truax, Spadafore,
Walker & Keenan
William L.Walker
for Theodore Styborski,
Add'l Deft.

ROBYN RUTHERFORD

vs.

TAYLOR HOSE COMPANY,
a non-profit corporation

THEODORE STYBORSKI, Add'l Dft.

Filed April 7, 1994
@ 3:27 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	28.00
Sheriff's Costs	30.00
Pro Co pd 5-14-98	6.00

WRIT OF SUMMONS
Issued Sheriff

Apr. 14, 1994 Writ Return filed. SERVED Taylor Hose Company onApril 11, 1994 at 1:10 PM by handing a copy of the Summons to Patrick Daugherty, Bartender, Adult in Charge at business, 221 Market Square, Meadville, Crawford County, PA.
So answers, Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

May 2, 1994 Upon Praecipe of Pietragallo, Bosick & Gordon, appearance of Robert J. Behling, Esquire for Defendant, filed.

May 2, 1994 Upon Praecipe of Robert J. Behling, Esquire, Rule To File Complaint filed.

May 26, 1994, Affidavit of Service of Rule to File Complaint filed.

Jun. 10, 1994 Complaint on Behalf of Plaintiff, filed.

July 20, 1994 Notice of Service of Defendant's First Request For Production Of Documents Directed to the Plaintiff.

July 20, 1994 Praecipe for Writ to Join THEODORE STYBORSKI as Additional Defendant, filed.
issued Sheriff

July 20, 1994 Notice of Service of Interrogatories, filed.

Aug. 10, 1994 Writ Return filed. SERVED Theodore Styborski personally on August 3, 1994 at 11:38 AM 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, Barbara J. Bernoski, Deputy Sheriff
Robert M. Stevens, Sheriff

Aug. 24, 1994, Answer and New Matter filed. (of dft.)

Sept. 1, 1994, Plaintiff's Reply to Defendant's New Matter filed. (JURY TRIAL DEMANDED)

Sept. 23, 1994, Complaint to Join Additional Defendant filed.

Sept. 23, 1994, Request for Production of Documents Directed to Additional Defendant filed.

Nov. 7, 1994 Appearance of Thomas,Truax, Spadafore, Walker & Keenan by William L.Walker, Esquire for Theodore Styborski, theAdditional Defendant, filed.

Nov. 7, 1994 Answer to Compliant to Joint Additional Defendant, filed.

Dec. 9, 1994 Notice of Service of Answers to Defendant's First Set Of Interrogatories Directed to the Plaintiff filed.

Jan. 11, 1994 Certificate of Service of Answers to Request for Production of Documents Directed to Additional Defendant filed.

Jan. 23, 1995, Defendant's (Taylor Hose) Reply to New Matter filed.

July 13, 1995, Notice of Service of Plaintiff's Answers to Interrogatories, filed.

June 5, 1996, Notice of Service of Interrogatories and Motion to Produce to Taylor Hose Company, filed.

Apr 25, 1997 Plaintiff's sResponse to Defendant's Petition for Entlry of Judgment of Non-Pros, filed.

Apr. 24, 1997 Order filed. AND NOW, April 23, 1997, upon consideration of the foregoing petition, it is Ordered that:
1. A Rule is issued upon the respondent to show cause why the petitioner is not entitled to the relief requested;
2. The respondent shall file an answer to the petition within twenty (20) days of this date.
3. The petition shall be decided under Pennsylvania Rule of Civil Procedure 206.7;
4. Any depositions required, shall be completed within sixty (60) days of this date;
5. Argument shall be held on July 1, 1997, in courtroom No. 2 of the Crawford County Courthouse;
6. Notice of the entry of this Order shall be provided to all parties by the petitioner.
BY THE COURT,
Anthony J. Vardaro, J.
4-24-97 DISTRIBUTED All Counsel

Apr. 29, 1997 Additional Defendant's Response to the Plaintiff's Response Concerning the Issue of Non-Pros filed.

Apr. 30, 1997 Petition for Entry of Judgment of Nono-Pros by Theodore W. Styborski, additional Defendant, filed.

Apr. 30, 1997 Order filed. AND NOW, April 29, 1997, upon consideration of the foregoing Petition For Entry of Judgment of Nono-Pros, it is hereby Ordered that:
1. A Rule is issued upon the respondent to show cause why the petitioner is not entitled to the relief requested;

CONTINUED PG. 328-A

328 | ROBYN RUTHERFORD VS. TAYLOR HOSE COMPANY, A NON-PROFIT CORPORATION VS. THEODORE STYBORSKI ADD'L DEFENDANT | CONTINUED FROM PAGE 328 OF RECORD A. D. 1994 - 328

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2. The respondent shall file an answer tot he petition within twenty (20) days of this date;
3. The petition shall be decided under Pennsylvania Rule of Civil Procedure 206.7;
4. Depositions shall be completed within sixty (60) days of this date;
5. Argument shall be held on July 1, 1997, at 1:115 P.M., in courtroom No. 2 of the Crawford County Courthouse;
6. Notice of the entry of this Order shall be provided to all parties by the petitioner.

BY THE COURT,
Anthony J. Vardaro, J.
4-30-97 MAILED Joyce & Bohling & DISTRIBUTED Walker

May 9, 1997 Plaintiff's Response to Additional Defendant's Petition for Entry of Judgment of Non-Pros filed.

May 19, 1997 Defendant's Response to Additional Defendant's Petition for Entry of Judgment of Non-Pros filed.

Apr 24, 1997 Petition For Entry of Judgment of Non-Pros and Order: AND NOW, this 22nd day of April, 1997, it is hereby ORDERED, that a hearing is scheduled on Defendant's Petition for Entry of Judgment of Non-Pros on Tues. July 1, 1997, at 1:15 p.m., before the Honarable Anthony J. Vardaro, Cr. #2. Gordon R. Miller, P.J.
May 14, 1997 Faxed J. Joyce, W. Walker & R. Behling

Nov. 19, 1997 Memorandum and Order filed. AND NOW, this day of November 18, 1997, upon consideration of the Petitioners for Judgment of Non Pros by Defendant Taylor Hose Co., and Additional Defendant Styborksi, we hereby overrule both petitions.

BY THE COURT:
Anthony J. Vardaro, J

11-19-97 Distributed Behling, Joyce & Walker

Dec 4, 1997 Notice of Completion of Discovery, filed.

Dec. 8, 1997 Motion to compel Dft. Taylor Hose Company to answer Interrogatories and Produce document and order filed.
ORDER: AND NOW this 8 day of Dec. 1997 upon consideration of Motion of Plff:
IT IS HEREBY ORDERED THAT:
1. Dft. Taylor Hose co. is to supply full and complete answerss to plffs' interrogatories and req. for production within 20 days from the date of this order, or thereafter be subject to sanctions ofthis court.

by the court,
Anthony J. VArdaro J.
12/8/97 faxed to Joyce, Walker, and Bohling

Jan 8, 1997 Certificate Pre-Requisite to Service of a Subpoena Pursuant to Rule 4009.22 and Notice of Intent to Serve Subpoena, filed.

Feb.3, 1998 Motion for Summary Judgment on behalf of Theodore Styborski, filed.

Feb. 3, 1998 Upon Praecipe of Attorney for Additional Defendant, this case placed on next Argument List.

O N M A R C H 1 9 9 8 A R G U M E N T L I S T

Feb. 23, 1998 Certificate of Readiness, filed.

March 6, 1998 DEFENDANT'S RESPONSE TO MOTION FOR SUMMARY JUDGMENT FILED.

March 10, 1998 Defendant's Response To Motion For Summary Judgment on behalf of Taylor Hose Co., filed.

March 30, 1998 MOTION FOR CONTINUANCE and ORDER OF COURT filed. AND NOW, to wit, this 30th day of March, 1998, it is hereby ORDERED, ADJUDGED AND DECREED that the above captioned case shall be continued to the next available trial term.

BY THE COURT:
Gordon R. Miller, J.
March 30, 1998 FAXED Attys. Robert Behling, Wm. Walker, copy to Joyce.

May 1, 1998 Upon praecipe of plaintiff attorney the above captioned case is marked settled and discontinued of record.

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-B-

1994

1994

Peters, Lindsay,
Lewis & Hatheway
Brian J. Lindsay

329.

MARY ANN METZGAR

vs.

GERALD METZGAR

Filed April 7, 1994
@ 3:45 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 6-22-95	9.00

COMPLAINT IN DIVORCE,
3 copies atty.

Apr. 25, 1994 Acceptance of Service, filed. I, Gerald Metzgar the above named Defendant, hereby verify that I accept service of the Complaint in Divorce in the above action.
Date: 4-21-94 Gerald Metzgar

July 12, 1994, Affidavit of Consent of plaintiff filed.

Jul. 20, 1994 Affidavit of Consent by Gerald Metzgar, Defendant, filed.

June 20, 1995 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

June 26, 1995 AND NOW, June 26, 1995, it is hereby ordered and decreed that MARY ANN METZGAR, Plaintiff, and GERALD METZGAR, 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.

330.

ANNA M. ROSSEY

vs.

WILLIAM G. ROSSEY

Filed April 7, 1994
@ 4:15 PM

Tax & entry Pd. 4/13/94 50.50
User's Fee Pd. 4/13/94 5.00
Sheriff's Costs Pd. 25.00
Pro Co. Pd. 4/13/94 5.00

4-13-94 Rec sheriff's cash 25.00 from Atty
4-13-94 Pd Sheriff 25.00 Ck# 8230

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

ORDER:

And now, this 7 day of April , 1994 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

1. The defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Defendant may not go to residence of Plaintiff for any purpose at any time. May not threaten Plaintiff or children.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment or fees and costs will be determined by final court order.
7. The defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves Ruling on allocation of fees and costs. Hearing is hereby set for the April 14, 1994 , at 3:00 P.m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

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

Apr. 11, 1994 Sheriff's Return filed. SERVED William G. Rossey personally on April 8, 1994 at 9:40 AM by handing him a copy of the Protection from Abuse at Heckel and Jeckel's Bar, Market Street, Meadville, Crawford County, PA.
So answers,
Shawn E. Ashbaugh,Deputy Sheriff
Robert M.Stevens, Sheriff

Apr. 14, 1994 Motion to Vacate Protecton from Abuse Order and ORDER filed. AND NOW, this 13 day of Apri, 1994 upon receipt and review of the plaintiff's motion to vacate and terminate the Protection from Abuse Order of April 7, 1994, said motion is granted and the Protection from Abuse Order is hereby vacated and terminated.
A true and correct copy of this Or der shall be delivered by the Prothonotary to proper Police Agency and to County Control.
Any provisions of the Protection from Abuse Order of April 7, 1994 assessing court costs shall remain in full force and effect without change or modification and the party or parties against whom costs were assessed shall remain obligated to pay the costs.
BY ORDER OF COURT
Anthony J.Vardaro,J.
4-14-94 Faxed copy to MCPD. 4-18-94 Copy to County Control & Pltf.

1994

~~Devine & Kuftie~~
~~Elizabeth A. Malc~~
(withdrawn)

331.

Mary Ann Kirkpatrick

KIMBERLY E. BONTRAGER

vs.

DARVIN J. BONTRAGER

Filed April 8, 1994
@ 12:00 PM

Tax & entry paid		50.50
User's Fee paid		5.00
State paid		10.00
Pro Pd.	6-25-96	30.00
State Pd.	6-25-96	10.00

MARITAL PROPERTY AND ALIMONY PENDENTE LITE AND COUNSEL FEES
COMPLAINT UNDER SECTION 3301(c) or 3301(d) OF THE DIVORCE CODE
4 copies atty.

May 12, 1994 Complaint reinstated.

June 9, 1994 Affidavit of Service filed. Before me, the undersigned Notary Public, personally appeared Elizabeth A. Malc, Esquire, of 412 High Street, Waterford, Pennsylvania, Attorney for Plaintiff, Kimberly E. Bontrager, in the above captioned case. Attorney Malc deposes and states that she mailed a true and certified copy of a Complaint in Divorce in the above captioned case to Defendant, DArvin J. Bontrager by certified mail, return receipt requested, pursuant to Rule 1920.4(a)(ii). The original of the return receipt is attached to this Affidavit and made a part hereof.
Attorney Malc further states that she sent a second true and attested copy of the Complaint in divorce in the above captioned case to the Defendant by ordinary mail.
Elizabeth A. Malc

June 24, 1996 Petition to Raise Additional Claims filed.

Oct. 21, 1996, Petition to Withdraw and order filed.
ORDER: ADN NOW, THIS 21 day of Oct. 1996 it is hereby Ordered, Adjudged and decreed that EliZabeth A. Malc, Esq. is permitted to withdraw her appearance in this case.
Anthony J. VArdaro, J.
10/21/96 faxed to Malc and Kirkpatrick

Dec. 6, 1996 Certificate of Completition of Seminar For Separating Parents by Defendant filed.

May 6, 1999 Plaintiff's Affidavit of Consent to Divorce Filed.

May 6, 1999 Plaintiff's Waiver of Notice of Intention to Request the Entry of A Divorce Decree Filed.

May 12, 1999 Motion to Withdraw Petition to Raise Additional Claims under Pa.R.C.P. 1920.15(b) and Order filed. And Now, this 12 day of May 1999 upon consideration of the motion to Withdraw Count I and Count II of the Petition to Raise Additonal Claims under Pa.R.C.P. 1920.15(b) the same is hereby granted. By the Court
Gordon R. Miller, J

5/12/99 Faxed Kirkpatrick dist Lindsay

FOR FURTHER DOCKET ENTRIES SEE COMPUTER 1884 30331 AD 1994 331

1994

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

332.

KIM M. PALMER

vs.

RODNEY C. PALMER

Filed April 8, 1994
@ 3:03 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro.Co.pd 8/2/94	12.00

COMPLAINT IN DIVORCE
1 copy atty.

April 18, 1994 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 PA. and that on April 11, 1994 she sent a certified copy of the Complaint in Divorce to the Defendant by certified mail, restricted delivery, postage prepaid, receipt requested, to Rodney C. Palmer, 531 E. Main St., Corry, PA 16407, the Defendant's last known address. The said receipt being attached hereto.

Ann Hansen Gamble

Jul. 18, 1994 Affidavit of Consent by Kim M.Palmer, Plaintiff, filed.

Aug. 2, 1994 Affidavit of Consent by Rodney C.Palmer, Defendant, filed.

Aug. 2, 1994 Upon Praecipe of Ann Hansen Gamble, Esquire, Attorney for Plaintiff to transmit record, case moved to Court.

Aug 8, 1994 ORDER filed. This divorce matter has been referred to the Court for review and decree. The Court has reviewed the record and is returning the record to the Prothonotary. A final decree will not be entered at this time because:

X A proper retaurn or proof of service has not been filed as the jurat is not signed.

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:
Date: August 8, 1994 Anthony J. Vardaro, J.
Aug. 8, 1994 copies dist to Gamble & Dft.

Aug. 15, 1994 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 April 11, 1994, she sent a certified copy of the Complaint in Divorce to the defendant by certified mail, return receipt requested to Rodney C. Palmer, 531 e. Main St., Corry, PA 16407, the defendant's last know address. A photo copy of the receipt being attached hereto.
Aug. 12, 1994

Ann Hansen Gamble

Aug. 15, 1994 Upon Praecipe of Ann Hansen Gamble, Esquire, Attorney for Plaintiff to transmit record, case moved to Court.

DIVORCE DECREE FILED

Aug. 23, 1994 AND NOW, Aug. 23, 1994, it is hereby ordered and decreed that KIM M. PALMER, Plaintiff, and RODNEY C. PALMER, 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.

1994

Barbara J. Walton

333.

KAY J. MAGGIO

vs.

ANDREW MAGGIO

Filed April 8, 1994
@ 3:07 PM

Tax & entry	50.50
User's Fee paid	25.00
4 Add'l Counts paid	60.00
State paid	10.00

COMPLAINT IN DIVORCE, CUSTODY, EQUITABLE DISTRIBUTION, ALIMONY PENDENTE LITE AND ALIMONY, COUNSEL FEES, COSTS and EXPENSES
2 copies atty.

Apr. 18, 1994 Affidavit of Service filed. And Now, April 15, 1994,comes Barbara J. Walton, and avers as follows:

1. A true and correct copy of the Complaint for Divorce was mailed to the Defendant via Certified Mail, return receipt on April 13, 1994.

2. That the Defendant signed the return card on April 14, 1994 and in accordance with Pa. R.C.P. 412, service of the Complaint was made as is evidenced by the United States Postal Service Return Receipt (Certified No. Z070232932) attached hereto as Exhibit "A".

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

Barbara J. Walton, Esquire

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 4/18/94 . We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonably delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.

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

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

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

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

By the Court,
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)

1994

John A. Miller &
Associates, LTD.
John A. Miller

334.

Grogan Graffam McGinley
& Lucchino, PC
JOseph A. Macerelli

TAMERA K. SCHEFFER

vs.

LEONARD A. FERREIRA, M.D.

Filed April 8, 1994
@ 3:12 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	37.00
Pro Co Pd 11/10/98	6.00

JURY Trial Demanded

COMPLAINT IN CIVIL ACTION
1 copy atty.
1 copy Sheriff

Apr. 18, 1994 SHERIFF'S RETURN, filed. SERVED Leonard A. Ferreira, M.D. on April 14, 1994 at 2:14 PM by handing a copy of the Complaitn to Barbara VanEpps, Receptionist at business, 129 North Franklin Street, Titusville, Crawford County, PA.
So answers, Shawn E. Ashbaugh, Deputy Sheriff
Dale A. Collins, Chief Deputy
Robert M. Stevens, Sheriff

May 5, 1994, Appearance of Grogan, graffam, McGinley, & Lucchino, P.C. by Joseph A. Macerelli, attorneys for defendant filed.

Jul. 19, 1994 Certificate of Service of Plaintiff's First Set of Interrogatories and Requests for Production of Documents and Things Directed to Defendant, filed.

Sep. 22, 1994 Answer and New Matter, filed.

Sept. 29, 1994 Proof of Notice to Department of Public Welfare, filed.

Oct. 13, 1994 Reply filed.

May 11, 1995, Notice of Deposition of Leonard A. Ferreira M. D. filed.

Aug. 7, 1995 Notice of Service of Interrogatories to Plaintiff filed.

June 10, 1996, Certificate of Service of Answers to Interrogatories to Plaintiff filed.

Aug. 12, 1996 Notice of Deposition of Tamara K. Scheffer, filed.

Feb. 14, 1997 Certificate of Service of Plaintiff's First Request for Admissions filed.
JURY TRIAL DEMANDED

Mar 10, 1997 Certificate of Service of Supplemental Answer to Interrogatories to Plaintiff.

March 18, 1997 Responses to Plaintiff's First Request for Admissions, filed.

Apr 21, 1997 Certificate of Readiness For Trial, filed.

ON TRIAL LIST FOR Oct 1997

Sept 19, 1997 Motion To Continue Trial of Case and to Assign a Date Certain For The Trial of This Action During the April, 1998 Trial Term and Order: AND NOW, this 19th day of September, 1997, it is hereby ORDERED that the trial of this matter is removed from the October, 1997 trial list and moved to the April, 1998 civil jury trial list, that counsel for the parties need not appear for the call of the October trial list on September 29, 1997 and that the trial of this action will begin in April 1998 at a time to then be determined.
Gordon R. Miller, P.J.
Sept 22, 1997 Faxed Macerelle & Miller

Feb. 13, 1998 CERTIFICATE OF SERVICE OF SECOND SUPPLEMENTAL ANSWER TO INTERROGATORIES TO PLAINTIFF FILED.

May 13, 1998 Amended Answer and New Matter filed.

June 10, 1998 Plaintiff's Reply To Defendant's Amended Answer and New Matter filed.

June 26, 1998 Plaintiff's Motion to Schedule Status/Pre Trial Conference and a Date Certain for Trial of this action and order filed. ORDER: NOW, this 22 day of June 1998 it is hereby ORDERED that: A status/pre-trial and settlement conference concerning this action shall be held at 1:00 p.m. Fri, July 24, 1998 before the Hon. Anthony J. Vardaro, and;
The parties shall file pre trial narratives at least 5 days before the conferences and shall have the parties with authority to settle either present or reachable at the time of the conferences.
The issue of a date certain will be discussed at that time.
Anthony J. Vardaro, J.
6/26/98 faxed to Miller and Maceretti
*
August 7, 1998 NOTICE OF DEPOSITION FILED.
*
August 4, 1998 PRETRIAL ORDER FILED. AND NOW, August 3, 1998 after a pretrial conference conducted on July 24, 1998 the Court enters the following Order:
1. All discovery is completed, all parties are ready for trial and jury selection will commence on Monday, October 12, 1998 at 9 AM in Ctroom No. 2 of the Crawford County Courthouse.
2. It is anticipated that this case will take 5 or 6 days to try. The Court notes that in scheduling doctors, if it becomes necessary to have night court, counsel should try to let the court know that that may be necessary as soon as possible so the jurors may be advised.
3. Factually, this case arises out of complications that arose after the defendant performed a laparoscopy upon the plaintiff on April 23, 1992. It is alleged that the defendant was negligent in failing to meet the accepted standard of care with regard to his care and treatment of the plaintiff and also that he failed to obtain the plaintiff's informed consent before performing that procedure.
4. The plaintiff seeks special damages for past medical expenses in the amount of $47,966.03 together with future medical expenses in the amount of $47,966.03 together with future medical expenses of $169,100. She also seeks the normal types of damages that would be expected in this type of litigation.

CONTINUED ON PAGE 334 -A

TAMERA K. SCHEFFER
vs
LEONARD A. FERREIRA, M.D.

CONTINUED FROM PAGE 334
of record
AD 1994 - 334

****

%. The plaintiff at this time would expect to call inher case in chief, Dr. Stewart G. Edelbert, Dr. Martin B. Windgate and and Dr. Lawson Bernstein, live, and Dr. Garrett W. Dickson, on video.
6. She will also call certain family memebers and friends with regard to the plaintiff's condition before and after procedure performed and the subsequent surgery.
7. The defendant will call the defednant, as well as Dr. David L. Katz and possibly some nurse witnesses with regard to informed consent.
8. Counsel are directed to attempt to work out appropriate voir dire questions consistent with Pa.R.Civ.P.220.1 prior to jury selection and anything that cannot be resolved will be discussed with the court on the morning of Oct. 12 1998 prior to jury selection.
9. There are no motions pending and none are currently anticipated. Any motions in limine that do arrive will be dealt with after jury selection on October 12, 1998, unless they are pertinent to jury selection in which case they will be dealt with prior to that.
10. It is unclear as to whether trial will actually begin on October 12, 1998 but the plaintiff should be prepared to present an opening statement and the defendant should likewise be prepared to do so if he intends to open prior to the presentation of the plaintiff's case. The plaintiff should also be prepared to have one or two witnesses available on that first day.
11. Twenty jurors will be selected fro the panel and four will be selected for the alternate panel. The plaintiff will have 4 preemptory challenges and the defendant will have 4 preemptory challenges with regard to the panel. As for the alternates, each party will have 1 preemptory challenge.
12. It appears that there will not be disputes with regard to exhibits, including certain photographs of the plaintiff's incision and scarring so long as those photographs can be authenticated. Likewise, there will not be a dispute with regard to medical records and particularly it will not be necessary for record custodians to be called to authenticate such recrods. One or both parties may use anatomical charts and models as well as a sample 12 mm trocar for demonstration purposes when examining expert physicians.
13. All counsel shall submit requested Points for Charge as soon as practicable but no later than the presentation of all of the evidence.
14. Counsel desiring to submit a proposed VEredict Slip shall do so prior to the commencement of final arguments.
15. In the event testimony will be presented by deposition, the parties should endeavor to take such depositions as far in advance of the trial date as possible and to provide the court with a hard copy of the deposition transcript so that rulings can be made as far in advance as possible.

BY THE COURT
ANTHONY J. Vardaro

8/4/98 Mailed Miller & Macerelli

Oct. 19, 1998 Plaintiffs Request for Jury voir Dire filed.

Oct. 19, 1998 Voir Dire Questions filed.

Oct. 19, 1998 Exhibits filed.

October 22, 1998 Order filed. And Now, October 15, 1998 the Defendant's motion for Compulsory Nonsuit is denied.

By Order of the Court
Anthony J. Vardaro, J.

Faxed Miller & Marcerelli

November 9, 1998 Praecipe to Discontinue filed. Upon John A. Miller, Esq. for Plaintiff the above captioned matter is marked discontinued of record.

1994

335.

ALICA MARIE MCCOAL

vs.

RICHARD JAMES PETRUSO

Filed April 11, 1994
@ 9:21 AM

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

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

Order:

And now, this 11th day of April , 1994 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Defendant shall not contact Plaintiff or the child. He shall not go to Plaintiff's residence. Temporary custody of the child Ashley is awarded to Plaintiff.
3. This Order may be enforced without a warrant any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court Liability for payment or fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves ruling on allocation of fees and costs.

Hearing is hereby set for April 18, 1994 , at 11:15 a. m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

Apr. 12, 1994 Sheriff's Return filed. SERVED Richard James Petruso personally on April 11, 1994 at 9:58 AM by handing a copy of the Protection from Abuse to him at 539 East Henry Street, Meadville, Crawford County, PA.

So answers,

Shawn E. Ashbaugh, Deputy Sheriff
Robert M.Stevens, Sheriff

Apr. 21, 1994 ORDER filed. AND NOW, April 17, 1994 after the close of the Plaintiff's case and an informal hearing, the Court dismisses the co,plaint as the Court is not satisfied that the touching that the Plaintiff proved the Defendant engaged in amounts to physical abuse as that is meant and defined by the statute.

Since the Plaintiff has not carried her burden of proof, this action is DISMISSED.

The Plaintiff is on public assistance and therefore the costs shall be paid by Crawford County.

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

4-21-94 Copy dist. to Co.Control, Attys.Keenan & Lindsay. 4-26-94 Copy to MCPD

1994

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

336.
Dale, Woodard, Montgomery, Greenfield & Pemrick
Raymond S. Woodard

Peters, lindsay, Lewis & Hatheway
Brian J. Lindsay

11-29-95 Rec'd from deft mastersdep. 500-
2-5-96 pd deft 333.75 #10116 Refund
7-25-96 Pd plff 83.75 #10138 med Refund

KATHRYN L. ANTHONY

vs.

RANDY C. ANTHONY

Filed April 11, 1994
@ 10:24 AM

Tax & entry paid	50.50
User's fee paid	20.00
3 Add'l Counts paid	45.00
State paid	10.00
Ann Gamble, Master	
masterdep Pd 10-4-95	250.00
Pro Co 3-14-96	9.00

COMPLAINT IN DIVORCE UNDER SECTION 3301(c) or 3301(d), EQUITABLE PROPERTY DETERMINATION AND DISTRIBUTION, ALIMONY, ALIMONY PENDENTE LITE, COUNSEL FEES, EXPERT FEES, COSTS and EXPENSES, CHILD CUSTODY
1 copy Pltf.

Apr. 14, 1994 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 April 13, 1994 by accepting delivery on that date as evidenced by the attached signed return receipt.
April 14, 1994 James R. Irwin, Esquire

Jul. 13, 1994 Affidavit of Consent by Kathryn L. Anthony, Plaintiff, filed.

July 25, 1994 Appearance of Dale, Woodard, Montgomery, Greenfield & Pemrick by Raymond S. Woodard for Defendant, Randy e. Anthony, filed.

July 25, 1994 Motion For Appointment of Master and Order. AND NOW, July 20, 19 , Ann Hansen Gamble, Esq., is appointed Master in the above matter to hold a hearing and make a report upon the claims involving: Divorce, Alimony, Distribution of Property, Counsel Fees.
Depost Required: Plaintiff $250.00 Defendant $500.00
The Defendant shall comply with Pa.R.C.P. 1920.46 immediately.
BY THE COURT,'
Gordon R. Miller, P.J.
July 26, 1994 Faxed Irwin, Woodard & Gamble

Aug. 2, 1994 Notice of Scheduled Pre-Trial Conference, filed.

Aug.2, 1994 Certificate of Service filed. I hereby certify that a copy of the Notice of Pre-Trial Conference was served upon the following by first class, postage pre-paid United State Mail, this 1st day of August, 1994.

James C.Irwin,Esq.
Attorney for Plaintiff
360 Chestnut Street
Meadville, PA 16335

Raymond S. Wood, Esq.
Attorney for Defendant
1030 Liberty Street
Franklin, PA 16323

Date: August 1, 1994 Ann Hansen Gamble

Sept. 14, 1994 Notice of Master's Hearing, filed.

Sept. 14, 1994 Pre-hearing Conference Report, filed.

Oct. 7, 1994 Motion To Vacate Appointment Of Master In Divorce And To Appint New Master, filed.

Oct. 7, 1994 ORDER filed. AND NOW, October 6, 1994, upon consideration of the foregoing motion, said motion is denied. The Master was appointed several months before the beginning of the Crawford County permanent Master system. BY THE COURT
Gordon R. Miller, P.J.
Oct. 7, 1994 Faxed Gamble, Irwin & Spaid

Nov. 1, 1994 Interim Report of the Master and Order filed. It is hereby ordered and decreed as follows: The hearing in the above captoned matter set for October 25, 1994, at 9:00 a.m. and October 26, 1994, at 9:00 a.m., is continued generally. The master previously appointed herein is relieved of additional responsibilities in this matter until such time as the deposits previously ordered have been paid, the pre-hearing statements filed, and the consent ofthe defendant filed in the office of the Prothonotary or this matter is otherwise ready for considertion under a divorce theory other than 3301(c) if consent is not filed by the defendant.
BYTHE COURT:
Anthony J. Vardaro, J

Nov. 1, 1994 Faxed Irwin, Gamble & Woodard

Sept. 1, 1995, Plaintiffs AFfidavit Under Section 3301(d) of the Divorce Code filed.

Oct. 20, 1995, Counter-Affidavit filed. 2 copies (atty)

Nov. 9,1995 Interrogatories and Request for Production to the Plaintiff, filed. (1 copy Atty.)

Nov. 9, 1995 Petition for contempt and Notice and Order to Appear and Order filed.
NOTICE AND ORDER TO APPEAR. Legal proceedings have been brought against you alleging you have willfully disobeyed an order of court.
If you wish to defend against the claim set forth in the following pages,youmay 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 orobjections, you must appear in person in court on the 29thday of November, 1995 at 10:00 o'clock a.m. in Courtroom No. 1 or 2 of the Crawford County Courthouse.
Date: 11-8-95 Gordon R. Miller, J.
ORDER: AND NOW, this 8 day of November, 1995, it is hereby ORDERED,ADJUDGED AND DECREED that a Rule to Show Cause is hereby entered upon Defendant, Randy C. Anthony, to show cause why he should not be held in contempt of Court.
Said Rule is returnable on the 29th day of November, 1995, in Courtroom No 1 or 2 of the Crawford County Courthouse, Meadville, Pennsylvania at 10:00 o'clock A.M.
BY THE COURT:
Gordon R.Miller,J.
11-13-95 Faxed Attys.Gamble, Irwin, Lindsay, Woodard

Continued to Page 479

1994

337.

FRANCES M. RIDLE

vs.

BRADLEY A. PHILLIPS

Filed April 11, 1994
@ 11:45 AM

Tax & entry pd 5-13-94 50.50
User's Fee pd 5-13-94 5.00
Sheriff's Costs 25.00
ProCo pd. 5-13-94 9.00

5-13-94 Recd $25.00 Sheriffs Costs

5-13-94 Paid Robert M. Stevens, Sheriff $25.00 Ck # 8299

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

Order:

And now, this 11th day of April , 19 94, upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Defendant shall not contact Plaintiff in any way. Defendant shall not go to Plaintiff's residence.
3. This Order may be enforced without a warrant any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court Liability for payment or fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves ruling on allocation of fees and costs. Hearing is hereby set for April 18, 1994 , at 3:00 p. m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

Apr. 12, 1994 Sheriff's Return filed. SERVED Bradley A.Phillips personally on April 11, 1994 at 1:18 PM by handing a copy of the Protection from Abuse to him at his residence, R.D.#9, Box 410, Meadville, Crawford County, PA.

So answers,

Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

Apr. 21, 1994 ORDER filed. AN DNOW, April 18, 1994, this matter is before the Court on the Plaintiff's Petition for relief under the Protection From Abuse Act.

The Plaintiff appears represented by counsel and the Defendant appears without counsel and indicates that he is going to represent himself.

After having explained to him the various ways this matter could proceed, he admits a portion of the allegations of the Plaitniff's Petition sufficient to convince the Court that there has been abuse within the meaning of the Act.

Accordingly, we enter the following Order:

1. The Defendant shall not assault, abuse, harass or threaten or stalk the Plaintiff at any time or any place.
2. Except as we will herein af ter set forth,the Defendant shall not go to the Plaintiff's residence nor within one hundred (100) yards of that residence for any purpose during the term of this Order. The Defendant is cautioned that he should not go to the Plaintiff's residence even if he is invited to that residence insofar as any police agency called will assume that he is in violation of this Or der if he is at the Plaintiff's residence other than as set forth herein after. If the parties should both wish for the Defendnt to be able to go to the Plaintiff's residence in the future, they should seek a modification of this Or der before the Defendant does so.
3. In the event the Plaintiff's medical card does not pay for the medical costs incurred on April 11, 1994, she should send that bill to the Defendant by regular mail at R.D.#9, Box 410, Meadville, Pennsylvania, and the Defendant shall pay that bill in full within thirty (30) days after receipt of the same. He shall not be responsible for reimbursing any medical provider through this Order if a medical provider does pay for that bill.
4. The Defendant may go to the Plaintiff's residence for the sole purpose of picking up any of his remaining belongings on April 23, 1994 at noon. He shall only remain at the residence long enough to pick up his belongings and while he is there, he shall not assault, abuse, harass or threaten the Plaintiff.
5. This is an Order of Court and it 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 Or der shall be delivered by the Prothonotary to County Control, the Pennsylvania State Police, Meadville Barracks, and by regular mail sent by the Prothonotary to the Defendant at R.D.#9, Meadville, Pennsylvania.
7. The Defendant is reminded that this is an Order of Court and violation of this Order may be punisable by a fine of up to $1,000.00 and a jail sentence of up to six (6) months.
8. The Defendant shall pay record court costs in the amount of$89.50 within ninety (90) days of the date of this Order. They shall be paid to the Prothonotary of Crawford County on the first floor of the Crawford County Courthouse in Meadville, Pennsylvania.
9. This Order shall remain in full force and effect through April 17, 1995.

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

4-21-94 Copies dist. to Sullivan,Deft. Co. Control & Pa. SPD

May 17, 1994 Motion To Vacate Protection From Abuse Order and Order, filed. AND NOW, this 13th day of May, 1994 upon receipt and review of teh Plaintiff's motion to vacate and terminate the Protection from Abuse Order of April 11,1994, said motion is granted and the Protection from Abuse Order is hereby vacated and terminated.

A true and correct copy of this Order shall be delivered by the Prothonotary to the police dept. that received the 4-11-94 order and to County Control.

Any provisions of the Protection from Abuse Order of April 11, 1994 assessing court costs shall remain in full force and effect without change or modification and the party or parties against whom costs were assessed shall remain obligated to pay the costs. BY ORDER OF COURT
Gordon R. Miller
5-17-94 Faxed to PSPD
5-20-94 copy to Co. Ctrl.

Continued on Margin

1994

Melvyn S. Mantz &
Associates, PC
Melvyn S. Mantz

Joel Steinman

338.

Barbara J. Walton
for Rae J.Fabian

GE CAPITAL CONSUMER CARD CO., formally MONOGRAM BANK

vs.

RAE J. FABIAN and ROBERT FABIAN

Filed April 11, 1994
@ 1:26 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	31.00

COMPLAINT IN CIVIL ACTION
2 copies Sheriff

Apr. 25, 1994 SHERIFF'S RETURN, filed. SERVED Rae J. Fabian personally on April 22, 1994 at 9:45 AM by handing a copy of the Complaint to her at her residence, 389½ Randolph Street, Meadville, Crawford County, PA.

NOT FOUND as to Defendant Robert Fabian. He has moved from address given of 389½ Randolph Street, Meadville, Crawford County, PA. Possibly in Hermitage, Mercer County, PA.
So answers, Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

Apr. 27, 1994 Answer to Complaint, filed.

Jul. 1, 1994 Certificate of Service, filed. Joel Steinman, Esquire certifies that he is the attorney for Plaintiff, GE Capital Consumer Card Co., formerly Monogram Bank in the above captioned matter and on June 28, 1994 he served upon opposing counsel, an original and true and correct copies of Request forAdmissions and Accompanying Interrogatories by mailing the same certified mail, return receipt requested to the person and at the address set forth below:

Barbara J. Walton, Esquire
310-312 Chestnut Street
Masonic Building, Room 334
Meadville, PA 16335

Jul. 20, 1994 Certificate of Service of Completed Interrogatories and Request for Admissions filed. Barbara J. Walton, Esquire, certifies that she is the attorney for co-defendant, Rae J. Fabian, in the above captioned matter, and on July 20, 1994 she mailed the original and two copies of the completed Interrogatories and Plaintiff's Request for Admissions. These were mailed by certified mail, return receipt requested to the person and at the address set forth below:

Joel Steinman, Esquire
25 East State Street
Doylestown,PA 18901

Apr. 20, 1995, Suggestion of Bankruptcy filed.

1994

Routman, Moore, Goldstone & Valentino
Richard W. Epstein

339.

Marshall, Dennehey, Warner, Coleman & Goggin
P. Brennan Hart

ELISA HOSEY, a minor, by BEVERLY HOSEY, her parent and natural guardian; and BEVERLY HOSEY, individually

vs.

OPGAKCO, INC., d/b/a CONNEAUT LAKE PARK

Filed April 11, 1994
@ 1:27 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	30.00
Pro pd 12/12/95	6.00

WRIT OF SUMMONS
Issued Sheriff

Apr. 21, 1994 SHERIFF'S RETURN, filed. SEERVED Opgakco, d/b/a Conneaut Lake Park, on April 18, 1994 at 2:20 PM by handing a copy of the Summons to John Daly, Director of Sales at the business, Conneaut Lake, Crawford County, PA.
So answers, Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

Nov. 23, 1994 Complaint filed.

Dec. 1, 1994 Proof of Service filed. I, Richard W. Epstein Esquire, counsel of record for the Plaintiff, do hereby certify that I mailed a copy of the Complaint by first class United States mail, postage pre-paid, on the 30th day of November, 1994, said service being made on the following persons:
Opgakco, Inc., d/b/a Conneaut Lake Park
Conneaut Lake Park
Conneaut Lake, Pennsylvania 16139
Richard W. Epstein

March 16, 1995 Notice of Default of above defendant, filed.

Apr. 3, 1995 Appearance of Marshall, Dennehey, Warner, Coleman & Goggin by P. Brennan Hart for Defendants filed.

Dec. 7, 1995, Upon praecipe of attorneys for plaintiffs, the above captoned case is marked settled and discontinued of record.

1994

Ostroff & Kline, PC
Jonathan Ostroff

340.

~~David A. Schroeder~~
Craig Murphey for Eileen
Thomas, Truax, Spadafore,
Walker & Keenan ~~Withdrawn~~
~~Emil M. Spadafore, Jr.~~
for Add'l Dft.

~~Sullivan, Steffish,~~
~~& Herrington~~ ~~Withdrawn~~
~~William K. Herrington~~
~~Richard Dale Luzier~~

Marshall, Dennehey,
Warner, Coleman &
Goggin
William K. Herrington
For Richard Dale Luzier
Add'l defendant only
Kenneth D. Chastek

KATHY LUZIER and RICHARD LUZIER, w/h

vs.

EILEEN R. SHEARER
Richard Dale Luzier,
Add'l Dft.

Filed April 11, 1994
@ 1:27 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	58.40
Sheriff's Costs	44.58
Pro Co pd 4-30-98	6.00
Pro Co pd 9/10/98	9.00

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

May 16, 1994 Sheriff's Return filed. SERVED Eileen R. Shearer by deputizing the Sheriff of Westmoreland County, PA, as per his Affidavit of Service attached. Served on April 26, 1994 at her place of employment, Gulf Station, Route 22 and Route 981, New Alexandria, PA.
So answers, Robert M. Stevens, Sheriff

May 26, 1994, Answer and New Matter filed.

June 6, 1994 Notice of Service of Answers to Interrogatoaries and Responses to Requests for Production of Documents filed.

Jun. 10, 1994 nOtice of Service, filed. It is hereby certified that EILEEN R. SHEARER, Defendant above named, by and through her counsel, Swensen, Perer, Johnson and McCandless, has served an original and two copies of the Interrogatories and Requests for Production of Documents upon counsel for Plaintiffs, Jonathan Ostroff, Esquire by mailing same by United StatesFirst Class mail, postage prepaid, to his office at 2962 Skippack Pike, Lansdale, Pennsylvania 19446 on this the 9th day of June, 1994.

Jun. 20, 1994 Plaintiffs' Response to New Matter of Defendant, Eileen R. Shearer, filed.

June 24, 1994 Praecipe for Writ to Join Additional Defendant Richard Dale Luzier, filed.
Issued Sheriff

July 15, 1994 SHERIFF'S RETURN, filed. I hereby deputize the Sheriff of Clearfield County, Pennsylvania to serve the within Writ to Join Additional Defendant according to law. The defendants alleged address is 559 Bailey Rd., RD #1, Box 559, Curwensville, PA 16833.
Robert M. Stevens, Sheriff Crawford Co
SERVED the within Complaint to Join Addl. Deft. on July 8, 1994, at 5:01 PM, upon Richard Dale Luzier at residence, 559 Bailey Rd., RD 1, Box 559, Curwensville, Clfd. Co. Pa. by handing ato Kelly Luzier, Wife a true and correct copy thereof and made known to her the contents therein.
Chester A. Hawkins, Sheriff Clearfield Co.

July 29, 1994 Appearance of Thomas, Truax, Spadafore, Walker & Keenan By Emil M. Spadafore, Jr., Attorney for additional defendant, filed.

July 29, 1994 Upon praecipe of Thomas, Truax, Spadafore, Walker & Keenan, by Emil M. Spadafore, Jr., Attorney, Rule to file a Complaint upon Defendant to Join Additional Dft., filed.

Aug. 3, 1994 Certificate of Service filed. I certify that a true and correct copy of the Rule to File Complaint was served upon counsel for the Plaintiffs, David Schroeder, Esq., 150 W. 6th St., 209 Court House Commons, Erie, PA 16501, by United States first-class mail, postage prepaid.
Respectfully Submitted:
Emil M. Spadafore, Jr., Esq.

Aug. 22, 1994, **Complaint to Join Additional Defendant Richard Dale Luzier, filed.**

Aug. 29, 1994 Verification of Defendant to Complaint to Join Additional Defendant, filed.

Sept. 20, 1994 Answer filed.

Oct. 11, 1994 Notice of Deposition of KATHY LUZIER AND RICHARD LUZIER, filed.

Jan. 18, 1995 Praecipe for Notice of Completion of Discovery filed.

Feb. 10, 1995 Upon praecipe of David A. Schroeder, Esq., appearance withdrawn on behalf of Eileen Shearer, filed.

Feb. 10, 1995 Upon praecipe of MacDonald, Illig, Jones & Britton by Craig Murphey, appearance on behalf of Eileen Shearer, filed.

Feb. 10, 1995 Motion to Strike Praecipe for Notice of Completion of Discovery on behalf of Eileen Shearer, defendant, filed.

Mar. 27, 1995 Order filed. ANDNOW, March 24, 1995, after we entered an order in Motion Court striking the certificate of readiness in this case, the Prothonotary has brought to our attention that there is no certificate of readiness filed of record and, accordingly, there is no need for the previous order we entered inthis matter since there is no certificate of readiness to strike.
BY THE COURT:
Anthony J. Vardaro, J

Mar. 27, 1995 Faxed Ostroff, Murphy & Spadafore

Mar. 24, 1995 Motion To Strike Certificate of REadiness and Order, filed. AND NOW, this 24 day of March, 1995, Additional Defendant Luziers' Motion to Strike Certificate of Readiness is granted and the Plaintiff's Certificate of Readiness is hereby stricken from the record. The Notice to Complete Discovery was previously stricken. Anthony J. Vardaro, J.
Mar. 27, 1995 Faxed to Ostroff, Murphy & Spadafore

May 8, 1995 Appearance of Sullivan, Steffish & Herrington by William K. Herrington for Richard Dale Luzier filed.

Continued to Page 466

1994

Phillips & Galanter
Donald L. Phillips

341.

GELVIN, JACKSON & STARR, INC.

vs.

DONALD E. HELLER i/and t/a
THE PIZZA FACTORY

Filed April 11, 1994
@ 1:27 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	20.00
Pro Co Pd 9/6/94	5.00

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

May 3, 1994 SHERIFF'S RETURN, filed. SERVED Donald E. Heller, i/ and t/a the Pizza Factory, be deputizing the Sheriff of Venango County, PA, as per his Affidavit of Service attached. Served on April 20, 1994 at Salina Road, Seneca, PA.
So answers, Robert M. Stevens, Sheriff

Before me the undersigned authority, personally appeared Rhonda L. McVay - Deputy Sheriff who being duly sworn according to law, deposes and says that on the 20th day of April, 1994 at 9:38 A.M. she served the within Notice To Defend-Complaint-Exhibit-Verification in Lieu of Affidavit filed at No. AD 1994-341, Crawford County, Pa., upon defendant Donald E. Heller i/ and t/a The Pizza Factory at defendant's place of employment located at Salina Rd., Seneca, PA. and by making known the contents thereof to Donald E. Heller, In Person and handing to and leaving with him the certified copy of the said Writ received from Robert M. Stevens-Sheriff Crawford County.

Rhonda L. McVay - Deputy Sheriff
Gene Price, Sheriff of Venango County

Sept. 1, 1994, Upon praecipe of plaintiff attorneys, the above captioned case is hereby marked settled and discontinued of record.

342

1994

Ely & Smith
Edwin W. Smith

342.

HAMOT MEDICAL CENTER OF THE CITY OF ERIE, PENNSYLVANIA

vs.

MILDRED DOOLEY

Filed April 11, 1994
@ 1:27 PM

Tax & entry paid	15.00
Pltf. on orig.	9.50
Sheriff's Costs	31.00

WRIT OF REVIVAL

of

DSB 1989 - 528

Writ of Revival indexed against the defendants in favor of Hamot Medical Center of the City of Erie, Pennsylvania the plaintiffs, in the sum of Nine Thousand Four Hundred Fifty-two and 26/100 plus interest and cost of suit.

Debt---------- $9,452.26
D-246
Barbara H. King, Pro

Issued Sheriff

Apr. 22, 1994 Sheriff's Return filed. not found as to Defendant Mildred Dooley at address given of 308 South Street, Conneautville, Crawford County, PA, She has moved, left no forwarding address. House vacant.

So answers, Robert M.Stevens, Sheriff

1994

Elderkin, Martin,
Kelly & Messina
Kenneth G. Vasil

343.

SEARS, ROEBUCK and COMPANY

vs.

RICHARD J. JOHNSON

Filed April 11, 1994
@ 1:27 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	110.55
Pro Co paid	9.00

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

May 24, 1994 Sheriff's Return filed. Before me the undersigne authority personally appeared William Gardner Deputy Sheriff to Larry E. Kopko Sheriff of the County of Warren, Commonwealth of Pennsylvania who being duly sworn according to law, deposes and says that on the 4th day of May, 1994 A.D. at 6:00 p.m. he served the captioned COMPLAINT upon Richard D. Johnson at the Warren County Sheriff's Office, 407 Market St., Warren, Warren County, Pennsylvania by handing to and leaving with the said Richard D. Johnson, a certified copy with notice to plead endorsed thereon, and by making known unto him the meaning of the contents therein.

W. G. Gardner, Deputy Sheriff
Larry E. Kopko, Sheriff

SERVED Richard D. Johnson by deputizing the Sheriff of Warren County, PA, as per his Affidavit of Service attached. Served on May 4, 1994 at 6:00 PM at the Warren County Sheriff's Office, 407 Market Street, Warren, PA.

So answers, Robert M. Stevens, Sheriff

June 7,1994 And Now, upon praecipe of Plaintiff's attorney judgment is hereby entered in favor of the plaintiff and against the defendant in the amount of Five thousand five hundred ninety-six dollars and 49/100, plus interest at the rate of 1.50% per month from February, 1994, and costs of the action.

Entered 6-7-94
J - 223

Debt: $5,596.49 plus interest and costs
JUDGMENT
Barbara H. King, Pro.

344

1994

C. Barton Jones

344.

JILL A. KOVAL

vs.

JOHN E. KOVAL

Filed April 11, 1994
@ 1:27 PM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count paid	15.00
State paid	10.00
Pro.Co. Pd 6/1/94	9.00

COMPLAINT UNDER SECTION 3301(c) OF THE DIVORCE CODE,
EQUITABLE DISTRIBUTION
no copies

Mar. 17, 1995 Inventory and Appraisement of Jill A. KOval filed.

Mar. 17, 1995 Income and Expense Statement of Jill A. Koval filed.

Apr. 24, 1995, Affidavit of Consent of defendant filed.

June 1, 1995 Affidavit of consent by Jill A.Koval, Plaintiff, filed.

Jun. 1, 1995 Upon Praecipe of C.Barton Jones, Esquire, Attorney for Plaintiff to transmit record, case Moved to Court.

DIVORCE DECREE FILED

June 7, 1995 STIPULATION and CONSENT DECREE filed. AND NOW this 5 day of June, 1995, upon presentation and consideration of the foregoing Stipulation, this Court hereby directs that:

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 aboe 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 consents to the divorce, pursuant to 3301(c) of tahe Divorce Code of PA.

II. Equitable Property Determination and Distribution

The Defendant shall become the sole and exclusive owner of the marital residence located at RD 1 Adamsville and the Plaintiff shall transfer her interest therein, over to Defendant by executing and delivering a quit claim deed thereto within (10) days of the date of this decree.

The Defendant shall pay to Plaintiff within ten (10) days of the date of this decree, the lump sum of Two Thousand & 00/100 Dollars, ($2,000.00).

The Defendant shall indemnify and hold Plaintiff harmless from any and all liabilities connected with the ownership of the Adamsville real estate, including mortgage liability.

Further, Defendant shall have a continuing duty to cooperate with the mortgagee in securing a Release of Plaintiff from the underlying mortgage obligation and shall fulfill that obligation in a diligent manner in order to effectuate a Release for Plaintiff.

That the parties have each in their possession certain items of personalty and each party is hereby awarded sole and exclusive possession of those items of personaly that each has in his or her possession.

BY THE COURT:
Gordon R. Miller, J.

1994

Pepicelli, Yóungs & Youngs
Lisa Pepicelli Youngs

345.

JOHN C. CANTRELL and DENISE E. CANTRELL

vs.

ELIZABETH RESHONSKY, a widow, RONALD L. RESHONSKY, and GAIL RESHONSKY, their heirs, successors, personal representatives and assigns

Filed April 11, 1994
@ 3:36 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	181.96
Pro Pd 9/30/94	9.00

COMPLAINT IN ACTION TO QUIET TITLE
1 copy atty.

Apr. 13, 1994 Motion and Order for Service by Publication and ORDER FOR SERVICE BY PUBLICATION filed. AND NOW, this 12 day of April, 1994, upon consideration of the foregoing Motion and Affidavit, it appearing that the identity and whereabouts of the defendants, Elizabeth Reshonsky, Ronald L. Reshonsky, and Gail Reshonsky, their heirs, successors, personal representatives and assigns,are unknown, following diligent search and inqu iry, it is hereby ordered that the Plaintiffs shall make service upon the defendants, ELIZABETH RESHONSK ELIZABETH RESHONKSY, RONALD L. RESHONSKY, and GAIL RESHONSKY, their heirs, successors, personal representatives and assigns, by publication in both the Meadville Tribune and the Crawford County Legal Jounral, one (1) time. Said publications shall include notices requiring the defendants, their heirs, successors, personal representatives and assigns, to file an Answer to Plaintiffs' Complaint within twenty (20) days after date of publication. The Plaintiffs are specifically authorized to publish the Notice attached after dat e of publication. The Plaintiffs are specifically authorized to publish the Notice attached hereto.

BY THE COURT,
Anthony J. Vardaro, J.

4-14-94 Copy of Order to Atty. Youngs

June 20, 1994 Complaint Reinstated.

July 25, 1994 SHERIFF'S RETURN, filed. SERVED BY Publication once only in the Crawford County Legal Journal on Wednesday, July 16, 1994, as per proof of publication attached.

SERVED by Publication once only in the Meadville Tribune on Wednesday, July 6, 1994, as per proof of publication attached.

So answers, Robert M. Stevens, Sheriff

Jul. 29, 1994 Affidavit of Service filed. I, Lisa Pepicelli Youngs, hereby certify that I am attorney for the above-named Plaintiffs; that theComplaint to Quiet Title, with notice to plead, all in the form attached hereto, was served upon the Defendants, their heirs, successors, personal representatives and assigns, by publication pursuant to this Honorable Court's Order dated April 2, 1994, in the Crawford County Legal Journal, one (1) time on July 6, 1994, and in the Meadville Tribune, one (1) time, on July 6, 1994; that since the Complaint was published, Defendants, their heirs, successors, personal representatives or assigns have neither entered an appearance nor filed an Answer or responsive pleading of any kind; and that the last day to file an Answer or other responsive pleading was July 26, 1994. I understand that the statements made herein are subject to the penalties of 18 Pa. C.S.A.§4904 relating to unsworn falsification to authorities.

Lisa Pepicelli Youngs

Aug. 3, 1994 Motion and Order for Judgment and Order filed. AND NOW, this 2nd day of August, 1994, it appearing that the Complaint in the above action has been properly served upon all defendants, their heirs, successors, personel representatives, and assigns, in accordance with the Rules of Civil Procedure, and that no Answer or other responsive pleadings has been filed or Appearance entered by or on behalf of any of the Defendants, it is hereby ordered, adjudged and decreed that the above-named defendants, their heirs, successors, personal representatives, and assigns, are hereby and forever barred from asserting any right, lien title or interest in consistent witht he respective interests of the Plaintiffs as set forthin their Complaint in all those certain pieces or parcels of land situate in South Shenango Township, Crawford county, Pennsylvania, bounded and described as follows:

ALL those certain pieces or parcelsl of land situate in South Shenango Township, Crawford County, Pennsylvania, being more particularly bounded and described as follows:

Parcel No. 1; ALL THAT CERTAIN piece or parcel of land situate in South Shenango Township, Crawford County, Pennsylvania bounded and described as follows, to-wit: BEING known as lot No. 132 of Lakeview Knolls Plan of lots, Plat No. 2, a plan of which is recorded amcng Crawford County Record in Plan Book 2, Page 19, Said Lot No. 132 being more fully bounded and described as follows, to-wit: ON the North by land of the Commonwealth of Pennsylvania; on the East by Lot No. 131 of said Allotmart; on the South by Winding Way; and on the West by Lot No. 133 of said Allotment.

PARCEL NO.2: ALL THAT CERTAIN piece or parcel of land situate in South Shenango Township, Crawford County, Pennsylvania bounded and described as follows, to-wit: BEING known as Lot No. 133 of Lakeview Knolls Subdivision No. 2, as shown on the plot or plan of which is duly recorded in the records of Crawford County, Pennsylvania, in Plan Book 2, Page 19. Said lot being more particuarly bounded and described as follows: ON the North by land of the Commonwealth of Pennsylvania, a distance of sixty and two one-hundredths (60.02) feet; on the East by Lot nO. 132, a distance of one hundred fifty and thirty-six one-hundredths (150.36) feet; on the South By Winding Way, a distance of sixty-five and eighty-four one-hundredths (65.84) feet; and, on the West by Lot No. 134, a distance of one hundred fifty-three and eighty-fourt one-hundredths (153.84) feet. BEING the same premises as conveyed unto Richard J. Ols and Patricia L. Ols, his wife, by deed of Victor G. Vigh, widower, dated September 15, 1986, and as recorded in the Office of the Recorder of Deeds of Crawford County, Pennsylvania, on October 2, 1986, at Record Book 571, Page 343. SUBJECT to all resctrictions and conditions recorded on the plan of said allotment and set forthin prior deeds of conveyances.

PARCEL NO. 3: ALL THAT CERTAIN piece or parcel of land situate in the Township of South Shenango, County of Crawford, and Commonwealth of Pennsylvania, bounded and described as follows, to-wit: ON the North by lan dof the Commonwealth of Pennsylvania; on the Scuth by Winding Way; on the East by Lot NO. 130; and on the West by Lot No. 132, being known as Not No. 131 of the Lakewview Knolls Plan of Lots, Subdivision No. 2, a plan of which is recorded among the Crawford County Records in Plan Book 2, Page 19. BEING the same premises as conveyed unto Richard J. Ols and Patricia L. Ols, his wife by deed of Sale Stahlman and Lois Stahlman, his wife, dated August 23, 1971, and as recorded in the Office of the Recorder of Deeds of Crawford County, Pennsylvania, on August 24, 1971, at Record Book 458, Page 782.

Chain of title to said parcel may be found by referring to and as more specifically set forth in Complaint filed in the office ofthe Prothonotary of Crawford County at the above number and term.

Defendants, their heirs, successors and assigns, are hereby forever barred from impeaching, levying or in any way attachking the same or from encumbering, mortgaging or conveying the same or any part thereof unless the Defendants, their heirs, successors or assigns, shall within thrity (30) days of the date of the entry of this Order file a Petition to open or to s trike judgment in this proceeding or bring an actionin ejectment against the Plaintiffs.

If no Petition to Open or Strike Judgment is filed within thirty (30) days of this Order, then upon Praecipe of the Plaintiffs, the Prothonotary is directed to enter final judgment against the Defendants, their heirs, successors and assigns.

BY THE COURT,
Gordon R. Miller, J

Aug. 11, 1994 Faxed L. Youngs

(Continued on Margin)

Record Continued.....

Sept. 22, 1994,
Upon praecipe of plaintiff attorney, FINAL JUDGMENT is hereby entered against all of the above named defendants, their heirs, successors and assigns, pursuant to court order of Aug. 2, 1994.
Plff. attorney certifies that none of the defendants have filed a Petition to Open or Strike the Judgment.
Dated: 9/21/94
FINAL JUDGMENT
Barbara H. King, Prothonotary
Judg. entered 9/22/94
R- 53, 143, 73

1994

Mason & Mason
Joan D. Mason

346.

BRIAN E. CUSTARD

vs.

CAROL J. CUSTARD

Filed April 12, 1994
@ 10:55 AM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro. Co.pd 8/10/94	9.00

COMPLAINT IN DIVORCE
1 copy atty.

July 7, 1994, Affidavit of Servcie filed. I, Joan D. Mason, Esq. atty. for plff in above case, depose and say thatt I did on apr. 14, 1994, mial to above dft., by cert. mail # P 425 665 126, ret. rec. req. deliver to addressee only, a complaint in above action. Said notice was received by dft on April 18, 1994 as indicated by ret. rec.,card which was returned to the office of the plff. atty. and is attached hereto. Joan d. Mason, atty.

Aug. 2, 1994 Affidavit of Consent by Carol J.Custard, Defendant, filed.

Aug. 5, 1994 Affidavit of Consent of Plaintiff, filed.

Aug. 10, 1994 Affidavit of Consent by Brian E.Custard, Plaintiff, filed.

Aug. 10, 1994 Upon Praecipe of Joan D.Mason, Esquire, Attorney for Plaintiff to transmit record, case moved to court.

DIVORCE DECREE FILED

Aug. 22, 1994 AND NOW, August 17, 1994, it is hereby ordered and decreed that BRIAN E. CUSTARD, plaintiff, and CAROL J. CUSTARD, 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.

1994

~~M. Kathryn Karn~~
R. Christopher Brode.

347.

James R. Irwin

MICHAEL J. HOVIS

vs.

LYNDA KAYE HOVIS

Filed April 12, 1994
@ 12:30 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
Pro bo Pd 5-15-96 90¢

Pro C Pd. 4/15/99 13.50

5-23-94 Rec from Atty Medy 150

Ops. 24, 1996 refund mediation deposit $5.00 CK 9957

5-15-96 Pd Co #10019 90¢

COMPLAINT UNDER THE DIVORCE CODE, CUSTODY, EQUITABLE DISTRIBUTION
3 copies atty.

Apr. 20, 1994 Acceptance of Service, filed. I accept service of the COMPLAINT UNDER THE DIVORCE CODE on behalf of LYNDA KAYE HOVIS and certify that I am authorized to do so.
James R. Irwin

May 3, 1994 Petition Raising Economic Claims, filed.

May 4, 1994 Petition for Special Relief - Exclusive Possession of Marital Residence and Rule to Show Cause filed. AND NOW, this 3rd day of May, 1994, upon consideration of the within Petition for Exclusive Possessionof the Marital Residence, a Rule is granted upon Plaintiff/Respondent, Michael J. Hovis, to show cause why the relief requested in said Petition should not be granted.

RULE RETURNABLE, with hearing thereon on the 6th day of May, 1994, at 3:00 p.m. in Courtroom No. 2 or the Crawford County Courthouse, Meadville,Pennsylvania.

BY THE COURT:
Gordon R. Miller,J.
5/4/94 copies to: Kathi Karn, Esq.& James Irwin, Esq.

May 4, 1994 Petition for Preliminary Injunction, and RULE, filed AND NOW, this 3rd day of May,1994, upon presentation and consideration of the foregoing, a rule is entered uponthe Respondent to show cause, if any he has, why the prayer of the Petitioner should not be granted.

RULE RETURNABLE ON THE 6th day of May, 1994, at 3:00 o'clock p.m. in Courtroom No. 2 of the Crawford County Courthouse, Meadville, Pa. 16335.

BY THE COURT:
Gordon R. Miller, J.
5/4/94 Copies to: Kathi Karn, Esq. & James Irwin, Esq.

May 9, 1994 ORDER filed. AND NOW, May 6, 1994, the matter is before theCourt on a Petition filed by the defendant for special relief, requesting exclusive possession of the marital residence and a Petition for Preliminary Injunctionby the defendant requesting that the plaintiff be enjoined from dissipating or removing marital assets.

The Court is advised that the parties have amicably resolved the two main issues and will continue to meet with their counsel in determining certain matters regarding individual assets or marital assets.

ACCORDINGLY, the parties mutually agree that the defendant Linda Kaye Hovis will have exclusive possession of the marital residence located at R.D.#3, Box 272, Cochranton, Pennsylvania, until further Order of Court, effective immediately.

The plaintiff Michael J. Hovis agrees he will not go to the marital residence occupied by the defendant until he has express permission to be on the premises.

The parties and their counsel advise the Court the parties will mutually reach an agreement on which items located in the marital residence are personal property of or individually owned assets of the plaint iff and will reach an amicable arrangement for the method and time of removal of these personal items and property to the plaintiff's possession.

Regarding the Preliminary Injunction praying for an order preventing the removal, disposition or alienation of any marital assets, the parties and their counsel advise the Court that this matter has been amicable resolved, and with the effect of being a Court Order, the parties mutually agree that neither of the parties will dissipate, encumber, destroy or remove from the jurisdiction of the Court any maritalassets of theparties unless the same is done by written agreement signed by both parties.

BY THE COURT,
P. Richard Thomas, S. J.
5-9-94 Copies faxed to Attys. Karn & Irwin

May 23, 1994 Motion to Appoint Child Custody Mediator filed.

May 23, 1994 Order filed. AND NOW, this 20th day of May, 1994, 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 inthe Crawford County Courthouse, with the child Custody Mediator as Required by Rule L1915.26A et. seq. of the Court of Common Pleas of Crawford County, Pennsylvania, it is further ordered and decreed that pending final determination by the Court, the chidlren shall not be rremoved formthe jurisdiction of the Court by either party hereunder, under possible punishment for Contempt of Court.

BY THE COURT,
Gordon R. Miller, J

Dec. 29,1994 Affidavit of Consent of Defendant, filed.

April 24, 1996, CUSTODY ORDER filed. Anthony J. Vardaro, Judge
(see BU file)
4/24/96 faxed to Karn, Irwin and Fuller.

May 22, 1996 Request for DeNovo Custody Hearing filed on behalf of Plaintiff filed.

June 25, 1996 ORDER SETTING HEARING filed. AND NOW, June 25, 1996, having been directed by the court to set a date for continuation of the above custody hearing, the smae is set for Tuesday **August 27, 1996, at 9:15 a.m. in CR #2** of the Crawford County Courthouse, Meadville, PA.
FOR THE COURT,
Ann A. Walker, Court Admin.
6-25-96 DISTIBUTED by Court.

Aug. 23, 1996 Motion to Discontinue Hearing and ORDER filed. AND NOW, this 23rd day of August, 1996,the Court hereby grants Plaintiff's/Appellant's Motion to Discontinue Hearing and permits him to withdraw his custody appeal. Accordingly, the pending custody action shall be discontinued and the prior Custody Order dated April 18, 1996 shall remain in effect.
BY THE COURT,
Anthony J. Vardaro, J.
8-23-96 FAXED Irwin & Karn

Continued on Page 481

348.

DANIEL ALLEN and DARCIE ALLEN, individually and as garduians of DANIEL ALLEN

vs.

CARL L. ALLEN

Filed April 12, 1994
@ 1:44 PM

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

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT
3 Copies Sheriff
2 Copies Plaintiff
FAXED MCPD

ORDER:

And now, this 12th day of April , 19 94 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

1. The defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Defendant shall move out he shall not contact Plaintiff in any way. He shall not go to Plaintiffs residence. Custody of the children is awarded to Plaintiff.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment or fees and costs will be determined by final court order.
7. The defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves Ruling on allocation of fees and costs.

Hearing is hereby set for the April 20, 1994 , at 3:00 p.m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

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

Apr. 13, 1994 Sheriff's Return filed. SERVED Carl L. Allen personally on April 12, 1994 at 3:00 PM by handing a copy of the Protection from Abuse to him at his place of visitation, Swap Shop, Route 408, Cambridge Springs, Crawford County, PA.

So answers,

Dale A. collins, Chief Deputy
Robert M. Stevens, Sheriff

Apr. 21, 1994 ORDER filed. AND NOW, April 20, 1994,after formal, sworn testimony, the Court finds that there is insufficient evidence that there has been abuse within the meaning of Act, and we decline to enter a permanent Protection From Abuse Order. The temporary Order entered by Judge Miller on April 12, 1994 is dissolved.

A copy of this Order shall be sent to County Control as well as to the Meadville City Police. Costs shall be paid by Crawford County.

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

4-21-94 Copies dist. to Pltf., Deft., Co. Control& MCPD

349.

VIRGINIA ROSE McELHATTAN

vs.

ROBERT REX McELHATTAN, JR.

Filed April 14, 1994
@ 9:36 AM

Indigent Filing

CERTIFIED COPY OF PROTECTION FROM ABUSE ACT FROM
CLARION COUNTY, PENNSYLVANIA
1 copy Sheriff
1 copy PSP
1 copy Pltf.

ORDER:

AND NOW, this 10 day of November, 1993 upon revies of the petition of plaintiff, the Court entered the following temporary order:

1. The defendant shall refrain from abusing, harassing and threatening the plaintiff [and the minor child(ren)] or placing her (him, them), in fear of abuse in any place where she (he, they) may be found.

2. Defendant is enjoined and prohibited from living at, entering, attempting to enter or visiting the residence located at RD 1 Box 179B Tionesta, Clarion, Pennsylvania and any subsequent residence in which plaintiff resides during the pendency of this order, and plaintiff is granted exclusive possession of the premises.

3. The defendant is prohibited from having any contact with the plantiff, including, but not limited to, entering the place of employment, business or school of the plaintiff (and the minor childre) and harassing the plaintiff and plaintiff's relatives or minor children.

4. The plaintiff is awarded temporary custody o the minor child(ren) Devin Nicole McElhattan name of child.

6. The defendant is ordered to provide the following additional relief: that he give Clarion County Sheriff department Devin to be returned to plaintiff.

7. The defendant is directed to refrain from stalking or harassing the plaintiff and other designated person Virginia Rose Sayers as defined at 18Pa.C.S. 2709.

8. This order shall be enforced by any law enforcement agency in a county where a violation of this order occurs.

9. Law enforcement officers, the staff of the county registry of protection orders, and court personnel shall not disclose the address of the domestic violence program and any confidential address of plaintiff to the defendant, his counsel or any third party.

10. A copy of this order shall be served on the police department in the jurisdiction where plaintiff resides and is employed. This order shall, likewise, be served on the state police. A copy of this order shall be forthwith filed inthe county registry of protection orders. The sheriff (the prothonotary, plaintiff's counsel, plaintiff, 911, Vengo County prothontoary, Venango County Sheriff, Hills, Vengo County State Police is directed to serve and file the aforementioned copies of this order without prepayment of costs. Said copies shall be certified.

11. This order shall remain in full force and effect until modified or terminated by this court.

12. A Hearing shall be held on the 19th day of November, 1993, at 10 a.m. in the assigned courtroom of the Court of Common Pleas of this county, located at Main street Clarion, pennsylvania

THIS IS AN ORDER OF COURT. ANY VIOLATION OF THIS ORDER SHALL CONSTITUTE CONTEMPT OF COURT AND MAY BE PUNISHABLE BY A FINE UP TO $1000 and or A JAIL SENTENCE OF FUP TO SIX MONTHS.

BY THE COURT
Charles R. Alexander, J.

Apr. 14, 1994 Certified Copy of ORDER OF COURT FILED. AND NOW, November 19, 1993, the parties having appeared in answer to a temporary order for protection from abuse and having reached an agreement on the matters presented therein, further, the Defendant in reaching this agreement doe snot admit to the allegations contained in the original petition, IT IS HEREBY, OPRDERED AND DECREED that the terms of the temporary order of NOvember 10, 1993, shall remain in full force and effect for a period of one year form this date, unless modified by a further order of court, with the exception that thepossession of the former marital residence shall be relinquished to the Defendant by the Plaintiff forthwith. The possessionof items of personal property agreed upon by the parties shall be relinquished by the Defendant to the Plaintoff on Sunday, November 21, 1993.

A copy of this order shall be provided to 911 control.

costs of this proceeding are on the County as both parties are indigent.

BY THE COURT:
Charles R. Alexander, P.J.

CONSENTED TO BY:

Virginia Rose McElhattan

Robert Rex MeElhattan, Jr.

1994

Mary Ann Kirkpatrick

350.

ARLENE FRANCES SINIBALDI JOHNSTON

vs.

JAMES EARL JOHNSTON

filed April 14, 1994
@ 9:36 AM

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

COMPLAINT IN DIVORCE,
1 copy atty.

Affidavit of Service filed. And Now, April _____,1994, 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 Arlene Frances Sinibaldi Johnston, Plaintiff in the above-captioned matter.

2. That on information furnished her by the Plaintiff, she caused a certified copy of the Complaint in Divorce to be forwarded by Certifeid Mail, P 100 657 041; postmarked April 14, 1994, to the last known address of the Defendant, James Earl Johnston, 136 Shippen St., Meadville, PA 16335.

3. That the Defendant, James Earl Johnston, on April 16, 1994, 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.

Constance L. Deitman

Aug. 19,1994 Affidavit of Plaintiff filed.

Oct. 12, 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 10/12/94. 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)

1994

351.

DEBORAH S. NADOLNY

vs.

WILLIAM G. WEAVER

Filed April 14, 1994
@ 10:52 AM

6-8-94 Rec from Dft Sheriff Costs 29.00
6-8-94 Pd Sheriff Ck# 8351 29.00

Tax & entry Pd 6-8-94 50.50
User's Fee Pd 6-8-94 5.00
Sheriff's Costs Pro Co Pd 6-8-94 29.00

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

Order:

And now, this 14 day of April , 1994 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

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

3. This Order may be enforced without a warrant any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court Liability for payment or fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves ruling on allocation of fees and costs. Hearing is hereby set for April 22, 1994 , at 1 p. m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

Apr.15, 1994 Sheriff's Return filed. SERVED William G. Weaver personally on April 14, 1994 at 2:15 PM at his place of visitation, Bundy's Auto Body, Grant Street, Cambridge Springs, Crawford County, PA.
So answers,

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

April 26, 1994 ORDER filed. AND NOW, April 22, 1994, this matter is before the Court on Plaintiff's Petition for Relief under the Protection From Abuse Act. The Plaintiff appears with cousnel and indicates that he is unable to afford counsel, but due to the fact that he has reached an agreement with respect to this matter with the Plaintiff's counsel, he wishes to proceed representing himself.

The parties have agreed to the entry of the following Order without admission of the allegations of the Petition on the part of the Defendant:

1. The Defendant shall not assault, abuse, harass or threaten to abuse the Plaintiff or stalk the Plaintiff at any time or any place.
2. The Defendant shall not contact the Plaintiff in any manner and he shall not go to the Plaintiff's residence nor within one hundred (100) yards of Plaintiff's residence. Likewise, he shall not go to Plaintiff's place of employment when the Plaintiff is working.
3. The Court advises the Defendant that he should not go to the Plaintiff's residence even if he is invited to that residence insofar as any police agency called will presume that he is in violation of this Order if he is at that residence. If something changes and if the parties should both wish for the Defendant to be able to go to the Plaintiff's residence in the future, they should seek a modification of this Order before the Defendant does so.
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, Pa. State Police, Meadville Barracks and the Cambridge Springs Police Dept. Additionally, a copy shall be sent by regualr mail by the Prothonotary to the Defendant at South Main St., Cambridge Springs, PA., insofar as he is not represented.
6. The Defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine of up to $1,000.00 and a jail sentence of up to six (6) months.
7. The Defendant shall pay record court costs in the amoutn of $93.50 within ninety (90) days of this Order. They shall be apid to the Prothonotary of Crawford County on the first floor of the Crawford County Courthouse in Meadville, Pa.
8. This Order shall remain in full force and effect through April 21, 1995.

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

April 28, 1994, FAX to (PSP-Meadville & CSPD); April 29,1994 copy to Atty. G. Sullivan, Co. Control and Dft.

Bruce L. Smith

352.

OAKLEY L. HOPKINS and ALVERDA M. HOPKINS, his wife

vs.

ALBEE ERIE HOMES, INC., a Corporation or Body Politic Created by and Existing Under the Law ofthe Commonwealth of Pennsylvania, and Approved BANCredit corporation, or their successors or Assigns

filed April 14, 1994
@ 2:17 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Pro Co pd 7/27/94	9.00

COMPLAINT IN QUIET TITLE
1 copy atty.

May 10, 1994, Petition for Leave to Ser ve by Publication and Order filed. ORDER: AND NOW, to-wit this 9 dayof May 1994 upon Petition fo plaintiffs, pursuant to Rule 430(b)(1) to effect service upon defendants, both name and unmamed, their successors, and assigns by publication, it is hereby ordered that the plaintiffs be permitted to serve all of the same by publication fo the attached notice one (1) time inthe crawford County LegalJournal, Meadville, Pa., and one (1) time in the Titusville Herald, Titusville, Pa.

BYTHE COURT,
Gordon R. MIller, Judge
May 10, 1994, copy faxed to Atty. smith

June 21, 1994 Motion for Judgment and Order filed. AND NOW TO-WIT, this 21 day of June, 1994, upon Motion of Plaintiffs in the above-captioned action and Affidavit filed in accordance with the Pennsylvania Rules of civil Procedure 430, IT IS ORDERED AND DECREED that the Defendants in the above-captioned action be and hereby are forever barred from asserting any right, lien, title or interest in the land described in Exhibit "A" of the captioned Complaint inconsistent with theinterest or claim of Plaintiffs as sole and exclusive legal and equitable title owners thereof in fee simple absolute, unless Defendants take such action with thirty (30) days form the date of this Order. If such action is n not taken within said thirty (30) day period, the Prothonotary, upon praecipe of Plaintiffs, shall enter final judgment.

BY THE COURT,
Anthony J. Vardaro, J

June 22, 1994 copy mailed Smith

And Now, July 27, 1994 @ 1:14 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.

A-181; B-183
Prothonotary

FINAL JUDGMENT
Barbara H. King
Prothonotary

1994

Barbara J. Walton

353.

RAYMOND W. DIESING

vs.

SUSAN J. DIESING

Filed April 14, 1994
@ 2:17 PM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Ad'dl Count paid	15.00
State paid	10.00
Pro.Co. pd 8/31/94	9.00
Pro C Pd 9-14-94	15.00
State Pd 9-14-94	5.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
1 copy atty.

May 2, 1994 Acceptance of Service filed. AND NOW, this 28th day fo April, 1994, the undersigned, Susan J. Diesing, Defendant in the above captioned matter, accepts service of a Certified Copy of the Complaint in Divorce filed by Raymond W. Diesing, Plaintiff in the matter.

Susan J. Diesing, Defendant

July 28, 1994 Affidavit of Consent Plaintiff filed.

Jul. 29, 1994 Stipulation and Consent to Entry of Order, filed. (1 copy Walton)

Aug. 9, 1994, Affidavit of Consent of defendant filed.

Aug. 31, 1994 UponPraecipe of Barbara J. Walton, Esquire, Attorney for Plaintiff to transmit record, case moved to Court.

Sep. 8, 1994 ORDER filed. This divorce matter has been referred to the Court for review and decree. The Court has reveiwed the record and is returning the record to the Prothonotary. A final decree will not be entered at this time because:

x The parties are asking that an agreement be incorporated into the decree yet:
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 t he proceedings to date. 23 Pa. C.S.A.§3104 (a),; Pa. R.C.P. 1920.11, 1920.13.

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.

9-8-94 given toAttys.Irwin & Walton

Sept. 13, 1994 Petition For Additional Remedies, filed.

Sept. 13, 1994 Upon praecipe of Plaintiff's attorney to transmit record, case moved to Court.

Sept. 20, 1994 Orderfiled. AND NOW, September 20, 1994, this matter is once againt before the Court with respect to an amended praecipe to transmit the record filed by the Plaintiff.

Previously, when this matter was before the Court seeking a 3301(c) divorce on September 7, 1994 we returned the papers to the Prothnotary noting that a property settlement agreement entered into by the parties which the parties wished to be part of the divorce decree covered issues which had not been raised in the pleadings.

In response, the Plaintiff filed a petitionfor additional remedies and the amended praecipe to transmit the record which we indicated is before us.

Unfornunately, Pa.R.C.P. 1920.15(b) only allows a Defendant to raise claims by a "petition" and, if the Plaintiff wishes to add counts at this itme, he must do so by filing an amended complaint and prerly serivng the same.

Therefore, we will return this matter to the Prothonotary once again so that may be done or, in the alternative, a petition for additional remedy with regard to the custody issue may be filed bny the Defendant and properly served or, alternatively,the parties may file a property settlement agreement not seeking that the divorce decree include any disposition with regard to the custody issue which has not now been properly raised before the Court.

BY THE COURT:
Anthony J. Vardaro , J

Sept. 20, 1994 Copies dist. to Walton & Irwin

Sep. 30, 1994 Amended Property Settlement Agreement, filed.

Sep. 30, 1994 Upon Amended Praecipe of Barbara J.Walton,Esquire,Attorney for Plaitniff to transmit record, Case moved to Court.

DIVORCE DECREE FILED

Oct. 13, 1994 AND NOW, October 12, 1994, it is hereby ordered and decreed that RAYMOND W. DIESING, Plaintiff, and SUSAN J. DIESING, 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.

1994

Murray A. Felder

354.

PNC NATIONAL BANK

vs.

MELVIN D. REINER and
FLORENCE M. REINER

filed April 14, 1994
@ 2:17 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	35.00
Pro Co. pd 5/31/94	9.00
Exemp.of Record, triple Seal pd 5/17/95	13.50

COMPLAINT IN CIVIL ACTION

Apr. 21, 1994 SHERIFF'S RETURN, filed. SERVED Melvin D. Reiner on April 18, 1994 at 2:42 PM by handing a copy of the Complaint to Melanie Rutter, Adult in Charge at residence, RD 1, Box 57E, Cambridge Springs, Crawford County, PA.

SERVED Florence M. Reiner on April 18, 1994 at 2:43 PM by handing a copy of the Complaint to Melanie Rutter, Adult in Charge at residence, RD 1, Box 57E, Cambridge Springs, Crawford County, PA.

So answers, Shawn E. Ashbaugh, Deputy Sheriff
Dale A. Collins, Chief Deputy
Robert M. Stevens, Sheriff

May 31, 1994, 11:35 a.m., AND NOW upon praecipe of plaintiff Attorney, with copy of Notice of Intention to file default judgment attached, judgment is hereby entered in favor of Plaintiff and against Defendant for failure to file an answer and damages are assessed as follows:

Amount claimed in Plaintiff's complaint	$3,050.43
Total	$3,050.43

Debt $ 3,050.43
R-113,63 Judgment
Judgment entered 5/31/94 Barbara H. King, Pro.

6-6-94 Notice of entry of judgment mailed Defendants.

Oct. 18, 1994 Objections to Sheriff's Determinatiion, filed.

Ex 1994-41

1994

Louis P. Vitti & Assoc., PC
Louis P. Vitti

355.

CORESTATES BANK, N.A., Trustee for PENNSYLVANIA HOUSING FINANCE AGENCY, Assignee of NORTHWEST MUTUAL SAVINGS ASSOCIATION

vs.

DAVID A. BEAN and SHEILA A. MILLER

Filed April 14, 1994
@ 2:17 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriffs costs	50.00
Pro.Co. pd 5 /20/94	5.00

COMPLAINT IN MORTGAGE FORECLOSURE

May 5, 1994, Sheriffs Return filed. SERVED David A. Bean personally on April 19, 1994, at 11:30 a.m. by handing a copy of Complaint in Mort. Foreclosure to him at his place of employment, Quality Markets, North St. Meadville, Crawford County, Pa.

SERVED Sheila a. Miller, on May 3, 1994, at 3:35 p.m. by handing a copy of Comp. in Mort. Foreclosure to Pam Beck, Adult in charge at the residence r. D. #4, Titusville, Crawford County. Pa./
So answers, Shawn E. Ashbaugh, Dep. Sher.
Robert M. Stevens, Sheriff

May 20, 1994 UponPraecipe of Louis P. Vitti, Esquire,Attorney for Plaintiff,the above case marked settled and discountinued of record.

1994

Kathleen R. Nelson

356.

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

EARL ST. JOHN

vs.

D.
TRINA B. ST. JOHN

Filed April 14, 1994
@ 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
William Pineo, Mediator	152.00
Pro Co Pd 10-10-94	9.00
Pro Co pd 11-16-94	9.00

7-7-94 $150.00 dep for Mediator

9-29-94 Pd Plff med refund #858 to Nelson 65.00

10-6-94 rec'd 76.00 Mediators fee from Dft

10-10-94 Pd Comm #8601 Plff 76.00

10-10-94 Pd Comm #8601 Dept 76.00

COMPLAINT UNDER SECTION 3301(a) and 3301(c) OF THE DIVORCE CODE
EQUITABLE DISTRIBUTION, CUSTODY/VISITATION
1 copy atty.

May 5, 1994 Affidavit of Service filed. AND NOW, this 5 day of May 1994, Kathleen R. Nelson, Esq. being duly sworn according to law, deposes and says that the following facts in support of her affidavit are ture and correct.

1. That the affidant is the atty. for the plff. in the above action.

2. That a true and correct copy of the Complaint in Divorce and Notice were sent by cert. mail to dft. Trina D. St. John on April 22, 1994.

3. That the dft. received said cert. mail on Apr. 26, 1994. Said ret. rec. card Z 727 826 059 is attached hereto, signed by dft. and made a part of the record. Kathleen R. Nelson, Esq.

May 20, 1994 Motion to Amend Caption and ORDER filed. AND NOW, this 18th day of May, 1994, this Honorable Court hereby grants the Plaintiff's Motion and amends the above caption. The Defendant's name shall hereafter be Trina D. St. John.
Gordon R. Miller, J.
5-23-94 Faxed copy to Atty. Nelson.

Jul. 5, 1994 Appearance of Fuller, Kinnunen, Petruso, Gamble, Fabian and Hall by Gary A FAbian, Esquire, Attorney for Trina D. St.John, Defendant, filed.

July 7, 1994 Request For Appointment of Mediator and Order, filed. AND NOW, this 7 day of July, 1994, this Court hereby appoints William Pineo, Esq., as Custody Mediator in the above captioned action. Mediator shall schedule mediation at his convenience to hear the issues raised in the Complaint. Anthony J. Vardaro, J.
July 14, 1994 Faxed Nelson, Fabian & Pineo.

Sept. 27, 1994 TEMPORARY ORDER, filed. AND NOW, this 23rd day of September, 1994, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator.

IT IS HEREBY ORDERED AND DECREED THAT:

1. The parties shall share legal and physical custody of the subject minor children, Ashley St. John and Joshua St. John.

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 parties shall share physical custody of the subject minor children. Starting with the week of September 11, the parties shall alternate weekly custodial periods, beginning and ending at 5 p.m. Sunday. The mother shall have the first period beginning at 5 p.m. Sunday, September 11, 1994.

b. The parent not havfing physical custody shall have the right to telephone the children at reasonable times for reasonable lengths of time, and such conversations will not be unreasonably monitored by the parent having physical custody.

4. Holiday visitation:

The parties have indicated to the Mediator that they will be able to arrange special holiday visitations for the holiday periods.

5. Should it be necessary for either party to cancel or modify the visitations as set out in this order or as previously arranged, the party seeking cancellation or modification shall notify the other party as soon as he or she knows of the necessity which impels the cancellation or modification. Said modifications or cancellations shallnot be proposed except for good reasons. Should a cancellation or modification be necessary, the parties shall attempt at once to arrange for alternative 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 in 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 th 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 to do so in the same room as the children, in a closed automobile in which the children are being transported, or in the bedroom of the children.

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 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.

10. 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 8 p.m. and 8 a.m. nor shall either party expose the children to displays of affection toward such other persons at any time.

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. Either party may request a review of this Order upon a substantial change in the living circumstances of either party. Neither party shall remove the children from the jurisdiction of this Court for a period longer than 48 hours without notifying theother party. If either party intends to move his or her residence from Crawford County, Pennsylvania, they shall first notify the other party 30 days in advance of said move.

13. Costs and fees of this Mediation, which are fixed at $152.00, are divided equally between the parties with a share of each being assessed to him or her as costs in this case.

CONTINUED ON PAGE 356A

Earl St.John
vs.
Trina D. St.John

CONTINUED FROM PAGE 356
of Record
A. D. 1994 - 356

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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, if any, shall be remitted to him. The mother shall pay her share of costs and fees to the Prothonotary of Crawford County within thirty (30) days of the date of this Order.

15. Either party may move the Court for a hearing de novo within ten (10) days from date hereof. If neither party so mvoes, this Order shall be considered permanent.

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

Oct. 5, 1994 Faxed Pineo, Nelson & Fabian, mailed to Plf. & Dft.

Oct. 28, 1994 Affidavit of Consent of Plaintiff filed.

Nov. 1, 1994 Affidavit of Consent of Defendant, filed.

Nove. 16, 1994 Upon praecipe of Plaintiff's attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Nov. 22, 1994 STIPULATION and DECREE filed. AND NOW, this 18th day of November, 1994, upon Stipulation of the parties to this action, the Court orders and Decrees as follows:

I. DIVORCE

Upon consideration of the pleadings and Affiavits 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, 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 ESTATE

The Plaintiff is the owner of real property situate in Richmond Township, Crawford Co., PA., which property is his sole and separate property as it was owned by the Plaintiff prior to the marriage of the parties. Defendant shall deliver by Quit-Blaim Deed to the Plaintiff any and all right, title, claim, and interest in said premises which she may have acquired by virtue of her marriage to the Plaintiff. Said deed shall be executed within ten (10) days of the date of this Decree and shall be in recordable form.

III. PERSONAL PROPERTY AND HOUSEHOLD GOODS

The parties hereto shall each retain those items of personal property and household goods now in his or her possession.

IV EMPLOYMENT BENEFITS

Defendant has waived any and all claim and entitlement she may have to Plaintiff's employment benefits, with Penn-Union Corp., and its successors, except those rights she may have relative to health insurance and rights of conversion to coverage for herself.

V. Plaintiff waives and relinquishes any and all right, claim, or interest he may have to Defendant's inheritance from the Estate of her mother.

V. All checking and savings accounts have been mutually divided between the paraties to their satisfaction and each shall retain those funds which he or she has in his or her possession.

BY THE COURT:
Gordon R. Miller, J.

May 8, 2003- See Computer for further entries.

356
-b-

1994 TERM

1994

Edward J. Hatheway

357.

MARSHA A. WILLEY

vs.

DANNY L. WILLEY

Filed April 14, 1994
@ 4:44 PM

Tax & entry pd 5-10-94 50.50
User's Fee pd 5-10-94 5.00
Sheriff's Costs pd 5-10-94 25.00
ProCo pd 5-10-94 9.00
ProCo pd 5-10-94 5.00

5-10-94 paid Robert M Stevens, Sheriff Sheriff Costs $25.00 Ck #8288

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

Order
AND NOW, this 14th day of April, 1994, upon preview of the petition of Plaintiff, the Court enteres the following Tempoary Ordr.

1. The defendant shall not assault, abuse, harass or threaten the Plaintiff.
2. The Plaintiff is awarded exclusive possession ofthe marital residence in so far as the Defendant has a trailer in which he resides in most of the time. However, the Defendant is still jointly liable for the mortgage payment and the other miscellaneous house and utilities payments. In addition, the Defendant is not permitted to go to the marital residence for whatever reason.
3. The Defendant is not permitted to go to the Plaintiff's place of employment.
4. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
5. A copy of this Order shall be delivered to the Pennsylvania State Police at the Meadville Barracks and to County Control.
6. 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.
7. This Temporary Order shall remain in full force and effect until modified or terminated by fruther Order of this court. Liability for payment or fees and costs will be determined by final court order.
8. The Defendant is reminded that this is an ORDER OF COURT, and violationof this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six (6) months.
9. The Court reserves ruling on allocation of fees and costs.

Hearing is hereby set for 21 April 1994, at 9:15 o'clock a.m. in Courtroom No. 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearin gif he so desire but he is not required to do so.

BY ORDER OF COURT:
Robert J. Leonhart

Apr. 14, 1994 Order filed. AND NOW, April 14, 1994, this matter is before the Court upon a request of the Plaintiff for a temporary order under the Protection from Abuse Act.

The Plaintiff appears with counsel for an ex parte hearing and both sitting judges of Crwford County recuse themselves due to the fact that they are social friends withthe Plaintiff.

This matter is assigned due to the fact that becuase ofthe recusals the Court is not available to District Justice Robert Leonhart who is currently sitting in for District Justice William Chisholm in the Meadville office.

If, after review of the Plaintiff's peittion and ex parte hearing, District Justice Leonhart determines that a tempoary order should be entered, he may do so and said order shall be binding until the time of a permanent hearing with respect to this matter.

Said hearing, if District Justice Leonhart enters a tempoary order, should be scheduled for April 21, 1994 at 10:00 a.m. in Courtroom No. 1 or 2 of the crawford County Courthouse.

The Court directs the Court Administrator of Crawford County to obtain an assignment of a Senior Judge for the purpose of hearing this matter if a tempoary order is issued by District Justice Leonhart or if he declines to enter a tempoary order but believes a hearing should be held with respect to whether or not a permanent order should be entered.

BY THE COURT:
Anthony J. Vardaro ,J

Apr. 14, 1994 Copies dist to Pltif, Sheriff, Ct. Adm., Leonhart's & Chisholm's Offfice.

Apr. 18, 1994 Sheriff's Return filed. SERVED Danny L.Willey personally on April 15, 1994 at 1:10 PM by handing a copy of the Protection from Abuse to him in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, PA.

So answers,

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

* See order filed at Divorce Number AD.1994-135

Gerald Sullivan

358.

DIANE F. BEUCHAT

vs.

DONALD L. BROWN

Filed April 15, 1994
@ 10:23 AM

Tax & entry Pd. 4/25/94 50.50
User's Fee Pd. 4/25/94 5.00
Sheriff's Costs pd, 25.00
Pro Co. Pd. pd. 9.00
Pro. Co. Pd. 5-16-94 $ 5.00

4-25-94 Rec. from Deft Sheriff's Cash 25.00
4-25-94 Pd Sheriff 25.00 Ck# 8761

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

ORDER:

And now, this 15 day of April , 1994 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

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

3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment or fees and costs will be determined by final court order.
7. The defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves Ruling on allocation of fees and costs. Hearing is hereby set for the Arpil 25. 1994 , at 11:30 a.m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

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

Apr. 18, 1994 Sheriff's Return filed. SERVED Donald L. Brown personally on April 15, 1994 at 11:10 AM by handing a copy of the Protection from abuse to him at 897½ Market Street, Room 1, Meadville, Crawford County, PA.
So answers,

Scott D. Young, Deputy Sheriff
Dale A. Collins, Chief Deputy
Robert M. Stevens, Sheriff

Apr. 28, 1994 ORDER filed. AND NOW, April 25,1994, the parties appeared in open court. The plaintiff had counsel, the defendant did not. The Court briefly described the PFA procedure to the defendant and he understood it. The parties have resolved this matter by a settlement and have agreed that the following Order shall be entered. However, in so agreeing, the defendant does not admit that he engaged in the conduct alleged in the Petition, and it is ORDERED as follows:

1. The defendant shall not assault, abuse, harass or threaten the plaintiff in any way.
2. Sole possession of 1002 1/2 South Main Street is awarded to the Plaintiff. The defendant shall not go to the plaintiff's residence or contact her in any way. If he must contact her, he shall contact her through family members or friends.
3. The defendant does have some personal belongings at the plaintiff's residence. The plaintiff shall hold those belongings for a reasonable period of time, not to exceed 60 days, in safekeeping so that the defendant may get them back. The plaintiff shall do nothing to damage, harm or destroy the defendant's personal belongings during this period of time. The defendant shall have 60 days in which to arrange to have a family member or friend go to the plaintiff's residence to pick up his personal belongings. He shall give the plaintiff at least 48 hours advance notice that he has arranged to have someone come to pick those items up. The items shall be picked up at the scheduled time. If there is any dispute about what belongs to the defendant, and if the parties can resolve that on their own, then the plaintiff shall keep all disputed items indefinitely to allow the defendant to bring an appropriate replevin or assumpsit action to recover his items or the value thereof.
4. This Order may be enforced without a Warrant of Arrest by any law enforcement officer having reasonable ground to believe that it has been violated.
5. A copy of this Order shall be delivered by the Prothonotary to the Meadville City Police Department and to County Control. A copy shall also be sent to the defendant at 897 1/2 Market Street, Meadville, Pennsylvania, 16335.
6. This Order shall remain in full force and effect for one (1) year from this date; that is, until April 24, 1995, unless modified or terminated by further Order of court.
7. The defendant shall pay the record court costs in the amount of $89.50 to the Prothonotary on the First Floor of the Courthouse within the next 2 days, or else he may be held in contempt of court if he fails to pay them.
8. The defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine of up to $1,000 and a jail sentence of up to 6 months.

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

Apr. 28, 1994 copies dist. to Sullivan, Co. Control, MCPD(Fax) & Plf.
May 3, 1994 copy to Dft.

(Cont.)

Any provisions of the Protection from Abuse Order of April 25, 1994 assessing court costs shall remain in full force and effect without change or modification and the party or parties against whom costs were assessed shall remain obligated to pay the costs.
BY ORDER OF COURT
Gordon R. Miller
5-17-94 faxed to MCPD
5-20-94 copy to Co. Ctrl.

Mfay 17, 1994 MOTION TO VACATE PROTECTION FROM ABUSE ORDER and ORDER filed. AND NOW, this 16th day of May, 1994 upon receipt and review of the plaintiff's motion to vacate and terminate the Protection from Abuse Order of April 25, 1994, said motion is granted and the Protection from Abuse Order is hereby vacated and terminated.

A true and correct copy of this Order shall be delivered by the Prothonotary to The police department that the original order was sent to and to County Control. (Continued on margin)

1994

Schroeck & Associates
~~Mark W. Richmond~~ withdrawn

359.

Quinn, Buseck, Leemhuis
tooley and Kroto
John R. falcone

MARK W. RICHMOND, ESQUIRE, Administrator of the Estate of Lloyd A. McDIVITT, Deceased and VICKI McDIVITT

vs.

THE CUSSEQAGO INN, INC.

Filed April 15, 1994
@ 11:22 AM

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

CIVIL COMPLAINT
3 copies atty.

Apr. 21, 1994 SHERIFF'S RETURN, filed. SERVED The Cussewago Inn, Inc. on April 18, 1994 at 3:16 PM by handing a copy of the Complaint to Marjorie Looepp, Bartender, Adult in Charge at the business, RD 2, Route 98, Edinboro, Crawford County, Pa.
So answers, Shawn E. Ashbaugh, Deputy Sheriff
Dale A. Collins, Chief Deputy
Robert M. Stevens, Sheriff

Aug. 10, 1994, Answer filed.

Sep 20, 1995 Motion By Attorney For Permission To Withdraw As Counsel For Plaintiff and Order, filed. AND NOW, to-wit, this 20 day of September, 1995, pursuant to a Mostion by Mark W. Richmond, Esquire, requesting permission to withdraw as Administrator of the Estate of Lloyd a. McDivitt, Deceased, and as counsel of record for the Estate of Lloyd A. McDivitt, Deceased, and Vicki McDivitt, Plaintiff, in the above-captioned action, and good cause appearing therefore.

It is hereby ORDERED, that said Motion be, and the same is GRANTED, and that Mark W. Richmond, Esquire is hereby permitted to withdraw as counsel effective on the date of this Order.

BY THE COURT:
Anthony J. Vardaro, J.

Sept. 20, 1995 Faxed Falcon & Richmond

1994

360.

MICHAEL LILLY

vs.

A. J.'s AUTO EXCHANGE

Filed April 15, 1994
@ 12:02 PM

Tax & entry paid	50.25	L-238
User's Fee paid	5.00	
Pro co. pd 5/12/94	9.00	

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

Apr. 15, 1994 Rule entered upon the Plaintiff to file a Complaint issued.

Apr. 20, 1994 Proof of Service of Notice of Appeal and Rule to File Complaint, filed.

May 12, 1994 AND NOW, May 12, 1994 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.

JUDGMENT OF NON PROS
Barbara H. King,
Prothonotary

1994

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

361.

MARINE BANK

vs.

KERRY L. FULLER and
ELIZABETH FULLER

Filed April 15, 1994
@ 12;02 PM

Tax & entry paid 15.00
Pltf. of orig. 140.62
Sheriff's Costs 32.00
Pro Co. pd 5-18-94 9.00

WRIT OF REVIVAL

of

A.D. 1990 - 664

Writ of Revival indexed against the defendants in favor of MarineBank
the plaintiffs, in the sum of One Thousand Seven Hundred Thirty-one and 17/100 plus interest and cost of suit.
F-1010-51
Debt----------$1,731.17
Int. from October 6, 1986
Barbara H. King, Pro

Issued Sheriff

Apr. 25, 1994 NOT FOUND as to Defendant Kerry L. Fuller and Elizabeth Fuller via attempts of Certified Mail, Return Receipt Requested, at address of 3149 State Route 59, Ravenna, OH 44266. The forwarding time has expired, letters returned.
So answers, Robert M. Stevens, Sheriff

May 18, 1994 at 11:54 A.M., AND NOW upon Praecipe of Plaintiff Attorney, with copy of Notice of Intention to file default jdugment attached, judgment is hereby entered in favor of Plaintiff and against Defendants in the amount of $1,731.17 with interest from October 6, 1986 plus attorney's fees of $346.20 and the costs of this action.

F-101,51
Judgment entered
5/18/94

Debt $1,731.17
Interest from 10/6/86
Barbara H. King, Pro.
JUDGMENT

5-23-94 Notice of judgment mailed 5-23-94.

1994

362.

RONALD HILES

vs.

NANCY UNGER

Filed April 15, 1994
@ 1:03 PM

Tax & entry paid 50.25
User's Fee paid 5.00

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

Apr. 15, 1994 Rule entered upon the Plaintiff to file a Complaint issued.

April 18, 1994 Proof of Service of Notice of Appeal and Rule To File Complaint, filed.

Apr.22, 1994 Complaint filed.

May 13, 1994 Answer filed.

May 13, 1994 Affidavit of Service filed.

1994

Prather, Prather
& Pineo
Mark D. Prather

363.

IN RE: PROPOSED PRIVATE SALE OF TAX CLAIM LANDS OF JOHN A. LUEBBERT and JOY D. LUEBBERT

Filed Arpil 15, 1994
@ 1:04 PM

Tax & entry ~~paid~~	50.50
User's Fee ~~paid~~	5.00

PETITION FOR DISAPPROVAL

Now, this 15 day of April, 1994, upon consideration of the within petition, a rule is granted uponthe Crawford County Tax Claim Bureau to show cause if any it has why the proposed sale of real estate to D. Lee Kemp and M. A. Kemp, Jr. should not be disapproved.

This rule is returnable for May 13, 1994 at 3:30 p.m., in Courtrrom 1 or 2, at the Crawford County Courthouse, Meadville, Pennsylvania, petitionre to notify all parties hereto forthwith and provide proof of serve at time of hearing.

Per Curiam,
Anthony J. Vardaro, J

Apr. 18, 1994 Copy of order to Atty. Prather

May 17, 1994 Order filed. AND NOW, May 13, 1994 it appears to the Court that the parcel in question was proposed to be sold D. Lee Kemp and M. A. Kemp, Jr. by the Crawford County Tax Claim Bureau at a private sale for $500; that the ntoice of the proposed private sale was properly advertised; that interested parties, the petitioners in this case, filed a petition for disapproval; that notice ofthe petition for disapproval and notice of this hearing has been given to all interested parties, including the Kemps, and after hearing, the court hereby DISAPPROVES the sale to the Kemps for $500. We hereby set a price below which the property shall not be sold, said price being $662.68. If no private sale of the sub-parcel can be arranged for said price, the property shall be sold by the Crawford County Tax Claim Bureau at a public judical sale under the Act. The purchaser at the private sale shall pay cash or its equivalent immediately upon the signing of an agreement to purchase the property at said private sale.

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

May 17, 1994 Copy to Wagner & Spataro

1994

Edward J. Hatheway

364.

CLINTON BLOOD et al

vs.

KATHY ADAMS, et al

Filed April 18, 1994
@ 11:09 AM

Tax & entry paid 50.25
User's Fee paid 5.00

APPEAL OF DEFENDANT FROM DECISION OS
DISTRICT JUSTICE WAYNE E. HANSON

Apr. 18, 1994 Rule entered upon the Plaintiff to file a Complaint issued.

Apr. 19, 1994 Proof of Service of Notice of Appeal and Rule to File Complaint, filed.

Apr. 28, 1994 Complaint filed.

May 31, 1994 Affidavit of Service of Process filed. I, Trevis D. Pearson, of the Crawford Co. Constable's Office, do hereby acknowledge and swear that I served a certified copy of the above-numbered civil complaint upon Kathy Adams by hand delivery on May 24, 1994, at Magistrate Wayne E. Hanson's Office, located at PO Box 128, 112 Erie St., Linesville, PA 16424-0000. I hereby also acknowledge and swear that Kathy Adams also accepted the certified copy of the civil complaint.

Trevis D. pearson, Constable

Dated: 05/24/1994

1994

Mary Ann Kirkpatrick

365.

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

JOHN ARTHUR JOHNSON

vs.

SHIRLEY JANE WAKEFIELD
JOHNSON

Filed April 18, 1994
@ 1:31 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
2 Add'l Count pd.	30.00
State pd.	10.00
Pro Co pd 8-30-94	9.00

COMPLAINT IN DIVORCE
1 copy atty.

Apr. 20, 1994 Affidavit of Service, filed. And Now, April 20, 1994, 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 John Arthur Johnson, Plaintiff in the above-captioned matter.

2. That on information furnished her by the Plaintiff, she caused a certified copy of the Complaint in Divorce to be forwarded by Certified Mail, P 100 657 042; postmarked April 18, 1994, to the last known address of the Defendant, Shirley Jane Wakefield Johnson, 694 E. Spruce St., Titusville, Pa. 16354.

3. That the Defendant, Shirley Jane Wakefield Johnson, on April 19, 1994, personally signed the return reciept card which was affixed to the Complaint in the above-matter and which is attached hereto.

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

May 18, 1994 Upon praecipe of Ann Hansen Gamble, Attorney, appearance on behalf of defendant, filed.

May 18, 1994 Petition for Related Claims filed.

June 23, 1994 Affidavit of John Arthur Johnson, filed.

Aug. 24, 1994, Affidavit of Consent of plaintiff filed.

Aug. 24, 1994, Affidavit of Consent of defendant filed.

Aug. 25, 1994 Upon praecipe of Plaintiff's attorney to transmit records, case moved to Court.

DIVORCE DECREE FILED

Sept. 2, 1994 STIPULATION and DECREE. And, Now, September 1, 1994, it is ordered and decreed that JOHN ARTHUR JOHNSON , plaintiff, and SHIRLEY JANE WAKEFIELD, 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:

1. Husband shall pay spousal support/alimony to wife in the amount of $260.00 per month for the period ending May 31, 1995.

2. Husband shall pay the parties' balance due on account with sears; wife shall pay the parties' balance due on account with Mastercard.

3. Husband and wife shall share equally the $1,887.55 balance in husband's OCP, inc. Profit Sharing Plan and Trust so that one-half of that amount, the sum of $943.78, shall be transferred to wife.

4. Each party shall pay his and her own counsel fees, costs and expenses related to this divorce.

By the Court:
Gordon R. Miller, J.

Dec. 29, 1994 Qualified Domestic Relations Order filed. the following Order is hereby approved:

1. This Order shall pally to the OCP, Inc. PROFIT-SHARING PLAN AND TRUST, ("the Plan") and shall be directed to the Plan Adminstrator, of INTEGRA TRUST COMPANY, Titusville, Pennsylvania.

2. The Plan Participant covered by this Order is John Arthur Johnson, 328 E. Mt. Vernon Street, Titusville, Pennsylvania 16354, whose Social Security Number is 183-40-2942, date of birth, March 2, 1948.

3. The Alternate Payee covered by this Order is Shirley Jane Wakefield Johnson, 694 East Spruce Street, Titusville, Pennsylvania 16354, whose Social Security Number 170-42-9909, date of birth, November 21, 1949.

4. This Order shall apply to $943.77, of the Participant's account balance in the Plan as of September 1, 1994, and all earnings accured on such amount beginning on such date and ending on the Plan valuation date immediately preceding the date of distribution (the "Alternate Payee Benefit"). The balance, if any, the Participant's account balance as of the foregoing date and all earnings thereon shall remain the sole property of the Participant and shall be not subject to this Order.

5. The sum shall be paid into and segregated into a separate account by the Plan Administrator solely under the name of the Alternate Payee and shall be the Alternate Payee's sole and separate property. The Alternate Payee shall have the right to elect to withdraw funds from the Plan on or after the date on which the Participant becomes eligible to receive a distribution from the Plan, or on or after the date Participant attains (or would have attained) the "earliest retirement age" as that term is defined by Section 414(p) of the Internal Revenue Code of 1986. Except as expressly provided herein, the right of the Participant and the Alternate Payee with respect to the payment of benefits shall de determined under the provisions of the Plan.

6. The Alternate Payee irrevocably waives the right to be designated as the beneficiary to receive the Participant's death benefits, if any, provided under the Plan after reduction for the Alternate Payee Benefit.

7. The Alterante Payee Benefit shall be paid pro-rata from each investment fund in which the Alternate Payee's total individual account under the Plan is invested as of the last p lan valuation date prior to the date of distribution undr (5) above.

8. The Participant and Alternate Payee shall promptly notify the Committee of any change in their respective addressees.

9. The Participant and Alternate Payee shall submit this Order to the Committee for its determiantion that this Order constitutes a Qualified Domestic Relations Order.

10. It is intended that this Order shall constitute a Qualified Domestic Relations Order and the Court retains jurisdiction to amend this Order as may be necessary to establish or maintain it as a Qualified Domestic Relations Order

So Ordered this 28 day of December, 1994.

BY THE COURT:
Anthony J. Vardaro, J

CONSENTED TO:
Participant
John Arthur Johnson
Alternae Payee
Shirley Jane Wakefield Johnson
Dec. 12, 1994 Faxed Gamble & Kirkpatrick

Counsel For Participant
Mary Ann Kirkpatrick
Counsel for Alternative Payee
Ann Hansen Gamble

Continued on Page 458

1994

Bernadette M. DeVore
Dennis V.Williams

Prather, Prather
& Pineo Terminated
~~Elizabeth A. Prather~~

366.

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

RICKY LEE KOEHLER

vs.

CHERYL A. KOEHLER

Filed April 18, 1994
@ 3:11 PM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count paid	15.00
State paid	10.00
Add'l ct. pd 2/16/95	15.00
User's fee pd 2/16/95	5.00
Pro Co pd 5-23-97	9.00

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

Apr. 27, 1994 Appearance of Shafer, Swick, Bailey, Irwin & Stack by James R. Irwin for Defendant filed.

May 17, 1994 Petition For Marriage Counseling filed.

May 17, 1994 Order filed. AND NOW, this 16th day of May, 1994, it is hereby ordered and decreed that the parties shall attend three (3) counseling sessions with David Glenn. It is further ordered and decreed that the present divorce proceedings are continued until such time as the above-named parties have attended at least three (3) counseling sessions. Further, if the parties have not reconciled within the itme periods required by 23 PA C. 3301 and 3302 that the above action shall proceed accordingly.

BY THE COURT,
Gordon R. Miller, J

5-17-94 Faxed to Prather & Irwin

May 18, 1994 Petition For Special Relief Exclusive Possession of Marital Residence and Prohibiting the Disposition fo Marital Property, filed.

May 18, 1994 Stipulation and Order filed. AND NOW, this 17th day of May, 1994 in consideration of the attached Stipulation it is hereby Ordered as follows:

1. The Defendant/Petitioner, Cheryl Koehler, is awarded exclusive possession of the marital residence located at R.D.#8, Box 56, Meadville, Pennsylvania.

2. The Plaintiff/Respondent, Ricky Koehler, shall not be present at said marital residence without the expressed consent of the Defendant/Petitioner, unless said presence is for the purpose of exercising visitation with the parties' minor children. In which event, the Plaintifff/ Respondent shall not enter the marital residence but shall remain at the doorstep of same to await delivery of the children for the exercise of his visitation.

3. Neither of the parties shall remove, dispose, alienate, encumber and/or dissipate any marital asset without the written consent of the other party, or order of this court.

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

May 19,1994 copies faxed to Irwin & Prather

May 27, 1994, Motion for an Opportun ity to be Heard and Attorney's fees filed.

May 27, 1994, ORDER filed. AND NOW, May 25, 1994 after consideration of the above motion and argument in Motion court, said motion is denied without prejudice to either party to raide the issue before the Master in this matter as to who should pay for the counseling sessions in this matter.

BY THE COURT,
Anthony J. Vardaro, J.

May 27, 1994, dist. to Prather and Irwin.

Jul. 14, 1994 Inventory of Plaintiff, filed.

July 18, 1994 Affidavit of Consent of Plaintiff, filed.

July 18, 1994 AND NOW, July 18, 1994, counsel for the Plaintiff presents at motion court a Petition to Recover Possession of Plaintiff's Separate Personal Property. The Defendant's Attorney is also present in motion court, and essentially the Petition requests that the Court require that the Plaintiff be allowed to go to the marital home currently in the sole possession of the Defendant for the purpose of removing numerous items of personal property set forth in the Petition. In addition, orally at the time of the presentation of the Petition to that list the Plaintiff adds an airless electric paint sprayer, a Track jack, a Kerosun heater and a picture of his parents.

Counsel for the Defendant indicates that some or all of this is marital property and is opposed to the request.

Accordingly, this matter is set for hearing for August 16, 1994 at 1:30 p.m. in Courtaroom No. 1 or 2 of the Crawford County Courthouse.

Pending that hearing no party shall dispose of any of the property set forth in the Petition; any of the property described orally at motion court, nor shall any party dispose of any other property which may e marital property.

BY ORDER OF THE COURT,
July 19, 1994 copies dist to Irwin & E. Prather

July 18, 1994 Petition To Recover Possession Of Plaintiff's Separate Personal Property, filed.

July 18, 1994 Petition For Appraisal of Real Estate, Cancellation of Insurance on Honda Motorcycle, Repair of Honda Accord and Storing Titles to Marital Property in Neutral Place, filed.

July 18, 1994 ORDER filed. AND NOW, July 18, 1994, Plaintiff's counsel appears at motion court with a petition for appraisal of real estate, cancellation of insurance on Honda Motorcycle, repair of Honda Accord and storing titles to marital property in neutral place.

Counsel for the Defendant also appears and as a result of discussions at motion court the parties agree that an appraisal of the marital residence shall be arranged by either counsel with Vic Kress to do such appraisal. Either counsel shall make the arrangemetn within thirty (30) days of the date of this Order and once they have arranged for Mr. Kress to do the appraisal, counsle shall notify the other counsel so that all parties are aware that the appraisal will be done and when it will be done.

With respect to the insurance on the 1994 Honda Motorcycle, this matter is set for hearing on August 16, 1994 at 1:30 p.m. in Courtroom No. 1 or 2 of the Crawford County Courthouse. Pending that hearing no party shall use the said motorcycle at any time nor shall they allow any other party to do so. With respect to a reference to party in the second portion of this Order, it shall mean any person not just the parties to this action.

Continued on Page 366A

1994 TERM

Ricky Lee Koehler
vs.
Cheryl A. Koehler

CONTINUED FROM PAGE 366
of Record
A. D. 1994 - 366

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With respect to the repair of the Honda Accord, said matter is also set for hearing on August 16, 1994 at the same time and place and pending that hearing the Defendant who is in possession of a check in the amoun tof $460.00 shall not expend any portion or all of those funds except for the repair of a fender on a 1992 Honda Accord EX.

Finally, the issue with respect to the titles to marital property shall be heard on August 16, 1994 at the same time and place indicated above.

In the interim, our order entered this day with respect to another petition presented by the Plaintiff shall apply to the extent that no party may dispose of any marital property which would include any vehicle and/or real estate.

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

July 19, 1994 copies dist to Irwin & E. Prather

Aug. 16, 1994, Motion to Cancel Hearing and Order filed. ORDER: AND NOW, August 15, 1994, on Motion to Cancel Hearing of this action from the date previously set, and motion having been heard and submitted and good cause appearing, the hearing previously set for Aug. 16, 1994 at 1:30 p.m. is hereby cancelled.

BY THE COURT,
Anthony J. Vardaro, J.
8/16/94 copies faxed to Prather and Irwin.

Oct. 12, 1994 Petition for Contempt,filed.

Oct. 12, 1994 ORDER filed. AND NOW,this 12 day of October, 1994,it is hereby ORDERED, ADJUDGED AND DECREED that a Rule to Show Cause is hereby entered upon Respondent,Ricky L.Koehler, to show cause why he should not be held in contempt of Court.

Said Rule is returnable on the 18th day of October, 1994, in Courtroom No 1 or 2 of the Crawford County Courthouse, Meadville,Pennsylvania at 2:30 o'clock p.m.

BY THE COURT:
Anthony J.Vardaro, J.

10-12-94 Faxed to Irwin & Mailed to Plaintiff.

Oct. 13, 1994 Motion for Termination of Representation Pursuant to Rule 1.16 (b) of the Rules of Professional Conduct, and ORDER filed. AND NOW, October 12,1994,on Motion for Termination of Representation Pursuant to Rule 1.16 (b) of the Rules of Professional Conduct,it is hereby ORDERED, ADJUDGED and DECREED that representation shall be terminated pursuant to Rule 1.16 (b) of theRules of Professional Conduct.

By the Court,
Anthony J.Vardaro,J.

10-13-94 Faxed Attys. Prather & Irwin

Oct. 19, 1994 ORDER filed. AND NOW, October 18, 1994, this matter is before the Court with respect to the Defendant's petition for contempt. The Defendant appears with counsel and the Plaintiff is currently unrepresented and indicates that he will represent himself.

We initially proceed informally and the Defendant through her counsel indicates certain allegations which would clearly place the Plaintiff in contempt of the Court's previous order entered by stipulation of the parties on May 17, 1994 whereby the Defendnat was awarded exclusive possession of the marital home with the Plaintiff only being able to go to the home to await delivery of the children at the doorstep when it is time for him to exercise visitation.

In response, the Plaintiff indicates that some of the allegations are lies but says that he will not constest this matter and upon being invited to require sworn testimony, he indicates he does not intend to do so and will abide by the Court's ruling. Accordingly, based on the allegations set forth through the Defendnat's attorney, which we accept as true, the Plaintiff is found to be in contempt of this Court.

He may purge himself of contempt by doing the following:

1. He will, in the future, abide by all of the existing orders of Court, including specifically the ordr of May 17, 1994 awarding the Defendant exclusive possession of the marital home. At no time will the Plaintiff go into the residence without the express consent of the Defendant. He may, as that order indicates, go to the door step for the purpose of awaiting delivery of the children for the exercise of visitation but he may not enter that residence unless he is specifically invited into the residence by the Defendant.

2. The Plaintiff shall pay to the Defendant's counsel directly the sum of $150 for the necessity of filing this petition, with the same to be paid within 15 days of the date of this order.

3. If the Plaintiff does anythng that would indicate that he is in violation of this order, the Defendant may petition the Court for further hearing for the Court to determine whether further sanctions will be imposed.

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

Oct. 19, 1994 Copies dist to Irwin & Plft (by mail)

Jan. 26, 1995 Appearance of Dennis V. Williams, Esq. for Ricky Lee Koehler, Plaintiff, filed.

Feb. 7, 1995 Income and Expense Statement of Plaintiff filed.

Feb. 7, 1995 Inventory and Appraisement of Plaintiff filed.

Feb. 13, 1995 Motion for Special Relief and RULE TO SHOW CAUSE, filed. AND NOW,to-wit, this 13 day of February,1995, upon consideration of the foregoing Motion, a Rule is hereby granted upon the Respondent to Show Cause why the relief herein requested should not be granted. Returnable the 7 day of March, 1995, at 3:30 o'clock p.m. in Court Room No. 1 or 2, before the Honorable _____.

Anthony J.Vardaro, J.

2-13-95 Faxed toAttys.Williams & Irwin

Feb. 16, 1995 Answer & Counterclaim in Divorce, filed.

Feb. 16, 1995 Certificate of Service of Supplement to Income and Expense Statement, filed.

Feb. 16, 1995 Income and Expense Statement Supplement A, filed.

Feb. 24, 1995 Moton For Continuance and Order, filed. AND NOW, this 23 day of February, 1995 upon presentation and consideration of the within Motion this hearing is rescheduled for the 6th day of April, 1995 at 9:15 o'clock a.m. in Courtroom No. 2 of the Crawford County, Courthouse, Meadville, Pennsylvania.

BY THE COURT:
Anthony J. Vardaro, J.

Feb. 27, 1995 Faxed Irwin & Williams

Continued on Page 366B

Feb. 24, 1995 Request For Hearing and Order, filed. AND NOW, this 23 day of February, 1995 upon presentation and consideration of the foregoing Request for Hearing a hearing is scheduled with the Court of Common Pleas of Crawford County, Pennsylvania, on the 6th day of April, 1995 at 9:15 o'clock a.m. in Courtroom No. 1 or 2 of the Crawford County Courthouse, Meadville, Pennsylvania.

BY THE COURT:
Anthony J. Vardaro, J.

Feb. 27, 1995 Faxed Irwin & Williams

Mar. 7, 1995 Certificate of Service of Answer to his Interrogatories to the Plaintiff, filed.

Mar. 27, 1995 Motion for Sanctions and RULE TO SHOW CAUSE filed. ANDNOW, to-wit, this 24 day of March, 1995,upon consideration the foregoing Motion, a Rule is hereby granted upon the Respondent to Show Cause why the relief herein requested should not be granted. Returnable the 6th day of April 1995 at 9:15 a.m. o'clock Honorable Judge Vardaro.

Anthony J.Vardaro, J

3-27-95 Faxed to Attys. Irwin &Williams

Apr. 4, 1995 Petition for Special Relief filed.

Apr. 4, 1995 ORDER filed. AND NOW, this 3 day of Apr., 1995 uponpresentation and consideration of the within Petition for Special Relief a hearing in this matter is scheduled for the 6th dayof April, 1995 at 9:15 a.m. in Courtroom No. 1 of the Crawford County Courthouse, Meadville, Pennsylvania.

BY THE COURT:
Anthony J.Vardaro, J.

4-4-95 Faxed Attys.Irwin & Williams

Apr. 7, 1995 ORDER filed. AND NOW,April 6, 1995 this matter is before the Court with respect tovarious petitions and motions filed by the parties, including: (1) Plaintiff's Motion for Special Relief: (2) the Defendant's Motion for Alimony Pendente Lite, Counsel fees, Expert fees, Costs, and Expenses,with the Court noting that this day it is only the intention of the Defendant to pursue counsel fees, expert fees,costs and expenses; (3) a Motion for Sanctions filed on behalf of the Plaintiff with respect to the failure of the Defendant to answer interrogatories and request for production served on February 2, 1995; and (4) the Defendant's Motion for Special Relief with respect to an order previously entered by the Court by the consent of the parties concerning exclusive possession of the marital home.

After informal hearing at which the parties agree for the most part to resolve these issues,with the only issue for the Court actually to decide being who is going to have possession of a John Deere tractor, it is ORDERED and DIRECTED AS FOLLOWS:

1. With respect to the Gold Wing motorcycle, the Plaintiff may take possession of that at the marital home on Saturday, April 8, 1995 at 1:00 p.m. with the understanding that for purposes of further litigation,the value of that motorcycle shallbe an amount fixed by an appraisal done by Sherman Allen in August of 1994. Obviously, if in the course of equitable distribution the motorcycle would end up as being awarded to the Defendant, any diminution in value of that motorcycle would be the responsibility of the Plaintiff. On the other hand, if the motorcycle is awarded to the Plaintiff, it will be awarded to him at the value prescribed by Sherman Allen in his August 1994 appraisal.

2. With respect to the John Deere Tractor, it is ORDERED and DIRECTED that the same shall be in the possession of the Defendant from February 1 of each year through July 31 of each year, and in the possession of the Plaintiff from August 1 until January 3ol of the following year each year. When the John Deere tractor is in the possession of one party,the Honda push mower shall be in the possession of the other party,and they shall make appropriate arrangements to exchange the itmes as necessary from time to time, to be in compliance with this order.

3. There are currently checks being held as a result of losses sustained at the marital home due to weahter conditions apparently in September of 1994 in the total amount of approximately $6,088.44. The parties agree that those checks will be deposited into anexcrow account which is not interest bearing in the name of the Defendant's attorney for the sole purpose of paying for repairs to the marital home and travel trailer as a result of that damage.

The Plaintiff's counsel presents todefense counsel a bill in the amount of $272.83 for some repairs to the travel trailer, whichbill shallbe paid by Defendant's counsel through that account once it is established. With respect to any repairs to the maritalhome,Defendant's counsel will provide estimates to Plaintiff's counsel concerning such proposed repairs and Plaintiff's counsel will have 20 days to advise the Defendant's counsel in writing as to whether there is any objection to those repairs. If there is no objection or if there is an objection and the parties can agree to the repairs in a modified form, any such repairs that are done willbe paid for through that escrow account. If the parties cannot agree,they will have too petition the Court to determine whether the repairs proposed are appropriate. Likewise, Plaintiff's counsel will presednt to Defendant's counsel in a similar manner any proposal with respect to further repairs to the travel trailer and those will be handled in the same manner within the same time frames and parameters.

If, after all the repairs have been completed,there is any money in that escrow account, it will be deposited into a PNC Bank account currently existing in the name of both parties.

4. The parties agree that within 5 days they will meet at PNC Bank for the purpose of each obtaining the sum of $3,000 from the PNC Bank account as well as for the purpose of obtaining a bank check in the amount of $2900 from that account to pay for orthodontic expenses for a minor child to Dr. Paul Shok and finally for the purpose of signing whatever papers are necessary so that the Plaintiff continues to have a sum of money withdrawn from that account for the payment of a truck payment, a travel trailer payment, and a motorcycle payment but also that the Defendant, beginning in April 1995, has a like sum provided to her each month in cash so that it is equivalent each month to whatever the truck payment, travel trailer payment,and motorcycle payment being made is equal to.

5. With respect to the Defendant's inventory and appraisement, it is agreed by the parties that the information required with regard to that inventory and appraisement as well as the information requested by the plaintiff in his interrogatories and request for production will be provided to the Plaintiff's counsel by Defense counsel within 14 days of the date of this order but that information will be limited to 1 year rather than 3 years and there will be no sanctions imposed provided it is supplied within that time frame.

6. We now clarify our previous order entered with regard to exclusive possession of the marital home by the Defendant and when we indicated, "the marital residence:, it was our intention and it is therefore ordered that the Defendant shall have exclusive possession of the entire marital property, including the curtilage and whatever is contained within the deed description of that property, which shall include all outbuildings,lawns, etc., except as herein after provided and previously provided.

With regard to the exchange of the children for visitation and temporary custody purposes, the Plaintiff, pending further order of Court, shall not be permitted to go on that marital property at any time. With regard to that motion of the Defendant, we will not award attorney's fees to the Defendant.

The Plaintiff may go to the marital residence onApril 8, 1995 at 1:00 p.m. for the sole purpose of removing various items which are on a list attached to this order. With regard tothat list, the items which are circled which include Item No. 5, under "Personal Belongings at Residence,Item No. 2, 3 and 4 under the heading "Items I have Use For", are specifically excluded, excedpt that we note we have alredy made provisions with respect to the John Deere tractor previously in this order.

The Plaintiff may otherwise go to the marital residence only if arrangements are made through his attorney with the Defendant's attorney from time to time for some legitimate and resaonable purposes. If the parties cannot agree with respect to what is a reasonable and legitimate purpose, they will have to petition the Court, although it is our hope that such arrangements can be reasonably made if necessaery. We would note that we would not expect the Plaintiff to have ongoing need to go onto the martial residence,and this should be only for extraordinary purposes from time to time if those come up during the course of this litigation.

Continued to Page 366 C

7. We note that with respect to the $3,000 each party is permitted to withdraw from the PNC Bank Account, it is the Court's intention that those funds are being used by the parties for the expenses of litigation, including counsel fees and expert costs.

8. The Defendant has already obtained an appraisal of the personal property from Sherman Allen in the amount of $630 and from John Pritchard, an expense of $275 for an appraisal of the real estate. She shall be responsible for paying for those expenses from the $3,000 she is obtaining, but if, during the course of the litigation the Plaintiff determines that he will not obtain an appraisal with respect to personal or real property,and instead only the appraisals obtained by the Plaintiff will be used,he will promptly reimburse the Defendant for one-half of the value for one or both appraisals as is appropriate.

9. With respect to a support proceeding at DR 1994 - 134, in the event the time has already expired to ask for a de novo hearing before the Court with regard to the most recent order entered as a result of a hearing conference held on March15, 1995, either party may request a de novo hearing if they do so by the close of business at 4:30 p.m. at the Domestic Relations Section on April 6, 1995, this day.

With regard to any order entered concerning property of the parties,it is not the Court's intention to make an equitable distributionor to guide any master or the Court ultimately in making such distribution, and this order is without prejudice to the master or the Court to make such distribution as the Court or master deem appropriate, with the exception that has been specifically noted; we have made specific provisions for the Gold Wing motorcycle and any further order must be consistent with this order insofar as that is a distribution made prior to the final distribution in this matter.

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

4-7-95 Copies dist. Irwin & Williams

Apr 24, 1997 Separation and Property Settlement Agreement, filed.

May 9, 1997 Waiver of Notice of Intention to Request Entry of a Divorce Decree Under §3301(c) of the Divorce Code by Plaintiff, Ricky Koehler, filed.

May 9, 1997 Affidavit of Consent by Ricky Koehler, Plaintiff, filed.

May 12, 1997 Affidavit of Consent by Cheryl Koehler, Defendant filed.

May 12, 1997 Waiver of Notice of Intention to Request Entry of a Divorce Decree Under Section 3301(C) of the Divorce Code by Cheryl Koehler, Defendant, filed.

May 22, 1997 Upon praecipe of Plaintiff Attorney to Transmit Record, this case moved to court.

DIVORCE DECREE FILED

May 29, 1997 AND NOW, May 28, 1997, it is Ordered and Decreed that RICKY LEE KOEHLER, Plaintiff, and CHERYL A. KOEHLER, defendant are divorced from the bonds of matrimony.

The terms of a Separation and Property Settlement Agreement signed by the plaintiff on April 23, 1997, and by the defendant on April 17, 1997, are incorporated in this decree.

BY ORDER OF COURT
Anthony J. Vardaro, J.

366
-D-

1994

1994

Ferguson & Spataro
Douglas W. Ferguson

367.

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

4-18-94 $150.00 deposited by Plaintiff
6-10-94 Pd Pltf Ck#8366 to Ferguson 150.00

7-18-94 Ree from Pltf med fee 150.00

9-9-94 Pd Pltf 150.00 Ck# 8547 to Ferguson

8-8-96 Red from Pltf med fee 150.00

1-29-97 Red from Pltf med fees 180.00
5-21-97 Pd Ck #11030

KATHY J. SCHMITZ

vs.

CHARLES E. SCHMITZ

Filed April 18, 1994
@ 3:12 PM

Tax & entry paid 50.50
User's Fee paid 5.00

John Fuller, Mediator
$150.00
Pro Co Pd 5-21-97 gov

COMPLAINT FOR CUSTODY
1 copy atty.
1 copy mediator

Order:

You, Charles E. Schmitz, Defendant, have been sued in court to obtain custody, partial custody or visitation of the children; Shawn E. Schmitz and Jessica M. Schmitz.

John Fuller, Esq., has been appointed Child Custody Mediator and you are ordered to appear in person for a conference with Child Custody Mediator at such time and place as he directs. You are further ordered to bring with you the child if so requested by the Child Custody Mediator.

If you fail to appear as directed by the Child Custody Mediator or to bring the child, anorder for custody, partial custody or visitation may be entered against you or the court may issue a warrant for your arrest.

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

Court Administrator
Crawford County Courthouse
Meadville, Pennsylvania 16335
Telephone: (814) 336-1151, ext. 298

BY THE COURT,
4/15/94 Anthony J. Vardaro, J

Apr. 27, 1994 Appearance of Shafer, Swick, Bailey, Irwin & Stack by James R. Irwin for Defendant filed.

Jun. 6, 1994 Stipulation and Consent to Entry of Custody Order and ORDER filed. AND NOW, this 6 day of June, 1994, 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 (2) minor children shall be shared between the mother, Kathy J. Schmitz and the father, Charles E. Schmitz.

2. The parties shall share with each other any and all information which each may have regarding the health, education, and the major events in the life of the subject minor children. Health care, school personnel, and other care providers are hereby authorized to release to either party any and all confidential information which they may have regarding the subject minor children.

3. The natural mother shall have primary physical custody of the parties' minor children on an alternating weekly basis with Father. During Mother's custodial week, she shall have custody of the parties' minor children in accord with the following schedule:

MONDAY through THURSDAY - Mother's custodial period shall commence at 4:00 p.m. or at such time of the day that represents the conclusion of Mother's work day and shall continue throughout the night until the following morning, ending at 7:30 a.m., or at such time as Mother's work day shall commence.

FRIDAY through SUNDAY - Mother's custodial period shall commence upon the conclusion of her work day on Friday and shall continue until 8:00 p.m. Sunday.

Father shall have physical custody of the parties' two (2) minor children at all other times not set forth in this Order. It is specifically set forth that Father shall have physical custody of said minor children during Mother's working hours in all weeks.

5. Holiday visitation shall be shared by mutual agreement of the parties.

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 modification or cancellations shall not be proposed except for good reasons. Should a cancelllation or modification be necessary, the parties shall attempt at once to arrange for alternate arrangements.

7. The parties shall split responsibility for transportation with the party receiving the children in the exercise of his or her rights picking up the children at the home of the other.

8. Each party shall teach said children to give to the ot her party that love and respect which is due a parent from his or her children.

9. Neither party shall use illegal drugs or be under the influence of alcohol at any time when said party has the care and custody of the subject minor children. The parties are cautioned that recent medical research has indicated that tobacco smoke is injurious to the health of growing children. Therefore, neither party shall smoke tobacco or permit others to do so in a closed automobile in which the children is being transported or in the bedroom of the children.

10, Neither party shall do or say anything to blacken the character of the other in the children's estimation. Each party shall treat the other in a polite and respectful manner when in the children's presence and each party shall instruct his or her relatives and friends to do likewise and also not to disparage the other party in the children's estimation.

11. The parties are free to make additional or alternative arrangements respecting the custodial and visitation periods and are strongly encouraged to do so if 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:
Anthony J. Vardaro,J.

6-6-94 Faxed to Attys.Irwin& Ferguson

Jun. 10, 1994 Motion to Return Custody Mediator's Fees and ORDER filed. AND NOW, this 10th day of June, 1994, the Prothonotary of Crawford County is directed to return the sum of$150.00 to the Plaintiff, Kathy J. Schmitz, less costs of order.

BY THE COURT:
Gordon R. Miller, J.

6-10-94 Faxed Copy to Attys. Ferguson, Irwin& Fuller.

Jul. 18, 1994 Petition toModify Custody and ORDER filed. AND NOW, this 20th day of July, 1994, upon petition of Kathy J. Schmitz, through her attorneys, Ferguson & Spataro, John Fuller, Esquire is hereby appointed Child Custody Mediator in this matter. The parties and their counsel shall attend the mediation conference scheduled by the Child Custody Mediator and shall comply with all requests of the Child Custody Mediator.

BY THE COURT:
Gordon R. Miller, J.

7-20-94 Faxed to Attys. Ferguson,Irwin & Fuller

Continued to Page 517

1994

Bernadette DeVore
Kathleen R. Nelson

368.

Ann H. Gamble

4/18/94 $150.00
deposited by Plaintiff.

5-19-94 Pd Plff 59.17
Ck#8312
& Nelson

6-23-94 Pd Co #8399 81.83

8-18-94 Recd from deft
med. fee 27.27

9-13-94 Pd Co
Ck#8549 27.27

10-8-96 Rec'd from deft $150.00
med fee

1-27-97 Pd Deft refund 65.00
#04406
1-31-97 Rec'd from Plff
76.00

5-21-97 Pd Co #11030 152.00

WAYNE WRIGHT

vs.

VIRGINIA M. PROPER

Filed April 18, 1994
@ 3:14 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Bruce Smith, Mediator	109.10
Pro Co Pd 6-23-94	9.00

Pro Co Pd 5-21-97 9.00

COMPLAINT FOR CUSTODY

Order:

You, Virginia M. Proper, Defendant have been sued in court to obtain custody, partial custody or visitation of the child Siobhan Wright.

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.

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 Administator
Crawford County Courthouse
Meadville, PA 16335
814/336-1151, ext. 298

BY THE COURT:
4/15/94 Anthony J. Vardaro, J

Apr. 20, 1994 Copies of order to Atty's Nelson and Smith

May 3, 1994 Affidavit of Service filed. AND NOW, this 27th day of April, 1994, 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 for Custody and Notice were sent by certified mail to the Defendant, Virginia M. Proper, on April 22, 1994.
3. That the Defendant received said certified mail on April 25, 1994. Said Return Receipt Card Z 727 826 060 is attached hereto, signed by Virginia M. Proper and made a part hereof.

Kathleen R. Nelson, Esq.

May 18, 1994 TEMPORARY ORDER OF COURT, filed. AND NOW, this 17th day of May, 1994, after Mediation and upon recommendation of the Child Custody Mediator, it is hereby ordered and decreed that:

1. The natural parents of Siobhan Wright, age five, born August 20, 1988, the parties to this action, shall share legal custody of the said minor child. Said joint legal custody being shared shall entitle both of the parents to equal access to any records relating to the child held by a third party, including, but not limited to, school and medical records, and shall also entitle both parents to equal 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, Virginia M. Proper. Regular visitation and temporary custody of the child shall be granted to the plaintiff father, Wayne Wright. Physical custody for the plaintiff father shall be as follows:

a. The child shall visit in the home of the plaintiff father on the first and second weekends of each month beginning in June, 1994. The weekend shall run from Friday through Sunday, and, for the purpose of this Order, Friday shall begin at 6:00 p.m., prevailing time, and Sunday shall end at 6:00 p.m., prevailing time.

b. Beginning in June, 1994, the child shall spend the fourth full week of each month, beginning on Friday at 6:00 p.m., prevailing time, and ending on Sunday, at 6:00 p.m., prevailing time, with the father in his home.

c. Each summer, beginning with the summer of 1994, the child shall be available to spend the first three weeks of July and the first three weeks of August with the father. During those three-week visitations with the father, the mother shall be entitled to visitation Friday through Sunday weekends as previously defined, except for a two consecutive-week vacation period where the father may have the child exclusively. This period shall be identified by the father for the mother fifteen (15) days prior to its occurence.

d. Holiday visitation shall take priority over other scheduled visitation. The only holiday visitation which shall interrupt other above-described visitation is Christmas. In even-numbered years, the mother shall have the child from 9:00 a.m. to 2:00 p.m., prevailing time, on Christmas Day; in odd-numbered years, the father shall have the child on Christmas Day during the same hours. During each Christmas holiday, the father shall have the child from 8:00 a.m., prevailing time, on December 28, through 6:00 p.m., prevailing tiem, on January 1.

e. The father shall pick up and return the child to the mother;s residence. Anytime the father knows he is going to be more than thirty minutes late for a scheduled transfer of custody, he shall call the mother and advise her of that fact.

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 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 grandparent or other 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 either parents significant other in the eyes of the child.

CONTINUED ON PAGE 368A

Wayne Wright
vs.
Virginia M. Proper

CONTINUED FROM PAGE 368
of Record
A. D. 1994 - 368

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&. This Order shall not prejudice the right of either party to request further Mediatin if there are changed circumstances in the lives of the parties or the child or in the event that the best interests of the child would be served by further Mediation. For the purpose of this paragraph, either parent shall give written notice to the other thirty (30) days prior to his or her intention to move out of the Venango or Crawford County area, durign which time further Mediation may be requested by either party.

8. The Court of Common Pleas of Crawford County, Pennsylvania, shall rtain 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 Mediatin shall be paid 75% by the plaintiff father and 25% by the defendant mother. Any amount in excess of the father's one-half of the cost of Mediation held by the Prothonotary under Local Rule shall be refunded to him.

10. This Order shall be a Temporary Order, but shall become a permanent Order unless exceptions are filed by either party within ten days from the date of this Temporary Order.

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

May 24, 1994 copy to B. Smith, K. Nelson, A. Gamble, Plf. & Dft.

Jun. 1, 1994 Motion for Hearing De Novo and ORDER filed. AND NOW, this 31st day of May, 1994, the herein Motion for Hearing De Novo in the above custody action is hereby granted and scheduled for the 12th day of July, 1994, at 9:15 A.M. in Courtroom 1 or 2 of the Crawford County Courthouse, Meadville, Pennsylvania, 16335

Gordon R. Miller, J.

6-1-94 Faxed to Attys. Nelson, Gamble & Smith

Jul. 20, 1994 Stipulation and AMENDMENT TO CUSTODY ORDER filed. AND NOW, this 20th day of July, 1994, upon stipulation of the parties, paragraph number 2 (e) is hereby amended to read as follows:

The parents shall split responsibility for transportation of the minor child with the party receiving the child in the exercise of his or her visitation picking up the child at the home of the other. In the event the parents are not able to provide the transportation, Nicolle Minnitte, David McCann, or any grandparent of the child may do the transporting on behalf of the parent.

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

Gordon R. Miller,J.

7-20-94 FAxed to Attys. Gamble & Nelson

Oct. 8, 1996 Petition To Modify Custody and Order filed. You, Wayne Wright, have been suedin Court to modify custody, partial custody and/or visitationof the Child: Siobhan Wright, date of birth August 20, 1988.

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 by mail to the address listed on the complaint or petition that has beenfiled 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 theCourt may issue a warrant for your arrest.

YOU SHOULD TKAE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFOR DONE, GO TO OR TLEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Court Administrator
Courthouse
Meadville, PA 16335
(814) 333-7498

AMERICANS WITH DISABILITIES ACT OF 1990

The Court of Common Pleas of Crwaford County is required by law to comply with the Americans with Disabilities Act of 1990. For information about accessible facilities and reasonable accommodations availalbe to disabled individuals having business before the Court, please contact theCourt Administrator's Office. All arrangements must be made at least 72 hours prior to any hearng or business before theCourt. You must attend the scheduled conference or hearing.

BY THE COURT,
Anthony J. Vardaro, J

Dte; 10-7-96

AND NOW, this 7 day of October ,1996 it is ordered and decreed that the parents in this matter shall satisfactorily complete the Seminar for Separating Parents in accordance with Crawford County Civil Rule L1930. Applications for the seminar may be obtained at the Center for Family Services, Inc. at 996 S. Main Street, Meadville, Pennsylvania 16335; the Prothonotary at the Crawford County Courthouse; or the Court Administrator at the Crawford County Courthouse.

Application for attendance at the seminar must be made by the plaintiff or petitioner within fifteen (15) days after the pleading or petition is filed; and by the defendant or respondent within fifteen (15) days after he or she is served with the pleading or petition.

THE SEMINAR MUST BE COMPLETED WITHIN FORTY-FIVE (45) DAYS AFTER APPLICATION. FAILURE TO ATTEND THE SEMINAR MAY RESULT IN SANCTIONS, INCLUDING CONTEMPT OF COURT, A DISMISSAL OF THE ACTION OR A DELAY IN THE PROCEEDINGS UNLESS ATTENDANCE IS WAIVED BY ORDER OF COURT.

If either party has any questions about this seminar he/she should consult an attorney or refer to the Crawford County Civil Rules of Court that are available in the Prothonotary's office and in the Crawford County Law Library or contact the Center for Family Services, Inc.

BY THE COURT,
Anthony J. Vardaro, J

10-896 Faxed Pineo & Nelson mailed Gamble

Oct. 21, 1996, Acceptance of service filed. And Now, this 17 dayof Oct. 1996 I hereby accept service of a copy of Petition to Modify Custody filed in above matter on behalf of the plaintiff as proper service hereof.
Kathleen Nelson Esq.

Nov. 20, 1996, Appearance of bernadette M. DeVore, atty. for plaintiff filed.

Nov. 20, 1996, Answer to Petition to Modify as Requested by Mediator, filed.

Dec 18, 1996 Certificate of completion of the Seminar for Separating Parents for WAYNE WRIGHT, filed.

Continued Pg 368-B

368
-b-

1994 TERM

368	WAYNE WRIGHT VS. VIRGINIA M. PROPER	CONTINUED FROM PAGE 368-A OF RECORD A. D. 1994 - 368

Order filed. AND NOW, this 24 day of December, 1996, 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, Siobhan Wright.

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.

3a. The mother shall have primary physical custody of the subject minor child.

Costs and fees of this Mediation, which are fixed at $152.00, are divided equally between the parties with a share of each being assessed to him or her as costs in this case.

(SEE FILE FOLDER)

By the Court,
Anthony J. Vardaro, J.

Jan 20, 1997 Motion For Hearing De Novo and Order: AND NO[illegible]ntation and consideration of the foregoing Motion, this matter is set for a hearing de novo on the 12 day of March, 1997, at 1:30 o'clock P.M. in Courtroom No. 3 of the Crawford County, Pennsylvania. Ann A. Walker, C.A.

Jan 20, 1997 Faxed DeVore & Gamble
Jan 23, 1997 Faxed Bruce Smith

Mar 13, 1997 ORDER: AND NOW, March 12, 1997, prior to the time the custody denovo hearing is to be heard, this Court is advised by court attendants and a representative of the Prothonotary's Office that the request for denovo hearing has either been withdrawn or a motion for continuance will be filed.

Accordingly, no hearing is held before the undersigned. P. Richard Thomas, S.J.

Mar 13,1997 Mailed Gamble & Faxed DeVore
Mar 18, 1997 Faxed B. Smith

March 14, 1997 Motion To Withdraw Request For Hearing De Novo and ORDER filed. AND NOW, March 14, 1997, upon presentation and consideration of the foregoing Motion, this matter is granted and petitioner's request for hearing de novo is withdrawn.

BY THE COURT:
Gordon R. Miller, J.

March 17, 1997 Order FAXED Attys. DeVore and Gamble.

1994

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

369.

CAMERON D. WRIGHT, t/a
CONNEAUTVILLE FARMERS
EXCHANGE

vs.

THOMAS J. SANDERSON and
CAROLYN A. SANDERSON, his
wife

Filed April 19, 1994
@ 10:38 AM

Tax & entry paid	9.00
Pltf on orig.	9.50

AGREEMENT TO REVIVE

OF

DSB 1989 - 407

The undersigned hereby agrees that the judgment entered on Thomas J. Sanderson and Carolyn A. Sanderson, his wife to Cameron D. Wright t/a Conneautville Farmer Exchange be revived and the lien continued and authorized the prothonotary to enter and index a judgment of revival in the amount of Thirty-six Thousand Seven Hundred fifty and no/100 plus cost.

Signed and dated this 6 day of April 1994 .

Debt $36,750.00
S163-33

JUDGMENT
Barbara H. King
Prothonotary

370.

Wasson, Egan & Wilson
William H. Burwell
for W. Burwell and
Wasson, Egan & Wilson

Rosen, Rosen & Bloom
Bruce T. Rosen
for F.W. Bloom

Jorden & White
Harry Faber White, II
for Brian J. Lindsay
t/d/b/a Peters,Lindsay
& Lewis

STEPHEN G. SANTUS

vs.

BRUCE L. SMITH, ESQ., F. WALTER BLOOM, ESQ., t/d/b/a ROSEN, ROSEN & BLOOM, BRIAN J. LINDSAY, t/d/b/a PETERS, LINDSAY & LEWIS: WILLIAM H. BURWELL, ESQ., t/d/b/a WASSON, EGAN & WILSON: ANN H. GAMBLE, ESQ., t/d/b/a FULLER, KINNUNEN, PETRUSO, GAMBLE, FABIAN & HALL: JANE D. SANTUS

Filed April 19, 1994
@ 1:23 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	37.00
Sheriff's Costs	42.00
Pro Co pd 6-3-94	30.00
User's fee pd 6-3-94	5.00
Sheriff's Costs	118.70
Pro Co. Pd. 1-27-95	9.00
Pro Co Pd 2-16-95	9.00
Pro Co pd 2-23-95	30.00
Users fee pd 2-23-95	5.00
Pro Co. Pd. 5-17-95	9.00
Pro Co Pd 5/23/95-	9.00
Appeal Pd 9/14/95-	30.00
State Pd 9/14/95-	5.00

COMPLAINT FOR DAMAGES
2 copies atty.

Apr. 28, 1994 Certification of Notice and Service filed. The undersigned represents that a copy of the Complaint for damages and a Notice to defend have been served by certified mail on the 26th day of April, 1994 upon Jane D. Santus. Since Jane D. Santus has changed her address and has failed to notify the court, Plaintiff attempted to serve this complaint on Ann Hansen Gamble, attorney for Jane D. Santus, but Attorney Gamble refused to accept service. Attorney Gamble told Plaintiff she would talk with Jane D. Santus and then get back with Plaintiff. Attorney Gamble has failed to get back with Plaintiff. Plaintiff contacted the Titusville Post Office who told Plaintiff that they would forward any certified mail to the Defendant if they had her change of address on file. Plaintiff addressed this complaint to Jane D. Santus's last known address for the Post Office to forward to Jane D. Santus.

I hereby Certify that all of the above statements are true and correct. By: Stephen G. Santus

May 9, 1994 MOTION FOR EXTENSION OF TIME TO FILE PLEADING and ORDER, filed. AND NOW, this 9th day of May, 1994, for good cause shown, the Defendants, William H. Burwell and Wasson, Egan and Wilson are granted an extension of time to file a pleading (whether preliminary objections, answer and new matter, or otherwise) until May 19, 1994, it being understood that said Defendants are not waiving, and have not waived, any defense or objection they may have, whether jurisdictional or otherwise. BY THE COURT, Gordon R. Miller, P.J.

May 12,1994 copy to W. Burwell and Plf.

May 9, 1994 Praecipe for Argument List, filed.

ON ARGUMENT LIST FOR June 1994

May 9, 1994 Motion For Summary Judgment, filed.

May 9, 1994 Affidavit of F. Walter Bloom, III, Esq., filed.

May 9, 1994 Answer and New Matter, filed.

May 4, 1994 Motion for Summary Judgment, filed.

May 4, 1994 Affidavit of Bruce L. Smith,Esquire, filed. Before me, the undersigned officer, personally appeared Bruce L. Smith,Esquire, who being duly sworn according to law deposes and says as follows:

1. On May 4, 1989 I filed a divorce complaint on behalf of the Plaintiff, Stephen G. Santus in the Court of Common Pleas of Crawford County at A.D. No. 1989 - 411 naming Jane D. Santus as party Defendant.

2. I withdrew from representation on behalf of the Plaintiff on or about June 20, 1989, at which t ime Plaintiff's representation in the matter was undertaken by F. Walter Bloon, Esquire.

May 3, 1994 Bruce L.Smith, Esquire

May 4, 1994 Answer and New Matter, filed.

May 4, 1994 Upon Praecipe of Joseph E. Altomare, Esquire, the Attorney for Defendant Bruce L. Smith, Esquire, the above captioned matter is placed on the next available Argument List.

ON ARGUMENT LIST FOR JUNE, 1994

May 5, 1994 Certification of NOtice and Service, filed. The undersigned represents that a copy of the Complaint for Damages and a Notice to Defend were sent to the Sheriff of Crawford County on the 4th day of May, 1994 for service upon Jane D. Santus. This is Plaintiff's third attempt to make service on Jane D. Santus; Certification of Notice and Service were filed at each attempt. Plaintiff's second attempt was by certified mail to Defendant's previous address where Defendent's son and his girlfriend live. Defendent's son's girlfriend, Roberta Harrison, signed as agent for the certified mail of Plaintiff's Complaint but then mailed Plaintiff's Complaint back to Plaintiff.

I HEREBY CERTIFY ALL OF THE ABOVE STATEMENTS ARE TRUE AND CORRECT.
By: Stephen G. Santus

May 6, 1994 Preliminary Objections, filed.

May 16, 1994 Petition to Deny Defendent Smith's Motion for Summary Judgement, filed.

May 16, 1994 Exceptions/Petition to Reconsider May 9, 1994 Order Graing Defendents Burwell and Wasson, Egan and Wilson Extension ofTime to File Pleading, filed.

CONTINUED ON PAGE.... 370A

May 16, 1994 ORDER filed. AND NOW, May 11, 1994, a pre-argument conference is scheduled for the 23rd day of June, 1994 at 9:15 o'clock a.m. in Courtroom No. 1 of the Crawford County CourtHouse to determine whether plaintiff or any other person objects to the undersigned Judge hearing and deciding the motions filed by Bruce L. Smith, Esquire and Ann H. Gamble, Esquire. Actual argument on said motions shall be heard at a later date.

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

5-16-94 Copy faxed to Attys. Smith, Lindsay & Gamble. Copy mailed to Attys. Bloom & Burwell and J. Santus

May 16, 1994 RULE TO SHOW CAUSE filed. AND NOW, said exceptions/petition to reconsider is denied.
BY THE COURT,
Gordon R. Miller,

5-26-94 Faxed copy to Altomare, Gamble, Lindsay, Mailed Bu rwell, Rosen, J. St antus & Pltf.

1994

stephen G. Santus

vs.

Bruce L. Smith et al

Record continued from page 370

of record

A.D. 1994 - 370

****

✓ May 17, 1994 Sheriff's Return filed. SERVED Stephen G. Santus, Plaintiff, personally on May 16, 1994 at 2:55 PM by handing a copy of the Preliminary Objection to him at the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, PA.
So answers,
Carle Stefanucci, Deputy Sheriff
Robert M. Stevens, Sheriff

✓ May 19,1994 Preliminary Objections of Defendants William H. Burwell and Wasson, Egan and Wilson to Plaintiff's Complaint, filed.

✓ May 23, 1994 Sheriff's Return filed. NOT FOUND aS TO Defendant Jane D. Santus. Attempted service by deputizing the Sheriff of Venango County, PA. They returned a "Not Found" Affidavit stating Defendant has moved to Pittsburgh and the individuals at R.D.#3, Box 30, Titusville, PA, do not have a forwarding address and neither does the Titusville Post Office. Affidavit attached.
So answers,
Robert M. Stevens, Sheriff

✓ May 23, 1994 Answer and New Matter to Defendant Smith's Motion for Summary Judgment, filed.

✓ May 23, 1994 Memorandum, filed.

✓ May 23, 1994 Affidavit of Stephen G. Santus, filed.

✓ May 23, 1994 Preliminary Objections, filed. (6 copies Atty.)

✓ May 31, 1994, Answers and New Matter of Plaintiff filed.

✓ May 31, 1994, Memorandum of plaintiff filed.

✓ May 31, 1994, Complaint Reinstated.

26. ✓ Jun. 3, 1994 NOtice of Appeal to Superior Court filed.

✓ Jun. 3, 1994 Answer to Defendent Gamble's Preliminary Objections, Counterclaim, filed.

✓ Jun. 3, 1994 Memorandum filed.

✓ Jun. 3, 1994 Memorandum Filed.

✓ June 7, 1994 Answer and New Matter to Preliminary Objections of Defendant William H. Burwell and Wasson, Edgan and Wilson to Plaintiff's Complaint, filed.

✓ June 7, 1994 Answer and New Matter to Preliminary Objections of Defendent Brian J. Lindsay and Peters, Lindsay and Lewis, filed.

✓ June 13, 1994 Complaint Reinstated.

✓ Jun. 9,1994 Notice of Superior Court Docketing, Docket #00956PGH94, filed.

✓ Jun. 9, 1994 ORDER filed. AND NOW, June 3, 1994 the Court, which would normally have scheduled argument on the Smith and Bloom motions for summary judgment at the June argument list since motions, praecipe and briefs have been filed, does not now schedule the argument for that time slightly deviating from the local rules. The Court will set the time for argument on those motions at the preargument conference that is now set for June 23, 1994. The exact date for those arguments will depend upon the outcome of that conference.
BY ORDER OF COURT
Gordon R. Miller, P. J.
6-9-94 Faxed Attys. GAmble, Altomare, Smith & Lindsay. Mailed Burwell, Bloom, Pltf & J. Santus

✓ 6-9-94 OPINION IN SUPPORT OF ORDER filed. The plaintiff has apparently taken an appeal from our Order of May 9, 1994. We not file our opinion in support of that order having now received the notice of appeal.
The Order of May 9, 1994 simply grant ed the defendants, William H. Burwell and Wasson,Egan and Wilson a ten day extension to file a responsive pleading to a 109 page complaint.
That Order was interlocutory and no appeal from that Order can be taken.
With respect to t he merits of the order,we exercised our discretion believing an additional ten days would not be harmful and would be appropriate.
BY THE COURT,
Gordon R. Miller, P. J.
6-9-94 Faxed Copy to Attys. Gamble, Altomare, Lindsay & Smith. Mailed to Attys. Bloom, Burwell, to Pltf & J. Santus.

✓ Jun. 16, 1994 Motion for the Court to Determine Method of Service onJane D. Santus, filed.

✓ Jun. 16, 1994 ORDER filed. AND NOW, June 13, 1994, upon considerationof the within motion, it is ORDERED as follows:
1. Ann Hansen Gamble,Esquire, former attorney for the defendnat Jane D. Santus shall provide the Crawford County Sheriff's Department with a current address or current location where the defendant may be served with process in this case within 10 days from t he date of this Order; or, in the alternative,
2. The Crawford County Domestic RElations shall provide the Crawford County Sheriff's Department with a current address of the defendant Jane D. Santus within 15 days from the date of this Order.
The Court is not now insisting that the address of Jane D. Santus be disclosed. However, the Court is insisting that an address or location must be given in the manner set forth above so that JaneD. Santus may be served personally with the process in this case and cannot avoid process any longer.
BY THE COURT,
Gordon R.Miller, P. J.
6-17-94 Faxed to Smith, Bloom, LIndsay & Burwell. Given to A. Gamble, Mailed Pltf & Deft. Santus, Sheriff & Dom. Rel.

✓ Jun. 21, 1994 Appearance of Jorden and White by Harry Faber White,II, Esquire for Brian J. Lindsay,Esquire, t/d/b/a Peters, Lindsay & Lewis, defendant, filed.

✓ June 22, 1994 Preliminary Objections to Plaintiff's Reinstated Complaint, filed.

✓ Jun. 23, 1994 PreliminaryObjections, filed.

✓ June 27, 1994 Preliminary Objections , filed.

Cont. on Pg 370B

✓June 28, 1994 Preliminary Objections on behalf of Plaintiff, filed.

✓June 28, 1994 Preliminary Objections on behalf of Plaintiff, filed.

✓June 28, 1994 Counterclaim on behalf of Plaintiff, filed.

✓Jun, 30, 1994 OPINION IN SUPPORT OF ORDER, filed. AND NOW,June 29, 1994,argument on the following matters will be heard on the 25th of August 1994 at 1:30 o'clock p.m. in Courtroom No. 1 of the Crawford County Courthouse. In accordance with the local civil rules moving parties must file briefs at least fifteen days prior to the time set for the argument and responding parties must file briefs at least five days prior to the date set for the argument:

1. Motion for summary judgment filed by Bruce L. Smith.
2. Motion for summary judgment filed by Walter Bloom.
3. Preliminary objections filed by Brian J. Lindsay
4. Preliminary objections filed by William H.Burwell.
5. Preliminary objections filed by Ann H.Gamble.
6. Any additional preliminary matters filed and properly served on the parties by July 15, 1994 and properly placed on argument list in the manner provided by the local rules.

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

6-30-94 Copies given to all counsel of record.

✓July 1, 1994 Preliminary objections on behalf of F. Walter Bloom, III, Esquire, filed.

✓Jun. 30, 1994 Transcript of Proceedings Taken at Time of Pre-Argument Conference, filed.

✓July 6, 1994 Preliminary Objections to June 24, 1994 Preliminary Objections of Defendant William H. Burwell t/d/b/a Wasson, Edgan and Wilson, filed.

✓July 6, 1994 Preliminary Objections to Defendant Bloom's July 1, Preliminary Objections, filed.

✓July 6, 1994 Praecipe For Argument List, filed.

ON ARGUMENT LIST FOR August 1994

✓July 8, 1994 Motion For Order To Stay Plaintiff From Filing Further Matter Pending Resolution of Defendant Gamble's Preliminalry Objections and Order, filed. ORDER: AND NOW, July 8, 1994, after argumetn upon defendant Gamble's motion for stay order it is hereby ORDERED and DIRECTED that the plaintiff STEPHEN SANTUS refrain from filing any further pleadings or matters against defendant Gamble pending the resolution of defendant Gamble's preliminary objections.

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

July 8, 1994 Faxed Lindsay, Rosen, Burwell, White, Altomare, Smith & Petruso. Mailed Plf. & Dft. Santus

✓July 8, 1994 Supplemental Preliminary Objections of Ann Hansen Gamble T/D/P/A Fuller, Kinnunen, Petruso, Gamble, Fabian & Hall, filed.

✓July 15, 1994 Amended Preliminary Objections on behalf of Brian J. Lindsay, Esq., t/d/b/a Peters, Lindsay & Lewis,filed.

✓Jul. 19, 1994 Sheriff;s Return filed. SERVED Bruce L. Smith on June 6, 1994 at 3:00 PM byhanding a copy of the Complaint to Sandra Smith, Secretary at his office, 228 East Central Avenue, Titusville, Crawford County, PA.

SERVED F. Walter Bloom by deputizing the Sheriff of Venango County, PA, as per his Affidavit of Service attached. Served on June 6, 1994 at 10:48 AM at the corner of Center and Seneca St., Oil City,PA.

SERVED Brian J. LIndsay personally on June 1, 1994 at 1:55 PM byhanding a copy of the Complaint to him at his office, 311 Walnut Street, Meadville, Crawford County,PA.

SERVED William H. Burwell by deputizing the Sheriff of Venango County,PA, as per his Affidavit of Service attached. Served on June 6, 1994 at 10:48 AM at 1180 Elk Street, Franklin,PA 16323.

SERVED Jane D. Santus by deputizing the Sheriff of Westmoreland County,PA, as per his Affidavit of Service attached. Served on July 13, 1994 at 2:37 PM at the Westmoreland County Sheriff's Office, Main Street, Greensburg, PA.

SERVED Ann H. Gamble on June 6, 1994 at 2:42 PM by handing a copy of the Complaint to Josephine Fink, Secretary at the office, 116A West Central AVenue, Titusville, Crawford County, PA.

So answers,

Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

✓July 29, 1994 Answer and New Matter on behalf of Defendant Jane D. Santus, filed.

✓Aug. 16, 1994 ORDER OF COURT filed. The appeal in this case is from an order granting a defendant an extension of time to file an answer to a complaint. Such an order is patently interlocutory. The appeal is quashed sua sponte.
July 5, 1994

PER CURIAM
Eleanor R. Valecko, Deputy Prothonotary

8-16-94 Faxed to Attys of record. Mailed copy to Pltf. & Jane Santus, Attys.Burwell & Rosen

✓8-23-95 Affidavit of Stephen G. Santus filed.

✓8-23-95 Motion For Sanctions For Failing To File Brief, filed.

✓Aug. 26, 1994 Preliminary Objections to Answer and New Matter of Jane D. Santus, filed.

✓Aug. 29, 1994 ORDER filed. AND NOW, August 25, 1994, after lengthy argument by counsel and plaintiff pro se, the Court takes the matter under advisement.

The Court directs that there be no additional procedural motions, requests or pleadings in this case until after the Court's decision is rendered on the issues raised this date. The exception to the above rule will be to allow Attorneys Altomare, Bloom and White to file Supplemental Motions within 10 days requesting judgment on the pleadings.

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

Aug. 29, 1994 Faxed Lindsay, Altomare, white, Smith, Gamble, Hall. Mailed S. Santus, J. Santus & Bloom

✓Aug. 31, 1994, amended Motion for Summary Judgment filed.

✓Sept. 2, Amended Motion For Summary Judgment, filed.

✓Sept. 9, 1994 Motion For Judgment On The Pleadings, filed.

✓Sep. 12, 1994 Amended Answer and New Matter filed.

✓Sept. 28, 1994, Preliminary Objections to Answer and New Matter of Jane D. Santus Received September 9, 1994, filed.

Continued to Page 370 -C-

Sept. 30, 1994 Motion to Compel Answers to First Set of Interrogatories to Defendent, Jane D. Santus, filed. (copy to Judge Stranahan)

Oct. 4, 1994 ORDER filed. AND NOW, September 30, 1994 this matter is before the Court with respect to the Plaintiff's motion to compel answers to first set of interrogatories to Defendant Jane D. Santus. The Plaintiff appears pro se and indicates that he has properly served the Defendant Jane D. Santus with notice that he intended to appear this day with respect to this motion.

As is our normal procedure with this type of motion, it appearing that answers to interrogatories have been filed but the Plaintiff does not believe the answers are adequate, this matter is scheduled for argument at the next available argument list, which is in November 1994; specifically, November 28, 1994.

The Court Administrator is DIRECTED to schedule it for that date and the parties shall file normal briefing schedules with regard to this matter.

We note that it appears that President Judge Gordon R. Miller has been involved in this case and that Senior Judge P. Richard Thomas has been involved in this case from the representations of the Plaintiff, and the Court Administrator shall ascertain who shall appropriately hear this motion.

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

Oct. 5, 1994 Copies distributed to Pltf., Jane Santus, FAXED to all Counsel.

Oct. 13, 1994 BACKGROUND, FINDINGS, CONCLUSIONS AND ORDERS filed. October 12, 1994

1. None of the plaintiff's claims are barred by the statute of limitations.
2. Summary judgment is granted in favor of the defendants Smith and Bloom. Counts I and II of the Complaint are accordingly stricken.
3. Paragraph 9 at page 1 of the Complaint is stricken.
4. The defendant Lindsay's demurrer and motion for judgment on the pleadings are denied.
5. Count III of the Complaint is stricken. The plaintiff is afforded the opportunity to amend Count III to state, if he can, a cause of action against the defendant Lindsay. The plaintiff must allege how the result of the underlying action should have been different and how the action or inaction of Attorney Lindsay would have brought about that different result.
6. Paragraphs 11.A to 11.N on pages 55 to 65 of the Complaint are stricken.
7. The defendant Burwell's demurrer is denied.
8. Count IV of the Complaint is stricken. The plaintiff is afforded the opportunity to amend Count IV to state, if he can, a cause of action against the defendant Burwell. The plaintiff must allege how the result of the underlying action should have been different and how the action or inaction of Attorney Burwell would have brought about that different result.
9. Counts V and VI of the Complaint against Attorney Gamble are stricken with the exception of paragraphs 1 and 2 on page 84 and paragraph 7.F on page 88. The plaintiff will be given the opportunity to amend to state, if he can, a cause of action against Atttorney Gamble for conversion of his personal papers. These papers must be set forth specifically, and the damage caused by such alleged conversion must be specifically pled.
10. The plaintiff's Amended Complaint must number the paragraphs consecutively.
11. The paragraphs of the Amended Complaint must contain, as far as practicable, a single allegation.
12. The plaintiff's Amended Complaint must not plead evidence.
13. The specific dollar amounts stated in the plaintiff's prayer for relief are stricken.
14. The plaintiff's claim for attorney's fees is stricken.
15. The plaintiff's claim for punitive damages is stricken. The plaintiff is given the opportunity to amend his Complaint to state, if he can, what outrageous conduct on the part of the defendants Lindsay and Burwell would support an award of punitive damages.
16. The plaintiff's claims for damages for the inflication of emotional distress and loss of life's pleasures are stricken.
17. The plaintiff's claim for unspecified damages is stricken.
18. In his Amended Complaint, the plaintiff shall set forth a demand for relief in each separate count.
19. In all other respects, the preliminary objections of the defendants are denied.
20. Plaintiff is given 20 days from receipt of a copy of this Memorandum and Order to file an amended complaint.

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

Oct. 13, 1994 Copies distributed to all counsel and pltf. and Jane Santus.

Nov. 23, 1994 Petiton for Continuance, filed.

Nov. 28, 1994 Memorandum and Order, filed. AND NOW, November 28, 1994, this Court refuses to consider an appeal to the Superior Court has been timely filed in this case. This Court's prior order granting summary judgment and striking Counts I and II of the complaint as to Defendants Bruce Smith and F. Walter Bloom terminates the action against them.

The Plaintiff has failed to timely file amended pleadings against Defendants Brian Lindsay, William H. Burwell and Ann H. Gamble and, while we consider the attempted appeal against said three Defendants to be a nullity as an appeal of interlocutory orders, under the circumstances noted aforesaid, we will grant the Plaintiff 15 days from the date he is released from confinement to make the requisite amendments set forth in our prior order filed October 13, 1994.

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

NOv. 28, 1994 Plf's copy dist by Judge Thomas, all other copies dist by Prothonotary

Dec. 1, 1994 Order filed. Re: Petition To Require More Precise Answers To Interrogatories By Jane D. Santus. AND NOW, November 28, 1994, th ematter is argued before the Court, with the plaintiff acting pro se and the defendant pro se wife not appearing.

The Court listens to plaintiff's arguments and determines that no useful purpose would be served in requiring more definitive Answer to the Interrogatories of Jane D. Santus.

ACCORDINGLY, the Court declines the plaintiff's motion to compel more accurate and precise Answers to Interrogatories to the questions propounded in writing of Jane D. Santus and the responses in writing thereto.

No further Interrogatories or discovery proceedings will be addressed to Jane D. Santus without petition and further Order of Court.

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

Dec. 1, 1994 copies dist to all counsel, Pltf & J. Santus

Dec. 6, 1994 ORDER, filed. Re: Motion for Continuance. Argument was scheduled Nov. 28, 1994 before the undersigned on Plaintiff's petition to compel more complete answers to interrogatories. Plaintiff is confined in the Crawford County jail for wilfully failing to comply with the terms and conditions of his final divorce decree. He appeared in Court for the argumetn scheduled and advised the Court he had requested a continuance of the argumetn in writing. Although we were not aware of his motion filed Nov. 22, 1994, we advised the Plaintiff we were refusing the motion and argumetn was held and an order entered Nov. 28, 1994 denying the motion. We reaffirm that decision now that we have belatedly received the Plaintiff's written motion.

BY THE COURT:
Dated: Dec. 5, 1994
P. Richard Thomas, S.J.

Dec. 7, 1994 Faxed Altomare, Bloom, White, Burwell, Petruso, given plf. mailed Jane Santus

CONTINUED ON PAGE 370D

Dec. 6, 1994 Petition to Reconsider the November 28, 1994 Order, filed.

Dec. 6, 1994 ORDER filed. Re: Petition for Reconsideration. Plaintiff petitions for reconsideration of our order of Nov. 28, 1994 reciting some 28 reasons therefore.

We deny the motion for reconsideration.

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

Date: Dec. 5, 1994

Dec. 12, 1994 Faxed Altomare, Bloom, White, Burwell, Petruso, given Plf. mailed Jane Santus.

In Error
Dec. 8, 1994 Motion For Continuance and Order, filed. ~~AND NOW, this 8 day of December, 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.~~

~~Dec. 8, 1994 Faxed Kulwicki & Irwin~~

Dec. 14, 1994 Petition to Reconsider November 28, 1994 Order Regarding Plaintiff's Petition to Require More Precise Answers to Interrogatories by Jane D. Santus, filed.

Dec. 14, 1994 Order, filed. Re: Plaintiff's Petition to Reconsider the Court Order of November 28, 1994 Denying the Plaintiff's Request for Mosre Precise Answers to Interrogatories. AND NOW, December 13, 1994, we deny the above Petition.

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

Dec. 14, 1994 Faxed Burwell, Bloom, Whsite, Petruso, Hall, Altomare, mailed J. Santus & Plf.

Jan. 20, 1995 Memorandum and Order, filed. AND NOW, January 19,1995, we find the Plaintiff has failed to perfect an appeal from this Court's order of November 28, 1994 by refusing to pay the $90 filing fees required. We further find that the Plaintiff is not entitled to in forma pauperis status in this case to the extent that he should be exempt from paymetn of Prothonotary's filing fees.

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

Jan. 20,1995 Faxed copies to all counsel & Plf & Ddt J.Santus

Jan. 26, 1995 AND NOW, Jan. 26, 1995, 1:56 P.M., Upon praecipe of defendant attorney for Brian J. Lindsay, 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.

JUDGMENT OF NON PROS
Barbara H. King,
Prothonotary

S-153

Feb. 1, 1995 Notice of Appeal, filed.

Feb. 8, 1995 Notice of Appeal Docketing Superior Court Docket No. Assigned 00243PGH95, filed.

Feb. 9, 1995 ORDER filed. By order filed October 12, 1994, we required Plaintiff to amend his complaint against Attorney Lindsay and others. By order dated Nov. 28, 1994, we noted Plaintiff had failed to file required amendments to his complaint against Lindsay, et al., but in view of his jail confinement, we extended the time for making said amendments to 15 days after his jail release. See this Court's order of November 28, 1994. Plaintifff was released from jail December 22, 1994.

We are presented with a praecipe to enter judgment of non-pros by counsel for Lindsay filed Jan. 26, 1995.

We grant the praecipe and enter a judgment of non pros on Plaintiff's complaint as to Attorney Brian J. Lindsay, t/d/b/a Peters, Lindsay & Lewis.

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

Feb. 9, 1995 Order FAXED Attys. Bloom, Burwell, Altomare, given White, Petruso and Hall; mailed Pltf.

Feb. 10, 1995 And now, Feb. 10, 1995, 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.

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JUDGMENT OF NON PROS
Barbara H. King, Pro.

Aug. 3, 1994 This date, Motion to Answer Interrogatories filed. Received March 8, 1995.

Aug. 11, 1994 This date, Certificate of Service filed. Received March 8, 1995.

Aug. 15, 1994 This date, MOTION FOR CONTEMPT OF COURT and ORDER Dated Oct. 14, 1994... Issue Moot. Dealt with in opinion filed. P. Richard Thomas, S. J. Received March 8, 1995.

Aug. 15, 1994 This date, Motion For The Court To Direct Defendant Jane D. Santus Provide Correct Address filed. Received March 8, 1995 .

Aug. 30, 1994 This date, Memorandum of Stephen G. Santus filed. Received March 8, 1995.

Dec. 30, 1994 This date, Notice Of Appeal with Petition to Proceed In Forma Pauperis filed. Received March 8, 1995.

March 2, 1995 This date, Petition Regarding Judgment of Non Pros Regarding Defendants Lindsay and Gamble filed. Received March 9, 1995.

March 3, 1995 Order Re: Defendant Gamble's Petition for Judgment of Non Pros and ORDER filed. AND NOW, March 2, 1995 we deny the praecipe to enter judgmetn of non-pros filed on behalf of Defendant Ann H. Gamble for the reason aforesaid. In the event the pending appeal to the Superior court is found to be a nullity as being untimely filed, we will reconsider said praecipe.

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

Mar. 3, 1995 Order FAXED Attys. Jorden & White, Petruso, Hall, Bloom, Altomare; Copy mailed J. Santus and S. Santus and Burwell.

Continued to Page 370 E

 Continued from Page 370 D

Mar. 8, 1995 Motion to Answer Interrogatories filed.

Mar. 8, 1995 Certificate of Service Filed.

Mar. 8, 1995 Motion for Contempt of Court filed.

Mar.8, 1995 Motion for Court to Direct Defendent Jane D.Santus Provide Correct Address filed.

Mar. 8, 1995 Memorandum of Stephen G. Santus filed.

Mar. 8, 1995 Notice of Appeal with Petition to Proceed in Forma Pauperis filed.

90 Mar.9, 1995 Petition REgarding Judgment of Non Pros REgarding Defendents Lindsay and Gamble filed.

91 May 15, 1995, AND NOW, May 15, 1995, 209 p.m., upon praecipe of defendants attorney judgment of NON PROS is hereby entered against the named Plaintiff for failure to file a Complaint within twenty days after being ruled so to do.

JUDGMENT OF NON PROS
Barbara H. King,
Prothonotary

S-153

92 And Now May 23, 1995, at 1:29 p.m., upon praecipe of defendant William H. Burwell, Esq. t/d/b/a Wasson, Egan, & Wilson, Judgment of non pros is hereby entered against the named plaintiff for failure to file complaint within 20 days, after being ruled soto do.

JUDGMENT OF NON PROS
Barbara H. King,
Prothonotary

S - 153

93 June 22, 1995 Petition To Strike Praecipes For Judgment of Non Pros filed.

94 June 22, 1995 ORDER Re: Plaintiff's Petition to Strike Praecipes for Judgment of Non Pros filed. This matter was filed with the Prothonotary June 2, 1995 but due to the press of other court work did not come to the attention of the undersigned until June 19, 1995. In essence, it appears that Defendants Lindsay, Gamble and Burwell have praeciped the Prothonotary to enter non pros against the Plaintiff because he has failed to file an amended complaint in compliance with the Court's order dated oct. 12, 1994. The Plaintiff appealed this order and, as expected, the Superior Court by order dated May 12 1995 dismissed the appeal because it was not an appeal taken from a final appealable order or judgment entered by the lower court. Apparently Defendants Lindsay, Gamble and Burwell at various times filed a praecipe for non pros and apparently the same was entered because of the failure of the Plaintiff to comply with the Court's amendment order. The Plaintiff now petitions to strike the praecipes for judgment of non pros alleging various reasons therefore which are somewhat confusing to this Court. Somehow the Plaintiff seems to contend that the entry of a judgment of non pros "would deny Plaintiff due process by denying him an opportunity to appeal the october 12, 1994 order."

We schedule argument on the Plaintiff's petition to strike for July 27, 1995 at 9:30 A.M. in a courtroom to be assigned by the Court Administrator.

No briefs are required by any party but Plaintiff and counsel should be prepared to discuss in detail the Rules of Civil Procedure involved in this procedural problem.

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

June 22, 1995 Order FAXED Attys. White, Altomare, Petruso, Hall, Rosen and Burwell.

95 June 22, 1995The Superior Court of PA. Certificate of Contents of Remanded Record and Notice of Remand under PA. Rules of Appellate Procedure 2571 and 2572, filed.

96 June 22, 1995 Superior Court of PA. ORDER filed. The trial court order of Oct. 12, 1994, is not final and appealable because it does not dismiss all claims or parties, is not defined as final by statute nor does it include the "express determination that an immediate appeal would facilitate resolution of the entire case." Pa. R.A.P. 341(b). Therefore, the Court sua sponte dismisses the appeal. Pa. R.A.P. 301(a). The Motion to Quash Appeal, the Motion to Strike Appeal filed March 23, 1995 and the Motion to Strike Appeal filed April 3, 1995 are denied as moot.

DATE: May 12, 1995

PER CURIAM
Eleanor R. Valecko
Deputy Prothonotary

June 28, 1995 Order and Certificate of Remand FAXED Attys. Jorden & White, Petruso, Hall, Rosen, Burwell, copy mailed J. Santus and S. Santus.

97 June 30, 1995, Answer and New Matter to Plaintiff's Petition to Strike Judgment of Non Pros (on behalf of dft. Ann Gamble) filed.

98 Aug. 24, 1995, MEMORANDUM AND ORDER filed. ORDER: AND NOW, Aug. 22, 1995, we hereby deny the plaintiff's motion to strike the non prosses. We hereby find the plaintiff in willful and deliberate violation of a previous court order to file an amended complaint and, in view of the palintiff's statement and implication to the court that he has not intention of complying with the amendment order, we hereby sua sponte dismiss the plaintiff's complaint against the remaining defendants and order this case be marked discontinued. Plaintiff may not file a new malpractice or similar action against any orig. defendants in this case without first procuring court permission to do so.

by the court,
P. Richard Thomas, S.J.

8/25/95 faxed to Petruso, Hall mailed Rosen Burwell, plff Santus, Jane Santus, given White
Aug. 24, 1995 THIS CASE DISCONTINUED PER ABOVE ORDER OF COURT.

99 Sept. 12, 1995, NOTICE OF APPEAL of plaintiff to the Superior Court of Pa., from order entered in this matter on Aug. 22, 1995, filed.

100 Sept. 15, 1995, Notice of Appeal Docketing at No. 1707PGH95 filed. (Superior Court of Pa.)

Dec. 4, 1996 From Superior Court of Pa.....this is to inform you that the Pet. for Ext. of time to File Petition for Allowance of Appeal, 11/13/96, has now been marked discontinued.

Dec. 5, 1996, Notice of filing Petition for Allowance of Appeal from Superior Ct. Docket No. 1707PGH95 filed.

RECORD CONTINUED ON PAGE 370 (F).....

370
F.

1994

Dec. 17,1996 Certificate of Contents of Remanded Record and Notice of Remand Under PA. Rules of Appellate Procedure 2471 and 2572, filed.

Dec. 17, 1996 Superior Court of PA. JUDGMENT filed. ON CONSIDERATION WHEREOF, it is now here ordered and adjudged by this Court that the judgment of the Corut of Common Pleas of Crawford County be, and the same is hereby AFFIRMED.

BY THE COURT:
Eleanor R. Valecko
Deputy Prothonotary

DATED: September 4, 1996

December 8, 1997 Notice of Filing Petition for Allowance of Appeal from Superior Court - Docket No. 1707PGH95 Disposition: Denied Disposition Date: 10/10/97 AND NOW, this 10th day of October, 1997, the Petition for Allowance of Appeal is Denied.

1994

Barbara J. Walton

371.

SANDRA D. STARCHER

vs.

JOHNNY STARCHER

Filed April 19, 1994
@ 1:28 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 12-20-94	9.00
Pro Co pd 1/20/95	5.00

DIVORCE DECREE FILED

COMPLAINT IN DIVORCE,

Sept. 9, 1994 Complaint Reinstated.

Sept. 13, 1994 Affidavit of Person Services, filed. Barbara J. Walton, Esquire, being duly sworn according to law, deposes and says that she is an adult over the age of eighteen (18) years, that she served the Complaint in Divorce filed in the above matter on Johnny Starcher, personally by handing to him a true and correct copy hereof and informing him ofits contents on Sunday, September 11, 1994, at 2:15 p.m., at Stainbrook Park, Meadville, Pa. 16335.

Deponent further avers that at the time of said service the said Johnny Starcher identifed himself to desponent.

Dec. 9, 1994 Affidavit of Consent of Defendant, filed.

Dec. 16, 1994 Affidavit of Consent of Plaintiff filed.

Dec. 16, 1994 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

Dec. 22, 1994 AND NOW, this 21st day of December, 1994, upon presentation of the Stipulation and Consent of the parties, attached hereto, and afater consideration of same, it is hereby ORDERED, DIRECTED AND DECREED that SANDRA D. STARCHER, Plaintiff, and JOHNNY STARCHER, 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.

Jan. 20, 1995 Notice Of Election To Retake Prior Name filed. Sandra D. Starcher TO BE KNOWN AS: Sandra Denise Brandt

372

1994

372.

DORIS ANN BROWN

vs.

KIRK DOUGLAS SUTTON, SR.

Filed April 19, 1994
@ 3:20 PM

3-31-97 Refd from deft 150° med fee

Indigent Filing

John Fuller Mediator 150.00
Pro se Pd 2-18-98 9 ao

2-18-98 Pd to #116761 41a

CUSTODY COMPLAINT

ORDERS:

You, Kirk Douglas Sutton Sr., have been sued in Court to obtain custody of April Renee Sutton and Kirk Douglas Sutton, Jr.

You are ORDERED to appear in person at such time and place as will be determined by the Mediator John Fuller for a mediation conference.

If you fail to appear as provided by this Order, an Order for Custody, partial custody or visitation may be entered against you or the Court may issue a warrant for your arrest.

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 GT LEGAL HELP.

Court Administrator
Courthouse
Meadville, PA 16335
(814) 336-1151, ext. 298

Date: 4/18/94 Anthony J. Vardaro, J

AND NOW, this 19 day of April, 1994, the Court having appointed a custody mediator in this actionfor custody, and/or partial custody and/or visitation of a minor child or children it is ordered and directed as follows:

1. The plaintiff is allowed to proceed without payment of court costs reserving to the Court the right to impose costs at a later time.

2, The Prothonotary is ordered and directed to deliver a true and correct copy of this Order and any complaint or petition filed at the time this Order was entered and may required notice, with appropriate numbers of copies, to the Sheriff of Crawford County for service upon the defendant.

3. The plaintiff is ordered and directed to immediately go to the Sheriff's Office to give the Sheriff written instructions on when and where the defendant may be served.

4. The Sheriff of Crawford County is ordered and directed to serve a true and correct copy of the complaint or petition and order upon the defendant and make an appropriate return of service as required by the law. The Sheriff shall indicate the cost of service which said cost shall be paid by Crawford County and which said cost may be taxed as record costs and imposed as costs by the Court.

BY ORDER OF COURT,
Anthony J. Vardaro , J

Apr. 19, 1994 Petition To Proceed In Forma Pauperis Pursuant To Pa. R.C.P. 240 and Order filed. AND NOW, April 18, 1994, upon consideration of the petition filed by the plaintiff in this action, and supported by an affidavit attached thereto, all being pursuant to Pa.R.C.P. 240, the plaintiff is granted leave to proceed in forma pauperis at this time.

The plaintiff is directed to inform the Prothonotary's Office or the Court of any improvement in his/her financial circumstances that would permit him/her to pay the costs incurred in this action and shall be responsible for doing to upon an improvement of financial condition.

BY THE COURT:
Anthony J. Vardaro, J

Apr. 21, 1994 Copies of order to Pltf., Sheriff's Office and Atty. Fuller

May 3, 1994 SHERIFF'S RETURN, filed. SERVED Kirk Douglas Sutton, Sr., personally on April 28,1994 at 2:30 PM by handing a copy of the Custody Complaint to him in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, PA.
So answers, Robert M. Stevens, Sheriff

June 29, 1994 ORDER filed. AND NOW, June 15, 1994 after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of April Renee Sutton and Kirk Douglas Sutton, Jr. 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 April Renee Sutton and Kirk Douglas Sutton, Jr. 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 8:00 o'clock p.m. on Friday to 8:00 o'clock p.m. on Dunday, beginning June 17, 1994. During the school year the father shall return the children at 6:00 o'clock p.m. on Sunday.

B. Custody of the children shall be shared on holidays as the parties agree from time to time.

C. Beginning with the Summer of 1994, the children shall be in the custody of the father for a period of one (1) month, each summer, which unless the parties agree otherwise, shall be the month of July.

D. Transportation of the children on weekends, holidays and Summer visits shall be provided by the father, with mother's assistance when requested.

E. Neither mother nor father shall say or do anything in an attempt to turn the children agaisnt the osther parent, but on the other hand shall do everything in the power of each to foster a favorable and loving attitude ont he 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 agaree to furnish the other with a current telephone number.

III. This order is a temporalry order but shall become a permanent order unless exceptions thereto are filed by either party within ten (10) days of the date hereof.

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

Anthony J. Vardaro, J.

July 12, 1994 copy sent to Plf. & Dft. and faxed to Fuller

1994 TERM

372

DORIS ANN BROWN
VS.
KIRK DOUGLAS SUTTON

CONTINUED FROM PAGE 372
OF RECORD
A. D. 1994 - 372

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Mar. 31, 1997 Petition to Modify Custody Notice to Defend Order for Parents' Seminar, Order and Notice and Notice and Order to Appear filed. AND NOW, this 2 day of April, 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 South Main Street, Meadville, Pennsylvania 16335; the Prothonotary at the Crawford County Courthouse; or the Court Administrator at the Crawford County Courthouse.

BY THE COURT:
Anthony J. Vardaro, J.
4-3-97 FAXED Walton & Nelson

NOTICE AND ORDER TO APPEAR: You, Doris A. Brown, have been sued in Court to (~~obtain~~)(modify) custody, partial custody or visitation of the child(ren): April Sutton and Kirk Sutton .

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 your arrest.

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

Court Administrator
Courthouse
Meadville, Pa. 16335
(814)333-7498)

AMERICANS WITH DISABILITIES ACT OF 1990

The Court of Common Pleas of Crawford County is required by law to comply with the Americans with Disabilities Act of 1990. For information about accessible facilities and reasonable accommodations available to disabled individuals having business before the Court, please contact the Court Administrator's Office. All arrangements must be made at least 72 hours prior to any hearing or business before the Court. You must attend the scheduled conference or hearing.

BY THE COURT
Anthony J. Vardaro, J.

Date: 4/2/97
4-3-97 FAXED Walton & Nelson

Sept. 4, 1997 Order filed. AND NOW, September 4, 1997, after Mediation and upon the recommendation of the Child Custody Mediator, it is Ordered and Decreed as follows:

1. Legal custody of the subject minor children, April Renee Sutton and Kirk Douglas Sutton, Jr., shall be shared by the Father and Mother, the parties to this action, with each parent entitled to full access to any records relating to the children held by a third party including, but not limited to school records and medical records and each parent shall have equal input regarding important decisions affecting the children such as education, religious instruction and medical treatment.
2. Primary physical custody of April and Kirk Sutton shall be with their Mother, subject to the following conditions:

a. The Father shall be permitted to visit and take the children into his temporary physical custody every other weekend from Friday at 6:00 p.m. Said weekend visitation will begin on September 5, 1997.

The parties shall complete Crawford County's "Seminar for Separating Parents" within thirty days of the date of this Order.

The cost of the mediation conference shall be equally divided between the parties. The deposit paid in advance by the Father shall first be applied to his share of the costs and the remainder refunded to him, less the cost of the Court's Order.

(SEE PAPERS FILED)

BY THE COURT:
Gordon R. Miller, J.
9-11-97 FAXED Walton, Halliday & Nelson

Oct. 14, 1997 Certificate of Completion of Seminar for Separating Parents of Doris A. Brown filed.

1994 TERM

1994

Mary Ann Kirkpatrick

373.

KARIN LEE RIGHT-PETERS

vs.

WILLIAM EDWARD PETERS

Filed April 19, 1994
@ 3:48 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 8/30/94	9.00
pro co pd 10/7/94	5.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
1 copy atty.

Apr. 26, 1994 Acceptance of Service filed. I accept service the Divorce Complaint.
Date: 4-25-94 William E. Peters

June 9, 1994 Affidavit of Service filed. I have been advised that counseling is available and that I may have the right to request that the court require the parties to participate in counseling.

I verify that this statement is true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. 4904, relating to unsworn falsification to authorities.
Date: June8, 1994 Karin Lee Right-Peters

Aug. 19, 1994 Affidavit of Consent of Plaintiff, filed.

Aug. 23, 1994 Affidavit of Consent by William Edward Peters, Defendant, filed.

Aug. 25, 1994 Agreement filed.

Aug. 30, 1994 Upon Praecipe of Mary Ann Kirkpatrick, Esquire, Attorney of Plaintiff to transmit record, case moved to Court.

DIVORCE DECREE FILED

September 8, 1994 And, Now, September 7, 1994, it is ordered and decreed that KARIN LEE RIGHT-PETERS, plaintiff, and WILLIAM EDWARD PETERS, defendant, are divorced from the bonds of matrimony. The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.

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:
Anthony J. Vardaro, J.

Oct. 4, 1994, Notice of Election to Retake Prior Name filed.
TO BE KNOWN AS: KARIN LEE RIGHT

Dec. 22, 1994 Qualified Domestic Relations Order, filed. And Now, this 21 day of December, 1994, it appears to the Court as follows:

1. The parties hereto wer husband and wife, seek this Order in conjunction with a final decree of dissolution of marriage dated September 7, 1994 in that action pending in this Court at the above number.

2. Karin Lee Right-Peters, now known as Karin Lee Right, social security number 166-46-8718, hereinafter referred to a "Plaintiff" or Participant", was formerly employed by Allegheny College and is a participant in the Teachers Insurance and Annuity Association - College Retirement Equities Fund, hereinafter "TIAA-CREF" having the following Retiremetn Annuities:
TIAA Contract # B608122-4,

3. Participant Karin Lee Right-Peters' current and last known mailing address is 6603 Salem Park Circle, Mechanicsburg, PA 17055.

4. Alternate Payee William Edward Peters' curent and last known mailing address is 414 Walnut Street, Meadville, PA 16335 and social security number 179-42-5272.

5. To accommodate the marital/community property distribution between the parties IT IS ORDERED, ADJUDICATED AND DECREED AS FOLLOWS:

a. That the TIAA-CREF annuities previously referenced are marital property;

b. That subject to the finalizastion of the divorce and the execution of the documents required by TIAA-CREF and the terms of said annuities, the followisng portions shall be awarded to the alternate payee as sole and exclusive property to be applied to TIAA-CREF annuities subject to the terms and limitations of said annuities:

The then current values as of the date of withdrawal, September 7, 1994 of 32% of the accumulationunder TIAA Contract No. B608122-4.

The current values will reflect interim interest and dividend earnings in TIAA AND INVESTMENT EXPERIENCE IN CREF until the transfer is recorded by TIAA-CREF. All ownership rights in the newly issued annuities will belong to William Edward Peters. All ownership and interest in the balance of the accumulations in all contracts issued by TIAA-CREF will below to Karin Lee Right.

c. The parties are directed to timely submit to TIAA-CREF all documents, including Releases that are required to finalize this order.

6. This Order:

a. Does not require any Plan to provide any type of form of benefit, or any option, not otherwise provided under the Plan, and

b. does not require TIAA-CREF to provide increased benefits and

c. does not require the paymetn of benefits to an Alternate Payee which are required to be paid to another Alternate Payee under another Order previously determined to be a Qualified Domestic Relation Order.

7. This Court reserves jurisdiction to issue further orders as needed to execute this order.

By the Corut:
Anthony J. Vardaro, J.

Dec. 22, 1994 Faxed Kirkpatrick

374

1994

374,

Prather,Prather & Pineo
Elizabeth Prather

MAUREEN LEA DESKO

vs.

MICHAEL SCOTT RUMZIE

Filed April 19, 1994
@ 4:19 PM

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

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

ORDER:

And now, this 19 day of April , 1994 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

1. The defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Defendant shall not contact Plaintiff. He shall not go to Plaintiffs ersidence. Custody of the child is awarded to Plaintiff until further order.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment or fees and costs will be determined by final court order.
7. The defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves Ruling on allocation of fees and costs. Hearing is hereby set for the April 26, 1994 , at 3:00 p.m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

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

Apr. 21, 1994 Sheriff's Return filed. SERVED Michael Scott Rumzie personally on April 19, 1994 at 9:20 AM by handing a copy of the Protection From Abuse to himat his place of employment, Old Avtex Building, Pheonix Wrecking, Meadville, Crawford County PA.
So answers,
Shawn E. Ashbaugh, Deputy Sheriff
Robert M.Stevens, Sheriff

Apr. 28, 1994 ORDER filed. AND NOW, April 26, 1994, this matter is before the Court on Plaintiff's Request for Relief Under the Protection From Abuse Act.

The parties appear, with the plaintiff not represented by counsel and the defendant represented by counsel.

After some discussions, they agree to the entry of the following Order, without admission of the allegations of the Petition on the part of the defendant:

1. Neither party shall assault, abuse, harass or threaten the other party or any minor child of the parties.
2. Without prejudice to either party to petition this Court in the existing custody action or in any other appropriate action, beginning this day, any exchanges of t he minor child which are required to take place under the existing Custody Order shall take place on the benches in front of the Meadville Public Library on North Main Street in Meadville.
3. Neither party shall go to the residence of the other party for any purpose. Each party is cautioned that he or she should not go to the other party's residence, even if invited, because if any law enforcement officer is called, that law enforcement officer will presume that the party at the other party's residence is in violation of this Order. If the parties should wish that the other party may go to the residence, they should seek a modification of this Order prior to doing so at any time during the term of this Order.
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 Department, the Vernon Township Police Department, as well as to County Control. Additionally, insofar as the plaintiff is not represented by counsel,the Prothonotary shall send her a copy of this Order by regular mail to Asbury Manor, West 8, Meadville, Pennsylvania, 16335.
6. The parties are reminded that this is an Order of Court and violation of this Order may be punishable by a fine of up to $1,000 and a jail sentence of up to six (6) months.
7. This Order shall remain in full force and effect for a period of one (1) year from this date.
8. The County shall pay the costs in this action.

BY THE COURT,
Anthony J. Vardaro, Judge

4-28-94 Copies dist.toMCPD, VTPD, Pltf & E,Prather

1994

375.

JAMES H. ANDERS

vs.

GREGG LEWIS and CARLA LEWIS

Filed April 20, 1994
@ 10:39 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	25.00

COMPLAINT IN CIVIL ACTION
2 copies Pltf.

Apr. 22, 1994 Sheriff's Return filed. NOT FOUND as to Defendant Gregg and Carla Lewis at address of R.D.#6, Box 860, Lamont Drive, Meadville, Crawford County, PA. They have moved and left no forwarding address at the post office.
So answers, Robert M. Stevens, Sheriff

May 17, 1994 Complaint Reinstated.

May 23, 1994 Proof of Service, filed. I hereby certify that I mailed the Complaint to the above named Defendants by certified letter, return receipt requested, which receipt is attached to this document. James H. Anders

1994

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

376.

William J.Gregg

PAUL MORANDELL

vs.

HILDEGARD MORANDELL

Filed April 20, 1994
@ 1:53 PM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count paid	15.00
State paid	10.00
User's Fee paid	10.00
2 Add'l Count paid	30.00
Pro Co pe 7-31-96	9.00

COMPLAINT IN DIVORCE UNDER SECTION 3301(c) or 3301(d), EQUITABLE PROPERTY DETERMINATION AND DISTRIBUTION
1 copy atty.

Apr. 25, 1994 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 April 20, 1994. The Defendant acknowledged service on April 21, 1994 by accepting delivery on that date as evidenced by the attached signed return receipt.

James R. Irwin, Esquire

May 18, 1994 Answer and Counter-Claim to Complaint in Divorce.

Jun. 1, 1994 Request for Hearing and ORDER filed. AND NOW, this 31st day of May, 1994, upon request of the Defendant,Hildegard Morandell, a hearing is hereby set for the 18th day of July, 1994, at 9:15 A.M. inCourtroom 1 or 2 of the Crawford County Courthouse, Meadville, Pennsylvania, to hear the issues of Counsel Fees,Costs and Expenses, Alimony Pendente Lite, and Alimony.

FOR THE COURT:
Gordon R. Miller J
6-1-94 Copy to Atty.Gregg, Faxed to Atty. Irwin.

Jul. 18, 1994 Acceptance of Service, filed. AND NOW, this 20 day of May, 1994 comes James R. Irwin, Esquire, attorney for the Plaintiff in the above captioned matter and acknowledges that he received a true and correct copy of the Answer and Counter-Claim to Complaint in Divorce which was filed on May 18, 1994, in the above captioned matter.

James R.Irwin, Esquire

July 18, 1994 ORDER filed. AND NOW, July 18, 1994 after an informal hearing on the Defendant's request for alimony pendente lite, counsel fees, costs, and expenses, the Court finds that the Defendant has no earning capacity, has monthly expenses that amount to at least $100 per month, and therefore has a need. The Court further finds that the Plaintiff's average net income is $2188.24 per month. We were not presented with any evidence concerning his monthly living expenses are very small. He therefore has the ability to make these payments but the Court is not exactly certain as to the full extent of that ability because we don't know his expenses.

It is ORDERED as follows:

1. The Plaintiff shall paly alimony prndente lite in the amount of $880 pr month for a period of six months. The months for which the Court is permitting alimony pendente lite at this point are the months of April through September 1994. Rather than a usual order that requires the payment of arrearages, since this is July, the Court will direct that the Plaintiff make six payments from the month of July into the future.

The first payment shall be made on or before July 31, 1994 and each subsequent payment shall be made on or before the last day of each subsequent month until paid in full. In the event that the parties receive a final divorce before September 30, 1994 alimony pendente lite shall only be paid up until the date of the final divorce decree and shall be pro rated during the last month. If the parties are divorced after September 30, 1994 the Plaintiff shall continue to apy alimony pendente lite under this order for a total of six months as indicated above.

2. The Plaintiff shall pay $1,000 to apply on counsel fees in the following manner;
a) The sum of at least $250 on or before July 31, 1994;
b) The sum of at least $300 on or before August 31, 1994;
c) The sum of $300 on or before September 30, 1994'
d) The sum of at least $150 on or before October 31, 1994.

3. In accordance with the law, these awards shall be subject to change, modification or continuation by a master or the Court if appropriate under the facts and the law in the future.

4. Both parties shall keep strict lists and records of all withdrawls or transfers or payments out of marital accounts, and shall account to the other within 5 days after being requested to do so. The account shall be made privately and need not be filed of record unless the parties believe that is appropriate.

5. Both parties are now enjoined and prohibited from invading any other marital assets or making any withdrawal or transfer from any marital assets without the express written consent of the other or an order of Court.

6. The Plaintiff shall submit a fully completed and accurate budget sheet to counsel for the Defendant within 10 days from this hearing.

We enter no order for costs and expert fees. The Court remains open to a future petition once the exact amounts are known and the need to incur those expenses is clear.

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

July 18, 1994 copies dist to Irwin & Gregg

Aug. 2, 1994 Plaintiff's Income & Expense , filed.

Nov. 14, 1994 Inventory of Paul Morandell, Plaintiff, filed.

Nov.14, 1994 Affidavit of Consent by Paul Morandell,Plaintiff, filed.

Jan. 3, 1995 Affidavit of Consent by Hildegard Morandell, Defendant, filed.

Feb. 3, 1995 Inventory of Hildegard Morandell, filed.

Feb. 6, 1995 Request for Hearing and Order filed. AND NOW, this 2nd day of February, 1995, upon Defendant's request, a hearing is hereby set for the 30th day of March, 1995, at 9:00 o'clock a.m., in Courtroom 1 of the Crawford County Courthouse.

BY THE COURT:
Gordon R. Miller, J

Feb. 6, 1995 Faxed Gregg & Irwin

Continued to Page 376 A

1994

Paul Morandell
vs
Hildegard Morandell

Continued from Page 376
of Record
AD 1994 - 376

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Feb. 15, 1995 Notice to the Defendant and Plaintiff's Affidavit under Section 3301 (d) of the Divorce Code filed.

Mar. 2, 1995 Defendant's Counter-Affidavit Under Section 3301(d) of the Divorce Code, filed.

March 29, 1995 Proof of Service filed.

Apr. 4, 1995 MEMORANDUM and ORDER filed. ORDER. AND NOW,April 3, 1995 it is ordered as follows:
1. The plaintiff shall pay alimonypendente lite in the amount of $880.00 per month for a period of four months. The first payment shall be made onor before the last day of April 1995 and each subsequent payment shall be made on or before the last day of each month until paid in full.
2. The plaintiff shall pay the sum of $250 to defendant's attorney to apply on expert fees defendant claims she must incur in order to evaluate certain assets. That sum shall be paid on or before April 30, 1995.
3. These awards shall be subject to change, modification or continuation by a Master or the Court if appropriate under the facts and the law.

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

4-4-95 Dist. to Irwin & Gregg

July 19, 1996 Waiver of Notice by Defendant filed.

July 25, 1996 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

July 25, 1996 Waiver of Notice of Intention to Request Entry of a Divorce Decree Under Section 3301(C) of the Divorce Code, filed.

Aug. 1, 1996 Order filed. This divorce matter has beenreferred to the Court for review and decree. The Court has reviewed the record and is returning the record to the Prothonotary. A final decree will not be entered at this time because: Economic and other issues or counts have beenr aised in the pleadings or by petition which are not beingdisposed 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.
Either party may file a praecipe to refer the matter back to the Court when the record is in such a state that the parties are entitled to a final decree.

BY ORDER OF COURT,
Gordon R. Miller, J

7-31-96
8-1-96 Faxed Gregg & Irwin

Aug. 2, 1996 Upon praecipe of Plaintiff Attorney To Transmit Record, this case moved to Court.

DIVORCE DECREE FILED

Aug. 8, 1996 AND NOW, this 7th day of August, 1996, it is ordered and decreed that PAUL MORANDELL, Plaintiff, and HILDEGARD MORANDELL, Defendant, are divorced from the bonds of matrimony.
It is further ordered that the parties' Separation and Property Settlement Agreement dated July 2, 1996, 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.

1994

J. Wesley Rowden

377.

COMMONWEALTH OF PENNSYLVANIA

vs.

ONE (1) HI-LO DOUBLE UP JOKER POKER VIDEO DISPLAY GAMBLING DEVICE, ONE (1) DRAW 80 POKER VIDEO DISPLAY GAMBLING DEVICE, TWO (2) DRAW POKER VIDEO DISPLAY GAMBLING DEVICES, $415.00 IN U.S. CURRENCY AND COIN, AND VARIOUS ITEMS OF GAMBLING PARAPHERNALIA

Filed April 20, 1994
@ 3:09 PM

Tax & entry Pd. 4/29/94 50.50
User's Fee Pd. 4/29/94 5.00

PETITION FOR FORFEITURE OF SEIZED PROPERTY
2 copies atty.

Mar. 22, 1995 Petition For Final Order filed.

Mar. 22, 1995 Order and Decree filed. AND NOW, this 21st day of March, 1994, pursuant to the Act of June 29, 1987, 32 NO. 14 107(47P.S. 6-602), this Court hereby Orders and Decrees the property set forth in the above captioned petition condemned and forfeited to the Commonwealth.

Said property shall be disposed of as follows:

a. The four video display gambling devices shall be destroyed by the Pennsylvania State Police.

b. The $415.00 in U.S. currency and coin be used by the Crawford County District Attorney's Office for the enhancement of criminal prosecutions.

c. The gray metal money box, the ring of keys, the two checks and three sheets of paper that appear to be I.O.U.s include initials and names shall be destroyed by the Pennsylvania State Police.

BY THE COURT,
Gordon R. Miller, J

Mar. 22, 1995 Faxed Rowden & Barnhart

May 11, 1995 Motion to Amend Order and ORDER filed. AND NOW, this 10th day of May, 1995, upon consideration of the foregoing Motion, the Order of March 21,1994 in the above matter is amended to reflect all monies found within the above described machines seized in connection with the above matter to be used by the Crawford County District Attorney's Office for the enhancement of criminal prosecutions.

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

5-12-95 Faxed Rowden & Barnhart

1994

Mary Ann Kirkpatrick

378.

Apr. 20, 1994 $150.00 deposited by Plaintiff

6-23-94 Pd Co. #8399 141.00

7-4-94 Recd 59.00 from Pltf - med fee

9-13-94 Pd Co Ch#-8549 59.00

8-27-98 Rec'd from Pltf 200.00 mediation

10-14-98 Pd Co 191.00

11-14-98 Rec'd from plf 91.77 med fee

11-20-98 pd Co 91.77

DONALD J. SMITH

vs.

PATRICIA ANN MONGERA

Filed April 20, 1994
@ 3:42 PM

Tax & entry paid	50.50
User's Fee paid	5.00
John Fuller, Mediator	200.00
Pro Co. Pd 6-23-94	9.00
Pro Co Pd 10-14-98	9.00

COMPLAINT FOR CUSTODY

You, Patricia Ann Mongera, have been sued in Court to obtain custody of Alexandrea Nicole Mongera.

You are ORDERED to appear in person at such time and place as will be determined by the Mediator John Fuller for a mediation conference.

If you fail to appear as provided by this order, an order for custody, partial custody or visitation may be entered against you or the court may issue a warrant for your arrest.

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: 4/20/94 Anthony J. Vardaro, J

Apr. 26, 1994 Affidavit of Service filed. And Now, April 26 1994, 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 Donald J. Smith, Plaintiff in the above-captioned matter.
2. That on informationfurnished her by the Plaintiff, she caused a certified copy of the Custody Complaint to be forwarded by Certified Mail, P 100 657 043; postmarked April 22, 1994, to the last known address of the defendant, Patricia Ann Mongera, c/o Thelma Mongera, R.D. #2, Old Plank Rd., Cambridge Springs, PA 16403.
3. That the defendant, Patricia Ann Mongera, onApril 25, 1994, personally signed ther eturn receipt card which was affixed to the Custody Complaint in the above-matter and whichis attached hereto.
4. Service of the Custody Complaint against Defendant is therefore effected in accordance with Pennsylvania Rules of Civil Procedure.

Constance Deitman

June 7, 1994 ORDER, filed. AND NOW, May 11,1994 after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Alexandrea Nicole Mongera shall be shared between the father and the mother, the plaintiff and defendant herein, that is, each parent shall be entitled to full access to school records, medical records and other important records and that each parent shall be entitled to take part fully in important decisions affecting the child such as the education, medical treatment and religious instuction of the subject child.

II. Physical custody of Alexandrea Nicole Mongera shall be with her mother, subject to the followsing conditions:

A. The father shall be entitled to visit and take the child into his custody every weekend except the first full weekend of each month from 5:00 o'clock p.m. on Friday to 9:00 o'clock p.m. on Sunday, beginning Juen 10, 1994. The first full weekend shall be the weekend on which the first Friday of each month falls.

B. The father shall have the right to take the child into his custody from 5:00 o'clock p.m. to 9:00 o'clock p.m. every Monday, Wednesday and Thursday.

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 tot he contrary, the child shall be in the custody of the mother on Easter Sunday; on Christmas Evening until 9:00 o'clock p.m. and Thanksgiving Day after 4:00 o'clock p.m., and in the custody of the father on the aforesaid holidays from 9:00 o'clock p.m. Christmas Eve and Christmas Day until 5:00 o'clock p.m.; Good Friday and the Saturday before Easter and Thanksgiving Day until 4:00 o'clock p.m.

D. Each parent shall be entitled to have the child in his or her exclusive custody for one (1) three (3) week vacation each year, during which three (3) week vacation period, the other parent would not have visits. Each parent shall give the other at least thirty (30) days notice of the dates of this vacation period.

E. Transportation of the child on weekends, holidays and other visits shall be equally divided with the parent surrendering custody delivering the child to the other parent.

F. Neither mother nor father shall say or do anything in an attempt to turn the child against the other parent, but on the other hand shall do everything in the power of each to foster a favorable and loving attitude on the part of the child towards both parents.

G. Neither mother nor father shall expose the child to any person or situation which may be harmful to the child's health or well being.

H. Both parents agree to inform the other immediately of any illness or injury regarding the child and both parents agree to furnish the other with a current telephone number.

I. Each parent shall undergo a psychiatric evaluation within three (3) months of the date of this order and shall furnish to counsel for the other parent, a written report on the evaluation in so far as it reflects on that parent's ability to care for the child.

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. However, this order is entered without prejudice to the right of either party to request a further mediation conference after receipt of the report referred to in II, I, above.

IV. Cost of the mediation conference shall be paid by the plaintiff. Anthony J. Vardaro, J.

June 14, 1994 copy faxed to Fuller, Kirkpatrick & Kuftic. Mailed copy to Plf. & Dft.

June 10, 1994 Request for Hearing and Order filed. ANDNOW, this 16 day of June, 1994, in consideration of the foregoing motion, de novo hearing is scheduled for July 21, 1994 at 2:30 p.m. in Courtroom #1.

BY THE COURT,
Anthony J. Vardaro, J

June 17, 1994 Faxed Kuftic, Kirkpatrick & Fuller

Continued on Page 378A

Donald J. Smith
vs.
Patricia A. Mongera

CONTINUED FROM PAGE 378
of Record
A. D. 1994 - 378

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July 25, 1994 Petition for Stipulated Custody Order and Order, filed. AND NOW, July 21, 1994, after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Alexandrea Nicole Mongera shall be shared between the father and the mother, the plaintiff and defendant herein, that is, each parent shall be entitled to full access to school records, medical records and other important records and that each parent shall be entitled to take part fully in important decisions affecting the child such as the education, medical treatment and religious instruction of the subject child.

II. Physical custody of Alexandrea Nicole Mongera shall be with her mother, subject to the following conditions:

A. Beginning the weekend of July 10, 1994, the father shall be entitled to visit and take the child into his custody three consecutive weekends out of a four-weekend cycle from 5:00 p.m. on Friday to 5:00 p.m. on Sunday.

B. The father shall have the right to take the child into his cudtody form 5:00 p.m. to 9:00 p.m. every Monday evening and overnighat every Wednesday evening from 5:00 p.m. on Wednesday to Thursday morning at 9:00 a.m. or the start of preschool, whichever is earlier.

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 Easter Sunday; on Christmas Eve until 9:00 p.m. and Thanksgiving Day after 4:00 p.m., and in the custody of the father on the aforesaid holidays from 9:00 p.m. Christmas Eve and Christmas Day until 5:00 p.m.; Good Friday and the Saturday before Easter and Thanksgiving Day until 4:00 p.m. Additional holidays, being Memorial Day, Labor Day and the 4th of July, shall be alternated as follows: The father shall have custody on Memorial Day and Labor Day from 2:00 p.m. to 9:00 p.m. on even years commencing in 1994, and on odd years the father shall have custody on the 4th of July from 2:00 p.m. to 9:00 p.m.

D. Each parent shall be entitled to have the lchild in his or her exclusiver custody for three (3) weeks vacation each year, during which three (3) weeks svacation periods the other parent would not have visits. Each parent shall give the other at least thirty (30) days notice of the dates of these vacation periods. The 3 weeks maybe taken consecutively or non-consecutively.

E. Transportation of the child on weekends, holidays and other visits shall be equally divided with the parent surrendering custody delivering the child to the other parent.

F. Neither mother nor father shall say or do anything in an attempt to turn the child against the other parent, but on the other hand shall do everything in the power of each to foster a favorable and loving attitude on the part of the child towards both parents.

G. Neither mother nor father shall expose the child to any person or situation which may be harmful to the child's health or wellbeing.

H. Both parent sagre to inform the other immediately fo any illness or injury regarding the child, and both parents agree to furnish the other with a current telephone number.

I. Each parent shall undergo a psychiatric evaluation within three (3) months of the date of the original proposed order of the custody mediator and shall furnish to counsel for the other parent a written report on the evaluation, insofar as it reflects on that parent's ability to care for the child.

III. Cost of the mediation conference shall be paid by the plaintiff. Gordon R. Miller, P.J.

July 25, 1994 Faxed Kuftic & Kirkptrick
Aug. 1, 1994 Faxed to Fuller

August 27, 1998 Petition for Modification of custody Order and Order Filed. And now, this 25th day of August, 1998, it is ordered and decreed that the parents in this matter shall satifactorily 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; at the Prothonotary's Office at the Crawford County Courthouse; or the Court Administrator at the Crawford County Courthouse.
Application for attendance at teh 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 with 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 Co Civil Rules of Court that are available in the Prothonotary's Office and in the Crawford County Law Library, or contact the Court Administrator at the Crawford county Courthouse.

By the Corut
Anthony J. Vardaro, J.

8/27/98 Faxed Fuller
ORDER OF COURT - You Patricia Ann Mongera Respondent have been sued in court to obtain custody, partial custody or visitation of the child: Alexandrea Nicole Mongera.
John Fuller, Esq. has been appointed Child Custody Mediatro and you are ordered to appear in person for a conference with the Child Custody Mediator at such time and place as he/she directs. You are further ordered to bring with you the child if so requested by the Child Custody Meadiator
If you fail to appear as directed by the Child Custody Mediator or to bring with you 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 Administrator, Courthouse
Meadville,PA 16335
Telephone No: (814)333-7498

By the Court
Anthony J. Vardaro, J.

8/27/98 Faxed Fuller Copy to Karn

October 5, 1998 Certification of Completion of Seminar for Separating Parents Filed (Patricia Mongera) (DEFT)

October 14, 1998 Order filed. And Now, october 13, 1998 after mediation conference before John Fuller, Esq. It is Ordered and Decreed as Follows, To-Wit: I. Legal custody of Alexandrea Nicole Mongera shall be shared between the father and the mother, the plaintiff and defendant herein, that is, each parent shall be entitled to full access to school records, medical records and dother 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. Primary physical custody of Alexandrea Nicole Mongera shall be with her mother, Patricia Ann Mongera, subject to the following conditions:
A. The father shall be entitled to visit and take the child into his custody three (3) consecutive weekends out ofa four-weekend cycle form 5 o'clock pm on Friday to 5 o'clock PM on Sunday, in accordance with the schedule established in 1994.
B. The father shall have the right to take the child into his custody form 5 PM to 9 PM every MOnday evening and overnight every Wednesday evening from 5 pm on Wednesday to Thursday morning at 9 o'clock am or the start of preschool, whichever is earlier.
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 Easter

con't on page 378-b

1994 TERM

Donald Jay Smith
vs
Patricia Ann Mongera

Continued from page 378 (a)
of record
AD 1994-378

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Sunday; on Christmas Eve until 9 o'clock pm and Thanksgiving day after 4 pm and in the custody of the father on the aforesaid holidays from 9 pm Christmas Eve and Christmas Day until 5 pm; Good Friday and the Saturday before Easter and Thanksgiving Day until 4 pm. Additional holidays being Memorial Day, Labor Day and the 4th of July shall be alternated as follows: The father sahll have custody on Memorial Day and Labor Day from 2 pm to 9 pm on even years commencing in 1994, and on odd years the father shall have custody on teh 4th of July from 2 pm to 9 pm.

D. Each parent shall be entitled to have the child in his or her exclusive custody for 3 weeks vacation each year, during which there weeks vacation periods the other parent would not have visits. Each parent shall give the other at least 30 days notice of the dates of these vacation periods. The three weeks may be taken consecutively or non-consecutively.

E. Transportation of the child on weekends holidays and other visits shall be equally divided with the parent surrendering custody delivering teh child to the other parent.

F. Neither mother nor father shall say or do anything in an attempt to turn the child against the other parent, but on the other hand shall do everything in the power of each to foster a favorable and loving attitude on the part of the child towards both parents.

G. Neither mother nor father shall expose the child to any person or situation which may be harmful to the child's health or well being. Neither parent shall permit the child to ride in an automobile under any circumstances where the child would not be safe.

H. Both parents agree to inform the other immediately of any illness or injury regarding the child and both parents agree to furnish the other with a current telephone number.

I. Donald J. Smith and Patricia Ann Mongera are hereby ordered to register for, and complete, the Seminar for Separtating Parents as required by Crawford Coun ty Civil Rule L1930, if you have not already attended, within 30 days from this Order or shall be subject to the sanctions permitted by rule and law including contempt fines and possible incarecration.

III This Order is a temporary order but shall become a pemanent order unless exceptions thereto are filed by either party within 20 days of the date hereof.

IV. The fees ($280.00) and costs $9.00 court order filing fee and $2.77 certified mailing in this case are to be paid as follows:

A. The father has deposited with the Prothonotary the requested $100 which shall be applied toward the fees and costs. The fahter shall within 30 days of the date of this order pay the Prothonotary $91.77 for balance due on fees and costs

Anthony J. Vardaro, J.

10/14/98 Faxed Karn, Fuller & Kuftic

1994

pro se

379.

Culbertson, Weiss, Schetroma and Schug PC
Glenn A. W. Thompson

JAMES H. ANDERS

vs.

KARL & LAURA BUTTRAY

Filed April 21, 1994
@ 9:30 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	25.00
Pro Co. Pd. 8/25/94	30.00
User's Fee Pd.	5.00
Pro Co pd 10-6-95	9.00
Pro Co pd 6-27-97	5.00

✓ COMPLAINT IN CIVIL ACTION
2 copies Pltf.

✓Apr. 25, 1994 SHERIFF'S RETURN, filed. SERVED Laura Buttray personally on April 22, 1994 at 9:30 AM by handing a copy of the Complaint to her at the residence, 420 Fairmont Avenue, Meadville, Crawford County, PA.
So answers, Shawn E. Ashbaugh, Deputy Sheriff
Robert M. stevens, Sheriff

✓ May 11, 1994, Defendants Preliminary Objections to Plaintiffs Complaint filed.

✓ May 11, 1994, Upon praecipe of defendant attorney for argument, above objections placed on next argument list.

ON ARGUMENT LIST FOR JUNE 1994

✓June 8, 1994 Motion For Summary Judgment and ORDER filed. AND NOW this 8 day of June, 1994, Plaintiff's Motion for Summary Judgment is denied as premature . Pleadings are not closed - Preliminary objections are pending.

By the Court:
Anthony J. Vardaro, J.

June 8, 1994 Copy of Order Faxed to Atty. Thompson; copy mailed to plaintiff.

✓ Jun. 13, 1994 Motion for Rent to Be Put in Escrow and ORDER filed. AND NOW this 13th day of June, 1994, Plaintiff's Motion for Rent to Be Put in Escrow is set for a Hearing on June 27th 1994 at the time set for argument on defendants preliminaryobjections.

By the Court:
Gordon R. Miller, J.

6-13-94 Faxed to Atty. Thompson, mailed to Anders

✓Aug. 10, 1994, Motion for court to Dispose of Preliminary Objections and Order filed. ORDER: AN D NOW, this 8 day of Aug. 1994, the defendants preliminary objections are still being considered by the court.

BY THE COURT,
Anthony J. Vardaro, J.

8/11/94 faxed to Thompson and mailed to Anders.

✓Aug. 22, 1994, MEMORANDUM AND ORDER filed.
ORDER: AND NOW, August 19, 1994, upon consideration of the Defendants' preliminary objection alleging lack of subject matter jurisdiction, said preliminary objeciton is sustained and the palintiff's complaint is dismissed without prejudict tothe plaintiff to file an action which is appropriate and consistent with the findings of the attahced Memorandum.

The plaintiff's motion for rent to be put in escrow pursuant to Pa. R.C.P. 1531 is dismissed insofar as that rule is not applicable to this action at law.

BY THE COURT:
Anthony J. Vardaro, J.

Aug. 22, 1994, Copies dist. by Court.

✓Aug. 25, 1994 Notice of Appeal to the Superior Court, filed.

✓Aug. 25, 1994 ORDER filed. AND NOW, August 25, 1994, the Plaintiff/Appellant is directed to file of record in this Court and serve on the Trial Judge a concise statement of matters complained of an appeal no later than 14 days after the entry of this order pursuant to Pa. Rule of Appellate Procedure 1925(b).

BY THE COURT:
Anthony J. Vardaro, J.

Aug. 25, 1994 copies dist by Court.

✓Aug. 30,1994 Notice of Superior Court Docketing, Docket #01455PGH94, filed.

✓Aug. 31, 1994 Matters Complained of on Appeal, filed.

Jun. 16, 1995 Certificate of Contents of Remanded Rekcord and Notice of Remand under Pennsylvania Rules of Appellate Procedure 2571 and 2572, filed.

Jun. 16, 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.

BY THE COURT:
Eleanor R. Volecki, Deputy Prothonotary

DATED: December 16, 1994

July 5, 1995, Petition for costs of suit and attorneys fees and Order filed. ORDER: A Hearing on Defendants' Petition for Costs of Suit and attorneys' Fees is set for Aug. 16, 1995, at 1:30 p.m. C. R. No. 2

By: Ann A. Walker, Ct. Adm.

Date June 30, 1995
7/5/95 faxed to Thompson, mailed Andrers

July 10, 1995, Petition Opposing Attorney's Fees filed.

July 10, 1995, Proof of Service of above Petition and notice of Motion Court filed.

Jul 28, 1995 Petition To Recover Rent in Arrears, filed.

Jul 28, 1995 ORDER filed. AND NOW, July 26, 1995, the Court sua sponte denies the Plaintiff's petition to recover rent in arrears.

The action at this number and termoriginally began with a complaint filed by the Plaintiff based on a document dated Jan. 17, 1993 which the Plaintiff purported to be a rental agreement and in that complaitn the Plaintiff demanded possession of the premises and rent owing.

Cont. on Pg. 468

380

1994

380.

Gerald Sullivan

RAYMOND J. EDWARDS

vs.

KRISSY A. UNDERIENER

Filed April 21, 1994
@ 1:30 PM

Indigent Filing

John Fuller, Mediator 250.00

CUSTODY COMPLAINT

You, , have been sued in Court to obtain custody of . You are ORDERED to appear in person at such time and place as will be determined by the Mediator John Fuller for a mediation conference.

If you fail to appear as provided by this Order, an Order for custody, partial custody or visitation may be entered against you or the Court may issue a warrant for your arrest.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE, IF YOU 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: 4/15/94 Anthony J. Vardaro, J

Apr. 21, 1994 Petition To Proceed In Forma Pauperis Pursuant To Pa. R.C.P. 240 and Order filed. AND NOW, April 15, 1994, upon consideration of the petition filed by the Plaintiff in this action, and supported by an affidavit attached thereto, all being pursuant to Pa. R.C.P. 240, the Plaintiff is granted leave to proceed in forma pauperis at this time.

The Plaintiff is directed to inform the Prothontoary's office or the Court of any improvement in his/her financial circumstance that would permit him/her to pay the costs incurred in this action and shall be responsible for doing so upon an improvement of financial condition,.

BY THE COURT,
Anthony J. Vardaro, J

Apr. 25, 1994 Copies of order to Pltf. and Fuller

July 29, 1994 ORDER filed. AND NOW, June 27,1994 after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Raymond J. Edwards, Jacqueline A. Edwards, Rodney J. Edwards and Ryan J. Edwards 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 slchool 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 Raymond J. Edwards, Jacqueline A. Edwards, Rodney J. Edwards and Ryan J. Edwards shall be with their mother, subject to the following conditions:

A. The father shall be entitled to visit with the children every other Sunday from 1:00 o'clock p.m. to 3:00 o'clock p.m. beginning July 17, 1994.

The visits shall take place at the Prison in Albion, Pennsylvania, where father will be incarcerated. The hours of the visits may be varied by agareemetn of the parties to conform with Prison regulations.

B. Transportation of the children on visits shall be provided by the father's sister, Candy Tatters.

C. 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.

D. 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.

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 will be paid by Crawford County.

Anthony J. Vardaro, J.

July 12, 1994 Faxed to Sullivan and sent to Plf. & Dft.

Nov. 9, 1994 ORDER filed. AND NOW, November 9,1994,we have before us a letter from John Fuller, Esquire, Custody Mediator,dated November 3, 1994 with a letter enclosed which was apparently received by Mr.Fuller from the Plaintiff and we also have before us a letter of November 4, 1994 from Mr.Fuller with a 2½ page letter also apparently received from the Plaintiff.

We will direct that those documents allbe attached to this order and made part of the record at this number and term.

Essentially, from reviewing the Plaintiff's letters, it appears apparently everything has been going okay with respect to his visitationwhile the Plaintiff has been incarcerated until the Defendant was incarcerated. The Plaintiff now apparently is not receiving the visitation he was before and Crawford County Children and Youth Services may also now be involved.

He now requests a hearing before thisCourt but, as the June 27, 1994 order entered in this matter indicated, such a hearing would have to have been requested within 10 days of that date and obviously it was not. At this point, reviewing the Plaintiff's letters it appears that he is either aksing for a modificationof the previous custody order and/or he is asking for the Defendant to be held in contempt. Additionaly, he maybe asking for a review hearing with regards to a juvenile matter if there is fact a juvenile case pending.

None of these requests are properly before the Court and accordingly, the Plaintiff's request for a hearing at this time is denied without prejudice to him to properly bring one or more of the matters he is concerned about before the Court at this number and term and/or with respect to anyjuvenile case that maybe pending.

BY THE COURT:
Anthony J.Vardaro, J.

11-10-94 Faxed to Attys.Fuller,Sullivan, mailed Pltf.

1994

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

381.

IN RE: NAME CHANGE OF
JOSHUA ALLEN WOFFORD and
JUSTIN ANTHONY WOFFORD

Filed April 21, 1994
@ 3:00 PM

Tax & entry paid 50.50
User's Fee paid 5.00

PETITION FOR CHANGE OF NAME
1 copy atty.

Order:

AND NOW, this 21 day of April, 1994, upon presentation of the attached Petition for Change of Name, hearing on said Petition is set forth 7th day of June, 1994, at 1:30 o'clock p.m. in Courtroom No. 1 or 2 in the Crwaford County Courthouse, Meadville Pennsylvania.

Notice of filing of the within Petition andof the aforesaid date for hearing shall be published in the Meadville Tribune, and the Crawford County Legal Journal 1 times.

BY THE COURT,
Anthony J. Vardaro, J

Apr. 27, 1994 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 Petition for Name Change and Order setting a hearing date, certified by the Prothonotary of Crawford County, Pennsylvania on the natural father, Troy Wofford, by certified mail, addressee only, return receipt requested, dated April 22, 1994. Troy Wofford acknowledged service on April 25, 1994 by accepting delivery on that date as evidenced by the attached signed return receipt. James R. Irwin

June 9, 1994 Order filed. AND NOW, this 7 day of June, 1994, upon the Petition of Deborah Kelso and hearing thereon 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 Petitioner or Joshua Allen Wooford and Justin Anthony Wofford, it is hereby ordered and decreed that the name of Joshua Allen Wofford and Justin Anthony Wofford be, and hereby is changed to Joshua Allen Kelso and Justin Anthony Kelso.

BY THE COURT,
Gordon R. Miller, J

382.

TAMI-SUE WOOLEY

vs/

RICHARD EARL MURPHY

filed April 21, 1994
@ 3:14 PM

Indigent Filing

Sheriff's costs $25.00

~~John Fuller, Mediator~~
William Pineo, Mediator

CUSTODY COMPLAINT

You, Richard Murphy, have been sued in Court to obtain custody of Michael & Joseph Murphy.

You are ORDERED to appear in person at such time and place as will be determined by the Mediator John Fuller for a mediation conference.

If you fail to appear as provided by this Order, an Order for custody, partial custody or visitation may be entered against you or the Court may issue a warrant for you arrest.

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

court Administrator
courthouse
Meadville, PA 16335
(814) 336-1151, ext. 298

Date: 4/20/94 Anthony J. Vardaro, J

AND NOW, this 21 day of April, 1994, the Court having appointed a custody mediator in this actionfor custody, and/or partial csutody and/or visitation of a minor child or children it is ordered and directed as follows:

1. The plaintiff is allowed to proceed without payment of court costs reserving to the Court the right to impose costs at a later time.

2. The Prothonotary is ordered and directed to deliver a true and correct copy of this Order and any complaint or petition filed at the time this Order was entered and any required notice, with appropriate numbers of copies, to the Sheriff of Crawford County for service upon the defendant.

3. The plaintiff is ordered and directed to immediately go to the Sheriff's Office to give the Sheriff written instructions on when and where the defendant may be served.

4. The Sheriff of Crwaford County is ordered and directed to serve a true and correct copy of the complanit or petition and order uponthe defendant and make an appropriate return of service as required by the law. The Sheriff shall indicate the cost of service which said cost shall be paid by Crwaford County and which said cost may be taxed as record costs and miposed as costs by the Court.

BY ORDER OF COURT,
Anthony J. Vardaro, J

Apr. 21, 1994 Petition To Proceed In Forma Pauperis Pursuant To Pa. R.C.P. 240 and Order filed. AND NOW, April 19, 1994, upon consideration of the petition filed by the Plaintiff in this action, and supported by an affidavit attached thereto, all being pursuant to Pa. R.C.P. 240, the Plaintiff is granted leave to proceed in forma pauperis at this stime.

The Plaintiff is directed to inform the Prothonotary's Office or the Court of any improvement in his/her financial circumstance that would permit him/her to pay the costs incurred in this action and shall be responsible for doing so upon an improvement of financial condition.

BY THE COURT:
Anthony J. Vardaro, U

Apr. 26, 1994 Copies to Pltf. Sheriff's Office and Atty. Fuller

April 28, 1994 Sheriff's Return filed. SERVED Richard Earl Murphy personally on April 27, 1994 at 2:30 PM by handing a copy of the Custody Notice and Order to Appear to him at RD # 8, Meadville, Crawford Co., PA.
So answers,

Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

Apr. 29, 1994 Motion to Vacate filed. ORDER filed. AND NOW, April 29, 1994, after consideration of the within Motion to Vacate, IT IS HEREBY ORDERED AND DECREED AS FOLLOWS, TO- WIT: John Fuller, Esquire is hereby granted leave to withdraw as custody mediator of record for the Wooley vs. Murphy custody case and William Pineo is hereby appointed as mediator in his place.

Anthony J. Vardaro, Judge

4-29-94 Faxed to Fuller & Pineo

May 2, 1994 ORDER filed. AND NOW, April 29, 1994 the parties appeared in open court and the Defendant had counsel. The Paintiff did not. The parties agreed to settle this matter on the following basis: The Defendant is willing to have an order entered against him in order to give the Plaintiff the security she wants, but he does not admit that he engaged in the conduct set forth in the complaint. Accordingly, it is ORDERED as follows:

1. The Defendant will not assault, abuse, harass, or threaten the Plaintiff or the children.
2. The Defendant shall not go to the Plaintiff's residence unless she specifically invites him there. The Defendant may contact the Plaintiff at reasonable times by mail or telephone but he shall not use abusive, harassing, or threatening language when he talks to her.
3. Until a custody order is entered in an appropriate custody proceeding, primary physical custody of the children shall be with the Plaintiff but the Defendant shall have such visitation rights as the parties agree on. If the parties do not agree on any additional visitationsrights, the minimum visitation rights which the Defendant shall have are as follows. He shall have the right to take his children into his custody between 5:00 o'clock p.m. and 8:30 o'clock p.m. every Wednesday. He shall have the right to take his children into his custody every other weekend between the houses of 10:00 o'clock a.m. onSaturday and 8:00 o'clock pa.m. on the next day, Sunday, the first weekend visitation shall take place on Saturday, April 30, 1994 and then the weekend visitations shall occur every weekend thereafter.

The party receiving the children shall be responsible for providing transportation. When the defendant is to pick up the children, he shall not come to the Plaintiff's home unless she expressly permits him to do so. Instead, the children shall be picked up by a responsible adult at the Plaintiff's home. At the moment, that shall be Alice Thomas. During any exchanges of custody, the parties shall be civil toward one another and shall not become physical or abusive. They shall not argue or bicker in the presence of the children because the children should not experience unpleasant conduct or become unhappy during the transfers.

Continued to Page 382 A

interim
See M.O.
1994-390

1994

Tami-Sue Wooley
vs
Richard Earl Murphy

Continued from Page 382
of record
AD 1993 - 382

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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 and to the Pennsylvania State Police, Meadville Barracks.

6. This order shall remain in full force and effect for one year from this date; that is, until April 28, 1995, unless terminated or modified by further court order.

7. The Defendant shall pay record court costs in the amount of $89.50 no later than May 31, 1994. If he fails to make payment to the Prothonotary's office on the first floor of the courthouse, he may be held in contempt of 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 and a jail sentence of up to 6 months.

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

5-2-94 Faxed to Pa.S.P.D., & Hall, given Co.Control

Aug. 19, 1994 TEMPORARY ORDER filed. AND NOW, this 18thday of August, 1994, after Mediation in the above referenced matter and upon the recommendations of the Child Custody mediator,

IT IS HEREBY ORDERED AND DECREED THAT:

1. The parties shall share legal and physidal custody of the subject minor children, Michael R. Wooley and Joseph W. Murphy.

2. The parties shall share with each other any and all information which each may have regarding teh 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 a. The mother shall have primary physical custody of the subject minor children.

b. The father shall have temporary custody and visitation with both children on alternte week-ends from Friday at 6:00 P.M. through Sunday at 6:00 P.M. The father shall also have primary physical custody and visitation with the children during the summer vacation from school each week from Tuesday at 8:00 P.M. to Wednesday at 8:30 P.M. During the school year, the father shall have visitation and temporary physical custody of those of his children who are attending school from Wednesday at 4:00 P.M. through Wednesday at 8:30 P.M. and with those who are not attending school from Tuesday at 8:00 P.M. through Wednesday at 8:30 P.M.

c. The father shall also have visitation temporary physical custody for a total of four weeks during the summer vacation from school. The father may select periods of no longer than two weeks each and each of the periods must be separated by at least two weeks. The father shall notify the mother by Memorial Day of the summer periods he wishes to select. The parties shall work out any conflicts which may develop at the time the father makes his selection.

d. The parties shall also make reasonable arrangements so that the children may attend family gatherings and picnics, etc.

4. Holiday visitation shall be arranged as follows:

a. Christmas: There shall be two Christmas holiday periods. The first beginning on Christmas Eve at 6:00 P.M. and ending Christmas Day at noon and the second beginning at Christmas Day at noon and ending Christmas Day at 6:00 P.M. For Christmas, 1994, the mother shall have the first period and the father, the second, and the parties shall thereafter alternate.

b. Thanksgiving: There shall be two Thanksgiving holiday visitation periods. The first beginning at 5:00 P.M. the Wednesday preceding Thanksgiving and ending at 2:00 P.M. Thanksgiving Day, and the second beginning Thanksgiving Day at 2:00 P.M. and ending the Friday after Thanksgiving at 5:00 P.M. For Thanksgiving, 1994, the father shall have the first period, and the mother, the second, and the parties shall thereafter alternate.

c. Easter: There shall be two Easter visitation periods, the first beginning on Holy Saturday at 5:00 P.M. and ending Easter Sunday at 2:00 P.M., and teh second beginning on Easter Sunday at 2:00 P.M. and ending on Easter Sunday at 6:00 P.M. For Easter, 1995, the mother shall have the first period, and the father, the second, and the parties shall thereafter alternate.

d. The other holidays to be observed are Memorial Day, Independence Day, and Labor Day. Holiday visitation shall be between the hours of 9:00 a.m. and 8:00 p.m., except for Independence Day, when the holiday visitation shall be extended to 11:00 p.m. so that the children may watch the fireworks. The father shall have visitation and temporary physical custody for Labor Day, 1994, and the parties shall thereafter alternate the holiday periods.

e. The children shall spend Father's Day with the father from 9:00 a.m. to 7:00 p.m., and Mother's Day with their mother during the same hours.

f. The provisions of this paragraph shall take precedence over the other provisions of this order relating to the custodial or visitation periods.

5. The 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. Shoudl 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 responsibility for transportation with the party receiving the children in the exercise of his or her rights arranging to pick up the children at the home of the other. Any person transporting the children shall make sure that the seat belts or other restraitns are used in accordance with the laws of PA. The Mediator notes that the father does not have a driver's license. If, because of this, or any other reason, there develops difficulty with transportation, the parties are directed to negotiate the matter so the visitation may be exercised.

8. 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.

9. neither party shall use illegal drugs or be under the influence of alcohol at any time when said party has the care and custody of the subject minor children. The parties are cautioned that medical research has indicated that tobacco smoke is injurious to the health of growing children. Therefore, neither party shall smoke tobacco or permit others to do so in the same room as the children, in a closed automobile in which the children are being transported, or in the bedroom of the children.

10. Neither party shall do or say anything to blacken the character of the other in the children's estimation. Each party shall treat the other in a polite and respectful manner when in the children's presence and each party shall instruct his or her relatives and friends to do likewise and also not to disparage the other party in the children's estimation.

11. Costs and fees of this Mediation, which are fixed at $152.00, are assessed to Crawford Co., the Mediator having noted for the court that the mother is proceeding in forma pauperis and neither party is employed.

13. 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.

Aug. 25, 1994 Order FAXED Atty. Pineo; copy mailed to Plf. and Dft.

1994

Bruce L. Getsinger

383.

IN RE: CHANGE OF NAME OF KEVIN SCOTT GILSON, a minor, to KEVIN SCOTT JACKSON

Filed April 21, 1994
@ 3:14 PM

Tax & entry paid	50.50
User's Fee paid	5.00

PETITION FOR CHANGE OF NAME

Order:

AND NOW, this 21 day of April, 1994, upon consideration of the foregoing Petition for Change of Name, it is hereby ordered and decreed that a hearing shall be held on the 7th day of June, 1994, at 1:30 p.m. in Courtroom No. 1 or 2 of the Crawford County Courthouse, Meadville, Pennsylvania, and that Notice of the Filing of the foregoing Petition and of the date of hearing shall be published in the Meadville Tribune, Meadville, Pennsylvania, and in the Titusville Herald, Titusville, Pennsylvania, one time.

BY THE COURT,
Anthony J. Vardaro, J

1 copy atty.

June 7, 1994 AFFIDAVIT OF SERVICE, filed. I hereby certify that a true and correct copy of the Petition for Change of Name, Order for Publication and Notice of Hearing in the above-captioned matter were served upon Russell S. Gilson by certified U.S. mail, return receipt requested, on April 28, 1994, as evidenced by the retaurn receipt attached hereto as Echibit A. Bruce L. Getsinger

384

1994

Brian J. Lindsay

Mason & Mason
Joan D. Mason

384.

RENEE C. BROXMEYER

vs.

ROBERT E. BROXMEYER

Filed April 22, 1994
@ 9:25 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 4-17-97	9.00
Pro Co pd 4/30/97	5.00

COMPLAINT IN DIVORCE, ALIMONY, ALIMONY PENDENTE LITE,
COUNSEL FEES and COURT COSTS
1 copy atty.

Dec 23, 1996 Complaint reinstated.

Dec 23, 1996 Appearance of Brian J. Lindsay, Esquire on behalf of Renee C. Broxmeyer, filed.

Jan 14, 1997 Acceptance of Service: I, Robert E. Broxmeyer, hereby accept service of a true and correct copy of the Reinstated Complaint in Divorce, filed at the above docket number which was received by me on or about the 10the day of January, 1997.

Jan. 17, 1997 Motion to Withdraw Count II of The Divorce Complaint by Plaintiff and Order filed. AND NOW, this 20th day of January, 1997, upon consideration of the Motion to Withdraw Count II of the Divorce Complaint the same is hereby granted.
BY THE COURT:
Gordon R. Miller, J.
1-21-97 FAXED Lindsay

Apr 10, 1997 Affidavit of Consent of Plaintiff, filed.

Apr 14, 1997 Affidavit of Consent of Defendant, filed.

Apr 14, 1997 Waiver of Notice of Intention to Request Entry of Divorce Decree Under Section 3301 (c) of the Divorce Code, filed. (Defendant)

Apr 14, 1997 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

April 22, 1997 AND NOW, April 21, 1997, it is ordered and decreed that RENEE C. BROXMEYER, plaintiff, and ROBERT E. BROXMEYER, 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.

April 30, 1997 Notice of Election to Retake Maiden Name filed.
TO BE KNOWN AS: RENEE C. SLATER

1994

Dennis G. Kuftic

385.

Mary Ann Kirkpatrick

PATRICIA A. MONGERA

vs.

DONALD J. SMITH

Filed April 22, 1994
@ 9:38 AM

Tax & entry	Pd 5-5-94	50.50
User's Fee	Pd 5-5-94	5.00
Sheriff's Costs	Pro Co Pd 5-5-94	25.00 9.00

5-5-94 Received from Parties 25.00 Sheriff's cost
5-5-94 Pd Sheriff 25.00
Ck#8282

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT
3 copies Sheriff

And now, this 22nd day of April, 1994, upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or the minor child named in the Petition.
2. Special Conditions: Defendant shall not contact Plaintiff in any way. Defendant shall not go to Plaintiff's residence. Temporary custody of Alexandria shall be with plaintiff.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer haivng reasonable ground to believe it has been violated.
4. A copy of this Crder shall be delivered to the police deparments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a ocpy of the petition and this Order shall be made upon the Defendant by a Sheriff, constable, police officer or competent adult.
6. Tis temporary order shall remain in full force and effect until modified or terminated by further order of this Court.
7. The defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine of up to $1,000 and a jail sentence of up to six months.
8. The court reserves ruling on allocation of fees and costs.

Hearing is hereby set for April 28, 1994, at 1:00 p.m., in courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

Apr. 22, 1994 Sheriff's Return filed. SERVED Donald J. Smith personally on April 22, 1994 at 10:30 AM by handing a copy of the Protection from Abuse to him at his business, Ideal Tool, 150 Baldwin Street Extension, Meadville, Crawford County, PA.

So answers,

Shawn E. Ashbaugh,Deputy Sheriff
Scott D.Young, Deputy Sheriff
Robert M. Stevens, Sheriff

Apr. 26, 1994 Defendant's Answer to Plaintiff's Petition for Relief Under Protection from Abuse Act filed.

May 2, 1994 ORDER filed. AND NOW, April 28, 1994 both parties appeared in court with counsel and the Court heard the Plaintiff's case in chief. Before the Defendant began his case in chief, the parties at the suggestion of the court, have reached the following agreement, all without admission by either that he or she has committed abuse himself or herself, but for the purpose of settling this matter. Therefore, it is ORDERED AS FOLLOWS:

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or the minor child.
2. The Plaintiff shall not enter the residence of the Defendant, and the defendant shall not enter the residence where the Plaintiff is now living, at Thelma Mongera's home near Cambridge Springs.
3. The minor child shall reside with the Plaintiff at all times except as follows: The Defendant shall have the right to take his minor daughter into his custody from 5:00 o'clock p.m. to 9:00 o'clock p.m. every Monday, Wednesday and Friday and each weekend from Saturday at noon until Sunday at 9:00 o'clock p.m.
4. The Plaintiff shall deliver the child to the Defendant at the time the Defendant's visitation is to commence. When the visitation period has been completed, the Defendant shall return the child to the Plaintiff's sister's home; that is, Kathy Wenzel's at 9:00 o'clock pm. on the visitation day in question.

This provision withs respect to custody and visitation shall remain in full force and effect until a custody order is entered by a court of competent jurisdiction at which time tht custody order shall supersede this order. This is in keeping with the express language of the Protection from Abuse act.

5. Even though the Court is prohibiting each from assaulting, abusing, or threatening the other, the Court further directs that during any exchange of custody, there shall be no fighting, arguing or bickering, nor shall there be any unpleasantness that occurs between the parties and the present child. The transfers shall be peaceful and without any bickering or disagreement.
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 tis order shall be delivered by the Prothonotary to the Meadville City Police Department and to the Pennsylvania State Police at Meadville and to County Control.
8. This order shall remain in full force and effect for 1 year from this date; that is, until April 27, 1995, unless modified or terminated by further order of Court.
9. Both parties are reminded that this is an order of cout 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.
10. The court costs in the amount of $89.50 shall be paid equally by the parties. The Plaintiff shall pay $44.75 and the Defendant shall pay $44.75. They each shall pay their share to the Prothonotary within 7 days from this date or else face potential contempt of court proceedings.

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

May 2, 1994 Faxed to PA. SP, MCPD & Kuftic & Co. Ctrl.
May 5, 1994 copy to M.A. Kirkpatrick, Kuftic, Plf. & Dft.

386

1994

Mattleman, Greenberg, Shmerelson, Weinroth & Miller
Andrew D. Clearfield

386.

ASSOCIATES CONSUMER DISCOUNT COMPANY f/k/a SIGNAL FINANCE

vs.

RONALD E. KOFFMAN and KATHY KOFFMAN

filed April 22, 1994
@ 11:45 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	33.00
Pro.Co. pd 6/13/94	5.00

CIVIL ACTION COMPLAINT
2 copies Sheriff

May 3, 1994 SHERIFF'S RETURN, filed. SERVED Ronald E. Koffman on April 29, 1994 at 10:05 AM by handing a copy of the Complaint to Kathy Koffman, his Wife, at their residence, RD 3, Box 384, Conneaut Lake, Crawford County, PA.

SERVED Kathy Koffman personally on April 29, 1994 at 10:06 AM by handing her a copy of the Complaint at her residence, RD 3, Box 384, Conneaut Lake, Crawford County, PA.

So answers,

Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

Jun. 13, 1994 Upon Praecipe of Andrew D. Clearfield, Esquire, Attorney for Plaintiff, the above-captioned matter without prejudice, filed.

1994

Northwestern Legal Serv.
Gerald Sullivan

387.

6-17-94
Rec from deft Sheriff costs 30.00
6-20-94 Pd Sheriff 30.00
Ch #8388

DANIELLE STANONIS

vs.

TIMOTHY J. CORNELL

Filed April 22, 1994
@ 1:22 PM

Tax & entry Pd 6-17-94 50.50
User's Fee Pd 6-17-94 5.00
Sheriff's Costs 30.00
Pro Co Pd 6-17-94 9.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT
3 copies Sheriff, 1 copy Pltf.
1 copy Linesville PD; 1 copy Co Control

Order:

And now, this 22nd day of April , 19 94, upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Defendant shall not contact Plaintiff. Defendant shall move out. Sole possession of the residence is awarded to Plaintiff. Defendant shall not return to that residence.
3. This Order may be enforced without a warrant any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court Liability for payment or fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves ruling on allocation of fees and costs.

Hearing is hereby set for April 29, 1994 , at 1:00 p. m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

Apr. 25, 1994 Sheriff's Return filed. SERVED Timothy J. Cornell personally on April 22, 1994 at 2:10 PM by handing a copy of the Protection from Abuse to him at his place of employment, Arlington Bar and Restaurant, ERie Street, Linesville, Crawford County, PA.

So answers,

Shawn E. Ashbaugh, Deputy Sheriff
Dale A. Collins, Chief Deputy
Robert M.Stevens, Sheriff

May 4, 1994 ORDER filed. AND NOW, April 29, 1994, this matter is before the Court on Plaintiff's Request for Relief Under the Protection From Abuse Act.

Plaintiff's counsel appears, but plaintiff is not here because she has been hospitalized, having given birth today.

ACCORDINGLY, plaintiff's counsel moves for a continuance and the defendant is here without counsel and indicates that he inteds to represent himself and does not object to the continuance.

ACCORDINGLY, this matter is rescheduled to be heard on May 16, 1994, at 3:00 p.m. in Courtroom No. 1 or 2 at the Crawford Courthouse.

The Temporary Order entered by Judge Gordon R. Miller on April 22, 1994 shall remain in full force and effect pending this hearing.

A copy of this Order shall be sent to the appropriate police agency, as well as County Control.

BY THE COURT,
Anthony J. Vardaro, Judge

5-4-94 Copies dist.to Sullivan, Linesville PD, Co. Control & Deft.

May 17, 1994 ORDER filed. AND NOW, May 16,1994 this matter is before the Court on a petition for relief under the Protection From Abuse Act filed by the Plaintiff.

The parties appear with the Defendant not having counsel and the Plaintiff having counsel.

The Defendant has been advised of his right to counsel and indicates that he will proceed without counsel and the parties have reached an agreement without admission of the allegations contained in the petition on the part of the Defendant.

Accordingly, it is ORDERED as follows:

1. The Defendant shall not abuse, or threaten to abuse the Plaintiff at any time or any place.
2. Pending further order of Court in this proceeding or any other proceeding that may be appropriate, the Plaintiff is awarded temporary custody of the minor child of the parties with visistation to be afforded to the Defendant as agreed upon by the parties.
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 shalll be delivered to the Linesville Police Department and the Pennsylvania State Police and to County Control.
5. Additionally, the Prothonotary is DIRECTED ro send a copy of this order to the Defendant at P.O. Box 609, Linesville, PA by regular mail insofar as he is not represented.
6. 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 6 months.
7. The Defendant shall pay costs in the amount of $94.50 to the Prothonotary of Crawford County on the first floor of the Crawford County Courthouse in full within 30 days of the date of this order.
8. This order shall remain in full force and effect through May 15, 1995.

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

May 17, 1994 faxed to PSPD, mailed to Linesville PD, given to Co. Control & Sullivan & mailed to Df

1994

388.

MARILYN J. LITWILER

vs.

PAUL RODGER LITWILER

Filed April 22, 1994
@ 2:21 PM

6-3-94 Rec from dft Sheriff's efft's $5.00
6-3-94 Pd Sheriff Ck#8344 25.00

Tax & entry	Pd 6-3-94	50.50 ✓
User's Fee	Pd 6-3-94	5.00
Sheriff's Costs		25.00
	Pro Se Pd 6-3-94	9.00 ✓

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT
3 copies Sheriff
1 copy Plaintiff
1 copy MCPD; 1 copy Co Control

ORDER:

And now, this 22 day of April , 1994 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

1. The defendant shall not assault, abuse, harass or threaten the Plaintiff ~~or any of the minor children~~ named in the Petition.
2. Special Conditions: The Plaintiff shall have exclusive possession of marital home pending further order of court.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment or fees and costs will be determined by final court order.
7. The defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves Ruling on allocation of fees and costs.

Hearing is hereby set for the May 2, 1994 , at 11:30 a.m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

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

Apr. 25, 1994 Sheriff's Return filed. SERVED Paul Rodger Litwiler personally on April 22, 1994 at 3:00 PM by handing a copy of the Protectoin from Abuse to him at R.D.#9, Box 570,Kennedy Hill Road, Meadville, Crawford County, PA. Given until 6:00 PM that day tobe out of the house.
So answers,
Shawn E. Ashbaugh, Deputy Sheriff
Dale A. Collins, Chief Deputy
Robert M.Stevens,Sheriff

May 4, 1994 ORDER filed. AND NOW, May 2, 1994, at the time fixed for hearing in this matter, both parties appeared with counsel and agreed to a settlement. In agreeing to a settlement, the defendant does not admit that he engaged in the conduct alleged in the Complaint,but he does agree that a PFA Order may be entered.

ACCORDINGLY, it is ORDERED as follows:

1. The defendant shall not assault, abuse, harass or threaten the plaintiff.
2. The plaintiff shall have exclusive possession of the marital residence. The defendant shall not go to the marital residence for any purpose, except that he may go to that residence on Thursday, May 5, 1994 and Friday, May 6, 1994, between the hours of 10 o'clock a.m. and 4 o'clock p.m. for the purpose of picking up his personal belongings. The plaintiff shall keep the defendant's personal belongings in good order and shall not lose or damage any of those belongings. Hopefully, the parties will agree to what belongings the defendant is entitled to so that there will not be any dispute. If there is a dispute, then the defendant shall leave items disputed at that home and not take them with him, and those items shall be kept in safekeeping by the plaintiff in the event that the defendant desires to bring a replevin action to obtain those itmes or is awarded said items in equitable distribution during the divorce. Items which the defendant does not pick up for this reason shall be kept by the plaintiff until, at least, there is a final decree in divorce entered. She may dispose of the items after that if they truly belong to the defendant and he has not picked them up.
3. The defendant may contact the plaintiff by telephone between 8 o'clock a.m. and 8 o'clock p.m., provided he is civil, not threatening or harassing. He may also contact her by mail in a non-harassing, non-threatening and non-abusive manner. The parties appear to be married, and therefore, they may have to work out their differences either by mail or through attorneys or other persons.
4. The plaintiff has possession of a .22 rifle with scope, which she shall deliver to the Sheriff within 7 days from this date. The Sheriff shall keep said rifle as the property of the defendant. It shall be returned to the defendant only upon further Order of Court. In the event that this Abuse Order terminates by the passage of time, the defendant must file a motion with the Court for an Order asking that the rifle be returned. When said motion is filed, notice of the filing shall be given to the plaintiff in keeping with local motions practice rules.
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 shallbe delivered to the Sheriff, to County Control and to the Meadville State Police Barracks.
7. This Order shall remain in full force and effect for one (1) year from this date; that is, until May 1, 1995,unless modified or terminated by further Order of Court.
8. The defendant shall pay record costs in the amount of $89.50 within 30 days from this date. He shall pay that to the Prothonotary on the First Floor of the Courthouse. If he fails to pay, he may face contempt of court proceedings and further punishment.

Continued to Page 388 A

1994

MARILYN J. LITWILER
vs
PAUL RODGER LITWILER

Continued from Page 388
of Record

AD 1994 - 388

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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 6 months.

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

5-4-94 Copies (Faxed) to PSPD, given to Barrett, Brode & Co. Control 5-10-94 Copy Mailed to Deft.

Oct. 19, 1995, Motion for the Release of Confiscated Property filed.

Oct. 19, 1995, ORDER OF COURT filed. AND NOW, this 17 day of October, 1995, upon Motion of the Respondent and in consideration of the Petitioner's consent to the grant of that Motion, it is hereby ORDERED and DIRECTED as follows: 1. The Crawford County Sheriff's office shall return to the possession of the Respondent that certain .22 caliber rifle seized by the Sheriff's office pursuant to this Court's May 2, 1994 Protective Order. BY THE COURT,
Anthony J. Vardaro, J.

11-8-95 Faxed Atty.Toomey,mailed copy to Deft.

1994

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

389.

Frederick W. Thieman
Assistant U.S. Atty.

PNC BANK, N.A., f/k/a
MARINE BANK

vs.

MICHAEL S. BEM and THE
UNITED STATES OF AMERICA,
DISTRICT DIRECTOR OF THE
INTERNAL REVENUE SERVICE

Filed April 22, 1994
@ 2:32 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Pro.Co. pd 7/25/94	9.00
Sheriff's Costs	118.00

COMPLAINT IN MORTGAGE FORECLOSURE
2 copies atty.

June 9,1994 Answer of Defendant United States of America filed.

Jul. 20, 1994 Consent Judgment filed. AND NOW, to wit, this 14 day of July, 1994, it appearing that counsel for plaintiff and counsel for defendant,United States of America, have consented to the entry of the within Order on behalf of their respective clients, it is hereby ORDERED, ADJUDGMENT and DECREED that a judgment be entered in favor of the plaintiff and against the United States of America for foreclosure of the morgage of plaintiff in the within cause and for sale of the morgaged property of defendant (s) Michael S. Bem.

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

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

BY THE COURT:
Gordon R. Miller, J.

7-20-94 Faxed copy to Attys. Spadafore & Colville

And Now, Jul. 25, 1994 at 1:22 P.M. upon praecipe of Emil M. Spadafore, Jr., Esquire, Attorney for Plaintiff, judgment is hereby entered in favor of the plaintiff, PNC Bank, N.A., and against the Defendants, Michael S. Bem as a result of his failure to file an Answer to the Complaint filed in the above-captioned action and the same is liquidated at the sum of Nine Thousand Seven hundred Ninety-Nine and 44/100 Dollars, together with interest at a rate of 9% on and after April 11, 1994 and costs.

Debt	$9,799.44
Interest at 9% from April 11, 1994	
Judgment	

Barbara H. King
Prothonotary

B-112

Entered on 7-25-94
Atty. Spadafore, Jr.

Execution 1994 - 43

July 26, 1994 Affidavit of Service filed. SERVED the wtihin Complaint on May 23, 1994, at 1220 Hrs., upon Michael S. Bem at 140 West 6th Street, Erie County Sheriff's Department, Erie County, Erie, Pennsylvania by handing to Michel S. Bem a true and correct copy thereof and made known to him the contents therein.

So answers,

Robert M. Michel Sheriff
Doris Dylewski, Chief Deputy Sheriff

I hereby deputize the Sheriff of Erie, County, Pennsylvania to serve the within Complaint, Mtg. Foreclosure according to law.

Robert M. Stevens, Sheriff

390.

Stephen E.Hall

6-2-94 Rec Sheriff's Cost from deft 25.00
6-2-94 Pd Sheriff Ck 8340 25.00

TAMI SUE WOOLEY

vs.

RICHARD EARL MURPHY

Filed April 22, 1994
@ 4:07 PM

Tax & entry Pd 6-2-94 50.50 ✓
User's Fee Pd 6-2-94 5.00
Sheriff's Costs 25.00
Pro Co Pd 6-2-94 ✓

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT
3 Copies Sheriff
1 copy Plaintiff
1 copy PSP; 1 copy Co. Control

ORDER:

And now, this 22nd day of April , 19 94 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

1. The defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Defendant shall not contact Plaintiff in any way. He shall not be within 100 yards of Plaintoff's home. Custody of children is 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 the April 29, 1994 , at 9:15 a.m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

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

Apr. 25, 1994 Sheriff's Return filed. SERVED Richard Earl Murphy on April 25, 1994 at 10:15 AM by handing a copy of the Protection from Abuse to Alice Thomas, Adult in Charge at residence, R.D.#8, Meadville, Crawford County, PA. Alice Thomas notified this office on April25, 1994, that she served Richard Earl Murphy his copy at 10:35 AM on that same date.

So answers,

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

May 2, 1994 ORDER filed. AND NOW, April 29, 1994 the parties appeared in open court and the Defendant had counsel. The Plaintiff did not. The parties agreed to settle this matter on the following basis: The Defendant is willing to have an order entered against him in order to give the Plaintiff the security she wants, but he does not admit that he engaged in the conduct set forth in the complaint. Accordingly, it is ORDERED as follows:

1. The Defendnt will not assault,abuse, harass, or threaten the Plaintiff or the children.
2. The Defendnt shall not go to thePlaintiff's residence unless she specifically invites him there. The Defendant may contact the plaintiff at reasonable times by mail or telephone but he shall not use abusive, harassing, or threatening language when he talks to her.
3. Until a custody order is entered in an appropriate custody proceeding, primary physical custody of t he children shall be with the Plaintiff but the Defendant shall have such visitation rights as the parties agree on. If the parties do not agree on any additional visitations rights, the minimum visitation rights which the Defendant shall have are as follows. He shall have the right to take his children into his custody between 5:00 o'clock p.m. and 8:30 o'clock p.m. every Wednesday. He shall have the right to take his children into his custody every other weekend between the hours of 10:00 o'clock a.m. on Saturday and 8:00 o'clock pa.m. on the next day, Sunday, the first weekend visitation shall take place on Saturday, April 30, 1994 and then the weekend visitations shall occur every weekend thereafter.

The party receiving the children shall be responsible for providing transportation. When the Defendant is to pick up the children, he shall not come to the Plaintiff's home unless she expressly permits him to do so. Instead, the children shall be picked up by a responsible adult at the Plaintiff's home. At the moment, that shallbe Alice Thomas. During any exchanges of custody, t he parties shall be civil toward one another and shall not become physical or abusive. They shall not argue or bicker in the presence of the children because the children should not experience unpleasant conduct or become unhappy during the transf ers.

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 and to the Pennsylvania State Police, Meadville Barracks.
6. This order shall remain in full force and effect for one year from this date; that is, until April 28, 1995, unless terminated or modified by further court order.
7. The Defendant shallpay record court costs in the amount of$89.50 no later than May 31, 1994. If he fails to make payment to the Prothonotary's office on the first floor of the courthouse, he may be held in contempt of court.
8. The Def endant 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.

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

5-2-94 Faxed Pa.SPD & Hall, given to Co. Control. 5-4-94 Copy mailed to Pltf. & Deft.

1994

391.

ANNUAL FINANCIAL REPORT OF
THE COUNTY OF CRAWFORD FOR

1993

Filed April 25, 1994
@ 8:41 AM

ANNUAL FINANCIAL REPORT OF THE COUNTY OF CRAWFORD
OF THE AUDITORS OF CRAWFORD COUNTY FOR THE YEAR ENDING
DECEMBER 31, 1993

1994

392.

Barbara J. Walton

COMMONWEALTH OF PA

vs.

BEVERLY F. MYERS

Filed April 25, 1994
@ 9:04 AM

Tax & entry paid 50.50
User's Fee paid 5.00

PETITION FOR APPEAL FROM ORDER OF DEPARTMENT OF TRANSPORTATION SUSPENDING DRIVER'S LICENSE
2 copies Defendant

Order:
AND NOW, this 25th day of April, 1994, upon the foregoing Petition, IT IS ORDERED that a heairng is set to hear the Dfendant's appeal of the suspension of her operator's license on July 12, 1994 at 1:30 p.m. A copy of this Order shall be sent to the Pennsylvania Department of Transportation.

BY THE COURT,
Anthony J. Vardaro, J

Jul. 18, 1994 Motion for Continuance and ORDER OF COURT filed. AND NOW, to-wit: this 18th day of July, 1994, upon consideration of the foregoing Motion forContinuance, it is hereby ORDERED that the hearing on this matter is continued from Tuesday, July 12, 1994 to September 29, 1994 at 10:15 A.M. in Courtroom No. 1 or 2 of the Crawford County Courthouse.

BY THE COURT:
Gordon R. Miller, J.

7-18-94 Faxed to Kuhar & Walton

Sept. 30, 1994 ORDER filed. AND NOW, September 29, 1994 after hearing in this matter, the Court is convinced that the suspension of the Department in this matter was proper and the appeal is DISMISSED.

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

Oct. 3, 1994 Faxed Walton, mailed Kuhar

Nov. 4, 1994 Exhibits filed.

1994

Mary Ann Kirkpatrick

393.

CRAIG ALLEN SEGER

vs.

NANCY HELEN ORR

Filed April 25, 1994
@

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count paid	15.00
State paid	10.00
Pro.Co. pd 9/12/94	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
1 copy atty.

May 6, 1994 Affidavit of Service filed. And Now, May 5th, 1994, 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 Craig Allen Seger,Plaintiff in the above-captioned matter.
2. That on information furnished her by the Plaintiff, she caused a certified copy of theComplaint in Divorce to be forwarded by Certified Mail, P 100657 045; postmarked April 27, 1994, to the last known address of the Defendant, Nancy Helen Orr, R.D.#4, Greensburg, PA 15601.
3. That the Defendant Nancy Helen Orr, on April 29, 1994, 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.

May 5, 1994 Constance L.Deitman

Aug. 30, 1994 Affidavit of Consent by Craig Allen Seger, Plaintiff, filed.

Aug. 30, 1994 Affidavit of Consent by Nancy Helen Orr, Defendant, filed.

Sep. 12, 1994 Upon Praecipe of Mary Ann Kirkpatrick, Esquire,Attorney for Plaintiff to transmit record, case moved to Court.

DIVORCE DECREE FILED

Sept. 19, 1994 And, Now, Sept. 16, 1994, it is ordered and decreed that CRAIG ALLEN SEGER, plaintiff and NANCY HELEN ORR, 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' attached 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.

1994

Northwestern Legal Serv.
R. Christopher Brode

394.

5-5-94 Rec from deft Sheriff's Costs 20.00
5-5-94 Pd Sheriff ck #8284 20.00

PENNY KIGHTLINGER

vs.

JERRY T. KIGHTLINGER

Filed April 25, 1994
@ 9:51 AM

Tax & entry	Pd. 5-5-94	50.50
User's Fee	Pd. 5-5-94	5.00
Sheriff's Costs	Pd.	20.00
Pro. Co.	Pd. 5-5-94	9.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT
3 copies Sheriff
1 copy Plaintiff
1 Co. Control; 1 PSP

ORDER:

And now, this 25 day of April , 19 94 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

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

2. Special Conditions: Defendant shall move out. Sole possession of the residence is granted to Plaintiff. Defendant shall not go to Plaintiff's residence. Tempoary custody of the 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 or fees and costs will be determined by final court order.

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

8. The court reserves Ruling on allocation of fees and costs. Hearing is hereby set for the May 5, 1994 , at 1:00 p.m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

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

Apr. 25, 1994 Sheriff's Return filed. SERVED Jerry T. Kightlinger, Jr. personally on April 25, 1994 at 10:35 AM by handing a copy of the Protection from Abuse to him in the Sheriff's Office Third Floor, Crawford County Courthouse, Meadville, PA. Given until noon on that date to be out so answers,

Carole Stefanucci, Deputy Sheriff
Robert M. Stevens, Sheriff

May 6, 1994 ORDER filed. AND NOW, May 5, 1994, at the time fixed for hearing the Plaintiff appeared with counsel, the Defendant appeared without counsel. As required the Court advised the Defendant as to the nature of these proceedings and he understood it. The parties agreed to settle this case. In that settlement the Defendant admitted that he engaged in the conduct set forth in the Complaint. Based upon the agreement of t he parties, it is ORDERED as follows:

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

2. Sole possession of the marital property shall belong to the Plaintiff. The Defendant shall not go to that residencenor shall he be within one hundred (100) yards of that residence except as herein after provided.

3. The Defendant shall have no telephone or personal contact with the Plaintiff except by mail and said mail contact shall not be abusive, harassing or threatening. He may also contact her through other relatives and friends in a non-threatening manner.

3, Temporary physical custody of the parties' minor child shall be with the Plaintiff. The Defendant shall have visitations with said child every Saturday commencing with Saturday, May 7, 1994 between the hours of 2:30 o'clock p.m. and 4:30 o'clock p.m. Those visitations shall take place at the Defendant's mother's home and the child shall not be removed from said home.

This provision with respect to custody and visitation is subject to change in a custody action. This Order regarding custody and visitation shall remain in full force and effect until it is changed by another Court Or der in an appropriate custody action or in this action.

5. The Plaintiff may operate the 1982 Ford Mustang. Neither party shall sell, damage or dispose of said vehicle without the written consent of the owner.

6. The Defendant does have personal property at the Plaintiff's residence. He shall pick that property up on Saturday, May 7, 1994 at a time to be agreed upon between the parties. The Defendant may make several trips to pick up his belongings since there appears to be a considerable amount of belongings. If there is any dispute about what the Defendant is entitled to, those disputed items shall remain with the Plaintiff and she shall keep them in safe keeping to permit the Defendant to bring an appropriate lawsuit including a divorce for equitable distribution of marital property if he believes he wants to get those items from her.

7. The parties or one of them owns a 30.30 pistol and a .22. The Defendant shall turn over the 30.30 pistol to his mother who shall deliver it to the Plaintiff. The Defendant shall deliver the pistol to his mother by 5:00 o'clock this afternoon.

The Plaintiff shall deliver the 30.30 and the .22 to a relative or friend within fourteen (14) days from the date of this Order and said items shall be held and preserved by the relative or friend and not disposed of. The relative or friend shall not give the items back to either of the parties without the written consent of both.

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 by the Prothonotary to County Control and to the Pennsylvania State Police at Meadville.

10. This Order shall remain in full force and effect unless modified or terminated until May 4, 1995.

Continued to Page 394 A

1994

PENNY KIGHTLINGER
vs
JERRY T. KIGHTLINGER

Continued from Page 394
of Record
A.D. 1994 - 394

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In the event the parties reconcile the Defendnat shall not go the Plaintiff's residence until this Order is modified.

11.The Defendant shall pay record court costs in the amount of $84.50 this date.

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

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

5-6-94 Faxed to PSP, given to Co. Control& Brode. 5-10-94 Copy mailed to Deft.

May 20, 1994 Motion to Amend or Modify A Protection From Abuse Order and ORDER filed. AND NOW, this 20th day of May, 1994, upon receipt and review of the within motion to amend the Protection from Abuse Order of May 5, 1994, the amendment (s) and modification(s) set forth in said motion are hereby approved and made a Court Order.

A true and correct copy of this Order shall be delivered by the Prothonotary to Pa. State Police and to County Control, along with a copy of the attached Motion.

Any paragraphs of the original Order assessing costs on either party shall remain in full force and effect without change or modification.

BY ORDER OF COURT
Gordon R. Miller, J.

5-20-94 Faxed to PSPD. Mailed to Deft., given to Co. Control & Brode

May 26, 1994, Motion to Amend or Modify a Protection from Abuse Order filed.
ORDER: AND NOW, this 26 day of May 1994, upon receipt and review of the within motion to amend the Protection from Abuse Order of May 5, 1994, the aMENDMENTS AND MODIFICATIONS SET FORTH in said motion are hereby approved and made a court order.

A true and correct copy of this order shall be delivered by the Prothonotary to State Police and to County Control, Meadville.

Any paragraphs of the orig. order assessing costs on either party shall remain in full force and effect without change or modification.

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

May 26, 1994, copy to ST. Police, county control,

1994

1994

Northwestern Legal Serv.
R. Christopher Brode

395.

Prather, Prather &
Pineo Terminated
~~Elizabeth A. Prather~~

MAUREEN LEA DESKO

vs.

MICHAEL SCOTT RUMZIE

Filed April 25, 1994
@ 10:45 AM

Indigent Filing

~~William Pineo, Mediator~~ Withdrawn
John Fuller Fuller, Mediator 200.00
Pro Co 9.00
John Fuller, Mediator 150.00
Pro Co 9.00

CUSTODY COMPLAINT
1 copy Sheriff
1 copy mediator
1 copy Plaintiff

You, Michael Rumzie, have been sued in Court to obtain custody of Joshua Rumzie.

You are ORDERED to appear in person at such time and place as will be determined by the Mediator Wm. Pineo for a mediation conference.

If you fail to appear as provided by this Order, an Order for Custody, partial custody or visitation may be entered against you or the Court may issue a warrant for your arrest.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE, IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEHPONE 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: 4/22/94 Anthony J. Vardaro, J

AND NOW, this 22 day of April, 1994, the Court having appointed a custody mediatior in this action for custody, and/or partial custody and/or vistiation of a minor child or children it is ordered and directed as follows:

1. The plaintiff is allowed to proceed without payment of court costs reserving to the Court the right to impose costs at a later time.

2. The Prothonotary is ordered and directed to deliver a true and correct copy of this Order and any complaint or petition filed at the time this Order was entered and any required notice, with appropriate numbers of copies, to the Sheriff of Crawford County for service uponthe defendant.

3. The Plaintiff is ordered and directed to immediately go to the Sheriff's Office to give the Sheriff written instructions on when and where the defendant may be served.

4. The Sheriff of Crawford Coiunty is ordered and directed to serve a true and correct copy of the complaint or petition and order upon the defendant and make an appropriate return of service as required by the law. The Sheriff shall indicate the cost of service which siad cost shall be paid by Crawford County and which said cost may be taxed as record costs and imposed as costs by the Court.

BY ORDER OF COURT,
Anthony J. Vardaro, J

Apr. 25, 1994 Petition To Proceed In Forma Pauperis Pursuant To Pa. R.C.P. 240 and Order filed. AND NOW, April 20, 1994, upon consideration of the petition filed by the Plaintiff in this action, and supported by an affidavit attached thereto, all being pursuant to pa. R.C.P. 240 the Plaintiff is granted leave to proceed in forma pauperis at this time.

The Plaitniff is directed to inform the Prothonotary's office or the court of any improvement in his/her financial circumstance that would permit him/her to pay the costs incurred in this action and shall be repsonsible for doing so upon an improvement of fianancial condition.

BY THE COURT,
Anthony J. Vardaro, J

May 2, 1994 SHERIFF'S RETURN, filed. SERVED Michael S. Rumzie personally on April 27, 1994 at 2:10 PM by handing a copy of the Custody Complaint to him at his place of employment, Pheonix Wrecking, Old Avtex Building, Dunham Road, Meadville, Crawford County, Pa.
So answers, Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

May 4, 1994 Appearance of Prather, Prather & Pineo by Elizabeth A.Prather, Esquire for Michael Scott Rumzie, Defendant, filed.

May 6, 1994. Motion to Withdraw as Custody Mediator and ORDER filed. AND Now this 4th day of May, 1994, upon consideration of the foregoing motion, the same is hereby granted and the appointment of William Pineo, Esquire, as Custody Mediator is hereby withdrawn. The Court hereby appoints John Fuller to be the Mediator in the above referenced matter.

By the Court,
Gordon R. Miller, Judge

5-6-94 Faxed to Pineo, Prather & Fuller

July 5, 1994 ORDER filed. AND NOW, July 5, 1994 after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Joshua Michael Rumzie 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 Joshua Michael Rumzie shall be with his mother, subject to the following conditions:

A. The father shall be entitled to visit and take the child into his custody every week from 8:00 o'clock p.m. on Thursday to 8:00 o;clock a.m. on Sunday, beginning June 30,1994.

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 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.

C. Children and Youth Services caseworker, Sheila Doubet, is directed to furnish to the mediator and the parties a report with respect to this family as it may reflect on custody of Joshua Michael Rumzie.

CONTINUED ON PAGE 454

1994

396.

THERESA MARIE BEVILHEIMER

vs.

DAVID ARTHUR SCHAEFER

Filed April 25, 1994
@ 11:01 AM

Indigent Filing

Sheriff's costs	70.00
William Pineo Mediator	77.00
Pro Co	9.00

CUSTODY COMPLAINT
1 copy Plaintiff
1 copy Mediator
1 copy Sheriff

You, David Schaefer, have been sued in Court to obtain custody of Jessica & Katlyn.

You are ORDERED to appear in person at such time and palce as will be determined by the Mediator Wm. Pineo for a mediation conference.

If you fail to appear as provided by this Order, an Order for custody, partial custody or visitation may be entered against you or the Court may issued a warrant for your arrest.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE, IF YOU DO NOT HAVE A ALWYER 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: 4/22/94 Anthony J. Vardaro, J

AND NOW, this 22 dayof April, 1994, the Court having appointed a custody mediator in this action for custody, and/or partial custody and/or visitation of a minor child or children it is order as follows:

1. the plaintiff is allowed to proceed without payment of court costs reserving to the Court the right to impose costs at a later time.

2. The Prothonotary is ordered and directed to deliver a true and correct copy of this Order and any complaint or petition filed at the time this Order was entered and any required notice, with appropriate numbers of copies, to the Sheriff of Crawford County for service upon the defendant.

3. The plaintiff is ordered and directed to immediately go to the Sheriff's Office to give the Sheriff written instsructions on when and where the defendant may be served.

4. The Sheriff of Crawford County is ordered and directed to serve a true and correct copy of the complaint or petition and order upon the defendant andmae an appropriate return of service as required by the law. The Sheriff shall indicate the cost of service which said cost shall be paid by Crawford County and which said cost may be taxed as record costs andimposed as costs by the Court.

BY ORDER OF COURT,
Anthony J. Vardaro, J

Apr. 25, 1994 Petition To Proceed In Forma Pauperis Pursuant To Pa. R.C.P. 240 and Order filed. AND NOW, April 20, 1994, upon consideration of the petition filed by the Plaintiff in this action, and supported by an affidavit attached thereto, all being pursuant to Pa. R.C.P. 240, the plaintiff is granted leave to proceed in forma pauperis at this time.

The Plaintiff is directed to inform the Prothonotary's office or the Court of any improvement in his/her financial circumstance that would permit him/her to paythe costs incurred in this action and shall be responsible for doing so upon an improvement of financial condition.

BY THE COURT:
Anthony J. Vardaro, J

June 23, 1994 Sheriff's Return filed. Deputy Howard D. Kinney served on May 25th, 1994, at 2:22 PM, by serving David Arthur Schaeffer personally at the place of being the Butler County Sheriff's Office, 300 South Main Street, City of Butler, Butler Township, Butler County, Butler PA.

So answers, Howard D. Kinney, Deputy
Dennis C. Rickard, Sheriff

SERVED DavidArthur Schaefer, by deputizing Butler County, per his affidavit of service attached. Served May 25, 1994.

So answers, Robert M. Stevens, Sheriff

Aug 1, 1994 TEMPORARY ORDER, filed. AND NOW, this 1st day of August, 1994, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator,

IT IS HEREBY ORDERED AND DECREED THAT:

1. The parties shall share legal and physical custody of the subject minor children, Jessica Shannon Schaefer and Katlyn Marie Schaefer.

2. The parties shall share with each other any and all information which each may have regardinga 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 a. The father shall have the right of visitation and temporary physical custody on alternate week-ends beginning with the week-end of July 22, 1994 from Friday at noon until Sunday at 7:00 p.m. The father may exercise his visitation and custodial rights at any place except for the home of his sister, Barbara. The parties have indicated to the mediator that they will arrange for periods of extended visitation with the father based upon the work schedules of the parties.

3 b. The parent not having physical custody of the subject minor children shall have the right to telephone the children at reasonable times and for reasonable lengths of time and such sconversations will not be unreasonably monitored by the parent having physical custody. The parties shall keep each other informed at all times of their addresses and telephone numbers.

4. The parties have indicated to the mediator that they will be able to arrange holiday visitation. Accordingly, the parties are directed to arrange for reasonable visitation during the holidays of Christmas, Thanksgiving, Easter, and such other holidays as are important to the parties.

CONTINUED ON PAGE 396A

1994 TERM

Theresa Marie Bevilheimer
vs.
David Arthur Schaefer

CONTINUED FROM PAGE 396
of Record
A. D. 1994 - 396

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5. 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.

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 modificatiion 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 responsibility for transportation. The parties have indicated to the mediator that they will be able to work out the details of the transportation. Any person transportating the children shall make ssure that seat belts or other restraints are used in accordance with sthe laws of the Commonwealth of Pennsylvania.

8. Each party shall teach said children to give to the other party that love and respect which is due a parent from his or her children.

9. Neither party shall use illegal drugs or be under the influence of alcohol at any time when said party has the care and custody of the subject minor child. The parties are cautioned that medical research has indicated that tobacco smoke is injurious to the health of growing children. Therefore, neither party shall smoke tobacco or permit others to do so in the same room as the child, in a closed automobile in which the child is being transported, or in the bedroom of the child.

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. Either party may request a review of this order upon a substantial change of circumstances or upon the arising of a dispute which they cannot settle.

12. Costs and fees of this Mediation, which are fixed at $77.00, are assessed to Crawford County. The mediator has indicated to the Court that each of the parties is earning so little money that the imposition of costs would be a hardship.

13. The mediator notes for the Court that themother is proceeding in the form of pauperous and, therefore, no deposit was required. None of the costs of this case are to be imposed by the parties, but shall be borne by Crawford County.

14. Either party may move the Court for a hearing de novo within ten (10) days from date hereof. If neither party so moves, this Order shall be considered permanent.

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

Aug 10, 1994 Faxed to Pineo and sent to Plf. & Dft.

AS OF SEPTEMBER 12, 2000 ANY FILINGS INVOLVING THIS CASE MAY NOW BE FOUND ON THE COMPUTER

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-6-

1994 TERM

1994

Barbara J. Walton

397.

Barrett & Dratler
Sylvia Dratler

VERNON VANTASSEL

vs.

HELEN VANTASSEL

Filed April 25, 1994
@ 11:01 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 8-7-95	9.00
Pro Pd 9/1/95	5.00

COMPLAINT IN DIVORCE
1 copy atty.

May 5, 1994, Affidavit of Servcie filed. And now, MaY 4, 1994, comes Barbara J. Walton, and avers as follows:

1. A true and correct copy of the complaint for divorce was mailed to the dft. via Cert. Mail, ret. rec. on May 2, 1994.

2. That the dft. signed the ret. card on May 3, 1994, and in accordance with Pa. R.C.P. 412, service ofthe complaint was made as is evidenced by the US Postal Ser. Ret. Rec. No. Z070232940 attached hereto as Ex. "A".

Barbara J. Walton Esq.

Aug. 15, 1994 Affidavit of Consent by Vernon Van Tassel, Plaintiff, filed.

Dec. 20, 1994 Inventory of Vernon Van Tassel, filed.

Mar. 3, 1995 Petition for Special Relief and RULE TO SHOW CAUSE ORDER filed. AND NOW,this 3 day of March, 1995, upon consideration of the enclosed Petition for Special Relief it is hereby entered ordereing and directing the Respondent, Helen VanTassel, to show cause, if any she has, why said Petition for Special Relief should not be granted. The said Rule to Show Cause is returnable for hearing and/or argument on the 27thday of March, 1995, at 1:30 o'clock p.m. prevailing time, in Courtroom Number 1, 2 or 3, in the Crawford County Courthouse located at 903 Diamond Park, Meadville, Pennsylvania.

BY THE COURT:
Anthony J. Vardaro, J.

3-3-95 Faxed to Dratler & given Walton.

Mar. 24, 1995 Inventory of Defendant filed.

Mar. 28, 1995 Motion to Cancel Hearing and Order filed. AND NOW, March 27, 1995, the hearing scheduled for 27, 1995 is hereby cancelled.

By the Court
Gordon R. Miller, J

Mar. 28, 1995 Faxed Dratler given Walton

July 25, 1995 Marriage Settlement Agreement filed.

Aug. 2, 1995 Affidavit of Consent of Defendant filed.

Aug 2, 1995 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Aug. 15, 1995 AND NOW, this 11 day of August, 1995, upon presentation of the Stipulation and Consent of the parties, attached hereto, and after consideration of same, it is hereby ORDERED, DIRECTED AND DECREED that:

The bonds of marriage between Plaintiff, VERNON VAN TASSEL, and Defendant, HELEN VAN TASSEL, 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 July 21, 1995, shall be incorporated in this decree and order by reference as fully as though the same were set forth herein, at length.

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.

Aug. 30, 1995 Notice of Election to Resume Former Name filed.
TO BE KNOWN AS HELEN G. NEADS

1994

Jones, Gregg, Creehan & Gerace
Richard W. DiBella
R. Charles Thomas
Donald L. Best, Jr.

398.

Dickie, McCamey & Chilcote, PC
George Monroe Schumann
for Lighthouse Cove Owners Assoc. and Conneaut Condominium

~~Murphy, Taylor, & Trout, P.C.~~
~~Arthur J. Murphy, Jr.~~
~~for Dft. Claw, Inc.~~
withdrew

Grogan, Graffam, McGinley & Lucchino PC
Dennis A. Watson
for dfts. BRK Elect., BRK Elect. Inc., Pittway Fire Brands, Inc. THL-FA Operat. Corp, & Pittway Corp.

Wm. G.Boyle&Assoc.
Wm. G. Boyle for Dft.
Milan Liptak

Wayman,Irwin&McAuley
John C.Bogut,Jr., for
Assoc. Contractors of Conneaut Lake

Weber, Goldstein Greenbert & Gallagher
by Kathleen Canty Esq.
John E. Nedlik Esq.
for Deft Claw, Inc.

VANCE L. SEAGLE and JUDITH A. SEAGLE, Husband and wife

vs.

CONNEAUT CONDOMINIUM GROUP, INC., a Corporation; LIGHTHOUSE COVE OWNERS' ASSOCAITION, a Corporation; ASSOCIATED CONTRACTORS OF CONNEAUT LAKE, INC., a Corporation; CLAW, INC., a Corporation; MILAN MARTIN LIPTAK: BRK ELECTRONICS: BRK ELECTRONICS, INC., a Corporation; BRK BRANDS, INC. a Corporation; THL-FA OPERATING CORP., a Corporation and PITTWAY CORPORATION, a Corporation

Filed April 25, 1994
@ 11:02 AM

Issued Sheriff

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	385.00
Sheriff's Costs	40.00

JURY TRIAL DEMANDED

WRIT OF SUMMONS
Issued Sheriff

Apr. 27, 1994 Praecipe For Issuance of Amended Writ of Summons In a Civil Action, filed.

May 31, 1994, Appearance of Dickie, McCamey & Chilcote, PC by george Monroe S chumann, attorneys for defendant Lighthouse Cove Owners Association, filed.

May 31, 1994, Upon praecipe of defendant Lighthouse Cove Owners Association, Rule entered upon plaintiff to file Complaint Issued. (atty) (Jury Trial Demanded)

June 21, 1994 Motion to Extend Time For Filing Complaint and Order, filed. AND NOW, this 21 day of June, 1994, it is hereby ORDERED that the time within which the plaintiffs must file a Complaint is extended until July 28, 1994. This extension applies to the Rule to File complaint entered pursuant to the Praecipe of the defendant, Lighthouse Cove Owners' Association, and any other Rule entered by any other defendant named in this action. BY THE COURT:
Anthony J. Vardaro, J.
June 21, 1994 Faxed Thomas, Best,Schumann

July 28, 1994 Complaint, filed.

Aug. 10, 1994 Sheriff's Return filed. SERVED the within Summons on May 2, 1994, at 10:15 AM, upon Claw, Inc., a corporation at 1929 E. Washington St., New Castle, Penna. by handing to Jill Fry, Secretary, person found in charge at time being a true and correct copy thereof and made known to her the contents therein.
Harry Funk, Deputy Sheriff
I hereby deputize the Sheriff of Lawrence County, Pennsylvania to serve the wtihin Summons according to law.
Robert M. Stevens, Sheriff
SERVED the within b r k Electronics Inc. on 5-10-, 1994, at 9:40 a.m. upon B R K Electronics, Inc at 780 McClurg Rd., Aurora by handing to Debbie Rigney a true and correct copy thereof and made known the contents therein.
F. John Randall, Sheriff
I hereby deputize the Sheriff of Kane County, Illinois to serve the within Summons according to law.
Robert M. Stevens, Sheriff
SERVED the within Summon and Complaint on May 11, 1994, at 10:05 AM upon BRK Electronics, Inc. at CorporationTrust Company 1209 Orange STreet, Wilmington, DEL by handing to Ellen Kinsler, Corporate Secretary a true and correct copy thereof and made known to the contents therien
Michael P. Walsh
I hereby deputize the Sheriff of New Castle County, Delaware to serve the within Summons according to law.
Robert M. Stevens, Sheriff
SERVED the wtihin Summon and Complaint onMay 11, 1994 at 10:05 AM upon Pittway Fire Safety, Inc at Corporation Trust Company 1209 Orange Street, Wlimington, Del by handing to Ellen Kinsler, Corporate Secretary a true and correct copy thereof and made known to the contents therin.
Michael P. Walsh
I hereby deputize the Sheriff of New Castle County, Delaware to serve the wtihin Sumnons according to law.
Robert M. Stevens, Sheriff
SERVED the within Summon and Complaint on May 11, 1994, at 11:33 AM upon BRK Brands, Inc. at Corporation Service Company, 1013 Centre Road, Wilm, DE by handing to Bruce Winn Vice President a true and correct copy thereof and made known to the contents therein.
Michael P. Walsh
I hereby deputize the Sheriff of New Castle County, Delware to serve the wtihin Summons according to alw.
Robert M. Stevens,, Sheriff
SERVED the within Summon and Complaint on May 11, 1994, at 11:33 AM upon THL-FA Operation Corporation at Corporation Service Company 1013 CenterRoad, Wilminton, Delaware by handing to Bruce Winn Vice President a true and correct ocpy thereof and made known to the contents herein.
Michael P. Walsh, Sheriff
I hereby deputize the Sheriff of New Castle County, Delaware to serve the within Summons according to law.
Robert M. Stevens, Sheriff
SERVED the within Summor and Complaint on May 16, 1994, at 10:00 AM upon Pittway Corporation at Corporation Trust Company 1209 Orange Street, Wilm DE 19801 by handing to Ellen Kinsler, Corporate Secretary a true and correct copy thereof and made known to the contents therein.
I hereby dpeutize the Sheriff of New Castle County, Delaware to serve the within Summons according to law.
Robert M. Stevens, Sheriff
SERVED the wtihin Sms. on May 18, 1994, at 1:27 PM upon Milan M. Loptak at above by handing to Susan Redding a true and correct copy thereof and made known to her the contents therein. John F. McCamick, Jr., Deputy Sheriff
I hereby deputize the Sheriff of Allegheny County, Pennsylvania to serve the within Summons according to law.
Robert M. Stevens, Sheriff
DID not serve Sms. upon Conneaut Condo Group
I hereby deputize the Sheriff of Allegheny County, Pennsylvania to serve the within Summons according to law.
Robert M. Stevens, Sheriff
NOT FOUND as the Conneaut Condoiminium Group, Inc. per Allegheny County Sheriff's Office.
SERVED Lighthouse Cove Owners Assocition onapril 27, 1994.
SERVED Associated Contractors of Conneaut Lake, PA, onApril 27, 1994.
SERVED Claw Inc. on May 2, 1994 by the Lawrence county Sheriff's Office
SERVED Milan M. Liptak on May 18, 1994 by Allegheny County Sheriff's Office
SERVED BRK Electronics on May 10, 1994 by Kane County, Illinois, Sheriff's Office
SERVED BRK Electronics, Inc. on May 10, 1994 by Kane Co., Illinois, Sheriff's Office.
SERVED Pittway Fire Safety, Inc. on May 11, 1994 by New Castle Co., Delaware, Sheriff Office.
SERVED BRK Brands, Inc., onMay 11, 1994, by New Castle Co., Delaware, Sheriff's Office.
SERVED THL-FA Operating Corporation onMay 11, 1994 by New Castle Co., Delaware, Sheriff's Office.

Continued on page....
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1994

Vance L. Seagle and Judith A. Seagle, husband and wife
vs.
Conneaut Condominium Group et al.....

Record continued from page 398

of record

A.D. 1994 - 398

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SERVED BRK Electronics, Inc., on May 11, 1994 by New Castle Co., Delaware, Sheriff's Office.
SERVED Pittway Corporation, on May 11, 1994 by New Castle Co., Delaware, Sheriff's Office.
SERVED Pittway Fire Safety, Inc. by Certified Mail on May 9, 1994.
so answers,

Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

Aug. 30, 1994 Complaint reinstated.

Aug. 30, 1994 Praecipe for Re-Issuance of Summons in Civil action filed.

Sept. 15, 1994 Appearance of Dickie, McCamey & Chilcote, P.C. by George Monroe Schumann for Conneaut Condominium Group, Inc. filed.

Sept. 20, 1994 Appearance of Murphy, Taylor & Trout P.C. by Arthur J. Murphy, Jr. for Defendant Claw, Inc. only, filed.

Sept. 22, 1994, Affidavit of Service filed. R. Charles Thomas, Esq. being duly sworn according to law, deposes and says that on Sept. 1, 1994 he mailed a cert. copy of the Complaint in Civil Action filed in above action to the following named defendants: George Monroe Schuman, Esq. - Cert. mail No. Z 070 388 786; Assoc. Contractors of Conneaut Lake, Inc. - Cert. Mail No. Z 070 388 777; Claw, Inc. - Cert. Mail NO. Z 070 388 785; Milan Martin Liptak - Cert. Mail No. Z 070 388 7761 BRK Electronics - Cert. Mial Mo. Z 070 388 784; BRK Electronics, Inc. - Cert. Mail No. Z 070 388 782; BRK Electron ics, Inc. - Cert. Mail No. Z 070 388 783; Pittway Fire Safety, Inc. - Cert. Mail No. Z 070 388 781 - BRK Brands, Inc. - Cert. Mail No. Z 070 388 780; THL-FA Operating Corp. - Cert. Mail No. Z 070 388 779; Pittway Corp. - Cert. Mail No. Z 070 388 778. (for addresses of above, see paper filed)
R. Charles Thomas, Esq.

Oct. 4, 1994, Appearance of dennis a. Watson, Esq., of Grogan, Graffam, McGinley and Lucchino, attorneys for dfts/ BRK Electronics, BRK Electronics, Inc. Pittway Fire Safety, Inc. BRK brands, Inc. THL-FA Operating Corp., and Pittway Corporation, filed.

Oct. 13, 1994 Appearance of William G. Boyle & Associates by William G. Boyle for Defendant, Milan Liptak, filed.

Dec. 1, 1994 Answer,New Matter and New Matter Pursuant tc Rule 2252 (d), filed.

Dec. 20, 1994 Defendants' Answer, New Matter and New Matter Pursuant to Pa. R.C.P. 2252(d) to Plaintiffs' Complaint, filed.

Dec. 21, 1994 Writ Return filed. SERVED A.W. DeCapua for Conneaut Condominium Group, personally on September 8, 1994 at 9:14 AM by handing a copy of the Summons, Amended Summons and Complaint to him at Aldina Drive, Conneaut Lake, Crawford County, PA.
So answers,

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

Dec. 28, 1994 Request for Production of Documents of BRK Electronics, BRK Electronics, Inc., BRK Brands, Inc. THL - FA Operating Corp. and Pittway Corporation Directed to Plaintiffs, Vance Seagle and Judith A. Seagle, filed.

Dec. 28, 1994 Request For Production of Documents of BRK Electronics, BRK Electronics, Inc., BRK Brnds, Inc. THL - FA Oplerating Corp. and Pittway Corporation Directed To Defendants, Conneaut Condominium Group, Inc., Lighthouse Cove Owners' Association, Associated Contractors of Conneaut Lake, Inc., Claw, Inc., and Milan Martin Liptak, filed.

Jan. 30, 1995 Answer of Defendant Claw, Inc., a Corporation, New Matter and New Matter Pursuant to Rule 2252(d).

Feb. 7, 1995 Reply of Claw, Inc., To New Matter of Associated Contractors of Conneaut Lake, Inc. pursuant to Pa. R.C.P. 2252(d) filed.

Feb. 9, 1995 Substitution of Verification, filed.

Mar. 3, 1995, Reply to New MaTTER OF Associated Contractors of Conneaut Lake, Inc. filed. (on behalf of BRK Elect., BRK Pittway Fire Safety, Inc., BRK Brands, Inc. ThL - FA Operating Corp., and Pittway Corporation)

June 14, 1995 Answers, New Matter and New Matter Under Rule 2252(d), filed on behalf of LIGHTHOUSE COVE OWNERS' ASSOCIATION.

June 14, 1995 Answers, New Matter and New Matter Under Rule 2252(d), filed on behalf of Connealut Condominium Group, Inc.

June 29, 1995, Substitution fo Affidavit, filed on behalf of Lighthouse Cove Owners Assn. filed.

June 29, 1995, Substitution of Affidavit, filed on behalf of Conneaut Condominium Group, Inc., dft. filed.

July14, 1995, Reply of BRK Electronics, BRK Electronics, Inc., Pittway Fire Safety, Inc., BRK Brands, Inc., THL-FA Operating Corp., and Pittway Corporation to New Matter of Conneaut Condominium Group, Inc., filed.

July 14, 1995, Reply of BRK Electronics, BRK Electronics, Inc., Pittway Fire Safety, Inc. BRK Brands, Inc., THL-FA Operating Corp., and Pittway Corporation to New Matter of Lighthouse Cove Owners' Association, filed.

June 6, 1997 Appearance of Wayman, Irvin & McAuley by John C. Bogut, Jr., attorney on behalf of Associated Contractors of Conneaut Lake,, filed.

June 12, 1997 Notice of Rescheduled Deposition of Claw, Inc., a corporation, filed.

Oct. 31, 1997 Motion For Dismissal of BRK Electronics, BRK Electronics, Inc., Pittway Corporation, Pittway Fire Safety Inc., and THL-FA Operating Corp. filed.

Oct. 31, 1997 Upon praecipe of Lori Ann Gala the above captioned matter is placed on the next available argument list.

1997 DECEMBER ARGUMENT LIST

Cont on 398B

1994

Vance L. Seagle and
Judith A. Seagle
vs.
Conneaut Condominium Group,
Inc., et al

CONTINUED FROM PAGE 398A
of Record
A.D. 1994 - 398

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Dec 2, 1997 Motion For Extension of Time; Motion for Leave to Complete Discovery and Order: AND NOW, this 1 day of December, 1997, upon consideration of the within Motion is hereby Motion is hereby ordered and directed as follows:

(1) Plaintiff's may thereafter engage in such additional discovery as is reasonable and necessary to respond to said Defendants' Motion for Summary Judgment, Upon agreement of the parties or in lieu thereof, upon further Order of this Court.

(2) Plaintiff's time to file response to the Defendnat's Motion for Summary Judgment is extended until 120 days from the date hereof, without prejudice to Plaintiffs to request further extension if necessary or appropriate to complete material discovery.

Anthony J. Vardaro, J.

Dec 2, 1997 Faxed Thomas, Gale & Pepicelli

Dec 5, 1997 ORDER: AND NOW, this 4th day of December, 1997, the Court Administrator having been directed by the Court to postpone argument for summary judgment, argument is continued to the next argumetn list (January 26, 1998).

Ann A. Walker, C.A.

Dec 5, 1997 Dist to all attys
(FOR COMPLETE ORDER SEE PAPER FILED)

January 21, 1998 NOTICE OF DEPOSITIONS OF PLAINTIFFS FILED.

March 5, 1998 AFFIDAVIT OF HALDON K. GRANT IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT FILED.

March 5, 1998 AFFIDAVIT OF LARRY SCHIMKA IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT FILED.

June 19, 1998, Notice of Depositions filed. (see paper filed at AD 1994 - 321)

Sept 23, 1998 Notice of Rescheduled Depositions, filed.

June 18, 1999 Praecipe for Substitution of Appearance filed. Kindly withdraw the appearance of Arthur J. Murphy, Jr. Esq. and the Firm of Murphy Taylor, P.C. on behalf of Defendant Claw, Inc. only with regard to the above-captioned matter and enter the Appearance of John E. Nedlik Esq. and M. Kathleen Canty Esq. and the Law Firm of Weber, Goldstein, Greenbert and Gallagher (Also AD 1994 - 321 - See paper filed at AD 1994-321)

July 6, 1999 Notice of Service Filed (Also AD 1194 - 321 - See Paper filed at AD 1994-321)

FOR FURTHER DOCKET ENTRIES SEE COMPUTER
(see papers filed at AD 1994-321

1994

William C. Barney

399.

FREDERICK C. HAENEL

vs.

GINNY L. HAENEL

Filed April 25, 1994
@ 12:02 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 8-25-94	9.00
Pro Co pd 11-22-94	5.00

COMPLAINT IN DIVORCE
1 copy atty.

May 6, 1994 Affidavit of Service filed. I, Ginny L. Haenel, defendant in this action,hereby accept service of the Complaint in Divorce.
Dated: April 29, 1994 Ginny L. Haenel

Aug. 23, 1994 Affidavit of Consent of Plaintiff, filed.

Aug. 23, 1994 Affidavit of Consent of Defendant, filed.

Aug. 23, 1994 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

September 1, 1994 AND NOW, August 25, 1994, it is Ordered and Decreed that FREDERICK C. HAENEL, Plaintiff and GINNY L. HAENEL, 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

NOv. 22, 1994 Notice of Election To Retake Maiden Name, filed **Ginny L. Haenel** to be known as **Ginny L. Barton.**

400

1994

May, Long & Sanders
Russell R. Sanders

400.

GENERAL MOTORS ACCEPTANCE CORPORATION

vs.

JOHN T. DURALIA, JR.

Filed April 25, 1994
@ 12;02 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Pro.Co.pd 5/23/94	5.00
Sheriff's Costs	29.00

COMPLAINT IN CIVIL ACTION
no copies

May 6, 1994 Motion For Writ of Seizure and Order, filed. AND NOW, this 5th day of May, 1994, upon motion of MAY, LONG & SANDERS and RUSSELL R. SNADERS, ESQUIRE, for Order for Writ of Seizure, a hearing is set on the said Motion for the 25 day of May, 1994, at 9:30 a.m. o'clock, Courtroom No. 1 or 2, Crawford County Courthouse, Meadville, Pennsylvania, a copy of this Order to be served upon Defendant not less than twenty-four (24) hours before said hearing. BY THE COURT:
Gordon R. Miller, P.J.
May 10, 1994 copy faxed to R. Sanders
May 13, 1994 copy to Dft.

May 6, 1994 Petition For Examination of Defendant and Order, filed. AND NOW, May 5, 1994, upon consideration of the foregoing Petition upon motion of MAY, LONG & SANDERS and RUSSELL R. SNADERS, ESQUIRE, attorneys for Plaintiff, IT IS ORDERED that Defendnat, JOHN T. DURALIA, JR., appear before this Court, Courtroom No. 1 or 2, Crawford County Courthouse, Meadville, Pennsylvania at 9:30, a.m., o;clock on May 25, 1994,to be examined orally and under oath, and there to answer as to the whereabouts of the property sought to be replevied in this case. BY THE COURT:
Gordon R. Miller, P.J.

May 5, 1994 copies maile to Sanders.
May 13, 1994 copy sent to Dft.

May 18, 1994 Affidavit of Service, filed. BEFORE ME, the undersigned authority, a Norary Public, personally appeared, FRANCI SHARP, who, being duly sworn according to law, deposes and says that on May 10, 1994, she did, via "Certified Mail, Return Receipt Requested," and by regular U.S. Mail, personally cause to be served on the Defendant, JOHN T. DURALIA, JR., at RD 1, Box 54, Espyville, Pennsylvania, 16414, true and correct copies of the Complaint, Motion for Writ of Seizure, Petition for Examination and Order, and Notice of Hearing for Seizure of Property.

May 18, 1994 Notice of Hearing for Seizure of Property, filed. 2. There will be a hearing on this Motion on May 25, 1994, Courtroom NO. 1 or 2, Crawford County Courthouse, at 9:30 a.m. o'clock, Meadville Pennsylvania. Russell R. Sanders, Esq.
May 23, 1994 copy to R. Sanders & Dft.
Faxed

May 23, 1994 Praecipe of Russell R.Sanders, Esquire, Attorney for Plaintiff, the above-captioned matter is discontinued of record.

May 24, 1994 Sheriff's Return filed. SERVED John T. Duralia, Jr., personally on May 20, 1994 at 10:30 AM by handing a copy of the Complaint, Motion for Writ of Seizure, Petition for Examination, and Notice of Hearing to him at his residence, R.D. #1, Box 54, Espyville, Crawford County, PA 16414.
so answers,
Shawn E. Ashbaugh, Deputy sheriff
Robert M. Stevens, Sheriff

1994

Paul E. Allen

401.

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

WILLAVINE J. ABBOTT and
LORENZO ABBOTT, her husband

vs.

EUGENE STIVANSON

Filed April 25, 1994
@ 1:21 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	28.00
Pro Co pd 2-27-95	6.00

WRIT OF SUMMONS
Issued Sheriff

May 3, 1994 SHERIFF'S RETURN, filed. SERVED Eugene Stivanson personally on April 27, 1994 at 1:30 PM by handing him acopy of the Summons at his place of employment, Moldex Plastics, 823 Bessemer Street, Meadville, Crawford County, PA.
So answers, Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

Oct. 19, 1994 Appearance of Culbertson, Weiss, Schetroma and Schug, P.C. by E. Max Weiss, Esquire, attorneys for defendant filed.

Feb. 27, 1995 Upon praecipe of plaintiff attorney mark this case settled and discontinued of record.

1994

402.

ANDREA RITTER

vs.

PETE R. CORRETTI

Filed April 25, 1994
@ 3:45 PM

Tax & entry	RLG-2-94	50.50 ✓
User's Fee	Pd 6-2-94	5.00
Sheriff's Costs		25.00
Pro Co	Rec & Pd 6-2-94	9.00 ✓

6-2-94 Rec from Plff & Deft Sheriff Card 25.00

6-2-94 Pd Sheriff Ck# 8336 25.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT
3 Copies Sheriff
1 copy Plaintiff
1 copy Co. Control; 1 copy WMTPD

ORDER:

And now, this 25thday of April , 19 94 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

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

2. Special Conditions: Defendant shall not contact plaintiff in any way. He shall not go to Plaintiff's residence. He shall not be within 100 yards of plaintiffs home. Temporary custody of the children is givento plaintiff.

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

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

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

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

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

8. The court reserves Ruling on allocation of fees and costs. Hearing is hereby set for the May 5, 1994 , at 1:00 p.m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

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

Apr. 27, 1994 Sheriffs Return filed. SERVED Pete R. Corretti personally on April 25, 1994 at 4:00 PM by handing a copy of the Complaint to him at his place of employment, a car body shop on Route 27, Meadville, CrawfordCounty, PA.

So answers,

Shawn E. Ashbaugh, Deputy Sheriff
Dale A. Collins, Chief Deputy
Robert M.Stevens, Sheriff

May 6, 1994 ORDER, filed. AND NOW, May 5, 1994 this abuse case is before the Court on a petition by the Plaintiff seeking protection.

Without a full and complete hearing, the Defendant verbally denies some of the abuse allegations, but agarees that he will consent to a standard abuse order regarding his conduct with the mother of his children. Accordingly, without admission that acts of abuse were committed, as alleged in the petition, the Court ORDERS and the Defendant consents that he will not annoy, threaten, assault or harass the Plaintiff in any fashion, except for picking up and returning the children for visits as prescribed hereafter.

The Defendant will not go to the premises of the Plaintiff for any purpose and will not go to places where he knows she will be in attendance, nor will he procure others to do so on his behalf.

The Court notes a great reluctance and bitterness between the parties and it was impossible to reach an agreement regarding total visitation or partial custody rights of the father with the children.

However, the parties do agree that the father may have visitation rights and partial custody with the two minor children on the first and third weekends of every month, commencing with the weekend of May 21, 1994 with the visits to be at 7:00 p.m. on Saturday until Sunday at 8:00 p.m.

The father will be responsible for picking up the children and returning them at the residence of the mother. In the event of a business or personal emergency that prevents pick up of the children at the home of the mother at the designated time, the father will call the mother and request an extension, which shall not exceed 1 hour. If the emergency cannot be resolved within the one hour period, the visitation for that weekend will be canceled.

On the second and fourth weekends of each month, the father will have the children each Sunday, beginning at 9:00 a.m. and ending at 8:00 p.m., with the same provision regarding the emergency delay in the pick up as above set forth.

The Court attempted to have the parties amicably resolve other custody periods for the father during vacation and holiday periods but the animosity between the parties precludes any semblance of reaching an agreement in this area. Accordingly, th eCourt declines to set any further visitation or more lengthy custody periods for the father.

The Court advises both parents that if there is a request for more lengthy custody periods on behalf of the father, that cannot be amicably resolved, either party may commence a child visitation and custody action, which would be referred to a mediator, and the costs thereof assessed at the discretion of the mediator between the parties.

In the event of serious illness or hospitalization or accident to either child, the mother will notify the father within 4 hours of the same by telephone, reporting the nature of the problem, and if the child is hospitalized, where the child is hospitalized, and the attending physician attending the child.

A copy of this order shall be sent ot County Control, with a copy to be dispersed to the Pennsylvania State Police and the Meadville City Police Department.

Any police officer having reasonable grounds to believe that the harassment portion of this order has been violated by the Defendant may apprehend the Defendant without a warrant, lodge him in the Crawford County Jail, and request an immediate contempt hearing for violation of the harassment provisions of this order.

Continued on Page 402A

1994

Andrea Ritter
vs.
Pete R. Corretti

CONTINUED FROM PAGE 402
of Record
A. D. 1994 - 402

****

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.

Costs in this case in the amount of $89.50 will be paid as follows: $20 of the same will be paid by the Plaintiff on or before June 1, 1994 and the balance of $69.50 will be paid by the Defendant on or before June 1, 1994 with all payments to be made to the Prothonotary's Office of Crawford County.

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

May 12, 1994 copy to Plf. & Dft.

Nov. 18, 1994 Petition For Contempt Pursuant to the Protection From Abuse Act and Order, filed. AND NOW, this day of November, 1994, upon consideration of the within Petition for Contempt, a hearing thereon is scheduled for Contempt, a hearing thereon is scheduled for the 28th day of November, 1994, at 10:00 a.m., in Courtroom #1 of the Crawford County Courthouse, Meadville, Pennsylvania.

This Petition and Order shall be served by any competent adult or by regular mail.

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

(1 copy atty)

Nov.23, 1994 PROOF OF SERVICE filed. I hereby certify that a copy of the Foregoing Order and Petition for Contempt of Protection from Abuse Order was served upon Respondent Pete Corretti by regular U. S. Mail on November 21, 1994.
Date: 11/21/94
Gerald Sullivan, Esquire

Dec. 1, 1994 ORDER filed. AND NOW, NOvember 28, 1994, the parties appeared in court on the Plaintiff's Petition for Contempt. The defendant was advised as to the nature of a contempt proceeding and afvised of his right to counsel. He indicated he could not afford counsel, but also indicated he was willing to proceed without counsel.

The plaintiff testified that on October 30, 1994, when the defendant returned the children to her, he displayed a handgun. The defendant claims two things. First of all, he claims he did not have a handgun. Secondly, he claims that he suspected that there may be problems between the plaintiff and her new boyfriend and that he was willing to protect her. This comes down to a matter of credibility and the Court believes the testimony of the plaintiff, and therefore, holds the defendant in contempt of the Protection From Abuse Order of May 5, 1994.

ACCORDINGLY, it is ORDRED as follows:

1. The defendant is sentenced to undergo imprisonment in the Crawford County Jail for a period of 21 days and a maximum term of 3 months, with Work Release privileges for 6 days per week.

2. If his jail conduct is perfect, he shall automatically be paroled on Sunday, December 18, 1994, without any motion to the Court or further proceedings. If his jail conduct is not perfect, then he shall remain until a parole hearing can be held on motion of the defendant or the Work Release Director. In addition to normal work release hours, the defendant shall be given reasonable periods of time to do banking and he shall have one five-hour period to do any preparations for Christmas.

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

Dec. 1, 1994 copies dist to Dft in Jail, to Jail & Sullivan

402
-b-

1994

1994

MacDonald, Illig,
Jones & Britton
Richard J. Parks

403.

INTEGRA BANK/NORTH
successor by merger to
Pennbank

vs.

RUSSELL L. MORRIS

Filed April 25, 1994
@ 4:00 p.m.

Tax & entry paid	50.50
User's Fee paid	5.00
Pro.Co.pd 5/19/94	5.00
Sheriff's Costs	77.00

COMPLAINT IN CIVIL ACTION
2 copies Sheriff

May 19, 1994 Upon Praecipe of Richard J.Parks, Esquire, Attorney for Plaintiff, the above captioned matter is marked settle and discontinue without prejudice, filed.

June 1, 1994 Sheriff's Return, filed. NOT FOUND as to Defendant Russell L. Morris at address of R.D.#2, Box 2258, Union City, Crawford County, PA. Several attempts made, left notes, and received no response. Time to serve paper expired.

POSTED the property of Russell L. Morris located at R.D.#2, Box 2258, Bloomfield Township, Union City, Crawford County, PA, on May 3, 1994 at 3:00 PM.

So answers, Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens. Sheriff

Barbara J. Walton

404.

Edward J. Hatheway

6-15-94 Rec from deft sheriff's Costs 25.00
6-16-94 Pd Sheriff 25.00
Ck# 8381

LEVETTE NEWSOME

vs.

BRENDA NEWSOME

Filed April 26, 1994
@ 11:21 AM

Tax & entry Pd. 6/15/94 50.50
User's Fee Pd. 6/15/94 5.00

Sheriff's Costs Pd. 25.00
Pro Co. Pd. 6/15/94 5.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT
3 copies Sheriff
1 copy Plaintiff
1 FAX MCPD
1 Co Cotrol

ORDER:

And now, this 26thday of April , 19 94 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

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

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

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

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

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

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

8. The court reserves Ruling on allocation of fees and costs. Hearing is hereby set for the May 10, 1994 , at 3:30 p.m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

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

** Defendant shall deliver the childs medicine and childs social security card to the Sheriff for the plaintiff when served.

Apr. 27, 1994 Sheriff's Return filed. SERVED Brenda Newsome personally on April 26, 1994 at 1:15 PM by handing a copy of the Protection from Abuse to her at her residence, 1201 South Main Street, Meadville, crawford County, PA.

So answers,

Shawn E. Ashbaugh, Deputy Sheriff
Scott D. Young, Deputy Sheriff
Robert M.Stevens, Sheriff

May 13, 1994 PROTECTION FROM ABUSE CONSENT AGREEMENT ORDER filed. AND NOW, this 11th day of May, 1994, after agreement of the parties, the Plaintiff, Levette Newsome, and the Defendant, Brenda Newsome, this Court enters the following Order:

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff at any time or any place nor shall she procure anyone else to do so.

2. The Plaintiff has indicated to the Court that her last known address was 1201 South Main St., Meadville, PA 16335 and that she resided with the Defendant at that address. However, the Plaintiff is currently residing at an undisclosed address. Should the Plaintiff eventually decide to permanently move out of the residence located at 1201 South Main St.,Meadville, PA. 16335, the Defendant shall be amicable to the Plaintiff while she moves out of the residence. In addition, the Plaintiff is entitled to take with her the stereo that her mother, the Defendant in this action, had purchased for her. Finally, the Plaintiff and Defendant will contact each other by telephone and arrange a mutually convenient time for the Plaintiff to remove her personal items from the residence.

3. The Defendant may contact the Plaintiff either in writing or by the telephone. Should the Plaintiff elect to return to the residence lcoated at 1201 South Main St., then the parties must file with this Court a Petition to Modify this Court Order. However, should the Plaintiff elect to move out of the residence located at 1201 South Main ST., Meadville, and moves to another address, the Defendant is not permitted to contact her face-to-face.

4. The Defendant is still entitled to visits with the Plaintiff's son, Samer R. Newsome. The frequency of the visits and the time for the visits shall be mutually agreed upon by the parties. However, either Murdal Newsome or another competent adult individual shall transprot Samer R. Newsome to and from the Plaintiff and Defendant's respective residences.

5. This Order may be enforced without an arrest warrant by any law enforcement officer having reasonable grounds to believe it has been violated.

6. A copy of this Order shall be delivered by the Prothonotary's Office to Co. Control and to the Meadville Police Dept.

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 Court acknowledges that the Defendant is in no way admitting to the charges of abuse alleged in the Plaintiff's Protection from Abuse Petition.

9. The Defendant agrees to pay $55.50 to cover filing fees, service of process and court costs.

10. This Order shall remain in full force and effect through May 11, 1995.

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

May 13, 1994 Copies Faxed to Attys. Walton, Hatheway, MCPD, copy given to Co. Control.

Continued to Page 404 A

Levette Newsome
vs
Brenda Newsome

Continued from Page 404
of Record
AD 1994 - 404

June 7, 1994 Motion to Amend or Modify a Protection From Abuse Order filed.

Jun. 7, 1994 ORDER filed. AND NOW,June 6, 1994, theCourt has before it a pro se motion to amend or modify a protection from abuse order filed by the Plaintiff.

She makes the said motion on the form intended to be signed by both parties for a consent modification but the Defendant has not signed the same.

Accordingly, a rule is entered upon the Defendant to show cause, if any she has, why the relief requested in Plaintiff's motion to amend or modify a protection from abuse should not be granted.

This matter is set for hearing and argument on the 14th day of June, 1994, at 3;30 o'clock p.m. in Courtroom No. 1 or 2, Crawford County Courthouse, Meadville, Pennsylvania.

BY THE COURT:
Anthony J. Vardaro, J.

6-7-94 Copies dist. to Walton & Hatheway

June 16, 1994 Motion To Vacate Protection From Abuse Order and Order, filed. AND NOW, this 16th day of June, 1994 upon receipt and review of the plaitniff's motion to vacate and terminate the Protection from Abuse Order of May 11, 1994, said motion is granted and the Protection from Abuse Order is hereby vacated and terminated.

A true and correct copy of this Order shall be delivered by the Prothonotary to Meadville City Police and to County Control.

Any provisions of the Protection from Abuse Order of May 11, 1994 assessing cour tcosts shall remain in full force and effect without change or modification and the party of parties agaisnt whom costs were assessed shall remain obligated to pay the costs.

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

June 16, 1994 Faxed MCPD, given Walton, Hatheway & Co. Control.

June 16, 1994 ORDER filed. AND NOW, June 14, 1994 at the time fixed for hearing on the platintiff's motion to amend or modify the protection from abuse order, the plaintiff failed to appear. Accordingly said motion is denied.

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

June 16, 1994 Faxed MCPD, given Walton, Hatheway & Co Cont.

1994

1994

Phillips & Galanter
Donald L. Phillips

405.

MOTORISTS INSURANCE COMPANIES

vs.

RONALD L. HART and CINDY L. HART, i/and as partners t/a HARTS MACHINERY

Filed April 26, 1994
@ 11:17 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	39.00
Pro Co. pd 6-13-94	9.00
Sat Pd. 4/24/95.	5.00

COMPLAINT IN CIVIL ACTION
3 copies Sheriff

May 3, 1994 : SHERIFF'S RETURN, filed. SERVED Ronald L. Hart personally on April 27, 1994 at 3:21 PM by handing him a copy of the Complaint at Hart's Farm Equipment, RD 3, Box 222B, Cochranton, Crawford County, PA.

SERVED Cindy L. Hart on April 27,1994 at 3:20 PM by handing a copy of the Complaint to Ronald Hart, Husband, at Hart's Farm Equipment, RD 3, Box 222B, Cochranton, Crawford County, PA.

SERVED Harts Machinery on April 27, 1994 at 3:22 PM by handing a copy of the Complaint to Ronald Hart, Owner at the business, RD 3, Box 222B, Cochranton, Crawford County, PA.

So answers, Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

June 6, 1994, 12:00 p.m., AND NOW upon Praecipe of Plaintiff Attorney, with copy of Notice of Intention to file default judgement is hereby entered in favor of Plaintiff and against Defendant for failure to file an answer and damages are assessed as follows:

Amount claimed in Complaint	$1,778.00
Interest from 12/20/91	$ 261.29
	$2,039.20

H-144,34,184
Judgment entered -
6/6/94

Debt Judgment
Barbara H. King, pro.

$2,039.29

EX 1995-7

Apr. 19, 1995 This Judgment Satisfied.
(see paper filed)

406

1994

Joseph C. Barnhart

406.

Wayne H. Hundertmark

CHARLENE D. BROWN

vs.

TIMOTHY L. BROWN

Filed April 26, 1994
@ 11:17 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 3-31-95	9.00

COMPLAINT IN DIVORCE, CUSTODY, ALIMONY PENDENTE LITE, ALIMONY, LEGAL FEES, DIVORCE COSTS AND EXPENSES, EQUITABLE DISTRIBUTION OF PROPERTY

Nov. 18, 1994 Affidavit of Consent of Plaintiff filed.

Nov. 18, 1994 Affidavit of Consent of Defendant filed.

Dec. 1, 1994 Affidavit of Service filed. Before me, the undersigned officer, personally appeared JOSEPH C. BARNHART, ESQ., attorney for the above-captioned Plaintiff, who bieng duly sworn according to law, did depose and say that he did serve a certified copy of a Complaint in Divorce upon the above-named Defendant, Timothy L Brown, c/o Paula McStraw, 149 Wright Street, Corry, Pennsylvania 16407, by United States Certified Mail, Restricted Delivery, evidenced by postal Return Receipt P 853 732 312, purportedly signed by said Defendant and dated April 28, 1994, attached hereto and incorporated herein by reference.
IN WITNESS WHEREOF, I hereunto set my hand and seal this 29th day of November, 1994.

Joseph C. Barnhart

Jan. 3, 1995 Motion For Entry of Separation Agreement as an Order of Court and Order, filed. AND NOW, this 30th day of December, 1994, upon consideration of the attache dmotion of the plaintiff requesting that the Separation Agreement of the parties dated October 17, 1994, be entered as an Order of Court, said motion is denied. These claims may only be decided in conjunction with the entry of a divorce decree
Geroghty 600 am 1261 (1991) alloc denied.

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

Jan. 3, 1995 Faxed Hundertmark & Barnhart

Mar. 28, 1995 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

April 4, 1995 AND NOW, this 3rd day of April, 1995, IT IS ORDERED AND DECREED THAT, CHARLENE D. BROWN and TIMOTHY L. BROWN are divorced from the bonds of matrimony.

In accordance with the terms and provisions of the "Separation Agreement" of the parties dated Oct. 17, 1994, as attached hereto, same are hereby entered as an Order of Court and incorporated as part of this Decree with the same force and effect as if the terms and provisions of said agreement had been set forth herein in their entirety.

No further claims have been raised by the parties to this action for which a final Order of Court has not yet been entered.

BY THE COURT:
Gordon R. Miller, J.

1994

407.

WILLIAM F. CLOSE

vs.

CATHERINE G. CLOSE

Filed April 26, 1994
@ 1:47 PM

Indigent Filing

PETITION TO PROCEED IN FORMA PAUPERIS IN A DIVORCE ACTION
PURSUANT TO Pa. R.C.P. 1920.62

AND NOW, April 26, 1994,upon consideraiton of the petition filed by the Plaintiff in this action, and supported by an affidavit attached thereto, all being pursuant to Pa. R.C.P. 1920.62 the Plaintiff is granted leave to proceed in forma pauperis at this time.

The Plaintiff is directed to inform the Prothonotary's office or the court of any improvement in his financial circumstances that would permit him to pay the costs incurred in this action and shall be responsible for doing so upon an improvement of his financial condition.

BY THE COURT:
Anthony J. Vardaro, J

Apr. 27, 1994 Copy of order 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 4/26/94 . We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonably delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.

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

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

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

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

By the Court,
Date: March 12, 1998 Anthony J. Vardaro, J
Mar. 12, 1998 copies mailed by Court Administrator's Office

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

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

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

408

1994

Barrett & Dratler
Bruce a. Barrett

408.

C. Barton Jones

IMOGENE RAY

vs.

NANCY MELLON

Filed April 26, 1994
@ 3:00 P.M.

Tax & entry paid 50.50
User's Fee paid 5.00

COMPLAINT IN CIVIL ACTION
1 copy atty.

Apr. 29, 1994 Acceptance of Service filed. The undersigned, being the attorney for the Defendant and being authorized by her to do so, hereby accepts service of a Complaint filed in the above captioned matter.
Date: April 28, 1994 C.Barton Jones, Atty.for Deft.

May 23, 1994 Answer To Complaint and Counter-Claim filed.

Dec. 13, 1994 Motion For First Stage Sanction Order, filed.

Dec. 13, 1994 ORDER, filed. AND NOW, December 12, 1994, the defendant's motion for first stage sanction order is denied because said motion was not filed in the manner required by the Crawfor dCounty Civil Rules.
The defendant did not follow Rule L.206 regardifng notice of the presentation of the motion. BY THE COURT
Gordon R. Miller, P.J.
Dec. 13, 1994 copies dist to Barrett & Jones

Dec. 29, 1994 Reply To Counter-Claim filed.

Mar. 16, 1995 Certificate of Readiness filed.

On October 1995 Civil Trial List

Oct. 23, 1995 ORDER filed: AND NOW, this 17th day of October, 1995, non-jury trials are hereby scheduled in the following cases on the dates and at the times set forth below:
Imogene Ray VS. Nancy Mellon, December 11, 1995 9:15 A.M., #1 or 2.

Jan. 19, 1996, Motion to Continue and order filed. ORDER: AND NOW Jan. 19, 1996 the non jury trial is continued and is re-scheduled for 1st day of May 1996, at 9:15 a.m. in C. R. No. 1 or 2.
Anthony J. Vardaro J
1/19/96 faxed to Jones and Barrett

May 2, 1996 VERDICT filed. AND NOW, May 1, 1996, after a nonjury trial in this matter after due consideration of all of the evidence, we find in favor of the defendant on plaintiff's claim and in favor of the plaintiff and against the defendant on defendant's counterclaim.
Essentially, we have concluded that the van in question is titled in the name of both parties and would appear as tenants in common and they will have to seek other appropriate relief if they wish to deal with the title to the vehicle for their respective right to use the vehicle.

BY THE COURT:
Anthony J. Vardaro, J.
May 2, 1996 Order Distributed Attys. Jones & Barrett; May 3, 1996 FAXED to Atty. Jones.

1994

Marsh, Spaeder, Baur,
Spaeder & Schaaf
John P. Eppinger

409.

Quinn, Buseck, Leemhuis,
Toohey & Kroto, Inc.
Kenneth W. Wargo

ROBERT MATTOCKS

vs.

WESTFAILIA SYSTEMAT and
ROBERT TURNER

Filed April 28, 1994
@ 1:57 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	57.40

WRIT OF SUMMONS
Issued Sheriff

May 17, 1994 Writ Return filed. SERVED the within Summons on May 9, 1994, at 1:00 P.M., upon Robert Turner at 2497 Biglerville Rd., Gettysburg, PA by handing to Mrs. Robert Turner, wife, a true and correct copy there of an dmade known to her the contents therein.
So answers, Bernard V. Miller, Sheriff
I hereby deputize the Sheriff of Adams County, Pennsylvania to serve the wtihin Summons according to law.
So answers, Robert M. Stevens, Sheriff

SERVED Westfalia Systemat by Certified Mail on May 9, 1994 at their last known address of 1862 Brummel Drive, Elk Grove, IL 60007. Signed Return Receipt attached.
SERVED Robert Turner by deputizing the Sheriff of Adams County, PA, as per his Affidavit of Service attached. Served on May 9, 1994, at 2497 Biglerville Road, Gettysburg, PA.
So answers, Robert M. Stevens, Sheriff

Jul. 22, 1994 Complaint filed. (2 copies atty.)

July 26, 1994 Certificate of Service filed. I, John P. Eppinger certify that onthe 25th day of July, 1994 a true and correct copy of a Complaint was served on the following persons by regular first calss mail:

Westfalia Systemat
1862 Brummel Drive
Elk Grove, IL 60007

Robert Turner
2497 Biblerville Rd.
Gettysburg, PA 17325

Octavius A. Orbe, Esq
40 W. Ridgewood Ave.
Ridgewood, NJ 07450

Date: 7-25-84

John P. Eppinger

Aug. 10, 1994, Appearance of Kenneth W. Wargo, of Quinn, Buseck, Leemhuis, Toohey and Kroto, Inc. attorneys for defendants filed.

Aug. 19, 1994 Defendants' Preliminary Objections, filed.

Aug. 29, 1994 Certificate of Service, filed. The undersigned hereby certifies that a true and correct copy of the foregoing Brief in Support of Defendants' Preliminary Objections was served on the attorney for the Plaintiff by U. S. mail, first-class, postage prepaid or hand delivery on August 25, 1994 at the following address:

John P. Eppinger, Esq.
Marsh Spaeder Baur Spaeder & Schaaf
Suite 300
300 State Street,Erie, PA 16507
By Kenneth W. Wargo, Esquire, Attorneys for Defendants

Aug. 29, 1994 Upon Praecipe of KennethW.Wargo, Esquire, Attorney for Defendants, the above captioned matter is placed on the next available Arguement List.

ON OCTOBER, 1994 ARGUMENT LIST

Aug. 29, 1994 Certificate of Service filed. The undersigned hereby certifies that a true and correct copy of the foregoing Praecipe to Place on Argument List was served on the attorney for the Plaintiff by U. S. mail, first-class, postage prepaid or hand delivery on August 25, 1994 at the following address:

John P. Eppinger, Esq.
Marsh Spaeder Baur Spaeder & Schaaf
Suite 300,300 State Street
Erie, PA 16507
By: Kenneth W. Wargo, Esquire

Oct. 12, 1994 Motion Flor Continuance of Argument On Defendants' Preliminary Objectiions and Order, filed. AND NOW, this 12 day of October, 1994 upon consideration fo the plaintiff's motion, it is hereby ordered that the argumetn on defendants' preliminary objections is hereby rescheduled for November Argumetn List. Court Administrator will assign a time.
By the Court:
Anthony J. Vardaro, J.

8-29-94 Defendants' Brief filed

Oct. 12, 1994 Faxed to Eppinger & Wargs

Nov.28, 1994 ORDER filed. And Now,this 28 day of November, 1994 it is hereby ordered that the preliminary objections filed by the defendants are sustained. Plaintiff is directed to file an amended complaint within 20 days of the date hereof addressing the preliminary objections, and failing that the complaint will be dismissed.
Anthony J. Vardaro,J.

11-28-94 Faxed Wargo & Eppinger

Dec. 9, 1994 Amended Complaint filed.

Jan. 12, 1995 Preliminary Objections To Amended Complaint, filed.

Jan. 12, 1995 Praecipe To Place Defendants/ Preliminary Objections To Amented Complaint on Next Argument List, filed.

ON ARGUMENT LIST FOR JANUARY 1995

Jan. 19, 1995 Second Amended Complaint, filed.

Jan. 24, 1995, Verification to Second Amended Complaint filed.

Feb. 27, 1995 Answer and New Matter to Second Amended Complaint, filed.

Record Continued on Page 469

410

1994

Akman & Associates,
Robert S. Shreve

410.

TAMARA DITCH

vs.

MICHAEL S. WYKOFF

Filed April 28, 1994
@ 1:57 PM

Tax & entry paid	50.50
Ucser's Fee paid	5.00
Pro.Co. pd 1/12/95	$6.00

WRIT OF SUMMONS
Issued Sheriff

June 30, 1994 Writ Reissued.

Aug. 4, 1994 Praecipe To Reissue Writ of Summons, filed. (issued atty)

Aug. 12, 1994 Acceptance of Service of Writ of Summons, filed.

Jan. 12, 1995 Upon Praecipe Robert S. Shreve, Esquire, the above case marked settled and discontinued of record.

1994

Ferguson & Spataro
DouglasW. Ferguson

411.

Law Offices of
Marianne C. Mnich
Cary Valyo

KRISTEN L. SHEPTOCK

vs.

PHILIP W. PASSILLA and
ADA THOMPSON

Filed April 28, 1994
@ 3:59 PM

Tax & entry paid	50.50
Usr's Fee paid	5.00
Sheriff's Costs	41.00
Pro.Co. pd 10/31/94	6.00

COMPLAINT IN CIVIL ACTION
2 copies Sheriff

June 1, 1994 SHERIFF'S RETURN, filed. SERVED Philipl W. Passilla on May 2, 1994 at 11:30 AM by handing a copy of the Complaint to Phil Passilla, Father and Adult in Charge, at his place of employment, Pennco Tool, 99 Mead Avenue, Meadville, Crawford County, PA. Signed Acceptance of Service attached.

SERVED Ada Thompson personally on May 26, 1994 at 2:12 PM by handing a copy of the Complaint to her at her residence, R.D.#2, Box 225, Linesville, Crawford County, PA.

So answers, Shawn E. Ashbaugh, Deputy Sheriff
Scott D. Young, Deputy Sheriff
Robert M. Stevens, Sheriff

June 16, 1994 Appearance of Law Offices of Marianne C. Mnich by Cary Valyo for Defendant filed.

Oct. 31, 1994 Upon Praecipe of Douglas W.Ferguson, Esquire, Attorney for Plaintiff, this case is marked settled and discontinued of record.

412

1994

Watts & Pepicelli
Alan L. Pepicelli

412.

Grogan, Graffam,
McGinley & Lucchino
Dennis A. Watson
for Defendants

JUDITH A. ADAMS and ALAN L. ADAMS,her husband

vs.

ADEMCO, INC., A Corporation; and ADEMCO DISTRIBUTION, INC. a Corporation, ADEMCO SECURITY GROUP, a Corporation and ADEMCO SECURITY CORP., INC., A Corporation

Filed April 28, 1994
@ 4:34 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	155.00

WRIT OF SUMMONS
Issued Sheriff

Apr. 29, 1994 Writ Reissued filed. (Adding Ademco Security Group, a Corporation; and Ademco Security Group, Inc., a Corporation)

June 16, 1994 Writ Return filed. SERVED the within Summons on May 16, 1994 at 1:00 PM, upon Ademco, Inc. at 165 Eileen Way, Syosset by handing to Liz Javorowsky a true and correct copy thereof and made known to her the contents therein.
So answers Stephen M. Zwerling Sheriff
I hereby deputize the Sheriff of Nausau County, New York to serve the within Summons according to law.
So answers, Robert M. Stevens, Sheriff
SERVED the within Summons on 5-19, 1994, at 1:06 PM, upon Ademco Distribution, Inc. at 1635 Market St., Philadelphia, PA (c/o CT Corp Trust) by handing to Rita Spear person in charge a true and correct copy thereof and made known to her the contents therein
So answers John Green, Sheriff
I hereby deputize the Sheriff of Philadelphia County, Pennsylvania to serve the within Summons according to law.
Robert M. Stevens, Sheriff
SERVED the within Summon and Complaint on May 11, 1994, at 10:05 A.M., upon Ademco Distribution, Inc. at Corporation Trust Company 1209 Orange Street, Wilmington, Del by handing to Ellen Kinsler, Corporate Secretary a true and correct copy thereof and made known to the contents therein.
So answers, Michael P. Walsh, Sheriff
I hereby deputize the Sheriff of New Castle County, Delaware to serve the within Summons according to law.
So answers,s Robert M. STevens, Sheriff

Jul. 18, 1994 Appearance of Grogan, Graffam, McGinley & Lucchino by Dennis A. Watson, Esquire, Attorney for Defendants filed.

Jul. 18, 1994 Praecipe for Rule to File Complaint issued.

1994

Watts & Pepicelli
Alan L. Pepicelli

413.

Zimmer Kunz
Joni M.MANGINO &
~~Glenn M. Campbell~~ withdrawn
for Defendant,Twp.
of Woodcock
Joni M. Mangino
for Twp. of Woodcock
E. Max Weiss
Culbertson, Weiss,
Schetroma and Schug PC
for Twp. of Cussewago,
Cussewago Twp. Board of
Supervisors, a/k/a Cussewago
Township Supervisors

Culbertson,Weiss,
Schetroma & Schug
E.Max Weiss
For Defendant William R.
Townley

VIRGINIA W. FREE, Executrix of the Estate of Harold V. Free, Deceased

vs.

TOWNSHIP OF CUSSEWAGO, CUSSEWAGO TOWNSHIP BOARD OF SUPERVISORS a/k/a CUSSEWAGO TOWNSHIP SUPERVISORS, TOWNSHIP OF WOODCOCK, and WILLIAM R. TOWNLEY

Filed April 29, 1994
@ 8:48 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	69.00

Pro. Co. Pd. 4-11-96 $6.00

JURY TRIAL DEMANDED

WRIT OF SUMMONS
Issued Sheriff

May 4, 1994 Sheriff's Return filed. SERVED Township of Cussewago on May 2, 1994 at 3:21 PM by handing a copy of the Summons to Arthur Mook, Supervisor, at R.D.#3, Mosiertown Road, Saegertown, Crawford County, PA.

SERVED Cussewago Township Board of Supervisors a/k/a Cussewago Township Supervisors on May 2, 1994 at 3:20 PM by handing a copy of the Summons to Arthur Mook, Supervisor, at R.D.#3, Mosiertown Road, Saegertown, Crawford County, PA.

SERVED Township of Woodcock on May 2, 1994 at 1:50 PM by handing a copy of the Summons to RonChapan, Adult in Charge, at R.D.#4, Saegertown, Crawford County, PA.

SERVED William R. Townley personally on May 3, 1994 at 9:21 AM by handing a copy of the Summons to him at his residence, R.D.#1, Cambridge Springs,Crawford County, PA.

So answers, Shawn E. Ashbaugh, Deputy Sheriff
Robert M.Stevens, Sheriff

Sep. 19, 1994 Appearance of Zimmer Kunz,Professional Corporation by Joni M.Mangino, Esquire, Glenn M.Campbell, Esquire for Township of Woodcock, Defendant, filed.

Sep. 19, 1994 Praecipe for Rule to File Complaint, issued.

Oct. 6, 1994 Affidavit of Service of Rule to File Complaint, filed.

Oct. 24, 1994, Appearance of E. Max Weiss, of Culbertson, Weiss, Schetroma and Schug, PC, attorneys for Township of Cussewago, Cussewago Twp. Board of Supervisors a/k/a Cussewago Township Supervisors, filed.

Oct. 21, 1994 Complaint in Civil Action, filed.
(4 copies atty)

Oct. 26, 1994 Certificate of Service filed. I hereby certify that a certified copy of the Complaint Civil Action was served upon the following person via regular U.S. Mail sent on October 25, 1994, as follows:

Zimmer Kunz
3300 USX Tower
Pittsburgh, PA 15219-2702

Attention: Glenn M. Campbell, Esquire

Township of Cussewago
Cussewago Township Board of Supervisors
a/k/a Cussewago Township Supervisors
R.D. #3, Mosiertown Road
Saegertown, PA 16433

William R. Townley
R.D. #1
Cambridge Springs, PA 16403

Alan L. Pepicelli

Jan. 27, 1995 Appearance of Culbertson, Weiss, Schetroma and Schug by E. Max Weiss,Esquire,Attorney for Defendant, William R.Townley, filed.

Jan. 31, 1995 Answer and New Matter of Cussewago Township and William R. Townley to Plaintiff's Complaint, filed.

Feab. 2, 1995 Answr and New Matter and New Matter Crossclaim of Defendant to Plaintiff's Complaint, filed.

Feb. 3, 1995 Answer and New Matter of Defendant, Cussewago Township, to Woodcock Township Crossclaim, filed.

Feb. 9, 1995 Reply of Defendnat, Township of Woodcock, to New Matter of Defendant Cussewago Township in its Answer and New Matter to Crossclaim, filed.

Feb. 13, 1995 Praecipe To Substitute Verification filed.

Mar. 3, 1995 Plaintiff's Reply to New Matter of Cussewago Township Filed in Response to Woodwock Township's Cross-Claim, filed.

Mar. 3, 1995 Reply to New Matter of Defendant,Woodcock Township, filed.

Mar. 3, 1995 Reply toNew Matter of Defendants,Cussewago Township and Townley, filed.

Mar. 3, 1995 Notice of Service, filed.

Mar.3, 1995 Notice of Service, filed.

Mar. 8, 1995 Certificate of Service of Defendants' Answers to Plaintiff's Interrogatories and Request for Production of Documents, filed.

Mar. 8, 1995 Notice of Service of Interrogatories and Request for Production of Documents.

May 18, 1995, Notice of Servcie of Responses to Plaintiff's Requests for Production of Documents and Answers to Interrogatories, filed.

June 26, 1995 **Appearance** of Zimmer Kunz, P. C. by Joni M. Mangino, Esq., for Woodcock Twp. and **withdrawal of appearance** of Glenn M. Campbell, filed.

Continued To Page 473

414

1994

Jones, Gregg, Creehan & Gerace Richard W. DiBella 414.	VANCE L. SEAGLE and JUDITH A. SEAGLE, husband and wife vs. ADEMCO. INC., a Corporation and ADEMCO DISTRIBUTION, INC. a Corporation Filed April29, 1994 @ 10:34 AM Tax & entry paid 50.50 User's Fee paid 5.00 Sheriff's Costs 102.00	WRIT OF SUMMONS Issued Sheriff June 15, 1994 SHERIFF'S RETURN, filed. I hereby deputize the Sheriff of Philadelphia County, Pennsylvania to serve the within Summons according to law. The defendants alleged address is c/o C.T. Corporation System, 1635 Market St., Philadelphia, PA 19103. Robert M. Stevens, Sheriff, Crawford County NOT FOUND as to Ademco Inc., the above named defendant, within the County of Philadelphia, State of Pennsylvania, as of 5-13-94. John D. Green, Sheriff SERVED AND MADE KNOWN TO Ademco Dist. Inc., Defendant Company, by handing a true and attested copy of the within Complaint, issued in the above captioned matter on 5-13-94, at 1:00 o'clock, P.M. E.S.T. at 1635 Market St., in the County of Philadelphia, State of Pennsylvania, to Rita Spear, Process Clerk. John d. Green, Sheriff

1994

John Linkosky

415.

Elderkin, Martin,Kelly & Messina
Kenneth G. Vasil

PATRICIA A. TEYSSIER and
LARRY TEYSSIER, her husband

vs.

TIMOTHY N. TEYSSIER and
LINDA J TEYSSIER, his wife

Filed April 29, 1994
@ 12:05 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Pro Co pd. 7/30/98	6.00

JURY TRIAL DEMANDED

COMPLAINT IN CIVIL ACTION
3 copies atty.

Apr. 29, 1994 Acceptance of Service filed. I accept service of the Complaint in the within matter.
Date April 29, 1994 Timothy N. Teyssier

Apr. 29, 1994 Acceptance of Service filed. I accept service of the Complaint in the within matter on behalf of Linda J. Teysssier and certify that I am authorized to do so.
Date April 29, 1994 Timothy N. Teyssier

Jun. 16, 1994 Appearance of Elderkin, Martin, Kelly & Messina by Kenneth G. Vasil, Esquire for Timothy N.Teyssier and Linda J. Teyssier, defendants, filed.

July 6, 1994 Notice of Service of Interrogatories to Plaintiff (First Set), filed.

Jan. 20, 1995 Answer and New Matter filed.

Feb. 23, 1995 Notice of Taking Depositions On Oral Examination of the Plaintiffs,Larry Teyssier and Patricia A.Teyssier, filed.

May 31, 1996 Plaintiffs' Requests for Admissions filed.

June 9, 1997 Notice of Taking Deposition of Timothy N. and Linda J. Teyssier, filed.

Mar 19, 1998 Notice of Deposition of Timothy N. Teyssier and Linda J. Teyssier, filed.

July 21, 1998 UPON PRAECIPE OF John Linkowsky, Esq. Atty for Plaintiff in the above-captioned case is marked discontinued of record, with prejudice.

1994

Joseph W. Tinko

416.

Douglas W. Ferguson

JUDY D. VANN and CURTIS D. JANOS

vs.

JAMES P. REED and SOUND DESIGN HEARING CENTER

Filed April 29, 1994
@ 1:33 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	31.00

JURY TRIAL DEMANDED

COMPLAINT IN CIVIL ACTION
3 copies Sheriff

May 4, 1994 Sheriff's Return filed. SERVED James P. Reed on May 2, 1994 at 3:45 PM by handing a copy of theComplaint to Darcy Durr, Receptionist at Sound Design Hearing Center, 1383 Conneaut Lake Road, Meadville, Crawford County, PA.
SERVED Sound Design Hearing Center on May 2, 1994 at 3:46 PM by handing a copy of theComplaint to Darcy Durr,Receptionist at the business, 1383 Conneaut Lake Road, Meadville, Crawford County, PA.
So answers, Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

May 27, 1994 Notice of Default Judgment, filed.

May 27, 1994 Certificate of Service, filed. I, the undersigned, hereby certify that on the 27th day of May, 1994, I served a true and correct copy of the foregoing IMPORTANT NOTICE on all of the following parties and the following counsel of record for same by United States First Class Mail, postage prepaid, or by personal delivery,pursuant to the Pennsylvania Rules of Civil Procedure:

James P. Reed
964½ South Main Street
Meadville, PA 16335

Sound Design Hearing Center
1383 Conneaut Lake Road
Meadville, PA 16335

Jun. 6, 1994 Defendants' Answer to Plaintiffs' Complaint and Defendants' New Matter and Counterclaim, filed.

Jun. 29, 1994 Answer to Defendants' New Matter and Counterclaim filed.

Jun. 29, 1994 Certificate of Service filed. I, t he undersigned, hereby certify that on the 29th day of June, 1994, I served a true and correct copy of the foregoing ANSWER TO DEFENDANTS' NEW MATTER AND COUNTERCLAIM on all of the following parties and/or the following counsel of record for same by United States First Class Mail,postage prepaid, or by personal delivery,pursuant to the Pennsylvania Rules of Civil Procedure:
ATTORNEY FOR DEFENDANTS: Douglas W. FErguson, Esquire
283 Walnut Street
Meadville, PA 16335
By: Joseph W. Tinko, Esquire

Mar 1, 1996 Motion To Compel Discovery and Order, filed. AND NOW, this 1 day of March, 1996, upon presentation and due consideration of Plaintiff Vann's Motion to Compel Discovery, it is hereby ORDERED, ADJUDGED AND DECREED as follows, to-wit:
a. Plaintiff Vann's Motion to Compel Discovery is hereby granted;
b. The Defendants and their counsel are hereby ordered and directed to respond to Plaintiff Vann's First Request for Production of Document and Things Directed to Defendants within ten (10) days of the date of this Court Order;
c. The Defendants and their counsel are hereby ordered and directed to respond to Plaintiff Vann's First Set of Interrogatories Directed to Defendants within ten (10) days of the date of this Court Order.
Anthony J. Vardaro, J.
Mar 1, 1996 Faxed Tinko & Ferguson

Mar 6, 1996 Defendant's Answer to Plaintiff Vann's First Set of Requests for Admissions Directed to Defendant, filed.

Mar 6, 1996 Certificate of Mailing for Defendnat's Answer to Plaintiff Vann's First Set of Requests for Admissions Directed to Defendant, filed.

Mar. 6, 1996 Motion for Court Ordered Admissions filed.

Mar. 6, 1996 MEMORANDUM AND ORDER filed. ORDER. AND NOW, March 5, 1996, we take no action on the plaintiffs' Motion for Court Ordered Admissions because we believe pursuant to the Pa. Rules of Civil Procedure, such action is not necessary.
This Order is entered without prejudice to the defendants to move to withdraw or amend any or all of their admissions pursuant to Pa. Rules of Civil Procedure 4014(d).
BY THE COURT:
Anthony J.Vardaro,J.
3-6-96 Ferguson & Tinko

Mar. 25, 1996 Certificate of Mailing filed. Douglas W. Ferguson, Esquire, attorney for James P. Reed and Sound DesignHearing Center, Defendants, herein, certifies that he served a true and correct copy of Defendant's Answers to Plaintiff Vann's First Request for Production of Documents andThings Directed to Defendants upon Joseph W.Tinko, Eskquire,attorney for Judy D.Vann and Curis D.Janos, Plaintiffs, by first class mail, postage prepaid on March 25, 1996, by mailing the same to his law office at 379 Chestnut Street,Meadville, Pennsylvania 16335.
Date: March 25, 1996
Douglas W. Ferguson, Eslquire

Mar. 25, 1996 Certificate of Mailing, filed. Douglas W.Ferguson, Esquire, attorney for James P. Reed and Sound Design Hearing Center, Defendants, herin, certifies that he served a true and correct copy of Defendant's Answers to Plaintiff Vann's First Set of Interrogatories Directed to Defendants upon Joseph W. Tinko, Esquire, attorney for Judy D. Vann and Curis D.Janos, Plaintiffs, by first class mail, post-age prepaid on March 25, 1996, by mailing the same to his law office at 379 Chestnut Street,Meadville, Pennsylvania 16335.
Date: March 25, 1996
Douglas W. Ferguson, Esquire

1994

Jorden & White
Harry Faber White, II

417.
Akman & Associates
~~Jonatha C. Hook~~ withdrawn
Mark Stevens

6-8-95 Rec'd from Deft mediator 150.00

10-12-95 Pd Co #9519 1.50.00
11-24-97 Rec'd from dept 120.00
2-18-98 Pd Co #11680/20.00

PATRICIA A. LEE

vs.

JEFFREY WALTER LEE

Filed April 29, 1994
@ 4:04 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro.Co. pd 3/14/95	$9.00
Pro Co Pd 6-8-95	15.00
State Pd 6-8-95	5.00
John Spataro, Mediator	210.00

Pro Co Pd 10-12-95 9.00
John Spataro, mediator 120.00
Pro Co Pd 2-18-98 9.00

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

May 6, 1994, Affidavit of Servcie filed. Harry Faber white, II, atty. for plaintiff in the above matter, being duly sworn according to law, deposes and says that he served the Notice to Defend and Complaint under Sect. 3301(c) of the Divorce Code to defendant by cert. mail, ret. rec. req. on May 4, 1994, at the defendant's address r. d. #6, box 586, Meadville, Pa. 16335. The defendatn's acceptance of the same is attached hereto as Exhibit "A". Harry Faber WHite, Esq.

Mar 13, 1995 Affidavits of Consent of Plaintiff and Defendant filed.

Mar. 14, 1995 Upon Praecipe of Harry Faber White,II, Esq. Atty. for Plaintiff to transmit record, case moved to Court.

DIVORCE DECREE FILED

March 24, 1995 AND NOW, March 24, 1995, it is hereby ordered and decreed that PATRICIA A. LEE, Plaintiff, and JEFFREY WALTER LEE, 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.

Jun. 7, 1995 Request for Appointment of Child Custody Mediator and ORDER filed. AND NOW, this 5 day of June, 1995, it is ordered that all parties in the above captioned case and their counsel shall appear for a mediation conference before the Mediator, John Spataro, at a time tobe set by the Mediator in the Crawford County Courthouse, with the child Custody Mediator as Required by Rule L1915.26A et. seq. of the Court of Common Pleas of Crawford County,Pennsylvania

It is further ordered and decreed that pending final determination by the Court, the 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.

6-8-95 Faxed Attys. White & Spataro, mailed Hook.

Aug 30,1995 TEMPORARY ORDER, filed. AND NOW, this 29 day of August, 1995, 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, Audra Renee Lee, born April 10, 1992.

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 prsonnel, and other care providers are hereby authorized to release to either party any and all confidential information which they mayhave regarding the subject minor child.

3) The mother shall retain primary physical custody of the child subject to the partial custody rights of the father as follows:

a. Father shall have the right to take the child into his care and custody every other week beginning August 27, 1995 commencing on Tuesday between the hours of 11:00 a.m. and 12:00 noon and continuing until the following Thursday at 5:00 p.m.

b. Father shall have the right to take the child into his care and custody each Friday from 12:00 noon until 5:00 p.m.

c. On th eSunday prior to the Tuesday through Thursday custody period referenced above, father shall, between the hours of 11:00 a.m. and 12:00 noon telephone the mother and advise her as to whether or not he will be able to exercise his Tuesday through Thursday custody period. In the event he is unable to exercise his partial custody rights during that period of time by reason of conflict in his work schedule, then the parties shall accommodate each other as referenced in paragaraph 5 of this order.

d. If, at any time, when the child is in the care and custody of her father and it becomes necessary for the child to attend a doctor's appointment or is in need of medical care, then in that event, the father shall take the child to the child's trating physician, Dr. Dean Spencer, unless the mother consents to his taking the child to some other physician or emergency conditions compel the father to take the child elsewhere.

4) Holiday,vacation and birthday visitations shall be arranged as follows:

a. For the holidays of Thanksgiving, Christmas, New Years, Easter Sunday, Memorial Day, Independence Day and Labor Day, the shared physical custody of the child shall be as follows: Mother shall have the child on the evening before each of the foregoing holidays and continuing until 11:00 a.m. on the holiday itself, at which time the father shall take the child into his care and custody and have the child until 8:00 p.m. that evening.

b. The father shall have the right to take the child into his care and custody for a period of one week during the summer months. The father shall give the mother thirty (30) days advanced notice of the week when he intends to exercise this period of extended visitation which shall coincide with the taking of his vacation from work.

c. The child shall spend Father's Day with her father from 9:00 a.m. to 7:00 p.m., and Mother's Day with her mother during the same hours.

d. The provisions of this paragraph shall take precedence over the other provisions of this order relating to custody.

5) Should it be necessary for either 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 a 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 paties shall attempt at once to arrange for alternative visits or to make alternative arrangements.

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 the other, except that for the holiday vistiation and the Friday visitation periods,the father shall have

Cont on Page 470

418

1994

William J. Gregg

418.

Paul E. Allen, For
Joseph Kowolek

PAGE'S TIRE AND AUTO SUPPLY INC.,

vs.

JOSEPH KOWOLEK and RICHARD M. SULECKI t/d/b/a HARTSTOWN GARAGE

Filed May 2, 1994
@ 8:54 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	35.00
Pro.Co. pd 7/20/95	9.00
Pro Co pd ~~5-27-98~~ 6-4-98	5.00

COMPLAINT IN CIVIL ACTION
2 copies atty.

May 16, 1994 Sheriff's Return filed. SERVED Joseph Kowolek on May 10, 1994 at 10:55 AM by handing a copy of the Complaint to Richard M. Sulecki, Authroized Agent, at Hartstown Garage, Center Street, Hartstown, Crawford County, PA. Signed Acceptance of Service attached.

SERVED Richard M. Sulecki, t/d/b/a Hartstown Garage, personally on May 10, 1994 at 10:45 AM by handing a copy of the Complaint to him at the Hartstown Garage, Center Street, Hartstown,Crawford County, PA.

So answers, Shawn E. AShbaugh, Deputy Sheriff
Robert M.Stevens, Sheriff

May 26, 1994 Appearance of Paul E. Allen, Esquire for Joseph Kwolek, one of the defendants, filed.

May 26, 1994 Defendant Joseph Kowolek's Answer to Plaintiff's Complaint, filed.

And Now, Jul.18, 1995 at 2:12 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, RICHARD M. SULECKI, for failure to take action required of you in this case, and the same is liquidated at the sum of Ten Thousand Four hundred Ninety-Seven and 59/100 dollars, plus interest from March 28, 1994,and costs of suit.

S-141:
Entered 7-18-95
Atty.Gregg

Debt $10,497.59
Int.from March 28, 1994
Judgment
Barbara H. King
Prothonotary

EX. 1995 - 52

May 27, 1998 Upon praecipe of plaintiff attorney the above-captioned case is marked discontinued and settled of record.

1994

Edward J. Hatheway

419.

R. Charles Thomas
Thomas, Trua x, Spadafore, Walker, Keenan

JACK E. WYANT
AND ESTHER M. WYANT,
HUSBAND AND WIFE

vs.

DEE W. TOCK

Filed May 2, 1994
@ 10:35 AM

Tax & entry paid	50.25
User's Fee paid	5.00
Pro Co pd 1-7-99	6.00

JURY TRIAL DEMANDED

APPEAL OF PLAINTIFF FROM DECISION OF DISTRICT JUSTICE HUBERT E. VOGAN

May 3, 1994 Proof of Service of NOtice of Appeal and Rule to File Complaint, filed.

May 9, 1994 Affidavit of Service filed. Edward J. Hatheway, Esquire, being duly sworn according to law, deposes and says that he served a copy of the Notice of Appeal of Vernon Township Magistrate Huebert E.Vogan's April4, 1994 judgment on the Defendant/Appellee, Dee W. Tock and Magistrate Huebert E.Vogan, by certified mail, Article Numbers P 899 087 573 and P 251 385 254 respectively, posted on May 5, 1994, and received by the Defendant/Appellee, Dee W.Tock, and MaGISTRATE Huebert E.Vogan on May 5, 1994, as evidenced by the copy of the return receipt card, attached hereto and marked Exhibit A.
May 9, 1994 Edward J. Hatheway, Esquire

May 16, 1994 Complaint filed. (1 copy Pltf.)

JUn. 1, 1994 Affidavit of Service filed. I, Edward J. Hatheway, 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 16th day of May, 1994, send to the above named Defendant,by Certified Mail, Return Receipt Requested, a true and correct copy of the Complaint filed at the above term and number; and that I did receive a duly executed return receipt dated May 18, 1994.
June 1, 1994 Edward J. H atheway, Esquire

June 6, 1994 Defendant's Preliminary Objections filed.

June 23, 1994 Amended Complaint filed.

July 26, 1994 Notice of Praecipe for Entry of Default Judgment, filed.

Aug. 8, 1994 Preliminary Objections to Amended Complaint filed.

Aug. 22, 1994 Upon Praecipe of Edward J. Hatheway, Esquire, Attorney for Plaintiff, the above captioned matter is placed on the next available Argument List.

ON SEPTEMBER, 1994 ARGUMENT LIST

Sept. 26, 1994, Motion to Continue Argument/Hearing and Order filed. ORDER: AND NOW, this 26th day ofSept. 1994, upon presentation and consideration of the foregoing Motion to Continue Argument Hearing: Said Motion is granted.
Gordon R. Miller, J.
9/26/94 faxed to Hatheway and Thomas.

Dec. 19, 1994 Memorandum and Order filed. AND NOW, December 15, 1994, the Defendant's preliminary objection in the nature of a demurrer with respect to the breach of contract count is sustained as is his motion to strike with regard to Paragraph 15 of the Plaintiffs' amended complaint.
The Defendant's request for more specific pleading with regard to any negligence allegation or allegations is granted and the Plaintiffs are afforded 20 days fromthe date of this order to file a second amended complaint with respect to any such negligence allegation or allegations.
BY THE COURT,
Anthony J. Vardaro, J

Dec. 15, 1994 copies dist. to Thomas & Hatheway

Jan. 11, 1995 Amended Complaint,filed.

Jan. 30, 1995 Preliminary Objections to Third Amended Complaint, filed.

Jul.17, 1995 Upon praecipe of R.Charles Thomas,Esquire, the Defendant's Preliminiary Objections to Third Amended Complaint is place on the next available argument list.

ON AUGUST, 1995 ARGUMENT LIST

Aug. 17, 1995, Amended Complaint filed.

Oct. 27, 1995 MEMORANDUM AND ORDER filed. ORDER: AND NOW, October 26, 1995, the Defendant's demurrer is overruled but his motion to strike is granted without prejudice to the Plaintiff to file a third amended complaint within 45 days of the date of this order.
BY THE COURT:
Anthony J. Vardaro, J.

Oct. 27, 1995 Copy placed in Attys. Thomas, Hateway mailbox.

Dec. 1, 1995 Motion to Amend Civil Complaint Pursuant to 42 Pa.R.Civ.Pro 1033 and ORDER filed. AND NOW, this 1st day of December, 1995, upon presentation of the Plaintiffs's Motion to Amend Civil Complaint Pursuant to 42 Pa.R.Civ.Pro 1033: Motion Granted. BY THE COURT:
Gordon R. Miller, J.

12-2-95 FAXED Thomas & Hatheway.

Dec. 4, 1995 Amended Complaint, filed. (1 copy Atty.)

Oct. 7, 1996, Notice of Entry of Praecipe for Default Judgment filed.

Continued On Page 483

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

420.

~~Rawle & Henderson~~
~~Thomas P. Wagner~~ Withdrawn
Peter A. Lentini
for Defs. C.S. Transit, Inc. & Papa Joe Transport

Meyer, Darrah Buckler, BeBenek & Eck
Eric N. Anderson
for Defendants C.S.Transit, Inc. & Papa Joe Transit

CHARLES HACKNEY and JENNIFER HACKNEY, his wife

vs.

SUPERIOR CARRIERS, INC., C.S. TRANSIT, INC. and PAPA JOE and FILS TRANSPORT, INC

Filed May 2, 1994
@ 10:43 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Pro.Co. pd 5/8/95	6.00

JURY TRIAL OF TWELVE DEMANDED

WRIT OF SUMMONS
Issued Atty.

May 26, 1994 Appearance of Knox, McLaughlin, Gornall & Senttett, by Joanna K. Budde, Esquire, attorney for Superior Carriers, Inc., filed.

May 26, 1994 Praecipe for Rule to File Complaint issued. (Issued Atty.)

June 7, 1994 Appearance of Rawle & Henderson by Thomas P. Wagner, Esquire and Peter A. Lentini, Esquire for Defendants C.S. Transit, Inc. and Papa Joe Transport, filed.

June 7, 1994 Praecipe to Enter Jury Trial Demand, filed.

Jun. 9, 1994 Complaint, filed.

June 24, 1994 Affidavit of Return of Service filed. AND NOW, this 23rd day of June, 1994, comes Jeffrey K. Millin, after being duly sworn according to law, depose and says that he is the attorney for Plaintiff and that as such, he is authorized to make this Affidavit of Return of Service, wherein he does hereby affirm that he did serve an original Writ of Summons upon the following named defendants pursuant to Pa. R.C.P. 403 and 404 as follows:

a. Superior Carriers, Inc. on the 10th day of May, 1994, by first class certified mail, return receipt requested, postage prepaid, at their business address of 823 Commerce Drive, Suite 200, Oakbrook, Illinois 60521-8825. Original signed return receipt is attached here to as Exhibit A; and

b. C.S. transit, Inc. and dba Papa Joe and Fils Transport, Inc., on the 13th day of May, 1994, by first class certified mail, international return receipt requested, postage prepaid, at their business address of C.P. 205, Ste. Therese, De-Bainville, Quebec, Canada J7E4J2. Original signed return receipt is attached here to as Exhibit B.

Further your deponent saith not.

By: Jeffrey K. Millin

Aug. 18, 1994 Preliminary Objections of Defendant, Superior Carriers, Inc., filed.

Aug. 18, 1994 Upon praecipe of Joanna K. Budde, Attorney for defendant, Superior Carriers, Inc., this case placed on next Argument List.

ON SEPTEMBER 1994 ARGUMENT LIST

Nov. 21, 1994 Upon Praecipe of Thomas P. Wagner, Esquire, his appearance is hereby withdrawn and Appearance of Meyer, Darragh, Buckler, Bebenek & Eck by Eric N. Anderson, Esquire, attorneys for Defendants C.S.Transit, Inc. and Papa Joe Transit, filed.

Dec. 8, 1994 Memorandum and Order filed. AND NOW, December 7, 1994, upon consideration of the preliminary objections of the Defendant Superior Carriers, Inc., the demurrer/motion to strike alleging the Plaintiffs' complaint to be in violation of Pa. R.C.P. 1020 is denied. The preliminary objection in the nature of a demurrer with respect to Count II of the Plaintiffs' complaint is denied. The preliminary objections in the nature of a mtoion to strike/motion for more specific pleading are granted with respect Subparagraphs 10(b) and 10(h) and those are stricken without prejudice to the Plaintiffs to file an amended pleading which is more specific with respect to the allegations contained in those two subparagraphs. The preliminary objections in the nature of a motion to strike/motion for more specific pleading with respect to Subparagraph 10(d) and Paragraph 10(i) are denied.

The Defendant's motion to strike/motion for more specific pleading with respect to Paragraph 11 is granted without prejudice to the Plaintiffs to file an amended complaint with a more specific pleading with regard to the allegations made in that paragraph. The Plaintiffs must file any amended pleading within 20 days of the date of this order.

BY THE COURT,
Anthony J. Vardaro, J

dec. 12, 1994 Copies dist to Irwin & Millin & Budde

Jan. 10, 1995 First Amended Complaint Jury Trial Demanded.

Jan. 31, 1995 Answer and New Matter filed.

Feb. 9, 1995 Reply to New Matter, filed.

Apr. 5, 1995 Reply to New Matter Pursuant to Pa.R.C.P. 2252(d), filed.

Apr. 5, 1995 Answer and New Matter to First Amended Complaint, filed.

May 8, 1995 Upon Praecipe of Jeffrey K. Millin, Esquire, Attorney for Plaintiff, the above-captioned case marked settled and discontinued of record.

1994

Watts & Pepicelli
Alan L. Pepicelli

421.

Gale T. Mayorowski

EARL T. EBBERT

vs.

THE PENN WARRANTY CORPORATION

Filed May 2, 1994
@ 1:51: PM

Tax & entry paid	50.25
User's Fee paid	5.00
Pro.Co. pd 2/7/95	$6.00

APPEAL OF DEFENDANT FROM DECISION OF DISTRICT JUSTICE WAYNE E. HANSON

May 2, 1994 Rule entered upon the Plaintiff to file a Complaint issued.

May 9, 1994 Proof of Service of Appeal filed. I, Gale T. Mayorowski,Esquire, hereby certifies that a true and correct copy of Notice of Appeal andRule to File, was served by certified mail,return receipt requested upon the following persons this 5th day of May, 1994. Magistrate Wayne E. Hanson, PO Box 128, 112 Erie Street, Linesville, PA 16424
Earl Ebbert, Box 363, Meadville, PA 16335
Gale T. Mayorowski, Esquire

June 21, 1994 Complaint in Civil Action, filed.

Jul. 25, 1994 Preliminary Objections, filed.

Feb.7, 1995 Upon Praecipe of Alan L.Pepicelli, Esquire, the above-captioned case is marked settled and discontinued of record.

1994

Barbara J. Walton

422.

KATHY BALESTRIERI

vs.

VINCENT BALESTRIERI

Filed May 2, 1994
@ 2:34 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 4/3/96	9.00

COMPLAINT IN DIVORCE, CUSTODY, EQUITABLE DISTRIBUTION
1 copy atty.

May 12, 1994, Affidavit of Service filed. and now, May 11, 1994, comes Barbara J. walton, and avers:

1. A true and correct copy ofthe complaint for divorce was mailed to the defendant via cert. amil, ret. rec. on May 4, 1994.

2. That the defendant signed the ret. card on May 10, 1994 and in accordance with Pa. R.C.P. 412, service ofthe complaint was made as is evidenced by the US Postal Service Ret. Rec. No. Z070232942 attached hereto as Exhibit "A".

Barbara J. Walton, Esq.

May 18, 1995, Inventory of Plaintiff filed.

May 18, 1995, Income and Expense Statement of plaintiff filed.

May 26, 1995 Petition for Special Relief and ORDER filed. And Now, this 26 day of May, 1995, upon presentation of the Petition for Special Relief it is hereby Ordered and Directed that pursuant to Pa. R.C.P. 1920.33 (a), Defendant, Vicent Balestrieri shall file an Inventory on or before June 26, 1995 and furnish a copy of same to Barbara J. Walton, Esq., Attorney for Defendant.

By the Court:
Anthony J. Vardaro, J.

May 26, 1995 Order FAXED Atty. Walton.

Jul 31, 1995 Petition For Contempt and Rule, filed. AND NOW, this 26th day of July 1995, upon consideration of the enclosed Petition for Contempt, it is hereby entered ordering and directing the Defendant, Vincent Balestrieri, to show cause, if any he has, why said Petition for Contempt should not be granted. The said Rule to show Cause is returnable for hearing and/or argumetn on the 11the day of August, 1995, at 1:30 o'clock p.m. prevailing time, in Courtroom Number 2, in the Crawford County Courthouse located at 903 Diamond Park, Meadville, Pennsylvania.

By the Court,
Gordon R. Millelr, P.J.

Aug. 1, 1995 given to Walton
Aug 2, 1995 sent to Dft.

Aug. 9, 1995 Affidavit of Service filed. And Now, August 9, 1995, comes Barbara J.Walton,and avers as follows:

1. A true and correct copy of the Petition for Contempt was mailed to the Defendant via Certified Mail, return receipt on August 2, 1995.

2. That the Defendant signed the return card on August 8, 1995, 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. Z410908238) 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 penaltiies of 18 Pa.C.S. § 4904, relating to unsworn falsification to authorities.

Barbara J. Walton, Esquire

Aug. 11, 1995, Income and Expense Statement of defendant filed.

Aug. 16, 1995, ORDER ifled. AND NOW, Aug. 11, 1995 this matter comes before the court on the plaintiffs Petition for Contempt due tothe fact that the dft. has not filed his inventory as required by the Rules of Court. This matter previously came before the court on a Petition for Special Relief on May 26, 1995 and we gave the dft. until June 26, 1995 to file his Inventory and to furnish a copy of the smae to the atty. for the plff. He did not doso, but he appears today and has his inventory completed and provides a copy to counsel for the plff.

Under these circumstances, we find tha the dft. is incontempt fothe order of May 26, 1995. In light of the fact he is prepared to file his Inventory the only prnalty that we will impose is that he must pay counsel fees to the counsel for the plff in the amount of $150 within 30 days of the date of this order.

Additionally, he must file an orig. of his Inventory in the Prothonotary's office this date.

by the court,
AnthonyJ. Vardaro, Judge

8/16/95 dist. to Walton and dft.

Jan 26, 1996 Affidavit of Consent of Plaintiff, filed.

Feb 2, 1996 Marriage Settlement Agreement, filed.

Feb 2, 1996 Affidavit of Consent of Defendant, filed.

Feb 2, 1996 Waiver of Notice of Intention to Request Divorce, filed.

Mar. 29, 1996 Upon Praecipe of Barbara J. Walton, Esquire, Attorney for Plaintiff to transmit record, Case moved to Court.

DIVORCE DECREE FILED

April 10, 1996 AND NOW, this 9 day of April, 1996, 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, KATHY BALESTRIERI and Defendant, VINCENT BALESTRIERI, are dissolved because the marriage is irretrievably broken. Plaintiff and Defendant are divorced from the bonds of matrimony.

(SEE PAPERS FILED).

By the Court:
Gordon R. Miller, J.

CONTINUED ON PAGE 422-A

Kathy Balestrieri
vs
Vincent Balestrieri

continued from page 422
of record
AD 1994 - 422

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JUly 14, 1999 Stipulation for entry of Domestic Relations Order and Order filed . And Now, this 26 day of July 1999 the attached Stipulation and Agreement dated January 22, 1996 of the parties in this case is incorporated but not merged into this Order as a Qualified Domestic Relations Order.

By the Court
Gordon R. Miller,J

7/27/99 Faxed Walton

1994

Ferguson & Spataro
John F. Spataro

423.

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

JAMES F. BOYKO

vs.

STATE FARM INSURANCE COMPANY

Filed May 2, 1994
@ 3:35 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	25.00
Pro Co pd 1-24-96	5.00

COMPLAINT IN CIVIL ACTION

May 9, 1994 SHERIFF'S RETURN, filed. SERVED State Farm Insurance Company on May 5, 1994 at 2:30 PM by handing a copy of the Complaint to Carla Jackson, Receptionist at the business, RD #4, Box 3, Meadville, Crawford County, Pa.
So answers, Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

May 27, 1994 Preliminary Objections and Demurrer, filed.

May 31, 1994, certificate of Service of Preliminary Objections filed.

June 8, 1994 Upon praecipe of plaintiff attorney, the above case placed on next available argument list.

ON JULY 1994 ARGUMENT LIST

Aug.5, 1994 Stipulation and ORDER filed. AND NOW, this 5th day of August, 1994, in accordance with the attached Stipulation of the parties, summary judgment is entered in favor of the Defendant and against the Plaintiff with respect to Count Two of the Plaintiff's complaint, alleging that the Defendant engaged in bad faith, based upon an alleged violation of 42 P.S. 8371, entitled "Actions on Insurance Policies", which provides a private cause of action for bad faith against insurance companies.
The Plaintiff's rights to appeal the judgment are preserved, in that this Order is to be treated and considered as a partial summary judgment order in favor of the Defendant. The Plaintiff may take an appeal in conformity with the Pennsylvania Rules of Civil Procedure and the Pennsylvania Rules of Appellate procedure following the entry of an appealable order in this case.
The Defendant, State Farm Insurance Company, shall file an answer to the remaining Count Number 1 of the Plaintiff's Complaint within twenty (20) days.
BY THE COURT,
Gordon R. Miller, J.

8-5-94 Faxed to Attys. Spataro & Spadafore

Aug . 24, 1994 Answer filed on Behalf of Defendant, filed.

Sep. 8, 1994 Notice of Intent to Complete Discovery filed.

Mar. 7, 1995 Certificate of Readiness For Placement on Civil Trial List, filed.

ON TRIAL LIST FOR June 1995

Apr. 26, 1995 Motion for Sanctions Against Defendant and ORDER filed. AND NOW, this 26 day of April, 1995,upon consideration of Plaintiff's Motion for Sanctions Against Defendant,it is hereby ORDERED that the Motion is granted and Defendant, State Farm Insurance Company, shall answer Plaintiff's Interrogatories and respond affirmatively to Plaintiff's Request for Production of Documents within twenty (20) days of the date of this Order or appropriate sanctions will be imposed upon further application to the Court, w/o prejudice to Defendant to object to any items it deems objectionable.
BY THE COURT,
Anthony J.Vardaro,J.

4-26-95 Faxed to Attys.Spataro &Spadafore

May 26, 1995 Certificate of Service of Answers to Interrogatories and Request for Production , filed.

On October 1995 Civil Trial List

Jan 22, 1996 Upon praecipe of plaintiff attorney the above case is marked settled and discontinued of record.

424

1994

William J. Gregg

Peters, Lindsay,
Lewis & Hatheway
Brian J. Lindsay

424.

DON LOWERY

vs.

CHERYL LOWERY

Filed May 2, 1994
@ 4:24 PM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Ad'dl Count paid	15.00
STate paid	10.00
Pro Co. pd 3/1/95	9.00 ✓

COMPLAINT IN DIVORCE, CUSTODY/VISITATION
1 copy atty.

Dec. 13, 1994 Affidavit of Consent of plaintiff filed.

Dec. 13, 1994 Affidavit of Consent of defendant filed.

Jan. 24, 1995 Motion For Withdrawal of Count in Divorce and Order, filed. AND NOW, this 23rd day of January, 1995, the above Motion is granted and therefore the Count for Child Custody and Visitation is hereby withdrawn. Gordon R. Miller, P.J.
Jan. 24, 1995 copy dist to Gregg

Feb. 21, 1995 Acceptance of Service filed. AND NOW, this 17th day of February, 1995, comes Cheryl Lowery, Defendant in the above captioned matter and acknowledges that she received a true and correct copy of the Divorce Complaint on May 4, 1994, which Complaint was filed on May 2, 1994, in the above captioned matter.

Cheryl Lowery, Defendant

Feb. 21, 1995 Upon Praecipe of plaintiff attorney for Review Under Section 3301(c) of Divorce Code, this case moved to Court.

DIVORCE DECREE FILED

March 6, 1995 AND NOW, March 3,1995, it is ordered and decreed that DON LOWERY, Plaintiff, and CHERYL, 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.

1994

425.

Harry Faber White, II

ROBERT & NORMA BAUGHMAN

vs.

RALPH & RUTH SMITH, DENNIS SMITH

Filed May 2, 1994
@ 4:24 PM

Tax & entry paid	50.25
User's Fee paid	5.00

APPEAL OF DEFENDANT OF DECISION OF DISTRICT JUSTICE RONALD COLE, SR.

May 2, 1994 Rule entered upon the Plaintiffs to file a Complaint issued.

1994

Christopher Ferry

Mayerson, Munsing, Corchin, & Rosato, PC
Hy Mayerson
Margaret R. Connors
Eric Busch

426.

Knox McLaughlin Gornall & Sennett, P.C.
Wallace J. Knox
for KhD Deutz of Am.

DALE HAMILTON and LUCILLE HAMILTON, h/w

vs.

KHD DEUTZ OF AMERICA CORPORATION, and KLOCKNER-HUMBOLDT-DEUTZ, AG

Filed May 3, 1994
@ 11:22 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Pro Co pd 1-20-97	5.00

COMPLAINT IN CIVIL ACTION
3 copies atty.

May 5, 1994, Appearance pro hac vice by Christopher D. Ferry, attorney for purposes of presentation of Motion, filed.

May 9, 1994 Plaintiff's Motion To Appoint Process Server and Order, filed. IT IS HEREBY ORDERED, that APS International, Ltd. is appointed to effect service of process on the Defendant, Klockner-Humboldt-Deutz, AG, in Germany in accordance with the Hague Convention and international law.
Dated: May 9, 1994 Gordon R. Miller, P.J.
May 9, 1994 faxed copy to C. Ferry
May 12, 1994 coopy sent to M. Connors

May 12, 1994 Affidavit of Service filed. And now, May 11, 1994, comes Barbara Wal

June 2, 1994 Complaint Reinstated.

June 6, 1994 Appearance of Knox, McLaughlin, Gornall & Sennett, PC. of Wallace J. Knox for Klockner-Humboldt-Deutz, AG Defendant filed.

June 6, 1994 Preliminary Objections Of Defendant Klockner-Humboldt-Deutz, Ag filed.

June 7, 1994 Answer and New Matter of Defendant, KHD Deutz of America Corporation, filed.

June 27, 1994 Plaintiffs' Answer To New Matter of Defendant KHD of America Corporation filed.

Jul. 6, 1994 Motion to Consolidate of Plaintiffs Dale and Lucille Hamilton and ORDER filed. AND NOW, this 6 day of July, 1994, upon consideration of Plaintiffs' Motion to Consolidate, it is hereby ORDERED that the motion is granted based on reported consent of all parties' counsel of record. (See paper filed at AD 1993-634)

Jan 18, 1996 Answer and New Matter of Defendant, Kloeckner-Humboldt-Deutz, AG, filed.

Jan 16, 1997 Upon praecipe of Edward J. Hatheway, Esq., all claims and causes of actiion which were, or could have been, asserted in this action having been settled, adjusted and compromised, this action is hereby discontinued of record.

1994

John P. Gagliotti

427.

CHRISTINA MOORE

vs.

MICHAEL DAVID MOORE

Filed May 3, 1994
@ 1:28 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co. pd.10/31/94	9.00

COMPLAINT IN DIVORCE PURSUANT TO SECTION 3301(c) OR SECTION 3301(d),
2 copies atty.

Jun. 1, 1994 Verification of Service filed. I, John P.Gagliotti, Esquire, attorney for the Plaintiff in the above-captioned action, verify that I mailed on May 17, 1994, a Complaint in Divorce under Section 3301 (c) or (d) of the Divorce Code to Michael David Moore at 105 Elm Street, Franklin, Crawford County,Pennsylvania 16323, by Certified Mail, Return Receipt Requested, No. P885064324; and that on May 19, 1994, he received same as evidenced by the attached signature card.

I make this verification with notice that willful false statements made herein are subject tothe penalties of perjury under Section 4904 of the Pennsylvania Crime Code, relating to unsworn falsification to authorities.

Date: June 1, 1994 John P. Gagliotti, Esquire

Oct. 31, 1994 Verification of Service filed. I, John P. Gagliotti, Esquire, attorney for the Plaintiff in the above-captioned action, verify that I mailed on May 17, 1994, a certified copy of the complaint in Divorce under Section 3301(c) or 3301(d) of the Divorce Code, to Michael D. Moore, 105 Elm St., Franklin, PA., 16323, by Certified Mail, Return Receipt Requested, No. P885064324; and that on May 19, 1994, he received same as evidenced by the attached signature card.

I make this verification with notice that willful false statements made herein are subject to the penalties of perjury under Section 4904 of the PA. Crime code, relating to unsworn falsification to authorities.

John P. Gagliotti, Esq.

Oct. 31, 1994 Affiavit of Consent of plaintiff filed.

Oct. 31, 1994 Affidavit of Consent of Defendant filed.

Oct. 31, 1994 Upon Praecipe of plaintiff attorney for Review under Section 301(c) of Divorce Code, this case moved to Court.

DIVORCE DECREE FILED

March 1, 1995 AND NOW, February 22, 1995, it is hereby ordered and decreed that CHRISTINA MOORE, Plaintiff, and MICHAEL DAVID MOORE, 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.

1994

Peters, Lindsay,
Lewis & Hatheway
Brian J. Lindsay

428.

STEVEN YANACEK

vs.

DIANE YANACEK

Filed May 3, 1994
@ 4:09 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 10-6-94	9.00
Pro Co pd 6/6/95	5.00

COMPLAINT IN DIVORCE
1 copy atty.

May 12, 1994 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 5th day of May, 1994, send to the above nam,ed Defendant, by Certified Mail, Return Receipt Requeste, a true and correct copy of the Complaint in Divorce filed at the above term and number; and that I did on the 11th day of May, 1994, receive a duly executed return receipt dated May 10, 1994.
May 11, 1994 Brian J. Lindsay, Esquire

Aug. 9, 1994, Affidavit of Consent of Plaintiff filed.

Sept. 26, 1994, Affidavit of Consent of defendant filed.

Sept. 30, 1994 Upon praecipe of Plaintiff's attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Oct. 13, 1994 AND NOW, October 7, 1994, it is ordered and decreed that STEVEN YANACEK, plaintiff, and DIANE YANACEK, Defendant, are divorced from the bonds of matrimony.

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

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

June 6, 1995 Notice of election To Retake Maiden Name filed. Diane Yanacek TO BE KNOWN AS Diane Gage

1994

429.

TRACY M. LITTLE

vs.

RICHARD W. LITTLE

Filed May 4, 1994
@ 9:39 AM

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

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

Order:

And now, this 4 day of May , 1994 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions:Defendant may not go to Plaintiffs residence for any purpose. Defendant may not go to Pl's. place of employment for any purpose. Custody of both children to remain with Plaintiff.
3. This Order may be enforced without a warrant any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court Liability for payment or fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves ruling on allocation of fees and costs.

Hearing is hereby set for May 12, 94 , 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.

May 5, 1994 Sheriff's Return filed. SERVED Richard W. Little personally on May 4, 1994 at 2:38 PM by handing a copy of the Protection from Abuse to him at his place of employment, Kebert Construction, Route 322, Meadville, CrawfordCounty, PA.

So answers,

Scott D. Young, Deputy Sheriff
Dale A. Collins, Chief Deputy
Robert M.Stevens, Sheriff

May 16, 1994 ORDER filed. AND NOW, May 12, 1994, we have received a facsimile signed by the Defendant who is currently in the Stepping Stones program at the Meadville Medical Center which indicates that he wishes to have a continuance of the hearing set for this date until after he leaves the SteppingStones program.

The counsel for the Plaintiff does not object and, accordingly, the hearing is continued indefinitely to be rescheduled upon motion of either party.

Pending any further hearing, Senior Judge P. Richard Thomas' temporary abuse order of May 4, 1994 shall remain in full force and effect as has been agreed upon by the parties.

BY THE COURT:
Anthony J. Vardaro, J.

5-16-94 Faxed Copy to MCPD, sent Brode, deft. & Co. Control.

430

1994

Elizabeth A. Prather

430.

BARBARA A. PHARES

vs.

LEROY S. PHARES

Filed May 4, 1994
@ 10:05 AM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 10-27-94	9.00

COMPLAINT UNDER SECTION 3301(a), 3301(c) OR 3301(d) OF DIVORCE CODE

~~COMPLAINT UNDER SECTION 3301(a) OF THE DIVORCE CODE~~
1 copy atty.

June 30, 1994 Petition For Service Pursuant To Special Order Of Court Under PA.R.C.P. Rule 430, Affidavit In Support Of Order For Service Of Process By Publication and Order, filed. ORDER: AND NOW, June 10, 1994, on Plaintiff's Petition for Service Pursuant to Special Order of Court Under Pa.R.C.P. Rule 430; it is hereby ORDERER, ADJUDGED and DECREED that service of process shall be by publication in the following legal publication and/or newspaper Meadville Tribune and Crawford County Legal Journal, and shall run for 1 consecutive days. By the Court,
Anthony J. Vardaro, J.
June 30, 1994 Faxed E. Prather

Sept. 23, 1994, Motion to Proceed Without Further Service and Order filed. ORDER: AND NOW, this 23 day of Sept. 1994 on plaintiff's Motion to Proceed Without Further Service of Process by Publication it is hereby ORDERED ADJUDGED AND DECREED that petitioner may proceed without further service of process by publication. By the Court,
Anthony J. Vardaro, J.
9/23/94 faxed to to Prather.

Sept. 27, 1994, Petition to Amend Heading of Divorce Complaint and Order filed. ORDER: AND Now, this 23 day of Sept. 1994, it is hereby Ordered Adjudged and Decreed that the heading of plaintiffs Divorce Complaint be amended to read: "Complaint Under Seciton 3301(a), 3301(c) or 3301(d) of the Divorce Code."
By the court,
Gordon R. Miller, J.
9/27/94 faxed to E. Prather.

Sept. 30, 1994 Affidavit of Plaintiff, filed.

Oct. 21, 1994 Upon praecipe of Plaintiff's attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Nov. 2, 1994 AND NOW, October 28, 1994, it is hereby ORDERED, ADJUDGED and DECREED that BARBARA A. PHARES, Plaintiff, and LEROY S. PHARES, Defendant, are divorced from the bonds of matrimony.

By the Court,
Gordon R. Miller, J.

1994

Kuhn, Kuhn & DeSantis, PC
Joseph DeSantis

~~Joseph C. Barnhart~~
Michelle Hawk Kelly

431.

gregg Keenan

BEVERLY A. SHREVE

vs.

BARRY H. SHREVE

Filed May 4, 1994
@ 11:36 AM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co Pd 2-20-97	250.00
David Pickens - Master Pro Co Pd 9-10-98	90.00

2-20-97 Rec. from Plf. $250.00 Master's fee

COMPLAINT IN DIVORCE
no copies

Mar. 11, 1996 Notice of Service of Interrogatories filed.

Sept. 5, 1996 Petition for Equitable Distribution and Order filed. AND NOW, this 5th day of September, 1996, it is hereby ordered, adjudged and decreed that a hearing is to be held on the 10th day of October, 1996, to take testimony on the issue of equitable distribution and to ultimately determine if Petitioner/Plaintiff should be allowed to make a motion for the appointment of a special master.
FOR THE COURT,
Ann A. Walker, Ct. Admin.

Nov 8, 1996 Certificat of Service of Plaintiff's Inventory and Income and Expense Statement, filed.

Nov. 8, 1996 Income and Expense Statement of Beverly Shreve, filed.

Nov. 8, 1996 Inventory of Beverly Shreve, filed.

Dec. 13, 1996 Petition for Special Relief and Order filed. AND NOW, this 13th day of December, 1996, it is hereby ORDERED, ADJUDGED and DECREED that Defendant cease transferring marital property to third parties outside of the marriage.
IT IS FURTHER ORDERED, ADJUDGED and DECREED that Defendant file his inventory for Equitable Distribution purposes and include on that inventory a complete and accurate list of all property transferred to third parties. Said inventory must list the names, addresses and phone numbers of the aforementioned third parties. Said inventory must be filed within the time set out in the rules 1920.33A.
Gordon R. Miller, J.
12-13-96 FAXED DeSantis

Feb. 12, 1997 Inventory of Barry Shreve filed.

Feb. 27, 1997 Motion For Appointment of Master filed.

Feb. 27, 1997 Order filed. AND NOW, February 25, 1997, the Plaintiff's request for the Appointment of a Master is denied due to the fact that the request is only to deal with equitable distribution and since the Motion For Appointment of a Master indicates that neither party has filed a 3301(c) Affidavit of Consent, and there is no indication that they both intend to do so, sothat a divorce can be granted, the appointment of a master to only handle the equitable distirbution at this time is not appropriate.
BY THE COURT,
Anthony J. Vardaro, J

2-27-97 mailed DeSantis, distributed Keenan

Sept 22, 1997 Motion To Amend Complaint & Order: AND NOW, this 22nd day of September, 1997, after consideration of Plaintiff's attached motion, it is hereby ORDERED, ADJUDGED and DECREED that Plaintiff is granted leave to file an Amended Complaint in Divorce.
Gordon R. Miller, P.J.
Sept 22, 1997 Faxed Keenan & DeSantis

Sept 29, 1997 First Amended Complaint in Divorce, filed.

Oct. 16, 1997 Answer to First Amended Complaint in Divorce filed.

Nov. 5, 1997 Plaintiff's Bill of Particulars filed.

Dec. 23, 1997, CERTIFICATE OF SERVICE FILED. AND NOW, THIS 17 day of Dec. 1997, comes Joseph DeSantis, Esq. of the firm of Kuhn, Kuhn, & DeSantis, PC and certifies that he has served a TRUE AND COMPLETE copy of the following documents on the person(s) and on the date and in the manner indicated below. Date Served Dec. 17, 1997; Manner - First Class US Mail Postage Prepaid; (Person(s) Served - Attorney for Defendant(s)
Date Dec. 17, 1997
By. Joseph DeSantis, Esq.
Kuhn, Kuhn & DeSantis, PC
Atty. for Plaintiff

Dec. 23, 1997 Motion for Appointment of a Master for Distributing Property and order filed. ORDER APPOINTMENT OF MASTER: And Now, this 22 day of Dec. 1997 it is hereby ordered, adjudged, and decreed that David Pickens Esq. is hereby appointed master with respect tothe following claims: Distribution of Property and Divorce.
Per Curiam,
Anthony J. Vardaro J.
1/5/08 faxed to Pickens DeSantis and Keenan.

Jan. 12, 1998 ORDER: and now, Jan. 9,1998 the above motion is before the undersigned, at motion court, with parties present. It appears the issue is the correctness of prior pleadins because it is alleged by Barry Shreve that there is no proper pleading for equit. dist., particularly in view of fact that a Pet. for Equit. Dist. contained no verification. It is now belatedly discovered by counsel that verification of Beverly Shreve attached to a Pet. for Equit. Dist. was inadvertently omitted from the orig. and copies sent to dft. atty.
This court finds the matter is not ripe for appointment of a Master and the prev. appt. of Master David Pickens in this case entered by order Judge Anthony J. Vardaro dated Dec. 22, 1997 is hereby affirmed. by the court,
P. Richard Thomas, S. J.
1/13/98 dist. to DeSantis and Keenan

Jan. 15, 1998 Notice of Master's Hearing filed.

CONTINUED ON PAGE 490

432.

TERRI LYNN EVERETT

vs.

LAWRENCE MORRISON EVERETT

Filed May 5, 1994
@ 10:00 AM

Tax & entry	50.50
User's Fee	5.00
Sheriff's costs	40.00
Pro Co	9.00
Sheriff's Costs	40.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT
3 copies Sheriff
1 copy Planitiff
Faxed TPD

ORDER:

And now, this 5th day of May , 19 94 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

1. The defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Defendant shall not contact Plaintiff in any way. He shall not contact Plaintiff in any way. Custody of Chad is awarded to Plaintiff. Defendant shall return Chad to Plaintiff immediately the Sheriff shall assist in this return.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment or fees and costs will be determined by final court order.
7. The defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves Ruling on allocation of fees and costs. Hearing is hereby set for the May 13, 1994 , at 1:30 p.m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

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

May 17, 1994 Order filed. AND NOW, May 13, 1994 at the time fixed for hearing, the Plaintiff appeared with counsel and the Defendant the nature of the proceedings; that the Plaintiff had the burden of proof, that he was entitled to a hearing on abuse, and he understood it. He agrees that we could enter an abuse order against him without a formal hearing. He was advised as to his right to counsel but that the Court does not provide free counsel, he must obtain counsel someplace else, and he understood that. Based upon the agreement of the parties, it is ORDERED as follows:

1. The Defendant shall nto assault, abuse, harass or threaten the Plaintiff or Chad Michael Everett, his minor child.
2. Except as hereinafter provided, for the purspoe of vistiation, the Defendant shall not go to the Plaintiff's home. In fact, he shall not be within 100 yards of the Plaintiff's home. The Defendant may contact the Plaintiff in writing, or if she ever gets a telephone, by telephone between the hours of 8:00 a.m. and 8:00 p.m.,, provided the written and telephone communications are not assaulting, abusive, harassing or threatening in any way.
3. Temporary physical custody of Chad Michael Everett shall be with the Plaintiff, but the Defendant shall have the following vistiations rights. He shallhave the right to pick up his child and take his child into his custody every Monday and Thursday afternoon from 1:00 o'clock p.m. to 5:00 o'clock p.m. During those periods of time, the Defendant shall not consume alcoholic beverages, intoxicating liquors, beer or wine or any illegal drugs or controlled substances.
The Defendant shall pick his child up on time. Unless the Plaintiff agrees, the Defendant shall not be more than 30 minutes late, and if he doe snot appear by 1:30 on any scheduled vistiation, the Plaintiff may assume that that visitation has been canceled, and the Plaintiff may go about her business with the child and there shall be no visitation at that point.
The party receiving the child shall have the obligationof providing transportaion. That means, at pick up time, the Defendant shall go to the Plaintiff's home to pick up the child, and when the vistation is completed, the Plaintiff shall go to the Defendant's home to pick up the child.
When the Plaintiff picks up her child at the Defendant's home, she need not go to the door to pick up the child. She may send another responsible adult to pick himup, although the Plaintiff shall be in the care at the time of the pick up
Neither party shall be under the influence of alcohol, intoxicating liquors, beer or wine nor shall they consume or possess illegal drugs or controlled substances while the child is in his or her custody.
The Plaintiff shall endeavor to pick the child up on time. In no event shall she be more than 45 minutes late.
This is a temporary order and shall be in full force and effect unless and until a court of competent jurisdiction enters a custody and/or vistiationorde,r at which time this order shall become null and void.
The parties are both advised that this is not a custody proceeding, this is a protection from abuse proceeding, and both parties have the right to bring an appropriate custody or visitation action under the law and the applicable rules or civil procedure.
The parties shall not bicker or argue or have any unpleasent conversationduring these transfers of custody. This child should not be exposed to unpleasantries when custody andvistiation is exchanged.
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, as to the protection from abuse provision only.
5. A copy of this order shall be delivered by the Prothonotary to the Pennsylvania State Police at Seneca, the Titusville City Police Department, to Crawford County Control, and to Venango County Control.
6. This order shall remainin full force and effect unless modified or terminated. It shall remain in effect unless modified or termianted. It shall remain in effect for 1 year from this date; that is, until May 12, 1995.
7. Since both parties receive Social Security Disability, neither shall pay court costs, andthe costs of this proceedings shall be absorbed by Crawford County.
8. The Defendant is reminded that this is an order of court and violation of this order may be punishable by a fine or up to $1,000 and a jail sentence of up to 6 months.

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

May 17, 1994 Faxed Titus. PD & Gamble, mailed Seneca PD, Venango Cou. Control, gave CC CoCont. and mailed dft.

July 12, 1994 SHERIFF'S RETURN, filed. SERVED Lawrence Morrison Everett by deputizing the Sheriff of Venango County, PA, as per his Affidavit of Service attached. Served on May 5, 1994 at RD 1, Seneca, Pa. So answers, Robert M. Stevens, Sheeriff

CONTINUED ON PAGE 432A

1994 TERM

Terri Lynn Everett
vs.
Lawrence Morrison Everett

CONTINUED FROM PAGE 432
of Record
A. D. 1994 - 432

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Before me the undersigned authority, personally appeared Robert D. Blair - Deputy Sheriff who being duly sworn according to law, deposes and says that on the 5th day of May, 1994 at 12:30 P.M. he served the within Notice To Defend-Petition For Relief Under Protection From Abuse Act-Temporary Abuse Order-Affidavit filed at No. AD 1994-432 Term 1994, Crawford County, Pennsylvania upon defendant Lawrence Morrison Everett at defendant's place of residence located at RD 1, Seneca, Pa. (Tippery Crossroads) and by making known the contents thereof to Lawrence Morrison Everett, In Person, Refused to Sign and handing to and leaving with him the certified copy fo the said Writ received from Robert M. Stevens-Sheriff Crawford County.

Robert D. Blair, Deputy Sheriff
Gene Price, Sheriff of Venango County

1994 TERM

1994

John P. Gagliotti

433.

William J.Gregg

THOMAS T. STANG

vs.

GINGER G. STANG

Filed May 5, 1994
@ 11:21 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 1-16-96	9.00

DIVORCE UNDER SECTION 3301(c), EQUITABLE DISTRIBUTION
! copy atty.

June 1, 1994 Praecipe for Acceptance of Service filed. I hereby accept service of the foregoingComplaint for Fivorce under Section 3301(c) in the above-captioned matter.
Date: May 11, 1994 William J. Gregg, Esquire

Oct. 31, 1995, Affidavit of Consent of defendant filed.

Jan. 15, 1996 Affidavit of Consent of Plaintiff, filed.

Jan 15, 1996 Agreement, filed.

Jan 15, 1996 Stipulation, filed.

Jan 15, 1996 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

Jan. 23, 1996 ORDER filed. This divorce matter has been referred to the Court for review and decree. The Court has reviewed the record andis returning the record to the Prothonotary. A final decree will not be entered at this time because:

Pursuant to Pa. R.C.P.1920.42(d) no notice of intention to request entry of a divorce decree under §3301(c) as required effective January 1, 1996, has been filed and there has not been a waiver of that notice pursuant to Pa.R.C.P.1920.42(e).

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

BY THE COURT:
Anthony J. Vardaro, J.

1-23-96 GAgliotti & Gregg

Jan 26, 1996 Notice of Intention to Request Entry of Divorce Decree, filed.

Jan 26, 1996 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

Jan 31, 1996 Divorce Order of January 31, 1996, filed. 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.
Jan 31, 1996 Faxed Gagliotti & Gregg

Mar 1, 1996 Notice of Intention to Request Entry of Divorce Decree, filed.

Mar 1, 1996 Praecipe to Refer Matter to Court.

Mar 1, 1996 Preliminary Objections to Plaintifsf's Amendment to Complaint in Civil Action, filed.

DIVORCE DECREE FILED

March 7, 1996 AND NOW, March 5, 1996, it is hereby ordered and decreed that THOMAS T. STANG, Plaintiff, and GINGER G. STANG, 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.

BY THE COURT:
Anthony J. Vardaro, J.

1994

John P. Gagliotti

434.

Kathleen Nelson

CHARLES GIERING

vs.

KELLY GIERING

Filed May 5, 1994
@ 11:21 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 4/25/95	9.00
Pro Co pd 7-31-96	5.00

COMPLAINT IN DIVORCE UNDER SECTION 3301(c),
EQUITABLE DISTRIBUTION, CUSTODY AND VISITATION
1 copy atty.

Jun. 1, 1994 Verification of Service filed. I, John P.Gagliotti, Esquire, attorney for the Plaintiff in the above-captioned action, verify that I mailed on May 5, 1994, a Complaint in Divorce under Section 3301 (c) or (d) of the Divorce Code to Kelly Kiering at 326 South Mercer Street, Linesville, Crawford County, Pennsylvania 16424, by Certified Mail, Return Receipt Requested, No. P885064323; and that on May 9, 1994, she received same as evidenced by the attached signature card.

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.

June 1, 1994 JohnP. Gagliotti, Esquire

Sept. 22, 1994, Appearance of Kathleen R. Nelson, attorney for defendant filed.

Mar. 17, 1995 Affidavit of Consent of Defendant filed.

Apr. 25, 1995 VERIFICATION OF SERVICE filed. I,John P. Gagliotti,Esquire, attorney for the Plaintiff in the above-captioned action, verify that I mailed to theDefendant, at her place of residence at 326 South Mercer Street,Linesville,PA 16424, on May 5, 1994, a true and correct copy of Complaint in Divorce under Section 3301(c) of the Divorce Code, by Certified Mail, Return Receipt Requested, No. P 885064323; and that on May 9, 1994, she received same as evidenced by the attached signature card.

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.

April 25, 1995 John P. Galiotti, Esquire

Apr. 25, 1995 Affidavit of Consent by Charles Giering, Plaintiff, filed.

Apr. 25, 1995 Upon Praecipe of John P. Galiotti, Esquire,Attorney for Plaintiff to transmit record,case moved to Court.

DIVORCE DECREE FILED

May 15, 1995 STIPULATION and DECREE filed. AND NOW, this 15 day of May, 1995 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, 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 3301(c) of the Divorce Code.

II. PERSONAL PROPERTY AND HOUSEHOLD GOODS:

A. VEHICLES

Plaintiff shall transfer to Defendant all of his right, title and interest in the 1988 Ford Aerostar with Plaintiff executing the certificate of title to said automobile within ten days of the date of this Decree.

B. PERSONAL PROPERTY

Plaintiff shall become the sole owner of the following items of marital personal property:

Beige sectional living room suite
Wash stand
26" Magnovox television set
Cordless phone/answering machine
½ beer steins
Mink blanket
Night stands (2)
Plywood dresser
Camping equipment
Buffet
VCR (1)
Charcoal grill
Queen size linens (2)
Queen size mattress and boxspring
Stereo/speakers and remote control
½ photographs and/or albums
Rattan rockers (2)
small dresser
Metal canister
Popcorn popper
Military awards
Smoke stand
1 set bunk beds
Military cots (2)
Six-pack cooler
Video tapes and cases
Wardrobe closet (1)
Desk (1)
Desk (1)
Metal shelves

All items of marital personal property not listed above shall become the sole property of the Defendant.

C. OTHER PERSONAL PROPERTY

The parties hereto shall each retain those items of personal property such as jewelry, clothing, household goods and personal effects now in his or her possession.

D. MILITARY BENEFITS

The Defendant shall receive one-half (½) of any retroactive pay, back pay or any other financial benefit that the Plaintiff may herein after receive from the United States Army in regard to his prior military service.

RECORD CONTINUED ON PAGE 434 (a).....

CHARLES GIERING

VS.

KELLY GIERING

RECORD CONTINUED FROM PAGE 434 (a)

OF

RECORD CONTINUED FROM PAGE 434

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III. CUSTODY

A. Legal custody of the parties' two minor children, Amber Giering, DOB, June 13, 1981, and Coult Giering, DOB, June 22, 1983, shall be shared between the parties with each party entitled to full access of any records relating to the children held by a third party including, but not limited to school records and medical records. Each parent shall have equal input regarding the important decisions affecting the children, such as, education, religious instructions and medical treatment.

B. Primary physical custody of Amber and Coult Giering shall be with their mother, subject to the following condition:

i. The father shall be permitted to visit and take the children into his physical custody every other weekend from Friday at 7:00 p.m. until Sunday at 6:00 p.m.

ii. Beginning with the summer of 1995, the children shall be in the custody of their father for one week each month in June, July and August.

~~iii. Beginning with the summer of 1995, the children shall be in the custody of their father for one week each month in June, July and August.~~

iii. Holiday visitations shall be arranged as follows:

a. Christmas: The children shall be in the custody of their mother until Christmas Day at 1:00 p.m., and then shall be in the custody of their father from Christmas Day at 1:00 p.m. until December 26th at 6:00 p.m. each year.

b. Thanksgiving and Easter: The holidays of Thanksgiving and Easter will be alternated with mother having the children in her custody for Thanksgiving in odd years and on Easter in even years, and father having the children in his custody on Thanksgiving in even years and on Easter in odd years during the hours of 9:00 a.m. through 6:00 p.m.

c. The children shall spend Mother's Day with their Mother from 9:00 a.m. until 6:00 p.m. and Father's Day with their father during the same hours.

C. Transportation of the children on weekends, holidays and summer visits shall be shared between the parties with the party receiving custody of the children to provide transportation.

D. Neither parent shall use drugs or alcohol at any time when that parent has the care and custody of the subject minor children.

BY THE COURT:
Anthony J. Vardaro, J.

July 26, 1996 Notice of Election To Retake Prior Name filed. Kelly Giering TO BE KNOWN AS: Kelly L. Mellon

1994

Thomas Dana Watson

435.

CONAWAY ALLOTMENT ASSOCIATION, INC., and CALVIN M. HURL and MARSHA A. HURL

vs.

ALVIN S. STESIAK and ANNE E. STESIAK

Filed May 5, 1994
@ 2:42 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	44.00

WRIT OF SUMMONS
issued Sheriff

May 16, 1994 Sheriff's Return filed. SERVED Alvin S.Stesiak personally on May 10, 1994 at 11:52 AM by handing a copy of the Summons to him at his residence, R.D.#2, Box 137C, Linesville, Crawford County, PA.

SERVED Anne E. Stesiak personally on May 10, 1994 at 11:50 AM by handing her a copy of the Summons at the residence, R.D.#2, Box 137C, LInesville, Crawford County,PA.

So answers, Shawn E. Ashbaugh,Deputy Sheriff
Robert M. Stevens, Sheriff

May 26, 1995, Complaint filed. 4 copies (atty)

July 26, 1996 Motion For Consent Decree and Order of Court Pursuant To Agreement and Stipulation filed. AND NOW, to-wit, this 26 day of July, 1996, upon consideration of the foregoing Stipulation, and the Compromise Settlement and Stipulation Agreement entered into by all Plaintiffs and defendants in this case, it is hereby ORDERED, ADJUDGED and DECREED as follows, to-wit:

1. That Alvin S. Stesiak and Anne E. Steskiak, Defendants, shall not encroach upon land owned by Calvin M. Hurl and Marcia A. Hurl under deed dated May 12, 1979, and recorded in Crawford County Deed Book 23, page 79, ("Hurl Land").

2. That Alvin S. stesiak and Anne E. Stesiak, Defendants, shall not encroach upon land owned by the Conaway Allotment Association, Inc. under deed dated April 30, 1994, and recorded in Crawford County Record Book 229, page 49, ("Allotment Land").

3. That, notwithstanding certain building restrictions set forth on the Conaway Plan of Lots recorded in Crawford County Plan Book 3, page 61, the northwern boundary line of the land owned by Alvin S. Stesiak and Anne E. Stesiak under deed dated November 7, 1973, and recorded in Crawford County Deed Book 480, page 756, ("Stesiak Land"), shall be subject to and shall have a five (5) feet set-back building line; in other words, no building shall be located nearer than five (5) feet of Stesiak Land's northern boundary line.

4. That Alvin S. Stesiak and Anne E. Stesiak shall comply with the aforesaid five (5) feet set-back building line by relocating and/or causing to be relocated a certain building line by relocating and/or causing to be relocated a certain building located on Stesiak Land and currcently used primarily as a garage and storage building, ("Stesiak Garage").

5. That Alvin S. Stesiak and Anne E. Stesiak relocate and/or cause the relocation of Stesiak Garage accordingly on or before August 31, 1996, weather permitting.

6. That the concrete pad currently serving the Stesiak Garage shall not be required to comply with the aforesaid five (5) feet set-back building line, andit shall be permitted to abut the northern boundary line of the Stesiak Land. Nevertheless Alvin S. Stesiak and Anne E. Stesiak shall remove or cause to be removed on or before August 31, 1996, all that protion of that concrete and concrete pad and metal structure and the like which is presently located upon Hurl Land and Allotment Land.

7. The Plaintiffs and the defendant shall further ocmply with both the letter and the spirit of paragraphs 4, 5 and 6 of said Compromise Settlement and Stipulation Agreement in carrying out the aforesaid provisions of this Consent Decree and Order.

By theCourt,
P. Richard Thomas, S.J.

7-29-96 Faxed Watson & Tinko

Nov. 7, 1996 Motion For Final Consent Decree and Order of Court Pursuant to Compromise Settlement and Stipulation Agreement on behalf of plaintiffs and defendants, filed.

1994

Barbara J. Walton

436.

JAMES E. McCULLOUGH

vs.

CHARLOTTE A. McCULLOUGH

Filed May 5, 1994
@ 3:18 PM

Tax & entry paid	50.50
User's Fee paid	5.00
STate paid	10.00
Pro pd 9/28/94	9.00

COMPLAINT IN DIVORCE
1 copy atty.

May 13, 1994 Affidavit of Service filed. And Now, May 12, 1994, comes Barbara J. Walton, and avers as follows:

1. A true and correct copy of the Complaint for Divorce was mailed to the Defendant via Certified Mail, return receipt on May 11, 1994.

2. That the Defendant signed the return card on May 11, 1994 and in accordance with Pa. R.C.P. 412, service of the Complaint was made as is evidenced by the United States Postal Service Return Receipt (Certified No. Z070232944) 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 falsificiation to authorities.

Barbara J. Walton, Esquire

May 31, 1994, Amended Complaint in Divorce filed.

Jun. 3, 1994 Affidavit of Service filed. And Now, June 2, 1994, comes Barbara J. Walton, and avers as follows;

1. A true and correct copy of the Amended Complaint for Divorce was mailed to the Defendant via Certified Mail, return receipt on May 31, 1994.

2. That the Defendant signed the return card on June 1, 1994 and in accordance with Pa. R.C.P.412, service of the Complaint was made as is evidenced by the United States Postal Service Return Receipt (Certified No. P708507907) attached hereto as Exhibit "A".

I VERIFYthat 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.§ 3903, relating to unsworn falsification to authorities.

Barbara J. Walton,Esquire

Sept. 1, 1994, Affidavit of Consent of plaintiff filed.

Sept. 21, 1994, Affidavit of Consent of defendant filed.

Sept. 21, 1994, upon praecipe of plaintiff attorney, to transmit the record to court, this case moved tocourt.

DIVORCE DECREE FILED

Oct. 3, 1994 AND NOW, this 30 day of September, 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 JAMES E. MCCULLOUGH, Plaintiff, and CHARLOTTE MCCULLOUGH, 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.

1994

Pepicelli, Youngs
& Youngs,PC
Christopher J. Youngs

437.

Richard A.Vendetti

BERNARD G. WISINSKI and
TONI M. WISINSKI

vs.

LIBERTY MORTGAGE CORPORATION

Filed May 5, 1994
@ 3:56 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Pro.Co. pd 1/3/95	15.00
Pro.Co. pd 5/8/95	220.00
Pro Co pd 10-20-95	5.00

JURY TRIAL DEMANDED

COMPLAINT IN CIVIL ACTION
2 copies atty.

May 16, 1994 Defendant's Acceptance of Service, filed. I, Richard A. Vendetti, Esq., certify that I am counsel for the Defendant in the above-capitoned action and that on May 13, 1994, I have accepted service of the Complaint in Civil Action filed in this case. Richard A. Vendetti

June 28, 1994 Ten-Day Notice on behalf of plaintiffs, filed.

July 7, 1994 Answer and New Matter, filed.

Oct. 4, 1994, Reply to New Matter filed.

Oct. 14, 1994 Petition To Leave To Join Additional Defendant and Order filed. AND NOW, this 14th day of October, 1994, upon consideration of the Petition of Defendant, Liberty Mortgage Corporation, for Leave to Join Additional Defendant, a rule to show cause is issued and directed to plaintiffs to show cause if anything they have why said petition should not be granted. The rule is returnable for hearing & argument for November 22, 1994 at 3:30 p.m. Gordon R. Miller, J
Oct. 17, 1994 Faxed C. Youngs, mailed Vendetti

Nov. 10, 1994, Motion to Continue Argument and Hearing and Order filed. ORDER: AND NOW, 11/7/94 the plaintiffs Motion to Continue is granted. The argument and hearing originally scheduled for Nov. 22, 1994 at 3:30 p.m. is continued to Dec. 8, 1994 at 9:15 a.m.
BY THE COURT,
Gordon R. Miller, J.
copies faxed on 11/10/94

Dec. 9, 1994 Order filed. AND NOW, December 9, 1994, the defendant's petition for leave to join an additional defendant is denied becuase the defendant has not shown cause for the delay of five months from the date the complaint was served upon it to join an additional defendant not has it shown a proper cause why joinder should now be permitted. Exton Development v. Sun Oil, of Pennsylvania et al., 363 Pa. Super 17, 525 A.2d 402 (1987); Glabbatz v. Terminal Freight Handling Co.,386 Pa. Super 447, 563 A.2d 151 (1989); Prime Properties Development Corp. v. Binns, 397 Pa. Super 492, 580 A.2d 405 (1990); Francisco v. Ford Motor Co., 406 Pa. Super 144, 593 A.2d 1277 (1991) app. den. 600 A.2d 1259. The identity and the interest and involvment of the proposed additional defendant was well known to the original defendant at all relevant times prior to and after the filing of the lawsuit. Mutual Industries Inc. v. Weinberg, 423 Pa. Super 328, 621 A.2d 140 (1993). BY THE COURT,
Gordon R. Miller, J

Dec. 9, 1994 Copies dist. to C. Youngs & Vendette

Jan. 3, 1995 Notice of Intention to Offer Documentary Evidence Pursuant to Pa.R.C.P. 1305, filed.

Jan. 3, 1995 Upon praecipe of Christopher J. Youngs,Esquire, Attorney for Plaintiffs, for appointment of Arbittators, the Following Arbitrators are appointed.
John Petruso, Chairman
John Swick
~~John Spataro~~ Paul Allen

Feb. 17, 1995 Arbitrators take qualifying oath.

Feb. 24, 1995 Notice of Hearing Before Arbitrators to be held on Monday, April 10, 1995 at 10:00 a.m., filed.

Mar. 1, 1995, Motion for Leave to File Amended Complaint and Order filed. ORDER: AND NOW, Feb. 27, 1995, upon presentation and consideration of the foregoing Motion, the same is granted and the plaintiffs shall file the attached Amended Complaint in Civil Action.
BY THE COURT,
Anthony J. Vardaro, J.
Mar. 1, 1995, FAXED TO Vendetti and C. Youngs.

Apr 10, 1995 Amended Complaint in Civil Action, filed.

Apr 10, 1995 Decisionof Arbitraotrs, filed. And now, the 10th day of April, 1995, we theundersigned Arbitators chosen in this case, after having been duly sworn and having heard the evidence and allegations of the parties find in favor of the plaintiffs and against the defendant and award interest only on the erroneous disbursement from date of disbursement to today of $1,366.07.
John Petruso, Chr.
John Swick
Paul E. Allen

Apr 11, 1995 Faxed C. Youngs, Vendetti

May 8, 1995 Notice of Appeal From Award of Board of Arbitrators, filed.

May 16, 1995 Request for Production of Documents filed.

June 30, 1995, CERTIFICATE OF READINESS filed.

ON SEPTEMBER 1995 TRIAL LIST

Oct. 10, 1995 Plaintiffs' Requested Points for Charge, filed.

Oct.10, 1995 Plaintiffs' Motion in Limine filed.

Continued to Page 514

1994

Thomas Dana Watson

438.

CHRISTINA M. HOLLIS

vs.

RICHARD L. HOLLIS, II

Filed May 6, 1994
@ 9:47 AM

Tax & entry Pd 5-6-94 50.50
User's Fee Pd 5-6-94 5.00

COMPLAINT FOR CUSTODY
FAXED to Watson

Order:
You, RICHARD LEON HOLLIS, II, Defendant, have been sued in Court to obtain Custody, Partial Custody or Visitation of the Children: Diane Marie Hollis and Richard Leon Hollis, III.
You are ordered to appear in person at Crawford County Courthouse Meadville, Pennsylvania on such time as Custody Mediator sets a date for conference.
If you fail to appear as provided by the Order or to bring the children, an Order for Custody, Partial Custody or visitiation may be entered against you or the Coiurt 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 HELPT.
Court Administrator
Crwaford County Courthouse
Meadville, Pa 16335
1-814/336-1151

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

Date: 5-6-94

May 6, 1994 Emergency Petition for Custody and Order filed. And now to-wit this 6 day of May, 1994, upon consideration of the foregoing Emergency Petition for Custody, it is hereby ORDERED, Adjusted and Decreed that sole legal custody of the minor children Diane Marie Hollis andRichard Leon Hollis, III is hereby awarded unto the Mother Christina Marie Hollis, until further Hearing and Order of this Court. Richard Leon Hollis, II, Respondent Father is hereby Ordered and Directed to forthwith surrender possession, custody, and control of said minor chidlren unto Christina M. Hollis.
Jurisdiction of this Case and of the aforesaid minor children shall continue in the Court of Common Pleas of Crawford County, Pennsylvania. Any and all law enforcement officers including Constables, Sheriffs, Police Officers, and others are hereby authorized and directed to enforce this Order of Court.

By the Court
P. Richard Thomas

May 6, 1994 Faxed Atty. Watson

May 6, 1994 Order filed. AND NOW, May 6, 1994, thematter is before the Court on a Complaint for Custody and an ancillary Emergency Petition for Custody.
It seems that on or before May 3, 1994, the father of the children become upset because the mother accompanied by her sister, allegedly went to a tavern. He removed the two children, ages three years and seven months, from the home and took them with him to the residence of Cheryl Westerberg to 84 South Main Street, Andover, Ohio, Telephone: (216) 293-4078.
At Motion court, the plaintiff appears with counsel and the defendant appears in person. It is apparently the defendant/father's contention that the mother is an alcoholic and is an unfit parent to care for the children. The defendant admits he was a former alcoholic and declines to disclose whether he has consumed any alcoholic beverages in the last two years.
It appears to this Court that the children would not be in any immediate danger if returned to the care and custody of the mother. The mother intends to give up the residence in Crawford County located at Shenango Lake Allotments in Westfor and move to th ehome of her mother, Katherine Mertz, 8437 State Route 7, Williamsfield, Ohio, 44093 Telephone: (216) 293-8529.
The Court directs that custody of the minor children remain with the mother until a Master's Hearing can be held and a Tempoary Order entered.
The Father shall have the right to visit the children at their upcoming new residence and must call the mtoher and get her approval for a time and date to visit the children, with said visitaiton to also have present another adult person of the mother's choosing.
It also appears that the father took substantially all of the children's clothing and certain of the childrne's toys. He is directed to return the clothing and any toys to the mtoher at her new residence within 24 hours. The chidlren shall remain in the care and custody of the mother and shy may not change her residence form that above specified without further court approval.
Attorney William Pineo is hereby appointed as Custody Mediator in this case and is directed to schedule a hearing, notifying the mother at the above address and notify the father. The notice to the father shall be addressed to P.O. box 61 Westford, Pennsylvania 16134. (No Telephone)
The father agrees he will comply with th eOrder and surrender the chidlren to the wife at their present residence at 8437 State Route 7, Williamsfield, Ohio, at 2:00 p.m. this date.

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

May 6, 1994 1 copy faxed, 1 cert. copy to Watson, 1 copy Pineo

Sept 22, 1998 ORDER: Our 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 5/6/1994. 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.

Record Continued on Page 516 ~B~

1994

Mason & Mason
Joan D. Mason

439.

KEITH A. COREY

vs.

ORATHAI COREY

Filed May 6, 1994
@ 9:53 AM

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

COMPLAINT IN DIVORCE
1 copy atty.

May 23, 1994 Affidavit of Service filed. I, Joan D. Mason, Esquire, Attorney for the Plaintiff in the above entitled case, and being duly sworn according to law, depose and say that I did on May 10, 1994, mail to the above Defendant, Orathai Corey, by certified mail #P 425 665 127, return receipt requested, deliver to addressee only, a complaint in the above divorce action Said notice was received by Orathai Corey on May 16, 1994, as indiated by the return reciept card which was returned to the office of the Plaintiff's attorney and is attached hereto.
Joan D. Mason

April 2, 2002 See computer for future entries

1994

Dennis G. Kuftic

440.

D

DIANN S. PETERSON

vs.

ERNEST A. PETERSON

Filed May 6, 1994
@ 9:59 a.m.

Tax & entry paid	$50.50
state paid	10.00
state paid	5.00
Pro Co Pd 8/6/94	9.00

COMPLAINT IN DIVORCE

1 copy (atty)

May 13, 1994 Acceptance of Service filed. I, ERNEST A. PERSON, the Defendant in the above-captioned matter, hereby certify that on the 7th day of May, 1994, I was duly served a true and attested copy of the Complaint in Divorce filed at the above term and number.

Ernest A. Peterson

Aug. 31, 1994, Affidavit of Consent of plaintiff filed.

Aug. 31, 1994, Affidavit of Consent of defendant filed.

Aug. 31, 1994, Upon praecipe of plaintiff attorney, to transmit the record , this case moved to court.

Sept. 12, 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 parties are asking that an agreement be incorporated into the decree yet:

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

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

Date: September 9, 1994

Sept. 12, 1994 Order Faxed to Atty. Kuftic.

Sept. 20, 1994 Upon praecipe of Plaintiff's attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

September 27, 1994 AND NOW, September 23, 1994, it is ordered and decreed that DIANN S. PETERSON, Plaintiff, and ERNEST A. PETERSON, Defendant, are divorced from the bonds of matrimony.

BY THE COURT:
Gordon R. Miller

1994

William E. Barney

441.

CORRY SAVINGS BANK, FORMERLY CORRY SAVINGS AND LOAN ASSOCIATION

vs.

EUGENE E. SMITH AND CHARLENE L. SMITH

Filed May 6, 1994
@ 10:15 a.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	42.00
sheriffs costs	43.00
Pro Co pd 10-5-94	9.00

COMPLAINT IN MORTGAGE FORECLOSURE

2 copies (atty)

June 2, 1994 Sheriff's Return filed. NOT FOUND as to Defendants Eugene E. Smith and Charlene L. Smith at address of R.D. #3, Box 322A, Union City, Crawford County, PA. Made three addtempts leaving notes on May 10, 1994 and May 20, 1994. Attemped against on June 1, 1994, and the house was found vacant with the Electric shut off.
So answers, Robert M. Stevens, Sheriff

July 8, 1994, Complaint REinstated.

July 29, 1994 Complaint reinstated.

Aug. 23, 1994, Sheriffs Return filed. SERVED Eugene E. Smith on Aug. 17, 1994 at 3:01 p.m. by handing a copy of the Complaint in Mortgage Foreclosure to Charlene L. Smith, his wife, at the residence R. D. #3, PastureDrive, Union City, Crawford county, pa.

SERVED Charlene L. Smith personally on Aug. 17, 1994, at 3:00 p.m. by hanidng her a copy of the Complaint in Mortgage Foreclosure at the residence R. D. #3, Pasture Drive, Union City, Crawford County, Pa.
So answers, Dale A. Collins, Ch. Dep.
Robert M. Stevens, Sher.

Oct. 5, 1994 And Now, upon praecipe of plaintiff's attorney judgment is hereby entered in favor of the plaintiff and against the defendants for want of an answer and the same is liquidated at the sum of Five Thousand Seven Hundred Thirty-eight and 67/100 plus interest from April 1, 1994 on $5,268.01 at the rate of eight and one half (8 1/2) per cent per annum untili paid, plus cost of mortgage foreclosure and sale of real property.
Entered 10-5-94 Debt: $5,738.67 plus int. and costs
S - 205, 208 JUDGMENT
Barbara H. King, Pro.

Ex. 1994 - 64

Oct. 20, 1994 Affidavit of Service of Notice of Sale, filed.

442

1994

The McDonald Group
Gary Eiben

442.

Elderkin, Martin, Kelly & Messina
Kenneth G. Vasil

Thomas Truax, Spadafore Walker & Keenan
R. Charles Thomas

SHARON A. BECK

vs.

ANDREW McCLYMONDS AND DEANNA STELLARD, INDIVIDUALLY AND d/b/a PIZZA JOE'S, AND PIZZA JOE'S

Filed May 6, 1994
@ 1:31 p.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	50.00
Pro.Co. Pd 5/11/95	7.00

SUMMONS IN A CIVIL ACTION

Issued (sheriff)

May 16, 1994 Sheriff's Return filed. SERVED Andrew McClymonds on May 16, 1994 at 9:45 AM by handing a copy of the Summons to Alice McClymonds, his Mot her, at the residence in Fountain House, Saegertown, Crawford County, PA.

SERVED Deanna Stallard personally on May 10, 1994 at 12:55 PM by handing a copy of the Summons to her at her place of business, Pizza Joe's, 538 Main Street, Saegertown, Crawford County, PA.

SERVED Pizza Joe's on May 10, 1994 at 12.56 PM by handing a copy of the Summons to Deanna Stallard, Owner, at the business, 538Main Street, Saegertown, Crawford County, PA.

So answers, Shawn E. AShbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

Jul. 25, 1994 Appearance of Elderkin, Martin, Kelly & Messina by Kenneth G. Vasil, Esquire for defendants Andrew McClymonds and Deanna Stellard, individually and d/b/a Pizza Joe's, and Pizza Joe's filed.

Oct. 12, 1994 Complaint in Civil Action filed.

Dec. 5, 1994 Appearance of Thomas, Truax, Spadafore, Walker & Keenan by R. Charles Thomas for Defendant Andrew McClymonds, filed

May 10, 1995 Upon Praecipe of Gary Eiben, Esquire, Attorney for Plaintiff, the within suit is Settled, Discontinued, Ended WITH Prejudice and costs paid, filed.

1994

Barbara J. Walton

443.

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

2-16-95 Rec'd from dft med deposit 150.00

8-13-98 Rec'd from Ptf med dep 200.00

9-25-98 Pd Cb 191.00

10-6-98 Refund from dept 49.00

10-7-98 Pd Cb 49.00

DESIREE ALLEN

vs.

RONALD ALLEN

Filed May 6, 1994
@ 2:25 p.m.

Tax & entry paid	$ 50.50
4 counts paid	60.00
state paid	25.00
state paid	10.00
John Spataro, Mediator Pro Co pld 9-27-95	9.00
Pro Co Pd 9-25-98	9.00

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

1 copy (atty)

May 16, 1994 Affidavit of Service filed. And Now, May 13, 1994, comes Barbara J. Walton, and avers as follows:

1. A true and correct copy of the Complaint for Divorce was mailed to the Defendant via Certified Mail, return receipt on May 11, 1994.

2. That the Defendnt signed the return card on May 12, 1994 and in accordance with Pa. R.C.P. 412, service of the Complaint was made as is evidenced by the United States Postal Service Return Receipt (Certified No. Z070232945) attached hereto as Exhibit "A".

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

Barbara J. Walton, Esquire

June 3, 1994 Appearance of Thomas, Truax, spadafore, Walker & Keenan by R. Charles Thomas for Defendant filed.

June 10, 1994 Answer to Complaint in Divorce, filed.

Feb. 16, 1995 Motion For Appointment of Custody Mediator and Order, filed. And now, February 13, 1995, upon presentation and consideration of teh within Motion, John Spataro, Esquire, is appointed Custody Mediator in the above entitled action.

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

Feb. 28, 1995 Faxed to Walton, Thomas & Spataro

Feb. 27, 1995 Affidavit of Consent of Plaintiff, filed.

July 25, 1995 Motion to Set Hearing and Order filed. AND NOW, this 21st day of July, 1995, a hearing has been scheduled on the Plaintiff's request for Counsel Fees, Costs and Expenses for the 17th day of August, 1995, at 9:15 o'clock a.m. in courtroom No. 1 or 2 in the Crawford County Courthouse, Meadville, Pennylvania.

By The Court;
Gordon r. Miller, J

July 25, 1995 Faxed Thomas, given Walton

Aug 17, 1995 Motion for Continuance and Order, filed. AND NOW, this 16 day of August, 1995, upon presentation and consideration of the within Motion, the hearing in the above captioned action is continued to the 24th day of August, 1995 at 2:30 o'clock p.m. in Court Room No. 1 or 2 of the Crawford County Court House, Meadville, Pennsylvania.

BY THE COURT,
Anthony J. Vardaro, J.

Aug. 25, 1995, Affidavit of Consent of plaintiff filed.

Aug. 30, 1995 ORDER filed. AND NOW, August 24, 1995, at the time the matter is before the Court on a Motion for Counsel Fees,Costs and Expenses, the parties through their counsel, advise the Court that the divorce action and related actions have been amicably resolved along the genral outline below:

1. As far as custody and visitation are concerned, the parties shall have shared legal and physical custody of minor child Zachary, age 21 months. The father will have possession of the child every otgher weekend from friday at 5 p.m. until Sunday at 5"30 p.m., with said visits commencing on August 25, 1995. Additionally, the father may have the child for reasonable periods of time three evenings during the week, and the parties mutually agree that the three evenings will be established and asgreed on between them, but shall not cover the days were the father has already been awarded physical custody above.

2. The parties mutually agreethat on all visits, the party receiving the child shall pick up the child and the other parent shall have the responsibility of returning the child.

3. Regarding the holidays of Easter, Thanksgiving, Christmas and the child's birthday on November 24, the child will be with the mother on said dates until 4 p.m., and then with the father from 4 p.m. until 9 a.m.the following day.

4. The mother shall exclusive custody of the child on Mother's Day and the father shall have exclusive custody of the child on Father's Day, with the parties mutually agreeing on the hours for Father's Day so that the father shall have substantially a full custodial day withthechild.

5. The father shall have custody of the child on the father's birthday, August 4, between the hours of 4 p.m. and 9 a.m. the following day.

6. While neither party at this time contemplates a lengthy relocation of their residence, both parties agree that neither parent will relocation more than 100 miles from their present dwelling house without the consent of the other party and said consent not being obtained until further hearing is held as requested by either party.

7. Regarding personal property now located in the marital home, the parties mutually agree that the husband may take the washing machine, a rocker-recliner,a gun cabinet,his own personal items, including some large tools. All other personal property in the marital domicile shall become the property of the wife.

8. All of the aforesaid items, except the washing machine, will be removed by the husband within 30 days. The wasing machine may not be removed until the wife procures a substitute or at the end of 6 months.

9. The parties mutually agree that the plaintiff wife may keep possession of a 1986 Chevy Blazer and shall be responsible for making all payments thereon, and in the event of default in making the payments, and if the payments are made by the husband, the wife agrees shall will be responsible for indemnifying the husband for any payments he made because of her default. The parties mutually agree when the vehicle is paid for in full, the husband will assign any and all of his interest on the title to the wife.

10. The parties mutually agree there is Visa Credit card account with an outstanding balance of approximately $4,000. The husband shall be responsible for paying the same and making

Continued to Page 475

1994

Barbara J. Walton

444.

Ann Gamble

BRENDA L. ECKERT

vs.

LLOYD ALLEN ECKERT

Filed May 6, 1994
@ 2:25 p.m.

Tax & entry paid	$50.50
1 count paid	15.00
state paid	10.00
state paid	10.00
Pro.Co. pd 3/25/96	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION

1 copy (atty)

May 16, 1994 Affidavit of Service filed. And Now, May 13, 1994, comes Barbara J. Walton, and avers as follows:
1. A true and correct copy of the Complaint for Divorce was mailed to the Defendant via Certified Mail, return receipt on May 11, 1994.
2. That the Defendant signed ther eturn card on May 12, 1994 and in accordance with Pa. R.C.P. 412, service of the Complaint was made as is evidenced by the United States Postal Service Return Receipt (Certified No. Z070232946) 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 sobject to the penalties of 18 Pa. C.S. 4904, relating to unsworn falsification to authorities.

Barbara Walton

May 17, 1994 Petition For Counseling Pursuant To Section 3302 Of The Divorce Code and Order, filed. AND NOW, this 13th day of May, 1994, upon consideration of the enclosed Petition for Counseling, it is hereby entered ordering and directinga the Defendant, Lloyd Allen Eckert, to show cause, if any he has, why said Petition for Counseling should not be granted. The said Rule to Show cause is returnable for hearing and/or argument on the 23rd day of June, 1994 at 2:30 o'clock p.m. prevailing time, in Courtroom Number 1 or 2, in the Crawford County Courthouse located at 903 Diamond Park, Meadville, Pennsylvania.

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

2 copies atty

May 25, 1994 Affidavit of Service filed. And Now, May 25, 1994, comes Barbara J.Walton, and avers as follows:
1. A true and correct copy of the Petition for Counseling and Rule to Show Cause signed by Judge Miller with was mailed to the Defendant via Certified Mail, return receipt on May 20, 1994.
2. That the Defendant signed the return card on May 23, 1994 and in accordance with Pa.R.C.P. 412, service of the Complaint was made as is evidenced by the United States Postal Service Return Receipt (Certified No.P708507902) attached hereto as Exhibit "A".
I VERIFY that the statements made in this Affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S.§4904 relating to unsworn falsification to authorities.

Barbara J. Walton, Esquire

June 24, 1994 Motion to Cancel Hearing and Order filed. AND NOW, this 20th day of June, 1994, comes the Plaintiff, by and through her Attorney, Barbara J. Walton, Esquire, and asks that the hearingon Petition for Counseling, currently scheduled for June 23, 1994 at 2:30 PM by cancelled as the parties have decied to resolve their differences without counseling.
ORDER: AND NOW, June 23, 1994, the hearing scheduled for June 23, 1994 is hereby cancelled.

By the court:
Anthony J. Vardaro, J

June 24, 1994 Faxed Walton and Gamble

June 24, 1994 Motion For Service By Publication filed.

June 24, 1994 Order Of Court For Service By Publication filed. AND NOW, this 23 day of June 1994, upon consideration of the foregoing Motion, requesting service by publication, the Plaintiffa are hereby granted leave to obtain service of the Complaint filed for the above captioned action in the following manner:
1) By publication in the Meadville Tribune, a newspaper of general circulationin Crawford County Pennsylvania, as to all the Defendants whose addresses or whereabouts are unknown as set forth inthe Plaintiffs' Affidavit regarding unlocated, deceased, and unknown Defendants, and in the Crawford County Law Journal.
2) That service by publication be made against VELMA I. MIGHTON, a/k/a VELMA I. LOHIZER, her Heirs, Successors and Assigns, known or unknown, of Defendants in the above-captioned action, as provided by Pennsylvania Rules of Civil Procedure No. 1064(b) which publication shall be in form of the attached Legal Notice.
3) Said premises are situate in the Tuttle Allotment, as recorded inthe records of Crwaford County, PA at P.B. 3, Page 62 on april 6, 1954, andin North Shenango Township, and se tout and more particularly descrivedinthe deeds thereof as: "Lot No. 280 in said allotment"
Number of times of publication: 1 in each publication.

Anthony J. Vardaro, J

Aug. 19, 1994, Motion to Reschedule Hearing and Order filed. ORDER: AND NOW, this 19 day of Aug. 1994, upon presentation fo the Motion to Reschedule Hearing on the Petition for Counseling, it is hereby ordered that the hearing shall be rescheduled for the 6 day of Oct. 1994 at 9:15 a.m. in C. R. No. 1, 2 or 3 at the Courthouse, Meadville, Pa. 16335.

BY THE COURT,
Anthony J. Vardaro, J.

8/22/94 copies faxed to Gamble, given to Walton.

Oct. 7, 1994 ORDER filed. AND NOW, October 6, 1994, this matter is before the Court on Plaintiff's motion for counseling pursuant to Section 3302 of the Divorce Code. A review of the file indicates that this divorce action was filed on May 6, 1994 and alleges that the marriage is irretrievably broken and that there has been cruel and barbarious treatment. It does not allege indignities to the person.

On May 17, 1994 the Plaintiff filed this petition for counseling in a atimely manner and apparently hearing has been continued with respect to the same while the parties were attempting to reconcile.

This day the Plaintiff's counsel appears but Plaintiff does not appear and the Defendant appears but his counsel does not appear.

The Defendant does not believe tht counseling would be of any bnefit insofar as the parties have attempted to reconcile and have not been able to do so.

CONTINUED ON PAGE 444A

Brenda L. Eckert
vs.
Lloyd Allen Eckert

CONTINUED FROM PAGE 444
of Record
A. D. 1994 - 444

We believe under the Act under these circumstances that there be at least one counseling session, and accordingly, it is ORDERED and DIRECTED that the parties attend one counseling session with a marriage counselor provided and selected from the list currently in the Prothonotary's Office or another counselor not from that list but agreed upon by the parties.

That counselor shall provide the Court with evidence that the parties did attend the counseling session as required by the Act.

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

Oct 7, 1994 Faxed Walton & Gamble

Feb. 9, 1995 Affidavit of Consent of Plaintiff, filed.

Apr. 20, 1995, Petition toWithdraw Grounds and Order filed. ORDER: AND NOW, upon presentation of the Petition for withdrawal of grounds for divorce, it is hereby ordered that the request for Equitable distribution is withdrawn.
Dated: 4/19/95 By the Court,
Anthony Vardaro, Judge

4/20/95 faxed to Gamble, given Walton.

Oct. 31, 1995 Affidavit of Consent to Divorce filed by Defendant.

Mar 14, 1996 Waiver of Notice of Intention to Request Entry of a Divorce Decree Under Section 3301(c) of the Divorce Code, filed.

Mar. 22, 1996 Waiver of Notice of Intention to Request Entry of a Divorce Decree Under Section 3301(c) of the Divorce Code by Lloyd Allen Eckert, Defendant, filed.

Mar. 22, 1996 Upon Praecipe of Ann Hansen Gamble, Esquire, Attorney for Plaintiff to transmit record, Case moved to Court.

Mar. 26, 1996 Order filed. This divorce matter has beenreferred to the Court for review and decree. TheCourt has reviewed the record and is returning the record to the Prothonotary. A final decree will not be entered at this time because: Costs unpaid at 1995 - 1112 $110.50
Either party may file a praecipe to refer the matter back to thecourt when the record is in such a state that the parties are entitled to a final decree.

BY THE COURT:
Anthony J. Vardaro, J

Mar. 26, 1996 Faxed Walton & Gamble

July 23, 1996 Praecipe to transmit record and Notice of Intention to Request Entry of Divorce Decree filed.

DIVORCE DECREE FILED

July 31, 1996 AND NOW, July 30, 1996, it is hereby ordered and decreed that BRENDA L. ECKERT, Plaintiff, and LLOYD ALLEN ECKERT, 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.

444

-6-

1994 TERM

1994

Watts and Pepicelli
Alan L. Pepicelli

445.

AIME M. TEDESCO AND ANTHONY J. TEDESCO, HER HUSBAND

vs.

BRETT A. PHILLIPS AND MARJORIE L. PHILLIPS, HIS WIFE

Filed May 6, 1994
@ 2:51 p.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	37.00
Pro Co pd 4-30-96	6.00

SUMMONS IN A CIVIL ACTION

Issued (sheriff)

May 16, 1994 Sheriff's REturn filed. SERVED Brett A. Phillips on May 16, 1994 at 9:20 AM by handing a copy of the Summons to Marjorie L. Phillips, hsi Wife,at the residence, R.D.#9, Box 252, Meadville, CrawfordCounty, PA.

SERVED Mar jorie L.Phillips personally on May 16, 1994 at 9:21 AM by handing her a copy of the Summons at the residence,R.D#9, Box 252, Meadville, Crawford County, PA.

So answers, Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

Apr 25, 1996 Upon praecipe of plaintiff attorney theabove-captioned case is marked settled and discontinued of record.

1994

Watts and Pepicelli
Alan L. Pepicelli

446.

DeANN BAKER AND DAVID D. BAKER, II, HER HUSBAND

vs.

SHIRLEY A. LUCAS

Filed May 6, 1994
@ 2:51 p.m.

Tax & entry paid	$50.50
State paid	5.00
sheriffs costs	32.00
Pro Co pd 6-7-95	6.00

SUMMONS IN A CIVIL ACTION

Issued (sheriff)

May 27, 1994, Writ Returned. SERVED Shirley A. Lucas personally on May 19, 1994 at 11:05 a.m. by hanidng a copy of the summons to her at the residence, R. d. #1, Box 82A Townville, Crawford County,Pa.
So answers Sc ott D. Young, Dep. sheriff
Robert M., Stevens, sheriff

June 5, 1995 Upon praecipe of plaintiff attorney the above-captioned case is settled and discontinued of record.

R. Christopher Brode

446A.

MANDY L. HERMAN

vs.

JASON M. ~~DINGEL~~ Dingle

Filed May 9, 1994
@ 10:25 a.m.

Tax & entry Pro Co Pd 6-21-94 $50.50
state Pd 6-21-94 5.00

Sheriff's Costs 52.00
Pro Co Pd -6-21-94/ 9.00

6-21-94 Rec from dft Sheriff each 52.00
6-21-94 Pd Sheriff Ch# 8392 52.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

1 copy (plff)
3 copies (sheriff)
Faxed (MCPD)

ORDER:

And now, this 9 day of May, 1994, upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

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

2. Special Conditions:
The defendant may not be closer that 100 yards from the plaintiffs car, home, place of employment, or school.

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 May 17, 1994, at m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,

Anthony J. Vardaro, J.

May 16, 1994 Sheriff's Return filed. SERVED Jason M. Dingel by deputizing the Sheriff of Erie County, PA. As per telephone call from Judy from Erie County Sheriff's Department on May 10, 1994, she indicated Jason M. Dingle was served on May 10, 1994 at 2:05 PM. Affidavit of SErvice forthcoming. (Affidavit attached 5-16-94)
So answers, Robert M.Stevens, Sheriff

May 20, 1994 ORDER, filed. AND NOW, May 17, 1994, 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 having been advised of his right to counsel indicates that he wishes to represent himself. The parties have agreed to the entry of the following Order without admission of the allegations of the 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. The Defendant shall not go to Plaintiff's residence nor shall he go within one hundred (100) yards of Plaintiff's residence or any place she resides during the term of this Order. The Defendant is cautioned that any police agency called with respect to a possible violation of this Order shall presume that the Defendant is not permitted to be at the Plaintiff's residence if the Defendant is there at Plaintiff's invitation. If at some point the parties would wish for the Defendant to be able to go to Plaintiff's residence, they should seek a modification of this Order prior to him doing so.

3. The Defendant shall not go to the Plaintiff's place of employment whether it be her current place of employment or any place in the future she shall be employed during the term of this Order.

4. The Defendant shall not go to the Plaintiff's place of schooling whether it be the current place she is currently attending or any place she attends in the future during the term of this Order.

5. The Defendant shall have no telephone contact with the Plaintiff.

6. The Defendant shall have no contact with Plaintiff's minor child.

7. With respect to public places, if the Defendant arrives at a public place where athe Plaintiff is already present, the Defendant shall immediately leave, and if the Plaintiff arrives at a public place where the Defendant is already present, she shall immediately leave.

In either case, if there is any contact at such public place while both parties are present, the Defendant shall not assault, abuse, harass or threaten the Plaintiff in any way.

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 by the Prothonotary to County Control and in addition to his normal copies, counsel for the Plaintiff shall receive a certified copy of this Order for the purpose of providing it to the police agency in the locale where the Plaintiff currently resides. Additionally, the Prothonotary shall send a copy to the Defendant by regular mail at Box 117, Mill Village, Pennsylvania 16427.

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

CONTINUED ON PAGE 452

4446B

1994

1994

Warren D. Ferry, P.C.
Warren D. Ferry

447.

MORGAN SWAVEY, A MINOR, BY HER PARENT AND NATURAL GUARDIAN BRENDA SWAVEY, AND BRENDA SWAVEY, IN HER OWN RIGHT

vs.

GARY SWAVEY AND CAROL SWAVEY, HIS WIFE

Filed May 9, 1994
@ 1:29 p.m.

Tax & entry paid $50.50
state paid 5.00
Pro.Co.pd 6/28/94 6.00

SUMMONS IN A CIVIL ACTION

Issued (atty)

June 1, 1994 Petition for Leave to Settle and Compromise The Claim of a Minor Child and ORDER OF COURT filed. AND NOW, to-wit, this 1st day of June, 1994, uponpresentation of the within Petition for Leave and Settle and Compromise a Minor's Claim, it is hereby ORDERED and DECREED that Settlement and Compromise of this claim is approved as follows: $10,000.00 made payable to Brenda Swavey, parent and natural guardian of Morgan Swavey, a minor, to be deposited in an interest bearing account and not to be withdrawn without further Order of Court upon good cause shown or until the minor reaches the age of 18; A structured settlement annunity with periodic payments as set forth in Exhibit "C" to this Petition.

Gordon R. Miller, J.

6-1-94 Faxed copy to Atty.Ferry

Jun. 28, 1994 Upon praecipe of Warren D. Ferry, Esquire, Attorney for Plaintiffs, the above captioned case is marked settled and Discontinued of record.

May 24, 1995 Petition For Withdrawal of Funds From the Minor's Trust Account filed.

May 26, 1995 ORDER filed. AND NOW,May 24, 1995 it appearing that there currently exists in an account for the benefit of the minor $10,000 more or less and it further appearing that medical bills have been accrued for the minor in the amount of $5,796.75, and it further appearing that the $10,000 more or less in funds is currently in a bank account requiring 90 days notice prior to withdrawal, upon request of the petitioner Barenda Swavey, it is ORDERED and DIRECTED that the petitioner may withdraw those funds from Northwest Savings Bank and may forthwith pay the medical bills to Hamot Medical Center in the amount of $4,040.75; to Dr. Gerald Garcia in the amount of $1,210, and to Anesthesiologists of Erie, Inc., in the amount of $546.

The balance of the fund may be deposited into an account of the petitioner's choosing so long as it is labeled as being for the benefit of Morgan Swavey and requires court order for any further withdrawals.

Proof of the existence of that account shall be filed with the Clerk of Courts within 30 days from the date of this order.

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

May 26, 1995 copies mailed Plf.
May 30, 1995 sent to Ferry

10/12/01 Any future filings involving this case may now be found on the computer.

448

1994

Swanson, Bevevino and
MIllin, P.C.
Timothy R. Bevevino
and
Melvyn S. Mantz and
Associates, PC
Melvyn S. Mantz

448.

FIRST DEPOSIT NATIONAL BANK

vs.

KAREN O' CONNOR

Filed May 9, 1994
@ 1:51 p.m.

Tax & entry paid $50.50
state paid 5.00
Sheriff's Costs 32.00
Pro Co pd 10-12-94 9.00

Pro Co pd 7/22/99 7.50

COMPLAINT IN CIVIL ACTION

1 copy (sheriff)

June 2, 1994 Sheriff's Return filed. SERVED Karen O'Connor personally on May 27, 1994 at 12:15 PM by handing a copy of the Complaint to her in the sheriff's Office, Crawford County courthouse Third Floor, Meadville, PA.
So answers, Scott D. Young, Deputy Sheriff
Robert M. STevens, Sheriff

And Now, Oct. 5, 1994, upon praecipe of plaintiff's attorney judgment is hereby entered in favor of the above named Plaintiff and against the Defendant, for failure to file an Answer in the above action within twenty (20) days from the date of serviceof the Complaint and assess damages at Four Thousand Eight Hundred Ninety-one and 41/100.
Entered 10-5-94 Debt: $4,891.41
O - 103 JUDGMENT
Barbara H. King, Pro.

July 22, 1999 Praecipe to Satisfy Judgment filed. Upon Praecipe of Timothy R. Bevevino Esq. Attorney for Plaintiff in the above captioned matter this judgment is marked satisfied of record.

1994

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

449.

COMMONWEALTH OF PENNSYLVANIA

vs.

MICHAEL FRANK PORTFILIO

Filed May 9, 1994
@ 1:58 p.m.

Tax & entry paid $50.50
state paid 5.00

APPEAL FROM REVOCATION OF OPERATING PRIVILEGES

1 copy (atty)

ORDER:

AND NOW, this 9 day of May 1994, upon presentation and consideration of the within Appeal petition it is adjudged and decreed that a hearing on this appeal shall be held on the 12 day of July 1994 at 3:00 p.m. at the crawford Countycourt house, Meadville, Pa. in C. R. No. 1 or 2, or as soon thereafter as the attention of the court may be had; sixty days written notice shall be given by the petitioner to the Dept. of Trans., Bur. of Driver Licensing, Harrisburg, Pa. 17123 by cert. mail, ret. rec. req.

BY THE COURT,
Gordon R. MIller, J.

Jul. 18, 1994 Motion for Continuance and ORDER OF COURT filed. AND NOW, to-wit: this 18th day of July, 1994, upon consideration of the foregoing Motion for Continuance, it appearing that there is no objection to the continuance of this matter by counsel for the defendant, itis hereby ORDERED that the hearing on this matter is continued from Tuesday, July 12, 1994 to September 29, 1994 at 11:15 A.M. in Courtroom No. 1 or 2 of the Crawford County Courthouse.

BY THE COURT:
Gordon R. Miller, J.

7-18-94 Faxed to Thomas & Kuhar

Oct. 21, 1994 MEMORANDUM AND ORDER filed. AND NOW, October 19, 1994, the appeal of Michael Frank Portfilio with regard to the revocation of his operating privileges as an "habitual offender" is dismissed and the action of the Department of Transportation is affirmed.

BY THE COURT:
Anthony J. Vardaro, J.

Oct. 24, 1994 Copies of Order mailed Atty. Huhar; copy given Atty. Thomas.

1994

Thomas, Truax, Spadafore and Walker
William L. Walker

450.

ROBERT M. BAYER

vs.

ELIZABETH C. PARKER, a/k/a MRS. FRED H. PARKER, HER HEIRS AND ASSIGNS, GERALD PARKER, AS EXECUTOR OF THE ESTATE OF ELIZABETH C. PARKER, HIS SUCCESSORS AND ASSIGNS

Filed May 9, 1994
@ 4:04 p.m.

Tax & entry paid	$50.50
state paid	5.00
Pro Co Pd 9/30/94	9.00

COMPLAINT IN QUIET TITLE ACTION

Jun. 10, 1994 Motion for Leave to Serve by Publication and ORDER filed. AND NOW, this 9 day of June, 1994, a Motion ofWilliam L. Walker, attorney for Plaintiff in the above-matter,leave is hereby granted to serve Elizabeth C.Parker a/k/a Mrs. Fred H. Parker, her heirs and assigns, Gerald Parker, as Executor of the Estate of Elizabeth C.Parker, his successors and assigns, Defendants in said action, by publication of a notice of the facts set forth in the Complaint in the Crawford County Legal Journal and the Meadville Tribune newspaper of general circulation, one time requiring that the said Defendants plead within twenty (20) days from the last date of publication thereof.

BY THE COURT:
Anthony J. Vardaro, J.

6-13-94 Faxed copy to Atty. Walker

Aug. 31, 1994 Motion for Judgment or Order Pursuant to Pa. RCP 1066 and ORDER filed. AND NOW, this 31 day of August, 1994, upon consideration of the foregoing Motion, and the attached Affidavit of Service, the Court hereby orders that theDefendants named in the Action to Quiet Title shall be forever barred from asserting any right, lien, title or interest in the land described in the action to quiet title, which is inconsistent with the interest, claim or rights of the Plaintiff in this action,unless the Defendant files an Answer to the Complaint within thirty (30) days from the date of this Order, the Prothonotary upon Praecipe of the Plaintiff shall enter finaljudgment.

BY THE COURT:
Anthony J. Vardaro, J.

8-31-94 Faxed Copy to Atty.Walker

Sept. 27, 1994, at 1:10 p.m., upon praecipe of plaintiff attorney, Final Judgment is hereby entered in this case in favor of the plaintiff.

Judgment entered
9/27/94
P - 289, 64, 74, 209

FINAL JUDGMENT
Barbara H. King,
Prothonotary

FRONT

Desiree Allen
vs.
Ronald Allen

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May 20, 1994 ORDER, filed. AND NOW, May 18, 1994, at the time set for hearing on this complex divorce, custody and support action, the parties, through their counsel, agree to resolve the matter as follows:

In the abuse action, the defendant denies the allegation, but is willing that the Court direct that he will not assault, annoy or harass the plaintiff in any fashion, nor procure others to do so on his behalf. This Order shall remain in effect for a period of one (1) year. Any Police Officer having reasonable grounds to believe that the terms and conditions of this Order have been violated by the defendant may immediately apprehend the defendant, lodge him in the County Jail and request an immediate contempt hearing before the Court. A copy of this Order shall be lodged with County Control and the Pennsylvania State Police.

As part of the resolution of the abuse action, the defendant agrees that the plaintiff shall retain exclusive use and possession of the residence.

As it relates to the divorce action at 1994-443, the parties mutually agree that the defendant shall continue to pay the mortgage on the marital home in the amount of $446 per month. He will also pay a joint credit card obligation of $77 per month, and both parties agree that no further charges by either party will be made on this credit card. This Order is entered on the agreement of the parties that these two monetary issues are subject to review by teh Divorce Master and this Order is entered without prejudice to the Master in Divorce in making equitable distribution to modify or eliminate the responsibility for payment of the mortgage and credit card as part of this equitable distribution Order.

As part of the support issue, the defendant Ronald Allen will continue to pay direct tot he mother of the child the sum of $80 per week, with said payment being made without the acknowledgement of paternity of the child, which issue is being processed through the Domestic Relations Order. In the event the resultant paternity testing determines that Ronald Allen is not the father of said child, the obligation to pay support shall be immediately terminated without further Order of Court.

The plaintiff wife Desiree Allen will continue to make car payments and shall be responsible for the same in the amount of $268 per month and shall have the right to exclusive possession of said car.

The water softener payments for the household water system in the amount of $40 per month will be paid by the wife and she likewise will be responsible for payment of the household utility bills.

The parties mutually agree that the wife shall have exclusive possession of the marital home, subject, however, to modification in the equitable distribution portion of the divorce action.

The husband shall not bo to the premises for any purpose and the wife agrees to assume the responsibility of maintenance of the porperty at her own expense.

The parties mutually agree that neither party will remove or resell the personal property in the household, except tht if the wife changes residence, she may move such property to her new reisence.

No Spousal support shall be awarded.

On the custody issue, custody of the minor child is awarded to the mother by agreement of the parties, with the followisng visitations accorded the father: There shall be a weekly visit between father and child, and the mother agrees to take the child to the home of the child's grandmother; namely, Mrs. Joan Allen, every Sunday at 1:00 p.m. and the father of the child may pick the child up for a visit with the type of visit to be of his choice between the hours of 1:00 p.m. and 7:00 p.m.

In the event the grandmother is ill or because of vacation or other plans would be unavailable to accept the child for the temporary transfer of custody, the parties will mutually agree on another day for said six-hour visit between father and child and the exchange shall still take place at the home of the grandmother.

The parties acknowledge that there are two 12-foot ladders at the marital residence, and the husband contends they belong to a friend of his and the wife agrees that if said friend calls her and schedules a time for pickup of said ladders, she will voluntarily surrender the same.

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

May 20, 1994 dist copies to Brode, Co. Ctrl. & Dom. Rel. Faxed copies to Pa. SPD, Walton & Thomas

Sep. 23, 1994 Motion to Amend or Modify a Protection From Abuse Order and ORDER filed. AND NOW, this 22nd day of September, 1994, upon receipt and review of the within motion to amend the Protection from Abuse Order of 5-18-94, the amendment(s) and modification(s) set forth in said motion are hereby approved and made a Court Order.

A true and correct copy of this Order shall be delivered by the Prothonotary to Pa. State Police and to County Control.

Any paragraphs of the original Order assessing costs on either party shall remain in full force and effect without change or modification.

BY ORDER OF COURT
Gordon R. Miller, J.

9-23-94 Faxed Pa. SPD & Co. Control. 9-30-94 Mailed copies to Plft & Deft.

Jan. 24, 1995 Assignment of Hearing Date, filed. AND NOW, January 23, 1995,hearing in the above captioned matter has been scheduled for January 30, 1995 at 3:15 PM in Courtroom No. 1 at the Crawford County Courthouse, Meadville, PA.

BY ORDER OF THE COURT,
Ann A. Walker, Ct. Adm.

Jan. 24, 1995 copies mailed by Court.

Jan. 24, 1995 Complaint For Indirect Criminal Contempt For Violation of Protection From Abuse Order, filed.

Jan. 31, 1995 ORDER filed. AND NOW, January 30, 1995, after a formal hearing with respect to the Plaintiff's Complaint for Indirect Criminal Contempt for Violation of a Protection From Abuse Order, we find that the defendant is in contempt of the Court's Order of May 18, 1994, which was modified on September 22, 1994.

In light of his contempt, it is ORDERED and DIRECTED as follows:

1. The defendant is sentenced to undergo imprisonment in the Crawford County Jail for a minimum term of 2 months and a maximum term of 4 months. That sentence of imprisonment is suspended provided that he comply with the following:

(a) The Order of May 18, 1994 entered by Senior Judge P.Richard Thomas is reinstated in its entirety, and accordingly, the modifications made on September 22, 1994 by Judge Gordon R.Miller are all rescinded.

(b) In addition, the Order of May 18, 1994 is modified to the extent that the defendant shall not telephone the residence of the plaintiff nor shall he procure anyone else to do so on his behalf.

(c) The May 18, 1994 Order is extended for a period of six (6) months beyond the date it would have normally expired.

(d) The parties may not have a modification of this Order or of the May 18, 1994 Order in the future, even if they agree to that modification, unless they appear before the Court for a hearing.

2. The Prothonotary shall send a true and correct copy of this Order to Crawford County Control and to the Pennsylvania State Police, Meadville Barracks.

BY THE COURT,
Anthony J. Vardaro, Judge

1-31-95 Faxed to Pa.SPD & Co.Control, given to Attys. Walton & Thomas

Mandy L. Herman
vs.
Jason M. ~~Dingel~~ Dingle

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11. The Defendant shall pay record court costs in the amount of $116.50 to the Prothonotary of the Crawford County on the first floor of the Crawford County Courthouse within sixty (60) days of this date.

12. This Order shall remain in full force and effect through May 16, 1995.

13, The Court notes in entering this Order that the caption should be amended to reflect that the Defendant's name is spelled Dingle.

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

May 25, 1994 copy to C. Brode & Dft.

1994

Mary M. Fera-Rimer

vs.

Frank L. Rimer

Record continued from page 211

of record

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June 20, 1994 Order filed. ANDNOW, this 20 day of June, 1994, upon receipt and review of the wtihin motion to amend the Protection from Abuse Order of March 15, 1994, the amendments and modifications set foth in said mtoion are hereby approved and made a Court Order.

A true and correct copy of this Order shall be delivered by the Prothonotary to appropriate police agency and to County Control.

Any paragraphs of the original Order assessing costs on either party shall remainin full force and effect without change or modification. The hearing set for June 21, 1994 at 3 pm is cancelled

BY ORDER OF COURT,
Anthony J. Vardaro ,J

June 20, 1994 Faxed MPD, Lindsay and Walton

Aug. 5, 1994 Motion To Amend Or Modify A Protection From Abuse Order and Order, filed. AND NOW, this 4th day of August, 1994, upon receipt and review of the within motion to amend the Protection from Abuse Order of March 14, 1994, the amendment(s) and modification(s) set forth in said motion are hereby approved and made a Court Order.

A true and correct copy of this Order shall be delivered by the Prothonotary to Meadville P.D. and to County Control.

Any paragraphs of the original Order assessing costs on either party shall remain in full force and effect without change or modification. BY ORDER OF COURT
Gordon R. Miller, P.J.

Aug. 5, 1994 Faxed MCPD & Co. Control, mailed Plf. & Dft.

Maureen Lea Desko
vs/
Michael Scott Rumzie

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D. Transportation of the child on weekends, holidays and Summer visits shall be shared as follows: The mother shall drop the child off at father's home at the beginning of a visit and father shall deliver the child to mother at the 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 sor injury regarding the child and both parents agree to furnish the other with a current telephone number.

H. There shall be no drinking by either party when the child is present and neither party shall be under the influence of alcohol and drugs when the child is in their custody.

I. Paragraph C above is meant to modify portions of Paragraph 2 & 3 of the P.F.A. Order of April 26, 1994, A.D. 1994-374, with respect to exchanging custody of the child. Otherwise, the Order remains in full force and effect.

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. However, this order is entered without prejudice to the right of either party to request a further conference after receipt of a report from C.Y.S., or without prejudice to the right of the mediator to submit a further order to Court with or without a further mediation conference after receipt of the C.Y.S. report.

IV. Cost of the mediation conference shall be divided as follows: Crawford County paying one-half (½) and the father paying one-half (½).

Anthony J. Vardaro, J.

July 12, 1994 Faxed to E. Prather, Fuller & CYS. Mailed copy to Plf. & Dft.

Aug. 23, 1994 ORDER filed. AND NOW, August 23, 1994 after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Joshua Michael Rumzie shall be shared between the mother and the father, the plaintiff and defendant herein, that is, each parent shall be entitled to flull 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 Joshua Michael Rumzie shall be with his mother, subject to the following conditions:

A. The father shall be entitled to visit and take the child into his custody every week from 5:00 o'clock p.m. on Friday to 5:00 o'clock p.m. on Sundlay, beginning August 19, 1994.

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 o'clock p.m. and in the custody ofa the father on the aforesaid holidays from 1:00 o'clock p.m. until 7:00 o'clock p.m.

C. Transportation of the child on week ends, holidays and Summer visits shall be shared as follows: The mother shall drop the child off at father's home at the beginning of a visit and Debra Hollman shall deliver the child to mother at the end of the visit.

D. Neither mother nor father shall say or do anything in an attempt to turn the child against the other paent, but on the otherhand shall do everything in the power of each to foster a favorable and loving attitiude on the part of the child towards both parents.

E. Neither mother nor father shall expose the child to any person or situation which may be harmful to the child's health or well being.

F. Both parents agree to inform the other immediately of any illness or injury regarding the child and both parents agree to furnish the other with a current telephone number.

G. There shall be no drinking by either party when the child is present and neither party shall be under the influence of alcohol and drugs when the child is isn their custody.

H. Paragraph C above is meant to modify portions of Paragraph 2 & 3 of the P.F.A Order of April 26, 1994, A.D. 1994-374, with respect to exchanging custody of the child. Otherwise, the Order remains in full force and effect.

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 County. Anthony J. Vardaro, J.

Aug. 25, 1994 Faxed E. Prather & Fuller. Mailed Plf. & Dft.

Sept. 2, 1994 Exceptions To Temporary Custody Order and ORDER filed. AND NOW, this 9th day of September, 1994, it is hereby ORDERED, ADJUDGED and DECREED that a hearing de novo on this matter shall be held before the Court of Common Pleas of Crawford County, Pennsylvania, on the 27th day of October, 1994, at 9:15 a.m., in Courtroom No. 2, Crawford County Courthouse, Meadville, PA.

By the Court,
Gordon R. Miller, J.

Sept. 12, 1994 Order Faxed to Attys. E. Prather and J. Fuller.

Sept. 19, 1994 Petition To Amend Exceptions To Temporary Custody Order and Order, filed. AND NOW, this 16th day of September, 1994, it is hereby ORDERED, ADJUDGED and DECREED that Defendant's Exceptions to Temporary Custody Order at Paragraph 12(a) be amended to read, "Respondent called the Custody Mediator and Petitioner's attorney...".

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

Sept. 19, 1994 Faxed E. Prather
Sept. 22, 1994 Faxed Fuller

Oct. 14, 1994 Motion for Termination of Representation Pursuant to Rule 1.16 (b) of the Rules of Professional conduct and ORDER filed. AND NOW, October 14, 1994, on Motion for Termination of Representation Pursuant to Rule 1.16(b) of the Rules of Professional Conduct, it is hereby ORDERED,ADJUDGED and DECREED that representation shall be terminated pursuant to Rule 1.16(b) of the Rules of Professional Conduct.

By the Court,
Anthony J.Vardaro, J.

10-17-94 Faxed E. Prather

Oct. 31, 1994 ORDER filed. AND NOW, October 27, 1994, this matter is before the Court for a de novo custody hearing at the request of the defendant after the entry of an Order after mediation on August 23, 1994.

The defendant appears without counsel and the plaintiff does not appear. Apparently, there has been a Bench Warrant issued for the plaintiff, and the defendant believes she is residing in the State of West Virginia.

The child has been primarily in the defendant's custody for about the last month, and during the days apparently, the child has been at maternal grandmother's, although the defendant indicates that he wishes to use day-care services once an Order is in place.

Under these circumstances, we therefore enter the following Order:

1. Legal custody of Joshua Michael Rumzie shall be with the father.

RECORD CONTINUED ON PAGE 454 (a).....

MAUREEN LEA DESKO

VS.

MICHAEL SCOTT RUMZIE

RECORD CONTINUED FROM PAGE 454

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2. Physical custody of Joshua Michael Rumzie shall be with his father, subject to the following conditions.

A) Once plaintiff mother has resolved her legal problems in Crawford Co. so that she will be able to re-establish residence here or someplace known to the defendant within the Commonwealth of PA., the plaintiff mother may begin to take the child into her physical custody each Friday from 7 p.m. until the following Sunday at 5 p.m.

B) Holidays shall be defined as Christmas, Easter and Thanksgiving. Custody of the child shall be shared on the aforesaid holidays and in the absence of an agreement to the contrary, the child shall be in the custody of the mother from 1 p.m. until 7 p.m. on the aforesaid holidays. This shall not take effect likewise until mother has solved her legal problems and is able to establish a residence in Crawford County or somewhere in the Commonwealth of PA.

C) Pending any further Order of Court, during any period of temporary physical custody with mother, the child shall not leave the Commonwealth of PA.

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 anything in the power of each other to favor a loving and caring attitude toward the other parent.

4. Neither party shall expose the child to any person or situation which may be harmful to the child's health or welfare.

5. There shall be no drinking by either party when the child is present and neither party shall be under the influence of alcohol and drugs when the child is in their custody.

BY THE COURT,
Anthony J. Vardaro, J.

Nov. 1, 1994 Copies of Order mailed Pltf. and Deft.

Sept. 18, 1995 Petition to Suspend Visitations and Petition for Further Hearing and ORDER filed. AND NOW, September 18, 1995, upon consideration of the foregoing Petition, this matter is referred to Kathleen Nelson, Esq. for mediation due to the fact the Plaintiff is indigent and her counsel is requesting the mediation. No $150 deposit will be required but the mediator may assess mediation costs as she deems appropriate.

Anthony J. Vardaro, J.

Sept. 18, 1995 Order FAXED Attys. Barrett, Fuller and Nelson.

Oct. 2, 1995, Motion to Withdraw From Appointment as Child Custody Mediator and Order filed. ORDER: AND NOW, this 2 day of Oct. 1995, Kathleen R.Nelson, shall be permitted to withdraw as Child Custody Mediator.
John Fuller, Esq. is hereby appointed as Mediator.

by the court,
Anthony J. Vardaro, J.

10/2/95 faxed to Fuller, Nelson and Barrett

Nov. 3, 1995 Complaint for Custody and Motion for Consolidation and NOTICE AND ORDER TO APPEAR filed. You, Michael Scott Rumzie, Defendant, have been sued in Court to obtain custody of the minor child Christina Marie Rumzie.
You are ordered to appear in person on the day of 1995 at M. at a location chosen by Custody Mediator John Fuller for a custody mediation. You are to bring the minor child Miachel Gleason to the mediation. 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: November 3, 1995

Gordon R.Miller,J.

11-3-95 Faxed Attys. Fuller, Brode. 11-8-95 Copy mailed to Deft.

Nov. 14, 1995 Appearance by Christopher D. Ferry, Esq., for Defendant filed.

Nov. 28, 1995 ORDER filed. AND NOW, November 27, 1995 after mediation conference before John Fuller, Esquire, IT IS ORDER AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Joshua Michael Rumzie and Christina Marie Rumzie 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 record, 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 instructions of the subject children.

II. Physical custody of Michael Scott Rumzie and Christina Marie Rumzie shall be with their father, subject to the following conditions:

A. The mother shall be entitled to visit and take the children into her cusody every other weekend from 7:00 o'clock p.m. on Friday to 5:00 o'clock p.m. on Sunday, beginning November 24, 1995. Provided, however, that the first 2 visits with Christina shall be day visits from 10:00 a.m. to 3:00 p.m. on Saturday, November 25 and December 9.

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 ot the contrary, the children shall be in the custody of the father on the aforesaid holidays until 1:00 o'clock p.m. and in the custody of the mother on the aforesaid holidays from 1:00 o'clock p.m. until 7:00 o'clock p.m.

C. Beginning with the Summer of 1996, the children shall be in the custody of the mother for a period of 3 separate 1 week periods. The mohter shall give the father at least thirty (30) days notice of the dates of the Summer visits.

D. Transportation of the children on weekends, holidays and Summer visits shall be equally divided: with the parent recognizing custody providing transportation.

E. Neither mother nor father shall say or do anything in an attempt to turn the children against the other parent, but on the other hand shall do everything in the power of each to foster a favorable and loving attitude on the part of the children towards both parents.

F. Neither mother nor father shall expose the children to any person or situation which may be harmful to the childrens' health or well being and neither parent shall consume alcohol during times when the children are in their custody.

G. Both parents agree to inform the other immediately of any illness or injury regarding the children and both parents agree to gurnish 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 twerty (20) days of the date hereof.

IV. Cost of the mediation conference will be paid by Crawford County. Gordon R. Miller, Judge

FAXED 11-28-95 Ferry, Brode & fuller.

1994

1994

Saline Joy Vardamaskos
vs.
Jeffrey Martin Thornton

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6. Each of the parents and any adult coming into regular contact with the child shall teach teh 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 contacat with the child) will do or say anything to blacken the character of either parent or any other adult 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. For the purposes fo this paragraph, either parent will give the other a written notice of thirty days of any intention tomove more than twenty miles from the borders of Crawford County on a more or less permanent basis, during which time additional Mediation may be requested.

8. The Court of Common Pleas of Crawford County, Pennsylvania, shall retain jurisdiction of this matter so long as eithern 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 by the County of Crawford.

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.

Aug 18, 1994 Faxed B. Smith, mailed Plf. & Dft.

October 21, 2002 - See Computer for further entries.

Carol Lynn Brunot
vs.
Merle Fedders and Jane Doe

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she whould obtain counsel as soon as possible and notify counsel of the date, time and place of the argument. If she does not have counsel she has a right to appear at the argument and to represent herself.

In the meantime Crol Lynn Brunot shall advise the Prothonotary as to her exact mailing address so that counsel, the Prothonotary and the Court can contact her at any given moment. If she changes her address she shall notify the Prothonotary of that too. Her initial notification as well as any subsequent notifications shall be in writing so that the Prothonotary will have a hard copy to place in the file in this case.

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

Oct. 12, 1994 copies mailed Brunot & Atty Warren

Oct. 20, 1994 Upon praecipe of plaintiff, all action dropped on this case.

Oct. 24, 1994, Plaintiff's Letter withdrawing action, filed.

Oct. 24, 1994, ORDER: AND NOW, Oct. 20, 1994, the court having received a letter from the plaintiff, who now is unrepresented of record, indicating that she withdrew all actions agains the defendant will consider said letter as a praecipe for settlement and discontinuance under Pa. R.C.P. 229.

Accordingly, the Prothonotary shall mark this case settled and discontinued pursuant to said rule.

The Prothonotary shall send a true and correct copy of this order to the plaintiff at 379 Walnut Street, Apt. 4, Meadville, Pa. 16335.

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

10/24/94 copy of order sent to plff by Prothonotary.

1994

Betty Jo Wooley

vs.

Michael Shawn Luikart

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May 23, 1994 Petition for Modification and Order filed. AND NOW, this 20th dayof May, 1994, upon consideration of the within Petition, it is hereby ordered that Child Custody Mediator Wm. Pineo, shall be appointed Mediator and hold a hearing in accordance with the law and rules.

The petitioner shall be permitted to proceed without the payment of a deposit for mediation or filing fee in that the petitioner is indigent and qualifies for free legal assistance from Northwestern Legal Services.

A copy of this peittioner shall be served upon the Respondent/Defendant's attorney of record Greg Keenan, Esq., by regular mail.

BY THE COURT,
Gordon R. Miller, J

May 23, 1994 Copies faxed to Keenan and Pineo and givent to Brode

May 25, 1994 Proof of Service filed. I hereby certify that a copy of the foregoing Order and Custody Petition was served upon Respondent's attorney, Gregory Keenan, at 296 Chestnut Street, Meadville,PA 16335, by Frist Class U. S.Mail, on May 24, 1994
Date: 5-25-94

R.Christopher Brode, Esq.

Aug. 3, 1994 Temporary Order filed. AND NOW, this 3rd day of August, 1994, 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, Adrienne J. Wooley.

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 m inor child. Health care, school personnel, andother 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 form 5:00 p.m. of August 31 of each year through 5:00 p.m. June 30 of the following year, and the father shall have primary physical custody from 5:00 p.m. June 30 of each year until 5:00 p.m. of the following August 31. The party not having physical custody shall have visitation and temporary physical custody on alternate weekends beginning with the second full weekend after the other party shallhave begun his or her period of custody, from Friday at 5:00 p.m. through Sunday at 5:00 p.m. Until June 15, 1994, the father shallhave vistiationand temporary physical custody of the subject minor child on alternate weekends, beginning with the weekend of April 22, form Friday at 6:00 p.m. through Sunday at 6:00 p.m.

b. The father shall have the right to select four periods of one week, each said period beginning upon a Sunday at 5:00 p.m. and ending the following Sunday at 5:00 p.m., during which he may have temporary physical custody and vistiation of the subject minor child. He shall give the mtoehr two weeks notice of each of the periods he wishes to select. The periods may not be consecutive.

c. The party not having physical custody shall have the right to telephone the subject minor child at reasonable times and for reasonable lengths of time and such conversations will not be unreasonably monitored by the parent having physical custody/

4. Holiday visitation shall be arranged as follows:

a. Christmas: There shall be two Christmas visitation periods, the first beginning on Christmas Eve at noon and ending Christmas Day at noon, and the second beginning Christmas Day at noon and ending December 26 at noon. For Christmas, 1994, the father shallhave the first period and the mother, the second, and the parties shall thereafter alternate. The father shall have visitation and temporary physical custody each year form December 26 at noon through January 1 at noon.

b. In even numbered years, the subject minor child shall spend Thanskgiving period beginning on the Wednesday preceding Thanksgiving at 6:00 p.m. until the Sunday following Thanksgiving at 6:00 p.m., and Memorial Day Weekend from Friday at 6:00 p.m. through Good Friday at 6:00 p.m. through Easter Sunday at 6:00 p.m. and Labor Day Weekend from Friday at 6:00 p.m. through Monday at 6:00 p.m. with her mother. In odd numbered years, the situation will reverse.

c. The provisions of this paragraph shall take precedence over theother provisions of this order relating to the custodial or visitation periods.

5. The parties are free to make additional or alternative arrangements respecting the custodial and vistiation periods and are strongly encouraged to do so, having due regard to their changing work schedules and transportation needs and capabilities, if that would be proper and convenient.

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 of modification shall notify the other party as soon as he or she knows of the necessity which impels the cancellation or modification be necessary, the parties shall attempt at once to arrange for alternative visits or to make alternative arrangements.

7. The parties shall split responsibility for transportation. The parties shall select a point reasonably close to half way between their residences and sahll arrange to pick up and deliver the child at that point. If the parties cannot select a point then the party receiving the child in the exercise of his or her rights shall pick up the child at the home of the other. Any person transporting the child shall make sure that the seat belts or other restraints are sued in accordance with the laws of Pennsylvania.

8. 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.

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 child. The parties are cautioned that medical research has indicsated 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 house as the child, in a closed automobile in which the c hild is being transported.

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 whenin the child's presence and each party shallinstruct his or her relatives and friends to do likewise and also n not to disparage the other party in the child's estimation.

11. costs and fees of this Mediation, which are fixed at $177.00, is to be paid by Crawford County. The mediator notes for the court that neither party is employed and neither can afford costs for mediation .

12. The deposit required for the appointment of the appointment of the Custody Mediator shall be refunded to the person making said deposit.

13. Either party may move the court for a hearing de novo within ten (10) days from date hereof. If neither party so moves, this Order shall be considered permanent.

By the Court,
Gordon R. Miller,
8/11/94 Faxed Pineo,
Brode & Keenan

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John Arthur Johnson
vs.
Shirley Jane Wakefield Johnson

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Dec. 22, 1994 QUALIFIED DOMESTIC RELATIONS ORDER, filed. The followisng Order is hereby approved:

1. This Order shall apply to the OCP, INC, PROFIT-SHARING PLAN AND TRUST, ("the Plan") and shall be directed to the Plan Administrataor, of INTEGRA TRUST COMPANY, Titusville, Pennsylvania.

2. The Plan Participant covered by this Order is John Arthur Johnson, 328 E. Mt. Vernon Street, Titusville, Pennsylvania 16354, whose Social Security Number is 183-40-2942, date of birth, March 2, 1948.

3. The Alternate Payee covered by this Order is Shirley Jane Wakefield Johnson, 694 East Spruce Street, Titusville, Pennsylvania 16354, whose Social Security Number 170-42-9909, date of birth, November 21, 1949.

4. This Order shall apply to $943.77, of the Participant's account balance in the Plan as of September 1, 1994, and all earnings accrued on such amount beginning on such date and ending on the plan valuation date immediately preceding the date of distribution (the "Alternate Payee Benefit"). The balance, if any, of the Participant's account balance as of the foregoing date and all earnings thereon shall remain teh sole property of the Participant and shall not be subject to this Order.

5. The sum shall be paid into and segregated into a separate account by the Plan Administrator solely under the name of the Alternate Payee and shall be the Alternate payee's sole and separate property. The Alternate Payee shall have the right to elect to withdraw funds from the Plan on or after the date on which the Participant becomes eligible to receive a distribution from the Plan, or on or after the date Participant attains (or would have attainee) the "earliest retirement age" as that term is define by Section 414(p) of the Internal Revenue Code of 1986. Except as expressly provided herein, the rights of the Participant and the Alternate Payee with respect to the payment of benefits shall be determined under the provisions of the Plan.

6. The Alternate Payee irrevocably waives the right to be designated as the beneficiary to receive the Participant's death benefits, if any, provided under the Plan after reduction for the Alternate Payee Benefit.

7. The Alternate Payee Benefit shall be paid pro-rate from each investment fund in which the Alternate Payee's total individual account under the Plan is invested as of the last plan valuation date prior to the date of distribution under (5) above.

8. The Paraticipant and Alternate Payee shall promptly notify the Committee of any change in their respective addresses.

9. The Participant and Alternate Payee shall submit this Order to the Committee for its determination that this Order constitutes a Qualified Domestic Relations Order.

10. It is intended that this Order shall constitute a Qualified Domestic Relations Order and the Court retains jurisdiction to amend this Order as may be necessay to establish or maintain it as a Qualified Domestic Relations Order.

SO ORDERED this 28th day of December, 1994.

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

Dec. 29, 1994 Faxed Kirkpatrick, mailed Gamble

1994

Karina M. Armstrong (Nellis)
vs.
John H. Armstrong

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$. Holiday visitations:

a. Christmas, 1995, and all odd years thereafter the children shall be with their mother for the first 5 days of school vacation and with their father for the five days thereafter. These arrangements shall reverse in all even years.

b. Easter/Spring Break. In 1995 and all odd years thereafter, the children shall be with their mother for Easter/Spri Break. Arrangements shall reverse in all even years.

c. Memorial Day and Labor Day. In 1995 and all odd years thereafter the children shall be with their father. These arrangements shall reverse in all even years.

d. Fourth of July and Thanksgiving. In 1995 and all odd years thereafter the children shall be with their mother. These arrangements shall reverse in all even years.

Holiday visits shall begin at 5:00 p.m. the day before the holiday unless otherwise specified herein. Holiday visits are in addition to and not in lieu of regular custody and visitatioin.

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 share responsibility for transportation with the each party driving half way, such destination point to be Franklin, PA to transfer the children at each pick up and return.

7. Each party shall teach said children to give to the other party that love and respect which is due a parent from his sor her childrn.

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 child/children is/are being transported or in the bedroom of the child/children.

9. any person transporting the children shall make sure tht the seat belts or other restraints are used in accordance with the law of Pennsylvania.

10. Neither party shall do or say anything to blacken the character of the other in the children's estimation. Each party shall treat the other in a polite and respectful manner when in the children's 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 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.

By the Court:
Anthony J. Vardaro, J.

Apr 27, 1995 Faxed Pineo, Kirkpatrick, mailed Kantz.
May 4, 1995 mailed Plf. & Dft.

Kathleen D. Mook

vs.

Donald R. Mook

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care and custody of the subject minor child. The parties are cautioned that medical research has indicated that tobacco smoke is injurious to the health of growing children. Therefore, neither party shall smoke tobacco or permit others to do so in the same room as the child, in a closed automobile in which the child is being transported, or in the bedroom of the child.

10. Neither party shall do or say anything to blacken the character of the other in the child's estmination. Each party shall treat the otherin 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. Costs and fees of this Mediation, which are fixed at $150.00, are divided equally between the parties with a share of each being assessed to him or her as costs in this case.

No deposit has been made. Each party shall pay their 1/2 share of costs and fees within 30 days to the Prothonotary of Crawford County.

13. 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,

June 22, 1994 Copies mailed to Pltf. & dft, Faxed Pineo

1994

Michaelle L. Hutchison
vs
Gerald L.Hutchison

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F. Neither mother nor father shall expose the child to any person or situation which may be harmful to the child's health or well being.

G. Both parents agree to inform the other immediately of any illness or injury regarding the child and both parents agree to furnish the other with a current telephone number.

III. This order is a temporary order but shall become a permanent order unless exceptions thereto are filed by either party within ten (10) days of the date hereof.

IV. Cost of the mediation conference will be divided as follows: One-half Crawford County and one-half the father.

Gordon R. Miller, Judge

7-15-94 Faxed to Attys.Walton, Sullivan & Fuller

FEb. 6, 1998 MOTION TO APPOINT MEDIATOR AND ORDER FILED. YOU, Michalle Hutchison, have been sued in Court to obtain custody of Gerald Hutchison.

You are ordered to appear in person at such time and place as will be determined by the Mediator John Fuller, Esq. for a mediation conference. The Mediator shall send you a Notice of the Hearing by mail to the Hearing by mail to the address listed on the complaint or pertition that has been filed recently.

Until such time as the mediation conference is held, the minor child shall remain in the state of Pa to maintain the status quo.

If you fail to appear as provided by this Order, an Order for custody partial custody or visitation may be entered against you or the Court may issue a warrant for your arrest.

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

Court Administrator, Courthouse
Meadville,PA 16335
Telephone No: (814)333-7498

AMERICANS WITH DISABILITIES ACT OF 1990

The court of common Pleas of Crawford County is required by law to comply with the Americans with Disabilities Act of 1990. For information about accessible facilities and reasonable accomodations available to disabled individuals having business before the Court, please contact the Ct. Administrators 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 of hearing.

BY THE COURT
Anthony J. Vardaro, J.

Date 2/9/98
2/20/98 DISIRIBUTED WALTON & FAX FULLER

FEB. 6, 1998 PETITION FOR MODIFICATION OF CUSTODY FILED and order filed. AND NOW, this 9th day of Feb. 1998, it is ordered and decreed that the parents in this matter shall satisfactorly 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.

Applications 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 pleadingor 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.

BY THE COURT
Anthony J. Vardaro, J.

2/10/98 DISIRIBUTED WALTON FAXED FULLER

Feb. 13, 1998 EMERGENCY PETITION FOR TEMPORARY CUSTODY AND ORDER FILED. AND NOW, this 13th day of Feb. 1998 it is ordered that this petition is granted.

BY THE COURT
Grodon R. Miller, J.

2/13/98 DISIRIBUTED WALTON, HUTCHISON & STEADMON

Feb. 20, 1998 ORDER FILED. AND NOW, Feb. 17, 1998 both parties were ordered and directed to complete the Seminar for Separating Parents as required in Crawford Co Civil Rule L1930 within 45 days from this date.

Failure to do so will subject the parents to potential contempt of court proceedings.

BY THE COURT
Gordon R. Miller, J.

BY THE COURT
Gordon R. Miller, J.

March 12, 1998 MOTION TO WAIVE SEMINAR and ORDER filed. AND NOW, this 10th day of March, 1998, the requirement for Gerald Hutchison to register for the parenting seminar is waived until the summer of 1998. However this should be in petition form since it alleges facts not of record. It should be under oath also.

Gordon R. Miller, J.

March 16, 1998 Order FAXED Atty. Walton and Legal Service.

Mar 18, 1998 Petition For Waiver of Fee For Seminar For Separating Parents and Order: AND NOW, March 17, 1998, upon receipt and review of the within petition of the petitioner to be excused from paying the fee for the Seminar for Separating Parents said petition is granted. Gordon R. Miller, P.J.

Mar 18, 1998 Mailed Plf

April 2, 1998 PETITION TO WAIVE SEMINAR AND ORDER FIELD. AND NOW, this 1st day of April, 1998, the requirement for Michaelle Hutchison to register for parenting seminar is waived.

4/2/98 Dist. Walton

Gordon R. Miller, j

April 7, 1998 STIPULATION AND CONSENT AND CONSENT CUSTODY ORDER FILED. AND NOW, THIS 6th day of April, upon presentation of the Stipulation and Consent of the parties, attached hereto and after consideration of same, it is hereby ORDERED, DIRECTED AND DECREED THAT:

1. Physical and legal custody of the minor child, Gerald Hutchison, shall be with the Defednant FAther, subject to the Mother's liberal visitation, which shall be arranged by the parties as their schedule permits.
2, The parties are free to make alternative arrangements respecting the custodial and visitation periods and are encourdaged to do so. Each party will try to accommodate teh other pareent to allow visitation and agree to provide 24 hour notice of a need to make any changes in the visitation. The parties further agree that the presence of each parent is important in the child's life.
3. Each party sahll teach the child to give to the other party that love and respect which is due from his/her child
4. Neither of the parties shall use illegal drugs or be under the influence of alcohol at any time which said party has the care and custody of the subject minor child. Neither of the aprties shall expose the minor child to harmful situations or harmful people while having custody of the child, especially anyone who is involved in the consumption of or trafficking or sale of illegal substances.
5. Neither of the parties shall do or say anything to blacken the character of the other int he child's estimation. Each party shall treat the other in a polite and respectful manner when 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.

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RUTH L. WANKER

VS.

MICHAEL D. WANKER

RECORD CONTINUED FROM PAGE 23

OF

AD 1994 - 23

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Jan. 10, 1995 Notice of Withdrawal of Barbara J. Walton, Attorney on behalf of plaintiff, filed.

Jan. 13, 1995 Motion To Vacate as Mediator. John Fuller

Jan. 13, 1995 ORDER, filed. AND NOW, January 10, 1995, after consideration fo the within Motion to Vacate, IT IS HEREBY ORDERED AND DECREED AS FOLLOWS, TO-WIT: John Fuller, Esquire is hereby granted leave to withdraw as custody mediatoar in the above-captioned custody case and William Pineo is hereby appointed as mediator in his place.

Gordon R. Miller, P.J.

Ja. 13, 1995 Faxed Pineo, fuller, Kirkpatrick & Walton

Feb. 24, 1995 TEMPORARY ORDER filed. AND NOW, this 24 day of FEbrurary, 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,Aaron Michael Wanker and Elysa Nichole Wanker.

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 children shall reside withtheirmother from 6:30 P.M. of the second Friday in August until 6:30 P.M. of the second Friday of the following June and shall live with their father from 6:30 P.M. on the second Friday in June until 6:00 P.M. of the second Friday of the following August. The mother shall have the right to designate a one week period during the father's summertime custodial period during which the children shall reside with her. The parent not having physical custody shall have the right to visitation and temporary physical custody shall have the right to visitation and temporary physical custody on alternate week-ends from Friday at 6:30 P.M. until Sunday at 6:30 P.M., beginning with the second week-end after the other party shall have taken custody the children.

3 b. The parent not having physical custody shall have the right to telephone the children at reasonable times and for reasonable lengths of time. Suche conversations will not be unreasonably monitored by the parent having physical custody.

4 a. In odd numbered years the fat her shall have visitation temporary physical custody for a six day period tobegin at 6:30 P.M. of Decedmber 26, and ending at 6:30 P.M. on the sixth day thereafter. On even numbered years, the father shall have the right of visitation and temporary physical custody from 6:30 P.M. of Christmas Eve and ending 6:30 P.M. on the sixth day thereafter.

4. b. On even numbered years, the father shall have visitation and temporary physical custody from 6:30 P.M. of the Friday after Thanksgiving and ending at 6:30 P.M. on the following Monday. On odd numbered years, the father shall have visitation and temporary physical custody from 6:30 P.M. of the Wednesday preceding Thanksgiving until 6:30 P.M. of the Sunday after Thanksgiving.

4.c. The mother shall have the custody and care of the children each Easter so that she may attend Church services with them. However, the parties will arrange for the father to have a three day period of visitation during each Easter or Spring break from their school. The parties shall arrange the details, respecting the times.

d. The provisions of this paragraph shall take precedence over the other provisions of this order relating 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. The Parties shall split responsiblity for transportation. The Court knows that the mother is moving to the State College area. The Parties will therefore arrange to meet near the Dubois Exit of Interstate 80 for the exchange of the children. They shall work out the exact place of transfer. Any person transporting the children shall make sure that seat belts or other restraints are used in accordance with the laws of the Commonwealth of Pennsylvania.

7. Each party shall teach said child to give to the other party that love and respct 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 caautioned that medical research has indicated that tobacco smoke is injurious to the health of growing children. Therefore, neither party shallsmoke tobacco or permit others to do so in the same room as the child, in a closed automobile in which the child is being transported, or in the bedroom of the child.

9. Neither party shall do or say anything to blacken the character of the other in the child's estimation. Each party shall treat the other in a polite and respectful manner when in the child's presence and each party shall instruct his or her relatives and friends to do likewise and also not to disparage the other party in the child's estimation.

10. Costs and fees of this Mediation,whichare fixed at $227.00, are divided equally between the parties with a share of each being asessed to him or her as costs in this case.

11. 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 shareof costs and fees to the Prothonotary of Crawford County within thirty (30) days of the date of this Order.

12. 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.

3-9-95 Copy to Attys. Kirkpatrick, Pineo and Deft.

Francesco P.Froncillo d/b/a Spark Tool
vs
E.T.Technology, Inc., Laurel Capital Corporation, and Con-Way Central Express, Inc.

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Sep. 2, 1994 Motion to Amend Answer, New Matter and New Matter Pursuant to Rule 2252 (d) filed.

Sep. 2, 1994 Motion to Continue Trial Date and ORDER OF COURT filed. AND NOW, to-wit, this 2nd day of September, 1994, upon consideration of the foregoing Motion to Continue Trial Date, it is hereby ORDERED that the above-captioned action is continued to the February trial list.

BY THE COURT:
Gordon R. Miller

Faxed
9-2-94 Copies to Attys. Altomare, Stack, & Millin, Kusturiss & Montgomery

ON FEBRUARY,1995 TRIAL LIST

Sept. 20, 1994 Amended Answer, New Matter, New Matter Pursuant To Rule 2252(d) and Counterclaim To Plaintiffs' Second Amended Complaint, filed.

Oct. 3, 1994, Amended Answer, New Matter, New Matter Pursuant to rule 2252(d) and Counterclaim to Plaintiffs' Second Amended Complaint filed.

Jan. 4, 1995 E. T. Technology, Inc's. Motion To Compel Discovery, filed.

Jan. 4, 1995 ORDER filed. AND NOW, this 4 day of January, 1995 upon consideration of E.T. Technology, Inc's. Motion to Compel, it is hereby Ordered:

1. That the Plaintiff shall answer the interrogatories and produce the documents requested on or before the 16 day of January, 1995.
2. That upon failure of the Plaintiff to answer interrogatories and produce documents requested, the Court will consider an appropraite Motion for Sanctions pursuant to Rule 4019.

By the Court:
Anthony J. Vardaro, J.

Jan. 4, 1995 Faxed Altomare, Stack, DeGiocobbe & Kasturier

Jan. 17, 1995 Plaintiff's Answer to Defendant Laurel Capital Corporation's Counterclaim to Plaintiff's Second Amended Complaint and New Matter Pursuant to Rule 2252(d) filed.

Jan. 25, 1995 E.T.Technology, Inc.'s Motion to Compel Discovery filed.

Jan. 25, 1995 ORDER filed. AND NOW, this 25 day of January, 1995 upon consideration of E.T.Technology,Inc.'s Motion to Compel, it is hereby ORDERED:

1. That the Plaintiff shall answer the interrogatories and produce the documents requested on or before the 6 dayof February, 1995.
2. That upon failure of the Plaintiff to answer interrogatories and produce documents requested, the Court will consider an appropriate Motion for Sanctions pursuant to Rule 4019.

By the Court:
Anthony J.Vardaro,J.

1-25-95 Faxed to Attys. Millin,Stack, Altomare,Montgomery & Kusturiss.

Jan. 27, 1995 Defendant Laurel Capital Corporation's Pretrial Statement, filed.

Jan. 30, 1995 Motion for Trial Consolidation, filed. (Original filed at A.D. 1994 - 126)

Feb.14, 1995 Pre-Trial Order filed. AND NOW, February 8, 1995,after pre-trial conference with all counsel present, the Court enters the following Order:

1. Except as hereinafter indicated,all discovery is completed, all parties are ready for trail and non-jury trial shall commence on a date certain tobe designated by the Court Administrator most likely during the month of April 1995. The Court Administrator shall set aside three consecutive days for these trials. Inthe event that trial will be scheduled later than April 1995, theCourt administrator shall contact each counsel to determine when there are conflicts in their schedules.
2. The Plaintiffs' motion to consolidate these case is denied,however,they will be tried back to back with Repko to be tried first followed immediately thereafter by Froncillo.
3. As part of the discovery in these matters, Conway Central Express, Inc. has supplied the other parties with documents with regard to both cases entitled "Excess Claims Investigations." There appears tobe some confusion as to whether the complete documents were supplied and whether all"Excess Claims Investigations" and attachments were supplied and accordingly, Conway Central Express, Inc. is ordered and directed within 30 days to provide each of the other counsel will all documents representing such "Excess Claims Investigations" with respect to each case as well as any attachments to those documents with the same tobe provided in a manner so that it is clear as to what pages and attachments belong toeach of the "Excess Claims Investigations." Thereafter, within 15 days of receipt of the same,the Plaintiff may submit requests for admissions to Conway Central Express, Inc. only with respect to issues raised as a result of that discovery and specifically withregard towhether Conway Central Express, Inc. admits causing damage in each case to the equipment in question. With respect to any requests for admission served upon Conway Central Expres,Inc., thereafter provisions of Pa.R.C.P. 4014 shall apply.

When Conway Central Express, Inc. supplies this information,they shall attach a verificationwhichshall also indicate that a diligent search of the records of the Defendant Conway Central Express, Inc. has been completed and that the documents in the nature of those requested being supplied are the only ones that have been found and are available tothe knowledge of the appropriate representatives of Conway Central Express,Inc.

No further discovery may be attempted by any party without further order of court unless in the nature of a deposition already scheduled or agreed upon by the parties prior to the pre-trial conference.

4. With regard to the counterclaim of Laurel Capital Corporation. This procedure can be modified to allow a narrative testimony by Attorney DiGiacobbewith subsequent cross-examination if that arrangement is stipulated to by the Plaintiff in each case prior to trial.

The parties raise various legal issues which may be argued at the time of trial and any party is permitted to file any trial brief with respect to any issues either prior to trial or at the time of trial.

BY THE COURT:
Anthony J. Vardaro,J.

2-14-95 Copies dist. to all Counsel & Ct. Adm.

Mar. 2, 1995 Motion for Summary Judgment filed by Defendant Laurel Capital Corporation, filed.

Continued to Page 464

Mar.8, 1995 ORDER filed. AND NOW, this 6thday of March, 1995, non-jury trials are hereby scheduled in the following case on the dates and at the times set forth below:

# on February, 1995 Civil Trial List	(Abbrvd.) & Docket Number	Non-Jury Trial Date and Time; Courtroom
#27	Francesco P. Froncillo,d/b/a Spark Tool vs. E. T. Technology, Inc., Laurel Capital Corporlation and Con-Way Central Express, Inc. A.D. 1994 - 125	May 1, 2, 3, 1995 9:15 A.M. #2 (3 days)

FOR THE COURT,
Ann A.Walker, Ct. Administrator

3/7/95 Copies dist.by Ct. Adm.

Mar. 22, 1995 Plaintiff's Motion For Summary Judgment with Respect To Defendant Laurel Capital Corporation's Counterclaim filed.

Mar. 31, 1995, MEMORANDUM AND ORDER filed. ORDER: AND NOW, Mar. 31, 1995, both of the above captioned cases scheduled to be tried non-jury on May 1, 2 and 3 1995 are now continued indefinitely to be rescheduled by the court once the pr eliminary matters have been properly brought before the court, argued and decided.

BY THE COURT,
Anthony Vardaro, J.

3/31/95 distributed to all counsel.

Apr. 13, 1995, Upon praecipe of defendant Laurel capital Corporation, Motion for Summary Judgment placed on next argument list.

ON ARGUMENT LIST FOR MAY 1995

June 6, 1995 Upon praecipe of Laurel Capital Corporation the above matter is placed on the next available argument list.

ON JULY 1995 ARGUMENT LIST

Aug. 23, 1995, Appearance of John B. Montgomery and Gary P. Hunt, of Tucker Arensberg, PC, attorneys for defendant Laurel Capital Corporation, filed.

Dec. 1, 1995 Certificate of Readiness filed.

ON FEBRUARY, 1996 TRIAL LIST

Dec. 13, 1995 MEMORANDUM AND ORDER filed. AND NOW, December 12, 1995, the motion for summary judgment filed by Laurel Capital Corporation is granted with respect to Count I of the second amended complaint of the Plaintiffs in both of these actions but it is denied with respect to Laurel Capital Corporation's counterclaim against each of the Plaintiffs.

BY THE COURT:
Anthony J. Vardaro, J.

12-13-95 dist. to all counsel.

Dec. 13, 1995 JOINT MOTION TO STRIKE CERTIFICATE OF READINESS filed.

Dec. 13, 1995 MEMORANDUM AND ORDER filed. AND NOW, this 13th day of December, 1995, upon consideration of the Joint Motion to Strike Plaintiffs' Certificate of Readiness and upon consent of all parties, it is hereby Ordered that the Certificate of Readiness of the Plaintiffs is stricken and may be re-filed once the preliminary matters have been decided.

By the Court:
Anthony J. Vardaro, J.

12-13-95 FAXED all counsel.

Jun. 6, 1995 Statement of Facts of Defendant Laurel Capital Corporation, filed.

Jan. 23, 1996 Certificate of Readiness for Trial filed.

ON APRIL 1996 CIVIL TRIAL LIST

April 2, 1996 AND NOW, April 1, 1996, at the time of the Call of the Trial List, all counsel mutually agree that a pretrial conference will be scheduled in this case before Judge Anthony J. Vardaro on April 12, 1996 at 3:30 p.m. Since the case is non-jury, if Judge Vardaro believes settlement negotiations should not be heard by him, he may schedule a further date before another judge for a settlement conference if court and counsel believe the same would be productive.

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

April 2, 1996 Order to Attys. Altomare, Kusturiss, Stack, Millin, Montgomery, Hunt.

April 12, 1996 Motion For Summary Judgment filed.

April 23, 1996, Motion for Summary Judgment filed. (on behalf of plff)

April 23, 1996, ORDER: AND NOW, Apr. 17, 1996 the Ct. Adm. is hereby diredted to schedule argt. on the plff's motion for summary judg. with regard tothe counterclaim of Laurel Capital Corp. on the May Argt. List, before the under signed, at a specific time to be determined by the Ct. Adm. after the close ofthe May Argt. List.

BY THE COURT,
Anthony J. Vardaro, J.

Apr. 23, 1996 faxed to attys. of record.

April 24, 1996, Assignment of NonJury Trial Date filed. And now, the same is hereby set for Mon. July 29, 1996, with the trial of Repco vs. E. T. Technology, et al to commence at 9:15 a.m. and the case of Froncillo vs. E. T. Technology et al to begin immediately following completion of the first trial before the Hon. Anthony J. Vardaro in C. R. NO. 2, Courthouse, Meadville, Pa.

FOR THE COURT, A. Walker, Ct. Adm.

4/23/96 copies to all attys. of record.

Record Continued on Page 464(a).....

April 30, 1996 Pretrial Motion of Defendant Con-Way Central Express, Inc., filed.

April 30, 1996 ORDER filed. AND NOW, April 30, 1996 Court does not find consolidating cases for trial appropriate. Cases scheduled for non-jury for four days beginning on July 29, 1996. (SEE PAPERS FILED).
BY THE COURT:
Anthony J. Vardaro, J.
May 1, 1996 Order mailed Attys. Kusturiss, Altomare and Hunt; Distributed to Atty. Stack.

May 20, 1996 Motion for Reconsideration of Motion for Summary Judgment by Defendant filed.
May 20, 1996 Affidavit supporting Motion for Reconsideration of Motion for Summary Judgment by Defendant filed.

July 3, 1996, MEMORANDUM AND ORDER filed. ORDER: AND NOW, June 26, 1996, the motion of all plaintiffs for Summary Judgment is denied and the motion for Reconsideration of Motion for Summary Judgment filed by Laurel Capital Corp. in each case is denied.
BY THE COURT,
Anthony J. Vardaro, J.

7/3/96 dist. to all counsel.

July 8, 1996, ORDER filed. And Now, July 8, 1996 due to a scheduling conflict in July 29, 1996 session of Argument court, trial scheduled to begin at 9:15 am will commence at 1:00 Mon., July 29, 1996 in C. R.No. 2.
By the court, Ann A. Walker, Ct. Adm.
7/8/96 dist. by Holly.

July 15, 1996 Motion for Leave to Take Deposition for use at Trial and/or for Production of Witness via Telephone and ORDER filed. AND NOW, this 15 day of July, 1996 Plaintiffs' Motion to permit the testimony of Tim Wilsey of Quakertown, Pennsylvania by telephonic communication at time of trial is granted. **Anthony J. Vardaro, J.**
7-15-96 FAXED Attomare, Montgomery, Kusturiss, Stack & Millin

July 19, 1996 E. T. Technology, Inc's Motion For Leave To Take Deposition For Use at Trial and/or For Production of Witness Via Telephone filed.

July 19, 1996 Order filed. AND NOW, this 19 day of July, 1996, upon consideration of E. T. Technology, Inc's Motion to Permit the Testimony of Beth Arthur of Maryland by telephone cummunication at the time of trial.
By the Court:
Anthony J. Vardaro, J

7-19-96 Faxed Kustruriss, Stack, Altomare & DiGiacobbe

August 5, 1997 EXHIBITS filed.
Aug. 5, 1996 ORDER filed. AND NOW, July 31, 1996 after the completion of all testimony in this matter, the parties agree that the time period set in the Rules for the Court to decide this case shall be waived by all parties, and that the Plaintiff shall submit a brief with regard to the issues that Plaintiff perceives in this case, as well as any suggestions with regard to what the appropriate verdict shall be, on or before September 15, 1996, and all Defendants shall file a similar response on or before October 7, 1996.
BY ORDER OF THE COURT,
Anthony J. Vardaro, J.

8-5-96 DISTRIBUTED Stack MAILED Altomare, Hunt & Kusturim.

Sept. 17, 1996, Motion for Extension of Time filed.

Sept. 17, 1996, Order filed. ORDER: AND NOW, THIS 16 DAY OF Sept. 1996 it appearing that all counsel for the above captioned parties concur, the time within which post-trial briefs shall be filed shall be extended as follows:
a. Plaintiffs Brief shall be due within 15 days of plaintiffs receipt from the ct. reporter of the transcript of proceedings, as ordered by the parties from the ct. reporter, in both the above captioned matter and its companion case; and,
b. The briefs of dfts. and counter-claimant shall be filed within 23 days thereafter.
BY THE COURT,
Anthony J. Vardaro, J.
9/27/96 copies to Hunt, Kusturiss and Stack.

Oct. 11, 1996 Transcript of Proceedings Taken at Time of Non-Jury Trial filed.

Apr 4, 1997 Memorandum and Verdict, filed.
Apr 7, 1997 Mailed Altomare, Hunt, Kusturiss and Dist Stack

Apr 14, 1997 ORDER: AND NOW, April 14, 1997, having been directed by the Court to set the above for hearing ursuant to the court's Memorandum and Verdict entered April 3, 1997, argument on Plaintiff's entitlement to prejudgment interest is set for Friday, June 6, 1997, at 10:00 a.m., CR #2, Crawford County Courthouse.
Ann A. Walker, C.A.

Apr 14, 1997 Faxed Kusturiss, Altomere, Stack & Hunt

May 8, 1997 Upon praecipe of plaintiff attorney, this above captioned matter is hereby marked settled and discontinued, with prejudice, of record.

464 (b)

464 (b)

1904

1994

Judith A. and Alan L. Adams
vs
Conneaut Condominium Group,
et al

Continued from Page 321 (b)
of Record

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Feb. 10, 1995 REPLY OF DEFENDANTS, MYRON L.CARMAN AND DOROTHY B. CARMAN, TO NEW MATTER OF THE DEFENDANT, FILED.

Feb. 10, 1995 Reply to New Matter of Defendant, Claw,Inc.,filed.

Feb. 17, 1995 Answer to Complaint, New Matter and New Matter Under Rule 2252(d) of the Pa. R.C.P. filed.

Feb. 23, 1995 Reply of Claw, Inc. to New Matter of Defendant Milan Martin Liptak Under and Pursuant to Rule 2252 (d) filed.

Feb. 23, 1995 Defendant Milan MartinLiptak's Reply to New Matter of Conneaut Condominium Group, Inc. filed.

Feb. 23, 1995 Defendant Milan Martin Liptak's Reply to New Matter of BRK Electronics; BRK Electronics, Inc.,; Pittway Fire Safety, Inc; BRK Brands, Inc.; THL - FA Operating Corporation and Pittway Corporation filed.

FEb. 23, 1995 Defendant Milan Martin Liptak's Reply to New Matter of Miron L. Carman and Dorolthy B. Carman, his wife, filed.

Feb. 23, 1995 Defendant Milan Martin Liptak's Reply to New Matter of Claw,Inc. filed.

Feb. 23, 1995 Defendant Milan Martin Liptak's Reply to New Matter of Associated Contractors of Conneaut Lake, Inc., filed.

Feb. 23, 1995 Defendant Milan Martin Liptak's Reply to New Matter of Lighthouse Cove Owner's Association, filed.

Feb. 27, 1995 Reply of Defendants, Myron L. Carman and Dorothy B. Carman, to New Matter of the Defendant, filed.

Feb. 28, 1995 Plaintiffs' REply to New Matter of Defendant, Liptak, filed.
(1 copy atty)

Mar. 3, 1995, Reply to New Matter of Lighthouse Cove Owner's Association filed. (filed on behalf of Dfts. BRK Elect., BRK Elect. Inc. BRK Brands, Inc. THL-FA Operating Corp. and Pittway Corp)
Mar. 3, 1995, Reply to New Matter of Myron L. Carman and Dorothy B. Carman filed. (on behalf of Dfts. BRK Elect. BRK Elect. Inc. BRK Brands, Inc. THL - FA OPer. Corp. and Pittway Corp)
Mar. 3. 1995, Reply to New Matter of Associated Contractors of Conneaut Lake, Inc. filed. (on behalf of BRK Elect., BRK Elect. INc. BRK Brands, Inc., THL-FA Oper. Corp. and Pittway Corp)

Mar. 8, 1995 Reply to New Matter of Milan Martin Liptak, filed.

March 16, 1995 Notice of Service of First Set of Interrogatories Directed to Carman Defendants filed.

Mar. 24, 1995 Certificate of Service of Interrogatories, filed.

April 21, 1995 Motion for Sanctions Against Defendant, Milan Martin Liptak filed.

April 21, 1995 Motion for Sanctions Against Defendant, Associated Contractors of Conneaut Lake, Inc., a Corporation, filed.

May 25, 1995 Certificate if Service of Defendant's Response to Plaintiffs' First Request For Production of Documents.

Jun. 8, 1995 Notice of Service of Answers to First Set of Interrogatories Directed to Defendants, filed.

Feb. 9, 1996, Certificate of Service of copies of defendant's First Set of Interrogatories Directed to the Plffs. filed.

April 12, 1996 Notice of Depositions of Associated Contractors of Conneaut Lake, Inc., Claw, Inc., Milan Martin Liptak on behalf of plaintiffs, filed.

Apr 22, 1996 Certificate of Readiness, filed.

ON TRIAL LSIT FOR October 1996

Aug. 12, 1996 Upon praecipe of Wayman, Irvin & McAuley, by John C. Bogue, Jr., Esq., appearance on behalf of Associated Contractors of Conneaut Lake, filed.

Oct. 2, 1996 Notice of Service by Plaintiffs Attorney filed.

Oct. 2, 1996 Notice of Service by Plaintiffs attorney filed.

Jan. 21, 1997 Notice of Deposition by Plaintiffs filed.

Apr 18, 1997 Noti of Deposition of Claw, Inc., filed.

Apr 18, 1997 Notice of Deposition of Claw, Inc., filed.

June 12, 1997 Notice of Rescheduled Deposition of Claw, Inc., a corporation, filed.

Oct. 31, 1997 Motion For Summary Judgment of BRK Electronics, BRK Electronics, Inc., Pittway Ccrporation, Pittway Fire Safety, Inc., THL-FA Operating Corp., Ademco, Inc. and Ademco Distribution, Inc. filed.

Oct. 31, 1997 Upon praecipe of Attorney Lori Ann Gala the upon matter is placed on the next available argument list.

1997 DECEMBER ARGUMENT LIST

Dec 5, 1997 ORDER: AND NOW, this 4th day of Dec, 1997, the Court Adm. having been directed by the Court to postpone argument, argument is continued to the next argument list (Jan 26, 1998). Anna A. Walker, C.A.
Dec 5, 1997 Dist to all attys.

Record Cont to Pg. 485

Kathy Luzier and Richard Dale Luzier
vs
Eileen Shearer
vs
Richard Dale Luzier,
Additional Defendant

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May 16, 1995 Upon Praecipe of Attorney Emil M.Spadafore,Jr., his appearance is hereby withdrawn.

Dec. 5, 1995 Praecipe of Withdrawal of Appearance of William K. Herrington and Sullivan, Steffish & Herrington, on behalf of additional defendant, Richard Dale Luzier, only and Praecipe for Appearance of William K.Herrington and Marshall,Dennehey, Warner, Coleman & Goggin for additional defendnt, Richard Dale Luzier, only, filed.

Dec. 28, 1995 Upon praecipe of Plaintiff Attorney For Notice Of Completion of Discovery filed.

Jan. 31, 1996 Notice of Service of Interrogatories on Plaintiff, filed.

Set. 30, 1996 Praecipe and Order for Continuance of Call of the List filed. AND NOW, this 30 day of September, 1996, upon agreement of all counsel and approval of the Court, the Call of the List for September 30, 1996 in the above captioned matter is continued until the February 1997 civil trial list.

BY THE COURT:
Anthony J. Vardaro, J.

10-1-96 FAXED J. Ostroff & W. Herrington

Nov 8, 1996 Certificate of Service of Notice of Videotape Deposition, filed.

Dec. 13, 1996, Appearance of Marshall, Dennehey, Warner, Coleman & Goggin, by Kenneth D. chestek, attys. for add'l dft, Richard Dale Luzier, filed.

Jan. 7, 1997 Appearance by MacDonald, Illig, Jones, & Britton by John F. Mizner for Defendant, Eileen R. Shearer, filed. Please enter our appearance on behalf of defendant, Eileen R. Shearer.

Respectfully submitted,
John F. Mizner
MacDonald, Illig, Jones & Britton

Jan 21, 1997 Plaintiffs' Motion For Continuance of Non-Jury Trial, filed.

Jan 21, 1997 Motion For Jury Trial, filed.

Jan 21, 1997 Eileen R. Shearer's Response in Opposition to Plainitffs' Motion For Continuance of Non-Jury Trial, filed.

Jan 21, 1997 ORDER: AND NOW, Jan 21, 1997, upon receipt and review of the defendant's motion for jury trial and the plaintiffs' motion for continuance the Court will hear the attorneys on these issues at the Call of the Civil Trial List to take place on Monday, Jan 27, 1997 at 9:00 o'clock a.m. in Courtroom No. 1 of the Crawford County Courthouse.

Gordon R. Miller, P.J.

Jan 27, 1997 Eileen r.Shearer's Response in Opposition to Plaintiffs' Motion For Continuance of Non-Jury Trial, filed.

Feb. 3, 1997 Order filed. AND NOW, January 27, 1997, it is ordered as follows:
1. With the consent of all counsel a jury trial will be held in this case even though no one has yet demanded a jury trial in a pleading. Therefore, the Shearer motion for a jury trial is granted.
2. On motionof the Plaintiffs this case is continued to the April 1997 Term of Civil Jury Trials. This continuance is granted because the Plaintiffs represented that the treating physician is seriously ill and cannot communicate at the present time. Hopefully that doctor will be able to accommodate the Plaintiffs in April. If not, the Plaintiffs may seek another continuance and we will take the matter up at that time.
3. The pretrial narratives shall be due by the Call of the List in April.

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

2-3-97 mailed Harrington, Ostroff & Murphey

March 13, 1997 Plaintiff's Motion For Continuance of Jury Trial and ORDER filed. AND NOW, this 12th day of March, 1997, upon consideration of the Plaintiffs' Motion for Continuance of Jury Trial, it is hereby ORDERED and DECREED that the trial in the above matter is continued from the Civil Trial List for the term commencing Monday, April 14, 1997 through Friday, April 25, 1997, to the next Civil Trial List; further, the call of the List, scheduled for Monday, March 31, 1997 at 9:00 a.m., is also hereby continued.

BY THE COURT:
Gordon R. Miller, J.

March 14, 1997 Order FAXED Attys. Mizner and Chestek; Mailed Hausman.

Sept. 12, 1997 Plaintiffs' Motion for Continuance of Jury Trial by Plaintiffs filed.

Sept. 12, 1997 Order filed. AND NOW, September 10, 1997 upon receipt and review of the Plaintiffs' Motion for Continuance of Jury Trial, said motion is opposed by defense counsel, argument on said motion shall be heard on the 18th day of September, 1997 at 3:45 o'clock p.m. in Courtroom No. 1 of the Crawford County Courthouse.

Counsel whose offices are one hundred miles or less of the Crawford County Courthouse shall appear in person. Counsel whose offices are more than one hundred miles from the Crawford County Courthouse shall be available at a telephone number given to the Court Administrator for a telephone conference call.

BY THE COURT
Gordon R. Miller, P.J.
9-12-97 FAXED Hausman, Mizner & Chestek

Sept. 8, 1997 Certificate of Service filed. I, Richard H. Hausman, Esquire, attorney for Plaintiffs, hereby certify that a true and correct copy of Plaintiffs' Supplemental Response to Request for Production of Documents has been served upon counsel listed below by regular first class mail, postage prepaid, on this 5th day of September, 1997:

Craig Murphey, Esquire
MacDonald, Illig, Jones & Britton
100 State Street
Suite 700
Erie, PA 16507-1498 for Deft.

Kenneth D. Chestek, Esquire
Marshall, Dennehey, Warner, Coleman & Goggin
Court House Commons
150 West Sixth Street
for Additional Defendant

Ostroff & Kline, P.C. by Richard H. Hausman, Esq., for Plaintiffs

Continued 466A

340	KATHY LUZIER AND RICHARD DALE LUZIER, W/H VS. EILEEN R. SHEARER VS. RICHARD DALE LUZIER	CONTINUED FROM PAGE 466 OF RECORD A. D. 1994 - 340

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Sept. 19, 1997 Order filed. AND NOW, September 19, 1997, the hearing scheduled on Plaintiffs' Motion for Continuance of a Jury Trial is rescheduled to Friday, September 26, 1997 at 3:30 o'clock a.m.

Counsel whose offices are one hundred miles or less of the Crawford County Courthouse shall appear in person. Counsel whose offices are more than one hundred miles from the Crawford County Courthouse shall be available at a telephone number given to the Court Administrator for a telephone conference call.

BY THE COURT
Gordon R. Miller, P.J.
9-19-97 MAILED Hausman, Mizner & Clustek
9-24-97 DISTRIBUTED Ct. Admin.

Sept. 11, 1997 Defendant Eileen Shearer's Response to Plaintiffs' Motion for Continuance of Jury Trial filed.

Sept 22, 1997 Certificat of Service of Plaintiffs' Supplemental Response to Interrogatories, filed.

Sept 22, 1997 Certificate of Service of Plaintiffs' Second Supplemental Response to Request for Production of Documents, filed.

Sept 30, 1997 ORDER: AND NOW, Sept 26, 1997, after a conference with counsel, the plaintiff's motion to continue the case, the trial from the October 1997 civil trial term to the February 1998 civil trial term, is granted.

The parties are ordered and directed to either secure the attendance of DR. Kinosian at trial or to take her deposition by videotape, arrange the deposition of Dr. Kinosian to be completed prior to the call of the civil trial list for the February 1998 term.

Gordon R. Miller, P.J.
Sept 30, 1997 Mailed Hausman, Mizner & Chestek

Oct. 20, 1997 Certificate of Service of copy of Notice of Videotape Deposition filed.

January 26, 1998 PLAINTIFFS' PRAECIPE TO CHANGE ADDRESS FILED. Please change your records effective Jan. 1, 1998 for new address and telephone number of Ostroff & Kline, P.C. 311 N. Borad St., Suite 2, Lansdale, PA 19446-2457, Phone (215) 362-0300.

Respectfully submitted
Ostroff & Kline, P.C.
By: Richard H. Hausman, Esq. Atty for Pltf.

January 27, 1998 ORDER FILED. And Now, Jan. 26, 1998, the pre-trial conference in this case is scheduled for Wed, Feb. 4, 1998, at 10:00 AM in courtroom 1.

BY ORDER OF THE COURT
GORDON R. MILLER, P.J.

1/17/98 MAILED MIZNER & HERRINGTON

Feb. 6, 1998 ORDER FILED. AND NOW, Feb. 4, 1998 on oral motion of the defendant, not opposed by the plaintiffs, this case is continued to the April 1998 term of Civil Jury trials.

The reason for the continuance request was that the defendant has had a portion of her leg amputated and must go out of state shortly to acquire a prothesis.

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

2/6/98 FAXED ALL COUNSEL & CT. ADMIN.

Feb. 9, 1998 PRE-TRIAL ORDER FILED. AND NOW, Feb. 9, 1998, after a pre-trial conference with all counsel present the Court enters the following Order:

1. All discovery is completed, all parties are ready for trial and the trial shall commence during the April 1998 term of civil jury trials at a time to be determined at the Call of the April 1998 Civil Trial List. It is anticipated that this case shall take one and one-half days to try.

2. DESCRIPTION OF THE CASE. On May 30, 1992 at 4:30 o'clock PM the Plaintiff, Kathy Luzier (Kathy) was a passenger on a motorcycle operated by her husband, Richard Luzier in the south bound lane of St. Rt. 18 near its intersection with Route 322 in Sadsbury Twp.

Defendant was operating a van in the same direction as the plaintiffs' motorcycle was traveling. Defendant was following the plaintiffs' motorcycle. The plaintiffs motorcycle approached a yiedl sign and was struck in the rear by the van operated by the defendant.

Kathy Luzier claims that she suffered bodily injuries and damages.

3. Factual issues.
The factual issues center around Kathy's injuries and damages.

4. Legal Issues

The legal issues center around Kathy's injuries and damages and more speciffically were the migraine headaches that Kathy claims she now has caused by this accident?

5. Disposition of pre-trial motions.
There are pretrial motions for the Court to decide.

6. The plaintiffs claim the following damages: Medical bills to date-approximately $13,000
Future medical bills
Wage loss to the date of trial
Diminution of future earning capacity is questionalbe
Bills for medical supplies
Pain and Suffering, past, present and future
Loss of life's pleasures
Husband's loss of consortium

7. The palintiff's case in chief:

a. Witnesses
The plaintiffs intend to call as witnesses themselves and Dr. Mary Jane Kinosian as witnesses.

b. Bills
The bills the plaintiffs intend to use will be treated in the manner all exhibits are treated.

C. Exhibits.
Plaintiffs intend to use exhibits listed on page 6 of their pretrial narrative.

8. The defendant's case in chief:

a. witnesses.
The defendant intend to call herself and Dr. Hirsch Wachs, MD,PH.D.

b. Exhibits
The defendant intends to use the exhibits listed in paragraph v of her pretrial narrative.

9. all counsel shall prepare and exchange written voir dire questions no later than 4:30 o'clock PM on March 30, 1998, the date of the Call of the April 1998 Civil Trial List. All objections to propcsed voir dire questions shall be brought to the attention of the Court prior to jury selection. After the Court has asked question 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.

CONTINUED ON PAGE 466 - B

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-B

Kathy Luzier and Richard Luzier
vs
Eileen R. Shearer
vs
Richard Dale Luzier

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10. Each party shall be entitled to four preemptory challenges.
11. All counsel shall submit requested points for charge as soon as practicable but no later than the close of the presentation of all evidence.
12. Counsel desiring to submit a proposed verdict slip shall do so prior to the commencement of final arguments.
13. If the parties have not already done 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 pm on March 30, 1998.

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

Feb. 19, 1998 CERTIFICATE OF SERVICE FILED. I, Richard H. Hausman, Esq. atty for Pltfs, hereby certify that a true and correct copy of Plaintiffs' Amendment to Trial Exhibit List has been served upon counsel listed below by regular first clas mail, postage prepaid on this 17th day of Feb. 1998.

Craig Murphey, Esq.
Kenneth D. Chestek, Esq.

Respectfully submitted, Ostroff & Kline, P.C.
Richard H. Hausman, Esq. Atty for Plaintiffs

Apr. 16, 1998 Upon praecipe of all counsel this matter is voluntarily discontindued against Additional Defendant, Richard Dale Luzier, with prejudice.

April 22, 1998 VERDICT FILED (at 2:38 p.m.)
AND NOW, this 22nd day of April 1998 at 1:10 o'clock PM we the jury impaneled to try this action rendere the following verdict:
1. Was the negligence of Eileen R. Shearer a substantial factor in bringing about the plaintiffs' injuries?
NO

L - 144,104

DENISE M. MOTT
JURY FOREPERSON

5/1/98 FAXED FABIAN, MISNER & HAUSMAN

April 23, 1998 PLAINTIFFS' POINTS FOR CHARGE FILED.

April 23, 1998 POINTS FOR CHARGE ON BEHALF OF EILEEN R. SHEARER FILED.

Aoril 23, 1998 MOTION IN LIMINE TO EXCLUDE PLAINTIFF'S MEDICAL EXPENSES FILED.

April 23, 1998 MOTION IN LIMINE TO EXCLUDE PLAINTIFF'S MEDICAL RECORDS AND ORDER FILED AND NOW, TO-WIT, this 20 day of April 1998, upon consideration of the foregoing Motion in Limine to Exclude Plaintiff's Medical Records. It is ORDERED that this Motion is DENIED.

GORDON R. MILLER, J.

5/6/98 FAXED Hausman & Mizner
April 22, 1998 EXHIBIT FILED.

April 23, 1998 MEMORANDUM OF Law in Support of Motion in Limine to Exclude Plaintiff's Medical Expenses filed.

April 23, 1998 DEFENDANT SHEARER'S OBJECTIONS TO PLAINTIFF LUZIERS' PROPOSED VOIR DIRE FILED.

April 23, 1998 VIDEOTAPE DEPOSITION OF MARY JANE FINA DINOSIAN,M.D. OF JAN. 7, 1998 FILED.

And Now, Aug. 25, 1998, upo praecipe of attorneys for defendant, Judgment is hereby entered in favor of the defendants and against the p laintiffs, in accordance with Verdict in this case.
Judgment entered
8/25/98
L - 144, 104

JUDGMENT ON THE VERDICT
Barbara H. King,

Prothonotary

1994

Jody Lynn Smock
vs
James Allen Sirak

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AD 1994 - 271

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We find that it is in contempt of the Order of March 28, 1994,and accordingly, he is sentenced to undergo imprisonment in the Crawford County Jail for a minimum term of two (2) months and a maximum term of six (6) months to be computed from February 28, 1995.

In addition, the Protection From Abuse Order entered on March 28,1995, is extended through September 28, 1995.

A copy of this Order shall be delivered by the Prothonotary to County Control and to the Meadville City Police. Additionally, a copy shall be sent by regular mail to the Plaintiff at 309 LincolnAvenue in Meadville, since she is unrepresented, and to the Defendant care of the Crawford County Jail since he is unrepresented at this time.

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

3-6-95 Faxed toCo.Control, MCPD, mailed pltf. given Def. in Jail & Warden

Apr. 27, 1995 Motion For Parole filed.

Apr. 27, 1995 Order filed. AND NOW, April 27, 1995, upon motion of the Defendant for parole at the expiration of his minimum sentence, he is paroled effective April 28, 1995 subject to the following terms and conditions:

1. He shall obey the law and be of good behavior generally.
2. He will obey the protection from abuse order entered on March 28, 1994 which has been extended through September 28, 1995.
3. He shall reside with his mother at Box 121, Main Street in Townville, Pennsylvania.
4. He shall have absolutely no contact with Jody Lynn Smock nor shallhe procure anyone else to have any contact with her.

BY THE COURT:
Anthony J. Vardaro, J

Apr. 27, 1995 copies dist to Barrett & Jail by Ct. to Pltf by Pro

1994

James H. Anders
vs.
Karl and Laura Buttray

CONTINUED FROM PAGE 379
of Record
A. D. 1994 - 379

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Ina Memorandum and Order filed by theundersigned on August 19, 1994, this Court found that document of January 17, 1993 to be an installment sales contract and we granted the Defendants' preliminary objection that the Court lacked subject matter jurisdiction because the Plaintiff had failed to comply with the provisions of Act 6.

The Superior Court affirmed that decision and the Plaintiff's petition for allowance of appeal to the Supreme Court was denied. Therefore, this Court's order of August 19, 1994 is a final non-appealable order and the Plaintiff cannot now make a claim for rent when this Court has already determined that the document in question was an installment sales contract.

BY THE COURT:
Anthony J. Vardaro, J.

July 28, 1995 copies dist to Anders & Thompson

Sept.12, 1995, MEMORANDUM AND ORDER filed. ORDER: AND NOW, Sept. 7, 1995, the defendants' petition for custs and suit and attorney's fees is granted and they are awarded $2,353.50.

BY THE COURT,
Anthony J. VArdaro, J.

9/12/95 copies idst to Anders and Thompson.

Sep 27,1995 Please enter final judgment against the Plaintiff, James H. Anders, in favor of the Defendants Karl and Laura Buttray in the amount of $2,353.50 pursuant to this Court's Order of September 7, 1995. The undersigned does hereby certify that a copy of this psraecipe has been mailed to the Plaintiff by first class mail, postage prepaid, in accord with Pa. R.C.P. 237.

A - 93

Debt: $2,353.50
FINAL JUDGMENT
Barbara H. King, Pro.

3-4-96 Abstract to Atty. Thompson

Oct. 10, 1995 Motion to Open Final Judgment, filed.

Oct. 10, 1995 ORDER filed. AND NOW, October 9, 1995, the Plaintiff's motion to open final judgment is denied insofar as it appears the motion attempts to raise new legal argument and the Court;s judgment in this matter was previously affirmed by the Superior Court of Pennsylvania and the Superior Court of Pennsylvania refused to hear the Plaintiff's appeal.

Therefsore, the type of legal argument the Plaintiff now wishes to raise cannot be raised at this point insofar as this matter has been full litigated.

BY THE COURT:
Anthony J.Vardaro,J.

10-10-95 Copy to Attys. Thomson & Plft.

EX1997-32

June 25, 1997 Upon praecipe of attorney for defendants, having received satisfaction in full of the within stated judgment , debt, interest and costs, the said judgment is now absolutely and irrevocably satisfied.

1994

ROBERT MATTOCKS

vs.

WESTFAILIA SYSTEMAT AND
ROBERT TURNER

RECORD CONTINUED FROM PAGE 409

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March 16, 1995 Answer To New Matter filed.

Jul 19, 1995 Notice of Scheduled Depositions Upon Oral Examination of Robert Turner and Robert Mattocks, filed.

July 21, 1995 Notice of Service of Defendants' Interrogatories and Requests for Production of Documents Directed To Plaintiff (First Set) filed.

Sep. 11, 1995 Notice of Rescheduled Deposition of Robert Turner and Robert Mattocks, filed.

Oct. 23, 1995, Notice of Service of Plaintiff's Answers to Interrogatories and Requests for Production of Documents Directed to Plaintiff (first set) filed.

Dec 9, 1997 Motion For Judgment of Non Pros, filed.

Dec 9, 1997 Praecipe fpr Argument List, filed.

ON ARGUMENT LIST FOR January 1998

January 26, 1998 MEMORANDUM OF PLAINTIFF IN OPPOSITION TO MOTION FOR ENTRY OF JUDGMENT OF NON PROS FILED.

April 14, 1998 SUPPLEMENTAL SUBMISSION TO THE COURT IN OPPOSITION TO MOTION FOR ENTRY OF JUDGEMENT OF NON PROS FILED ON BEHALF OF ROBERT MATTOCKS

May 1, 1998 MEMORANDUM AND ORDER filed. ORDER: AND NOW April 29, 1998 the dft's Motion for Judgment of Non Pros is denied.
by the court,
Anthony J. Vardaro, J.
5/4/98 mailed to Eppinger and Wargo.

As of December 29, 2004 — See Computer for future Filings.

Patricia A. Lee
vs.
Jeffrey Walter Lee

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exclusive responsibility for all transportation. Any person transporting the child shall make sure that the seat belts or other restraints are used in accordance with the laws of Pennsylvania.

7) Each party shall teach said child to give to the other party that love and respect which is due a parent from his or her children.

8) Neither party shall use illegal drugs or be under the influence of alcohol at any time when said party has the care and custody of the subject minor child. The parties are cautioned that medical research has indicated that tobacco smoke is injurious to the health of growing children. Therefore, neither party shall smoke tobacco or permit others to do so in a closed automobile in which the child is being transported or in the bedroom of the child.

9) Neither party shall do or say anything to blacken the character of the other in the child's estimation. Each party shall treat the other in a polite and respectful manner when in the child's presence and each party shall instruct his or her relative sand friends to do likewise and also not to disparage the other party in the child's estimation.

10) The parties are free to make additional or alternative arrangements respecting the custodial and visitation periods and are strongly encouraged to do so if that would be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which this order shall govern.

11) Either party may request a review of this order upon any material change in circumstances.

12) Costs and fees of this Mediation, which are fixed at $210.00 ($60.00/hr. x 3.5 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 deposit required for the appointment of the Custody Mediator was made by the father. The mother shall pay to the Prothonotary of Crawford County the sum of $69.00 within thirty (30) days of the date of this Order. The mother shall pay to the father the sum of $40.50 within thirty (30) days fof the date of this Order.

14) Either party may move the Court for a hearign de novo within ten (10) dyas from the date hereof. If neither party so mvoes, this Order shall be considered permanent.

BY THE COURT,
Anthony J. Vardaro, J.

Sept. 5, 1995 Faxed Spataro & White, sent Hook, Plf.& Dft.

Jan. 5, 1996 Petition for Contempt and NOTICE AND ORDER TO APPEAR filed. Whether or not you file in writing with the Court your defenses or objections, you must appear in person in Court on 1st day of March, 1996, at 9:00 o'clock in Courtroom 2 at the Crawford County Courthouse, Meradville, PA.

BY THE COURT,
Gordon R. Miller, J.

1-5-96 Faxed H. White & J.Hook

March 8, 1996 ORDER filed. AND NOW, March 1, 1996 the matter comes before the Court on a petition for contempt filed by the Plaintiff with regard to this custody action. Court is convinced "there is nothing improper nor has there been any improper intentions on the part of the Defendant. (See papers filed).

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

March 8, 1996 Order FAXED Atty. White; mailed Atty. Hook.

Mar 18, 1996 Withdrawal of Appearance of Arman & Associates, P.C. by Jonathan C. Hook, Esquire for Jeffrey Walter Lee, filed.

June 21, 1996, Petition to Suspend Defendant's Visitation and/or Partial Custody and Order filed. ORDER: AND NOW, this 21 day of June 1996, after consideration of the foregoing Petition, said visitation and/or partial custody is immediately suspended pending the final outcome of investigations now being conducted in to the alleged child sexual assault which is the subject of this petition.

Additionally the defendant shall have no contact by telephone or otherwise, or in an indirect or direct manner with plaintiff mother or with the child, Audra Renee, and shall not enter upon real estate owned by the plaintiff, wherein the plaintiff and the child live.

If the defendant wishes to arrange informal visitation as he has apparently indicated through counsel he may petition the court for a hearing to propose a specific plan for that visitation.

Anthony J. VArdaro, J.

6/21/96 Dist. to White, faxed to T. Ruth.

Aug. 26, 1996 Petition for Visitation by Defendant filed.

Aug. 26, 1996 ORDER filed. AND NOW, August 26, 1996, upon presentation of the within petition, it is ordered as follows:

1. The Court will treat this as a Petition for Modification and refer the matter back to John F. Spataro, Esquire, as a Custody Mediator. Both parties shall appear at a mediation conference scheduled by Mr. Spataro. The Crawford County Civil Rules of Court regarding custody mediation, and more particularly, custody modification shall apply and are incorporated herein by reference thereto.

2. The parties are advised that they both must attend the seminar for separating parents which deals with issues of the effect of litigation on their childlren. The Crawford County Rules of Civil Procedure governing the seminar for separating parents shall apply and is incorporated hereby by reference hereto.

BY THE CORUT,
Gordon R. Miller, P.J.
8-27-96 DISTRIBUTED White, Spataro. MAILED Ruth

Oct. 24, 1996 Certificate of Completion of Separating Parents Seminar by PATRICIA A. LEE filed.

Dec. 6, 1996 Certificate of Completion of Seminar For Separating Parents for Defendant filed.

Apr 17, 1997 ORDER: AND NOW, this 16th day of April, 1997, after further Mediation and upon recommendation of the Child Custody Mediator,

IT IS HEREBY ORDERED AND DECREED AS FOLLOWS:

1) This Court's Order of June 21, 1996 shall continue in that the father's legal and partial custody rights to the minor child are suspended until such time as law enforcement authorities have concluded their investigation into allegations of sexual and physical abuse of the minor child.

2) Either party may move the Court for a hearing de novo within ten (10) days from the date hereof.

3) Costs and fees of this Mediation, which are fixed at $120.00 ($60.00/hr. x 2.0 hrs.) and the $9.00 Court Order filing fee are to be paid as follows:

a. The father has paid teh $150.00 mediation fee.

B. The entirety of said amount shall apply to the costs and fees of this case since the mother has only recently returned to work after having been injured in a vehicle accident. The remainign balance shall be returned to the father.

Gordon R. Miller, P.J.

Apr 28, 1997 FaxedSpataro, White & Stevens

Cont on Pg. 470A

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-a-

	Patricia A. Lee vs. Jeffrey Walter Lee	CONTINUED FROM PAGE 470 of Record A. D. 1994 - 417

Apr 24, 1997 AMENDED ORDER: AND NOW, April 23, 1997, the Prothonotary has advised the Court that the father did not pay a $150 mediation fee and in fact when this matter was referred back to mediation by the court no additional mediation fees were deposited by either party.

Accordingly it is ordered as follows:

1. The order of April 16, 1997 is vacated.

2. The defendant - father shall pay the costs and fees of this mediation, fixed at $120, plus $9.00 to cover the filing fee. Said amount shall be paid by the defendant within 45 days from this date to the Prothonotary. If the defendant - father fails to pay said sum the Prothonotary shall commence contempt of court proceedings.

Gordon r. Miller, P.J.

Apr 28, 1997 Faxed Spataro, White & Stevens

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-b-

1994

1994

Laura L. Marvin

vs.

George S. McPheters et al

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point in the centerline of the old Titusville Road and land now or formerly of McPheters; thence North seventy seven degrees, seventeen minutes, eighteen seconds West (N 77° 17' 18" W) along the center line of the old Titusville Road and along land now or formerly of McPheters one hundred twenty-six and one hundredths (126.01) feet to a point; thence North one degree, fifteen minutes, zero seconds east (N 01° 15' 00"E) along land now or formerly of McPheters one hundred sixty-four and seventeen hundredths (164.17) feet to a point; thence South eighty-eight degrees forty-five minutes zero seconds East (S 88° 45' 00" E) along land now or formerly of McPheters one hundred twenty-three and fifty- hundredths (123.50) feet to a point, the place of beginning.

Containing 0.50 acres."

In all other respects the order of Mar. 29, 1995 remains in full force and effect without change or modification.

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

4/21/95 copies dist. toJ. Kookogey

Linda Steiger
vs
Brian Brown

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May 16, 1995 MEMORANDUM AND ORDER filed. ORDER. AND NOW, May 16, 1995, the Plaintiff's preliminary objections to the defendant's new matter are sustained and Paragraph No. 27 of the Defendant's new matter is stricken in its entirety and the portion of Paragraph No. 28 of the Defendant's new matter which states "[t]his defendant believes that the plaintiff did not seek reconsideration of the Peer Review determination of lack of reasonableness and necessity" is also stricken.

The Plaintiff has voluntarily abandoned her motion to compel as that issue has become moot and therefore we will enter no order with regard to the same.

BY THE COURT:
Anthony J. Vardaro,J.

5-16-95 Copies dist. to Jorden & Deer &Albert

Aug. 17, 1995, Motion for Partial Summary Judgment filed.

Aug. 17, 1995, Upon praecipe of defendant, the above motion is placed on the next argument list.

ON ARGUMENT LIST FOR SEPTEMBER 1995

Sept.15, 1995, Answer to Defendant's Motion for Partial Summary Judgment filed.

Sep. 21, 1995 Deposition of Linda F.Steiger, filed.

Jan. 19, 1996, MEMORANDUM AND ORDER filed. ORDER: AND NOW, JAN. 19, 1996 the defendant's motion for partial summary Judgment is granted.

by the court,
Anthony J. Vardaro, J.

1/19/96 copies dist. by court.

May 6, 1996, Notice of Service of Defendants Second Set of Interrogatories Directed to Plaintiff filed.

Oct. 3, 1996 Notice of Service of Answers to Defendant's Interrogatories Directed to Plaintiff filed.

Aug 22, 1997 Petition For Rule To Show Cause and Order: AND NOW, this 22 nd day of August, 1997, upon consideration of the foregoing Petition,it is hereby ORDERED that:

(1) A Rule is issued upon the Plaintiff-Respondent to show cause why the Defendnat-Petitioner is not entitled to the relief requested;

(2) The Plaintiff-Respondent shall file an answer to the Petition within 20 days of this date;

(3) The Petition shall be decided under Pa.R.C.P. 206.7;

(4) Argument shall be held on Wed. Nov. 5, 1997, at 11:15 a.m. in Courtroom 2 of the Crawford County Courthouse; and

(5) Notice of the entry of this Order shall be provided to all parties by the Defendant-Petitioner.

Gordon R. Miller, P.J.

Aug.25, 1997 Faxed Torisky & Jorden

Sept 26,1997 Answer to Defendant's Petition for Rule to Show Cause and New Matter

Oct 3, 1997 Reply To Plaintiff's Petition For Rule To Show Cause and New Matter, filed.

Oct. 10, 1997 Notice of Service of Defendant's Third Set of Interrogatories Directed To Plaintiff filed.

Dec. 16, 1997 Motion to Transfer to Arbitration filed.

Dec. 16, 1997 MEMORANDUM AND ORDER filed. ORDER: AND NOW, upon consideration of the defendants Petition to transfer to Arbitration, such petition is hereby denied. BY THE COURT,
Anthony J. Vardaro J.

12/16/97 dist. to Jorden adn Torisky

July 20, 1998 DEFENDANT'S NOTICE OF INTENT TO COMPLETE DISCOVERY FILED.

September 11, 1998 Defendant's Response to Plaintiff's Motion to Enlarge Discovery filed.

SEptember 11, 1998 Motion to Enlarge Discovery and Order filed. And now this 11 day of September 1998, upon cosnideration of the forgoing Motion for Enlargement of Time, the Time within which to complete discovery is enlarged and discovery sahll close January 30, 1999.

By the Court
Anthony J. Vardaro, J.

9/11/98 Faxed Jorden & Morelli

1994

Virginia W. Free, Executrix of the Estate of Harold V. Free, Deceased
vs
Township of Cussewago, Cussewago Township Board of Supervisors a/k/a Cussewago Township Supervisors, Township of woodcock, and William R.Townley,

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Jul. 6, 1995 Notice of Service filed.

Feb. 20, 1996 Motion For Judgment on the Pleadings filed.

Mar 18, 1996 Petition for Settlement of Wrongful Death/Survival Claims and Order: AND NOW, this 18th day of March, 1996, upon consideration of the within Petition for Settlement of Wrongful Death and Survival Claims in the above-captioned case, this Court approves the within settlement of $50,000, with allocation of settlement proceeds to be as follows:

1. $49,999 to your Petitioner under the Wrongful Death Action to be distributed as follows:

a. To Watts and Pepicelli PC, as attorney's fees, to be paid from the Wrongful Death Action proceess: $16,666.00

b. To Watts Nd Pepicelli PC, as reimbursement for costs advanced to date: $1,114.05

c. To Virginia W. Free, individually, as reinbursement for costs advanced to date: $1,473.24

d. To Petitioner, Virginia W. Free, under the Wrongful Death Action, to be distributed in accordance with the provisions of the Pennsylvania Wrongful Death Act, 42 Pa. Pa. C.S. Section 8301: $30,745.71

2. R1.00 to the Estate of Harold V. Free, Deceased, under the Survival Action.

And upon payment of said sums and record costs of suit, Petitioner, Virginia W. Free, is authorized to execute a Release in appropriate form in favor of said parties to be released. Provided, however, that nothing herein contained shall in any manner be construed such as to reduce or diminish in any respect the amount of eath benefits or other benefits due Petitioner and/or other proper beneficiaries under the provisions of the Pennsylvania Worker's Compensation Act, 77 P.S. Section 1, et seq.

Gordon R. Miller, P.J.

Mar 18, 1996 Faxed Mangino & Weiss, given Pepicelli

April 8, 1996 Upon praecipe of plaintiff attorney, the above case marked settled and discontinued of record.

94.

JOHN R. SNEDEKER
Plaintiff
VS.
DEDRA L. SNEDEKER,
Defendant

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For 1998 and each even numbered year thereafter, father shall have the child on Christmas Eve beginning at 12:00 noon and continuing until 8:00 p.m. while mother shall have the child from 8:00 p.m. on Christmas Eve until Christmas Day at 3:00 p.m., at which time father shall have the child until December 26 at 8:00 p.m.

b. Thanksgiving and Easter. Visitation on Thanksgiving and Easter will take place from noon until 7:00 p.m. The holidays of Thanksgiving and Easter shall be alternated. The mother shall have physical custody on Thanksgiving 1996 and all even numbered years thereafter while father shall have the child on Thanksgiving 1997 and all odd numbered years thereafter. The mother shall have physical custody for Easter of 1997 and all odd numbered years thereafter, while father shall have custody during the same time commencing in 1996 and each numbered year thereafter.

c. Summer. Father shall have physical custody of the child each year from 6:00 p.m. on June 30 through 8:00 p.m. on July 7 and 6:00 p.m. on August 24 through 8:00 p.m. on August 31. In the event that the father has plans to take the child more than 50 miles from the child's residence, involving a stay lasting overnight or longer, then in that event father shall notify the mother of his plans at least 24 hours in advance and at that time provide mother with the location and telephone number of the stay, with the understanding that mother will use this information for emergency purposes only. The child shall be entitled to telephone the mother, at the child's request, at any time and such calls shall not be monitored by the father.

d. The child shall spend Father's Day with his father from 10:00 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 custody.

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 share responsibility for transportation with the party receiving the child to be responsible for picking the child up. The father may designate his father, John B. Snedeker or his mother, Louise E. Snedeker, or both, to receive and pick up the child. The appearance by either John B. Snedeker or Louise E. Snedeker, or both, at a custody exchange time designated herin for the father to receive physical custody shall constitute father's designation and authority for his parent or parents to receive and pick up the child. The parties have agreed, and the Court finds as a fact, that the paternal grandparents, John B. Snedeker and Louise E. Snedeker, have developed a close, caring and nurturing relationship with their grandson. Accordingly, the Court finds that it is in the best interest of the child to foster and continue said relationship. Any person transporting the child shall make sure that the seat belts or other restraints are used in accordance with the laws of Pennsylvania.

7. Each party shall teach said child to give to the other party that love and respect which is due a parent from his or her children.

8) Neither party shall use illegal drugs or be under the influence of alcohol at any time when said party has the care and custody of the subject minor child. The parties are cautioned that medical research has indicated that tobacco smoke is injurious to the health of growing children. Therefore, neither party shall smoke tobacco or permit others to do so in a closed automobile in which the child is being transported or in the bedroom of the child.

9) Neither party shall do or say anything to blacken the character of the other in the child's estimation. Each party shall treat the other in a polite and respectful manner when in the child's presence and each party shall instruct his or her relatives and friends to do likewise and also not to disparage the other party in the child's estimation.

10) The parties are free to make additional or alternative arrangements respecting the custodial and visitation periods and are strongly encouraged to do so if that would be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which this order shall govern.

In the event of serious illness or hospitalization, the parent have physical custody of the minor child shall promptly notify the other parent. Each party shall furnish the other with a current residence and telephone number.

11) Either party may request a review of this order upon any material change in circumstances.

12) The costs and fees of this Mediation, which are fixed at $222.00 ($60.00/hr. x 3.7 hrs.) and the $9.00 Court Order filing fee are to be paid as follows:

a. The father has paid the $150.00 deposit for the appointment of the child custody mediator. Said amount shall be applied in entirety to the fees and costs of this mediation.

b. The mother shall within thirty (30) days of the date of this Order pay to the Prothonotary of Crawford County the sum of $81.00 representing her share of the costs of the mediation.

13) 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.

1-2-96 FAXED Spataro, Barrett & C. Youngs.
Jan 3, 1996 Sent Pf. & Dft

Desiree Allen
vs
Ronald Allen

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appropriate payments thereon, but the wife will pay the husband the sum of $25 per month, commencing withthe month of September, 1995, until she has paid a total of$800, after which she will have no more responsibility for making payments on the unpaid balances due on the Visa card.

11. The parties mutually agree that as far as the husband's employment benefits at Meadville Forging Company, regarding pension and life insurance, that the wife waives anyright or equity therein and all benefits shall belong exclusively to the husband. The husband agrees, however, that if medical benefits are in excistence, whether or not he contributes to the same, he will continue coverage for wife until the divorce is final and for the child until the child is no longer eligible for said dependency benefits under the Meadville Forging Plan.

12. The parties mutually agree that the wife may continue to reside in the marital home, but shall be required to make payment for allmortgage payments, insurance andtaxes on the same. The wife agrees she will apply within the next 6 months for refinancing of the marital home so that title may be taken in her own name. If the home is not refinanced in the wife's name within 6 months,the parties mutually agree that they will sign a joint listing, putting the marital home on the market, and upon sale thereof, will divide the net proceeds receiving equally between the parties.

13. Each party agrees they will be solely responsible for payment of attorney fees incurred to date and in the future.

14. The wife agrees she waives any right to alimony pendente lite and permanent alimony in this divorce action and both parties acknowledge there is a present support obligation with provides for payment of support to the wife, which will continue until the divorce decree is entered.

BY THE COURT,
P.Richard Thomas, Senior Judge

8-30-95 Dist. to Thomas & Walton

Sep 20, 1995 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Sept. 29, 1995 AND NOW, this 28th day of September, 1995, upon presentation of the Stipulation and Consent of the parties, attached hereto, and after consideration of same, it is hereby ORDERED, DIRECTED AND DECREED that DESIREE ALLEN, Plaintiff, and RONALD ALLEN, 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.

August 13, 1998 Petition to Modify Existing Child Custody Court Order and Order filed. Notice and Order to Appear. You, Ronald Allen, have been sued in court regarding the subject minor child, Zackary Allen age 5, born 11/24/93. You are ordered to appear in person for a Child Mediation Conference at the Crawford County Courthouse in Meadville PA 16335 before, John Spataro, Esq. Child Custody Mediator. The date and time of the child Mediation Conference will be scheduled by the Child Custody Mediator. The child Custody Mediator chosen in your case will contact you and inform 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 (see paper filed)

By the Court
Anthony J. Vardaro, J.

Date August 11, 1998

ORDER AND NOTICE - And Now, this 11 day of Augsut, 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 Courhtouse; or the Court Administrator at the Crawford County Courthouse.

Application for attendance at the seminar must be made by the plaintiff or petitioner within 15 days after the pleading or eptition is filed; and by the defednatn or respondent within 15 days after he or she is served with the plaeding 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 fo 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.

8/13/98 FAXED Spataro, Thomas & Lindsay

September 17, 1998 Certification of Completion of Seminar for Separating Parents of Desiree' Allen filed. (Pltf)

September 24, 1998 Order filed. And now, this 18th day of Sept. 1998 after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator.

IT IS EREBY ORDERED AND DECREED TAHT: (1) The parties shall share legal and physical Custody Of the subject minor child, Zachary Lee Allen, born on Nov. 24, 1993.

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 remain the primary physical custodial parent, subject to the partial custody rights of the father as follows:

a. The father shall be entitled to have the child in his care and custody every other weekend from Friday at 5:00 PM until Sunday at 5:30 PM, with the partial custody period to continue along with the current cycle.

b. The father shall be entitled to take the child into his care and custody three weekday evenings a week. Theparties are encouraged to agree amont themselves as to the times and days for the weekday evening partial custody periods. In the event the parties are unable to reach agreement then in that event that father shall be entitled to take the child into his care and custody every Monday, Tuesday and friday from 3:30 to 7:30 PM

CONTINUED ON PAGE 492

Danny L. Willey vs. Marsha V. Willey A.D. 1994 - 135 CONTINUED FROM PAGE 477

Mar 25,1996 Petition For Contempt and Order: Legal proceedings have been brought against you alleging you have wilfully disobeyed an order of court.

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

Whether or not you file in writing with the court your defenses or objections, you must appear in person in court on the 26th day of March, 1996, 10:00 A.M. in courtroom 1, 2 or 3 of the Crawford County Courthouse , Meadville, PA.

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

If the court finds that you wilfully failed to comply with its order, you may be found to be in contempt of court and committed to jail, fined or both.

Gordon R. Miller, P.J.

Mar 25, 1996 Faxed Hatheway & White

Mar. 26, 1996 ORDER filed. AND NOW, March 26, 1996, the petition filed by the Plaintiff has been presented and heard as of today's date; and the following Order is made concerning said petition.

Defendant shall turn over to Plaintiff, Tuesday afternoon, March 26, 1996 the following items of personal property.

1. Air compressor
2. One (1) bowling ball
3. Zebco heater
4. Kerosene heater
5. Tent
6. Metal shelves
7. Old T. V. antenna
8. Life jackets
9. Leather in box
10. Blakeslees trailer

The Defendant shall retain all other items of personal property, including two (2) bowling balls, presssure cooker, juicer, and inflatable rubber raft.

As to the disputed saddle, the Order of this Court is that the Defendant sign the necessary authorization to allow counsel for both parties to secure and examine bank records for May and June of 1992, to ascertain if the Defendant paid any monies towards the purchase of the saddle in dispute.

In the event that the Defendant has paid monies towards said saddle, and there is a check to prove it, it is the Order of this Court that the saddle is then marital property and shall be imemdiately turned over to the Plaintiff. On the other hand, if in fact there is no cancelled check among the Defendant's records for May and June of 1992 relative to the aforesaid saddle, then it is apparent that saddle is owned by a third party and is not subject to distribution in this divorce action.

Once all personal property is delivered to the Plaintiff, the Plaintiff's attorney shall transmit the deeds and trailer title to the attorney for the Defendant.

BY ORDER OF THE COURT,
James B.Dwyer,S.J.

3-26-96 Faxed White & Hatheway

Sept. 10, 1999 Petition For Contempt of Court Order filed. Legal proceedings have been brought against you, Danny L. Willey, alleging you have wilfully disobeyed a court order.

If you wish to defend against the claims set forthin the followig 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 5th day of October, 1999 at 2:45 pm in Courtroom #2, of the Crawford County Courthosue located in Meadvlle, Pennsylvania 16335; before a judge to be assigned.

IF YOU DO NOT APPEAR IN PERSON, THE COUR TMAY ISSUE A WARRANT FOR YOUR ARREST. If the court finds that you have wilfully failed to comply with its 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 Courthosue
Court Administrator's Office
Meadville, PA 16335
Tele: 814 336-1151

BY THE COURT,
Gorodn R. Miller, J

9/10/99 Faxed Hatheway & White

Oct. 5, 1999, Plaintiff's Answer to Dft's Petition for Contempt and REquest for Attorney's Fees filed.

Oct. 8, 1999 ORDER filed. And now, towit this 5 day of Oct. 1999 with respect tothe Petition for Contempt of Court Order filed by dft. against the plff tothe above t erm and no., and after a vast series of issues resolving the final distribution of assets in this matter, the court hereby rules with respect to the Petition:

1. Dealing with the sum claimed under the old agreement and a willful disobeying of dft. in this matter, the court hereby orders that there was no contempt because there was no money ordered:

2. In addition, according to the alleged agreement concerning student loans, it is the understanding of this court that in some fashion, the parties, including plaintiff, dft. and the children, by their own arrangement, made provisions to have the children attend school and to have notes guaranteed and int. paid on those loans; that it is incumbent entirely on the children and the parents to resolve this matter betweem themselves and as a separate issue and that the court finds that this was not addressed in the original order for Distribution.

by the court,
Calvin Smith, spec. presiding

;0/8/99 dist. to White, Hatheway

Danny L. Willey

vs.

Marsha A. Willey

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of
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Sept. 5, 1995, ORDER filed. AND NOW, Aug. 28, 1995, Argument of Plaintiff's Exceptions to theMaster's Report has been scheduled for Tuesday, Sept. 26, 1995 at 9:30 a.m., in the Orange Room, Third Floor, Crawford County Courthouse, Meadville, pa. before the Honorable James B. Dwyer, Senior Judge, Specially presiding.

BY ORDER OF THE COURT,
GordonR. Miller, PJ

9/5/95 copies dist. by Ct. Adm's office.

Sept.28, 1995 ORDER filed. After a hearing, the Master filed his report on May 22, 1995. On June 1, 1995, Danny L. Willey, the Plaintiff, filed exceptions to the Master's Report.

Arguments concerning these exceptions were presented to this Court on Sept. 26, 1995.

After hearing and considering these arguments, this Court will sustain the findings of the Master, with the following exceptions:

1. Both parties admit that certain items (not specified) are in the possession of the Defendant, and the Defendant admits this and has consented to Plaintiff's picking up these items afater contacting the Defendant to arrange for a time to do this. This includes all of these items except a 30-30 rifle, which Defendant contends belongs to her, while the Plaintiff claims it belongs to him. The Court settles this dispute by ordering that the rifle be given to the son of the parties.
2. The testimony at the Master's Hearing set forth that the Plaintiff had some income from employment at a bronze company in the amount of $500 per month. It is obvious that the Plaintiff has not had this employment for some months. This fact is considered in this Court's final order.
3. The Court orders that the Additional Attorney's Fee incurred by the Defendant based on the Plaintiff's exceptions shall be paid for in the following manner: 65% by the Plaintiff, 35% by the Defendant.
4. This Court concludes from all the testimony presented to the Master that the division of property of 70% to the Wife and 30% to the Husband is in error. This division shall be amended so that 65% of the property is awarded to the Defendant/Wife and 35% to the Plaintiff/Husband.

This Court enters the following judgment, based on all the testimony given in this case.

FINAL DECREE

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:

Marital Home	$23,300
Personal property now with Wife	4,885
Wife's 401(K) Plan	5,720
Husband's ABC Rail pension	702
1992 Chevy Lumina	8,550
Monarch two horse trailer	3,040
Foxy Starlight	1,500
Blue Chrome Willey	800
Total to Wife:	$48,497

Husband:

Personal property with Husband	$ 1,338
Husband's ABEX pension	9,709
1992 Chevy Scottsdale Truck	7,226
1978 GMC Sierra	1,800
Total to Husband:	$20,833

3. As a division of liabilities, Wife shall pay Husband $1,041 within 30 days of the entry of the divorce decree.
4. Wife shall assume liability for the mortgage secured by the marital residence and Husband will assume liability loan secured by the Chevy truck, and each will hold the other harmless with respect to same.
5. Attorney for Wife shall prepare the documents necessary to transfer 100% of Husband's interest in the ABC Rail pension to Wife within 30 days of this Decree.
6. Within 30 days from the date of this Decree, the parties shall sign all the necessary documents to transfer 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 $798, 65% of additional fee due because of Plaintiff's exceptions 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 $175 forthwith to Lorraine Dallas, 820 Ravine St., Meadville, PA 16335.
9. The Prothonotary shall pay over the remainder of any 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 $580: Husband shall pay $278.75 and Wife shall pay $301.25 before a Divorce Decree will be delivered to them.
11. 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 ORDER OF THE COURT,
James B. Dwyer, S. J.

Jan. 19, 1996 Petition for Contempt of Court Order and NOTICE AND ORDER TO APPEAR filed. Hearing scheduled for January 29, 1996 at 10:30 A.M. in Courtroom No. 3. (see papers filed)

BY THE COURT:
Gordon R. Miller, J.

Jan. 22, 1996 Order FAXED Attys. White and Hatheway.

Jan. 23, 1996 Answer to Defendant's Petition for Contempt of Court filed.

Jan 29, 1996 Order of January 29, 1996, concerning Deeds and saddle, filed.
Jan 29, 1996 dist to White & Hatheway
Feb. 1, 1996 Faxed to Pickens

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154.	BETZIE MEYRICK, Plaintiff VS. NATIONAL FUEL GAS DISTRIBUTION CORP., UNITED PARCEL SERVICE, and CRS, INC	CONTINUED FROM PAGE 154 OF RECORD A. D. 1994 - 154

Aug. 14, 1996 Praecipe to Withdraw Appearance by Nichols, Krill & Taggart by Kevin C. Jennings, Esq. fpr Plaintiff filed.

Aug. 21, 1996 Verification to Answer, New Matter and New Matter Pursuant to Rule 2252(D) filed.

Aug. 21, 1996 Verification to Reply to New Matter filed on behalf of Defendant United Parcel Service filed.

Aug. 21, 1996 Praecipe for Judgment of Non Pros by CRS, Inc., Defendant filed.

Dec. 5, 1996, Notice of Service of Discovery filed.

Sept 12, 1997 Motion to Compel and Order: AND NOW, to-wit, this 12th day of September, 1995, it is hereby ORDERED, ADJUDGED and DECREED that the plaintiff is hereby required to provide answers to defendant United Parcel Service's Interrogatories Directed to Plaintiff and First Request for Production of Documents Directed to Plaintiff within 30 days of the date of this order or suffer further sanctions as the Court may deem appropriate. Gordon R. Miller, P.J.
Sept 12, 1997 Faxed Scanlon, Young & Zeis and mailed Plf.

March 6, 1998 Motion For Sanctions on behalf of Defendant, United Parcel Service, filed.

Mar 19, 1998 ORDER: AND NOW, March 6, 1998, upon motion of the Defendant, United Parcel Service, for sanctions, specifically in the nature that a judgement of non prosque has been entered against the Plaintiff, and after consideration of the same in Motion Court, through argument of counsel for United Parcel Service as well as for National Fuel Gas Distribution Corporation, it is ordered and directed that unless the Plaintiff shall file the responses to the Defendant, United Parcel Service's discovery requests, as ordred on September 12, 1997, eithin thirty (30) days from this date, a judgement of non prosque will be entered against the Plaintiff upon praecipe of any Defendnat.

The Pladintiff is specifically advised, and she is unrepresented, that a judgement of onon prosque means that her lawsuit is dismissed and she may not go any further with this lawsuit.

When the Plaintiff files answers to the discovery of United Parcel Service, if she chooses to do so, she shall fill it out completely and may not object to any of those requests.

Counsel for United Parcel Service shall serve a copy of this Order upon the Plaintiff at her last known address by regular mail.

Anthony J. Vardaro, J.
Mar 20,1998 Mailed Meyrick, Ralph, Zeis

May 4, 1998 And Now, uponpraecipe of defendants attorney judgment of Non Pros is hereby entered against teh named plaintiff for failure to file a Complaitn within twenty days after being ruled so to do.
M - 24 JUDGMENTOF NON PROS
Barbara H. King, Pro.

May 15, 2002. all future filings may now be found on the computer.

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Kathryn L. Anthony
vs
Randy C.Anthony

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Nov. 9, 1995 Request for Hearing and ORDER filed. AND NOW,this 8th day of November, 1995 uponpresentationand considerationof the foregoing Request for Hearing a hearing is scheduled with the Court of Common Pleas of Crawford County, Pennsylvania, on the 29th day of November, 1995 at 10:00 o'clock A.M. in Courtroom No. 1 or 2 of the Crawford County Courthouse, Meadville, Pennsylvania.

BY THE COURT:
Gordon R.Miller, J.

Nov. 30, 1995 Praecipe for Entry of appearance of Brian K. Lindsay,Esquire and withdrawal of appearance of Raymond S.Woodard, Esquire, for the Defendant, filed.

Nov 30, 1995 Motion To Withdraw Petition for Contempt, filed.

Nov 30, 1995 Order, filed. AND NOW, this 2 day of November, 1995 upon presentation and consideration of the within Motion the Contempt hearing which is now set for November 29,m1995 at 10:00 a.m. is hereby withdrawn.

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

NOv 30, 1995 Faxed Lindsay & Irwin

Mar 4, 1996 Affidavit of Consent of Defendant, filed.

Mar 4, 1996 Waiver of Notice of Intention to Request Entry of Divorce Decree Under Section 3301(c) of the Divorce Code, filed.

March 11, 1996 Motion To Withdraw Count From Complaint In Divorce and ORDER filed. AND NOW, this 11th day of March, 1996, upon presentation and consideration of the within Motion, Count 3, regarding Child Custody, is hereby withdrawn from Plaintiff's Complaint in Divorce.

Gordon R. Miller, J.

March 11, 1996 Order FAXED Attys. Irwin and Lindsay.

March 12,1996 Separation and Property Settlement Agreement, filed.

March 12, 1996 Waiver of Notice of Intention to Request Entry of a Divorce Decree Under Section 3301 (c) of the Divorce Code, filed.

March 12, 1996 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

Mar. 18, 1996 ORDER filed. This divorce matter has been referred to the Court for review and decree. The Court has reviewed the record and is returning the record to the Prothonotary. A final decree will not be entered at this time because:

Properly completed 3301(c) conssents have not been filed of record. Pa.R.C.P.1920.42. Defendant's Affidavit of Consent and Waiver of Notice both dated 2/30/96 which doesn't exist.

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

BY THE COURT:
Anthony J.Vardaro,J.

3-18-96 Faxed Irwin

Mar. 29, 1996 Affidavit of Consent of Defendant filed.

Mar. 29, 1996 Waiver of Notice of IntentionTo Request Entry of A Divorce Decree of Defendant filed.

April 2, 1996 Upon praecipe of plaintiff attorney for Review under Section 3301(c) of Divorce Code, this case moved to Court.

DIVORCE DECREE FILED

April 9, 1996, AND NOW, this 9 day of April, 1996, it is ordered and decreed that KATHRYN L. ANTHONY, Plaintiff, and RANDY C. ANTHONY, Defendant, are divorced from the bonds of matrimony.

It is further ordered that the parties' Separation and Property Settlement Agreement dated March 8, 1996, is incorporated herein and made a parat hereof and shall be fully enforceable under the provisions of the Divorce Code.

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

June 5, 1996 Motion to Refund Master's Deposit and ORDER filed. AND NOW, this 4 day of June, 1996, it is hereby Ordered and Decreed that the Plaintiff's and the Defendant's deposit paid to the Prothonotary for Master's fees be refunded to each of the parties, less any cost.

The Prothonotary shall forward a copy of this Order to the Master appointed in this case, Anne hanson Gamble, who shall submit an invoice for her services tothe Prothonotary and to each of the parties within the next 20 days.

If no objections are filed to the accounting of the Master in this case within ten (10) days of the Prothonotary's receipt thereof, then the prothonotary is hereby Ordered and directed to refund the Master's fee deposits less any proportionate payments due and owing to the Master.

BY THE COURT
Anthony J. Vardaro, J.

6-6-96 FAXED Gamble, Irwin, Lindsay.

June 18, 1996 Master's Bill submitted by Ann Gamble for $332.50.

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Michael J. Hovis,
Plaintiff/Respondent
vs.
Lynda K. Hovis
Defendant/Petitioner

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Oct. 7, 1996 Petition for Contempt by Defendant, Notice and Order to Appear filed. Legal proceedings have been brought against you alleging you have willfully disobeyed an order of court.

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

Whether or not you file in writing with the court your defenses or objections, you must appear in person in court on 8th day of October, 1996 at 1:15 p.m. in Courtroom No. 2 of the Crawford County Courthouse, Meadville, Pennsylvania

BY THE COURT:
P. Richard Thomas, S.J.
Oct. 7, 1996 FAXED Attys. Irwin, K. Karn, Fuller.

Oct. 7, 1996 Petition to Modify Custody by Plaintiff and Notice and Order to Appear filed. You, Michael J. Hovis, have been sued in Court to obtain custody of Janel Hovis and Joshua Hovis.

You are ORDERED to appear in person at the Crawford County Courthouse, Courtroom No. 2 on Thurs., Dec. 5, 1996 at 1:15 O'clock p.m.

P. Richard Thomas S.J.
Oct. 7, 1996 FAXED Attys. Irwin, I. Karn, Fuller.

Oct. 16, 1996, ORDER filed. And Now, Oct. 16, 1996, having been directed by the court to reschedule the above dfts Petition for Contempt from Oct. 8, 1996 pursuant to plaintiff counsels Motion to continue, said counselnot being advised of hearing in time to prepare, the same is hereby reset for Mon. Nov. 25, 1996 at 3:00 p.m. CR #2, courthouse, crawford County. for the court, Ann Walker, Ct. Adm.
10/16/96 dist by ct. Adm office

Dec. 6, 1996 Order filed. AND NOW, December 6, 1996 the Court having heard some testimony in this matter and since further hearing will be schedule for approximately two days in apparently late February 1997, based on the testimony that we have heard thus far, the Court believes that a mental health evaluation of the Plaintiff/Respondent, Michael J. Hovis, and the two children, Janel Anne Hovis and Joshua Michael Hovis, would be appropriate to aid the Court in making a decision in this matter. Therefore, pursuant to PaR.C.P. 1915.8 we will order such evaluations on our own Motion.

The Plaintiff, Michael J. Hovis, is directed to appear at the offices of Dr. Kathryn Anderson for such an evaluation and both parties shall arrange to schedule both children for an appointment with Dr. Anderson for an evaluation.

Dr. Anderson, after completing such evaluations, is directed to deliver to the Court and to Christopher Brode, Esquire for the Plaintiff, and James Irwin, Esquire, for the Defendant, a detailed written report setting out her findings, results of all tests made, diagnosis and conclusions. Said reports shall be supplied within 60 days of this Order.

To aid Dr. Anderson in making her determinations, the Prothonotary shall provide to her a copy of this Order a copy of the existing Custody Order dated April 23, 1996 since the Court, as part of the evaluation, is interested in Dr. Anderson's opinion as to whether the amount of temporary physical custody with the Plaintiff/Respondent father is appropriate under that Order.

Additionally, the Court Reporter is directed to transcribe the proceedings December 5, 1996 at county expense and to promptly supply a copy of that transcript to Dr. Anderson for her consideration in making her evalutaion.

Dr. Anderson's bill shall be sent to the undersigned and will be initially paid by the County without prejudice to the Court to order payment or partial payment for the evaluations by the parties.

In addition to an opinion with regard to whether the current amount of temporary physical custody with the Plaintiff/father is appropriate, Dr. Anderson's report shall include any other conclusions or recommendations she deems appropriate with regard to the on going custody arrangements between the parties concerning these two children.

BY THE COURT:
Anthony J. Vardaro, J.
12-16-96 DISTRIBUTED Karn & Irwin
12-16-96 MAILED Dr. Anderson

Dec. 13, 1996 Order filed. AND NOW, December 5, 1996 having partially completed the hearing in this matter this case is continued to a date and time to be set by the Court Administrator at which time two full days consecutively if possible will be scheduled for hearing in this matter.

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

12-16-96 DISTRIBUTED Brode & Irwin Bt adm. by Ct.

Dec. 12, 1996 Order filed. AND NOW, December 6, 1996 the Court, having heard some testimony in this matter and since further hearing will be schedule for approximately two days in apparently late February 1997, based on the testimony that we have heard thus far, the Court believes that a mental health evaluation of the Plaintiff/Respondent, Michael J. Hovis, and the two children, Janel Anne Hovis and Joshua Michael Hovis, would be appropriate to aid the Court in making a decision in this matter. Therefore, pursuant to Pa.R.C.P. 1915.8 we will order such evaluations on our own Motion.

The Plaintiff, Michael J. Hovis, is directed to appear at the offices of Dr. Kathryn Anderson for such an evaluation and both parties shall arrange to schedule both children for an appointment with Dr. Anderson for an evaluation.

To aid Dr. Anderson in making her determination, the Prothonotary shall provide to her with a copy of this Order a copy of the existing Custody Order dated April 23, 1996 since the Court, as part of the evaluation, is interested in Dr. Anderson's opinion as to whether the amount of temporary physical custody with the Plaintiff/Respondent father is appropriate under that Order.

Additionally, the Court Reporter is directed to transcribe the proceedings of December 5, 1996 at county expense and to promptly supply a copy of that transcript to Dr. Anderson for her consideration in making her evaluation.

Dr. Anderson's bill shall be sent to the undersigned and will be initially paid by the County without prejudice to the Court to order payment for the evaluations by the parties.

In addition to an opinion with regard to whether the current amount of temporary physical custody with the Plaintiff/father is appropriate, Dr. Anderson's report shall include any other conclusions or recommendations she deems appropriate with regard to the on going custody arrangements between the parties concerning these two children.

BY THE COURT:
Anthony J. Vardaro, J.

Dec 18, 1996 ORDER SETTING HEARING: AND NOW, Dec 18, 1996, having been directed by the Court to schedule the above for further hearing, the same will commence on **Wednesday, February 26, 1997, and will continue on Thursday, February 27, 1997, if necessary,** in Courtroom #2, Crawford County Courthouse. Ann A. Walker, C.A.
Dec 18, 1996 Faxed Irwin, Dist. Brode
Dec 30, 1996 Faxed Fuller

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Feb. 6, 1997 Transcript of Plaintiff's Testimony taken at time of Hearing filed.

Feb. 6, 1997 Order Resetting Hearing filed. AND NOW, this 6th day of February, 1997, having been directed by the Court to reschedule the above from Wednesday, February 26, 1997, due to the unavailability of the judge, and the court requesting two full days for this matter, hearing is hereby reset for **Thursday, May 29, 1997, and Friday, May 30, 1997, commencing at 9:15 a.m.**, in Courtroom #2, Crawford County Courthouse, Meadville, PA 16335.
FOR THE COURT,
Ann A. Walker, Ct. Admin.
2-6-97 FAXED Brode & Irwin

Mar. 26, 1997 Exhibits filed.

May 2, 1997 Custody Contempt and Attorney Fees and Notice and Order to Appear filed. Legal proceeding have been brought against you alleging you have willfully 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 the court your defenses or objections.
Whether or not you file in writing with the court your defenses or objection, you must appear in person in court on 29 day of May, 1997 at 9:15, A.M. in Courtroom #2, of the Crawford County Courthouse located in Meadville, Pennsylvania.
IF YOU DO NOT APPEAR IN PERSON, THE COURT MAY ISSUE A WARRENT FOR YOUR ARREST.
If the court finds that you have willfully failed to comply with its order for (custody) (partial custody) (visitation), you may be found to be in contempt of court and committed to jail, fined or both.
YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Northwestern Legal Services
231 Chestnut Street 4th Floor
Meadville, Pennsylvania
(814)724-1040

BY THE COURT
Anthony J. Vardaro, J.
5-2-97 FAXED Irwin. DISTRIBUTED Brode

May 30, 1997 ORDER: AND NOW, this 30th day of May, 1997, having completed one and one-half days' hearing in the above matter without resolution, it is hereby ordered that this action is scheduled for further hearing on Friday, August 22, 1997, at 9:15 a.m., Friday, August 29, 1997, at 9:15 a.m. and Tuesday, September 30, 1997, at 9:15 a.m. Courtroom #2, Crawford County Courthouse, Meadville, PA 16335. Anthony J. Vardaro, J.
Juen 1, 1997 Faxed Irwin & brode

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June 16, 1997 Exhibits filed.

June 23, 1997 MEMORANDUM AND ORDER filed. Onc. Dec. 6, 1996 pursuant to Pa. R.C.P. 1915.8, we appointed Dr. Kathryn Anderson to do s psychological evaluation of the plff. and the two children Janel Anne Hovis and Joshua Michael Hovis.
Dr. Anderson did so and prepared a psychological evaluation for each of those parties.
Our order also indicated that she should provide certain conclusions or recommendations and she did so in a document entitled "Summary and Recommendations Concerning the Psychological Evaluation of Michael Hovis, Janel Hovis and Joshua Hovis."
The dft. had no objection to the admission of the psychological evaluation but arguew that the "Summary and Recommendations Concerning the Psychological Evaluations of Michael Hovis, Janel Hovis and Joshua Hovis" should nto be admissable.
Pa. R.C.P. 1915.8(b) states:
Where the expert is appointed by the court's motion, the expert shall deliver to the court and to attys. of record, or to the parties if there are no attys. of record, detailed written reports setting out the findings, results of all tests made, diagnosis and conclusions.....
We interpret that language to mean that essentially "conclusions" are what is contained inthe document Dr. Anderson has Labeled Summary and Recommendations Concerning the Psychological Evaluations of Michael Hovis, Janet Hovis and Joshua Hovis" and accordingly, we allow the admission of that document without prejudice to either party to call Dr. Anderson personally to testify with regard to all appropriate issues.
by the court,
Anthony J. Vardaro, J.
6/24/97 dist. to Brode and Irwin.

July 25, 1997 Petition to Suspend Custody Visitaiton Pending Hearing by Plaintiff filed.

July 25, 1997 Rule to Show Cause filed. AND NOW, this 23rd day of July, 1997, it is hereby ORDERED, ADJUDGED AND DECREED that a Rule to Show Cause is Hereby entered upon Respondent, Michael J. Hovis, to show cause why he should not be held in contempt of Court.
Said Rule is returnable on the 22 day of August, 1997, in Courtroom No. 2 of the Crawford County Courthouse, Meadville, Pennsylvania at 9:15 O'clock A.M., at time set for DeNovo Custody Hearing.
FOR THE COURT:
Ann a. Walker, Ct. Admin.
7-28-97 FAXED Irwin & Brode

Aug. 1, 1997 Custody Contempt and Attorney Fees and Notice and Order to Appear filed. Legal proceeding have been brought against you alleging you have willfully 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 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 29th day of August, 1997 at 9:15 A.M. in Courtroom #2, of the Crawford County Courthouse located in Meadville, Pennsylvania. **(SEE PAPERS FILED)**
BY THE COURT
Gordon R. Miller, J.
8-1-97 FAXED Irwin & Brode

Aug. 22, 1997 Exhibit 10 filed.

Sept. 15, 1997 Exhibit filed.

**** Dec. 2, 1997 Transcript of June 24, 1996 hearing filed.

Continued Pg. 482A

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Sept. 10, 1997 Order filed. in the above will most likely not in this matter is tentatively set at 9:15 a.m., C.R. #2, Crawford County Courthouse If it becomes a necessity to reset this matter from October 17, it will be heard Friday, December 12, 1997, at 9:15 a.m., CR #2.

AND NOW, September 9, 1997, having been advised by the Court that proceedings be completed at the next scheduled hearing on September 30, 1997, further hearing for the first Friday of the October Term of Court, Friday, October 17, 1997, provided that there are no civil trials to be heard that day.

FOR THE COURT,
Ann A. Walker, Court Administrator

9-10-97 DISTRIBUTED Brode 9-10-97 FAXED Irwin

Sept 17, 1997 Custody Contempt and Attorney Fees and Order to Appear: Legal proceedings have been brought against you alleging you have willfully disobeyed an order of court for (custody) (partial custody) (visitation).

Whether or not you file in writing with the court your defenses or objections, you must appear in person in court on 30th day of SEptember, 1997 at 9:15 a.m. in Courtroom 2, of the Crawford County Courthouse located in Meadville, Pennsylvania, to be heard at time already set for parties' custody hearing. Gordon R. Miller, P.J.

Sept 17, 1997 Faxed Brode & Irwin
(FOR COMPLETE ORDER SEE PAPER FILED)

Sept 24, 1997 Motion For Continuance and Order: AND NOW, this 24 day of September, 1997 upon presentation and consideration of the within Motion this hearing is rescheduled for the 12th day of December, 1997 at 9:15 a.m. in Courtroom No. 1 or 2 of the Crawford County Courthouse, Meadville, Pennsylvania. Anthony J. Vardaro, J.
Sept 24, 1997 copy Brode & Faxed Irwin

Oct 7, 1997 ORDER: AND NOW, this 6th day of October, 1997, having been directed by the Court to schedule this matter for further hearing beyond the time already assigned on December 12, 1997, de novo hearing in this matter is set to continue on Wednesday, December 17, 1997, at 1:15 p.m. and Thursday, December 18,1997, if necessary, at 1:15 p.m. Courtroom #2, Crawford County Courthouse. Ann A. Walker, C.A.
Oct 7, 1997 Faxed Irwin & Dist Brode

December 29, 1997, ORDER FILED: AND NOW, Dec. 12, 1997, this matter comes before the Court for a continuation of a hearing in the nature of a DeNovo Custody Hearing which has been litigated for sometime by the parties. We also have pending various contempt petitions by both parties which will be withdrawn based on the entry of this Order.

The parties have reached an agreement with regard to a coustody order and accordingly, we will enter the following order which is based on that agreement:

1. Legal custody of Janel Ann Hovis and Joshua Michael Hovis shall be shared between the father and mother, tha Plaintiff and Defendant herein. That is each parent shall be entitled to full access to school records, medical records, and other important records in that each parent shall be entitled to take part fully in important situations effecting the children such as the education, medical treatment, and religious instruction of the subject children.

2. Physical custody of Janel Ann Hovis and Joshua Michael Hovis shall be primarily with their mother subject to the following periods of temporary physical custody with their father:

a. With respect to Janel, at this time, father will have no periods of temporary physical custody or visitation. Arrangements shall be made immediately for Janel to begin counseling toward the intention of allowing them to overcome any problems that she currently has with visiting with her father. That counseling shall be with an individual agreeable to both parties and there is some indication since the child was seeing Kathy Berkey in the past that in fact Ms. Berkey may well be the counselor. In fact in open court, the parties have now agreed that Kathy Berkey will be the counselor and it is so ordered. Once Ms. Berkey indicates when indicates when it is appropriate, the visitations with Janel and her father shall commence again. They shall start with Janel visiting with her father one afternoon a month on a weekend from 1p.m. until 4pm That weekend being a weekend day when Joshua is visiting with his father. Thereafter, the period of time for visitation and ultimately temporary physical custody with the father will increase gradually by agreement of the parties. The parties shall make every effort to arrive at a schedule for the increased periods of visitation and then temporary physical custody but if they cannot do so, one or the other party may petition the Court to resolve that issue.

With regard to counseling with Janel, both parties will participate as needed upon recommendation form Ms. Berkey and the costs of that counseling will be shared equally by the parties.

3. With respect to Joshua, the parties will follow a three-week chronological rotation based on mother's work schedule. That rotation will begin this day with week Number 1 and for week Number 1 on the weekend which would begin today, the Father will have temporary physical custody of Joshua beginning at 5p.m. on Friday and going until 8a.m. on Sunday.

For week Number 2 in the rotation, father will have temporary physical custody of Joshua beginning on Friday at 5p.m. and ending on Sunday at 6p.m.

On the third week of the rotation, father will have no weekend period of temporary physical custody or visitation.

For periods of weekend temporary physical custody, the parties will share transportation with the party receiving the child providing the transportation.

Joshua shall have visitation with his father on the Wednesday prior to the first weekend rotation and on the Wednseday prior to the third weekend rotation. That shall begin at the end of school with Joshua taking the school bus to his father's home and shall end at 7p.m. that same evening with father returning Joshua to mother's home.

During the summer months, each party shall have two one-week nonconsecutive periods of total physical custody with Joshua which shall be scheduled by agreement of the parties but shall be in each case a week where ther party would normally have the full weekend period with the child.

For the Christmas, Thanksgiving, and Easter holidays, each such holiday, the father shall have Joshua 3p.m. to 9 p.m. on that holiday.

For those holidays, the parties will share transportation with the party receiving the child providing the transportation.

In the event such a holiday falls on a day that the father would normally be having a period of weekend temporary physical custody for instance if Easter Sunday would normally be a time period in which father would have temporary physical custody of Joshua, it is specifically the Court's Order that the mother shall have the child from 9a.m. until 3p.m. on that holiday regardless of the normal weekend schedule so that both parties have a time period with the child on the holiday.

The parties will alternate Labor Day, Memorial Day, and the Fourth of July with the time period for the party who has the holiday being 9A.M. until 9p.m. except on the Fourth of July it will be 9a.m. until 11p.m. Those holidays will take precedence over any normal period of temporary physical custody or physical custody. The holiday rotation for these holidays will begin with father having the Memorial Day holiday for 1998.

4. 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 attitued on the part of the children towards both parents.

5. Neither mother nor father shall expose the children to any person or situtation which may be harmful to the children's health or well being

6. 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.

7. Neither party shall be restricted in who picks up or returns the children or who accompanies them to do so.

8. The parties shall make such exchanges in a peaceful manner and shall avoid any confrontations either between themselves or with anyone who is with them so that the children are not expcsed to any bad feelings between their parents.

9. When clothes are sent by one parent to the other parent with the children, they shall be returned to the parent with the children, they shall be returned to the parent who sent them when the child is returned to the custody of that parent.

In the summer, when school is not in session, the Wednesday periods of visitation with him picking the child up or someone designated by him picking the child up at 3p.m. and sahll end at 7 P.M. as indicated for the rest of the year.

BY ORDER OF THE COURT
ANTHONY J. VARDARO, J.

12/19/97 FAXED IRWIN & BRODE

Continued on 482B

Continuation of Hovis vs. Hovis of AD 1994 - 347 - from page 482A

Jan. 8, 1998 Amendment TO ORDER filed. AND NOW, Jan. 7, 1998 our order of Dec. 12, 1997 is amended tothe extent that Paragraph 10 should reflect the period of Wed. summer visitation with the father to be 4:00 p.m. to 7:00 p. m.
In all other respects, the Dec. 12, 1997 order shall remain in full force and effect.

BY THE COURT,
Anthony J. vardaro, J.

1/8/98 Dist. to Brode and Irwin

* December 5, 1996 Exhibits Filed

** May 30, 1997 Exhibits Filed

*** August 22, 1997 Exhibits Filed

**** August 29, 1997 Exhibits Filed

***** September 30, 1997 Exhibits Filed

August 18, 1998 PETITION FOR CLARIFICATION FILED.

August 18, 1998 ORDER FILED. AND NOW, August 17, 1998, upon cosndieration of the Defendant's Petition for Clarification and after listening to oral arguemnt in Motion Court by counsel for both parties, we decline to order any further Order in this matter with regard to our Order of December 12, 1998.

By The Court
Anthony J. Vardaro

8/19/98 faxed to brode and Irwin

Mar 11, 1999 Affidavit of Consent of Plaintiff, filed.

April 15, 1999 Praecipe to Transmit Record Filed. Upon praecipe of Michael J. Hovis Plaintiff to transmit the record this case moved to Court.

May 5, 1999 Order filed. This divorce matter has been referred to the Corut for review and decree. The Court has reviewed the record and is returning the record to the Prothonotary. A Final decree will not be entered at this time because Economic and other issues or counts have been raised in the pleadings or by petition which are not being disposed of by stipulation withdrawal or hearing. To grant a divorce decree without resolution of those other issues would be tantamount to an improper bifurcation.
Properly completed 3301(c) consents have not been filed of record. Pa.R.C.P. 1920.42.
There is no showing that the proper notice required 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.
Fees in related cases are not paid in full.
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.

5/5/99 mailed pltf 5/5/99 Dist Irwin

AS OF MAY 3, 2000 - ANY FILINGS INVOLVING THIS CASE MAY NOW BE FOUND ON THE COMPUTER

1994

419.	JACK E. WYANT and ESTHER M. WYANT, husband and wife, VS. DEE W. TOCK, DEFENDANT	CONTINUED FROM PAGE 419 OF RECORD A. D. 1994 - 419

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Oct. 11, 1996 Answer to Amended Complaint and New Matter by Defendant filed.

Oct. 28, 1996 Reply To New Matter filed.

Nov. 4, 1996 Notice of Interrogatories to Plaintiffs and Requests for Production of Documents filed.

Nov 18, 1997 Notice of Intent To Complete Discovery filed.

Dec 5, 1997 Motion to Strike Notice of Intent to Complete Discovery and to Compel Filing of Answers to Interrogatories and for Imposition of Sanctions, filed.

April 8, 1998 MOTION TO WITHDRAW AS LEGAL COUNSEL AND ORDER FILED. AND NOW, THIS 8th day of April 1998 upon presentation and consideration of Attorney Edward J. Hatheway's motion to withdraw as legal counsel, said motion is hereby granted. Atty Hatheway shall serve a copy of this order upon the Plaintiffs, Jack E. Wyant and Esther M. Wyant.

BY THE COURT
ANTHONY J. VARDARO, J.

4/8/98 FAXED THOMAS & HATHEWAY

Dec 31, 1998 Upon praecipe of Plaintiff(s) the above captioned action is marked settled and discontinued of record.

1994

1994

Judith A. Adams al

vs.

Conneaut Condominium Group, Inc. et al

Record continued from page 465
of
AD 1994 - 321

Dec. 2, 1997 Motion for extension of time; Motion for Leave to complete Discovery and order filed. ORDER: AND NOW, this 1 day of Dec. 1997 upon consideration of within Motion is hereby ordered and directed:

1. The dfts; BRK Electronics; BRK Electronics, Inc. a corp; Pittway fire Safety, Inc. A Corp; BRK Brands, Inc. a corp; THF-FA Operating corp, a corp and Pittway corporations, a corp., shall provide full and complete responses to the plffs. first set of REquest forproduction of documents witin thirty days from the date thereof:

2. Plaintiffs may thereafter engage in such addition al discovery as is reasonable and necessary to respond to said dfts. Motion for Summary Judgment, upon agreement of the parties or in lieu thereof, upon further order of this court.

3. Plaintiffs time to file response to the Dfts. Motion is extended until 120 days from the date hereof, without prejudice to plffs. to request further extension if necessary or appropriate to complete material discovery.

BY THE COURT,
Anthony J. VArdaro J.

January 21, 1998 NOTICE OF DEPOSITIONS OF PLAINTIFF FILED.

Feb. 25, 1998 MOTION FOR PROTECTIVE ORDER FILED.

Feb. 25, 1998 MOTION TO STRIKE?MOTION FOR EXTENSION OF TIME WITHIN WHICH TO RESPOND TO THE BRK DEFENDANTS MOTION FOR SUMMARY JUDGMENT FILED.

Feb. 25, 1998 MOTION TO COMPEL THE Taking of Depositions of Defendants, BRK Electronics, BRK Eletronics, Inc., a Corp; PITTWAY FIRE SAFETY, INC., A CORP.: BRK BRANDS, INC, A CORP: THL-FA OPERATING CORP: A CORP: AND PITTWAY CORP,A CORP: MOTION TO COMPEL ANSWERS TO PLAINTIFFS' REQUESTS FOR PRODUCTION OF DOCUMENTS FILED.

March 5, 1998 AFFIDAVIT OF LARRY SCHIMKA IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT FILED.

March 5, 1998 AFFIDAVIT OF HALDON K. GRANT IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT FILED.

March 3, 1998 ORDER ENTERED IN MOTION COURT ORDER FILED. AND NOW, Feb. 25, 1998 this matter comes before the Court in Motion Court on three separate motions. First of all, the plaintiffs have filed a Motion to Compel the taking of Depositions of what we will indicate collectively as the BRK defendants and has also filed a Motion to Strike or a Motion for Extension of Time Within Which to Respond to the BRK Defendants' Motion for Summary Judgment. The BRK defendants have filed a Motion for Protective Order with Regard to Certain Deposition Requests of the Plaintiffs.

After argument of counsel in this matter, which also includes counsel for the defendant Claw, Inc., it is ORDERED AND DIRECTED THAT the BRK defendants, through their corporate representatives shall appear for a deposition as requested by the plaintiffs, but that shall not occur on March 2, 1998. It shall occur in Meadville, PA with it being scheduled within 60 days from this date. All counsel shall cooperate to make sure that the deposition is scheduled within that time period.

All parties shall then have 90 days from the date those depositions are completed to file a response to the BRK Defendants' Motion for Summary Judgment.

To any extent other than the redating of the depositions the BRK Defendants Motion for Protective Order is denied However, when the new deposition notices are sent, the plaintiff shall make every effort to narrow their requests with regard to documents to be brought to the depositions as they have indicated they would in Motion Court this day.

BY THE COURT
Anthony J. Vardaro, J.

3/3/98 DIST. ALL COUNSEL

April 9, 1998 ORDER FILED. SCHEDULING OF ARGUMENT ON MOTION FOR SUMMARY JUDGMENT OF BRK ELECTRONICS, BRK ELECTRONICS INC.,PITTWAY CORPORATION PITTWAY FIRE SAFETY, INC., THL-FA OPERATING CORP, ADEMCO, INC, AND ADEMCO DIST, INC.
AND NOW, this _____ day of April 1998, it having come to the attention of the Court Administrator that argument on the above motion for summary judgment must be been postponed indefinitely 9the plaintiffs' time in which to respond to the said motion having been extended until 90 days after a certain depostiion has been taken, which depostions has not been scheduled as of this date, said arguemnt is continued generally. At such time as a response to the motion for summary judgment has been filed, or the time in which to file such a response has expired, the arguemnt may be rescheduled on praecipe of any party, with briefs and/or supplemental briefs to be filed in accordance with local rules.

BY THE COURT
ANTHONY J. VARDARO

4/9/98 DISTRIBUTED ALL COUNSEL

June 19, 1998 Notice of Depositions filed.

Sept 23, 1998 Notice of Rescheduled Depositions, filed.

May 14, 1999 Type of Document: Motion to Compel Attendance at Disposition for Document production and for Sanctions and for Petion for Rule Upon James Joseph and Order filed.
ORDER: AND NOW, this 14th day of May, 1999 upon consideration of the within Motion to Compel, it is hereby ordered and decreed that James Joseph is to appear for a Deposition Duces Tecum in accordance with the original Subpoena and Notice within forty-five (45) days of the date hereto or suffer further sanctions as this Court may impose.

Faxed; May 14, 1999 Attys: Pepicelli, Gala, Schumann, Bogut Murphy, Bert Boyle, Thomas, J. Joseph.

BY THE COURT,
Gordon R. Miller, J.

June 18, 1999 Praecipe for Substitution of Appearance filed. Kindly withdraw the appearance of Arthur J. Murphy Jr. Esq. and the Firm of Murphy Taylor, P.C. on behalf of Defendant, Claw, Inc. only with regard to the above-captioned matter and enter the Appearance of John E. Nedlik Esq and M. Kathleen Canty Esq. and teh law Firm of Weber, Goldstein, Greenbert and Gallagher (Also AD 1994 - 398)

July 7, 1999 Notice of Service Filed (Also AD 1994-298)

FOR FURTHER DOCKET ENTRIES SEE COMPUTER 1994 30321

1994

1994

Virginia T. Anthony

vs.

Clair R/. Anthony

Record continued from page 314

of

No. AD 1994 - 314

Oct. 18, 1996, Motion to REschedule Hearing upon plaintiffs petition for contempt and order filed. ORDER: AND NOW, Oct. 18, 1996 hearing upon plaintiffs petition for contempt shall occur on Dec. 6, 1996 at 3:30 p.m. in C. R. No. 1 or 2 at Courthouse, Meadville, Pa.

By the Court,
Anthony J. vardaro, J.

10/18/96 faxed to Fabian and mason.

Dec. 10, 1996, Motion for Continuance and order filed. ORDER: AND NOW, Sept. 9, 1996 the hearing on the plaintiffs petition for contempt is continued genereally.
BY THE COURT,
Anthony J. Vardaro, J.
12/10/96 faxed to Mason adn Fabian

Apr. 30, 1997 Waiver of Notice of Intention to Request Entry of a Divorce Decree Under Section 3301(c) of the Divorce Code by Clair R. Anthony, Defendant, filed.

Apr. 30, 1997 Affidavit of Consent by Virginia T. Anthony, Plaintiff, filed.

Apr. 30, 1997 Affidavit of Consent by Clair R. Anthony, Defendant filed.

May 8, 1997 May 8, 1997 Marital Settlement Agreement filed.

May 8, 1997 Praecipe to Transmit Record for Review Under Section 3301(c) of the Divorce Code filed.

DIVORCE DECREE FILED

May 16, 1997: 1. DIVORCE: Upon consideration of the pleadings and affidavits filed in the above-captioned case, this Court hereby grants an absolute divorce from the bonds of matrimony to the above-named parties on the grounds that the marriage is irretrievably broken and ninety (90) days have elapsed since the date of the service of the complaint and an affidavit has been filed by each of the parties evidencing that each of the parties consents to the divorce, putsuant to Section 3301(c) of the PA. Divorce Code.

This order shall be effective as of the 15th day of May, 1997.

BY THE JUDGE
Gordon R. Miller, J.

1994

Gregg Fidanza and
Kathy Fidanza
vs
Monte L. Baker

continued from page 109
of record

AD 1994-109

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March 10, 1999 Non Jury Trial Memorandum and Decision filed. And Now, March 10, 1999 we enter a verdict in favor of Plaintiffs against Defendant Monte R. Baker in the amount of $6500.

By the Court
P. Richard Thomas SJ

3/10/99 Dist. Barrett & Hatheway

May 3, 1999 EXHIBITS FILED.

March 22, 2002 - See computers for further entries.

105	TERYL A. LESLIE and RONALD LESLIE, her husband VS. MEADVILLE MEDICAL CENTER, ROBERT C. MILSOVIC, M.D. and CURTIS HELGERT, M.D., Defendants	CONTINUED FROM PAGE 105 OF RECORD A. D. 1994 - 105

Oct. 3, 1996 Notice of Rescheduled videotape Deposition for Use at Trial by Plaintiffs filed.

TRIAL BY JURY OF 12 DEMANDED

Jan. 17, 1997 Notice of Deposition for Use at Trial by Plaintiffs filed.

Feb. 4, 1997 Limited Stipulation Respecting Medical Costs filed.

Feb. 4, 1997 Feb. 4, 1997 Defendants' Pre-Trial Narrative Statement filed.

Feb. 4, 1997 Pretrial Order filed. AND NOW, February 4, 1997, after a Pretrial Conference with both counsel present, the Court enters the following Order:

1. All discovery is completed, all parties are ready for trial and trial shall commence on Tuesday, February 18, 1997, at 9:00 o'clock A.M., in Courtroom 2 of the Crawford County Courthouse. Jury selection will occur on February 10, 1997, at 9:00 o'clock or as soon thereafter as the attention of the court may be had. It is anticipated that this case will take 3 to 4 days to try.

2. This is a medical negligence case in which it is alleged that wife-plaintiff received a wrist fracture while roller skating on February 7, 1992, and when she appeared at the emergency room at the Meadville medical Center, her injury was misdiagnosed by defendant Helgert resulting in wife-plaintiff experiencing disabling pain which will continue indefinitely into the future. It is alleged that Meadville Medical Center is liable for Dr. Helgert negligence based upon the doctrine of respondeat superior.

The parties agree that Robert C. Milsovic, M.D., is no longer a defendant in this action and ACCORDINGLY, hereafter, the caption in this case shall not include his name.

(SEE FILE FOLDER)

BY THE COURT:
Anthony J. Vardaro, J.
2-4-97 DISTRIBUTED by Ct.

Feb. 10, 1997 Motion in Limine by Defendants filed.

Feb. 10, 1997 Supplemental Pre-Trial Narrative by Defendants filed.

Feb. 13, 1997 Plaintiffs' Evidentiary Exhibits filed.

Feb. 13, 1997 Plaintiffs Brief in Opposition to Defendants' Motion in Limine filed.

Feb. 12, 1997 Memorandum and Order filed. AND NOW, February 12, 1997, the Defendant's motion in limine regarding opinion testimony on causation is denied.

BY THE COURT:
Anthony J. Vardaro, J.

2-12-97 DISTRIBUTED by Ct.

Feb. 21, 1997 AND NOW, Feb. 21, 1997 at 3:36 p.m. jury selected and sworn February 18, 1997 as follows:

1. Mark Kronman, Foreman	2. Larry Hoovler	3. Gene Mesley	4. Gary L. Sullivan
5. Brenda L. Mook	6. Rebecca martin	7. David Minnis	8. Margaret Olson
9. Larry Manross Sr.	10. David Sommer	11. Joni L. Dombrowski	12. Donna Jackson

twelve good and lawful persons who upon their solemn oaths which they have taken and at least 10 of them say: Defendant not negligent.

Feb. 24, 1997 Joint Proposed Voir Dire Questions filed.

Feb. 24, 1997 Plaintiffs' Proposed Jury Instructions filed.

Feb. 24, 1997 Exhibits filed.

Mar 12, 1997 And Now, judgment has been entered in favor of both Defendants, Meadville Medical Center and Curtis Helgert, D.O., on the verdict rendered by the jury on Feb 21, 1997 for failure of the Plaintiff to file a fimely Motion for Post Trial Relief.

H - 31
M - 181

JUDGMENT
Barbara H. King, Pro.

BEVERLY A. SHREVE
vs
BARRH H. SHREVE

CONTINUED FROM PAGE 431
of record
AD 1994 - 431

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January 9, 1998 MOTION TO VACATE ORDER APPOINTING MASTER FILED.

January 21, 1998 ORDER FILED. AND NOW, January 14, 1998 upon receipt and review of the defendant's Motion to Vacate Order Appointing Master it is ordered as follows:
1. A rule to show cause is issued and directed to the plaintiff to show cause if any she has why said motion should not be granted. Said rule is returnable for hearing and/or argument on the 5th day of February 1998 at 8:45 o'clock A.M. in Courtroom 1 of the Crawford County Courthouse.

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

1/21/98 DISTRIBUTED PICKENS, KEENAN & DESANTIS

Feb. 3, 1998 ORDER FILED. AND NOW, Feb. 2, 1998, the order entered by the undersigned Judge on Jan. 14, 1998 is hereby vacated.
At the time we entered taht order we were not aware of the order of Jan. 9, 1998 entered by Judge Thomas.

BY THE COURT
Gordon R. Miller, J.

2/4/98 DISTRIBUTED DeSANTIS & KEENAN & CT ADMIN.

FEb. 17, 1998 NOTICE OF CONTINUED pre-hearing CONFERENCE FILED

March 27, 1998 Defendant's Income and Expense Statement filed.

March 27, 1998 Defendant's Pre-Trial Statement, filed.

April 3, 1998 SUMMARY OF PRE-HEARING CONFERENCE AND SCHEDULING ORDER FILED.

April 24, 1998 NOTICE OF SCHEDULED MASTER'S HEARING FILED.

June 19, 1998 notice of Location Change for Master's Hearing filed.

June 26, 1998 Motion to Join Necessary Party filed.

June 26, 1998 ORDER SETTING HEARING filed. And Now June 25, 1998 upon consideration of plaintiffs motion to Join Necessary Party, and having been directed by court to set hearing the above matter is hereby scheduled fro Thurs., Aug. 20, 1998 at 11:00 a.m. in CR #2, Courthouse. For the court, Ann Walker, Ct. Adm.
6/26/98 faxedto DeSantis and Keenan

July 8, 1998 ORDER: And now This July 8, 1998 master's hearing continued generally.
The matter is continued and a 2hd pre trial conference scheduled for Oct. 22, 1998 at Dom Rel. (see paper filed)
David Pickens, master

Aug. 20, 1998 ORDER filed. And now, this 19 day of aug. 1998 upon consideration of dfts. Motion to Withdraw from a master's hearing, and dupon finding that counsel for the plff, does not object, said motion is hereby granted.
By D. Pickens, div. master. (certification of service also)

Aug. 21, 1998 Motion to discontinue Joining Necessary Parties filed.

Sept. 2, 1998 Affidavit of Service of Amended Complaint filed. I Kimberly Wojtecki, hereby state that I mailed bby first class postage pre-paid, a true and correct copy of Amended complaint in this action, all approp. notices, and notice of counseling to dft. atty. on Sept. 30, 1997 and that the dft. did receive same having filed an answer on Oct. 16, 1997.

Sept. 2, 1998 MARRIAGE SETTLEMENT AGREEMENT filed.

Sept. 2, 1998 Affidavit of consent of plaintiff filed.

Sept. 2, 1998 Waiver of notice of intention of plff. filed.

Sept. 2, 1998 Affidavit of consent of dft. filed

Sept. 2, 1998 Waiver of notice of intention of dft. filed.

Sept. 2, 1998 upon praecipe of plaintiff attorney, to transmit the record, this case is moved to court.

September 18, 1998 Order filed. This divorce matter has been referred to teh 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 parties have filed Affidavits of Consent (which incidentally were not field within 30 days form when they were signed) and there is currently no count pending for a no fault divorce. The original complaint included no-fault count, but the amended Complaint only includes counts for curel and barbarous treatment and indiginties to the person and the record does not disclose that there has been a hearing in which the plaintiff has proven either of those.
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.

9/16/98 Maidled DeSantis Dist. Keenan

Sept 22, 1998 Motion to Re-Instate No-Fault Divorce Grounds, filed.

Sept 22, 1998 ORDER: AND NOW, this 21 day of September, 1998, after consideration of the foregoing motion, it is hereby ORDERED, ADJUDGED and DECREED that plaintiff's motion to reinstate no-fault grounds in the within divorce action is granted.
It is further ORDERED, ADJUSGED and DECREED that the parties may proceed to re-submit affidavits of consent and waivers in order to conclude the divorce action and sever the matrimonial bonds between them. Anthony J. Vardaro, J.
Sept 22, 1998 DeSantis & Keenan

Cont. on Pg. 490A

Beverly Shreve
vs.
Barry Shreve

CONTINUED FROM PAGE 490
of Recoard
A.D. 1994 - 431

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Oct 6, 1998 Waiver of Notice of Intention to Request Entry of Divorce Decree Under Section 3301(c) of the Divorce Code for Defendant, filed.

Oct 6, 1998 Affidavit of Consent of Defendant, filed.

Oc t 6, 1998 Affidavit of Consent of Plaintiff, filed.

Oct 6, 1998 Waiver of Notice of Intention to Request Entry of Divorce Decree Under Section 3301(c) of the Divorce Code for Plaintiff, filed.

Oct 23, 1998 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Nov. 13, 1998 AND NOW, this 12 day of November, 1998, it is ordered and decreed that BEVERLY SHREVE, Plaintiff and BARRY SHREVE, 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.

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

AND IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the terms provisions and conditions of a certain property settlement agreement between the parties dated July 20, 1998 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.

AND IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the terms, provisions and conditions of a certain property settlement agreement between the parties dated July 20, 1998 and attached hereto, are hereby incorporated in this Decree and Order by reference as fully as though teh same were set forth herein at length. Said agreement shall not merge with, but shall survive this Decree and Order.

BY THE COURT
Anthony J. Vardaro, J.

Aug. 24, 1999 Notice of Election To Retake Maiden Name filed. Beverly Shreve TO BE KNOWN AS: Beverly Toner

490 B

1994

1994

Michaelle L. Hutchison
vs
Gerald L. Hutchison

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of record
AD 1994 - ~~409~~ 327

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6. In all terms that are not inconsistent with this order, ther terms of the prior order remain in sull force and effect. The parties to this action agree that this Honorable Court shall retain jurisdiction of this matter.

BY THE COURT:
Anthony J. Vardaro, J.

4/7/98 DISTRIBUTED WALTON

APRIL 23, 1998 MOTION TO REFUND DEPOSIT AND ORDER OF COURT FILED. AND NOW, this 22 day of April 1998 the mediation deposit paid by Defendant shall be refunded to him, less any expenses submitted by the mediator and any Prothonotary Fees.

BY THE COURT
Anthony J. Vardaro

4/23/98 copy Walton

AS OF July 14, 2000 - ANY FILINGS INVOLVING THIS CASE MAY NOW BE FOUND ON THE COMPUTER.

Desiree Allen
vs
Ronald Allen

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of record
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4. Holiday, vacation and birthday visitations shall be arranged as follows: The parties are encouraged to agree among themeselves as to how best to share time with the child during the holiday and vacation periods. In the event the parties are unable to reach an agreement, then in the event the following provisions shall govern:
a. Vacation: The father shall be entitled to take the child into his care and custody for one continuous week beginning on Friday at 7 pm and concluding the follwoing Friday at 7 pm coincident with the Father's plant shutdown at Meadville Forging where father is employed . During this week, the mother shall be entitled to take the child into her care and custody on Monday, Tuesday and Fridayfrom 3:30 PM until 7:30 PM.
Beginning with the Friday which follows the Friday which commenced the plant shutdown, the mother shall resume having the child in her care and custody beginning at 7:30PM. The mother shall have the child until 7:30 PM the following day, at which thime the fahter shall have the child for 24 hours and so on, the intent being that the parties shall alternate having the child for one day periods for however long the plant shutdown continues. Once father returns to work at the conclusion of the plant shutdodwn, then the parties will return to the regular schedule.
b. Christmas; The Christmas holiday shall be divided into two segments with the first segment beginning at 7 pm on Chirstmas Eve and continuing until 1 pm on Christmas day and the second segment beginning on Christmas Day and continuing until 1 pm the following day. For 1998 and each even numbered year hereafter, the mother shall have the first segment and the fahter shalll have the second segment. The father shall have the second segment during odd numbered years.
c, Easter; The Easter holiday shall be divided into two segments, with the first segment to begin at 7 pm on the day before Easter and continuing until 1 pm on Easter Day and the second segment beginning on Easter Day at 1 pm and continuing until 1 pm the following day. For 1999 and each odd numbered year thereafter the mother shall have the first segment an the father shall havaethe second segment. For 2000 and each even numbered year thereafter the father sha ll have the first sgment adn the mother shall have the second segment.
d. Thanksgiving: The father shall be entitled to take the child into his care and custody beginning at 3 pm on the Wednesday before Thanksgiving and continuing until 3 pm on Thanksgiving Day at which time the mother shall resume having custody of the child.
e. Birthday: The party not otherwise having custody of the child on the child's birthday shall allow the other party to have the child on the child's birthday shall allow the ohter party to have the child from 4 pm until 8 pm on the child's birthday
f. The other holidays to be observed are Memorial day, Independence Day and Labor Day. The party not otherwise having the child on those days will permit the child to be transferred to the custody of the other parent so that the other parent may have the child from 3 pm until 8 pm.
g. The child shall spend Fahter's Day with his father form 9 am to 7 pm and Mother's Day with his mother during the same hours.
h. The parent not otherwise having the child on that parent's birthday shall be entitled to take the child into their car and custody form 4 pm until 8 pm.
f. The provisisions of this paragraph shall take precedence over the other provisions of this order relating to custody.
5. Should it be necessary for either party to cancel or modify the visitations as set out in this order or as previously arranged, bthe party seeking cancellation or modification shall notify the other or as previously arranged, the party seeking cancellation or modificiation 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 share responsibility for transportation with the party receiving the child in the exercise of his or her right picking up the child at the home of the other. Any person transporting the child shall make sure that the seat belts or other restraints are used in accordance with the laws of PA
7. Each party shall teach said child to give to the other party that love and respect which is due a parent form his or her children.
8. Neither party shall use illegal drugs or be under the influence of alcohol at any time when said partyhas the care and custoyd of the subject minor child. The parties are cautioned that medical research has indicated that tobacco smoke is injurious to the health of growing children. Therefore, neither party shall smoke tobacco or permit others to do so in a closed automobile in which the child is being transported or in the bedroom of the child. In addition, neither aprty shall permit the child to consume alcoholic beverages of any kind while the child is in their custody.
9. Neither party shall do or say anything to blacken the character of the other in the child's estimation. Each party shall treat the other in a polite and respectful manner when in the child's presence and each party shall instruct his or her relatives and friends to do likewise and also not to disparage the other party in the child's estimateion.
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. Eitehr 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 $240.00($60.00 hr 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.
13. The Deposit required for the appointment of the Custody Mediator was made by the mother.The entirety of said amount shall apply to the costs and fees of this case. The father shall within thirty days of the date of this oreder, pay to the mother the sum of $75.50 reimbursing her for his share of the costs and fees of this casae. The fahter shall, within thirty days from the date of this order pay to the Prothonotary of Crawford County the sum of $49.00 representing the balance due on the costs and fees of this case.
14. Either party may move the court for a hearing de novo within twenty days form the date hereof. If neither party so moves, this Order shall be considered permanent.
15. The provisions of this order supercede all inconsistent provisions which may appear in previous orders.

By the Court
Gorodon R. Miller J

9/24/98 Faxed Spataro, Hathway & Thomas

September 25, 1998 Order filed. And now, September 23, 1998 it has come to the Court's attention that the Defendant has not attended the Seminar for Separating Parents as is required by Crawfaord County Civil Rule L1930. Therefore a rule to show cause is entered and directed to the Defendant to show cause if any he has why the Defendant should not be held in contempt of Court adn snactioned or punished accordingly for failure to comply with Seminar requirements.
Said rule is returnable for hearing and or argument on the 24th day of Nov. 1998 at 1 o'clock pm in Courtroom No. 1 of the Crawford county Courlthouse. The defendant is required to attend said hearing. A true and Corect copy of this Order shall be sent to the Defendant at his last know address of record by certified mail, return receipt requested.

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

Dist 9/25/98 to Walton & Thomas

November 16, 1998 Certificate of Completion of Separating parents seminar filed. (Deft Ron Allen)

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preliminary determination as to the conditions at the home. We are interested in whether or not the mother actually lives in that home and the condition of that home insofar as is appropriate for the raising of a 7-year-old child. Children and Youth Services shall file a writte report with the undersigned Judge. Children and Youth Services obviously has the authority under the law to make a removal from the home and emergency placement if the criteria set forth in the Child Protective Services Act or the Juvenile Act exist.

4. Children and Youth Services has the right to contact the school nurse at the Alice Shafer Elementary School in Linesville to determine the nature of the reasons why she called the natural father about this child recently when the mother was apparently temporarily residing outside the home.

5. The mother NOR the father shall remove the child from Pennsylvania.

6. In the event that the mother requires hospitalization or becomes an in-patient in any health care facility, she shall make certain that the child remains at her home with a responsible adult caretaker present. She shall also notify the father or his counsel of that fact.

7. This Order is entered to maintain the status quo until a full and complete hearing before a Mediator or the Corut occurs. It is without prejudice to either party. We are not now making any sort of a substantive determination with respect to this matter nor are we making a determination as to the merits of the father's allegations that are set forth in his Petition.

8. In all respects, the current Custody Order shall be followed by the parties without exception. In the event that there is an emergency involving the child, Children and Youth Services has the ability to deal with this matter. The Court is unlikely to make any emergency change without a full hearing of some sort since the father's allegations are disputed by the mother.

9. The mother shall be prepared to disclose at the Mediation Hearing or any future court hearing all of the people who have cared for the child during the period of time when she has had her currently physical difficulties.

BY THE COURT,
Gordon R. Miller, P.J.
6-6-96 DISTRIBUTED C&Y Ser., Walton & Watson.

June 6, 1996 Emergency Petition for Special Relief filed.

June 14, 1996 Complaint for Custody/Modification of Custody Order filed. AND NOW, this 7th day of June, 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 South 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.

6-14-96 FAXED Walton, Watson, & Pineo.

NOTICE AND ORDER TO APPEAR You, Kathleen Marie White, have been sued in Court regarding the Custody of your child, Chelsea Ann White.

You are ordered to appear in person for a Cjhild Mediaton Conference at the Crawford County Courthouse in Meadville, Pennsylvania 16335 before William Pineo, Esq, Child Custody Mediator. The date and time of the child Mediation conference will be scheduled by the Child Custody Mediator. The Child Custody Mediator chosen in your case will contact you and inform you of the date and time of the child Mediation conference.
6-14-96 FAXED Walton, Watson & Pineo.

June 21, 1996 ORDER filed. AND NOW, June 21, 1996, the defendant/petitioner appears in Motion Court with his attorney and advised the Court that the plaintiff/respondent is now deceased, having passed away on June 20, 1996.

Apparently, the minor child Chelsea Anne, who is 7 years old, is currently in the care and custody of another daughter of the plaintiff/respondent or some other persons unknown to the defendant/petitioner.

The defendant/petiotioner has come to Crawford County from South Carolina and also has a residence in Greenville, PA.

After consideration of this matter, it is ORDERED AND DIRECTED that pending any further hearing or Order of Court, legal and physical custody of Chelsea Anne White be with Jon H. White. Any other party who currently is in physical custody of the minor child shall immediately relinquish and transfer custody to Jon H. White.

Any law enforcement officer shall be permitted to accompany the defendant/petitioner to aid in enforcement of this Order, but no law enforcement officer, without further Order of Corut, may physically remove the child from the custody of any other party.

The Court of Common Pleas of Crawford County shall retain jurisdiction in this matter.

BY THE COURT,
Anthony J. Vardaro, J.
6-21-96 DISTRIBUTED Watson.

June 25, 1996 Emergency Petition for Special Relief filed.

1994

Bob Sheldon Trenching Co
vs
Bernard Wagner
Wagnercrest Farms

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Apr. 16, 1999 MOtion to Compel Discovery and for Sanctions Directed to Defendant Bernard Wagner, l/a/t/d/b/a Wagnercrest Farms and Order filed. And NOw, this 16 day of April 1999 upon consideration of the Motion to Compel Discovery and for Sanctions by bob Sheldon Trenching Co as a Defendant on the Counterclaim only, said Motion is denied.

By the Court
Gordon R. Miller, J.

4/16/99 Faxed Argento and copy to Wagner

Apr 16, 1999 Motion to Review and Revise Order on Court of the 9th Day of April 1999 and Order Sanctions Against the Plaintiff, Bob Sheldon and counsel Dickie, McCamey and Chilcote, P.C. and Order of Court Filed. And Now, this 16 day of April 1999 upon consideration of the Motion to review and reverse Order of this Court april 9, 1999 and Order Sancions against Defendant, Bob Sheldon and Counsel Dickie, McCamey and Chilcote, P.C. on counterclaim only, said motion is DENIED.

By the Court
Gordon R. Miller, J.

4/16/99 Faxed Argento & Dickie Firm

APRIL 22, 1999 Certificate of Readiness filed. Upon Praecipe of L. Argento, Esq. on behalf of Bob Sheldon Trenching Co on the Counterclaim only this case is placed on the

OCTOBER 1999 JURY TRIAL

April 26, 1999 Order filed: And now, April 26, 1999 it appears that the Court order of April 16, 1999 was in error. We believed we were signing the order that was presented to us. It appears that it was an order that had been presented to us on april 9th. Therefore it is ordered as follows:

1. The Order of april 16, 1999 is vacated.
2. The motion of Bernard R. Wagner to review and revise the Order of Court on April 9, 1999 as well as to order sanctions against the plaintiff which said motion of Bernard R. Wagner was filed pro se on April 16, 1999 is denied.

By the Court
Gordon R. Miller, PJ

4/27/1999 Faxed Vavro by Court copy to Wagner

Apr 30, 1999 Stipulation to Dismiss Counterclaim of Defednant Bernard Wagner,l/a/t/d/b/a Wagnercrest Farms and Order of Court Filed. And Now, to wit this 28 day of April 1999 upon consdieration of the foregoing Stipulation to Dismiss, it is hereby Ordered, Adjudged and Decreed that defendant Wagner's Counterclaim is dismissed with prejudice.

By the Court
Gordon R. Miller, J

4/30/1999 FAxed Argintc & Bernard

296.

JEAN M. ANDERSON
Plaintiff
VS.
MARK W. ANDERSON
Defendant

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a. The Father shall be permitted to visit and take the children into his temporary physical custody during the first, second and fourth weekends of each month from Friday at 6:00 p.m. until Sunday at 7:00 p.m. Father shall give Mother a 24-hour advance notice if he is unable to exercise a visitation.

b. During those Sunday's on which the children are with Father, Mother shall be permitted to take them to church services and shall provide all transportation in regard to same.

c. Holiday visitation shall be arranged as follows:

i. Thanksgiving: The Thanksgiving holiday shall be observed between the hours of 11:00 a.m. and 8:00 p.m. In odd years, the children shall be in the custody of their Mother and in even years, the children shall be in the custody of their Father.

ii. Christmas: The Father shall be entitled to take the children into his custody on Christmas Eve each year from 8:00 a.m. until 11:00 p.m.

iii. The children shall spend Mother's Day with their mother from 9:00 a.m. until 6:00 p.m. and Father's Day with their father during the same hours.

d. Beginning with the summer of 1996, Father shall be entitled to have the children in his custody for a period of two weeks, which weeks need not be consecutive. Father shall give to Mother fourteen days advance notice of those weeks he has selected.

3. Transportation of the children on weekends, holidays and summer visits shall be shared between the two parents with the parent receiving custody of the children to provide transportation, except as heretofore addressed in Paragraph 2(b) herein. In addition, each parent shall provide transportation for the subject minor children to all extracurricular activites, including scouting and sporting events and practices involving the children while that parent then has custody of them.

4. Neither parent shall use illegal drugs or consume alcohol at any time during those times when that parent has the subject minor children in his or her custody.

5. Neither parent shall say or do anything in an attempt to turn the children against the other parent, nor shall either parent permit others to do so, but rather each parent shall do everything in their power to promote a favorable and loving attitude on the part of the children towards both parents.

6. Neither parent shall expose the children to any person or situation which may be harmful to the health, safety or well being of the children.

7. Each parent shall inform the other parent immediately of any illness or injury regarding the children and both parents shall furnish the other with a current address and telephone number.

8. Neither parent shall leave the children without adult supervision for a period in excess of thirty minutes when that parent has custody and control of the subject minor children.

9. The parents are encouraged to make additional or alternative arrangements regarding physical custody of the children and may modify the herein custody arrangements if said modifications are by mutual consent only; otherwise, the provisions contained herein shall govern.

10. The cost of the mediation conference shall be equally divided between the parties with the Plaintiff's share to be paid by Crawford County.

11. This Order is a Temporary Order but shall become a Permanent Order unless exceptions thereto are filed by either parent within 10 days of the date hereof.

Gordon R. Miller, J.

FAXED 11-9-95 Attys. neson, C. Youngs, Keenan.

Feb 21, 1996 **Withrawal** of appearance of Thomas, Taruax, Spadafoare, Walker & Keenan by **Gregory A. Keenan, Esquire,** on behalf of Defendant and ORDER of February 21, 1996 granting the withdrawal.
Feb 21, 1996 Faxed Youngs & Keenan
Feb 27, 1996 Faxed Nelson

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 2/21/96 . 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)

1994

Betty Jo Wooley
vs
Michael Shawn Luikart

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Mar. 28, 1995 Motion to Refer Back to Custody Mediator and ORDER filed. AND NOW, this 27 day of March,1995, upon consideration of the within Motion, said Motion is granted. This matter is hereby referred back to William Pineo for further Mediation.

It is further Ordered that due to the fact that the county was Ordered to pay allfees and costs of the prior Mediation, the deposit made by Defendant for his initial mediation request, which was not refunded tohim, shall be used as the deposit torefer this matter back to mediation at this time.

In the event that there was no prior deposit then this case will not proceed until a deposit of $150 is now made.

BY THE COURT:
Gordon R. Miller, J.

4-3-95 Faxed to Attys.Brode, Keenan & Pineo.

August 1, 1995 TEMPORARY ORDER filed. AND NOW, this 31st day of July, 1995, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator,

IT IS HEREBY ORDERED AND DECREED THAT:

1. The parties shall share legal and physical custody of the subject minor child, Adrienne J. Wooley; aged 3.

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 whcih they may have regarding the subject minor child.

3a. The father shall have primary physical custody of subject minor child.

3b. The mother shall have temporary physical custody and visitation any week-end except for the first full week-end of each month, from Friday at 5:00 P.M. through Sunday at 5:00 P.M. In addition, the Mother shall also have visitation and temporary physical custody for two-week periods each summer, to occur between June 15 and August 15. She shall notify the father by May 15 of each year of the periods she wishes to select. The periods shall be separated by an interval of at least two weeks.

3c. 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. Such conversations will not be unreasonably monitored by the parent having physical custody. The parent making the telephone calls will make a good safe effort to avoid making such calls during the children's dinner hour or times which would interrupt their preparations for bed. The calling party shall also take care not to make the telephone calls with such frequency or to prolong them to such a degree as to constitute interference with the family life of the other party., then the mother's weekend visitation shall become continuous with her Christmas holiday visitation.

4. Holiday visitation shall be arranged as follows:

a. Christmas: There shall be two Christmas visitations. The first beginning on Christmas Eve at noon and ending on Dec. 26 at noon. The second beginning Christmas Day at noon and ending on Dec. 26 at noon. For Christmas, 1995, the mother shall have the first period and the father the second, and the parties shall thereafter alternate.

b. Thanksgiving: In even numbered years, the subject minor child shall spend the Thanksgiving visitation, beginning on the Wednesday preceding Thanksgiving at 5:00 P.M. until the Sunday following Thanksgiving at 6:00 P.M.

c. The other holidays: memorial Day week-end from Friday at 6:00 P.M. through Monday at 5:00 P.M. with their father, and Easter week-end from Good Friday at 6:00 P.M. through Easter Sunday at 6:00 P.M. and Labor Day week-end from Friday at 6:00 P.M. through Monday at 6:00 P.M. with her mother. On even numbered years, the situation will reverse. The child shall spend Father's Day with her father and Mother's Day with her mother during the hours of 9:00 A.M. through 6:00 P.M.

4. The provisions of this paragraph shall take precedence over the other provisions of this order relating 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. The Parties shall split responsibility for transportation. The Parties shall select a point reasonably close to half way between their residences and shall arrange and to pick up and deliver the child at that point. If the Parties cannot select a point, then the Party receiving the child in the exercise of his or her rights, shall pick up the child at the home of the other. Unless there is an emergency, the Parties shall adhere to the arrangement previously made about transportation. Any person transporting the child shall make sure that the seat belts or other restraints are used in accordance with the laws of Pennsylvania.

7. Each paraty 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 paraty shall use illegal drugs or be under the influence of alcohol at any time when said party has the care and custody of the subject minor child. The parties are cautioned that medical research has indicated that tobacco or permit others to do so in the same room as the child, in a closed automobile in which the child is being transported, or in the bedroom of the child.

9. 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 paraty in the child's estimation.

10. Mediator advises the Court that the subject minor child has been acting sexual acts. The Mediator further advises that he has sosught the advice of an experienced psychological counselor who recommends that the child be placed in counselling and be enrolled in a suitable Day Care arrangement. The Mediator further advises that he is informed that Womens Services can undertake to counsel the subject minor child. The father is, therefore, directed to arrange for counselling of the subject minor child with Womens Services and to report to teh mediator within two weeks that he has done so. The Court also directs that the father arrange for the enrollment of the subject minor child in the Head Start Program or other suitable Day Care Program and to advise the Mediator within two weeks that he has done so. The mother is directed to cooperate as required in the father's efforts, to obtain counselling and Day Care for the subject minor child.

11. Costs and fees of this Mediation, which are fixed at $247.00 are divided equally between the parties. The Mediator informs the Court that the mother is indigent and, therefore, her share is assessed to Crawford County. The father's share shall first be paid out of the deposit required for the appointment of the mediator, and the remainder of said deposit refunded to the father. In the event there is a deficiency, then the father shall pay the deficienty to the Prothonotary of Crawford County within thirty days from this date.

12. Either party may move the Court for a hearing de novo within ten days from the date hereof. If neither party so moves, this Order shall be considered permanent.

By the Court,
Gordon R. Miller, J.

Aug. 7, 1995 Order FAXED Attys. Wm. Pineo, G. Keenan, R. Chris Brode; Copies mailed Plf. & Defdt.

Aug. 22, 1995, Motion for Hearing De Novo and Order filed. ORDER: AND NOW, this 21st day of Aug. 1995, upon presentation and consideration of the within motion, a hearing is scheduled in this matter for the 4 day of Oct. 1995, at 9:15 a.m. in court of common pleas ofCrawford County, Pa. C. R. No. 1, 2 and 3.

This motion and order shall be served upon the dft. Michael Shawn Luikart, and upon all counsel of record by first class mail.

by the court, Gordon R. Miller, J. faxed to Brode, Keenan & Pineo 8/22/95

CONTINUED PAGE 498

	MICHAEL SHAWN LUIKART, PLAINTIFF	CONTINUED FROM PAGE 497 of RECORD A.D. 1994 - 89
89.	VS. BETTY JO WOOLEY DEFENDANT	

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Oct. 20, 1995, Memorandum and Order filed. AND NOW, October 18, 1995, after hearing de novo and upon making the aforesaid findings, this Court reinstates the temporary order dated July 31, 1995 as the official custody and visitation order of the Court. This Court also directs that neither parent may withdraw the child from the counseling now being undertaken and that said counseling will continue until the counseling agency believes termination is appropriate or until both parents mutually agree that counseling will be terminated and notify the counseling agency in writing of this fact.

We direct the Prothonotary to file a copy of this order in the father's action at A.D. No. 1994-115 and all future proceedings in this case will proceed in the case at A.D. No. 1994-89 with Betty Jo Wooley listed as Plaintiff.

BY THE COURT:
/s/ P. Richard Thomas, S.J.
Original in file 1994-115.
Oct 25, 1995 copy given to Keenan & Brode. Faxed to Pineo

1994

LOUIS COX and MARY ANN COX

VS.

SESLER ET AL

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Dec.14, 1994 Notice to Complete Discovery on behalf of plaintiffs, filed.

Dec. 16, 1994 Answer and New Matter filed.

Dec. 16, 1994 Reply To New Matter Under Rule 2252(d) of William G. Sesler and Gregory P. Sesler t/a Commonwealth Realty filed.

Jan 5, 1995 Reply of William g. Sesler and Gregory P. Sesler, t/a Commonwealth Realty, to the New Matter Under Pennsylvania Rule 2252(d) of Department of Public Welfare of the Commonwealth of Pennsylvania, filed.

Jan. 16, 1995 Answer to New Matter, filed. (1 copy Atty.)

Oct.9, 1995, Uponpraecipe of plaintiff attorney, the above captioned action is marked settled and discotninued. of record.

VICTORIA MARZKA

vs.

MELISSA E. DIEQUEZ

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Dec. 14, 1994 Notice of Intent to Present Motion For Special Relief filed.

Dec. 19, 1994 ORDER filed. AND NOW, December 14, 1994, at the time the attache motion was presented in motion court, the Plaintiff appeared with counsel and the Defendant appeared with counsel. The Defendant takes the position that the visitation of December 17, 1994, will, infact, not take place contrary to court order but she claims that it would be harmful for the child to goa to the Plaintiff's and has medical or psychological evidence to support that. She intends to file a Petition to Modify as soon as she gathers her information. She believes that would be filed within the next thirty days.

The Plaintiff denies all of this and believes that the visitations should take place as ordered.

We will deny this motion because we will not enter the proposed order without the full hearing. We fully expect that this matter will be back before the Court shortly either on a Contempt Petition filed by the Plaintiff or a Modification Petition filed by the Defendant at which time the alllegations, which the Defendant proposes to raise, will then be heard. We take no action at this time.

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

Dec. 20, 1994 Faxed White & Fuller, mailed to Grayer

Feb. 6, 1995 Petition For Contempt and Order filed. AND NOW, this 6 day of February, 1995, after consideration of the foregoing petition is hereby ordered a rule to show cause as placed upon the DEfendant Melissa E. Dieguez to show cause if any she should have why she should not be held in contempt of courts order of May 9, 1994. REturnable for hearing March7, 1995 - 1:30 p.m. Ct. Rm q or 2. Service of this petition and order shall be made upon the Defendant through her consel, Harry F. Whiate, III, Esquire by regular mail by the court.

Anthony J. Vardaro, J

Feb. 5, 1995 Faxed White & Ferguson

Mar. 8, 1995 ORDER filed. AND NOW, March 7, 1995, this matter is before the Court for a Petition for Contempt filed by the Plaintiff. The Plaintiff is the natural mother of the Defendant and the garandmother of the child who is the subject of a custody Order entered by the undersigned as a result of a mediation conference on May 9, 1994.

Pursuant to that Order, the Plaintiff was to visit with the child or to have periods of temporary physical custody wtith the child from 1:00 o'clock p.m. to 5:00 o'clock p.m. every third Saturday beginning May 21, 1994. Everything went well until November, 1994, when the Plaintiff was to then have the child for the first and third Saturday of every month from 1:00 o'clock p.m. until 5:00 o'clock p.m. Sometime in November, apparently, the Defendant learned that the child had an addiction to gasoline fumes, and allegedly had been exposed to those fumes at the residence of the Plaintiff's mother in the Riceville Corners area, where the Plaintiff would take the child for her periods of temporary physical custody.

After formal hearing in this matter, we decline at this time to find the Defendant in contempt, but will continue this matter with further hearing to be reset upon motion of either party if it becomes necessary or as indicated later in this Order.

In the meantime, it is ORDERED and DIRECTED that both parties comply completely with the Order of May 9, 1994, and it is further ORDERED and DIRECTED as follows:

1. Commencing with the third Saturday of March, 1995, which is March 18, 1995, the periods of temporary physical custody shall again begin with the Plaintiff havign the child in her temporary physical custody each first and third Saturday of the month from 12:00 o'clock noon until 5:00 o'clock p.m. The period of temporary physical custody is being expanded by one hour so that the Plaintiff has appropriate time to transport and visit with the child at some location other than at her mother's at Riceville Corners where she shall now be prohibited from taking rteh child until further Order of Court.

2. After a period of ninety (90) days from this date, if the parties can agree to an arrangemetn that both are satisfied that the child will not be exposed to gasoline at the Riceville Corners residence, he may resume going to that residence, and the time period will then change back to 1:00 o'clock p.m. until 5:00 o'clock p.m. for each period of temporary physical custody for the Plaintiff.

In the event the parties cannot agree, and the Plaintiff wishes to take the child to that location and has a plan to present to the Court to make sure that that location is secure so that the child does not become exposed to gasoline, she may request further hearing for the Court to examine that issue.

We note that it is the Court's hope that these parties can at least communicate to the extent for the benefit of the child to make such arrangements that are appropriate themselves, but we will consider the matter further if that becomes necessary.

3. In order that the Plaintiff receives visitation periods or periods of temporary physical custody that she has missed from the time the child was released from hospitalization in December, 1994 to the present, it is ORDERED and DIRECTED that in addition to the periods of temporary physical custody she will have pursuant to the May 9, 1994 Order, she will have the following periods of temporary physical custody which will, likewise, be from 12:00 o'clock noon until 5:00 p.m. for each such period unless there is a change with the child then going to Riceville Corners so that the time period is 1:00 o'clock p.m. until 5:00 o'clock p.m. consistent with what we have said above:

(1) The fifth Saturday in April.
(2) The second Saturday in May.
(3) The second Saturday in June.
(4) The fifth Saturday in July.
(5) The second Saturday in August.
(6) The fifth Saturday in September.

4. In all respects in which this Order is not inconsistent with the Order of May 9, 1994, that Order is affirmed and is still in full force and effect.

For thre record, we note that all parties agaree that the child's actual name is Jeremiah Andrew Gibbs, and not Jeremiah Andrew Griffin.

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

Mar 8, 1995 copies dist to White & Ferguson
Mar 15, 1995 Faxed to Fuller

Cherie Calvert
vs.
Douglas sCalvert

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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 the amount of $108.00 within ninety (90) dyas of the date of this Order with the same to be paid to the Prothonotary of Crawford County on the first floor of the Crawford County Courthouse.

10. This Order shall remain in full force and effect through January 11, 1995. BY ORDER OF THE COURT,
Anthony J. Vardaro, J.

Jan. 14,1994 copies dist. to Plf., Co Control & CBPD
Jan. 17, 1994 copy to Dft.

Jan. 17, 1994 SHERIFF'S RETURN: I hereby deputize the Sheriff of Erie County, Pennsylvania to serve the within Protection From Abuse according to law. The defendants alleged address is c/o employment, Erie County Farms, 26th St., Erie, Pa. Robert M. Stevens, Sheriff, Crawford Co.

SERVICE: SERVED the within Petition For Protection From Abuse And Order on January 8, 1994, at 1300 Hrs. upon Douglas Calvert at Place of Employment, Erie County Farm, West 26th Street, Erie County, Erie, Pa. by handing to Douglas Calvert a true and correct copy thereof and made known to Him the contents therein. Robert N. Michel, Ssheriff, Erie Co.

March 16, 1994 Motion to Vacate Protection from Abuse Order and ORDER filed. AND NOW, this 15th day of March, 1994, upon receipt and reveiw of the Plaintiff's motion to vacate and terminate the Protection from Abuse Order of January 12, 1994, said motion is granted and the Protection from Abuse Order is hereby vacated and terminated.

A true and correct copy of this Order shall be delivered by the Prothonotary to the police department that received the original order and to County Control.

Any provisions of the Protection from Abuse Order of January 12, 1994 assessing court costs shall remain in full force and effect without change or modification and the party or parties against whom costs were assessed shall remain obligated to pay the costs.

BY ORDER OF COURT
Gordon R. Miller, J.

3-16-94 Copies dist.to Pltf, Dft, Co. Control & CBPD

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1994

Wendy A Wells
vs.
Robert E. Snow

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8. The Defendant shall pay record court costs in the amount of $89.50, with $20.00 to be paid on or before February 12, 1994, an additional $20.00 payable on or before March 12, 1994, an additional $20.00 payable on or before April 20, 1994, and the balance due on or before May 12,1994.

All payments shall be made to the Office of the Prothonotary of Crawford Countyon the first floor of the Crawford County Courthouse.

9. This Order shall remain in full force and effect through January 11, 1993.

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

Jan. 14, 1994 copies of order dist. to Co. Control, Pa.SP & Plf.
Jan. 17, 1994 copy to Dft.

Jan. 21, 1994 AMENDMENT TO ORDER, filed. AND NOW, January 19, 1994, it having come to the Court's attention that there are two errors in our order of January 12, 1994, said order is amended to the extent that Paragraph 3 shall reflect that the box number for Plaintiff's residence is 1180 and Paragraph 9 shall eflect that this order is in full force and effect through January 11, 1995,

A copy of this amendment to order shall be sent to the parties required to receive the same pursuant to Paragraph 6 of the original order and, in all respects in which this order is not inconsistent with the original order, the order of January 12, 1994 shall remain in full force and effect.

BY THE COURT:
Anthony J. Vardaro, J.

Jan. 24, 1994 copy to Co. Control, PSP (Meadville), Plf. & Dft.

Virginia Terrill and in behalf of minor child Terry Terrill, Jr.
vs.
Terry Terrill Sr.

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8. A copy of this Order shall be delivered by the Prothonotary to Crawford County and to the Pennsylvania State Police Corry Barracks.

9. This Order shall remain in full force and effect for oen (1) year from this date; that is, until January 31, 1995, unless modified or terminated by further Order of Court.

10. The defendant shall pay record court costs in the amount of $101.50 no later than February 4, 1994. He shall make payment to the prothonotary's Office on the First Floor of the Courthouse.

11. The defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine of up to $1,000 and a jail sentence of up to six (6) months.

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

Feb. 4, 1994 copy to C. Brode, B. Lindsay, Co. Control, Pa. SPD(Corry), Plf. & Dft.

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1994

Duane Lee Banks
vs.
Dannielle Anderson

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10. The parties are free to make additional or alternative arrangements respecting the custodial and visitation periods and are strongly encouraged to do so if that would be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which this order shall govern.

11. Costs and fees of this Mediation, which are fixed at $202.00, 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 father's share of costs and the remainder, if any, shall be remitted to him. The mediator notes for the Court that the mother is receiving public assistance and therefore her share shall be paid by Crawford County.

13. 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.

Apr. 12, 1994 copy to W. Pineo, M.A. Kirkpatrick, Plf. & Dft.

Apr. 18, 1994 Request for De Novo Hearing and ORDER filed. AND NOW, this 21 day of April, 1994, the above request for Hearing De Novo is hereby granted and shall be scheduled on the 10th day of June, 1994, at 1:00 o'clock p.m. at the Crawford County Courthouse in Courtroom No. 1 or 2.

BY THE COURT:
Anthony J. Vardaro, J.

4-21-94 Copy of Order to Attys. Kirkpatrick, Pineo, Pltf & Deft.

Jun. 13, 1994 Consent Motionto Modify and ORDER filed. AND NOW, this 13 day of June, 1994 upon consideration of the within Consent Motion it is herebyordered and decreed that the language contained in said motion, identified as paragraph three (3) regarding custody and visitation of the minor child shall supersede and take the place of paragraph three (3) of the original order of Court in this matter.

BY THE COURT:
Anthony J.Vardaro, J.

6-14-94 Faxed to Atty. Kikrpatrick, dist. to Lindsay. 6-20-94 Faxed to Atty. Pineo

Jan. 9, 1995 Petition For Contempt and Mdofication filed.

Jan. 15, 1996 ORDER filed. AND NOW,January 3, 1996,this matter comes before the Court in Motion Court ona Petition for Contempt and Modification filed by the plaintiff.

Essentially,the allegations of the plaintiff are that the defendant removed the child to the State of Ohio,where she had moved, and as a result, did not complywith the terms and conditions of the current Custody Order and did not return the child to him as required, his position being until criminal charges were filed against her. It is his belief that she intended to keep the child in the State of Ohio and would not advise him of her address in the State of Ohio.

The defendant mother appears without counsel and indicates that she did modify the terms of the Order, but apparently had had some contact with the father about her moving to Ohio, but obviously did not specifically indicate to him that she was doing so. Also,there were some problems she maintains were weather-related in getting the child back to the father.

The Court will schedule a contempt hearing in this case for January 31,1996,at 3 p.m. in Courtroom No 2 before the undersigned.

Plaintiff's counsel indicates that the purpose of including modification in the petition was only that there be a modification of the existing Order for the protection of the child to be sure that the child is not removed by the defendant pending that hearing and that he is not seeking a modification of the current Custody Order on an ongoing basis. That would seem to be appropriate insofar as the defendant, who it appears wants tohave this Custody Order changed due to her new living arrangements in the State of Ohio.

Pending the hearing on January 31,1996, the plaintiff shall have primary physical custody of the child and the defendant shall have temporary physical custody of the child each weekend from Friday at 6 p.m. until Sunday at 6 p.m., which temporary physical custody shall be exercised with the defendant residing with her mother at 745 Baldwin Street in Meadville, Pennsylvania. The defendant shall not remove the child from the Commonwealth of Pennsylvania during these periods of temporary physical custody unless it is specifically consented to in writing by the plaintiff.

The defendant shall at the conclusion of Motion Court this day, provide in writing to plaintiff's counsel the address at which she was residing in the State of Ohio, as well as her telephone number and she shall sign a verification of that fact in the form required by Title 18 of the Crimes Code with respect to unsworn falsification. That language shall be provided to her by plaintiff's counsel so that she may verify that address and telephone number, although at this time, she indicates that she intends to remain in Pennsylvania until this matter is resolved.

This Order is not intended to provide any guidance to a Mediator or to the Court in the future with respect to what would be the appropriate custody arrangement in this matter, but is only intended as a temporary modification under the facts and circumstances presented to the Court briefly in Motion Court.

BY THE COURT,
Anthony J.Vardaro,Judge

1-15-96 Dist.to Lindsay & Kirkpatrick

Jan. 26, 1996 Motion for Leave to Withdraw Appearance and ORDER filed. AND NOW,this 25 day of January, 1996, upon presentation and consideration of the within Motion,Defendant's counsel, Brian J. Lindsay,mEsquire, is hereby authorized and is given leave towithdraw his appearance on behalf of the Defendant in the above captioned case.

Anthony J.Vardaro,J.

1-26-96 Faxed Kirkpatrick & Lindsay

Feb. 9, 1996, ORDER filed. Anthony J. Vardaro, Judge
2/9/96 to Sullivan and Kirkpatrick (copy in file)

1994

Philomena McLaurin

VS.

Rahman Ali Burnett

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5. A copy of this Order shall be delivered to the Meadville City Police Dept. insofar as the plaintiff's residence is 448 Poplar St. in the City of Meadville and shall also be delivered to County Control. Additionally, a copy of this Order shall be sent by regular mail to the plaintiff at 448 Poplar St., which mailing shall be done by the Prothonotary Additionally, a copy of this Order shall be provided to defense counsel in his box in the Prothonotary's Office.

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 (6) months.

7. The defendant shall pay court costs to the Prothonotary of Crawford Co. on the First Floor of the Crawford Co. Courthouse in the amount of $94.50 within 90 days of the date of the date of this Order.

8. This Order shall remain in full force and effect through Feb. 22, 1995.

BY THE COURT,
Anthony J. Vardaro, Judge

March 3, 1994 Copy of Order to Atty. Edwrd Hatheway; copy mailed Dft., copy to MPD.

May 23, 1994 Motion toVacate Protectoin From Abuse Order and ORDER filed. AND NOW, this 23 day of May,1994 upon receipt and review of the plaintiff's motion to vacate and terminate the Protec tion from Abuse Order of February 23, 1994, 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 proper police agency and to County Control.

Any provisions of the Protection from Abuse Order of February 23, 1994 assessing court costs shall remain in full force and effect without change or modification and the party or parties against whom costs were assessed shall remain obligated to pay the costs.

BY ORDER OF COURT
Anthony J. Vardaro, J.

5-23-94 Faxed copy to MCPD & Copy to Co. Control

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1994

Brenda Lee Peters
vs.
Johnathon Charles Dickerson

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D. Neither mother nor father shall say or do anything in an attempt to turn the child against the other parent, but on the other hand shall do everything in the power of each to foster a favorable and loving attitude on the part of the child towards both parents.

E. Neither mother nor father shall expose the child to any person or situation which may be harmful to the child's health or well being.

F. Both parents agree to inform the other immediately of any illness or injury regarding the child and both parents agree to furnish the other with a current telephone number.

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 County.

Gordon R. Miller, P.J.

Apr. 6, 1994 copy to Plf. & Dft.

Frances D. Nelson
vs.
Richard W. Nelson

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&. Neither of the parents having primary physical custody of the children shall drink alcoholic beverages while having primary physical custody of the children.

8. Neither parent shall leave the children alone at any place other than his or her residence, never for a period exceeding three hours, or after 1:00 a.m., prevailing time.

9. This Order shall not prejudice the right of either party to request further Mediation if there are changed circumstances in the lives of the parties or the children or in the event that the best interest of the children would be served by further Mediation. In the event that the mother intends to remove herself more than thirty miles from Crawford County, Pennsylvania, she shall give the father a written notice of thirty days prior to doing so in order to allow him to request additional 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 one of the children resides 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 50% by the plaintiff father and 50% by the defendant mother. Any amount in excess of the mother's one-half share of the cost of Mediation held by the Prothonotary of Crawford County under Local Rules shall be refunded to her.

12. 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. 19, 1994 copy to T. Ochs-Rothschild, F.W. Bloom III, B. Smith, Plf. & Dft.

Sep. 27, 1995 Affidavit of Consent of Richard W.Nelson, Defendant, filed.

Oct. 5, 1995, Affidavit of consent of Frances D. Nelson, filed.

Oct. 6, 1995, Upon praecipe of plaintiff attorney, to transmit the record, this case moved to court.

Oct. 18, 1995 MARITAL AGREEMENT filed. DIVORCE DECREE Filed. AND NOW, this 16th day of October, 1995, it is ordered and decreed that Frances D. Nelson, Plaintiff, and Richard W. Nelson, Defendant, are divorced from the bonds of matrimony.

It is further ordered that the parties' Marital Agreement dated September 7, 1995, 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.

James Leroy Huddleson
vs.
Karen Marie Francis
Huddleson

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11. Costs and fees of this Mediation, which are fixed at $177.00, are divided equally between the parties with a share of each being assessed to him or her as costs in this case.

12. The deposit required for the appointment of the Custody Mediatoar 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 date of this Order.

13. Either party may move the Court for a hearing de novo within ten (10) days from date hereof. If neither party so mvoes, this Order shall be considered permanent.

By the Court,
Anthony J. Vardaro, J.

May 5, 1994 copy to W. Pineo, M.A. Kirkpatrick, E. Hatheway, Plf. & Dft.

June 23, 1994 Affidavit of James Leroy Huddleson, filed.

NOv. 18, 1994 Plaintiff's Petition For Contempt and Order, filed. ORDER: Legal proceeding have been brought against you alleging you have wilfully disobeyed an order of court for partial custody or visitation.

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

Whether or not you file in writing with the court your defenses or objections, you must appear in person in court on December 12, 1994, at 10:15 a.m. in Courtroom 1 or 2, Crawford County Court House, Meadville, PA.

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 partial custody or visitation, you may be found to be in contempt of court and committed to jail, fined or both.

Date: 11-16-94

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

NOv. 18, 1994 Faxed Kirkpatrick, Pineo, Hatheway

Dec. 8, 1994 Contempt Petition and ORDER filed. AND NOW,this 8 dayof December,1994,upon presentation and considerationof theDefendant's Petition for Contempt, the defendant's petition for contempt is tenatively scheduled for December 12, 1994 at 10:15 a.m. at the time previously set for hearing on plaintiff's petition for contempt,the court reserving the right to continue or reschedule the same if there is not sufficient time to hear both petitions.

BY THE COURT:
Anthony J.Vardaro,J.

12-8-94 FaxedAtty.Kirkpatrick & given to Atty. Hatheway

Dec. 14, 1994 ORDER filed. AND NOW, December 12, 1994 this matter is before the Court with respect to a contmpt petition in this custody filed by the Plaintiff on November 18th, 1994. And a subsequent contempt petiton filed by the Defendant on December 8, 1994.

It is obvious to the Court that there is a lot of hostility between these parties, apparently due to the fact that the Defendant is convinced that the Plaintiff's current girlfriend broke up the marriage and continues to be a source of problems to the life of these two parties.

We have spoken with both children this day and had some informal discussion in the courtroom and at this time, we will continue this hearing for a period fo six months to be reset by the Court Administrataor at a time as close to that period of time as possible. In the event the parties agree that they do not need further hearing at that time, the hearing may be canceled upon agareement of both parties.

Pending this hearing, the parties shall abide by the order entered on April 29, 1994 and shall further abide by any terms and conditions we set forth in this order and in the event anything we set forth in this order is inconsistent with the April 29th, 1994 order, the terms of this order shall take precedence.

Within a period of one week, the Plaintiff shall make arrangements for a drug and alcohol evaluation at the Crawford County Drug & Alcohol Center and after that evaluation, he shall undergo any counseling and treatment that that center deems appropriate and not discontinue that treatment without their specific permission in writing.

Likewise, within a period of one week, the Defendant shall contact athe Titusville Mental Health Center where she has previously received counseling or such other mental health Center or private psychologist that she deems appropriate and she shall receive an evaluation unless she has already been evaluated and thereafter she shall under go such counseling as may be deemed appropriate by such professional and not discontinue that counseling without prior written consent from the professionals involved.

The parties shall make an extra effort to make sure that they say nothing inappropriate about the other party in front of the children or any manner in which the children might be able to overhear such a conversation and the Plaintiff shall direct anyone around him, including his friend Valerie, to make sure that nothing negative about mother/Defendant is said in front of the children. Additionally, no party shall make any inappropriate remarks, sexually or other wise, in front of the children at any tiem.

The Defendant shall require that the two boys go to each visit scheduled with their father and she shall positively encourage them to dos o at all times. In the event one of the boys or both of the boys has other engagements at school or in some activity that they wish to somehow modify a visit with their father, they may call him to discuss it with him but they shall do so at least by the Wednesday before the scheduled period of temporary physical custody and whatever agreement is reached between the boys and their father shall be the binding agreement with respect to the next period of temporary physical custody. In the event they can reach no agreement, the boys shall go for the scheduled period of temporary physical custody and their mother shall make sure and encourage them to do so. In the event in the future one or both of the boys does not go for a period of temporary physical custody or visitation with their father because they simply do not want to, for each such instance, the Defendant mother shall be fined $100 for not requiring them to do so and making sure that they do so since it is clear tot he Court that since the two missed perids of temporary physical custody on NOvember 4, 1994 and November 18, 1994 she has been able to make sure that they do go when they are required.

We do not know if Plaintiff father has an alcohol problem, but until the evaluation takes place and any counseling takes place, at the minimum, the Plaintiff father should not drink beer or other intoxicating beverages to the point that he becomes intoxicated and he is directed not to do so. It is the Court's preference that he does not drink alcoholic beverages at all in front of the children, but we will not force him to do that at this time, pending any further evaluation. The Plaintiff father should be particularly careful when he goes to visit his mother's home that he does not become intoxicated since he will be driving back to his home after visitign the same.

The mental health professional that the Defendant consults with regard to this order shall be a licensed professional in the Commonwealth of Pennsylvania and thorough her counsel, she shall provide the name of such person as well as his or her address within 30 days of this order. Likewise, the Plaintiff shall provide through his counsel within 30 days to the Defendant's counsel the name of the counselor if any that he is seeing at the Crawford County Drug & Alcohol Center.

The Defendant wishes to take the children to Florida for a vacation from December 23, 1994 through January 7, 1995 and the Plaintiff agrees that she may do so. He will lose his speriod of temporary physical custody on the weekend of January 6, 1995 and accordingly, he shall be entitled to make that weekend up on the weekend of January 13, 1995 during the normal hours that the period of temporary physical custody would occur for the weekend of January 6, 1995.

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1994 TERM

James Leroy Huddleson
vs.
Karen Marie Francis Huddleson

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It also is apparent that the Plaintiff lost the weekends of November 4, 1994 and November 18, 1994 and accordingly, he shall have an additional weekend the second weekend of February 1995 and the second weekend of March , 1995 which shall be for the same hours as the normal period of temporary physical custody that he lost on November 4, 1994 and November 18, 1994. This shall bein addition to all scheduled periods of temporary physical custody and/or visitation.

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

Dec. ~~13~~ 14, 1994 copy faxed to Kirkpatrick, Hatheway & Pineo, given to Crt. Adm.

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

Apr 10, 1995 ASSIGNMENT OF HEARING DATE, filed. AND NOW, April 7, 1995, the Cour tAdministrator having been directed by the Court by Order of Dec. 12,1994 to set a hearing in the above captioned matter within a period of six months, said hearing is hereby set for June 16, 1995,at 3:00 P.M., in Courtroom No. 2, before The Honorable Anthony J. Vardaro, Crawford County Courthouse, Meadville, Pennsylvania. FOR THE COURT,
Apr. 10, 1995 copies dist by Ct Adm
Apr 19, 1995 Faced to Pineo

June 2, 1995 Motion To Continue Generally and Order filed. And Now, June 1, 1995, the Contempt Hering scheduled for June 16, 1995, is continued generally andmay be rescheduled upon motion of either party.

By the Court:
Anthony J. Vardaro, J

June 2, 1995 Faxed Kirkpatrick & Hatheway

Sept. 24, 1996, Motion for Leave to Withdraw Appearance and order filed. Order: And now, Sept. 23, 1996 the Motion to withdraw appearance in above matter is granted.

Gordon R. Miller, J.

9/24/96 faxed to Kirkpatrick and Hatheway.

June 30, 1999 Motion to Withdraw Counts IV(Alimony Pendente Lite & Alimony), V (Child Support) and VI (Counsel Fees and Costs) of Answer and Counterclaim and Order Filed. And Now, this 28 day of June 1999 upon presentation and consideration of the Defendant's Motion to Withdraw Counts IV(Alimony Pendente Lite & Alimony), V (Child Support) and VI (Counsel Fees and Court Costs of her Answer and Counterclaim, said motion is hereby granted.

By the Court
Anthony J. Vardaro, J.

6/30/99 Faxed hatheway

July 6, 1999 Defendant's Counter-Affidavit under Sec. 3301(d) of the PA Divorce Code Filed.

July 13, 1999 Plaintiff's Affidavit under Section 3301(d) of the PA Divorce Code Filed. (Pltf)

July 13,1 999 Notice of INtention to Request Entry of Divorce Decree Pursuant to Rule 1920.73(a)(1) Filed.

July 15, 1999 Motion to Withdraw Counts II(Equitable Distribution and III (Custody) of Divorce Complaint and Order Filed. And Now, this 15 day of July 1999 upon presentation and consideration of teh Plaintiff's Motion to Withdraw Counts II (Equitable Distribution) adn III (Custody) of his Divorce compalint, said motion is hereby granted.

By the court
Anthony J. Vardaro, J.

7/16/99 FaxedHatheway Mailed Huddleson (James)

Augsut 5, 1999 Praecipe to Transmit Record Filed Upon Praecipt of Edward J. Hatheway Esq. Attorney for the Defendant to transmit the record This case moved to court.

DIVORCE DECREE FILED

Aug. 12,1999, AND NOW, August 11, 1999 it is ordered and decreed that JAMES LEROY HUDDLESON, PLAINTIFF, AND KAREN MARIE FRANCIS HUDDLESON, 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 supprot order shall hereafter be deemed an order for alimony pendente lite if any economic claims remain pending.

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

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1994 TERM

1994

Diane Yanacek
vs.
Steven J. Yanacek

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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 record court costs in the amount of $89.50 on or before April 22, 1994 at 4:30 p.m. in the Office of the Prothonotary of Crawford County on the first floor of the Crawford County Courthouse.

10. This Order shall remain in full force and effect through April 12, 1995.

11. By agreement of the parties, the Defendant may telephone the Plaintiff to make arrangements from time to time for the Defendant to visit the children other than every other weekend as designated. This will be solely based on the agreement of the parties and again the parties are reminded that if they are not satisfied with this arrangement, either of them may file an appropriate custody action.

12. With respect to the marital residence, notwithstanding what we have indicated above in this Order,the Defendant shall be permitted to go the maritalresidence for short periods of time for the purpose of picking up or dropping off the children with respect to periods of temporary custody or visitation with the Defendant.

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

4-15-94 Copies dist. to Co. Control, Pltf & MCPD (fax & Mailed) 4-19-94 Copy to Deft.

June 3, 1994, Form for Complaint for Indidrect Criminal Contempt for Violation of Protection From Abuse Order filed.

NOTICE OF HEARING Form filed. You are hereby ordered to appear for hearing on: June 13, 1994 Time: 3;00 p.m. Place: Ct. Room 2. Your bail has been set at: ROR with conditions. Wm. Chisholm, District Justice Date: 6/1/94

Jun. 9, 1994 Motion to Vacate Protection from Abuse Order and ORDER filed. AND NOW, this 9 day of June, 1994 upon receipt and review of t he plaintiff's motion to vacate and terminate the protection from Abuse Order of April 13, 1994, said motion is granted and the Protection fromAbuse Order is hereby **vacated** and **terminated**.

A true and correct copy of this Order shall be delivered by the Prothonotary to Meadville City Police and to County Control.

Any provisions of t he Protection from Abuse Order of April 13, 1994 assessing court costs shall remain in full force and effect without change or modification and the party or parties against whom costs were assessed shall remain obligated to pay the costs.

BY ORDER OF COURT
Anthony J. Vardaro, J.

6-9-94 Faxed to MCPD, given Co. Control. 6-15-94 Mailed copy to Pltf & Deft.

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1994

1994

Regina Chico Durick
vs
Thomas William Durick

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4. The only specific marital property or possibly non-marital property that the Defendant currently requests are approximately sixty (60) compact disks, the Court noting that apparently the Plaintiff has already returned approximately one hundred forty(140) compact disks to the Defendant at his request. The Plaintiff maintains that she does not know the whereabouts of those compact disks, and the Defendant maintains that they must be somewhere amoung the marital or non-marital property removed on January 10, 1994 or else possibly in the possession of the Plaintiff's brother based on statements the Defendant maintains the Plaintiff has made to him. We will required that within thirty (30) days the Plaintiff provide thses compact disks to the Defendant or else he may remove the sum of $1,000.00 from the escrow account at Northwest Savings Bank and the attorneys for both parties shall sign the appropriate withdrawal form for that to occur if the compact disks have not been returned within thirty (30) days. Again, we note that this is without prejudice to the Mater to consider both parties' position with respect to this issue as well as all of the other issues that we have addressed, it being our sole intention to try to address this petition for special relief in an appropriate manner so that the parties may maintain the assets in an appropriate manner pending the outcome of this litigation.

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

5-4-94 Copies dist. to Kirkpatrick & Irwin.

May 4, 1994 ORDER filed. AND NOW, April 29, 1994, this matter is before the Court on the Plaintiff's motion as indicated above. After informal discussion with the parties and counsel present, they essentially agree to a resolution of this matter with each party required to provide certain production to the other party and accordingly, we enter the following Order:

1. The Defendant through his counsel will provide to Plaintiff through her counsel copies of all agreements, contracts, buy/sells, documents pertaining to the Defendant's ownership in the business known as Lee & Associates, within sixty (60) days of the date of this Order without prejudice to the Plaintiff to request further infromation and to ask the Court for further relief once Plaintiff's counsel has had an opportunity to review the coduments provided.
2. The parties agree that within sixty (60) days of this date they will exchange account statements as of December 13, 1993 and approximately July 18, 1992 for all bank accounts, pension accounts, investment accounts and retirement accounts for each respective party with each respective party required to produce such information concerning their specific individual accounts. The parties shall be responsible for obtaining infromation with respect to joint accounts available to each of them on their own and no party shall be required to produce that information to the other party.
3. AT time to be arranged through counsel the Plaintiff may have an appraisal of the real estate at 366 Edgewood Drive in Meadville, Pennsy lvania, to determine the fair market value and for that appraisal both the Defendant and the Plaintiff may be present and their counsel may be present if they desire. The Plaintiff through her counsel will provide to Defendant through his counsel a copy of that appraisal within thirty (30) days of when it is issued.
4. Within sixty (60) days of the date of this Order, the Defendnat will provide to Plaintiff again through cousnel the pay-off figure on the current mortgage for the residence at 366 Edgewood Drive in Meadville, Pennsylvania. That pay-off shall be provided for approximately July 18, 1992 and also for January 10, 1994.
5. The Defendant through his counselshall immediately attempt to obtaina copy of a May, 1990 appraisal done when the Defendant purchased the property at 366 Edgewood Drive in Meadville, Pennsylvania. And once he obtains it,his counsel shall provide to Plaintiff's counsel a copy of the same within thirty (30) days. If he is unable to obtain it, Defendant's counsel shall indicate that in writing to Plaintiff's counsel within ten (10) days of being unable to do so.
6. The parties agree that the value with respect to certain motor vehicles set forth in the Plaintiff's motion at this time may not be useful, but at somepoint closer to the Master's Hearing they would be. Accordingly, the Defendant through his counsel shall provide to Plaitniff counsel any appraisals obtained with respect to those four (4) motor vehicles forty-five (45) days prior to the scheduled Master's Hearing or if they have not been provided by that time then Plaintiff shall be entitled to access to those vehicles for the purpose of obtaining her own appraisal with respect to each vehicle with said access to be arranged through Defendant's counsel and with said access to be provided promptly after the request is made. The Defendant also agrees to provide the pay-off amounts for any of those motor vehicles if any exists with respect to each individual for the two significant dates, i.e., the date of marriage and the date of separation with the same to also be provided forty-five (45) days prior to the Master's Hearing. With respect to any appraisals that may exist, the parties agree that those will be promt;y exchanged. We note that when we indicate motor vehicles, we include a Lincoln Towncar, a Mitsubishi Galant and Isuzu Trooper and a Yamaha Jet Ski.
7. The parties agree that within sixty (60) days of the date of this Order to exchange statement providing the cash value of all life insurance policies as of the date of marriage and the cash value of life insurance polcies for each such policy as of the date of separation of the parties.

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

5-4-94 Copies dist.to Kirkpatrick & Irwin.

May 12,1994 Transcript of Testimony ofRegina Chico Durick Taken at Time of Hearing, filed.

Jul. 12, 1994 Exhibits, filed.

Aug. 15, 1994, Affidavit of Plaintiff regarding availability of counseling filed. 1 copy (att

Feb. 1, 1996 Notice to Defendant of Plaintiff's Affidavit Under Section 3301(d) of Divorce Code, filed.

Nov 6, 1996 Motion For Leave to Withdraw Appearance and Order: And, Now, November 4, 1996, the motion for withdrawal of Appearance is granted.
Gordon R. Miller,P.J.
Nov 7, 1996 Faxed Irwin & Kirkpatrick

Certificate of Service of Plaintiff's First Set of Interrogatories Directed to the Defendant, filed.

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May 28, 1997 Plaintiff's First Request for Production of Documents Directed to Defendant filed.

May 28, 1997 Motion to Compel Answers to the Plaintiff's First Set of Interrogatories and Order filed. AND NOW, to-wit, this 28 day of May, 1997, upon the presentation of the Movant's Motion to Compel Answers to Interrogatories, and Request for Leave to Conduct Discovery under the Pennsylvania Rules of Civil Procedure is hereby ADJUDGED ORDERED AND DECREED as follows:

(1.) That the Respondent Thomas William Durick shall file a written Response to the Interrogatories served by counsel for the wife, under oath, within twenty (20) days of this Order. Failing the same he shall be subject to such sanctions as the Court shall deem fit.

(2.) Wife is granted leave to file a further request for production of documents subject to Defendants right to object to the same & No objection to deposing the Defendant.

BY THE COURT
P. Richard Thomas, S.J.
5-28-97 FAXED Irwin & Schlass

July 10, 1997 Notice of Deposition Duces Tecum filed.

Aug. 8, 1997 Notice of Rescheduling of Deposition filed.

Aug. 18, 1997 Notice of Deposition Duces Tecum filed.

Sept 2, 1997 Acknowledgment of Receipt of Subpoena Duces Tecum Notice of Deposition and Subpoena, filed.

Sept. 5, 1997 Separation and Property Settlement Agreement filed.

Sept. 5, 1997 Waiver of Notice of Intention to Request Entry of a Divorce Decree Under §3301(C) of the Divorce Code by Regina C. Drick, Plaintiff, filed.

Sept. 5, 1997 Waiver of Notice of Intention to Request Entry of a Divorce Decree Under §3301(c) of the Divorce Code by Thomas W. Durick, Defendant, filed.

Sept. 5, 1997 Affidavit of consent by Regina C. Durick, Plaintiff, filed.

Sept. 5, 1997 Praecipe to Transmit Record for review by Defendant Attorney, James R. Irwin, filed.

DIVORCE DECREE FILED

September 16, 1997 AND NOW, this 16th day of September, 1997, it is ordered and decreed that REGINA CHICO DURICK, Plaintiff, and THOMAS WILLIAM DURICK, Defendant, are divorced from the bonds of matrimony.

It is further ordered that the parties' Separation and Property Settlement Agreement dated September 4, 1997, 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. 20, 1997 Election to Resume Maiden Name filed. To be Known as: REGINA CHICO.

Jan 2, 1998 Petition to Enforce Marriage Settlement Agreement and Order: AND now to-wit this 2nd day of Jan. 1998 upon presentation of Plaintiff's Petition to Enforce Agreement, Request for Rule to Show Cause Why the Respondent Should Not be Held in Contempt of Court and Request for Imposition ofAttorneys Fees pursuant to Section 2503 of the Judiciary Code, it is hereby ORDERED, ADJUDGED, AND DECREED as follows:

A hearing shall be heard on the 19 day of Jan, 1998 in Courtroom 1, 2 or 3 at 9:30 a.m. before the Honorable P.R. thomas, at which time testimony shall be received on the Petition brought by the Petitioner.

In the event the Court determines the Respondent to be in violation of the terms and conditions of the Final Settlement Agreement/Order of Court, the Court may impose attorneys fees and expenses, assess damages to be paid, impose a fine, order incarceration or such other relief as the Court shall deem fit. P. Richard Thomas, S.J.
Jan 2, 1998 Faxed Schlass & Irwin

March 25, 1998 Praecipe to Withdraw Petition to Enforce Marriage Settlement Agreement by plaintiff attorney, M. Farley Schlass, filed.

March 26, 1998 ORDER RE: Praecipe to Withdraw Petition to Enforce Marriage Settlement Agreement filed. AND NOW, March 25, 1998, Praecipe to Withdraw Petition to Enforce Marriage Settlement Agreement is granted at the request of the Plaintiff.

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

DISTRIBUTED Attys. Irwin and Schlass.

January 19, 1998 EXHIBITS FILED.

1994

Robin L.Humes
vs
Jeffrey Nichol

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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 exceptions thereto are filed by either party within ten (10) 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 any remaining deposit paid in advance by the Plaintiff, less the cost of the custody order.

Gordon R. Miller, Judge

5-31-94 Copy Faxed to Attys. Fuller, Irwin& White

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1994

Bernard G.Wisinski and
Toni M.Wisinski
vs
Liberty Mortgage Corporation

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Oct. 10, 1995 Pre-Trial Order filed. BY THE COURT,Gordon R.Miller,P.J. (See Order filed.)

Oct. 10, 1995, Exhibits filed. (in small box top of files - Aisle A)

Oct. 16, 1995 ORDER filed. AND NOW, October 9, 1995, the plaintiffs' motion in limine as to paragraph 16 of the construction loan mortgage and as to the VA specifications are denied.

Paragraph 16 of the construction loan agreement is not difficult to understand and has no bearing on this suit. Paragraph 16 generally provides that: the defendant is not responsible to complete the construction project; the defendant is not responsible for conflicts between the work and the plans; and the defendant is not responsible for acts of contractors, subcontractors, etc.

Paragraph 16 of does not prevent a suit or claims such as the one now before the Court in this case. It does not prevent a suit or claim against the defendant for wrongful payments for paragraph 16 does not excuse the defendant for acts and misconduct of its own.

The VA standards have no bearing on payouts 1 through 4. The VA standard may have an effect on payout 5. The VA standards are not the sole determining factor as to payout 5. No payments may be made from the construction loan funds by the defendant without complying with paragraph 3 of the construction loan agreement. That requires a two parties authorized payment, one of which must be the borrowers, or the plaintiffs.

We view the language on payout 5 as really protecting two different interest. First of all, the payout cannot be made without the approval of the borrowers, the plaintiffs so that they may be satisfied with construction at that stage. We view the approval by an appraiser in accordance with VA standards to protect the interests of the mortgagee and the VA to make certain that the improved residential real estate is of sufficient value to secure the underlying mortgage.

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

October 16, 1995 Plaintiffs' Motions in Limine (Motion #3) filed.

Oct 20, 1995 Upon praecipe of plaintiff attorney the above-action is marked "Settled and Discontinued" of record.
1 copy atty

1994

James L. Huddleson
vs
Karen M. Huddleson

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July 6, 1994 Complaint for Indirect Criminal Contempt forViolation of Protection From ABuse Order and Notice of Hearing filed.

1. x You are hereby ORDERED to appear for hearing on:
Date: 7-11-94 Time: 3:30 P.M.

William D. Chisholm, District Justice

July 14, 1994 Order filed. AND NOW, Jluly 11, 1994, after hearing, the Court finds the Defendant in contempt of the conditions of an Abuse Order, dated April 29, 1994, and in addition in violation ofthe intent and language of an Order entered by Judge Gordon R. Miller on January 31, 1994.

As punishm ent for the contempt, the defendant is sentenced to 30 days in the Crawford County Jail. The 30-day sentence is temporarily suspended and will be continued in suspension if within 20 days of this date, the defendant pays a fine of $250 to the Prothonotary's Office of Crawford County. In addition, the Court will order the defendant to pay attorney's fees in such amount as the Court determines appropriate when the Court receives a copy of the attorney's fees bill submitted to the plaintiff by his attorney relating to this contempt proceeding.

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

July 14, 1994 Faxed Kirkpatrick & Hatheway

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June 26, 1996 Motion Requesting Real Estate Appraisal and ORDER filed. AND NOW, to-wit, this 26 day of June, 1996 upon Petition of the defendant, Sharon M. Lnag, by and through her attorney, Thomas J. Gravina, Esquire and upon presentation of Petition in open Court, it is ORDERED, ADJUDGED and DECREED that the Plaintiff, Gerald Lang shall cooperate in permitting a real estate appraisal of the property in which he resides in Cochranton, Crawford county, at a time to be scheduled, during daylight hours by real estate appraiser retained by the defendant, Sharon M. Lang. The cost of said appraisal is to be advanced by the defendant Sharon M. Lang with the issue of reimbursement to the defendant of said payment to be addressed at the Equitable Distribution Hearing scheduled before the Permanent Hearing Master, David Pickens.
By the Court;
Anthony J. Vardaro, J.
6-26-96 FAXED Gravina, Pickens.

July 3, 1996 Petition Requesting that Gerald Lang BE Found in Direct Civil Contempt and ORDER filed. AND NOW, to-wit this 2nd day of July, 1996 upon Petition of Sharon M. lang requesting that Gerald Lang be found in direct civil contempt of this Court's Order of Jan. 18, 1995, it is ORDERED, AND DECREED that a hearing on said Petition be held on the 9th day of July, 1996, at 1:30 p.m., CR # 2. (see papers filed).

By the Court:
Gordon R. Miller, J.

July 5, 1996 Order FAXED Atty. Gravina, Keenan.

July 9, 1996 ORDER filed. AND NOW, July 9, 1996, this matter comes before the Court on a petition filed by the defendant requesting that the plaintiff be fournd in direct civil contempt for his violation of this Court's Order of January 18, 1995.

Essentially, that Order which was originally entered and required further hearing, stated that the plaintiff would not remove, withdraw or dissipate the proceeds of his private sharing plan with Wilbur Smith Associates. By agreement of the parties, no hearing was held, but that Order was to remain in full force and effect until further Order of Court. Essentially, at this time, the defendant maintains that the plaintiff has contrary to that Order withdrawn funds from his Wilbur Smith Associates plan and is prepared this day to present evidence to prove that. Counsel for the defendant has documents that would at least prima facie establish that fact, but at the time of this hearing, the plaintiff as the respondent in this proceeding has not been served and may have left the jurisdiction.

Under this factual situation, we cannot hold a hearing to determine whether the plaintiff is in contempt because it is unclear as to whether he has any knowledge of this hearing and likewise, he cannot be held in contempt for not appearing because again, it does not appear that he has been served with notice of this hearing.

HOWEVER, based on the facts that are presented to the Corut, it appears that an expansion of the Order of January 18, 1995, for the purpose of protecting the marital assets would be in order, and accordingly, it is ORDERED AND DIRECTED that the Order of January 18, 1995, enjoining and restraining Gerald Lang from withdrawing any or all funds from any plan with Wilbur Smith Associates shall remain in effect, and further, pursuant to this court's inherent power to enter and enforce an Order necessary to carry out its decrees and exercise its jurisdiction (42 Pa.C.S.A.323, it is ORDERED AND DIRECTED that Wilbur Smith Associates be enjoined and restrained from making any payments or loans to Gerald Lang from any funds remaining in any plan in the name of Gerald Lang.

(FOR REMAINDER OF ORDER, PLEASE SEE FILED FOLDER)

BY THE COURT,
Anthony J. Vardaro, J. 7-5-96 FAXED Gravina, Keenan

July 11, 1996 Motion to continue Masters Hearing and ORDER filed. And now, July 11, 1996 Motion DENIED.
David Pickens, Master

July 11, 1996 Certificate of Service upon Gerald Lang filed.

July 11, 1996 ORDER filed. And now to-wit, this 11th day of July, 1996 upon consent of the parties it is ORDERED that:

1. The petition of Sharon Lang requesting that Gerald Lang be found in contempt of this Court's Order of Jan. 18, 1995 withdrawn.
2. This Courts Order of July 9, 1996 shall remain in full force and effect except that the hearing on contempt scheduled for July 19, 1996 is discontinued.
3. Gerald Lang will pay to Thomas J. Gravina, Esq. as escrow agent the sum of $2,878.72 which Gerald Lang certifies is the balance remaining of the funds received by him from Wilbur Smith Assoc. on account of his Profit Sharing Plan.
4. The parties shall immediately list for sale the property located at 529 Green Haven Ct, Pittsburgh, PA 15239 with Howard Hanna real estate agency at an asking price of $82,000. Gerald Lang will pay to Thomas Gravina Esq. as escrow agent a sum of money monthly equal to the short fall of rent received on the above property and the mortgage payment amount. Thomas Gravina will apply all sums received to the mortgage payment.
5. Gerald Lang shall repair the steps at the above property to the satisfaction of State Farm Insurance Co. before August 13, 1996.

By the Court
Anthony J. Vardaro, J.

July 11, 1996 Motion to reschedule Contempt Hearing filed. AND NOW, to-wit this 11th day of July, 1996 on Motion of Thomas J. Gravina, Esquire, attorney for Sharon Lang that the hearing on Sharon Lang's Petition requesting that Gerald Lang be found in contempt of this Court's Order of January 18,1 995 be rescheduled from July 19, 1996 to July 11, 1996, it is ORDERED that the contempt hearing scheduled for July 19, 1996 is rescheduled for July 11, 1996 at 1:00 p.m. in court Room #2, Crawford County courthouse. The respondent Gerald Lang is ordered to be present for said hearing and to remain in attendance until dismissed by the court.

Personal Service of this Order shall be made on Gerald Lang by counsel for Sharon Lang.
BY THE COURT:
ANTHONY J. VARDARO, J.

July 8, 1996, Subpoena served on C.Y.S. of Crawford County filed.

July 16, 1996, Notice of Re-scheduled Master's Hearing filed.

July 19, 1996, Affidavit of Service of Order of court filed.

Aug. 12, 1996 Appearance of Haller and Gates by John T. Haller, JR. , Esq., on behalf of Gerald Lang, filed.

Aug. 15, 1996 Inventory & Appraisement filed on behalf of Plaintiff filed.

Sept. 4, 1996 Petition Requesting Enforcement of Settlement Agreement and Order of Court filed. AND NOW, to-wit, this 4th day of September, 1996, upon Petition of the Defendant, Sharon Lang, for enforcement of the Settlement Agreement between the parties, the same is scheduled for a hearing before the Honorable A. Vardaro in Courtroom No. 2 on Friday, Oct. 11, 1996 at 10:00 A.M.

FOR THE COURT:
Ann A. Walker, Ct. Admin.

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~A~

Gerald Lang
vs.
Sharon M. Lang

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Sept. 30, 1996 Notice of Scheduled Pre-Hearing Conference filed.

Oct. 22, 1996 Praecipe to Transmit Record Under Section 3301(C) of the Divorce Code on behalf of Defendant filed.

DIVORCE DECREE FILED

Nov. 1, 1996 AND NOW, this 1 day of November, 1996, the court, having reviewed this case, finds that the marriage between the Plaintiff and Defendant is irretrievably broken. it is DECREED that the Plaintiff, Gerald Lang is divorced from the bonds of matrimony contracted between himself and the Defendant.

IT IS FURTHER ORDERED and decreed that the terms, provisions and conditions of a certain Property Settlement Agreement, Attached to this Decree, are incorporated into this Decree by reference as fully as though set forth herein. Said Agreement shall not merge with, but shall survive this Decree.

THE COURT RETAINS continuing jurisdiction over this Decree for the purpose of ensuring compliance with and enforcement of the terms of the agreement attached hereto.

IT IS FURTHER ORDERED that the Court hereby retains jurisdiction of any claims raised in this action by the parties 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.

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Nov. 5, 1998, ORDER filed. AND NOW, this 30th day of Oct., 1998, written notice of the Court's intent to terminate the cases listed below having been given to the parties or their counsel of record, and further notice having been given by publication of a "Notice of Intent To Terminate Cases" printed in the Crawford County Legal Journal on Oct. 14, 1998, and no objection thereto having been received by the Court from either party in the cases listed below, all and each of the 84 cases listed below are hereby terminated and dismissed with prejudice. A copy of this order shall be filed at each of the docket numbers listed below, but copies need not be given to or served upon the parties or their attorneys. Cases may be reinstated only in accordance with Crawford County Rule LJA 19011.

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

1994

KATHY J. SCHMITZ
vs.
CHARLES E. SCHMITZ

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AD 1994 - 367

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Jul. 18, 1994 Petition for Contempt, Notice and Order to Appear and Order filed. Legal proceedings have been brought against you alleging you have 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, you must appear in person in court on the 4th day of August, 1994 at 10:00 o'clock A.M. in Courtroom No. 1 or 2 of the Crawford County Courthouse.

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

If the court finds that you have willfully failed to comply with its order for custody, you may be found to be in contempt of court and committed to jail, fined or both.

Gordon R. Miller, J.

ORDER. AND NOW, this 19 day of July, 1994, it is hereby ORDERED, ADJUDGED AND DECREED that a Rule to Show Cause is hereby entered upon Respondent, Kathy J. Schmitz, to show cause whey she should not be held in contempt of Court.

Said Rule is returnable on the 4th day of August, 1994, in Courtroom No. 1 or 2 of the Crawford County Courthouse, Meadville, Pennsylvania at 10:00 o'clock A.M.

BY THE COURT:
Gordon R.Miller, J.

7-20-94 Faxed to Attys. Irwin & Feguson

Aug. 5, 1994 ORDER filed. AND NOW, August 4, 1994, the matter is before the Court on a Petition for Contempt filed by the defendant and on a Petition to Modify filed by the plaintiff.

The matter is informally discussed by counsel and in chambers conferences with minor child Shawn and with the defendant father.

The issue is the hesitancy on the part of minor child Shawn, who will become 15 years fo age on August 18, 1994, to spend appreciable amounts of time with his father during the mother's custodial weeks, with said time occurring during mother's working hours.

By agreement of both counsel, the visitationperiods with the father during mother's custodial periods when she is at work will b emodified to the end that on Tuesdays and Thursdays, child Shawn can remain under the responsibility of mother's care during mother's working hours and mother may prescribe the conduct he may engage in, and the Court is advised that until school commences, there has developed a regular golfing pattern on Tuesdays and Thursdays between Shawn and his grandfather. The Court urges the mother to continue these golfing arrangements between grandfather and grandson on Tuesdays and Thursdays, but we do not mandate thart these must occur.

On Mondays, Wednesdays and Fridays during mother's custodial periods and until school commences, Shawn shall be in his father's care and custody and the Court urges the father to attempt to engage in such activities as keep Shawn occupied while still considering he has the responsibility for the proper supervision of minor child Jessica.

The Court defers at this time any action on the Petition for Contempt and the Court leaves to the discretion of counsel filing the Petition to Modify to take such actions as they believe necessary to bring this matter to a head.

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

Aug. 5, 1994 copies dist. to Irwin & Ferguson

Aug. 12,1994 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 for Custody filed by the Plaintiff and certaified by the Prothonotary of Crawford County, Pennsylvania, on the Defendant, Charles E. Schmitz, by certified mail, addressee only, return receipt requested, dated April 25, 1994. The Defendant acknowledged service on April 26, 1994, by accepting delivery on that date as evidenced by the attached signed return receipt. Douglas W. Ferguson

Sept. 8, 1994 Motion To Withdrawn Petition To Modify and Order, filed. AND NOW, this 7th day of September, 1994, the within Motion is granted and the Prothonotary is directed to refund the sum of $150.00 to the Plaintiff.

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

Sept. 9, 1994 Faxed Irwin & Fuller, given to Feguson

June 21, 1996 Plaintiff's Petition for Contempt of Custody Order and ORDER filed. AND NOW, this 20 day of June, 1996, upon consideration of the foregoing Petition for Contempt, it is hereby ordered, directed and decreed that a Rule to Show Cause is issued upon the Defendant, Charles E. Schmitz, to show cause if any he should not be held in Contempt of the court's Order of June 2, 1994.

Returnable for hearing Wednesday, July 24, 1996 at 9:15 A.M., C.R. #1 or #3.

Pending a hearing in this matter the Defendant, charles E. Schmitz, shall comply with the Court's Order of June 2, 1994 including but not limited to:

Returning the parties' minor child, Jessica Schmitz, to the Plaintiff herein, Kathy Jo Schmitz pursuant to the terms and conditions of the Court Order of June 2, 1994.

Service of this Petition and Order shall be made upon James Irwin, Esquire, attorney for the Defendant by regular mail.

BY THE COURT,
Anthony J. Vardaro, J.

6-21-96 FAXED Irwin & Ferguson

July 26, 1996 Order filed. AND NOW, July 24, 1996, after informal input from both aprties and their counsel and after a lengthy In Chamgers with counsel and the minor child involved, this Court cannot find that the Defendant is in willful and deliberate contempt and evidenced an intent to encourage his daughter to vioalte this Court Order regarding custody and visitaion. Accordingly, we dismiss the Contempt Petition, but we direct that both parties and minor child comply with the existing Order of June 6, 1996.

If either or both aprties believe a more accommodating visitation schedule would be in the interest of parent and child, they should mutually and objectively discuss the same andif they wish the visitations schedule altered from the June 6, 1996 Order, they should have their attorney's prepare a mutual agreement modifying the terms thereof in the best interest of aprent and child.

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

7-29-96 Distributed Ferguson & Irwin

Nov. 15, 1996, Petition for Temporary Custody Pending Mediation filed.

Nov. 15, 1996. Petition for Contempt filed.

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CHARLES E. SCHMITZ
Plaintiff
VS.
KATHY JO SCHMITZ
Defendant

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Aug. 8, 1996 Petition to Modify Custody, Notice and Order to Appear and ORDER and Notice filed. You, Kathy Jo Schmitz,have been sued in Court to obtain custody of Shawn E. and Jessica M. Schmitz.

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.

Anthony J. Vardaro, J.

8-15-96 FAXED Fuller, Irwin & Ferguson

AND NOW, THIS 13 day of August, 1996, 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 Parents 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.

BY THE COURT:
Anthony J. Vardaro, J.
8-15-96 FAXED Fuller, Irwin & Ferguson

Sept 13, 1996 Certificate of completion of the Seminar for Separating Parents for CHARLES E. SCHMITZ, filed.

Nov. 15, 1996, Petition for contempt filed.

Nov. 15, 1996, Petition for Temporary Custody Pending Mediation filed.

Nov. 15, 1996, ORDERS filed. Order: And now this 15 day of Nov. 1996 it is hereby ordered, adjudged and decreed that a Rule to show cause is hereby entered upon dft. toshow cause why she should not be held in contempt of court.

Said rule is returnable on the 4th day of Dec. 1996 in C. R. No. 1 of courthouse, Meadville Pa. at 1:00 p.m.

BY THE COURT,
Gordon R. Miller, J.

11/15/96 faxed to Irwin and Ferguson.

Dec. 6, 1996 Certificate of Completion of Seminar For Separating Parents for Defendant filed.

Dec. 2, 1996, Motion to withdraw Petition for contempt and order filed. ORDER: AND NOW, this 27th day of Nov. 1996 upon presentation and consideration fo the within Motion, Plaintiff's Petition for contempt is hereby withdrawn.

Gordon R. Miller, J.

12/2/96 faxed to Ferguson and Irwin.

Dec. 12, 1996 Order filed. AND NOW, December 11, 1996 after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Shawn E. Schmitz and Jessica M. Schmitz 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 Shawn E. Schmitz shall continue to be shared between the parents on an alternating week basis in accordance with the prior order and agreement of the parties.

III. Physical custody of Jessica M. Schmitz shall be shared between the father and mother under the following conditions:

A. The mother shall be entitled to take the child into her custody every weekend from 5:00 o'clock p.m. on Friday to 5:00 o'clock p.m. on Sunday, beginning December 6, 1996.

B. The father shall be entitled to take the child into his custody every week from 5:00 o'clock p.m. on Sunday, beginning December 8, 1996 until 5:00 o'clock p.m. on Friday.

Cost of the mediation conference will be divided equally 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.

12-13-96 FAXED Ferguson, Irwin & Fuller

1994

Jennifer MacPherson
vs
Robert Dennis

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Oct. 7, 1994 Re: Complaint for Indirect Criminal Contempt for Violation of Protection from Abuse Order. Assignment of Hearing date filed. AND NOW, October 6, 1994, hearing in the above captioned matter has been scheduled for October 20, 1994 at 1:30 P.M. in Courtroom No. 1 or 2 at the Crawford County Courthouse, Meadville,PA.

BY ORDER OF THE COURT,
Ann A. Walker, Ct.Adminstrator

10-6-94 Distributed by Ct. Adm. to Pltf & Deft. & Vernon Twp. Police

Oct. 21, 1994 ORDER, filed. AND NOW, October 20, 1994, this matter is before the Court on a Complaint for Indirect Contempt for Violation of a Protection From Abuse Order which had been filed on September 29, 1994 by Patrolman John A. Merry of the Vernon Township Police Department. The Defendant appears without counsel and indicates that he wishes to proceed representing himself.

Essentially, Judge Gordon R. Miller's Protection From Abuse Order entered on January 10, 1994 in Paragaraph 2 forbade the defendant from going to the plaintiff's residence or, in fact, going within 100 yards of her aresidence. Apparently, within a couple of weeks after that Order, the parties reconciled, with the defendant going to that residence to live without a modification of the January 10, 1994 Order.

This continue duntil September 29, 1994, when neighbors overheard apparently a loud argument and called the Vernon Township Police, resulting in Patarolman Merry going to the residence.

Based on the defendant's admission that he was, in fact, at that residence, it is clear that he is in contempt of Judge Miller's Order of January 10, 1994, and accordingly, he is adjudicated in contempt of that Order.

In light of the fact that there is abviously contempt, but apparently by agreement of the parties, we will sentence the defendant to undergo imprisonment in the Crawford County Jail for a miniumum term of 30 days and a maximum term of 90 days and to pay a $300 fine, both of which will be suspended and he will be placed on 6 months of non-reporting probation subject to the following terms and conditions so that he may purge himself of contempt:

1. He shall during the remaining term of the Protection from Abuse Order on Jnauary 10, 1994, obey the terms and conditions of that Order as modified by an Order entered by Judge Miller on October 3, 1994.

2. He shall continue to receive counseling through Dr. David Gashton and not discontinue such counseling without the prior consent of the counselor.

BY THE COURT,
Anthony J. Vardaro, J.

Oct. 21, 1994 Faxed Vernon PD, Co. Control.
Oct. 27, 1994 Sent Plf. & Dft.

520

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